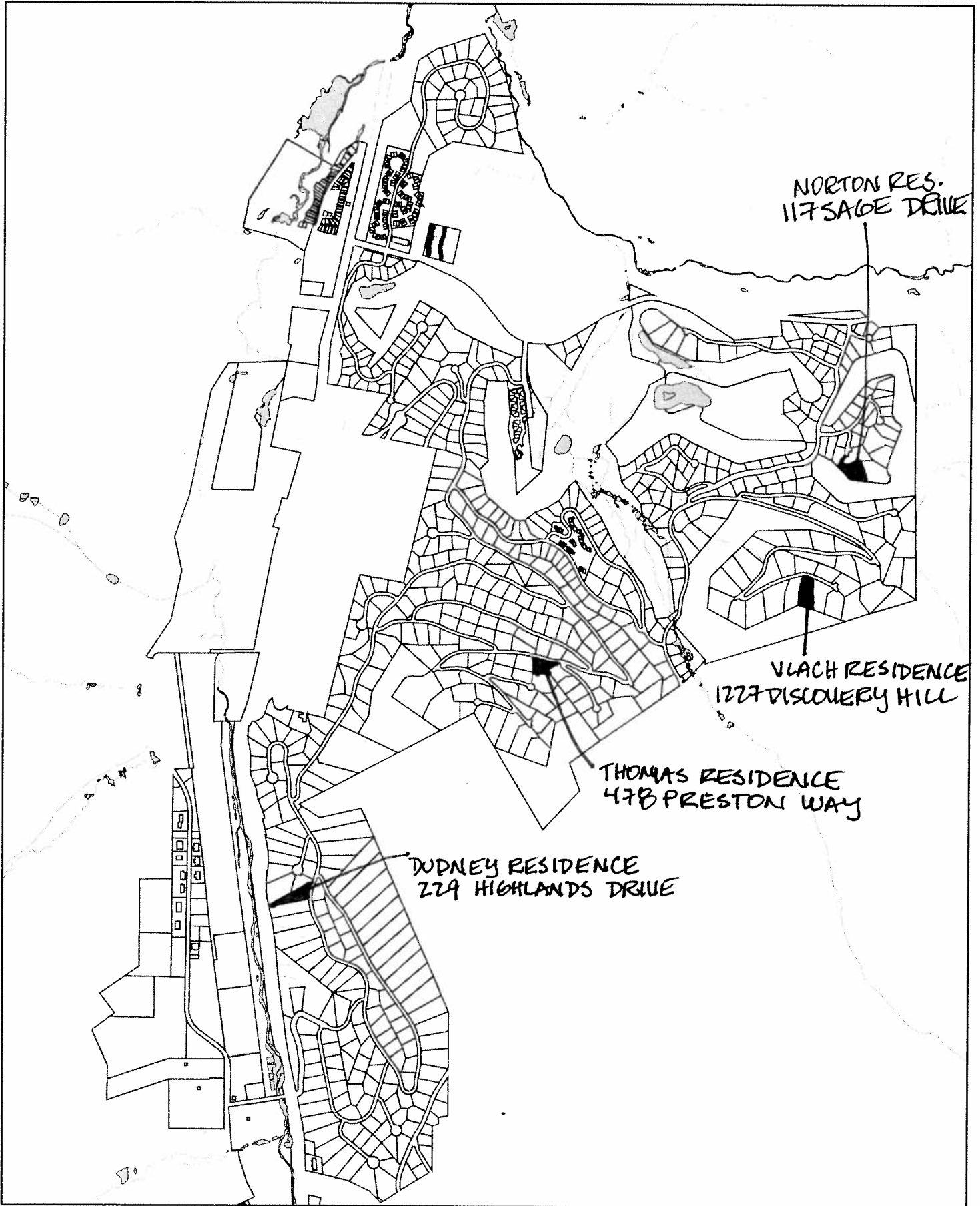


Town of Breckenridge
Planning Commission Agenda
 Tuesday, February 19, 2008
 Breckenridge Council Chambers
 150 Ski Hill Road
Dinner will be served to Commission and Staff.

6:00	Work Sessions	
	1. Comprehensive Plan (MT)	14
7:00	Call to Order of the February 19, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call	
	Approval of Minutes February 5, 2008 Regular Meeting	4
	Approval of Agenda	
7:05	Consent Calendar	
	1. Valette Residence Permit Renewal (CN) PC#2008017 301 South French Street	18
	2. Dudney Residence (CK) PC#2008016 229 Highlands Drive	40
	3. Vlach Residence (JS) PC#2008015 1227 Discovery Hill Drive	45
	4. Thomas Residence (MGT) PC#2008019 478 Preston Way	51
	5. Lot 7, Warriors Preserve (MGT) PC#2008018 111 Victory Lane	58
	6. Summer Fun Park (CN) PC#2008014 320 North Park Avenue	63
	7. Norton Residence (CK) PC#2008008 117 Sage Drive	71
7:15	Combined Hearings	
	1. Wellington Neighborhood Phase II Block 8 Subdivision (MGT for MM) PC#2008013	78
	2. Wellington Neighborhood Phase II Block 8 Development (MGT for MM) PC#2008012	86
9:00	Final Hearings	
	1. 100 South Harris Street Restoration and Addition (MGT) PC#2008003 100 South Harris Street	112
10:00	Other Work Sessions	
	1. Solar Panels (JS)	138
	2. Landscaping Policy (JC)	140
11:00	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.*



NORTON RES.
117 SAGE DRIVE

VLACH RESIDENCE
1227 DISCOVERY HILL

THOMAS RESIDENCE
478 PRESTON WAY

DUDLEY RESIDENCE
229 HIGHLANDS DRIVE

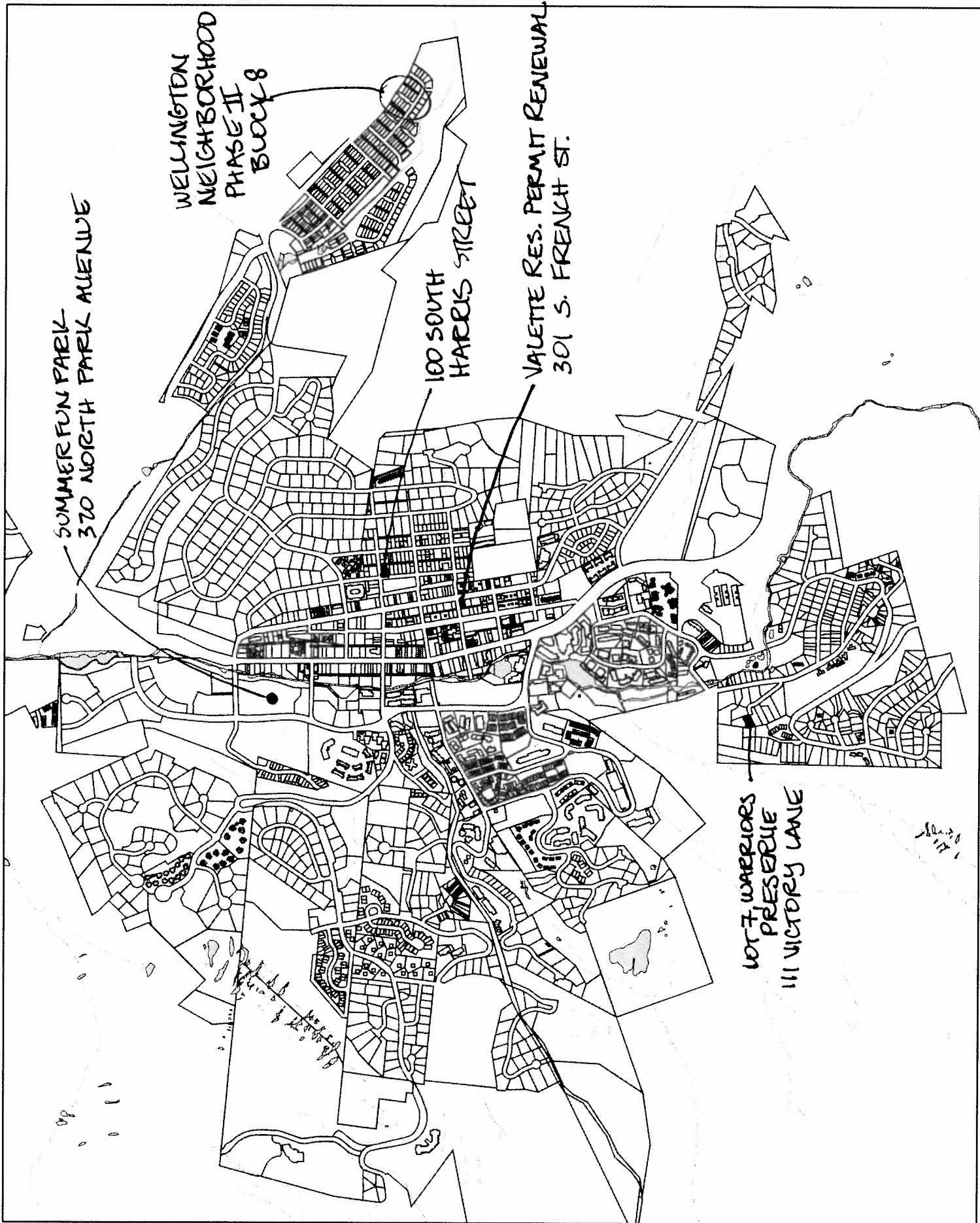


Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
use of the product for any purpose is at user's sole risk.

Breckenridge North

printed 2007

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

Breckenridge South

printed 2007



PLANNING COMMISSION MEETING

WORK SESSION

1. Ex-Parte Contact, Voting and Meeting Process (Tim Berry, Town Attorney)

Tim Berry presented a paper regarding ex-parte contact, Commissioner ethics, conflicts of interest and the meeting voting process.

Mr. McAllister sought clarification on quasi-judicial matters vs. legislative matters. (Mr. Berry indicated that quasi-judicial matters are those where a decision is made with respect to one applicant or one price of property. Legislative issues are those creating laws that apply generally the whole community. Just like a judge cannot have direct contact with a defendant outside of the courtroom, Commissioners should not discuss an application outside of the formal hearing process. If approached by the public, tell them that you can not discuss an application outside of the meeting, and if you do you may not be able to vote on the topic.)

Dr. Warner sought clarification regarding Section 18.2 E of the memo, concerning asking for information from other Commissioners. Mr. Berry pointed out that all information regarding quasi-judicial matters must be in an open meeting, but that Commissioners are welcome to contact staff to get additional information.

Conflicts of Interest: Mr. Berry indicated that the usual procedure to determine if there is a potential conflict is to “follow the money”. If the money leads back to you, or there is some other direct financial benefit to the Commissioner, there is a conflict. It is the responsibility of a Commissioner to raise a potential conflict of interest to the rest of the Commission during the public hearing. The Commission will then discuss the matter, and decide if there is a conflict. If there is a conflict, the Commissioner must refrain from the discussion, and refrain from attempting to influence other members of the Commission. This means they should leave the Council Chambers during the discussion. A Commissioner, however, may represent themselves in front of the Commission if the application is for their own residence.

Mr. Allen asked if members of the Commission could attend and speak at a Council meeting. Mr. Berry stated they could attend but he would rather they not discuss pending issues.

Mr. Bertaux asked if a member of the Commission could talk before Town Council after an application was voted on at the Commission level. Mr. Berry stated he would rather see Commissioner remain silent.

Mr. Berry discussed the point analysis. He stated once the point analysis has been decided by the Commission, a concurring decision must be made. Before the formal approval or denial, Commissioners are encouraged to discuss and debate the proposed point analysis, and may motion to change the point analysis. Once the point analysis is finalized, the Commission must approve the application, if the result is a passing point analysis.

Mr. Berry discussed transfers of development rights (TDRs) with the Commission. Points were discussed and staff explained the point process surrounding TDRs. Commission still has an opportunity to determine if the additional density fits, by using existing Development Code policies (setbacks, height, circulation, snow storage, etc.). Negative points cannot be assigned under the density policy, since the density transferred, plus existing density, results in a new density allowed. Town Council will authorize a maximum density transfer (“up to “X” SFEs), but it is still up to the Commission to decide if the density fits, using these other Development Code policies.

THE MEETING WAS CALLED TO ORDER AT 7:25 P.M.

ROLL CALL

Michael Bertaux
Peter Joyce
Sean McAllister

John Warner
Mike Khavari

Rodney Allen
Dave Pringle

APPROVAL OF MINUTES

With one change on page 10 of 200 (Dr. Warner: Town Council report should indicate that “separation for Main Street offices was supported by a 5-2 vote”), the minutes of the January 15, 2008 Planning Commission meeting were approved unanimously (7-0).

APPROVAL OF AGENDA

With no changes, the agenda for the February 5, 2008 Planning Commission meeting was approved unanimously (7-0).

CONSENT CALENDAR:

1. Shock Hill Sales Center (CN) PC#2008010; 260 Shock Hill Drive

Dr. Warner asked why there would be no bathroom in the structure. Staff point out that there is no plumbing proposed in this building, but a portable bathroom would be provided on site.

2. Yancey Residence (MGT) PC#2008011; 86 Preston Way

3. 155 Lake Edge Drive (CK) PC#2008009; 155 Lake Edge Drive

Regarding the disturbance envelope, Dr. Warner would like to always make sure applicants know on the front end that a disturbance envelope exists and the definition of such envelope. Staff indicated that there is a condition of approval specifying allowed activities inside the envelope. The building permit also requires that the contractor initial that they have read and understand the conditions of approval.

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

PRELIMINARY HEARINGS:

1. Shores Lodge (MM) PC#2007155; SW corner of Tiger Road and Stan Miller Drive

Mr. Mosher presented a proposal to construct an 81,314 square foot lodge with 75 units (19 of which would have owner lock-off rooms), 4,662 square feet of commercial space (including conference space, lounge, fitness area and guest spa) and surface parking on 5.47 acres. Underground parking was not possible due to the geology of the site. Negative points are warranted for building height. Possible positive points for architecture, landscaping, good circulation, renewable energy, extra amenities, shuttle system, dumpster incorporated into building,

Jeff Frahm, Craine Frahm Architects: Excited about designing development on this sight. Circulation pattern will be important. The look is contemporary mountain architecture to complement the adjoining buildings of neighboring developments. Three to four roof pitches will be used with large overhangs, heavy accents and all natural materials. Geothermal-aided heating for the snowmelt system and the building heating and cooling is planned. We are still discussing the photovoltaic panels for the covered parking area. All units would be one story.

Stephen Spears, Design Workshop: Sensitive site with the river nearby. Site design responds to naturalizing the property and protecting the river. Problematic elements were pointed out. All of the amenities are to the south of the building and get plenty of sun and fantastic views. Circulation is simple as the site is so flat. No need for several levels and stairs. The parking lot will be surrounded by 6-7 ft tall vegetation and berms, which will seclude and screen the parking lot. Mining heritage would be highlighted via different architecture techniques. Noted the additional trees planted per Staff's request. Believed the additional landscaping was good and would help buffer the neighboring properties. Parking lot is set below the right-of-way to help screen from view. This project will be a hub for the neighborhood. A connection to the trail system is sought.

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

Commissioner Questions/Comments:

Mr. Pringle: Sought clarification regarding radon gas. (Staff: monitoring is planned in buildings that are being designed and planned to be vented if discovered.) Have concerns that this class of project may not draw folks prone to use public transportation. They will depend more on the shuttle service being offered. A shuttle is almost mandatory for a project like this in this location. The area around the river is public land. Does the master site plan address public parking and river access? (Staff: this will be part of the Stan Miller Development to be reviewed at a future meeting.) Have we thought

about vehicular movement regarding the Red White and Blue fire district circulation on the neighboring property? (Staff: This will be part of the Stan Miller project for a future meeting.) Sought clarification regarding the chimneys and how they would be designed. Chimneys draw attention away from entry. Architecture could use more accentuation. Appeared flat across structure.

Final Comments: Positive points for architecture are not warranted at this time until some modifications are made. Pedestrian and vehicular circulation will work well the way this development is planned. Would support positive points. Site will operate more like lodging hot beds, but are we comfortable with this type of use on the periphery of town? Liked the way the building articulates and creates interest. Chimneys spread out defused the interest. Building lacks a focal point. Positive feeling. Nail down employee housing density and unit count.

Mr. McAllister: This is a good start. Work within the code and address concerns about architecture. Some architectural compatibility between neighboring buildings would enhance project. Accent the entryway more; does it fit with everything else? Skeptical that shuttles don't actually add to the traffic problem. Circulation is great as well as landscaping. Energy conservation is great. Support use of geo-thermal. Multiple deed-restricted units are encouraged.

Mr. Joyce: Would this be LEED certified? (Architect: We will be striving for green construction, but LEED certification is time consuming and costly. Will be using beetle kill wood, and other green building material and techniques.) Sought clarification regarding detention ponds and water quality. (Staff pointed out that a separate application is expected to route water from the Blue River through this development and the neighboring duplex property.) Do roof areas drop snow onto decks below? (Mr. Frahm pointed out the snow would miss the decks when it falls.)

Final Comments: Contemporary architecture is good, needs some work. Agreed with comments made about architecture. A model would be helpful. Placing some density into the roof forms is needed; also step the building down at the ends. As presented, Policy 33R, Energy Conservation, would warrant positive points. Would like to see additional transit information from established developments. Landscaping warranted positive points. Would hold off on positive points for circulation for now.

Mr. Bertaux: Sought clarification on one shuttle vehicle or the possible immediate need for two shuttle vehicles. Since proposal included the neighboring duplex property, two might be needed immediately. (Staff pointed out initially one service vehicle would be utilized; but at Highland Greens, shuttles were so popular that another was soon added.) The main entry to the building is difficult to locate; needs accentuation. Overall the building is nice looking, but needs additional variation. Spruce up the building more. Overall site plan is great and orientation to the south is great. Building isn't too exciting. More variety is needed regarding architecture. Believe that one service van will not likely satisfy demand. Generally supported the project.

Final Comments: OK with the architecture, but would like some revisions. Define entryway better to invite people to come into the building. Maybe stone should frame the entry. Guest loads would likely warrant two shuttle vehicles. Energy conservation points are supported. Project would do well, but with this location outside core of town, need more focus on amenities. Surprised amenity package didn't focus more on fitness center and pool.

Dr. Warner: Build some density into the roofline to add variety to building. Have concerns as to whether the shuttle service actually reduces traffic in downtown, especially with so much density in this part of town. Questioned the shuttle warranting positive four (+4) points. (Mr. Grosshuesch - With a past traffic study by Charlier, service vans were a positive factor and were encouraged. They appear to be working. We can enforce their use by covenants. Mr. Frahm indicated that guests would expect a certain level of service, including the shuttle.) Would the required square footage of employee housing consist of a single unit or multiple units? Would prefer to have multiple units rather than one large one. (Architect: This is still under discussion, but a manager unit is planned to be on site.)

Final Comments: Work more on the architecture then we will look at positive points. Struggled with flat rooflines. Vary roof more and step down at the ends. Maybe consider going to negative fifteen (-15) points on height so you can better define the entry. Landscaping looks good. Open to idea of positive points for circulation. Supported energy points too. Address the housing units/square footage. Would like some input from staff of usefulness of shuttles throughout town.

- Mr. Allen: Liked the project. Architecture is good. Roofline is bothersome and positive points are not supported at this time. Lower the chimneys as they are too enhanced compared to the rest of the building. Circulation is good as well as energy conservation; supported positive points. Suggested negative points for snowmelt. Liked the different separations of the building. Would like to know at next meeting where Shock Hill affordable housing would be incorporated.
Final Comments: Architecture positive points not supported at this time. Building is too uniform. Break up roofline more. Build more density into the roof. Possible negative points for no density in roof and not stepping building edges. If you must, take a negative fifteen (-15) point hit for height overage and do something dramatic to building. Size of building is broken up well. Nail down affordable housing. Not in favor of a single unit. Would like to see a menu of affordable housing. Shuttles are a great idea but needed to be convinced the system will support the numbers.
- Mr. Khavari: With height being over, will this hinder neighbors? (Staff doesn't anticipate any issues as neighboring properties are far away and toward the north.) Break up architecture.
Final Comments: Give entry more mass. Maybe consider going to negative fifteen (-15) points for height at entry. Energy conservation is great. Multiple employee housing units are encouraged. Might suggest another preliminary hearing. On shuttle points, will wait for more information from staff.

WORK SESSIONS:

1. Comprehensive Plan (MT)

Mr. Truckey presented the recent updates to the Comprehensive Plan. Some of the Commission has seen this before. Jeff Hunt started on this plan, and some major updates are now warranted. We will have time to visit this again at next meeting, and possibly at the March 4th meeting.

Commissioner Questions/Comments:

- Mr. Allen: Public hearings and open houses encourage public input. (Mr. Truckey pointed out a public meeting could be held the end of February or early March.) Has the BEDAC been involved on the economic chapter of the plan? (Mr. Truckey indicated that BEDAC staff had reviewed and updated the chapter, but not the entire BEDAC committee.) Should the three-mile plan be discussed in conjunction with this document? (Mr. Truckey said that the Comprehensive Plan, along with the Land Use Guidelines, would serve as the Three Mile Plan.) What clash does the town's land use have with the county's? (Staff pointed out the plans for both jurisdictions are for the most part consistent with each other.) Mr. Allen indicated that the suggested new land use district for open space properties could be modeled after the County's open space zoning district.
- Dr. Warner: Sustainability doesn't seem to be much of a theme. Economy and character of community are tied together in a positive way. Maintaining the Town's character attracts visitors who help drive the economy. In order to maintain our character and not overwhelm the Town, should we consider caps on skier numbers per day or blackout dates for the Buddy Pass? How will congestion be mitigated? The natural environment should be preserved and maintained. Watershed protection, in the wake of the beetle infestation, should be discussed and a policy added concerning it. Would like to see more energy conservation discussion in the plan. Are we on the cutting edge of energy use and abuse? Snowmelt systems are huge consumption compared to plowing. Housing percentage goals may need adjusted or clarified. Include goal of maintaining 47% workforce housing in Breckenridge.
- Mr. Pringle: Highest days of traffic may require implementation of special traffic plans, policed traffic control, etc. Traffic problems don't seem to be handled too well. Is the Town hitting its population targets or expectations? Gondola development may need to be included in this document. Peak 6 may need to be addressed. Now that we have Peaks 7 & 8 and the gondola, are they working with the plan? Alternative route to highway 9 (Coyne Valley Road to Fairview) might be mandatory. Air quality is negatively affected by natural gas. Wood burning stoves may be looked at in relationship to greenhouse gasses, and perhaps technology is at a point with wood-burning stoves where they are a good substitute for natural gas stoves and fireplaces.
- Mr. McAllister: What is the difference between this and the Vision Plan? (Staff pointed out this is more specific.) Was public input obtained between 2004 and 2006 or did the public provide vision plan input? Beetle kill trees and their consequences should be addressed. Transportation chapter should include I-70 improvements and hours of operation for the gondola. On air quality, PM (particulate matter) 2.5 should also be discussed (not just PM 10).

Peter Chlipala (Public): Gas fireplaces are easy to turn on whereas wood fireplaces take more work. Thus if more wood burning stoves were allowed, people would use them less than gas fireplaces. Some people turn on all five fireplaces at once, but would not bother if all were wood burning.

2. Home Size Policy (JS)

Public Comment:

Craig Campbell, homebuilder: Shares the interest in preserving Town's uniqueness, but placing an arbitrary cap doesn't accomplish this goal. The Green Building Code will do that already. There are Design Review Committees in place to address the architecture per neighborhood. This policy would not work across the board.

Michael Rath, Summit County Home Builders Association: Not in opposition with the idea of preservation. The Green Code will serve as device to control large homes with energy standards. If we work together to pass that we will accomplish the same thing. Some neighborhoods could use remodeling. There is a relationship between the size of the home and lot size. Older neighborhoods do not have building envelopes; maybe you should look at that. Will garage square footage be considered?

Peter Chlipala, homebuilder: Owns/built Snowy Ridge Subdivision. Maximum cap is discouraged and not agreeable because it stifles creativity and building a home. In some cases a basement can have hidden square footage, thus why should the square footage be included in the cap? Maybe the HOA's should draft better limitations and not the town. There are guidelines for other uses to mitigate points and believed that that should be the case for single family as well. If a 5,000 square foot garage could be built underground, then why should that matter?

Commissioner Questions/Comments:

Mr. Allen: How would this relate to subdivisions like Highlands Park that currently have square footage limitations? (Mr. Truckey: this policy would apply to whatever was most restrictive.) Opposed to rushing Phase 1 (cap) through. Not opposed, but need to have an intensive process with every owner in Town getting a letter of notice and participation. Opposed to rushing to pass this before the Council changes. Favors above ground density limits. Notify all in-town owners and get their feedback. Liked Phase 2 options but take it slow and do it all at once. Look at above-ground numbers but not number below ground. FAR makes the most sense. Big homes on big lots aren't issues. Big homes on small lots are the issue. 7,000 square foot home should set the mark with no negative points and be neighborhood specific.

Mr. Bertaux: Option B and C should go together (relative policy and TDRs). Public input is necessary in the areas we think are problems. Floor area ratio (FAR) approach is favored but not applicable to a Highlands type neighborhood. Be neighborhood specific. Points and TDR option seem to be tied together. Going in right direction but don't hurry this through. Will Green Code really restrict home size? Can staff do the research? This can be critical. (Mr. Truckey: Green Code not intended to limit home size.)

Mr. McAllister: Where are we on the Green Code process? (Staff pointed out a hearing with Town Council will be coming in March.) Agreed with most of what has been said. Liked Option 1.2 and Option C in combination with TDRs. Do it once, not in two phases. Did not like cap overall, Green Code will deal with energy issues. Address garage issue in calculations. In favor of above ground mass cap. Let's do this in one phase. Development should pay its way. Address garage issue. Agreed with Mr. Allen.

Mr. Joyce: With Green Code coming, why is a cap being considered? (Staff pointed out Council is concerned with the character of Town as well as the existing neighborhoods. Green Code is not being written to limit size.) So a large home could meet Green Code, be on a small lot and still overpower the neighborhood. Public process is important. Concerned about current owners and if a cap would diminish values. Liked idea of above ground density approach. Floor area ratio solves the problems. Be neighborhood specific.

Dr. Warner: Council's concern was with smaller older homes that would be replaced by larger homes in years to come changing the character of some subdivisions in town. There is an emotional attachment to older neighborhoods. Some of this is a timing issue. Not ready to run this though. In favor of some kind of cap and favored Option 1.2 with above ground density cap to allow for better design. In favor of cap because of resource management, additional employees generated and more

materials required. Accessory dwelling units might be considered as a point offset if used for employee housing. Opposed to large homes philosophically. Should be neighborhood specific, like FAR. Subdivisions like Boulder Ridge with big homes on postage stamp lots looks terrible.

Mr. Kahavari: If it is an old house then it may need to come down. Pointed out new homes have more square footage to accommodate certain amenities. Agrees with Mr. Allen. This should be neighborhood specific. Fine with big homes and no cap size. This is big, don't rush this for Council.

Mr. Pringle: We should be concerned about the extremes. Need to be sensitive to mitigate the impacts of these extremes. The bigger you get, the more difficult it should be to mitigate. Agreed with Mr. Allen. Resources used for larger homes should be taken into consideration. There are social implications here. There are green, resource and infrastructure requirements for these homes. What it takes to provide gas, electric, water, sewer costs to run these homes even when vacant. Slow down and get community buy in.

3. TDR Receiving Areas (CK)

Staff asked for clarification regarding a suggestion from the Planning Commission that TDR Receiving Areas be a Top 5 priority project.

Commissioner Questions/Comments:

Mr. Pringle: The Development Agreement should state the type of unit (e.g., townhome, condo/hotel) that TDRs are being used for and the applicant should not be allowed to change the type later in the process. Shock Hill Lodge and Spa is an excellent example of where the type of unit was pinned down, and the TDRs for condo/hotel were preferable because it reduced square footage per unit as opposed to the earlier townhome plan. Creating a better understanding of the unit type associated with the TDRs would be helpful. When TDRs are granted we want to know what exactly we are getting. Parameters need to be assigned and tied down.

Mr. Kahavari: Define the use and then transfer the density. Can applicants specify in the development agreement what they would like to do?

Mr. Allen: Where is the Town at in receiving TDR's from other basins? Intergovernmental agreement with county was recently amended per staff, and it allows three TDRs to be transferred in from other basins, once four TDRs have been transferred out to another basin. Revisit the maps; consider studying properties as potential receiving sites. (Staff explained that to individually scrutinize individual properties as receiving sites would not be feasible due to the intense amount of labor involved. Furthermore, they explained that the Commission already has the tools via a fit test to determine whether a density transfer is appropriate for individual sites or not.)

Mr. Bertaux: Agreed with Mr. Pringle's comments.

4. Joint PC/TC Meeting Topics and Dates (CN)

Mr. Neubecker suggested that we start to identify possible joint meeting dates and topics. Mr. Bertaux suggested a home size discussion. Mr. Allen suggested a discussion regarding input on development agreements. Dr. Warner indicated that the Town Council really appreciates joint meetings with the Planning Commission, and relies upon this Commission heavily for their input.

There was no consensus that a joint meeting was needed at this time. We will wait until more pressing issues arise.

TOWN COUNCIL REPORT:

Mentioned an upcoming town meeting regarding offices on Main Street.

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned 10:57p.m.

Mike Khavari, Chair

TOWN OF BRECKENRIDGE

Standard Findings and Conditions for Class C Developments

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 February 14, 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 February 19, 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 August 25, 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)

MEMORANDUM

To: Planning Commission
From: Mark Truckey, Assistant Director of Community Development
Re: Comprehensive Plan
Date: February 14, 2008

The Planning Commission had an opportunity to discuss the draft of the Comprehensive Plan at its February 5 work session. Staff has attempted to address the issues raised by the commission and has included resulting text changes below. The changes only include excerpts from the Plan document, we have not printed the entire plan over again so please continue to use the Plan you received for the February 5 meeting as your main plan document.

We hope in the last two weeks you have had some more time to review the plan document. To the greatest extent possible, we would like to get all of the commission's suggestions on the table at the February 19 meeting. Therefore, we will be asking for your suggestions on the Plan document and the attached new wording at that time.

We are scheduling a public open house prior to the March 4 Planning Commission, followed by an action item on the evening agenda where the commission will be asked to pass a resolution recommending adoption of the Comprehensive Plan to Town Council. March 4 will be the last opportunity the commission has to review the document, as the Town Council will be reviewing the Plan on March 11. Thus, as much as possible we should attempt to identify all commissioner issues at the February 19 meeting, so at the March 4 meeting you can concentrate on incorporating any public comments you may receive and forwarding a recommendation to the Town Council.

Please remember to bring your Plan document to the Planning Commission meeting!

Proposed Plan Changes

Natural Environment Chapter II:

The following new narrative text has been added on p. 77 of 200 regarding watershed planning efforts in the wake of the pine beetle infestation:

The loss of our lodgepole forest and potential subsequent wildfire could have devastating affects on the landscapes surrounding Breckenridge. The aftermath of such events could result in a loss of vegetation and ability to hold the soil in place. When this happens, the entire watershed becomes susceptible to greatly accelerated erosion, resulting in increased sedimentation in our streams and potentially Goose Pasture Tarn, the Town's primary water supply. Aquatic habitat could be devastated. Large wildfire events in other parts of Colorado (e.g., the Hayman Fire) have experienced these issues. Therefore, the Town is pro-actively looking at ways to better manage its watersheds and plan for post-pine beetle conditions.

A new policy has been added to address the issue discussed above on p. 84 of 200:

17. Take a comprehensive approach to addressing the pine bark beetle infestation, from short-term tree removal to longer-term programs that including replanting and watershed planning and protection efforts.

New narrative text has been added on p. 83 of 200 to discuss resource consumption and the need for planning a more sustainable future:

C. Resource and Energy Consumption and Sustainability

Given the magnificent and healthy natural environment that residents and visitors in Breckenridge enjoy, it is critical that we become even better stewards of this environment in order to sustain it in the future. The recent national interest in the global warming issue has elevated the awareness of all people regarding the fragile balance that humans share with our planet. The potential impacts of warming from greenhouse gasses on a global level could be devastating. Besides the indirect impacts that Breckenridge and Summit County would experience from this, there are also very real local impacts. For example, warming of temperatures even by one or two degrees in the autumn would delay the ability for ski areas to make snow, thus delaying opening of the ski area. Slightly warmer temperatures at the beginning and ending of the ski season would lessen possibility of snow during those times, resulting in a potential overall thinner snowpack and shortening of the ski season. This could have economic impacts, particularly if the ski area is no longer able to open for the Thanksgiving weekend.

The Town of Breckenridge intends to take a leadership role in striving for ways to reduce overall energy consumption in the Town, thus lessening our contributions to greenhouse gasses. The Town has already initiated a number of programs to accomplish this, including an audit and retrofit of more efficient heating systems in its public buildings, increased transit opportunities as an alternative to automobile use, and sustainable “green” building code requirements to ensure more energy-efficient homes are being built. The Town will be taking on more initiatives in upcoming years, such as enhanced recycling programs, more efficient fleet vehicles with less emissions, van pool programs for commuters living in Park County and other programs to promote alternative transportation modes. The goal is for the Town to become a more environmentally sustainable community, lessening our ecologic footprint.

Given the significance of these resource consumption issues, it is suggested that the Town consider development of a “Sustainability” Plan. Such a Plan could provide an overall Town blueprint for a holistic approach to addressing environmental sustainability in the Town.

A new goal and policy have been added to p. 83 of 200 to address the sustainability issue:

Goal:

6. Make Breckenridge a model community for environmental sustainability

Policy:

1. Develop a Sustainability Plan, intended to improve environmentally sustainable practices in the Town and protect our natural resources.

The wording has been modified on the air quality policy regarding woodstoves on p. 84 of 200:

10. Reduce dust and other particulate matter through dust reduction methods, using alternative fuels and transit, and by ~~discouraging~~ promoting best-available technology for woodstoves and wood fireplaces to minimize emissions.

Transportation Chapter IV:

New narrative text has been added to address peak traffic day issues on p. 102 of 200:

The gridlock that the Town experiences during peak day traffic presents a challenge. The Town and BSR should coordinate on these peak days to put in place traffic management practices (e.g., increased policed traffic control, BSR marketing schemes that reduce day skier traffic) that mitigate these impacts.

A new policy has been added on the above issue on p. 112 of 200:

12. Coordinate with the Breckenridge Ski Resort to develop and implement effective traffic management practices during peak traffic days.

New narrative text has been added regarding gondola hours of operation on p.110 of 200:

The gondola currently operates only during the ski season and from approximately 8 am to 5 pm. As developments are finalized at Shock Hill and Peak 7 and 8 there may be a need to consider expanding the hours of operation into the evening and at other times of year. The gondola crosses over Cucumber Gulch, an environmentally sensitive area with frequent wildlife use. Consideration of extended hours for gondola operation should include an evaluation of potential impacts to wildlife, while also considering the benefits of reduced automobile traffic on Ski Hill Road.

A new policy has been added addressing the above issue on p. 113 of 200:

27. Evaluate the potential for extending hours and seasons of operation for the gondola, giving appropriate consideration to effects on wildlife in Cucumber Gulch.

Economy Chapter VI:

The following narrative text has been added to p. 135 of 200 to address not “killing the goose that laid the golden egg”:

A final strategy that is being recognized by the Town is that the sustainability of our economy is very much tied to the sustainability of our other resources. For example, many visitors are attracted to the historic charm of Breckenridge and the small town atmosphere that one can experience here. It is thus critical to retain the community’s character, which includes the scale and design of buildings, the preservation of our historic buildings, preservation of surrounding open space and natural settings, and minimizing times of “urban” gridlock. Thus, this Economy chapter relies largely on the policies in other chapters of this Plan, such as Community Character, Recreation and Tourism, Transportation, and Land Use in order to sustain the attractiveness of Breckenridge for future generations.

Housing Chapter VII:

A new policy has been added on p. 142 of 200:

3. Maintain or improve the current figure of 47% of the Town's workforce being housed in the Town.

Land Use Chapter XII:

When the Planning Commission reviewed this Chapter in 2006, they indicated a desire to see the language regarding coordination with the County be modified to reflect a more cooperative approach. Staff had failed to make this change earlier and so the modified wording is included below:

Change to Narrative Text on p. 186 of 200:

Where properties within the Three Mile Plan area are proposed for annexation, the Town's Land Use Guidelines will be used to determine appropriate densities and uses. Where development in the area is proposed within the County, this Plan recommends that the County ~~utilize~~ consider the Town's Land Use Guidelines for direction on appropriate land uses and densities. Furthermore, it is recommended that County ~~directly~~ involve the Town in the review process for such developments, where the County can consider using ~~Town has the ability to impose its~~ development standards similar to those imposed by the Town to ensure that development impacts are appropriately mitigated. It is extremely important that these areas surrounding the Town are developed in an aesthetically compatible manner.

Change to Policy Text on p. 190 of 200:

5. Work ~~with to ensure that~~ Summit County's to encourage their use of development regulations and standards ~~are consistent with~~ similar to the Town's regulations and standards to ensure a "seamless" transition of development between incorporated and unincorporated areas.

Planning Commission Staff Report

Project Manager: Chris Neubecker, AICP

Date: February 14, 2008 (For meeting of February 14, 2008)

Subject: Permit Extension: Valette Residence, Accessory Unit, and Removal of Existing Structure (Class C Major, PC#2008017; original permit #2004007)

Applicant/Owner: Dr. Brett Valette

Proposal: To extend the vested property rights of the existing development permit (PC#2004007) by 18 months. No changes are proposed to the site plan, density, architecture, height or other issues. This change would allow the applicant to build the project as approved in 2005 without requiring compliance with new policies adopted since 2005 (other than the new exterior lighting policy, as discussed below).

(Note: The content of the staff report below is essentially the same as the staff report from the final hearing on March 15, 2005, except we have included the minutes from the final hearing, and have made minor editing changes.)

Original proposal: To remove the existing non-historic structure and replace it with a 2,117 square-foot, two-story residence with four bedrooms, three bathrooms, one gas fireplace, three upper-level decks, and a lower level, one bedroom, one bathroom, 434 square-foot accessory apartment. Exterior materials include fiberglass composite shingles, scalloped cedar shingles at the gable ends, 4 ½ inch bevel hardboard siding (Priority Policy 125 allows for exposed lap siding dimensions of approximately 4 inches), 3 ½ inch wide hardboard corner and window trim, wood deck railings, decorative cornice brackets (a.k.a bric-a-brac) and corbels, a real stone wainscoting around the base of the house varying in height from 9 to 18 inches, and a real stone and wood timber retaining wall for the driveway.

Address: 301 S. French Street

Legal Description: Lots 1 and 2, Block 9, Abbetts Addition

Site Area: 0.1056 acres (4,600 sq. ft.)

Land Use District: 17, Residential – 11 UPA (Single-Family, Duplex)

Historic District: Character Area #1, East Side Residential (9 UPA Maximum on New Construction)

Site Conditions: This property is legally two separate lots – Lot 1 is to the north, and Lot 2 is to the south. The internal property line has never been officially vacated. This will be required as a condition of approval prior to the issuance of the Building Permit, and is to be accomplished via a Class C Subdivision Development Permit Application. The existing structure currently straddles these two lots, and consists of four rental/one bedroom dwelling units. Additionally, there is no on-site parking currently serving the existing structure.

The majority of this site is relatively flat and slopes downhill ever so slightly from east to west. There is an existing boulder retaining wall running just outside the north property line in the Adams Avenue Right-of-Way (R.O.W.). This wall continues – on the property – along the entire western property line. The Town owns the western alley R.O.W, which is currently unimproved (the Town has no plans to improve it). The property to the south has an encroachment easement for its chimney that encroaches approximately 1 ½ feet into the property.

Adjacent Uses:	North: Adams Avenue South: Historic Home	East: French Street West: Alley R.O.W
Above Ground Density:	Allowed under Historic Guidelines (9 UPA): Proposed Above Ground Density:	1,520.64 sq. ft. 1,508 sq. ft.
Total Density:	Recommended under LUGs (11 UPA): Total Proposed Density:	1,858.56 sq. ft. 1,942 sq. ft.
Mass:	Recommended under LUGs: Proposed Mass:	2,230.3 sq. ft. 2,117 sq. ft.
F.A.R.	1:2.2	
Total:	Lower Level (includes mech rm., covered walkways, and a 434 sq. ft. accessory apartment.): Main Level: Upper Level: Total:	609 sq. ft. 788 sq. ft. 720 sq. ft. 2,117 sq. ft.
Height:	Recommended: Proposed:	23' 0" (to the mean) 19' 6" (to the mean)
Lot Coverage:	Building/Decks/Patio: Hard Surface/Driveway/Sidewalk: Open Space/Permeable Area:	1,136 sq. ft. (24.7 % of site) 939 sq. ft. (20.4 % of site) 2,525 sq. ft. (54.9 % of site)
Parking:	Required: Proposed:	3 spaces 3 spaces
Snowstack:	Required: Proposed: <i>*Heated Drive and Exterior Stairs Proposed</i>	72 sq. ft. (25 % of non-heated) 126 sq. ft (44 %)
Setbacks:	Recommended: Front (east): 15 feet Side (north): 5 feet and 10 feet* Side (south): 5 feet Rear (west): 15 feet	Proposed: 18 feet 6 inches 7 feet 9 inches, 12 feet 7 feet 31 feet

**As per Policy 9/A, C.2. – For lots greater than 25' in width, 1/2 of the structure may extend up to 5' from the street side property line, and 1/2 up to 10' from the street side property line*

Landscaping:

Quantity	Type of Planting (Common Name)	Size
5	Englemann Spruce	10 feet
6	Aspen (multi-stem clumps)	2" – 2 1/2" cal.
39	Various shrubs	5 Gallons
355 SF	Bearberry & Alpine Flowers	1 gallon
1,030 SF	Bluegrass sod	N/A

*All new planting will be drip irrigated.

Item History

The current doublewide structure on-site is referred to as the Sitzmark Condos. (Sitzmark was the name given to the structure by the property's original manager.) Within these condos are four, one-bedroom, one-bath units – a combined 1,008 square feet. This building was placed on-site in 1963. An application for a new duplex on this site was unsuccessful in 1994-1995.

Commissioner's Comments from the Final Hearing on January 4, 2005

- Mr. Mamula* Asked how the rear stairs worked. (Mr. Behan reviewed the access from the rear alley.) Noted that the access to the basement is only from the rear stairs. Does the model reflect the new stairs? (Yes.) We don't see exterior stairs in the Historic District and don't seem like they will function. What is the size of the deck? (Just about forty square feet, per architect.) I still have a couple of problems with the house. I'm tired of talking about decks, but I think that we would be making a mistake by allowing it. I also have a problem with the exterior stairs, but there seems like there is nothing we can do. This project mitigates its problem with the problem it is creating. The employee housing points mitigating the negative points for the square footage overage. The stairs are outside because they can not fit inside. The architect has done a lot of work to try and minimize the perception of the stairs and overall height. The rear view has not changed with the location of the stairs. Other than the deck, no other issues. Think that it should go away based upon Mr. Boos' comments from the last meeting and the pictures we just reviewed. Why don't we just add a condition to remove the north deck?
- Mr. Pringle* Asked if the stairs were to be snow melted and if there would be a drain there? (Yes, per architect.) Was there ever a door underneath? (No.) A long time ago, I noted that the employee housing unit is creating its own problem. It is causing the density overage, and the only way you are mitigating it, is by giving it positive points. I think it is creating a lot of concerns—density, height and parking. I haven't really considered north deck too much as I always thought that we were protecting something under it. But, we are not, so not sure why it's needed. But, We have other decks in Town and this isn't the project's fatal flaw. Not sure how I feel about the project.
- Mr. Haering* Difficult site and program. Trying to get a lot on the site. Exterior stairs are not the best solution, but there they are. The north facing deck should be looked at again, as well as the south window labeled M. Reduce it so that its more in scale with the home and the rest of the windows.
- Mr. Khavari* I agree that we have brought up the deck issue before, but I thought that we decided it was ok. We are past that point. I understand Mr. Mamula's concerns and we have a problem with our rules in some areas. I liked the last design, but due to the height measurement, you have brought the stairs in. I hate changing direction on my comments, so I have to be ok with the deck and the height.
- Mr. Kulick* Agree with Mr. Mamula in regard to the exterior stairs. You are trying to work within the Code and deliver the program your client wants, but it seems like the Code has been manipulated. Agree with Mr. Haering's window comment. Not ecstatic about the north deck, but at this late stage of the game, can live with it. Appreciate your patience with the process.
- Mr. Schuman* I understand Mr. Boss' concerns from the last meeting and I echoed them myself. However, this may be too late of a date to bring this up. Agree with Mr. Mamula's comments on the employee housing. Doesn't look smooth and does not fit well on the site. The architect has done the best he can, but it won't be the best historic district example of infill that we will have.
- Mr. Boos* Asked to look at the interior floor plans, and asked about the material for the rear wall--if it will be timber with a real rock face? (Yes.) Asked about the rear deck in terms of Policy 9I. Are there any historic second story porches? (No, per Staff.) During the last meeting, I voiced my concerns, but since I went last, no one else commented. This particular application's north deck does not seem to be small and unobtrusive as we have agreed that decks must be. The examples shown predate our decision to require small and unobtrusive decks. The north deck is totally out of character with the Historic District. This is unhistoric and doesn't meet the Code. Looks tacked on. Agree that the employee housing unit is causing the problem. I do not apologize for the code, as the employee housing is torturing the site. I think that you have designed a project

for your client but it will not function as intended. It is not your problem as you are designing to meet a certain program. I think it will be an error to approve the north deck and object to the proposed point analysis. I count four persons who do not support the deck. I think the best thing would be to do is to request a continuance rather than a failure. You, however, can take the denial and ask the Council to review the application.

It was suggested that a condition of approval be placed on the project requiring the north deck to be removed and the southern window to be revised. They read, Prior to Issuance of a Building Permit:

New Condition #13. Applicant shall revised the north elevation to show the removal of the north deck and reconfigure the deck door to show a window compatible with other windows on the home.

New Condition #14: Applicant shall revise window type M on the south elevation to be more in scale with the rest of the proposed windows.

Staff asked the architect if he was comfortable with these conditions and he indicated that he was.

Mr. Schuman moved to approve PC#2004007 with the presented Point Analysis and Findings and Conditions of Approval noting the new Conditions 13 and 14 and that the rest of the conditions would be re-numbered accordingly. Mr. Mamula seconded, and the motion passed 7-0.

Staff Comments

Land Use (Policies 2/A & 2/R): The proposed residence complies with the uses allowed in Land Use District 17 (residential). However, a condition of approval has been added to vacate the interior lot line and record this new lot configuration/new plat with the Summit County Clerk and Recorder, in a form suitable to the Town's Attorney, prior to issuance of Building Permit.

Density/Intensity (3/A & 3/R)/Mass (4/R): The proposal is over the allowed density per the LUGs (11 UPA) by approximately 92 square feet, yet under the recommended above ground density of 9 UPA. In accordance with Policy 3/R, deviations in excess of the maximum allowed square footage shall only be allowed through density transfers pursuant to Section 9-1-17-12 of the Development Code and shall be assessed negative points. The overall density proposed is 1,950.5 square feet, or 4.95 % over the allowed 11 UPA (1,858.56 square feet). Therefore 0.06 of a SFE from the Upper Blue Basin Transferable Development Rights program must be purchased (the County rounds up to the nearest 100th, and considers this .0575 to be .06), and the project has received negative ten points (-10) in the final points analysis. This purchase needs to be completed prior to the issuance of a Building Permit, which has been made a Condition of Approval.

The proposal is under the allowed mass. The allowed mass was calculated with a 20% bonus for single-family structures based on the density allowed per the LUGs. (Please see the information provided above for details.)

Architectural Compatibility (5/A & 5/R): Staff comments from the final hearing were limited to:

- Priority Policy 80/118 – Building scale (as it relates to the size of the rear/west, upper level decks) – Staff believes the size and separation of the rear (west) upper level deck helps to meet these Policies. The majority of the Commission concurred at the final hearing.
- Policy 82 – Back side building height as perceived from public view – Staff believes that the softening of the slope between the driveway and the house, the additional landscaping in that same area, the re-arrangement of the access to the basement apartment, the stepping of the southwestern module's roof, and the reduction in size and the separation of the western upper-level decks have all helped reduce the perceived height of the western elevation to better meet this policy. The majority of the Commission concurred at the final hearing.
- Policy 92 – Porches are to be in scale with the neighborhood (the size of the rear/west, upper level deck) – Staff believes that with the rear, upper level deck size reduction and separation, this policy is better met, and the majority of the Commission concurred at the final hearing.

- Policy 93/97/130 – Overly ornamental bric-a-brac/ Restraint on ornamental details is encouraged – Staff believe this policy has been met.
- Priority Policy 120 – Provide similar building forms (because of upper-level, rear/west decks) – Staff believes that the rear upper level deck size and separation proposed is more similar in form to the neighborhood.
- Priority Policy 8 – Visual unity of the block (upper-level, rear/west deck) – Staff believes that with the reduction in the rear upper level deck size, and its separation into two separate decks that this proposal is now more similar in form to the neighborhood, and the majority of the Commission concurred at the final hearing.

Priority Policy 80: Respect the perceived building scale established by the historic structures within relevant character area; Priority Policy 118: New buildings should be in scale with existing historic and supporting buildings in the area; Priority Policy 120: Use building forms similar to those found historically in the East Side Character Area; Priority Policy 8: Reinforce the visual unity of the block – Staff notes that there are several similar decks of this size and scale at the rear of several homes in the neighborhood. Staff also notes that there will be a landscaping buffer along Adams Avenue that will help screen some of this deck from view. The majority of the Commission felt that these policies were met at the last hearing.

Policy 82: The back side of a building may be taller than the established norm if the change in scale will not be perceived from major public view points – The majority of the Commission concurred at the last hearing that the re-designed at-grade access helped meet the intent of this policy.

Policy 92: Ornamental elements, such as brackets and porches, should be in scale with similar historic features – At the last meeting the majority of the commission was comfortable with the amount of ornamentation.

Policy 93: Avoid the use of non-functional or ornamental bric-a-brac that is out of character with the area; Policy 130: Use ornament and detail with restraint, in keeping with the modest character of the East Side Residential Area; Policy 97: New buildings that can be interpreted as products of the present, and not false interpretations of the past, are preferred – At the last meeting the majority of the commission was comfortable with the amount of ornamentation.

Building Height (6/A & 6/R): The tallest height of the proposed residence is now 19’ 6” as measured to the mean for the west elevation, and this meets the recommended height of this character area (23’), as well as the absolute height of 26-feet. Staff has no concerns.

Site Suitability (7/R) And Site Design (8/R): With a relatively flat lot, many of the concerns exhibited within these policies are not applicable. Site buffers are similar to those of neighboring houses. The circulation is simple and paving is minimal.

Placement Of Structures (9/A & 9/R): The proposed residence meets all four relative setback requirements. However, because of the proximity of the construction activity to the existing house immediately south of this proposal, Staff has added as a condition of approval that a 5-foot chain link fence be constructed along the entire southern property line, prior to the issuance of the Building Permit.

Snow Removal And Storage (13/R): 653 square feet of on-site paving is proposed for the driveway and this pavement will be heated. Staff has added a condition of approval, prior to the issuance of the Building Permit, that a covenant, in perpetuity, will be required in a form acceptable to the Town Attorney ensuring the operation and maintenance of the snowmelt system. This covenant will be recorded with the Summit County Clerk and Recorder. Additionally, 720 square feet of the alley R.O.W is proposed to be re-graded and paved, to allow street access for this proposed driveway configuration. Snow storage will be provided for this proposed alley paving at the south end of the paving, also in the alley R.O.W. Public Works is comfortable with this arrangement, and sees no adverse impacts with this proposal.

Access/Circulation (16/A & 16/R; 17/A & 17/R): Staff has discussed the proposed alley paving/driveway configuration with Public Works, and they have endorsed the design proposal. However, a “Town Alley Use Agreement” is required to be drafted in a form acceptable to the Town Attorney and recorded with the Summit County Clerk and Records Office. This has also been added as a condition of approval, prior to the issuance of the Building Permit. This Agreement will memorialize that the Town will be in no way responsible for the improvement and

maintenance of this alley as proposed by the applicant. Additionally, this design proposes a portion of the front sidewalk to extend off of the property into the Town owned parking area on French Street. A “Hold-Harmless Agreement” and an “Encroachment License Agreement” is required to be drafted in a form acceptable to the Town Attorney, and will be recorded with the Summit County Clerk and Records Office. This has also been added as condition of approval, prior to the issuance of the Building Permit.

Parking (18/A & 18/R): Two (2) on-site parking spaces are required for the residence, and an additional space is required for the accessory unit, for three (3) total required spaces. Three spaces are provided on-site, off of the alley R.O.W., to the west of the site. Staff has no concerns as they meet all Town design requirements.

Landscaping (22/A & 22/R): Staff notes that the landscaping plan is adequate for this site (but not deserving of positive points). Additionally, Staff notes that there are two Spruce trees proposed to be planted outside of the northern property line – south of the existing retaining wall along Adams Avenue. This type of arrangement has been allowed in the past when accompanied by an encroachment agreement with the Town.

Social Community/Employee Housing (24/A & 24/R): It is the policy of the Town to encourage the provision of employee housing units in connection with development applications to help alleviate employee housing impacts created by the proposed uses. This application is proposing a 434 square-foot employee housing/accessory apartment in the basement of the home. Accordingly, the size of the unit is approximately 22% of the total proposed density of the residence. Consequently, Staff recommends this application be awarded the maximum, positive ten points (+10) under the provisions of Policy 24/R for an employee housing unit that is 9.51% or above the total proposed density of the project. This proposed employee unit shall be encumbered by a properly recorded restrictive covenant in a form acceptable to the Town Attorney, as required by a condition of approval that has been added prior to the issuance of a Certificate of Occupancy.

Utilities Infrastructure (26/A & 26/R; 28/A): Since there are no existing trees on the site, Staff believes the placement of the utilities meet the provisions of the Development Code.

Drainage (27/A & 27/R): On-site grading in combination with the use of several small retaining walls at the edge of the at grade patios (18-inches or less) are designed to ensure water flows away from the foundation of the proposed residence and does not adversely impact the adjacent properties. Staff has no concerns with the drainage design in this proposal.

Accessory Apartment: As previously mentioned, a basement accessory unit is included with this application. This unit is 434 square feet in size, and meets the criteria for an accessory apartment as outlined in the Development Code. A covenant ensuring such has been added as a condition of approval.

Exterior Lighting (46/A): The Town Council adopted the exterior lighting policy on June 12, 2007 to address concerns with light pollution, light trespass, public safety and to maintain visibility of the night sky. While the Planning Commission could, if they choose, extend the vesting of the permit without requiring compliance with this recent policy, staff recommends that the Commission require compliance. This change is minor and insignificant in costs, since exterior fixtures have not yet been purchased. Staff has made this a condition of approval. If you believe that this condition of approval should be removed, please let staff know.

Housing Impact Fee: On November 7, 2006, the voters of Summit County approved the Summit Combined Housing Authority Development Impact Fee. The impact fee is used to construct local workforce housing, and applies to all building permits issued after January 2, 2007. Since this fee is separate from the Development Code, this project is not exempt (even with an extension of the vested property rights), and the fee must be paid. This has been made a Condition of Approval. However, the portion of the building that is deed restricted for employee housing may be exempted from this fee, according to the exemptions of Section 12 of the Administrative Rules and Regulations for the collection of the fee.

Point Analysis (Section: 9-1-17-3): A final point analysis has been attached to this Staff Report. Staff is suggesting the following:

- Negative ten points (-10) under policy 3/R, as this application is 4.95 % over the density recommendation of the Land Use District Guidelines.
- Positive ten (+10) points under Policy 24/R for the basement employee housing unit.

Staff believes that this project would receive a zero (0) or passing point analysis under the relative provisions of the Code if the Commission found all Absolute Policies and Historic Guidelines to be met.

Staff Action

Staff has approved the permit extension for the Valette Residence, Accessory Unit, and Removal of Existing Structure (PC#2008017). No changes are proposed from the version approved by the Planning Commission in 2005; however, staff has added a Condition of Approval requiring compliance with the new Exterior Lighting policy. We have found no other significant changes to the Development Code that would affect this application. This permit will be extended by 18-months, until August 26, 2009.

TOWN OF BRECKENRIDGE

Valette Residence, Accessory Unit, and Removal of Existing Structure Lots 1 and 2, Block 9, Abbetts Addition, 301 South French Street NEW PERMIT #2008017 (ORIGINAL PERMIT #2004007)

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 February 14, 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 February 19, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. 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 months from date of issuance, on August 19, 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 eighteen 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. 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. 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. 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.
10. At no time shall site disturbance extend beyond the limits of the platted lot, including building excavation, and access for equipment necessary to construct the residence.
11. A five-foot chain link fence shall be constructed within the property's southern lot line to contain site disturbance within the property. The fence must remain in place until the Town grants the final Certificate of Occupancy.
12. 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 twenty-three (23) feet to the mean elevation of the roof at any location.

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall revised the north elevation to show the removal of the north deck and reconfigure the deck door to show a window compatible with other windows on the home.
14. Applicant shall revise window type "M" on the south elevation to be more in scale with the rest of the proposed windows.
15. Applicant shall submit proof of ownership of the project site.
16. Applicant shall submit two (2) full sets of plans stamped and signed by a Colorado state licensed Architect as per Town Code Section 9-1-17-10.
17. Applicant shall submit and obtain approval from the Town to subdivide the property and create one legal lot for the structure proposed; this subdivision shall be recorded with the Summit County Clerk and Recorder's Office. Applicant shall be responsible for all recording fees.
18. Applicant shall purchase the additional 0.06 SFEs in Transfer of Development Rights (TDRs) from the Upper Blue Basin Transferable Development Rights program and transfer them to the site. A covenant shall be recorded with the Summit County Clerk and Recorder, memorializing this transfer of density, in a form acceptable to the Town Attorney. Applicant shall be responsible for all recording fees.
19. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant restricting the sale of the accessory unit from the single-family residence, in a form acceptable to the Town Attorney. The covenant shall restrict the accessory unit and single family residence to be held in the same name. Applicant shall be responsible for all recording fees.

20. Applicant shall obtain a “hold-harmless” agreement between the Town and Property Owner, releasing the Town of liability pertaining to the potential damage to the driveway apron and the sidewalk to be constructed in the Adams Avenue and French Street Rights-of-Way. The agreement shall be in a form acceptable to the Town’s Attorney and recorded with the Summit County Clerk and Recorder. Applicant shall be responsible for all recording fees.
21. Applicant shall obtain an “encroachment license agreement” and a “town alley use agreement” between the Town and Property Owner, reliving the Town of liability and maintenance responsibility pertaining to the driveway to be constructed in the Adams Avenue Alley Rights-of-Way. The agreement shall be in a form acceptable to the Town Attorney and recorded with the Summit County Clerk and Recorder. Applicant shall be responsible for all recording fees.
22. Applicant shall obtain an “encroachment license agreement” agreement between the Town and Property Owner, reliving the Town of liability and maintenance responsibility pertaining to the two Spruce trees to be planted in the Adams Avenue Rights-of-Way. The agreement shall be in a form acceptable to the Town Attorney and recorded with the Summit County Clerk and Recorder. Applicant shall be responsible for all recording fees.
23. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant, in a form acceptable to the Town Attorney, which requires use and maintenance of the proposed driveway snowmelt system in perpetuity of the project. Applicant shall be responsible for all recording fees.
24. Applicant shall execute and record with the Summit County Clerk and Recorder the Town’s standard employee housing covenant for 434 square feet of employee housing within the project. If Construction Documents are modified to reflect a different total density, this requirement will be modified accordingly. Applicant shall be responsible for all recording fees.
25. Prior to issuance of a building permit, applicant’s contractor shall submit a letter agreeing to the construction techniques specified by the applicant’s engineer to retain the excavation slope and site grading within the platted lot(s). The letter must also contain the contractor’s agreement to notify the Town of the day excavation is to begin on site.
26. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
27. Applicant shall construct a fence barrier around the perimeter of the property. 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.
28. 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.
29. 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 landscaping plan for the property. Applicant shall be responsible for all recording fees.
30. 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.

31. Applicant shall provide details of the exterior lighting proposed on the site. All exterior lighting shall comply with Policy 46/A-Exterior Lighting, of the Breckenridge Development Code.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

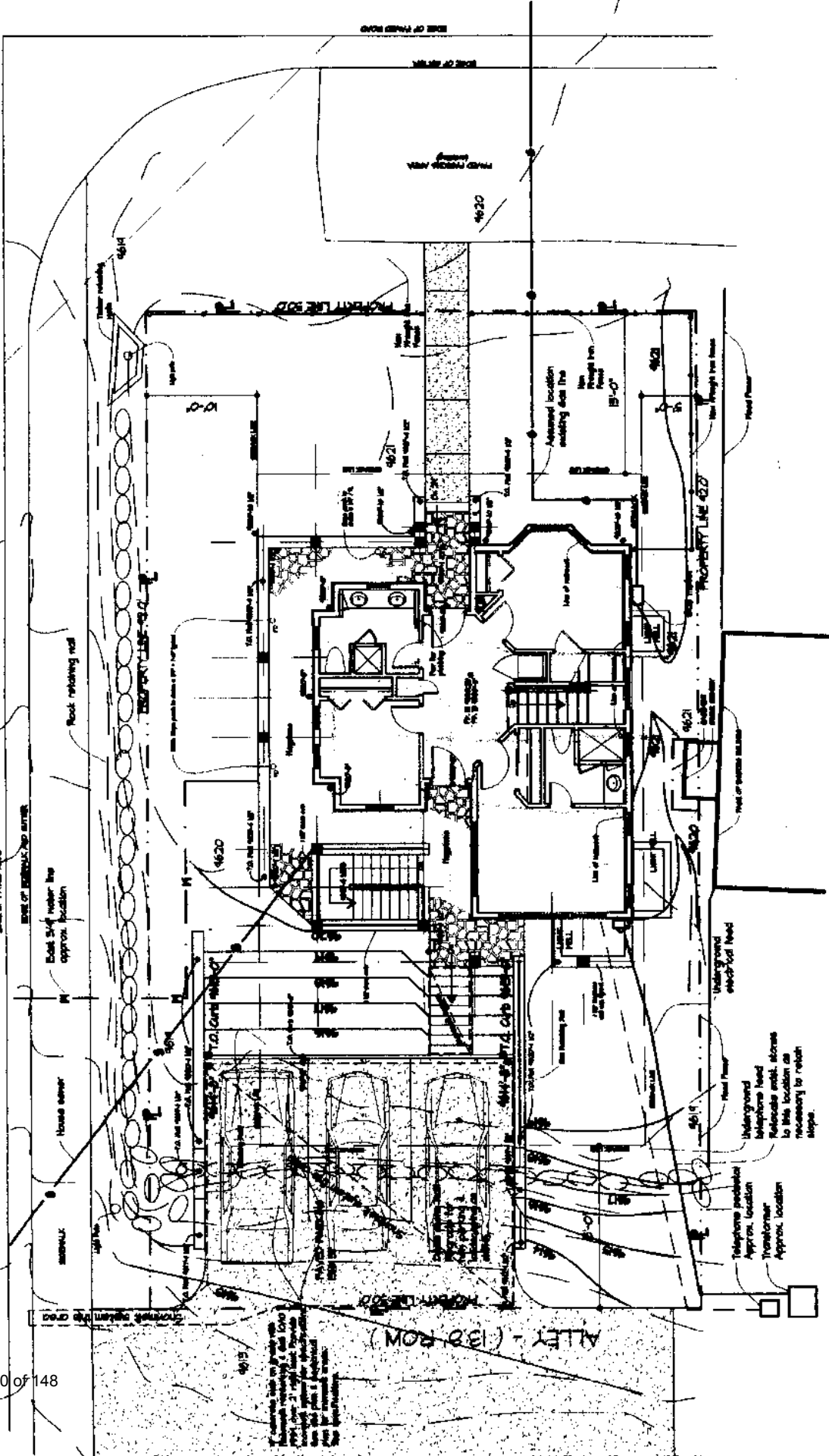
32. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
33. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment, meters and utility boxes on the building a flat, dark color or to match the building color.
34. Applicant shall screen all utilities.
35. 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.
36. 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.
37. 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.
38. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
39. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. All exterior lighting shall comply with Policy 46/A-Exterior Lighting, of the Breckenridge Development Code.
40. 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)

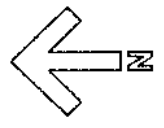
ADAMS AVENUE (50' ROW)

FRENCH STREET - (74' ROW)



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

SCHS SITE PLAN 1/8" = 1'-0"



ADAMS AVENUE (50' ROW)

EDGE OF PAVED ROAD

EDGE OF SIDEWALK AND DRIVE

SEWER

Rock retaining wall

PROPERTY LINE #2.0

PROPERTY LINE 50.0

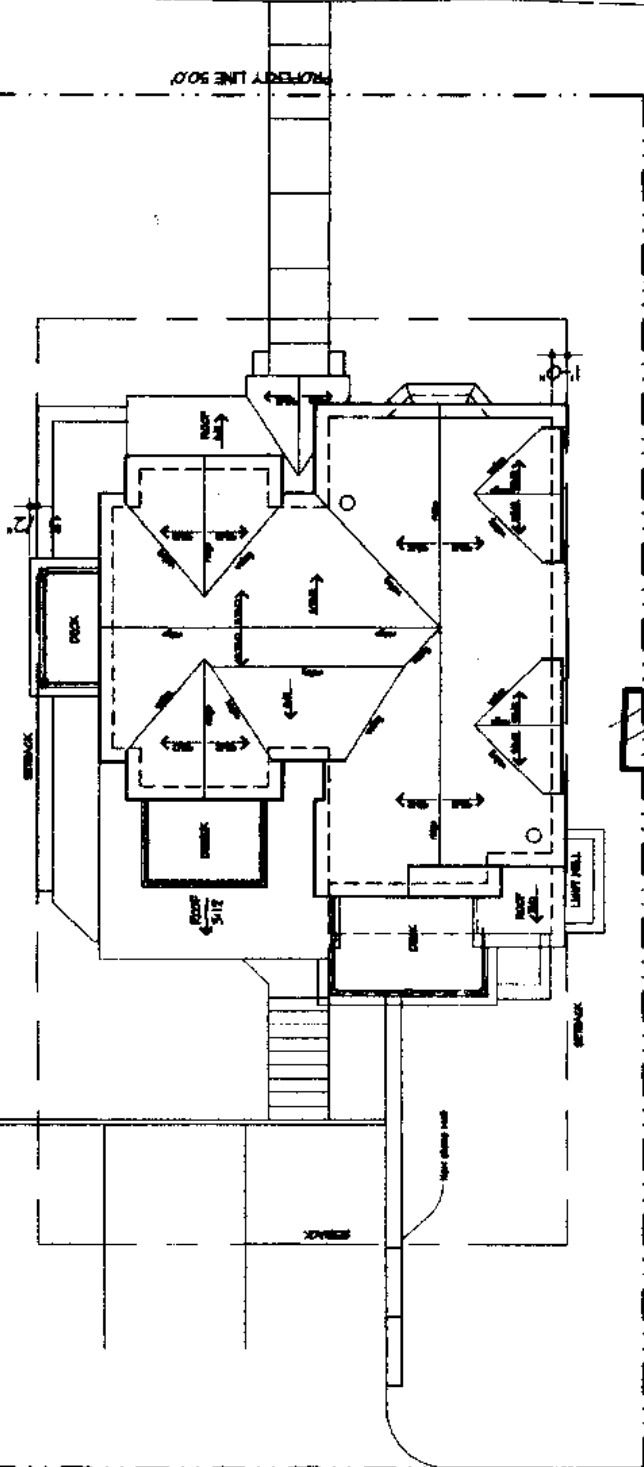
ALLEY - (13.8' ROW)

PROPERTY LINE 50.0

FRENCH STREET - (74' ROW)

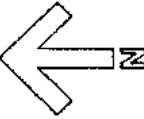
EDGE OF DRIVE

PAVED DRIVEWAY

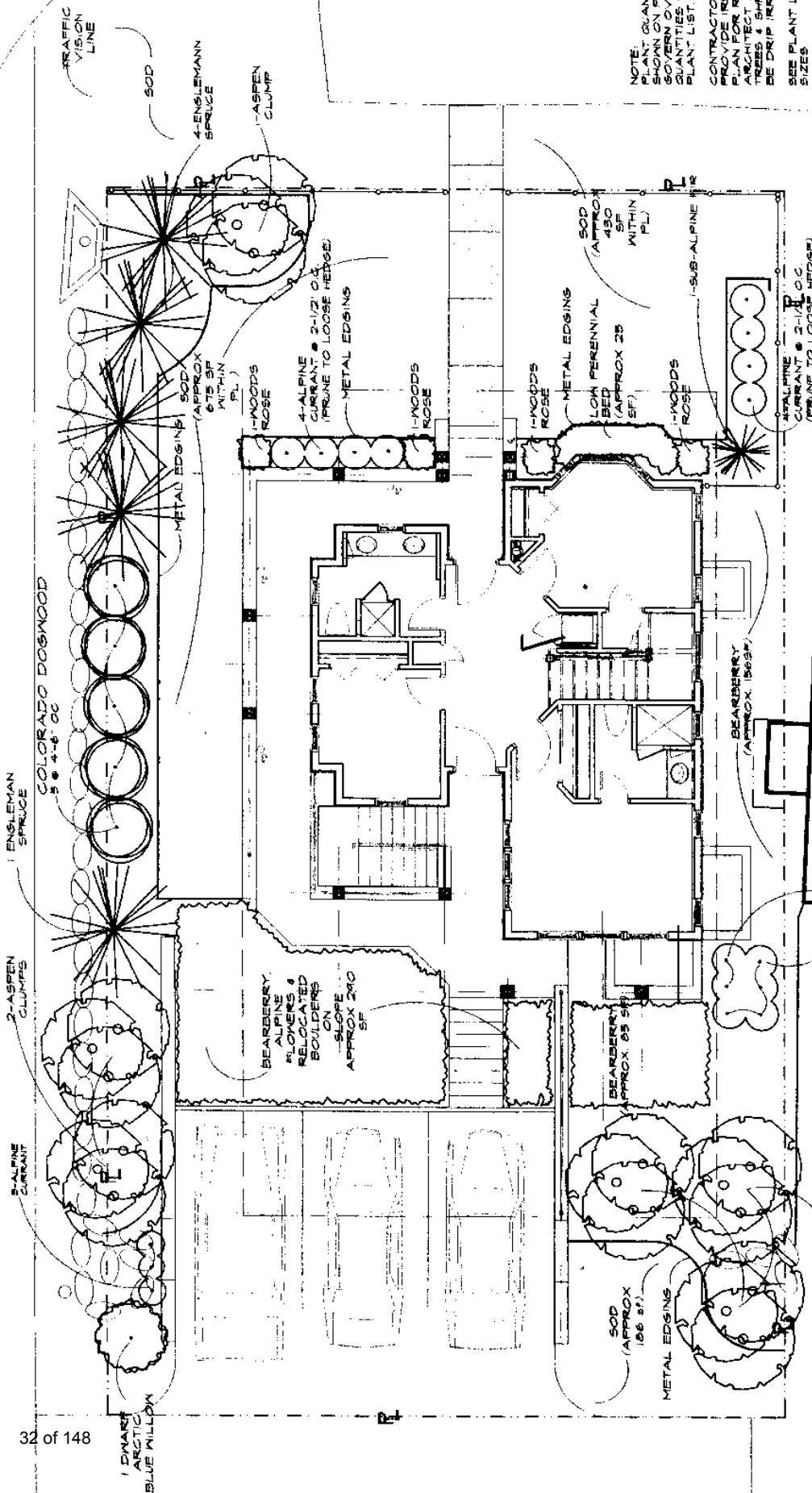


Overall building footprint: 1284 SF
 Measured to outside edge of roof and deck overhang.

1st Floor: 100 sq. ft.
 2nd Floor: 1200 sq. ft.
 3rd Floor: 500 sq. ft. Above Grade Actual (800 sq. ft. Allowed)



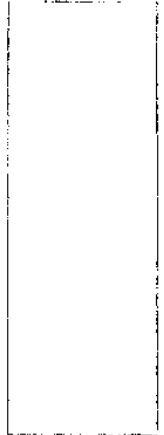
1 SITE PLAN WITH ROOF PLAN
 1/8" = 1'-0"



NOTE: PLANT QUANTITIES SHOWN ON PLAN SHALL GOVERN OVER ARCHITECT QUANTITIES SHOWN ON PLAN. LIST.
 CONTRACTOR SHALL PROVIDE IRRIGATION PLAN FOR REVIEW OF ARCHITECT. ALL NEW TREES & SHRUBS SHALL BE DRIP IRRIGATED.
 SEE PLANT LIST FOR SIZES

PLANT	QUANTITY	PLANT / COMMON NAME	SIZE
1	1	Englemann Spruce	10' x 10'
2	2	Aspen Clump	10' x 10'
4	4	Alpine Currant	10' x 10'
1	1	Woods Rose	10' x 10'
1	1	Sub-Alpine Fir	10' x 10'
1	1	Low Perennial Bed	25' x 25'
1	1	Sod	450 SF
1	1	Sod	186 SF
2	2	Alpine Currant	10' x 10'
4	4	Native Potentilla	10' x 10'
9	9	Aspen Clump	10' x 10'

LANDSCAPE PLAN
 1/4" = 1'-0"



Heating slab condition
 Heating wall condition
 1" Dow Spigot 3/4" dia. at all
 perimeter walls, exterior
 walls, and exterior wall at
 exterior wall at exterior.

4" concrete with
 "Fibermesh" reinforcing
 # 5 @ 12" O.C.

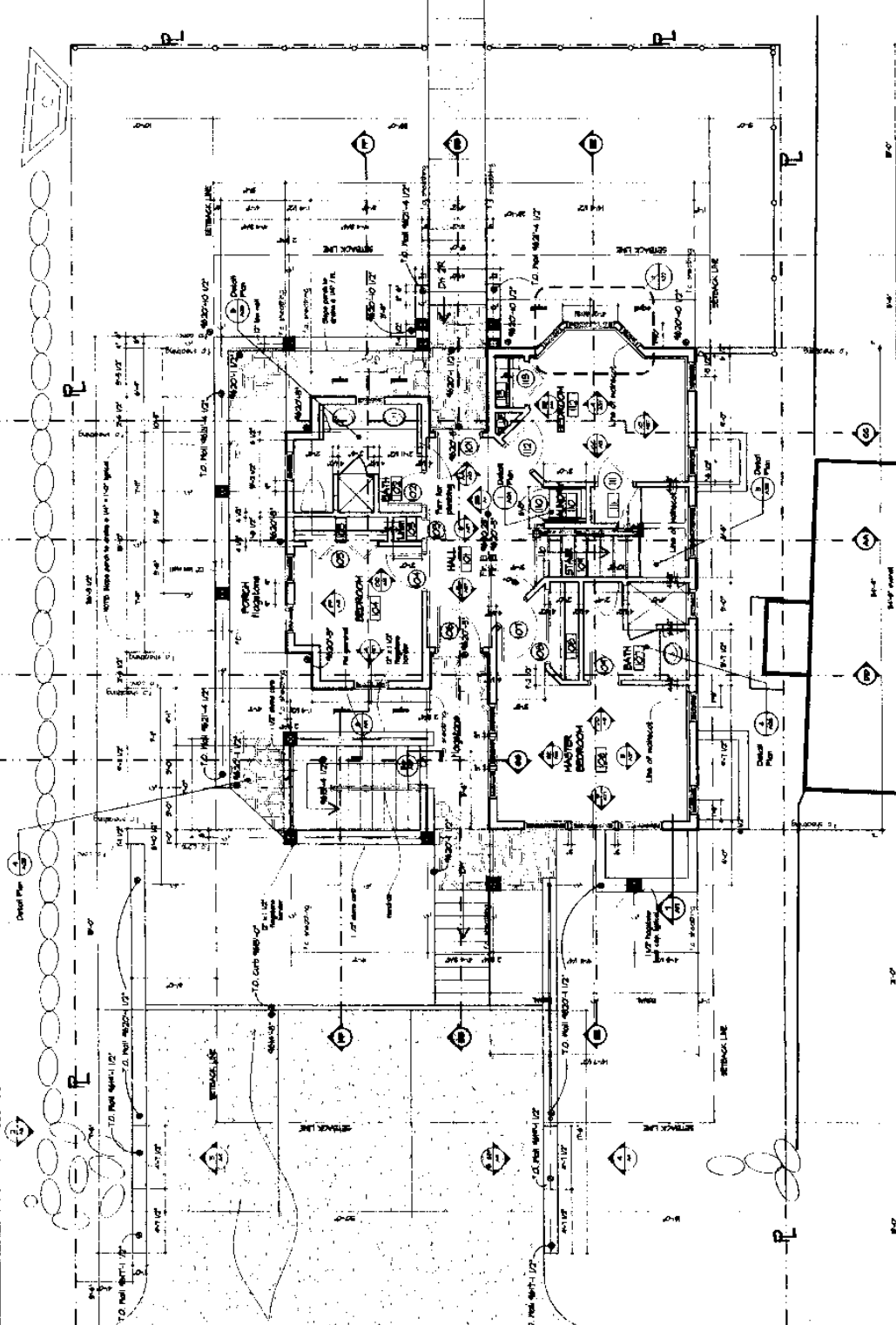
Rocking heating tubes
 lead to main riser - see space

2" Dow Spigot 3/4" dia. rigid insulation
 under entire radiant heated pavement

TYPICAL DETAIL AT HEATED PAVEMENT

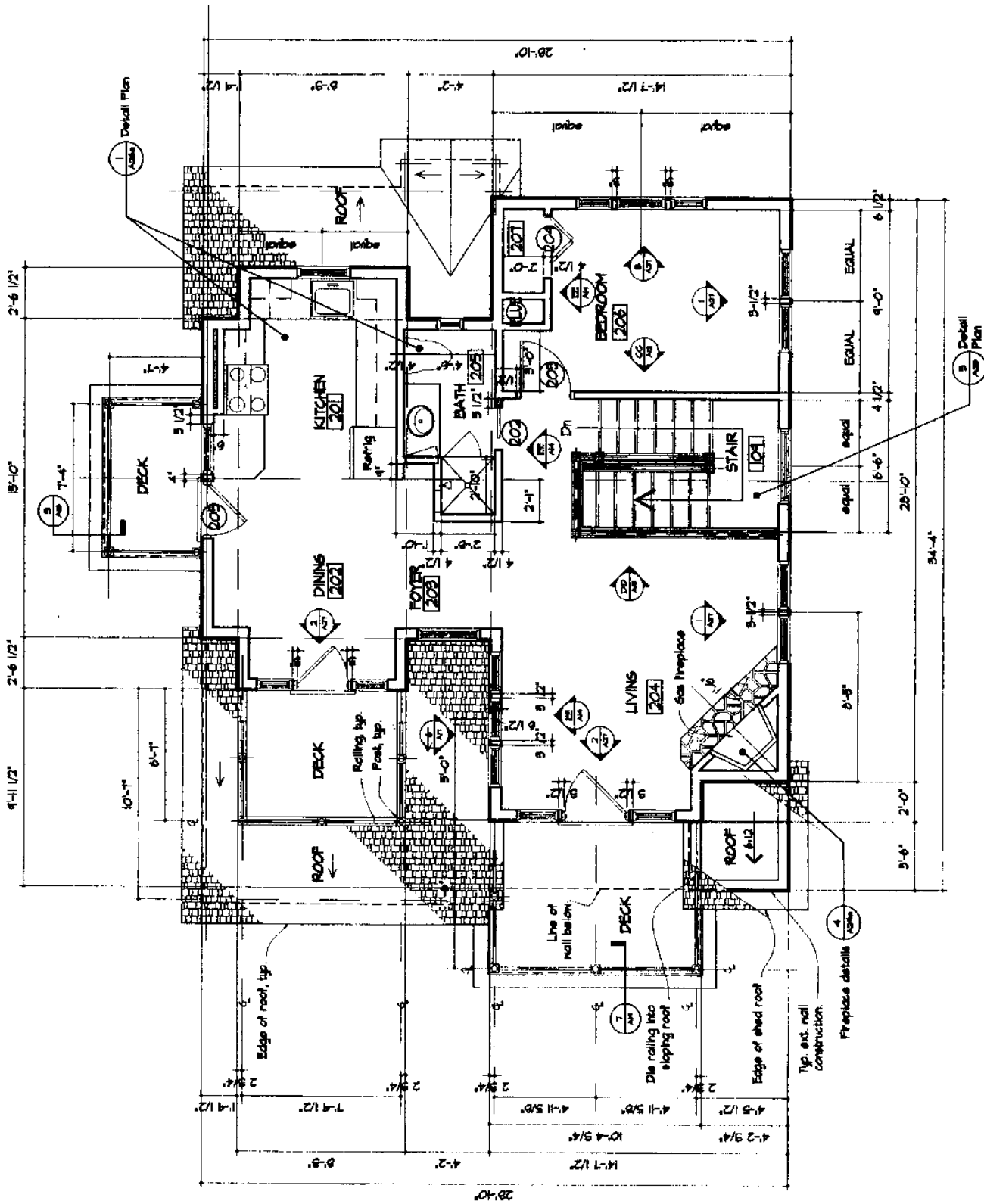
1/4" x 1'-0"

4" concrete slab on grade with
 "Fibermesh" reinforcing # 5 @ 12" O.C.
 over 2" rigid foam insulation
 (minimum 1" per specification)
 See site plan & structural
 for details at grade.
 See specifications.



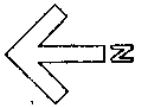
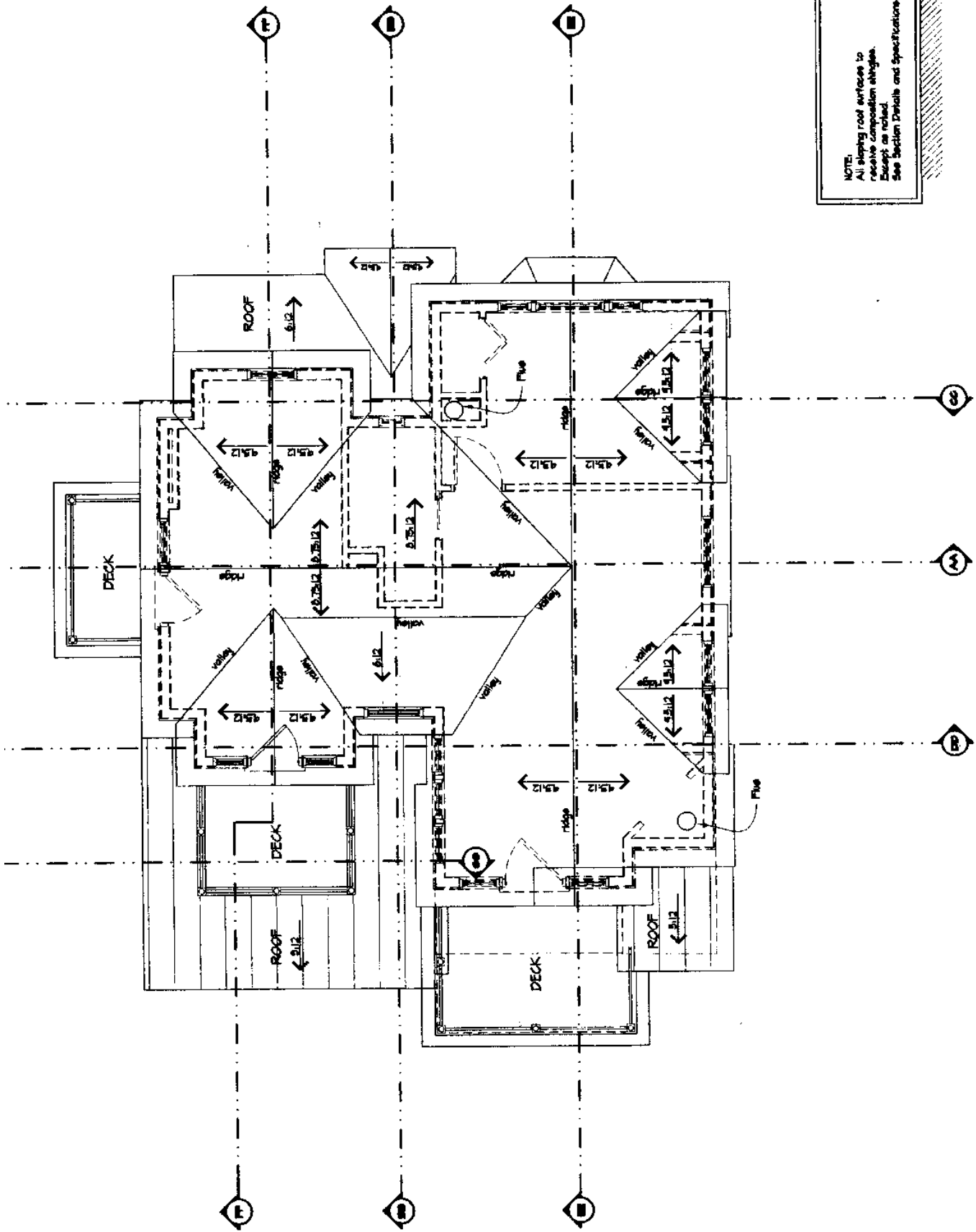
GROUND FLOOR PLAN
 1/4" = 1'-0"





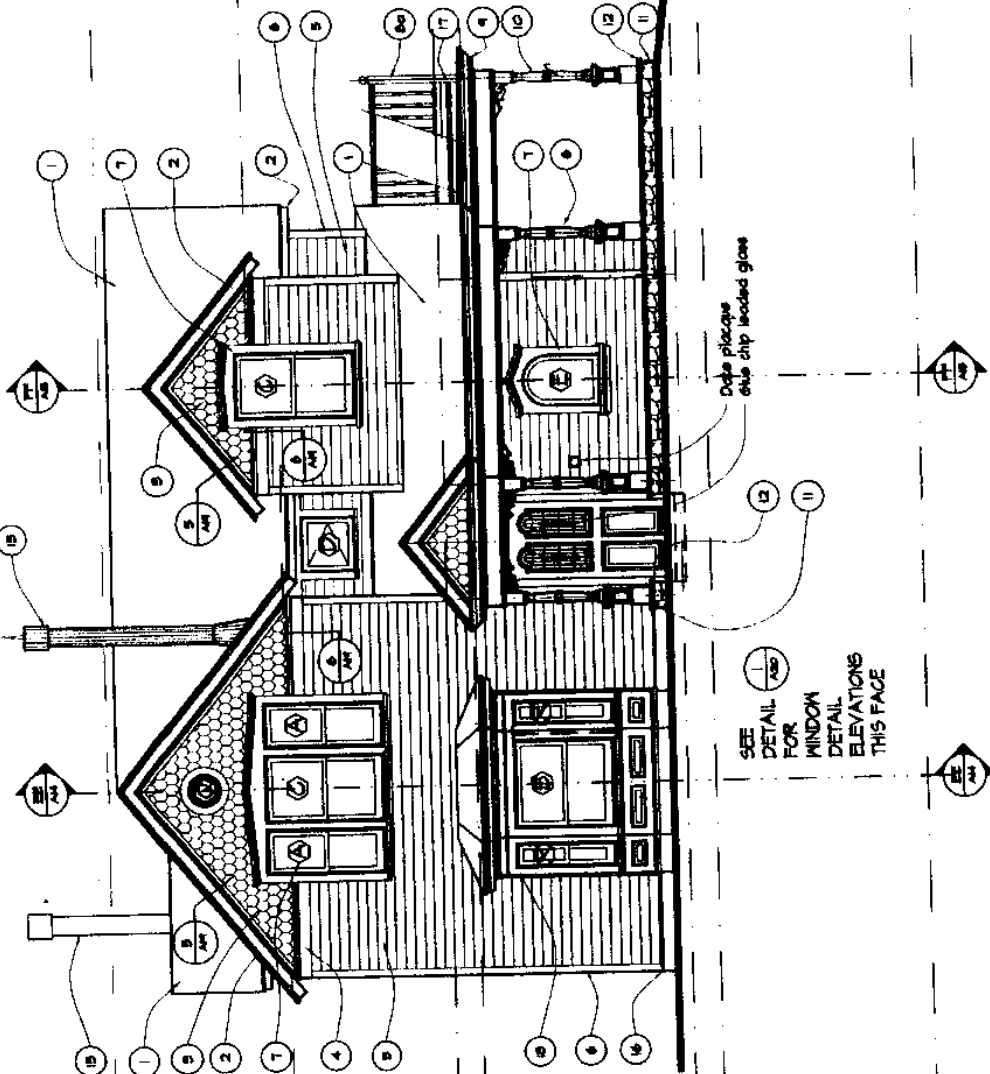
1 1
UPPER FLOOR PLAN
1/4" = 1'-0"

NOTE:
 All sloping roof surfaces to
 receive composition shingles.
 Except as noted.
 See Section Details and Specifications.



1
 A4
 ROOF PLAN
 1/4" = 1'-0"

MAX HT 4642'-6"



SEE
DETAIL
FOR
WINDOW
DETAIL.
DETAIL
ELEVATIONS
THIS FACE

Dark plastic
61/4" chip bonded glass

MAX HT 4642'-6"

Top of Plate

7'-6 1/2"

SECOND FLR 4624'-3 1/4"

Top of Plate

8'-0 1/2"

FIRST FLOOR 4620'-3"

Top of Plate

8'-0 1/2"

BASEMENT FLR 4611'-2 3/4"

MAX HT 4642'-6"

SECOND FLR 4624'-3 1/4"

Top of Plate

8'-0 1/2"

FIRST FLOOR 4620'-3"

Top of Plate

8'-0 1/2"

BASEMENT FLR 4611'-2 3/4"

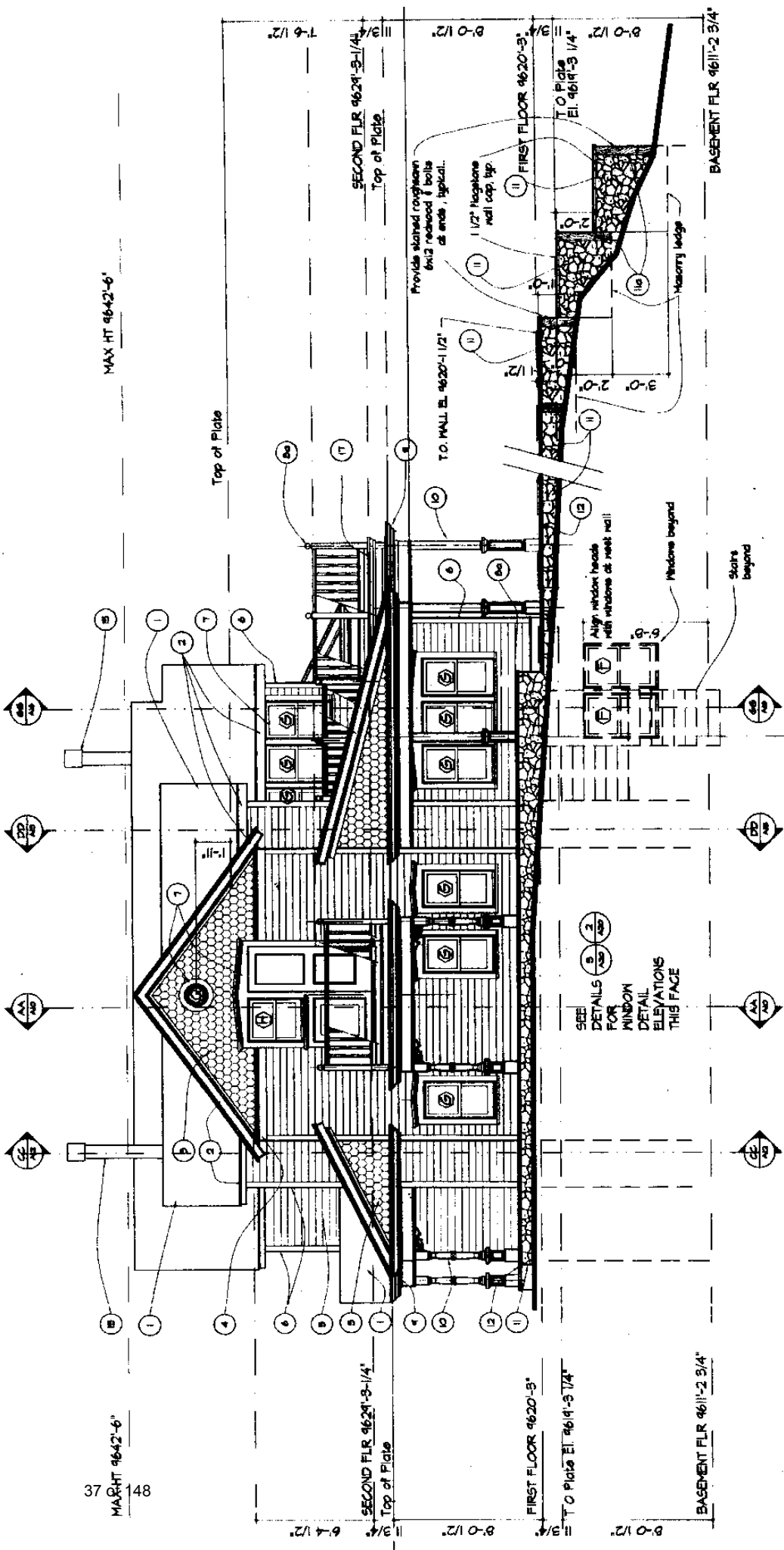
East (front) Elevation

1/4" = 1'-0"



MAX HT 46'42"-6"

MAX HT 46'42"-6"



2 North (Side) Elevation
1/4" = 1'-0"

SEE DETAILS FOR WINDOW DETAIL ELEVATIONS THIS FACE

Align window heads with windows of next wall
Windows beyond
Stairs beyond

Provide slatted roughness 6x12 redwood joists at ends, typical.
1 1/2" Hagstone nail cap top

Masonry ledge

T.O. Plate El. 46'19'-5 1/4"

FIRST FLOOR 46'20'-3"

T.O. Plate El. 46'19'-5 1/4"

SECOND FLOOR 46'21'-9 1/4"

Top of Plate

BASEMENT FLR 46'11'-2 3/4"

BASEMENT FLR 46'11'-2 3/4"

Top of Plate

7'-6 1/2"

11'-3 1/4"

8'-0 1/2"

11'-3 1/4"

8'-0 1/2"

3'-0"

2'-0"

2'-0"

8'-0 1/2"

11'-3 1/4"

8'-0 1/2"

11'-3 1/4"

8'-0 1/2"

11'-3 1/4"

8'-0 1/2"

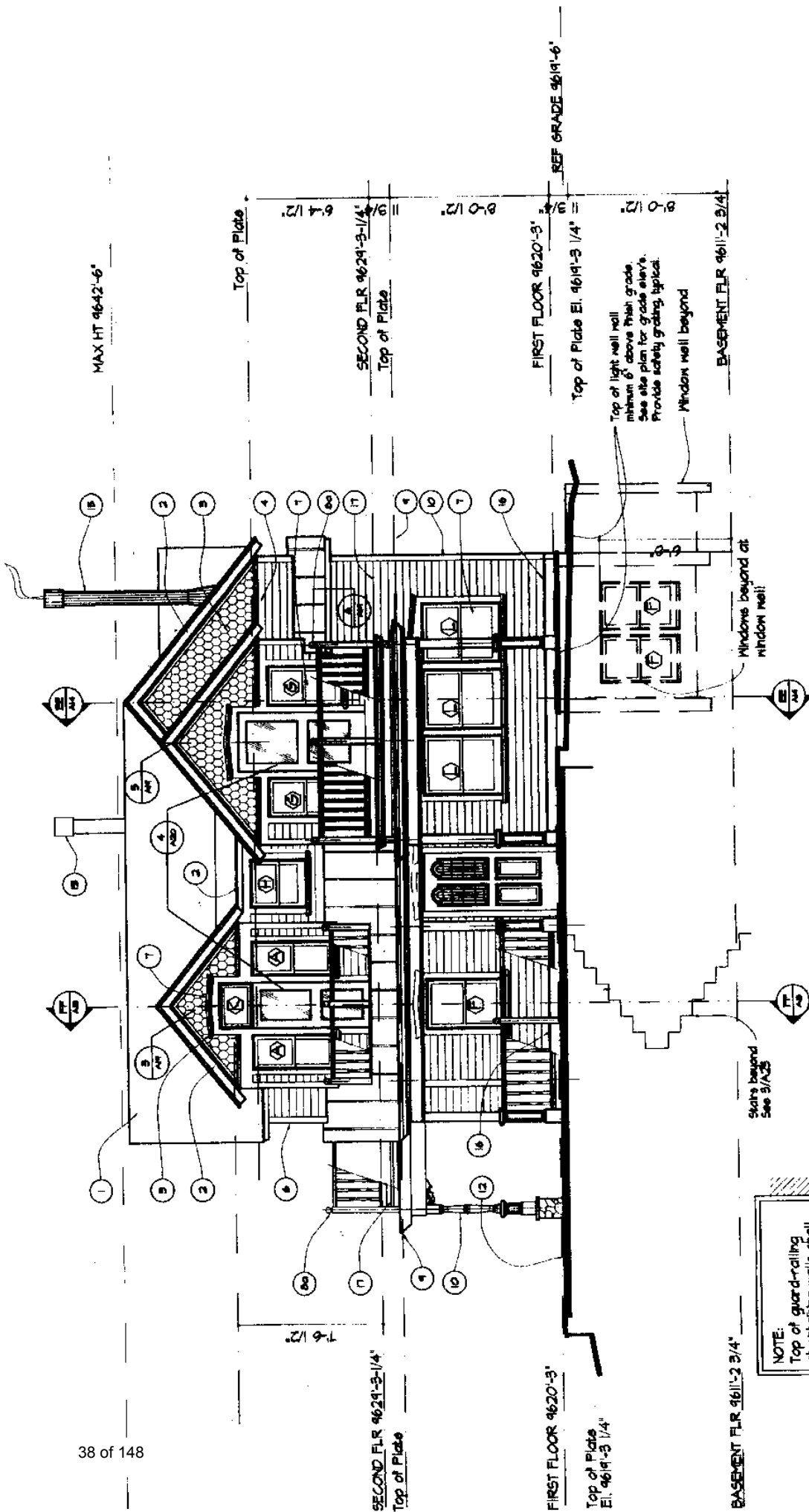
11'-3 1/4"

8'-0 1/2"

11'-3 1/4"

8'-0 1/2"

11'-3 1/4"



3 West (rear) Elevation
1/4" = 1'-0"

NOTE:
Top of guard-railing at retaining walls shall be 36" minimum above finish grade per code in all instances.

MAX HT 9642'-6"

Top of Plate

6'-4 1/2"

SECOND FLR 9624'-3 1/4"
Top of Plate

9'-4"

8'-0 1/2"

FIRST FLOOR 9620'-3"
Top of Plate El. 9619'-3 1/4"

3'-4"

8'-0 1/2"

Top of light well wall minimum 6" above finish grade. See site plan for grade elevs. Provide safety grating, typical.

Windows well beyond

BASEMENT FLR 9611'-2 3/4"

REF GRADE 9619'-6"

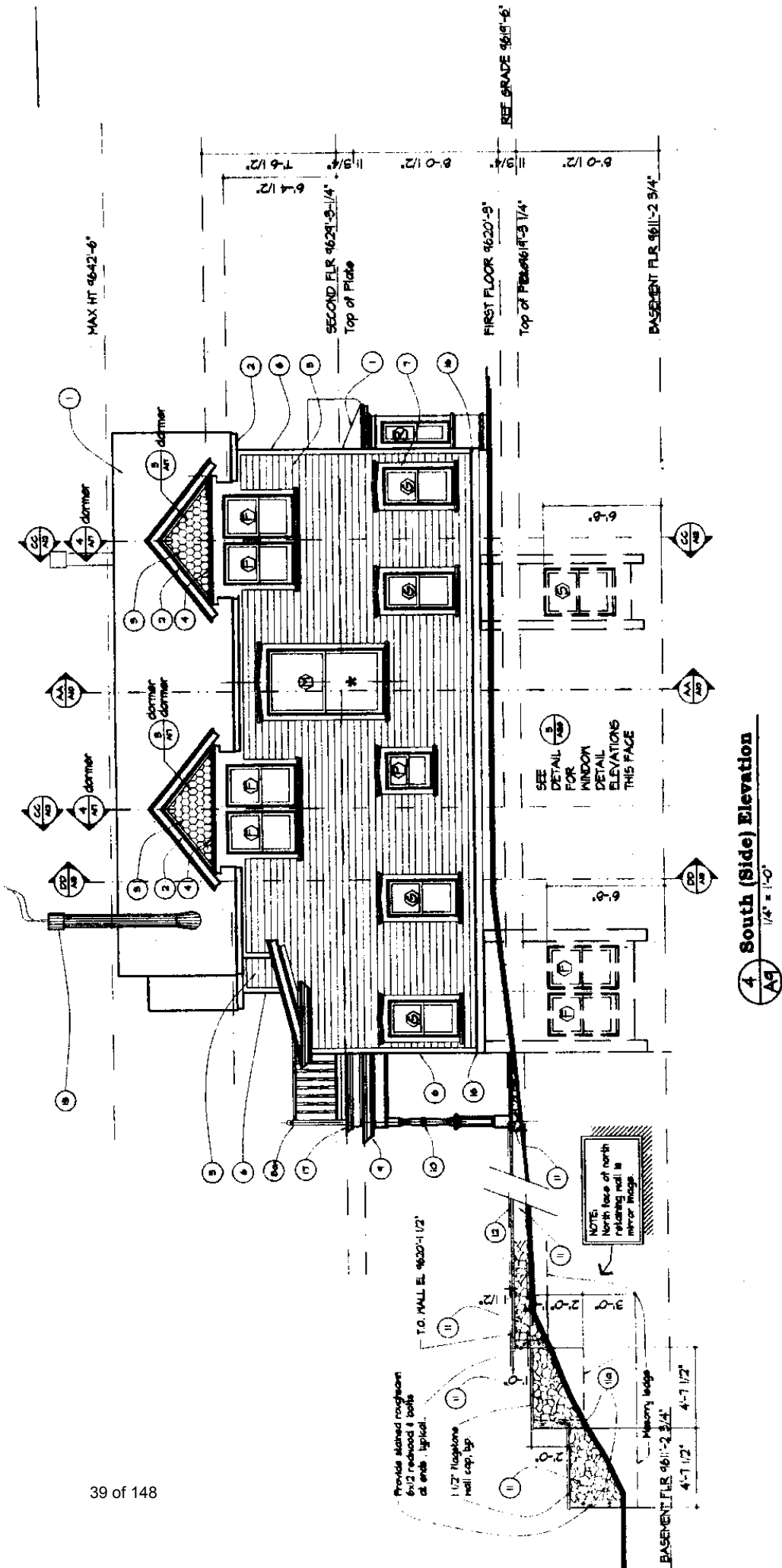
Windows beyond at window well

Stairs beyond See 3/A-25

BASEMENT FLR 9611'-2 3/4"

SECOND FLR 9624'-3 1/4"
Top of Plate

FIRST FLOOR 9620'-3"
Top of Plate El. 9619'-3 1/4"





Class C Development Review Check List

Project Name/PC#: Dudney Residence PC#2008016
Project Manager: Chris Kulick
Date of Report: February 6, 2008
Applicant/Owner: Gretchen & Bob Dudney
Agent: Marc Hogan
Proposed Use: Single Family Residential
Address: 229 Highlands Drive
Legal Description: Lot 83, Highlands at Breckenridge Filing 3
Site Area: 74,213 sq. ft. 1.70 acres
Land Use District (2A/2R):

Existing Site Conditions: 6&4: Residential (Subject to Delaware Flats Master Plan)
 The lot slopes downhill from east to west at an average of 10%. The site is moderately covered with existing lodgepole pine trees. A 12.5' Utility easment runs east/west on the north side of the lot. A 20' drainage easment runs along the south edge of the lot. A 25' public trail and and sanitary sewer easment runs along the western edge of the building envelope.

Density (3A/3R): unlimited Proposed: 4,100 sq. ft.
Mass (4R): unlimited Proposed: 5,014 sq. ft.
F.A.R.: 1:14.80 FAR
Areas:
Lower Level: 1,744 sq. ft.
Main Level: 2,356 sq. ft.
Upper Level:
Accessory Apartment:
Garage: 914 sq. ft.
Total: 5,014 sq. ft.

Bedrooms: 4
Bathrooms: 4.5
Height (6A/6R): 29 feet overall
 (Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 5,898 sq. ft. 7.95%
 Hard Surface / non-Permeable: 1,318 sq. ft. 1.78%
 Open Space / Permeable: 66,997 sq. ft. 90.28%

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

Snowstack (13A/13R):
 Required: 330 sq. ft. (25% of paved surfaces)
 Proposed: 502 sq. ft. (38.09% of paved surfaces)

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

Accessory Apartment: None

Building/Disturbance Envelope? Building Envelope

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

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

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

The residence will be compatible with the land use district and surrounding residences.

Roof:
Garage Doors:

2"x10" rough sawn siding, timber posts and beams and natural sandstone accents
Composite Shingles
Wood Clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	8	6@ 6-10 feet tall and 2 @ 12-14 feet tall
Aspen	17	2-3 inch caliper - 50% of each and 50% multi-stem
Shrubs and perennials	45	5 Gal.

Drainage (27A/27R):

Positive away from structure

Driveway Slope:
Covenants:

7 %
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.

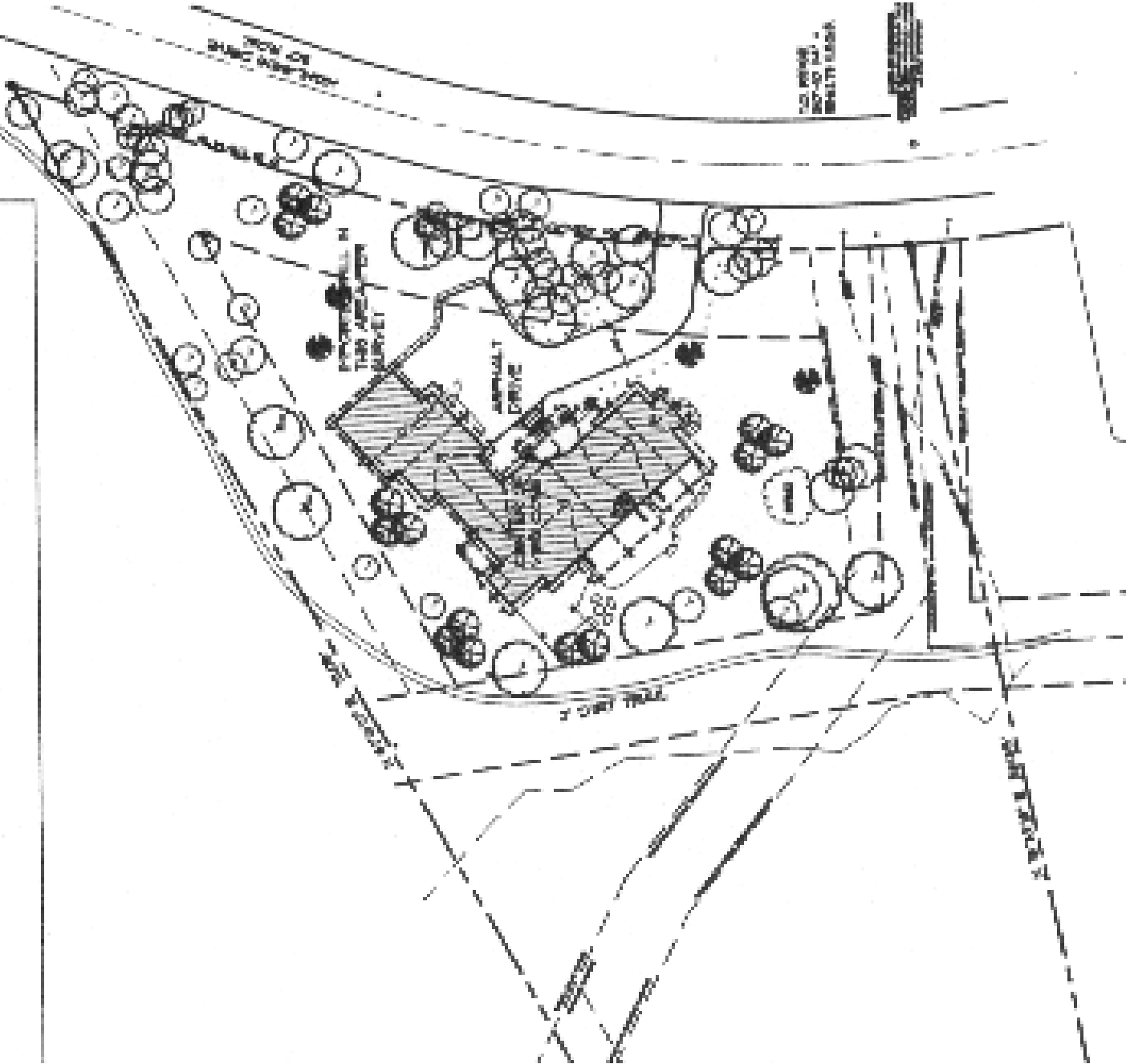
Staff Action:

Staff has approved the Dudney Residence, PC#2008016, located at 229 Highlands Drive, Lot 83, Highlands at Breckenridge #3, with the standard findings and conditions.

Comments:

Additional Conditions of Approval:

VIEW LOOKING WEST





Class C Development Review Check List

Project Name/PC#: Vlach Residence PC#2008015
Project Manager: Julia Skurski, AICP Planner II
Date of Report: February 12, 2008 for meeting of February 19, 2008
Applicant/Owner: Jim Vlach
Agent: Alice Santman, Baker Hogan Houx
Proposed Use: Single Family Residence
Address: 1227 Discovery Hill Drive
Legal Description: Lot 134, Discovery Hill Subdivision, Filing 2
Site Area: 87,761 sq. ft. 2.01 acres
Land Use District (2A/2R): LUD 6; Subject to the Delaware Flats Master Plan
Existing Site Conditions: This lot slopes uphill at a rate of about 20%. The lot is completely covered with small (12' tall), young and healthy lodgepole pine trees. There is a 10' snow stack easement along Discovery Hill Drive and an access, utility and drainage easement in the northwest corner of the lot.

Density (3A/3R): Allowed: unlimited Proposed: 4,851 sq. ft.
Mass (4R): Allowed: unlimited Proposed: 6,023 sq. ft.
F.A.R. 1:14.57 FAR
Areas:
Lower Level: 1,852 sq. ft.
Main Level: 2,999 sq. ft.
Upper Level: n/a
Accessory Apartment: n/a
Garage: 1,172 sq. ft.
Total: 6,023 sq. ft.

Bedrooms: 4
Bathrooms: 5
Height (6A/6R): 30'8"
 (Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 3,322 sq. ft. 3.79%
 Hard Surface / non-Permeable: 2,815 sq. ft. 3.20%
 Open Space / Permeable: 81,624 sq. ft. 93.01%

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

Snowstack (13A/13R):
 Required: 704 sq. ft. (25% of paved surfaces)
 Proposed: 783 sq. ft. (27.82% of paved surfaces)

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

Accessory Apartment: None

Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):
 Front: 28 ft.
 Side: 17 ft.
 Side: 78 ft.

Rear: 345 ft.

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

Exterior Materials: Natural "Farmer Brown" moss rock base; cedar fascia in brown tones and "Woodtone Cedar" chinking.

Roof: Asphalt composite shingles in "hickory" and metal standing seam accents in "aged bronze"

Garage Doors: Wood clad to match siding

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	8	6@ 8 feet tall and 2 @ 12 feet tall
Aspen	5	2"-3" inch caliper - 50% multi-stem
Shrubs (alpine currant, peking cotoneaster, potentilla)	28	5 Gal.

Drainage (27A/27R): There is positive drainage across the site.

Driveway Slope: 8 %

Covenants: Landscape

Point Analysis (Sec. 9-1-17-3): All absolute policies of the Development Code are met with this application. No reason is found for assigning positive or negative points to this single family residence.

Staff Action: Staff has approved the Vlach Residence on Lot 134, Discovery Hill Subdivision, Filing 2, PC#2008015 with the standard findings and conditions.

Comments:

Additional Conditions of Approval:

PLANTING LIST & NOTES		
SYM	SYMBOL	SIZE
○	REMOVABLE	12"
○	PERMANENT	12"
○	REMOVABLE	18"
○	PERMANENT	18"
○	REMOVABLE	24"
○	PERMANENT	24"
○	REMOVABLE	36"
○	PERMANENT	36"
○	REMOVABLE	48"
○	PERMANENT	48"
○	REMOVABLE	60"
○	PERMANENT	60"
○	REMOVABLE	72"
○	PERMANENT	72"
○	REMOVABLE	96"
○	PERMANENT	96"
○	REMOVABLE	120"
○	PERMANENT	120"

LANDSCAPE NOTES

1. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HIGHWAY DESIGN ASSOCIATION (HDAA) SPECIFICATIONS, 2008 EDITION.

2. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

3. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

4. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

5. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

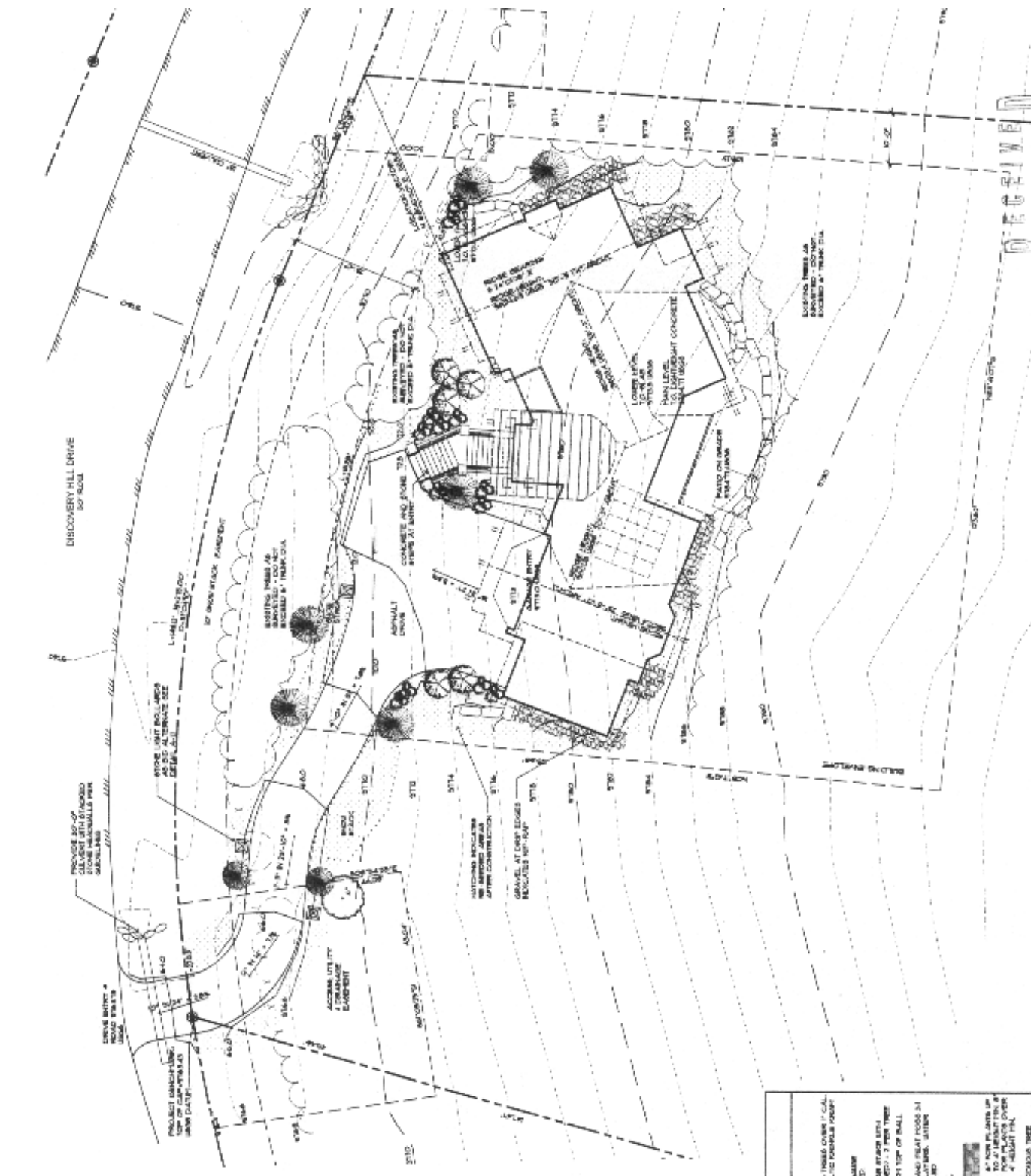
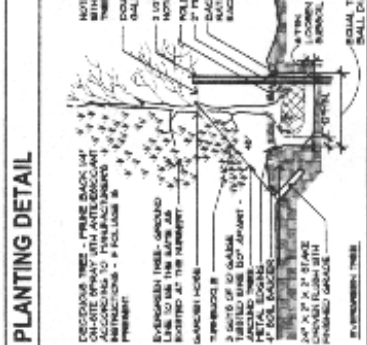
6. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

7. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

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10. ALL PLANTING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HDAA SPECIFICATIONS, 2008 EDITION.

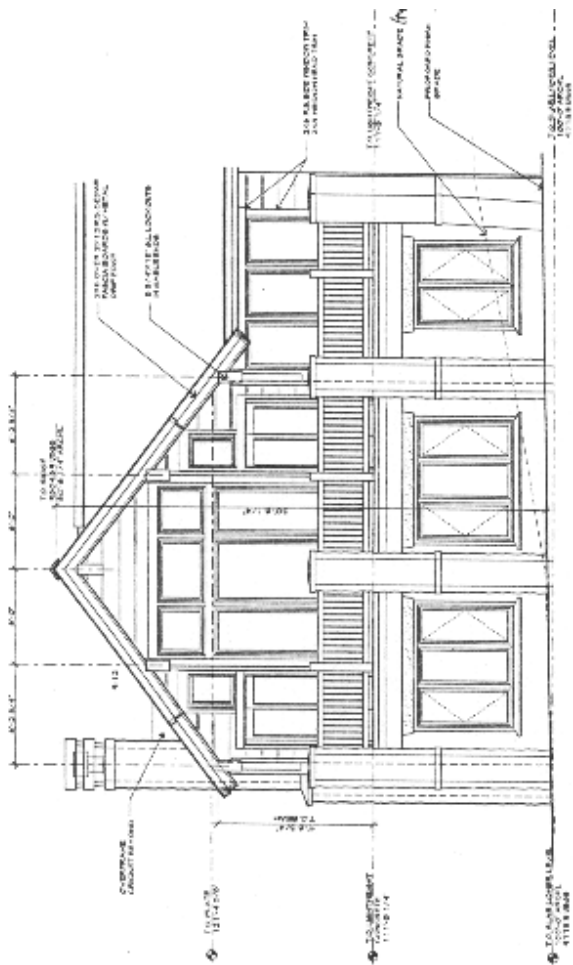


PRELIMINARY LANDSCAPE PLAN

SCALE: 1" = 30'-0"

DATE: FEB 13 2008

TOWN OF BRACKENRIDGE
BY: ANNINO DEPT.

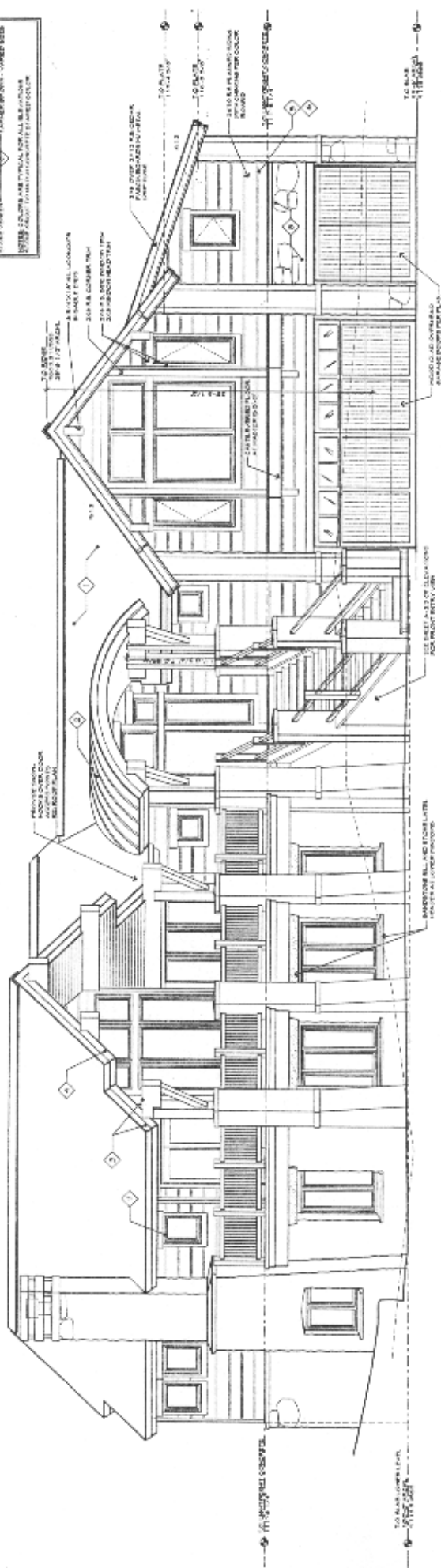


NORTHWEST ELEVATION

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

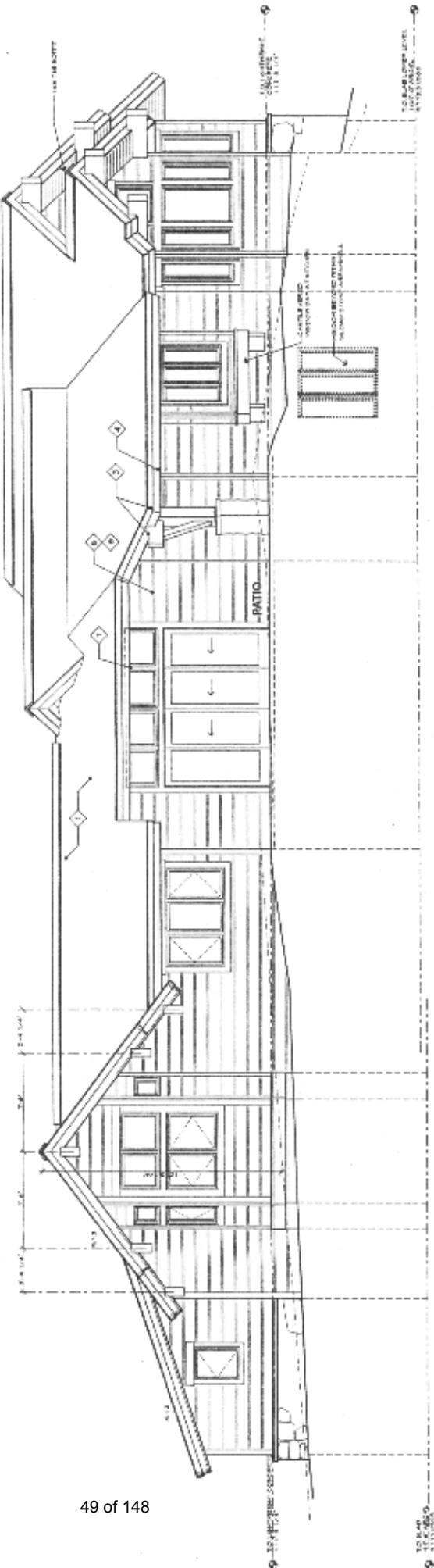
EXTERIOR COLOR LEGEND

- COMPONENT NUMBER
- WALL FINISH
- CEILING FINISH
- ROOF FINISH
- TRIM FINISH
- PAINT FINISH
- GLASS FINISH
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- GLASS FINISH



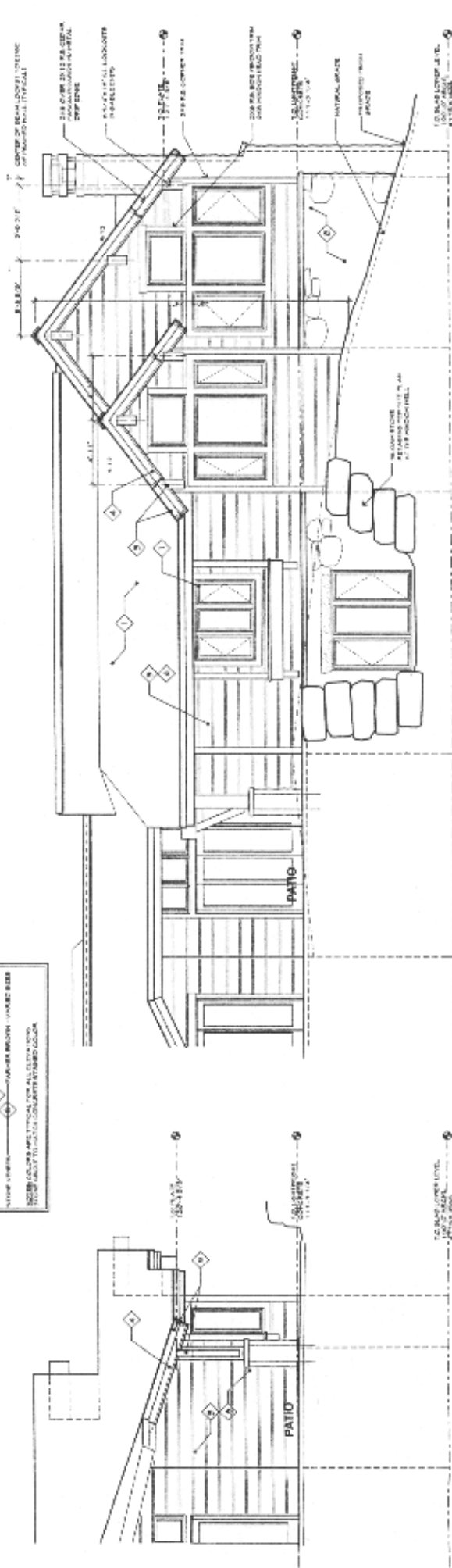
NORTH ELEVATION

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



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

EXTERIOR COLOR LEGEND	
	CONCRETE EXISTING
	CEMENTitious MORTAR
	WOOD SILLING
	WOOD SHINGLES - 3/8" - 5/8" SHINGLES
	WOOD SHINGLES - 1" - 1 1/2" SHINGLES
	WOOD SHINGLES - 1 1/2" - 2" SHINGLES
	WOOD SHINGLES - 2" - 2 1/2" SHINGLES
	WOOD SHINGLES - 2 1/2" - 3" SHINGLES
	WOOD SHINGLES - 3" - 4" SHINGLES
	WOOD SHINGLES - 4" - 6" SHINGLES
	WOOD SHINGLES - 6" - 8" SHINGLES
	WOOD SHINGLES - 8" - 10" SHINGLES
	WOOD SHINGLES - 10" - 12" SHINGLES
	WOOD SHINGLES - 12" - 14" SHINGLES
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	WOOD SHINGLES - 324" - 336" SHINGLES
	WOOD SHINGLES - 336" - 348" SHINGLES
	WOOD SHINGLES - 348" - 360" SHINGLES



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

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

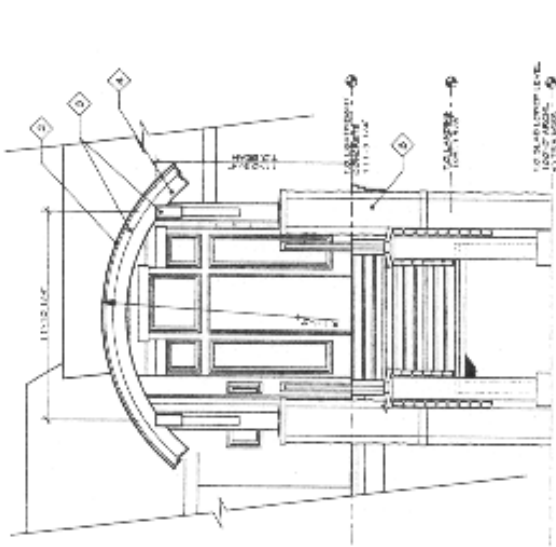
REVOLUTIONS

DATE: 02-20-10
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT: [Signature]

PRELIMINARY DRAWING
 12-24-09
 02-20-10

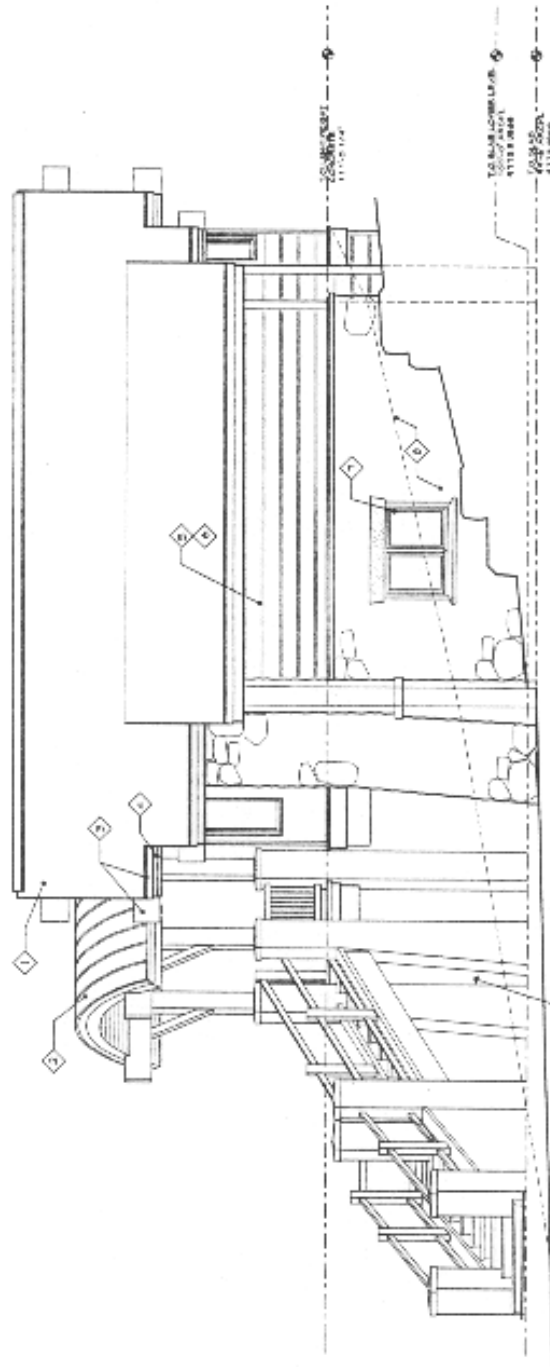
BAKER • HOGAN • HOUX
 ARCHITECTURE & PLANNING / AIA / P.C.
 P.O. BOX 911, 160 EAST ADAMS, BRECKENRIDGE, COLORADO 80424 (970) 453-6880
CUSTOM PROPERTIES, BRECKENRIDGE
 LOT 134, DISCOVERY HILL, HIGHLANDS AT BRECKENRIDGE, BRECKENRIDGE, COLORADO

SHEET NUMBER:
A-3.2
 of 11



FRONT ENTRY ELEVATION

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



WEST ELEVATION

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

EXTERIOR COLOR LEGEND

◊	CLIP PITCH ROOF FUR - ROOFING
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NOTES: COLORS ARE TYPICAL FOR ALL ELEVATIONS. FOR BEST RESULTS, CONSULT WITH SUPPLIER.

DOOR & WINDOW NOTES

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Class C Development Review Check List

Project Name/PC#:	Thomas Residence	PC#2008019
Project Manager:	Matt Thompson	
Date of Report:	February 14, 2008	For the 02/19/2008 Planning Commission Meeting
Applicant/Owner:	Janice and Mark Thomas	
Agent:	David A. Beal	
Proposed Use:	Single-family residence	
Address:	0478 Preston Way	
Legal Description:	Lot 33, Highlands at Breckenridge #10, Town of Breckenridge	
Site Area:	55,230 sq. ft.	1.27 acres
Land Use District (2A/2R):	6: Subject to the Delaware Flats Master Plan	
Existing Site Conditions:	The lot slopes steeply uphill from the front of the lot towards the rear at 14%. The lot is heavily covered in lodgepole pine trees and some spruce trees. There is evidence of pine beetle infestation on some of the lodgepole pine trees. There is a 30' drainage and utility easement on the west side of the property. There is a 10' snowstack easement along Preston Way.	
Density (3A/3R):	Allowed: unlimited	Proposed: 5,039 sq. ft.
Mass (4R):	Allowed: unlimited	Proposed: 6,023 sq. ft.
F.A.R.:	1:9.17 FAR	
Areas:		
Lower Level:	2,272 sq. ft.	
Main Level:	2,407 sq. ft.	
Upper Level:	360 sq. ft.	
Garage:	984 sq. ft.	
Total:	6,023 sq. ft.	
Bedrooms:	4	
Bathrooms:	4.5	
Height (6A/6R):	30 feet overall	
	(Max 35' for single family outside Historic District)	
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 4,809 sq. ft.	8.71%
	Hard Surface / non-Permeable: 4,972 sq. ft.	9.00%
	Open Space / Permeable: 45,449 sq. ft.	82.29%
Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 3 spaces	
Snowstack (13A/13R):		
	Required: 1,243 sq. ft.	(25% of paved surfaces)
	Proposed: 1,327 sq. ft.	(26.69% of paved surfaces)
Fireplaces (30A/30R):	2 gas burners	
Accessory Apartment:	N/A	
Building/Disturbance Envelope?	Disturbance envelope	
Setbacks (9A/9R):		
	Front: 44 ft.	
	Side: 58 ft.	

Side: 88 ft.
Rear: 78 ft.

Architectural Compatibility (5/A & 5/R): The residence will be architecturally compatible with the land use district.
Exterior Materials: 1 x horizontal cedar lap siding, 12" log Newel post, 1 x board and batten siding above cedar lap siding, 2 x cedar trim and fascia boards, exposed log columns, beams, and truss elements, and natural moss rock stone veneer with sandstone cap.
Roof: 50 Year Fiberglass Shingles
Garage Doors: Wood--Custom

Landscaping (22A/22R):

Planting Type	Quantity	Size
Aspen	17	1 1/2"-2"
Spruce	7	6'-8'

Drainage (27A/27R): Positive away from residence.
Driveway Slope: 8 %
Covenants:

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

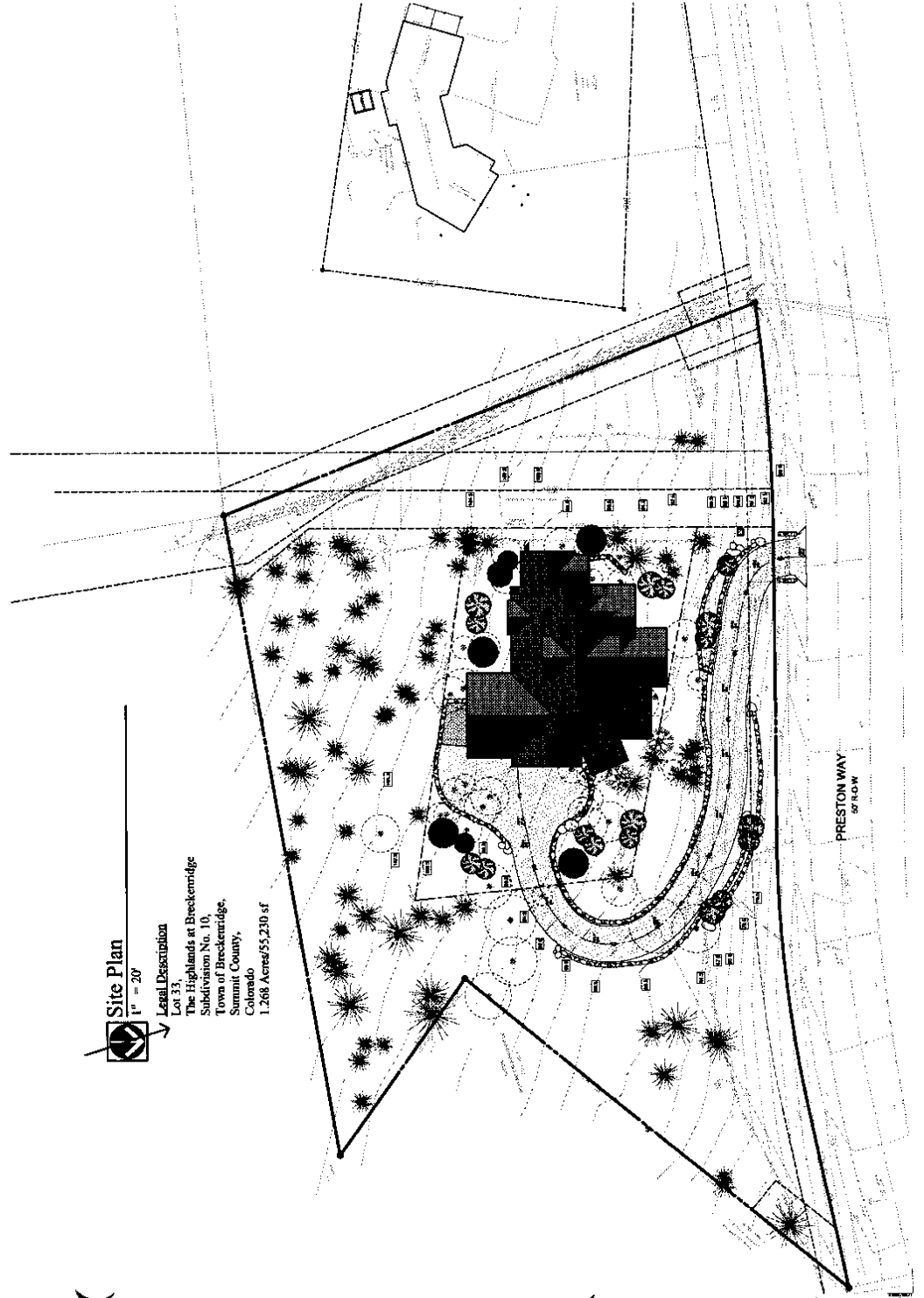
Staff Action: Staff has approved the Thomas Residence, PC#2008019, Lot 33, Highlands at Breckenridge #10, located at 478 Preston Way.

Comments: Please see the letter dated January 3, 2008 from Mark and Janice Thomas explaining their driveway alignment.

Additional Conditions of Approval:

Thomas Residence

Lot 33,
The Highlands at Breckenridge
Breckenridge
Subdivision 10,
Town of Breckenridge,
Summit County,
Colorado
0478 Preston Way



AREA CALCULATIONS	
BASE FLOOR AREA	3,447
COVERED PORCHES	348
POOL DECK	348
TOTAL COVERED AREAS	4,143
BASE FLOOR AREA	3,447
POOL DECK AREA	348
TOTAL	3,795
COVERED AREAS	4,143
TOTAL	3,795

PROJECT	THOMAS RESIDENCE
PROJECT NO.	0101
DATE	10/26/01
REVISION	12/16/01
DATE	01/23/02

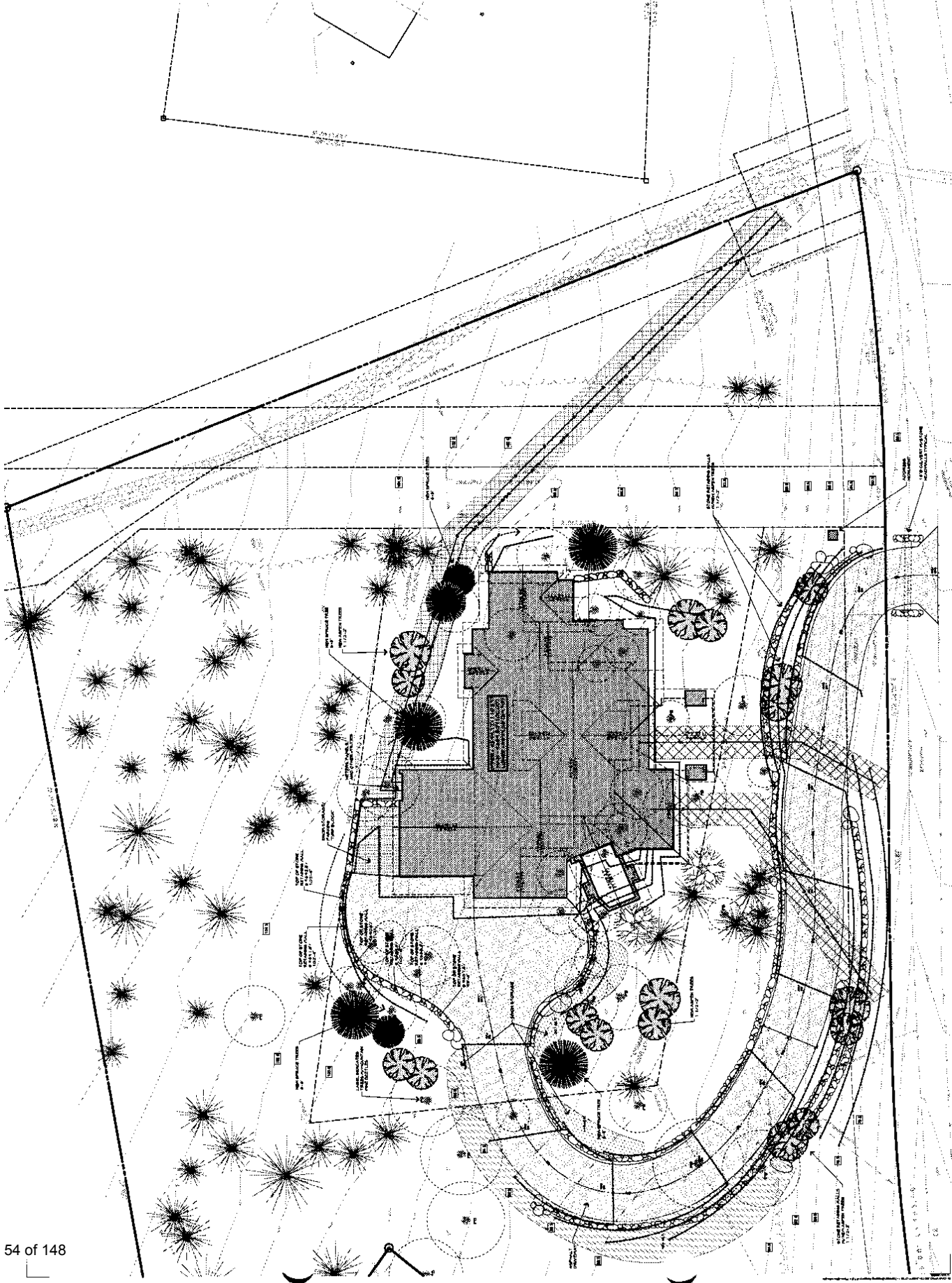
Lot 33, The Highlands at Breckenridge Subdivision No. 10, Town of Breckenridge, Summit County, Colorado
Thomas Residence
 0478 Preston Way, Breckenridge, CO 80424
APX Mountain Homes
 PO Box 2635 Frisco, Colorado 80443-2635 970/668-3402

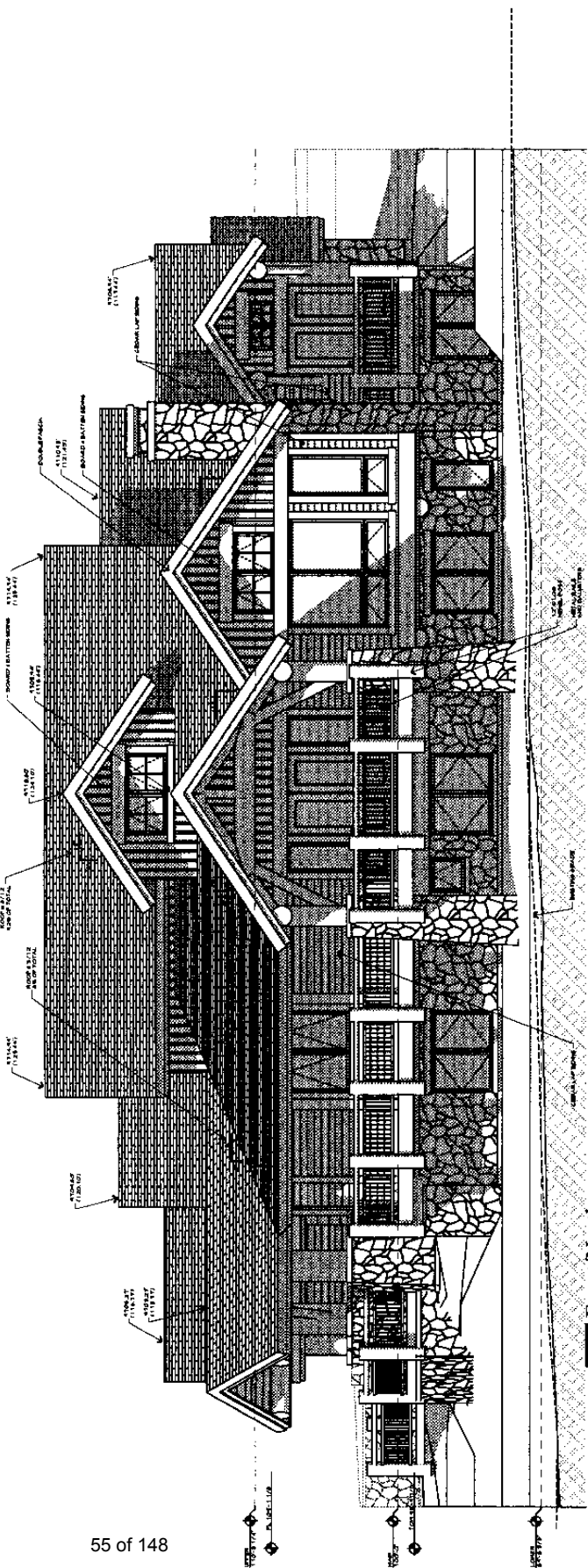
PROJECT	THOMAS RESIDENCE
PROJECT NO.	0121
DATE	10/24/01
DESIGNER	DAVID A. DEAL
REVISION	12/18/01
REVISION	01/25/02

DAVID A. DEAL
ARCHITECT AND PLANNER
1348 NORTH 24TH STREET
DENVER, COLORADO 80202
TEL: 303.733.1111

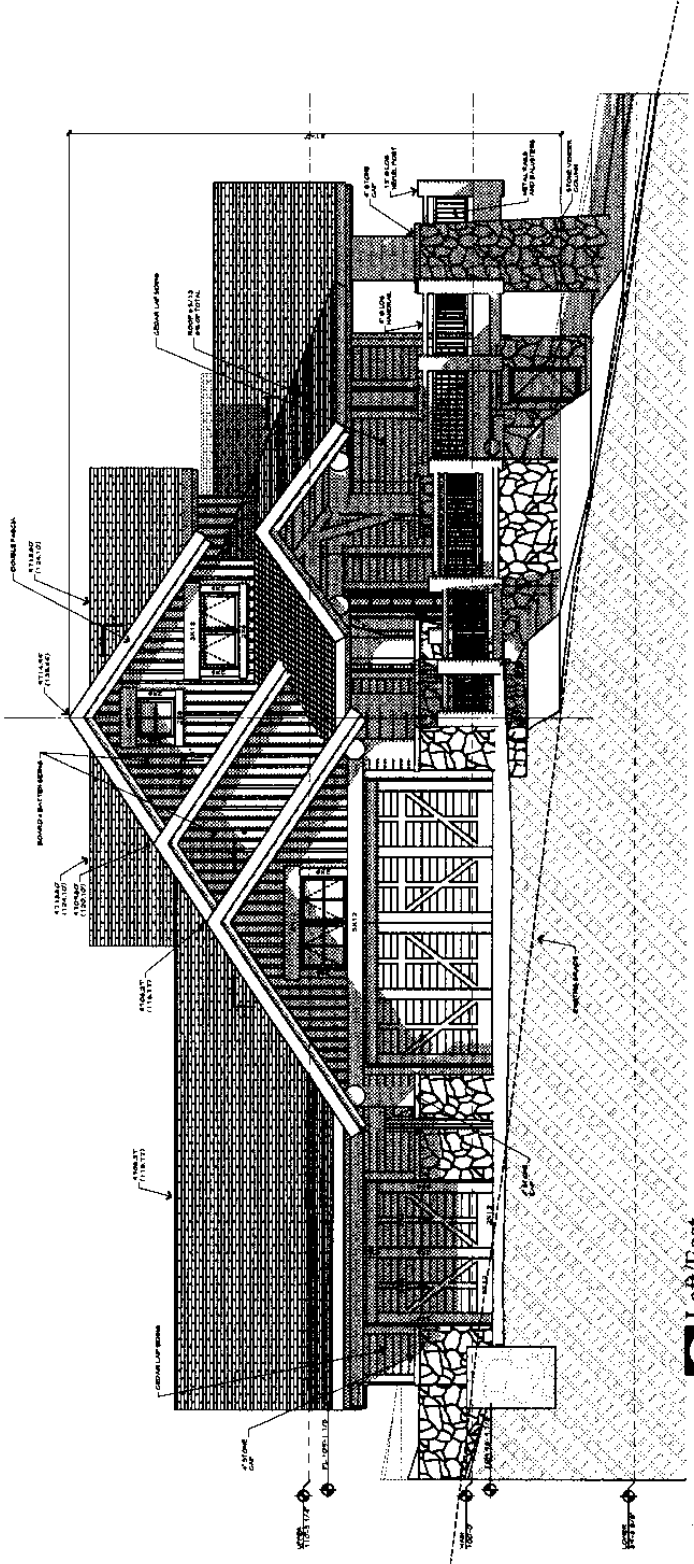
Thomas Residence
Lot 33, The Highlands at Breckenridge Subdivision No. 10, Town of Breckenridge, Summit County, Colorado
0478 Preston Way, Breckenridge, CO 80424
APEX Mountain Homes
PO Box 2635 Ft. Collins, Colorado 80443-2635 970/668-3402

Partial Site Plan
1" = 10'





A
6 Front/North
1/4" = 1'-0"



B
6 Left/East
1/4" = 1'-0"

Elevations
As Shown

PROJECT NO.	0701
DATE	10/28/07
DRAWN	DAB
REVISED	12/18/07
01/29/08	
01/29/08	
01/29/08	



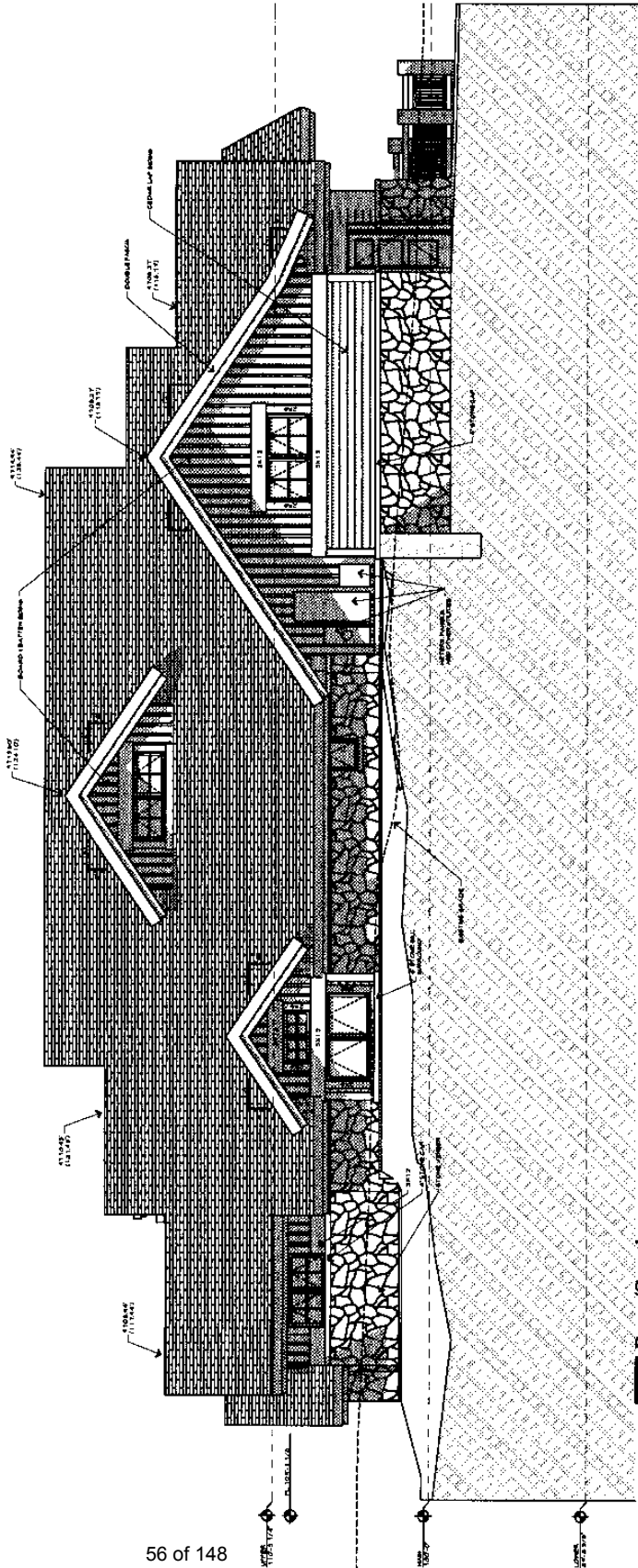
Thomas Residence
 Lot 33, The Highlands at Breckenridge Subdivision No. 10, Town of Breckenridge, Summit County, Colorado
 0478 Preston Way, Breckenridge, CO 80424
 APEX Mountain Homes
 P.O. Box 2635 Frisco, Colorado 80443-2635 970/668-3402

Thomas Residence
Lot 33, The Highlands at Breckenridge Subdivision No. 10, Town of Breckenridge, Summit County, Colorado
0478 Preston Way, Breckenridge, CO 80424
APEX Mountain Homes
PO Box 2635 Frisco, Colorado 80443-2635 970/668-3402

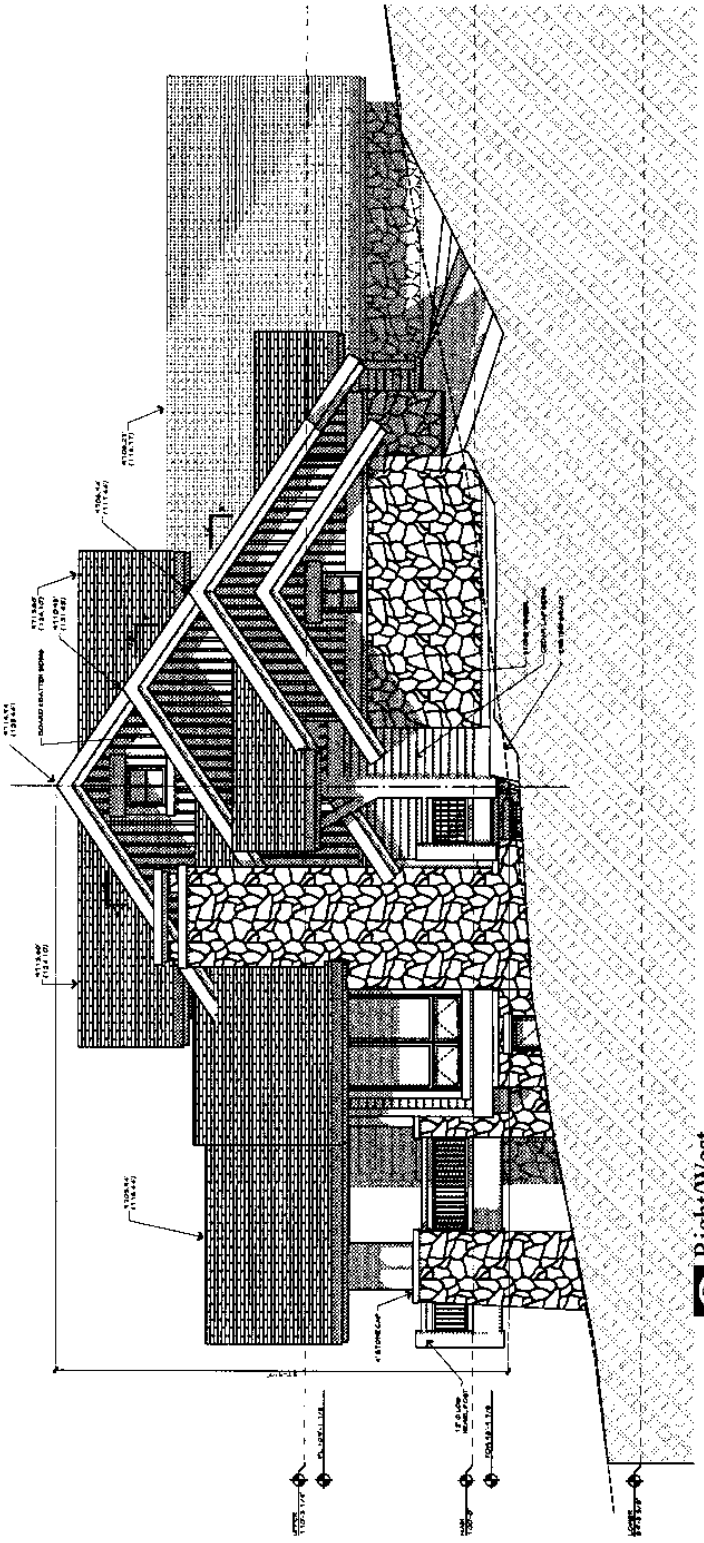
DAVID R. PCL
ARCHITECTS AND INTERIORS
1000 Grand Street, Suite 100
Breckenridge, Colorado 80424
303-949-9810

PROJECT	THOMAS RESIDENCE
PROJECT NO.	07101
DATE	10/28/07
DRAWN	PJM
REVISION	12/12/07
	01/09/08
	01/23/08

Elevations
AS Shown



C Rear/South
1/4" = 1'-0"



D Right/West
1/4" = 1'-0"

3 January 2008

Re: Access Drive Location/Length
Lot 33, Filing 10
Highlands at Breckenridge

To Whom It May Concern:

This letter is directed to the Highlands at Breckenridge Golf Course Review Board and the Town of Breckenridge Planning Commission. We are preparing this letter to discuss the process in choosing the location of the access drive. The lot slopes downward from the south to north, the street from west to the east, and there is a 30 ft utility/drainage easement located on the west side of the lot. The highest point available to access the building envelope is at the west end of the street adjacent the drainage/utility easement. In order to access the building envelope the driveway has to climb a minimum of 20 feet in height (USGS9668'—USGS9688'). The length of the driveway in order to adhere to an 8% grade would have to be at least two hundred fifty feet in length ($20'/8\%=250'$). In our plans the access drive begins on the west side of the lot next to this easement and proceeds to the east. We looked at placing the entry on the east side of the lot and proceeding to the west. This option does not work since the grade of the drive would be over the 8% maximum.

We first talked with Andy Cardwell at the Breckenridge Sanitation District about crossing the 30 ft utility/drainage easement located on the west side of the lot. He stated that the Breckenridge Sanitation District recommends that we do not place the drive across this easement, as it would block their access.

We next talked with Don Nilsson, who was involved with the development of the Highlands. Don confirmed that this lot was designed so that the access drive would be accessed from the northwest end of the lot or more specifically at the west end of the street that is contiguous with our lot.

We then talked with Matt Thompson, who is a Planner with the Town of Breckenridge Community Development Department. Matt agreed that it was not a good idea to build the access drive across the drainage/utility easement. We also discussed the east side drive entry and the need to exceed the 8% maximum grade. He stated that the Town would allow a steeper grade, but that it would require the drive to be heated. He also said that the Town does not recommend this since it is not green. We also agreed that it would not be the best use of energy.

The location of the access drive was based upon the consideration of the above resources.

Thank you,

Mark and Janice Thomas



Class C Development Review Check List

Project Name/PC#: Warriors Preserve - Lot 7 PC#2008018
Project Manager: Matt Thompson, AICP
Date of Report: February 14, 2008 For the 02/19/2008 Planning Commission Meeting
Applicant/Owner: Karl Koch
Agent: Barbara Shepler
Proposed Use: Single-family residence
Address: 111 Victory Lane
Legal Description: Lot 7, Warriors Preserve
Site Area: 12,961 sq. ft. 0.30 acres
Land Use District (2A/2R): 30.6: Residential
Existing Site Conditions: The lot slopes very steeply uphill at 27% from the front of the lot towards the rear. The lot is heavily covered in lodgepole pine and some spruce trees. There is a 35' utility and private access easement along the front of the property.

Density (3A/3R): Allowed: unlimited Proposed: 4,210 sq. ft.
Mass (4R): Allowed: unlimited Proposed: 5,378 sq. ft.
F.A.R.: 1:2.40 FAR
Areas:
Lower Level: 946 sq. ft.
Main Level: 2,156 sq. ft.
Upper Level: 1,191 sq. ft.
Garage: 1,085 sq. ft.
Total: 5,378 sq. ft.

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

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 3,353 sq. ft. 25.87%
 Hard Surface / non-Permeable: 515 sq. ft. 3.97%
 Open Space / Permeable: 9,093 sq. ft. 70.16%

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

Snowstack (13A/13R):
 Required: 129 sq. ft. (25% of paved surfaces)
 Proposed: 135 sq. ft. (26.21% of paved surfaces)

Fireplaces (30A/30R): 1 gas

Accessory Apartment: N/A

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): The residence will be architecturally compatible with the land use district.

Exterior Materials: Horizontal natural cedar chinked wood siding color to be dark and light gray, 10" minimum natural log column and beam, natural cedar wood shingles, 2x6 wood trim at tops of door and windows, 2x4 wood trim at bottoms and sides of doors and windows redwood, black wrought iron railing with gray wire 4x4 mesh, and natural moss rock veneer.

Roof: 40-year dimensional asphalt shingles

Garage Doors: Natural cedar wood siding and windows

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	4	6'
Aspen	12	2" min. caliper
Deciduous shrubs	7	5 gallon
Ground cover and perennials		

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

Driveway Slope: 7 %

Covenants:

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

Staff Action: Staff has approved PC#2008018, Lot 7, Warriors Preserve, located at 111 Victory Lane.

Comments:

Additional Conditions of Approval:

DATE: 01/28/08
 DRAWING NO: 457

A CUSTOM RESIDENCE FOR KOCH DEVELOPMENT
 WARRIORS PRESERVE SUBDIVISION, COLORADO
 LOT #07
 SITE, GRADING AND LANDSCAPE PLAN

BUILDER:
 KOCH DEVELOPMENT
 1000 W. WASHINGTON ST.
 DENVER, CO 80202

ARCHITECT:
SJA
 SUTTLER
 ARCHITECTS
 1000 W. WASHINGTON ST.
 DENVER, CO 80202

C2-1

DRAWING LIST

CS-1	SITE, GRADING & LANDSCAPE PLAN
CS-2	FOUNDATION PLAN
CS-3	LOWER LEVEL PLAN
CS-4	UPPER LEVEL PLAN
CS-5	ROOF PLAN
CS-6	EXTERIOR ELEVATIONS
CS-7	EXTERIOR ELEVATIONS

SQUARE FOOTAGE

LOWER LEVEL FINISHED	963 SQ. FT.
LOWER LEVEL MESH	83 SQ. FT.
MAIN FLOOR	2156 SQ. FT.
UPPER LEVEL	1191 SQ. FT.
TOTAL	4293 SQ. FT.

MECH. CABINETS: 108 SQ. FT.
 PORCHES: 688 SQ. FT.

TOTAL SITE AREA - 12,941 SQ. FT.
 HARD SURFACE/PAVING - 543 SQ. FT.
 HARD SURFACE/PAVING - 1081 SQ. FT.

NOTES:
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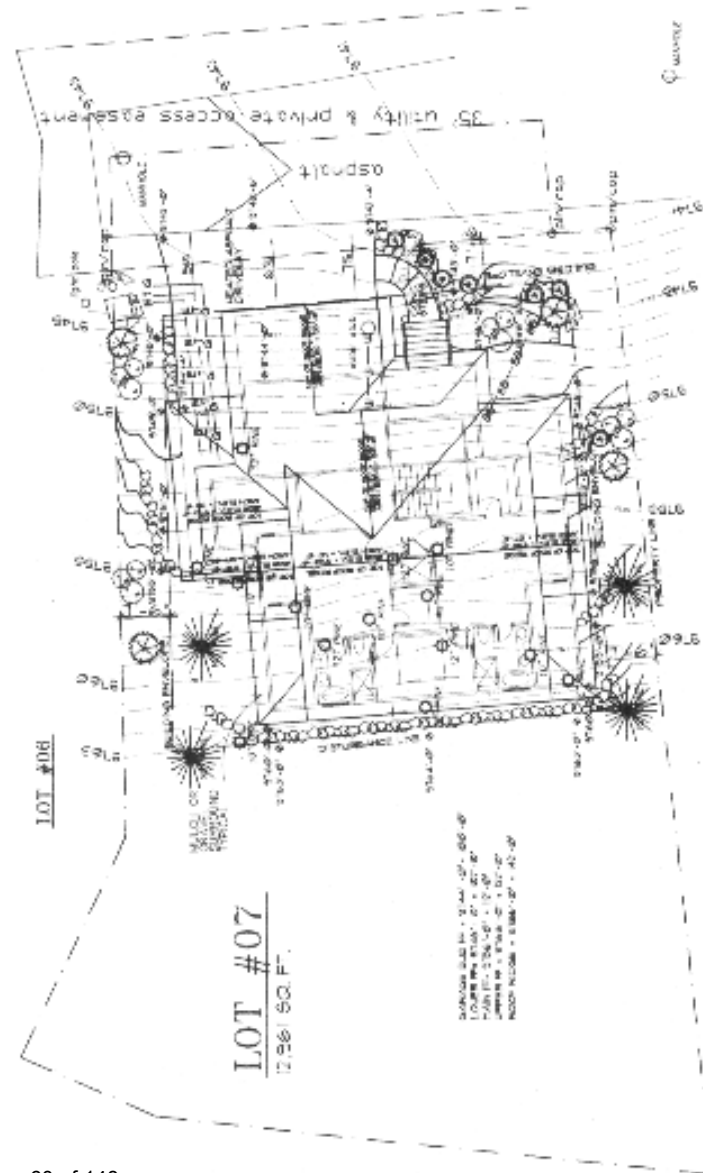
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 JAN 28 2008
 TOWN OF BRECKENRIDGE
 PLANNING DEPT.

A CUSTOM RESIDENCE FOR KOCH DEVELOPMENT, BRECKENRIDGE, COLORADO
 WARRIORS PRESERVE SUBDIVISION, LOT #07
 EXTERIOR ELEVATIONS

BUILDER:
 KOCH DEVELOPMENT
 17100 E. 100th AVE
 DENVER, CO 80231

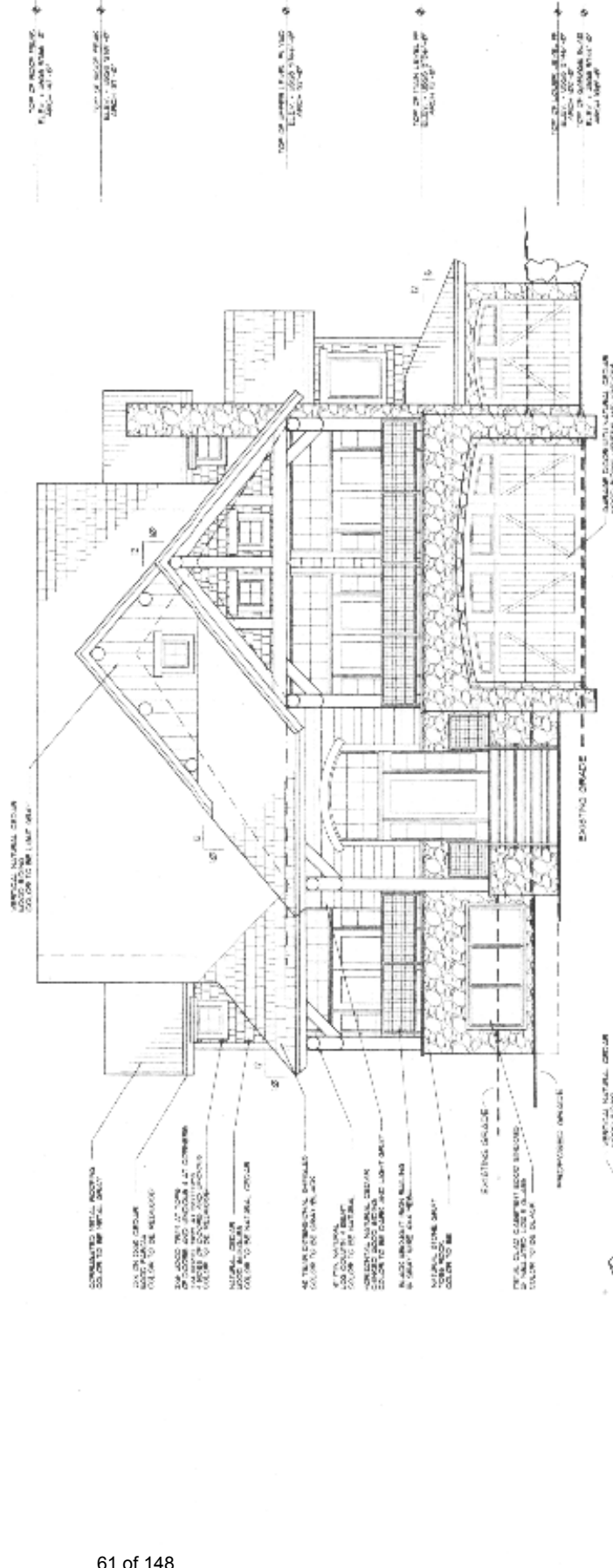
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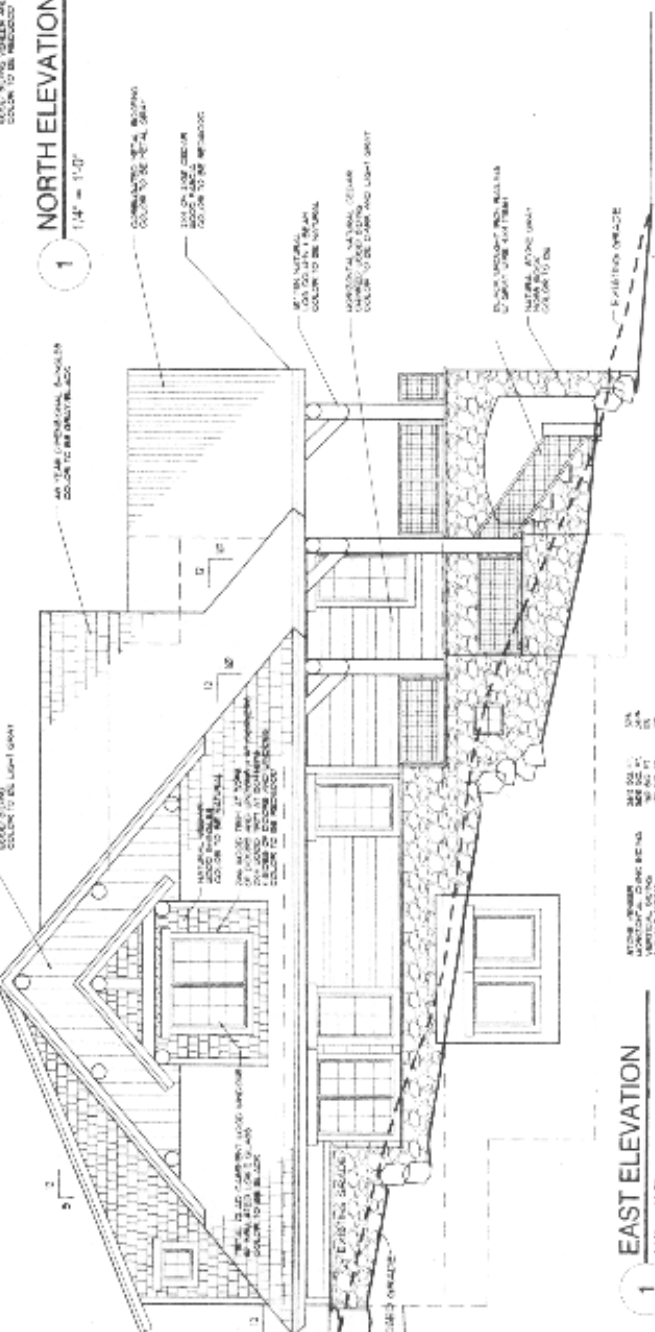
ARCHITECT:
 S.A. SHEPHERD
 ARCHITECTS
 1000 W. 10TH AVE
 DENVER, CO 80202

A3-1

PER PERMIT: 467
 DATE: 01/28/08



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



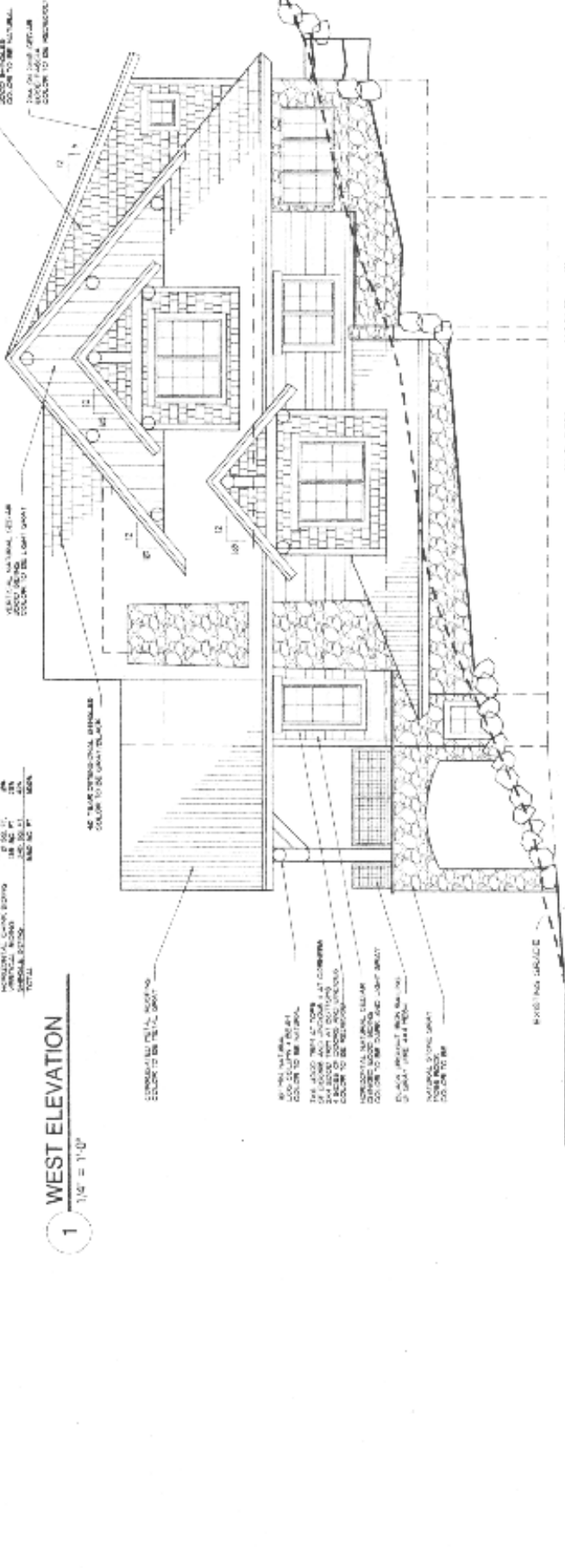
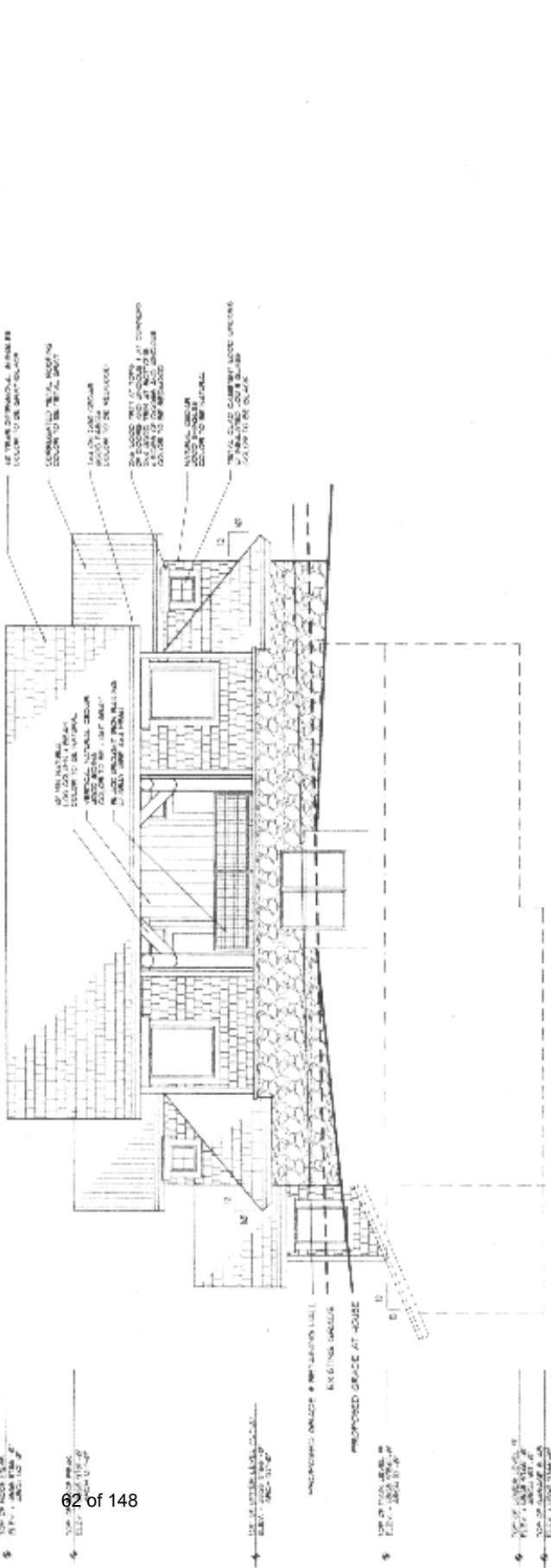
1 EAST ELEVATION
 1/4" = 1'-0"

FINISH GRADE	11	7'-0"
EXISTING GRADE	10	6'-0"
FINISH GRADE	9	5'-0"
EXISTING GRADE	8	4'-0"
FINISH GRADE	7	3'-0"
EXISTING GRADE	6	2'-0"
FINISH GRADE	5	1'-0"
EXISTING GRADE	4	0'-0"
FINISH GRADE	3	0'-0"
EXISTING GRADE	2	0'-0"
FINISH GRADE	1	0'-0"
TOTAL	10	10'-0"

A CUSTOM RESIDENCE FOR KOCH DEVELOPMENT, BRECKENRIDGE, COLORADO
 WARRIORS PRESERVE SUBDIVISION, LOT #07
 EXTERIOR ELEVATIONS

ARCHITECT: SA SHEPLER ASSOCIATES
 1000 W. WASHINGTON
 COLO. 80502
 (303) 441-9000

A3-2



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

TYPE	AREA	PERCENTAGE	TOTAL
EXISTING GRADE	1000 SQ. FT.	100%	1000 SQ. FT.
PROPOSED GRADE	1000 SQ. FT.	100%	1000 SQ. FT.
TOTAL	2000 SQ. FT.	200%	2000 SQ. FT.

DATE: 01/28/08
 SHEET: 407

Planning Commission Staff Report

Project Manager: Chris Neubecker, AICP

Date: February 8, 2008 (For meeting of February 19, 2008)

Subject: Fun Park at Gondola (Class C; PC#2008014)

Applicant: Greg Galavan, DBA Amaze'n Breckenridge

Owner: Vail Summit Resorts Inc.

Agent: Rick Sramek; Breckenridge Ski Resort

Proposal: To move the summer operations of the Fun Park from the Peak 8 base to the gondola parking lot for two summers. Attractions will include the human maze, bounce castle, mineral panning, bungee trampoline, gyroscope, climbing wall and a small portable office. Operations are proposed seven days per week, from Memorial Day through Labor Day, as well as weekend throughout September, for 2008 and 2009. Hours of operation would be 9:00 AM – 5:30 PM. Ticketing would be from the existing gondola ticket office.

Address: 320 N. Park Avenue

Legal Description: Lot 1, Block 3, Parkway Center Subdivision

Site Area: 7.43 acres

Land Use District: 20: Lodging or Commercial (1:3 FAR)

Site Conditions: The site is used in the winter for skier parking. The existing gondola and ticket office are generally not used in summer. The site is adjacent to the Breckenridge Station bus turn-around area. The existing transit station has public restrooms and a waiting area. The parking lot is paved, but there are some unpaved portions of the lot, including portions of the proposed site, on the southwest corner of the lot. There is an existing fence between the bus turn-around/loading area and the proposed attractions area.

Adjacent Uses: North: Parking lot and City Market Plaza South: Parking lot
East: Breckenridge Station and Gondola office West: Park Avenue

Density: Allowed under LUGs: 68 SFEs

Existing density:	2.9 SFEs (2,900 sq. ft.)
<u>Proposed density:</u>	<u>0.064 SFEs (64 sq. ft.)</u>
Total:	2.964 SFEs (2964 sq. ft.)

Item History

The Peak 8 Fun Park has been in operations since at the least the mid-1990s. However, the park must be shut down this summer due to construction activities related to the new Peak 8 base development. The operation is proposed to move into town for at least two summers (2008-2009). The alpine slide and chairlift rides will not operate during the temporary relocation.

Staff Comments

Land Use (Policies 2/A & 2/R): Commercial uses are allowed in this Land Use District. Staff finds that the location is appropriate since it is flat, served by the existing transit system, has adequate parking and restrooms, and is easily accessible. We do not anticipate that the use will conflict with any existing uses in the area, especially since the hours of operation are limited to daytime. No nighttime operations are proposed. No food services are proposed, although some minor vending may take place from the gondola ticket office (bottled water, candy bars, etc.). Food services are nearby at restaurants on Main Street.

The proposed office would be mainly a monitoring location and break area for employees. All ticket sales will be from the existing gondola ticket office. Staff has no concerns with the proposed use.

Density/Intensity (3/A & 3/R)/Mass (4/R): The only density proposed with this operation is the temporary office, which will use 64 square feet (.064 SFEs) of density. Since this use will be removed before the permanent development of this site, the density will then become available for future development. Staff has no concerns.

Architectural Compatibility (5/A & 5/R): The rides and activities will be the same as were used at Peak 8 over the past several summers. They include a variety of materials, including plastic, wood, steel and aluminum. The office is constructed with wood siding and a wood shingle roof.

Since these are temporary uses, and require specific materials for performance reasons, staff finds that these materials are appropriate. If the Commission feels otherwise, please let staff know.

Site Plan: All of the activities and structures are proposed to the west of the existing gondola ticket office. These uses will be to the west of the existing fence along the west side of the bus queuing area.

A temporary fence is proposed along the west side of the rides and activities, near the sidewalk. The Chief of Police requested this fence for the safety of the visitors. Staff finds that the fence is a good idea, however, the fence proposed is a dark green plastic mesh fence. An alternative could be steel crowd control fences, like those used for special events or along lift line waiting areas. If the Commission is concerned with the proposed use of the plastic mesh fence, we suggested you let staff know, and consider a call-up.

Site Suitability (7/R) And Site Design (8/R): The site is generally flat and has no significant barriers to development. A portion of the site is paved and used as a parking lot in the winter. The other part of the site is flat, but unpaved, and is used for snow storage and parking in winter. There is no landscaping in this area, but there are some trees immediately south of the proposed site. Staff finds that this site is appropriate for this use due to good visibility, adequate parking, availability of shelter and restrooms, and available areas for ticket sales.

Placement Of Structures (9/A & 9/R): Since these structures are for summer only, we are not concerned about setbacks. However, the uses will exceed the required setbacks for this use.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Good circulation is available around and to the site. Pedestrian circulation from Main Street is available along an existing sidewalk on Watson Avenue and on the east side of Park Avenue. Direct access to the site is provided from the existing Gondola parking lot, and from the many buses that serve this property.

Parking (18/A & 18/R): The existing Gondola north parking lot will be available for guests of the Fun Park. Plenty of parking will be available in summer.

Landscaping (22/A & 22/R): As this is a temporary uses, staff does not find that additional landscaping is needed. However, we note that some landscaping will be installed this summer along the edges of the parking lot as a requirement of the paving of the Gondola north parking lot. The installation of this landscaping is not expected to interfere with operations of the Fun Park.

Duration of Permit: Staff proposes to allow the temporary relocation of the Fun Park to this site for the summers of 2008 and 2009. Hours of operation are from 9:00 AM until 5:30 PM, seven days per week from Memorial weekend (Saturday) until September 30th of each year. If the applicant wishes to use this site for the Fun Park after September 2009, a new permit will be required. We have added this as a condition of approval.

Point Analysis (Section: 9-1-17-3): Staff finds no reason to assign positive or negative points under any Relative policies. We find that the application meets all Absolute polices.

Staff Decision

The Planning Department has approved the Fun Park at Gondola (PC#2008014), with the attached findings and conditions.

TOWN OF BRECKENRIDGE

Fun Park at Gondola
Lot 1, Block 3, Parkway Center Subdivision
320 N. Park Avenue
PC#2008014

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 **February 8, 2008**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **February 19, 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 on **September 30, 2009**. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the permit shall expire on September 30, 2009, but without the benefit of any vested property right. If the Applicant wishes to extend operations beyond this date, they will be required to return to the Planning Commission for a new permit.
4. The hours of operation authorized by this permit are 9:00 AM – 5:30 PM, seven days per week. Operation is authorized in only from May 24, 2008 through September 30, 2008, and from May 23, 2009 through September 30, 2009. If the Applicant wishes to expand operations beyond these hours or days, a new permit may be required, at the discretion of the Town of Breckenridge.
5. 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.
6. A building permit is required for the construction of the maze. Applicant is advised to contact the Chief Building Official at least 30 days prior to the anticipated start of construction/installation, to determine if other permits are required.

7. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy or certificate of compliance for the project covered by this permit. The determination of whether a certificate of occupancy or certificate of compliance should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
8. Applicant shall field locate utility service lines and temporary power lines to avoid existing trees.
9. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
10. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.
11. Applicant shall install a minimum of two (2) trashcans within the Fun Park activities area, and shall be responsible for monitoring of trash in the cans and throughout the Fun Park site.
12. **No exterior lighting is permitted with this application.** If exterior lighting is required or desired, a separate Class D permit will be required, and all exterior lighting on the site or buildings installed as part of this application shall be fully shielded to hide the light source and shall cast light downward.
13. **No exterior music or loudspeakers are permitted with this application.** The use of loudspeakers or alarms for the purposes of safety, emergency or warning signals are exempt from this limitation.

PRIOR TO ISSUANCE OF BUILDING PERMIT OR START OF CONSTRUCTION/INSTALLATION

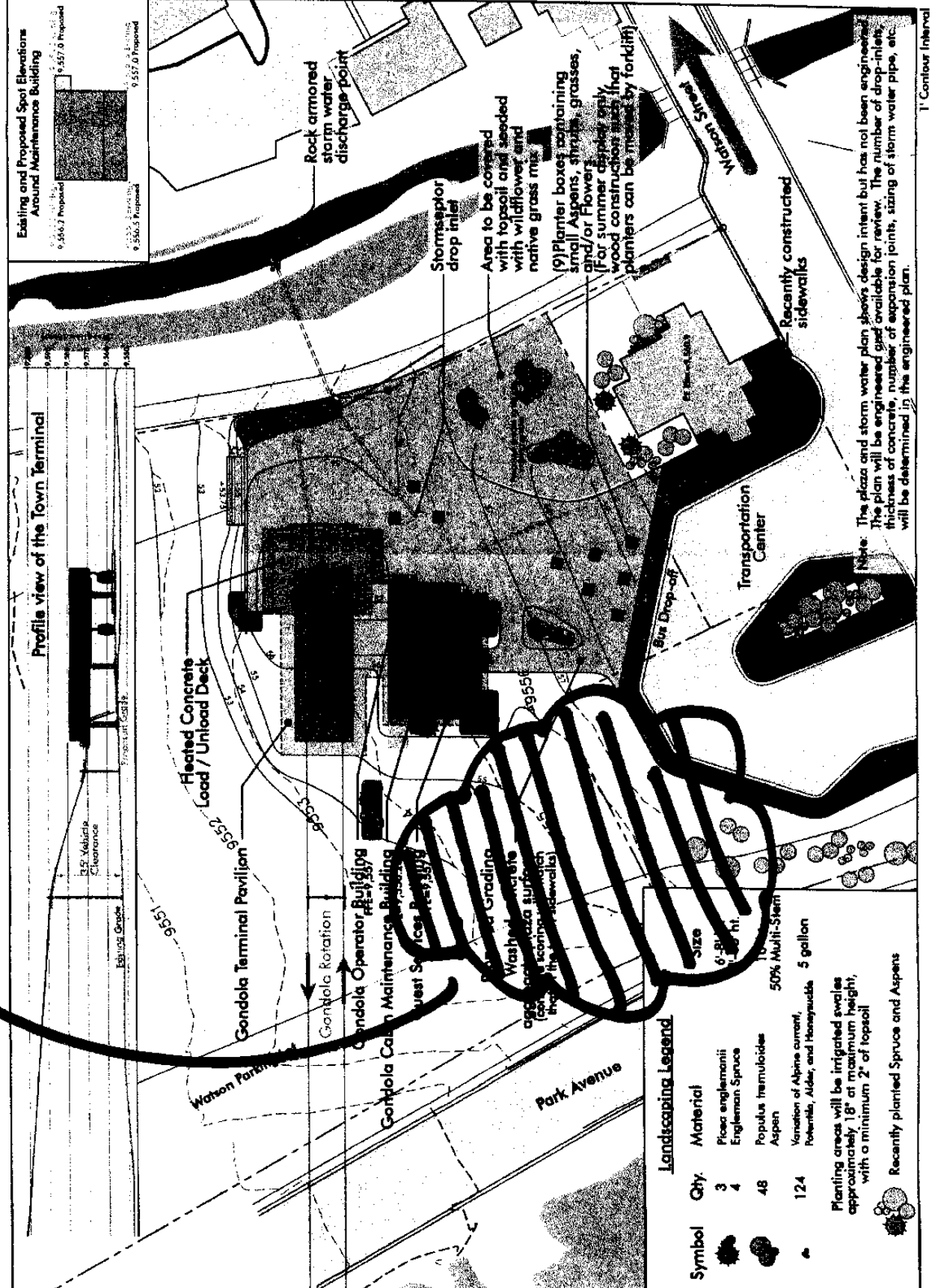
14. Applicant shall submit proof of ownership of the project site.
15. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
16. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
17. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
18. Applicant shall install temporary fencing along the west side of the activities area, at the toe of the slope of the adjacent berm. This fence shall remain in place until the operations cease for the summer. The fence, rides activities and office shall be removed from the site by October 1st of each year of operation.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE

19. Applicant shall revegetate all disturbed landscaped areas with a minimum of 2 inches topsoil, seed and mulch.
20. 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.
21. The development project approved by this Permit must be constructed and installed 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.
22. 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.
23. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

This area!

B CUCUMBER CREEK GONDOLA BRECKENRIDGE SKI RESORT



Existing and Proposed Spot Elevations Around Maintenance Building

9.556.7 Proposed	9.557.0 Proposed
9.555.5 Proposed	9.557.0 Proposed

Rock armored storm water discharge point

Stormwater drop inlet

Area to be covered with topsoil and seeded with wildflower and native grass mix

(9) Planter boxes containing small Aspens, shrubs, grasses, and/or Flowers (for summer display only) wood construction with planters can be moved by forklift

Recently constructed sidewalks

Transportation Center

Bus Drop-off

Profile view of the Town Terminal

Heated Concrete Load / Unload Deck

Gondola Terminal Pavilion

Gondola Rotation

Gondola Operator Building

Gondola Cabin Maintenance Building

West Services Building

Reinforced Grading

Washed concrete aggregate concrete surface (containing aggregate which traps the stormwater)

Watson Parking

Park Avenue

Vertical Street

25' Vehicle Clearance

25' Vehicle Clearance

25' Vehicle Clearance

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Prepared By: [Redacted]

Prepared For: Breckenridge Ski Resort, P.O. Box 1058, Breckenridge, CO 80424

FRISCO, COLORADO WWW.SNOXIP.COM

HARTT HOWERTON

Figure 4
Town Terminal Site Plan

November 24, 2004
1"=50'

Note: The plaza and storm water plan shows design intent but has not been engineered. The plan will be engineered and available for review. The number of drop-inlets, thickness of concrete, number of expansion joints, sizing of storm water pipe, etc. will be determined in the engineered plan.

Landscaping Legend

Symbol	Qty	Material	Size
[Tree Symbol]	3	Picea engelmannii	6-8" ht.
[Tree Symbol]	4	Engelmann Spruce	6-8" ht.
[Tree Symbol]	48	Populus tremuloides	10-12" dbh
[Tree Symbol]	124	Aspen	50% Multi-Stem
[Tree Symbol]		Variation of Alpine current, Potentilla, Alder, and Hesperis	5 gallon

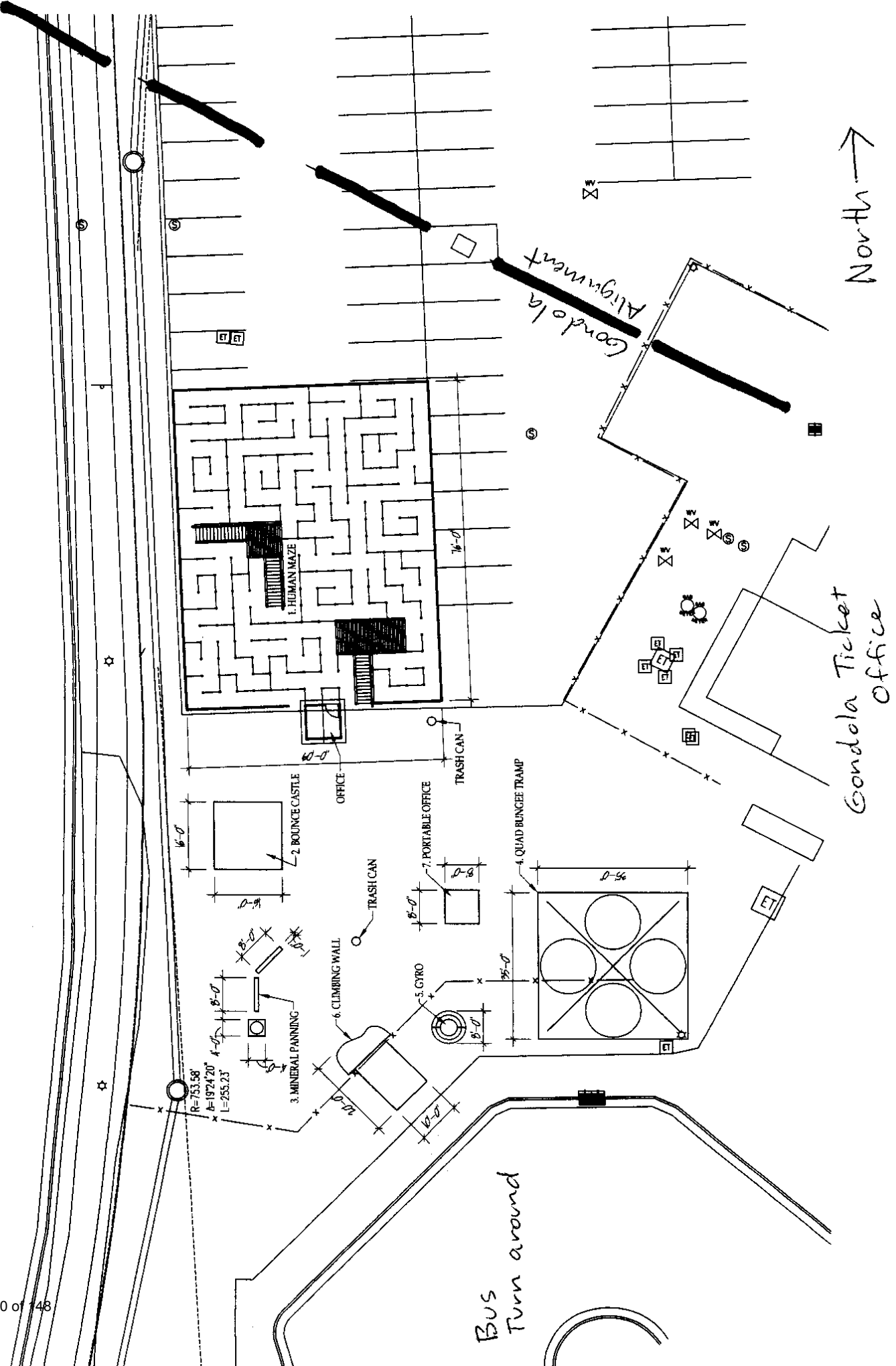
Planting area will be irrigated swales approximately 18" at maximum height, with a minimum 2" of topsoil.

Recently planted Spruce and Aspens

1" Contour Interval

STATE HWY 9

8350





Class C Development Review Check List

Project Name/PC#: Norton Residence PC#2008008
Project Manager: Chris Kulick
Date of Report: February 13, 2008
Applicant/Owner: Scott Norton
Agent: Ted Schaeffer- Bostad International Incorporated
Proposed Use: Single Family Residences
Address: 0117 Sage Drive
Legal Description: Lot 61 Highlands Park
Site Area: 65,736 sq. ft. 1.51 acres
Land Use District (2A/2R):

Existing Site Conditions: 38: Residential (Subject to Delaware Flats Master Plan)
 The lot slopes downhill from south to north at an average of 17%. The site is moderately covered with existing lodgepole pine trees.

Density (3A/3R): Allowed: 7,000 sq. ft. Proposed: 5,507 sq. ft.
Mass (4R): Allowed: 7,000 sq. ft. Proposed: 6,606 sq. ft.
F.A.R. 1:9.95 FAR
Areas:
Lower Level: 1,482 sq. ft.
Main Level: 3,401 sq. ft.
Upper Level:
Accessory Apartment: 624 sq. ft.
Garage: 1,099 sq. ft.
Total: 6,606 sq. ft.

Bedrooms: 5
Bathrooms: 5.5
Height (6A/6R): 31 feet overall
 (Max 32' for single family in Highlands Park, where average slope of disturbance envelope is in excess of 15%)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 5,289 sq. ft. 8.05%
 Hard Surface / non-Permeable: 2,465 sq. ft. 3.75%
 Open Space / Permeable: 57,982 sq. ft. 88.20%

Parking (18A/18/R):
 Required: 3 spaces
 Proposed: 5 spaces

Snowstack (13A/13R):
 Required: 616 sq. ft. (25% of paved surfaces)
 Proposed: 939 sq. ft. (38.09% of paved surfaces)

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

Accessory Apartment: Yes

Building/Disturbance Envelope? Disturbance Envelope

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

Side: Disturbance Envelope
Rear: Disturbance Envelope

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

The residence will be compatible with the land use district and surrounding residences.

Exterior Materials:

2"x12" hand hewn plank siding, 2"x6" batten over 2"x12" board, aluminum clad windows and moss rock base

Roof:

Split face shake shingles and accent corrugated non-reflective metal roofing.

Garage Doors:

Wood trim with corrugated metal inlay

Landscaping (22A/22R):

Planting Type	Quantity	Size
Engleman Spruce	3	2@ 6 feet tall and 1 @ 8 feet tall
Douglas Fir	2	2@ 6 feet tall
Aspen	12	1.5-2 inch caliper - 50% of each and 50% multi-stem
Shrubs and perenials	9	5 Gal.

Drainage (27A/27R):

Positive away from structure

Driveway Slope:

8 %

Covenants:

Standard landscaping covenant.

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

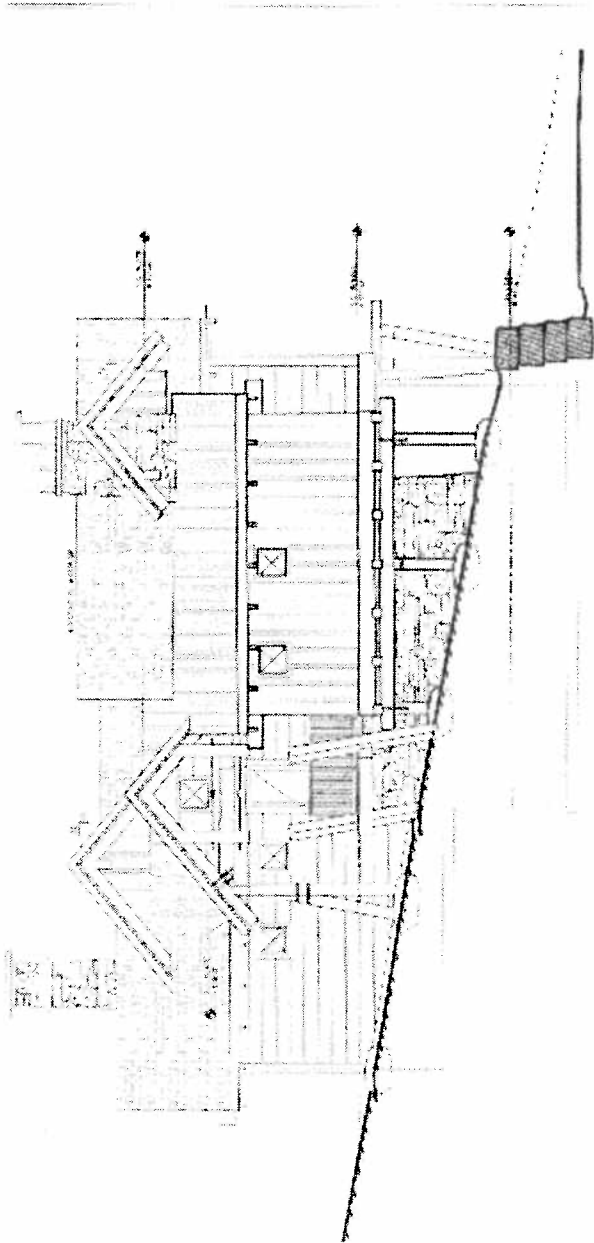
An informal point was conducted for this proposed residence and no positive or negative points are warranted.

Staff Action:

Staff has approved the Norton Residence, PC#2008008, located at 0117 Sage Drive Drive, Lot 61, Highlands Park, with the standard findings and conditions.

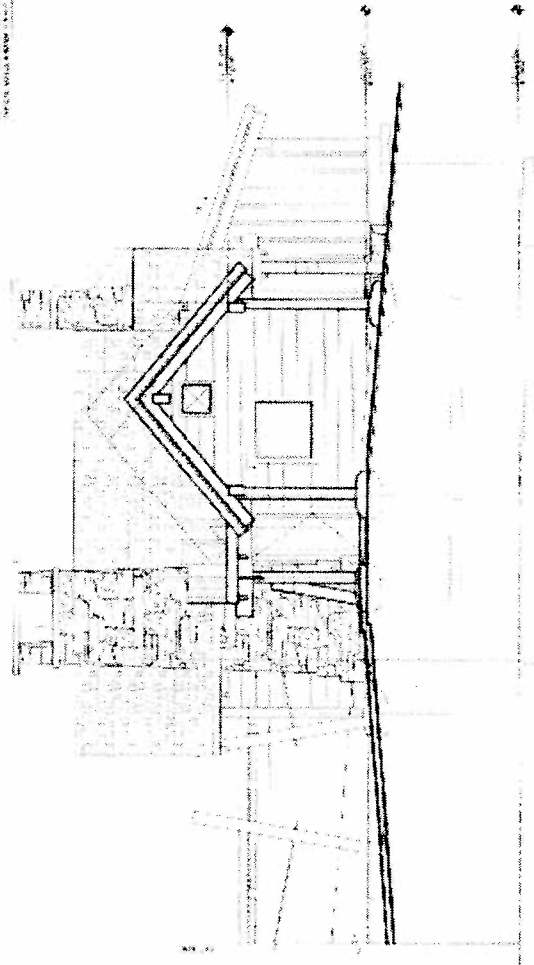
Comments:

Additional Conditions of Approval:

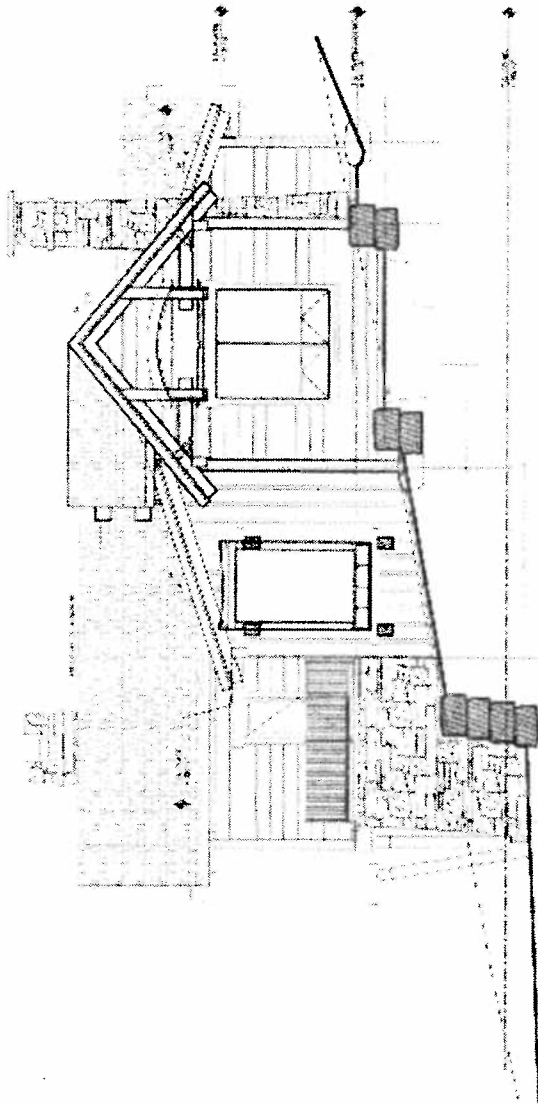


NORTHEAST ELEVATION
SCALE 1/8" = 1'-0"

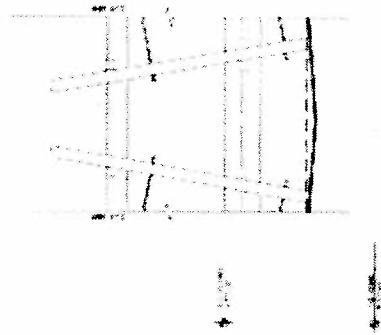
SEE PLAN FOR
LOCATION OF THIS ELEVATION



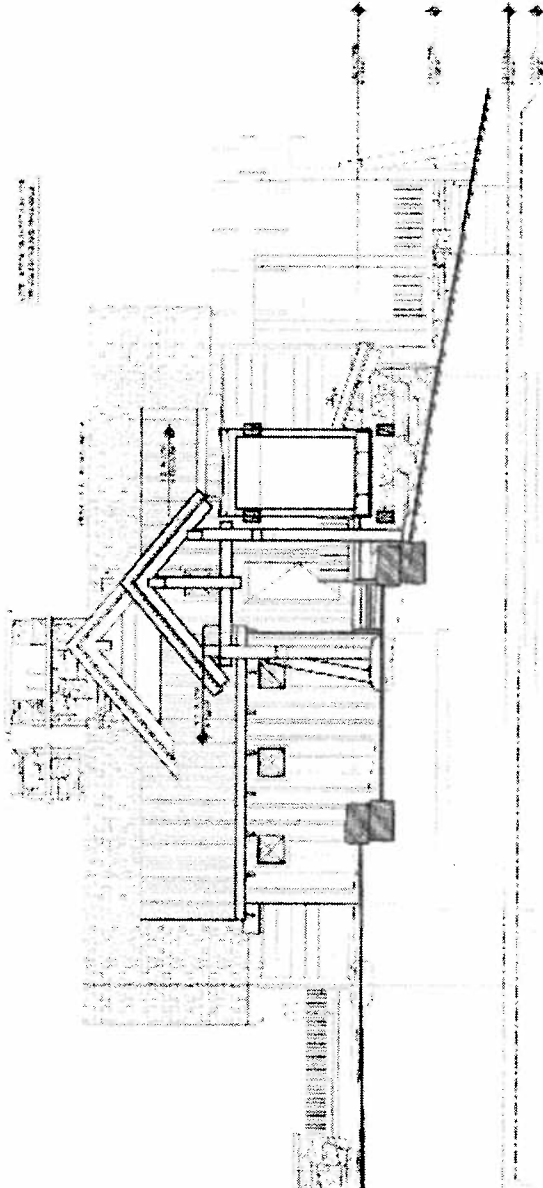
SOUTHEAST ELEVATION
SCALE 1/8" = 1'-0"



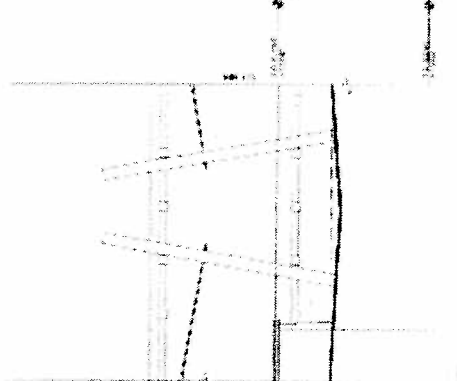
SOUTHWEST ELEVATION
SCALE: 1/4" = 1'-0"



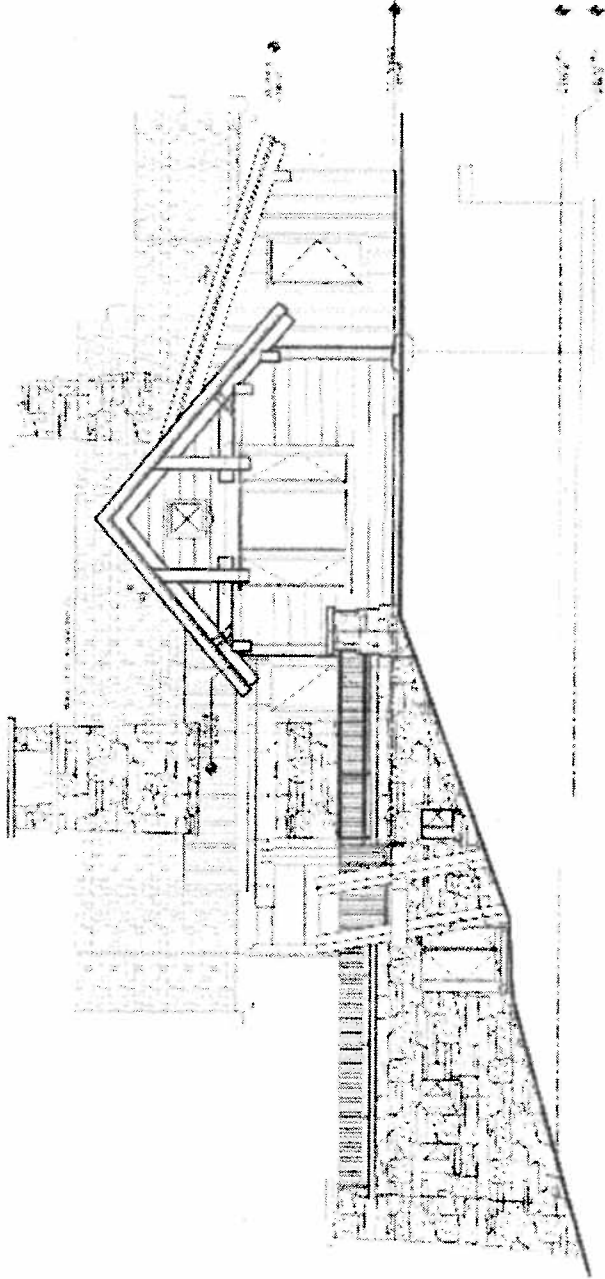
NORTH ELEVATION @ BRIDGE
SCALE: 1/4" = 1'-0"



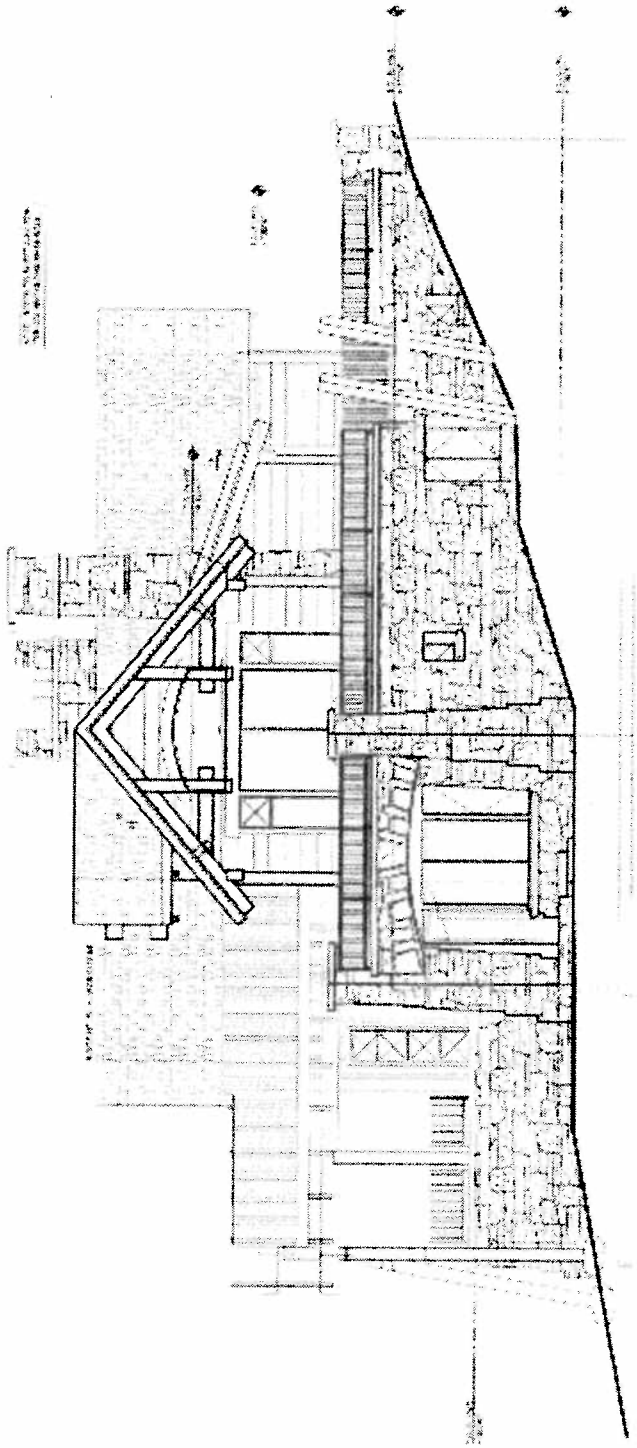
EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



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

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** February 2, 2008 (For meeting of February 19, 2008)
- Subject:** Block 8, Wellington Neighborhood 2, Filing 3, a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat, (Class A Subdivision, Combined Preliminary and Final Hearing) PC#2008013
- Applicant/Agent:** David O'Neil / Union Mill, Inc.
- Proposal:** To resubdivide a portion of Lot 3, Block 6, of the Wellington Neighborhood (this will be the third filing for Phase II) in connection with the recently approved Wellington Neighborhood Phase II Master Plan. This resubdivision will create 12 lots for the construction and sale of 11 single-family homes and 1 double house (duplex) on one lot. The lots are: 1-12, Block 8, Wellington Neighborhood, Filing 2
- Site Area:** 2.31 acres (100,444 square feet)
- Land Use District:** 16, Subject to Wellington Neighborhood Phase II Master Plan
- Site Conditions:** The site is partially under development with over lot grading and deep utilities being installed. Those areas not being developed are covered with dredge rock with no significant vegetation. The site has been previously prepared for development by removing and leveling the dredge rock, and currently slopes downhill from east to west at rate of about 4%. French Creek runs from east to west and is outside any developable area.
- Adjoining Uses:**
- Northeast: Largely undeveloped land, B&B open space, National Forest, Country Boy Mine Tours.
 - Southeast: The remaining French Creek Valley, undeveloped Phase II land.
 - Southwest: Wellington Neighborhood Phase I, consisting primarily of single-family homes (western part of subdivision to share alley with existing development).
 - West: Wellington Neighborhood Phase I.

Item History

The initial subdivision for the Wellington Neighborhood (PC#1999149) encompassed the entire 84.6-acre property, while only a portion was initially developed. Lot 3, Block 6 was left unimproved and anticipated for future development. The Planning Commission approved the

Wellington Neighborhood 2 Master Plan (PC#2005042) on February 7, 2006 and the Town Council approved it on February 14, 2006.

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

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

Staff Comments

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

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

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

Staff reminds the Commission that, as part of the previous filing, the applicant agreed to construct Central Park at the southwest edge of Block 5 this year. Grading and plantings were completed at the east end of the riparian corridor. The remainder will be completed this year

The proposed landscaping plan along French Gulch Road will preserve all existing aspens, willows, shrubs and wild grasses and where the natural cover is "thin", the plan is to replicate the

established pattern between Blocks 3 and 4 and French Gulch Road. All noxious weeds will be removed. New tree and shrub plantings will be added as needed as reviewed by Staff.

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

Staff Recommendation

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

Staff recommends the Commission approve the Block 8, Wellington Neighborhood 2, Filing 3, a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat, PC#2008013, with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

Block 8, Wellington Neighborhood 2, Filing 3,
a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat,
PERMIT #2008013

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance and the Wellington Neighborhood Phase II Master Plan (PC#2005042) and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated February 2, 2008 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on February 19, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, , to the applicant or the Town.
7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. The Final Plat of this property may not be recorded unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit will expire three (3) years from the date of Town Council approval, on February 25, 2011 unless the Plat has been filed. In addition, if this permit is not signed and returned to the Town within 30 days from

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

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

PRIOR TO RECORDATION OF FINAL PLAT

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

PRIOR TO IMPROVEMENT CONSTRUCTION

14. Prior to revegetation of disturbed areas, applicant shall submit and obtain approval from Town staff of a landscaping plan in compliance with the Subdivision Ordinance requirements, specifying revegetation consisting of native grasses and other native vegetation.
15. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, erosion control and street lighting plans. These plans are to include the temporary detention areas located at the south end of this subdivision.

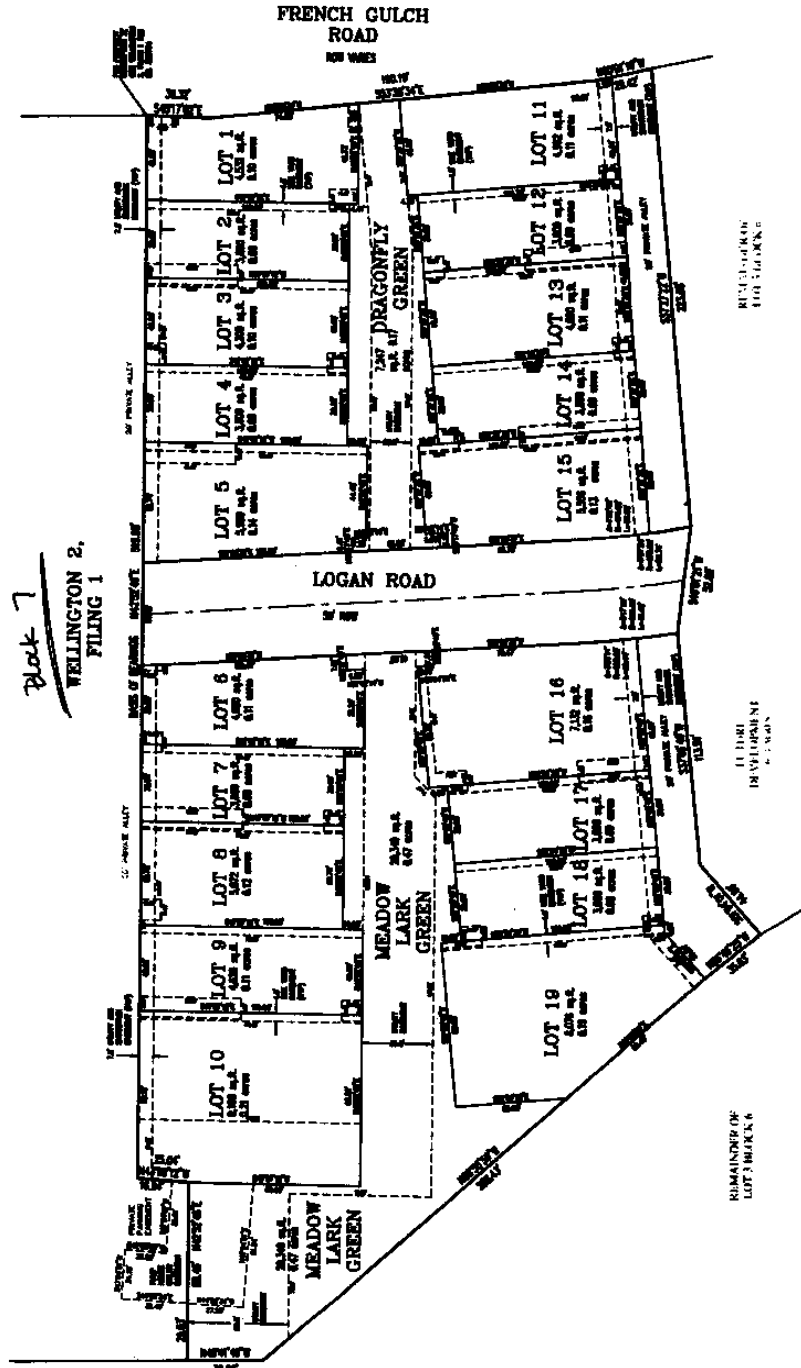
PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

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

WELLINGTON 2, FILING 2

FINAL PLAT

A RESUBDIVISION OF LOT 3, BLOCK 6, ACCORDING TO THE PRELIMINARY PLAT FOR THE WELLINGTON NEIGHBORHOOD, RECEPTION NO. 608047 LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6TH P.M., TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO



WELLINGTON 2, FILING 2

RECEIVED FOR RECORDING
COUNTY CLERK
SUMMIT COUNTY
COLORADO

TETRA TECH
1015 1/2 Street, Suite 100, Breckenridge, CO 80424
303-461-1234

2 OF 2

THIS PLAN IS A PRELIMINARY PLAT AND IS SUBJECT TO THE APPROVAL AND RECORDATION OF THE COLORADO DEPARTMENT OF REVENUE. THE DEPARTMENT OF REVENUE SHALL REVIEW THIS PLAN FOR COMPLIANCE WITH THE COLORADO SUBDIVISION ACT AND THE COLORADO CONSTITUTION. THE DEPARTMENT OF REVENUE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** February 2, 2008 (for the February 19, 2008 Meeting)
- Subject:** 13 units for Block 8, Wellington Neighborhood 2, Filing 3, (Class A, Combined Preliminary and Final Hearing; PC#2008012)
- Applicant/Owner:** Poplar Wellington, Inc., David O’Neil
- Agent:** Wolfe Lyon Architects; Ronnie Pelusio
- Proposal:** To construct 13 units on 12 lots. 11 units are on single-family lots and 2 units are part of one duplex lot. Four of the single-family units are slated as “possible” market-rate units and the remaining lots are proposed as deed-restricted. The Planning Commission has previously seen all of the proposed models with earlier applications. The models for this block are: Winter Rose, Juniper, Hawthorne, Cottonwood, Oak, Copper Rose, Ponderosa and the Mountain Ash (color renderings will be available at the meeting).
- Address:** All addresses are of the proposed greens - the two greens are “Madeline Green” to the north and “Rain Drop Green” to the south.
- Legal Description:** Wellington 2, Filing 3, Lots 1 – 12, Block 8, A re-subdivision of a portion of Lot 3, Block 6 of the Wellington Neighborhood
- Site Area:** 2.31 acres (100,444 square feet)
- Land Use District:** 16 – Residential: Subject to the Wellington Neighborhood Master Plan
- Site Conditions:** All of the lots slope downhill toward the west at a rate of about 3%. Recently graded Dredge rock currently covers the lots. There is no existing vegetation on the sites. There will be a platted 7’ snow stacking easement along the private alley, and a 3’ side yard easement for utilities on each lot (subdivision under separate application). These lots are addressed off of Logan Road, which is a public right-of-way. Each lot is accessed off of a private alley.
- Adjacent Uses:** Single-family and duplex lots
- Density:** Allowed under Wellington Phase II Master Plan:
- Small lot single family SFE: maximum density of 2,250 sq. ft. per SFE
 - Large lot single family SFE: maximum density of 3,600 sq. ft. per SFE or .65 to 1 FAR, whichever is less.
 - Double house (duplex) SFE: maximum density of 1,600 sq. ft. per SFE (per individual unit)
- Mass:** Allowed under Wellington Neighborhood Phase II Master Plan:
- Single family residential SFEs:
 - Small lot single family SFE: maximum mass of 2,700 sq. ft. per SFE

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

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

Units Total: See the attached data matrix.

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

Item History

The last review of new homes on Block 7, PC#2007049, was presented to the Commission as a Class A (rather than separate Class Cs). Since the Commission has reviewed so many of these typical developments before, Staff is presenting this application as a combined Preliminary and Final hearing.

Staff Comments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff Recommendation

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

The Planning Department recommends approval of 13 units for Block 8, Wellington Neighborhood 2, Filing 3, PC# 2008012, by supporting the attached Point Analysis with the attached Findings and Conditions.

Final Hearing Impact Analysis				
Project:	13 units for Block 8 Wellington Neighborhood, Phase 2	Positive Points		0
PC#	2008012			
Date:	02/02/2008	Negative Points		0
Staff:	Michale Mosher, Planner III			
		Total Allocation:		0
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		Master Plan Identifies variances
2/A	Land Use Guidelines	Complies		Will comply with modified LUD 16 Guidelines and approved Master Plan
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Affordable housing identified in Town Master Plan in French Creek area
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		Assigned per Master Plan
4/R	Mass	5x (-2>-20)		Assigned per Master Plan
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		Design Concept to match those of the first phase of the Wellington Neighborhood
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
	Site and Environmental Design / Driveways and Site Circulation Systems			
7/R	Site and Environmental Design / Site Privacy	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		Variance for Garages to have zero setback w/ original Master Plan
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		Less than encouraged - negative points were assigned at Master Plan
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Adequate snow storage provided
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		

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

TOWN OF BRECKENRIDGE

13 units for Wellington Neighborhood 2, Filing 3, Lots 1 – 12, Block 8
PERMIT #2008012

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 **February 2, 2008**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **February 19, 2008**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.
7. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, , to the applicant or the Town.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **February 25, 2011**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

5. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes, building codes and the Wellington Neighborhood 2 Master Plan.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

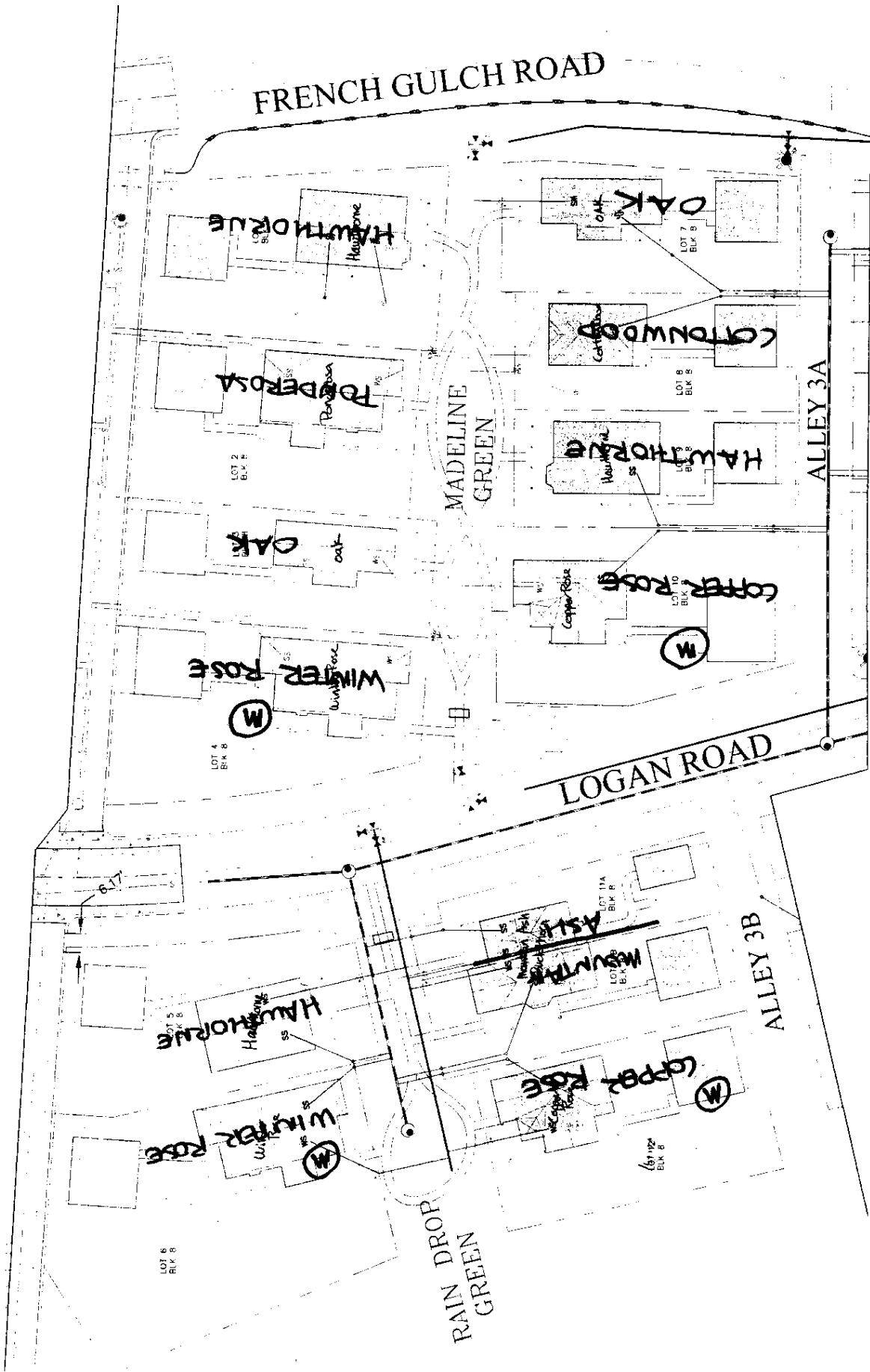
PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
11. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
12. The road shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
13. Applicant shall install construction fencing and erosion control measures at the 25 foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer. An on site inspection shall be conducted.
14. Applicant shall submit a 24"x 36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
15. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

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

17. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
18. Applicant shall screen all utilities.
19. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
20. 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.
21. 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.
22. 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.
23. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

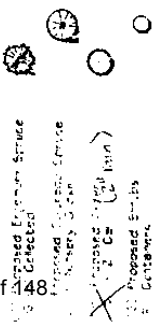


(M) = POTENTIAL MARKET UNITS



WELLINGTON NEIGHBORHOOD 2
 FILING 3, BLOCK 8

Landscape Legend



- Notes:**
- General contractor shall provide positive drainage away from all existing foundations as specified on site plan.
 - General contractor shall remove all debris, paint, stucco, lumber, brick, block, concrete, etc. from site prior to landscape installation.
 - Existing trees on site shall receive a minimum of 2" to 3" of topsoil, grass, and landscape treatment. Landscape contractor shall be responsible for tree maintenance and protection to adjacent lots.
 - Existing trees on site shall be removed with specified seed mix at a rate of 200/10000 f. Apply starter fertilizer (10-5-5) or equivalent at 400/10000 f. Rate materials into the soil.
 - Existing trees on site shall be removed with specified seed mix at a rate of 200/10000 f. Apply starter fertilizer (10-5-5) or equivalent at 400/10000 f. Rate materials into the soil.
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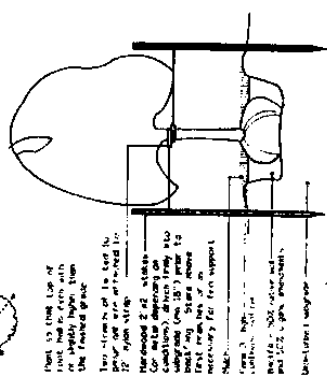
Seed Mixes

- Short Dry Grass Seed Mixes:**
- Hard Fescue 100%
 - Carolina Bluegrass 30%
 - Sheep Fescue 20%
 - Carada Bluegrass 10%
 - Orchardgrass 5%
- Revegetate all disturbed areas on site with Short Dry Grass Mix # 2 at 10000 sq. ft. slopes over 3% shall be layered. Luffblad or wetted.
- Note: We may also add Alpine Fescue, Arizona Fescue, Tufted Hairgrass, and Alpine Bluegrass to this mix.

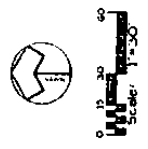
Shrub List

- Alder, Mt./Therleaf
- Buck Dog
- Penstemon
- Cornus
- Hibiscus
- Potamogeton
- Native
- Goldfinger
- Jackman
- Katherine Dykes
- Chokocherry, Common
- Current, Golden, Wax or Square
- Rose, Wood's
- Elder, Red-Berried
- Willow, Dwarf Arctic

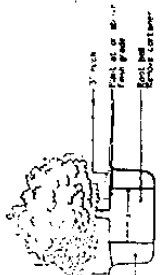
TYPICAL LANDSCAPING



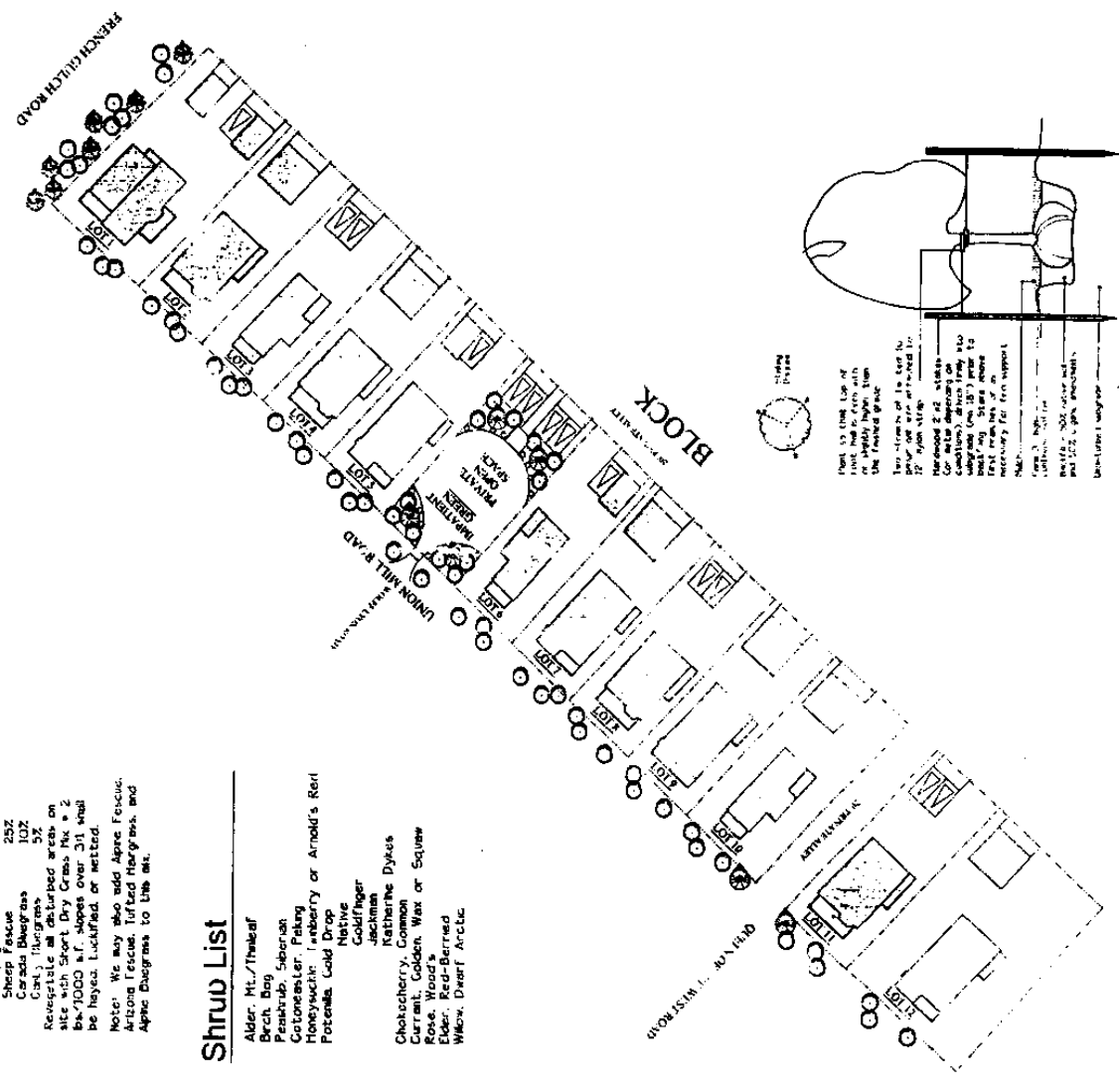
Typical Tree Planting
No Scale



Typical Shrub Planting



Typical Shrub Planting
No Scale



Wellington Neighborhood
Block 5
Breckenridge, CO 80424
Landscape Plan

PROJECT NUMBER

PROJECT MANAGER

DATE

RELEASE DATES

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

Neil's Luncford, Inc.
740 Blue River Parkway
Steamboat, CO 80488
Phone (970) 681-0340
Fax (970) 681-0665
www.nailslandscape.com

WOLFI
ARCHI

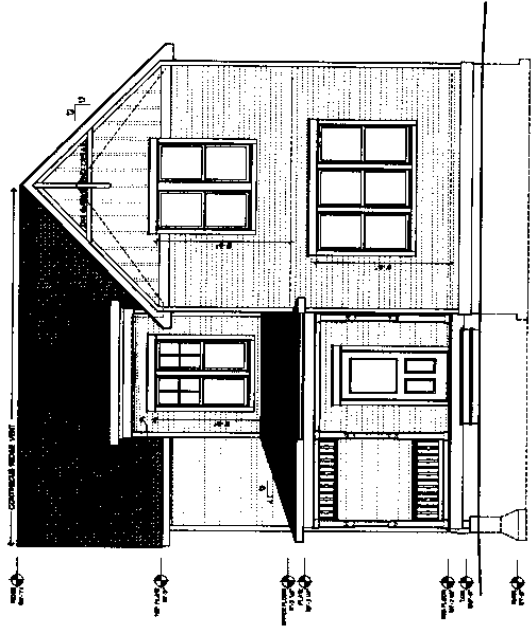
• WELT
NEIGHT
REKANSALO

CLIENT: **WELT NEIGHT REKANSALO**
 ADDRESS: **...**
 ARCHITECT: **WOLFI ARCHI**
 PROJECT NO: **...**
 DATE: **...**
 SCALE: **...**
 SHEET NO: **...**

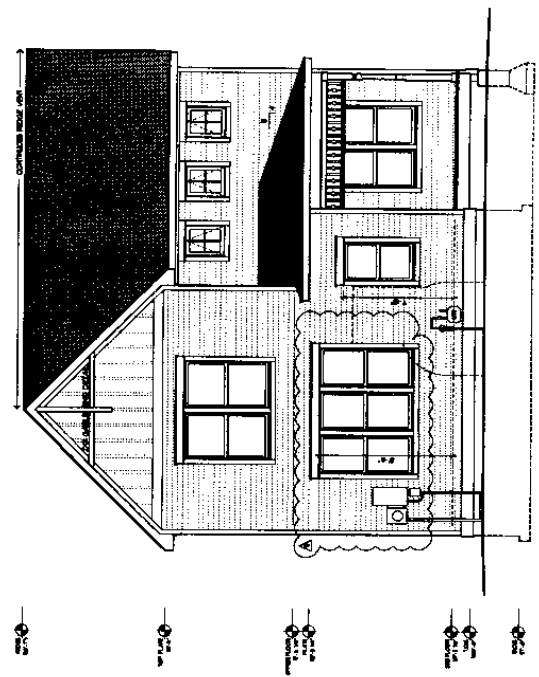
COPPER ROSE

NO.	DATE	DESCRIPTION
01.04.08	02.13.08	WOLFI
02.13.08	04.13.08	WOLFI
04.13.08	05.01.08	COI
05.01.08	06.21.08	INT. E.
06.21.08	06.29.08	...
06.29.08	08.31.08	...

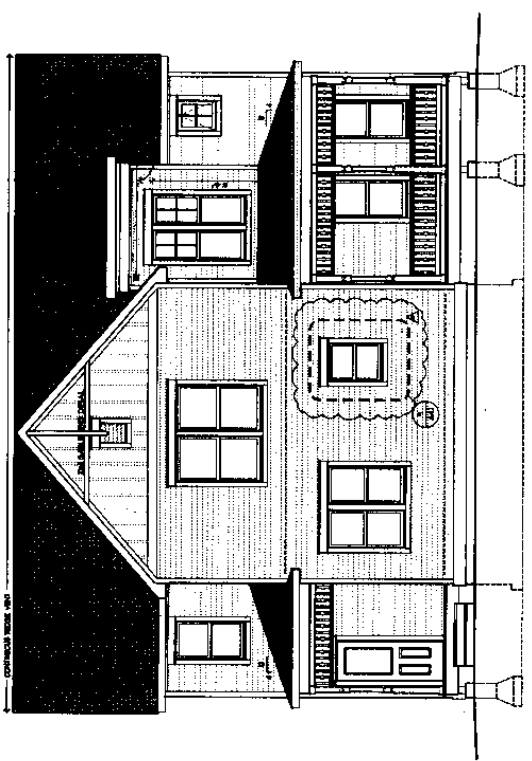
SCALE: 1/4" = 1'-0"
 ELEVATIONS
 A2.1



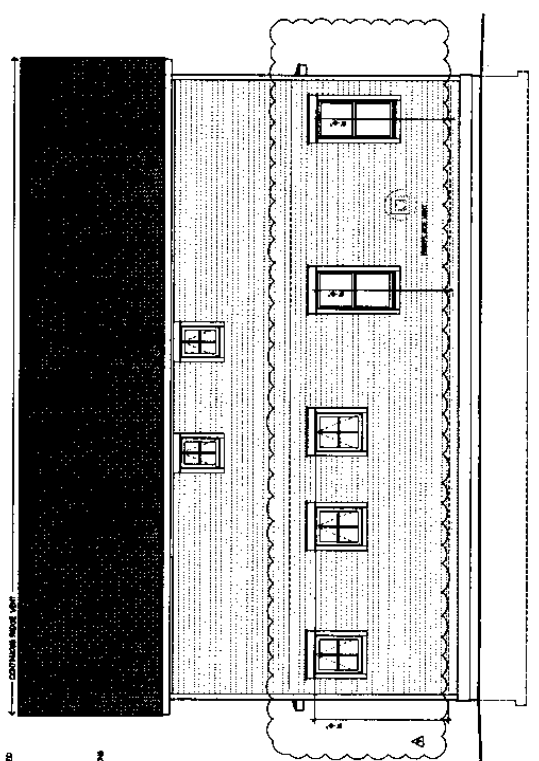
FRONT ELEVATION
 SCALE: 1/4" = 1'-0" (11 X 17 SHEET) (8" x 14")



REAR ELEVATION
 SCALE: 1/4" = 1'-0" (11 X 17 SHEET) (8" x 14")

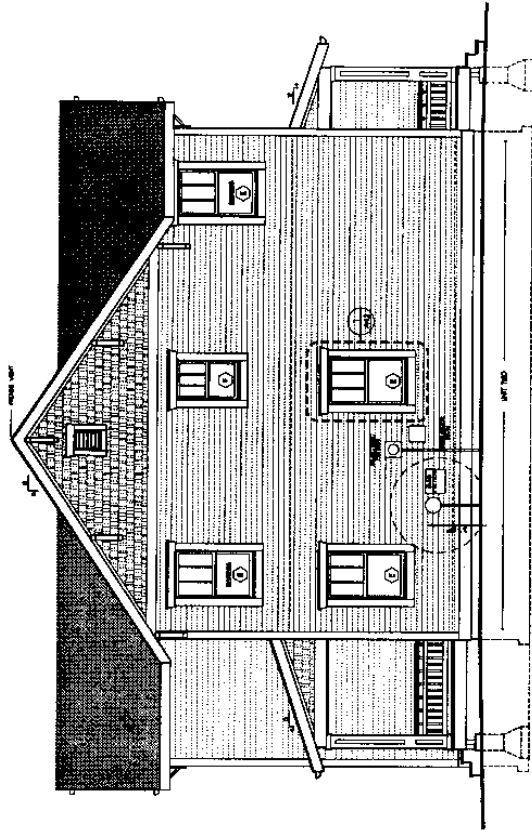


LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (11 X 17 SHEET) (8" x 14")

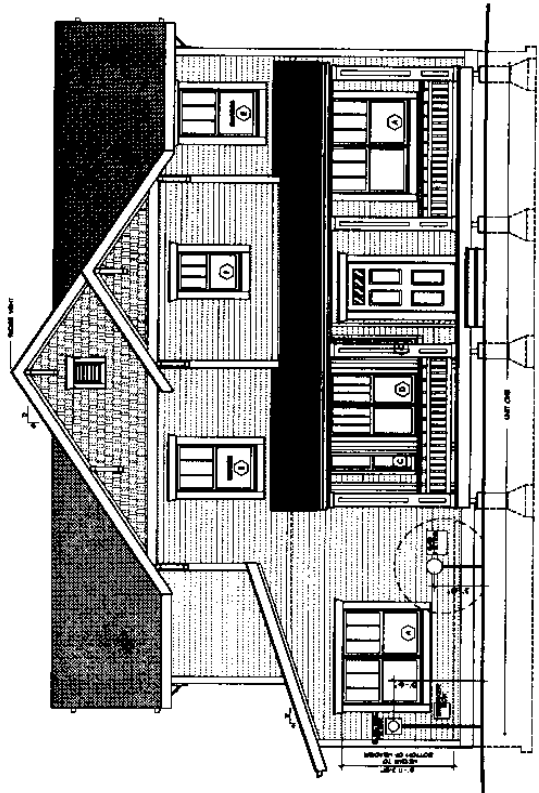


RIGHT SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (11 X 17 SHEET) (8" x 14")

- WINDOW NOTES:
- 1) WINDOW SIZES ARE BASED ON THE WINDOW SCHEDULE IN THE SPECIFICATIONS.
 - 2) ALL WINDOW SIZES ARE TO BE MATCHED TO THE WINDOW SCHEDULE IN THE SPECIFICATIONS.
 - 3) WINDOW SIZES ARE TO BE MATCHED TO THE WINDOW SCHEDULE IN THE SPECIFICATIONS.
 - 4) WINDOW SIZES ARE TO BE MATCHED TO THE WINDOW SCHEDULE IN THE SPECIFICATIONS.



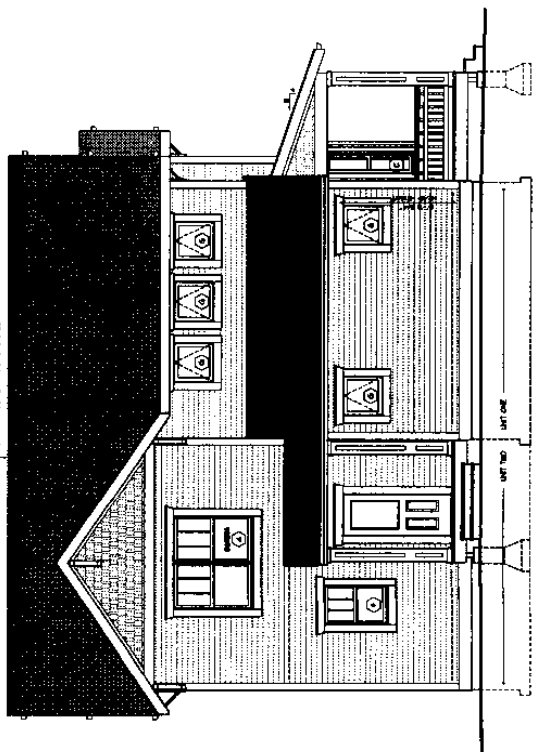
SIDE ELEVATION
SCALE: 1/4\"/>



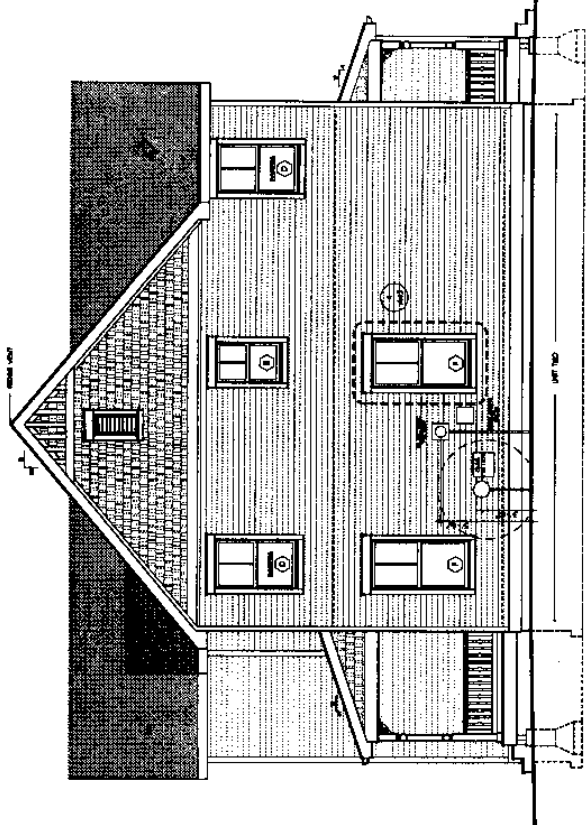
FRONT ELEVATION AT STREET OR PARK
SCALE: 1/4\"/>



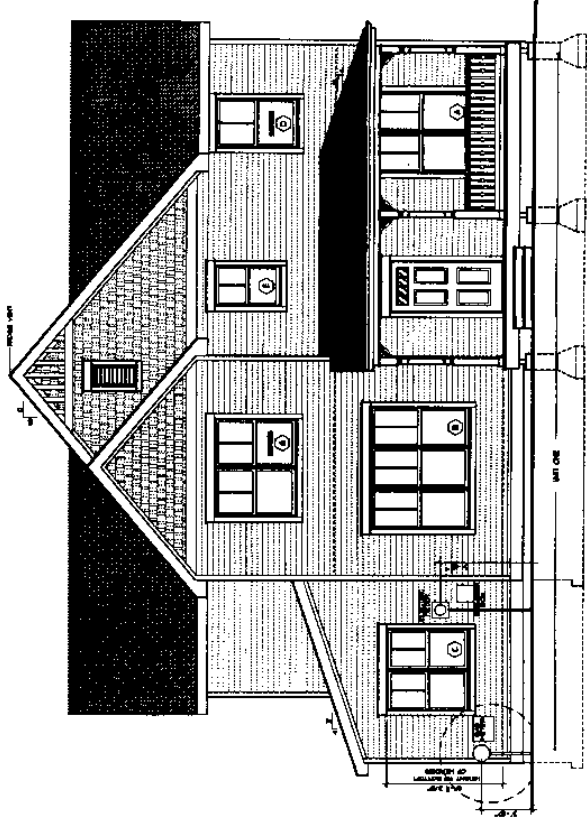
FRONT ELEVATION AT STREET OR PARK
SCALE: 1/4\"/>



REAR ELEVATION AT ALLEY OR PARKING
SCALE: 1/4\"/>



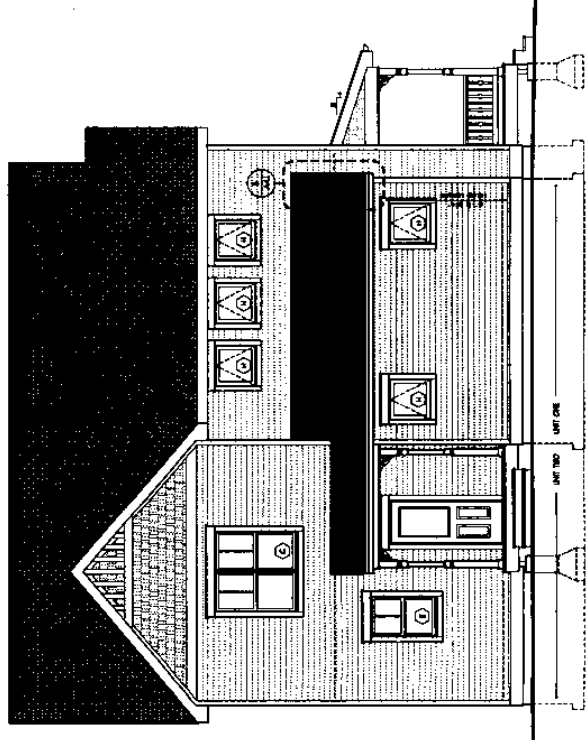
SIDE ELEVATION
SCALE 1/4\"/>



FRONT ELEVATION AT STREET OR PARK
SCALE 1/4\"/>



FRONT ELEVATION AT STREET OR PARK
SCALE 1/4\"/>

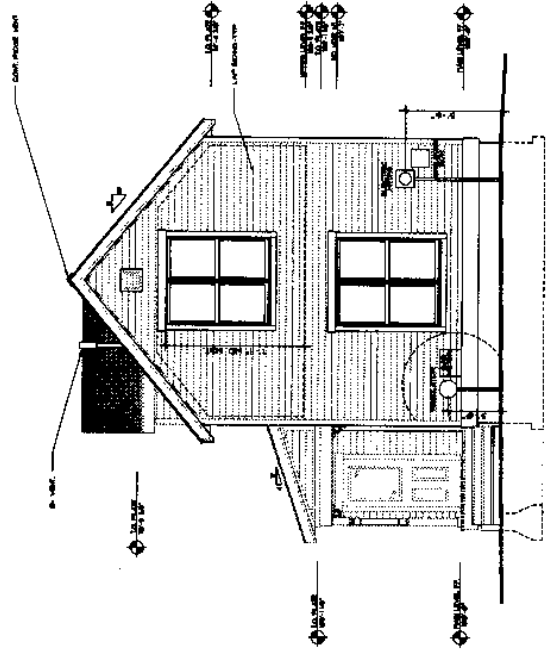


REAR ELEVATION AT ALLEY OR PARKING
SCALE 1/4\"/>

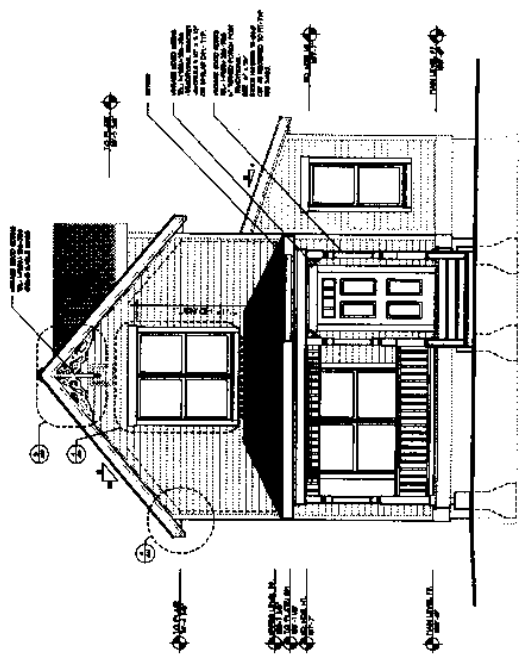
CLIENT:
PROJECT:
ARCHITECT:
STRUCTURAL:
MECHANICAL/ELECTRICAL/PLUMBING:
DATE:



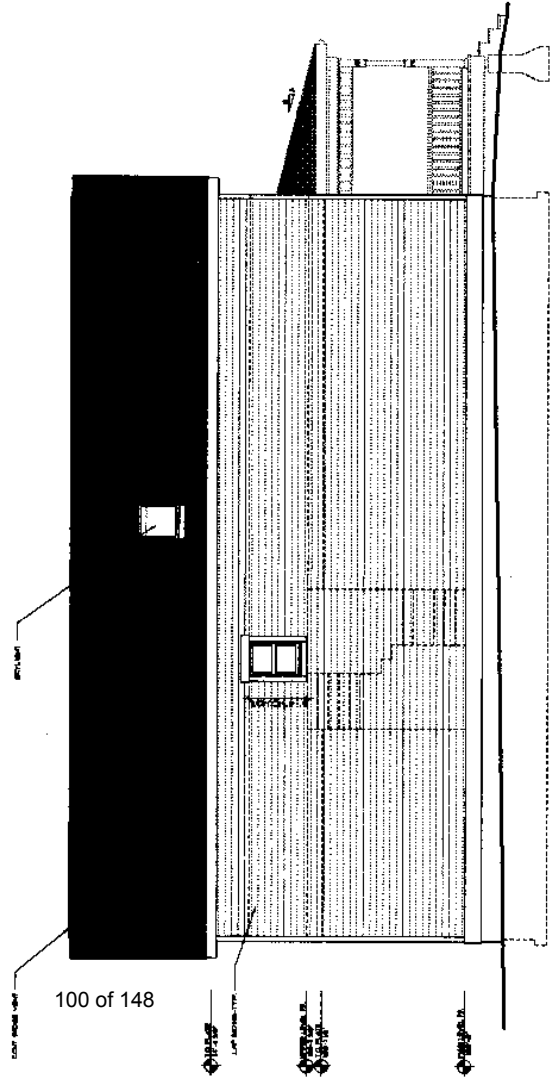
REAR ELEVATION (VICTORIAN)
SCALE: 1/4" = 1'-0" (1X11 9/16" x 1'-0")



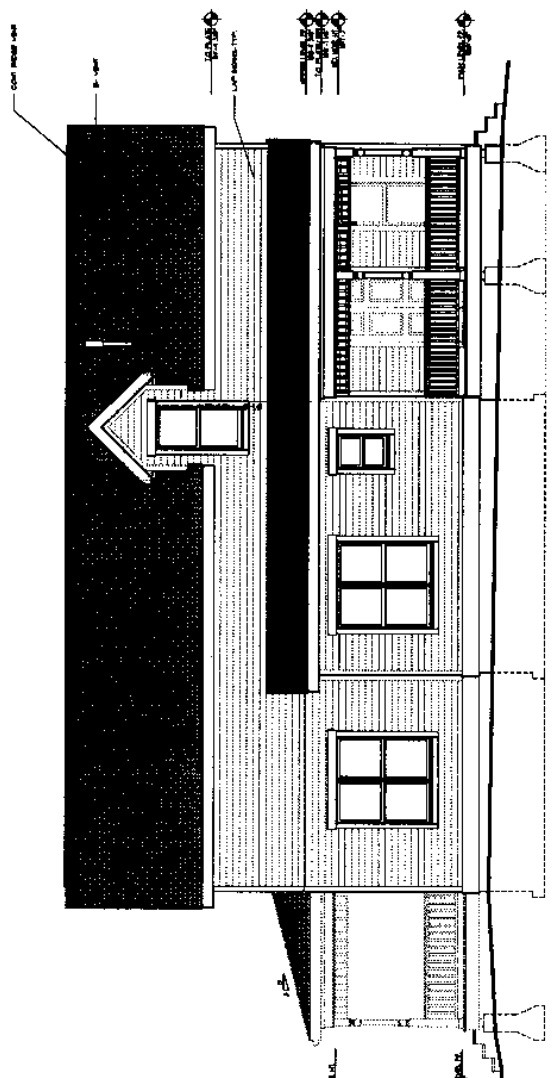
2 REAR ELEVATION (VICTORIAN)
SCALE: 1/4" = 1'-0" (1X11 9/16" x 1'-0")



1 FRONT ELEVATION (VICTORIAN)
SCALE: 1/4" = 1'-0" (1X11 9/16" x 1'-0")

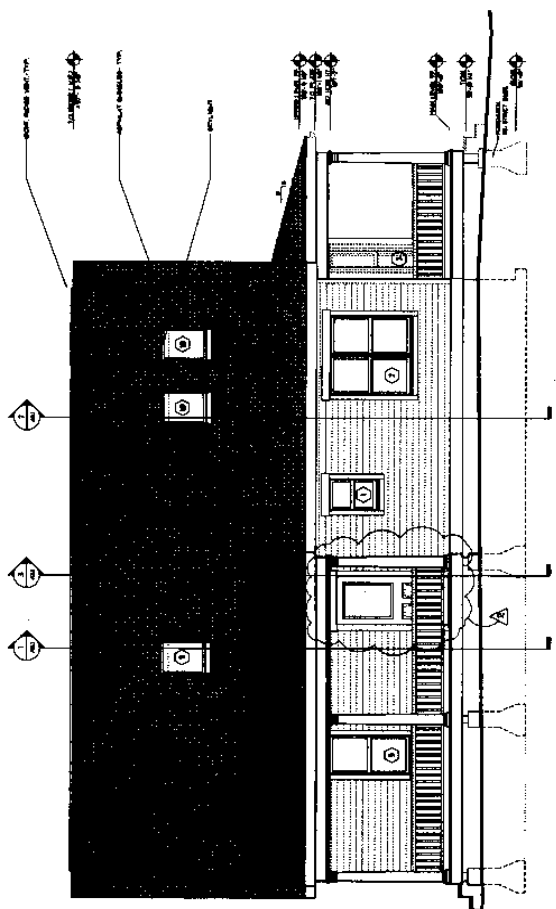


4 RIGHT SIDE ELEVATION (VICTORIAN)
SCALE: 1/4" = 1'-0" (1X11 9/16" x 1'-0")

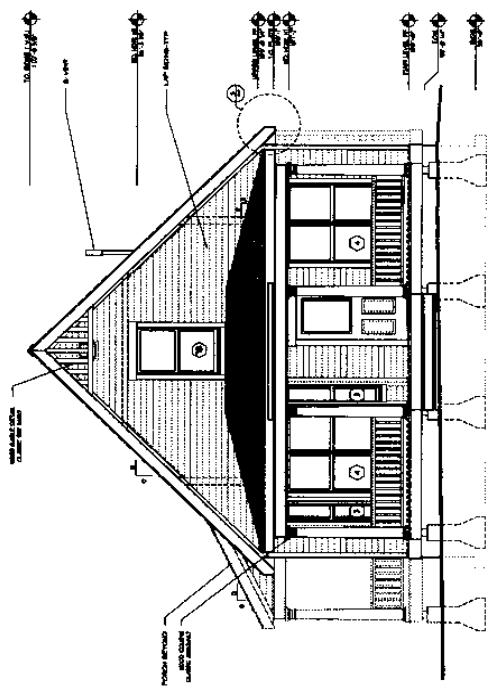


3 LEFT SIDE ELEVATION (VICTORIAN)
SCALE: 1/4" = 1'-0" (1X11 9/16" x 1'-0")

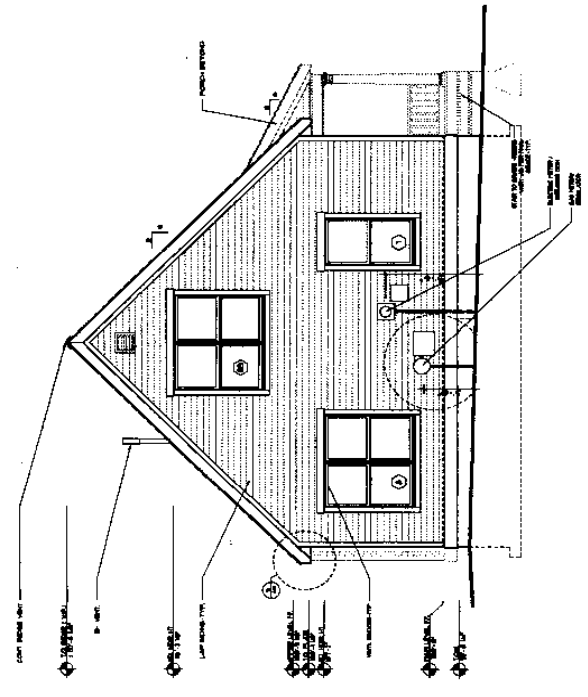
DATE	10/15/15
SCALE	1/4" = 1'-0"
PROJECT NO	W-2015-001
SHEET NO	A2.1
DATE	10/15/15
SCALE	1/4" = 1'-0"
PROJECT NO	W-2015-001
SHEET NO	A2.1



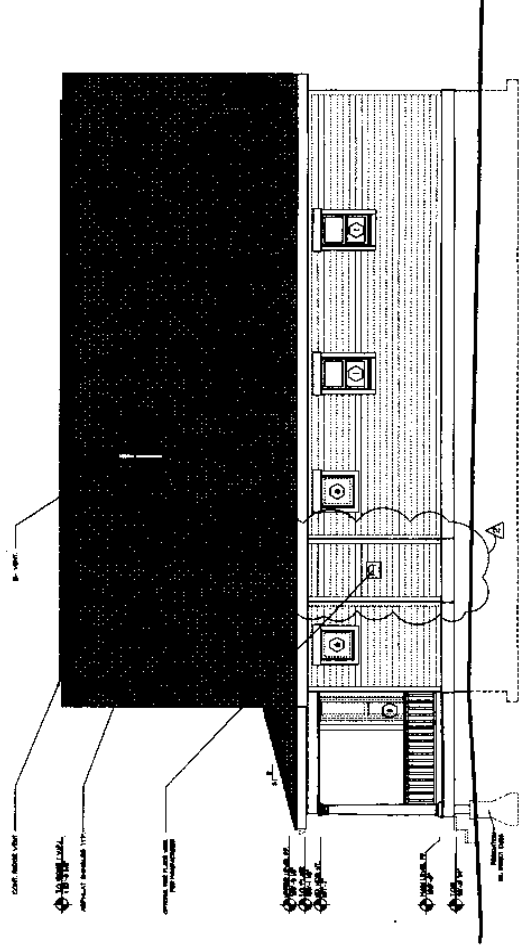
3 LEFT SIDE ELEVATION (CLASSIC)
 SCALE: 1/4" = 1'-0" (LIMIT 9HT 1/8" = 1'-0")



1 FRONT ELEVATION (CLASSIC)
 SCALE: 1/4" = 1'-0" (LIMIT 9HT 1/8" = 1'-0")



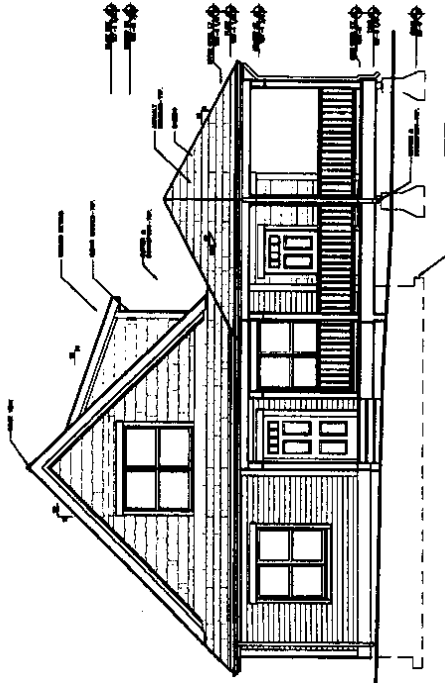
4 REAR ELEVATION (CLASSIC)
 SCALE: 1/4" = 1'-0" (LIMIT 9HT 1/8" = 1'-0")



2 RIGHT SIDE ELEVATION (CLASSIC)
 SCALE: 1/4" = 1'-0" (LIMIT 9HT 1/8" = 1'-0")

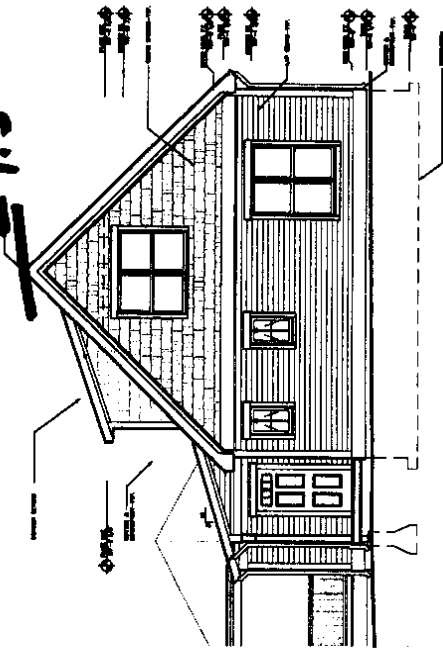
WELLINGTON NEIGHBORHOOD
PLUS
PONDEROSA

DATE:	11/17/17
SCALE:	1/4" = 1'-0"
PROJECT:	WELLINGTON NEIGHBORHOOD PLUS PONDEROSA
NO.:	1
DESCRIPTION:	ELEVATIONS
DATE:	11/17/17
SCALE:	1/4" = 1'-0"
PROJECT:	WELLINGTON NEIGHBORHOOD PLUS PONDEROSA
NO.:	1
DESCRIPTION:	ELEVATIONS

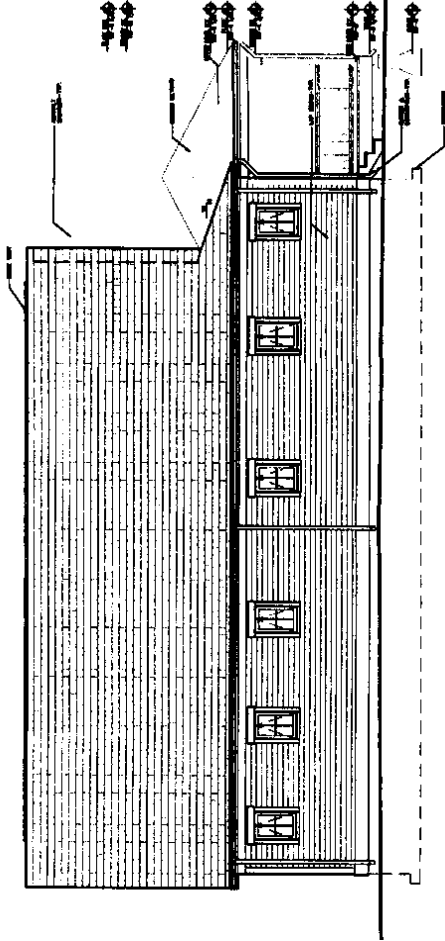


3 FRONT ELEVATION
SCALE: 1/4" = 1'-0" (11x17 SHT 1/8" = 1/-0")

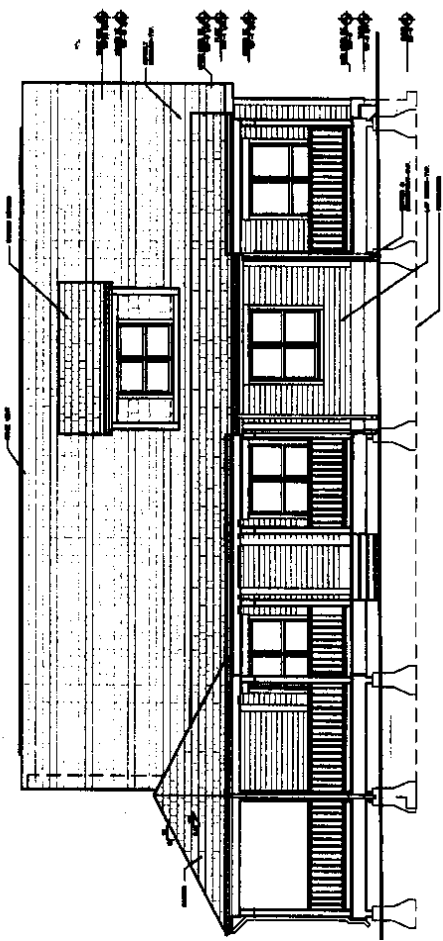
24.5'



1 REAR ELEVATION
SCALE: 1/4" = 1'-0" (11x17 SHT 1/8" = 1/-0")

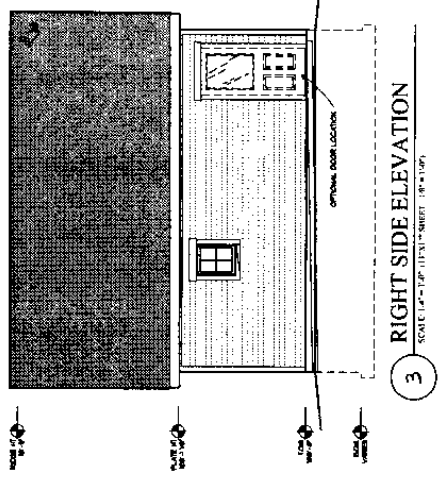
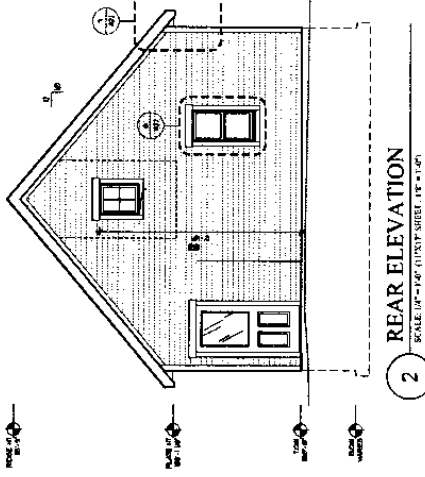
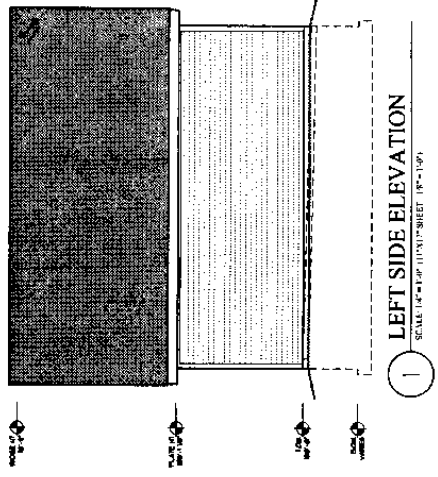


4 SIDE ELEVATION
SCALE: 1/4" = 1'-0" (11x17 SHT 1/8" = 1/-0")

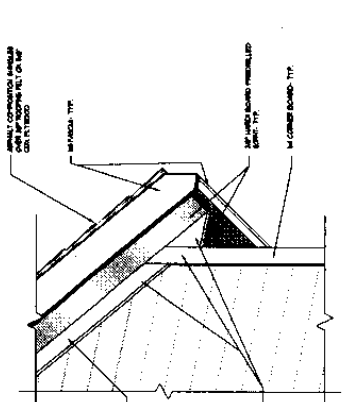
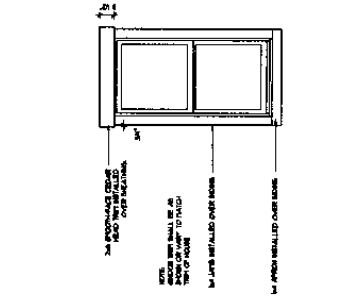
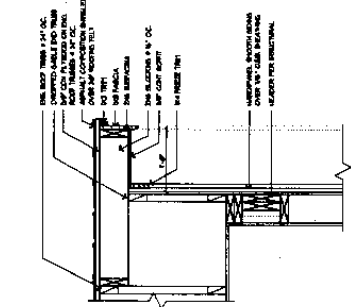
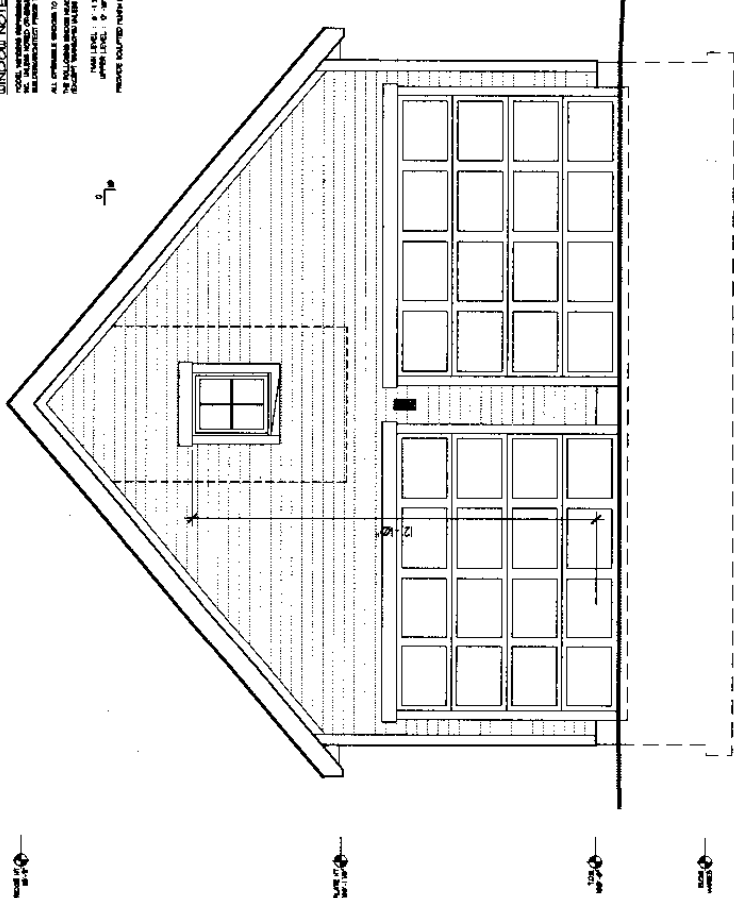


2 SIDE ELEVATION
SCALE: 1/4" = 1'-0" (11x17 SHT 1/8" = 1/-0")

19'



WINDOW NOTES:
1. ALL WINDOW UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
2. ALL WINDOW UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
3. ALL WINDOW UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
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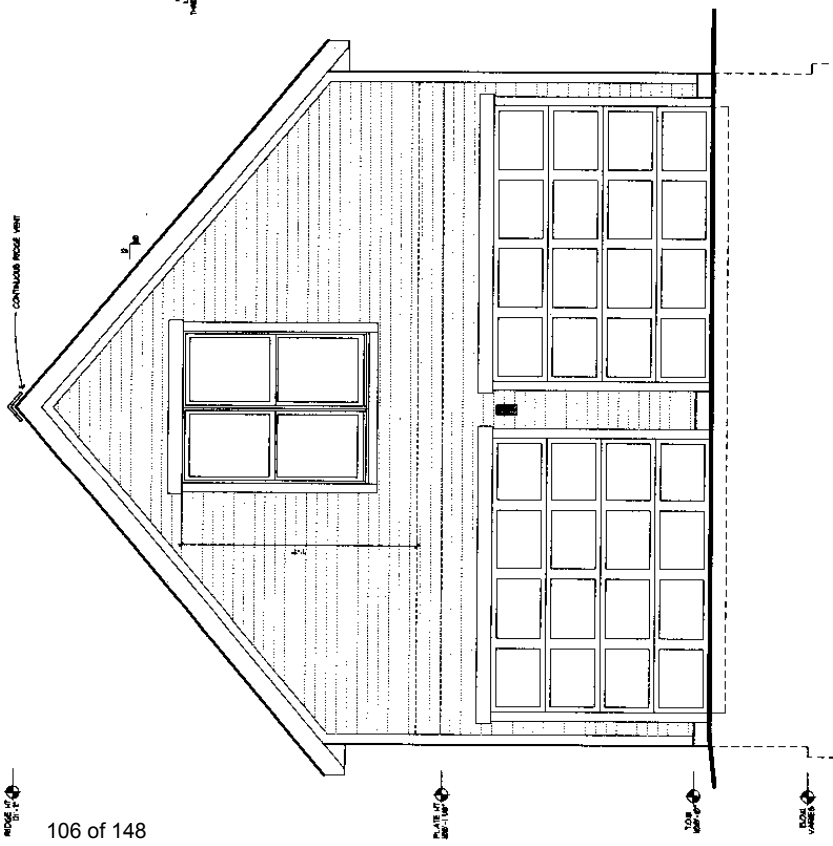
CLIENT: WELLI NEIGHBE PRESENTED
 PROJECT No.:
 ARCHITECT: WOLF ARCH
 DATE: 07.12.2016
 STRUKTUR: 08.23.2016
 CO: 08.23.2016

GARAGE WITH BONUS ROOM

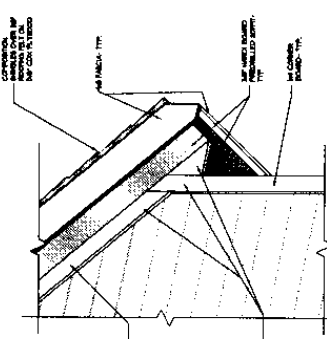
DATE: 07.12.2016
 STRU: 08.23.2016
 CO: 08.23.2016

ELEVATIONS

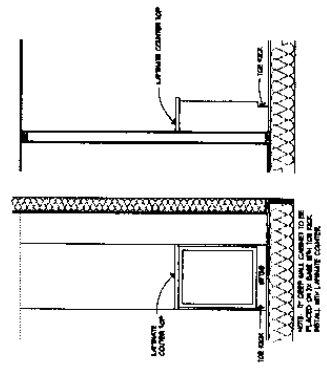
A2.1



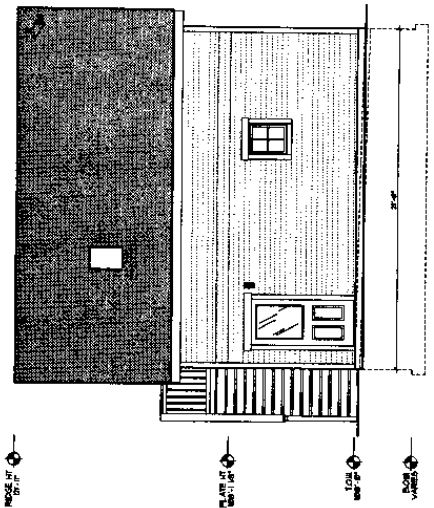
5 FRONT ELEVATION
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)



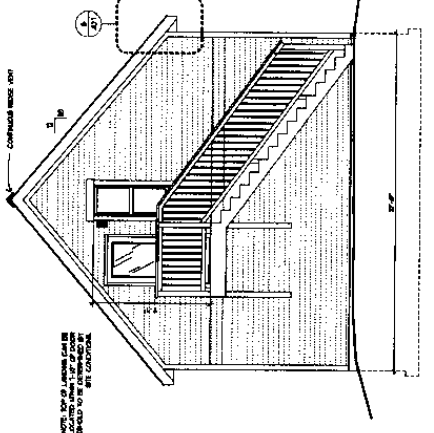
6 EAVE DETAIL
 NOT TO SCALE



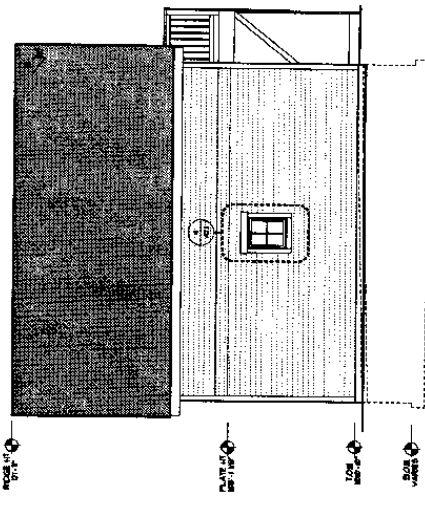
7 CABINET DETAIL
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)



1 LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)

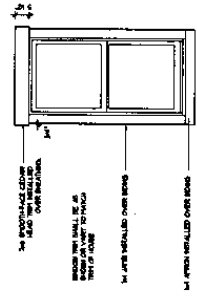


3 REAR ELEVATION
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)



2 RIGHT SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)

WINDOW NOTES:
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4 WINDOW DETAIL
 SCALE: 1/4" = 1'-0" (SHEET: A2.1)

THE WELLINGTON NEIGHBORHOOD

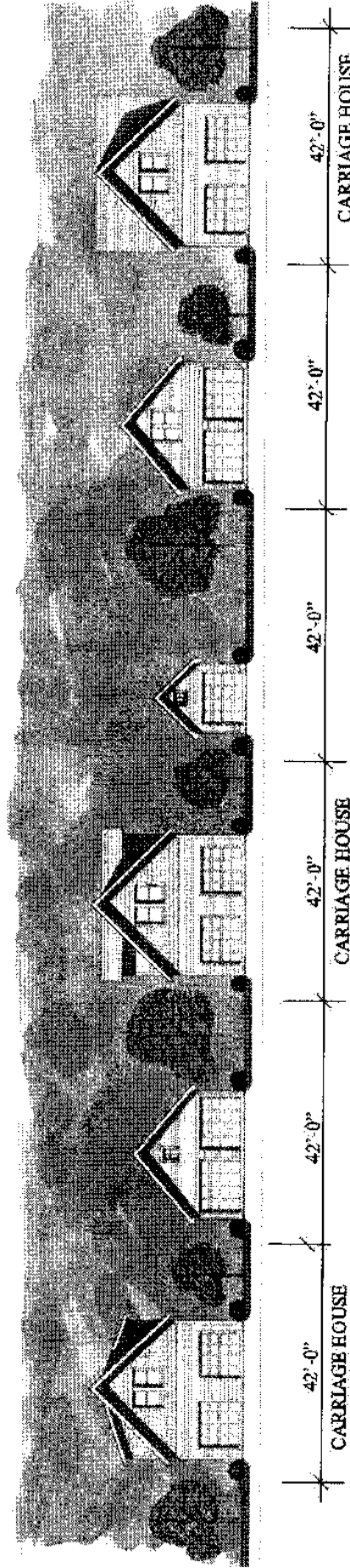
BRECKENRIDGE, COLORADO

SOUTH 40

JANUARY 31, 2006

OPTION C:

Wherever there are two or more homes in a row along an alley, no more than 50% of those homes shall have a Carriage House unless approved by the Planning Commission.



WOIFF • LYON ARCHITECTS

FIGURE 3

Market Rate only

THE WELLINGTON NEIGHBORHOOD

BRECKENRIDGE, COLORADO

SOUTH 40

JANUARY 31, 2006

OPTION C:

Carriage House main building exterior dimensions shall not exceed 24' x 24' with a side wall of 12'-0" maximum.

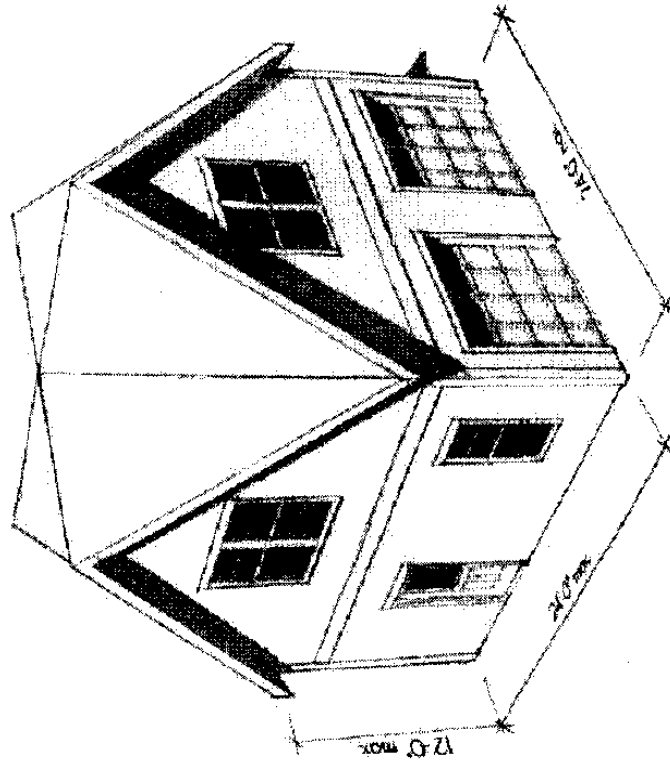


FIGURE 2A

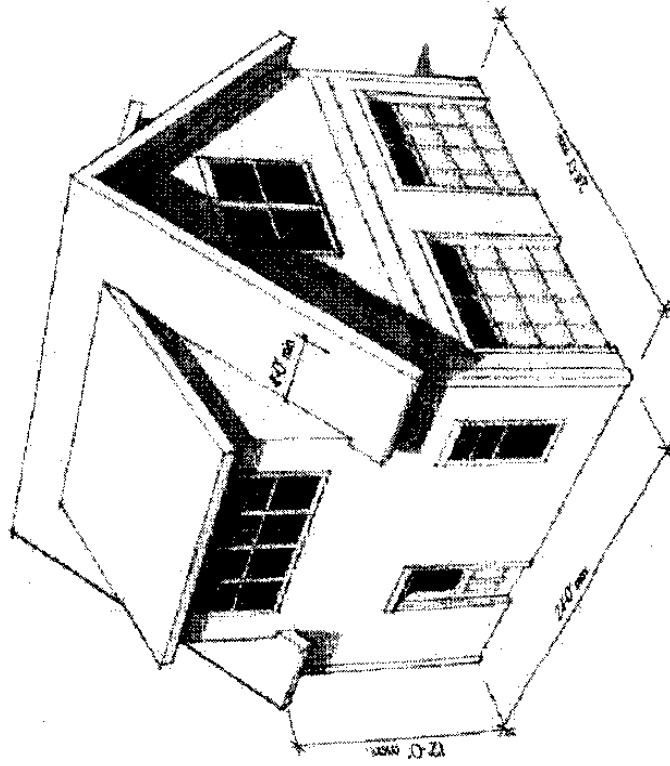


FIGURE 2B

WOLFF • LYON ARCHITECTS

FIGURE 2

THE WELLINGTON NEIGHBORHOOD

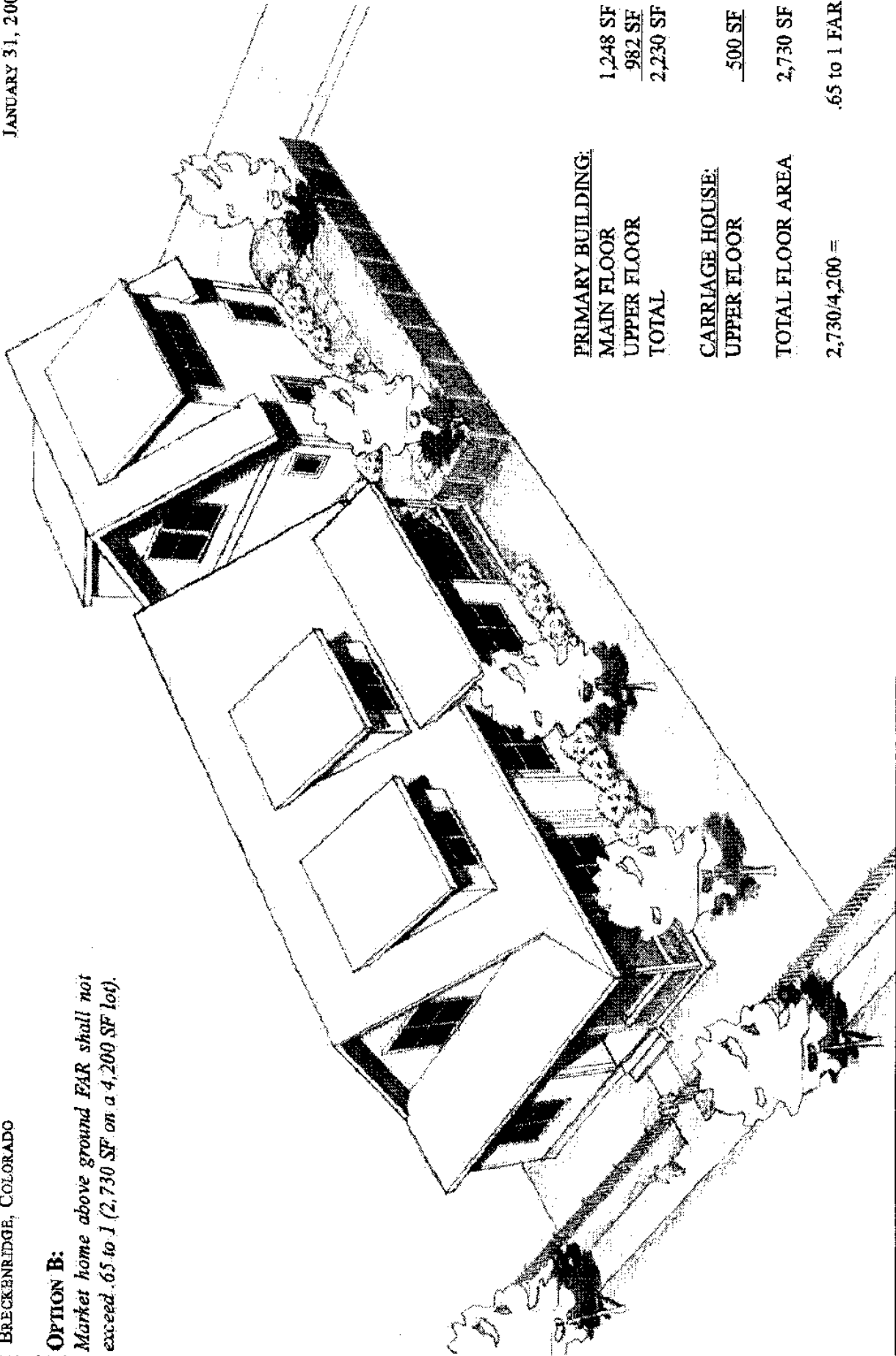
BRECKENRIDGE, COLORADO

OPTION B:

Market home above ground FAR shall not exceed .65 to J (2,730 SF on a 4,200 SF lot).

SOUTH 40

JANUARY 31, 2006



PRIMARY BUILDING:

MAIN FLOOR

UPPER FLOOR

TOTAL

1,248 SF

982 SF

2,230 SF

CARRIAGE HOUSE:

UPPER FLOOR

500 SF

TOTAL FLOOR AREA

2,730 SF

2,730/4,200 =

.65 to 1 FAR

WOLFF • LYON ARCHITECTS

FIGURE 1

Wellington Neighborhood Lots 1 – 12, Block 8, Data Matrix

PC#	Legal Description	Proposed Density	Allowed Density	Proposed Mass	Allowed Mass	Height	Setbacks
2008012	Lot 1, Block 8 Hawthorne	2,007 sq. ft.	2,250 sq. ft.	2,491 sq. ft.	2,700 sq. ft.	25' (house) 22' (garage)	Front: 7' Rear: 7' (garage) Side: 4' Side: 28'
2008012	Lot 2, Block 8 Ponderosa	2,012 sq. ft.	2,250 sq. ft.	2,496 sq. ft.	2,700 sq. ft.	25' (house) 22' (garage)	Front: 6' Rear: 7' (garage) Side: 4 Side: 22
2008012	Lot 3, Block 8 Oak	1,985 sq. ft.	2,250 sq. ft.	2,261 sq. ft.	2,700 sq. ft.	24' (house) 22' (garage)	Front: 6' Rear: 7' (garage) Side: 4' Side: 15'
2008012 Market Rate	Lot 4, Block 8 Winter Rose	2,534 sq. ft.	3,600 sq. ft.	3,110 sq. ft.	4,320 sq. ft.	26 (house) 25' (garage)	Front: 6' Rear: 7' (garage) Side: 8' Side: 15'
2008012	Lot 5, Block 8 Hawthorne	2,007 sq. ft.	2,250 sq. ft.	2,491 sq. ft.	2,700 sq. ft.	25' (house) 22' (garage)	Front: 13' Rear: 7' (garage) Side: 15' Side: 8'
2008012 Market Rate	Lot 6, Block 8 Winter Rose	2,534 sq. ft.	3,600 sq. ft.	3,110 sq. ft.	4,320 sq. ft.	26 (house) 25' (garage)	Front: 6' Rear: 7' (garage) Side: 4 Side: 32'
2008012	Lot 7, Block 8 Oak	1,777 sq. ft.	2,250 sq. ft.	2,261 sq. ft.	2,700 sq. ft.	24' (house) 22' (garage)	Front: 6' Rear: 7' (garage) Side: 18' Side: 4'
2008012	Lot 8, Block 8 Cottonwood	1,819 sq. ft.	2,250 sq. ft.	2,303 sq. ft.	2,700 sq. ft.	24' (house) 22' (garage)	Front: 6' Rear: 7' (garage) Side: 4' Side: 12'
2008012	Lot 9, Block 8 Hawthorne	1,665 sq. ft.	2,250 sq. ft.	2,226 sq. ft.	2,700 sq. ft.	25' (house) 22' (garage)	Front: 6' Rear: 7' (garage) Side: 4' Side: 6'
2008012 Market Rate	Lot 10, Block 8 Copper Rose	2,348 sq. ft.	3,600 sq. ft.	2,924sq. ft.	4,320 sq. ft.	26' (house) 25' (garage)	Front: 6' Rear: 7' (garage) Side: 4' Side: 6'
2008012 DUPLEX	Lot 11, Block 8 Mountain Ash	1,249 sq. ft. Unit 1 1,358 sq. ft. Unit 2	1,600 sq. ft.	1,733 sq. ft.	1,920 sq. ft.	29 (house) 19' (garage)	Front: 16' Rear: 7' (garage) Side: 10' Side: 16'
2008012 Market Rate	Lot 12, Block 8 Copper Rose	2,348 sq. ft.	3,600 sq. ft.	2,924sq. ft.	4,320 sq. ft.	26' (house) 25' (garage)	Front: 6' Rear: 7' (garage) Side: 4' Side: 24'

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: February 12, 2008, for the 2/19/08 Planning Commission Meeting

Subject: Sutterley Residence, Class B – Minor, Final Hearing; PC#2007003

Applicant/Owner: Janet Sutterley

Agent: Janet Sutterley, Architect

Proposal: To complete a full historic restoration on the residence and the barn in the rear of the property and construct a small addition to the main residence. The residence currently sits two and a half feet over the north property line. The applicant proposes to lift the residence, obtain Landmark status for the residence and the barn, and add a basement under the house and the new residential portion of the shed. The historic frame will be stabilized and moved temporarily to Lot 2 to facilitate basement construction. New floor framing is proposed as required, 15” above existing floor elevation to correct drainage. Restore the historic barn and turn it into a two-car garage. Applicant proposes to turn the lower roof (labeled as shed on site plan) part of the barn into an accessory apartment.

Address: 100 S. Harris Street

Legal Description: Lot 1, Block 7, Yingling & Mickles

Site Area: 0.143 acres (6,236 sq. ft.)

Land Use District: 17: Residential (11 UPA)

Historic District: Historic District Character Area #1: East Side Residential

Site Conditions: The property slopes gently uphill at 4% from the west towards the east. There is a historic residence and barn on the property. The historic residence sits two and half feet over the north property line. The barn sits approximately five feet over the north property line. The lot is currently accessed from South Harris Street using a gravel driveway that crosses Lot 2, Block 7, Yingling & Mickles. The lot has one sickly cottonwood tree and few shrubs.

Adjacent Uses: North: Milne Historic Park West: Colorado Mountain College
South: Vacant residential lot East: Single family residence

Density: Allowed under LUGs: 2,520 sq. ft. (11 UPA)
Proposed density: 2,150 sq. ft. (9.4 UPA, not including basement)

Above Ground Recommended: 2,061 sq. ft. (9 UPA)

Density:	Proposed:	2,150 sq. ft. (9.4 UPA)
Mass:	Allowed under LUGs:	3,024 sq. ft.
	Proposed mass:	2,865 sq. ft.
F.A.R.	1:2.0	
Total Floor Area:	<u>Residence</u>	
	Lower level:	1,490 sq. ft. (basement)
	Main level:	1,280 sq. ft.
	Main level addition:	164
	<u>Upper level:</u>	<u>406 sq. ft.</u>
	Total:	1,850 sq. ft. (basement not counted if Landmarked)
	<u>Shed</u>	
	Main level:	300 sq. ft.
	Lower level:	300 sq. ft. (basement)
	<u>Barn</u>	
	Main Level:	715 sq. ft.
Height:	Recommended:	23' mean
	Maximum allowed:	26' mean
	Existing:	20' mean
	Proposed:	21.25' mean (house raised to correct drainage)
Lot Coverage:	Building / non-Permeable:	2,541 sq. ft. (41% of site)
	Hard Surface / non-Permeable:	276 sq. ft. (4% of site)
	Open Space / Permeable Area:	3,419 sq. ft. (55% of site)
Parking:	Required:	3 spaces
	Proposed:	3 spaces
Snowstack:	Required:	69 sq. ft. (25% of paved surfaces)
	Proposed:	270 sq. ft. (97%)
Setbacks:	Front:	21 ft.
	Sides:	3 ft.
	Rear:	0 ft. (existing barn)

Item History

From Preliminary Hearing on January 15, 2008: Mr. Neubecker (on behalf of Mr. Thompson) presented a proposal to restore the historic residence and barn, construct a small addition onto the rear of the historic home, and convert a portion of the barn to an accessory apartment. The historic home would be stabilized and temporarily moved to Lot 2 to facilitate basement construction. A full basement concrete foundation would be poured on Lot 1. The barn would be restored to be used as a garage and accessory apartment.

Janet Sutterley, Architect: Same doors and windows will be reused. All windows on project are historic and would be restored. Three new windows are proposed. Proposing a full restoration with the roof over the mudroom being the only part being modified or added. This is needed to fix headroom and drainage problems, and simplify rooflines. This is a log home (covered with siding) but the condition of the logs is unknown. Therefore the logs could be reused or siding would be used. Access onto the property will come off of Lincoln Avenue. Vertical siding on the shed reconstruction will be used. Questions: On site plan, is it OK to move house 2 feet to west? This would also free up roofs, and create more separation between house and barn. Can the shed in the rear be used as an accessory unit? Plan to detach shed, build a foundation, and place it right back where it is. Is this a positive twelve (+12) point restoration project? A 12x12 addition is proposed and everything else restored. Similar to Randall Residence on points.

Planning Commission comments from previous meeting:

Mr. McAllister: (Left the meeting at 11:30 P.M. before Commissioners made comments.)

Mr. Bertaux: Excavating in the alley could be a problem. Everything regarding Applicants questions OK. Siding material needs to be determined.

Mr. Allen: Yes to all of Janet Sutterley's questions. Can live with the barn sticking out one foot.

Dr. Warner: Liked idea of accessory unit. Can live with the barn sticking out one foot.

Mr. Pringle: Biggest interest was getting all buildings onto the property.

Mr. Khavari: Fine with the windows.

The Planning Commission was OK with moving this development west by 2 feet, with the proposed accessory unit, and adding new windows to the residence. Everyone agreed the code would determine the points.

Staff Comments

Land Use (Policies 2/A & 2/R): *“District 17 is substantially developed residential area of historic Breckenridge, central to the existing activity patterns of the Town. Although the District is composed of a variety of housing types and densities, the medium density, single-family detached units are the most prevalent.”*

“In order to preserve the traditional character of the District from further erosion, only one residential structure shall be allowed on any one lot. Duplexes are strongly discouraged.”

*“The preservation of historic secondary structures remains a desirable goal. The rehabilitation and preservation of these accessory outbuildings is strongly encouraged. **In situations where alley encroachment problems can be alleviated, relocation of these structures on site is encouraged.**”*

The applicant proposes to use the property as a single family home and accessory apartment. These uses comply with the suggested uses for this district.

Density/Intensity (3/A & 3/R)/Mass (4/R): The proposed project is under the allowed total residential density of 2,520 sq. ft. (proposed at 2,150 sq. ft.) for the property, and within the allowed mass. Staff has no concerns with the density proposed on site.

Above Ground Density (5/A & 5/R): As proposed the project is at 9.4 UPA above ground density (2,150 sq. ft.). The recommended above ground density at 9 UPA is 2,066 sq. ft. The maximum above ground density allowed in this character area is 10 UPA (with negative points). Per Policy 5(A) C (2) A: *“Within the east side residential, north end residential, and the North Main Street residential character areas, a maximum of 9.0 units per acre for aboveground density for new construction is allowed, except for those developments described in subsection C(2)B of this policy. Projects within such areas which contain 9.01 units per acre, or more, of aboveground density shall be deemed to have failed this policy for failing to meet a priority policy.”*

B. *“In connection with permit applications for projects which involve "preserving", "restoring", or "rehabilitating" a "landmark structure", "contributing building", or "contributing building with qualifications" (as those terms are defined in the "Handbook Of Design Standards For The Historic And Conservation Districts") anywhere within the east side residential, north end residential, and the North Main Street residential character areas, a maximum of 10.0 units per acre for aboveground density is allowed. Projects of such types which contain 10.01 units per acre, or more, of aboveground density shall be deemed to have failed this policy for failing to meet a priority policy.”*

Priority Policy 118: New buildings should be in scale with the existing historic and supporting buildings in the area.

- *Development densities of less than nine units per acre are recommended.*
- *Locating some building area below grade to minimize the mass of the structures is encouraged.*
- *Locate larger masses back from public view.*
- *Use landscaping, especially large trees, to screen larger building masses.*

The applicant’s proposal of 2,150 sq. ft. of above ground density at 9.3 UPA is in substantial compliance with Policy 5(A) and Priority Policy 118. Negative three (-3) points are warranted under this policy.

Architectural Compatibility (5/A & 5/R): Per the recent Cultural Resource Survey: *“The existing residential structure consists of the following elements: an original 1 ½-story side-gabled section, which measures 26 ½” N-S (across) by 16’ E-W (deep) with steep gable roof (11:12); a small covered front porch with a 4:12 pitch; a single-story gabled extension to the east (rear) elevation of the main side gabled section, which measures 20’ N-S by 27’ E-W with a less steep roof pitch of 6:12; a shed-roofed section with rough-formed poured concrete walls built onto the east (rear) elevation of the gabled extension, which measures 7’ N-S by 24’ E-W with a roof pitch of 5:12; a shed-roofed extension built onto the north (side) elevation of the gabled extension, which measures 6’ N-S by 15’ E-W; another shed-roofed extension (used*

as a mud porch) built onto the south (side) elevation of the gabled extension, which measures 6' N-S by 12' E-W."

"The earliest side-gabled section is reportedly of log construction. The house's exterior walls are primarily clad with painted white horizontal wood siding, with painted green 1" by 4" corner boards. Green asphalt shingles appear in the upper gable ends of the north and south elevations, however the upper gable end on the east (rear) elevation is clad with unpainted vertical wood planks. The roof is covered with corrugated metal roofing material, while painted white 2" by 2" rafter ends are exposed beneath the eaves. Two gabled wall dormers are located on the west elevation (façade), each with a 1/1 double-hung sash window with a painted green wood frame and surround. Two metal stovepipes protrude through the roof – one on the main east-facing roof slope, and one on the south-facing roof slope of the intersecting gabled extension."

"The home's windows are predominantly 1/1 and 2/2 double-hung sash, all with painted green wood frames and surrounds. The house features a symmetrical façade, which faces Harris Street on the west elevation. A painted green wood-paneled door, with one upper sash light, and with fluted panels and rosettes, enters the center of the façade from 8' by 5' wood plank porch. A shed roof supported by chamfered 4" by 4" wood posts covers the porch. A painted green wood-paneled door, flanked by a 6x6 horizontal siding window and a 4-light fixed-pane window, enters the mud porch extension near the east end of the south elevation."

Applicant proposes to keep all of the current historic horizontal lap siding, while completing a restoration of the entire house, including windows, new foundation and basement, new electrical and mechanical system, new front porch, restore the barn, pour a concrete floor in the barn, build a basement under the proposed accessory apartment, and stabilize all historic structures on the property.

The applicant proposes to use vertical siding on the rear of the house where the concrete wall is removed. Staff feels that painted horizontal lap siding is more appropriate than vertical siding. Per the Handbook of Design Standards for the Historic and Conservation Districts, Priority Policy 90: *"Use materials that appear to be the same as those used historically. New materials that appear to be the same in scale, texture and finish as those used historically may be considered."*

Per the Design Standards for this Character Area #1, Priority Policy 125: *"This historic district should be perceived as a collection of wooden structures. A strong uniformity in building materials is seen in the area. Most structures, both historic and more contemporary, have horizontal lap siding. This material is usually painted. Although a few historic log buildings serve as accents to the lap siding standard, this uniformity of materials should be respected."*

- *"Use painted wood lap siding as the primary building material. An exposed lap dimension of approximately 4 inches is appropriate."*
- *"Rough-sawn, stained or unfinished siding materials are inappropriate on primary structures."*

Staff recommends that the Commission reconsider allowing vertical siding.

The accessory apartment has three windows and one door proposed for the west side of the unit. Currently, the shed portion of the barn has one working door and one existing window; there is also another opening that appeared to be a second door that has been boarded shut. The applicant proposes a new door and new window at the existing locations. Also, three new windows are proposed on the west side of the shed. On the south side of the barn a new door is proposed in the existing door opening that has been boarded shut. A small new window is proposed on the south side of the barn. The wood siding on the south side of the barn

is warped from exposure to the sun. The proposal is to remove some existing historic fabric from the west side of barn (reuse of wood removed for windows) and use the wood in good condition to replace some of the warped wood on the south side of the barn. A window well is proposed on the west side of the barn to allow for some sunlight into and egress out of the lower level. A 17' x 6' at-grade wooden deck is also proposed on the west side of the barn.

On the east side of the barn facing the alley there are three window openings that have been boarded over. Applicant proposes to add a new window to one of the openings and keep the other two window openings boarded over. Staff is concerned with the amount of new glass proposed on the west side of the accessory unit.

Per the Handbook of Design Standards, Priority Policy #76:

Avoid changing the position of historic windows.

- *This is especially important on significant facades of Contributing Buildings.*
- *Also avoid adding new windows to facades visible from the street on Contributing Buildings.*

Several new windows are proposed on the west side of the shed/accessory unit. While it is important to get natural light into the building for livability, staff believes that this could still be accomplished with fewer windows, and we ask the Commission whether or not this proposal meets this priority policy.

Staff supports the adaptive reuse of the barn as an accessory apartment, however we do have concerns about the amount of new glass on the west side of the barn.

Building Height (6/A & 6/R): The overall height of the existing residence is 24', 20' to the mean. The applicant has proposed to raise the house by 15" pushing the mean height up to 21.25', lower than the recommended maximum height of 23' to the mean. Town Engineering Staff has suggested that raising the house by than 12" to 18" would be adequate for proper drainage. Staff recommends raising the house as little as possible to achieve proper drainage.

Site Plan: Staff believes the applicant has done a good job with the site plan. The barn structure will not be moved from the current location. The barn will have a poured concrete floor and the stabilization of the barn will happen in the current location.

The lower roof accessory apartment will need to be separated from the taller barn section, all pieces of structure numbered, basement foundation poured under the current location and then put back and stabilized in the exact historic location.

The site plan has changed and evolved through the planning process. The applicant initially had the parking spot for the accessory apartment in the front yard. Due primarily to Historic Standard policies 114, 115, and 116 and Staff concerns, the applicant has agreed to move the parking for the accessory apartment to the rear of the lot in between the house and barn. Staff is supportive of the reuse of the barn as garage, which encouraged in Policy 127.

Design Standard:

Priority Policy 115: Design front yards to be composed predominantly of plant materials, including trees and grass, as opposed to hard surface paving.

- *Hard surface plazas in front of buildings are generally inappropriate in this area. Avoid locating parking in front yards.*

116. *"Minimize the visual impact of parking as seen from the street."*

- *"Avoid locating parking in front yards. Locate parking in rear yards where feasible."*
- *"If parking must be sited in the front, use paving designs that will help to retain a yard character and visually separate parking from the street edge."*

The applicant first had the parking for the accessory apartment in the front yard. The site plan has evolved and now the applicant has proposed the parking for the accessory apartment be placed in between the house and the accessory apartment. Staff supports the change to the parking location for the accessory apartment.

Design Standard:

127. *"Use secondary structures in new development where feasible."*

- *"Housing utilitarian functions, such as parking, storage, and waste receptacles in secondary structures is encouraged."*
- *"Using secondary structures for utilitarian functions (not living area) will help reduce the perceived scale of the development by dividing the total floor area into a cluster of smaller structures rather than one large building."*
- *"Use simple building forms and materials for these structures."*

Staff supports the adaptive reuse of the barn as a garage and an accessory apartment.

Placement Of Structures (9/A & 9/R): The applicant has proposed to move the historic residence 5 ½ feet to the south to bring the house 3' inside of the of the property line and meet the absolute 3' setback required by Policy 9/A. The applicant is also proposing to move the residence approximately 2' to the west. Staff and the Code encourage the applicant to move the residence as little as possible from the historic alignment while bringing it within the property lines.

Per Character Area #1: East Side Residential, Building Setbacks:

"Most buildings in the area have front and side yards, and although there are variations in their dimensions, a relatively uniform setback exists. No new buildings should project in front of the typical setback line for the block."

Design Standard:

Priority Policy 114: Maintain the typical setback of buildings along the block.

- *This is a very important standard.*
- *The East Side Residential Character Area setbacks occur as front and side yards.*
- *New buildings in this area should be set back in line with traditional house types. Locating a building at the sidewalk line, in a commercial building format, would be inappropriate in this context. Similarly, a setback that is farther back than the norm is inappropriate.*
- *Note the characteristic setback dimensions may vary from block to block.*

Snow Removal And Storage (13/R): The driveway for the barn and the concrete parking pad for the accessory apartment will be heated. Snow will shed off of the roofs of the barn and residence. There is room for snow storage on both sides of the parking pad for the accessory apartment. Staff has no concerns related to snow storage.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Vehicular access to the site is provided from the Lincoln Avenue. The barn has large doors facing Lincoln Ave., which will be retro fitted for use as garage doors. This would require cars to back onto Lincoln Ave., which is allowed for single-family homes, since this is not a busy street, and the historic alignment of the barn would be maintained. Staff supports this approach.

Parking (18/A & 18/R): Lincoln Avenue was found to be the best place to access the parking pad for the accessory apartment, particularly when taking into consideration Priority Policies 115 and 116 (as previously quoted). The barn should work well as a garage for the required two parking spaces for the residence. Policy 127 (also quoted above) encourages secondary structures for utilitarian uses like parking.

Landscaping (22/A & 22/R): The applicant has proposed a landscaping plan that includes: (4) native blue spruce 6' – 8' in height, (3) spring snow crab apple trees 5' – 6' in height, (9) multi-stem aspen of 1 ½" – 2", (2) 5 gallon red leaf rose, (2) 5 gallon lilac, (2) 5 gallon golden currant, (2) 5 gallon jackman potentilla, (2) 5 gallon peking cotoneaster, and (2) 5 gallon red Arnold huckleberry. All stone retaining walls to be flat "siloam" stone, no boulders will be used. All rock gardens to be small flat "siloam" stones of moss rock, no river rock. Perennial plants to be a mixture of native alpine plants such as: lupine, delphinium, poppy, phlox, columbine, yarrow, etc. All plantings and perennial garden to be on monitored irrigation system as required to maintain new landscaping.

Social Community / Employee Housing (24/A & 24/R): Applicant is not proposing any employee housing, nor is any required. However, the applicant is proposing historic preservation/restoration effort of above average public benefit. Applicant proposes: Restoration/preservation efforts for windows, doors, roofs, siding, foundation, architectural details, substantial permanent electrical, plumbing, and/or mechanical system upgrades, structural stabilization, or restoration of secondary structures.

Applicant proposes to stabilize the historic frame of the residence and then move it to Lot 2 to facilitate basement construction. New floor framing as required, 1' 3" above existing floor elevation to correct drainage. Applicant proposes to: add a new ridge cap, corrugated metal roofing on tallest portion of residence will be replaced with new wood cut shingle roof, existing roof structure to be reinforced, replace fascia trim as required, replace existing plywood dormer walls with new 2' x 4' walls as required, paint 4" wood lap siding white, new corrugated metal roof over front door, existing roof structure to be reinforced replacing wood trim where required, existing windows and trim to remain, new 5 x 5 porch post and new beam above, a 164 sq. ft. addition on the south side of residence near existing mud room, replace lower corrugated metal roof with new corrugated metal roof as required; on the north elevation applicant proposes to add a two new windows and trim to match existing historic windows, existing historic windows to remain and restored as required, new 8" freeze board, new 6" board and batten siding to replace existing asphalt shingle, existing horizontal wood siding to be restored, remove the existing concrete walls and rebuild the "shed" with frame walls with new siding and trim to match; on the east elevation applicant proposes to change siding to new 1 x 6 vertical siding, two historic windows to stay in existing location, two existing historic windows moved from south side of residence to the east side of residence, and applicant would like to add a new door with 5' x 5' post with porch roof above for rear entry to the residence.

The applicant is proposing to add new window and door openings, vertical siding, and an addition, hence does not appear to qualify for “*bringing the historic structure or site back to its appearance at a particular moment in time within the town’s period of significance by reproducing a pure style.*”

“Positive points will be awarded according to the following point schedule for on site historic preservation, or restoration efforts, in direct relation to the scope of the project, subject to approval by the planning commission.”

“The construction of a structure or addition, or the failure to remove noncontributing features of a historic structure may result in the allocation of fewer positive points:

+3 *On site historic preservation/restoration effort of minimal public benefit.*

Examples: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details.

+6 *On site historic preservation/restoration effort of average public benefit.*

Examples: Preservation of, or the installation of a new foundation, structural stabilization, complete restoration of secondary structures.

+9 *On site historic preservation/restoration effort of above average public benefit.*

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

+12 *On site historic preservation/restoration effort with a significant public benefit.*

Example: Restoration/preservation efforts which bring a historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style and respecting the historic context of the site that fall short of a pristine restoration.

+15 *On site historic preservation/restoration effort with a very significant public benefit.*

Example: Restoration/preservation efforts to a historic structure or site which bring the historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style and respecting the historic context of the site with no new structures or additions and the removal of all noncontributing features of a historic structure or site. Such restoration/preservation efforts will be considered pristine.” (Ord. 25, Series 2004)

Examples of recent projects that received positive points for Historic Preservation are listed below:
St. Mary’s Church Rectory (+6 points): Installation of a new foundation, restoration and repair of historic

¹ Examples set forth in this policy are for purpose of illustration only, and are not binding upon the planning commission. The ultimate allocation of points shall be made by the planning commission pursuant to section 9-1-17-3 of this title.

windows, replacement of non historic windows with more appropriate wood windows, replacement of damaged siding replacing non-historic doors, re-pointing the historic chimney, patching and repairing trim, replacing the asphalt roof, and replacing garage door with more appropriate door detailing.

Randall Residence (+ 9 points): The primary historic preservation efforts in this application include the full restoration of the historic barn (including a new foundation, restored roof, new chinking and removal of north shed), and the installation of a foundation under the historic home. The front porch on the historic home is also slated for some restoration.

Watson/McMenamy (+9 points): One of the most significant restoration efforts for this site includes the relocation and restoration of the McMenamy Residence. This historic building currently encroaches into the Watson Avenue right-of-way by 1.2'. The building is not on a foundation, and the floor and roof slant significantly. Moving this building onto the site and placing it on a foundation will improve the structural stability and livability of the building.

These are significant and expensive restorations that deserve positive points under policy 24/R-Social Community. Staff finds that this application is most comparable to the Randall Residence and the Watson/McMenamy in scope, and we recommend nine (+9) positive points under this policy.

Utilities Infrastructure (26/A & 26/R; 28/A): The utilities infrastructure is already on the property. However, the applicant will be doing all new mechanical and electrical work throughout the residence and the barn.

Drainage (27/A & 27/R): The applicant proposes to raise the residence by 15” to correct the current drainage problems. Town Engineering Staff recommends the house be raised by at least 12” but no more than 18”. Staff supports raising the finished floor by 15”.

Point Analysis (Section: 9-1-17-3): Staff finds that the proposal warrants negative –6 points for encroaching on both side yard setbacks, and another negative –3 points for going over 9 UPA Above Ground Density, for a total of negative –9 points. Staff finds that the historic preservation is on site historic preservation/restoration effort of above average public benefit and we recommend +9 points. This would result in a passing point analysis of zero (0) points.

Designation Of Landmarks (Section: 9-11-4): In order to allow the “free” basement density under the main house and shed/accessory apartment, Landmark status will need to be granted by the Town Council, with a recommendation for such approval by the Planning Commission. Below are the criteria for designating landmark status, and we have highlighted in bold the criteria staff finds relevant to this application.

A. Landmarks/Landmark Sites: Landmarks or landmark sites **must be at least fifty (50) years old and meet one or more of the criteria for architectural**, social or geographic/environmental significance as described in subsections A1 through A3 of this section. A landmark may be exempted from the age requirement if it is found to be exceptionally important in other significant criteria.

1. Landmarks And Landmark Sites: Landmarks or landmark sites shall meet at least one of the following:

a. Architectural:

(1) Exemplifies specific elements of architectural style or period.

(2) Is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally.

(3) Demonstrates superior craftsmanship or high artistic value.

(4) Represents an innovation in construction, materials or design.

(5) Is of a style particularly associated with the Breckenridge area.

(6) Represents a built environment of a group of people in an era of history.

(7) Includes a pattern or grouping of elements representing at least one of the above criteria.

(8) Is a significant historic remodel.

b. Social:

(1) Is a site of an historic event that had an effect upon society.

(2) Exemplifies cultural, political, economic or social heritage of the community.

(3) Is associated with a notable person or the work of a notable person.

c. Geographic/Environmental:

(1) Enhances sense of identity of the community.

(2) Is an established and familiar natural setting or visual feature of the community.

2. Archaeological Sites: Archaeological sites shall meet one or more of the following:

a. Architectural:

(1) Exhibits distinctive characteristics of a type, period or manner of construction.

(2) Is a unique example of structure.

b. Social:

(1) Has the potential to make an important contribution to the knowledge of the area's history or prehistory.

(2) Is associated with an important event in Breckenridge's or Summit County's development.

(3) Is associated with a notable person(s) or is the work of a notable person(s).

(4) Is a typical example of or is associated with a particular ethnic group.

(5) Is a unique example of an event in Breckenridge's or Summit County's history.

c. Geographic/Environmental:

(1) Is geographically or regionally important.

Buried human remains shall be handled in as culturally sensitive and appropriate a manner as possible.

3. Physical Integrity: All properties proposed for designation as landmarks or landmark sites under this chapter shall be evaluated for their physical integrity using the following criteria (a property need not meet all of the following criteria):

a. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation.

b. The property retains original design features, materials and/or character.

c. The structure is on its original location or is in the same historic context after having been moved.

d. The structure has been accurately reconstructed or restored based on documentation.

Staff Recommendation

Staff appreciates the changes the applicant has made to work within the recommendations of the Development Code and “Handbook of Design Standards for the Historic and Conservation District”.

We have two questions for the Commission:

1. Do you support the use of vertical siding on the rebuilt concrete shed?
2. Do you support the amount of glass proposed on the west side of the accessory apartment/shed?

If you support these changes, then Staff recommends the Planning Commission approve the Sutterley Residence PC #2007003, Lot 1, Block 7, Yingling and Mickles, located at 100 S. Harris Street with the attached findings and conditions.

We also ask for the Commission to make a second recommendation to the Town Council that this property be designated as a Local Landmark.

Final Hearing Impact Analysis				
Project:	Sutterley residence at 100 S. Harris Street	Positive	Points	+9
PC#	2007003			
Date:	02/12/2008	Negative	Points	- 9
Staff:	Matt Thompson			
		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	Single family home and an accessory apartment comply 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		Note: Basement density not counted, as property proposed for landmark status.
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
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	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)	- 3	Above ground density of 9.01 - 9.50 is assessed -3 points (9.3 in this proposal)
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)	0	The house will be raised 15" pushing the mean height up to 21.25', lower than the recommended maximum height of 23'
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)		
	Site and Environmental Design / Driveways and Site Circulation Systems			
7/R	Site and Environmental Design / Site Privacy	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	N/A	
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)	- 6	Fails to meet two side yard setbacks.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Snowmelt system at driveway, parking pad, and heated patio.
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	0	Parking near rear of lot, but still visible from Lincoln Avenue.
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		(4) Blue Spruce, (3) Spring snow crab apple trees, (9) multi-stem aspen, (12) various shrubs.
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	+9	On site historic preservation/restoration effort of above average public benefit. Restoration/preservation efforts for windows, doors, roofs, siding, foundation, architectural details, substantial permanent electrical, plumbing, and mechanical system upgrades, structural stabilization, or restoration of secondary structures.
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		New curb and gutter along Lincoln Avenue.
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

Sutterley Residence
100 S. Harris St.
Lot 1, Block 7, Yingling & Mickles
PERMIT #2007003

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 **February 12, 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 **February 19, 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 Breckenridge Planning Commission hereby finds that the unique and significant restoration of the historic residence and barn on the property will result in an above average public benefit. The current home on the property has no foundation, and installation of a foundation will substantially improve the structural integrity of the building. Also, the installation of a foundation and roof reconstruction on the historic house and barn will significantly improve the structural stability of this historic structures. The Planning Commission has assigned nine positive points (+9) in the final point analysis for historic preservation, and has approved this project based heavily on these restoration efforts. The Applicants realize the significance and importance of these historic resources to the Town of Breckenridge and the community at-large, and will do everything in their power to protect these valuable historic assets.

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 **February 26, 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. 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.
12. Applicant shall notify the Town of Breckenridge Community Development Department prior to the removal of any building materials from the historic barn or the historic house. Applicant shall allow the Town of Breckenridge to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property, which may jeopardize the status of the property as a local landmark, and thereby the free basement density. Any such action could result in the revocation and withdrawal of this permit.
13. Applicant shall notify the Town of Breckenridge Community Development Department of any window or door openings or other architectural features discovered during the restoration, renovation or relocation of any buildings on the property. If the window or door openings are determined by the Town of Breckenridge to be historic, the Applicant will revise the development plan to incorporate such features to the extent reasonable. The applicant may be required to return to the Planning Commission, as determined by Staff to have these changes approved.
14. Prior to blocking or closing any public street, alley or right-of-way, Applicant shall contact the Town of Breckenridge Public Works Department at least 48 hours in advance. The Public Works Department shall have the final authority on whether or not (and when) to close a public street, alley or right-of-way.

PRIOR TO ISSUANCE OF BUILDING PERMIT

15. Applicant shall submit proof of ownership of the project site.

16. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
17. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor (including subcontractors moving the main residence) and the Town's project Manager, Chief Building Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).
18. An Improvement Location Certificate (ILC) from a Colorado registered surveyor showing the top of the existing historic buildings' ridge heights shall be submitted to the Town. An ILC showing the top of the existing buildings' ridge heights must also be submitted to the Town after construction activities, prior to the certificate of occupancy. The building is not allowed to increase in height due to the construction activities, other than what the Town has approved. The home is approved to be raised by 15".
19. Prior to issuance of a building permit for any improvements on the site, Applicant shall obtain approval from the Breckenridge Town Council of an ordinance declaring the historic house and historic barn as "local landmarks". If local landmark status is not approved, then the density in the basement will count toward the total density, and the project may fail a point analysis.
20. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant restricting the sale of the accessory unit from the single-family residence, in a form acceptable to the Town Attorney. The covenant shall restrict the accessory unit and single-family residence to be held in the same name.
21. 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.
22. 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.
23. 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.
24. 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.
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.
26. Applicant shall install construction fencing around the construction site in a manner acceptable to the Town Planning Department. An on site inspection shall be conducted.
27. **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.

28. **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

29. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
30. New curb and gutter required along Lincoln Avenue to meet Engineering Department standards.
31. 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.
32. 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.
33. Applicant shall screen all utilities.
34. **All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.**
35. 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.
36. 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.
37. 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.

38. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
39. 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)

Landscape - General Notes

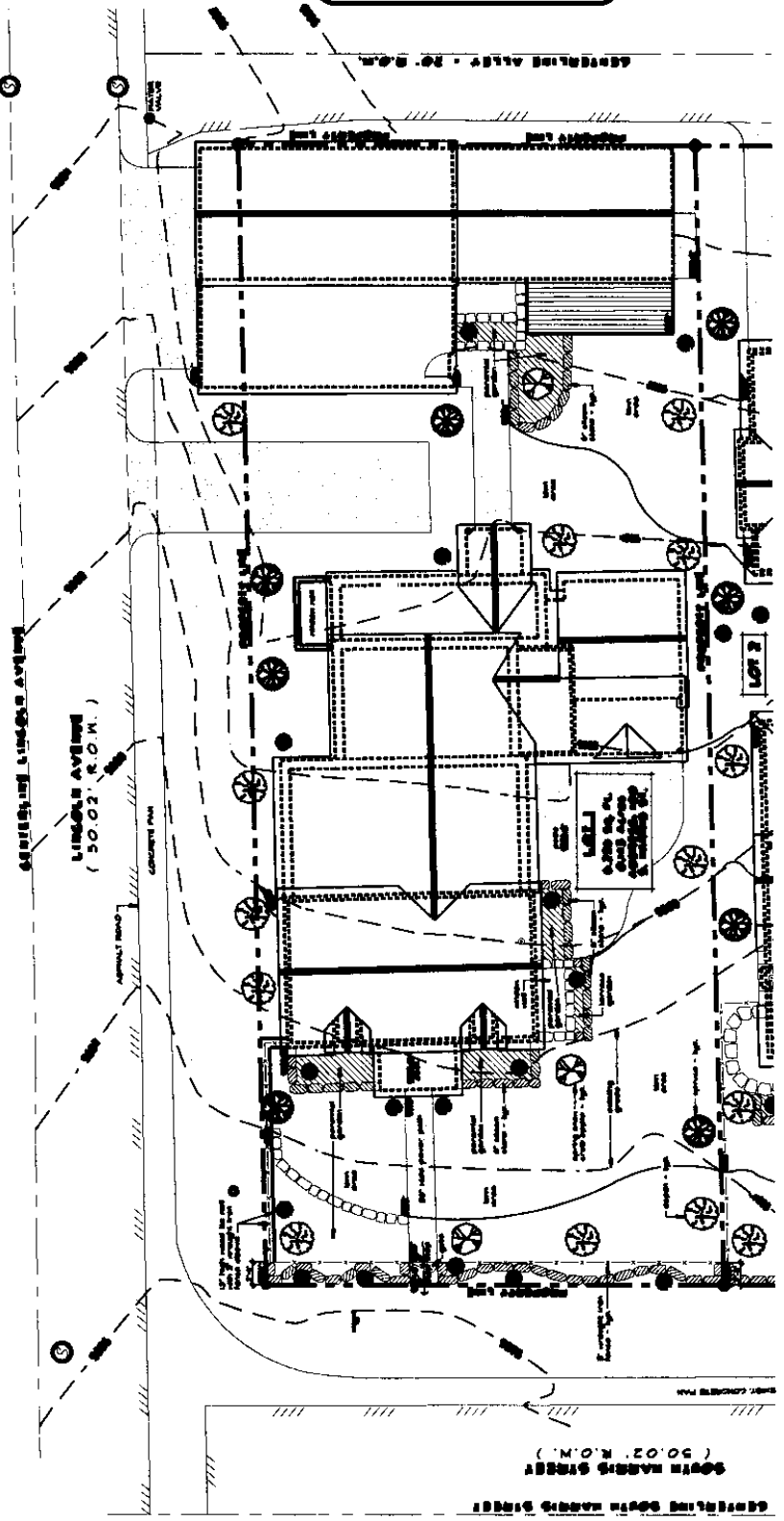
1. All notes pertaining to this plan shall be read in conjunction with the General Notes of the project.
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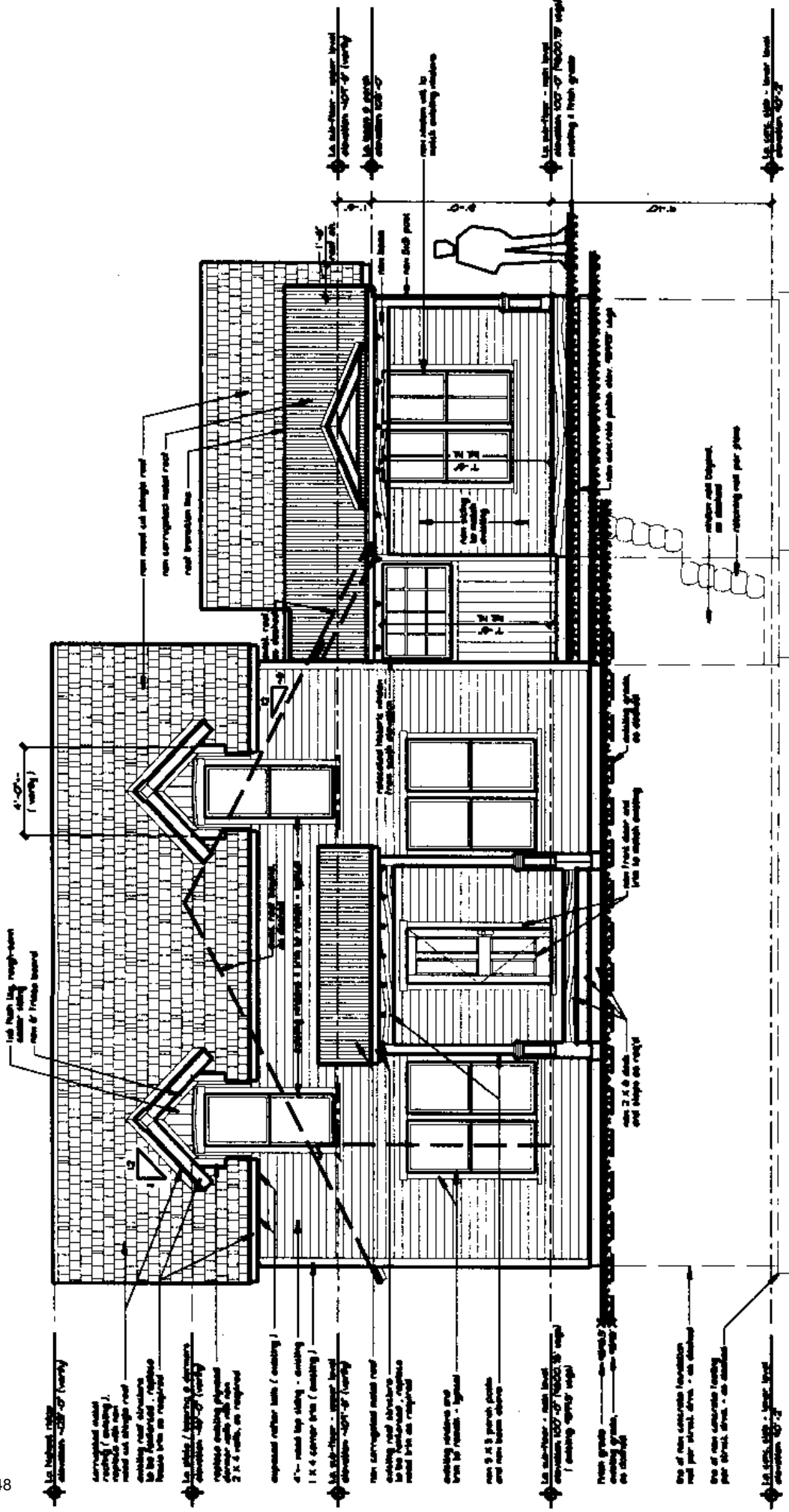
Landscape - Symbols Legend


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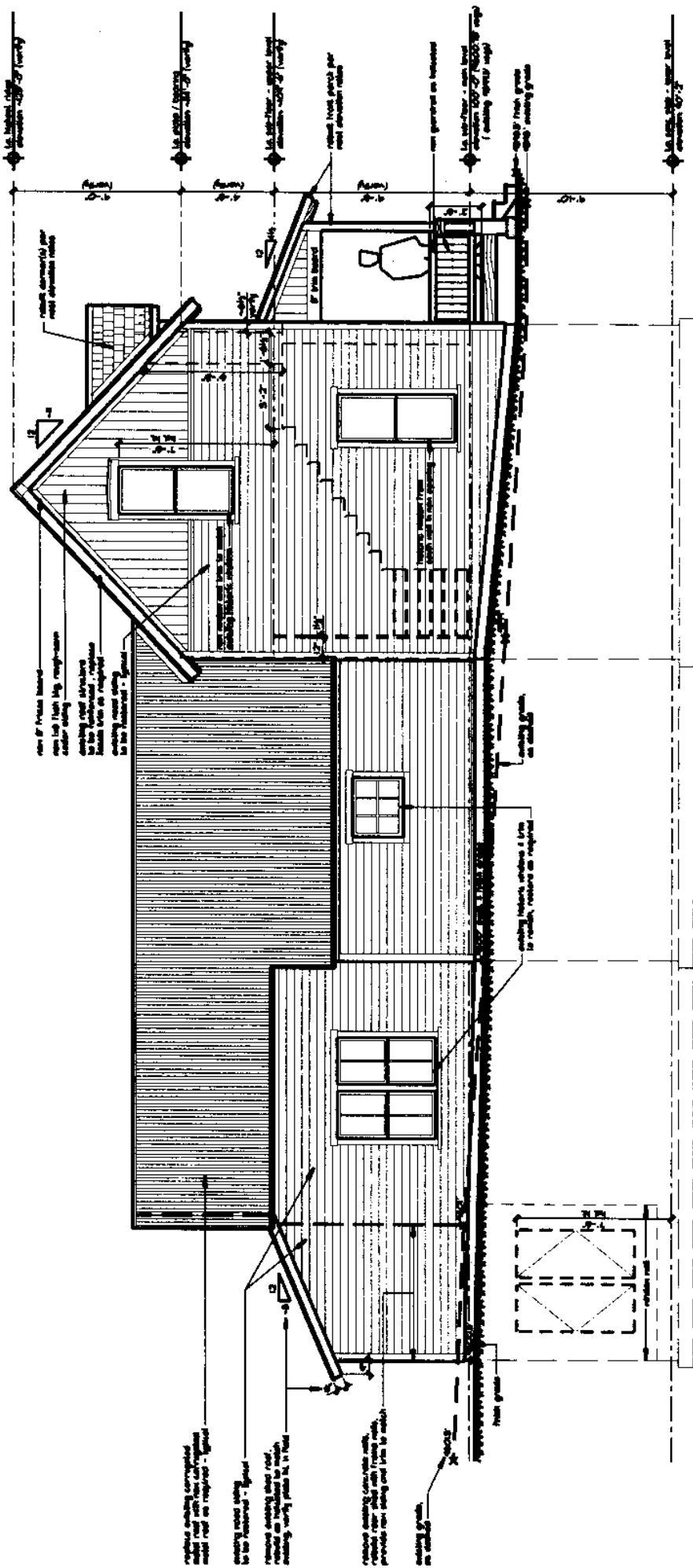
LANDSCAPE PLAN


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

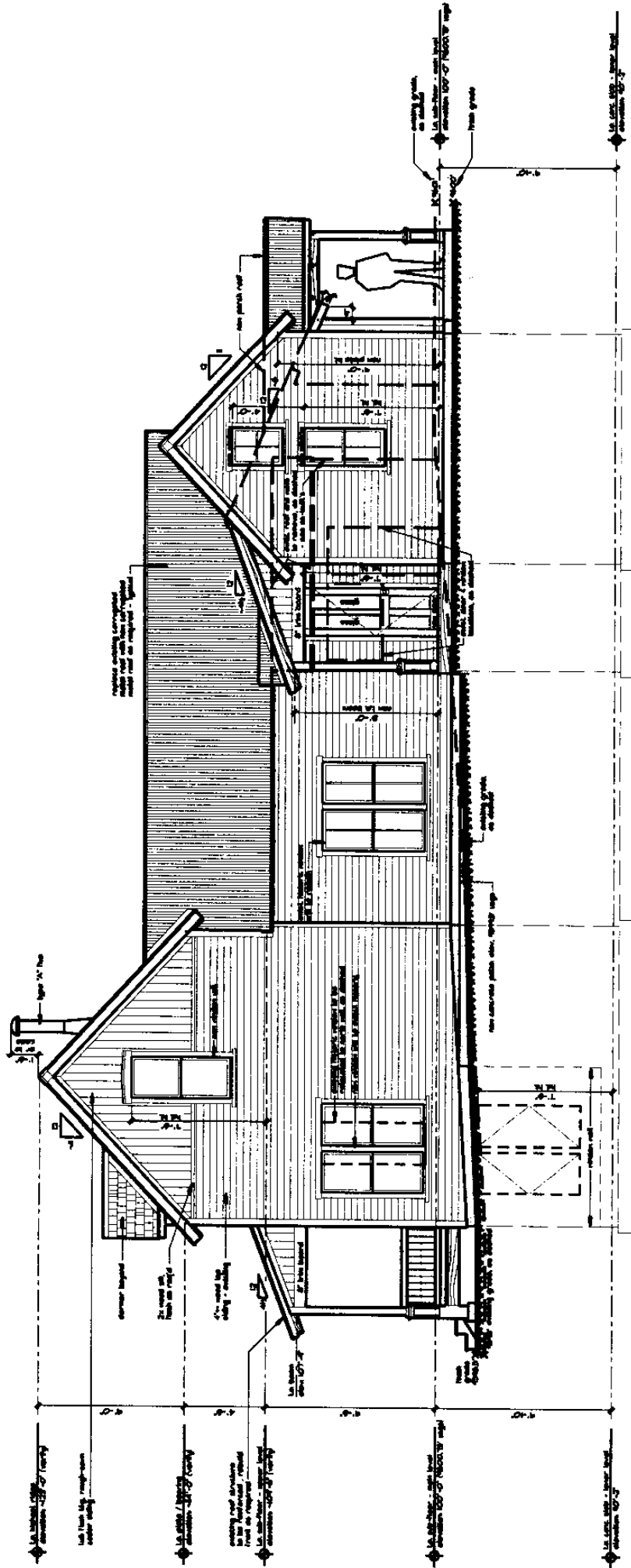





West Elevation
 Scale: 1/4" = 1'-0"




North Elevation
 Scale: 1/4" = 1'-0"



2
A-3
South Elevation
Scale: 1/4" = 1'-0"

Memo

To: Planning Commission
From: Julia Skurski, AICP
Date: February 13, 2008 (for meeting of February 19, 2008)
Re: Solar Panel Work Session

The topic of solar panels is on the Planning Commission's Top Five list. Solar panels have been a recent issue with the installation of solar panels on a few buildings in Town, and with a greater emphasis on renewable energy. Staff foresees that applications for solar panels will increase in the future out of concern for energy conservation and the Green Building Code. There are no standards in the Development Code which would specifically prohibit this, therefore, Staff has allowed the use of solar panels both inside and outside of the Conservation District without any negative or positive points.

The purpose of this work session is to discuss an approach to drafting a policy, which would create consistent regulations for solar panels within the Conservation District and outside of the Conservation District, if the Commission would also like to address this.

Policy 5R (A), *Architectural Compatibility*, states that roof materials should be non-reflective and blend into the site's backdrop as much as possible. Inappropriate exterior building materials include reflective metal roofing. These standards apply only to those areas outside of the historic district. The majority of solar panels on the market can meet this as most are non-reflective and new technology continues to lead to aesthetic advancements of the product. For example, there are now solar cells, which resemble asphalt shingles.

The Historic District guidelines for roofing are reviewed under the Historic District Design Standards and Policy 5 including:

- Policy 32 discusses that developments should minimize visual impacts of new systems, avoiding placing new systems on primary, character defining facades.
- Policy 36 states, *Design additions to historic buildings such that they will not destroy any significant historic architectural or cultural material. Additions should not obscure significant features.*
- Priority Policy 69 states, *Avoid altering the angle of the roof; maintain the perceived rooflines from the street; and locate solar panels so they are not visible from the street.*

The first two bullet points mainly refer to HVAC type systems but can be interpreted to also encompass new heating and electrical systems. The third bullet item does mention solar panels but Staff believes that additional detail should be included in the Development Code to guide the installation type (i.e. flush to the roof) and location of solar panels.

Lastly, Staff believes that there is an opportunity in the Development Code currently for the awarding of positive points under Policy 33R – Energy Conservation. This Policy states:

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

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

Staff has not been awarding positive points for solar panels under 33R for projects either due to the lack of sufficient information on the amount of energy generated from the applicant or not having points requested due to no negative points being assigned. Further, the adoption of the Green Building Code has the use of solar panels as a way of receiving positive points for mitigation. Giving points under Policy 33R may in turn be a form of “double dipping”. Staff would like to get the Planning Commission’s opinions on if Policy 33R should be reworded to be more relevant and effective. Lastly, additional language could be added to Policy 5 to clarify design standards for these new systems.

Summary

This memo is to serve as a guide to start discussions for the purpose of developing a policy that addresses solar panels. Staff would like feedback from the Commission on the following:

1. Would the Commission like to address solar panels outside of the Conservation District in addition to the Conservation District?
2. Are there any additional concerns with solar panels other than what is mentioned in the memo?
3. Should policy 5R or 33R be reworded to better address renewable energy sources and design standards (including wind power)?

Memo

To: Planning Commission
From: Jennifer Cram, AICP
Date: February 15, 2008
Subject: **Landscaping Ordinance Updates**

Within the last year we have adopted three new ordinances, one regarding Noxious Weeds (Ordinance No. 15, Series 2007) another regarding Mountain Pine Beetles (Ordinance No. 16, Series 2007) and lastly one regarding Water Features (Ordinance No. 39, Series 2007). In addition, we have been discussing the importance of improving forest health through forest management plans, wildfire mitigation and replanting with diverse species. We have also discussed the possibility of adjusting the point multiplier for those developments that propose new landscaping with the Town Council.

We believe that updating the Towns Development Code with regard to Policy 22 – Landscaping, to include new absolute and relative policies is necessary to be consistent with the recently adopted ordinances noted above and desired forest management goals for future development. This would assist the public in knowing what requirements there are pertaining to these ordinances and provide potential opportunities to mitigate negative impacts when applying for a development permit.

We would like to introduce some of the proposed changes to Policy 22. Staff shared these with the Town Council in October and received feedback on what policies should be absolute and those that should be relative. Staff will use Planning Commission feedback to work with the Town Attorney to draft changes to Policy 22.

Noxious Weeds

Section 5-10-4 of the Noxious Weed Ordinance states that it shall be unlawful to introduce, cultivate, sell, or knowingly allow to grow any noxious weed designated in the Town's noxious weed management plan. The Town Council believes that a new absolute policy should be drafted to address noxious weeds. This would require properties to be noxious weed free as part of their development permit approval.

Mountain Pine Beetle Infested Trees and Spraying

Tree Removal - Mountain Pine Beetle Infested Trees are a declared Nuisance under Title 5, Section 5-1-7 M. of the Town Code. We also adopted Ordinance No. 16, Series 2007 to address inspection of trees on private property and timely removal of infested trees. The Town Council believes that a new absolute policy should be drafted that requires property owners to remove infested trees from their property as part of their development permit approval.

Forest Management

Forest Health - We would like to encourage private properties owners to improve the health of the trees on their properties. Forest management includes thinning trees starting with dead and diseased trees and replanting to encourage species diversity. The Town Council believes that developing a relative policy would encourage more property owners to improve the health of the trees on their properties.

Fuels Reduction - The Council recently approved the use of a condition of approval that requires property owners to remove leaf clutter, dead branches and dead standing trees from their property and requires dead branches on living trees to be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground level prior to receiving a certificate of occupancy. For consistency this condition of approval should be incorporated into an absolute policy. Town Council supported this change.

Defensible Space - With the growing threat of forest fires in and around Breckenridge, we would like to develop a process for property owners to create defensible space around their homes. We understand the desire to maintain buffers and keep homes screened on the hillsides.

Staff believes that we could develop recommended guidelines that would allow property owners to create defensible space around their homes and maintain buffers by requiring the replanting of firewise trees. (Firewise trees are determined based on their moisture content, generally deciduous trees planted in an irrigated planting bed are considered firewise). We have included a diagram and descriptions from a Colorado State University Cooperative Extension publication to give the Planning Commission an idea of what defensible space might look like. Town Council was supportive of adding a relative policy to encourage the development of defensible space on private property.

Point Multipliers for Policy 22 - Landscaping

Currently a development permit application can obtain up to four or eight positive points under Policy 22R – Landscaping for proposed landscape improvements that provide exceptional buffers and aesthetics. Many projects are able to mitigate significant negative impacts using this policy. It has been suggested that the point multiplier could be reduced to positive three or six points to encourage better design of projects, or mitigation through other policies.

Town Council did not believe that the point multiplier should be reduced. The existing ordinance gives staff the ability to get significant landscaping for positive points. We would like to discuss with the Planning Commission whether we should improve landscaping through precedent, or whether specific examples should be included in the ordinance to achieve improved landscape plans for positive points.

Summary

With the goal of trying to improve forest health, reduce wildfire risk and maintaining buffers within Town it is important to look at updating our existing landscaping policy. We have noted several topics that might be considered. We welcome any additional thoughts that the Planning Commission may have with regard to landscaping. We look forward to discussing the Landscaping policy with you during the worksession on February 19th.

22. (ABSOLUTE) LANDSCAPING (22/A):

General Statement: The Town hereby finds that it is in the public interest for all developments to provide landscape improvements for the purposes of; complimenting the natural landscape and retaining the sense of a mountain environment; improving the general appearance of the community and enhancing its aesthetic appeal; preserving the economic base; improving the quality of life; delineating and separating use areas; increasing the safety, efficiency, and aesthetics of use areas and open space; screening and enhancing privacy; mitigating the adverse effects of climate, aspect, and elevations; conserving energy; abating erosion and stabilizing slopes; deadening sound; and preserving air and water quality.

To ensure that landscaping is provided and maintained, the following requirements for the installation, maintenance, and protection of landscaping areas are required to be met for every project issued a permit under this Chapter:

A. Maintenance:

(1) All plantings shall be maintained in a healthy and attractive condition. Maintenance shall include, but not be limited to, watering, fertilizing, weeding, cleaning, pruning, trimming, spraying, and cultivating.

(2) Properties shall be kept free of noxious weeds as designated in the Town's Noxious Weed Management Plan as updated from time to time..

(23) Landscaping structural features such as fencing, planter boxes, etc., shall be maintained in a sound structural and attractive condition.

(4) Mountain Pine Beetle infested trees shall be cut as close to the ground as possible and chipped, or removed from the property and disposed of properly, so as not to spread infestation to other properties prior to Beetle flight (approximately June 30th) on an annual basis.

(5) Properties shall be kept free of leaf clutter and dead standing trees. Dead branches on living trees shall be trimmed to a minimum height of six-feet (6') and a maximum height height of ten-feet above ground level.

(36) Whenever plants are removed or die, they shall be replaced by planting materials as soon as possible that meet the original intent of the approved landscaping design. Mountain Pine Beetle infested trees shall be replaced in a reasonable manner to provide buffer between properties for privacy and to screen properties from public right of ways.

B. Requirements:

(1) All open industrial or commercial storage areas shall be screened from all public rights of way or adjacent property by use of landscaping, berms, or a combination of landscaping and other structural features to a height of six feet (6') minimum.

(2) When a parking lot and public right of way are contiguous, a landscaped area a minimum of five feet (5') in width, separating the parking lot from the right of way, and which also effectively screens the lot shall be provided.

(3) Any site contiguous to or facing any other residential uses or future residential uses shall screen its parking lots, loading docks, or similar uses through the use of landscaping elements to a height of four feet (4').

(4) All surface areas designed on the approved landscaping plan that will not be a hard surface shall be planted with adequate ground cover as approved by the Town and shall be top-dressed with a minimum of two inches (2") of top soil prior to planting. In addition, irrigation systems shall be provided in those instances where required to guarantee the proper growth of the landscaping being provided.

(5) Not less than six percent (6%) of the interior areas of all parking lots and drive-in establishments shall be placed in landscaping.

(6) Water features shall not be permitted outside of disturbance envelopes, nor shall they be permitted on properties that do not have platted disturbance envelopes when the construction of said feature results in the removal of existing trees that provide required site buffers. Water features constructed within disturbance envelopes shall not negatively impact site buffers.

(67) At least fifty percent (50%) of all tree stock shall be of a size equal to or greater than six feet (6') in height and ~~one and one-half three-quarters inch ($\frac{3}{4}$ "~~ (1 1/2") caliper measured six inches (6") above ground level. Said tree shall be in a minimum of five (5) gallon containers, if container stock; or a minimum of twelve inch (12") root spread, if bare root stock; or a minimum of fourteen inch (14") ball diameter if balled and burlapped with the ball depth not less than seventy five percent (75%) of diameter or three-quarters ($\frac{3}{4}$) of width. Size adjustments which reflect the growth habits of particular species may be made at the discretion of the Town.

(78) At least fifty percent (50%) of all shrub stock shall be of a size equal to or greater than Type 2, four (4) cans or more, two feet (2') and up, if deciduous; Type 1, twelve inch (12") spread, if creeping or prostrate

evergreens; or Type 2, twelve inch (12") spread and height, if semi-spreading evergreens. Size adjustments which reflect the growth habits of a particular species may be made at the discretion of the Town.

(89) All plant materials shall be specified and provided according to the American Standard for Nursery Stock and adapted to a high alpine environment, or an elevation of at least 9,600 feet. Additional information beyond the minimum requirements stated therein which provide a more definitive indication of size, quality, shape, confirmation, condition, and/or the method of transplanting is encouraged.

(910) Large trees shall be staked as per American Nursery Standards. (Ord. 19, Series 1988)

22. (RELATIVE) LANDSCAPING (22/R):

4x(-2/+2)

A. All developments are strongly encouraged to make landscaping improvements which contribute to the objective of providing a more beautiful, safe, and environmentally sound community. To meet this goal, all projects will be evaluated on how well they implement the following suggested criteria:

(1) It is encouraged that at least one tree a minimum of eight-foot (8') six feet (6') in height, or three inch (3") caliper be planted at least every fifteen feet (15') along public rights of way.

(2) It is encouraged that all landscaping areas have a minimum dimension of five feet (5').

(3) Development permits should identify and preserve specimen trees, significant tree stands, and tree clusters. Trees considered as highest priority for preservation are those that are disease-free, have a full form, and are effective in softening building heights and creating natural buffers. Buildings shall be placed in locations that result in adequate setbacks to preserve these priority trees. Measures shall be taken to prevent site work around these tree areas. Applicants are encouraged to seek professional advise on these issues ~~ds~~ from experts in the field.

(4) Selective tree cutting/thinning to maintain the health of the tree stand, provide solar access and views, or to allow for customized landscaping, is appropriate, provided that an effective buffer of vegetation is maintained to help blend the development into the site. Clustering trees and creating natural openings is preferred over randomly leaving single trees

throughout the site.

(5) The creation of defensible space around structures is strongly encouraged. Zone 1 extends 15-feet from the edge of structures or eaves. Zone 1 should be removed of all flammable vegetation. Zone 2 is generally 75 to 125 feet from the structure. Vegetation in Zone 2 should be thinned to remove dead and diseased trees first and then healthy trees to provide approximately ten-feet between crowns. Zones 1 and 2 should be planted with fire-wise plant materials as specified in the Town of Breckenridge Landscaping Guide to maintain site buffers. Zone 3 is of no particular size and extends from the edge of Zone 2 to the property boundary. This area should remove dead and diseased trees. (Insert sketch of Zones.)

(65) It is encouraged that the landscaping materials utilized are those species that are appropriate for the high alpine altitude climate found in Breckenridge. The Town of Breckenridge Landscaping Guide shall be used to evaluate this particular criteria.

(76) Installation, use and maintenance of irrigation systems to insure survival of landscaping in the long-term is strongly encouraged.

(87) Revegetation measures, including but not limited to, seeding, netting, mulching, and irrigation for disturbed areas and cut/fill slopes are strongly encouraged. Cut and fill slopes should not exceed a 2:1 gradient.

(98) It is encouraged that the landscaping materials utilized are those species that need little additional water to survive, or that the applicants provide for an irrigation system that is based on the recycling of water.

(109) It is encouraged that wheel retention devices be utilized for parking areas adjacent to landscaping in those instances where the devices will not interfere with propose snow plowing operations.

(1140) It is encouraged that plant materials be provided in sufficient quantity, of acceptable species, and placed in such arrangement so as to create a landscape which is appropriate to the Breckenridge setting and which subscribes to the Historic District Guidelines.

(1244) It is encouraged that the remaining fifty percent (50%) of the tree stock include a variety of larger sizes ranging up to the largest sizes for each species which are possible according to accepted landscaping practices which recognize the Breckenridge environment, transplant feasibility, and plant material availability. Interrelationships of height, caliper, container size and shape shall be in general compliance with the American standard for nursery stock.

(1342) It is encouraged that the remaining fifty percent (50%) of the shrub stock include a variety of larger sizes ranging up to the largest sizes for each species which are possible according to accepted landscaping practices which recognize the Breckenridge environment, transplant feasibility, and plant material availability. Interrelationships of height, caliper, container size, root spread, and ball size and shape shall be in general compliance with the American standard for nursery stock.

(1443) It is encouraged that landscaping be provided in a sufficient variety of species to ensure the continued appeal of a project in those instances where a particular species is killed through disease.

(1544) It is encouraged that at least fifty percent (50%) of the area of a project that is not being utilized for buildings or other impervious surfaces shall be kept in a natural state, or if not naturally forested, that it be planted with landscaping materials other than ground cover such as trees and shrubs.

(1645) It is encouraged that all planting materials proposed for areas also designated as snow stacking areas be of a size or type that will not be adversely affected by the proposed snow storage.

(1746) In all areas where grading and tree removal is a concern, planting of new landscaping materials beyond the requirements of policy 22 "Landscaping" of this policy is strongly encouraged. New trees and landscaping should be concentrated where they will have the greatest effect on softening disturbed areas and buffering off site views of the property. (Ord. 19, Series 1995)

Defensible Space Management Zones

Zone 1 is the area of maximum modification and treatment. It consists of an area of 15 feet around the structure in which all flammable vegetation is removed. This 15 feet is measured from the outside edge of the home's eaves and any attached structures, such as decks.

Zone 2 is an area of fuel reduction. It is a transitional area between Zones 1 and 3. The size of Zone 2 depends on the slope of the ground where the structure is built. Typically, the defensible space should extend *at least* 75 to 125 feet from the structure. See Figure 2 for the appropriate distance for your home's defensible space. Within this zone, the continuity and arrangement of vegetation is modified. Remove stressed, diseased, dead or dying trees and shrubs. Thin and prune the remaining larger trees and shrubs. Be sure to extend thinning along either side of your driveway all the way to your main access road. These actions help eliminate the continuous fuel surrounding a structure while enhancing homesite safety and the aesthetics of the property.

Zone 3 is an area of traditional forest management and is of no particular size. It extends from the edge of your defensible space to your property boundaries.

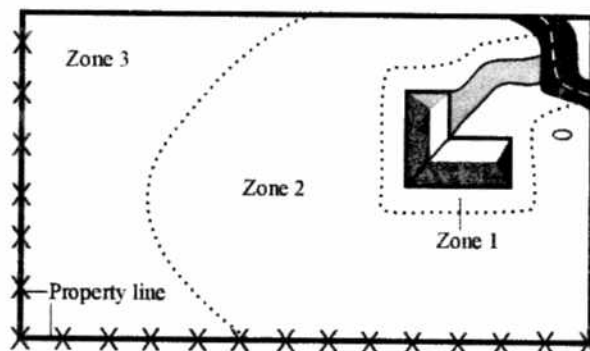


Figure 1: Forested property showing the three fire-defensible zones around a home or other structure.