

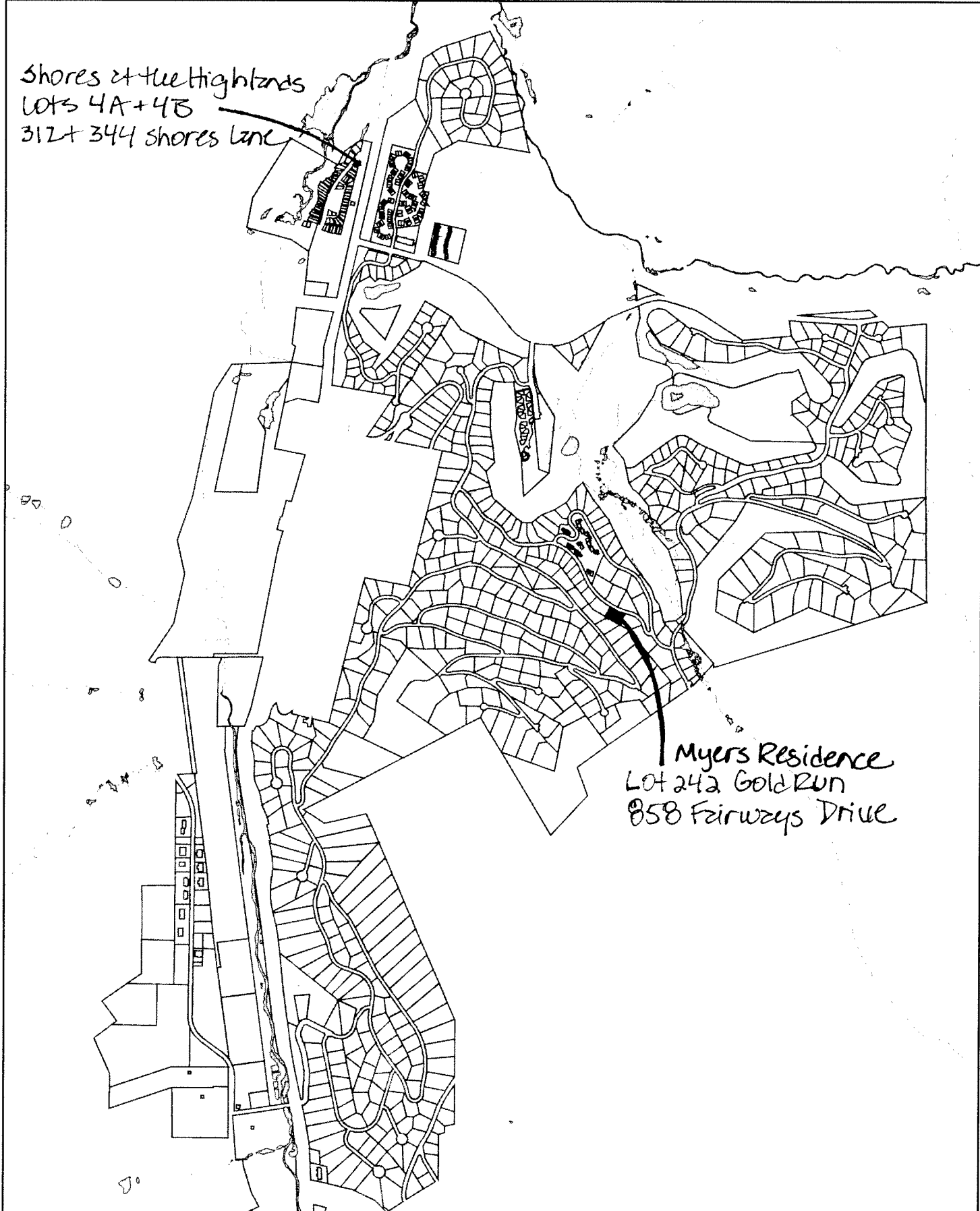
Town of Breckenridge
Planning Commission Agenda

Tuesday, January 15, 2008
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the January 15, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes January 3, 2008 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Shores at the Highlands Duplex, Lots 4A & 4B (MM) PC#2008001 312 & 344 Shores Lane	10
	2. Lot 2, Sunbeam Estates (MGT) PC#2007156 100 Klack Road	16
	3. Myers Residence (CK) PC#2008004 858 Fairways Drive	26
7:30	<i>Final Hearings</i>	
	1. Shock Hill Tract E (CN) PC#2007108 260 Shock Hill Drive	31
	2. Shock Hill Tract C (CN) PC#2007109 200 Shock Hill Drive	61
9:30	<i>Preliminary Hearings</i>	
	1. Hastings Residence (MGT) PC#2008002 102 South Harris Street	97
	2. Lot 1, Block 7, Yingling and Mickles (MGT) PC#2008003 100 South Harris Street	113
10:45	<i>Town Council Report</i>	
10:55	<i>Other Matters</i>	
11:00	<i>Adjournment</i>	

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

**The indicated times are intended only to be used as guides. The order of projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.*



Shores at the Highlands
LOTS 4A+4B
312+344 Shores Lane

Myers Residence
Lot 242 Gold Run
858 Fairways Drive

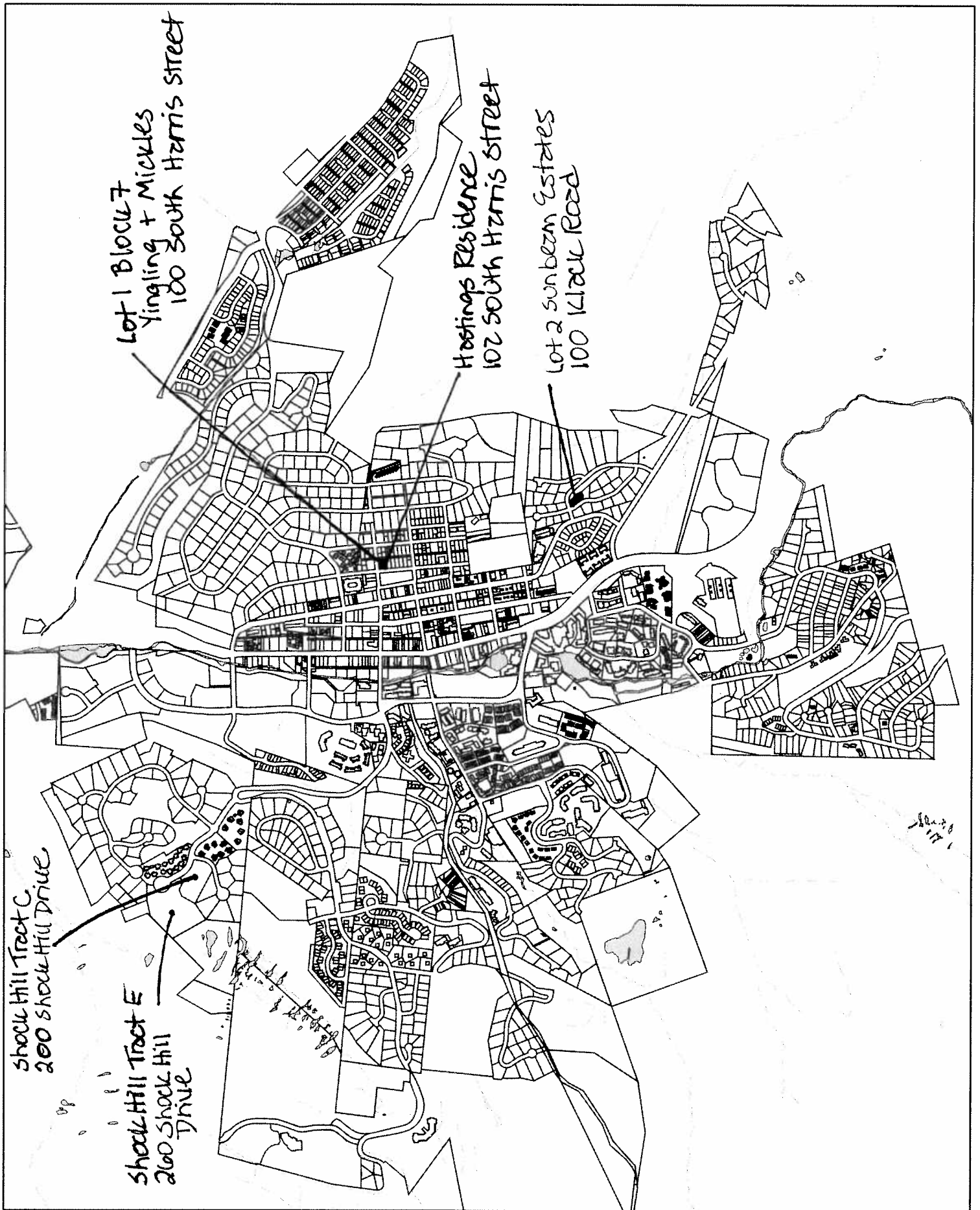


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Breckenridge North

printed 2007

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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

THE MEETING WAS CALLED TO ORDER AT 7:01 P.M.

ROLL CALL

Michael Bertaux
Peter Joyce

John Warner
Mike Khavari

Rodney Allen

Sean McAllister arrived at 7:16 PM
Dave Pringle was absent

APPROVAL OF MINUTES

With no changes, the minutes of the December 4, 2007 Planning Commission meeting were approved unanimously (3-0). Mr. Allen and Dr. Warner abstained (as they were not present for the December 4, 2007 meeting). Mr. McAllister was absent.

APPROVAL OF AGENDA

With no changes, the agenda for the January 3, 2008 Planning Commission meeting was approved unanimously (5-0). Mr. McAllister was absent.

There will be no Town Council report since Dr. Warner did not attend the last Town Council meeting.

CONSENT CALENDAR

1. Lemis Residence (MGT) PC#2007151; 174 Long Ridge Drive
2. Barnert Residence (MGT) PC#2007152; 750 Preston Way
3. Shores at the Highlands Duplex, Lots 27A&B (MM) PC#2007149; 229 & 239 Shores Lane
4. Shores at the Highlands Duplex, Lots 23A&B (MM) PC#2007150; 149 & 165 Shores Lane
5. Miner's Candle Remodel (CK) PC#2007153; 106 Broken Lance Drive

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

Mr. Mosher noted, with regard to items number 3 and 4, that staff has been attentive during the review process in order to assure that adjacent units throughout the Shores at the Highlands duplexes development are being designed and placed in such a way as to avoid any two similar unit plans from being located adjacent to each other.

COMBINED HEARINGS:

1. Greenberg Residence Permit Renewal (MM) PC#2007154; 305 North French Street

Mr. Mosher presented a proposal to renew the previously approved application to remove the existing house at 305 North French Street and build a new 3,066 square foot single-family residence with a separate 999 square foot accessory apartment. The main house would have four bedrooms, four and one half bathrooms, and two gas fireplaces. The accessory apartment would have two bedrooms, two bathrooms and one gas fireplace. A total of six cars can be parked on the property. Exterior materials include painted wood siding with a four-inch reveal, wood window trim, 2X corner trim, and 6X6 wood posts. An architectural grade asphaltic shingle roof was proposed on both buildings.

Marc Hogan, Agent: Thanked the staff and was willing to answer any questions from the Commission.

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

Commissioner Questions/Comments:

Dr. Warner expressed concerns about assigning negative points for the building height overage without identifying this issue with regard to Policy 8/A, Ridgeline and Hillside Development. Sought clarification regarding the points assigned for height. Struggled with going from a one-story building (existing) to a two and one half (as viewed from Main Street) with the application with only an assigned negative two (-2) points under Policy 6/R, Building Height. Believes the two policies have common issues. (Mr. Mosher explained that the assignment of points did not tie between two separate policies. Each policy must stand on its own and be mitigated for a passing score. Additionally,

Policy 8 is an Absolute policy; the application either fails or passes. There was no assignment of points under Policy 8. Staff understood Dr. Warner’s concerns, but noted that the historic settlement pattern had placed homes along this ridge in the Historic District and believed this design standard was important enough to allow the placement of the new home at the top of the hill, similar to the neighboring historic properties. Also noted that the historically compliant homes along this block were typically one and one-half stories. Staff believed that the added landscaping up the hillside had adequately mitigated the impacts of the placement of the home. Additionally, the applicant will be placing dark-sky compliant lighting throughout the development. Noted that a specific finding could be added to the Findings and Conditions to identify this site as being unique for placement of the home.)

- Mr. McAllister: Supported the project, but would prefer to see additional language regarding the ridgeline issue in the Findings.
Final Comments: Didn’t object to the point analysis and agreed with staff recommendations.
- Mr. Joyce: Supported the project and feels this is a “hump-line” and not a ridgeline development.
Final Comments: Approved project and believed that a special Finding was not necessary
- Mr. Bertaux: Asked the Applicant if the unique (canted in plan) garage was still on site. (Mr. Hogan - Yes.)
Final Comments: Supported the development and didn’t feel the ridge line code applied to French Street. No special Finding was necessary.
- Mr. Allen: Felt this development was on a ridgeline and concerned about the impacts of the northwest view. Believed that this application didn’t meet policy 8/A on the west elevation and should fail.. (Mr. Mosher noted that in order to have this concern affect the final vote, you must make a motion to change the Point Analysis and have a majority vote. At the final tally, all Commissioners must agree with the point analysis. The minutes and the tape recording will reflect your concerns if the motion does not pass.)
Final Comments: Supported the application as presented, but wanted the issues regarding Policy 8/A addressed in the minutes.
- Dr. Warner: Final Comments: Still had concern about the view from Main Street. Wanted to be cautious about unintended consequences. Supported the project. Not having a Finding would be OK if addressed as precedent and noted in minutes.
- Mr. Khavari: Felt staff addressed the ridgeline issue brought up by Dr. Warner and that it had been mitigated.
Final Comments: Supported the project and was not concerned about the ridgeline issue in this case. No need for a Finding.

Mr. Bertaux made a motion to approve the Greenberg Residence Permit Renewal, PC#2007154, 305 North French Street, by supporting the Point Analysis and the attached Findings and Conditions. Mr. Joyce seconded, and the motion was approved unanimously (6-0).

TOWN COUNCIL REPORT

None

OTHER MATTERS:

Staff and the Commission briefly discussed the process for a Commissioner to dissent to an application. If there is a passing point analysis, all Commissioners must vote in favor of the application. However, prior to a vote to approve or deny an application, a Commissioner may motion to change the point analysis (either to change the amount of points assigned to a policy, or to change an Absolute policy from a pass to fail). This motion should happen at each final hearing prior to other motions. However, if there are no motions to change the point analysis, and the project is passing the point analysis, all Commissioners must vote in favor of approval.

There was some discussion that this system always results in a unanimous vote, and that the dissention is not recorded. Staff indicated that the dissention must be on the point analysis, but once the point analysis is finalized, all Commissioners must agree.

ADJOURNMENT:

The meeting was adjourned 7:35 p.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 January 11, 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 January 15, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on July 21, 2009, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

7. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement.
8. Applicant shall field locate utility service lines to avoid existing trees.
9. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
10. At no time shall site disturbance extend beyond the limits of the platted building/site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
11. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
12. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall submit proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
16. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
17. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
18. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
20. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is

installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.

21. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
22. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

23. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
25. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
26. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that

the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney.

32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
34. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)



Class C Development Review Check List

Project Name/PC#: Shores Duplex - Lots 4A and B, 312 and 344 Shores Lane PC#2008001

Project Manager: Michael Mosher

Date of Report: January 2, 2008 For the January 16, 2008 Planning Commission Meeting

Applicant/Owner: AZCO, John Niemi

Agent: Suzanne Allen Guerra Design Build, Erica Swissler

Proposed Use: Duplex

Address: 312 and 344 Shores Lane

Legal Description: Tract A, Lots 4A and 4 B, Shores at the Highlands (Pending re-subdivision)

Site Area: 280,962 SF ~6.45 acres

Land Use District (2A/2R): 6, Highlands at Breckenridge, Subject to the Shores at the Highlands Master Plan.

Existing Site Conditions: The property is currently being re-graded and capped from previously disturbed cobble from the Stan Miller Inc. operations and previous Dredge mining. There is no vegetation on the property. The Shores Lane right of way is being constructed at the time of this writing.

Lot 4A / 312 Shores Lane

Density (3A/3R):	Unlimited	Proposed: 2,419 sq. ft.
Mass (4R):	Unlimited	Proposed: 3,058 sq. ft.
F.A.R.:	1:91.88 FAR	Over entire site.
Areas:		
Main Level:	1,304 sq. ft.	
Upper Level:	1,115 sq. ft.	
Garage:	639 sq. ft.	
Total:	3,058 sq. ft.	
Bedrooms:	4 Bedrooms	
Bathrooms:	3.5 Bathrooms	

Lot 4B / 344 Shores Lane

Density (3A/3R):	Unlimited	Proposed: 2,575 sq. ft.
Mass (4R):	Unlimited	Proposed: 3,199 sq. ft.
F.A.R.:	1:87.83 FAR	Over entire site.
Areas:		
Main Level:	1,646 sq. ft.	
Upper Level:	929 sq. ft.	
Garage:	624 sq. ft.	
Total:	3,199 sq. ft.	
Bedrooms:	3 Bedrooms	
Bathrooms:	3.5 Bathrooms	

Totals

Total Density: 4,994.0 SF

Total Mass: 6,257.0 SF

Height (6A/6R): 30'-max per Mst Pln 27.58 feet overall

Lot Coverage/Open Space (21R):

Building / non-Permeable: 5,961 sq. ft.	2.12%
Hard Surface / non-Permeable: 1,462 sq. ft.	0.52%
Open Space / Permeable: 273,539 sq. ft.	97.36%

Parking (18A/18/R):

Required: 4 spaces	
Proposed: 4 spaces	Extra Space in Driveways

Snowstack (13A/13R):

Required: 366 sq. ft. (25% of paved surfaces)
Proposed: 420 sq. ft. (28.73% of paved surfaces)

Fireplaces (30A/30R): 2 EPA Phase II Rated Wood-burning
3 Gas-fired

Building/Disturbance Envelope? Footprint Lots Pending re-subdivision

Separation between neighboring Buildings

Front: N/A No neighboring buildings yet
Side: N/A No neighboring buildings yet
Side: N/A No neighboring buildings yet
Rear: N/A No neighboring buildings yet

Architectural Compatibility (5/A & 5/R): The overall massing of the duplex has been broken up nicely and the roof forms are also broken up with multiple gables and shed elements. The two sides of the duplex are totally different in massing (not mirrored) and access to the garages are taken from the rear of the building with the driveways being shared with the neighboring units. All proposed materials are to be natural and the proposed colors are all earth tone. Staff has no concerns with the architecture.

Exterior Materials: Natural cedar siding, pre-weathered dull-gray zinc wainscot (less than 25% of each elevation); natural moss-rock wainscot.. A material and color sample board will be available for review at the meeting.

Roof: Architectural grade asphaltic shingle roof

Garage Doors: Wood

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	12	8@ 8-10 feet tall and 10 @ 12 feet tall
Aspen	20	1.5-2 inch caliper - 50% of each and 50% multi- stem
Shrubs and perennials	32	5 Gal.

Drainage (27A/27R): The site is relatively flat, and the existing grade is very permeable (Dredge tailings). Staff has no concerns.

Driveway Slope: 1.0 % Slope

Covenants: No restrictions

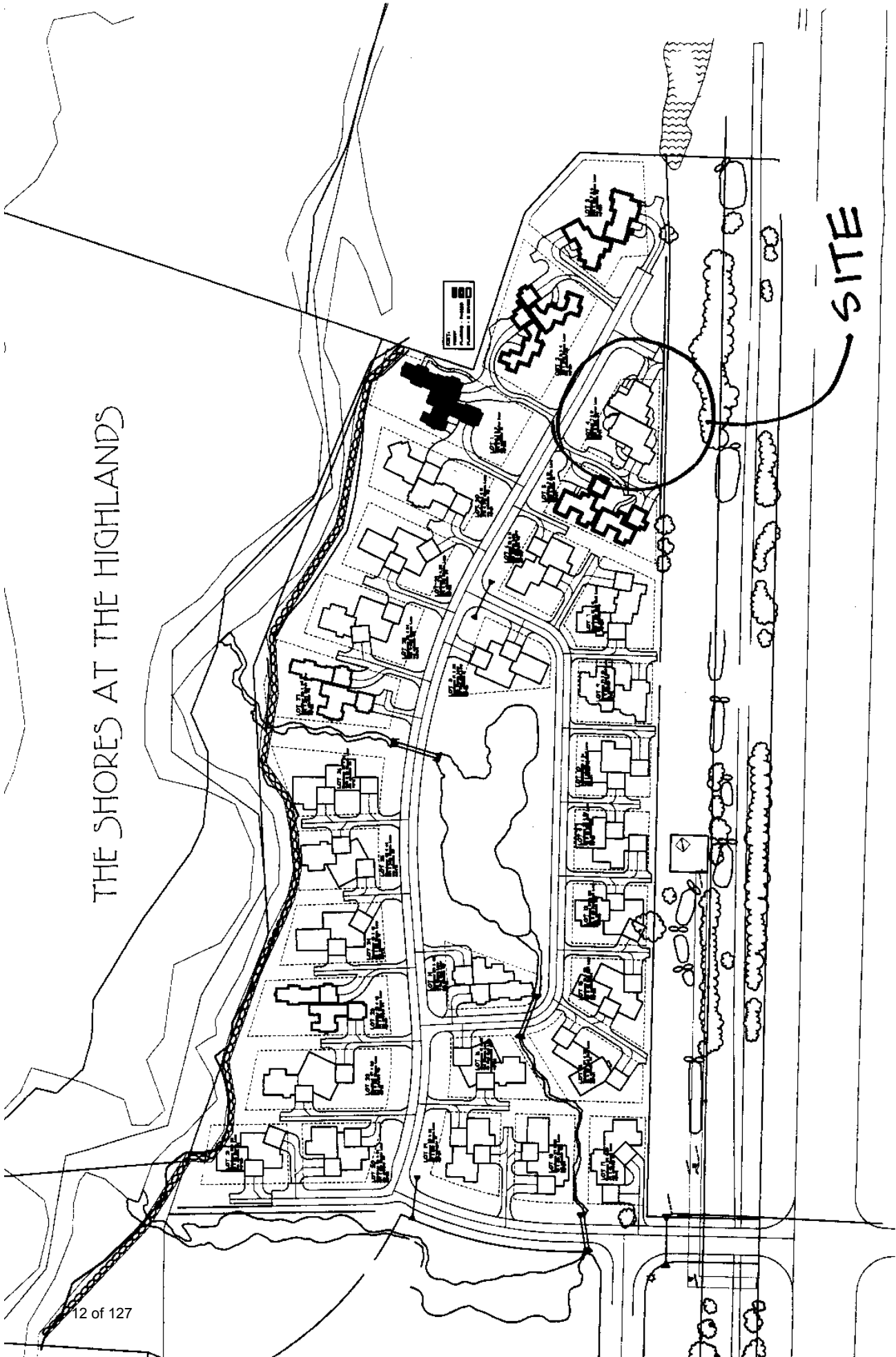
Point Analysis (Sec. 9-1-17-3): Staff has found that this application abides with all Absolute Policies in the Development Code and the Master Plan and has found that there are no negative or positive points incurred from any relative Policies in the Development Code.

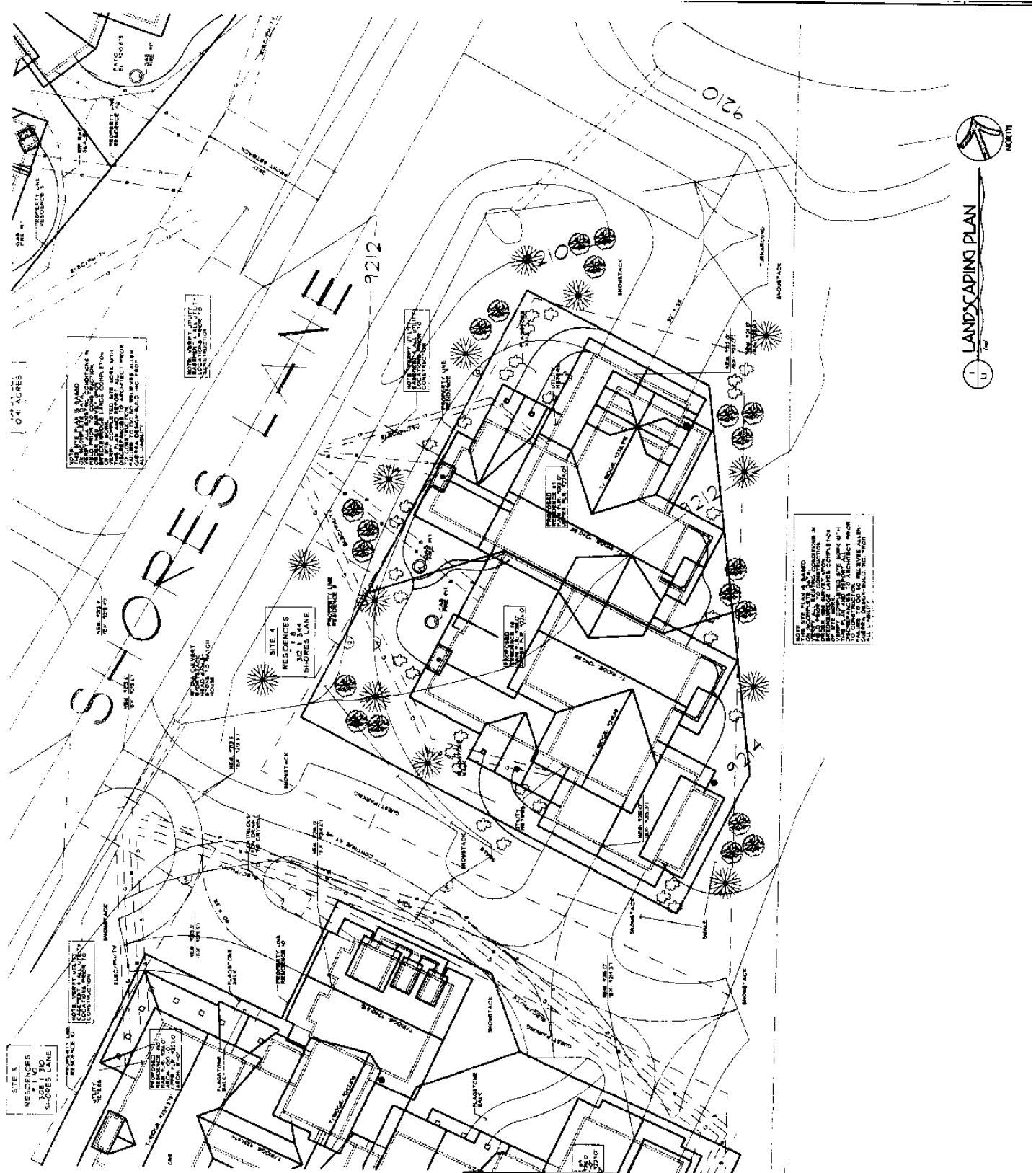
Staff Action: The Planning Department has approved the Shores at the Highlands Duplex Lots 23A & 23B (PC#2007150) with the attached Findings and Conditions.

Comments:

Additional Conditions of Approval: 14. A five-foot tall chain link fence shall be constructed on the property envelope line along the south, east, and north edges to contain site disturbance within the property. Any property abutting an existing or proposed riparian corridor or waterway must have approved sedimentation/run-off mitigation in place. The fence must remain in place until the Town grants the final Certificate of Occupancy.

THE SHORES AT THE HIGHLANDS





LANDSCAPING PLAN

SYMBOL	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE
	25	1 OAK NATIVE BARK		8" CAL.
	20	1 TREE		18" DBH @ 4.5'
	5	1 PINEA PRUNGER		18" DBH @ 4.5'

CONIFEROUS TREE PLANTING

CONIFEROUS TREES SHALL BE PLANTED AT THE FOLLOWING LOCATIONS:

- ALONG THE PERIMETER OF THE SITE
- ALONG THE PERIMETER OF THE BUILDING
- ALONG THE PERIMETER OF THE DRIVE
- ALONG THE PERIMETER OF THE LOT

DECIDUOUS TREE PLANTING

DECIDUOUS TREES SHALL BE PLANTED AT THE FOLLOWING LOCATIONS:

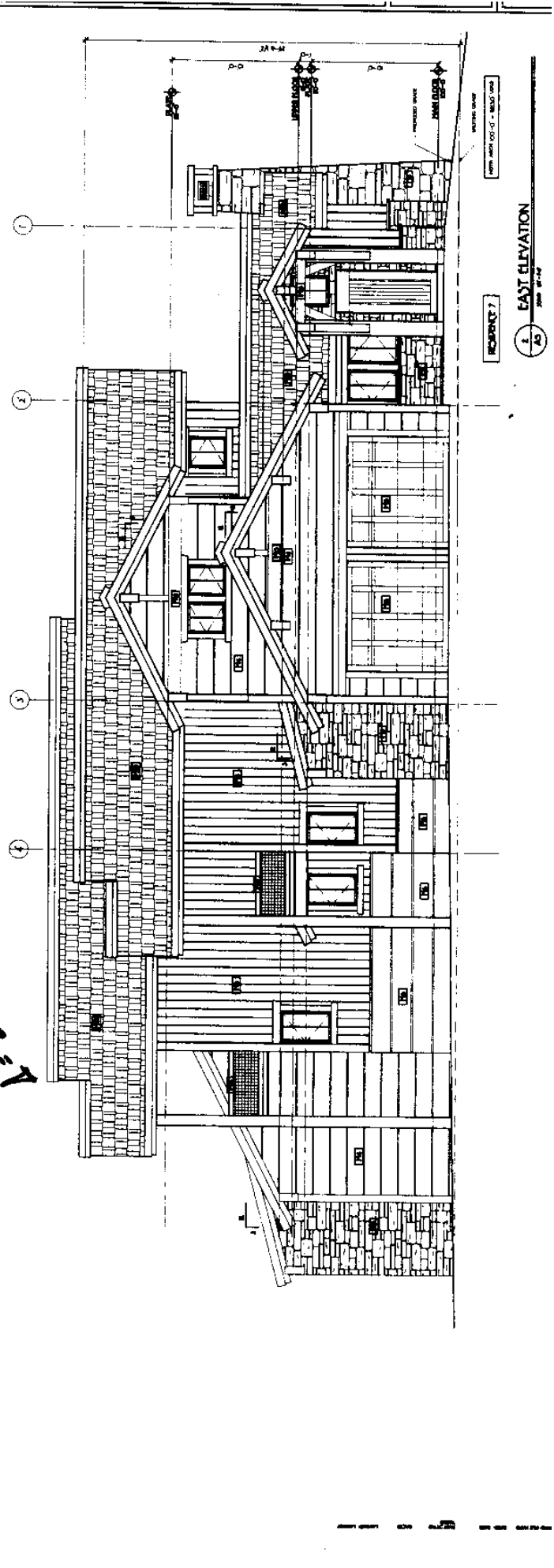
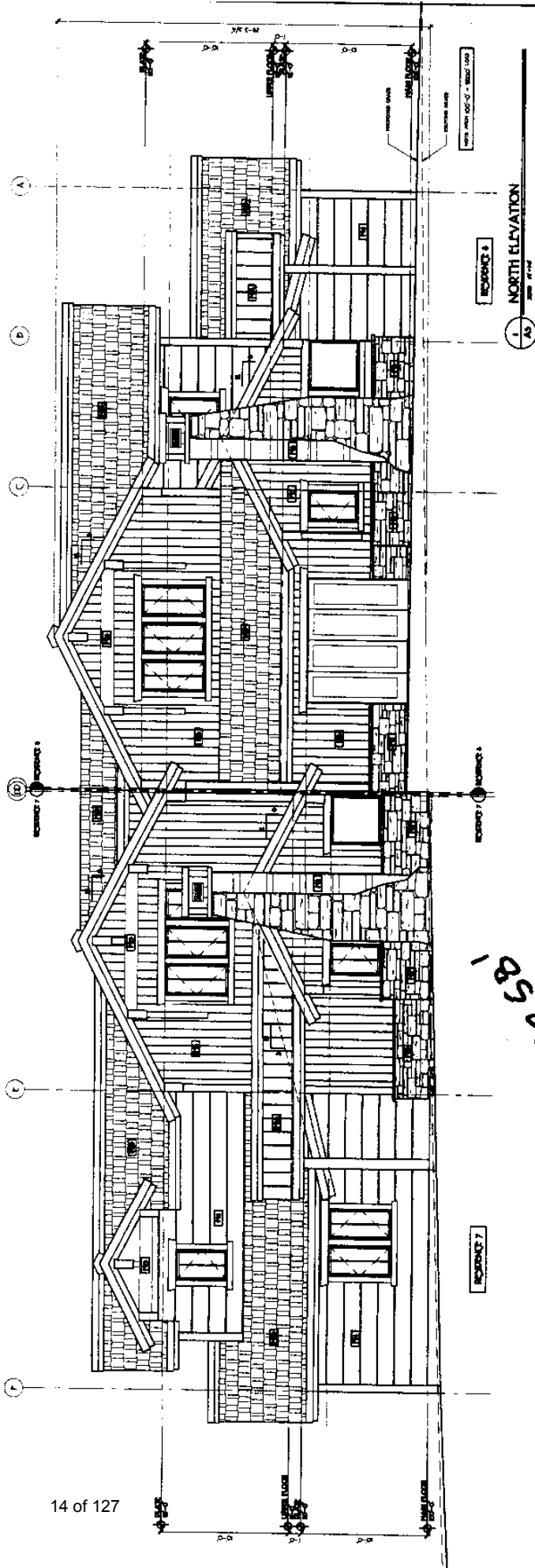
- ALONG THE PERIMETER OF THE SITE
- ALONG THE PERIMETER OF THE BUILDING
- ALONG THE PERIMETER OF THE DRIVE
- ALONG THE PERIMETER OF THE LOT

CONIFEROUS TREE PLANTING: 18" DBH @ 4.5' - 18" DBH @ 4.5'

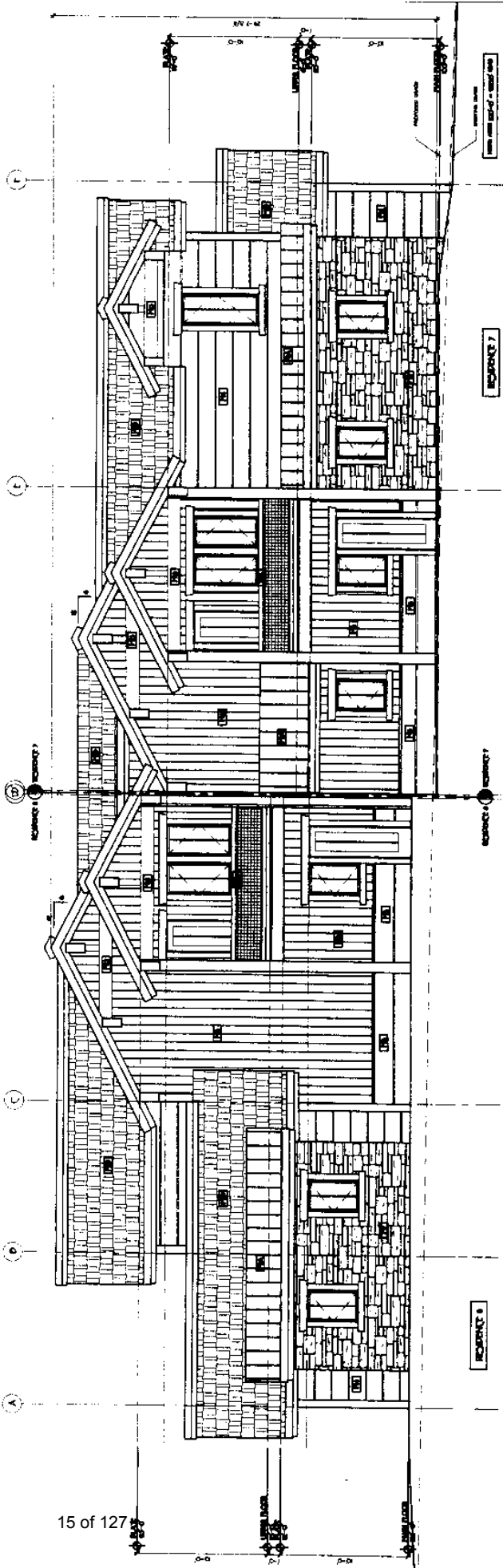
DECIDUOUS TREE PLANTING: 18" DBH @ 4.5' - 18" DBH @ 4.5'

CONIFEROUS TREE PLANTING: 18" DBH @ 4.5' - 18" DBH @ 4.5'

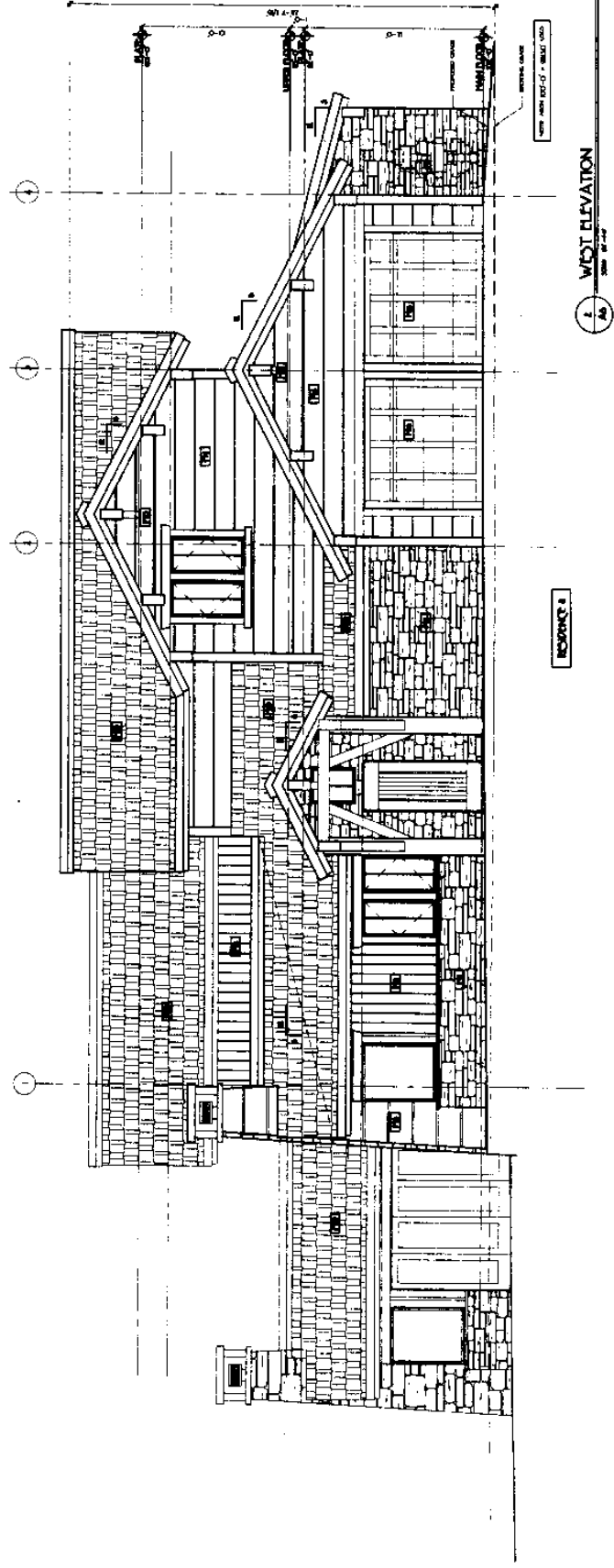
DECIDUOUS TREE PLANTING: 18" DBH @ 4.5' - 18" DBH @ 4.5'



A=27.581



1 SOUTH ELEVATION



2 WEST ELEVATION



Class C Development Review Check List

Project Name/PC#: Mathison Residence PC#2007156
Project Manager: Matt Thompson Planner II
Date of Report: January 10, 2008 for meeting of January 15, 2008
Applicant/Owner: Tony Mathison
Agent: Andy Stabile, 2B Design Build, Inc.
Proposed Use: New single family residence
Address: 100 Klack Road
Legal Description: Lot 2, Sunbeam Estates Subdivision
Site Area: 12,104 sq. ft. 0.28 acres
Land Use District (2A/2R): LUD 26 (4 UPA)
Existing Site Conditions: The site slopes downhill from the south to north at a rate of about 8% through part of the lot, but there is a small hill on the south side of the lot that is steeper. The north part of the lot has a sunken area, that collects water from the rest of the subdivision, before flowing through a culvert. There is no platted building envelope. There is a 5' snow stack easement along Klack Road, and an existing trail and split rail fence along the rear of the lot. The lot is moderately wooded with lodgepole pine trees.

Density (3A/3R): unlimited Proposed: 4,396 sq. ft.
Mass (4R): unlimited Proposed: 5,360 sq. ft.
F.A.R. 1:2.26 FAR
Areas:
Lower Level: 1,670 sq. ft.
Main Level: 2,356 sq. ft.
Upper Level: 370 sq. ft.
Accessory Apartment:
Garage: 964 sq. ft.
Total: 5,360 sq. ft.

Bedrooms: 4
Bathrooms: 5
Height (6A/6R): 34'5"
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 2,648 sq. ft. 21.88%
Hard Surface / non-Permeable: 1,586 sq. ft. 13.10%
Open Space / Permeable: 7,870 sq. ft. 65.02%

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

Snowstack (13A/13R):
Required: 397 sq. ft. (25% of paved surfaces)
Proposed: 450 sq. ft. (28.37% of paved surfaces)

Fireplaces (30A/30R): 3 gas; 1 EPA Phase II

Accessory Apartment: No

Building/Disturbance Envelope? No

Setbacks (9A/9R):
Front: 15 ft. Recommended setback is 25' (-3 points)

Side: 33 ft.
Side: 17 ft.
Rear: 15 ft.

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

Complies with Policy 5R. Home design and materials are compatible with surrounding homes in the subdivision.

Vertical 1x board on board with reclaimed barnboard; naturally weathered cedar shake shingle; horizontal 2x12 hand hewn pine with 1-2.5" chink joint reclaimed; (Metal?) faux painted "weathered" trim; "Brownstone drystack stone veneer base. "Weathered wood" asphalt composite shingles; "Rusted" standing seam metal roof.

Roof:

Garage Doors:

Wood

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	15	8@7'-10'; 7@10'-15'
Aspen	23	1.5"-4" caliper; 50% multi-stem
Shrubs and perennials	18	5 Gal.

Drainage (27A/27R):

There is positive drainage away from the structure.

Driveway Slope:

Covenants:

Landscape Covenant

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

Staff finds that the proposal meets all Absolute polices of the Development Code. Staff finds that negative three (-3) points are warranted under policy 9/R-Placement of Structures, for failing to meet one setback. We recommend positive four (+4) points under policy 22/R-Landscaping, for the large trees proposed. This results in a passing score of +1 point.

Staff Action:

Staff has approved the residence at 100 Klack Road, PC#2007156, Lot 2, Sunbeam Estates Subdivision, with the attached Findings and Conditions, and with a passing point analysis.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**100 Klack Road
Lot 2, Sunbeam Estates
PC#2007156**

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 January 10, 2007, 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 January 15, 2007 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 July 22, 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. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
11. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

12. Applicant shall submit proof of ownership of the project site.
13. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
14. 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.
15. 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.
16. 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.
17. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
18. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
19. Applicant shall 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.

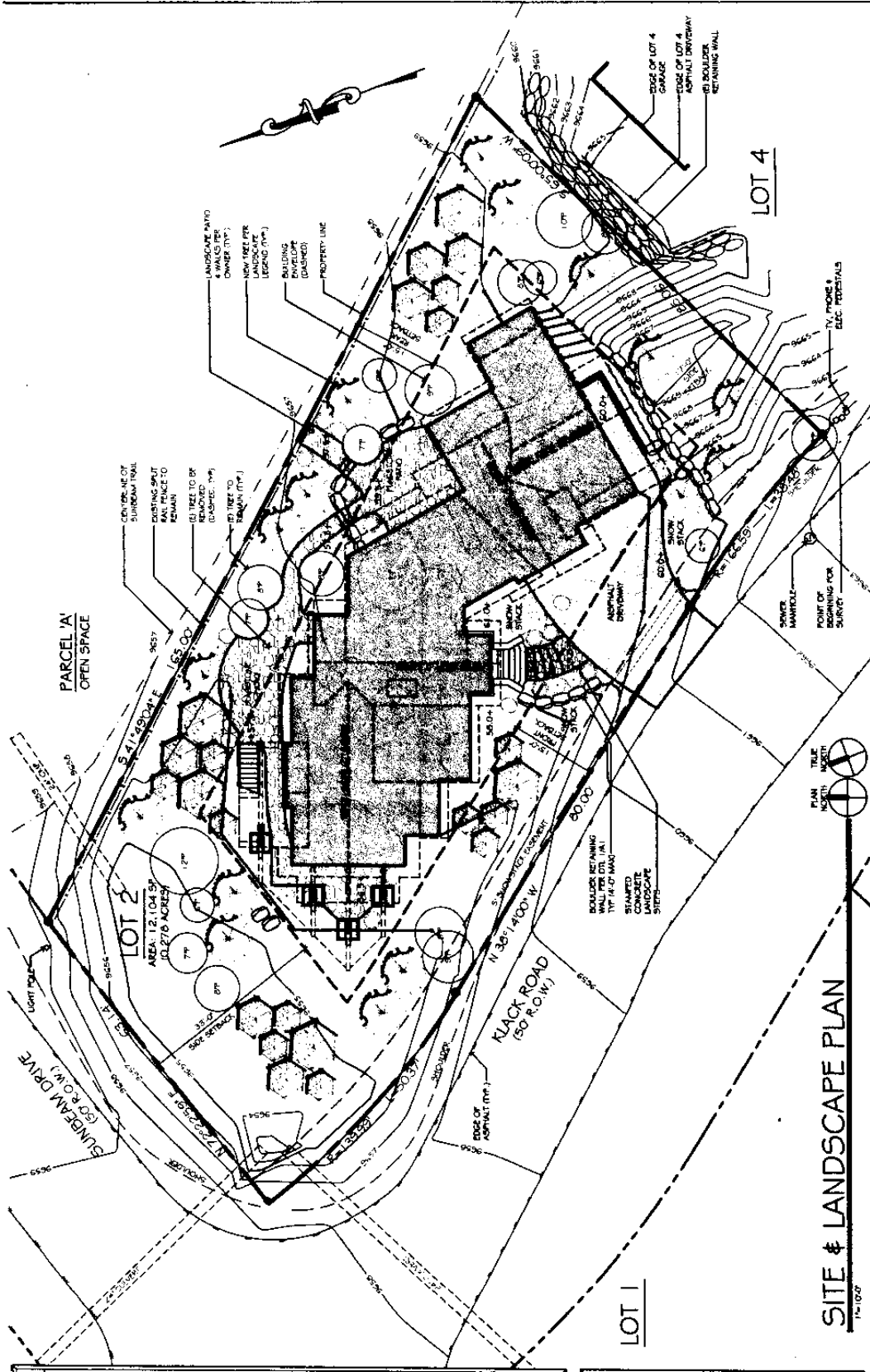
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

20. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.

21. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
22. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
23. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
24. Applicant shall screen all utilities.
25. 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.
26. 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.
27. 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.
28. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
29. 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.
30. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the

impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)



SITE & LANDSCAPE PLAN

1"=100'

AREA CALCULATIONS

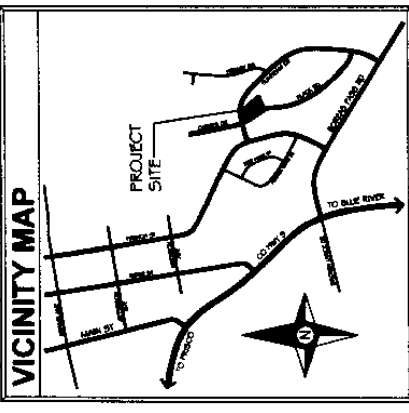
	FINISHED	UNFINISHED	TOTAL
LOWER	1,670 SF	964 SF	2,634 SF
MAIN	2,356 SF	0 SF	2,356 SF
UPPER	370 SF	0 SF	370 SF
TOTAL	4,396 SF	964 SF	5,360 SF

HEIGHT INDEX

LOWER LEVEL (ARCH: 100-07)	=USGS 9657.0'
GARAGE LEVEL (ARCH: 103-37)	=USGS 9660.25'
MAIN LEVEL (ARCH: 110-67)	=USGS 9667.5'
MASTER LEVEL (ARCH: 114-97)	=USGS 9671.75'
UPPER LEVEL (ARCH: 121-67)	=USGS 9676.5'
HIGHEST RIDGE (ARCH: 134-67)	=USGS 9691.5'

PROJECT TEAM

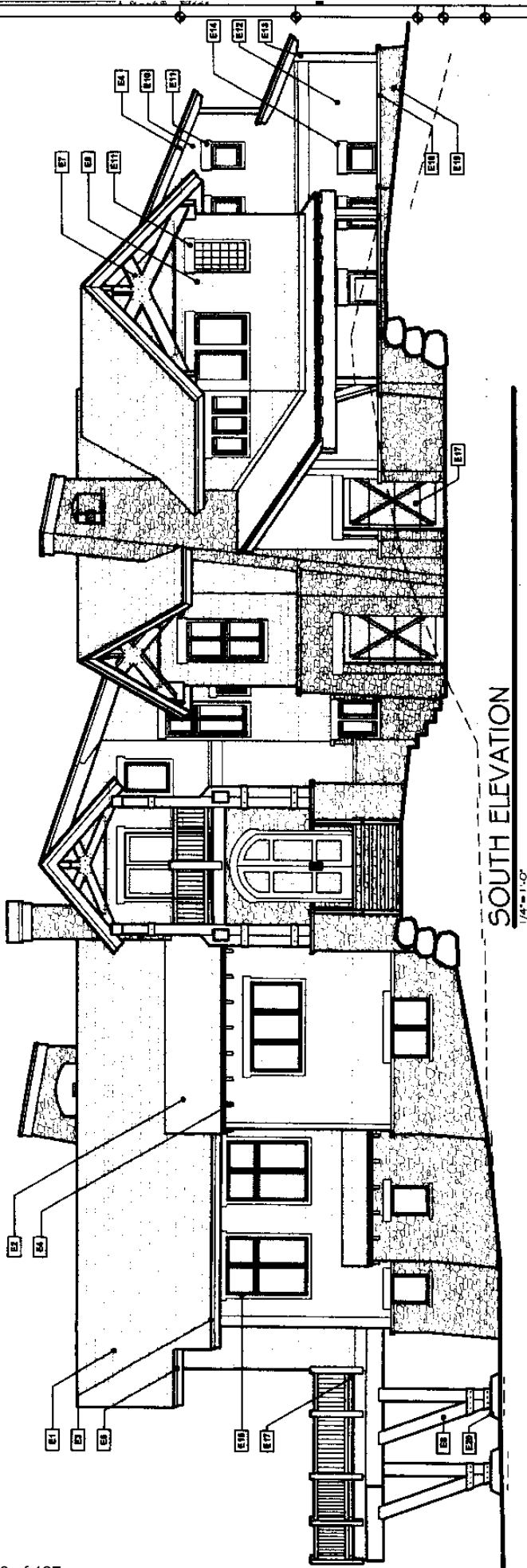
OWNER SUNSHINE BUILD LLC P.O. Box 4192 Breckenridge, CO 80424 (970) 376-1944 (970) 453-5932 fax	GENERAL CONTRACTOR TERRY MARRIOTT P.O. Box 6830 Breckenridge, CO 80424 (970) 369-4674
ARCHITECT SUNSHINE ARCHITECTURE P.O. Box 6830 Breckenridge, CO 80424 (970) 369-4674	SOILS ENGINEER WALTER O. SCHUELL, P.E. P.O. Box 1957 Dillon, CO 80435 (970) 453-9275



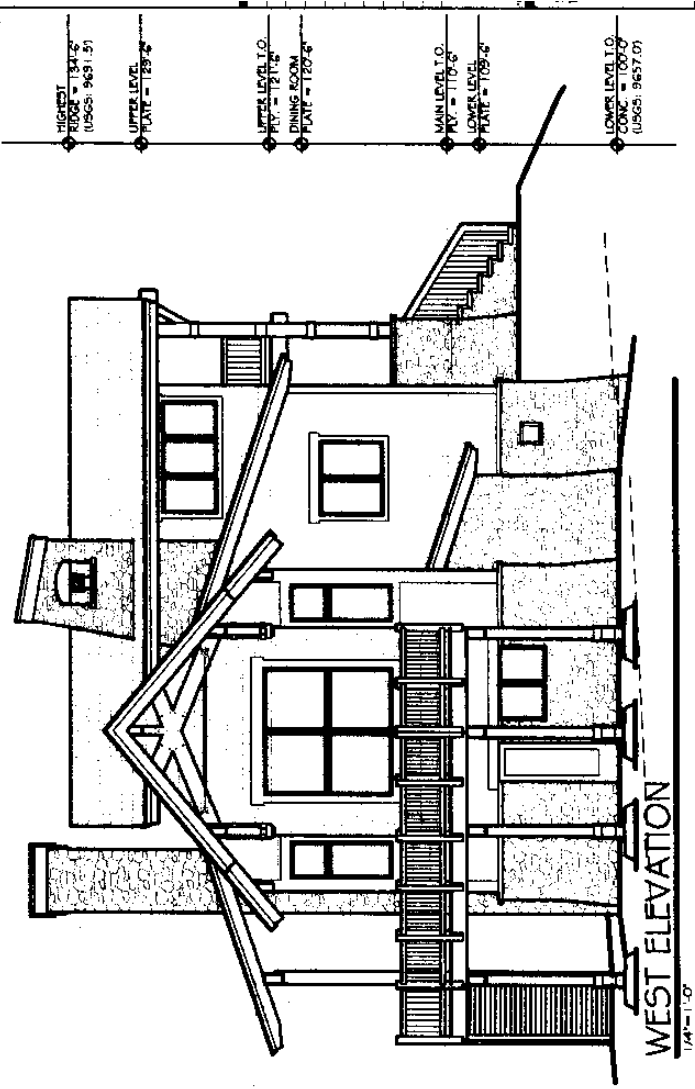
SHEET INDEX

A1	SITE & LANDSCAPE PLAN
A2	LOWER LEVEL FLOOR PLAN
A3	MAIN LEVEL FLOOR PLAN
A4	UPPER LEVEL FLOOR PLAN
A5	ROOF PLAN & NOTES
A6	SOUTH & WEST ELEVATIONS
A7	SOUTHEAST & SOUTHWEST ELEVATIONS
A8	NORTH & NORTHEAST ELEVATIONS

NOTE: IF THIS SET IS PRINTED ON PAPER SMALLER THAN 24"X36", IT MAY BE ENLARGED AND IS NOT TO SCALE.



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



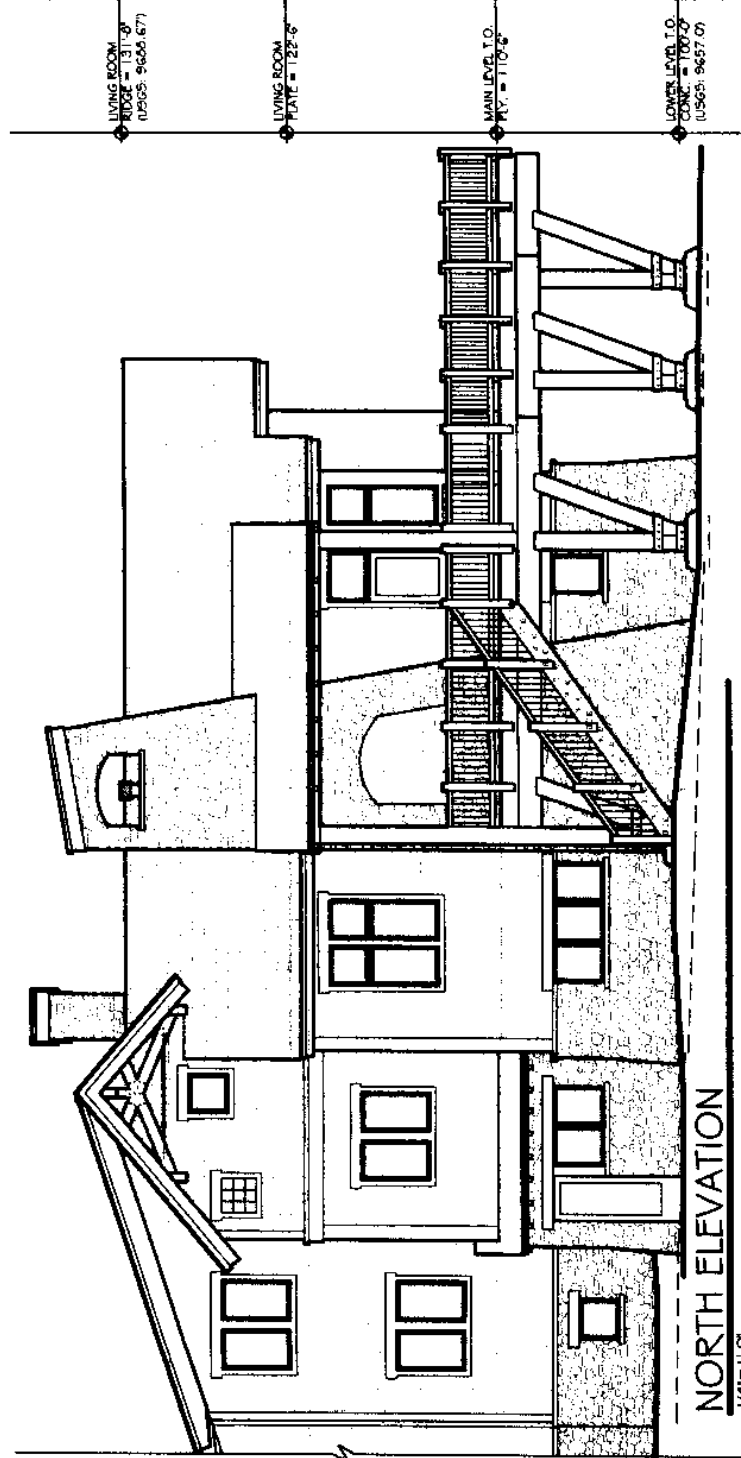
WEST ELEVATION
1/4" = 1'-0"

ITEM	MATERIAL	COLOR
E1	SHINGLE ROOF	WEATHERED WOOD
E2	COMPOSITE SHINGLES	WEATHERED WOOD
E3	1" STAINLESS STEEL	RUSTIC
E4	ALUMINUM	PAINTED
E5	3 1/2" DPM	PAINTED
E6	5" CEDAR	WEATHERED
E7	1/2" T&G CEDAR	PAINTED
E8	RECYCLED SWAIN CEDAR	WEATHERED
E9	W/CLIP ON STILE, GRAB	WEATHERED
E10	ROUGH SWAIN DPF	RECLAIMED
E11	EXPOSED BRACK	PAINTED
E12	SPRINKLE	WEATHERED
E13	SPRINKLE	WEATHERED
E14	SPRINKLE	NATURAL WEATHERED
E15	DOOR & WINDOW TRIM	RECLAIMED
E16	DOOR & WINDOW TRIM	PAINTED
E17	DOOR & WINDOW TRIM	WEATHERED
E18	DOOR & WINDOW TRIM	WEATHERED
E19	DOOR & WINDOW TRIM	WEATHERED
E20	DOOR & WINDOW TRIM	WEATHERED
E21	DOOR & WINDOW TRIM	WEATHERED
E22	DOOR & WINDOW TRIM	WEATHERED
E23	DOOR & WINDOW TRIM	WEATHERED
E24	DOOR & WINDOW TRIM	WEATHERED
E25	DOOR & WINDOW TRIM	WEATHERED
E26	DOOR & WINDOW TRIM	WEATHERED
E27	DOOR & WINDOW TRIM	WEATHERED
E28	DOOR & WINDOW TRIM	WEATHERED
E29	DOOR & WINDOW TRIM	WEATHERED

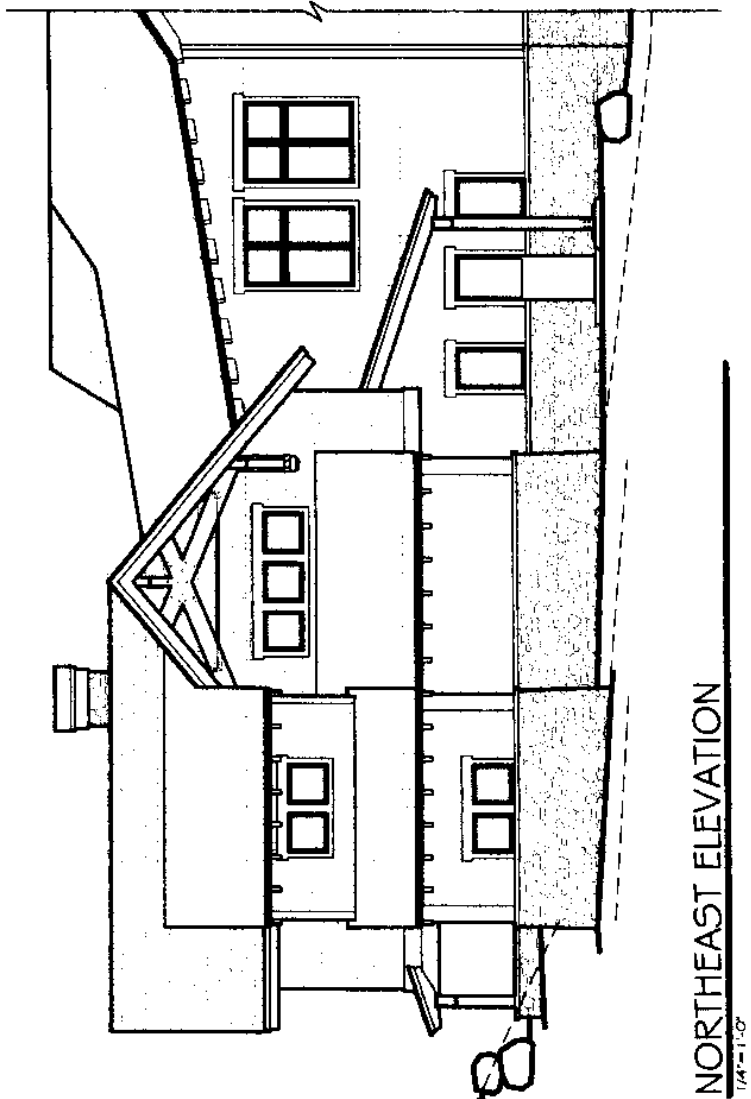
HIGHEST RIDGE = 134'-0" (USGS: 9651.51)
 LIVING ROOM RIDGE = 131'-0" (USGS: 9666.67)
 LIVING ROOM FLOOR = 122'-2" (USGS: 9651.51)
 MAIN LEVEL FLOOR = 110'-0" (USGS: 9651.51)
 LOWER LEVEL FLOOR = 100'-0" (USGS: 9657.07)

NOTES:

- ALL FLASHING UNITS, PAINT, ROOFING MECHANICAL EQUIPMENT, FLATLY BOUND AND SIMILAR ITEMS SHALL BE PAINTED TO MATCH ADJACENT PORTION OF BUILDING UNLESS OTHERWISE NOTED.
- TYPICAL SHIPWALL FLASHING, ICE & WATER SHIELD, 2" x 6" VERT. UP WALL WRAP AND 2" x 4" HORIZ. UP WALL FLASHING SHALL BE TYPICAL AT ALL CORNERS AND CONDITIONS.



- HIGHEST RIDGE = 131'-6" (USGS: 9606.51)
- UPPER JAVEL PLATE = 129'-6"
- UPPER LEVEL T.O. F.V. = 121'-6"
- MASTER LEVEL T.O. F.V. = 114'-9"
- MID ROOM T.O. F.V. = 103'-7 1/2"
- GARAGE LEVEL T.O. CONC. = 100'-3"
- LOWER LEVEL T.O. CONC. = 99'-9"
- LOWER LEVEL T.O. (USGS: 9657.01)



- MASTER BEDROOM RIDGE = 131'-6" (USGS: 9606.41)
- MASTER BATHROOM RIDGE = 131'-3" (USGS: 9606.25)
- MASTER BATHROOM PLATE = 123'-9"
- MASTER CLOSET PLATE = 122'-3"
- MASTER LEVEL T.O. F.V. = 114'-9"
- GARAGE FLOOR = 113'-9"
- MID ROOM T.O. F.V. = 103'-7 1/2"
- GARAGE LEVEL T.O. CONC. = 100'-3"
- LOWER LEVEL T.O. CONC. = 99'-9"
- LOWER LEVEL T.O. (USGS: 9657.01)



Class C Development Review Check List

Project Name/PC#: Myers Residence PC#2008004
Project Manager: Chris Kulick
Date of Report: January 7, 2008 For the January 15, 2008 Planning Commission Meeting
Applicant/Owner: Mike Myers
Agent: Frederico Valdez
Proposed Use: Single-Family Residence
Address: 858 Fairways Drive
Legal Description: Lot 242, Gold Run Subdivision
Site Area: 38,594 sq. ft. 0.89 acres
Land Use District (2A/2R):

Existing Site Conditions: 1: Residential (Subject to the Delaware Flats Master Plan)
 The lot slopes downhill from south to north at an average of 14%. The site is moderately covered with existing lodgepole pine and spruce trees. A 25' Utility easment runs north/south on the west side of the lot.

Density (3A/3R): Allowed: Unlimited Proposed: 4,376 sq. ft.
Mass (4R): Allowed: Unlimited Proposed: 5,102 sq. ft.
F.A.R.: 1:7.56 FAR
Areas:
Lower Level: 1,934 sq. ft.
Main Level: 2,442 sq. ft.
Upper Level:
Accessory Apartment:
Garage: 726 sq. ft.
Total: 5,102 sq. ft.

Bedrooms: 4
Bathrooms: 4.5
Height (6A/6R): 31 feet overall
 (Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 2,799 sq. ft. 7.25%
 Hard Surface / non-Permeable: 2,643 sq. ft. 6.85%
 Open Space / Permeable: 33,152 sq. ft. 85.90%

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

Snowstack (13A/13R):
 Required: 661 sq. ft. (25% of paved surfaces)
 Proposed: 771 sq. ft. (29.17% of paved surfaces)

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

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

Exterior Materials:

Dry stack rock base, 2x12 Spruce siding, Douglas Fir heavy timber trusses and pre-rusted corrugated metal accent siding.

Roof:

Asphalt Shingles with non-reflective standing seam metal accents

Garage Doors:

Wood Clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	7	6 feet tall
Aspen	10	2-2.5 inch caliper - 50% of each and 50% multi-stem
Shrubs and perennials	24	5 Gal.

Drainage (27A/27R):

Positive away from structure

Driveway Slope:

8% Max

Covenants:

Standard landscaping covenant.

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

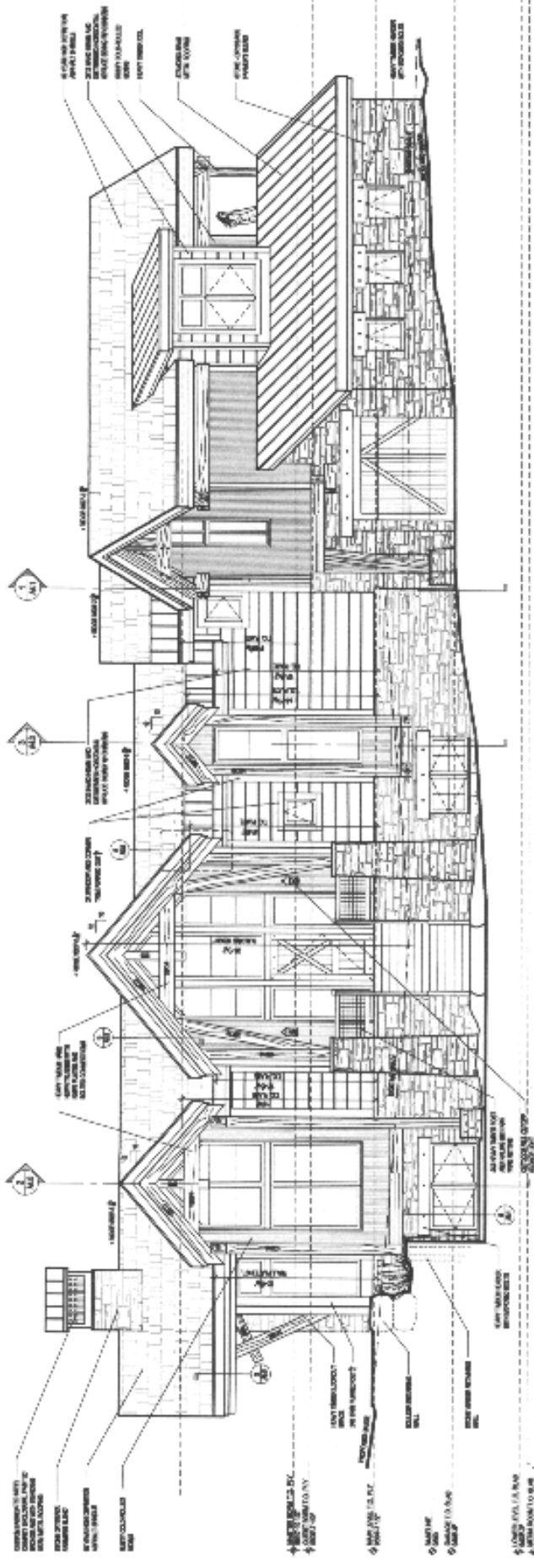
An informal point was conducted for this proposed residence and no positive or negative points are warranted.

Staff Action:

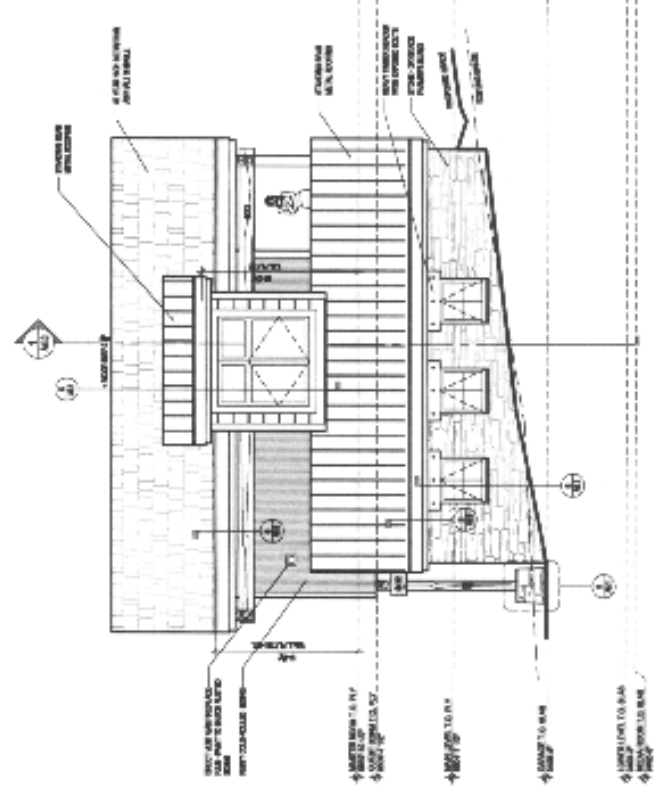
Staff has approved the Myers Residence, PC#2008004, located at 858 Fairways Drive, Lot 242, Gold Run, with the standard findings and conditions.

Comments:

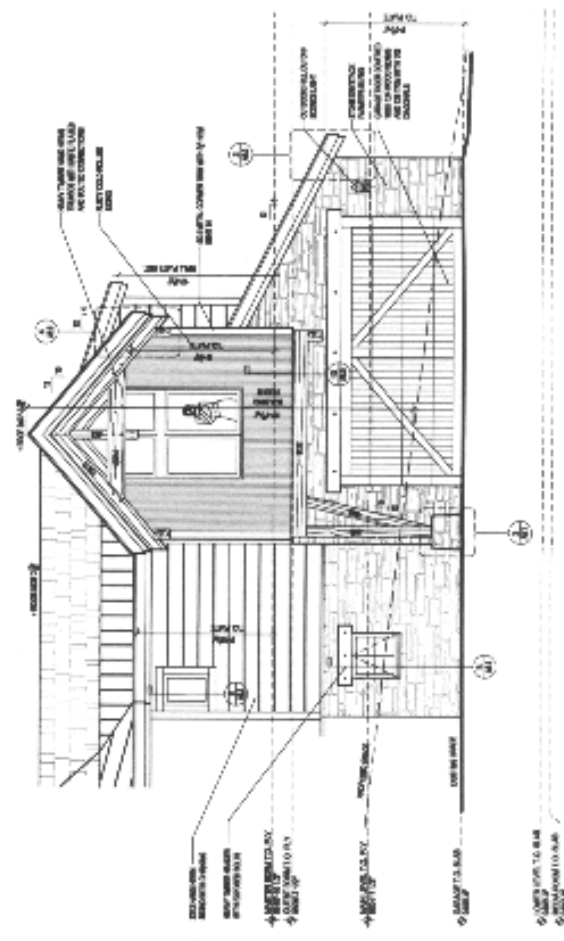
Additional Conditions of Approval:



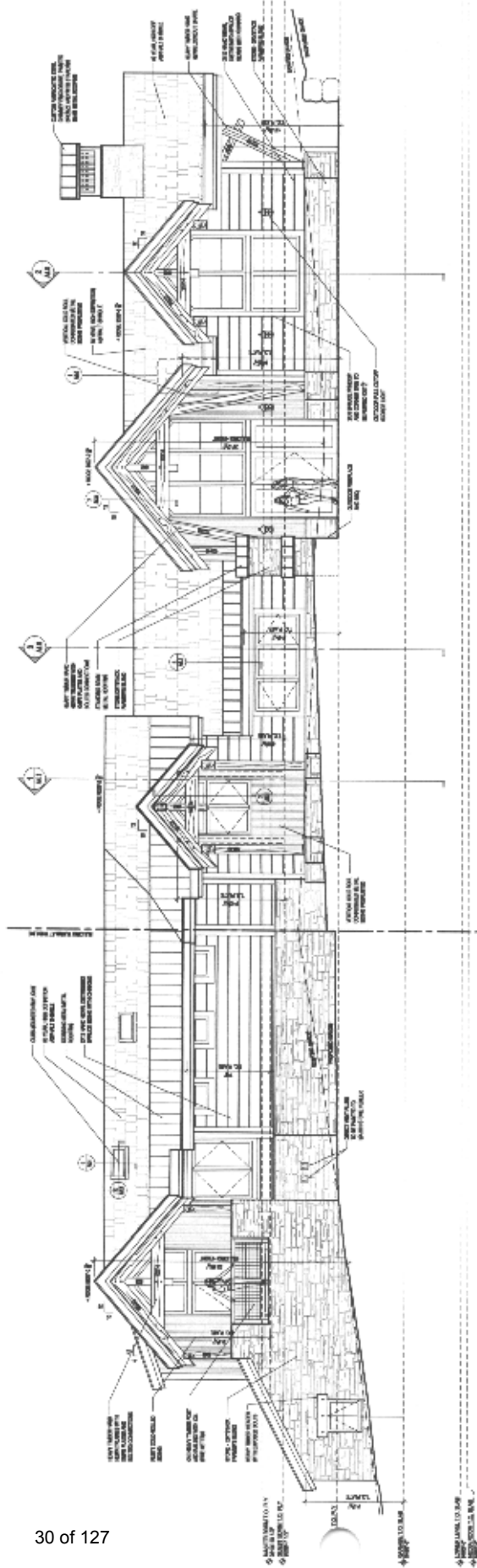
1
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



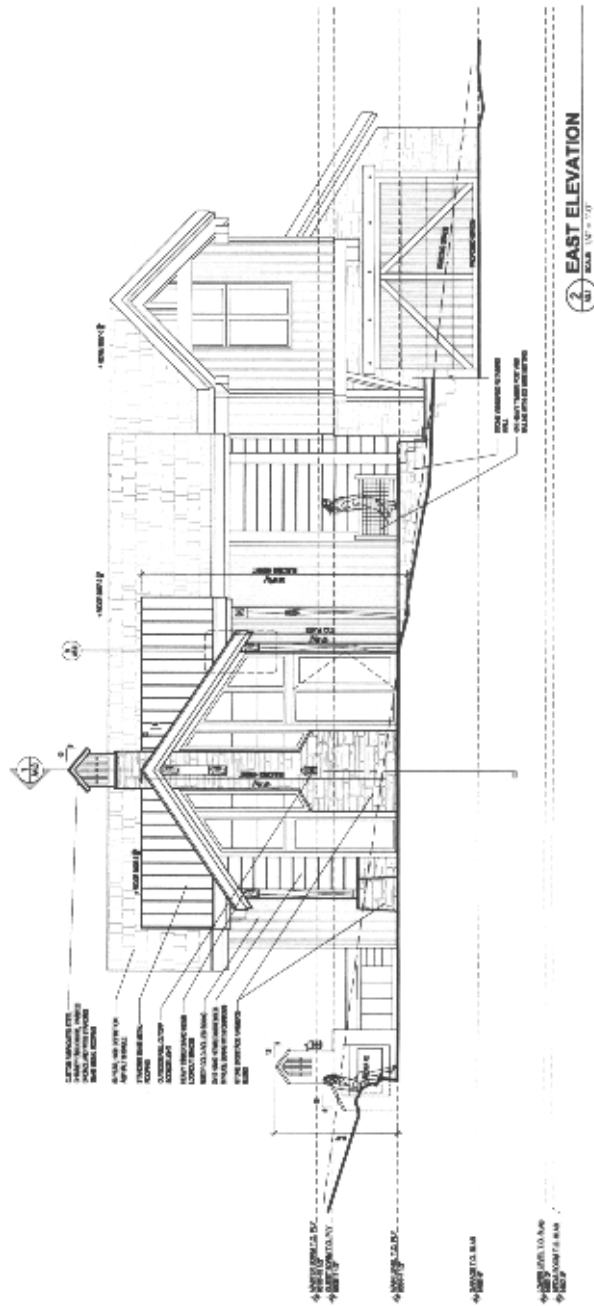
2
GARAGE WEST
SCALE: 1/8" = 1'-0"



2
GARAGE NORTH
SCALE: 1/8" = 1'-0"



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



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

GENERAL NOTE:
ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOKS AND ALL APPLICABLE LOCAL ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NEIGHBORHOOD CHARACTERISTICS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING HISTORICAL AND CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ENVIRONMENTAL FEATURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SOCIAL AND ECONOMIC CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING COMMUNITY INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PUBLIC INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PRIVATE INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LEGAL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MORAL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING HUMAN RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CIVIL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING POLITICAL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING RELIGIOUS RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CULTURAL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EDUCATIONAL RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SCIENTIFIC RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ARTISTIC RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LITERARY RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PATENT RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TRADEMARK RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING COPYRIGHT RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DESIGN RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING INTELLECTUAL PROPERTY RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DATA RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SOFTWARE RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DATABASE RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING NETWORK RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SYSTEMS RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PRODUCTS RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES RIGHTS AND INTERESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PRODUCTS RIGHTS AND INTERESTS.

Planning Commission Staff Report

- Project Manager:** Chris Neubecker, AICP
- Date:** January 10, 2008 (For meeting of January 15, 2008)
- Subject:** Shock Hill Lodge and Spa, Tract E (Class A, Final Hearing, PC#2007108)
Shock Hill Master Plan Modification
- Applicant/Owner:** AZCO II, LLC; John Niemi
- Agents:** Craine Frahm Architects; Dan Craine and Eric Bottenhorn
Allen-Guerra Design-Build; Suzanne Allen-Guerra
- Proposal:** Construct a 57-unit condo-hotel with commercial spa, small bar, café, outdoor amenities area, and underground parking. A modification to the Shock Hill Master Plan is also proposed, pursuant to a previously approved Development Agreement, for the transfer of 6 residential SFEs of density to this site.
- Address:** 260 Shock Hill Drive
- Legal Description:** Tract E, Shock Hill Subdivision
- Site Area:** 4.37 acres (190,357 sq. ft.) *(Note: The original tract was 6.67 acres; as a commitment of the Development Agreement, the applicant will donate 2.3 acres, known as Tract E-2, to the Town as open space, leaving 4.37 acres for development.)*
- Land Use District:** 10: Residential-2 UPA, Single Family, up to 8-plex, townhouses
Subject to the Shock Hill Master Plan, which identifies this site for a lodge (condo-hotel) with 66 SFEs existing on-site.
- Site Conditions:** The site is undeveloped, except for the gondola mid-station in the southeast corner of the site. The site is moderately forested with mostly lodgepole pine trees. There is an abandoned Nordic ski trail that crosses through the center of the tract.
- The 100' gondola aerial tramway access easement crosses though the southeastern and southern part of the lot. There is a 25' public trail easement along the north lot line, and a 20' drainage easement along the northwest property boundary. Additionally, there are several trail easements on the west side of the property, either along the boundary with Tract E-2, or within Tract E-2. The site slopes downhill to the south and west, at an average rate of 13% within the development area, and as much as 38% within Tract E-2, which would be dedicated to the Town as open space.
- Adjacent Uses:** North: Single family homes and lots South: Gondola and vacant lodge site
East: Shock Hill Drive/Shock Hill Cottages West: Cucumber Gulch

Density:

Allowed:

Residential density per existing Master Plan:	60.7 SFEs (72,840 sq. ft. residential)
Commercial density per existing Master Plan:	5.3 SFEs (5,300 sq. ft. commercial)
Total Existing:	66 SFEs (78,140 sq. ft.)

Density transfer proposed:	6.0 SFEs (7,200 sq. ft. residential)
Total with Density Transfer:	72 SFEs (85,340 sq. ft.)

Proposed:

Residential density proposed:	66.68 SFEs (80,025 sq. ft. residential)
Commercial density proposed:	2.77 SFEs (2,772 sq. ft. commercial)
Gondola mid-station* (commercial):	0.12 SFEs (120 sq. ft. commercial)
Total Proposed:	69.57 SFEs (82,917 sq. ft.)

(*Note: The existing gondola mid-station on Tract E has used 120 square feet of density, which comes from the density on Tract E, per the Gondola staff report, December 3, 2004)

Mass:

Allowed under existing Master Plan:	91,050 sq. ft.
Commercial density/mass (no bonus):	5,300 sq. ft.
Additional mass with density transfer:	9,000 sq. ft.
Total allowed after density transfer:	105,350 sq. ft.

Mass bonus for extra amenities (Tract E):	2,287 sq. ft.
Amenity mass "transferred" from Tract C:	3,074 sq. ft.
Total mass allowed:	110,711 sq. ft.

Existing mass (gondola mid-station):	120 sq. ft.
Proposed new mass:	110,544 sq. ft.
Total mass:	110,664 sq. ft.

(The mass "bonus" for extra amenities is allowed by Policy 24/R, Section D-Meeting and Conference Rooms or Recreation and Leisure Amenities. When provided over and above the required amenities of 1 square foot per 35 square feet of gross dwelling area, this bonus does not count toward the mass or density, up to 200% of the required density. However, the initial required amenities count as mass, but not density. As proposed, the mass bonus would be transferred from Tract C to Tract E, to allow more amenities in Tract E. Those additional amenities would be made available to the guests of Tract C.)

Mass Tracking (Tracts C & E Combined):

	Building E		Building C	
Residential SFEs	66.70 SFEs	80,040 SF	57.00 SFEs	68,400 SF
Mass Bonus		20,010 SF		17,100 SF
Sub-total Mass		100,050 SF		85,500 SF
Commercial	5.30 SFEs	5,300 SF		
1/35 amenity (included in sub-total mass)		2,287 SF		1,954 SF
100% mass bonus		2,287 SF		1,954 SF
Total Mass Allowed		107,637 SF		87,454 SF
Total Mass Allowed, E and C		195,091 SF		
Mass Proposed Tract E		110,664 SF		
Mass Proposed Tract C		84,367 SF		
Total Mass Used (includes gondola mid-station)		195,031 SF		
Mass Remaining		60 SF		

Height: Recommended: 26' mean (2 stories)
Proposed: 38' (mean; 1 story over)

Lot Coverage: Building / non-Permeable: 51,515 sq. ft. (27.07% of site)
Hard Surface / non-Permeable: 32,389 sq. ft. (17.02% of site)
Existing Gondola Mid-Station: 9,689 sq. ft. (5.09% of site)
Open Space / Permeable Area: 96,764 sq. ft. (50.82% of site*)
(Note: This includes only open space on Tract E-1. It does not include Tract E-2, which will be donated to the Town of Breckenridge per the earlier Development Agreement.)

Parking: Required: 81 spaces (residential)
Required: 9 (commercial)
Total required: 90 spaces
Proposed: 90 spaces

(Note: All parking is proposed below the building. There will also be a few short-term parking spaces at the porte-cochere for check-in and shuttle vans, which have not been counted toward the parking provided..)

Snowstack: Required (25% of non-snow melted areas): 28 sq. ft. (25%)
Proposed: 110 sq. ft. (97 %)
(Note: The driveway at the porte-cochere and access to the service area and underground parking will be heated with a snowmelt system. In addition, all of the pedestrian pathways at the sides and rear of the building will be snow melted, but adequate space has been provided for snow stacking, if needed. A covenant will be required guaranteeing maintenance of the snowmelt system).

Setbacks: Front/East: 15 ft. Rear/West: 50 ft.
Side/South: 85 ft. Side/North: 31 ft.

Bedrooms: Allowed (Tract E, per Development Agreement):146
Proposed: 123

Item History

This project was last presented to the Planning Commission during a second preliminary hearing on November 6, 2007. Staff's review at that time focused on the changes to the building massing and height, and visibility from Cucumber Gulch. A thorough landscaping plan was presented, including significant revisions to the grading plan to help preserve the existing trees at the rear of the building. Details were also provided on the proposed stormwater management plan. A traffic report was also presented at that meeting. A large mock-up of the proposed exterior materials was shown to the Commission outside of Town Hall.

Changes Since the Last Review by Planning Commission

Since the last review of this project on November 6, 2007, a few minor changes to the plan have been made. These include:

- A comprehensive water quality-monitoring plan is proposed.
- A full lighting plan has been provided, including a photometric plan and fully shielded fixtures.
- Additional details have been provided on walkway and driveway materials.
- Additional details have been provided on the retaining walls, spa and water features.
- Minor revisions to the landscaping plan are proposed, including additional landscaping next to the gondola building. Details have been provided on irrigation systems.
- Details have been provided on fencing near the gondola, and near along the access to the trail. A new fence is proposed in the rear of the building, to prevent unauthorized use of the spas and pool.
- Tandem parking spaces have been eliminated.
- Minor changes to the density and mass, but still within the allowed density and mass.
- Minor changes to windows.

Commissioner Comments from November 6, 2007 Meeting

At the last meeting, the Commission's primary discussion focused on water quality monitoring, assignment of positive points for the operation of a shuttle system, and use possible of recycled water for site irrigation. Most of the Commissioners supported the preliminary point analysis proposed by staff.

(Note: Only one set of minutes was recorded, for both Tracts C and E, at the meeting on November 6, 2007. These minutes are identical to those in the staff report for Tract C.)

Mr. Pringle: What were the limitations to access the Gulch? (Mr. Neubecker: Idea was to get folks to one spot were there would be signage. Signage spot would lead to trail system.) Will Tracts C and E have separate HOA's? (Mr. Niemi: No, both C and E will have the same HOA.) How will hot beds be encouraged? (Mr. Niemi: We are currently interviewing management companies. People have high expectations when they buy a unit. Management Company will handle and encourage hot beds.) Concurred with Mr. McAllister. Wastewater management must be monitored and mitigated It is imperative to have a first class operation and project. This is ridgeline development, so standards in Policy 8/A do apply. Points are assessed appropriately. Transit points were awarded in the density transfer. (Mr. Neubecker clarified that the development

agreement specifically states that even if something is required by the development agreement, earning positive points is not precluded.)

Mr. Bertaux: What will separation fence at gondola be built of? (Mr. Spear: Landscape Architect: Fence will be wood (buck rail). Landscaping would be used to help the fence blend in.) Security at gondola may be a concern for the ski area. (Applicant will discuss this with the ski area.) SUV for shuttle is not "green" and green is expected. Positive four (+4) points is hard to warrant for transit. Every other comment made is supported. Ridgelines must have variety. Substantially similar to plan submitted to Council. This is a ridgeline development. Walls should be faced with stone (Ms. Allen-Guerra: concurred, that is our plan.) Storm water issue and plan: silt must be cleaned out of the retention ponds. Open space should be given same sensitivity as ponds. Care for the open space as you would a public park. Clean up dead trees. Employee housing must meet spirit of law. Don't just purchase one home of 3,800 square feet, but rather housing to accommodate many employees. Points are supported. Reforestation must be given attention.

Dr. Warner: Will landscaping require irrigation and will water be recycled? (Applicant: Irrigation system will be used during development years. Recycled water is being considered but drip irrigation has been decided upon to conserve water.) (Mr. Neubecker pointed out state laws may prevent such a use. The town attorney will be consulted on use of grey water.) Doesn't seem landscaping plan addresses loss of buffer to the west of the project. Sought clarification from staff regarding building height. This is ridgeline development and should be subject to the code. Points for landscaping shouldn't be awarded when existing growth is not being replaced. Policy 37/R: d: 46% of surface is building or paved, negative two (-2) points warranted. This project will bring negative consequences to the gulch; negative four (-4) points warranted. Transit points are a concern. Zero tolerance regarding drainage and care of gulch. Chain link fence recommended. Building height is a concern. Struggled with building height. On Tract C, positive one (+1) point shouldn't be awarded due to excessive ridgeline length.

Mr. Allen: In the refuse area, will recycling be accommodated? (Applicant pointed out recycling space will be accommodated.) Why particular material for shake roof? (Applicant explained shake is more appealing for National Park architecture.) Employee housing will be off-sight. This is ridgeline development. Supported staff point analysis in all areas. Positive transit points were ok because the transit plan encourage guest to park their autos. Work with Patty (Theobald) in the best interest in the community.

Mr. McAllister: Will the state enforce storm water mandates? (Donald Smith, P.E. speaking for the applicant, stated the contractor would be required to seek state permits to proceed with construction. Storm water management is still being discussed.) (Staff pointed out discharged water can be monitored if the Commission so desired.) Impressed by applicant and quality of work. This is ridgeline development. Apply ridgeline policy. Generally supported point analysis. Transit points were a concern (busses vs. SUV's). Storm water sampling must occur. Gulch must be a top priority. Parking was consistent to prior applications.

Mr. Joyce: Has access to trail system been addressed? (Applicant: Signs educating potential users will be used.) A buffer made of natural materials, rather than a fence, is preferred. Will tree replacement be in place to address failure or dead trees? (Mr. Spear: All trees will have improved soil to grow. All trees will be guaranteed.) (Staff pointed out standard landscaping covenant will require applicant to re-plant dead trees.) 1. Agreed with new plan is substantially similar which has evolved nicely. 2. In compliance with Policy 8/R-Ridgeline. 3. Generally agreed except transit points. Mitigate SUV approach. Adjustment to northwest corner does a great job addressing the ridgeline issue. Explore stepping of retaining walls. Water quality must be monitored before and after construction. Great job addressing past comments.

Mr. Khavari: Has the applicant responded to the ERO recommendation? (Staff pointed out to date no changes have occurred, since memo from ERO recently received.) Suggested consent with ERO should be required. (Mr. Smith pointed out his team has met with ERO to minimize concern on previous projects. Applicant pointed out they would be more than willing to monitor storm water.) How will the shuttles be controlled to prevent non-residents from use? (Applicant pointed out a system would be established to address this concern. Only available to people in Shock Hill.) Substantially similar to Council site plan. Agreed with staff regarding points. Negative one (-1)

point for Tract C for not stepping roof. Monitor storm water. Work with ERO. ERO and applicant must be on same page at final.

Development Agreement

Although this information was provided at the last two preliminary hearings in August and November 2007, we will reiterate the key points from the Development Agreement approved by the Town Council in March 2007, and how it relates to development of this site.

The Development Agreement with AZCO II allows for the transfer of up to 39 SFEs of density from the Upper Blue Density Bank to Tracts C (33 SFEs) and Tract E (6 SFEs). The agreement identified design criteria that are above and beyond those otherwise required by Town Codes. These include:

- Developing the site plan in a manner “substantially similar” to the plan shown to the Town Council.
- Operating the lodge as a condo-hotel, with a density multiplier of 1,200 square feet per SFE.
- Purchase any extra density from the Density Bank, and pay the “then current price” for the density.
- Operate a shuttle service for guests of both Tracts C and E.
- Record a covenant requiring replacement of trees that die that were identified as being saved as a result of Tract C being developed as a condo-hotel, rather than townhomes.
- Design buildings using best efforts to mitigate the visual impacts of the development from the areas of Cucumber Gulch to the west of the Tracts to the extent practical.
- Implement all appropriate provisions of Section 11 and Section 12, Best Management Practices, of the Town’s “Cucumber Gulch Overlay Protection District Ordinance”.
- Construct a buck-and-rail fence on the downhill side of the Town’s trail located to the west of Tract E, if requested by the Town.
- Place signs on the property at key access points to Cucumber Gulch, containing information concerning the importance of the Gulch, its ecological function, the presence of the Boreal Toad, the prohibition of dogs and the importance of staying on established trails. Similar signs shall be placed in the lobby and the individual units.
- The building on Tract C shall not exceed 125 bedrooms; the building on Tract E shall not exceed 146 bedrooms.

The agreement also indicates that the requirement to provide any of these elements above and beyond the Town Codes does not preclude the applicant from earning possible positive points under the applicable Development Code policies.

Staff Comments

Master Plan (39/A): No changes are proposed from the last meeting. The applicant is still proposing to modify the Shock Hill Master Plan as part of this proposal, which would increase the density by six (6) residential SFEs for Tract E. The uses for this site (identified in the Master Plan as “lodge/multi-family”) remain unchanged. Staff has no concerns with this modification.

Land Use (Policies 2/A & 2/R): No changes to the uses are proposed from the last meeting on this project. The site is still proposed as a condo-hotel, including a 24-hour front desk, centralized telephone system, food service, meeting rooms and amenities. A small commercial spa and commercial bar/café are also proposed. The applicant has selected to provide most of the required areas as amenities (spas, fitness center, pool, etc.) rather than meeting rooms, which is allowed in the current Development Code. Only one small meeting room (326 square feet) is proposed, adjacent to the administration area. In addition, the building on

Tract E will accommodate some of the amenities required for the building on Tract C. This “total” mass bonus has been tracked on the plans submitted by the applicant, and will be included in the Findings and Conditions.

As proposed, Tract E includes 7,648 square feet of amenity area. This is equal to 180% of the required amenity or meeting room space for both Tracts C and Tract E. Condo-hotels are allowed to provide up to 100% additional floor area, above and beyond the required amount of meeting space and amenity areas. This additional area is not counted toward the allowed density or mass. A covenant will be required that guarantees these areas to remain as amenities in perpetuity.

Density/Intensity (3/A & 3/R)/Mass (4/R): With the proposed density transfer and Master Plan modification, the project will be within the allowed density. A density transfer certificate from the Upper Blue Transfer of Development Rights program will be required prior to the issuance of a building permit, and has been made a Condition of Approval.

Architectural Compatibility (5/A & 5/R): Per this section of the code:

A. General Architectural And Aesthetic Compatibility: All proposed new developments, alterations, or additions are strongly encouraged to be architecturally compatible with the general design criteria specified in the land use guidelines. It is strongly encouraged that cut and fill slopes be kept to a minimum, and that the site, when viewed from adjacent properties, be integrated into its natural surroundings as much as possible. In addition, excessive similarity or dissimilarity to other structures existing, or for which a permit has been issued, or to any other structure included in the same permit application, facing upon the same or intersecting streets within the same or adjacent land use districts is discouraged. This section only applies to areas outside of the historic district. (Ord. 19, Series 1995)

No significant changes are proposed to the architectural style or materials. Some minor massing changes were required as a result of modifications to the site plan and building height. The building still evokes the characteristics of a grand lodge, with large sheltering roofs, heavy exposed timbers, natural stone and timber siding, exposed rafter tails, plenty of gable and shed dormers, and steeply pitched roofs.

Staff recommends positive three (+3) points under policy 5/R-Architectural Compatibility, for the overall architectural design. At the last meeting, the Commission supported positive points under this policy.

Building Height (6/A & 6/R): *The height of a building has many impacts on the community. Building heights that exceed the Land Use Guidelines can block views, light, air, and solar radiation; they can also disrupt off site vistas, impact scenic backdrop and penetrate tree canopies that provide screening to maintain a mountain forest character. It is encouraged that the height of new buildings be controlled to minimize any negative impacts on the community.*

Land Use District 10 recommends buildings no taller than 2 stories, or 26’ to the mean elevation of the roof. As proposed, staff has measured the building at 38’ to the highest mean elevation. This equates to negative ten (-10) points, for exceeding the recommended height by 1 story (12’).

(b.) For all structures except Single Family and Duplex Units outside the Historic District: Additional negative or positive points may be assessed or awarded based upon the Planning Commission's findings of compliance with the following:

1 x (-1/+1) 1. It is encouraged that buildings incorporate the upper most story density into

the roof of the structure, where no additional height impacts are created.

- 1 x (-1/+1) 2. *Buildings are encouraged to provide broken, interesting roof forms that step down at the edges. Long, un-broken ridgelines, 50 feet or longer, are discouraged.*

Staff appreciates the way that the building steps with the natural grade of the site. The taller sections are on the north side of the building, and the roof form steps down as the site slopes to the south. We believe that the plans show a good job of incorporating density into the roof of the building, which is encouraged, especially where the building exceeds the recommended height. The roof is also broken up well with a variety of pitches and roof types. Staff recommends a total of two (+2) positive points for these two features.

Site Plan: No significant changes are proposed to the site plan. The footprint location now substantially matches the exhibit in the Development Agreement, and is exactly the same at the rear of the building, which is 312' from the Gulch. (See Sheet A1.11)

Site and Environmental Design (7/R): *The Town hereby finds that it is in the public interest for all sites within the community to be designed, arranged, and developed in a safe and efficient manner. The arrangement of all functions, uses, and improvements should reflect the natural capabilities and limitations of the property. This policy is also intended to discourage levels of development intensity that result in generally compromised site functions, buffering and aesthetics. Taking into consideration the basic character of the site and the nature of the proposed uses, the development should be visually harmonious as perceived from both the interior and exterior of the project. Platted lots with building envelopes, site disturbance envelopes, or designated building locations are still subject to the following rules and recommendations unless noted otherwise.*

No significant changes are proposed to the site from the plans presented on November 6, 2007. Additional detail has been provided on the finishes of retaining walls and all vehicle and pedestrian paths. A variety of surfaces are proposed for the pathways, including colored concrete for the driveways, irregular and rectilinear stone paving, and stepping-stones. Landscape boulders will be used throughout the site as an accent along pedestrian paths.

2X(-2/+2) C. *Retaining Walls: Retaining wall systems with integrated landscape areas are encouraged to be provided to retain slopes and make up changes in grade rather than cut/fill areas for slope retention.*

Retaining wall systems made of, or faced with, natural materials such as rock or timbers are preferred. Other materials that are similar in the nature of the finishes may be considered on a case-by-case basis, but are not recommended for use in highly visible locations.

Smaller retaining wall systems, up to 4 feet tall, that incorporate vegetation between walls without creating excessive site disturbance are preferred. It is understood that, depending on the slope of the site, the height of retaining walls may vary to minimize site disruption. If an alternative site layout that causes less site grading and complies with all other relevant Development Code policies is viable, then it should be strongly considered.

Retaining walls will be either dry stacked or structured and faced with natural stone. Staff notes, however, that in some of these areas, the retaining walls will still be quite tall. Retaining walls up to 10-feet tall are proposed at the rear of the building. Also, near the entrance to the parking garage, walls up to 16-feet tall are

necessary to retain the grade to the north and to allow for parking below the building. However, these walls are proposed in lieu of significant site grading, and will help to preserve existing trees. Where tall retaining walls were previously proposed, they have been separated into two walls, with landscaping proposed between the walls. This will help to soften the impact of the wall with the introduction of trees and shrubs. Staff supports this design. We recommend positive two points (+2) under this policy.

Ridgeline and Hillside Development (8/A): At the last meeting, most Commissioners agreed that as proposed the project qualified as “hillside or ridgeline development”. This was due primarily to the topography of the site, and the location of parts of the building close the ridge. Where development is permitted on or near ridgelines, the development must be designed to follow certain standards. These standards address site planning, site grading, cut and fill, retaining walls, design of structures, exterior materials, existing and proposed vegetation, tree canopy, and exterior lighting. Following is an explanation of how this project responds to these design criteria:

Site Plan: The northwest corner of the building was previously shifted to the east, away from the ridge by about additional 35 feet. This change results in increased setbacks and also additional tree preservation. All driveways are on the east side of the building, away from ridges and areas of concern. An emergency access road is proposed along the south side of the building, next to the gondola.

Site Grading/Cut and Fill/Retaining Walls: There is no significant cut or fill visible from the Gulch. The grading at the rear of the building has been reduced to preserve additional trees on the west side of the building, adding buffer. Retaining walls are proposed on the west side, but these would only be visible from within the project. All retaining walls will be faced with natural stone to match the building.

Design of Structures: The building responds to the natural topography of the site, and steps down as the grade steps. Roofs are broken up well, with a variety of planes, pitches and roof types. The building is broken into distinct modules and facades. All windows use non-reflective glass.

Exterior Materials: All natural exterior materials are proposed. This includes large exposed timbers, wood siding and natural stone. The siding is proposed with a dark stain to blend into the background.

Existing and Proposed Vegetation: As mentioned above, the site plan was previously revised to preserve additional trees on the downhill side of the building. A comprehensive landscaping plan is proposed to supplement the existing forest, including new plantings that include some very large trees to provide additional screening.

Tree Canopy: The tree canopy on Tract E is approximately 45-55 feet tall. The tallest parts of the building are about 52 feet to the ridge, which is near the main entrance (eastern part) of the building. The existing trees on the west side of the site should help to significantly buffer the building when viewed from Cucumber Gulch to the west.

Exterior Lighting: Exterior lighting is designed to minimize off site visibility and glare. All proposed lighting meets the new lighting policy with the use of fully shielded fixtures, and a lighting plan has been submitted.

Staff believes that the proposed design meets the design requirements of Policy 8/A- Ridgeline and Hillside Development. Does the Commission concur?

Placement Of Structures (9/A & 9/R): The location of the building is virtually identical to the location shown in the last submittal and to the site plan exhibit in the approved Development Agreement. The agreement indicates that the development plans need to be “substantially similar” to the exhibit site plan. As you can see from the site plan submitted for the Development Agreement (Sheet A1.11), the building was shown approximately 30’ from the right of way, and is now about 37’ away, except for the porte-cochere. The main body of the building was 164’ from the eastern property line, and is now 171’. Most importantly, the rear setback (from Cucumber Gulch) was 312’ in the agreement, and is now 312’.

Access / Circulation (16/A & 16/R; 17/A & 17/R):

3 x (-2/+2)

A. Accessibility: It is encouraged that internal circulation systems provide the types, amounts, and locations of accessibility needed to meet the uses and functions of the movement of persons, goods, services, and waste products in a safe and efficient manner, with maximum use of pedestrian orientation, and a minimum amount of impervious surfaces. Internal circulation elements should be designed in such a manner that the elements are integrated with each other as well as possible, and that conflicts between elements are minimized. The following represent the criteria utilized to analyze how well the project has met this particular policy.

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

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

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

No changes are proposed to the vehicle and pedestrian circulation. Vehicles still access the building from a driveway on the northeast side of the site, with temporary parking at the porte-cochere near the main entrance. Separate service access is provided for trash and deliveries. Emergency access is provided on the south side of the site, adjacent to the gondola. Good pedestrian circulation is proposed, with access to Tract C along the sidewalk or via a pedestrian pathway at the rear of the buildings.

Staff is pleased with the access design. Pedestrian and vehicle circulation is still separated, and a good pedestrian connection to Tract C is still proposed. Staff supports the proposed circulation plan, and we recommend three (+3) points for separation of uses.

Parking (18/A & 18/R):

2 x (-2/+2)

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

No significant change is proposed for the parking. All parking is still proposed below the building, except for a few short-term spaces near the porte-cochere, for check-in and shuttle vans. The tandem parking spaces have been removed from the plans.

Staff recommends positive four (+4) points under Policy 22/R providing for all the required parking below the building and out of public view.

Landscaping (22/A & 22/R): The current landscaping plan includes 119 conifers and 113 aspen. The conifers include a mix of fir and spruce trees. They range in size from 8 feet to 24 feet tall. Aspen trees range from four-inch to six-inch caliper. These are some of the largest trees we have seen proposed on projects in Breckenridge. In addition, a substantial shrub, perennial and ground cover plan is proposed. A covenant will be recorded requiring replacement of dead trees.

As a comparison, three similarly sized multi-family projects are listed below. Each received positive four (+4) points under policy 22/R-Landscaping:

Project	Conifers	Deciduous	Points
VRDC at Peak 7	110 (6'-12' tall)	237 (1"-3" caliper)	+4
Grand Timber at Peak 7	110 (6'-18' tall)	235 (1"-3" caliper)	+4
Mountain Thunder, Phase I (3 buildings)	283 (8'-24' tall)	150 (1.75"-3" caliper)	+4
Tract E, Shock Hill	119 (8'-24' tall)	113 (2"-4" caliper)	?

The proposed plan includes more evergreen trees but significantly fewer deciduous (aspen) trees from these similar projects. However, the proposed plan also includes significantly larger conifer and aspen trees, with a minimum caliper of four-inches, up to a maximum of six-inches. These are very large trees that will have an immediate impact. The very tall conifers will help to provide additional screening. Many of the larger conifers are proposed to the west at the rear of the building to help further buffer the site when viewed from Cucumber Gulch. Staff recommends positive four (+4) points under Policy 22/R-Landscaping.

Greywater: At the last meeting the Commission asked about the possible recycling of greywater from the building (showers, sinks, etc.) for irrigation of the landscaping. Staff has done some research on this topic, but it appears that there are several issues stopping this from happening with this proposal and in town.

There are environmental issues with re-introduction of greywater so close to Cucumber Gulch. Any reintroduction of water would first require treatment, which would likely involve chemicals that could harm Cucumber Gulch. Furthermore, there are public health issues, as this water usually contains bacteria and other potential pathogens. Any re-use of greywater or blackwater (from toilets) requires a Colorado Department of Public Health permit, which would be time-intensive to obtain, and would likely only allow reintroduction of this water 10"-12" below ground, and hence could not be used for a drip irrigation system. For these reasons, the re-use of grey water is not proposed by the applicant nor supported by staff for this application.

Social Community / Employee Housing (24/A & 24/R): No on-site employee housing is proposed. Employee housing will be provided off-site, with a minimum of 3,848 square feet of deed-restricted employee housing (4.51% of the density) as identified in the Development Agreement. The agreement indicates that the applicant will provide sufficient employee housing in a manner as to achieve zero or more points under this policy. This has been made a condition of approval, "Prior to Issuance of a Certificate of Occupancy" for this site.

Drainage and Stormwater Management (27/A & 27/R): A stormwater management plan was provided for the last meeting. No major changes are proposed since the last meeting. A variety of systems are proposed to improve water quality and minimize the impacts to Cucumber Gulch. These include sedimentation ponds, silt fencing and hay bales during construction, and a series of detention ponds, drywells, bio-swales and mechanical treatments units for post-construction. It is anticipated that the locations of detention ponds and swales will be the same or very similar during construction and post-construction.

During construction, vehicle tracking and tire washing stations would be used at entrances to the site to prevent silt runoff. Inlet protection would also be provided at all existing culverts within 500 feet from the project site. We have added a Condition of Approval requiring a covenant for the maintenance of the detention ponds and other water quality features. A letter from Barbara Galloway of ERO Resources, the Town's water quality consultant for Cucumber Gulch, is attached for your review.

Staff notes that we have verified that water from the swimming pool and spas will not be drained to Cucumber Gulch, but will rather flow to the sanitary sewer system. The Breckenridge Sanitation District has approved this method of spa and pool water disposal.

Water Quality Monitoring: The applicant has submitted a comprehensive water-quality monitoring plan, prepared by their consultant, Peggy Bailey, Senior Hydraulic Engineer with Tetra Tech (attached). The plan includes four surface water and three ground water testing sites, with final site locations to be agreed upon between Tetra Tech and ERO Resources. Groundwater would be sampled and tested monthly for a variety of possible contaminants. Surface water would be sampled and tested more frequently, including:

- May 1-June 1: Weekly for six weeks and after a storm event
- June 15-September 1: Every six weeks and after a storm event
- September through November: Monthly and after a storm event
- December-April: Monthly and after a storm event

Barbara Galloway, from ERO Resources and Ken Kolm, from Hydrologic Systems Analysis (groundwater consultant), have reviewed the plan. The Town's consultants and the applicant's consultant have discussed the monitoring approach, and have agreed to the number of testing sites as well as the list of contaminants to be tested. Surface water would be monitored at the ponds in the gulch. Ground water would be monitored both at the rear of the development site and at the bottom of the hill, outside of the gulch. We believe that this is a comprehensive approach to testing both surface and ground water. No significant impact is expected to the quantity of ground water. Implementation of this water quality testing monitoring plan has been made a Condition of Approval. If the Commission has concerns with this testing plan, or believes that additional water quality monitoring is needed, please let staff know.

Transit (25/R): No change is proposed to the shuttle system from the November 6, 2007 meeting. A shuttle service is proposed to serve both Tracts E and C, which would provide access around town by an on-call shuttle service. The service would be available to any guest of the two lodges. The applicant has indicated at past meetings that the shuttle would also be made available to other residents of Shock Hill. (If the applicant or current residents of Shock Hill are interested in clarifying this arrangement, we suggest that they enter into a separate agreement on their own.)

The shuttle would provide a great guest benefit, and would also help by eliminating many private vehicle trips around town, and freeing up parking spaces downtown. In addition to reducing local traffic and parking congestion, the shuttle will allow guests to arrive in Breckenridge via a common carrier (CME, for example) and avoid renting a car. The hours of operation have not yet been established. Staff suggests that the shuttle operate at a minimum from 8:00 AM until 11:00 PM, seven days per week, which has been made a Condition of Approval.

At the last meeting, some Commissioners requested that the applicant operate a large van or bus, rather than a smaller SUV. There was also a request to consider use of a hybrid vehicle for the shuttle. The exact vehicle has not been identified, but the applicant has indicated that a hybrid SUV would likely be used. Staff has done some preliminary research on the fuel economy of hybrid SUVs rather than vans for the shuttle. Preliminarily, it appears that many hybrid SUVs obtain better fuel economy than standard 14 passenger vans.

Staff recommends positive four (+4) points for this project for the provision of a shuttle service. This is consistent with similar projects that have operated shuttle systems. A covenant guaranteeing operation of the shuttle service in perpetuity has been made a Condition of Approval.

Amenities and Meeting Rooms (Policy 24/A & 24/R-Social Community): No change is proposed to the amenities or meeting rooms. All condo-hotels are required to provide a minimum of one square foot of meeting rooms or amenities for every 35 square feet of gross dwelling area.

For this project, 2,287 square feet of amenities are required (plus another 2,287 are allowed). For Tract C, 1,954 square feet are required (plus an additional 1,954 square feet are allowed). This makes a minimum of 4,241 square feet of amenities for the two building combined (with a maximum allowed of 8,482 square feet). The applicant proposes to provide most of the amenities on Tract E (including some of the required amenities for Tract C). Tract C would have a lodge room and café, plus outdoor spas and a BBQ terrace. This would allow for more amenities within Tract E, which would otherwise not be allowed without counting toward the allowed density. Following are the proposed amenities in Tract E:

Conference room (adjacent to administration):	326 square feet
Ski Valet/Boot Storage (Level P1):	804 square feet
Spa/Fitness (not including 1,436 square feet commercial):	3,506 square feet
Lodge Room (not including 152 square feet bar commercial):	2,802 square feet
<u>Business Center (adjacent to Lobby):</u>	<u>210 square feet</u>
Total:	7,648 square feet

A covenant will need to be recorded memorializing the allocation of a portion of the mass bonus for Tract C to Tract E and guaranteeing that these facilities remain as amenities in perpetuity. This has been made a Condition of Approval. A similar arrangement was approved for the 801 Building at Peak 8.

Signage: The only signage that will be allowed at the site will be the standard building identification sign, which will require a separate permit. Staff notes that a large portion of the spa proposed is the commercial aspect of the spa. Per the earlier Development Agreement, outside signage and off-site advertising is prohibited. This has been made a Condition of Approval.

Special Areas (Policy 37/R):

D. *Cucumber Gulch Overlay Protection District: Within the Cucumber Gulch overlay protection district and the protective management area, as defined in the land use guidelines:*

2 x (0/+2) *Development should be designed to maximize the distance between disturbances and the PMA. Buildings and landscaping should be concentrated to maximize areas left undisturbed as potential habitat.*

1 x (0/-2) *Impervious surfaces should be minimized. (Ord. 9, Series 2000)*

During the meeting on November 6, 2007, the Commission suggested that negative points might be warranted under this policy. Negative points were suggested since about 46% of the site was proposed for either building coverage or as impervious surface. However, this development is not subject to the Cucumber Gulch Overlay Protection District.

*Section 9. Intent. This Ordinance is not intended, nor shall it be construed, to impair any vested property right, or any currently enforceable contractual right creating similar legal protection, if any, which exist at the time of the adoption of this Ordinance. Notwithstanding the provisions of Section 10, **this Ordinance shall not apply to the owner of any lot or tract or similar subdivided parcel of land in a subdivision which is platted within any current or extended vested property right period, and such owner may construct improvements upon such lot or tract or similar subdivided parcel of land in accordance with (and subject to) the provisions of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code), without being subject to these Regulations.***

A Development Agreement with Shock Hill Development LLC from February 15, 2000, also states:

“F. By this Agreement, the Town and Master Developer intend to enter into such agreement for the purpose of extending the vested property rights period for the Master Plan to December 31, 2008, subject to the terms and conditions hereafter set forth.”

*“5. During the vested property rights period, as extended by this Agreement, **none of the provisions of the Cucumber Gulch Overlay Protection District ordinance**, if and when adopted, and is it may be amended from time to time, shall apply in any way to the Subdivision or any permits or approvals relating to the development of the Subdivision.”*

The Cucumber Gulch Overlay Protection District was the same ordinance that adopted paragraph D of Policy 37/R. Since the Shock Hill Master Plan and Subdivision were approved prior to the adoption of Ordinance 9, Series 2000, and since the Master Plan is still vested, the ordinance does not apply to this application, and negative points cannot be assigned under this policy. Staff has verified this interpretation with the Town Attorney.

Exterior Lighting (Policy 46/A): A lighting plan and photometric plan have been submitted. All proposed exterior lighting meets the recently adopted Exterior Lighting policy. All exterior fixtures are fully shielded, and the photometric plan meets the requirements for this lighting zone. Although this application was submitted prior to adoption of this policy, per the Development Agreement, the applicant agreed to comply with this policy.

Gondola: The applicant has been working closely with Jon Mauch, Lift Director at the Breckenridge Ski Resort, concerning pedestrian crossings beneath the gondola, pedestrian pathways to the gondola and adjacent landscaping. A small split rail fence is also proposed, to keep pedestrians from walking under

portions of the gondola with low clearance. Mr. Mauch has approved each of these design elements. Staff appreciates the frequent meeting with the ski resort. Staff has no concerns.

Fencing: Fencing is proposed in three areas of the site. These include near the gondola (for pedestrian safety), along the rear of the site (to control access to Cucumber Gulch), and at the rear of the building (to prevent unauthorized access to the spas). The Town Council recently directed staff to develop a fence policy that would prohibit most types of fencing in town. However, we believe that the proposed fences would be exempt from the proposed (and not yet adopted) policy, since they are required for public safety and for access control to the gulch.

The fence near the gondola would be a split rail fence (detail 2, Sheet L7-05), along with landscaping. The fence along access routes to the gulch would also be split rail, in locations determined by the Open Space and Trails division. The fence at the rear of the building to prevent unauthorized use of the spas is required for liability reasons, and would not be visible from the public right-of-way. This fence is proposed of black welded steel (Detail 4, Sheet L7-06).

Construction Management Plan: The applicant has submitted a construction management plan from the contractor, Shaw Construction. The plan addresses such issues as noise mitigation, construction staging, storage of materials, air quality and dust control, traffic, construction parking, and safety of passengers. Two points of the plan that will need to be revised include the hours of operation, and traffic access. The hours are listed as 6:00 AM – 6:00 PM during mid-April to the end of May. However, the Town noise ordinance prohibits construction noise before 7:00 AM on any day. Also, the section on Street Usage will be required to note that access will not be allowed from the 50' Emergency Access, Utility and Drainage Easement at the end of the Shock Hill Drive cul-de-sac. These changes have been added as Conditions of Approval.

Point Analysis: Staff finds that the proposed project meets all Absolute polices of the Development Code and the Shock Hill Master Plan, as amended. Staff recommends positive points under policy 5/R-Architectural Compatibility (+3 points), 6/R-Building Height (+2 points), 7/R-Site and Environmental Design (+2 points), 15/R-Refuse (+1 point), 16/R-Internal Circulation (+3 points), 18/R-Parking (+4 points), 22/R-Landscaping (+4 points), and 25/R-Transit (+4 points). We recommend negative points under policy 6/R-Building Height (-10 points). This would result in a passing score of positive eleven (+13) points. We welcome Commissioner input on these recommendations.

Staff Recommendation

Staff has been working very closely with the applicant over the past year on this project. We feel that the project has come a long way since the original proposal, and they have responded well to staff, Commission and the public concerns. We believe that the proposed plan implements all of the requirements of the Development Agreement, and adequately mitigates possible impacts.

The use of natural exterior materials, excellent architecture, and a strong landscaping plan will help to make this a premiere development in Breckenridge. We appreciate the applicant's response to staff input and the changes that have been made. We appreciate the attention to detail, and the sensitivity to Cucumber Gulch, including the water quality monitoring.

Staff recommends approval of Shock Hill Lodge and Spa, Tract E and the Shock Hill Master Plan Modification (Class A, Final Hearing, PC#2007108), with the attached Point Analysis and Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Shock Hill Lodge, Tract E	Positive	Points	+23
PC#	2007108			
Date:	01/10/2008	Negative	Points	- 13
Staff:	Chris Neubecker			
		Total	Allocation:	+10
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
			0	Condo-hotel use proposed. Multi-family or lodge use recommended per Shock Hill Master Plan.
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)	0	
2/R	Land Use Guidelines - Nuisances	3x(-2/0)	0	
				Master Plan modification proposed, to include density transfer from Upper Blue Transferable Development Rights program. Project will be within allowed density after density is transferred.
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2->-20)	0	
			0	Note that a portion of the mass bonus for amenities was transferred from Tract C to Tract E. The two sites, when viewed together, do not exceed the allowed mass for the two tracts.
4/R	Mass	5x (-2->-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies	N/A	
			+3	High quality design, use of all natural materials, all natural stone, varied roof forms, large roof overhangs, many changes to wall planes and high quality materials.
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3->-18)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3->-6)	N/A	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)	0	
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1->-3)	N/A	
6/R	Building Height Inside H.D. - 25 feet	(-1->-5)	N/A	
6/R	Building Height Outside H.D. / Stories	(-5->-20)	- 10	Project is one story over recommended height. 38' tall at highest point.
6/R	Density in roof structure	1x(+1/-1)	+1	Good job of incorporating density into the roof with multiple dormer windows.
			+1	Good job of varying the roof form, stepping roof with terrain, and avoiding long, unbroken ridge lines.
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)	N/A	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	N/A	
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)	N/A	
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)	0	Building blends well into site and follows natural contours.
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)	0	Minimal regrading proposed.
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)	0	Good buffering maintained and added with landscaping.
			+2	Good use of retaining walls to minimize cut regrading, and to preserve trees. Terraced walls with landscaping proposed. All walls are faced with natural stone.
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)	0	
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)	0	
7/R	Site and Environmental Design / Wetlands	2X(0/+2)	0	
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)	0	
				Good tree buffer is maintained and enhanced with new landscaping, use of natural materials with dark colors, not reflective roofs, and non-reflective glass.
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)	0	
9/R	Placement of Structures - Adverse Effects	3x(-2/0)	0	
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	0	
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	
				All signs will require separate sign permit. No commercial signage allowed outside or off site advertising allowed.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		All driveways and most sidewalks are heated.
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)	0	
15/A	Refuse	Complies		

15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	+1	Dumpster is incorporated into building with separate service access.
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)	N/A	
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)	N/A	
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	Good pedestrian circulation and good separation of systems. Good access to gondola.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)	N/A	
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)	+4	All required parking is below building, out of public view.
18/R	Parking - Joint Parking Facilities	1x(+1)	0	
18/R	Parking - Common Driveways	1x(+1)	0	
18/R	Parking - Downtown Service Area	2x(-2/+2)	N/A	
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)	0	Project include swimming pool, fitness center, four hot tubs and a commercial spa.
21/R	Open Space - Private Open Space	3x(-2/+2)	0	About 50% is undeveloped or open space.
21/R	Open Space - Public Open Space	3x(0/+2)	0	Tract E-2 is donated to the Town of Breckenridge, per Development Agreement.
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	+4	Very good landscaping plan with very large aspen (4" caliper minimum) and spruce (8'-24' tall). All landscaping is on irrigation system.
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	0	Applicant will provide a minimum of 4.51% of density as off-site employee housing.
24/R	Social Community - Community Need	3x(0/+2)	0	
24/R	Social Community - Social Services	4x(-2/+2)	0	
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)	0	
24/R	Social Community - Historic Preservation	3x(0/+5)	N/A	
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	N/A	
25/R	Transit	4x(-2/+2)	+4	Guest shuttle with covenant will be operated.
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)	0	
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)	0	
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	0	
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)	0	
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)	0	Water quality testing and monitoring program proposed. Good stormwater management plan proposed.
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)	0	
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	-3	Most driveways, sidewalks and concrete terraces are heated.
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)	0	
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)	N/A	
37/R	Individual Sites	3x(-2/+2)	N/A	
37/R	Blue River	2x(0/+2)	N/A	
37R	Cucumber Gulch/Setbacks	2x(0/+2)	N/A	This policy does not apply, as the Shock Hill Master Plan was approved before adoption of this policy, and is still a vested master plan.
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)	N/A	This policy does not apply, as the Shock Hill Master Plan was approved before adoption of this policy, and is still a vested master plan.
38/A	Home Occupation	Complies	N/A	
39/A	Master Plan	Complies		Shock Hill Master Plan will be modified with this application. Density will be transferred to this site from Upper Blue Transferable Development Rights program.
40/A	Chalet House	Complies	N/A	
41/A	Satellite Earth Station Antennas	Complies	N/A	
42/A	Exterior Loudspeakers	Complies		No exterior loudspeakers will be allowed, per Development Agreement.
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)	0	
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		All exterior fixtures will be fully shielded.

TOWN OF BRECKENRIDGE

**Shock Hill Lodge and Spa, Tract E and Shock Hill Master Plan Modification
Tract E, Shock Hill Subdivision
260 Shock Hill Drive
PERMIT #2007108**

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 January 10, 2008 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on January 15, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, C.R.S., to the applicant or the Town.
7. Per this Amendment to the Shock Hill Master Plan, the total allowed mass for Tracts C and E combined is 195,091 square feet as shown in the table below:

	Building E		Building C	
Residential SFEs	66.70 SFEs	80,040 SF	57.00 SFEs	68,400 SF
Mass Bonus		20,010 SF		17,100 SF
Sub-total Mass		100,050 SF		85,500 SF
Commercial	5.30 SFEs	5,300 SF		
1/35 amenity (included in sub-total mass)		2,287 SF		1,954 SF
100% mass bonus		2,287 SF		1,954 SF
Total Mass Allowed		107,637 SF		87,454 SF
Total Mass Allowed, E and C		195,091 SF		
Mass Proposed Tract E		110,664 SF		
Mass Proposed Tract C		84,367 SF		
Total Mass Used (includes gondola mid-station)		195,031 SF		
Mass Remaining		60 SF		

8. The total mass for all development located in on Tracts C and E combined, including the Shock Hill gondola station, shall not exceed 195,091 square feet as listed above. The Planning Commission hereby finds that it is more practical for a large portion of the amenities for both Tract C and Tract E to be built on Tract E, and the Commission hereby authorizes the transfer of 3,074 square feet out of the allowed 3,908 square feet (amenity bonus included) of Meeting/Recreation/Leisure Amenity Area from Tract C to Tract E.

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 January 22, 2011, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right. "Substantial Construction" means the completion of the construction of footings, foundation and the installation of water and sewer service lines for a project. The completion of the foundation must be certified by the Building Official; the installation of the water service lines must be approved by the Town; and the installation of the sewer service lines must be approved by the Sanitation District. If the development permit for a project provides that the project will be constructed in phases, substantial construction must be achieved for each phase within the time period provided in the development permit.
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. The building and project identification signs (Entrance Monument Signs) shown on Sheet GR 1.01 and Sheet GR 2.01 are not authorized by this permit. A separate sign permit is required prior to installing any signs on the property, other than signage that is exempt from the Breckenridge Sign Ordinance.
13. No exterior speakers or other devices for the amplification of sound are permitted on the outside of the building or on the grounds, with the exception of such devices required for emergency use.
14. Applicant shall implement all appropriate provisions (as determined by the Town) of Section 11 and Section 12, Best Management Practices, of the Town's "Cucumber Gulch Overlay Protection District Ordinance" (Ordinance 9, Series 2000).
15. The swimming pool and spas/hot tubs shall be designed so that when these pools/spas/hot tubs are drained, water flows into the sanitary sewer system. At no time will water from these sources be allowed to drain into the stormwater system, nor toward Cucumber Gulch.
16. An improvement location certificate of the height of the top of the foundation wall, the horizontal location of the foundation wall, and the height of the building's ridge must be submitted to and approved by the Town during the various phases of construction. The improvement location certificate must be stamped and signed by a Colorado registered surveyor, and must be provided to the Town of Breckenridge a minimum of twenty-four (24) hours prior to the requested inspection.
17. Applicant shall reimburse the Town of Breckenridge for all extraordinary review fees and other expenses related to review of the approved or proposed development, including but not limited to environmental consultants and Town Attorney fees.

PRIOR TO ISSUANCE OF BUILDING PERMIT

18. Applicant shall submit proof of ownership of the project site.
19. Applicant shall submit to and obtain approval from the Town of Breckenridge of a Class B Subdivision permit dividing Tract E into two parcels, Tracts E-1 and E-2. Tract E-2, which will be approximately 2.25 acres and is which will be generally downhill and to the west of Tract E-1, as shown on the Development Agreement dated March 13, 2007 (Reception #851343), shall be dedicated to the Town of Breckenridge by general warranty deed in a form and substance acceptable to the Town Attorney. The conveyed property shall be subject to no liens or encumbrances, except the lien of the general property taxes for the year of conveyance.
20. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
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. Construction access shall not be taken through the 50' Emergency Access, Utility and Drainage Easement at the end of the Shock Hill Drive cul-de-sac.
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 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, prohibiting the placement of exterior signage or the use of off-site advertising as they relate to the on-site commercial uses, including but not limited to the spa, bar and café.
27. 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 maintenance of the snow melt system for the property in perpetuity.
28. 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 maintenance of the on-site water quality features for the property (including, but not limited to detention and retention ponds, bioswales, storm water pipes, water quality vaults, etc.) in perpetuity. The covenant shall authorize the Town of Breckenridge to inspect and, if necessary, perform maintenance on these water quality features, and to bill the owner or homeowners association if the Town needs to perform maintenance.
29. 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.
30. Applicant shall revise the Tract E Stormwater Management Plan (Revision date November 26, 2007) to indicate that chain link fencing will be to the outside of the silt fence and hay bales. Applicant shall install construction fencing and erosion control measures according to the Tract E Stormwater Management Plan (Revision date November 26, 2007) and Stormwater Management Details (Revision date November 26, 2007), except as herein revised, along with the Preliminary Construction Activities Stormwater Management Plan for Shock Hill, Tracts C & E, (Revision date December 17, 2007) in a manner acceptable to the Town Engineer. An on site inspection shall be conducted and installation of erosion control measures shall be approved by the Town Engineer prior to start of construction, including prior to tree removal.
31. 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.
32. Applicant shall submit a 24"x36" mylar copy of a revised Shock Hill Master 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. The Master Plan shall reflect the transfer of development rights to the site and the new density on each of Tracts C and E, Shock Hill Subdivision.

33. Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for six (6) Single Family Equivalents (SFEs) of density. A copy of the certificate shall be provided to the Town of Breckenridge.
34. 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. All exterior lighting shall comply with Ordinance 21, Series 2007, and Policy 46 (Absolute Exterior Lighting, of the Breckenridge Development Code.
35. The snow melt system for the property shall be designed and installed so that melted snow is captured by a grate or is otherwise directed away from the public right-of-way. A detail for the design of this feature must be submitted to and approved by the Town Engineer, prior to issuance of a building permit.
36. Applicant shall implement the final water-quality monitoring plan, addressing surface and ground water. The plan shall indicate the final number and location of testing sites, testing method and frequency, and constituents to be tested. The plan shall be substantially similar to the "Shock Hill Tract C and E, Water Quality Baseline Testing Plan", submitted by Peggy Bailey of Tetra Tech, dated December 14, 2007. The final plan shall be reviewed and approved by the Town of Breckenridge or their environmental consultants. The applicant and/or applicant's consultants shall meet with the Town and its consultants on site, prior to start of construction, to determine the appropriate water quality testing locations. Prior to issuance of a building permit, a minimum of six samples shall be collected from each collection site (a minimum of 7 days apart for each site) for both surface and ground water, in order to establish a baseline for water quality. The results of all water quality tests shall be provided to the Town of Breckenridge within three (3) business days form receipt of the results from the testing laboratory. All water quality testing shall be performed in an EPA approved facility.
37. Applicant shall revise "The Shock Hill Lodge & Spa Breckenridge, Colorado Construction Management Plan, 11/14/07, Section 3.0, to indicate that construction hours are limited to 7:00 AM to 7:00 PM, Monday through Saturday. No construction is authorized on any Sunday, or January 1st, December 25th, or the fourth Thursday of November, observed as Thanksgiving Day. Furthermore, Section 4.8 shall be revised to indicate that the "50' Emergency Access, Utility and Drainage Easement" at the end of Shock Hill Drive shall not be used for construction access, parking or materials storage.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

38. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant encumbering not less than 3,849 square feet of approved employee housing within the Upper Blue Basin. The Applicant's selection of the employee housing property is subject to Town approval. Applicant acknowledges that the Town's employee housing covenant requires that there be no liens or encumbrances against the employee housing property, except for the lien of the general property taxes for the year in which the covenant is recorded. If this permit requires construction of new employee housing, Applicant also acknowledges that failure to obtain a Certificate of Occupancy for such employee housing may delay the issuance of a Certificate of Occupancy for the development of the property that is the subject of this permit.
39. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, native seed and mulch.
40. Per the approved Development Agreement dated March 13, 2007 and recorded with the Summit County Clerk and Recorder at Reception #851343, prior to issuance of a Certificate of Occupancy, applicant shall consult with the Town of Breckenridge Open Space and Trails staff, to determine if a split rail fence is needed on the downhill side of the development. If required by the Town, applicant shall install a buck and

rail fence (or other design approved by the Town), in the locations required by the Town, to guide people toward the proper access points to existing trails and to Cucumber Gulch. Applicant shall be required to install and pay all expenses for the design, installation and maintenance of said fence(s).

41. Per the approved Development Agreement dated March 13, 2007 and recorded with the Summit County Clerk and Recorder at Reception #851343, prior to issuance of a Certificate of Occupancy, applicant shall consult with the Town of Breckenridge Open Space and Trails staff on the design and content of signage, which shall be placed in locations most likely to be seen by people approaching the Town's Cucumber Gulch property from Tract C and Tract E-1. The signs shall contain information on the ecological function of the Gulch, the presence of the Boreal Toad, the prohibition of dogs in or near the Gulch, and the importance of staying on established trails. Similar signage and information shall be placed within the lobby or main entrance of the building, and within each residential unit. Applicant shall be required to install and pay all expenses for the design, installation and maintenance of said sign(s).
42. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from Tract E and Tract E-2. 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.
43. 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 operation in perpetuity of a guest shuttle service for the property. The guest shuttle shall operate at a minimum from 8:00 AM until 11:00 PM each day, seven days per week.
44. 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, authorizing owners and guests of the Shock Hill Lodge, Tract C, Shock Hill Subdivision, to use the amenities within Shock Hill Lodge, Tract E, Shock Hill Subdivision. These amenities include, but are not limited to: conference rooms, swimming pools and spa deck, hot tubs, spas, fitness center, lodge room, lounge, café and grill, café terrace, ski storage, skier lounge, concierge and luggage room, and fire pit.
45. 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.
46. Applicant shall screen all utilities.
47. 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.
48. 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.
49. 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. All work must be completed before the Town will release the Cash Deposit. Partial releases will not be allowed, and no interest will be paid by the Town on the Cash Deposit.

50. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
51. 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.
52. 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)

Shock Hill Tract E Class A Development Permit

BRECKENRIDGE, CO

CRANE FRAME ARCHITECTS
1835 W. COLLETS BLVD
BRECKENRIDGE, CO 80424
PHONE: 303.531.5533
FAX: 303.531.1138

ALLEN GILBERT
REGISTERED ARCHITECT

REGISTERED ARCHITECT

LEGEND	
(Symbol)	EXISTING TERRAIN
(Symbol)	EXISTING CONTOUR
(Symbol)	PROPOSED CONTOUR
(Symbol)	PROPERTY LINE
(Symbol)	CONCRETE
(Symbol)	ASPHALT
(Symbol)	GRAVEL
(Symbol)	PAVING
(Symbol)	WOOD
(Symbol)	SETBACK

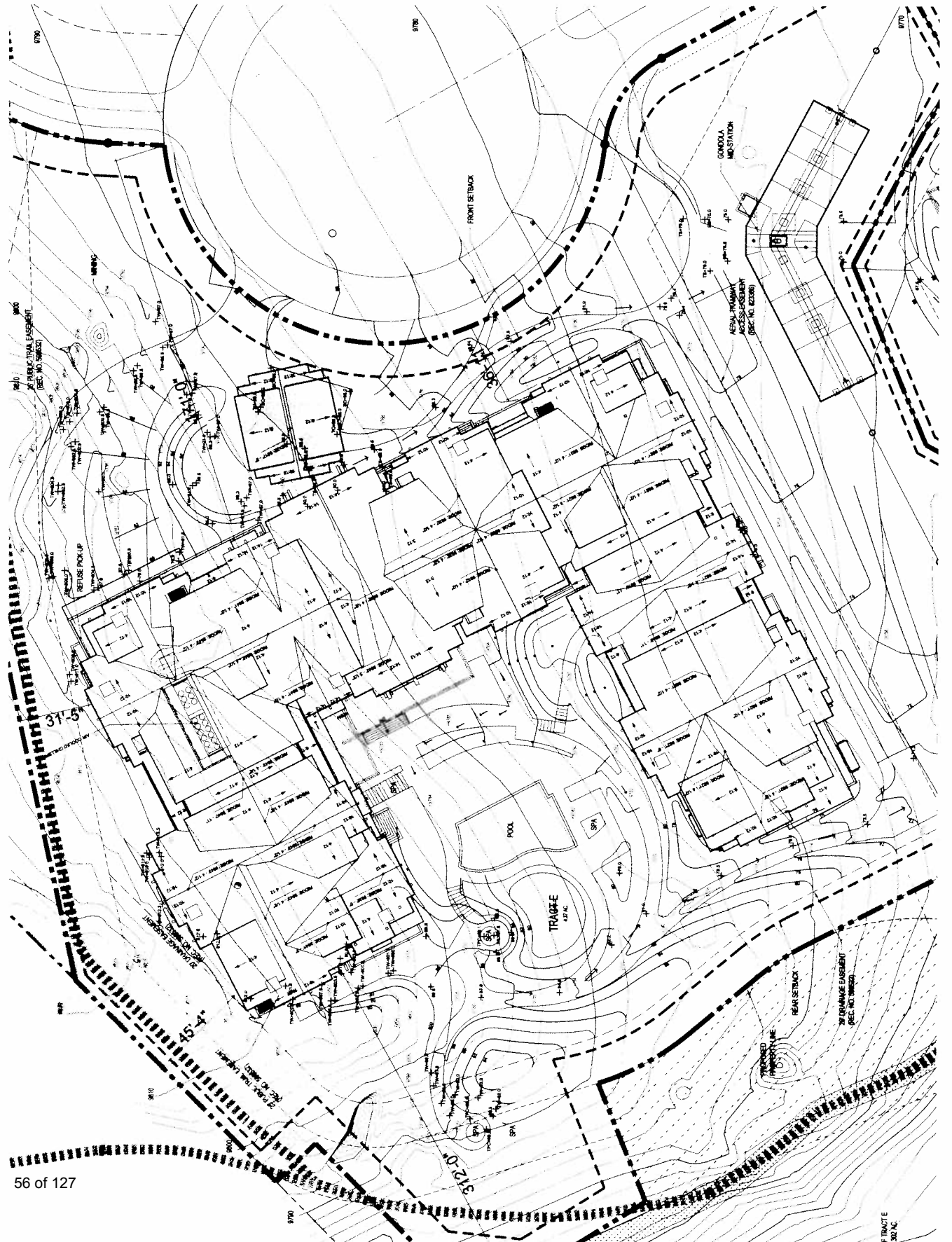
NOTES:
1. SEE DRAWINGS FOR PROPOSED LANDSCAPE
2. SEE DRAWINGS FOR PROPOSED AND EXISTING UTILITIES
3. SEE DRAWINGS FOR TREE REMOVAL PLAN

TRANCE
LEVEL 10.00 EL. 10.00'
LEVEL 11.00 EL. 11.00'
LEVEL 12.00 EL. 12.00'
LEVEL 13.00 EL. 13.00'
LEVEL 14.00 EL. 14.00'

ISSUE	No.	Issue	Date
1	1	Preliminary Dev. Permit Submittal	04.18.2007
2	2	Preliminary Dev. Permit Submittal	05.17.2007
3	3	Preliminary Dev. Permit Submittal	07.17.2007
4	4	Preliminary Dev. Permit Submittal	08.17.2007
5	5	Preliminary Dev. Permit Submittal	10.15.2007
6	6	Final Dev. Permit Submittal	11.28.2007
7	7		

JOB NUMBER
SHEET TITLE
ENLARGED
ARCHITECTURAL
SITE PLAN TRACT E

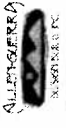
SHEET NUMBER
A1.02



Shock Hill Tract f Class A Development Permit

Breckenridge, CO

CRANE FRAM ARCHITECTS
1100 SOUTH WYOMING
DENVER, CO 80202
PHONE 303.447.3333
FAX 303.447.3335



ASO JLLC
4450 West Hwy
Castle Rock, CO 80108

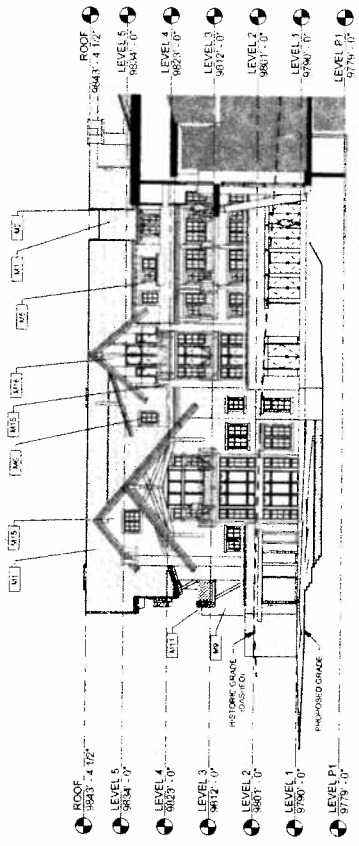
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01	WALLS - CEDAR SHAKES (INT)
02	ROOFING - METAL PANEL (R-10)
03	CEILING - 5/8" CDX PLY (R-10)
04	INSULATION - 2" POLYISOCYANURATE (R-10)
05	EXTERIOR FINISH - 1/2" GYPSUM BOARD (R-0.5)
06	EXTERIOR FINISH - 1/2" GYPSUM BOARD (R-0.5)
07	EXTERIOR FINISH - 1/2" GYPSUM BOARD (R-0.5)
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ISSUE NO.	DATE	DESCRIPTION
1	08/15/20	ISSUED FOR PERMIT
2	08/15/20	REVISIONS TO PERMIT
3	08/15/20	REVISIONS TO PERMIT
4	08/15/20	REVISIONS TO PERMIT
5	08/15/20	REVISIONS TO PERMIT
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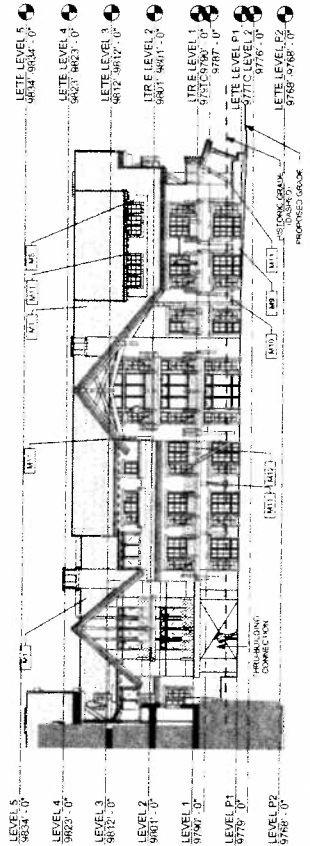
Building Elevations

A4.02

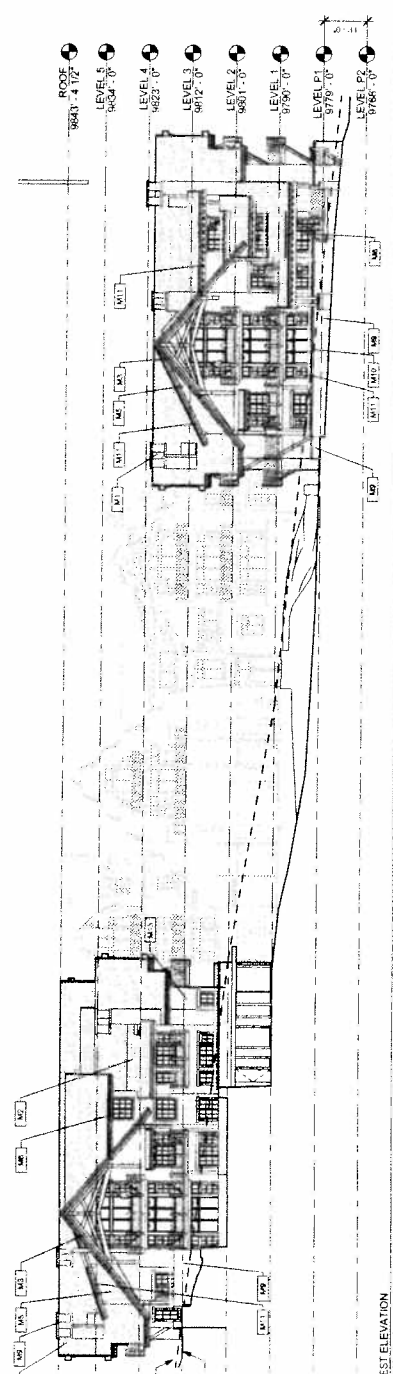
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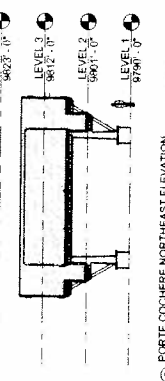
④ SOUTH ELEVATION - NORTH WING
1/16" = 1'-0"



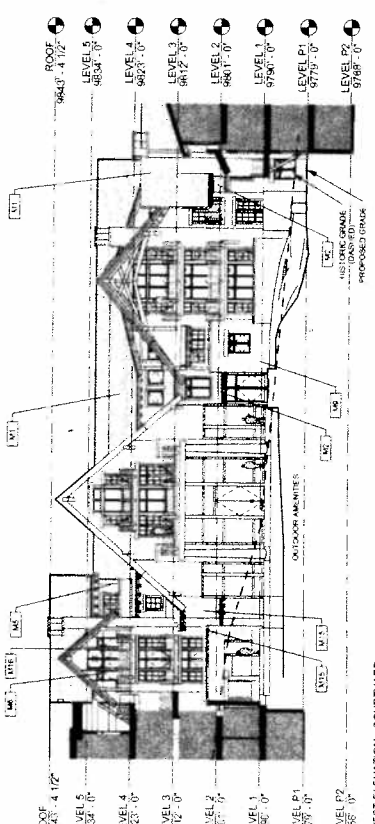
② NORTH ELEVATION - SOUTH WING
1/16" = 1'-0"



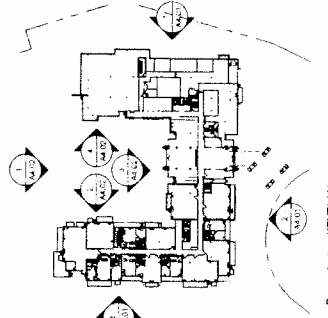
WEST ELEVATION
1/16" = 1'-0"



⑤ PORTE COCHERE NORTHEAST ELEVATION
1/16" = 1'-0"



WEST ELEVATION - COURTYARD
1/16" = 1'-0"



① DEVELOPER'S SITE PLAN
1" = 60'-0"

Shock Hill Tract E
Class A
Development
Permit
Breckenridge, CO

CRANE FRANK ARCHITECTS
1000 W. 10TH AVE.
DENVER, CO 80202
PHONE: 303 733 4222
FAX: 303 733 4222



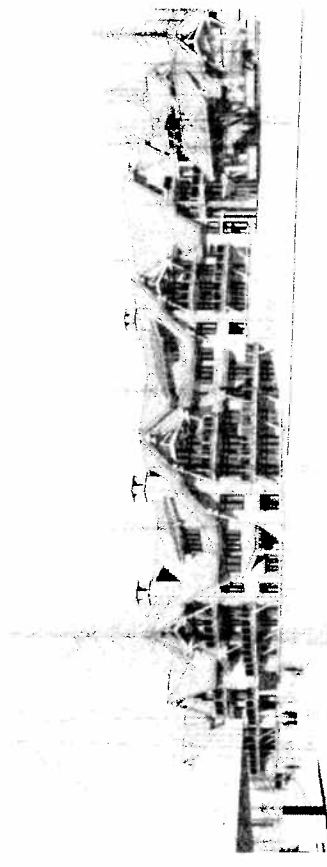
CHALLENGER ARCHITECTS
1411 S. WOOD ST.
DENVER, CO 80202
PHONE: 303 733 4222
FAX: 303 733 4222



GRANT AZCO LLC
644 RAMP TRAIL WY
CASTLE ROCK, CO 80108



3 SOUTHWEST PERSPECTIVE



1 SOUTHEAST PERSPECTIVE

PERSPECTIVE

PERSPECTIVE

ISSUE	No.	Name	Date
	1	PERMITS	10/1/2011
	2	PERMITS	10/1/2011
	3	PERMITS	10/1/2011
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PERSPECTIVE VIEWS

SHEET NUMBER
A4.11

Planning Commission Staff Report

Project Manager: Chris Neubecker, AICP

Date: January 10, 2008 (For meeting of January 15, 2008)

Subject: Shock Hill Lodge, Tract C and Shock Hill Master Plan Modification (Class A, Final Hearing; PC#2007109)

Applicant/Owner: AZCO II, LLC; John Niemi

Agents: Craine Frahm Architects; Dan Craine and Eric Bottenhorn
Allen-Guerra Design-Build; Suzanne Allen-Guerra

Proposal: Construct a 52-unit condo-hotel with a small support/amenity café and underground parking garage adjacent to the Shock Hill gondola mid-station. A modification to the Shock Hill Master Plan is also proposed, pursuant to the previously approved development agreement for the transfer of 33 SFEs of density to this site.

Address: 200 Shock Hill Drive

Legal Description: Tract C, Shock Hill Subdivision

Site Area: 2.89 acres (125,888 sq. ft.)

Land Use District: 10: Residential-2 UPA, Single Family, up to 8-plex, townhouses
Subject to the Shock Hill Master Plan that identifies this site for either townhomes or multi-family residential uses.

Site Conditions: The site is undeveloped. It is moderately forested with mature lodgepole pine and spruce trees. The 100' wide gondola aerial tramway access easement crosses through the northern and northwestern part of the lot. The gondola mid-station is off the property, on the adjacent lot to the northwest. There is a 20' utility and drainage easement along the southern property boundary, and 30' utility and drainage easement in the western corner of the property. Additionally, there are wetlands in the northeast corner of the site. The site slopes downhill to the south and west, at an average rate of 6% at the steepest point within the development area, and as little as 2% on the flattest part of the lot. Cucumber Gulch is to the west of the site, beyond the adjacent lots.

Adjacent Uses:

North:	Shock Hill Cottages
South:	Vacant single family lots
East:	Shock Hill Homes (Duplexes)
West:	Vacant lodge site (Tract E)

Density: Allowed:

Residential per existing Master Plan:	24 SFEs (28,800 sq. ft. residential)
<u>Proposed density transfer:</u>	<u>33 SFEs (39,600 sq. ft. residential)</u>
Total (after density transfer):	57 SFEs (68,400 sq. ft. residential)

Proposed Density: 56.97 SFES (68,371 sq. ft. residential)

Mass:	Allowed under existing Master Plan:	36,000 sq. ft.
	<u>Additional mass with density transfer:</u>	<u>49,500 sq. ft.</u>
	Total allowed with density transfer:	85,500 sq. ft. (as condo-hotel)
	<u>Free mass “bonus” for proposed extra amenities:</u>	<u>1,954 sq. ft.</u>
	Total mass allowed:	87,454 sq. ft.
	<u>Mass transferred to Tract E:</u>	<u>- 3,074 sq. ft.</u>
	Mass allowed after bonuses and transfer:	84,380 sq. ft.
	Proposed mass:	84,367 sq. ft.

(The mass “bonus” for extra amenities is allowed by Policy 24/R, Section D-Meeting and Conference Rooms or Recreation and Leisure Amenities. When provided over and above the required amenities of 1 square foot per 35 square feet of gross dwelling area, this bonus does not count toward the mass or density, up to 200% of the required density. However, the initial required amenities count as mass, but not density. As proposed, the mass bonus would be transferred from Tract C to Tract E, to allow more amenities in Tract E. Those additional amenities would be made available to the guests of Tract C.)

Mass Tracking (Tracts C & E Combined):

	Building E		Building C	
Residential SFEs	66.70 SFEs	80,040 SF	57.00 SFEs	68,400 SF
Mass Bonus		20,010 SF		17,100 SF
Sub-total Mass		100,050 SF		85,500 SF
Commercial	5.30 SFEs	5,300 SF		
1/35 amenity (included in sub-total mass)		2,287 SF		1,954 SF
100% amenity bonus (exempt from mass and density)		2,287 SF		1,954 SF
Total Mass Allowed (does not include amenity bonus)		107,637 SF		87,454 SF
Total Mass Allowed, E and C		195,091 SF		
Mass Proposed Tract E (includes 120 sq. ft. gondola)		110,664 SF		
Mass Proposed Tract C		84,367 SF		
Total Mass Used (includes gondola mid-station)		195,031 SF		
Mass Remaining		60 SF		

Height:	Recommended:	26’ mean (2 stories)
	Proposed:	38’ mean (at highest mean of roof)

Lot Coverage:	Building / non-Permeable:	43,204 sq. ft. (34.32% of site)
	Hard Surface / non-Permeable:	19,853 sq. ft. (15.77% of site)
	Open Space / Permeable Area:	62,831 sq. ft. (49.91% of site)

Parking:	Required:	70 spaces
	Proposed:	73 spaces
	<i>(Note: All long term parking is proposed below the building. There will also be a few short-term parking spaces at the porte-cochere for check-in and shuttle vans, which have not been counted toward the parking provided.)</i>	

Snowstack:	Required (25% of non-snow melted areas):	179 sq. ft. (25%)
	Proposed:	703 sq. ft. (329 %)
	<i>(Note: The driveway at the porte-cochere and access to the service area and underground parking will be heated with a snowmelt system. In addition, all of the pedestrian pathways at the sides and rear of the building will be snow melted, but adequate space has been provided for snow stacking, if needed. A covenant will be required guaranteeing maintenance of the snowmelt system).</i>	
Setbacks:	Front/North: 46 ft.	Rear/South: 24 ft.
	Side/East: 74 ft.	Side/West: 6 ft.
Bedrooms:	Allowed (Tract C, per development agreement):	125 bedrooms
	Proposed:	98 bedrooms

Item History

This project was last presented to the Planning Commission during a second preliminary hearing on November 6, 2007. Staff’s review at that time focused on the changes to the building height and access drive. A thorough landscaping plan was presented. Details were also provided on the proposed storm water management plan. A traffic report was also presented at that meeting, and a large mock-up of the proposed exterior materials was shown to the Commission outside of Town Hall.

Changes Since the Last Review by Planning Commission

Since the second preliminary meeting, some minor changes have been made to the proposed plan. These include:

- A comprehensive water quality-monitoring plan is proposed.
- A full lighting plan has been provided, including a photometric plan and fully shielded fixtures.
- Additional details have been provided on walkway and driveway materials.
- Additional details have been provided on the retaining walls, spa and water features.
- Minor revisions to the landscaping plan are proposed, including additional landscaping next to the gondola building. Details have been provided on irrigation systems.
- Details have been provided on fencing near the gondola, and near along the access to the trail. A new fence is proposed in the rear of the building, to prevent unauthorized use of the spas.
- Elimination of tandem parking spaces.
- Minor changes to the density and mass, but still within the allowed density and mass.

Commissioner Comments from November 6, 2007

(Note: Only one set of minutes was recorded, for both Tracts C and E, at the meeting on November 6, 2007. These minutes are identical to those in the staff report for Tract E.)

Commissioner Questions/Comments:

Mr. Pringle: What were the limitations to access the Gulch? (Mr. Neubecker: Idea was to get folks to one spot were there would be signage. Signage spot would lead to trail system.) Will Tracts C and E have separate HOA’s? (Mr. Neimi: No, both C and E will have the same HOA.) How will hot beds be

encouraged? (Mr. Niemi: We are currently interviewing management companies. People have high expectations when they buy a unit. Management company will handle and encourage hot beds.) Concurred with Mr. McAllister. Wastewater management must be monitored and mitigated. It is imperative to have a first class operation and project. This is ridgeline development, so standards in Policy 8/A do apply. Points are assessed appropriately. Transit points were awarded in the density transfer. (Mr. Neubecker clarified that the development agreement specifically states that even if something is required by the development agreement, earning positive points is not precluded.)

Mr. Bertaux: What will separation fence at gondola be built of? (Mr. Spear: Landscape Architect: Fence will be wood (buck rail). Landscaping would be used to help the fence blend in.) Security at gondola may be a concern for the ski area. (Applicant will discuss this with the ski area.) SUV for shuttle is not "green" and green is expected. Positive four (+4) points is hard to warrant for transit. Every other comment made is supported. Ridgelines must have variety. Substantially similar to plan submitted to Council. This is a ridgeline development. Walls should be faced with stone (Ms. Allen-Guerra: concurred, that is our plan.) Storm water issue and plan: silt must be cleaned out of the retention ponds. Open space should be given same sensitivity as ponds. Care for the open space as you would a public park. Clean up dead trees. Employee housing must meet spirit of law. Don't just purchase one home of 3,800 square feet, but rather housing to accommodate many employees. Points are supported. Reforestation must be given attention.

Dr. Warner: Will landscaping require irrigation and will water be recycled? (Applicant: Irrigation system will be used during development years. Recycled water is being considered but drip irrigation has been decided upon to conserve water.) (Mr. Neubecker pointed out state laws may prevent such a use. The town attorney will be consulted on use of grey water.) Doesn't seem landscaping plan addresses loss of buffer to the west of the project. Sought clarification from staff regarding building height. This is ridgeline development and should be subject to the code. Points for landscaping shouldn't be awarded when existing growth is not being replaced. Policy 37/R: d: 46% of surface is building or paved, negative two (-2) points warranted. This project will bring negative consequences to the gulch; negative four (-4) points warranted. Transit points are a concern. Zero tolerance regarding drainage and care of gulch. Chain link fence recommended. Building height is a concern. Struggled with building height. On Tract C, positive one (+1) point shouldn't be awarded due to excessive ridgeline length.

Mr. Allen: In the refuse area, will recycling be accommodated? (Applicant pointed out recycling space will be accommodated.) Why particular material for shake roof? (Applicant explained shake is more appealing for National Park architecture.) Employee housing will be off-sight. This is ridgeline development. Supported staff point analysis in all areas. Positive transit points were ok because the transit plan encourage guest to park their autos. Work with Patty (Theobald) in the best interest in the community.

Mr. McAllister: Will the state enforce storm water mandates? (Donald Smith, P.E. speaking for the applicant, stated the contractor would be required to seek state permits to proceed with construction. Storm water management is still being discussed.) (Staff pointed out discharged water can be monitored if the Commission so desired.) Impressed by applicant and quality of work. This is ridgeline development. Apply ridgeline policy. Generally supported point analysis. Transit points were a concern (busses vs. SUV's). Storm water sampling must occur. Gulch must be a top priority. Parking was consistent to prior applications.

Mr. Joyce: Has access to trail system been addressed? (Applicant: Signs educating potential users will be used.) A buffer made of natural materials, rather than a fence, is preferred. Will tree replacement be in place to address failure or dead trees? (Mr. Spear: All trees will have improved soil to grow. All trees will be guaranteed.) (Staff pointed out standard landscaping covenant will require applicant to re-plant dead trees.) 1. Agreed with new plan is substantially similar which has evolved nicely. 2. In compliance with Policy 8/R-Ridgeline. 3. Generally agreed except transit points. Mitigate SUV approach. Adjustment to northwest corner does a great job addressing the ridgeline issue. Explore stepping of retaining walls. Water quality must be monitored before and after construction. Great job addressing past comments.

Mr. Khavari: Has the applicant responded to the ERO recommendation? (Staff pointed out to date no changes have occurred, since memo from ERO recently received.) Suggested consent with ERO should be required. (Mr. Smith pointed out his team has met with ERO to minimize concern on previous projects. Applicant pointed out they would be more than willing to monitor storm water.) How will the shuttles be controlled to prevent non-residents from use? (Applicant pointed out a system would be established to address this concern. Only available to people in Shock Hill.) Substantially similar to Council site plan. Agreed with staff regarding points. Negative one (-1) point for Tract C for not stepping roof. Monitor storm water. Work with ERO. ERO and applicant must be on same page at final.

Development Agreement

Although this information was provided at the last two preliminary hearings in August and November, we will reiterate the key points from the Development Agreement approved by the Town Council in March, 2007, and how it relates to development of this site.

The development agreement with AZCO II allows for the transfer of up to 39 SFEs of density from the Upper Blue Density Bank to Tracts C (33 SFEs) and Tract E (6 SFEs). The agreement identified design criteria that are above and beyond those otherwise required by Town Codes. These include:

- Developing the site plan in a manner “substantially similar” to the plan shown to the Town Council.
- Operating the lodge as a condo-hotel, with a density multiplier of 1,200 square feet per SFE.
- Purchase any extra density from the Density Bank, and pay the “then current price” for the density.
- Operate a shuttle service for guests of both Tracts C and E.
- Record a covenant requiring replacement of trees that are saved due to Tract C being developed as a condo-hotel, rather than townhomes.
- Design buildings using best efforts to mitigate the visual impacts of the development from the areas of Cucumber Gulch to the west of the Tracts to the extent practical.
- Implement all appropriate provisions of Section 11 and Section 12, Best Management Practices, of the Town’s “Cucumber Gulch Overlay Protection District Ordinance”. (This will be made a Condition of Approval.)
- Construct a buck-and-rail fence on the downhill side of the Town’s trail located to the west of Tract E, if requested by the Town.
- Place signs on the property at key access points to Cucumber Gulch, containing information concerning the importance of the Gulch, its ecological function, the presence of the Boreal Toad, the prohibition of dogs and the importance of staying on established trails. Similar signs shall be placed in the lobby and the individual units.
- The building on Tract C shall not exceed 125 bedrooms; the building on Tract E shall not exceed 146 bedrooms.

The agreement also indicates that the requirement to provide any of these elements above and beyond the Town Codes does not preclude the applicant from earning possible positive points under the applicable Development Code policies.

Staff Comments

Master Plan (39/A): No changes are proposed from the last meeting. The applicant is still proposing to modify the Shock Hill Master Plan as part of this proposal, which would increase the density by thirty-three (33) residential SFEs for Tract E. The uses for this site (identified in the Master Plan as “lodge/multi-family”) remain unchanged, however, a condition of the Development Agreement is that the site be

development as a condo-hotel, rather than townhomes as previously proposed. Staff has no concerns with this modification.

Land Use (Policies 2/A & 2/R): No changes to the uses are proposed from the last meeting on this project. The site is still proposed as a condo-hotel, including a 24-hour front desk, centralized telephone system, food service, meeting rooms and amenities. Amenities on Tract C include two spas, BBQ terrace, a lodge room and a small café. The applicant has selected to provide most of the required areas as amenities (spas, fitness center, pool, etc.) rather than meeting rooms, which is allowed in the current Development Code. A majority of these facilities would be constructed on Tract E, including two spas, an outdoor swimming pool, fitness center, bar/café, a lodge room and a BBQ terrace. This “total” mass bonus has been tracked on the plans submitted by the architect, and will be included in the Findings and Conditions.

As proposed, Tract C includes 1,468 square feet of amenity area. A covenant will be required that guarantees these areas to remain as amenities in perpetuity.

Density/Intensity (3/A & 3/R)/Mass (4/R): With the proposed density transfer and Master Plan modification, the project will be within the allowed density. A density transfer certificate from the Upper Blue Transfer of Development Rights program will be required prior to the issuance of a building permit, and has been made a Condition of Approval.

Architectural Compatibility (5/A & 5/R): Per this section of the Code:

A. General Architectural And Aesthetic Compatibility: All proposed new developments, alterations, or additions are strongly encouraged to be architecturally compatible with the general design criteria specified in the land use guidelines. It is strongly encouraged that cut and fill slopes be kept to a minimum, and that the site, when viewed from adjacent properties, be integrated into its natural surroundings as much as possible. In addition, excessive similarity or dissimilarity to other structures existing, or for which a permit has been issued, or to any other structure included in the same permit application, facing upon the same or intersecting streets within the same or adjacent land use districts is discouraged. This section only applies to areas outside of the historic district. (Ord. 19, Series 1995)

No significant changes are proposed to the architectural style or materials. Some minor massing changes were required as a result of modifications to the site plan and building height. The building still evokes the characteristics of a grand lodge, with large sheltering roofs, heavy exposed timbers, natural stone and timber siding, exposed rafter tails, plenty of gable and shed dormers, and steeply pitched roofs.

Staff recommends positive three (+3) points under policy 5/R-Architectural Compatibility, for the overall architectural design. At the last meeting, the Commission supported positive points under this policy.

Building Height (6/A & 6/R): *The height of a building has many impacts on the community. Building heights that exceed the Land Use Guidelines can block views, light, air, and solar radiation; they can also disrupt off site vistas, impact scenic backdrop and penetrate tree canopies that provide screening to maintain a mountain forest character. It is encouraged that the height of new buildings be controlled to minimize any negative impacts on the community.*

Land Use District 10 recommends buildings no taller than 2 stories, or 26’ to the mean elevation of the roof. As proposed, staff has measured the building at 38’ to the highest mean elevation (a gable on the west

elevation). This would equate to negative ten (-10) points for exceeding the recommended building height by up to one story.

(b.) For all structures except Single Family and Duplex Units outside the Historic District: Additional negative or positive points may be assessed or awarded based upon the Planning Commission's findings of compliance with the following:

1 x (-1/+1) 1. It is encouraged that buildings incorporate the upper most story density into the roof of the structure, where no additional height impacts are created.

1 x (-1/+1) 2. Buildings are encouraged to provide broken, interesting roof forms that step down at the edges. Long, un-broken ridgelines, 50 feet or longer, are discouraged.

Staff recommends positive one (+1) point under section #1 of this policy for incorporating density into the roof. However, some of the ridges are longer than 50', and we do not believe that the roof steps down enough at the edges. We recommend one (-1) negative point under section #2 of this policy for failing to provide roof forms that step down at the edges.

Site Plan: No significant changes are proposed to the site plan. Staff believes the footprint substantially matches the exhibit in the development agreement. The front setback is 117' (compared to 100' in the Development Agreement). The east setback is now 106' (compared to 104' in the Development Agreement).

Site and Environmental Design (7/R): *2X(-2/+2) The Town hereby finds that it is in the public interest for all sites within the community to be designed, arranged, and developed in a safe and efficient manner. The arrangement of all functions, uses, and improvements should reflect the natural capabilities and limitations of the property. This policy is also intended to discourage levels of development intensity that result in generally compromised site functions, buffering and aesthetics. Taking into consideration the basic character of the site and the nature of the proposed uses, the development should be visually harmonious as perceived from both the interior and exterior of the project. Platted lots with building envelopes, site disturbance envelopes, or designated building locations are still subject to the following rules and recommendations unless noted otherwise.*

No significant changes are proposed to the site that would be affected by this policy. The building is still located to avoid the wetlands in the front of the lot. This layout also helps to preserve a good tree buffer on the north, south and east sides of the building. Retaining walls are proposed along the access drive to the parking garage, helping to reduce site impacts and to preserve trees. Some walls are also proposed near the outdoor terrace behind the building. All retaining walls would be constructed of natural materials, or structured walls with natural stone veneer. Staff supports the limited use of retaining walls, which help to reduce site disturbance and preserve natural vegetation. We find no reason to assign positive or negative points under this policy, as positive points are recommended under Policy 22/R-Landscaping.

Hillside and Ridgeline Development (8/A): Staff does not consider this site as hillside or ridgeline development. The existing wetlands on the site require that development avoid the northeast portions of the site, and require that development be placed to the south and west sides of the lot. In addition, this site is considerably flatter than the adjacent Tract E. We do not believe that this policy applies to this site.

Placement of Structures (9/A & 9/R): All required setbacks have been met. Staff finds the location of the building "substantially similar" to the location shown in the approved development agreement (see Sheet

A1.11). The Commission will need to agree that this plan is substantially similar to the site plan exhibit in the approved Development Agreement in order to approve this project.

Access / Circulation (16/A & 16/R; 17/A & 17/R):

3 x (-2/+2)

A. Accessibility: It is encouraged that internal circulation systems provide the types, amounts, and locations of accessibility needed to meet the uses and functions of the movement of persons, goods, services, and waste products in a safe and efficient manner, with maximum use of pedestrian orientation, and a minimum amount of impervious surfaces. Internal circulation elements should be designed in such a manner that the elements are integrated with each other as well as possible, and that conflicts between elements are minimized. The following represent the criteria utilized to analyze how well the project has met this particular policy.

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

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

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

No significant changes are proposed. Staff is pleased with the access design. Most pedestrian areas (including most of the walkways within the amenity courtyard) and all driveways are snow melted. Good pedestrian access is provided to the gondola to the west, along with access to the adjacent lodge and amenities. These sidewalks also tie in with existing sidewalks along Shock Hill Drive. Pedestrian and vehicle circulation is still separated, and a good pedestrian connection to Tract E is provided. Staff supports the proposed circulation plan, and we recommend three (+3) points for separation of uses.

Parking (18/A & 18/R):

2 x (-2/+2)

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

All parking is still proposed below the building, except for a few short-term spaces near the porte-cochere, for check-in and shuttle vans.

Considering that all of the parking (other than a few spaces at the porte-cochere) is hidden below the building, and based on past precedent, staff recommends positive four (+4) points, under Policy 18/R-Parking.

Landscaping (22/A & 22/R): The proposed landscaping plan includes a variety of large aspen and evergreen (fir and spruce) trees. This includes 131 aspen trees (4"-6" caliper) and 67 conifers (10'-24' tall). These are very large trees that would have an immediate positive impact on the site. In addition, a large area of existing trees will be preserved in the front of the building, maintaining a strong buffer to Shock Hill Drive, and when approaching the building from Ski Hill Road. There are also many very large trees

preserved at the rear of the building, including 17”-35” caliper spruce trees. The landscaping plan has been designed for quality and tree size over quantity, and you will notice that this project has fewer trees than similar projects listed below, but the trees are considerable larger. There is also a very high quality shrub and perennial planting plan proposed. For comparison sake, three similar sized developments are shown below:

Project	Evergreen	Deciduous	Points
VRDC at Peak 7	110 (6’-12’ tall)	237 (1”-3” caliper)	+4
Grand Timber at Peak 7	110 (6’-18’ tall)	235 (1”-3” caliper)	+4
Mountain Thunder, Phase I (3 buildings)	283 (8’-24’ tall)	150 (1.75”-3” caliper)	+4
Tract C, Shock Hill	67 (10’-24’ tall)	131 (4”-6” caliper)	?

Staff believes that this is a very good landscaping plan. We especially appreciate the size of the trees proposed. We recommend positive four (+4) points under policy 22/R-Landscaping.

Greywater: At the last meeting the Commission asked about the possible recycling of greywater from the building (showers, sinks, etc.) for irrigation of the landscaping. Staff has done some research on this topic, but it appears that there are several issues stopping this from happening with this proposal and in town.

There are environmental issues with re-introduction of greywater so close to Cucumber Gulch. Any reintroduction of water would first require treatment, which would likely involve chemicals that could harm Cucumber Gulch. Furthermore, there are public health issues, as this water usually contains bacteria and other potential pathogens. Any re-use of greywater or blackwater (from toilets) requires a Colorado Department of Public Health permit, which would be time-intensive to obtain, and would likely only allow reintroduction of this water 10”-12” below ground, and hence could not be used for a drip irrigation system. For these reasons, the re-use of grey water is not proposed by the applicant nor supported by staff for this application.

Social Community / Employee Housing (24/A & 24/R): No on-site employee housing is proposed. Employee housing will be provided off-site, with a minimum of 3,084 square feet of deed-restricted employee housing (4.51% of the density) as identified in the Development Agreement. The agreement indicates that the applicant will provide sufficient employee housing in a manner as to achieve zero or more points under this policy. This has been made a condition of approval, “Prior to Issuance of a Certificate of Occupancy” for this site.

Drainage and Stormwater Management (27/A & 27/R): A stormwater management plan was provided for the last meeting. No major changes are proposed since the last meeting. One minor change includes the treatment of roof runoff through the use of bioswales (small ditches with vegetation), before flowing into the detention ponds. A variety of systems are proposed to improve water quality and minimize the impacts to Cucumber Gulch. These include sedimentation ponds, silt fencing and hay bales during construction, and a series of detention ponds, drywells, bio-swales and mechanical treatments units for post-construction. It is anticipated that the locations of detention ponds and swales will be the same or very similar during construction and post-construction.

During construction, vehicle tracking and tire washing stations would be used at entrances to the site to prevent silt runoff. Inlet protection would also be provided at all existing culverts within 500 feet from the project site. We have added a Condition of Approval requiring a covenant for the maintenance of the detention ponds and other water quality features. A letter from Barbara Galloway of ERO Resources, the Town’s water quality consultant for Cucumber Gulch, is attached for your review.

Staff notes that we have verified that water from the spas will not be drained to Cucumber Gulch, but will rather flow to the sanitary sewer system. The Breckenridge Sanitation District has approved this method of spa and pool water disposal.

Water Quality Monitoring: The applicant has submitted a comprehensive water-quality monitoring plan, prepared by their consultant, Peggy Bailey, Senior Hydraulic Engineer with Tetra Tech (attached). The plan includes four surface water and three ground water testing sites, with final site locations to be agreed upon in the field between Tetra Tech and Barbara Galloway of ERO Resources, the Town's environmental consultant for Cucumber Gulch. Groundwater would be sampled and tested monthly for a variety of possible contaminants. Surface water would be sampled and tested more frequently, including:

April 15-May 31: Weekly for six weeks and after a storm event

June 1-September 1: Every six weeks and after a storm event

September through November: Monthly and after a storm event

Late Winter: Monthly and after a storm event

Barbara Galloway from ERO Resources and Ken Kolm from Hydrologic Systems Analysis (groundwater consultant) have reviewed the plan. The Town's consultants and the applicant's consultant have discussed the monitoring approach, and have agreed to the number of testing sites as well as the list of contaminants to be tested. We believe that this is a comprehensive approach to testing both surface and ground water. Surface water would be monitored at the ponds in the gulch. Ground water would be monitored at points down gradient of the development, outside of the gulch. No significant impact is expected to the quality or quantity of ground water, but this testing plan is the best way to verify our assumptions. If the Commission has concerns with this testing plan, or believes that additional water quality monitoring is needed, please let staff know.

Transit (25/R): No change is proposed to the shuttle system from the November 6, 2007 meeting. A shuttle service is proposed to serve both Tracts E and C, which would provide access around town by an on-call shuttle service. The service would be available to any guest of the two lodges. The applicant has indicated at past meetings that the shuttle would also be made available to other residents of Shock Hill, however, that pledge is not part of this application, and will not be enforced by the Town. (If the applicant or current residents of Shock Hill are interested in clarifying this arrangement, we suggest that they enter into an agreement on their own.)

The shuttle service would provide a great guest benefit, and would also help by eliminating many private vehicle trips around town, and free up parking spaces downtown. In addition to reducing local traffic and parking congestion, the shuttle will allow guests to arrive in Breckenridge via a common carrier (CME, for example) and avoid renting a car. The hours of operation have not yet been established. Staff suggests that the shuttle operate at a minimum from 8:00 AM until 11:00 PM, seven days per week, which has been made a Condition of Approval.

At the last meeting, some Commissioners requested that the applicant operate a van or bus, rather than an SUV. There was also a request to operate a hybrid vehicle for the shuttle. The exact vehicle has not been identified, but the applicant has indicated that a hybrid SUV would likely be used. Staff has done some preliminary research on the use of hybrid SUVs rather than vans for the shuttle. Preliminarily, it appears that many hybrid SUVs obtain better fuel economy than standard 14 passenger vans.

Staff recommends positive four (+4) points for this project for the provision of a shuttle service. This is consistent with similar projects that have operated shuttle systems. A covenant guaranteeing operation of the shuttle service in perpetuity would be required.

Amenities and Meeting Rooms (Policy 24/A & 24/R-Social Community): No change is proposed to the amenities or meeting rooms. All condo-hotels are required to provide a minimum of one square foot of meeting rooms or amenities for every 35 square feet of gross dwelling area.

For this project, 1,954 square feet of amenities are required (plus a bonus of up to 100%, or another 1,954 square feet, are allowed). For Tract E, 2,287 square feet are required (plus an additional 2,287 square feet are allowed). This makes a minimum of 4,241 square feet of amenities for the two building combined (with a maximum allowed of 8,482 square feet). The applicant proposes to provide most of the amenities on Tract E (including some of the required amenities for Tract C). Tract C would still have a lodge room and café, plus outdoor spas and a BBQ terrace. This would allow for more amenities within Tract E, which would otherwise not be allowed without counting toward the allowed density. The following are amenities at Tract C:

Lodge Room (adjacent to lobby and check-in):	977 square feet
<u>Bar/Café (adjacent to Lodge Room):</u>	<u>491 square feet</u>
Total Indoors:	1,468 square feet

Two outdoor spas
Outdoor BBQ terrace

Following are the proposed amenities in Tract E:

Conference room (adjacent to administration):	326 square feet
Ski Valet/Boot Storage (Level P1):	804 square feet
Spa/Fitness (not including 1,436 square feet commercial):	3,506 square feet
Lodge Room (not including 152 square feet bar commercial):	2,802 square feet
<u>Business Center (adjacent to Lobby):</u>	<u>210 square feet</u>
Total:	7,648 square feet

A covenant will be required memorializing the allocation of a portion of the mass bonus for Tract C to Tract E, and guaranteeing that these facilities remain as amenities in perpetuity. This has been made a Condition of Approval. A similar arrangement was approved for the transfer of amenity space in Building 801 at Peak 8.

Exterior Lighting (Policy 46/A): Although this application was submitted prior to adoption of this policy, per the Development Agreement, the applicant has agreed to comply with this policy. A lighting plan and photometric plan have been submitted. All proposed exterior lighting meets this policy. All exterior fixtures are fully shielded, and the photometric plan meets the requirements for this lighting zone.

Gondola: The applicant has been working closely with Jon Mauch, Lift Director at the Breckenridge Ski Resort, concerning pedestrian crossings beneath the gondola, pedestrian pathways to the gondola and adjacent landscaping. A small split rail fence is also proposed, to keep pedestrians from walking under portions of the gondola with low clearance. Staff appreciates the frequent meeting with the ski resort. Staff has no concerns.

Fencing: Fencing is proposed in three areas of the site. These include near the gondola (for pedestrian safety), along the rear of the site (to control access to Cucumber Gulch), and at the rear of the building (to prevent unauthorized access to the spas). The Town Council recently directed staff to develop a fence policy that would prohibit most types of fencing in town. However, we believe that the proposed fences would be exempt from the proposed (and not yet adopted) policy, since they are required for public safety and for access control to the gulch.

The fence near the gondola would be a split rail fence (detail 2, Sheet L7-05), along with landscaping. The fence along access routes to the gulch would also be split rail, in locations determined by the Open Space and Trails division. The fence at the rear of the building to prevent unauthorized use of the spas is required for liability reasons, and would not be visible from the public right-of-way. This fence is proposed to be constructed of black welded steel (detail 4, Sheet L7-06).

Construction Management Plan: The applicant has submitted a construction management plan from the contractor, Shaw Construction. The plan addresses such issues as noise mitigation, construction staging, storage of materials, air quality and dust control, traffic, construction parking, and safety of passengers. Two points of the plan that will need to be revised include the hours of operation, and traffic access. The hours are listed as 6:00 AM – 6:00 PM during Mid April to the end of May. However, the Town noise ordinance prohibits construction noise before 7:00 AM on any day. Also, the section on Street Usage will be required to note that access will not be allowed from the 50' Emergency Access, Utility and Drainage Easement at the end of the Shock Hill Drive cul-de-sac. These changes have been added as Conditions of Approval.

Point Analysis: Staff recommends positive points under policy 5/R-Architectural Compatibility (+3 points), 6/R-Building Height (+1 point), 7/R-Site and Environmental Design (+2 points), 15/R-Refuse (+1 point), 16/R-Internal Circulation (+3 points), 18/R-Parking (+4 points), 22/R-Landscaping (+4 points), and 25/R-Transit (+4 points). We believe that negative points are warranted under Policy 6/R-Building Height (-10 points for exceeding recommended height, and -1 point for not stepping roof at edges), and Policy 33/R-Energy Conservation (-3). The result is a passing score of positive eight (+8 points). We welcome Commissioner input on these recommendations.

Staff Recommendation

Staff has been working very closely with the applicant over the past year on this project. We feel that the project has come a long way since the original proposal, and they have responded to staff, Commission and the public's concerns. We believe that the proposed plan implements all of the requirements of the Development Agreement, and adequately mitigates possible impacts.

The use of natural exterior materials, excellent architecture, and a strong landscaping plan will help to make this a premiere development in Breckenridge. We appreciate the applicant's response to staff input and the changes that have been made. We appreciate the attention to detail, and the sensitivity to Cucumber Gulch, including the water quality monitoring.

Staff recommends approval of Shock Hill Lodge and Spa, Tract C and the Shock Hill Master Plan Modification (Class A, Final Hearing, PC#2007109), with the attached Point Analysis and Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Shock Hill Lodge, Tract C	Positive	Points	+22
PC#	2007109			
Date:	01/10/2008	Negative	Points	- 14
Staff:	Chris Neubecker			
		Total Allocation:		+8
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	Condo-hotel use proposed. Multi-family or lodge use recommended per Shock Hill Master Plan.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)	0	
2/R	Land Use Guidelines - Nuisances	3x(-2/0)	0	
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2->20)	0	Master Plan modification proposed, to include density transfer from Upper Blue Transferable Development Rights program. Project will be within allowed density after density is transferred.
4/R	Mass	5x (-2->20)	0	Note that a portion of the mass bonus for amenities was transferred from Tract C to Tract E. The two sites, when viewed together, do not exceed the allowed mass for the two tracts.
5/A	Architectural Compatibility / Historic Priority Policies	Complies	N/A	
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	+3	High quality design, use of all natural materials, all natural stone, varied roof forms, large roof overhangs, many changes to wall planes and high quality materials.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3->-18)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3->-6)	N/A	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)	0	
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1->-3)	N/A	
6/R	Building Height Inside H.D. - 25 feet	(-1->-5)	N/A	
6/R	Building Height Outside H.D. / Stories	(-5->20)	- 10	Project is one story over recommended height. 38' tall at highest point.
6/R	Density in roof structure	1x(+1/-1)	+1	Good job of incorporating density into the roof with multiple dormer windows.
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	- 1	Roof form does not vary enough, and roof does not step down at edges.
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)	N/A	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	N/A	
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)	N/A	
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)	0	Building blends well into site and follows natural contours.
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)	0	Minimal regrading proposed.
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)	0	Good buffering maintained and added with landscaping.
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)	+2	Good use of retaining walls to minimize cut regrading, and to preserve trees. Terraced walls with landscaping proposed. All walls are faced with natural stone.
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)	0	
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)	0	
7/R	Site and Environmental Design / Wetlands	2X(0/+2)	0	Building is designed to avoid all on-site wetlands. No enhancement of wetlands is proposed.
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)	0	
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)	0	
9/R	Placement of Structures - Adverse Effects	3x(-2/0)	0	
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	0	
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	
12/A	Signs	Complies		All signs will require separate sign permit.
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	All driveways and most sidewalks are heated.
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)	0	
15/A	Refuse	Complies		

15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	+1	Dumpster is incorporated into building with separate service access.
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)	N/A	
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)	N/A	
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	Good pedestrian circulation and good separation of systems. Good access to gondola.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)	N/A	
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)	+4	All required parking is below building, out of public view.
18/R	Parking - Joint Parking Facilities	1x(+1)	0	
18/R	Parking - Common Driveways	1x(+1)	0	
18/R	Parking - Downtown Service Area	2x(-2/+2)	N/A	
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)	0	Project includes swimming pool, fitness center, four hot tubs and a commercial spa.
21/R	Open Space - Private Open Space	3x(-2/+2)	0	About 50% is undeveloped or open space.
21/R	Open Space - Public Open Space	3x(0/+2)	0	
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	+4	Very good landscaping plan with very large aspen (4" caliper minimum) and spruce (8'-24' tall). All landscaping is on irrigation system.
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	0	Applicant will provide a minimum of 4.51% of density as off-site employee housing.
24/R	Social Community - Community Need	3x(0/+2)	0	
24/R	Social Community - Social Services	4x(-2/+2)	0	
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)	0	
24/R	Social Community - Historic Preservation	3x(0/+5)	N/A	
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	N/A	
25/R	Transit	4x(-2/+2)	+4	Guest shuttle with covenant will be operated.
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)	0	
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)	0	
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	0	
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)	0	
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)	0	Water quality testing and monitoring program proposed. Good stormwater management plan proposed.
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)	0	
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	-3	Most driveways, sidewalks and concrete terraces are heated.
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)	0	
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)	N/A	
37/R	Individual Sites	3x(-2/+2)	N/A	
37/R	Blue River	2x(0/+2)	N/A	
37R	Cucumber Gulch/Setbacks	2x(0/+2)	N/A	This policy does not apply, as the Shock Hill Master Plan was approved before adoption of this policy, and is still a vested master plan.
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)	N/A	This policy does not apply, as the Shock Hill Master Plan was approved before adoption of this policy, and is still a vested master plan.
38/A	Home Occupation	Complies	N/A	
39/A	Master Plan	Complies		Shock Hill Master Plan will be modified with this application. Density will be transferred to this site from Upper Blue Transferable Development Rights program.
40/A	Chalet House	Complies	N/A	
41/A	Satellite Earth Station Antennas	Complies	N/A	
42/A	Exterior Loudspeakers	Complies		No exterior loudspeakers will be allowed, per Development Agreement.
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)	0	
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		All exterior fixtures will be fully shielded.

TOWN OF BRECKENRIDGE

**Shock Hill Lodge and Spa, Tract C and Shock Hill Master Plan Modification
Tract E, Shock Hill Subdivision
200 Shock Hill Drive
PERMIT #2007109**

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 January 10, 2008 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on January 15, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, C.R.S., to the applicant or the Town.
7. Per this Amendment to the Shock Hill Master Plan, the total allowed mass for Tracts C and E combined is 195,091 square feet as shown in the table below:

	Building E		Building C	
Residential SFEs	66.70 SFEs	80,040 SF	57.00 SFEs	68,400 SF
Mass Bonus		20,010 SF		17,100 SF
Sub-total Mass		100,050 SF		85,500 SF
Commercial	5.30 SFEs	5,300 SF		
1/35 amenity (included in sub-total mass)		2,287 SF		1,954 SF
100% mass bonus		2,287 SF		1,954 SF
Total Mass Allowed		107,637 SF		87,454 SF
Total Mass Allowed, E and C		195,091 SF		
Mass Proposed Tract E		110,664 SF		
Mass Proposed Tract C		84,367 SF		
Total Mass Used (includes gondola mid-station)		195,031 SF		
Mass Remaining		60 SF		

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 January 22, 2011, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. 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. The building and project identification signs (Entrance Monument Signs) shown on Sheet GR 1.01 and Sheet GR 2.01 are not authorized by this permit. Any signs for the project shall comply with the Breckenridge Sign Ordinance.
13. No exterior speakers or other devices for the amplification of sound are permitted on the outside of the building or on the grounds, with the exception of such devices required for emergency use.
14. Applicant shall implement all appropriate provisions (as determined by the Town) of Section 11 and Section 12, Best Management Practices, of the Town's "Cucumber Gulch Overlay Protection District Ordinance" (Ordinance 9, Series 2000).

15. The swimming pool and spas/hot tubs shall be designed so that when these pools/spas are drained, water flows into the sanitary sewer system. At no time will water from these sources be allowed to drain into the stormwater system, nor toward Cucumber Gulch.
16. An improvement location certificate of the height of the top of the foundation wall, the horizontal location 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 improvement location certificate must be stamped and signed by a Colorado registered surveyor, and must be provided to the Town of Breckenridge a minimum of twenty-four (24) hours prior to the requested inspection.
17. Applicant shall reimburse the Town of Breckenridge for all extraordinary review fees and other expenses related to review of the approved or proposed development, including but not limited to environmental consultants and Town Attorney fees.

PRIOR TO ISSUANCE OF BUILDING PERMIT

18. Applicant shall submit proof of ownership of the project site.
19. Applicant shall submit to and obtain approval from the Town of Breckenridge of a Class B Subdivision permit dividing Tract E into two parcels, Tracts E-1 and E-2. Tract E-2, which will be approximately 2.25 acres and is which will be generally downhill and to the west of Tract E-1, as shown on the Development Agreement dated March 13, 2007 (Reception #851343), shall be dedicated to the Town of Breckenridge by general warranty deed in a form and substance acceptable to the Town Attorney. The conveyed property shall be subject to no liens or encumbrances, except the lien of the general property taxes for the year of conveyance.
20. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
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. Construction access shall not be taken through the 50' Emergency Access, Utility and Drainage Easement at the end of the Shock Hill Drive cul-de-sac.
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 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 maintenance of the snow melt system for the property in perpetuity.
27. 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 all pets to be leashed or contained within enclosures when on the property, and at all times for pets to avoid disturbance of and interference with wildlife within the Cucumber Gulch area.
28. 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 maintenance of the on-site water quality features for the property (including, but not limited to detention and retention ponds, bioswales, storm water pipes, water quality vaults, etc.) in perpetuity. The covenant shall authorize the Town of Breckenridge to inspect and perform maintenance on these water quality features, and to bill the owner or homeowners association if the Town needs to perform maintenance.
29. Applicant shall record with the Summit County Clerk and Recorder, the Town's standard Meeting /Amenity/Conference Room Covenant restricting 9,116 square feet of amenities and conference space in Tracts C and E combined, in perpetuity of the project. The covenant shall indicate that the additional amenity space at Tract E is provided in lieu of the required amenities at Tract C.
30. 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.
31. Applicant shall revise the Tract C Stormwater Management Plan (Revision date November 26, 2007) to indicate that chain link fencing will be to the outside of the silt fence and hay bales. Applicant shall install construction fencing and erosion control measures according to the Tract C Stormwater Management Plan (Revision date November 26, 2007) and Stormwater Management Details (Revision date November 26, 2007), except as herein revised, along with the Preliminary Construction Activities Stormwater Management Plan for Shock Hill, Tracts C & E, (Revision date December 17, 2007) in a manner acceptable to the Town Engineer. An on site inspection shall be conducted and installation of erosion control measures shall be approved by the Town Engineer prior to start of construction, including tree removal.
32. 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.
33. Applicant shall submit a 24"x36" mylar copy of a revised Shock Hill Master 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. The Master Plan shall reflect the transfer of development rights and the new density on each of Tracts C and E, Shock Hill Subdivision.
34. Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for thirty-three (33) Single Family Equivalents (SFEs) of density. A copy of the certificate shall be provided to the Town of Breckenridge.
35. 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. All exterior lighting shall comply with Ordinance 21, Series 2007, and Policy 46 (Absolute) Exterior Lighting, of the Breckenridge Development Code.

36. The snow melt system for the property shall be designed and installed so that melted snow is captured by a grate or is otherwise directed away from the public right-of-way. A detail for the design of this feature must be submitted to and approved by the Town Engineer, prior to issuance of a building permit.
37. Applicant shall implement the final water quality monitoring plan, addressing surface and ground water. The plan shall indicate the final number and location of testing sites, testing method and frequency, and constituents to be tested. The plan shall be substantially similar to the "Shock Hill Tract C and E, Water Quality Baseline Testing Plan", submitted by Peggy Bailey of Tetra Tech, dated January 9, 2008. The final plan shall be reviewed and approved by the Town of Breckenridge's environmental consultant. The applicant and/or applicant's consultants shall meet with the Town and its consultants on site, prior to start of construction, to determine the appropriate water quality testing locations. Prior to issuance of a building permit, a minimum of six surface samples shall be collected from each collection site (a minimum of 7 days apart for each site) for both surface and ground water, in order to establish a baseline for water quality. The results of all water quality tests shall be provided to the Town of Breckenridge within three (3) business days form receipt of the results from the testing laboratory. All water quality testing shall be performed in an EPA approved facility.
38. Applicant shall revise "The Shock Hill Lodge & Spa Breckenridge, Colorado Construction Management Plan, 11/14/07, Section 3.0, to indicate that construction hours are limited to 7:00 AM to 7:00 PM, Monday through Saturday. No construction is authorized on January 1st, December 25th, or the fourth Thursday of November, observed as Thanksgiving Day. Furthermore, Section 4.8 shall be revised to indicate that the "50' Emergency Access, Utility and Drainage Easement" at the end of Shock Hill Drive shall not be used for construction access, parking or materials storage.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

39. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant encumbering not less than 3,084 square feet of approved employee housing within the Upper Blue Basin. The Applicant's selection of the employee housing property is subject to Town approval. Applicant acknowledges that the Town's employee housing covenant requires that there be no liens or encumbrances against the employee housing property, except for the lien of the general property taxes for the year in which the covenant is recorded. If this permit requires construction of new employee housing, Applicant also acknowledges that failure to obtain a Certificate of Occupancy for such employee housing may delay the issuance of a Certificate of Occupancy for the development of the property that is the subject of this permit.
40. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, native seed and mulch.
41. Per the approved Development Agreement dated March 13, 2007 and recorded with the Summit County Clerk and Recorder at Reception #851343, prior to issuance of a Certificate of Occupancy, applicant shall consult with the Town of Breckenridge Open Space and Trails staff, to determine if a split rail fence is needed on the downhill side of the development. If required by the Town, applicant shall install a buck and rail fence, in the locations required by the Town, to guide people toward the proper access points to existing trails and to Cucumber Gulch. Applicant shall be required to install and pay all expenses for the design, installation and maintenance of said fence(s).
42. Per the approved Development Agreement dated March 13, 2007 and recorded with the Summit County Clerk and Recorder at Reception #851343, prior to issuance of a Certificate of Occupancy, applicant shall consult with the Town of Breckenridge Open Space and Trails staff on the design and content of signage, which shall be placed in locations most likely to be seen by people approaching the Town's Cucumber Gulch property from Tract C and Tract E-1. The signs shall contain information on the ecological function of the Gulch, the presence of the Boreal Toad, the prohibition of dogs in or near the Gulch, and the importance of staying on established trails. Similar signage and information shall be placed within the

lobby or main entrance of the building, and within each residential unit. Applicant shall be required to install and pay all expenses for the design, installation and maintenance of said sign(s).

43. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from Tract E and Tract E-2. 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.
44. 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 operation in perpetuity of a guest shuttle service for the property. The guest shuttle shall operate at a minimum from 8:00 AM until 11:00 PM each day, seven days per week.
45. 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.
46. Applicant shall screen all utilities.
47. 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.
48. 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.
49. 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. All work must be completed before the Town will release the Cash Deposit. Partial releases will not be allowed, and no interest will be paid by the Town on the Cash Deposit.
50. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
51. 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.

52. 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)

Shock Hill Tract C/E Class A Development Permit

Breckenridge, CO

DBA
DRAKE FRANK ARCHITECTS
1115 S. W. 10TH AVE.
DENVER, CO 80202
PHONE: 303.867.1133
FAX: 303.867.1133

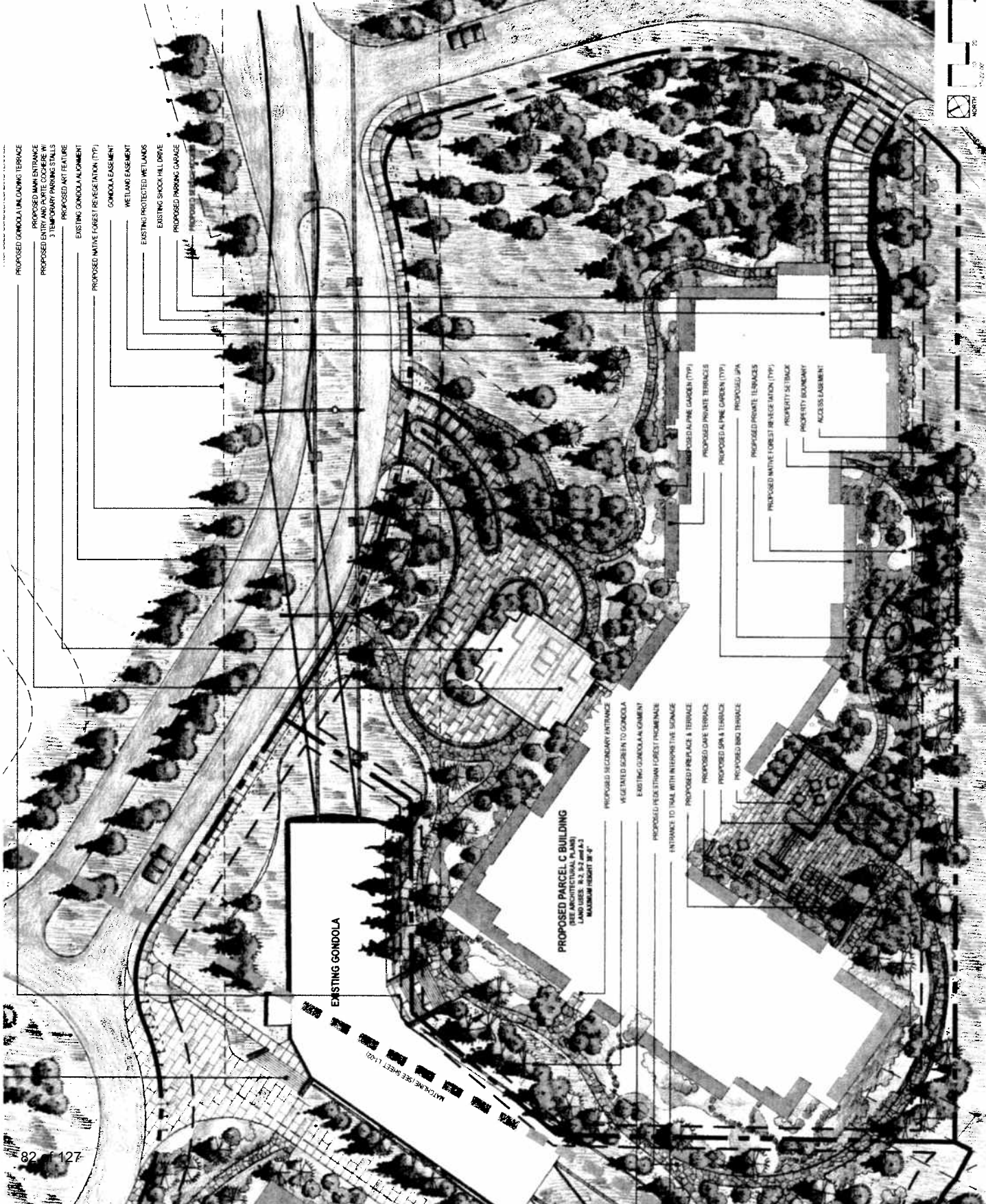
ALLEN GURRY
1145 S. W. 10TH AVE.
DENVER, CO 80202
PHONE: 303.867.1133
FAX: 303.867.1133

DESIGNWORKSHOP
Landscape Architecture - Land Planning
Urban Design - Construction
1145 S. W. 10TH AVE., SUITE 100
DENVER, CO 80202

120 East Main Street
Aspen, CO 81611
Phone: 970.926.9051
Facsimile: 970.926.387

WWW.D.E.S.G.N.W.O.R.K.S.H.O.P.COM

ARCHITECT
DRAKE FRANK ARCHITECTS
DENVER, CO 80202



PROPOSED GONDOLA LOADING TERRACE

PROPOSED MAIN ENTRANCE

PROPOSED TEMPORARY PARKING STATUS

PROPOSED ART FEATURE

EXISTING GONDOLA ALIGNMENT

PROPOSED NATIVE FOREST REVEGETATION (TYP)

GONDOLA EASEMENT

WETLAND EASEMENT

EXISTING PROTECTED WETLANDS

EXISTING SHOCK HILL DRIVE

PROPOSED PROBING GARAGE

EXISTING GONDOLA

PROPOSED PARCEL C BUILDING
(SEE ARCHITECTURAL PLANS)
MAXIMUM HEIGHT 80 FT

PROPOSED SECONDARY ENTRANCE

VEGETATED SCREEN TO GONDOLA

EXISTING GONDOLA ALIGNMENT

PROPOSED RED STEAM FOREST PROMENADE

ENTRANCE TO TRAIL WITH INTERPRETIVE SIGNAGE

PROPOSED FIREPLACE & TERRACE

PROPOSED CAVE TERRACE

PROPOSED SPA & TERRACE

PROPOSED BBQ TERRACE

PROPOSED USE IN THE GARDEN (TYP)

PROPOSED PRIVATE TERRACES

PROPOSED USE IN THE GARDEN (TYP)

PROPOSED SPA

PROPOSED PRIVATE TERRACES

PROPOSED NATIVE FOREST REVEGETATION (TYP)

PROPERTY SETBACK

PROPERTY BOUNDARY

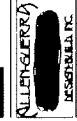
ACCESS EASEMENT

Shock Hill Tract C Class A Development Permit

BRECKENRIDGE, CO



CRANE FRAME ARCHITECTS, INC.
1500 LINCOLN BLVD #2000
DENVER, CO 80202
VOICE: 303.477.3393
FAX: 303.477.1155



CLIENT
AZCO II, LLC
6418 BT TRUST WNY
CASTLE ROCK, CO 80109

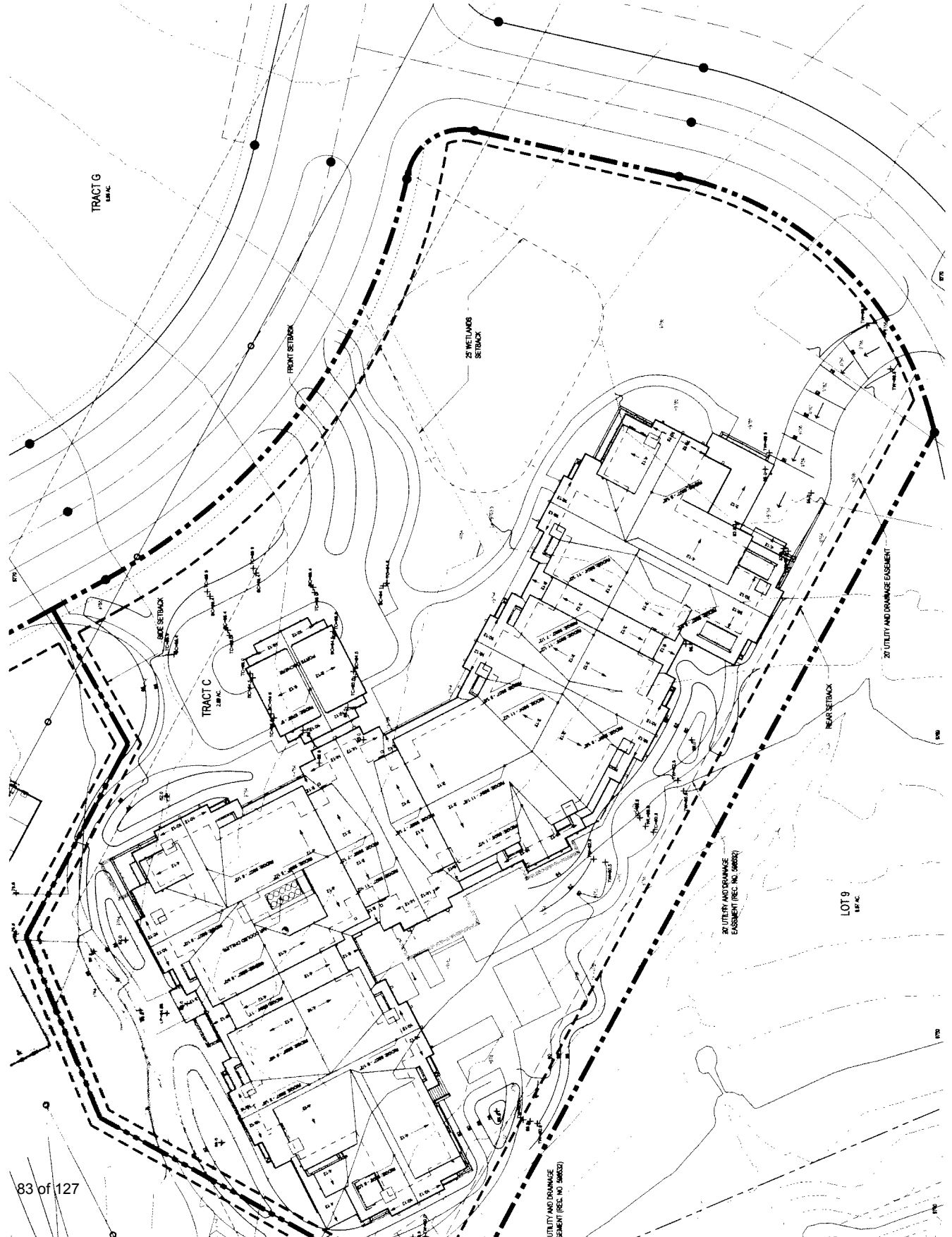
LEGEND	
	EXISTING CONTOUR LINE TO
	PROPOSED CONTOUR LINE TO
	PROPOSED BOUNDARY LINE TO
	BOUNDARY LINE TO
	EASEMENT
	UTILITY EASEMENT
	WETLANDS

NOTE:
1. SEE LA DRAINAGE FOR PROPOSED LANDSCAPE
2. SEE LA DRAINAGE FOR TREE REMOVAL AND LA DRAINAGE FOR TREE PLANTING PLANS

TABLE:
LEVEL NO. 10.000
LEVEL NO. 11.000
LEVEL NO. 12.000
LEVEL NO. 13.000

ISSUE NO.	REVISION	DATE
1	Preiminary Dev. Permit Submittal	04.16.2007
2	Preiminary Dev. Permit Submittal	05.17.2007
3	Preiminary Dev. Permit Submittal	07.17.2007
4	Preiminary Dev. Permit Submittal	08.17.2007
5	Preiminary Dev. Permit Submittal	10.15.2007
6	Final Dev. Permit Submittal	11.28.2007

JOB NUMBER: _____
SHEET TITLE: _____
SHEET NUMBER: _____



Shock Hill Tract C Class A Development Permit

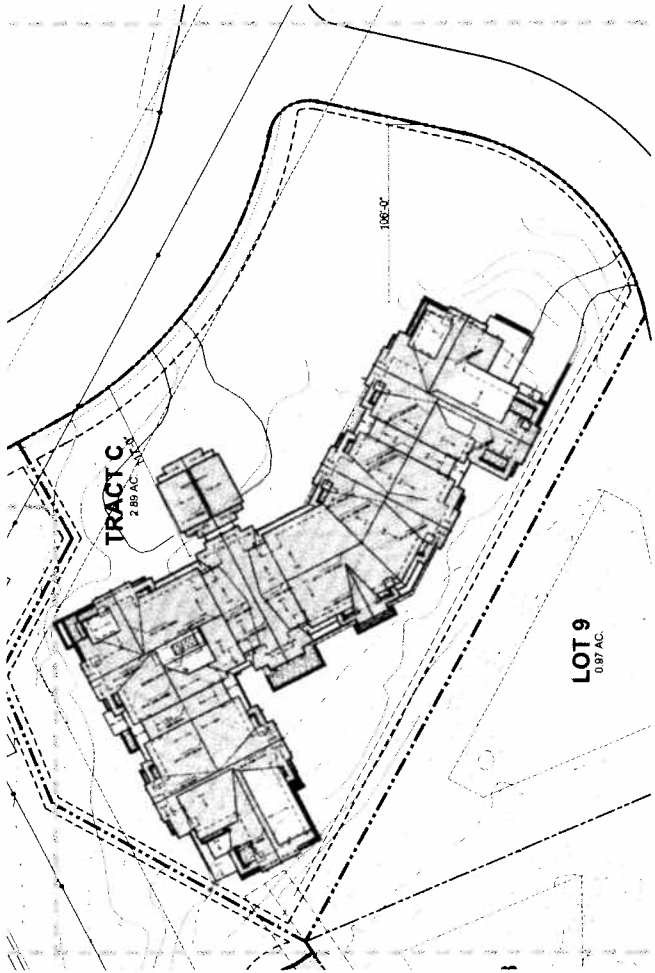
BRECKENRIDGE, CO

CRANE ARCHITECTS
 848 LINCOLN ST #400
 DENVER, CO 80202
 TEL: 303.733.1115
 FAX: 303.733.1115

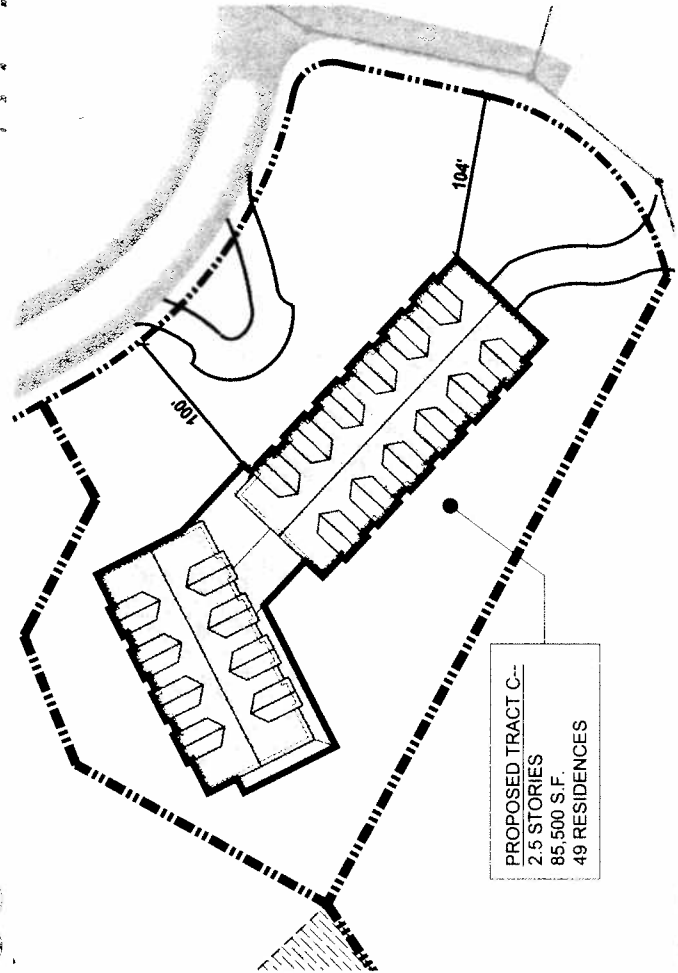
ALLINGBERRY

PERKINS+WILL

CLIENT
 AZCO II, LLC
 64 RUBY TRUST WAY
 CASTLE ROCK, CO 80108



2 ARCHITECTURAL SITE PLAN - NOVEMBER 26, 2007
 SCALE 1/4\"/>



1 ARCHITECTURAL SITE PLAN - MARCH 13, 2007 - TOWN COUNCIL
 SCALE 1/4\"/>

NOTE: 1. SHOWN FOR REFERENCE ONLY

ISSUE NO.	DATE	DESCRIPTION
1	04.18.2007	Permit Submittal
2	05.17.2007	Permit Submittal
3	07.17.2007	Permit Submittal
4	08.17.2007	Permit Submittal
5	10.15.2007	Permit Submittal
6	11.28.2007	Final Permit Submittal

JOB NUMBER
 SHEET TITLE
 COMPARISON
 ARCHITECTURAL
 SITE PLANS TRACT C

SHEET NUMBER
A1.11

Shock Hill Tract C Class A Development Permit Breckenridge, CO

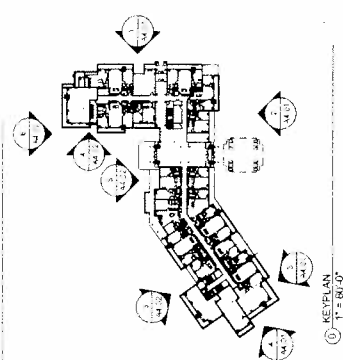
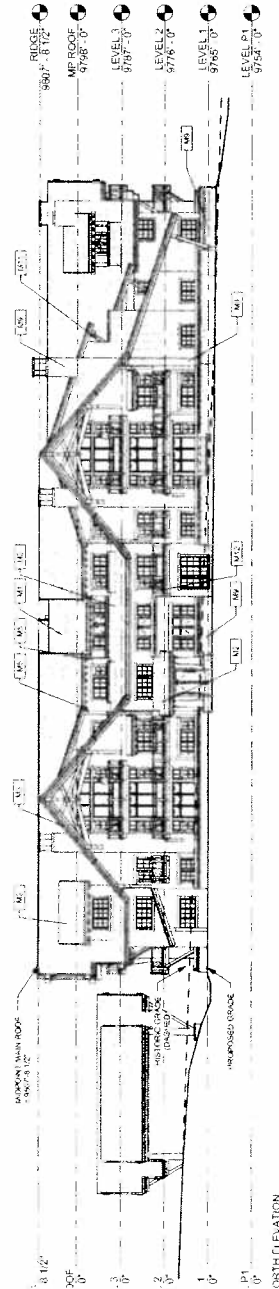
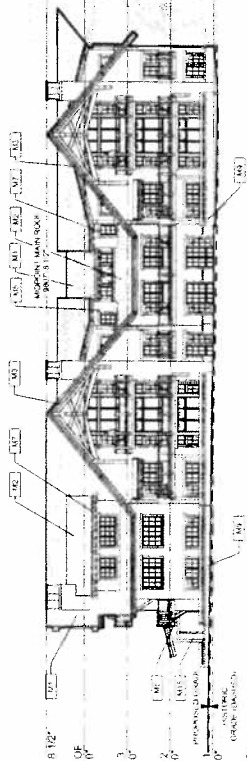
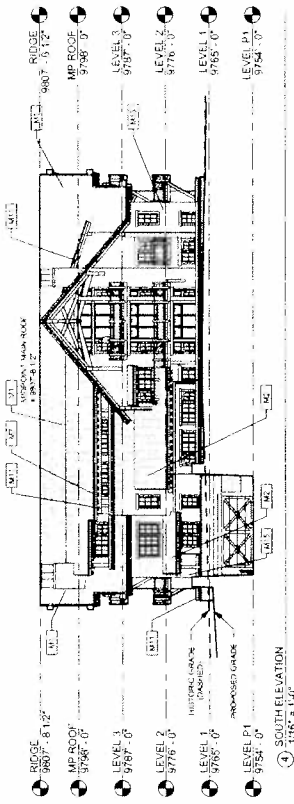
CRANE FRAME ARCHITECTS
1510 HAVEN, CO #1013
970.533.5422
VOICEMAIL: 970.533.5423



2020 U.S.
ARCHITECTS
CASTLE ROCK, CO #1018

GENERAL ELEVATION NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES. MILL INCHES SHALL BE ROUNDED UP.
2. REFER TO MATERIAL SCHEDULE FOR SPECIFICATIONS AND COLORS.

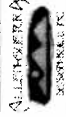
LABEL	ITEM DESCRIPTION
M1	MAIN ROOF - 2" X 8" SPACED @ 16" O.C.
M2	SECONDARY ROOF - 2" X 8" SPACED @ 16" O.C.
M3	CEILING - 1/2" X 4" SPACED @ 16" O.C.
M4	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M5	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M6	CEILING - 1/2" X 4" SPACED @ 16" O.C.
M7	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M8	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M9	WALLS - 1/2" X 4" SPACED @ 16" O.C.
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M98	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M99	WALLS - 1/2" X 4" SPACED @ 16" O.C.
M100	WALLS - 1/2" X 4" SPACED @ 16" O.C.



Shock Hill Tract C Class A Development Permit

Breckenridge, CO

CRANE DESIGN ARCHITECTS
1598 LINCOLN ST #408
BRECKENRIDGE, CO 80424
PHONE: 970.533.5333
FAX: 970.533.9215

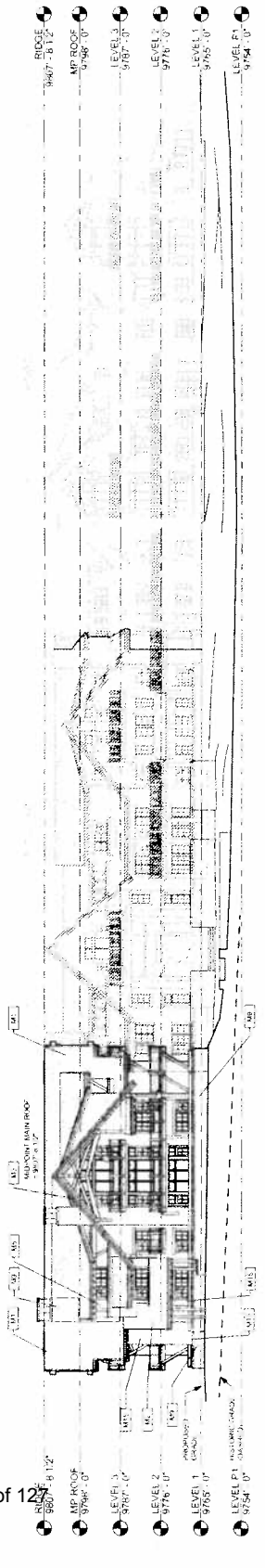


ROY AZCO II LLC
644 RUBY TRUST WAY
CASTLE ROCK, CO 80108

GENERAL ELEVATION NOTES:
1. CONSTRUCTION CALCULATIONS SHALL BE APPROVED BY THE ENGINEER.

LABEL	ITEM DESCRIPTION
M1	MANUFACTURED BRICK
M2	1/2" SOLID BRICK
M3	1/2" SOLID BRICK
M4	1/2" SOLID BRICK
M5	1/2" SOLID BRICK
M6	1/2" SOLID BRICK
M7	1/2" SOLID BRICK
M8	1/2" SOLID BRICK
M9	1/2" SOLID BRICK
M10	1/2" SOLID BRICK
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M100	1/2" SOLID BRICK

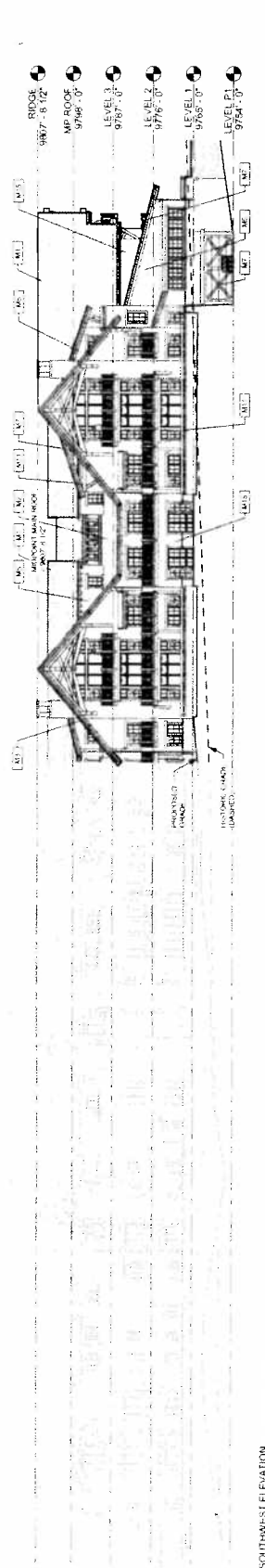
86 of 122



6 WEST ELEVATION
1/16" = 1'-0"

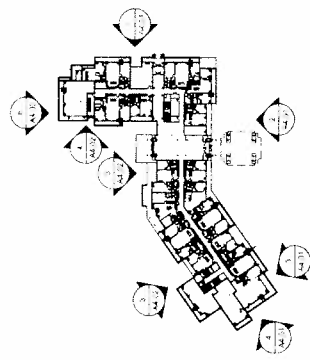


4 SOUTH ELEVATION NORTH WING
1/16" = 1'-0"

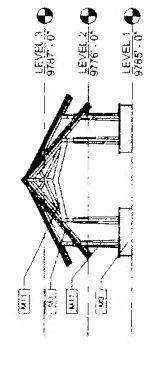


5 WEST ELEVATION BEYOND
1/16" = 1'-0"

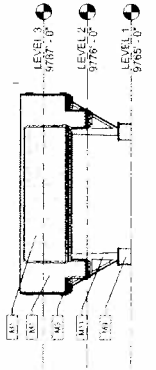
SOUTHWEST ELEVATION
1/16" = 1'-0"



0 FLOOR PLAN
1/4" = 8'-0"



1 PORTALS COURTYARD FRONT
1/16" = 1'-0"



2 PORTALS COURTYARD SIDE
1/16" = 1'-0"

ISSUE	NO.	DATE	DESCRIPTION
1	1	08/15/2018	ISSUED FOR PERMIT
2	2	08/15/2018	ISSUED FOR PERMIT
3	3	08/15/2018	ISSUED FOR PERMIT
4	4	08/15/2018	ISSUED FOR PERMIT
5	5	08/15/2018	ISSUED FOR PERMIT
6	6	08/15/2018	ISSUED FOR PERMIT
7	7	08/15/2018	ISSUED FOR PERMIT
8	8	08/15/2018	ISSUED FOR PERMIT
9	9	08/15/2018	ISSUED FOR PERMIT
10	10	08/15/2018	ISSUED FOR PERMIT
11	11	08/15/2018	ISSUED FOR PERMIT
12	12	08/15/2018	ISSUED FOR PERMIT
13	13	08/15/2018	ISSUED FOR PERMIT
14	14	08/15/2018	ISSUED FOR PERMIT
15	15	08/15/2018	ISSUED FOR PERMIT
16	16	08/15/2018	ISSUED FOR PERMIT
17	17	08/15/2018	ISSUED FOR PERMIT
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Building Elevations

SHEET NUMBER
A4.02

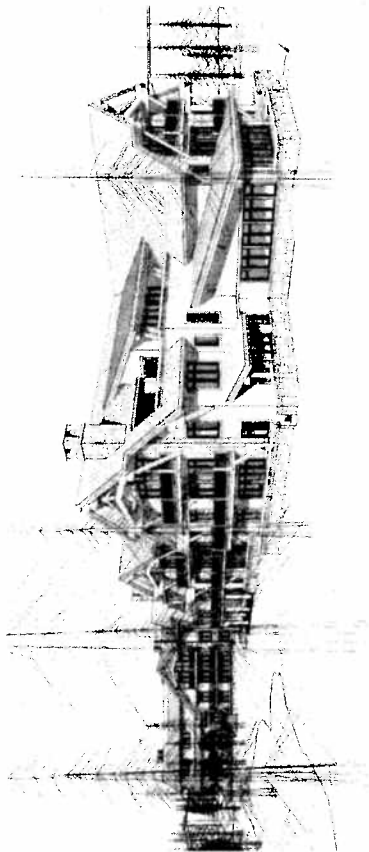
Shock Hill Tract C Class A Development Permit

Breckenridge, CO

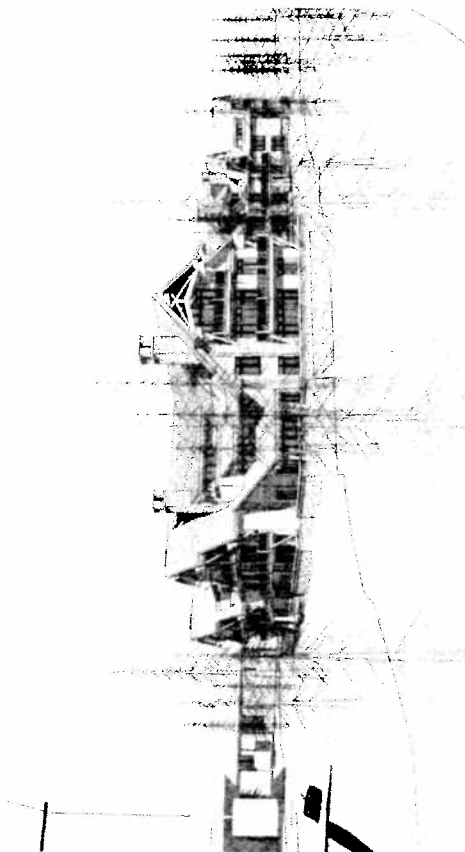
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CRABINE FRANK ARCHITECTS
1550 LINCOLN ST. #200
BRECKENRIDGE, CO 80424
VOICE: 970.537.1551
FAX: 970.537.1155

ALPHASERVA
ARCHITECTS
1000 W. 10TH ST. #100
DENVER, CO 80202
TEL: 303.733.0000
FAX: 303.733.0000

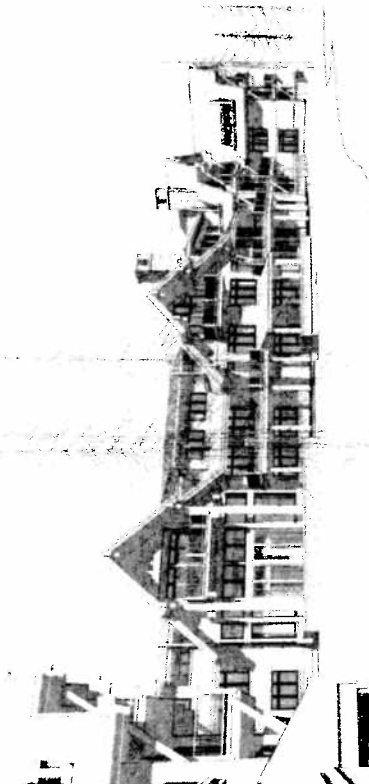
3000 AZCO II LLC
340 RUBY TRAIL WAY
COTLE ROCK, CO 80108



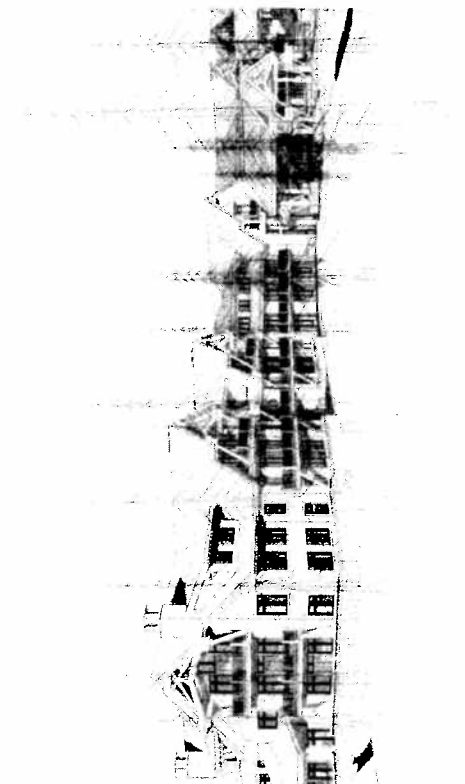
SOUTHWEST PERSPECTIVE



NORTHWEST PERSPECTIVE



EAST PERSPECTIVE



WEST PERSPECTIVE

ISSUE NO.	ISSUE DATE	DATE
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2	10/15/10	10/15/10
3	10/15/10	10/15/10
4	10/15/10	10/15/10
5	10/15/10	10/15/10
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10	10/15/10	10/15/10

REVISED
SHEET TITLE: Perspective Views



November 2, 2007

MEMO:

To: Chris Neubecker, Town of Breckenridge Senior Planner
From: Barbara Galloway, Senior Hydrologist
Re: Review of Preliminary Stormwater Management Plan, Proposed Shock Hill Lodge and Spa, Tracts C and E in the Shock Hill Subdivision

On October 23, 2007, Eric Bottenhorn with Craine Frahm Architects provided me the following information for the proposed Shock Hill Lodge and Spa on Tracts C and E in the Shock Hill Subdivision:

- Preliminary Construction Activities Stormwater Management Plan, September 17, 2007, prepared by S.A. Miro, Inc.;
- A letter to Eric Bottenhorn from Donald Smith at S.A. Miro, Inc addressing stormwater retention on Tracts C and E, dated August 15, 2007;
- Stormwater Management Conceptual Diagrams for Tracts C and E (Drawings LA 5.1 and 5.2); and
- Stormwater Management Details (Drawing LA 5.3).

On October 31, 2007, Mr. Bottenhorn provided me a larger map showing the locations of Tracts C and E relative to Cucumber Gulch. The tracts are located as close as 40 feet from the Cucumber Gulch PMA Boundary on the east side of Cucumber Gulch. The tracts are geographically higher than the gulch. All stormwater from Tracts C and E would flow into the PMA.

Mr. Bottenhorn told me that subsurface investigations are now being completed on the tracts and additional details will be provided in about one month regarding management of stormwater by infiltration into ground water. This should include the locations and design of dry wells and/or infiltration field to be used on the tracts. It would be useful to review this and other site information when it is available.

It is my understanding that the September 2007 Stormwater Management Plan and drawings for Tracts C and E are preliminary. However, sufficient information has been provided at this time to provide some initial comments. On behalf of the Town of Breckenridge, ERO has the following comments on the submittals to date.

1. The stormwater Best Management Practices (BMPs) to be implemented at the site during and after construction appear to be adequate to protect the Cucumber Gulch PMA from uncontrolled or contaminated stormwater runoff from Tracts C and E. It is stated in the August 15, 2007 letter that “the intent was to attempt to manage stormwater by infiltration into the groundwater” using an infiltration field and dry wells. In my opinion, ground water infiltration of stormwater would be ideal for this site, given the site topography and the proximity to the PMA. However, it is understood that the presence of substantial clay and rock in the subsurface could make such infiltration difficult at some locations.
2. In lieu of ground water infiltration or in addition to it, on-site stormwater would be diverted into a number of sedimentation ponds during construction that would become detention ponds after construction. Suspended sediments would be allowed to settle out before stormwater is discharged in a controlled manner through a gravel filter to the PMA. Given the sensitive nature of Cucumber Gulch, it may be advisable to sample the discharge water for suspended sediments, metals and other potential pollutants, such as fuel, fertilizers, polynuclear aromatic hydrocarbons (from asphalt) and other chemicals used on-site. If contaminants were measured in the discharge water, then additional treatment would be needed before further discharges would be allowed to the PMA.
3. Multiple BMPs would be used during construction to minimize erosion and control stormwater flow. After construction, multiple BMPs, in addition to detention ponds, would be permanently installed to collect and treat stormwater. The use of multiple BMPs during and after construction is an excellent plan. If one BMP failed during a storm (such as the silt fence), another BMP (such as hay bales or a drainage swale) could continue to prevent direct runoff from the site.
4. It is stated in the Preliminary Stormwater Management Plan that roof runoff is considered to be clean and would not need to be treated before being discharged or infiltrated. In fact, roofs can be a potential source of polynuclear aromatic hydrocarbons and/or metals. Runoff from roofs should be treated with all of the other runoff from Tracts C and E.
5. It is stated in the Preliminary Stormwater Management Plan that disturbed areas left fallow for more than 14 days would be furrowed parallel to the contours to minimize any sheet runoff damage. It is hoped that such furrowing would be completed at the start of such a fallow period rather than two weeks or more after the area has been disturbed. The Plan also states that disturbed areas left dormant for more than 30 days would be temporarily seeded. It is similarly hoped that such seeding would occur at the start of such a fallow period. In addition, given that it could take weeks for seed generation and weeks or months for ground cover to become established, it is recommended that the disturbed area, unless it is flat, be covered with a soil binder, erosion

control blanket or hydromulch to immediately control erosion in the disturbed area.

6. The key to success of the Stormwater Management Plan is that the construction contractor and all of his employees be familiar with the plan, that it be diligently implemented, and that regular inspections and maintenance be conducted as described in the plan. After construction is completed, the permanent stormwater BMPs will also require regular inspection and maintenance.



Denver • Boise

www.eroresources.com
ero@eroresources.com

January 9, 2007

MEMO:

To: Chris Neubecker, Town of Breckenridge Senior Planner
From: Barbara Galloway, Senior Hydrologist
Re: Stormwater Monitoring, Proposed Shock Hill Lodge and Spa, Tracts C and E in the Shock Hill Subdivision

In my November 2, 2007 memorandum regarding the Stormwater Management Plan for the Proposed Shock Hill Lodge and Spa, I stated that “given the sensitive nature of Cucumber Gulch, it may be advisable to sample the discharge water [from the sedimentation ponds] for suspended sediments, metals and other potential pollutants...used on-site.” Such sampling would indicate whether additional treatment would be needed before stormwater is discharged to Cucumber Gulch. It is recommended that such sampling occur prior to releases of water from any sedimentation ponds to the gulch until it can be shown repeatedly during both construction and post-construction that the water does not contain contaminants that may be harmful to the flora and fauna of the gulch. It could be the case that some sedimentation water may need to be released prior to receiving laboratory results; in this case, action should be taken as soon as possible after the lab results are received to improve the water quality of the discharge water, if needed, prior to any additional releases to the gulch. If the discharge water proves to be clean after repeated sampling during the construction period, then sampling could be reduced. Stormwater sampling should be re-commenced after construction is complete to ensure that the post-construction stormwater BMPs are operating properly to prevent any contaminants (such as magnesium chloride, fertilizer, etc.) from entering the gulch.

It is possible that stormwater may enter Cucumber Gulch from the proposed development during and after construction by routes other than discharge from the sedimentation ponds. It is recommended, therefore, that monitoring sites be located within Cucumber Gulch immediately downgradient of the proposed development. The location and number of surface water monitoring sites can be determined by taking the development plan to the site after the snow has melted this year, walking out into the gulch below the site and choosing nearby surface water sites where surface water samples can easily be grabbed. Two surface water monitoring sites downgradient of the site are probably adequate; the developer may also wish to sample surface water located slightly upgradient of the site during and after construction for the purpose of monitoring any other possible contaminant sources from up-gulch

locations. Recommended parameters to include for laboratory analysis include total recoverable petroleum hydrocarbons, chloride, ammonia, nitrate, total phosphorus, polynuclear aromatic hydrocarbons (PAHs) and total copper, zinc and lead.

Ken Kolm, the town of Breckenridge's hydrogeologist, provided a report dated December 14, 2007 and titled *Review of Shock Hill Lodge Development Impacts on Ground Water and Surface Water, Town of Breckenridge, Summit County, Colorado*. This report describes the hydrogeology of the site and states that the proposed development is a ground water recharge zone and that shallow ground water flows downhill from the project site into Cucumber gulch. Dr. Kolm recommends that several monitoring wells be established at the downgradient side of the project site to detect any possibly contaminated ground water that may be flowing into Cucumber Gulch.

It is possible that some pollutants may enter shallow ground water during or after a storm event rather than flow into the sedimentation ponds. Sediment, the most probable water quality issue in stormwater runoff, is unlikely to infiltrate to the ground water table. Other contaminants may move down to the ground water table, but some of them, such as PAHs and some metals, tend to sorb onto the soil and may not move very far downgradient toward Cucumber Gulch or may be reduced in concentration before reaching Cucumber Gulch. I agree with Dr. Kolm's general site recommendations for installing monitoring wells at the downgradient (west and south) edges of the development and on the north and east edges of the Cucumber Gulch wetlands downgradient of the development. Specific locations can be determined in the field later this year after the snow has melted or at least diminished. Three ground water monitoring sites may be adequate. Wells located within the wetlands should be installed by hand rather than using drilling equipment to minimize disturbance to soils, water and wetland vegetation (as well as avoid Clean Water Act permitting issues). It is recommended that the wells be screened and samples collected from a depth of between 1 and 5 feet below ground surface. Recommended parameters to include for laboratory analysis include total recoverable petroleum hydrocarbons, chloride, ammonia, nitrate, total phosphorus, dissolved copper, zinc and lead and PAHs.

Prior to the commencement of construction, at least two sets of baseline surface and ground water samples should be collected at the monitoring sites at least a week apart, if possible, during a period when surface and shallow ground water flow are not dominated by snowmelt runoff. To assure the adequacy of the construction and post-construction stormwater BMPs, the surface and ground water monitoring sites should be sampled immediately after storm events and on a regular schedule. It is recommended that sampling occur when the sampling sites become accessible and throughout the growing season at approximately six-week intervals. If water quality contamination is found in the surface or ground water samples, then efforts should immediately be made to locate and mitigate the source of the contamination. Sampling would need to occur more frequently until the contamination is eliminated. If no water quality contamination is found after several sampling events (particularly after storm events) during construction, as well as after construction, then the frequency of sampling could be reduced.



January 9, 2008

Eric Bottenhorn
Craine Frahm Architects
1580 Lincoln Street
Suite 480
Denver Colorado 80203

RE: Shock Hill Tract C/E

Dear Eric,

Attached is an outline for a water quality testing program at Shock Hill, Tract C/E in Breckenridge, Colorado. Tetra Tech proposes to perform tests at four surface water and three groundwater sites during the 2008 season. These sites shall be located to test surface and groundwater from the development area, tributary to Cucumber Gulch drainage. The locations of the sites will be located as agreed to with Tetra Tech and the Town of Breckenridge's consultant, ERO.

It is our intent to drill for the groundwater monitoring wells in early April, depending on weather and accessibility, and to begin testing in mid-April. Surface water sample sites will also be located by mid-April with testing commencing immediately thereafter. Based on discussions with ERO we will be performing tests weekly from mid-April through the end of May when construction begins. Thereafter we will sample every six weeks and after rainfall-runoff events as recommended by ERO.

Please review the attached plan and call me if you have any questions or wish to discuss this in further detail. A fee proposal is currently being prepared and will be transmitted under separate cover.

Sincerely,

A handwritten signature in cursive script that reads 'Peggy Bailey'.

Peggy Bailey, P.E.
Senior Hydraulic Engineer

PMB/pmb
Attachments

Shock Hill Tract C/E

Water Quality Baseline Testing Plan

Description: four surface water and three groundwater sample sites are proposed for testing in 2008 at Shock Hill, Tract C/E. These sites shall be located to test surface and groundwater from the development area, tributary to Cucumber Gulch drainage. The locations of the sites will be located as agreed to with Tetra Tech and the Town of Breckenridge's consultant, ERO. Testing frequency and constituents are presented below and are subject to modification pending Town approval.

1) Baseline test site locations

- a. Grab samples, surface water-4 sites
- b. Grab samples, groundwater piezometers-3 sites.

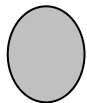
2) Testing Frequency

- a. Spring: April 15- May 31 (weather pending)
 - i Grab samples: Weekly for six-weeks around runoff and after a storm event*
 - ii Groundwater- monthly
- b. Summer: June 1 to Sept. 1
 - i Grab samples: once every six weeks and after a storm event*
 - ii Groundwater- monthly
- c. Fall: September through November
 - i Grab samples: Monthly and after a storm event*
 - ii Groundwater- monthly
- d. Late winter: March and April (where accessible)
 - i Grab samples: Monthly and after a storm event*
 - ii Groundwater- monthly

* sampling during storm events shall be collected as soon as possible during or after a storm, but within 12 hours of the peak of the storm.

3) Constituents to be tested

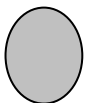
- a. PAHs
- b. Total Recoverable Petroleum Hydrocarbons
- c. Suspended Sediments
- d. Nutrients: Ammonia, Nitrates & Phosphorous
- e. Total Phosphorus
- f. Copper (total for surface water samples, dissolved for groundwater samples)



-
- g. Lead (total for surface water samples, dissolved for groundwater samples)
 - h. Zinc
 - i. Chloride
 - j. pH, conductivity, temperature and dissolved oxygen

4) Photo points

Photo points will also be established to document any observable changes in the PMA prior to construction, during construction and after construction.



Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: January 10, 2008 for P.C. meeting of 1/15/08

Subject: Hastings Residence
Class B – Minor, Preliminary Hearing; PC#2007002

Applicant/Owner: Steve Hastings

Agent: Janet Sutterley, Architect

Proposal: To construct a new single-family residence with a two car garage. Applicant proposes to do some historic preservation on the sheds near the alley.

Address: 102 S. Harris Street

Legal Description: Lot 2, Block 7, Yingling & Mickles

Site Area: 0.143 acres (6,234 sq. ft.)

Land Use District: 17: Residential

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 are two historic sheds on the property. The sheds sit on the Harris Street Alley and are slightly over the property line. Applicant proposes to move the sheds inside the property line by at least one foot. The lot is currently accessed from South Harris Street using a gravel driveway that crosses Lot 2 to access Lot 1, Block 7, Yingling & Mickles. Lot 2 currently has no residence on the property.

Adjacent Uses: North: 100 S. Harris St. Historic residence West: Colorado Mountain College
South: Vacant Lot 3, Yingling & Mickles East: Harris Street Alley

Density: Allowed under LUGs: 2,519 sq. ft. (11 UPA)
Proposed density: 2,519 sq. ft. (11 UPA)

Above Ground Density: Recommended: 2,061 sq. ft. (9 UPA)
Proposed: 2,144 sq. ft. (9.4 UPA)

Mass: Allowed under LUGs: 3,023 sq. ft.
Proposed mass: 3,082 sq. ft. (1.96% over)

F.A.R. 1:2.0

Total Floor Area:	<u>Residence</u>	
	Lower level:	375 sq. ft. (basement)
	Main level:	1,394 sq. ft.
	Upper level:	750 sq. ft.
	Total:	2,519 sq. ft.
	<u>Shed # 1</u>	
	Main level:	220 sq. ft.
	<u>Shed # 2</u>	
	Main Level:	189 sq. ft.
Height:	Recommended:	23' mean
	Maximum allowed:	26' mean
	Proposed:	23' mean
Lot Coverage:	Building / non-Permeable:	2,332 sq. ft. (37.40% of site)
	Hard Surface / non-Permeable:	856 sq. ft. (13.74% of site)
	Open Space / Permeable Area:	3,046 sq. ft. (48.86% of site)
Parking:	Required:	2 spaces
	Proposed:	2 spaces
Snowstack:	Required:	214 sq. ft. (25% of paved surfaces)
	Proposed:	244 sq. ft. (28%)
Setbacks:	Front:	23 ft.
	Side:	3 ft. (north)
	Side:	1 ft. (south)
	Rear:	1 ft. (shed)

Item History

Per a recent Colorado Cultural Resource Survey: *“research was conducted primarily through Summit County Assessor records indicate that this property was developed beginning in the 1880’s, with the barn likely built circa 1882, followed by the house circa 1885. This lot appears to have been owned by the Fletcher/Hagen family since August 7, 1889, when Mrs. Emma Fletcher purchased this property from Mrs. M. J. Watson, “together with improvements” property. Oral tradition, however (passed down to Ed Hagen, the great-grandson of Eli Fletcher), holds that the house was built in 1877. The house was probably built in phases, with the front side-gabled section the earliest. Precise dates are unknown, however.”* Yingling and Mickles, Block 7, Addition was platted in 1892; that is probably reason why the house, barn, and sheds all are over the property lines.

Again per the recent Cultural Resource Survey: *“Although in somewhat deteriorated condition, the two sheds and privy are also representative of (probably) pre-twentieth century vernacular architecture. The property clearly qualifies for local landmark designation, and it is a strongly contributing property within the Breckenridge Historic District.”*

“This property displays a high standard of physical integrity, relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society, Office of Archaeology and Historic Preservation – setting, location, design, materials, workmanship, feeling and association. There have been no additions, and no notable exterior alterations, to any of the buildings within the past fifty years.”

One Cultural Resource Survey was performed for Lot 1 and Lot 2, Block 7, Yingling and Mickles, as these were originally considered one property. The house referenced in the report refers to the existing home on Lot 1. It appears that there has never been a residence on Lot 2.

Staff Comments

Land Use (Policies 2/A & 2/R): Applicant proposes to use the property as a single-family home, which is a use that complies with the suggested use for this land use district.

Per the Breckenridge Land Use Guidelines: *“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.”

Density/Intensity (3/A & 3/R)/Mass (4/R): The proposed project is right at the allowed total residential density of 2,519 sq. ft. (proposed at 2,519 sq. ft.) for the property. However, the residence and the secondary structures are 59 sq. ft. over the allowed mass of 3,023 sq. ft. (proposed at 3,082 sq. ft.). The current Development Code has no method for not counting these sheds as mass, as requested by the applicant’s architect.

Above Ground Density (5/A & 5/R): As proposed the project is at 9.4 UPA above ground density (2,144 sq. ft.). The recommended above ground density at 9 UPA is 2,061 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 2,144 sq. ft. of above ground density at 9.4 UPA is in substantial compliance with Policy 5(A) and Priority Policy 118. Negative three (-3) points are warranted under policy 5/R, for exceeding the recommended above ground density.

Architectural Compatibility (5/A & 5/R): Per the recently completed Cultural Resource Survey: Shed #1 (possibly a granary), *“Measures 12’ by 18’ and is supported by wood timbers on grade foundation. Its walls are made of horizontal wood planks, covered with rusted corrugated metal. The moderately pitched front gable roof is covered with rusted corrugated metal roofing material, laid over 1x wood decking. A vertical wood plank door, side-hinged with metal strap hinges, enters the west elevation from a concrete block stoop. A boarded window opening penetrates the west elevation.”*

Shed #2 or coal shed *“Measures 12 ½’ by 15’.* It is supported by wood timbers on grade foundation, and its exterior walls are clad with rusted corrugated metal over wood frame construction. The moderately pitched front gable roof is covered with rusted corrugated metal roofing material laid over 1x wood decking. A vertical wood plank door enters the building on the west elevation. Two window openings – both filled with horizontal wood planks – penetrate the east elevation, facing the alley.”

“The ruins of a privy, which measures approximately 4 ½’ by 6’, is located between the two sheds. The privy features horizontal wood plank walls, and a collapsed shed roof. The privy’s entry appears to have been from within the coal shed (shed #2 on the Sutterley plans).

The home is designed with a main gable (12:12 pitch) facing Harris Street, and other gables facing north/south. There is a porch on the front and side of the home. The garage is attached to the main residence with a smaller link. The garage and the home simulate historic forms, but incorporate a bit more complexity than typical for a historic house. Arched windows are proposed in a few locations, but they have not been overused. Most windows proposed are simple, vertically oriented double hung windows with divided light panes on the upper sash (6 over 1 and 2 over 2). French doors are proposed on the south side of the home, within the connector element. A stone base and stone chimney are also proposed.

The applicant has not provided Staff with exterior materials as of the time of the writing of this report. Staff recommends horizontal lap siding with a reveal of approximately four (4”) inches.

Per the Handbook of Design Standards for the Historic and Conservation Districts, Priority Policy 90: *“Use material 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.”*

Building Height (6/A & 6/R): The height of the proposed residence is 23' mean. The recommended maximum height of 23' to the mean.

Site Plan: Staff has some concerns with the site plan. The proposal encroaches on three of four setbacks, it appears this may be too much program for this lot. The front setback of 23' is in the historic settlement range for this block of S. Harris Street. The garage is 19' off of the rear property line on the alley, if this was little deeper it would work better for guest parking.

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.*

Applicant has met Policy 115 as the front yard is primarily plant materials. Furthermore, the applicant has indicated a desire to prepare a good landscaping plan for this property.

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 retain a yard character and visually separate parking from the street edge."*
- *"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 proposal does minimize the visual impact of the parking as it is inside in the garage, which is accessed from the alley.

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 also supports the reuse of the secondary structures for utilitarian functions like storage and possibly as hot tub enclosure. However, we have concerns with the loss of fabric on the shed proposed for the hot tub enclosure.

Priority Policy 20: *"Respect the historic design character of the building."*

- *Any alteration that would cause a reduction in a building's rating is not allowed. See pages 5 and 6 for rating categories. Refer to the historic/ architectural survey on file for specific ratings."*

This shed is a contributing building, and staff believes that removal of historic fabric would cause a reduction in the historic rating.

Placement Of Structures (9/A & 9/R): The applicant has proposed to move the historic shed #1 and #2 as shown on the site plan. Shed #1 is proposed to move 8' to the south. Shed #2 is proposed to be moved to the east by 4'. Both will need a variance to sit only one-foot inside of the property line as it does not meet the absolute three-foot setback required by Policy 9(A). Per the Land Use Guidelines for District #17: *“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.”*

Staff and the Code encourage the applicant to move the sheds as little as possible from the historic alignment while bringing it within the property lines and off of the alley R.O.W.

The request for 1' setbacks will require a variance. Per Section 9-1-11 of the Development Code: *D. Criteria For Approval: Before the commission can grant a variance application, the applicant must prove physical hardship and the commission must find all of the following:*

- 1. There are special circumstances or conditions applying to the land, buildings, topography, vegetation or other matters on the subject lot which would substantially restrict the effectiveness of the development in question; provided, however, that such special circumstances or conditions are unique to the particular use of which the applicant desires a variance and do not apply generally to all uses.*
- 2. That such special circumstances were not created by the applicant.*
- 3. That the granting of the variance will be in general harmony with the purposes of this chapter, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.*
- 4. The variance applied for does not depart from the provisions of this chapter any more than is required. (Ord. 19, Series 1988)*

Staff is supportive of the variance request, as this will keep the sheds as close to their historic alignment on the Harris Street Alley as possible while getting them onto the private property and out of the alley R.O.W. Similar variances have been approved for other historic structures.

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.*

The applicant has done a good job of meeting the historic front yard setback. The side yard encroachments is a concern of Staff. Staff request Commissioner comments and input on the side yard encroachments.

Snow Removal And Storage (13/R): The driveway for the garage and the patio will be heated. There appears to be adequate area to store snow on Lot 2. 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 Harris Street Alley. This will require cars to back onto Harris Street Alley, which is allowed for single-family residences. Staff supports using Harris Street Alley as the access to the residence as opposed to using the front yard for access to the garage.

Parking (18/A & 18/R): Harris Street Alley was found to be the best place to access the garage, particularly when taking into consideration Priority Policies 115 and 116. Per Policy 18/R: encourages: *“The placement and screening of all off street parking areas from public view is encouraged.”* Does the Commission feel that this proposal warrants positive two points under Policy 18/R?

Landscaping (22/A & 22/R): The applicant has not provided a formal landscaping plan for the preliminary hearing. The applicant will have a formal landscaping plan by the final hearing. The applicant has stated they plan on doing an excellent landscaping plan for the property, which could really use some trees, shrubs, and ground cover.

Social Community / Employee Housing (24/A & 24/R): Applicant is not proposing any employee housing, nor is any required. However, the applicant’s historic restoration plan is to: *“Create one good shed. Most of existing metal siding is in extremely poor condition and cannot be reused. Move larger shed #1 to southeast lot corner, 1’-0” from both property lines. Provide slab and foundation to Code. Fully restore shed, using all wood from both sheds (framing and siding). Reuse some corrugated metal siding from existing sheds (pick out best pieces), save all historic openings, and re-roof with new corrugated metal.”*

Examples of a recent project that received positive points for Historic Preservation are listed below:

Ducayet Residence (+6 points): *“The two historic sheds on the property are proposed to be restored. Restoration efforts proposed for the sheds include: New poured in place foundation on Shed A. Under pinning of Shed B and pouring foundation below shed. Structural stabilization of the framing. Repair of doorframes, sills and heads. Repair or replacement of door hinges. Inspection of corrugated metal roofs for repair or replacement. Removal of asphalt and metal siding to reveal original wood siding Match dimensions of any wood siding that may need to be replaced with comparable aged siding. Repair window frames and sash by patching, splicing or reinforcing. Replace windows if necessary .”*

Staff fully supports the restoration of shed #1. We find that the proposed restoration efforts will significantly improved the aesthetics, functionality and stability of these historic resource. The foundations and structural stabilization alone will significantly improve the lifespan of this building. However, Staff has some concerns related to the method of “restoration” of Shed #2. Staff does not know of another example of preserving a historic secondary structure by stripping it of all corrugated metal only leaving the wood frame and the existing roof. Staff believes both sheds should be fully restored saving all historic fabric. The

applicant has requested the Planning Commissioner's return to 102 S. Harris Street and focus on the condition of the two sheds. Applicant does not believe exterior corrugated metal is worth saving on shed #2. The following section of Policy 24/R-Social Community, identifies criteria for assigning points:

E. Historic Preservation And Restoration: The preservation and restoration of historic structures, town designated landmark, federally designated landmark, landmark sites, or cultural landscape districts within the town is a priority. Additional on site preservation and restoration efforts beyond the requirements of the historic district guidelines for historic structures and sites as defined in chapter 11 of this title are strongly encouraged.

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 1: 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.

“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:

Staff is not comfortable with the proposed restoration method for shed #2; the proposed restoration of shed #1 appears to be more along the lines of what we have seen done in the past, and what is recommended by the “Handbook of Design Standards”.

Utilities Infrastructure (26/A & 26/R; 28/A): The utilities infrastructure is available in the public right-of-way. A utilities plan has not yet been provided, and will be required for the next hearing.

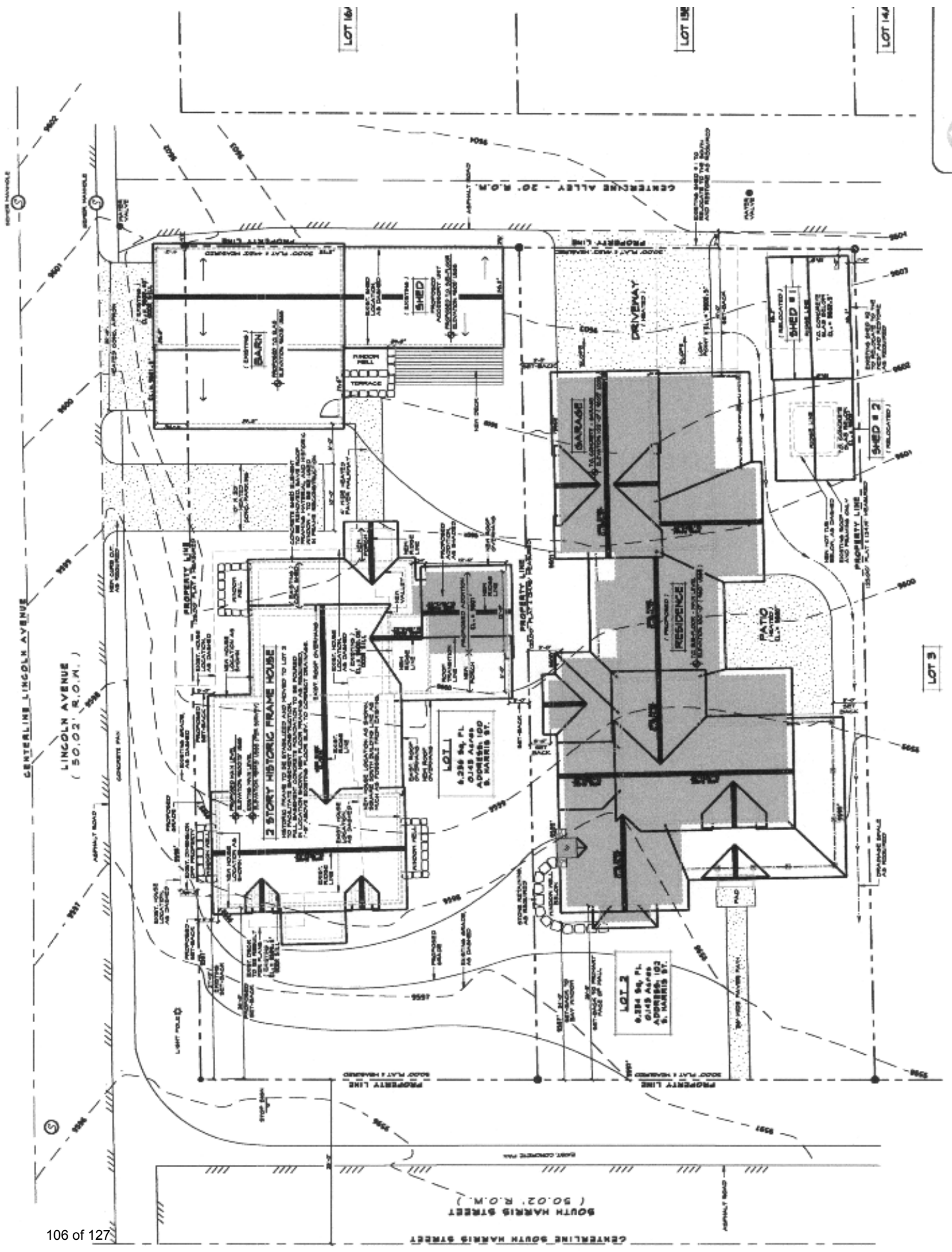
Point Analysis (Section: 9-1-17-3): Staff finds that the proposal warrants negative –6 points for encroaching on both setbacks, and another negative –3 points for exceeding 9 UPA Above Ground Density (proposed at 9.4 UPA, Policy (5/R) points assessed for 9.01 – 9.50 above ground UPA receives negative –3 points), for a total of negative –9 points. Staff request Commission input on the proposed historic restoration and the amount of density and mass for this proposal. We believe that some points may be warranted for historic preservation of the sheds.

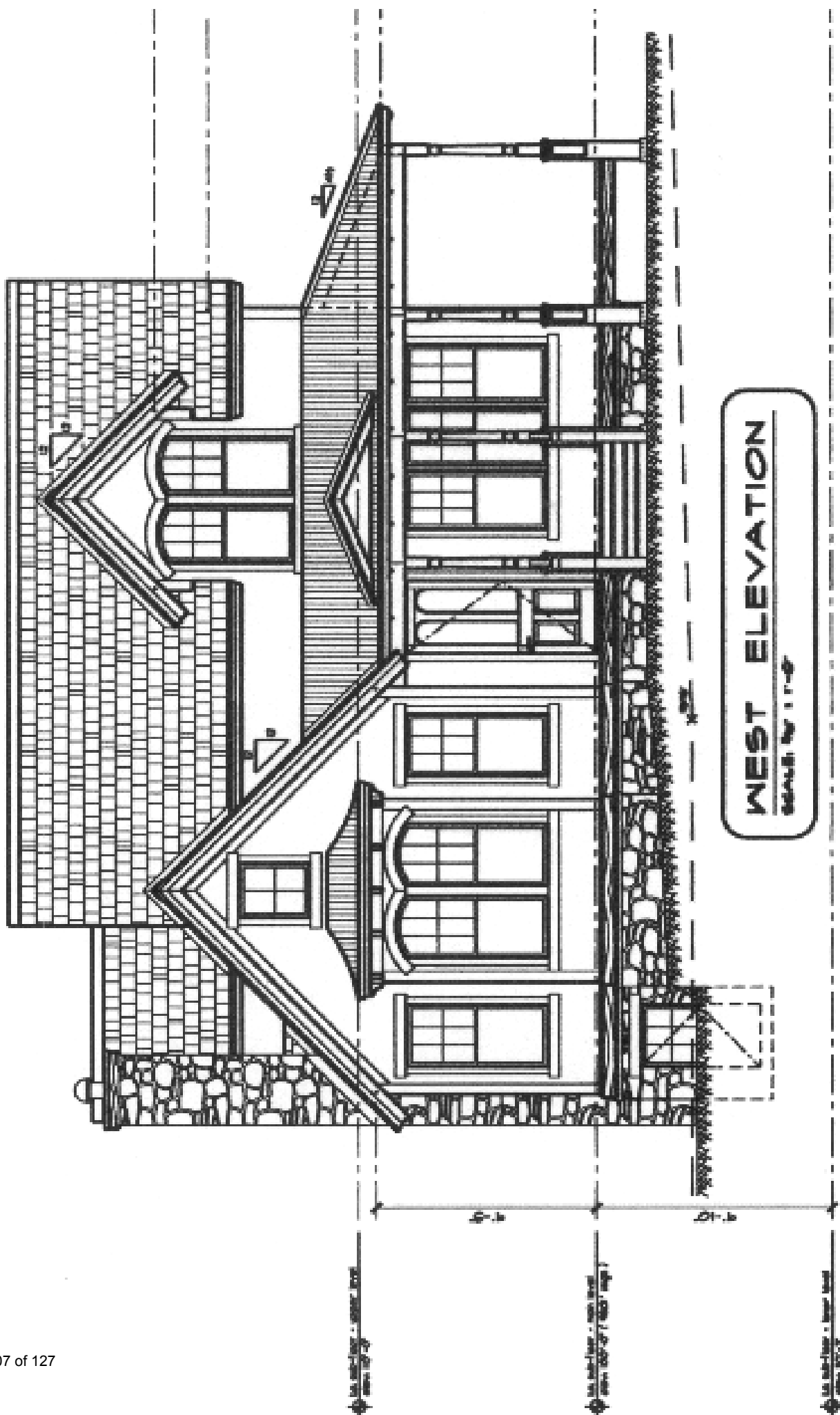
¹ Examples set forth in this policy are for purpose of illustration only, and are not binding upon the planning commission. The ultimate allocation of points shall be made by the planning commission pursuant to section 9-1-17-3 of this title.

Staff Recommendation

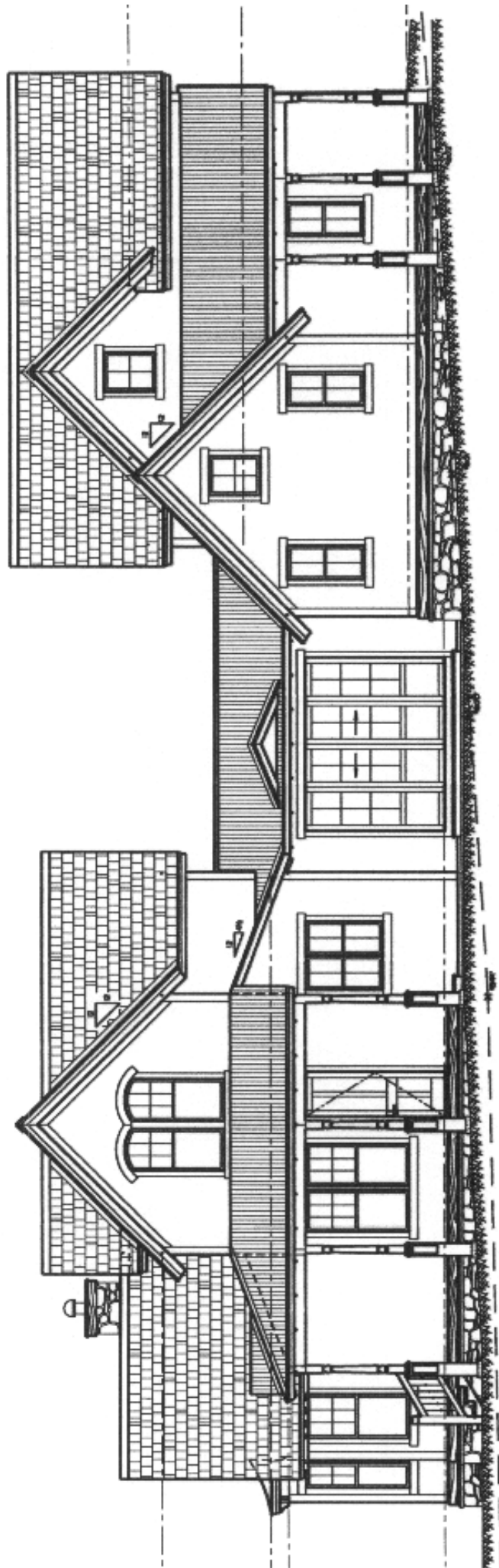
Staff feels that this application is headed in the right direction. However, Staff is concerned about the “restoration” of shed #2, and we believe this method may violate Priority Policy 20. Staff is not convinced only leaving the wood frame with the existing roof should be considered restoration.

Staff also is concerned that the proposed residence is over density/mass by 59 sq. ft. We would like the Planning Commissions comments on proposed new location of the sheds, the proposed restoration, the amount of density and mass proposed on site, and any other concerns the Commission might have.

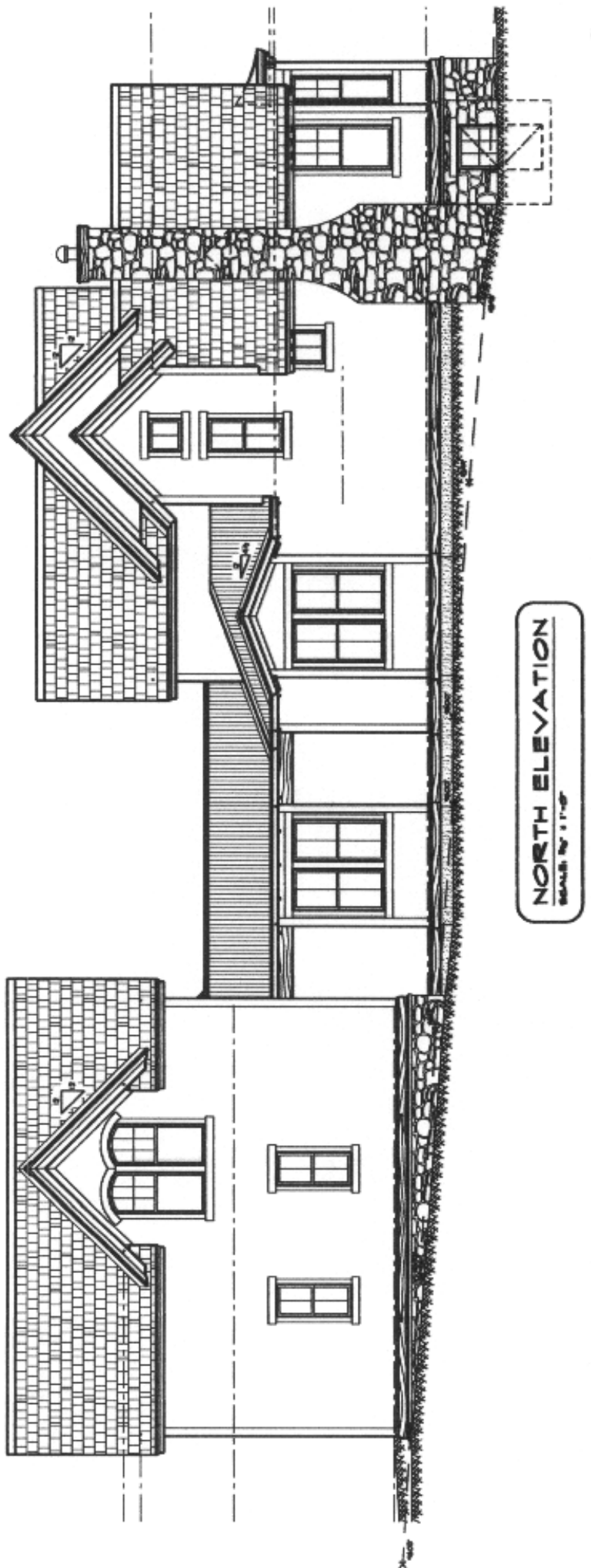




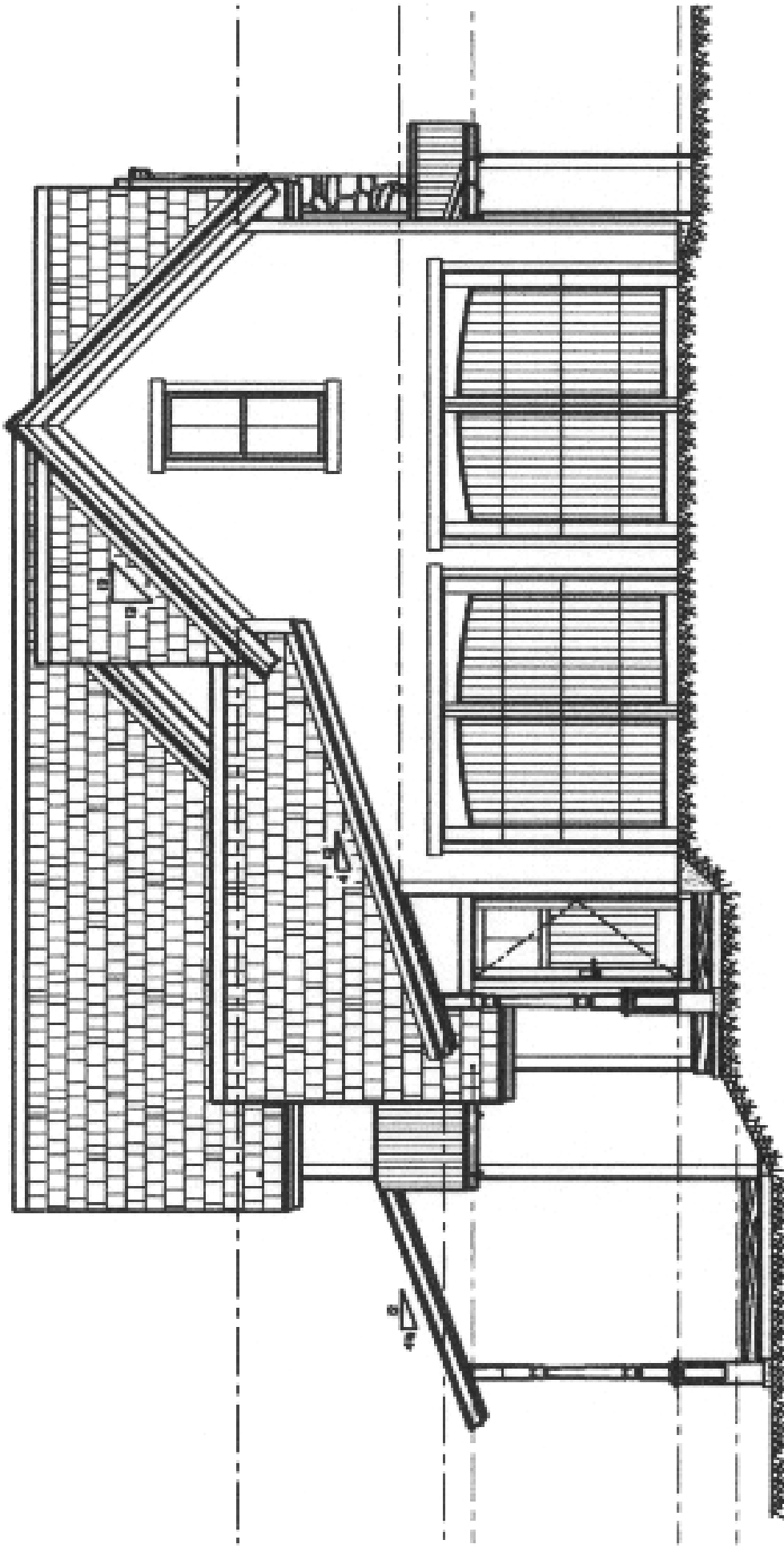
WEST ELEVATION
 SCALE: 1/4" = 1'-0"



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



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

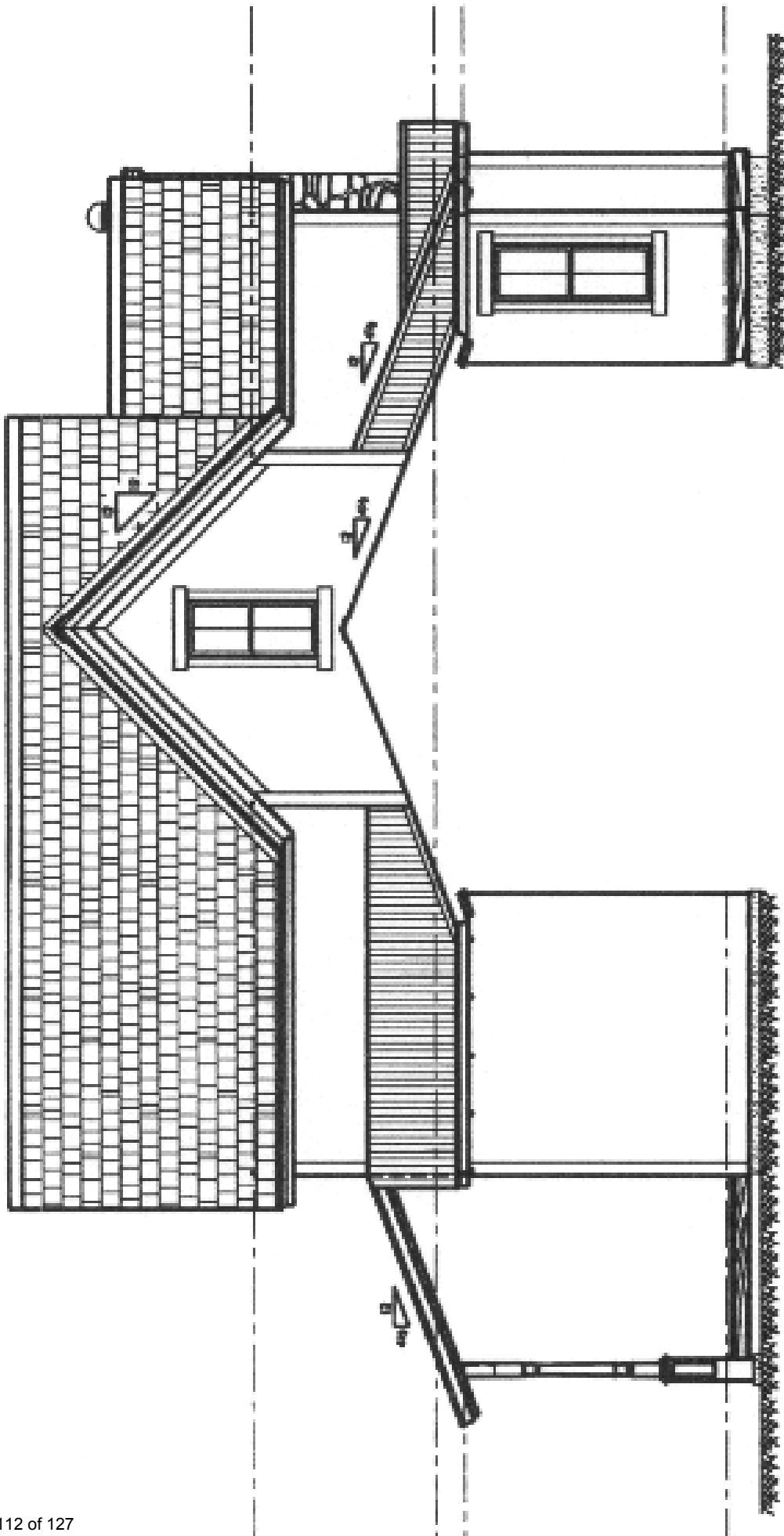


EAST ELEVATION
SCALE 1/4" = 1'-0"



SECTION LOOKING EAST

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



SECTION LOOKING WEST

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

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: January 15, 2008

Subject: Sutterley Residence, Class B – Minor, Preliminary 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 structure. the structure, and add a basement under the house. 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

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: 2,258 sq. ft. (9.8 UPA, not including basement)

Above Ground Density: Recommended: 2,061 sq. ft. (9 UPA)
Proposed: 2,170 sq. ft. (9.4 UPA)

Mass:	Allowed under LUGs:	3,024 sq. ft.
	Proposed mass:	2,973 sq. ft.
F.A.R.	1:2.0	
Total Floor Area:	<u>Residence</u>	
	Lower level:	1,328 sq. ft. (basement)
	Main level:	1,328 sq. ft.
	<u>Upper level:</u>	432 sq. ft.
	Total:	3,088 sq. ft. (basement not counted if Landmarked)
	<u>Shed</u>	
	Lower level:	348 sq. ft. (basement)
	Main level:	348 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. (38% of site)
	Hard Surface / non-Permeable:	276 sq. ft. (2% of site)
	Open Space / Permeable Area:	3,695 sq. ft. (59% 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

Planning Commission comments from previous meeting:

The Planning Commission had a site visit to this property on November 6, 2007. The applicant has requested the Planning Commissioners return to the property and take a second look at the two smaller sheds (labeled Shed #1 and Shed #2 on sheet A-1).

Per the recent Cultural Resource Survey: *“Research was conducted primarily through the Summit County Assessor records indicate that this property was developed beginning in the 1880’s, with the barn likely built circa 1882, followed by the house circa 1885. Oral tradition, however (passed down to Ed Hagen, the great-grandson of Eli Fletcher), holds that the house was built in 1877. The house was probably built in phases, with the front-gabled section the earliest.”* The applicant had a few questions, which are listed below:

1. It is their intention to put a full basement under the house and landmark the property. In doing so, applicant would like to request removal of the concrete shed in the rear as it is in poor condition, potentially dangerous, and will not move easily. They would reconstruct the shed element in wood, with historic siding and the historic window. Staff believes this “grout house” is an important historic element of the residence that should be preserved.
2. Applicant would also like to use the barn as a two-car garage. Access via Lincoln Street is the applicant’s first choice, using existing openings and all of the historic fabric. Alley access is also an option, but the roof dump from that approach is a problem, as well as potential grade issues.
3. Applicant would like to connect the house and barn with a small one-story connector, using some of the remaining density on the property. If the house moves fully onto the property (it is currently almost three feet over the property line, in the right-of-way to the north) the connector can be nicely hidden behind the house, and would connect into the rear of the new shed element.
4. Applicant is assuming the existing siding is historic and would be restored as such.

Mr. Pringle: *Would like to see structures removed off of town right away.*

Mr. Bertaux: *OK with rebuilding the concrete shed in the new location of house.*

Dr. Warner: *Concerned about curb cut on major thoroughfare. Would an easement next door be an option for the barn if it was moved over property line to Lot 2?*

Mr. Allen: *Concurred with Mr. McAllister regarding optional material to be used to rebuild concrete structure, with conditions.*

Mr. McAllister: *Ok with concrete structure being rebuilt in wood.*

Mr. Joyce: *Would be ok with having access to shed used as a garage off of Lincoln. Did not think Lincoln was that busy of a street in this area.*

Mr. Khavari: *Would be ok with rebuilding the shed out of similar material in new house location.*

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 2,525 sq. ft. (proposed at 2,408 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 (2,170 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 2,170 sq. ft. of above ground density at 9.4 UPA is in substantial compliance with Policy 5(A) and Priority Policy 118.

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 will be keep all of the current historic horizontal lap siding, while completing an entire 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. 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 material 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.”*

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 and lower roof shed 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 taken apart, all pieces of structure numbered, basement foundation poured under the current location and then rebuilt 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 Guideline 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 retain a yard character and visually separate parking from the street edge."*
- *"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.

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 encourages 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.*

Staff seeks input from the Commission on the proposal to move the home forward by approximately 2' to the west on the lot. Does the Commission find that the proposal will meet the Historic Guidelines if moved?

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 Ave. 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. The barn should work well as a garage for the required two parking spaces for the residence. Policy 127 encourages secondary structures for utilitarian uses like parking.

Landscaping (22/A & 22/R): The applicant has not provided a formal landscaping plan for the preliminary hearing. The applicant will have a formal landscaping plan by the final hearing. The applicant has stated they plan on doing an excellent landscaping plan for the property, which could benefit from additional trees, shrubs, and ground cover.

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. The applicant is proposing to add new window openings 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 1: 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 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.

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.

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.

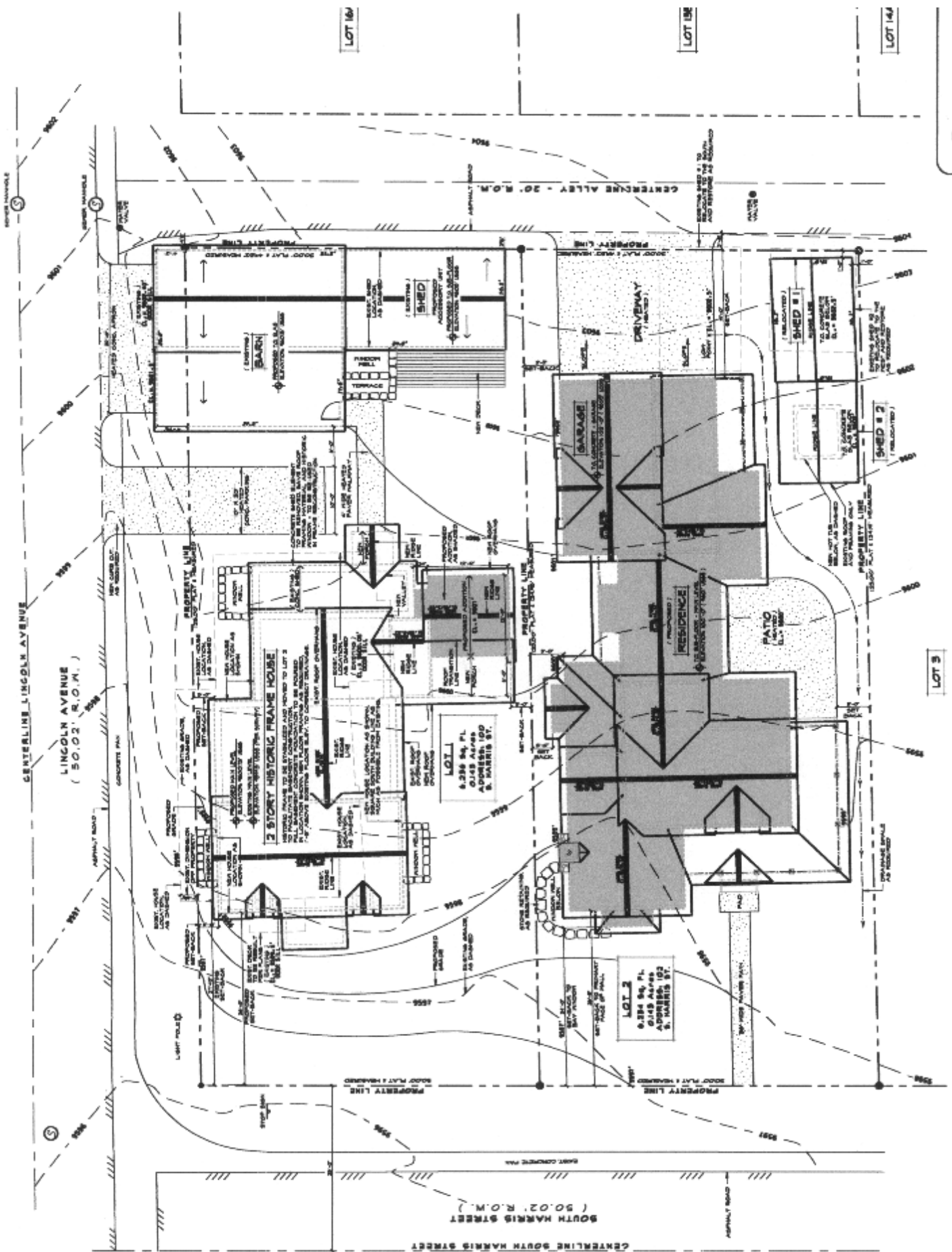
Utilities Infrastructure (26/A & 26/R; 28/A): The utilities infrastructure is already on the property. However, the applicant will be doing all new mechanical and electrical work throughout the residence and the barn.

Drainage (27/A & 27/R): The applicant believes that raising the residence by 15" and final grading will correct the current drainage problems. Town Engineering Staff recommends the house be raised by at least 12" but no more than 18".

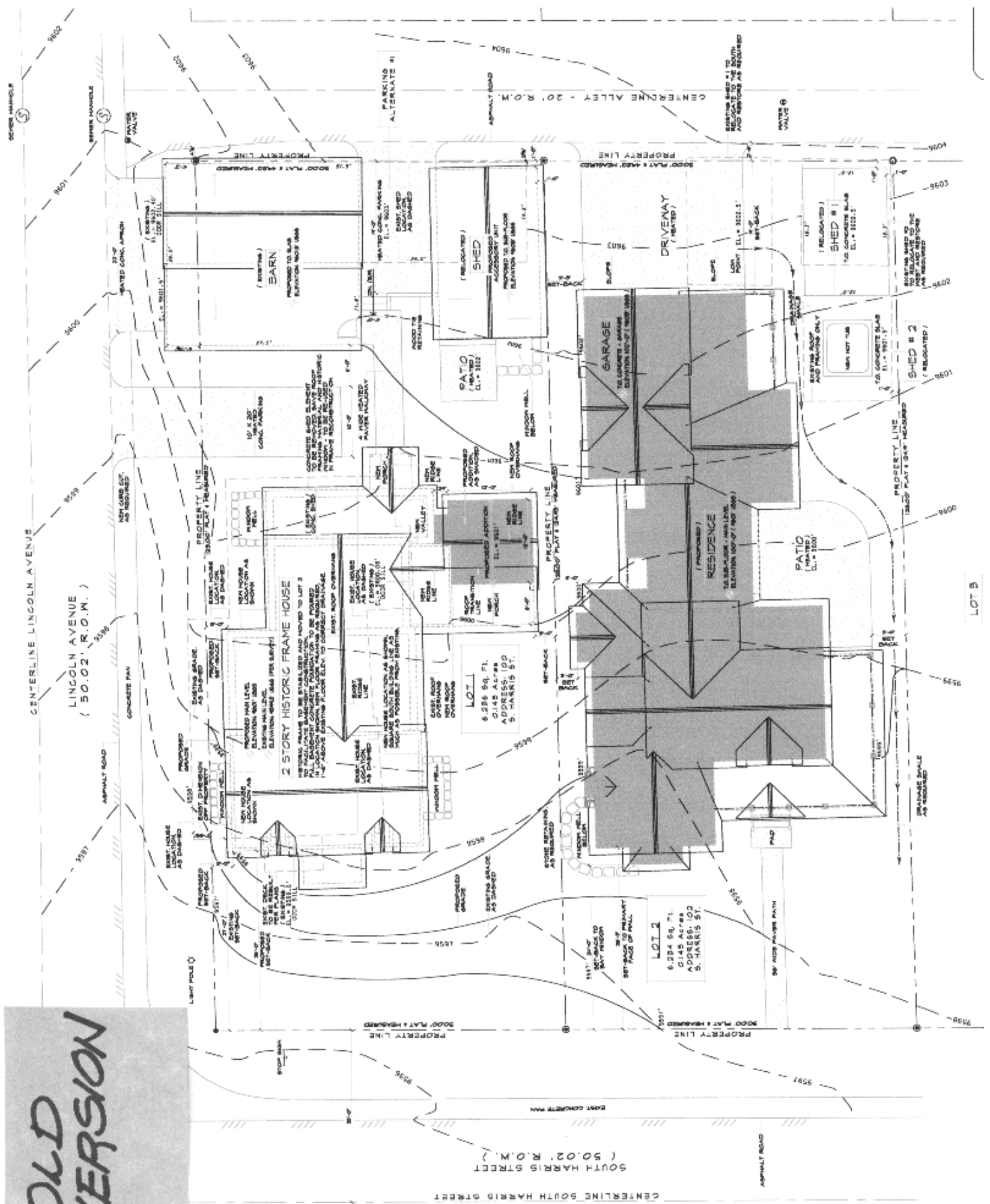
Point Analysis (Section: 9-1-17-3): Staff finds that the proposal warrants negative -6 points for encroaching on both setbacks, and another negative -3 points for going over 9 UPA Above Ground Density, for a total of negative -9 points. Staff finds that the historic preservation is on site historic preservation/restoration effort of above average public benefit and warrants +9 points.

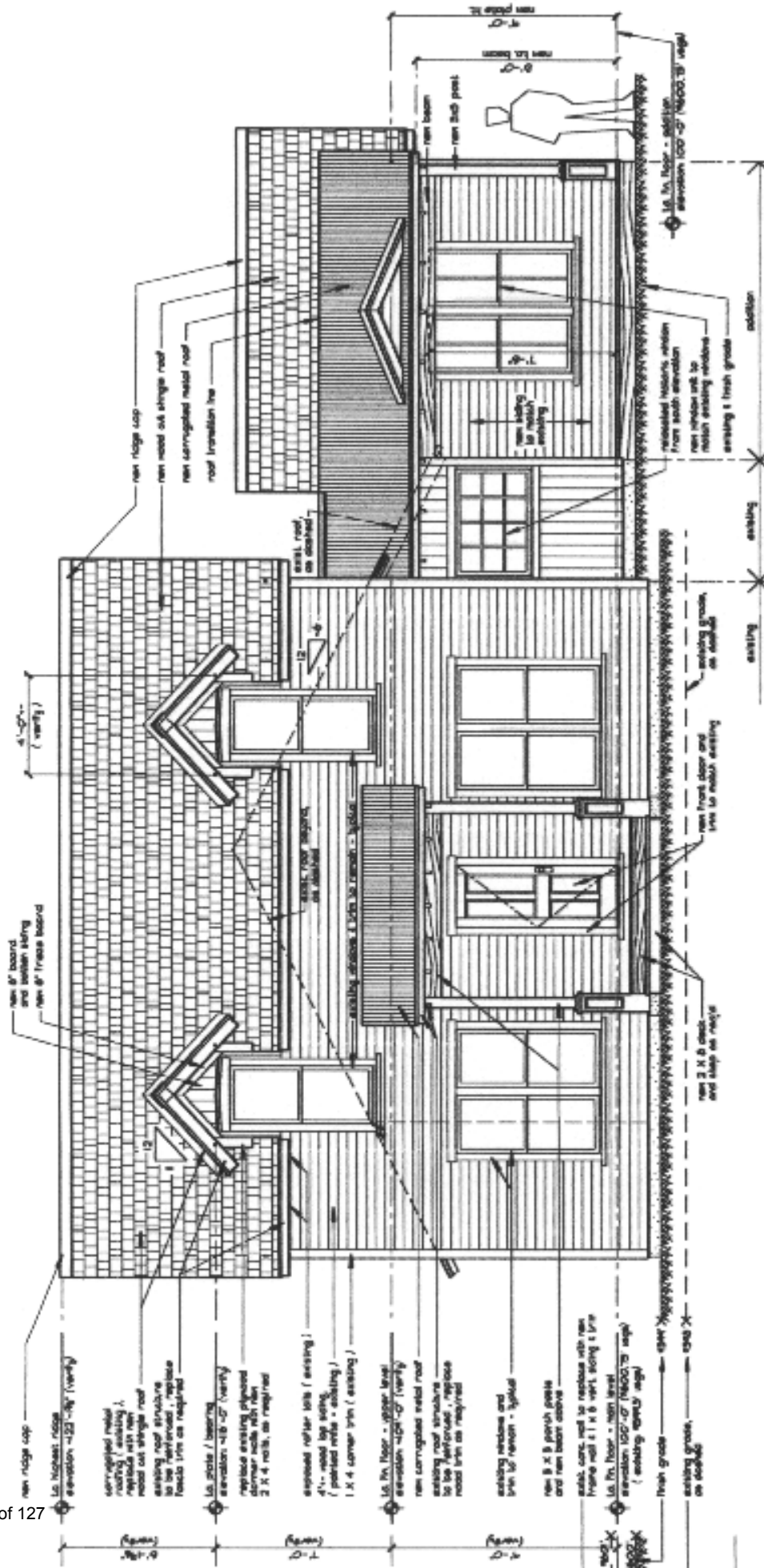
Staff Recommendation

Staff feels that this application is headed in the right direction. Staff is little concerned about the moving of the residence two feet to the west. We would like the Planning Commissions comments on proposed new location of the residence, the new parking pad, the scope of historic preservation, and any other concerns the Commission might have.

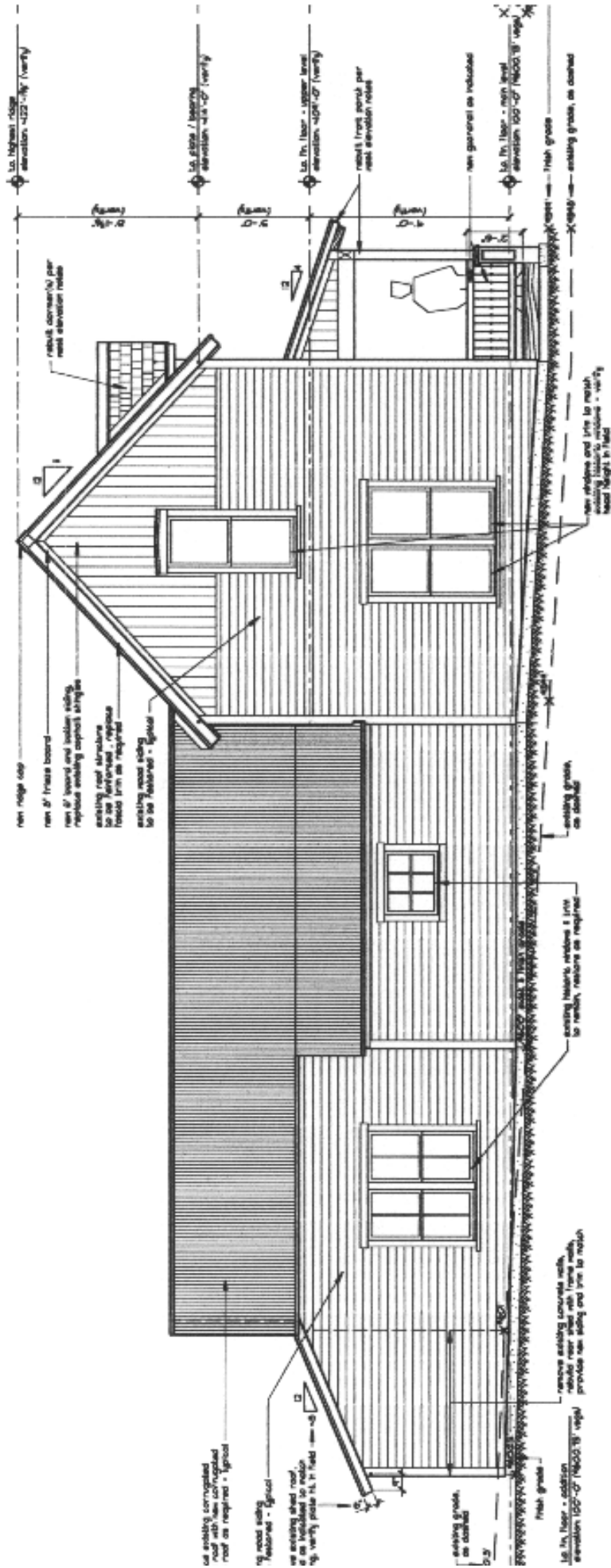


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VERSION**

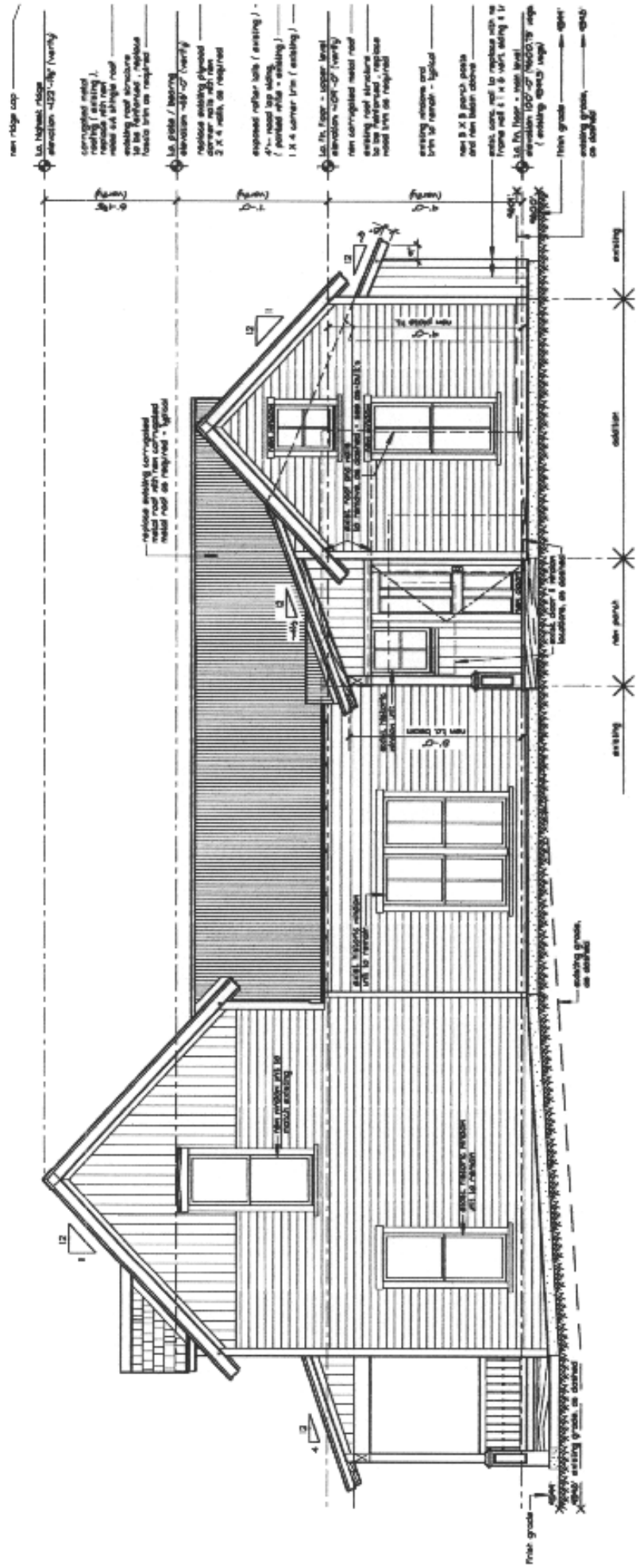




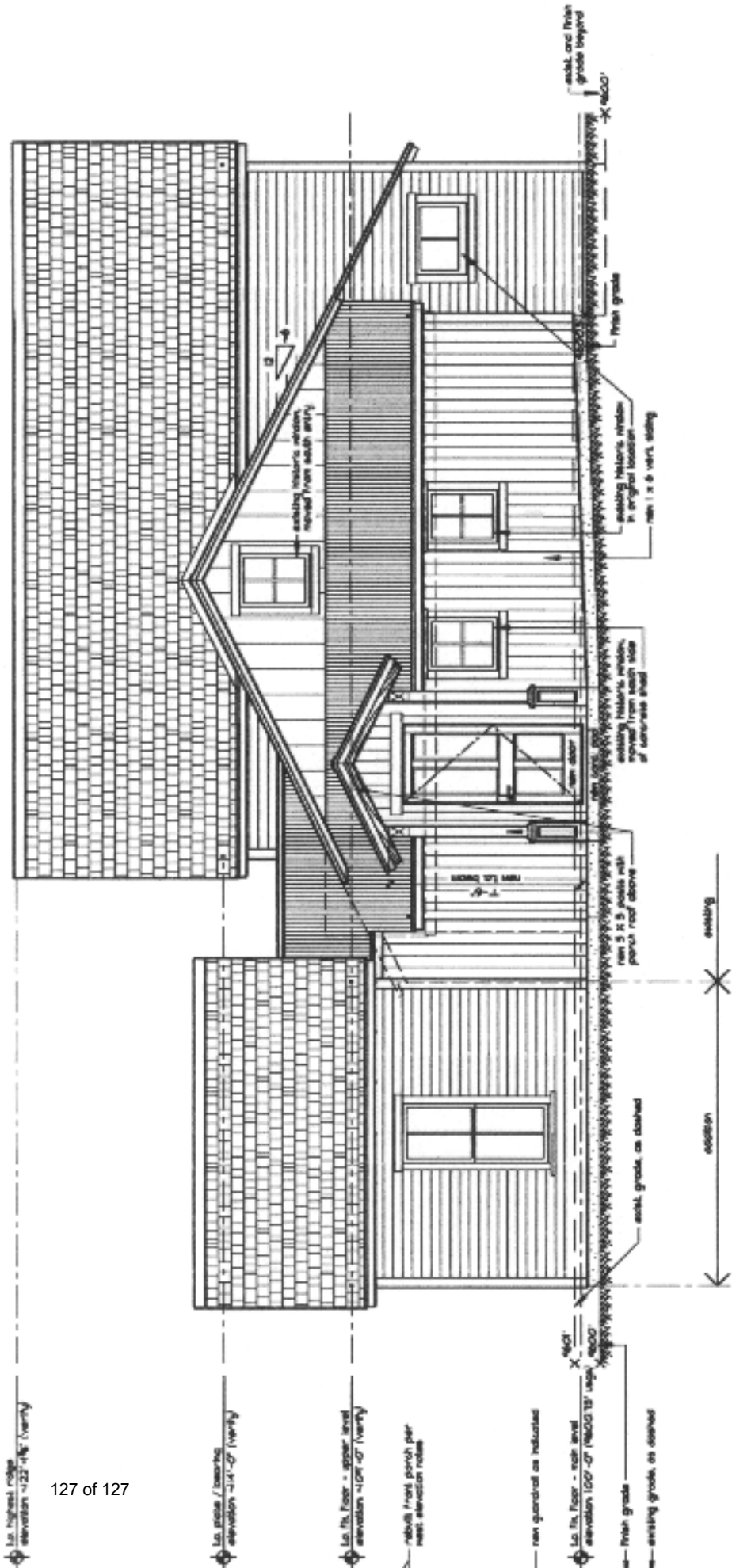
WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



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