



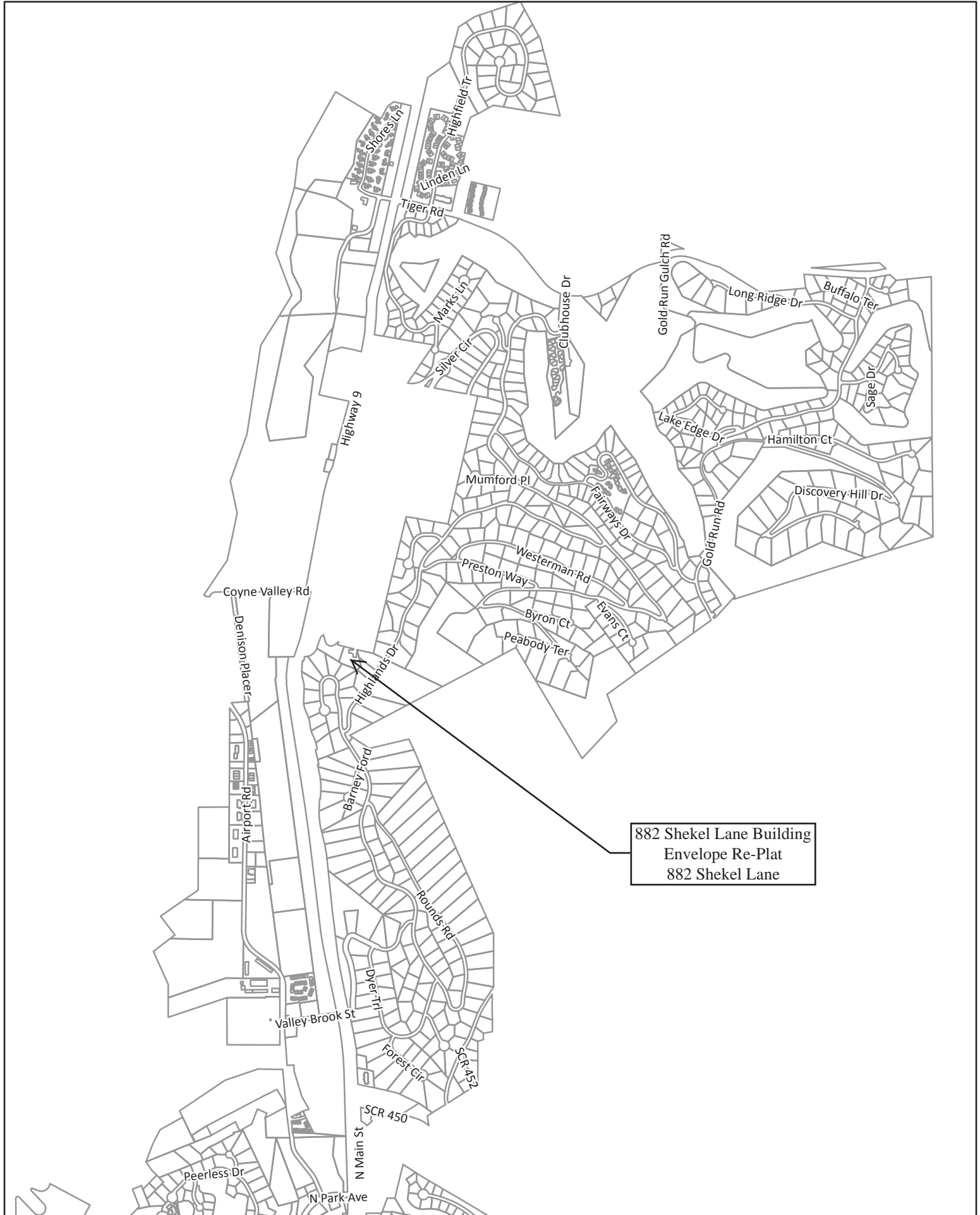
PLANNING COMMISSION AGENDA

Tuesday, October 18, 2016
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The October 18 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</i>	
	1. Continental Divide Winery Change of Use (CK) PL-2016-0495; 505 South Main Street	8
7:15pm	<i>Combined Hearings</i>	
	1. 882 Shekel Lane Building Envelope Re-Plat (MM) PL-2016-0429; 882 Shekel Lane	14
8:15pm	<i>Town Council Report</i>	
	<i>Other Matters</i>	
	1. Class C Subdivisions Approved Q3, 2016 (JP) (Memo Only)	23
	2. Class D Majors Approved Q3, 2016 (JP) (Memo Only)	27
8:30pm	<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.**

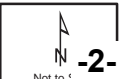


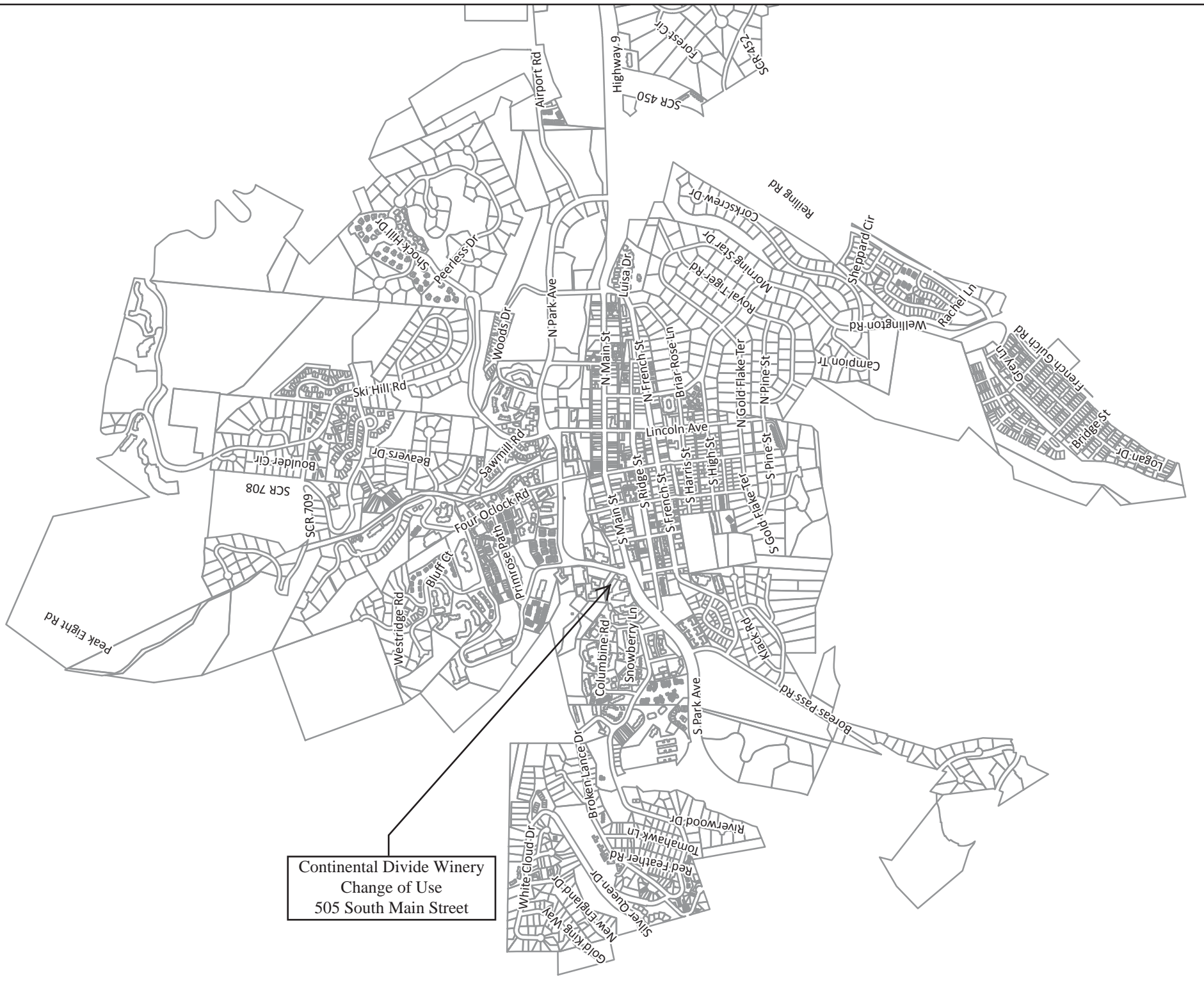
882 Shekel Lane Building
 Envelope Re-Plat
 882 Shekel Lane



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 assume no responsibility for the accuracy of the data, and
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Breckenridge North





Continental Divide Winery
 Change of Use
 505 South Main Street



printed 3/25/2016
 Town of Breckenridge and Summit County governments
 assume no responsibility for the accuracy of the data, and
 use of the product for any purpose is at user's sole risk.

Breckenridge South



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm by Chair Schuman.

ROLL CALL

Mike Giller Christie Leidal Ron Schuman
Dan Schroder Gretchen Dudney Jim Lamb
Dave Pringle (arrived at 7:06 pm)

APPROVAL OF MINUTES

With no changes, the September 20, 2016, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester added Other Matters to the end of the agenda. With no other changes, the October 4, 2016, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

1) Rocky Mountain Underground ADA Ramp (CK) PL-2016-0480, 114 South Main Street

Commissioner Questions / Comments:

Ms. Dudney: Would they have had to do this if it was not a change of use? (Mr. Kulick: They would not have had to.)

Mr. Schuman: What was the change of conditions? (Mr. Kulick: We had the expiration date in 2017; it was supposed to be 2018.)

With no requests for call up, the consent calendar was approved as presented.

WORKSESSIONS:

1) Housing Needs Assessment (LB)

Ms. Best presented. An update to the County-wide Housing Needs Assessment was finalized in August. A copy of the full report and an executive summary were included in your packet. Some of the key findings for the Upper Blue Basin are:

- The 2013 Needs Assessment projected that 175 to 280 additional ownership units and 200 to 370 additional rental units would be needed in the Upper Blue Basin by 2017. The new projection is 230 ownership and 270 rentals (total of 500 units) will be needed through 2020. This projection assumes that the projects currently underway are completed (Denison Placer 1 & 2, Huron Landing, and Lincoln Park).
- The 500 additional units would serve the needs of year round employees (seasonal employees are not included in this assessment) and includes 125 'catch up' units and 375 'keep up' units.
- The 125 catch up units are those units needed immediately to address current deficiencies. For the Upper Blue Basin this includes housing for about 10% of the in-commuters who are currently working in the Upper Blue, but living outside of Summit County. Approximately 10% of the in-commuters have indicated they would prefer to live in the Upper Blue where they are employed if housing were available and affordable. Catch up also includes additional rental units needed to address a very low rental capture rate (8.6%) which signifies an immediate need for additional units to house renters already in the community (either overcrowded or cost burdened).
- The 375 keep up units are the additional units that will be needed between 2016 and 2020 to replace retiring workers and to replace market units that are currently housing employees that will be converted to second home/vacation use, and to provide housing for approximately 80% of the new employees filing new jobs over the next 5 years. New jobs over the next 5 years are projected to increase at a modest rate of 1.7% per year.
- The demand for 500 units is based on the need to provide housing for approximately 900 employees in the Upper Blue. The conversion from employees to units is based on the Upper Blue current

occupancy rate and household size for employee occupied units (average 1.8 employees per employee occupied unit). Diversity in the type, size, and price of workforce housing is needed to reduce cross basin commuting and to provide housing for the different segments of the workforce, but overall the 500 unit projection assumes the 1.8 average occupancy rate will be maintained across the inventory of units. This can be rechecked when the assessment is updated on a 5 year cycle.

- The income/price targets for the 270 rental units are broken down by AMI brackets but most of the need is under 60% AMI and at the 80-100% AMI. The income targets for the 230 ownership units is also broken down by AMI and indicates need across all of the income brackets from under 60% AMI up to 150% AMI.
- The Town anticipates future workforce housing development on the Stan Miller Property (105 units), on Block 11 (250 units), on the McCain property (100 units) and possibly at Berlin Placer (20 units). This could address 475 of the 500 units that are needed by 2020.
- Beyond 2020 the Town should anticipate that additional units will be needed to ‘keep up’ with the ongoing loss of employee occupied market rate units, retirees in deed restricted units, and job growth. An update to this 2016 assessment will likely be scheduled in 2021 after the next census.

Staff is working with the Workforce Housing sub-committee and Town Council to address the need. It is anticipated that much of the housing that is needed in the Upper Blue could be accommodated on Town-owned sites that are already designated for workforce housing.

Commissioner Questions / Comments:

Ms. Dudney: What is Berlin Placer? (Ms. Best: It is a private project near Sally Barber, currently going through review with the county. There are some market rate units and some that will be deed restricted. We hope to find more private sector partnerships like this.) (Ms. Puester: 45-55 total units are proposed.) (Ms. Best: We hope to get 20 deed restricted units.) So what is needed in order to make a successful project? (Ms. Best: There are different ways to develop projects, for example, with Pinewood II, we used tax credit financing, but still put in 6 million that we will get back over time. With Valley Brook, we had some higher AMI units for sale that helped cover cost for the lower AMI units.) This still does not address below 60% AMI. If you take a service worker making \$10/hour, they are still only making \$20,000 a year. (Ms. Best: It’s difficult to make rental units pencil without subsidy.) So what gives? More density, reducing the quality of the project, or raising wages? They would have to be tripled. (Ms. Best: In Breckenridge, we do have land for almost 500 units, so we can structure projects where proceeds from for sale units could fund some rental.) It’s kind of drops in the bucket. (Ms. Best: We are seeing more workforce housing projects throughout the County and hopefully with the ballot in November, we’ll have more resources. We’ll have to evaluate the most cost effective way to create units; there is no silver bullet, but a variety of options, but we also must be aware of the strings that come with different approaches, for example for rental financing the LIHTC income testing is very challenging because it is difficult to calculate income in resort economy because of the nature of seasonal jobs. It is taking longer to fill units for Pinewood II because of the grant funding we got and the strings attached.)

Mr. Schuman: Have deed restrictions become more standardized or has there been tightening? (Ms. Best: When the town is developer, it is up to the town to determine the level of deed restrictions. When projects are in partnership with private developers, we have to work with them to determine what they need and what they can accept. Every deed restriction is different in that sense, and depends on the project.) What about enforcement, what does the Summit Housing Authority do? (Ms. Best: They perform the monitoring process which includes annual self affirmation affidavits and some inspections, but if a violation is confirmed they referred to the Town to enforce. The Summit Housing Authority has implemented an anonymous tip line and when they get these tips, they investigate and refer to the Town if a violation is confirmed.)

- Mr. Schroder: People are just going to keep coming here because of Breckenridge's reputation, so how is any future worker going to be able to move and live here beyond 2020? (Ms. Best: I think ultimately all workers are going to end up in deed restricted units, and so we just have to continue to try and deed restrict what we can. We can't build enough units so it will be a combination of preserving some of the market rate units and building new units.) So what will be the outlets in the future? Park County, Alma?
- Ms. Dudney: And prices of other commodities will go up: gas, food, etc. (Ms. Best: The best we can do is increase the amount of deed restricted units while we can now.)
- Mr. Pringle: What about the deed restricted units increasing in price to where they cannot be afforded still? (Ms. Best: Many of the restrictions include an appreciation cap and an income cap; for those that do not include an appreciation cap, the market will determine the value of the deed restricted units and hopefully there will always be some discount/gap between market rate units and deed restricted units because of the restrictions on use and occupancy.) What about the ones where there are caps? (Mr. Kulick: Some of the older ones, there are rules like no short-term rentals, even if they do not have caps. But we have not done anything like that recently; it has evolved to where there is some room for appreciation without it getting too high.) (Ms. Best: We commissioned a study on price creep to determine if our deed restricted units are staying affordable to their initial target-there are many other variables that impact affordability that are out of our control-such as interest rates.) One thing that has always bothered me is that if the Town is going to heavily subsidize for sale units, and we want to make sure that they're always affordable; we don't want people to take advantage of the Town subsidizing the unit. (Ms. Best: Well that is our goal, and I think we are still doing well providing some appreciation, but trying to maintain affordability. For example, since AMI has gone down, there is no appreciation in many of our local neighborhoods such as Gibson Heights.)
- Ms. Dudney: Do you see anything dramatic on the horizon like boarding houses or dormitories because this is not an answer long-term? (Ms. Best: I don't see any one answer, which is why we just try to have a wide range of affordable housing types and price points, and Breckenridge is doing well on that.)
- Mr. Pringle: People have talked about tiny homes and things like that. (Ms. Best: These are difficult because you just can't reach the density you need.) I'm not an advocate for them, but I think there could be a very well-maintained mobile home park and outside of resort areas, they are prevalent everywhere.
- Mr. Lamb: The problem is that people do not want mobile homes next to them.
- Mr. Pringle: Well we could hide them; they are prevalent in lots of communities, and maybe we should look into this because it brings the cost down substantially. (Ms. Best: ADUs have worked very well in some communities and maybe we do need to think about having these in second homes, because they can add up.) What we don't want to have happen is getting into issues with parking and such, but if we can accommodate that it could be a very good way to go.
- Mr. Schuman: It is tough after the fact, of course.

TOWN COUNCIL REPORT:

Ms. Puester presented. There was a call up on the Planning Commission decision on the sprung structures, so that will be at the Town Council meeting next week. There were questions asked at the work sessions regarding timing details. The residential parking ordinance passed at second reading. We also had a resolution in support of question 2A (municipalities being given more authority on their own wireless communication). There was a resolution to support Summit School District issues 3A and 3B, and another for the 5A renewal (housing fees). Budget will come before Council in October. There was a joint meeting with the Breckenridge Heritage Alliance. The Council talked about the town lighting plan, presented by public works, which will be improve lighting in high pedestrian areas also as identified by the Nelson Nygaard study. Three different types of light fixtures, and trying to get a cohesive blend of that as well as what will work best in different

areas. Different types of bulb, LEDs, will be used to get more light in key locations. (Mr. Grosshuesch: They figured out how to make Wellsbach dark sky compliant. They will be starting with Four O'Clock Road, Village Road, Watson Avenue, Park Avenue and they're experimenting on Airport Road. Eventually Main Street will get dark sky compliant lights.) (Mr. Kulick: They are also choosing LEDs that have less of the blue light and this is another reason why they are testing these out right now first before implementing them everywhere.) October 11th at 2 pm is the Town Council visit to Lincoln Park.

OTHER MATTERS:

1) Planning Commission Field Trip, November 3, 2016

Ms. Puester: We will be looking at various code related topics that we discussed last meeting from the Steering Committee updates as well as some recent housing developments and will come out with an agenda fairly soon.

Commissioner Questions / Comments:

Ms. Dudney: Can we include Maggie Placer? (Ms. Puester: Yes.)

2) State APA Conference (October 24-26, 2016) and Saving Places Conference (February 1-4, 2017)

Ms. Puester: Please sign up if you have not already and let me know if you have any questions. The CLG code also gives us a huge discount on the Saving Places Conference so let me know if you have any issues with using that.

3) Planning Commission Applications

Ms. Puester: Mr. Schroder, Mr. Lamb and Mr. Pringle are all up this year and have all reapplied. There are also five other applicants. Interviews will be at next week's Town Council Work Session and appointments at next week's Town Council Regular Meeting.

ADJOURNMENT:

The meeting was adjourned at 7:43 pm.

Ron Schuman, Chair

Planning Commission Staff Report

Subject: Continental Divide Winery Change of Use
(Class C Minor; PL-2016-0495)

Date: October 5, 2016 (for the October 18, 2016 meeting)

Project Manager: Chris Kulick, AICP

Applicant: Jeffrey Maltzman, Continental Divide Winery

Proposal: The applicant proposes to change the use of a portion (390 sq. ft.) of Unit A-4, Main Street Station from retail to snack bar/ delicatessen to accommodate a tasting bar.

Address: 505 S. Main Street, Unit A-4

Legal Description: Unit A-4, Main Street Station

Land Use District: 19, Commercial; 1:1 FAR, Subject to the Main Street Station Master Plan

Site Conditions: Unit A-4 is a vacant unit within Main Street Station that previously had a retail use. The unit is surrounded by ground level commercial spaces on all sides.

Adjacent Uses: North: Retail/Commercial
East: Retail/Commercial
South: Retail/Commercial
West: Retail/Commercial

Density: Existing: 861 sq. ft. (Retail)
Proposed: 471 sq. ft. (Retail)
Proposed: 390 sq. ft. (Snack Bar/ Bar)*
*Change of use will impact the Water Plant Investment Fees and parking.

Parking: **Additional parking spaces required with the change of use: 2spaces**
Existing Parking for Main Street Station & Marriot: 343 spaces
Total spaces required with change of use: 314 spaces
Surplus spaces: 29 spaces

No change is proposed to exterior of the building, height, lot coverage, snow stacking, setbacks, or landscaping.

Item History

Main Street Station was approved on December 3, 1999. Per the Master Plan, a total of 224 SFEs of density is allowed onsite of which 183 are designated as residential SFEs and 41 are designated as commercial SFEs. Unit A-4 received its original Certificate of Occupancy in 2001 and has always had a retail or office use. No restaurant use has ever been approved for Unit A-4.

Staff Comments

Land Use (Policies 2/A & 2/R): The applicant proposes to change the use of a portion of Unit A-4 to snack bar/ delicatessen to accommodate a tasting area within a retail wine store. This is a commercial Land Use District, hence the use is recommended. Staff has no concerns with the proposed use.

Water Plant Investment Fees: The fees due to the Town will be the difference between the retail rate paid and snack bar/ deli rates. The 390 square foot tasting area is deemed Snack Bar/ Delicatessen because no dishwashing will be allowed onsite and the glasses used for tastings are not allowed to be re-used.

The difference between the rate paid per 1,000 sq. ft. for retail use and the snack bar/ deli use proposed is: snack bar/deli rate of 0.90 – 0.40 = (credit for retail rate paid in the past) = 0.50 x 0.39 SFE's (390/1,000) x \$7,002.00 (water tap fee per SFE) = **\$1,365.39** total in water PIF's to convert the retail space into snack bar/deli use at the time of this writing.

This fee will need to be paid to the Town of Breckenridge upon issuance of a building permit. This has been added as a Condition of Approval.

Site Plan/Parking: Main Street Station currently has 343 parking spaces on site. A snack bar/ deli use of 390 sq. ft. requires 2.457 spaces (390/1,000 = .39 SFE's x 6.3 = 2.457 spaces per the Off-Street Parking Regulations approved as part of the Main Street Station Master Plan). Additionally Unit A-4's retail use requires 1.0362 spaces (471/1,000 = .471 SFE's x 2.2 = 1.0362 spaces per Off-Street Parking Regulations approved as part of the Main Street Station Master Plan) for a total of 3.5 spaces required for the proposed uses in the unit. Presently the uses in Main Street Station and the neighboring Marriot Hotel require 312 spaces and this change of use will increase the requirement to 314 spaces. Since the property has 343 onsite spaces the property exceeds the required parking for this change of use. Staff has no concerns with the proposed parking.

Point Analysis (Section: 9-1-17-3): Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Decision

The Planning Department has approved the Continental Divide Winery Change of Use (for a portion of the unit 390 square feet of a 861 square foot space) located at 505 S. Main Street, Unit A-4, Main Street Station (PL-2016-0495), and recommends the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

Continental Divide Winery
Change of Use
505 S. Main Street
Unit A-4, Main Street Station
PERMIT PL-2016-0495

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 **October 5, 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 **October 18, 2016**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.

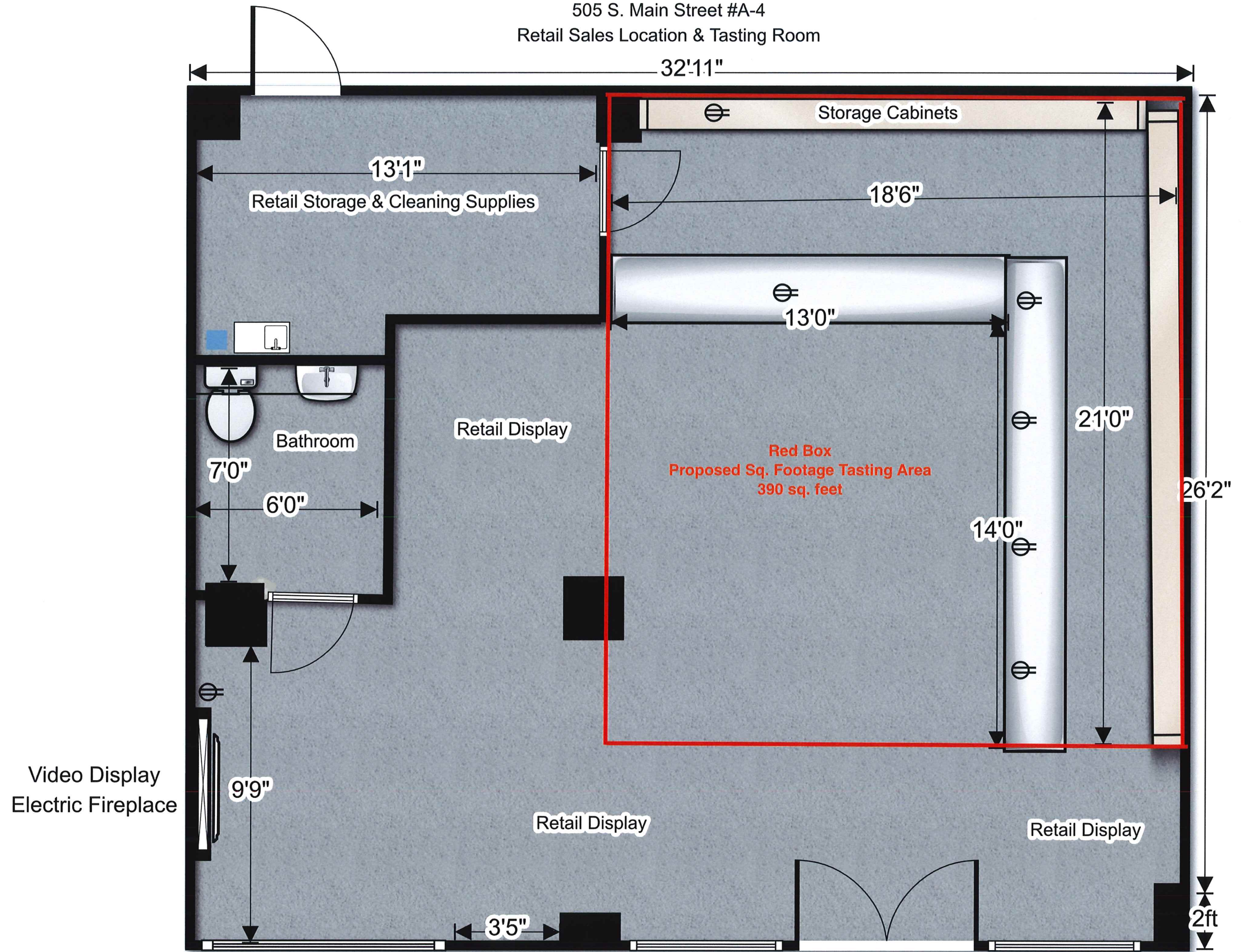
CONDITIONS

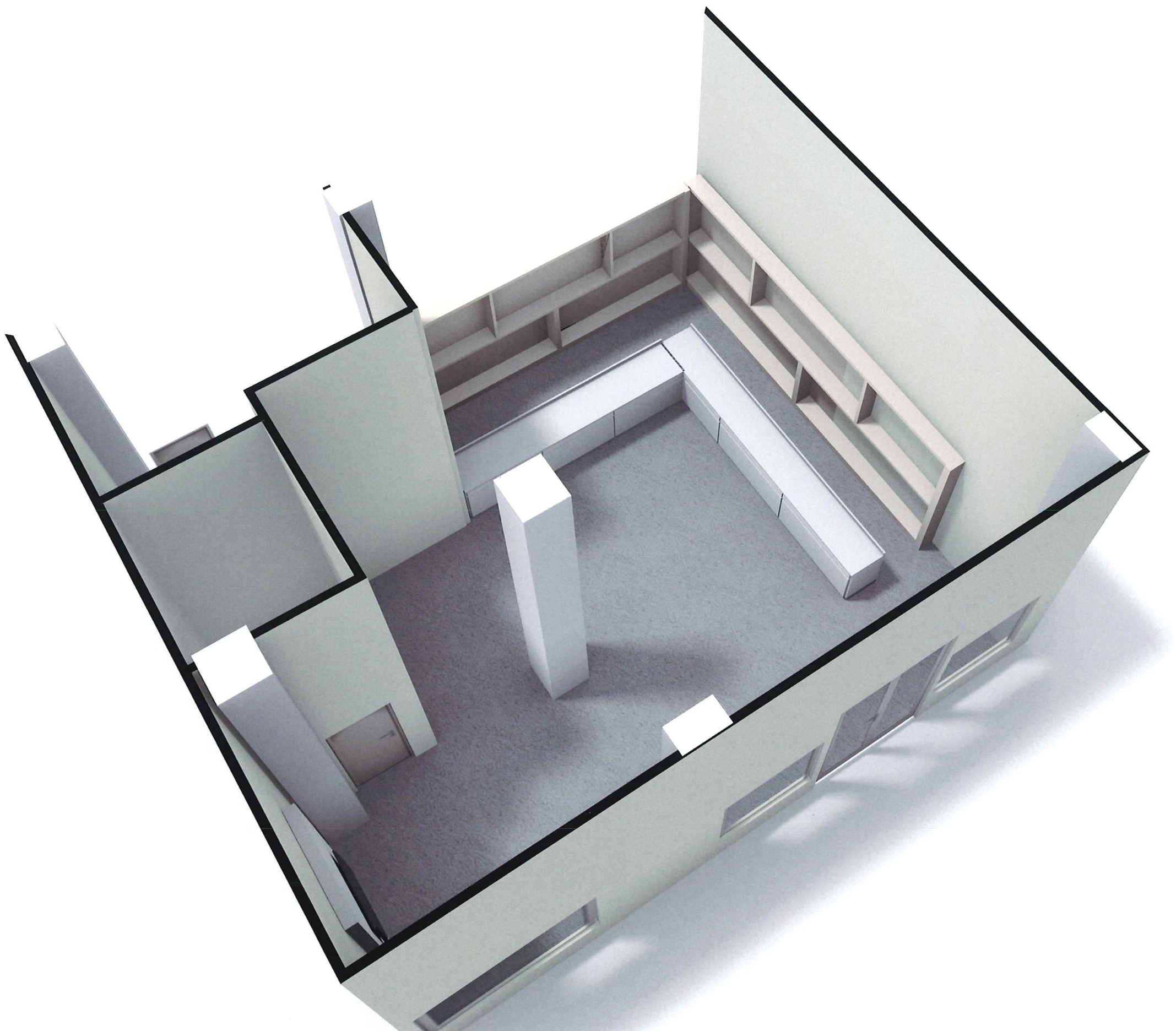
1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. Complies with the statements of the staff and applicant made on the evidentiary forms and policy analysis form.
4. This permit expires eighteen (18) months from date of issuance, on **April 25, 2018** 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.
5. **The approved use of “Continental Divide Winery” in Unit A-4, Main Street Station is for a 390 square foot “Snack Bar/ Delicatessen” and 471 square feet “Retail” for the purpose of Water Plant Investment Fees and required Parking. The tasting area is deemed Snack Bar/ Delicatessen because no dishwashing will be allowed onsite and the glasses used for tastings are not allowed to be re-used.**
6. **No signs are approved with this application. All signs visible from the exterior of the building shall be approved by the Town of Breckenridge under a separate sign permit application.**

PRIOR TO ISSUANCE OF A BUILDING PERMIT

6. **Town of Breckenridge water tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property. If paid on or prior to December 31, 2016, this fee shall be \$1,365.39. If paid after December 31, 2016, then the fee shall be determined based on the new Water Plant Investment Fee schedule in effect at the time of the payment.**
7. Upper Blue Sanitation District sewer tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property.
8. 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.
9. 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.
10. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

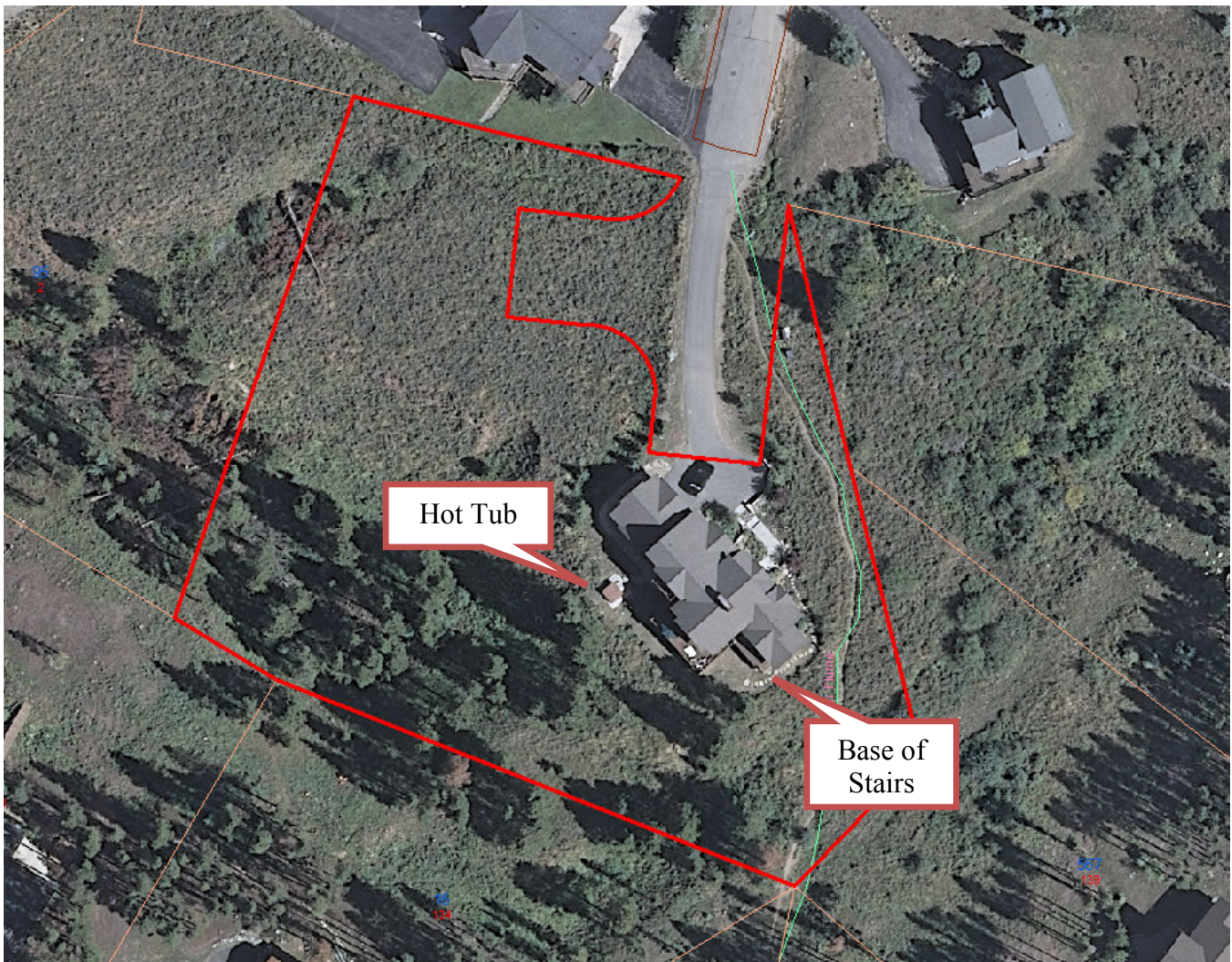
505 S. Main Street #A-4
Retail Sales Location & Tasting Room





Planning Commission Staff Report

- Subject:** 882 Shekel Lane Building Envelope Re-Plat
(Class B, Combined Hearing PL-2016-0429)
- Proposal:** A request to modify the existing disturbance envelope to accommodate non-conforming additions to the property by a previous owner. The existing envelope and the proposed envelope will have the same square footage (no change in area).
- Project Manager:** Michael Mosher, Planner III
- Date:** October 10, 2016 (For the October 18, 2016 Meeting)
- Applicant/Owner:** Guardian Evergreen Development, LTD, Fagg Sanford
- Agent:** Equinox Architecture LLC, Robbie Dixon
- Address:** 882 Shekel Lane
- Legal Description:** Highlands at Breckenridge Silver View, Lot 1
- Total Site Area:** 1.57 Acres (68,389.2 sq. ft.)
- Land Use District:** 6, Land Use Type: Residential, Subject to the Delaware Flats Annexation and Highlands at Breckenridge Master Plans.
- Site Conditions:** This property is in the Town of Breckenridge with the north end of the lot abutting the County. The site is essentially clear of trees except towards the south west (outside the disturbance envelope). It slopes at 14% down towards the west. There is a deep gully towards the southwest from historic hydro-mining. This is where the existing trees are located. To the north of the home site, the town has a Shekel Lane right of way hammerhead turnaround (the road accessing this turnaround is in the county). There is a utility & drainage easement and a public trail & utility drainage easement at the south corner of the property.
- Adjacent Uses:** Single-family residences



Item History

The Highlands at Breckenridge Subdivision, Silver View was approved by the Planning Commission on March 2, 1999. Unique site conditions are addressed in this portion of Plat Note #6:

The Declarant, and each subsequent owner of the lots created by this subdivision plat ("Owner"), covenant and agree that the Town of Breckenridge, its officers, employees and insurers "Released Parties") shall not be responsible for personal injuries or property damage, of any kind or nature, caused by or resulting from the geological failure of the ravine bank(s) which ore located within the boundaries of the real property which is subdivided by this plot ("Property"). Each Owner specifically RELEASES and DISCHARGES, in advance, the Released Parties from any liability in connection with any such ravine bonk failure, even though such liability may arise out of or be claimed to arise out of negligence or other legal fault on the part of the Released Parties.

The current owner (there have been two previous owners) approached the Community Development Department with regard to a potential addition to the house. It was at that time it came to our attention that there were improvements located outside the disturbance envelope. In order to bring these improvements (none of which were approved by the town through a development permit) into

compliance, the applicant is seeking to adjust the disturbance envelope to encapsulate the non-permitted improvements.

Staff generally processes and approves resubdivisions of disturbance envelopes at a staff level (Class C subdivisions). Past precedents for this kind of process are:

The following are some of the previously approved resubdivisions that adjusted existing disturbance envelopes. In all cases, the envelopes maintained the same area or were reduced.

- *Permit #2003098 (0390 and 0440 Westerman Road): A re-subdivision of Lots 231 and 232, The Highlands in Breckenridge, Filing 8A. This is a disturbance envelope adjustment and access location adjustment as a result of the extension of Preston Way (per Filing 10) that results in less disturbance and access from above rather than below for the two lots. The envelopes remained the same size and related tree buffers remained the same also.*
- *Permit #2006195 (Lot 61 Highlands Park, 0117 Sage Drive),. A resubdivision to modify the existing plat for Lot 61 of Highlands Park, the Highlands at Breckenridge Subdivision. The request is to relocate the platted disturbance envelope approximately 30 feet to the southwest. No additional square footage or density is being created with the subdivision. There is no proposed change in use.*
- *Permit 2008045 To move the building envelope of Lot 2, Highlands Glen, 100 Glenwood Circle, 10' to the west. The building envelope is currently 11,284 sq. ft.; the proposed envelope would be 11,281 sq. ft. No additional square footage or density is being created with the subdivision. There is no proposed change in use.*
- *Permit #2009023 Kornreich Residence Building Envelope Modification, (Lot 3, Eagle Subdivision, 950 Huron Road). Notice is hereby given that the Breckenridge Planning Department has received a Class C Subdivision application to request to adjust the building envelope for Lot 3, Eagle Subdivision, 950 Forest Hills Drive, to return the building envelope to a 25' setback on the south side of the lot and to slightly reduce the size of the building envelope. No additional square footage or density is being created with the subdivision. There is no proposed change in use.*
- *Permit#2011027 Prestesater Building Envelope Resubdivision, (Lot 188, Highlands Subdivision, Filing 8, 1477 Highlands Drive). Notice is hereby given that the Breckenridge Planning Department has received a Class C Subdivision application to re-subdivide the disturbance envelope on Lot 188, The Highlands at Breckenridge, Filing #8. This subdivision moves the building envelope 30' to the east on Lot 188, but does not increase the net square footage of the envelope. This subdivision creates no additional density and no change of use.*

Prior to recordation of this plat, a condition of approval has been added to bring any nonconforming improvements on the property into conformance both with Planning and Building departments.

We have advertised this as a combined preliminary and final hearing as the issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

Staff Comments

9-2-4-2: Design Compatible with Natural Features:

- A. The design of every subdivision shall be compatible with the existing topography, drainage patterns, and other natural features on the site.*

A hot tub and a portion of the existing deck stairs (installed without permits) go beyond the limits of the platted disturbance envelope. These improvements are compatible with the existing topography and drainage patterns on the property.

- D. Every subdivision shall strive to conserve existing features which add value or are of benefit to the development or the town as a whole, such as trees, watercourses, ridgelines and hillsides visible from an area of concern, historic sites, and similar irreplaceable assets.*

As noted above, the impacts of these improvements have not affected any existing trees on the property. Staff is no concerns.

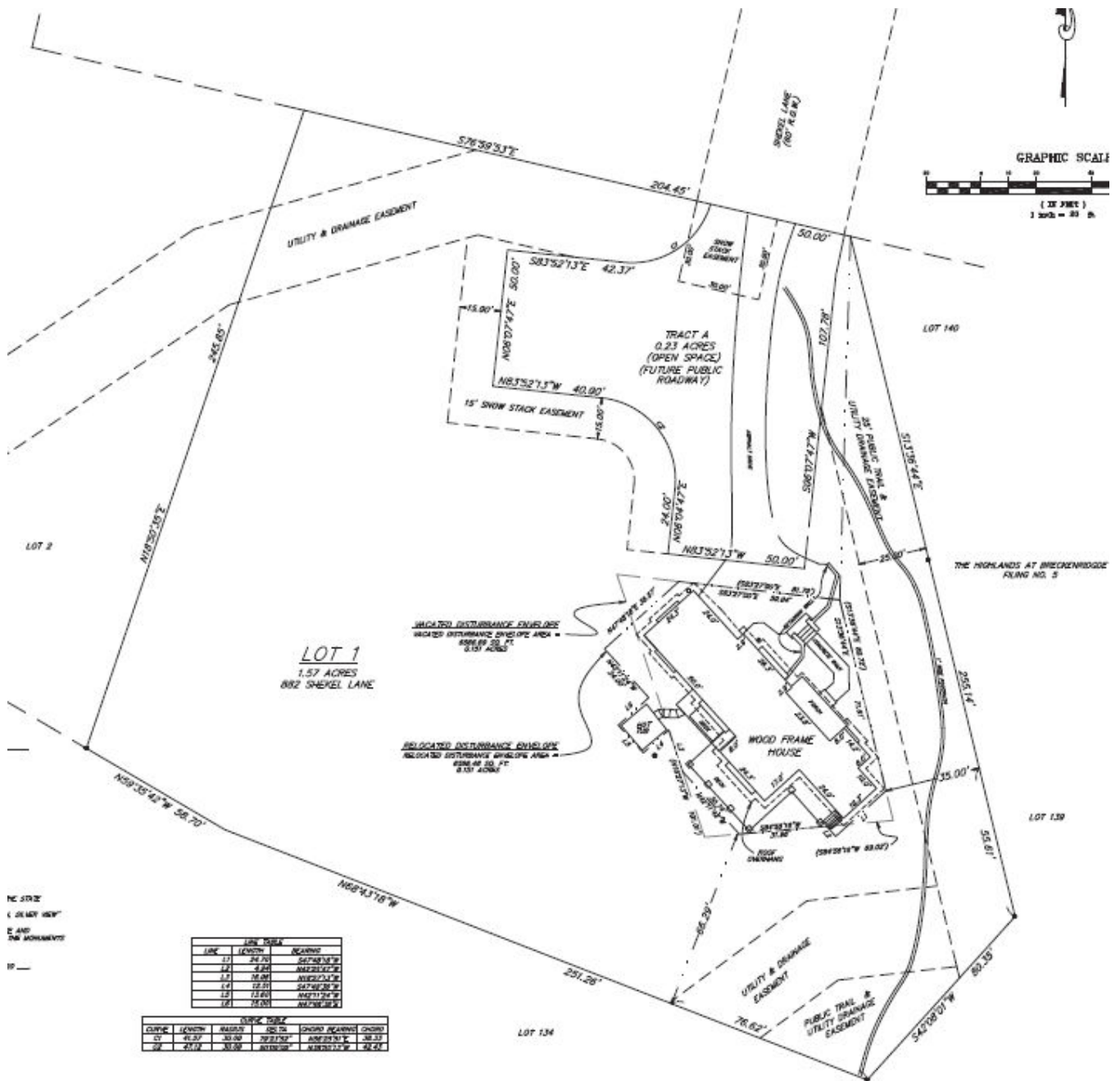
9-2-4-3: Drainage, Storm Sewers and Flood Prevention:

- A. General Requirements:*

1. Runoff: The town shall not approve any subdivision which does not make adequate provision for storm or flood water runoff control. The stormwater management system shall be separate and independent of any sanitary sewer system and shall, wherever possible, utilize techniques designed to recharge groundwater, minimize downstream flooding, and enhance the water quality of the community.

2. Drainage: Lots shall be laid out so as to provide positive drainage away from all possible building sites, individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentrations of storm drainage waters onto adjacent lots. All drainage courses shall be protected by covenants and deed restrictions preventing alteration, building upon, or obstructing of the drainageways.

The location of the hot tub in the deck stairs does not impacted the drainage or flood prevention on the property. Staff has no concerns.



9-2-4-5: Lot Dimensions, Improvements and Configuration:

The adjustment to the disturbance envelope maintains the same square footage as the original envelope. What makes this application unique with this proposal is that the envelope closely follows the footprint of the house and surrounding improvements much like a footprint lot. If this application is approved, there is a small area to expand the garage (future application) but little area to do anything else.

The proposed modification to the disturbance envelope has no impact on any public facilities. Staff has no concerns.

9-2-4-13: Dedication of Park Lands, Open Space and Recreational Sites or the Payment of Fees in Lieu Thereof:

The open space dedication associated with this subdivision was previously fulfilled with the Delaware Flats Master Plan.

Staff Recommendation

This subdivision proposal is in general compliance with the Subdivision Standards. Staff recommends approval of the 882 Shekel Lane Building Envelope Re-Plat, PL-2016-0429, with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

882 Shekel Lane Building Envelope Re-Plat
Highlands at Breckenridge Silver View, Lot 1
882 Shekel Lane
PL-2016-0429

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

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance and 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 **October 10, 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 **October 18, 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 **October 25, 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.
7. **Applicant shall be required to install an address sign identifying all residences served by a private drive posted at the intersection with the primary roadway.**

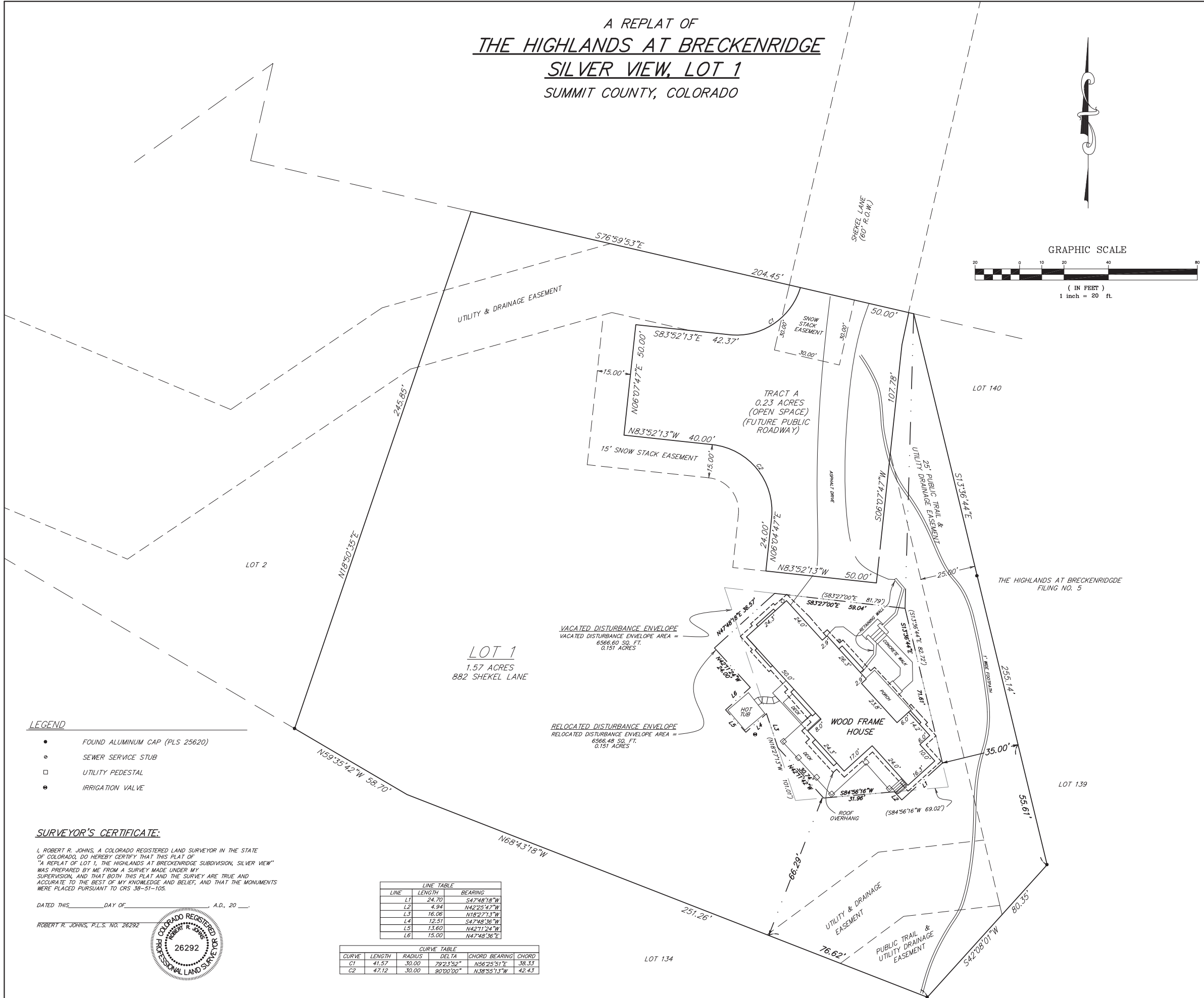
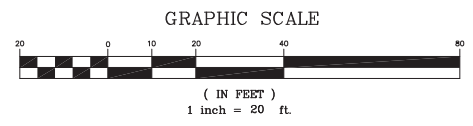
PRIOR TO RECORDATION OF FINAL PLAT

8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements and the terms of the subdivision plan approval.
9. **Applicant shall submit and obtain approval from the Town Building and Planning Departments for the non-conforming improvements on the property including the hot tub and deck stairs.**
10. The final plat shall include a statement specifying that with the exception of driveway and utility installations, no building, decks, grading, or construction disturbance may extend beyond the building envelope limits.
11. 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

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

A REPLAT OF
THE HIGHLANDS AT BRECKENRIDGE
SILVER VIEW, LOT 1
 SUMMIT COUNTY, COLORADO



TITLE COMPANY'S CERTIFICATE:
 DOES HEREBY CERTIFY THAT IT HAS 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 OWNER NAMED ABOVE FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES EXCEPT AS FOLLOWS.
 DATED THIS _____ DAY OF _____, 20____
 BY: _____

OWNER'S CERTIFICATE:
 KNOWN ALL MEN BY THESE PRESENTS:
 THAT GUARDIAN EVERGREEN DEVELOPMENT LTD, BEING THE OWNERS OF THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN THE TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO:
 LOT 51, THE HIGHLANDS AT BRECKENRIDGE SUBDIVISION, HIGHLANDS PARK TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO
 HAS LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "A REPLAT OF LOT 1, THE HIGHLANDS AT BRECKENRIDGE SUBDIVISION, HIGHLANDS PARK", 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 AS SHOWN HEREON. (AND/OR OTHER PURPOSES)
 IN WITNESS WHEREOF, GUARDIAN EVERGREEN DEVELOPMENT LTD HAVE CAUSED THEIR NAMES TO BE HEREUNTO SUBSCRIBED THIS _____ DAY OF _____, 20____

BY: GUARDIAN EVERGREEN DEVELOPMENT LTD
ACKNOWLEDGEMENT:
 STATE OF COLORADO)
 COUNTY OF SUMMIT)SS
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY GUARDIAN EVERGREEN DEVELOPMENT LTD.
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC _____

TOWN OF BRECKENRIDGE CERTIFICATE:
 THIS PLAT IS APPROVED THIS _____ DAY OF _____, 20____
 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 SPECIALLY 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 THE SUBDIVISION.
 (NOTE: THE TOWN CERTIFICATE ON ANY SUBDIVISION PLAT MAY BE EXECUTED BY THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, OR ANY ASSISTANT DIRECTOR.)

CERTIFICATE OF TAXES PAID:
 I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF ALL TAXES DUE AND PAYABLE AS OF _____, 20____ UPON PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.
 DATED THIS _____ DAY OF _____, 20____.od.
 SUMMIT COUNTY TREASURER OR DESIGNEE _____

TOWN CLERK'S CERTIFICATE:
 STATE OF COLORADO)
 COUNTY OF SUMMIT)SS
 TOWN OF BRECKENRIDGE)
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _____ M., THIS _____ DAY OF _____, 20____, AND IS DULY RECORDED.
 TOWN CLERK _____

CLERK AND RECORDER'S CERTIFICATE:
 STATE OF COLORADO)
 COUNTY OF SUMMIT)SS
 TOWN OF BRECKENRIDGE)
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _____ M., THIS _____ DAY OF _____, 20____, AND FILED UNDER RECEPTION NUMBER _____
 SUMMIT COUNTY CLERK AND RECORDER _____

Drawn JKJ/DPB	Dwg 21623TP	Project 21623
Checked PRR	Date 08/10/16	Sheet 1 of 1

RANGE WEST
 ENGINEERS & SURVEYORS INC.
 P.O. Box 589
 Silverthorne, CO 80498 970-468-6281

- LEGEND**
- FOUND ALUMINUM CAP (PLS 25620)
 - SEWER SERVICE STUB
 - UTILITY PEDESTAL
 - IRRIGATION VALVE

SURVEYOR'S CERTIFICATE:
 I, ROBERT R. JOHNS, A COLORADO REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF "A REPLAT OF LOT 1, THE HIGHLANDS AT BRECKENRIDGE, SUBDIVISION, SILVER VIEW" WAS PREPARED BY ME FROM A SURVEY MADE UNDER MY SUPERVISION, AND 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 CRS 38-51-105.
 DATED THIS _____ DAY OF _____, A.D., 20____
 ROBERT R. JOHNS, P.L.S. NO. 26292



LINE TABLE		
LINE	LENGTH	BEARING
L1	24.70	S47°48'18"W
L2	4.94	N42°25'42"W
L3	16.06	N79°27'13"W
L4	12.51	S47°48'18"W
L5	13.60	N42°11'24"W
L6	15.00	N47°48'36"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	41.57	30.00	79°23'52"
C2	47.12	30.00	90°00'00"

NOTE: 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.



MEMORANDUM

TO: Planning Commission
FROM: Julia Puester, Planning Manager
DATE: October 7, 2016 (for meeting of October 18, 2016)
SUBJECT: Approved Class C Subdivision Quarterly Report (Q3-2016)

Section 9-2-3-3 of the Breckenridge Subdivision Code authorizes the Director to review and approve Class C subdivisions administratively without Planning Commission review. *“Administrative Review: The processing of a class C subdivision application shall be an administrative review conducted by the director. No public hearing shall be required”.* (Section 9-2-3-3 B)

Class C Subdivisions are defined as follows:

“CLASS C SUBDIVISION: A subdivision of structure(s) into separate units of interest, including, but not limited to, condominiums, timeshare interests, cooperatives, townhouses, footprint lots in conjunction with an approved master plan, and duplexes when done in accordance with a previously approved subdivision plan, site plan, development permit or site specific development plan; the modification or deletion of existing property lines resulting in the creation of no additional lots (lot line adjustment); an amendment to a subdivision plat or plan which does not result in the creation of any new lots, tracts or parcels; or the platting or modification of easements, building envelopes or site disturbance envelopes. A class C subdivision application may be reclassified by the director as either a class A or class B subdivision application within five (5) days following the submission of the completed application if the director determines that the application involves issues which make it inappropriate for the application to be processed administratively as a class C application”.

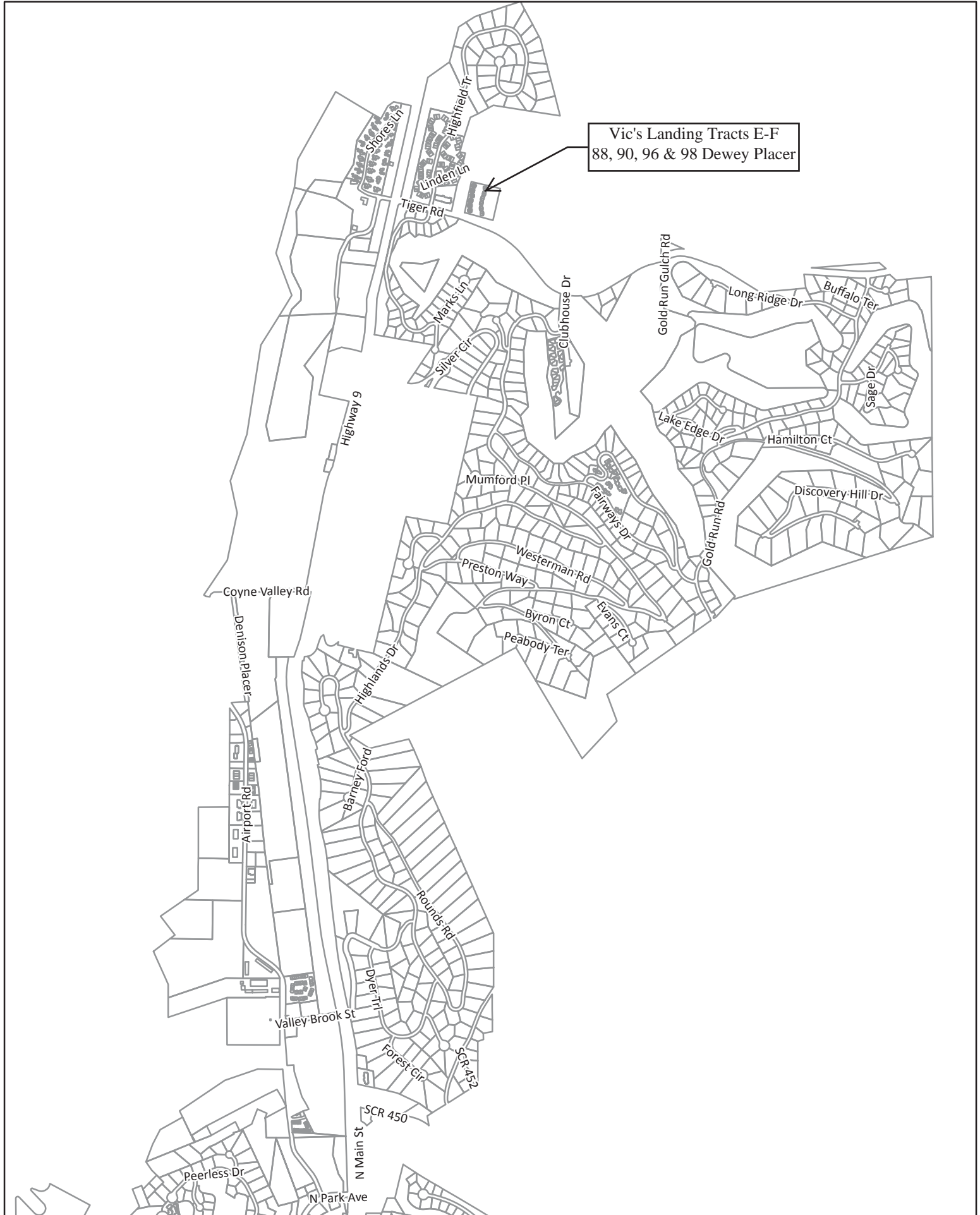
The Subdivision Code indicates that the decision of the Director on Class C Subdivisions shall be forwarded to the Planning Commission:

“D4. Decision Forwarded to Planning Commission: All of the director's decisions on class C subdivision applications which are not appealed shall be forwarded to the planning commission for its information only”.

As a result, we have included a list of the Class C Subdivisions that have been approved since you were last updated in July of 2016. (There were no Class C Subdivisions approved in the 1st quarter of 2016.) If you have any questions about these applications, or the review process, we would be happy to answer. Otherwise, no discussion on this matter is required.



Permit #	Project Name	Address	Description	Approval Date	Planner
PL-2016-0253	Vic's Landing Tracts E & F	88, 90, 96 & 98 Dewey Placer	Resubdivision to create four duplex lots (Units E-1, E-2, F-1 and F-2) for individual sale	7/8/2016	Mosh
PL-2016-0301	Shock Hill Landing, Lots 7-8	106 & 114 Union Trail	Resubdivision to create two duplex lots for individual sale	7/28/2016	Chris
PL-2016-0309	Grand Colorado on Peak 8 Condominium (Lot 2, Remainder of Tract C, Peak 8 Subdivision)	1627 Ski Hill Road	Resubdivision to create condominium units along with an amendment to the condominium declaration and plan of vacation ownership for Grand Colorado on Peak 8	8/2/2016	Mosh

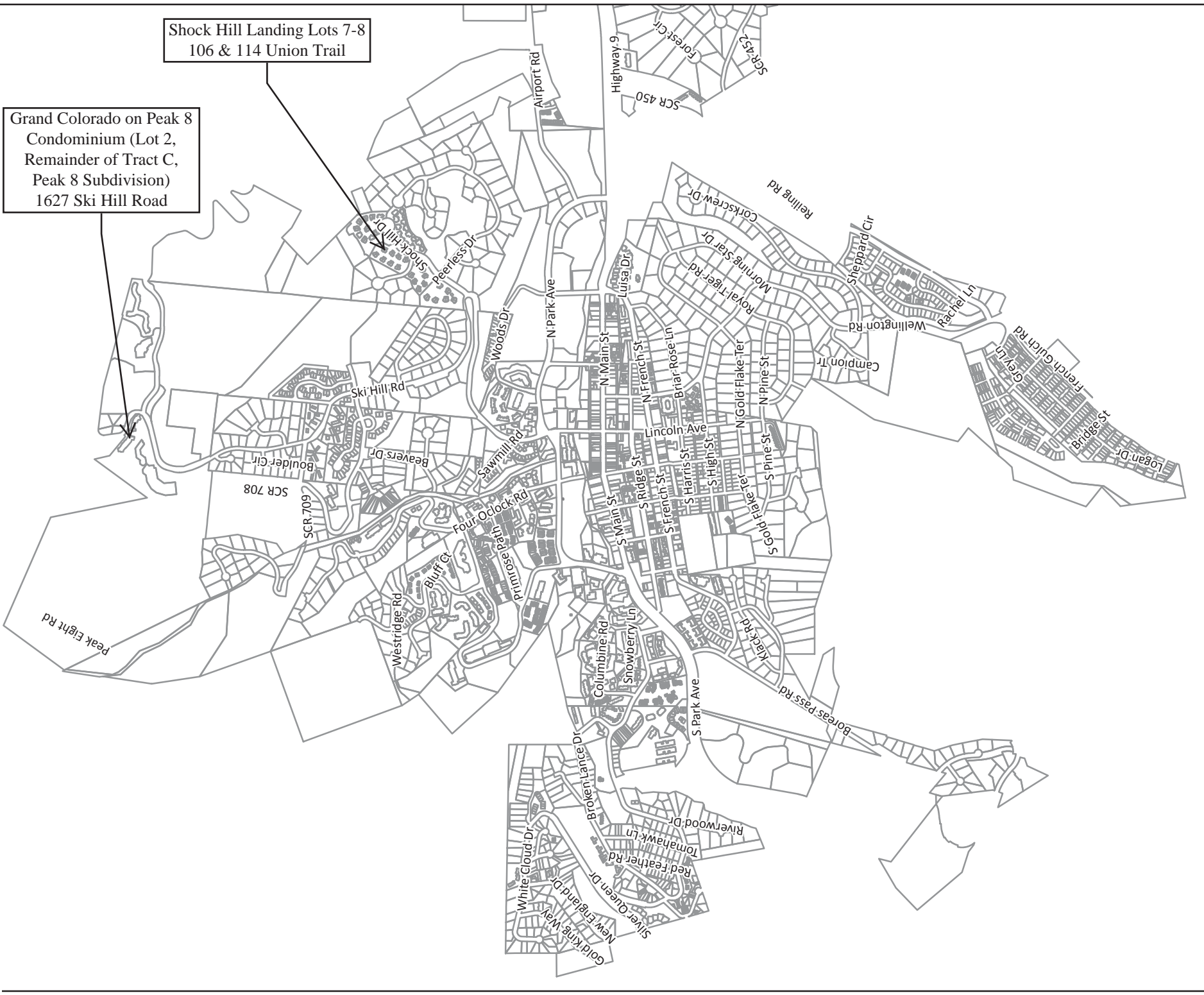


Vic's Landing Tracts E-F
88, 90, 96 & 98 Dewey Placer



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

Breckenridge North



Shock Hill Landing Lots 7-8
106 & 114 Union Trail

Grand Colorado on Peak 8
Condominium (Lot 2,
Remainder of Tract C,
Peak 8 Subdivision)
1627 Ski Hill Road



printed 3/25/2016
Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
use of the product for any purpose is at user's sole risk.

Breckenridge South





MEMORANDUM

TO: Planning Commission
FROM: Julia Puester, Planning Manager
DATE: October 7, 2016 (for meeting of October 18, 2016)
SUBJECT: Approved Class D Majors Quarterly Report (Q3-2016)

BACKGROUND

Effective January 1, 2014, Section 9-1-18-4-1 of the Breckenridge Development Code authorized the Director to review and approve Class D Major applications for single family or duplex structures outside of the Conservation District administratively without Planning Commission review. For an application to be classified as a Class D Major development permit, the property must have a platted building or disturbance envelope and warrant no negative points under Section 9-1-19 *Development Policies*. Staff regularly reports recently approved Class D Major development permits to the Planning Commission.

We have included a list of the Class D Major development permits that have been approved for the third quarter of 2016 since we last reported to you in July of 2016.

Class D Majors approved for the third quarter increased **29%** 2016 over 2015 (**18** for July to September 2016 vs. **14** for July to September 2015).

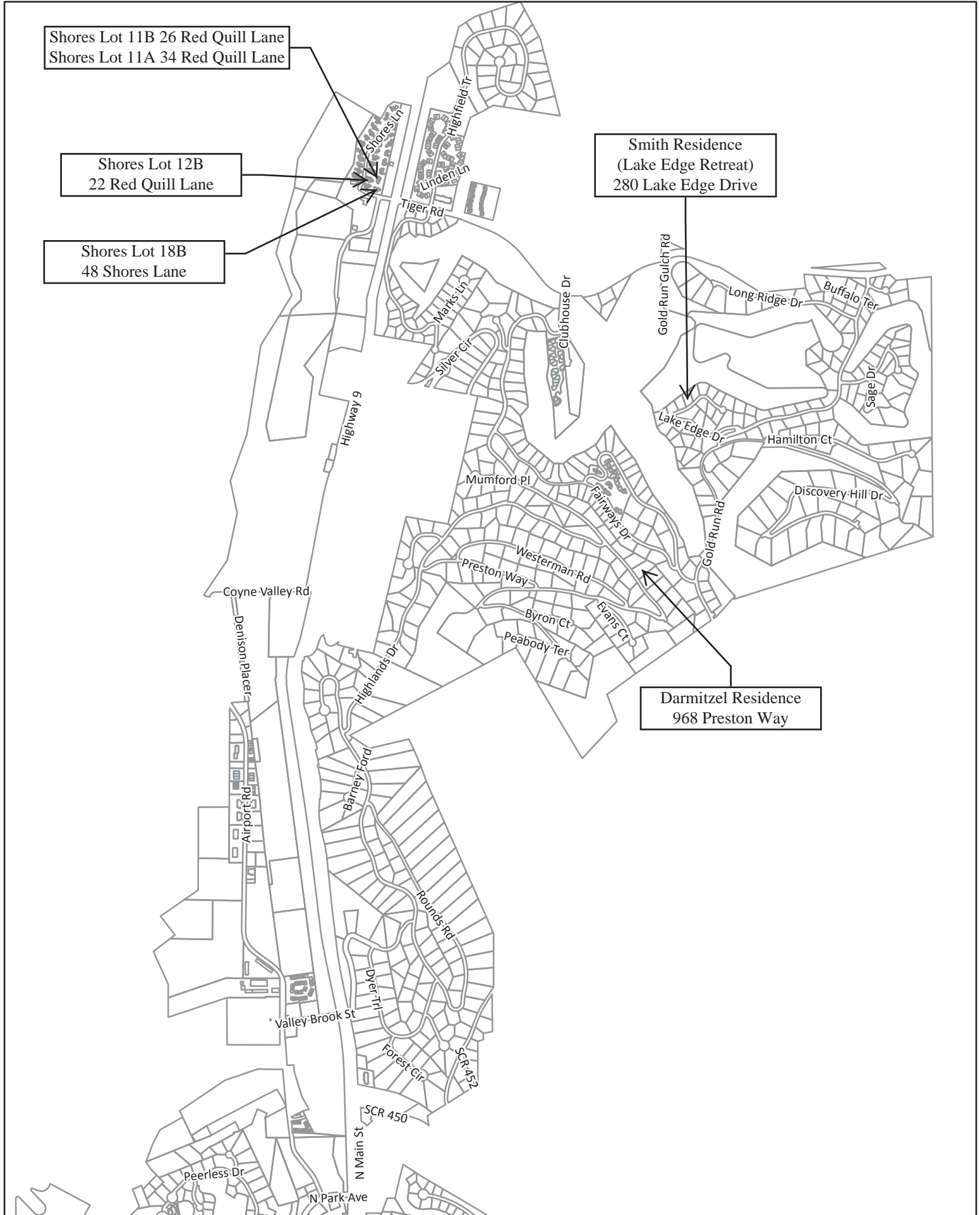
If you have any questions about these applications, the reporting, or the review process, we would be happy to answer. Otherwise, no discussion on this matter is required.



Permit #	Address	Project Name	Description	Approval Date	Planner
PL-2016-0271	22 Red Quill Lane	Shores Lot 12B	New SFR: 2,757 sq. ft. density, 3,276 sq. ft. mass, 1:1.13 FAR	7/7/2016	Chris Kulick
PL-2016-0270	173 Campion Trail	Moorefield Residence	New SFR: 2,503 sq. ft. density, 3,155 sq. ft. mass, 1:5.72 FAR	7/15/2016	Chris Kulick
PL-2016-0287	531 Corkscrew Drive	Corkscrew Flats Lot 32	New SFR: 3,159 sq. ft. density, 3,768 sq. ft. mass, 1:4.71 FAR	7/22/16	Chris Kulick
PL-2016-0263	280 Lake Edge Drive	Smith Residence (Lake Edge Retreat)	New SFR: 3,161 sq. ft. density, 3,938 sq. ft. mass, 1:7.07 FAR	8/2/16	Chapin LaChance
PL-2016-0293	62 Luisa Drive	Columbia Lode Lot 18	New SFR: 3,014 sq. ft. density, 3,668 sq. ft. mass	8/3/16	Michael Mosher
PL-2016-0337	26 Red Quill Lane	Shores Lot 11B	New SFR; 2,757 sq. ft. density, 3,276 sq. ft. mass, 1:1.92 FAR	8/25/16	Chris Kulick
PL-2016-0378	48 Shores Lane	Shores Lot 18B	New SFR: 2,315 sq. ft. density, 2,779 sq. ft. mass, 1:2.27 FAR	8/25/16	Chris Kulick
PL-2016-0379	34 Red Quill Lane	Shores Lot 11A	New SFR: 2,757 sq. ft. density, 3,276 sq. ft. mass, 1:1.92 FAR	8/30/16	Chris Kulick
PL-2016-0380	597 Broken Lance	Knechtel Garage	Garage Addition: Total of 1,175 sq. ft. density, 1,695 sq. ft. mass, 1:5.53 FAR	8/31/16	Chris Kulick
PL-2016-0444	11 Sisler Green	Lincoln Park F2 B2 L3	New SFR: 1,491 sq. ft. density, 1,975 sq. ft. mass, 0.43:1 FAR	9/1/16	Chapin LaChance
PL-2016-0377	17 Sisler Green	Lincoln Park F2 B2 L4	New SFR: 1,586 sq. ft. density, 2,070 sq. ft. mass, 0.47:1 FAR	9/1/16	Chapin LaChance
PL-2016-0362	400 Timber Trail Road	Seven Points Residence	New SFR: 8,382 sq. ft. density, 9,179 sq. ft. mass, 1:2.58 FAR	9/7/16	Chapin LaChance



Permit #	Address	Project Name	Description	Approval Date	Planner
PL-2016-0348	968 Preston Way	Darmitzel Residence	New SFR: 3,912 sq. ft. density, 4,708 sq. ft. mass, 1:11.19 FAR	9/8/16	Michael Mosher
PL-2016-0386	25 Sisler Green	Lincoln Park F2 B2 L5	New SFR: 1,274 sq. ft. density and mass, 0.28:1 FAR	9/9/16	Chapin LaChance
PL-2016-0425	35 Fair Fountain Green	Lincoln Park F2 B2 L8	New SFR: 1,846 sq. ft. density, 2,330 sq. ft. mass, 0.52:1 FAR	9/16/16	Chapin LaChance
PL-2016-0387	37 & 31 Sisler Green	Lincoln Park F2 B2 L6A & 6B	New Duplex: Total 2,295 sq. ft. density, 2,535 sq. ft. mass	9/19/16	Chapin LaChance
PL-2016-0424	47 & 41 Fair Fountain Green	Lincoln Park F2 B2 L7A & 7B	New Duplex: Total 2,295 sq. ft. density and mass	9/19/16	Chapin LaChance
PL-2016-0426	29 Fair Fountain Green	Lincoln Park F2 B2 L9	New SFR: 1,274 sq. ft. density and mass, 0.26:1 FAR	9/19/16	Chapin LaChance



Shores Lot 11B 26 Red Quill Lane
 Shores Lot 11A 34 Red Quill Lane

Shores Lot 12B
 22 Red Quill Lane

Shores Lot 18B
 48 Shores Lane

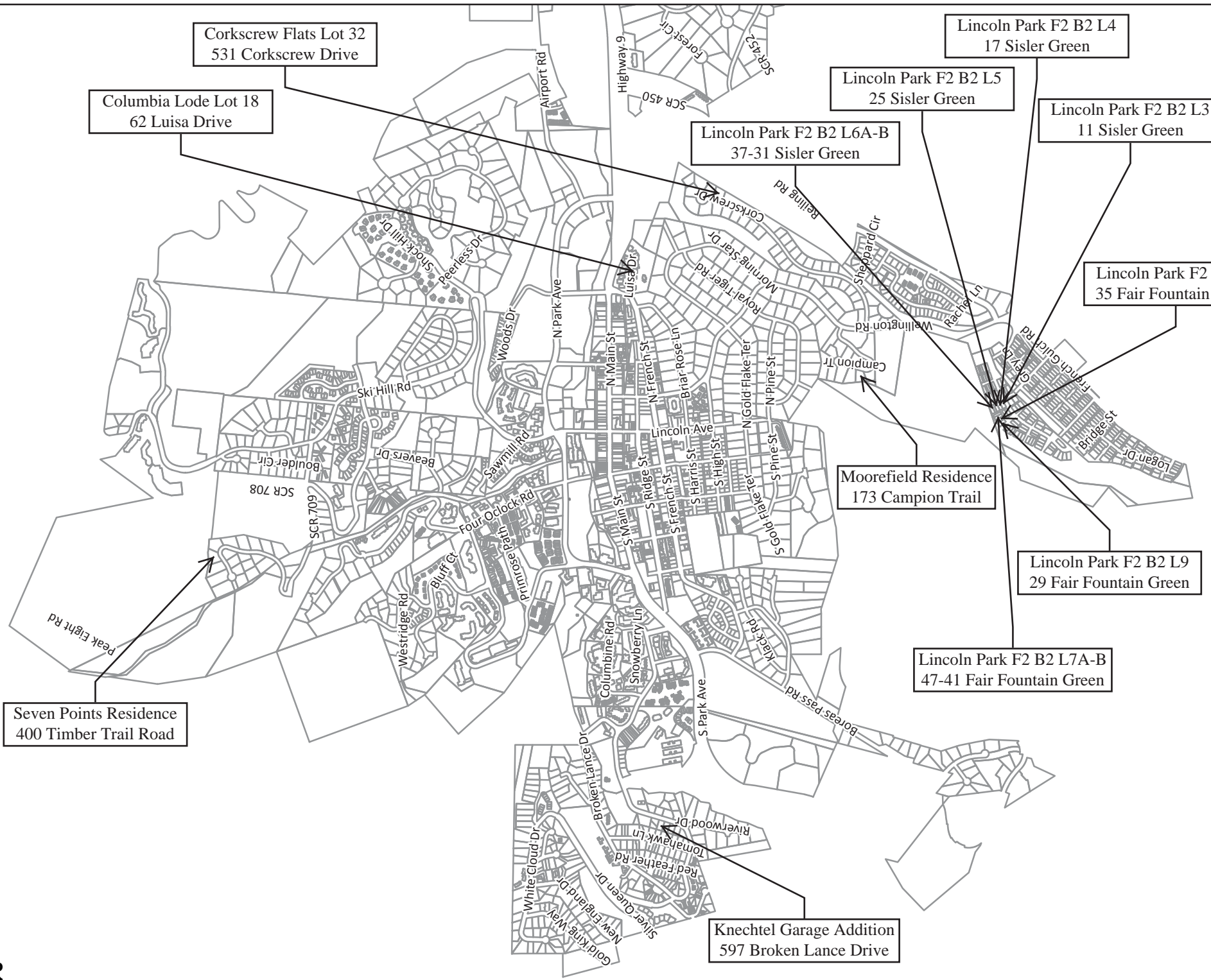
Smith Residence
 (Lake Edge Retreat)
 280 Lake Edge Drive

Darmitzel Residence
 968 Preston Way



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Breckenridge North



Breckenridge South

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