



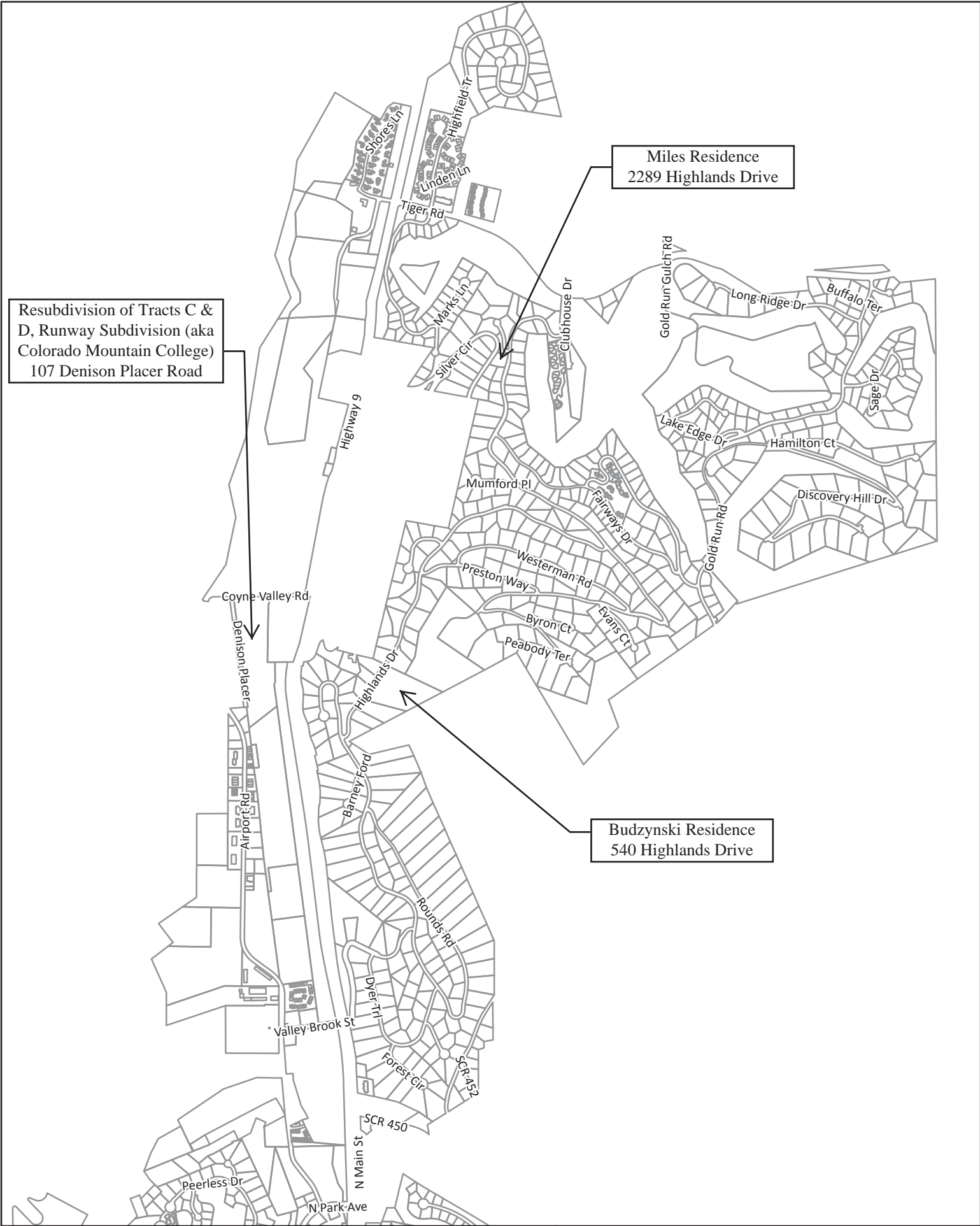
PLANNING COMMISSION AGENDA

Tuesday, March 01, 2016
Breckenridge Council Chambers
150 Ski Hill Road

12:00pm	<i>Site Visit to Cucumber Creek Estates (Meet at Breckenridge Nordic Center, 9 Grandview Drive, at 12 noon. Bring snowshoes or the Nordic Center will provide a pair for Commissioners and Staff.)</i>	
7:00pm	<i>Call To Order Of The March 1 Planning Commission Meeting; 7:00 P.M. Roll Call</i>	
	<i>Location Map</i>	2
	<i>Approval Of Minutes</i>	4
	<i>Approval Of Agenda</i>	
7:05pm	<i>Consent Calendar Items</i>	
	1. Miles Residence (CL) PL-2016-0021; 2289 Highlands Drive	12
	2. Budzynski Residence (CK) PL-2016-0044; 540 Highlands Drive	25
7:15pm	<i>Town Council Report</i>	
7:30pm	<i>Combined Hearings</i>	
	1. AT&T at Gold Creek Condominium Modification (MM) PL-2016-0016; 326 North Main Street	40
	2. Resubdivision of Tracts C & D, Runway Subdivision (aka Colorado Mountain College) (JP) PL-2016-0038; 107 Denison Placer Road	58
	3. Pho Real Large Vendor Cart (CK) PL-2016-0023; 429 North Park Avenue	65
9:30pm	<i>Adjournment</i>	

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

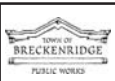
***The indicated times are intended only to be used as guides. The order of projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.**



Resubdivision of Tracts C & D, Runway Subdivision (aka Colorado Mountain College)
107 Denison Placer Road

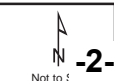
Miles Residence
2289 Highlands Drive

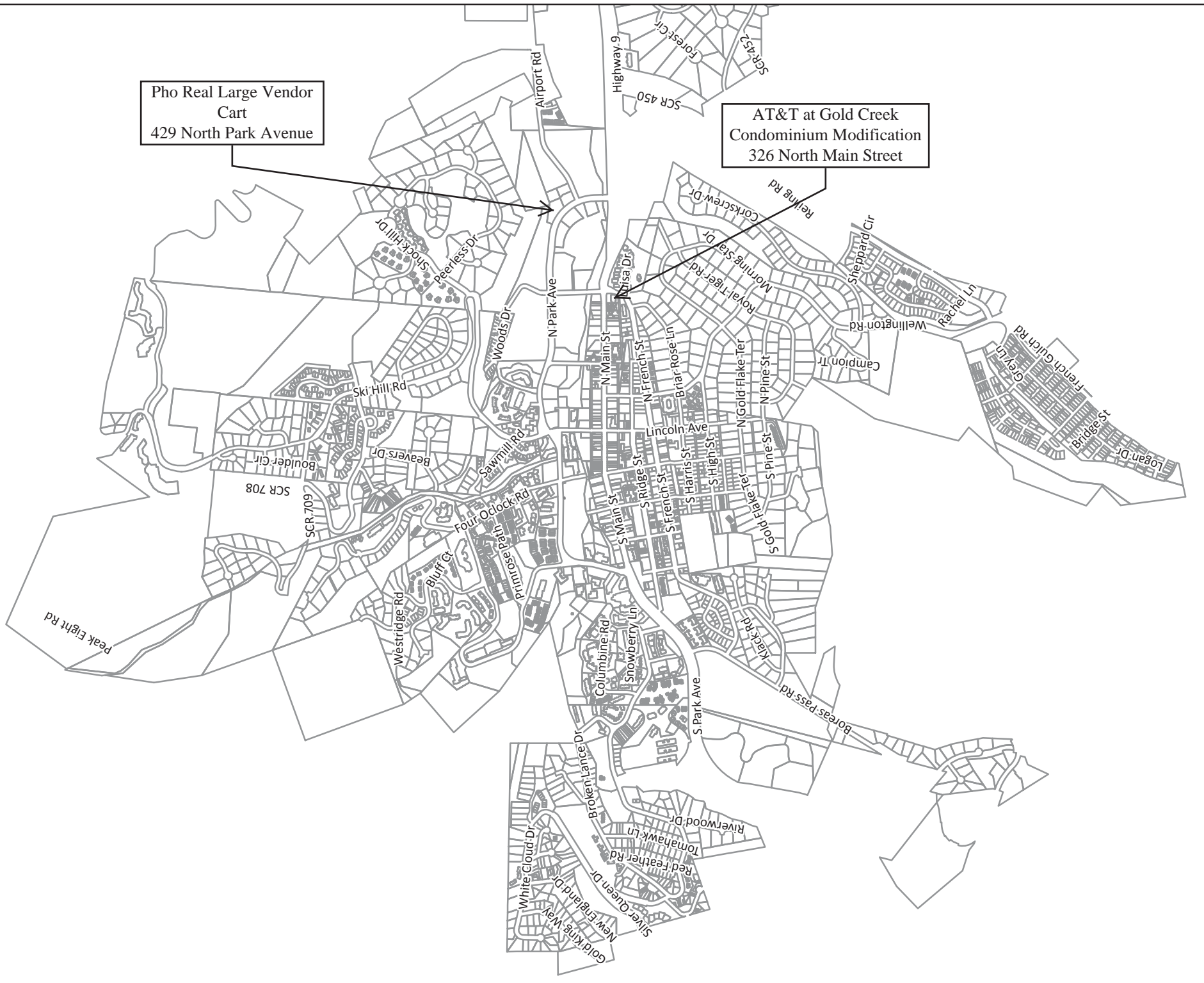
Budzynski Residence
540 Highlands Drive



printed 1/13/2016
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Breckenridge North





Pho Real Large Vendor
Cart
429 North Park Avenue

AT&T at Gold Creek
Condominium Modification
326 North Main Street



Breckenridge South



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Ron Schuman Dan Schroder
Jim Lamb Gretchen Dudney Christie Mathews-Leidal
Dave Pringle
Wendy Wolfe, Town Council Liaison

APPROVAL OF MINUTES

Ms. Leidal: On page 6, in regard to the Marvel house, Mr. Mosher added Condition 26 on the floor that was overlooked in the minutes. The minutes should read under staff recommendations at the end of the sentence: “with the addition of the new Condition 26 regarding a landscape covenant presented during the meeting by Mr. Mosher.” With no other changes, the February 2, 2016, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester noted a change to move the Town Council Report to first on the agenda. With no other changes, the February 16, 2016, Planning Commission Agenda was approved as presented.

TOWN COUNCIL REPORT:

Ms. Wolfe:

- Thanks to Kate Christopher for working on the Planning Commission over the past several years; thank you to the service for the Town. We will miss you. We discussed replacing your position and that it had been a very short time since the last interviews. We had a lot of candidates from the last round, so we will look back to the list to find a replacement. The Council had some questions of staff to get some clarifications on candidate status, but the plan is to go back to the list to find a candidate if possible.
- Discussed the process to bring Pinewood 2 online (45 units of workforce housing). It will be done by this summer. Corum came to present on some logistics. Council approved this housing to allow pets, even though it wasn't Corum's recommendation. We hope to set some rules and are looking forward to making it a pet friendly unit. It will be 45 units of studios and one bedrooms. Targeting lower income; 50% AMI is the target, so the studio rental rate should be around \$800/mo and a one bedroom should be under \$1,000. Reservations will start to be taken around March 1.
- We had a primer on Parking and Transit from DTJ and Nelson/Nygaard before the public community forum this Thursday. We have a 7:30am session and a 5:00pm session at the Community Center this Thursday. From the preview we heard, I look forward to some good conversations. The consultants have information on how we can have a much more pedestrian friendly town, such as improving dark spots at night. There is some low hanging fruit to fix things and bring our congestion level to be more walkable. We aren't just focusing on a single solution; there are many things we can do to improve our existing conditions. (Mr. Pringle: Is Council prepared to change its position on “dark skies”? I think this sacrifices a lot of street lights and lighting in the past, but I'm concerned about health safety and welfare.) This was talked about but that there are some technological improvements and better down lighting that may not sacrifice the up lighting goal. The consultants showed us a map of what our town looks like at night and it is surprising how there are some places in the center of Town that are dark. (Mr. Pringle: The recycling center could have had some better lighting for those people who recycle at night, but it was rejected.) The Council decided to take a wait and see position on it but it is stubbed out for potential future lighting around the Recycling Center. I would like to hear more people's comments about this topic for the future. (Mr. Lamb: The pedestrian sidewalks that are heated are awesome.) (Ms. Christopher: I agree; I point these out to people who come to the Welcome Center.) (Mr. Schuman: How far outside the core did DTJ go?) They did discuss how the lodging is

located just outside the core and that there is a potential to improve lighting that could potentially prevent people from getting back in their car. Compared to other towns that DTJ has studied we could be in the more “walkable” category. (Mr. Pringle: I think that maintenance on the sidewalks that aren’t heated is critical. Also, Vail is a good example of encouraging people to park and then make it easy for people to take alternative transportation around town.)

CONSENT CALENDAR:

- 1) Village at Breckenridge Plaza Renovation (CL) PL-2016-0007, 535 South Park Avenue, (Liftside Condos, Peak Nine Inn, Lot 4), 555 South Park Avenue, (Plaza II, Shavano, Lot 3), 575 South Park Avenue, (Maggie Building, Lot 1, 645 South Park Avenue, (Plaza III, Wetterhorn Building, Lot 6), 655 South Park Avenue, (Plaza I, Antero Building, Lot 5), 405 Village Road, (Chateaux Condominium Hotel, Lot 12) (Note: These are the correct addresses as noted in the Staff Report.)

Commissioner Questions / Comments:

Mr. Pringle: I would like to look at this a little more because there are some significant changes. (Ms. Puester: Would you like an overview?)

Mr. Schuman made a motion to call up the Village at Breckenridge Plaza Renovation, PL-2016-0007, for an overview presentation. Mr. Pringle seconded, and the motion was carried unanimously (7-0).

Mr. Chapin La Chance, Planner II for the Town of Breckenridge: The goal of this project is to improve some water leakage issues. The existing concrete will be removed and replaced with pavers; in addition the plan is to remove the gazebo, fire-pit and the planters. New metal railings and 6 new light posts are proposed. A new more energy efficient snow melt system will be installed. The existing concrete is visibly deteriorating and the planters and concrete are leaking into the parking garage below the plaza. Currently a 20’ utility and access easement runs through the plaza, with a 55.5’ radius in the approximate center of the existing plaza. 100% of this existing site is impermeable surface, perhaps except for the planters. The proposal is to install 3 outdoor firepits; one will be replacing an existing firepit in the existing gazebo. Staff is recommending negative two (-2) points under Policy 33/R for two new firepits. Also proposed is to replace the boiler plants with new energy efficient plants that are 23-26% more efficient, so we recommended positive two (+2) points under Policy 33/R, Other Design Features. Access and Circulation: primary access from downtown F Lot and to and from Peak 9 Quicksilver lift and ground surface of easements will both be improved. The existing planters encroach on the easement, so removing these planters will likely improve circulation but staff does not believe the conditions are changing enough to warrant positive points. Landscaping: 12 trees in 3,500 sq. ft. of multiple planters exist; the applicant has transplanted 7 other trees to a nearby location last year. Since the plaza is on top of a parking deck, and there have been numerous water leaks that could lead to structural problems. The plaza is internal to the site so no negative points are recommended. No concerns on architectural compatibility. Staff believes that this is harmonious. There are currently legal non-conforming light fixtures that exist but they don’t need to be replaced until 2022, and staff is recommending the applicant consider replacing these now as they will be required to be replaced in 6 years. The new fixtures that are proposed are LED, down cast, fully shielded. Drainage is the big issue; there is currently a sheet flow that flows eastward towards Blue River, and one of the design intents is to compartmentalize the drainage to reduce the water issues. New drains and new piping are proposed that will tie into the garage. Staff has no issues with this. Overall point analysis: negative two (-2) points for Policy 33/R and positive two (+2) points for Policy 33/R, so Staff recommended a passing policy with zero (0) points. All Absolute Policies are being met.

Commissioner Questions / Comments:

Mr. Schuman: Does the policy that the lighting must be fixed by 2022 apply? (Ms. Puester: It will be required to be replaced in 2022, so our suggestion was to point out that this may be more financially viable to address the lighting now while the plaza was torn up.)

- Ms. Dudney: The planters will be removed, but no more planters, right? (Mr. LaChance: The applicant will speak to this, but there is a proposal for movable planters not tied into the concrete.) (Ms. Puester: I want to point out to you where the existing planters are currently on the plan.)
- Mr. Schroder: It read like the planters might be part of the drainage issue; are they causing the problem draining into the garage? (Mr. Nathan Nosari, General Manager, Village at Breckenridge HOA and Mr. Ed Scutellaro, Village at Breckenridge HOA Plaza Committee Chairperson: We've had problems with the planters; the rubberized membrane throughout the plaza and planters is old and not working. The planters are contributing to the problem. We will have mobile planters that are a seating bench and a ski and bike rack. If we have activities on the plaza we can move these, and we believe that it will provide everything we want including aesthetics. We have a prototype picture for you. It should give us back our landscaping and be more waterproofing with a tub; more functional. The pavers will look good; if we have a leak in our tubing we can pull the paver area up and repair the problem. This will be a fully functional water proof on top with edge to edge snow melt up top and better traffic flow for pedestrians. The issue now is the snow melts below the pavers and then freezes. There will be concrete, membrane and the tubing and the drains.) Why are the planters movable? (Mr. Nosari: We are designing the plaza to be multi-functional as it is currently underutilized and worn. We are adding facilities for this to turn into a stage or be used for art events.) (Ms. Puester: The moveable planters only have perennials, but no trees at this point?) (Mr. Nosari: Not sure there could be a tree in them but will depend on the final design.)
- Ms. Leidal: How many of the moveable planters? (Mr. Nosari: We are still determining this, but likely around six. These are not part of the application.) Would you be willing to add these to the project? (Mr. Scutellaro: We are worried about budget and worried about getting this project done on time. If it doesn't fit with our capital project, it will be planned for the future plans. The cost for these six planters as currently designed is \$120,000.) (Mr. Nosari: We need this project done by November 2016, and we want these racks included in the project.)
- Ms. Dudney: I really appreciate the improvement of this public space and it is much needed. It will look so much better and we will all enjoy it. (Mr. Scutellaro: It is self serving because we need the garage to be improved. We want it to look good too. Also, there will be a compass rose made out of pavers to replace the Gazebo.)
- Mr. Pringle: Mr. LaChance, will there be any analysis for the landscaping being removed? (Mr. LaChance: I can speak to that.) (Ms. Puester: We dug through the files and didn't see any points awarded to landscaping in the plaza area. The policy talks to negative points being applicable when it is not adequate from a public right of way, adjacent properties and other visual corridors. Because this is an internal plaza, and not along a public right of way or adjacent property we couldn't find any precedence for awarding any points in terms of landscaping. We saw staff reports, but didn't find any preexisting points awarded to the plaza either. That and since it was internal to the project, we didn't have any concerns with the loss of trees.)
- Ms. Leidal: Did you find an approved landscape plan? (Ms. Puester: We didn't find a formal approved landscape plan for the permit. Most of the staff reports on file through the years discussed the entirety of the master plan of this area which included the Bell Towner Mall and the Marriott (on the river); they primarily spoke to landscaping around the river, but not specifically this plaza. These plans dated back to 1978.)
- Mr. Pringle: I would be surprised if we didn't have a landscape plan, because it was a significant project back then. (Ms. Puester: We did find a master plan but that landscaping shown didn't tie landscaping to a site specific location, although there were trees depicted in the master plan.) Do we have an understanding / requirement for what they are proposing in terms of planters? (Ms. Puester: We didn't include that as the applicant doesn't want to set it in stone at this stage. If they want to present the planters as a Class D Minor, we would like to see

- and encourage that.)
- Ms. Leidal: I have the same concerns as you with Absolute Policy 22 about replacing and maintaining trees in an approved plan, but we don't have a formal plan. I read this policy over and over and would like to see something added to the policy with regard to replacing landscape. I would like to revise this landscape policy and discuss at the end of the meeting; there is a provision about maintaining landscape but it doesn't talk about replacing the landscape which I would like to see in there.
- Mr. Pringle: This will be the first of many large plaza improvements and large development improvements; we need to have a solid policy going forward.
- Mr. Schuman: What is the thought on the fire pit on the east side over by the Maggie side, by Taddeo's? (Mr. Nosari: We would like to bring some level of activity to Taddeo's. We are trying to entice and it is a nice view of the river.) (Mr. Scutellaro: We'd like to improve the south end. We'd like to come back to the Planning Commission at the completion of this plan and propose the moveable planters and discuss the type of plants and ask you at that time for your approval. We want this to be a nice plaza.)

Commissioner Final Comments:

- Ms. Dudney: I am very appreciative of this effort. When a project is being developed the developer benefits, but when you have a homeowners association spending dollars on a public space and to have them refurbish it at no expense to the taxpayer it is great. They are replacing a giant firepit that was underused and they are replacing them with 3 smaller, nicer firepits and they are getting negative points associated with it.
- Mr. Pringle: I agree that this is a great upgrade. I would like to push for a modification to the plan to include a landscape plan with the new planters; I would like this to be a condition of approval. (Ms. Puester: Let's ask the applicant if they would be agreeable for the landscape plan to be a condition of approval.) (Mr. Scutellaro: We do not have a problem with coming back to you at a later time with a landscape plan since we are planning on it anyway.)
- Mr. Lamb: I agree that this is a huge improvement over what is there; I'm not worried about the landscaping because I think the applicant wants this to look good. I like the idea of a portable planter which makes this space more flexible. (Mr. Nosari: The gazebo is being donated to the Breckenridge Nordic Center.)
- Mr. Schroder: This is repairing a water leakage that could be destructive to adjacent buildings and could be a major problem if not addressed. I appreciate this being called up. I'm ok with the point analysis for negative points and positive points, and I look forward to this increasing vitality in this area. I didn't realize that the current planter boxes are an impediment, but I think this is a net zero. The lighting is not a concern; I think you will be focused on making it better. (Mr. Nosari: The light fixtures are the standard Town light that are LED and dimmable and also timed. There will be energy conservation tactics.) I support a passing score of zero (0) points and that there is a Condition for a landscape plan.
- Mr. Schuman: I think this is a great proposal; I don't think we would typically see the removal of 12 trees and like the added condition.
- Ms. Leidal: I support staff's analysis and I appreciate the applicant's taking on the drainage issue. Thanks for offering to come back with your landscape plan. (Ms. Puester: Mr. Nosari, is there a chance to relocate the trees to other parts of the property?) (Mr. Nosari: We did relocate 6 of the healthiest trees, but the others weren't salvageable. We did relocate some shrubs around the ski school and around the bus stop.)
- Ms. Puester: The new Condition will be "Condition 18: Applicant shall submit and obtain approval for a new Class D Minor permit for a new plaza landscape plan." Staff can take this to the Planning Commission as a memo to keep the Commission aware.
- Mr. Pringle: I'm fine with it just getting staff approval. (Mr. Nosari: It is a priority for us.)
- Ms. Christopher: I concur with the other Commissioners that this is a great project and will add value to the

town.

Mr. Pringle made a motion to approve the point analysis for the Village at Breckenridge Plaza remodel, PL-2016-0007, 655 South Park Avenue, as presented by staff, showing a passing score of zero (0) points. Mr. Schuman seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Village at Breckenridge Plaza remodel, PL-2016-0007, 655 South Park Avenue, together with the presented Findings and Conditions and the additional Condition 18 that, prior to Certificate of Completion, the applicant provide a new landscape plan and get approval from the staff on that plan. Mr. Schuman seconded and the motion was carried unanimously (7-0).

COMBINED HEARINGS:

1) Hester Fence Variance (CK) PL-2016-0014, 432 Golden Age Drive

Mr. Kulick presented an application to request a variance to obtain approval for a 100 foot long fence to prevent snowdrift onto their property. In the summer of 2013, the USFS cut a section of trees to the south of the property. It also appears that the adjacent lot to the west has done wildfire mitigation, removing trees adjacent to the property. The Hester Residence was approved in 2011 and completed in March 2014. The rear outdoor living area in the southwest corner of the disturbance envelope includes a sitting area, recessed hot tub and gas fireplace. Upon the completion of the residence, the owners began having issues with snow accumulation at the outdoor space. The applicants constructed a 100 foot long fence between their property and Lot 58 (47 Peabody Terrace) to the west. The fence is 80 feet from the Peabody Right of Way and approximately 7 feet from the west side property line between the two homes (shown with the green arrow). The applicants constructed the fence without a development permit. They have stated that this is not a privacy fence and its intent is to avoid snow accumulation, large snow drifts and over hanging cornices that could result in a safety hazard to people using the outdoor space.

Section 9-1-19-47 Absolute, Fences, Gates and Gateway Entrance Monuments, details restrictions and exceptions for fences. One of the exceptions is privacy fencing to screen hot tubs. Fences are to have an open character and a maximum solid to void ratio of one to three (1:3). Privacy fences around hot tubs and spas shall not exceed six feet (6') in height and shall not exceed fifteen feet (15') in total length.

Variations may be granted if the applicant proves a physical hardship and the Commission finds 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 the 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.

Staff does not support the variance request based on Section 9-1-11 (D) not being met. Staff finds no reason to assign positive or negative points under any Relative policies of the Development Code. The application fails Policy 47 (Absolute) Fences, Gates and Gateway Entrance Monuments and does not meet the Criteria for Approval for a Variance under 9-1-11 of the Town Code.

The Planning Department recommends denial of the Hester Fence Variance (PL-20106-0014) at Lot 57, Filing 10, Highlands at Breckenridge, 432 Golden Age Drive, with the presented Findings.

Commissioner Questions / Comments:

Mr. Schuman: Would a temporary snow fence be allowed by the Town? (Mr. Kulick: I don't think so.) I built one in Blue River for this same purpose. I wonder if a snow fence for a road would ever be allowed in town?

Ms. Christopher: But if there are 15' snowdrifts, would it really come down? (Mr. Kulick: The issue is the overall length and design.) (Ms. Puester: If it was for a road, it would be deemed as a public improvement, but I don't recall this ever being a need before on roads in town or the highway.)

Applicant Presentation: Mr. Jim and Ms. Vanessa Hester:

Thanks for allowing us to have an opportunity to speak. I want to apologize for having the fence constructed without permission; this was our mistake and we just didn't know as we are new to the area. I think Mr. Kulick and Ms. Puester's report did a good job of describing what we are applying for but the real issue is safety. The winter of 2013-14, we had drifts that developed overhanging our hot tub and fire pit that were over 8-10' high as shown in your packet; we weren't living there during that season. This presented an obvious safety issue; if the snow came down on someone in the hot tub, it could bury them. The sole purpose of the fence is to prevent the obvious overhang. The fence is 40-50' from our hot tub and our fire pit. To ensure that the wind that comes down from the mountain, and we want to make sure that we block the wind, the 100' length was necessary to adequately address our safety concerns. Before we put in the fence we talked to a landscape architect to see if we could put in some landscaping, but the trees proposed were very costly and there was no assurance that it would fix the problem. We went with the fence, tried to go with something that was visibly appealing that was ok with the neighbors. We did integrate the fence with existing landscaping to make it more visibly appealing. There exists some heated pavement that contributes to the problem, so the snow wants to cornice over the heated area and over the hot tub. (Ms. Dudney: Could you explain the topography of the plan presented?) (The applicant described landscape and topography of this lot.) This has nothing to do with privacy, it has gaps between the rails; it is solely for safety. We discussed the 15' allowance for a hot tub privacy fence. 15' won't get us the protection we need from the snow drifting. In your packet there is a picture on pages 43-44 that shows the overhang on the hot tub. You can see how the snow caved in and damaged the hot tub. (Mr. Ethan Guerra, Contractor who built the house: I've lived in Breckenridge for 30 years and I took the picture. The previous winter we had no issues. The next summer they did the clear cut and then the huge cornice drifting snow came in after the clear cutting of the trees. It was jaw dropping how much the snow drifted in. My guys didn't want to clear it.)

Commissioner Questions / Comments:

Mr. Pringle: The code doesn't allow this; are you the only homeowner that has this problem? (Mr. Hester: We are the only homeowner. I can't use the spaces as designed and approved and I can't have guests over to the home when I haven't been there because of the safety concerns. I do have snow removal responsibilities here but not this.)

Ms Christopher: It sounds to me like it is a result from the adjacent clear cutting? (Mr. Kulick: It could be but it could be the location and the design of the space.) (Mr. Guerra: It was a result of the clear cut; as this problem did not exist before the clear cut. I was dumbfounded by this. I do avalanche control work at Breckenridge for the ski patrol. It provided the fetch area.)

Ms. Leidal: What direction is the clear cut? (Mr. Hester: It is to the south west of the property.) (Mr. Guerra: I'm a strong advocate for the fence, but my staff was afraid to climb in there and shovel the snow off. I don't see snow like that.) (Mr. Hester: Since the fence has been up, the depth is no more than the natural depth of the snow, no more than about 3'.)

Ms. Christopher opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Final:

- Ms. Dudney: I understand how different things are here as opposed to Texas, but we have a zoning code and our job is to enforce the zoning code. And when you have an absolute policy a variance is very hard to get. We have to think about the precedent that is set and can you meet the variance requirements. I think you can solve your problem with spruce trees for about \$800 a piece. I can't agree with this variance; it is bad precedent. Even though it is dangerous, you don't have to go out to the hot tub. You can put up the hot tub fence, move the hot tub or put up trees.
- Mr. Pringle: I concur with Ms. Dudney's analysis. It is a bad precedent for us to grant this variance. Incidentally, in Kansas there are trees that are placed as a snow barrier all over the place.
- Mr. Lamb: I work for the forest service but I didn't cut the trees. I appreciate you working with the staff and your neighbors. I think the spruce trees are a good idea but I think if we approve this we will have a precedent. I don't think this is a special unique circumstance to this property; other people have this problem.
- Mr. Schroder: Maybe number 3 of 4 could be met but to grant a variance, it says that it has to be in harmony with the chapter. The condition was created by you and the design of your own property. The final condition of what the neighbor does is for you to deal with. We do feel badly for you. I'm not happy to see the cornice, but the code doesn't allow me to say ok to the fence based the four variance criteria.
- Mr. Schuman: I too agree with the other Commissioners. And I do support the denial to the variance.
- Ms. Leidal: I agree with the other Commissioners, and the staff analysis. We live in a unique environment and are bound to deal with these types of issues.
- Ms. Dudney: We have a quasi judicial role; the importance is that we need to be consistent to the code. We try very hard not to have variances so that others can anticipate what is going to happen. I know that seems harsh right now but it provides a fair process for all.
- Mr. Lamb: We sympathize.
- Ms. Christopher: I have compassion; I know that it is hard to live at 10,000 feet. I personally walk through 8' of snow to access my home. That is something we have to live through, but we must live with the code.
- Mr. Pringle: Point of clarification, if we find for denial, does this mean that the fence must be removed immediately? (Ms. Puester: We will work with the applicant on the removal date. That is where this all started when we sent a notice. We let them keep the fence up during the variance process so they wouldn't be possibly taking it down and putting it back up if it was approved. The removal of the fence may be in the spring now with the snow. With the neighbors not complaining I think that is acceptable if this is denied.)

Mr. Pringle made a motion to accept the point analysis showing no point assignment or zero points for the Hester Fence Variance, PL-2016-0014, 432 Golden Age Drive. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to recommend denial of the Hester Fence Variance, PL-2016-0014, 432 Golden Age Drive, with the presented denial findings and failure of Absolute Policy 47. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Mr. Hester: How will planting the spruce trees work with the defensible space requirements? (Ms. Puester: You can call me tomorrow and staff can work with you to discuss possible solutions using landscaping.)

OTHER MATTERS:

1) Election of Chair and Vice Chair for 2016

Mr. Lamb made a motion to nominate Mr. Ron Schuman as Chair of the Planning Commission through October 31, 2016. Ms. Dudney seconded, and the motion was carried unanimously (7-0). (Mr. Pringle: Are

there Commissioners up in November? (Ms. Puester: Yes, there will be 3 up and if things change we could go through this again depending on who is appointed.)

Ms. Dudney made a motion to nominate Mr. Schroder as Vice Chair of the Planning Commission. Mr. Pringle seconded, and the motion was carried unanimously (7-0).

Village at Breckenridge Plaza Renovation Call Up:

Ms. Leidal: I struggled with the Call Up because we work so hard to maintain landscaping and I don't see anything in the code that discusses replacement of landscaping. Section E, 1. and 2., Policy 22A, it talks about landscaping in an originally approved plan. I think we should consider adding "replacing existing landscaping". What if someone in the historic district wants to come down and cut down trees when they don't have an approved plan? (Mr. Grosshuesch: Why don't you allow us to take a look at this? Anyone who is coming to us with a remodel or addition, we would be working with a plan and point analysis and if they were modifying a property with a modern-day plan it would earn negative or positive points. This one was an oddball plan because it was initially approved in 1978, but we didn't have a real comparable code to what we have now.) (Ms. Puester: I found a point analysis from 1978 for a master plan for the entire area, but it didn't have a landscape plan.) (Mr. Grosshuesch: The landscape policy and point analysis has changed since then, reconciling old plans with new point analysis during updates & remodels can be challenging. We will talk about it internally and come back to you.)

Mr. Pringle: If points were awarded for landscaping but the landscaping goes away with new modern point analysis, how do we reconcile it? (Mr. Grosshuesch: Yes, I see your point. If someone came in wanting to put in parking with landscape this would be a problem.) (Ms. Puester: Yes, and Ms. Leidal makes a good point with the new defensible space requirement.) We should be ahead of the curve of this one.

ADJOURNMENT:

The meeting was adjourned at 9:00pm.

Ron Schuman, Chair



Class C Single Family Development Review Check List

Project Title:	Miles Residence	
Proposal:	Build a 4,300 gross square foot Single Family Residence	
Project Name and PC#:	Miles Residence	PL- 2016-0021
Project Manager:	Chapin Lachance, Planner II	
PC Meeting Date:	March 1, 2016	
Date of Report:	February 19, 2016	
Property Owner:	Rob and Jan Miles	
Agent:	Darci Hughes/ Riverbend Architecture & Planning	
Address:	2289 Highlands Drive	
Legal Description:	Lot 185, the Highlands at Breckenridge Filing #7	
Area of Site in Square Feet:	44,405 sq. ft.	1.02 acres
Existing Site Conditions:	This site is currently an undeveloped vacant lot which has considerable frontage on Highlands Dr. and slopes to the East, with approximately 36' decrease in elevation from the West to East. There are 15' wide utility easements on the SE and NE corners of the lot, and numerous existing mature pine trees on the central and western portions of the property.	
Areas of Building:	Proposed Square Footage	
Lower Level:	1,480 sq. ft.	
Main Level:	2,030 sq. ft.	
Upper Level:		
Accessory Apartment:		
Garage:	792 sq. ft.	
Total Gross Square Footage:	4,302 sq. ft.	0 sq. ft.
Code Policies (Policy #)		
Land Use District (2A/2R):	#6, subject to the Delaware Flats Master Plan	
Density (3A/3R):	None	Proposed: 3,510 sq. ft.
Mass (4R):	None	Proposed: 4,302 sq. ft.
F.A.R.	1:12.65 FAR	
No. of Main Residence Bedrooms:	4 bedrooms	
No. of Main Residence Bathrooms:	4.5 bathrooms	
Height (6A/6R):*	32 feet overall	
*Max height of 35' for single family outside Conservation District		
Lot Coverage/Open Space (21R):		
Drip line of Building / Non-Permeable Sq. Ft.:	4,757 sq. ft.	10.71%
Hard Surface/Non-Permeable Sq. Ft.:	3,480 sq. ft.	7.84%
Open Space / Permeable Sq. Ft.:	36,168 sq. ft.	81.45%
Snowstack (13A/13R):		

Required Square Footage:	870 sq. ft.	25% of paved surfaces is required	
Proposed Square Footage:	1,518 sq. ft.	(43.62% of paved surfaces)	
Outdoor Heated Space (33A/33R):			
	Yes	948 SF	
Parking (18A/18/R):			
Required:	2 spaces		
Proposed:	5 spaces		
Fireplaces (30A/30R):			
Number of Gas Fired:	3 Gas Fired		
Number of EPA Phase II Wood Burning:	None		
Building/Disturbance Envelope?	Building		
Setbacks (9A/9R):	Within platted building envelope		
	Within platted building envelope		
	Within platted building envelope		
	Within platted building envelope		
Architectural Compatibility (5/A & 5/R):	The architecture is compatible and blends in with the character of the surrounding neighborhood.		
Exterior Materials:	12" horizontal cedar siding in SW3530 "Moss Olive, Dark Bronze metal panel siding, timber accents and trim in SW3542 "Charwood", Black metal railings and chimney caps, stone veneer in "Telluride Stone Northstar"		
Roof:	Asphalt shingles and Standing Seam Metal Roofing		
Garage Doors:	Wood clad, painted to match siding		
Landscaping (22A/22R):			
	Planting Type	Quantity	Size
	Colorado Spruce	9	10'
	Colorado Spruce	2	8'
	Quaking Aspen	5	1.5" cal-3" cal.
	Twinberry Honeysuckle	8	5 gal.
	Siberian Peashrub	5	5 gal.
	Native Potentilla	11	5 gal.
Defensible Space (22A):	Complies		
Drainage (27A/27R):	Complies		
Driveway Slope:	8.0 %		
Point Analysis (Sec. 9-1-17-3):	The applicant has submitted a HERS Index of 63 for this development, earning positive two (+2) points under Policy 33R. The applicant also proposes 948 sq. ft. of heated walkway and driveway apron, warranting negative two (-2) points under the same policy and according to precedent, for a passing score of zero (0) points.		
Staff Action:	Staff has approved this application with the attached Findings and Conditions.		
Comments:	948 sq. ft. of heated walkway and driveway apron is proposed and is not included in the total non-permeable space, as it is snowmelted and therefore not included in requirement for snowstack.		
Additional Conditions of Approval:	Prior to a Certificate of Occupancy, the applicant will provide confirmation of the HERS Index score of 61-80.		

Final Hearing Impact Analysis				
Project:	Miles Residence	Positive Points	+2	
PC#	PC-2016-0021	Negative Points	- 2	
Date:	2/19/2016	Total Allocation:	0	
Staff:	Chapin LaChance, Planner II			
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)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex/Multi-family Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		

20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)		
24/A	Social Community	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Conservation District	3x(-5/0)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Primary Structures - Historic Preservation/Restoration - Benefit	+1/3/6/9/12		
24/R	Social Community - Secondary Structures - Historic Preservation/Restoration - Benefit	+1/2/3		
24/R	Social Community - Moving Primary Structures	-3/10/15		
24/R	Social Community - Moving Secondary Structures	-3/10/15		
24/R	Social Community - Changing Orientation Primary Structures	-10		
24/R	Social Community - Changing Orientation Secondary Structures	-2		
24/R	Social Community - Returning Structures To Their Historic Location	+2 or +5		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2	+2	The development has a project HERS rating of 63
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	-2	The applicant proposes 948 sq. ft. of heated walkway and driveway apron.
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		

37/R	Special Areas - Community Entrance	4x(-2/0)		
37/R	Special Areas - Individual Sites	3x(-2/+2)		
37/R	Special Areas - Blue River	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
38.5/A	Home Childcare Businesses	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

Miles Residence
Lot 185, Highlands at Breckenridge # 7
2289 Highlands Drive
PL-2016-0021

STAFF RECOMMENDATION: Staff has approved this application with the following Findings and Conditions and recommends the Planning Commission uphold this decision.

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 19, 2016** 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 **March 01, 2016** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are 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 **September 1, 2017** 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. 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. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.

21. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

22. **Applicant shall submit a final HERS Confirmed Home Energy Rating Report prepared by a prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code, showing that the completed development has a HERS Index number from 61-80.**
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 remove all vegetation and combustible material from under all eaves and decks.
26. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
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 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.
28. 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.
29. Applicant shall screen all utilities.
30. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
31. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
32. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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

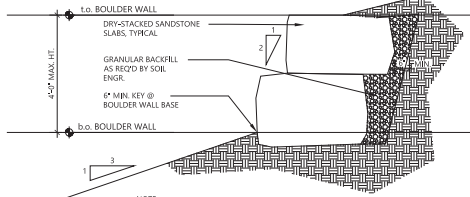
reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.

33. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
34. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
35. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
36. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)

MAX BOULDER SIZE
WALLS LESS THAN 2" TALL -
18" BOULDER DIA.
WALLS MORE THAN 2" TALL -
36" BOULDER DIA.

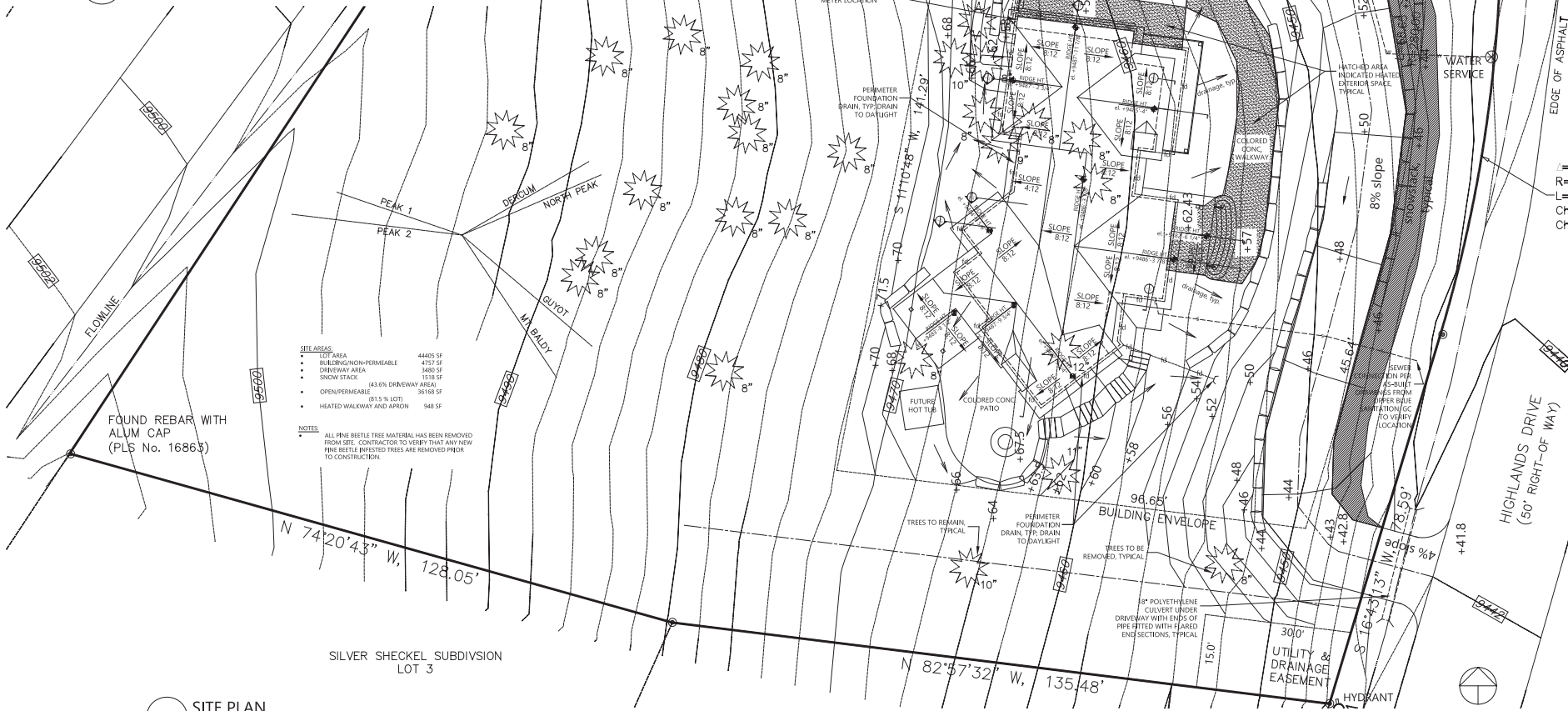
MIN BOULDER SIZE
TOP HALF OF WALL -
12" BOULDER DIA.
BOTTOM HALF OF WALL -
18" BOULDER DIA.



NOTE
ALL BOULDER WALLS OVER
42" TALL WILL BE DISCREED BY
THE ENGINEER REGISTERED IN THE
STATE OF COLORADO

2 RETAINING WALL DETAIL

NTS



LOT 185

ADDRESS: 2289 HIGHLANDS DRIVE
1.02 Acres

- SITE AREAS:
- LOT AREA 44405 SF
 - BUILDING/NON-PERMEABLE 4757 SF
 - DRIVEWAY AREA 3400 SF
 - SNOW STACK 1538 SF
 - OPEN PERMEABLE (43.6% DRIVEWAY AREA) 3036 SF
 - HEATED WALKWAY AND APRON (81.5% LOT) 948 SF

NOTES:
ALL FIRE BOTTLE TREE MATERIAL HAS BEEN REMOVED
FROM SITE. CONTRACTOR TO VERIFY THAT ANY NEW
FIRE BOTTLE PREFERRED TREES ARE REMOVED PRIOR
TO CONSTRUCTION.

FOUND REBAR WITH
ALUM CAP
(PLS No. 16863)

SILVER SHECKEL SUBDIVISION
LOT 3

1 SITE PLAN

1" = 10'-0"

RIVERBEND
ARCHITECTURE & PLANNING
P.O. Box 8723, Breckenridge, CO 80424
(970) 485-0197

Miles Residence
Lot 185, the Highlands at
Breckenridge Filing #7
Breckenridge, Colorado

Revisions:

No.	Description

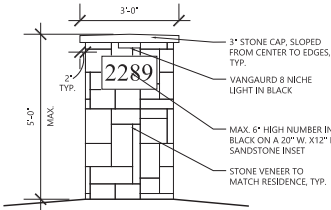
Issue Date:
02/17/16 - ToB Rev
02/03/16 - Final DRC
Jan. 28, 2016 - ToB app
Jan. 22, 2016 - progress
12/04/15 - Prelim Review
Dec. 1, 2015

Title:
Site Plan

Sheet:
A1.1
Project No:
21505

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- LANDSCAPING NOTES:**
- All plant material to be of native/indigenous species and origin with all trees to be native dug at 6500' or greater elevation.
 - Drill Irigation to be provided on all new plantings and reestablishment.
 - All rocks decorative to match native stone found on site. All boulder retaining walls to be Sandstone Slab, re. detail.
 - Unless otherwise designated all roof edge drip-lines to receive a 3" wide path of cobble (2"4" native or approved rock) splash area on weed barrier fabric to a depth adequate to cover fabric.
 - All disturbed areas not otherwise planted and existing disturbed areas to be planted w/ Summit County Grass Seed Mix. Most areas to receive occasional hand scatterings of individual native wildflower species appropriate to the site in plant community groupings before hydroseeding.
 - All seeding applications to be hand spread, raked or dragged in and hydroseeded down. No seeding is to be applied mixed with hydromulch alone.
 - All trees and shrubs to receive multi-rings of aspen mulch to a minimum depth of 2"4" and the diameter of the drip line for conifers, 3" for deciduous trees and 2" for shrubs.
 - Slopes of greater than 3:1 shall have straw netting installed per manufacturers specification.



2 ADDRESS MARKER DETAIL
NTS

Symbol	Description	Size	Qty	Comments
Evergreen Trees				
CS	Colorado Spruce / <i>Picea pungens</i>	8'	9	approx.
CS	Colorado Spruce / <i>Picea pungens</i>	10'	2	
Deciduous Trees				
A	Quaking Aspen / <i>Populus tremuloides</i>	11/2" - 3" cal.	6	
Shrubs				
H	Twinberry Honeysuckle / <i>Lonicera involucrata</i>	5 gal.	8	
SP	Siberian Peashrub / <i>caragana arborecens</i>	5 gal.	5	
P	Native Potentilla / <i>potentilla fruticosa</i>	5 gal.	11	
Wildflowers & Groundcovers				
x or o	All plants annotated by this symbol may include but are not to be limited to the varieties of native plants listed below placed and planted appropriately.	20 cu in. - 1gal		
	Kinnikinnick / <i>Arctostaphylos uva-ursi</i>			Creeping Phlox / <i>Phlox subulata</i>
	Color. Blue Columbine / <i>Aquilegia coerulea</i>			Native Lupine / <i>Lupinus</i>
Seed mix				
all disturbed areas not planted	Summit County Grass Seed Mix			



1 LANDSCAPE PLAN
1" = 10'-0"

Miles Residence
Lot 185, the Highlands at Breckenridge Filing #7
Breckenridge, Colorado

Revisions:

Issue Date:
02/17/16 - ToB Rev
02/03/16 - Final DRC
Jan. 28, 2016 - ToB app
Jan. 22, 2016 - progress
12/04/15 - Prelim Review
Dec. 1, 2015

Title:
Landscape Plan

Sheet:
A1.2
Project No:
21505

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- NOTES:**
- ALL EXPOSED CONCRETE OR CONCRETE MASONRY FOUNDATIONS, WALLS, AND PIERS, WHICH ARE NOT FACED WITH STONE, SHALL RECEIVE A STUCCO OR MORTAR-WASH FINISH AND SHALL BE PAINTED TO BLEND UNOBTRUSIVELY WITH ADJACENT MATERIALS.
 - ALL EXPOSED METAL, EXCEPT FOR PREFINISHED PRODUCTS OF AN APPROVED COLOR, INCLUDING FLASHING, DRIP EDGES, VENT STACKS, FLUE PIPES, BEAM AND POST CONNECTORS, ETC., SHALL BE PAINTED TO BLEND UNOBTRUSIVELY WITH ADJACENT MATERIALS.

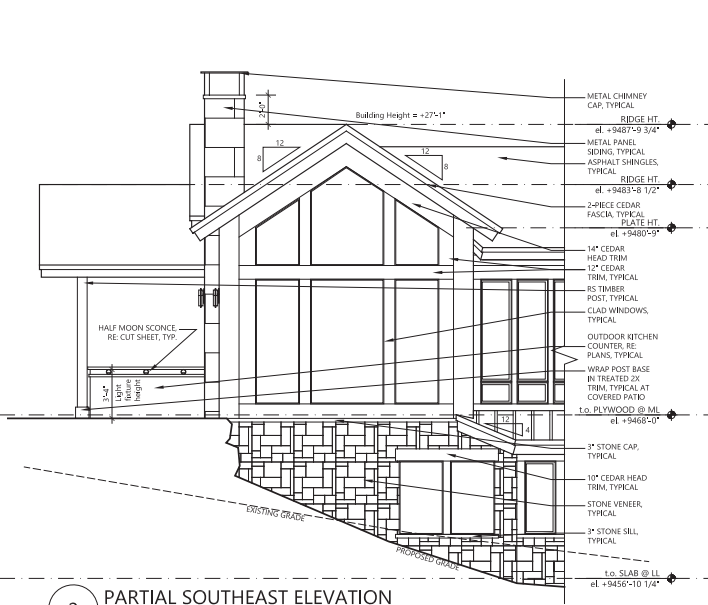


EXTERIOR MATERIALS:
 EAST ELEVATION WALL AREA = 1799 SF
 AREA OF METAL SIDING (15.7% WALL AREA) = 283 SF

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

ROOF PITCH PERCENTAGES:

TOTAL ROOF AREA	3008 SF
ROOF # 8:12 PITCH	2764 SF = 91.9%
ROOF # 4:12 PITCH	244 SF = 8.1%



2 PARTIAL SOUTHEAST ELEVATION
 1/4" = 1'-0"



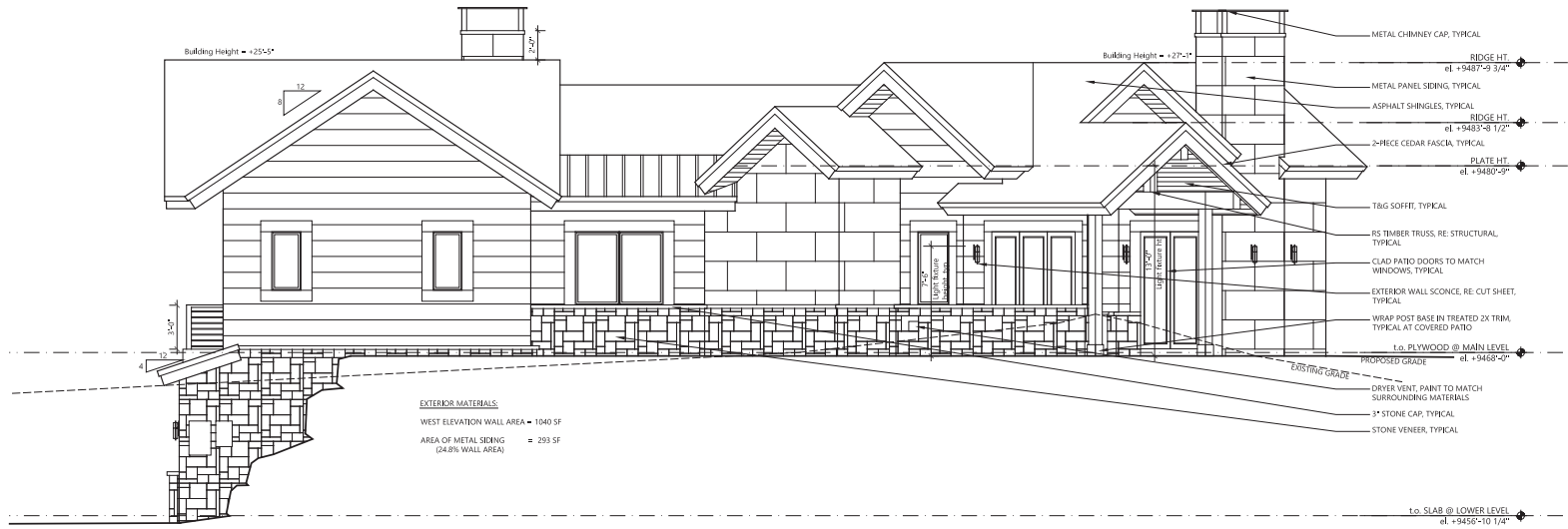
1 NORTH ELEVATION
 1/4" = 1'-0"

Revisions:

Issue Date:
02/17/16 - ToB Rev
02/03/16 - Final DRC
Jan. 28, 2016 - ToB app
Jan. 22, 2016 - progress
12/17/15
12/04/15 - Prelim Review
Dec. 1, 2015

Title:
 Building Elevations

Sheet:
 A3.1
 Project No:
 21505



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

EXTERIOR MATERIALS:
WEST ELEVATION WALL AREA = 1040 SF
AREA OF METAL SIDING (24.6% WALL AREA) = 259 SF

- NOTES:**
- ALL EXPOSED CONCRETE OR CONCRETE MASONRY FOUNDATIONS, WALLS, AND PIERS, WHICH ARE NOT FACED WITH STONE, SHALL RECEIVE A STUCCO OR MORTAR-WASH FINISH AND SHALL BE PAINTED TO BLEND UNOBTRUSIVELY WITH ADJACENT MATERIALS.
 - ALL EXPOSED METAL (EXCEPT FOR PREFINISHED PRODUCTS OF AN APPROVED COLOR), INCLUDING FLASHING, DRIP EDGES, VENT STACKS, FLUE PIPES, BEAM AND POST CONNECTIONS, ETC., SHALL BE PAINTED TO BLEND UNOBTRUSIVELY WITH ADJACENT MATERIALS.

EXTERIOR MATERIALS:
SOUTHWEST ELEVATION WALL AREA = 968 SF
AREA OF METAL SIDING (24.5% WALL AREA) = 237 SF

ROOF PITCH PERCENTAGES:	
TOTAL ROOF AREA	3008 SF
ROOF @ 8:12 PITCH	2764 SF @ 91.9%
ROOF @ 4:12 PITCH	244 SF @ 8.1%

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

Revisions:

No.	Description

Issue Date:
02/17/16 - ToB Rev
02/03/16 - Final DRC
Jan. 28, 2016 - ToB app
Jan. 22, 2016 - progress
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Dec. 1, 2015

Title:
Building Elevations

Sheet:
A3.2
Project No:
21505



Class C Single Family Development Review Check List

Proposal:	Build a new 5,676 square foot single family residence	
Project Name/PC#:	Budzynski Residence	
Project Manager:	Chris Kulick, AICP	
PC Meeting:	March 1, 2016	
Date of Report:	February 19, 2016	
Property Owner:	Arthur Budzynski	
Agent:	Tyler Mikolajczak, BHH Partners	
Proposed Use:	Single Family Residence	
Address:	540 Highlands Drive	
Legal Description:	Lot 141, Filing 5, The Highlands at Breckenridge	
Area of Site:	432,115 sq. ft.	9.92 acres
Existing Site Conditions:	The site slopes steeply at an average of 26% from west to east and is moderately covered with lodge-pole pine trees. The property is bordered by existing residences to the north, and south. The east side of the property is bordered by United States Forest Service Land. The property has sections of the Upper and Middle Flume Trails that are located on 25' trail easments.	
Areas:	Proposed	
Lower Level:	2,147 sq. ft.	
Main Level:	2,265 sq. ft.	
Garage:	1,264 sq. ft.	
Total:	5,676 sq. ft.	
Code Policies (Policy #)		
Land Use District (2A/2R):	1	Subject to the Delaware Flats Master Plan
Density (3A/3R):	Allowed: Unlimited	Proposed: 4,412 sq. ft.
Mass (4R):	Allowed: Unlimited	Proposed: 5,676 sq. ft.
F.A.R.	1:76.13 FAR	
Bedrooms:	5 BR	
Bathrooms:	5.5 BA	
Height (6A/6R):*	32 feet overall	
*Max height of 35' for single family outside Conservation District <u>unless</u> otherwise stated on the recorded plat		
Lot Coverage/Open Space (21R):		
Building / Non-Permeable:	4,927 sq. ft.	1.14%
Hard Surface/Non-Permeable:	3,223 sq. ft.	0.75%
Snowstack (13A/13R):		
Required:	806 sq. ft.	25% of paved surfaces is required
Proposed:	901 sq. ft.	(27.96% of paved surfaces)

Outdoor Heated Space (33A/33R):		
	No	
Parking (18A/18/R):		
Required:	2 spaces	
Proposed:	5 spaces	
Fireplaces (30A/30R):	5 Gas Fired	
Building/Disturbance Envelope?	Building Envelope	
Architectural Compatibility (5/A & 5/R):	The architecture of this house is compatible with the other existing houses in the neighborhood.	
Exterior Materials:	2x6 horizontal siding, 1x vertical siding, with wood fascia, trim, beams and columns, bronze window cladding, metal accent panels (less than 25% per façade) and natural stone.	
Roof:	50 Year asphalt shingle with rusted corrugated metal accents	
Garage Doors:	Windows and metal panel accents, color to match the home	
Site & Environmental Design (7R):	Per Policy 7/R, Section C. 2X(-2/+2): Retaining Walls: <i>Smaller retaining wall systems, up to four feet (4') tall, that incorporate vegetation between walls without creating excessive site disturbance are preferred.</i> Due to the lot's steep topography the applicants have proposed an 8' natural rock retaining wall on the uphill side of the driveway. Based on past precedent staff recommends negative (-4) four points under Policy 7R. Most recently the Ankenbauer Residence (PC#2014007) was awarded negative (-4) four points for having retaining walls that exceeded 4' in height.	
Landscaping (22A/22R):		
	Planting Type	Quantity
	Aspen	26
	Colorado Spruce	12
	Potentilla	9
	Buffalo Juniper	16
	Peking Cotoneaster	9
		Size
		3" inch caliper, 50% multi Stem
		(8) 10'-12' tall, (4) 12'-14' tall
		5 gallon
		5 gallon
		5 gallon
	Staff has reviewed the proposed landscaping plan against other projects that have received positive points. Based on the quantity and size of the proposed landscaping Staff recommends awarding positive four (+4) points under Policy 22R.	
Drainage (27A/27R):	Positive drainage away from the structure.	
Driveway Slope:	8 %	
Point Analysis(Sec. 9-1-17-3):	Staff conducted a point analysis and found the proposal meets all Absolute Policies of the Development Code and warrants the following points under the Relative Policies: Negative four (-4) points under Policy 7 (Relative) Site & Environmental Design for retaining walls exceeding 4 feet in height; and positive four (+4) points under Policy 22 (Relative) Landscaping for an above average landscaping proposal, for a total passing point analysis of zero (0) points.	
Staff Action:	Staff has approved the Budzynski Residence, PL-2016-0044, located at 540 Highlands Drive with the a passing point analysis of zero (0) points and the attached Findings and Conditions.	

Final Hearing Impact Analysis				
Project:	Budzynski Residence Residence	Positive Points	+4	
PC#:	PC-2016-0044	Negative Points	- 4	
Date:	2/19/2016			
Staff:	Chris Kulick, AICP			
		Total Allocation:	0	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex/Multi-family Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)	- 4	Retaining walls exceeding 4' in height
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		

20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies	+4	For an above average landscaping proposal
22/R	Landscaping	2x(-1/+3)		
24/A	Social Community	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Conservation District	3x(-5/0)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Primary Structures - Historic Preservation/Restoration - Benefit	+1/3/6/9/12		
24/R	Social Community - Secondary Structures - Historic Preservation/Restoration - Benefit	+1/2/3		
24/R	Social Community - Moving Primary Structures	-3/10/15		
24/R	Social Community - Moving Secondary Structures	-3/10/15		
24/R	Social Community - Changing Orientation Primary Structures	-10		
24/R	Social Community - Changing Orientation Secondary Structures	-2		
24/R	Social Community - Returning Structures To Their Historic Location	+2 or +5		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Special Areas - Community Entrance	4x(-2/0)		
37/R	Special Areas - Individual Sites	3x(-2/+2)		

37/R	Special Areas - Blue River	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
38.5/A	Home Childcare Businesses	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

**Budzynski Residence
Lot 141, Highlands at Breckenridge # 5
540 Highlands Drive
PL-2016-0044**

STAFF RECOMMENDATION: Staff has approved this application with the following Findings and Conditions and recommends the Planning Commission uphold this decision.

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 19, 2016** 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 **March 01, 2016** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are 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 **September 8, 2017** 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. 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. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.

21. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

22. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
23. 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.
24. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
25. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
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 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.
27. 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.
28. Applicant shall screen all utilities.
29. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
30. 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.
31. 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.
32. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and

specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

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

BUDZYNSKI RESIDENCE



VIEW FROM HIGHLANDS DRIVE

GENERAL NOTES

- 1) COPYRIGHT:
All plans, design, and concepts shown in these drawings are the exclusive property of bhh Partners Planners/Architects, P.A., P.C. and shall not be used, disclosed, or reproduced for any purpose whatsoever without the Architect's written permission.
- 2) CODES:
This project is governed by the International Residential Code, 2003 Edition as adopted by the Town of Breckenridge, Colorado. Code compliance is mandatory. The drawings and specifications shall not permit work that does not conform to these codes. The General Contractor and Subcontractors shall be responsible for satisfying all applicable codes and obtaining all permits and required approvals. Building areas are shown for code purposes only and shall be reclassified for any other purpose.
- 3) FIELD VERIFICATION:
Verify all dimensions, conditions, and utility locations on the job site prior to beginning any work or ordering any materials. Notify Architect of any conflicts or discrepancies in the drawings immediately.
- 4) DIMENSIONS:
Written dimensions always take precedence over scaled dimensions. DO NOT SCALE DRAWINGS. Verify all dimensions shown prior to beginning any work and notify Architect of any conflicts or discrepancies for interpretation or clarification. Plan dimensions are to the face of framing members. Face of wood framing or face of concrete walls unless otherwise noted. Section or elevation dimensions are to top of concrete, top of plywood, or top of wall plates or beams unless otherwise noted.
- 5) DISCREPANCIES:
The Owner has requested the Architect to provide limited architectural and engineering services. In the event additional details or guidance is needed by the Contractor for construction of any aspect of this project, he shall immediately notify the Architect. Failure to give simple notice shall relieve the Architect of responsibility. Do not proceed in areas of discrepancy until all such discrepancies have been fully resolved with written direction from the Architect.
- 6) DUTY OF COOPERATION:
Release of these plans contemplates further cooperation among the Owner, the Contractor, and the Architect. Design and construction are complex. Although the Architect and the Consultant have performed their services with due care and diligence, they cannot guarantee perfection. Communication is imperfect, and every contingency cannot be anticipated. Any ambiguity or discrepancy discovered by the use of these plans shall be reported immediately to the Architect. Failure to notify the Architect constitutes misinterpretation and increases construction costs. A failure to cooperate by a simple notice to the Architect shall relieve the Architect from responsibility for all consequences.
- 7) CHANGES TO THE WORK:
Any items described herein that impact project budget or time shall be requested from the Contractor via a written change order request prior to such work. Performance of such work without approval by change order indicates General Contractor's acknowledgment of no increase in contract sum or time. Changes from the plans or specifications made without consent of the Architect are unauthorized and shall relieve the Architect of responsibility for any and all consequences resulting from such changes.
- 8) WORKMANSHIP:
It is the intent and meaning of these drawings that the Contractor and each Subcontractor provide all labor, materials, transportation, supplies, equipment, etc. to create a complete job within the recognized standards of the industry.
- 9) SUBSTITUTIONS:
Substitution of "equal" products will be acceptable with Architect's written approval. See specifications.
- 10) CONSTRUCTION SAFETY:
These drawings do not include the necessary components for construction safety. The General Contractor shall provide for the safety, care of utilities and adjacent properties during construction, and shall comply with state and federal safety regulations.
- 11) EXCAVATION PROCEDURES:
Upon completion of any excavation, the Owner shall retain a soils engineer to inspect the subsurface conditions in order to determine the adequacy of foundation design. See specifications. CONTRACTOR SHALL NOT POUR ANY CONCRETE UNTIL APPROVAL IS OBTAINED FROM SOILS ENGINEER.
- 12) FIELD CUTTING OF STRUCTURAL MEMBERS:
The General Contractor and Subcontractors shall field coordinate and obtain approval from Engineer before any cutting, notching or drilling of any cast-in-place concrete, steel framing, or any other structural elements which may affect the structural integrity of the building. Refer to 2003 International Building Code, manufacturer's or supplier's instructions, and structural drawings for additional requirements.
- 13) EXTERIOR MATERIAL MOCK UP:
The General Contractor shall provide a mock up of all exterior materials for review by the Owner, Architect, and Interior Designer. The mock up shall be provided and signed off in writing prior to any exterior finish work. The sample shall include facade, trim, window cladding, and all other exterior finishes including 3/8" sample swatches of exterior stone work. This shall be retained on site until the final punch list is complete.
- 14) WEATHER CONDITIONS:
The Owner has been advised that due to harsh winter conditions, roof and deck surfaces must be maintained reasonably free of ice and snow to ensure minimal problems with these surfaces. All roofing, roofing materials, and waterproofing shall be approved in writing by product manufacturer (WR Grace for bitumens, etc.) prior to proceeding with any work. Failure to provide these written approvals removes all responsibility for the work from the Architect.
- 15) BUILDING AREA:
Building areas are shown for code purposes only and shall be reclassified for any other use.
- 16) PROJECT STAKING:
The general contractor shall verify all existing grades and stake all building corners and driveway location for Owner/Architect and Design Review Board approval prior to beginning any site clearing.
- 17) SITE DISTURBANCE:
It is the responsibility of the contractor to protect the existing trees to remain and adjacent properties from damage during construction. Provide protective fencing throughout construction.
- 18) PROJECT GRADES:
The general contractor shall check and verify all grades including paved areas slopes prior to pouring any foundations. Survey work should be verified in detail. See numbers 5 and 6.

VICINITY MAP



AREA CALCULATIONS

	UNFINISHED	FINISHED	TOTAL
LOWER	104 SF.	2,043 SF.	2,147 SF.
MAN	1264 SF.	2265 SF.	3529 SF.
TOTAL	1368 SF.	4308 SF.	5676 SF.

NOTE: SQUARE FOOTAGES ARE CALCULATED FOR CODE PURPOSES ONLY AND SHOULD BE RECALCULATED FOR ANY OTHER PURPOSES.
+ 165 SF. OF UNFINISHED SPACE ON MAIN LEVEL IS THE HUD ROOM

LEGAL DESCRIPTION

LOT 14, FILING #5,
THE HIGHLANDS AT BRECKENRIDGE,
340 HIGHLANDS DRIVE
BRECKENRIDGE, COLORADO

USGS DATUMS

LOWER LEVEL 100'-0" + 5.9915' USGS
MAIN LEVEL 10'-0" + 5.6025' USGS
GARAGE LEVEL 12'-6" + 5.6025' USGS

DRYWALL NOTE

THIS NOTE IS OVER 4000 SF AND ALL SURFACES SHALL BE PROVIDED WITH 5/8" DRYWALL BEHIND TUBS AND PRIOR TO BOOTH CONSTRUCTION.

SHEET INDEX

- T-10 TITLE SHEET & NOTES
- SP-11 SITE PLAN
- SP-12 LANDSCAPE PLAN
- A-11 LOWER LEVEL PLAN
- A-12 MAIN LEVEL PLAN
- A-13 ROOF PLAN
- A-21 BUILDING ELEVATIONS
- A-22 BUILDING ELEVATIONS

OWNER:

JOANNA & ARTUR BUDZYNSKI
(806) 811-0314 (JOANNA BUDZYNSKI)
(806) 811-0314 (ARTUR BUDZYNSKI)
joanbudzynski@gmail.com
art@bcbuilder.com

ARCHITECT:

bhh Partners, Planners and Architects
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P.O. BOX 531
BRECKENRIDGE, CO 80424
(970) 463-1960
tel:904.324.4631@bhhpartners.com

CONTRACTOR:

BRECKENRIDGE LANDS
TOM BEALEY
P.O. BOX 1
BRECKENRIDGE, CO 80424
(970) 463-2335 OFF (970) 469-0640 cell
tom@breckenridgelands.com

STR'L ENGINEER:

ENGINEERING DESIGN WORKS
169 HILL TOP PARKWAY, STE 206 A
STEAMBOAT SPRINGS, CO 80487
(970) 878-4880
(970) 878-1905 FAX
edw@epnhs.com

SOILS ENGINEER:

GEOQUEST
6829 SILVER POND HEIGHTS #01
COLORADO SPRINGS, CO 80908
(719) 481-6660

SURVEYOR:

SCHEIDT LAND SURVEYING
LID SCHEIDT
P.O. BOX 5161
PUEBLO, COLORADO 80443
(719) 425-1963
liz@schmidtlandsurveying.com

REVISIONS:

JOB NO: 1934
DATE: 2/25/16
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CHECKED BY: TRM

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TOD SUBMITTAL / 2/25/16

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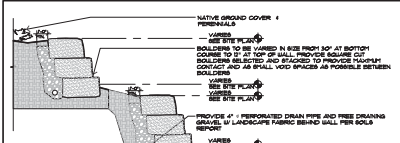
BUDZYNSKI RESIDENCE
540 HIGHLANDS DRIVE, BRECKENRIDGE, SUMMIT COUNTY, COLORADO

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SHEET NUMBER:

T-1.1

OF:

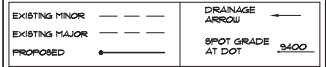


1 BOULDER WALL
 3/4" = 1'-0"

BUILDING HEIGHT

RIDGE POINT	RIDGE ELEV	NAT GRADE ELEV	FIN GRADE ELEV	MEASURED FROM	CALCULATIONS	HEIGHT
A	9,622.5'	9,990.75'	9,622.5'	NAT. ELEV	9,622.5' - 9,990.75'	31.75'
B	9,623.58'	9,992.75'	N/A	NAT. ELEV	9,623.58' - 9,992.75'	30.83'
C	9,622'	9,996.75'	N/A	NAT. ELEV	9,622' - 9,996.75'	29.25'
D	9,623.58'	9,997'	N/A	NAT. ELEV	9,623.58' - 9,997'	27.58'
E	9,623.4'	9,997'	N/A	NAT. ELEV	9,623.4' - 9,997'	16.4'
F	9,623.4'	9,997'	N/A	NAT. ELEV	9,623.4' - 9,997'	16.4'

CONTOUR LEGEND

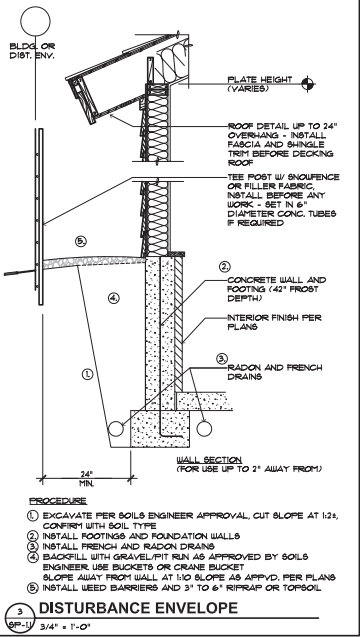
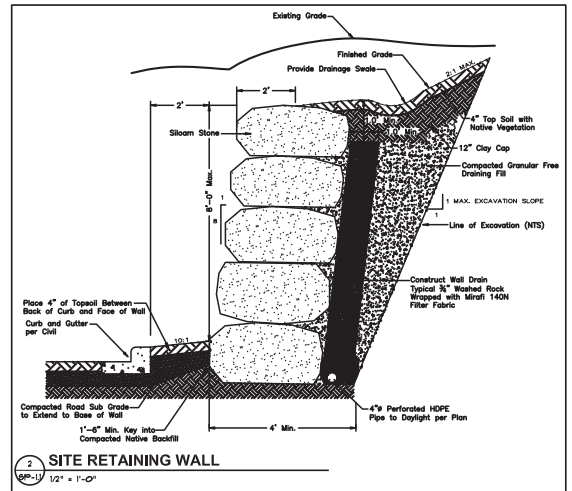


SITE NOTES

- ELECTRIC, CABLE TV, AND TELEPHONE UNDERGROUND IN COMMON TRENCH.
- VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY WORK. COORDINATE UTILITY ROUTING WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE UNDERGROUND.
- TOPOGRAPHIC INFORMATION OBTAINED FROM RANGE WEST ENGINEERS AND SURVEYORS, INC. JOB #0333.
- PROVIDE POSITIVE DRAINAGE AT BUILDING PERIMETER (SLOPE AWAY FROM BUILDING AT 1:10 MIN).
- REFER TO FOUNDATION PLAN FOR FOUNDATION DRAIN LOCATION AND SLOPE DRAINAGE TO BE SLOPED TO DAYLIGHT TO NATURAL TRENCH.
- FLAG ALL TREES FOR OWNER PRIOR TO THINNING OR REMOVING.
- PROTECT ALL REMAINING TREES WITH SNOW FENCE OR OTHER APPROVED BARRIER DURING CONSTRUCTION.
- PROVIDE 6" DIA. STONE RIP RAP OVER USED BARRIER FABRIC AT BAYER AND VALLEY DRAIN LOCATIONS.
- STAKE HOME LOCATION FOR OWNER, ARCHITECT, AND ARCHITECTURAL REVIEW BOARD PRIOR TO ANY WORK.
- GENERAL CONTRACTOR TO REVIEW & COMPLY WITH ALL SUBDIVISION CONDITIONS. COPIES OF CONDITIONS ARE AVAILABLE FROM ARCHITECT.
- DRIVEWAY SHOULDER AS 4% SLOPE FOR FIRST 20' FROM ROAD EDGE OF PAVEMENT AS REQUIRED.

LOT COVERAGE

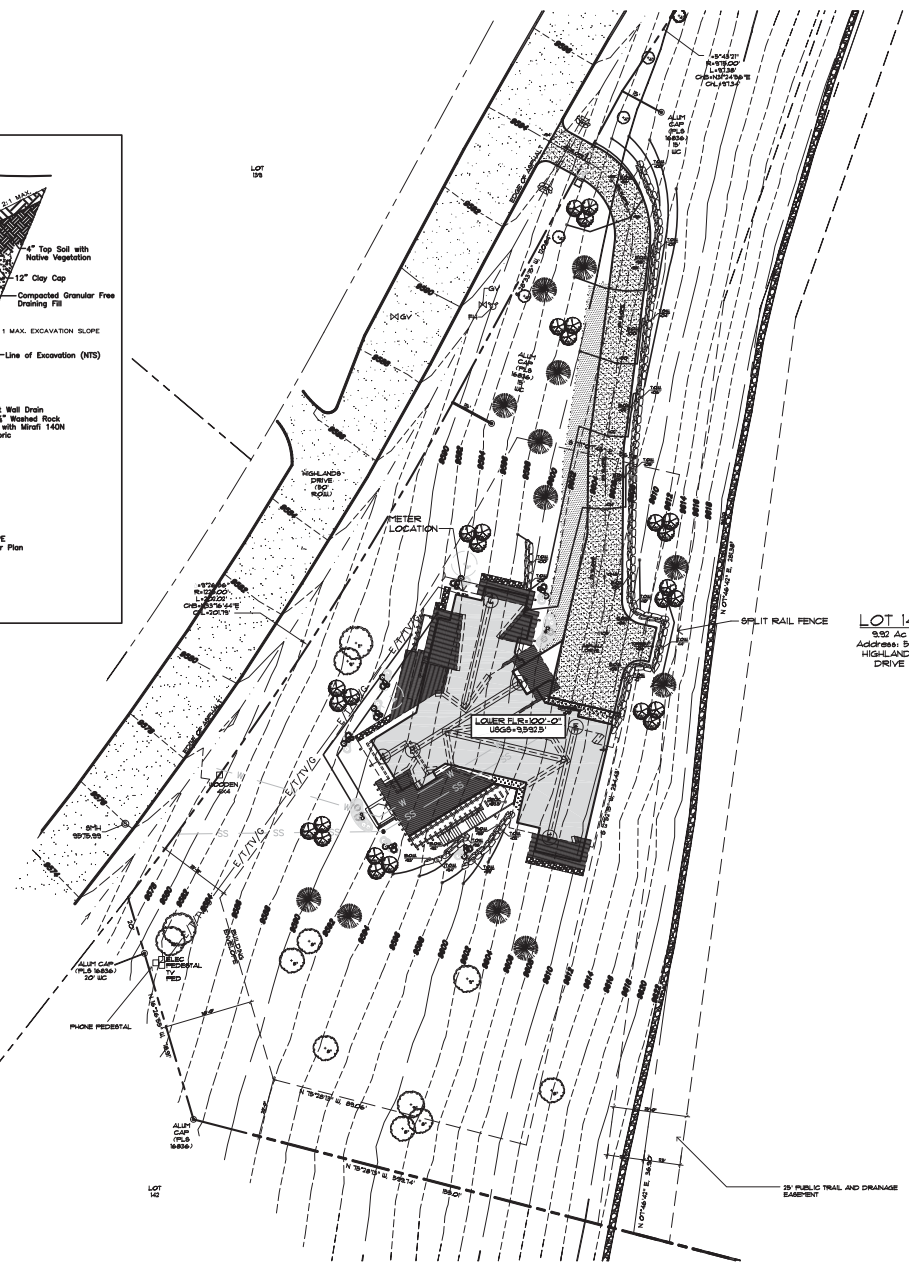
	SQ. FT.	%
BUILDING (INCLUDES OVERHANGS)	4971 SF.	13%
LANDSCAPE (DECKS, PATIOS, WALKS & DRIVEWAY)	3223 SF.	7%
OPEN SPACE	423,965 SF.	98%
TOTAL LOT SIZE	432,159 SF.	100%



PROCEDURE

- EXCAVATE PER SOILS ENGINEER APPROVAL. CUT SLOPE AT 1:1. CONFIRM WITH SOIL TYPE.
- INSTALL FOOTINGS AND FOUNDATION WALLS.
- INSTALL FRENCH AND RADON DRAINS.
- BACKFILL WITH GRAVEL/PIT RUN AS APPROVED BY SOILS ENGINEER. USE BUCKETS OR CRANE BUCKET SLOPE AWAY FROM WALL AT 1:10 SLOPE AS APP'VD. PER PLANS.
- INSTALL USED BARRIERS AND 3" TO 6" RIPRAP OR TOPSOIL.

SITE PLAN
 SCALE: 1" = 20'-0"



REVISIONS:
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 CHECKED BY: MFM

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TOB SUBMITTAL : 2/24/16

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BUDZYNSKI RESIDENCE
 540 HIGHLANDS DRIVE, BRECKENRIDGE, SUMMIT COUNTY, COLORADO

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 SHEET NUMBER:

SP-1.1

DEFENSIBLE SPACE

Defensible space is the natural or landscaped area around a building or other structure that has been modified to reduce the spread of fire from an approaching wildfire, or to reduce a structure fire from moving into the surrounding vegetation. Creating Defensible Space does not usually require the removal of all trees or other vegetation.

Standards for defensible space: The following standards shall govern the creation of a defensible space:

- The property shall be divided into three zones. Zone One shall be measured 30 feet from the eave of a building or structure including attached structures or protrusions, such as a deck on the property. Zone Two is an extension of Zone One. Zone Two shall be measured to a distance of 100 feet from the eave of the building or structure, including any attached structures or protrusions, such as a deck on the property. Zone Three shall extend from Zone Two to the property boundary.
- In formulating a defensible space mitigation plan the AUJ shall consider both the horizontal clearance between aerial fuels, such as the outside edge of the tree crown or high branch, as well as the vertical clearance between lower tops of aerial fuels and the nearest surface fuels and grass/leaves.
- In determining the action that must be taken by a landowner to establish required defensible space under this chapter each property shall be reviewed individually, and the location and other physical characteristics of the property shall be considered. Properties with greater fire hazards will require greater buffers between fuels. Without limiting the generality of the preceding provisions, when establishing the requirements for the creation of a defensible space plan, the AUJ shall consider the property's proximity to a roadway, parking lot, and other similar areas that create firebreaks. Similarly, large tracts of open rural and national forest buffer land that may require larger buffers shall be considered.
- The following specific standards apply to the creation of defensible space within Zone One:
 - Healthy trees, shrubs, and other landscaping material required by a County approved landscape plan shall be preserved.
 - Trees remaining within the defensible space plan shall have branches trimmed to a height of 10 feet, but notwithstanding said height requirement, branches need not be trimmed to more than 1/3 of tree height.
 - Other healthy fire-use trees, shrubs, and other landscaping material shall be preserved if they are trimmed to remove dead branches and are well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - Irrigated trees, shrubs and other landscaping material shall be preserved if they are trimmed to remove dead branches and well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - All dead and diseased trees, shrubs, and other landscaping material shall be removed.
 - All vegetation and combustible material shall be removed from under all eaves and decks.
 - All grasses and ground cover shall be kept less than 6 inches in height.
 - Leaf and needle litter and combustible ground debris shall be removed. Mulch within landscape beds that are irrigated may be maintained at a maximum depth of 3 inches.
 - Additional fire-use landscaping material is encouraged to be planted with County approval.

- The following specific standards apply to the creation of defensible space within Zone Two:
 - Healthy trees, shrubs, and other landscaping material required by a County approved landscape plan shall be preserved.
 - Trees remaining within the defensible space shall have branches trimmed to a height of 10 feet, but notwithstanding said height requirement, branches need not be trimmed to more than 1/3 of tree height.
 - Other healthy fire-use trees, shrubs, and other landscaping material shall be preserved if they are trimmed to remove dead branches and are well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - Irrigated trees, shrubs and other landscaping material shall be preserved if they are trimmed to remove dead branches and are well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - All dead and diseased trees, shrubs, and other landscaping material shall be removed.
 - Trees shall be thinned to open up crown spacing to a minimum of ten feet between the widest portions of individual crowns of the trees.
 - Groups of trees may be retained as long as a minimum of ten feet between the edges of the widest portions of crowns of each grouping are maintained.
 - Additional fire-use landscaping material is encouraged to be planted with County approval.

- The following specific standards apply to the creation of defensible space within Zone Three:
 - Healthy trees, shrubs, and other landscaping material required by a County approved landscape plan shall be preserved.
 - Trees remaining within the defensible space shall have branches trimmed to a height of 10 feet, but notwithstanding said height requirement, branches need not be trimmed to more than 1/3 of tree height.
 - Other healthy fire-use trees, shrubs, and other landscaping material shall be preserved if they are trimmed to remove dead branches and are well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - Irrigated trees, shrubs and other landscaping material shall be preserved if they are trimmed to remove dead branches and are well spaced to reduce the risk of a fire spreading to other vegetation or structures.
 - All dead and diseased trees, shrubs, and other landscaping material shall be removed.
 - Trees shall be thinned to open up crown spacing to a minimum of ten feet between the widest portions of individual crowns of the trees.
 - Groups of trees may be retained as long as a minimum of ten feet between the edges of the widest portions of crowns of each grouping are maintained.
 - Additional fire-use landscaping material is encouraged to be planted with County approval.

PLANTING LIST & NOTES

KEY COMMON	BOTANICAL	NO.	SIZE
EXISTING TREES			
○ EXISTING TREES	VARIABLES	--	SEE SITE PLAN
TREES TO BE REMOVED			
○ VARIABLES	VARIABLES	--	SEE SITE PLAN
TREES			
○ COLORADO SPRUCE	PICEA REXENSIS OR PICEA ENGELMANNI	12	11'8" TO 10' TALL
○ ASPEN	PICEA MULLERBLATTII	26	10' TO 11'8" TALL
PERENNIAL GROUND COVERS			
○ POTENTILLA	POTENTILLA FRUTICOSA	9	9 GAL.
○ BUFFALO JUNIPER	JUNIPERUS SABINA	16	9 GAL.
○ COTONEASTER	COTONEASTER SP. SPECIOSA	9	9 GAL.

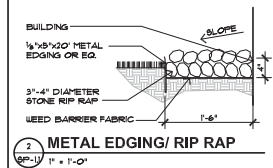
LANDSCAPE NOTES

- PROVIDE 2"-3" (MIN) CLAYTILE TOPSOIL AND SEED ALL DISTURBED AREAS WITH SUFFIT CO. SHORT SEED MIX (AS RECOMMENDED BY THE SUPPLIER) AND TOPSOIL IN CONSTRUCTION AREA. SCREEN TOPSOIL PRIOR TO INSTALLATION TO REMOVE ALL EXISTING WEEDS.
- KEEP EXISTING TREES WHERE POSSIBLE, TAKING INTO CONSIDERATION DRIP LINES AND ROOT STRUCTURES. PROTECT EXISTING TREES WITH FENCING LOCATED AT OR OUTSIDE DRIP LINE OF TREE. STOCKPILE AND REUSE EXISTING TREES WHERE POSSIBLE.
- GENERAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING FOUNDATIONS PER SPECIFICATIONS AND CODE REQUIREMENTS.
- REMOVE ANY LANDSCAPE WORK REMOVE ALL DEBRIS, PAINT, CONCRETE, TRIPS, SLASH, ETC. FROM LANDSCAPE AREA.
- LOCATE ALL PLANTINGS TO AVOID SNOW STACKING & SNOW SLIDE AREAS FROM ABOVE.
- SHRUBS ARE TO BE FIELD LOCATED AS APPROVED BY OWNER AND ARCHITECT.
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRIP IRRIGATION SYSTEM. PROVIDE SUBMITTAL.
- ALL NEW PLANTINGS SHOULD BE HIGH ALTITUDE GROUND AND OR COLLECTED TO ENSURE BETTER SURVIVAL.
- NATURALIZE GROUPINGS OF TREES BY VARYING HEIGHT & LOCATION WHEREVER POSSIBLE.
- SCREEN ALL UTILITY PEDESTALS WITH LANDSCAPE MATERIAL.
- RIPRAP 3" TO 4" DIAMETER STONE RIPRAP OVER WEED BARRIER FABRIC AT BUILDING DRIP LINES. UNDOLE EDGE AND PROVIDE LANDSCAPE EDGING AT RIPRAP TO TOPSOIL JUNCTION.
- INSTALL 4 BAGGILL ALL PLANTINGS WITH SOIL MIX INCLUDING ORGANIC SOIL AMENDMENTS PER SPECIES REQUIREMENTS AND LANDSCAPE DETAILS.
- ROOT FEED ALL NEWLY PLANTED TREES DURING INSTALLATION. PROVIDE LIQUID GROWTH TREE STIMULANT AND SOLUBLE FERTILIZER AT RECOMMENDED RATE FOR EACH TREE SPECIES.
- PROVIDE 10% SURREEDDED BACKFILL AT ALL SHRUB AND TREE WELLS.
- LANDSCAPE BOLLERS 6" OR LARGER SHALL BE RETAINED ON SITE FOR USE IN LANDSCAPE WORK. BURY DECORATIVE BOLLERS ONE-HALF OF DIAMETER.
- ADDITIONAL CONSULTATION WITH A QUALIFIED LANDSCAPE PROFESSIONAL AT OWNER OPTION IS RECOMMENDED.

NOTE: ALL LANDSCAPING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE ABOVE NOTES AND SPECIFICATIONS.

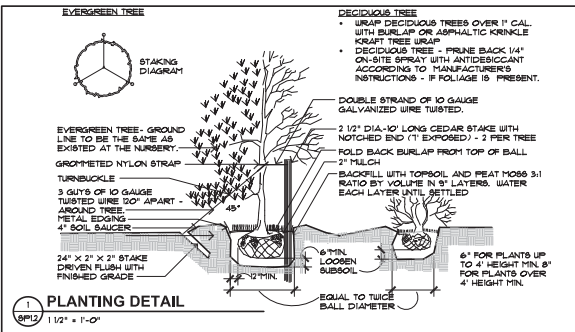
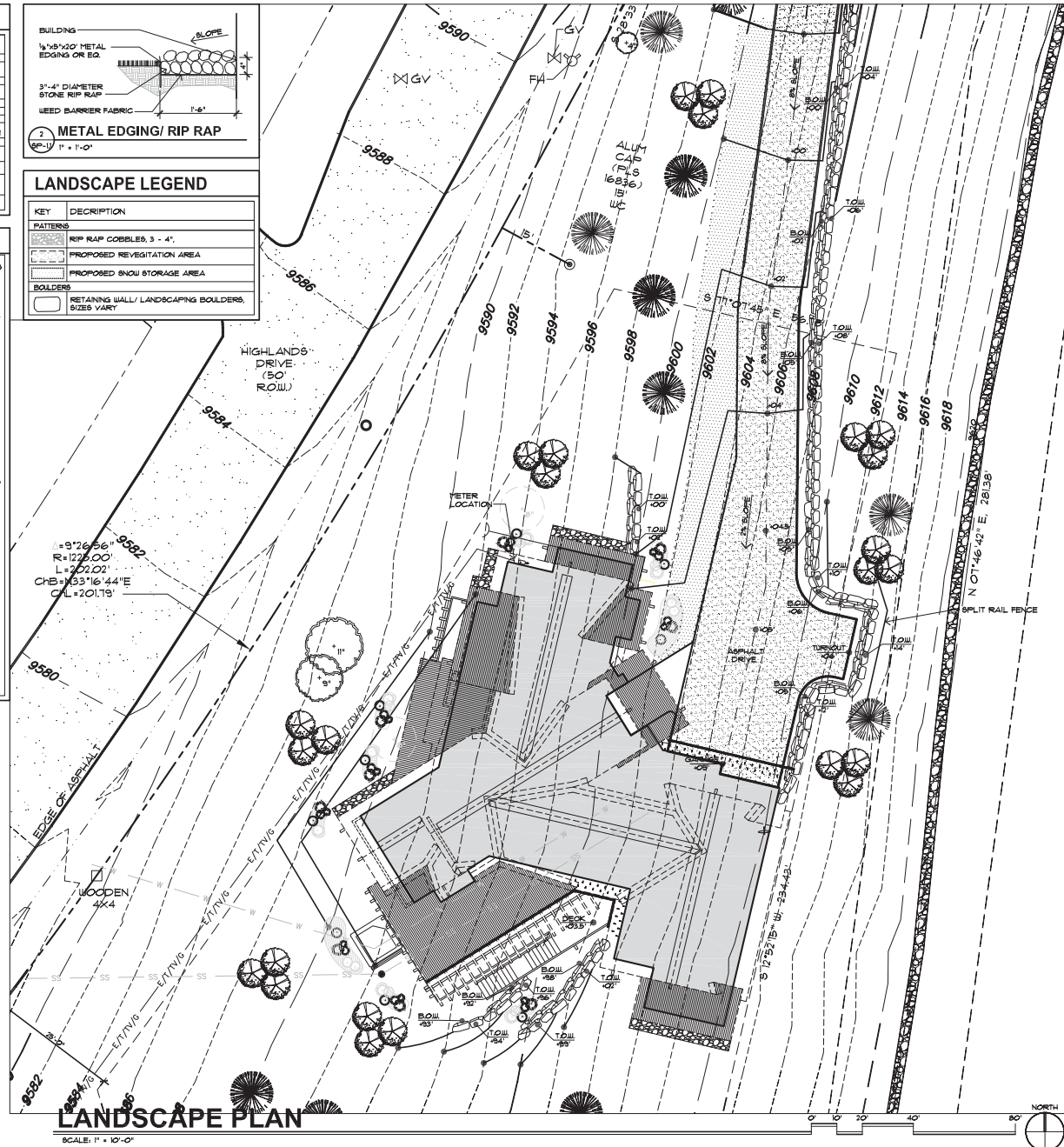
REQUIRED SNOWSTACK

	SQ. FT.	%
LANDSCAPE (DECKS, PATIOS, WALKS & DRIVEWAYS)	3223 SF.	100%
REG'D SNOW STACK (75% OF HARDSCAPE)	806 SF.	25%
TOTAL SNOW STACK	806 SF.	25%



LANDSCAPE LEGEND

KEY		DESCRIPTION
[Pattern]	[Pattern]	RIP RAP COBBLES, 3 - 4"
[Pattern]	[Pattern]	PROPOSED REVEGETATION AREA
[Pattern]	[Pattern]	PROPOSED SNOW STORAGE AREA
[Pattern]	[Pattern]	RETAINING WALL / LANDSCAPING BOLLERS, SIZES VARY



1 PLANTING DETAIL
1/2\"/>

REVISIONS:

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bhh Partners
5050 SOUTH 105TH AVENUE BRECKENRIDGE, CO 80424 (970) 454-8800

BUDZYNSKI RESIDENCE
540 HIGHLANDS DRIVE, BRECKENRIDGE, SUMMIT COUNTY, COLORADO

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SHEET NUMBER:
SP-1.2

OF: X



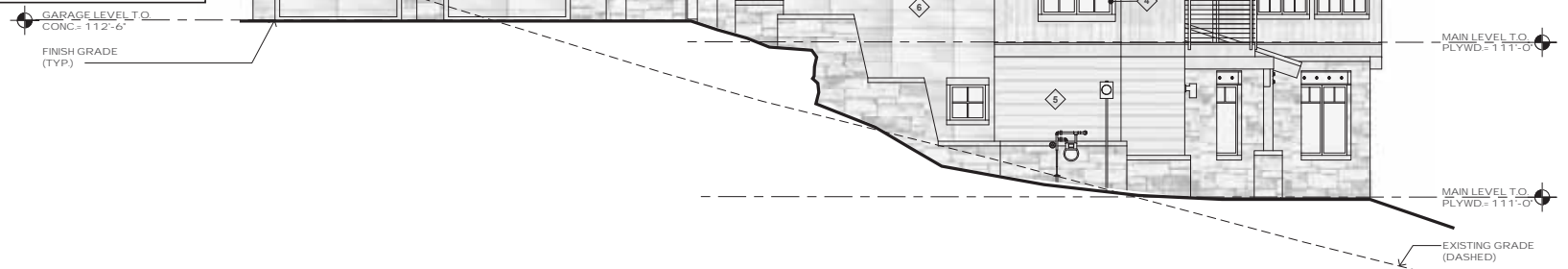
NORTHEAST ELEVATION

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



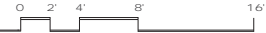
COLOR LEGEND	
1	SHINGLE ROOFING GAF TIMBERLINE ULTRA 50YR 'WEATHERED WOOD'
2	METAL ROOF RUSTED CORRIGATED METAL
3	VERTICAL SIDING TETON WEST 'BARN WOOD GREY' 1,491 SF 38%
4	WINDOW CLADDING SIERRA PACIFIC 'BRONZE'
5	HORIZONTAL SIDING TETON WEST 'HOMESTEAD BROWN' 366 SF 9%
6	METAL ACCENT PANELS METAL SALES 'CHARCOAL GREY' 654 SF 17%
7	FASCIA, TRIM, BEAMS & COLUMNS SUPERDECK SEMI-SOLID 'FRESH BREW'
8	STONE VENEER TELLURIDE STONE 'NORTHSTAR' 1,408 SF 36%

NOTE: MATERIAL KEYS ARE TYPICAL



NORTH ELEVATION

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



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2/15/16

bhh Partners
P.O. BOX 531, WRESTON, ILLINOIS BRECKENRIDGE, CO 80424 (970) 485-9988

BUDZYNSKI RESIDENCE
640 HIGHLANDS DRIVE, BRECKENRIDGE, CO
LOT 1441, HIGHLANDS & HIGHLANDS AT BRECKENRIDGE

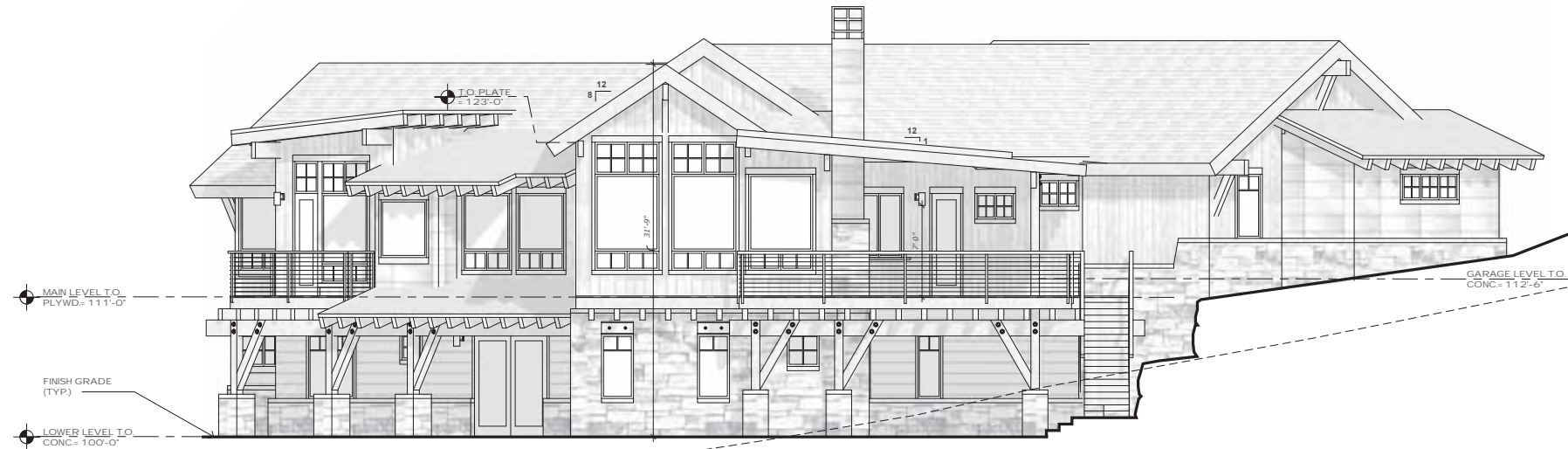
A-2.1
BUILDING ELEVATIONS

OF:



WEST ELEVATION

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



SOUTHWEST ELEVATION

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

REVISIONS:

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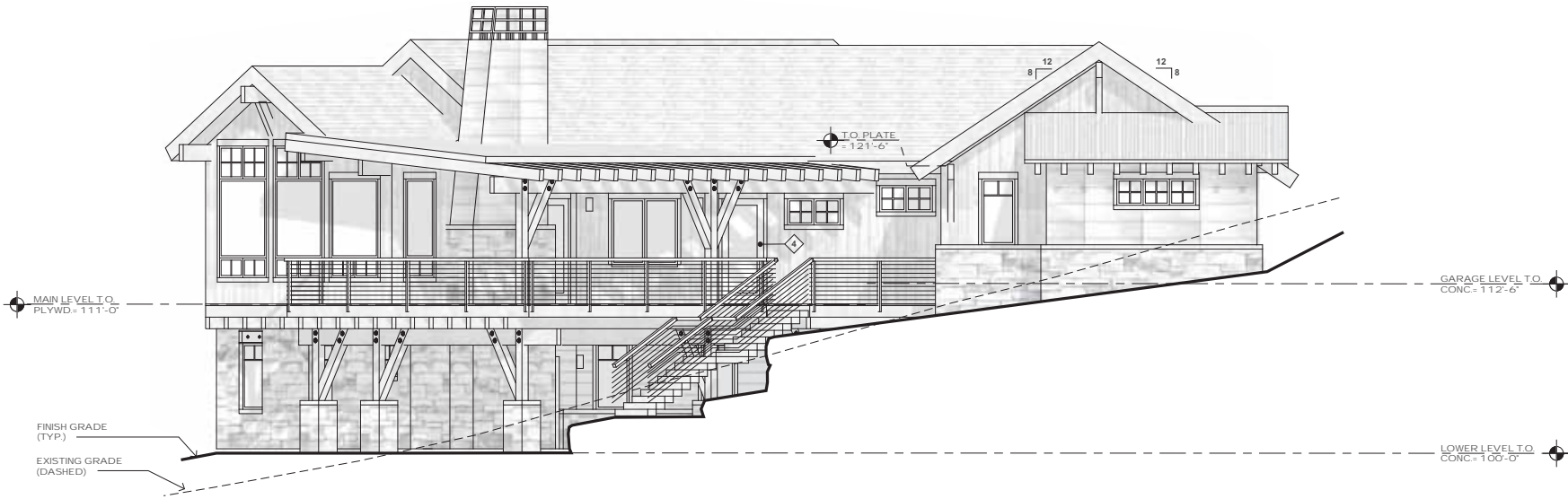
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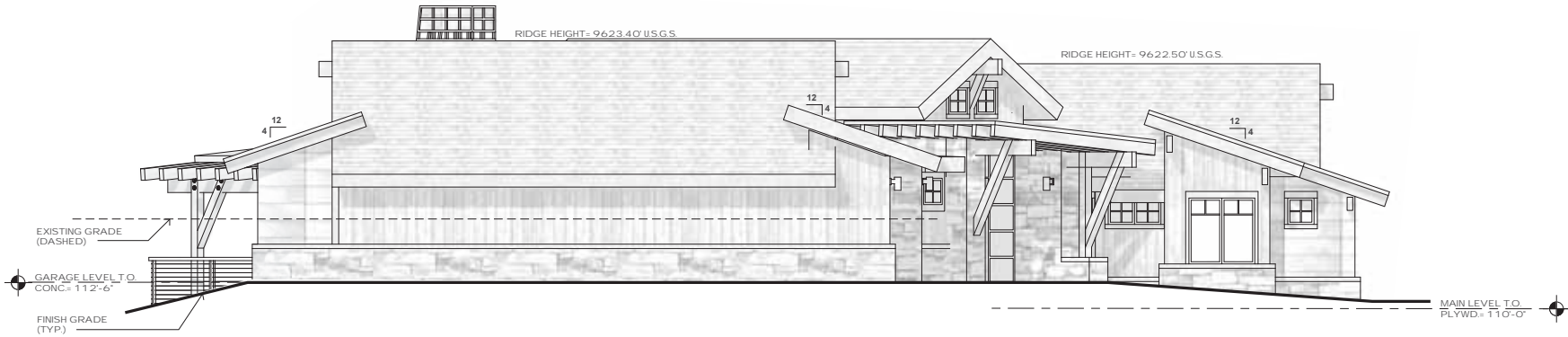
BUDZYNSKI RESIDENCE
 540 HIGHLANDS DRIVE, BRECKENRIDGE, CO
 LOT 1741, HIGHLANDS & HIGHLAND AT BRECKENRIDGE

A-2.2
 BUILDING ELEVATIONS
 OF:



SOUTH ELEVATION

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



EAST ELEVATION

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



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BUDZYNSKI RESIDENCE
 640 HIGHLANDS DRIVE, BRECKENRIDGE, CO
 LOT 144, HIGHLANDS AT BRECKENRIDGE

A-2.3
 BUILDING
 ELEVATIONS

OF:

Planning Commission Staff Report

Subject: Permanent AT&T Wireless Communication Facility at Gold Creek Condominium (Class A, Final Hearing; PL-2016-0016)

Proposal: AT&T Wireless is proposing permanent screening for the existing temporary canvas-screened wireless antenna array. The antennas are to be located inside three enclosed structures on the roof at the north, east, and west elevations. The walls are to be constructed of fiberglass manufactured to appear the same as the exterior materials of the Gold Creek Condominium building. The roof forms are simple sheds with a standing seam finish.

Date: February 22, 2016 (For meeting of March 1, 2016)

Project Manager: Michael Mosher, Planner III

Applicant/Owner: Ron Schuman, Patriot Management, representing the Gold Creek Condominium Home Owner's Association

Agent: Brendan Thomson, Pinnacle Consulting (on behalf of AT&T Wireless)

Address: 326 N. Main Street

Legal Description: Odd Lot Condominiums

Site Area: 0.4 acres (17,404 sq. ft.)

Land Use District: 11- Residential and Commercial; 1:3 Floor Area Ratio (FAR); 12 Units per Acre (UPA)

Historic District: 9 - North Main Transition Character Area

Site Conditions: The existing building and parking areas occupy the entire property (edge to edge) except for a small 3-foot strip of landscaping planter along the west property edge.

Adjacent Uses: North: Columbia Lode Multi-family residential
East: Andorra Condominiums
South: Legacy Place Townhomes
West: Main Street and Tract A Block 1, Parkway Center Sub

Density: No Change (The Mechanical Room for the facility is located in the existing basement of the condominium.)

Mass: No Change

Height:	Recommended by LUGs:	26.0 feet to parapet
	Existing Condominium:	34.2 feet to parapet
	Proposed Utility Screening:	45.8 feet to parapet
Parking:	Existing:	34 Spaces
	Proposed:	No Change
Existing Setbacks:	Front:	64-ft.
	Sides:	0-ft. (ROW encroachment)
	Rear:	21-ft.

Proposed Setbacks: No change

Item History

The Odd Lot Condominiums (commonly referred to as Gold Creek Condos) were constructed in 1971. The building and parking are legal non-conforming to the Development Code for their density, mass, height, setbacks, parking, architectural finishes, open space, and circulation. (Staff notes, that the height added for the antenna screening was exempt from overall height measurement as it contained no density and screens utilities.)

A development permit was approved by the Planning Commission on February 17, 2015 for permanent AT&T antenna screening (PL-2015-0005) which was to tie in with the approved Gold Creek Condo Exterior Remodel development permit which expired November 28, 2015. The HOA has chosen not to act on the approved remodel *and* the exterior remodel permit has expired.

A development permit for temporary screening (PL-2015-0009) of the antennas was heard and approved at the same meeting as the permanent screening proposal. The term of this permit was set at 12-months. The temporary screening permit is expiring and the Gold Creek Condominiums HOA has not renewed a permit to remodel, therefore AT&T is proposing to add a new solution to permanent screening (this application) to blend in with the existing building (rather than expired exterior remodel development permit).

This application is fulfilling a Condition of Approval associated with the existing temporary wireless facility application (PL-2015-0009). The specific Findings and Conditions associated with that permit are:

The twelve month term of this Development Permit is found and determined to be acceptable because: (i) the Permittee submitted an application for a permanent wireless communication facility in the same building concurrently with its application for a temporary permanent wireless communication facility; (ii) the Permittee's application for a permanent wireless communication facility in the same building was approved concurrently with the approval of this Development Permit; (iii) unusual circumstances preclude the construction of the permanent wireless communication facility in a time period of less than twelve months; (iv) the Permittee sufficiently mitigated the negative effects of its temporary wireless communication facility such that the public health, safety, and welfare will not be jeopardized by the twelve month term of this Development Permit.

This permit expires twelve (12) months from date of issuance, on February 24, 2016.

*Not later than **October 24, 2015**, Permittee shall advise the Director of the Town's Department of Community Development as to whether the Gold Creek Condominiums Homeowners' Association is going forward with its building remodel plan as previously approved by the Town. If the Gold Creek Condominiums Homeowners' Association is not going forward with its building remodel plan Permittee shall, prior to the expiration of this Development Permit, file a new application with the Director to modify its development permit for its permanent wireless communication facility (PL-2015-0005), which application shall take into account the failure of the Gold Creek Condominiums Homeowners' Association to move forward with its building remodel.*

The October 24, 2015 notification date was placed in the permit to allow AT&T time to reapply for a permanent screening which complements the existing building before the temporary permit expiration date of February 24, 2016. The applicant has complied with this condition.

Staff Comments

In late November 2015, the Federal Communications Commission (FCC) issued new regulations that will require changes to the Development Code. Staff has been working on these revisions and plan on presenting these revisions to the Planning Commission in March. This application was deemed complete on February 17, 2016 and is being reviewed under the current polices.

The HOA at Gold Creek Condominiums are not acting on the approved remodel that showed gable enclosures for the antenna screening. Since AT&T is still subject to the deadline requiring permanent screening of the cellular antennae, the design of the roof structures has been modified. Instead of a gable roof form for each structure, a simple shed form was suggested in keeping with the existing, and very simple, Gold Creek Condominium architecture. If, at some time in the future, the HOA decides to act on a remodel, the AT&T screening structures may be redesigned and incorporated into the remodel architecture of the building.

Architectural Compatibility (5/A & 5/R): This policy is intended to encourage building designs that are compatible with the desired architecture of the surrounding neighborhood. The existing building is out of character with the Conservation District, with un-textured painted post-tension concrete slabs for walls and roof with metal tube guardrails for the exterior walkway decking. The wood siding is painted T-111 panels.

The applicants have proposed to shield the antennas on the north, east and west elevations. Inside each of the three shed enclosures there would be four antennas on a steel mounted skid (or sector), a two (2) foot tall remote radio head and a two (2) foot tall surge protector. None of the antennas or associated equipment will be visible.

Sheets A-3 and A-4 in the packet show each elevation. A color/material sample is also shown on each sheet. The materials and colors of the walls will appear as those on the existing building. The roof of each shed will be a dark non-reflective, low profile, standing seam metal. Staff finds that the proposed materials, colors and roof forms draw the least amount of attention to the antennas on the roof.

To allow for the wireless signal to penetrate the walls, the walls of the sheds must be constructed of fiberglass material replicating the existing t-111 siding.

There are some code sections in the Handbook of Design Standards for the Transition Character Areas of the Conservation District which address incorporating mechanical and/or utilities into the structure.

Handbook of Design Standards for the Transition Character Areas of the Conservation District:

Priority Policy 261. *In residential areas, a gable roof should be the primary roof form in an individual building design.*

- *Buildings that have a combination of sloping roof forms are encouraged because this configuration will help to reduce the perceived scale of building.*
- *The use of dormers is encouraged to break up large roof surfaces and thereby reduce their perceived scale.*
- *Mansard, A-frame, barrel and flat roofs are inappropriate.*
- *Simple combinations of gable and other roof forms are appropriate.*
- ***A shed roof also is inappropriate as the primary roof form. It may be considered for a subordinate roof element or a secondary structure.***
- ***Mechanical equipment should be hidden; incorporated into roofs.***

Priority Policy 276. *Screen mechanical equipment, utility boxes and service areas.*

- *Use native plant materials or create screen walls with natural rock or wood.*
- *Consider locating utilities in “secondary structures”*
- ***Locate mechanical equipment in secondary structures or in roof forms.***

(Emphasis added.)

From the Development Code regarding screening:

Storage (14/A & 14/R): *B. Screening: All types of commercial storage must be screened in an aesthetic manner from public view and from the view of surrounding areas. This shall include the screening of materials and equipment used by the business. (Ord. 19, Series 1988)(Emphasis added)*

This Wireless Communication Facility (WCF) installation is completely concealed within the sheds.

Building Height (6/A & 6/R): The existing building is currently over the maximum height for the Land Use District and Character Area. The maximum height of the proposed antennas does not exceed the dormer heights on the approved development permit (PL-2015-0005) for the exterior remodel.

Per the Development Code definition of Building Height:

*(D.) Exceptions: Building height measurement **shall not include:***

(2.) *For Non-residential structures and Multi-family structures: Elevator shaft extensions, chimneys, and focal elements such as church steeples, spires, clock towers or similar structures that have no density or mass, (in no instance shall any these structures extend over ten (10) feet above the specified maximum height limit) or the first five (5) feet of height within the first floor common area lobbies in Multi-Family structures. (Emphasis added).*

The tallest portion of the shed enclosures is 9'-6" tall. We have no concerns with the height as the existing building is legal nonconforming.

Placement of Structures (9/A & 9/R): The existing building is at a zero (0) foot setback on both the north and south elevations which exceed the absolute and recommended setbacks. The proposed enclosures are set about 6-inches back from the edge of the building. They are not increasing any non-conforming setback for the property. We have no concerns.

Density/Intensity (3/A & 3/R)/Mass (4/R): The existing wireless facility the existing laundry/mechanical room in the basement of Gold Creek Condos for the mechanical equipment for AT&T. There is no new square footage proposed. The mechanical equipment in the basement has eliminated noise and any visual impact to the surrounding properties. There is no change proposed.

Utilities Infrastructure (26/A & 26/R; 28/A): Utilities for new construction projects are generally required to be placed below grade. This is not feasible for wireless communications facilities, which are required to be above grade to be effective. The utility is concealed in the shed additions and equipment placed below grade in the mechanical room. Staff has no concerns.

Land Use (2/A & 2/R): The recommended land use for this district is commercial or residential. The proposed use is a commercial utility and is regulated by the FCC. There are no land use districts that are specifically designed for wireless commercial facilities. These uses are generally co-located on tall buildings in Town. The applicant has negotiated a lease with Gold Creek Condo HOA and plans to start construction this summer.

Point Analysis (Section: 9-1-17-3): Staff finds no Relative policies under which positive or negative points should be assigned. We find that the application meets all applicable Absolute policies.

Staff Recommendation

Overall, the simple shed forms that match the finishes of the existing building provide the least visual impact to this building.

The Planning Department recommends that the Planning Commission approve the point analysis for the Permanent AT&T Wireless Communication Facility at Gold Creek Condominium, PL-2016-0016, showing a passing score of zero (0) points.

The Planning Department recommends that the Planning Commission approve the Permanent AT&T Wireless Communication Facility at Gold Creek Condominium with the attached Findings and Conditions.

Combined Hearing Impact Analysis				
Project:	AT&T Wireless Permanent Communication Facility at Gold Creek Condos	Positive Points	0	
Plan #	PL-2016-0016	Negative Points	0	
Date:	2/22/2016	Total Allocation:	0	
Staff:	Michael Mosher, Planner III			
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		Both residential and commercial use is permitted per the LUD.
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	The mechanical room for the facility is located in an existing mechanical room in the basement.
4/R	Mass	5x (-2>-20)	0	The rooftop mechanical is located in shed enclosures and not counted as mass.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)	0	The 9'-6" tall proposed sheds are considered architectural elements per the Building Height definition, permitted 10' above the existing structure. The antennas will be concealed within these dormers.
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		

15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	N/A		Found to be not applicable
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	N/A		Found to be not applicable
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		

37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		No lighting proposed
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

**Permanent AT&T Wireless Communication Facility at Gold Creek Condominium
Odd Lot Condominiums
326 N. Main Street
PL-2016-0016**

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 22, 2016**, 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 **March 1, 2016**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **March 8, 2019**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Applicant shall field locate utility service lines to avoid existing trees.
8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
10. Applicant shall install a protective construction fence in a manner acceptable to the Town with an on-site inspection by Staff.
11. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

12. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
13. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
14. Applicant shall screen all utilities.
15. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
16. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
17. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and

specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

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

(Initial Here)



at&t
Mobility

HWY 9 AND MAIN ST.
COU4235
PTN: 3755593165
FA: 12781454
326 N. MAIN STREET
BRECKENRIDGE, CO
SUMMIT COUNTY

PREPARED FOR

188 INVERNESS DRIVE WEST, SUITE 400
ENGLEWOOD, CO 80112

CONSULTING FIRM

Construction • Project management • Site Development

8480 EAST ORCHARD ROAD
SUITE 3650
GREENWOOD VILLAGE, CO 80111

PROJECT NO:	0000
DRAWN BY:	GH
CHECKED BY:	GH

REV	DATE	DESCRIPTION
0	02/18/16	FINAL ZD FOR SUBMITTAL
0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

NOT FOR CONSTRUCTION

HWY 9 AND MAIN ST.
COU4235

326 MAIN STREET
BRECKENRIDGE, CO

SHEET TITLE:
TITLE SHEET

SHEET NUMBER
T-1

SITE DIRECTIONS

DEPART 188 INVERNESS DR W, ENGLEWOOD, CO 80112 ON INVERNESS DR W (NORTH). ROAD NAME CHANGES TO LOCAL ROAD(S). TURN LEFT (WEST) ONTO E DRY CREEK RD. TAKE RAMP (RIGHT) ONTO I-25 [US-87]. AT EXIT 209B, TAKE RAMP (RIGHT) ONTO US-6 [W 6TH AVE]. TAKE RAMP (RIGHT) ONTO I-70/AT EXIT 203, TURN RIGHT ONTO RAMP. AT ROUNDABOUT, TAKE THE NORTH EXIT ONTO CO-9 [N SUMMIT BLVD]. BEAR RIGHT (SOUTH) ONTO LOCAL ROAD(S). BEAR LEFT (SOUTH) ONTO CO-9 [HIGHWAY 9]. AT ROUNDABOUT, TAKE THE FIRST EXIT ONTO (N) MAIN ST. ARRIVE 326 S MAIN ST, BRECKENRIDGE, CO 80424.

PROJECT DESCRIPTION

THIS IS A MODIFICATION OF AN AT&T "TEMPORARY" TELECOMMUNICATIONS CELL SITE. MODIFICATIONS INCLUDE: CONSTRUCTION OF (3) NEW RF-FRIENDLY ANTENNA SCREENS ON ROOF/TOP OF EXISTING BUILDING. INSTALLATION OF (12) PANEL ANTENNAS AND (12) RRH UNITS BEHIND NEW ANTENNA INSIDE NEW ANTENNA SCREENS. ANTENNA SCREENS SHALL BE PAINTED TO MATCH EXISTING BUILDING COLOR AND PATTERN AND NEW STANDING SEAM METAL ROOF (MUSTANG BROWN OR EQUAL) INSTALLED. RELOCATE EXISTING SURGE SUPPRESSORS INSIDE NEW CUPOLAS, (3) TOTAL. INSTALL NEW CEILING MOUNTED FOLDING ROOF ACCESS LADDER. INSTALL NEW RADIO CARDS IN EXISTING EQUIPMENT RACK INSIDE EXISTING AT&T EQUIPMENT ROOM IN BASEMENT OF EXISTING BUILDING.

CLIENT

AT&T MOBILITY
188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112
ANNIE ZOGCO
PHONE: 954-243-5536

PROPERTY OWNER

GOLD CREEK HOMEOWNERS
ASSOCIATION,
326 N MAIN ST,
BRECKENRIDGE, CO 80424
CONTACT: RON SCHUMAN
PHONE: 970-485-5901

TOWER OWNER

AT&T MOBILITY
188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

SITE ACQUISITION

PINNACLE CONSULTING
8480 EAST ORCHARD ROAD
SUITE 3650
GREENWOOD VILLAGE, CO 80111
CONTACT: BRENDEN THOMSON
PHONE: 720-460-2090

DESIGNER

PINNACLE CONSULTING
8480 EAST ORCHARD ROAD
SUITE 3650
GREENWOOD VILLAGE, CO 80111
CONTACT: CHRISTINE GORDON
PHONE: 720-460-2090

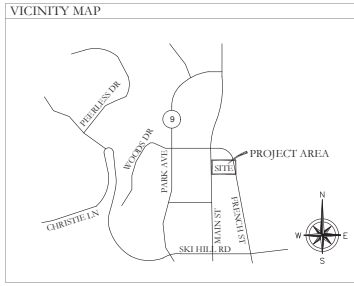
PROJECT DATA

ZONING: B-11
APN: 300070
USE: COMMERCIAL
PARENT PARCEL: 17,611.77 SQ. FT
PROPOSED LEASE AREA: 190.86 SQ. FT

JURISDICTION: TOWN OF BRECKENRIDGE
BUILDING CODES: 2012 IBC W/ TOWN AMENDMENTS
2012 IMC W/ TOWN AMENDMENTS
2011 NEC W/ TOWN AMENDMENTS
2012 IFC W/ TOWN AMENDMENTS

GENERAL NOTES

1. THIS WIRELESS TELECOMMUNICATIONS FACILITY WILL MEET THE HEALTH AND SAFETY STANDARDS FOR ELECTROMAGNETIC FIELD EMISSIONS AS ESTABLISHED BY THE FEDERAL COMMUNICATIONS COMMISSION OR ANY SUCCESSOR THEREOF, AND ANY OTHER FEDERAL OR STATE AGENCY.
2. THIS WIRELESS TELECOMMUNICATIONS FACILITY WILL MEET THE REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION REGARDING PHYSICAL AND ELECTROMAGNETIC INTERFERENCE.
3. LIGHTING OR SIGNS WILL BE PROVIDED ONLY AS REQUIRED BY FEDERAL OR STATE AGENCIES.



- SHEET INDEX**
- T-1 TITLE SHEET
 - LS-1 SITE SURVEY
 - A-1 SITE PLAN
 - A-2 NEW ROOF PLAN
 - A-3 NEW WEST ELEVATION
 - A-4 NEW EAST ELEVATION
 - A-5 NEW EQUIPMENT ROOM LAYOUT
 - RF1 NEW ANTENNA CONFIGURATION
 - A-6 DETAILS AND NOTES

PROPOSED ANTENNA LOCATIONS

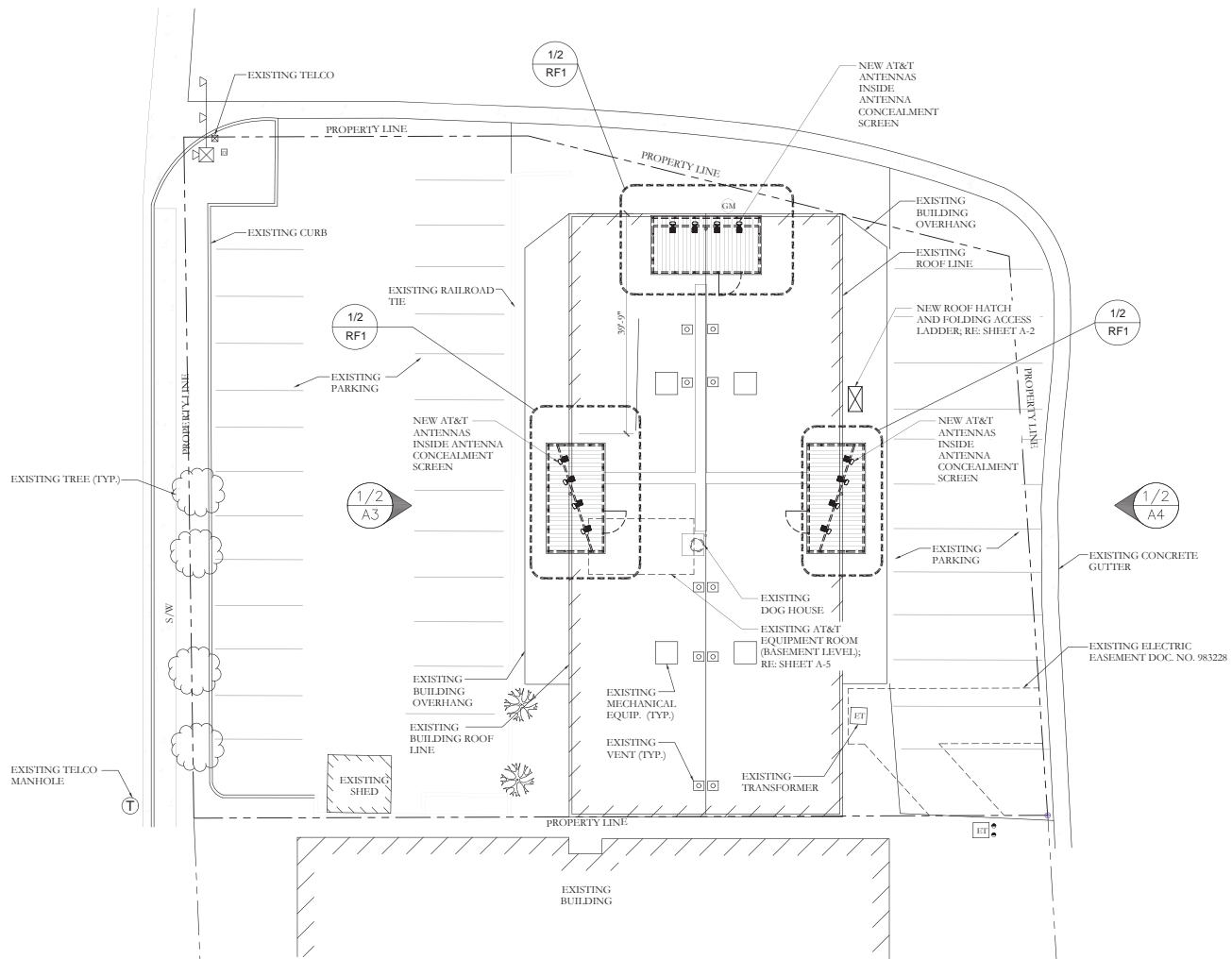
PROPOSED ANTENNA LOCATION (ALPHA SECTOR)
LATITUDE: 39° 29' 13.295" NORTH (NAD83)
LONGITUDE: 106° 02' 44.716" WEST (NAD83)
ELEVATION AT GROUND = 9540.5' (NAVD88)

PROPOSED ANTENNA LOCATION (BETA SECTOR)
LATITUDE: 39° 29' 12.809" NORTH (NAD83)
LONGITUDE: 106° 02' 44.472" WEST (NAD83)
ELEVATION AT GROUND = 9540.5' (NAVD88)

PROPOSED ANTENNA LOCATION (GAMMA SECTOR)
LATITUDE: 39° 29' 12.847" NORTH (NAD83)
LONGITUDE: 106° 02' 44.953" WEST (NAD83)
ELEVATION AT GROUND = 9540.5' (NAVD88)

APPROVALS

AT&T (RF):	_____	DATE:	_____
AT&T (CONST):	_____	DATE:	_____
AT&T (RE):	_____	DATE:	_____
LANDLORD:	_____	DATE:	_____



SITE PLAN

24"x36" SCALE: 1" = 10'-0"
11"x17" SCALE: 1" = 20'-0"

PREPARED FOR:



188 INVERNESS DRIVE WEST, SUITE 400
ENGLEWOOD, CO 80112

CONSULTING FIRM:



8480 EAST ORCHARD ROAD
SUITE 3050
GREENWOOD VILLAGE, CO 80111

PROJECT NO.:	0000
DRAWN BY:	GH
CHECKED BY:	GH

REV	DATE	DESCRIPTION
0	02/18/16	FINAL ZD FOR SUBMITTAL
0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

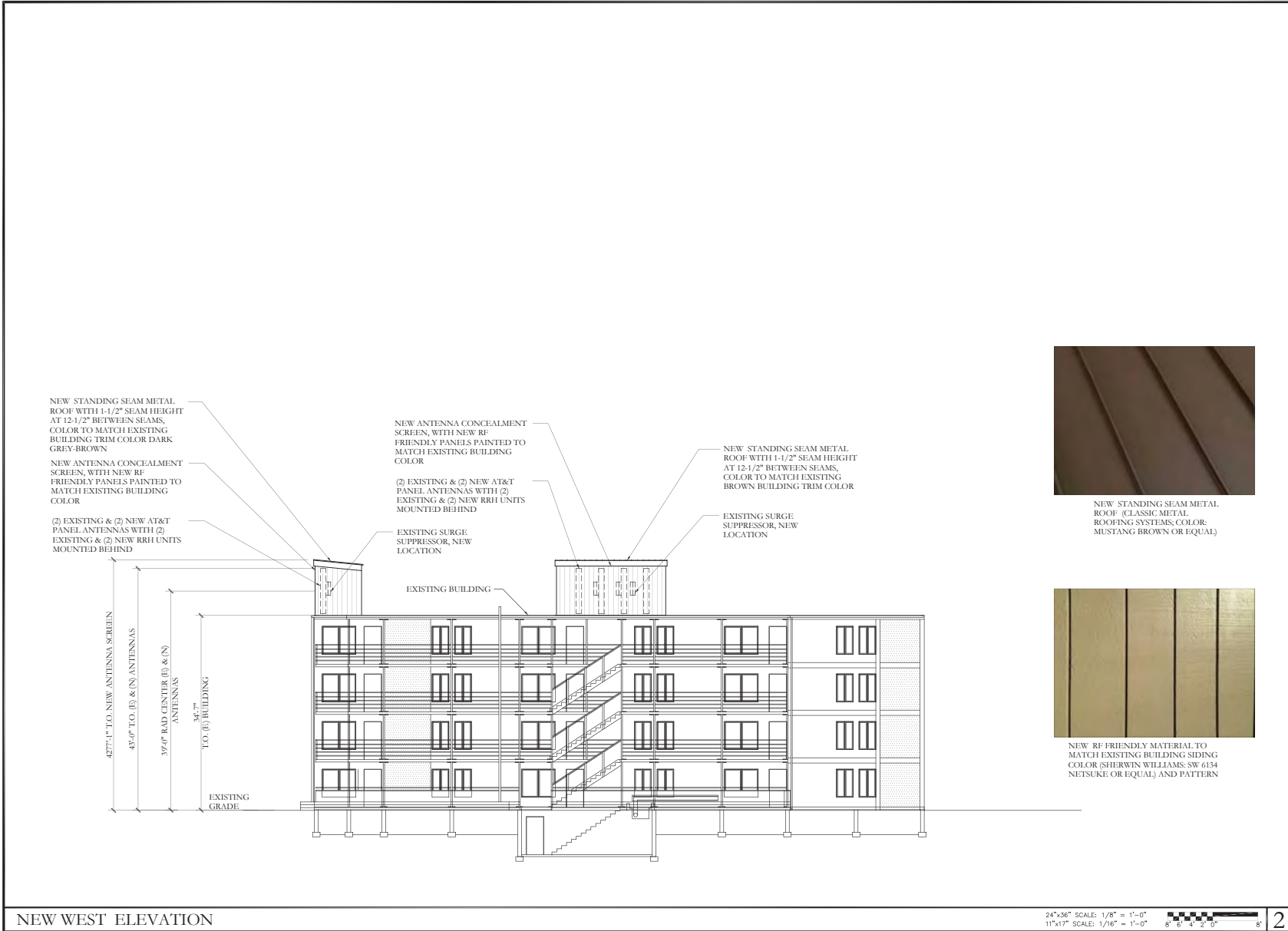
NOT FOR
CONSTRUCTION

HWY 9 AND MAIN ST.
COU4235


356 MAIN STREET
BREEKENBRIDGE, CO

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A-1




PREPARED FOR



188 INVERNESS DRIVE WEST, SUITE 400
ENGLEWOOD, CO 80112

CONSULTING FIRM



Construction • Project management • Site Development

8480 EAST ORCHARD ROAD
SUITE 300
GREENWOOD VILLAGE, CO 80111

PROJECT NO: 0000
DRAWN BY: GH
CHECKED BY: GH

REV	DATE	DESCRIPTION
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0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

NOT FOR CONSTRUCTION


HWY 9 AND MAIN ST.
COU4235

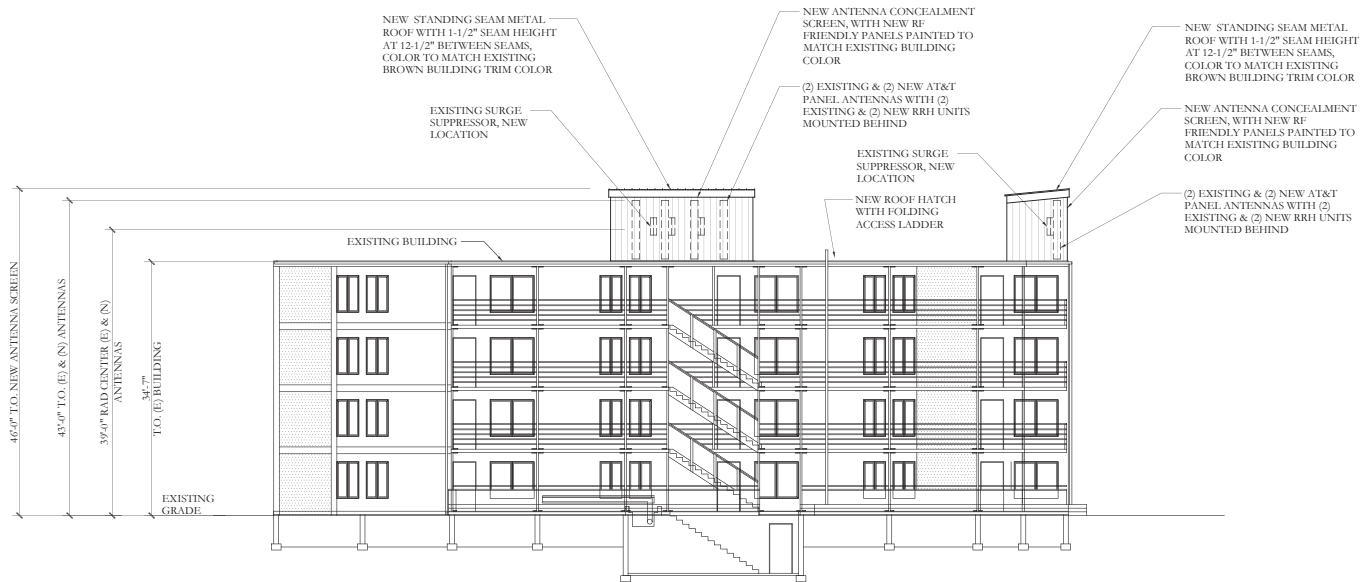
326 MAIN STREET
BREEKENRIDGE, CO

SHEET TITLE
EXISTING AND NEW WEST ELEVATIONS

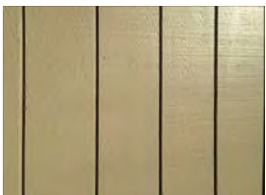
SHEET NUMBER
A-3

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"





NEW STANDING SEAM METAL ROOF (CLASSIC METAL ROOFING SYSTEMS; COLOR: MUSTANG BROWN OR EQUAL)




NEW RF FRIENDLY MATERIAL TO MATCH EXISTING BUILDING SIDING COLOR (SHERWIN WILLIAMS: SW 6134 NETSUKE OR EQUAL) AND PATTERN

NEW EAST ELEVATION

24"x36" SCALE: 1/8" = 1'-0"
 11"x17" SCALE: 1/16" = 1'-0"
 8" 6" 4" 2" 0" 8"


2

PREPARED FOR



188 INVERNESS DRIVE WEST, SUITE 400
 ENGLEWOOD, CO 80112

CONSULTING FIRM



Construction - Project management - Site Development

8480 EAST ORCHARD ROAD
 SUITE 3650
 GREENWOOD VILLAGE, CO 80111

PROJECT NOS:	0000
DRAWN BY:	GH
CHECKED BY:	GH

REV	DATE	DESCRIPTION
0	02/18/16	FINAL ZD FOR SUBMITTAL
0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

NOT FOR CONSTRUCTION


HWY 9 AND MAIN ST.
 COU4235

336 MAIN STREET
 BRECKENRIDGE, CO

SHEET TITLE:
 EXISTING AND
 NEW EAST
 ELEVATIONS

SHEET NUMBER
 A-4

PREPARED FOR



188 INVERNESS DRIVE WEST, SUITE 400
ENGLEWOOD, CO 80112

CONSULTING FIRM



Construction • Project management • Site Development

8480 EAST ORCHARD ROAD
SUITE 3650
GREENWOOD VILLAGE, CO 80111

PROJECT NOS:	0000
DRAWN BY:	GH
CHECKED BY:	GH

REV	DATE	DESCRIPTION
0	02/18/16	FINAL ZD FOR SUBMITTAL
0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

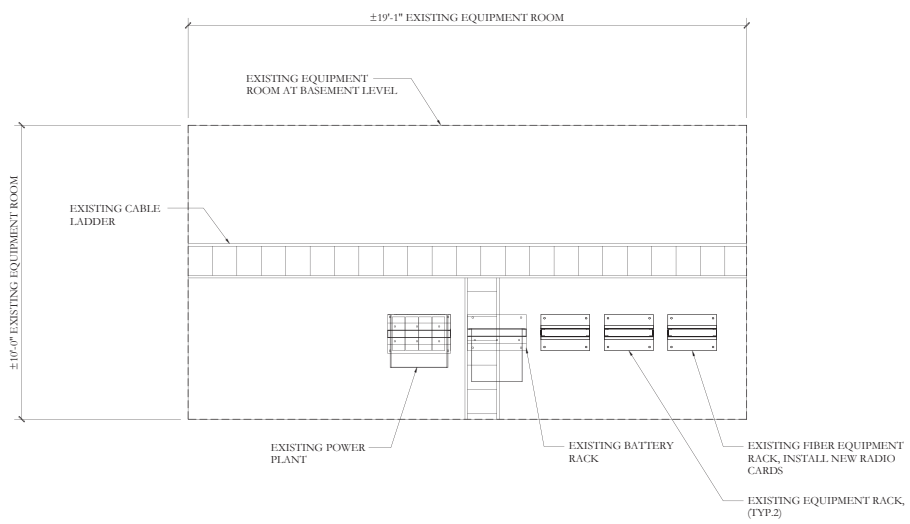
**NOT FOR
CONSTRUCTION**

HWY 9 AND MAIN ST.
COU4235

326 MAIN STREET
BREEKENRIDGE, CO


SHEET TITLE:
**EXISTING EQUIPMENT
ROOM LAYOUT**

SHEET NUMBER
A-5



EXISTING EQUIPMENT ROOM LAYOUT

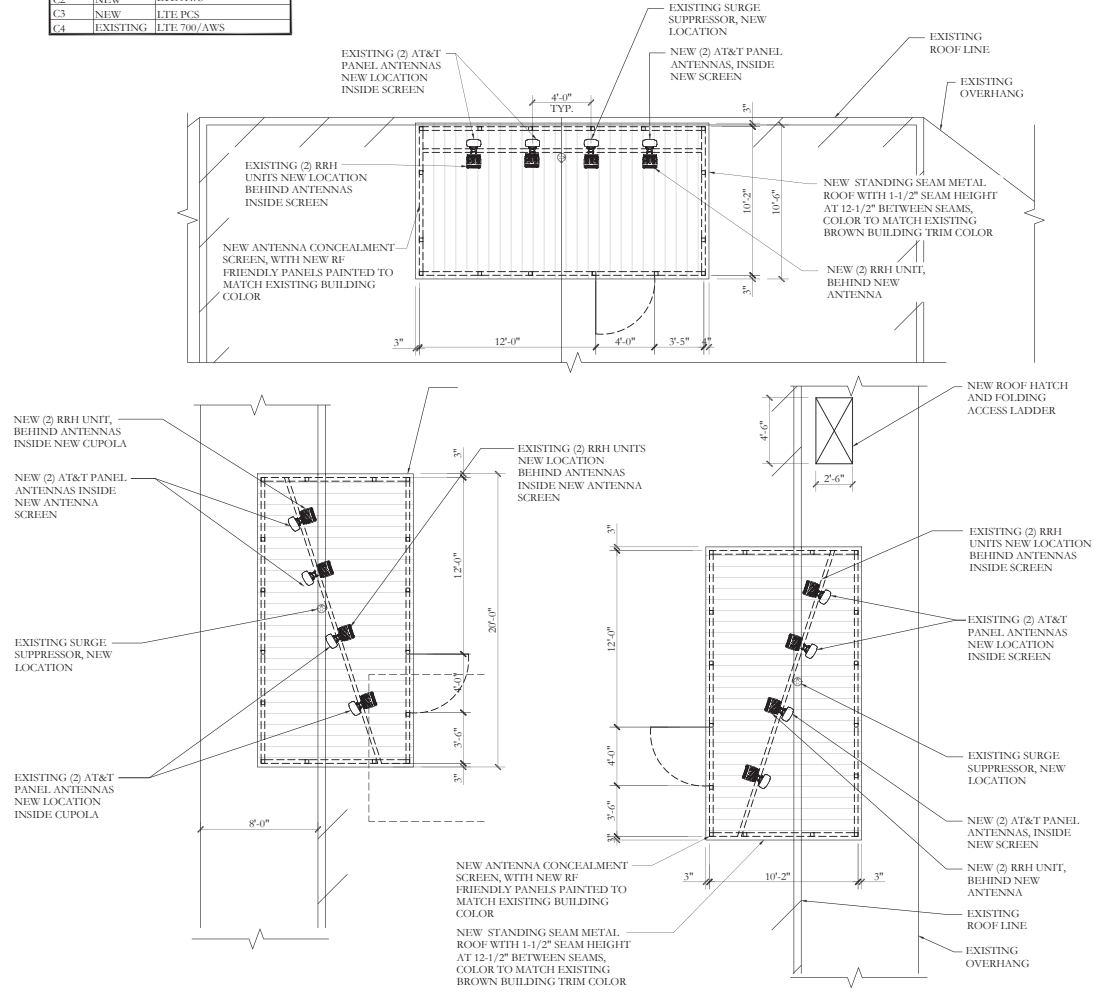
24"x36" SCALE: 1/2" = 1'-0"
11"x17" SCALE: 1/4" = 1'-0"



1

SECTOR	TYPE	TECHNOLOGY
A1	EXISTING	UMTS
A2	NEW	LTE 700
A3	NEW	LTE AWS
A4	EXISTING	LTE PCS
B1	EXISTING	UMTS
B2	NEW	LTE AWS
B3	NEW	LTE PCS
B4	EXISTING	LTE 700/AWS
C1	EXISTING	UMTS
C2	NEW	LTE AWS
C3	NEW	LTE PCS
C4	EXISTING	LTE 700/AWS

CABLE LENGTH TABLE						
SECTOR	PDI	DISTANCE & CABLE TYPE		DISTANCE & CABLE TYPE		TOTAL CABLE LENGTH
ALPHA		12'	8-AWG 2	105'	(2) 8-AWG 6	127'
BETA		12'	8-AWG 2	105'	(2) 8-AWG 6	127'
GAMMA		12'	8-AWG 2	105'	(2) 8-AWG 6	127'



24"x36" SCALE: 1/4" = 1'-0"
 11"x17" SCALE: 1/8" = 1'-0"



188 INVERNESS DRIVE WEST, SUITE 400
 ENGLEWOOD, CO 80112

CONSULTING FIRM

Construction - Project management - Site Development

880 EAST ORCHARD ROAD
 SUITE 3050
 GREENWOOD VILLAGE, CO 80111

PROJECT NOS	0000
DRAWN BY:	GH
CHECKED BY:	GH

REV	DATE	DESCRIPTION
0	02/18/16	FINAL ZD FOR SUBMITTAL
0	01/14/16	FINAL ZD FOR SUBMITTAL
B	01/05/16	100% ZD FOR REVIEW
A	12/14/15	90% ZD FOR REVIEW

NOT FOR
CONSTRUCTION

HWY 9 AND MAIN ST.
 COU4235

336 MAIN STREET
 BRECKENRIDGE, CO

SHEET TITLE:
**ANTENNA
 CONFIGURATION**

SHEET NUMBER
RF1

Planning Commission Staff Report

Subject: Resubdivision of Tracts C and Tract D, Runway Subdivision
(Class A, Combined Hearing; PL-2016-0038)

Proposal: A proposal to resubdivide Tracts C and D, to create one new tract (Tract D-2) for a total of three tracts.

Date: February 19, 2016 (For meeting of March 1, 2016)

Project Manager: Julia Puester, AICP, Senior Planner

Applicant/Owner:
Tract D: Colorado Mountain College
Tract C: Town of Breckenridge

Address: 107 Denison Placer Road

Legal Description: Tract C and Tract D, Runway Subdivision

Site Area: 17.0665 acres (743,302 square feet)

Land Use District: 31: Commercial, Industrial, Public Open Space, Public Facilities (including, without limitation, Public Schools and Public Colleges), child care facilities, and surface parking. Employee housing is an allowed use on Block 11.

Site Conditions: Tract D contains Colorado Mountain College and associated parking lots. The Blue River runs along the eastern property line and Denison Placer Road to the west. This portion of the site has some slightly sloping dredge rock material. There is a triangular access easement in the lower southwestern corner of the property adjacent to Denison Placer right of way for the purpose of a public road, snow storage and public sidewalks or paths. A 25 foot gas easement and a 50 foot river and pedestrian easement run along the eastern property line. Tract C is relatively flat with a slight slope downward toward the Blue River to the east.

Adjacent Uses:
North: Coyne Valley Road, McCain property
South: vacant Block 11 housing parcel (future Denison Placer housing)
East: Blue River, Highway 9
West: Commercial, Airport Road

Lot Coverage:

Existing:	
Tract C:	1.0465 acres (45,587 sq. ft.)
Tract D:	16.02 acres (697,715 sq. ft.)
Proposed:	
Tract C:	1.0465 acres (45,587 sq. ft.)
Tract D-1:	14.973 acres (652,128 sq. ft.)
Tract D-2:	1.0465 acres (45,587 sq. ft.)

Item History

Block 11 is approximately 72 acres located towards the northern end of Town on the west side of Highway 9 between Coyne Valley Road and Valley Brook Street. The property was acquired jointly by the Town and the Summit School District through a condemnation process. The Town quit claimed two parcels (approximately 20 acres) to the School District and retained ownership of the remaining 52 acres. Upper Blue Elementary School is on one of the School District parcels and the other 8.7 acre School District parcel is vacant. In 2007, the Town Council entered into an MOU and approved the Colorado Mountain College site plan, creating Tract C and D as part of that process. Tract D ownership went to Colorado Mountain College while Tract C was retained by the Town for the purpose of the future realignment of the Blue River. The remainder of the Block 11 property was envisioned primarily for workforce housing and park space.

Staff Comments

The plans for the Blue River reconstruction were recently finalized and there is little realignment on the Town owned Tract C therefore, the Town does not need Tract C. CMC was interested in acquiring Tract C because it is immediately adjacent to their campus and they can use that property as they work toward their campus master plan. As the Town did not have a use for Tract C, it was acceptable to swapping that Tract in return for an equal sized parcel which could incorporate future workforce housing.

The Town is currently working with Colorado Mountain College on the land swap. The land swap would reallocate the proposed Tract D-2, 1.05 acre piece of property at the south end of Tract D to the Town. The Town-owned 1.05 acre Tract C to the northeast of Tract D would be conveyed to CMC.

The proposed new Tract D-2 is the site of a potential workforce housing development by the Town of Breckenridge currently under review.

With the proposed resubdivision, a portion of the 50 foot river and pedestrian easement on Tract D, adjacent to Tract C is being vacated and relocated on the eastern property line on Tract C, adjacent to Tract B. The river realignment plans for the Blue River in this area have recently been completed and approved by the Army Corps of Engineers with realignment work being started this summer. The new location of the 50 foot easement align with the approved river realignment plans and is contiguous with the existing 50 foot river and pedestrian easement. A new 5 foot public road easement runs along the north property line of both Tract D and Tract C to include the existing roadway alignment.

As this is a re-subdivision of a previously approved subdivision, Staff finds that no applicable subdivision codes have been modified that would alter the previously approved subdivision. Therefore, this application remains in compliance with the following:

- 9-2-4-1: General Requirements
- 9-2-4-2: Design Compatible With Natural Features
- 9-2-4-3: Drainage, Storm Sewers And Flood Prevention
- 9-2-4-4: Utilities
- 9-2-4-5: Lot Dimensions, Improvements And Configuration
- 9-2-4-6: Blocks
- 9-2-4-7: Pedestrian And Bicycle Circulation Systems
- 9-2-4-8: Street Lighting
- 9-2-4-9: Traffic Control Devices And Signs

9-2-4-10: Subdivision And Street Names

9-2-4-11: Existing And Proposed Streets

9-2-4-13: Dedication Of Park Lands, Open Space And Recreational Sites Or The Payment Of Fees In Lieu Thereof (the River parcel with original Airport Subdivision)

Staff has no concerns with the subdivision of these two parcels.

Staff Recommendation

This subdivision proposal is in general compliance with the Subdivision Standards. Staff recommends approval of the Resubdivision of Tracts C and D, Runway Subdivision, PL-2016-0038, located at 107 Denison Placer Road with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

**Tracts C and D Resubdivision
Tract C and Tract D, Runway Subdivision
107 Denison Placer Road
PL-2016-0038**

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 19, 2016**, 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 **March 1, 2016**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. The Final Plat of this property may not be recorded unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit will expire three (3) years from the date of Town Council approval, on **March 8, 2019**, unless the Plat has been filed. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Applicant shall construct the subdivision according to the approved subdivision plan, and shall be responsible for and shall pay all costs of installation of public roads and all improvements including revegetation, retaining walls, and drainage system. All construction shall be in accordance with Town regulations.
6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.

PRIOR TO RECORDATION OF FINAL PLAT

7. Applicant shall make a correction to the plat removing language vacating Tract C lot lines (Tract C lot line is to remain intact) and access easement is to remain on Tract D-2.
8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements and the terms of the subdivision plan approval.
9. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, erosion control and street lighting plans if applicable.
10. Applicant shall either install all public and private improvements shown on the subdivision plan, or a Subdivision Improvements Agreement satisfactory to the Town Attorney shall be drafted and executed specifying improvements to be constructed and including an engineer's estimate of improvement costs and construction schedule. In addition, a monetary guarantee in accordance with the estimate of costs shall be provided to cover said improvements.
11. Applicant shall submit and obtain approval from the Town Engineer of all traffic control signage and street lights which shall be installed at applicant's expense prior to acceptance of the streets by the Town.
12. Per Section 9-2-3-5-B of the Subdivision Standards, the following supplemental information must be submitted to the Town for review and approval prior to recordation of the final plat: title report, errors of closure, any proposed restrictive covenants, any dedications through separate documents, and proof that all taxes and assessments have been paid.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

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

PRELIMINARY PLAT
"A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION"
 SITUATE IN SECTION 19, T. 6 S., R. 77 W.,
 AND SECTION 24, T. 6 S., R. 78 W. OF THE 6th P. M.,
 TOWN OF BRECKENRIDGE,
 COUNTY OF SUMMIT, STATE OF COLORADO

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, COLORADO MOUNTAIN COLLEGE FOUNDATION, INC., A COLORADO NONPROFIT CORPORATION, (C.M.C. PROPERTY) AND THE TOWN OF BRECKENRIDGE, A COLORADO MUNICIPAL CORPORATION, (T.O.B. PROPERTY), BEING THE OWNERS OF THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN SECTION 19, TOWNSHIP 6 SOUTH, RANGE 77 WEST AND SECTION 24, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE 6th PRINCIPAL MERIDIAN, TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO:

LEGAL DESCRIPTION (C.M.C. PROPERTY)

TRACT D, RUNWAY SUBDIVISION, A SUBDIVISION AS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER FOR SUMMIT COUNTY COLORADO AT RECEPTION No. 893184.

LEGAL DESCRIPTION (T.O.B. PROPERTY)

TRACT C, RUNWAY SUBDIVISION, A SUBDIVISION AS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER FOR SUMMIT COUNTY COLORADO AT RECEPTION No. 893184.

TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO, DESCRIBED PARCELS CONTAINING _____ ACRES OR _____ SQUARE FEET, MORE OR LESS.

HAVE LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS, RIGHTS OF WAY, OR EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION" AND BY THESE PRESENTS, DO HEREBY SET APART AND DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL OF THE STREETS, ALLEYS AND OTHER PUBLIC WAYS AND PLACES AS SHOWN HEREON, AND FURTHER HEREBY DEDICATES THOSE PORTIONS OF LAND LABELED AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES (AND/OR OTHER PURPOSES) AS SHOWN HEREON. IN WITNESS WHEREOF, THE OWNERS HAVE CAUSED THEIR NAMES TO BE HEREUNTO SUBSCRIBED THIS _____ DAY OF _____, 2016.

COLORADO MOUNTAIN COLLEGE FOUNDATION, INC. ATTEST, SECRETARY
 BY, _____ BY, _____
 IT'S _____

 MAYOR, TOWN OF BRECKENRIDGE ATTEST, TOWN CLERK
 JOHN G. WARNER

ACKNOWLEDGMENT

STATE OF COLORADO)
) SS
 COUNTY OF SUMMIT)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016, BY _____ AS _____ OF COLORADO MOUNTAIN COLLEGE FOUNDATION, INC., A COLORADO NONPROFIT CORPORATION, CORPORATION.

MY COMMISSION EXPIRES _____ WITNESS MY HAND AND OFFICIAL SEAL.

 NOTARY PUBLIC

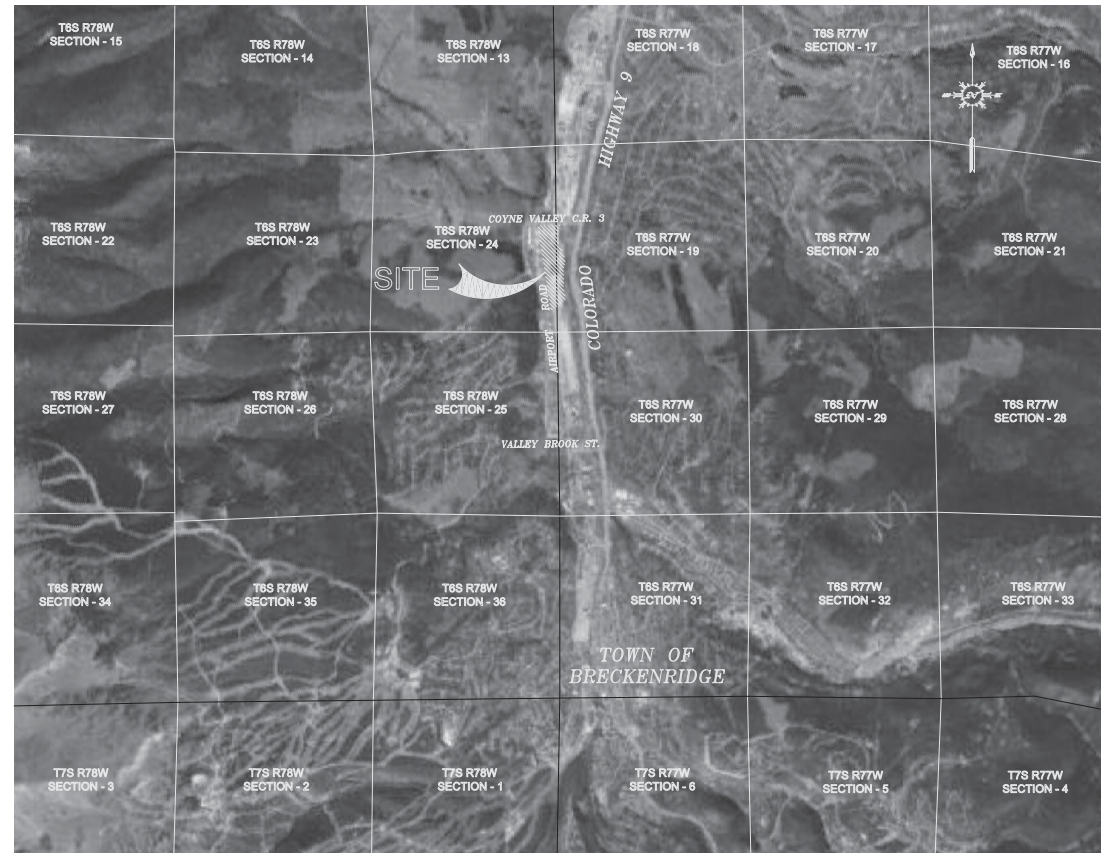
ACKNOWLEDGMENT

STATE OF COLORADO)
) SS
 COUNTY OF SUMMIT)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016, BY JOHN G. WARNER AS MAYOR AND HELEN COSPOLICH AS TOWN CLERK, TOWN OF BRECKENRIDGE, A COLORADO MUNICIPAL CORPORATION.

MY COMMISSION EXPIRES _____ WITNESS MY HAND AND OFFICIAL SEAL.

 NOTARY PUBLIC



Vicinity Map
(Not to Scale)

TOWN OF BRECKENRIDGE CERTIFICATE

THIS PLAT IS APPROVED THIS _____ DAY OF _____, 2016.

TOWN OF BRECKENRIDGE

BY: _____
 DIRECTOR, DEPARTMENT OF
 COMMUNITY DEVELOPMENT

NOTICE:

PUBLIC NOTICE IS HEREBY GIVEN THAT THE TOWN OF BRECKENRIDGE HEREBY ACCEPTS ALL OF THE OFFERS OF DEDICATION MADE BY THIS PLAT. HOWEVER, SUCH ACCEPTANCE DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND RIGHTS OF WAY REFLECTED HEREON FOR MAINTENANCE BY THE TOWN.

UNTIL SUCH ROADS AND RIGHTS OF WAY MEET TOWN ROAD SPECIFICATIONS AND ARE SPECIFICALLY ACCEPTED BY THE TOWN, THE MAINTENANCE, CONSTRUCTION, AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND RIGHTS OF WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND EMBRACED WITHIN THIS SUBDIVISION.

TITLE COMPANY CERTIFICATE

LAND TITLE GUARANTEE OF SUMMIT COUNTY, DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN HEREON AND ALL LANDS HEREIN DEDICATED BY VIRTUE OF THIS PLAT AND TITLE TO ALL SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

 DATED THIS _____ DAY OF _____, A.D., 2016.

AGENT

CERTIFICATE OF TAXES PAID:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF ALL TAXES DUE AND PAYABLE AS OF _____, UPON PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.

DATED THIS _____ DAY OF _____, 2016 AD.

 SUMMIT COUNTY TREASURER OR DESIGNEE

SURVEYOR'S CERTIFICATE

I, DENNIS E. O'NEIL, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS PLAT OF "A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION" WAS PREPARED BY ME AND UNDER MY SUPERVISION, THAT BOTH THIS PLAT AND THE SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE MONUMENTS WERE PLACED PURSUANT TO 38-51-105, C.R.S.

DATED THIS _____ DAY OF _____, 2016.

 DENNIS E. O'NEIL
 COLORADO L.S. 23901

TOWN CLERK'S CERTIFICATE

STATE OF COLORADO)
 TOWN OF BRECKENRIDGE) SS
 COUNTY OF SUMMIT)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _____, 2016, AND IS DULY RECORDED.

 HELEN COSPOLICH
 TOWN CLERK

CLERK AND RECORDERS CERTIFICATE

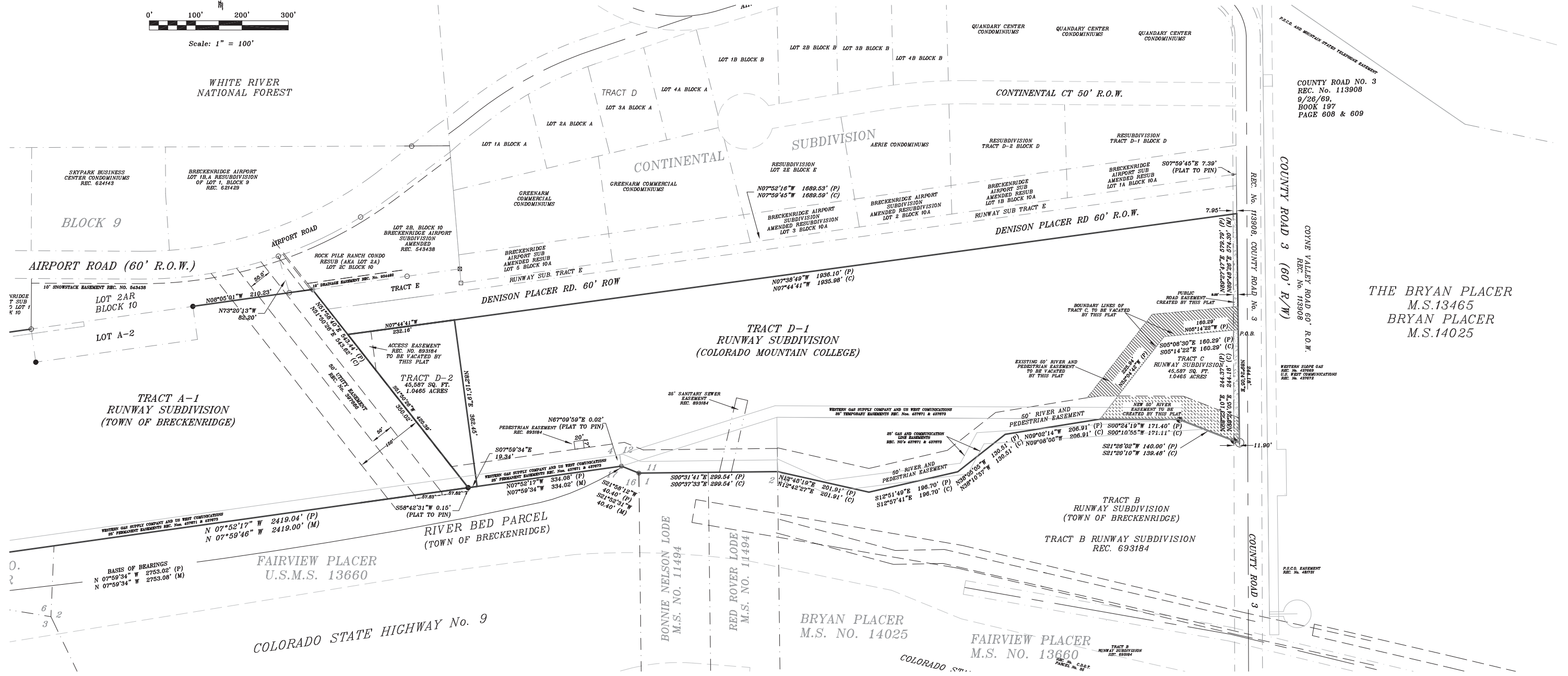
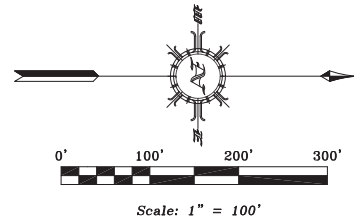
STATE OF COLORADO)
) SS
 COUNTY OF SUMMIT)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ M., THIS _____ DAY OF _____, A.D., 2016, AND FILED UNDER RECEPTION NO. _____.

 SUMMIT COUNTY CLERK AND RECORDER

Baseline Surveys, LLC.			
PRELIMINARY PLAT "A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION" SITUATE IN SECTION 19, T. 6 S., R. 77 W., AND SECTION 24, T. 6 S., R. 78 W. OF THE 6th P. M., TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO			
Date	Revisions	Date: 02/16/2016	Scale: N/A
		Drawn By: C.T.Y.	Checked By: D.E.O.
		Job File: 4055	DWG File: 4055 PLAT

PRELIMINARY PLAT
 "A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION"
 SITUATE IN SECTION 19, T. 6 S., R. 77 W.,
 AND SECTION 24, T. 6 S., R. 78 W. OF THE 6th P. M.,
 TOWN OF BRECKENRIDGE,
 COUNTY OF SUMMIT, STATE OF COLORADO



LEGEND

(P)	= PLATTED DIMENSION
(M)	= MEASURED DIMENSION
●	= FOUND 2" ALUMINIUM CAP ON #5 REBAR L.S. 27924
⊕	= FOUND 2" ALUMINIUM CAP ON #5 REBAR L.S. 23901
□	= FOUND #5 REBAR NO CAP
⊙	= FOUND #6 REBAR WITH 3/4" ALUMINIUM CAP L.S. 23901 M.S. CORNER STAMPED AS SHOWN.
○	= FOUND #5 REBAR W/ORANGE PLASTIC CAP L.S. 27924
⊞	= FOUND #5 REBAR W/YELLOW PLASTIC CAP L.S. 15242
+	= FOUND GAS LINE MARKER

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Baseline Surveys, LLC.			
PRELIMINARY PLAT "A RESUBDIVISION OF TRACTS C AND D RUNWAY SUBDIVISION" SITUATE IN SECTION 19, T. 6 S., R. 77 W., AND SECTION 24, T. 6 S., R. 78 W. OF THE 6th P. M., TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO			
Date	Revisions	Date: 02/16/2016	Scale: 1" = 100'
		Drawn By: C.T.Y.	Checked By: D.E.O.
		Job File: 4055	DWG File: 4055BASE

Planning Commission Staff Report

Subject: Pho Real Large Vendor Cart
(Class B Minor, Combined Hearing; PL-2016-0023)

Proposal: Installation of a 96 square foot large vendor cart and deck on a section of paved parking of the undeveloped Parcel A, Parkway Center Sub. Site upgrades include potted evergreen trees, and outside seating for customers.

Date: February 16, 2016 (For meeting of March 1, 2016)

Project Manager: Chris Kulick, AICP

Applicant/Owner: David Washenfelder, Pho Real Foods LLC

Address: 429 North Park Avenue

Legal Description: Parcel A, Parkway Center Sub

Land Use District: 9.2: Commercial and Residential, 10 UPA, Subject to Parkway Center Master Plan

Site Conditions: Parcel is currently a vacant lot with 27 parking spaces and drive lanes constructed for future development. The site is generally flat. The property shares a driveway with Parcels B and C, and a common parking area.

Adjacent Uses: South: City Market
North: Pinewood Village
West: Ski Area Parking/Open Space
East: Alpine Sports

Staff Comments

This proposal falls under Policy 49 (Absolute) Vendor Carts adopted May 2, 2012. This vendor cart is classified as a large vendor cart per Section 9-1-5 Definitions as it is more than 40 square feet (cart is 96 sq. ft., by this ordinance it cannot exceed 100 sq. ft.) and will not be removed each day.

Per Policy 49: *B. Vendor Cart General Design Standards: Large vendor carts and small vendor carts are subject to the following general design standards:*

(2) General Design Standards Outside The Conservation District: The following general design standards apply as indicated to large vendor carts and small vendor carts located outside of the conservation district:

a. All large vendor carts and small vendor carts must be constructed of professional quality for use as a food vending cart.

b. All large vendor carts and small vendor carts must be in good working condition, with no broken or rusty parts. All exterior materials must be kept clean and in neat appearance. No rusty or broken metal or chipped or broken wood is allowed. Metal and wood may be used as exterior finishes. The gauge, detailing and finish of all metal surfaces shall be suitable for long term use in an exterior location. All

exposed edges must be finished. All metal used in carts shall have concealed seams and overlapping joints. All wood details and finishes must be suitable for long wear in an exterior location. All detailing, construction and finishing shall be done in a craftsman like manner. No rough cut, unfinished or distressed woods will be considered as finish materials.

The proposed large vendor cart will complement the surrounding building character of the one existing building of the overall site to the east by use of 2 x Channel Lap Siding, Glu-lam Timbers, Glu-lam rails and 3 ½” lattice. The proposal also includes wrapping the vendor cart with 530 sq. ft. deck. The applicant proposes to paint the siding, trim and rails of the cart and use stain on the deck base (please see attached color sample). The landscaping proposed includes six potted evergreen trees of 2’ – 3’ in height. There are a total of 27 parking spaces currently on the property. The proposal will eliminate 4 of those spaces, resulting in 23 remaining spaces to accommodate customers and employees.

Policy 49 has design and operational standards as listed below for large vendor carts. Staff comments follow below.

a. Large Vendor Carts: The following additional design and operational standards apply to large vendor carts:

1. Large vendor carts must be located on private property.

The large vendor cart is proposed entirely on private property.

2. Large vendor carts may only sell food and beverages in forms suited for immediate consumption. This shall include hot or cold prepared foods and beverages, and prepackaged food and snacks, whether eaten at the site of sale, or "carry out/to go". Fresh fruits and vegetables may be sold from a large vendor cart in limited amounts if they are normally and customarily eaten in a raw form, but a large vendor cart shall not be used primarily to sell fresh fruits and vegetables.

Pho Real only sells food and beverages in forms suited for immediate consumption. All food and beverages are served on disposable ware.

3. The area of a large vendor cart counts as density. The density shall be assessed against the real property on which the vendor cart is located.

Lots A, B and C have a total of 31.58 SFEs. Presently only 8.14 SFEs have been developed on Parcel B, thus 23.44 SFEs of density remain. The vendor cart is 96 sq. ft., hence it is well below the maximum allowed density.

4. Large vendor cart owners shall improve the immediate area around their business through the installation of pavers, landscaping, awnings, and/or small decks to help the vendor carts to look less temporary, and to blend into the surrounding character. Where the surrounding area is already improved with such finishes as listed above, this requirement may be waived by the planning commission.

The applicants have proposed to install 530 sq. ft. of redwood decking around the vendor cart. The vacant lot has mature lodge pole pine trees. In addition, six potted evergreen trees of 2’ – 3’ in height are proposed for landscaping around the deck similar to Stellas’s vendor cart (PC#2013090). Staff has no concerns

5. The maximum size of a large vendor cart is one hundred (100) square feet.

Applicant's large vendor cart is 96 sq. ft.

6. The maximum height of a large vendor cart is ten feet (10'). The height of the cart shall be measured vertically from the ground to the highest point of the cart including signage or other equipment, if any.

Applicant's vendor cart is proposed to 10' tall.

7. If a large vendor cart is connected to the town's municipal water system, the owner must pay water plant investment fees for the vendor cart. If a large vendor cart is connected to the town's municipal water system, it must also be connected to the public sanitation system.

The vendor cart will be connected to the town's municipal water system and the Upper Blue Sanitation District. A condition of approval has been added.

8. If a large vendor cart uses a commissary kitchen, the commissary kitchen must be identified on the vendor cart permit application, and any applicable water plant investment fees must be paid by the owner of the commissary kitchen. If the commissary kitchen changes during the term of the permit, the large vendor cart permit holder must notify the director within ten (10) days of the date of the change.

At this time the applicants are not proposing a commissary kitchen.

9. Siding and other compatible materials used on a large vendor cart must wrap all sides of the vendor cart.

The wood stained 2 x Channel Lap siding is proposed on all four sides of the vendor cart.

10. Exterior colors used on a large vendor cart must meet the town's color chroma palette. The color of all large vending carts shall be selected from the "Munsell Book Of Color" on file with the community development department. The maximum chroma for the exterior of a large vending cart shall be 4 (unless red or yellow are used, then a maximum chroma of 6) and a maximum value of 6.

The owner has proposed to stain the vendor cart with complementary colors to the adjacent retail office building. The colors do not exceed a maximum chroma of 4.

11. All signs for a large vendor cart shall be subject to the Breckenridge sign code. One permanent freestanding sign is allowed for a large vendor cart, unless otherwise prohibited by the Breckenridge sign code.

Applicant is still working on the sign plan. Signage will be permitted with a separate sign permit application. The signs will meet the Breckenridge Sign Code.

12. Generators are prohibited for large vendor carts, except for use as an emergency source of power when the permanent source of power to the large vendor cart is temporarily unavailable.

Applicant will have power from the neighboring Lot A and will not be using a generator.

13. If a large vendor cart has wheels, the wheels shall be permanently screened with a skirting design architecturally compatible with the exterior of the cart.

The wheels will be permanently screened with the siding used on all four sides of the vendor cart.

14. Any trailer hitch on a large vendor cart must be removed or completely covered from view.

The trailer hitch will be removed or completely covered from view.

15. Owners of large vendor carts must obtain and maintain in full force and effect throughout the permit a valid town of Breckenridge business license.

The owner will obtain a valid business license.

16. Large vendor carts must be windproof, waterproof and locked when not in operation.

The cart is windproof, waterproof and locked when not in operation. The cart has windows that can open for serving food and lock when the business is closed.

17. Outdoor seating for a large vendor cart is limited to a maximum of twelve (12) seats and three (3) tables.

The seating plan will not exceed twelve (12) seats and three (3) tables.

18. The operator of a large vendor cart shall comply with all applicable health regulations with respect to the operation of the large vendor cart.

The cart is currently in process for approval as a food vendor cart by Summit County Environmental Health.

Policy 18 (Relative) Parking: *A. General Parking Requirements: It is encouraged that each development design their parking in a manner that exceeds the minimum requirements of the off street parking regulations. The town will evaluate the implementation of this policy based on how well the applicants meet the following criteria:*

1 x (+1)

(4) Common Driveways: The sharing of common driveways leading from public streets or alleyways to off street parking facilities by more than one use or parcel of land is encouraged, whether the parking facilities be joint or separate.

Restaurants are required to have 3.5 parking spaces for every 1,000 sq. ft. of restaurant area. In this case the vendor cart is 96 sq. ft. / 1,000 = 0.096 x 3.5 spaces = 0.336 of a parking space is required for the vendor cart, the Town always rounds up to a whole parking space, hence the vendor cart requires one parking space. There are twenty-three parking spaces on-site; hence the minimum parking is being exceeded by twenty-two spaces. Staff notes that the three parcels associated with this subdivision have shared parking. The developer built all of the required parking for all three lots up front even though

only one lot is developed. Once the vacant lots are developed, the cart will have to relocate to another property.

There is a common driveway for three adjacent lots-Parcels B, C, and a common parking area which the project will take access from. No new access is proposed.

Other Issues

Staff has advised the applicants that separate from this development permit an approval from Red, White and Blue Fire District is required.

Point Analysis

The proposal meets the requirements of Policy 49 (Absolute) Vendor Carts and all other Absolute Policies. Staff found no reason to assign positive or negative points under any Relative Policies.

Staff Recommendation

The Planning Department recommends approval of the point analysis for the Pho Real large vendor cart (PL-2016-0023) located at 429 North Park Avenue with a passing point analysis of zero (0) points and compliance with all Absolute Policies.

The Planning Department recommends approval of Pho Real large vendor cart development permit (PL-2016-0023) located at 429 North Park Avenue with the attached findings and conditions.

Final Hearing Impact Analysis				
Project:	Pho Real Large Vendor Cart	Positive Points	0	
PC#:	PL-2016-023	Negative Points	0	
Date:	2/14/2016	Total Allocation:	0	
Staff:	Chris Kulick, AICP			
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)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		

18/R	Parking-Public View/Usage	2x(-2/+2)	
18/R	Parking - Joint Parking Facilities	1x(+1)	
18/R	Parking - Common Driveways	1x(+1)	
18/R	Parking - Downtown Service Area	2x(-2/+2)	
19/A	Loading	Complies	
20/R	Recreation Facilities	3x(-2/+2)	
21/R	Open Space - Private Open Space	3x(-2/+2)	
21/R	Open Space - Public Open Space	3x(0/+2)	
22/A	Landscaping	Complies	
22/R	Landscaping	2x(-1/+3)	
24/A	Social Community	Complies	
24/R	Social Community - Employee Housing	1x(-10/+10)	
24/R	Social Community - Community Need	3x(0/+2)	
24/R	Social Community - Social Services	4x(-2/+2)	
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)	
24/R	Social Community - Historic Preservation	3x(0/+5)	
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	
25/R	Transit	4x(-2/+2)	
26/A	Infrastructure	Complies	
26/R	Infrastructure - Capital Improvements	4x(-2/+2)	
27/A	Drainage	Complies	
27/R	Drainage - Municipal Drainage System	3x(0/+2)	
28/A	Utilities - Power lines	Complies	
29/A	Construction Activities	Complies	
30/A	Air Quality	Complies	
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2	
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)	
31/A	Water Quality	Complies	
31/R	Water Quality - Water Criteria	3x(0/+2)	
32/A	Water Conservation	Complies	
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)	
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	
	HERS index for Residential Buildings		
33/R	Obtaining a HERS index	+1	
33/R	HERS rating = 61-80	+2	
33/R	HERS rating = 41-60	+3	
33/R	HERS rating = 19-40	+4	
33/R	HERS rating = 1-20	+5	
33/R	HERS rating = 0	+6	
	Commercial Buildings - % energy saved beyond the IECC minimum standards		
33/R	Savings of 10%-19%	+1	
33/R	Savings of 20%-29%	+3	
33/R	Savings of 30%-39%	+4	
33/R	Savings of 40%-49%	+5	
33/R	Savings of 50%-59%	+6	
33/R	Savings of 60%-69%	+7	
33/R	Savings of 70%-79%	+8	
33/R	Savings of 80% +	+9	
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)	
33/R	Large Outdoor Water Feature	1X(-1/0)	
	Other Design Feature	1X(-2/+2)	
34/A	Hazardous Conditions	Complies	
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)	
35/A	Subdivision	Complies	
36/A	Temporary Structures	Complies	
37/A	Special Areas	Complies	
37/R	Community Entrance	4x(-2/0)	
37/R	Individual Sites	3x(-2/+2)	
37/R	Blue River	2x(0/+2)	
37R	Cucumber Gulch/Setbacks	2x(0/+2)	
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)	
38/A	Home Occupation	Complies	
39/A	Master Plan	Complies	
40/A	Chalet House	Complies	
41/A	Satellite Earth Station Antennas	Complies	
42/A	Exterior Loudspeakers	Complies	

43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

**Pho Real Vendor Cart
Parcel A, Parkway Center Subdivision
429 North Park Avenue
PL-2016-0023**

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 16, 2016**, 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 **March 1, 2016**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

7. 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.
8. 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.
9. This permit expires three (3) years from date of issuance, on **March 8, 2019**. 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 one year, but without the benefit of any vested property right.
10. 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.
11. Applicant shall meet Policy 9-1-5 49/A (A) Large Vendor Carts.
12. A separate sign permit is required for this large vendor cart.

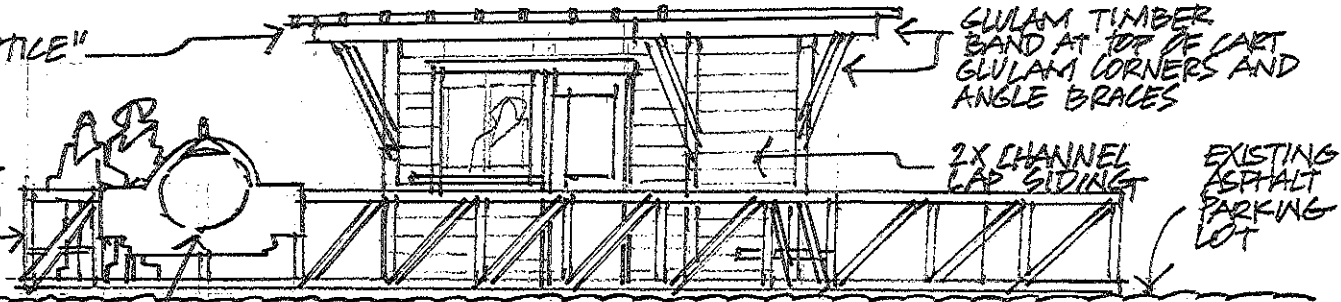
13. Applicant shall pay for required plant investment fees and sanitary sewer fees prior to the installation of the vendor cart.

14. 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 operational or material deviation from the approved plans and specifications without Town approval as a modification may result in the Town legal action under the Town's development regulations.

3/2 x 3/2 "LATTICE"
C. 16" O.C.

42" HIGH GULAM RAIL

PHD REAL SIGN
WITH DOWN CAST LIGHT



GULAM TIMBER
BAND AT TOP OF CART
GULAM CORNERS AND
ANGLE BRACES

2X CHANNEL
LAP SIDING

EXISTING
ASPHALT
PARKING
LOT

ELEVATION



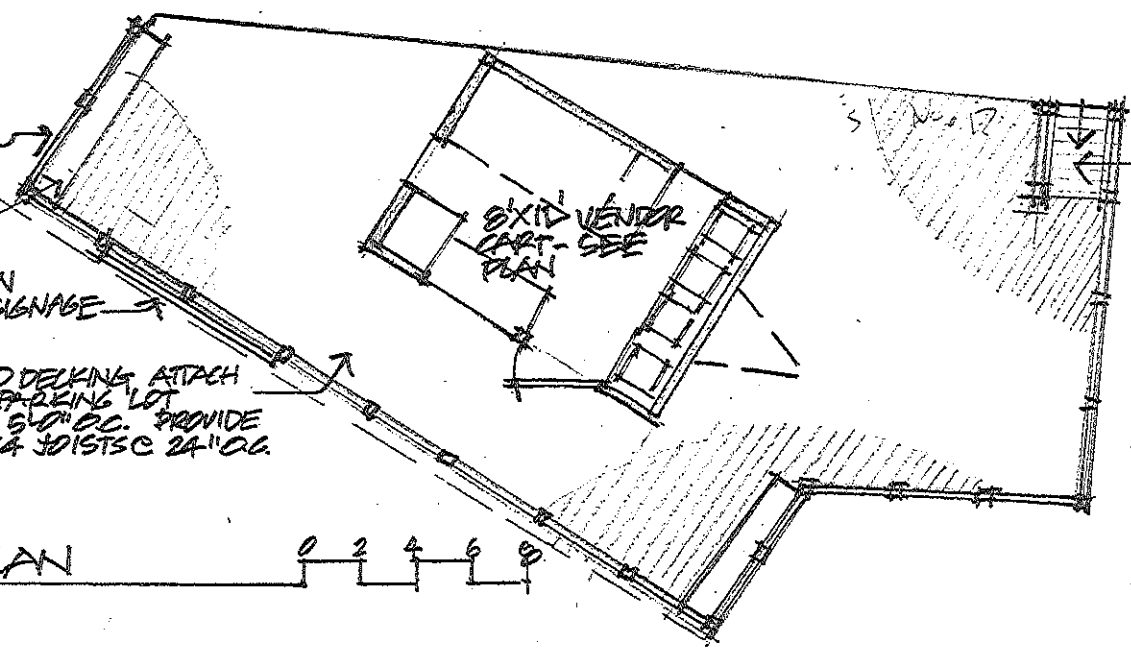
42" HIGH
FENCE RAIL

BENCH

PHD REAL SIGN
OBTAIN TOB SIGNAGE
PERMIT

2X6 REDWOOD DECKING ATTACH
SLEEPERS TO PARKING LOT
AS PER D. C. 5/10/06. PROVIDE
TREATED 2X4 JOISTS C. 24" O.C.

FLOOR PLAN



RAMP UP 4" x 6"
IN HEIGHT - PROVIDE
HAND RAIL BOTH
SIDES

PROPANE
TANK

VII/16

JOB NO.
DATE
DRAWN BY:
CHECKED BY:

bhh Partners
 P.O. BOX 934, 180 EAST MAIN STREET, BRECKENRIDGE, CO 80424 (970) 463-8880
 P.O. BOX 2113, 680 ADAMS AVENUE, SILVERTHORPE, CO 80488 (970) 318-1030
 PHO REAL VENDOR CART
 PARCEL A PARKWAY CENTER BRECKENRIDGE CO

© 2014 0206

SHEET NUMBER
3
OF 4



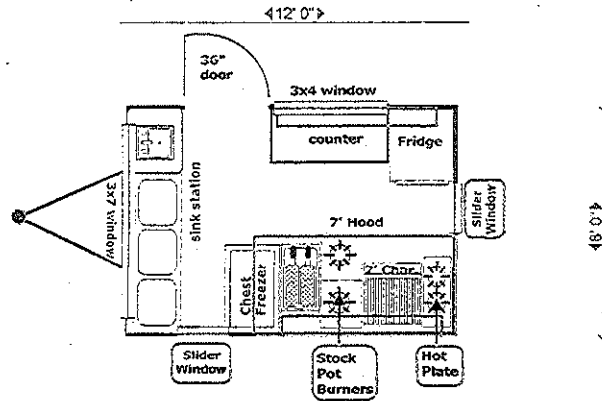
8' x 12' Trailer

The floor plan shown here is considered conceptual at this time and can change once our design staff creates an official CAD shop drawing that is 100% to scale. Any/all changes that may occur during this actual design phase will be brought to your attention for review.

Client: Chad Washenfelder
Date: 12/29/15

INVESTIGATION OF HEALTH, FIRE, ZONING IS TO BE COMPLETED BY CUSTOMER PRIOR TO ORDERING.

- * 40 Gallon fresh water tank
- * 50 Gallon grey tank
- * Flooring: Vinyl - Marble design
- * Walls & ceiling: Smooth white vinyl
- * Serving windows include screens
 - * Interior height is 7'5"
 - * Exterior height is 9'10" (not including rooftop exhaust fan)



1/11/16
JOB NO.
DATE
DRAWN BY:
CHECKED BY:

JOHN PARTNERS
 P.O. BOX 831, 160 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 463-6980
 P.O. BOX 2113, 960 ADAMS AVENUE SILVERTHORNE, CO 80498 (970) 513-1000
 PHO REAL VENDOR CART
 PARCEL A PARKWAY CENTER BRECKENRIDGE CO

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SHEET NUMBER
4
OF 4

Siding

Trim
Railing
Angle

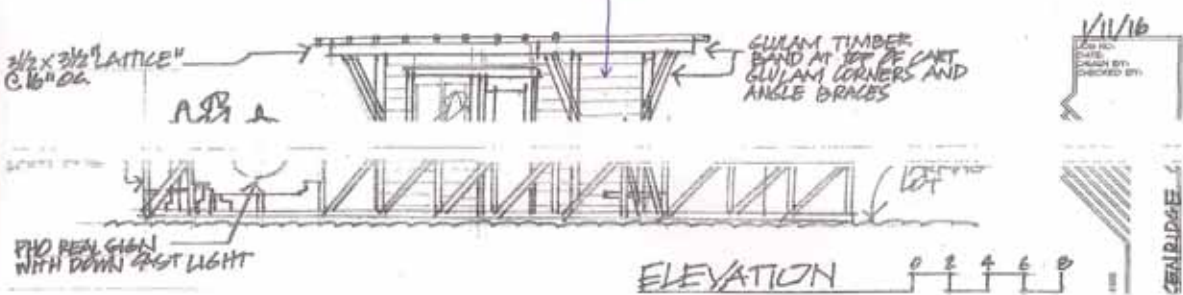
Trim/Railing/Angle (cream)

Roof (siding)

3/4" x 3/4" LATTICE
@ 16" OC

GULAM TIMBER
BAND AT TOP OF CART
GULAM CORNERS AND
ANGLE BRACES

1/11/16
PHO REAL
CART
DRAWN BY
CHECKED BY:



Deck Ince (Simple lattice)

42" HIGH
FENCE RAIL

RAMP UP 4' @ 6"

hh
FORTH
ARCHITECTS
400 REAL
1000 A

PHO REAL SIGN
OBTAIN TOB SIGNAGE
PERMIT
1x6 REDWOOD DECKING ATTACH
SLEEPERS TO FLOORING LOT
2x2 REDWOOD @ 16" OC PROVIDE



PROPANE
TANK

hh
FORTH
ARCHITECTS
400 REAL
1000 A

Deck
Ince

RECEIVED
FEB 24 2016
TOWN OF BRECKENRIDGE
PLANNING DEPT.

Pho Real
Cheryl Washburne
832 7294589

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at