

Tuesday, May 02, 2017 Breckenridge Council Chambers 150 Ski Hill Road

| 6:00pm | Call To Order Of The May 2 Planning Commission Meeting; 6:00 P.M. Roll Call   |                |
|--------|---|----------------|
|        | Location Map  | 2              |
|        | Approval Of Minutes   | 4              |
|        | Approval Of Agenda  |                |
| 6:05pm | Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Minute Limit Please)   |                |
| 6:15pm | <ol> <li>Consent Calendar</li> <li>Shock Hill Overlook Duplex Lot 9 (MM) PL-2017-0096; 10 &amp; 6 West Point Lode</li> <li>Paull Residence (CL) PL-2017-0100; 71 Rounds Road</li> <li>Pilon Residence (CL) PL-2017-0101; 206 Stillson Placer Terrace</li> </ol> | 10<br>25<br>45 |
| 6:30pm | Town Council Report   |                |
| 6:45pm | <ol> <li>Final Hearings</li> <li>Lincoln Grill (CK) PL-2017-0030; 112 Lincoln Avenue</li> <li>Satellite Place Subdivision (CL) PL-2017-0054; 1730 Airport Road</li> </ol>   | 65<br>91       |
| 7:30pm | <ul> <li>Preliminary Hearings</li> <li>Searle Restoration/Addition/Landmarking (MM) PL-2017-0070; 300 East Washington Avenue</li> </ul>   | 101            |
| 8:15pm | Combined Hearings 1. Gold Pan Saloon Modification (MM) PL-2017-0069; 103 North Main Street  | 118            |
| 9:00pm | Adjournment   |                |

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

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







# PLANNING COMMISSION MEETING

The meeting was called to order at 6:00pm by Vice Chair Leidal.

## ROLL CALL

Christie Leidal Gretchen Dudney Jim Lamb

Mike Giller

Steve Gerard, Ron Schuman and Dan Schroder were absent.

#### APPROVAL OF MINUTES

With no changes, the April 4, 2017, Planning Commission Minutes were approved as presented.

## APPROVAL OF AGENDA

With no changes, the April 18, 2017, Planning Commission Agenda was approved.

## **CONSENT CALENDAR:**

1) Browne Residence (CL) PL-2017-0083, 188 Peerless Drive

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

## **CALL UP HEARINGS:**

1) Haddock Residence (MM) PL-2017-0062, 86 Victory Lane

Mr. Mosher presented an application for a new, single-family residence with 3 bedrooms, 4.5 bathrooms, 4,550 sq. ft. of density and 5,434 sq. ft. of mass for a F.A.R. of 1:6.89. A photometric plan has now been included showing the site lighting meets the criteria listed in the Town Code.

# Commissioner Questions / Comments:

Mr. Giller: I noticed that it had a HERS rating of 45; I was impressed.

Ms. Dudney made a motion to approve the Haddock Residence, PL-2017-0062, 86 Victory Lane, with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (4-0).

# **TOWN COUNCIL REPORT:**

Mr. Grosshuesch:

- Crosstab development agreement approved. This is a single-family house on Sawmill Rd. that wanted to add on
- Dennison Placer Town conveyed to the Breckenridge Housing Authority.
- Karpp terminable easement access from the BGVCC south parking lot. There will be additional landscaping installed elsewhere on the community center site. Reauthorization every five years was requested by Town Council.
- The Huron Landing Authority was created and will be the owner of the property. Neither the town nor the county should be the owner for insurance reasons.
- Union Mill Annexation Agreement amendment. The Town subordinated its position on the title for the purposes of facilitating construction financing. This is a lending requirement, and it will to help speed up the development of Lincoln Park.
- Oxbow Park is slated for construction in 2018. GOCO has awarded a \$350,000 grant for the project.
- Four O'Clock roundabout work has begun. Park Avenue road closure April 24<sup>th</sup> to July 1<sup>st</sup>.
- Ski Hill Road construction at the Peak 8 base begins April 24<sup>th</sup>.
- The SustainableBreck Annual Report was presented to Council.

# **PRELIMINARY HEARINGS:**

1) Satellite Place Subdivision (CL) PL-2017-0054, 1730 Airport Road

Mr. LaChance presented a proposal to subdivide Breckenridge Airport Subdivision, Block 5, Lot 4, into three separate lots, creating the Satellite Place Subdivision with access from Fraction Road. The Fraction Road right of way will also be platted with this subdivision.

This subdivision proposal is in general compliance with the Subdivision Standards. Staff had no concerns with this application. This application was noticed as a preliminary hearing and staff believes that it is ready to go to a final hearing with Planning Commission direction.

Applicant Presentation: Mr. Lee Edwards: No Comments.

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

Commissioner Questions / Comments:

Ms. Leidal: Question on the wording in the note regarding the 10 ft. snow storage easement and no

private snow storage. Last sentence of note should be reworded I think. I understand what the intent is but the note is confusing. (Mr. LaChance: There is not to be any private snow storage in that area. I met with the Town Attorney this afternoon and we are going to wordsmith it.) I

support the analysis and welcome a final hearing soon.

Mr. Lamb: I support. Mr. Giller: I support.

## **COMBINED HEARINGS:**

1) Grad Duplex Garage and Remodel (MM) PL-2017-0056, 302 South Harris Street

Mr. Mosher presented an application to add a 2-car garage off the east alley, extensively remodel the exterior, add a carport, and remodel the interior of the existing building. There is no change to the overall building height or livable area.

Staff added a Condition of Approval that, prior to a certificate of occupancy, a Class C Subdivision will be approved creating a legal duplex.

Point Analysis: Staff has found that the proposal has incurred negative three (-3) points under Policy 24/R, Social Community, for placing parking in the front yard related to Design Standards 320 and 321. Positive two (+2) points are suggested under Policy 22/R, Landscaping, for the landscaping plan showing some public benefit and positive one (+1) point under Policy 33, Energy Conservation, for obtaining a HERS index report prepared by a registered design professional prior to a Certificate of Occupancy. The proposal passes with a score of zero (0) points.

The applicant and agent have worked thoroughly with staff to present this application as a combined preliminary and final hearing. Staff believes that the issues involved in this proposed project are such that no useful purpose would be served by requiring two separate hearings.

In addition to any general comments, staff asked for Commissioner comments regarding the following:

- 1. Did the Commission concur with awarding positive two (+2) points for the proposed landscaping plan?
- 2. Was the Commission comfortable with the proposed carport?
- 3. Was the Commission comfortable with the setback exemption for the garage off the alley?

The Planning Department recommended the Commission approve the Grad Duplex Garage and Remodel (PL-2017-0056), showing a passing score of zero (0) points along with the presented Findings and Conditions.

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

Commissioner Questions / Comments:

Mr. Lamb: Is this 2X4 construction? Will it be insulated with urethane? (Ms. Janet Sutterley, Architect

for the Applicant: Yes and the plan is to add R-23 foam to improve the insulation.)

Mr. Giller: Will it be a condo or townhome? (Mr. Mosher: Duplex.) Is there mass above the garage? (Ms.

Sutterley: No, it will be a storage area in the framework.)

Ms. Dudney: I support the point analysis.

Mr. Lamb: It is one thing to get a HERS report and another to be energy efficient but now I see that it

will be energy efficient. I support the analysis.

Mr. Giller: I support staffs point analysis.

Ms. Leidal: Great project; I support the analysis.

Ms. Dudney made a motion to approve the Grad Duplex Garage and Remodel, PL-2017-0056, 302 South Harris Street, showing a passing point analysis of zero (0) points and with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (4-0).

# **TOWN PROJECT HEARINGS:**

1) Breckenridge Second Water Treatment Plan (MM) PL-2016-0112, 68 Stan Miller Drive

Mr. Mosher presented a proposal for a water treatment facility, support buildings and pump station on Tract 1 of the McCain Master Plan area. The Commission last heard this proposal on April 19, 2016 as a work session. Direction was sought to break up the building masses and provide a more 'mountain feel' to the architecture and add visual interest. The Planning Commission reviewed the McCain Master Plan Modification at a work session on November 3, 2015 and at a Town Project Public Hearing on December 1, 2015. The Commission also visited the site as part of their fall field trip. At the December 1st hearing the Planning Commission unanimously recommended that the Town Council approve the McCain Master Plan Modification. On December 8, 2015, the Town Council held a Town Project Public Hearing and approved the McCain Master Plan Modification. The Plan Modification amended the previous 2012 McCain Master Plan, which provided general land use guidance for the McCain property. The 2015 Plan Modification identified specific uses for a total 13 different land use tracts on the McCain Property. Tract 1 is the area to be developed with this application under the Town Project process.

Assignment of Points: Staff has found that the proposal conforms to all absolute policies in the Development Code. Under the Relative Policies:

Negative points were incurred under the following policies:

- 5/R, Architectural Compatibility: Aesthetics, negative six (-6) points for the Clearwell and Pump Station, with 100% of the building exterior finishes being made of non-natural materials.
- 6/R, Building Height Outside Historic District: Negatives fifteen (-15) points for the Blending Tank, which is the tallest at 38.5 feet. This is 12.5 feet over the suggested height of 26 feet. Buildings that are more than one story over the land use guidelines recommendation, but are no more than one and one-half (1-1/2) stories over the land use guidelines recommendation.
- 6/R: Broken, interesting roof forms that step down at the edges; negative one (-1) point as the ridgeline on the Treatment Building is unbroken and is 111 feet long.

This adds to a total of negative twenty-two (-22) points.

Positive points were awarded under the following policies:

• 2/R, Land Use Guidelines: Uses, positive eight (+8) points for the proposed uses which will not conflict with the existing uses, but will conform to the desired character and function of the district in which they lie, and where applicable, with an approved master plan, are encouraged. For a project offering this much public benefit and a scope this large, Staff is suggesting positive eight (+8) points under this policy.

- 24/R, Social Community Community Need: For a project offering this much public benefit and a scope this large, Staff is suggesting positive six (+6) points under this policy.
- 26/R, Infrastructure Capital Improvements: Positive eight (+8) points for "Capital Improvements: The implementation of capital improvement needs listed in the land use guidelines or town's capital improvements five (5) year program is encouraged; while any action to impede the implementation of any of these items is discouraged. (Ord. 19, Series 1988). The Land Use guidelines specifically identify "water facilities" as District Improvements.

This adds to a total of positive twenty-two (+22) points, bringing the overall score to a passing score of zero (0) points.

Staff believes this facility will be an important entry component to anyone arriving (or leaving) along this portion of Highway 9. The desire is to create a modern building that still respects the history and heritage of this portion of Summit County and the Town of Breckenridge. The Town Council has directed staff to proceed with this comprehensive development this year. Upon completion, this will become a vital part of the overall community infrastructure.

Staff had the following questions for the Commission:

- 1. Did the Commission support awarding positive eights (+8) points under Policy 2/R Uses for providing a use in this district and identified in the McCain Master Plan?
- 2. Did the Commission support awarding positive eight (+8) points under Policy 26, Infrastructure, for abiding with the Land Use District preferred us of "water facilities" and for the overall benefits of the Town's infrastructure?

The Community Development Department suggested the Planning Commission recommend to the Town Council approval of the Breckenridge Second Water Treatment Plant, PL-2016-0112, showing a passing point score of zero (0) points with the presented Findings.

Mr. Marc Hogan, Architect: Thank you for your time and the opportunity. Ms. Sara Clark will walk you through the project.

Ms. Clark: The purpose of the project is to provide the town a water plant with space to add capacity. (Ms. Clark explained the purpose and use for each building.) A lab will be in the administration building and will be a considerable upgrade from the current lab as well as a training area. (Ms. Dudney: Will the bike path be rerouted?) (Mr. Mosher: The path will be tied in.) (Ms. Dudney: Did the footprint change?) Yes. We downsized the big building. We do have budget constraints. (Mr. Hogan: We reduced admin building and several others. About Ms. Dudney's question: the metal panel use is to control condensation. Landscaping design has been done by Norris Design.)

Ms. Leidal opened the hearing to public comment.

Mr. Lee Edwards: Is the current roadway alignment still the same? (Mr. Mosher: Explained where the road way will be.) Thank you. An observation: I have picked up bicyclists here and a couple parking spaces should be added. (Mr. Mosher: We are currently talking to Engineering about that.) Great, a couple spaces to pull over would be good. Will the mechanical equipment be on the roof? (Mr. Hogan: No. We have integrated mechanical into the building. Although the residual building pump station will be on the ground.) Where will the raw water line run? (Ms. Clark and Mr. Hogan explained.) I am concerned about the bike path disturbance. (Ms. Clark: There will be disturbance and we will have a detour plan.) You could skew the administration building. Use natural lighting by including big opening instead of the small windows shown. (Mr. Hogan: The fenestration locations are a function of all the mechanical inside. Windows are 3' x 3'.)

Commissioner Questions / Comments:

Ms. Leidal: Is the non-natural material required? (Mr. Mosher: Part of it is. It has to do with how these

machines are housed and the resulting humidity.) Do you have any concerns with snow stack? (Mr. Mosher: They have ample space and will have machines to move snow, so it is

not a concern.)

Mr. Lamb: I am concerned it looks very industrial to the entrance of Town. It will need lots of

landscaping to shield it from Highway 9. What we see here is skimpy. Overcoming 22 negative points is a lot to overcome. I would like to see a better landscaping job to screen the

long flat facade.

Mr. Giller: Conceptually the structure offered a screening but we are past that. The restroom should be

moved away from the project entrance to a better location for biker visibility. Adjustment of

90 degrees of the primary building was a smart thing to do.

Ms. Dudney: The development code was not made for this. This is being shoehorned with the code to make

it pass points. It puts the Commission in an unusual situation. I think it should be an exception to the development code-to function, it has to reach this height and mass. The negative points. As a bike rider, I ask that you please move the bike path off the roundabout,

as it is very dangerous.

Ms. Leidal: I am concerned with giving positive eight (+8) points for 2R under land use just because it

meets what the master plan says. That is like giving points for a project that meets the underlying zoning anywhere in town. I do not want to set precedent for other projects. I feel we are stretching the code and setting bad precedence. I suggest we look for other ways to award points than set poor precedence. Maybe it is possible to give points for art or the

beefed up landscaping.

Mr. Lamb: I feel we need to hold a Town project to the same precedence as we do to public projects.

Ms. Dudney: Yes, but it is a water plant and an unusual example. (Mr. Grosshuesch: We are not concerned

about precedents because it's very likely no one else will build a water plant.) Is the positive eight (+8) because of the community benefit? (Mr. Grosshuesch: Yes.) I am ok with the point

analysis then.

Mr. Lamb: I am ok with point analysis but I feel it is important to express my concern about holding the

town to the same standards as the public projects.

Ms. Dudney made a motion to recommend the Town Council approve the Breckenridge Second Water Treatment Plant, PL-2016-0112, 68 Stan Miller Drive, showing a passing point analysis of zero (0) points and with the presented findings. Mr. Giller seconded, and the motion was carried unanimously (4-0).

Ms. Leidal called a 5-minute break at 7:20pm. The meeting reopened at 7:25pm.

#### **OTHER MATTERS:**

1) Breckenridge Public Art Program Master Plan Review, Resolution and Recommendation (JP)

Ms. Puester and Ms. Jennifer Cram, Director of Public Programs + Engagement, Breckenridge Creative Arts, presented. The updated Public Art Master Plan + Policy is divided into three parts. Part 1 is the Master Plan, which gives creative direction to the Breckenridge Public Art Program. Part 2 is the Public Art Policy, which outlines specific policies and procedures that guide day-to-day operations required to put the plan in action. Part 3 offers a visual tour of the Breckenridge public art collection as it stands today, representing rich stories of local lore, captivating vistas, environmental stewardship and all other aspects that make each piece uniquely Breckenridge.

Formerly managed by the Town of Breckenridge, the Breckenridge Public Art program is now managed by Breckenridge Creative Arts. BCA spearheaded the Public Art Program Master Plan + Policy, which builds on the Town's 2006 Art in Public Places Master plan with input from community representatives to chart the course of public art programs in Breckenridge.

Ms. Cram asked the following questions of the Commission:

- 1. Would the Planning Commission support BCA returning with a work session item on Section 9-1-19-43 A/R, *Public Art*, of the Development Code with regard to point allocations for public art?
- 2. Did the Planning Commission support the proposed updates to the 2006 Art in Public Places Master Plan to be named Breckenridge Public Art Program Master Plan + Policy?

Ms. Dudney: Is there a time constraint to complete? (Ms. Cram: No, we have time. It doesn't need to come

in with the adoption of the plan.) We give positive points for being part of a specific project. Do you think that is appropriate? (Ms. Cram: Yes, you want positive points to offset on that specific project. The Code does not allow off site points. If you changed the code then we would use off site points.) (Ms. Puester: Informed the Commission that this topic is slated to

be discussed further at a future date as a work session.)

Mr. Lamb: It is hard because I am not an artist and I can't tell you what is good art and what is bad. (Ms.

Cram: Breckenridge Creative Arts would work with you and help you feel comfortable with the art work. A diverse collection is what we look for to interest a diverse community.) (Mr. Grosshuesch: We will refer the project to Breckenridge Creative Arts for their input on points

which is what we currently do.)

Ms. Dudney: I love the arts district and it is spoken highly of.

Mr. Giller: I am a big fan of the district, we love it. (Ms. Puester: The process here is for a motion to be

made to adopt the resolution in the packet. This is incorporated through the Comprehensive Plan which the Planning Commission is the keeper of. With approval from the Planning Commission, this will move to the Town Council as a work session item, then Council resolution and ordinance. We have provided a recommended motion for you in the packet.)

Mr. Lamb made a motion to approve Resolution 1, Series 2017, A Resolution recommending the inclusion of the "Breckenridge Public Art Master Plan + Policy 2016" as part of the Town's Comprehensive Plan. Mr. Giller seconded, and the motion was carried unanimously (4-0).

- 2) Class C Subdivisions Approved Q1, 2017 (JP) (Memo Only)
- 3) Class D Majors Approved Q2, 2017 (JP) (Memo Only)

## **ADJOURNMENT:**

The meeting was adjourned at 7:50 pm.

Christy Matthews-Leidal, Vice Chair



# 2017 - Class C DUPLEX Development Review Checklist

| Project Title:                     | Shock Hill Overlook Duplex  | - Lots 9A & 9B               |                         |   |
|------------------------------------|---|------------------------------|-------------------------|---|
| Proposal:                          | Build a new 4,999 Sq. Ft. Duplex Unit A with 4 Bedrooms & 4.5 Bathrooms; Unit B with 4 Bedrooms & 4.5 Bathrooms |                              |                         |   |
| Project Name and PC#:              | Duplex at Unit A: 10 West F   | Point Lode and Unit B:6 We   | st Point Lode           | PL-2017-0096  |
| Project Manager:                   | Michael Mosher, Planner III   |                              |                         |   |
| Meeting Date:                      | May 2, 2017   |                              |                         |   |
| Date of Report:                    | April 17, 2017  |                              |                         |   |
| Property Owner:                    | Shock Overlook / Chris Car  | nfield - MBR                 |                         |   |
| Agent:                             | Allen-Guerra Architecture /   | Andy Stabile                 |                         |   |
| Proposed Use:                      | Duplex  |                              |                         |   |
| Land Use District (2A/2R):         | LUD: 10   | Residential (SF to 8-plex, T | ownhomes)2 UPA          |   |
| address (Unit A, Unit B):          | Unit A: 10 We   | st Point Lode                | ι                       | Jnit B:6 West Point Lode  |
| Legal Description:                 | Shock Hill Overlook Subdivision, Lots 9A & 9B   |                              |                         |   |
| Site Areas:                        | Areas: Unit A = 5,000 sq. ft. Unit B = 5,000 sq. ft.  |                              |                         | Unit B = 5,000 sq. ft.  |
| Total Site Area:                   | Total Site Area: 10,000 sq. ft. 0.23 AC   |                              | 0.23 AC                 |   |
| xisting Site Conditions:           |   |                              |                         | nent of the Private Drive, West Point Lode. A<br>Lot 6B. This property has not yet been |
|                                    | UNIT A  |                              |                         | UNIT B  |
| reas of Building:                  | Proposed Square Footage:  |                              | Areas of Building:      | Proposed Square footage:  |
| Lower Level:                       | 1,205 sq. ft.   |                              | Lower Level:            | 1,211 sq. ft.   |
| Main Level:                        | 1,280 sq. ft.   |                              | Main Level:             | 1,303 sq. ft.   |
| Total Unit A Density:              | 2,485 sq. ft.   |                              | Total Unit B Density:   | 2,514 sq. ft.   |
| Garage:                            | 716 sq. ft.   |                              | Garage:                 | 617 sq. ft.   |
| Total Units A Mass: 3,201 sq. ft.  |   | Total Unit B Mass:           | 3,131 sq. ft.           |   |
| Number of Bedrooms:                | nber of Bedrooms: 4 Bedrooms  |                              | Number of<br>Bedrooms:  | 4 Bedrooms  |
| Number of Bathrooms: 4.5 Bathrooms |   | Number of<br>Bathrooms:      | 4.5 Bathrooms           |   |
| replaces (30A/30R):                |   |                              | Fireplaces (30A/30R):   |   |
| Number of Gas Fired:               | 3 Gas   | Fired                        | Number of Gas<br>Fired: | 3 Gas Fired   |
| arking (18A/18/R):                 |   |                              | Parking (18A/18/R):     |   |
| Required:                          | 2 spaces  |                              | Required:               | 2 spaces  |
| Proposed:                          | 2 spaces  |                              | Proposed:               | 2 spaces  |
| Driveway Slope:                    | 4.0%  |                              | Driveway Slope:         | 4.0%  |

|  | Code Policies (Policy #) for Both Units                      |  |  |   |  |
|--|--|--|--|---|--|
| Total Building Density                         | 4 999 Sn 11  |  |  |   |  |
| (3A/3R):<br>Total Building Mass                | 6 332 sq. ft   |  |  |   |  |
| (3A/3R):<br>F.A.R.                             |  |  |  |   |  |
| Height (6A/6R):*                               | 33 feet overall  |  |  |   |  |
| Architectural<br>Compatibility<br>(5/A & 5/R): | The architecture and finishe                                 | es match that of the other h                               | omes in the neighborho                             | od.   |  |
| Exterior Materials:                            | Vertical and horizontal ceda                                 | ar siding satined with Super                               | deck, metal siding (less                           | than 25% per elevation), natural stone veneer   |  |
| Exterior Colors:                               | Vertical Siding - "Harbor Gr                                 | ay", Horizontal Siding - "Bu                               | rnt Hickory", Metal Sidir                          | ng - Mill Scale   |  |
| Roof:  | Gaf Timberline Ultra HD - 5<br>Bronze                        | 0 Year, Color Shall Be "We                                 | earthered Wood". Metal                             | Roof - US Metals. Standing Seam Color-Dark  |  |
| Platted Building/Disturba                      | nce /Footprint Envelope?                                     | Footprint Lot  |  |   |  |
| Lot Coverage                                   | UNI  | TA   |  | UNIT B  |  |
| Drip-line of Building (Nonpermeable)           | 2,668  | sq. ft.  | 2,504 sq. ft.                                      |   |  |
| Hard Surface<br>(Nonpermeable)                 | 1,200  | sq. ft.  |  | 805 sq. ft.   |  |
| Open Space (Permeable)                         | 1,132 sq. ft.  | 132 sq. ft. or 22.64% 1,691 sq. ft. or 33.82%              |  |   |  |
| Snowstack (13A/13R):                           | Snowstack (13A/13R):   |  |  |   |  |
| Required Square Footage:                       | Unit A = 300 sq. ft.   | (25% of paved surfaces is required)                        | Unit B = 201 sq. ft.                               | (25% of paved surfaces is required)   |  |
| Proposed Square<br>Footage:                    | 310 sq. ft.  | 25.8%  | 325 sq. ft.  | 40.4%   |  |
| Landscaping (22A/22R):                         |  |  |  |   |  |
| Plantin  | g Туре   | Quantity   | Size   |   |  |
|  | Aspen  | 12   | (6) 1.5" cal, (6) 2" cal                           |   |  |
|  | Colorado Spruce  | 4  | (2) 12', (2) 14'                                   |   |  |
|  | Native Shrubs  | 12   | 5 gal.   |   |  |
| Defensible Space (22A):                        | Complies   |  |  |   |  |
| Drainage (27A/27R):                            | Positive drainage away from                                  | n Buildings  |  |   |  |
| Energy Conservation (33/R):                    | Heated driveway, sidewalk,                                   | plaza, etc.  |  |   |  |
|  | 481 square feet of heated exterior deck                      | Negative one (-1) point inc                                | urred  |   |  |
| Point Analysis<br>(Sec.9-1-17-3):              | Concernation for providing                                   | 401 causes foot of outorior                                | hosted anges One Dec                               | one (-1) point under Policy 33, Energy sitive (+1) point has been provided for providing n a passing point analysis of zero (0) points. |  |
| Staff Action:                                  | Staff has approved the Sho passing score of zero (0) po      | ck Hill Overlook Duplex- Lo<br>pints and with the attached | ots 9A & 9B, PL-2017-00<br>Findings and Conditions | 096 meeting all Absolute Policies and showing a s   |  |
|  | Prior to Certificate of Occup<br>prepared by a registered de |  | rovide the Town with a l                           | HERS index energy analysis that has been  |  |

#### TOWN OF BRECKENRIDGE

Shock Hill Overlook, Lot 9 Duplex Shock Hill Over look Filing #1- Lot 9 Unit A: 10 West Point Lode/Unit B: 6 West Point Lode PL-2017-0096

## **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 **April 17, 2017** and findings made by Community Development 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 **May 2, 2017** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
- 6. The property is located on Tract E, Shock Hill Subdivision. As such, the property is also within the Cucumber Gulch Overlay Protection District (but not the Cucumber Gulch Preventative Management Area), which set forth certain design criteria intended to protect the unique biological and environmental character of the Cucumber Gulch Preserve.
- 7. This property is subject to the terms and conditions of the Declaration of Deed Restriction, Reception #998561, recorded on July 26, 2012.
- 8. The Memo (submitted with PL-2014-0174) from David Bohmann of Tetra Tech dated March 12, 2015 and the letter from Fonda Apostolopoulos of the State of Colorado dated August 22, 2012 (on file at Town Hall) regarding "No Action Determination for Shock Hill Tracts C and E, Breckenridge, CO" will serve as a certifications of no risk from the owner with regard to the on-site consolidated waste rock.

#### **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 **November 9, 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.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

- 5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
- 6. Applicant shall field locate utility service lines to avoid existing trees.
- 7. An improvement location certificate of the height of the top of the foundation wall, the second story wall plate, 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.
- 8. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
- 9. Spas/hot tubs shall be designed so that when these pools/spas/hot tubs are drained, water flows into the sanitary sewer system. At no time will water from these sources be allowed to drain into the stormwater system, nor toward Cucumber Gulch.
- 10. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.
- 11. This property is subject to the terms and conditions of the Declaration of Deed Restriction, Reception #998561, recorded on July 26, 2012.
- 12. The property is located on Tract E, Shock Hill Subdivision. As such, the property is also within the Cucumber Gulch Overlay Protection District (but not the Cucumber Gulch Preventative Management Area), which set forth certain design criteria intended to protect the unique biological and environmental character of the Cucumber Gulch Preserve.
- 13. The applicant and future owners of any property within Tract E-1 are required to comply with the Declaration of Deed Restriction, Reception #998561, recorded on July 26, 2012.
  - a. The Applicant's subdivision plat for the property shall more particularly describe and identify the Areas of Consolidated Waste Rock described and referred to in the "Declaration of Deed Restriction" recorded July 26, 2012 at Reception No. 998561 of the records of the Clerk and Recorder of Summit County, Colorado ("Declaration").
  - b. In its development of the property pursuant to this Development Permit, Applicant shall comply with the terms and conditions of the Declaration. Without limiting the generality of the preceding sentence, Applicant shall not make or allow any excavation on, within, or under any of the Areas of Consolidated Waste Rock described and referred to in the Declaration (as more particularly described and identified in the subdivision plat for the property) without prior written approval from the Town and, if applicable, the Colorado Department of Health and Environment. Applicant acknowledges that before approving a proposal to disturb an Area of Consolidated Waste Rock the Town may require the posting of an acceptable financial guarantee assuring the restoration of the Area of Consolidated Waste Rock that is to be disturbed.
  - c. Prior to issuance of the first building permit for the construction of improvements to be made to the property pursuant to this Development Permit, Applicant shall execute and record with the Clerk and Recorder of Summit County, Colorado an agreement running with the land, acceptable in form and substance to the Town Attorney, providing: (i) the Applicant will provide prompt written notice to the Town if the Declaration referred to in Condition No. A is ever modified or terminated, and shall concurrently with such notice provide the Town with written evidence of the modification or

termination of the Declaration; and (ii) if the Declaration is ever terminated, the Applicant will, upon the request of the Town, execute, acknowledge, and deliver an agreement for the benefit of the Town that contains substantive provisions that are substantially similar to the Declaration.

14. Non-pervious patios are not allowed. Patios shall be constructed of pervious set flagstone"

# PRIOR TO ISSUANCE OF BUILDING PERMIT

- 15. Applicant shall submit proof of ownership of the project site.
- 16. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- **17.** Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
- 18. Plans shall show the location of the Cucumber Gulch Wildlife Preserve notice (attached), to be permanently attached inside each entryway.
- 19. Plans shall show the location of the Cucumber Gulch Wildlife Preserve HOT TUB DRAINAGE RESTRICTIONS (attached), to be permanently attached at the location of future hot tub.
- 20. 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.
- 21. 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.
- 22. 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.
- 23. 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.
- 24. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
- 25. 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.
- 26. 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

- 27. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 28. 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.
- 29. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 30. Applicant shall provide the Town with a HERS index energy analysis that has been prepared by a registered design professional.
- 31. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 32. 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.
- 33. Applicant shall screen all utilities.
- 34. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
- 35. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
- 36. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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.
- 37. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "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.

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

| (Initial Here) |  |
|----------------|--|



# Cucumber Gulch Wildlife Preserve

OPEN SPACE & TRAILS

The Shock Hill Overlook asks that our owners and guests respect the sensitivity of the Cucumber Gulch Wildlife Preserve. This groundwater-fed, fen wetland complex naturally purifies water in Cucumber Creek, while also providing an exceptional habitat for moose, beaver, muskrat, migratory birds and other animals. Within Cucumber Gulch are some of the most biologically diverse and sensitive wetlands within the State of Colorado; thus, this sensitive ecosystem is in great need of protection. Thank you for your help in maintaining this unique wetland area so close to our resort.



# Seasonal Closures

In order to protect vulnerable wildlife during chick-rearing and moose-calving season, Cucumber Gulch closes each year from the second week of April through the first Monday after July 4th. The Grand Lodge on Peak 7 Activities staff would be happy to suggest alternative trail options near our resort during this time period.

# Visitation

Visitors to Cucumber Gulch
Wildlife Preserve must remain on
designated trails, enter through
official entry points and respect
seasonal closures. Low intensity,
human-powered uses are welcome
seasonally as conditions permit.
Such activities include hiking,
nature-watching, Nordic skiing,
snowshoeing, trail running and
mountain biking.



Pets disturb the preserve's local wildlife and vegetation. Under no circumstance are they allowed within the Preserve.

# Restricted Activities

The following activities are prohibited in the Preserve:

- · Off-trail travel
- · Pets of any kind
- · Special events
- · Groups larger than 8
- · Hunting or the possession of firearms
- · Overnight stays or camping
- · Activities between dusk and dawn
- · Operation of motor vehicles
- · Alcohol consumption
- · Horseback riding
- · Fishing

Please visit the website for more information www.townofbreckenridge.com

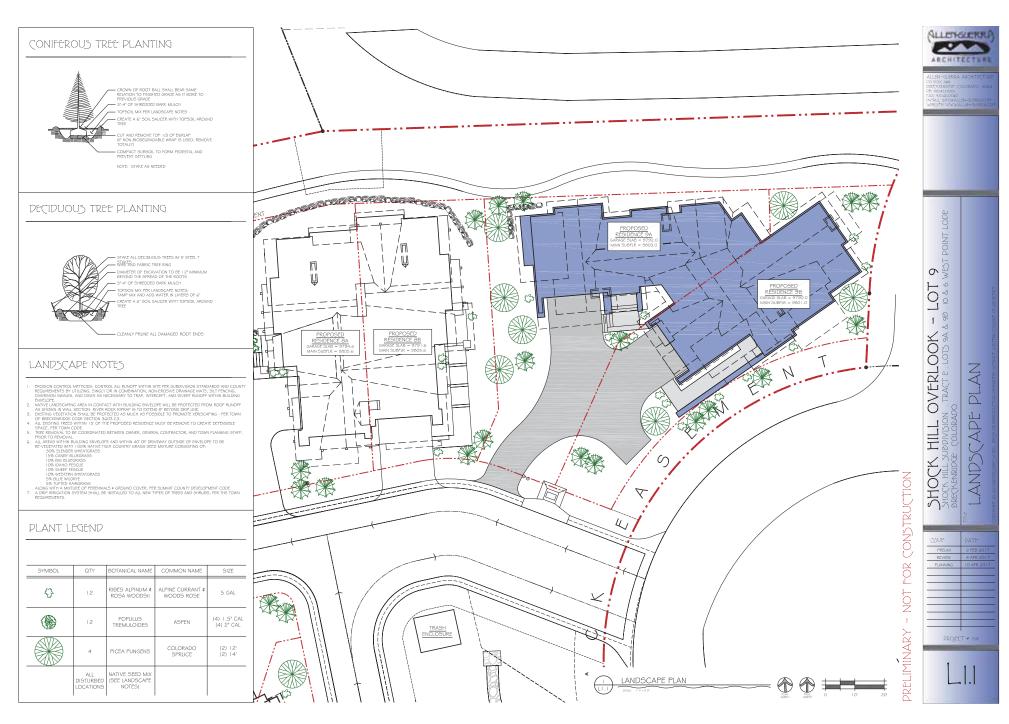


# HOT TUB DRAINAGE RESTRICTIONS

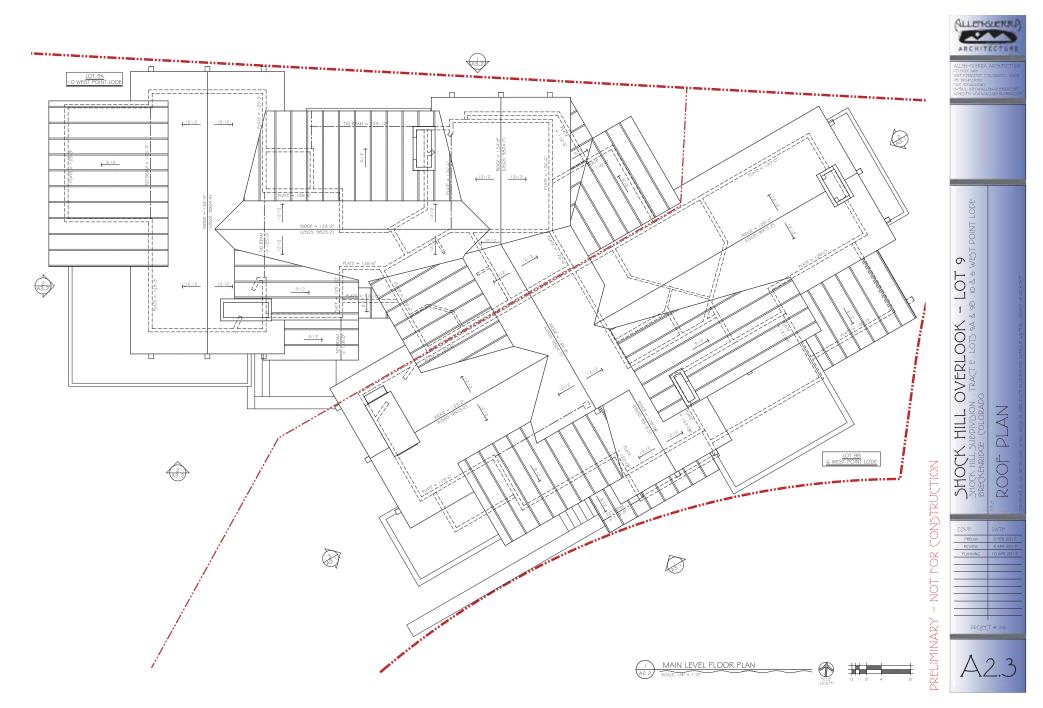
Due to the sensitive nature of the Cucumber Gulch Wildlife Preserve ecosystem, hot tubs within the Shock Hill Overlook Subdivision are NOT permitted to drain into the stormwater system, nor toward the Cucumber Gulch. The floor drain in this deck is the only acceptable location to drain the hot tub.

Jacuzzi restricciones de drenaje debido a la naturaleza sensible del ecosistema pepino quebrada preservar la vida silvestre, bañeras de hidromasaje dentro de la subdivisión de vistas a colina de choque no se permite drenar en el sistema de aguas pluviales, ni hacia la Quebrada de pepino. El drenaje en el piso en este deck es el lugar sólo aceptable para desaguar la tina caliente

For more information on the Cucumber Gulch Wildlife Preserve, visit www.townofbreckenridge.com





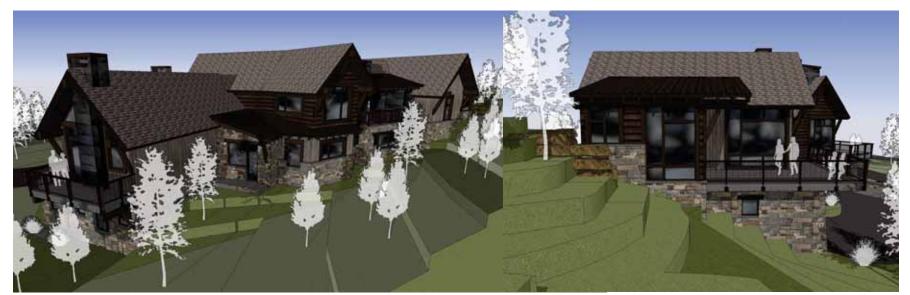












NORTHEAST PERSPECTIVE

NORTHWEST PERSPECTIVE



OVERLOOK - LOT 9



# 2017 - Class C Single Family Development Staff Report

| Project Title:                                       | Paull Residence   |   |
|--|---|---|
| Proposal:  | Build a new 4,613 Sq. Ft. Single Fa   | amily Residence with 4 bedrooms and 6 bathrooms   |
| Project Name and PC#:                                | Single Family Residence at 71<br>Rounds Road  | PL-2017-0100  |
| Project Manager:                                     | Chapin LaChance, Planner II   |   |
| Date of Report:                                      | April 27, 2017  |   |
| Property Owner:                                      | Llanno Resources Capital LLC (Mar   | rk and Dayna Paull)   |
| Agent:   | Yves Mariethoz with Allen-Guerra A  | rchitecture   |
| Proposed Use:  | Single Family Residence   |   |
| Address:   | 71 Rounds Road  |   |
| Legal Description:                                   | The Highlands Subdivision, Filing 4,  | Lot 116   |
| Area of Site in Square Feet:                         | 44,060 sq. ft.  | 1.01 acres  |
| Existing Site Conditions:                            | along Highlands Drive. A 30' Sanitar<br>south. This lot shares a 25' Sanitary<br>south. This lot does not have a Build<br>Lodgepole Pines throughout the lot, | Is Road and Highlands Drive, although there is a platted access restriction by Sewer Easement crosses the western portion of the lot from north to Sewer and Access Easement (running east to west) with Lot 115 to the ding or Disturbance Envelope. There is a thin vegetation cover of except for the 30' Sanitary Sewer Easement, which is devoid of tree ation change across the lot, as the lot slopes downward from Rounds Road de of approximately 18%. |
| Areas of building:                                   | Proposed Square Footage   |   |
| Lower Level:   | 1,806 sq. ft.   |   |
| Main Level:  | 2,129 sq. ft.   |   |
| Upper Level:   |   |   |
| Accessory Apartment:                                 |   |   |
| Total Density:                                       | 3,935 sq. ft.   |   |
| Garage:  | 678 sq. ft.   |   |
| Total:   | 4,613 sq. ft.   |   |
|  | Code Policies (Po   | olicy #)  |
| Land Use District (2A/2R):                           | LUD 1: Residential, Recreation<br>LUD 6: Subject to the Highlands at I  | Breckenridge and Delaware Flats Master Plans  |
| Density (3A/3R):                                     | Unlimited   | Proposed: 3,935 sq. ft.   |
| Mass (4R):   | 1:8.5 or 9,000 sq. ft., whichever is less   | Proposed: 4,613 sq. ft.   |
| F.A.R.   | 1:9.55 FAR  |   |
| No. of Main Residence Bedrooms:                      | 4 bedrooms  |   |
| No. of Main Residence Bathrooms:                     | 6.0 bathrooms   |   |
| Height (6A/6R):*                                     | 31.6 feet overall   |   |
| *Max height of 35' for si                            | ngle family outside Conservation District unless otherwise stated on the recorded plat  |   |
| Platted Building/Disturbance /Footprint<br>Envelope? | No Envelope   |   |
| Setbacks (9A/9R):                                    |   |   |
| Front:   | Required: 25'   | Proposed: 37'   |
| Side:  | Required: 50' (Combined)  | Proposed: 67'   |
| Rear:  | Required: 15'   | Proposed: 190.5'  |
| Site and Environmental Design (7R):                  | Staff recommends negative two (-2)  | points for retaining walls proposed in excess of four feet in height.   |
| Lot Coverage/Open Space (21R):                       |   |   |
| Drip line of Building/Non-Permeable Sq. Ft.:         | 4,620 sq. ft.   | 10.49%  |
| Hard Surface/Non-Permeable Sq. Ft.:                  | 2,517 sq. ft.   | 5.71%   |
| 0 0 (D   |   |   |
| Open Space / Permeable:                              | 36,923 sq. ft.  | 83.80%  |

| spaces  spaces  spaces  Spaces  Gas Fired  Wood Burning  he architecture and finishes match coofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (colors/windows cladding: (color: "teletal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Va lyindow and door trim: 2" x 3" Ced xxposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railling: coated ster starage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2)  | Ir (color: "Coastal Grey" stain)  Jor: "weathered")  steel beams: Coated steel panels (color: "pre-weathered galvalume", not  ed Charcoal")  als Quartzite")  Jar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")   |
|--|--|
| taff recommends negative three (-3 riveway, and positive three (+3) poi spaces spaces  Gas Fired  Wood Burning he architecture and finishes match cooling: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (co coors/windows cladding: (color: "Indetal siding, gaurdrails, exposed effective) Itone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Vell'indow and door trim: 2" x 3" Ced xposed posts/beams: timber post becking: composite decking (color: dorizontal deck railing: coated steriarage doors: 1x & 2x Cedar per diarange door | 1,042 sq. ft.  3) points under Policy 33R for excessive energy use by the heated ints for the applicant achieving a HERS Index of 41-60.  that of the other homes in the neighborhood.  r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal")  : "English Walnut" stain)  r (color: "Coastal Grey" stain)  slor: "weathered")  Black Licorice")  steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal")  als Quartzite")  tar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.  |
| taff recommends negative three (-3 riveway, and positive three (+3) poi spaces  spaces  Gas Fired  Wood Burning  the architecture and finishes match coofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding; reclaimed wood (colors/windows cladding: (color: "Valletal siding, gaurdrails, exposed effective)  tone veneer: stone (color: "Choppy tone veneer cap: stone (color: "Vallindow and door trim: 2" x 3" Ced xposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railling: coated steriarage doors: 1x & 2x Cedar per diashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140-larks Lane)   | that of the other homes in the neighborhood.  r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal")  ""-English Walnut" stain)  or (color: "Coastal Grey" stain)  lor: "weathered")  steel beams: Coated steel panels (color: "pre-weathered galvalume", nor ed Charcoal")  stain Quartzite")  tar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "Fre-weathered galvalume, non-reflective")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.   |
| taff recommends negative three (-3 riveway, and positive three (+3) poi spaces  spaces  Gas Fired  Wood Burning  the architecture and finishes match coofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding; reclaimed wood (colors/windows cladding: (color: "Valletal siding, gaurdrails, exposed effective)  tone veneer: stone (color: "Choppy tone veneer cap: stone (color: "Vallindow and door trim: 2" x 3" Ced xposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railling: coated steriarage doors: 1x & 2x Cedar per diashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140-larks Lane)   | that of the other homes in the neighborhood.  r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal")  ""-English Walnut" stain)  or (color: "Coastal Grey" stain)  lor: "weathered")  steel beams: Coated steel panels (color: "pre-weathered galvalume", nor ed Charcoal")  stain Quartzite")  tar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "Fre-weathered galvalume, non-reflective")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.   |
| taff recommends negative three (-3 riveway, and positive three (+3) point way, and poi | that of the other homes in the neighborhood.  r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal")  :: "English Walnut" stain)  r (color: "Coastal Grey" stain)  lor: "weathered")  Black Licorice")  steel beams: Coated steel panels (color: "pre-weathered galvalume", noi  ed Charcoal")  als Quartzite")  lar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.   |
| spaces  Spaces  Spaces  Spaces  Gas Fired  Wood Burning  the architecture and finishes match  coofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda certical siding: reclaimed wood (co corors/windows cladding: (color: "I telat siding, gaurdrails, exposed effective)  stone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Ve yindow and door trim: 2" x 3" Ced xxposed posts/beams: timber post lecking: composite decking (color: claring doors: 1x & 2x Cedar per d lashing, gutters, and downspout ttaff recommends positive two (+2)  recedent: chumacher Residence (PC#20140- larks Lane)  | that of the other homes in the neighborhood.  r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal")  :: "English Walnut" stain)  r (color: "Coastal Grey" stain)  lor: "weathered")  Black Licorice")  steel beams: Coated steel panels (color: "pre-weathered galvalume", noi  ed Charcoal")  als Quartzite")  lar (color: "English Walnut")  ts and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.   |
| Gas Fired  Wood Burning he architecture and finishes match toofing: standing seam metal (colo ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (co toors/windows cladding: (color: "Ichap tetal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer: stone (color: "Ve indow and door trim: 2" x 3" Ced exposed posts/beams: timber post tecking: composite decking (color: lorizontal deck railing: coated ste larage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140- larks Lane)  | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| Gas Fired  Wood Burning he architecture and finishes match toofing: standing seam metal (colo ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (co toors/windows cladding: (color: "Ichap tetal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer: stone (color: "Ve indow and door trim: 2" x 3" Ced exposed posts/beams: timber post tecking: composite decking (color: lorizontal deck railing: coated ste larage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140- larks Lane)  | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| Gas Fired  Wood Burning he architecture and finishes match coofing: standing seam metal (colo ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (co oors/windows cladding: (color: "It letal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer: stone (color: "Ya 3" Ced xposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railing: coated ste- tarage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140- larks Lane)  | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| he architecture and finishes match toofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (color ors/windows cladding: (color: "Idetal siding, gaurdrails, exposed effective) Intone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Vel/indow and door trim: 2" x 3" Ced xposed posts/beams: timber post posts/beams: context steeking: composite decking (color: lorizontal deck railling: coated steeking: arage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) precedent: chumacher Residence (PC#20140-larks Lane)   | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| he architecture and finishes match toofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda ertical siding: reclaimed wood (color ors/windows cladding: (color: "Idetal siding, gaurdrails, exposed effective) Intone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Vel/indow and door trim: 2" x 3" Ced xposed posts/beams: timber post posts/beams: context steeking: composite decking (color: lorizontal deck railling: coated steeking: arage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) precedent: chumacher Residence (PC#20140-larks Lane)   | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| the architecture and finishes match toofing: standing seam metal (colorascia: 2x rough sawn Cedar (coloroffit: 1x6 tounge and groove Ceda (retical siding: reclaimed wood (colorors/windows cladding: (color: "letal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Valindow and door trim: 2" x 3" Ced xposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railing: coated steriarage doors: 1x & 2x Cedar per dlashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140-larks Lane)  | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| coofing: standing seam metal (color ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Cedar (critical siding: reclaimed wood (coroors/windows cladding: (color: "I letal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Ve Vindow and door trim: 2" x 3" Ced xposed posts/beams: timber post ecking: composite decking (color: lorizontal deck railling: coated steat arage doors: 1x & 2x Cedar per d lashing, gutters, and downspout taff recommends positive two (+2) i recedent: chumacher Residence (PC#20140-larks Lane)  | r: Slate Grey, non-reflective) and asphalt shingles (Color: "Charcoal") :: "English Walnut" stain) ir (color: "Coastal Grey" stain) slor: "weathered") Black Licorice") steel beams: Coated steel panels (color: "pre-weathered galvalume", not ed Charcoal") als Quartzite") lar (color: "English Walnut") tas and glue-laminated beams (color: "Coastal Grey" stain) "Weathered Wood") el (color: "pre-weathered galvalume, non-reflective") etails (color: "Coastal Grey") s: (color: dark grey) points for landscaping that will provide some public benefit.  |
| ascia: 2x rough sawn Cedar (color offit: 1x6 tounge and groove Ceda (ertical siding: reclaimed wood (colors/windows cladding: (color: "letal siding, gaurdrails, exposed effective) tone veneer: stone (color: "Chopp tone veneer cap: stone (color: "Ve Vindow and door trim: 2" x 3" Ced xposed posts/beams: timber post lecking: composite decking (color: lorizontal deck railing: coated stearage doors: 1x & 2x Cedar per dlashing, gutters, and downspout taff recommends positive two (+2) irrecedent: chumacher Residence (PC#20140-larks Lane)   | :: "English Walnut" stain)  r (color: "Coastal Grey" stain)  slor: "weathered")  Black Licorice")  steel beams: Coated steel panels (color: "pre-weathered galvalume", not  ed Charcoal")  als Quartzite")  tar (color: "English Walnut")  tas and glue-laminated beams (color: "Coastal Grey" stain)  "Weathered Wood")  el (color: "pre-weathered galvalume, non-reflective")  etails (color: "Coastal Grey")  s: (color: dark grey)  points for landscaping that will provide some public benefit.  |
| pruce: 6 @ 10' tall<br>hrubs: 27 @ 5 gallon<br>.I. Lot 3A Residence [PC#2103052<br>spen: 4 @ 2.5" caliper<br>pruce: 5 @ 8-12' tall<br>trabapple: 1 @ 2.5" caliper (minimu  | , Abbett Addition (Hermanson Subdivision) Lot 3A, 112 N. Ridge St.]  |
| Quantity   | Size   |
| •  |  |
| 1/   | 2.5" caliper (50% multi-stem) minimum  |
| 11   | 8' tall minimum  |
| 42   | 5 gal.   |
| Complies   |  |
| ositive drainage away from building  | 9  |
| .00%   |  |
| or excessive energy use by the hear<br>xcess of four feet in height. Staff als   | e Policies. Staff recommends negative three (-3) points under Policy 33R ted driveway, and negative two (-2) points for retaining walls proposed in so recommends positive two (+2) points under Policy 22R for landscaping and positive three (+3) points under Policy 33R for a HERS Index of 41-  |
| ne attached Findings and Condition   |  |
| 3. Applicant shall provide the Town rofessional estimating a HERS Indevirior to Issuance of a Certificate of 5. Applicant shall provide the Town rofessional confirming a HERS Indevice.  0. Applicant shall execute and recogreement running with the land, in a second confirming and the land, in a second confirming with the land, which we will be second confirming with the land with the land with the land with t  | with a projected HERS Certificate prepared by a registered design ex of 60 or less.  of Occupancy: with a final HERS Index energy analysis prepared by a registered design ex of 60 or less.  ord with the Summit County Clerk and Recorder a covenant and a form acceptable to the Town Attorney, requiring compliance in perpetuit or the property. Applicant shall be responsible for payment of recording  |
| I spend  | Lot 3A Residence [PC#2103052] pen: 4 @ 2.5" caliper ruce: 5 @ 8-12' tall abapple: 1 @ 2.5" caliper (minimulation of the control of the contro |

|                     | Fig. 111 - ada a lavar - 4 A a da da   |                       | 1            | T  |
|---------------------|--|-----------------------|--------------|--|
| Drainati            | Final Hearing Impact Analysis Paull Residence  | Positive              | Dointo       | +5   |
| Project:<br>PC#     | PL-2017-0100   | Positive              | Politis      | 75   |
| Date:               | 4/27/2017  | Negative              | Points       | - 5  |
| Staff:              | Chapin LaChance, Planner II  | Hoganivo              | •            |  |
|                     |  | Total                 | Allocation:  | 0  |
|                     | Items left blank are either not  |                       | nave no comm | ent  |
| 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<br>2/R          | Land Use Guidelines - Relationship To Other Districts Land Use Guidelines - Nuisances                          | 2x(-2/0)<br>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 For all structures except Single Family and Duplex Units outside | 1X(-2,+2)             |              |  |
|                     | 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)             |              | Chaff an annual and an archive have (2) mainta for   |
| 7/R                 | Site and Environmental Design / Retaining Walls  | 2X(-2/+2)             | - 2          | Staff recommends negative two (-2) points for retaining walls proposed in excess of four feet 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<br>9/A          | Ridgeline and Hillside Development Placement of Structures   | Complies<br>Complies  |              |  |
| 9/A<br>9/R          | Placement of Structures Placement of Structures - Public Safety  | 2x(-2/+2)             |              |  |
| 9/R                 | Placement of Structures - Adverse Effects  | 3x(-2/+2)             |              |  |
| 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<br><b>14/A</b> | Snow Removal/Storage - Snow Storage Area Storage   | 4x(-2/+2)<br>Complies |              |  |
| 14/A<br>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<br>17/A        | Internal Circulation - Drive Through Operations  External Circulation  | 3x(-2/0)<br>Complies  |              |  |
| 17/A<br>18/A        | Parking  | Complies              |              |  |
| 18/R                | Parking - General Requirements   | 1x( -2/+2)            |              |  |
| 18/R                | Parking-Public View/Usage  | 2x(-2/+2)             |              |  |
|                     |  |                       |              |  |

| 10/D | Darking Laint Darking Equilities   | 1 1/ 1 1 1       |     | 1  |
|------|--|------------------|-----|--|
|      | Parking - Joint Parking Facilities Parking - Common Driveways                            | 1x(+1)<br>1x(+1) |     |  |
|      | Parking - Downtown Service Area  | 2x(-2+2)         |     |  |
|      | Loading  | Complies         |     |  |
|      | Recreation Facilities  | 3x(-2/+2)        |     |  |
|      |  |                  |     |  |
|      | Open Space - Private Open Space  | 3x(-2/+2)        |     |  |
| 21/R | Open Space - Public Open Space   | 3x(0/+2)         |     |  |
| 22/A | Landscaping  | Complies         |     | Otaff an annual de markhine tour (10) aniate for   |
| 22/R | Landscaping  | 2x(-1/+3)        | +2  | Staff recommends positive two (+2) points for landscaping that will provide some public benefit. |
| 24/A | Social Community   | Complies         |     |  |
| 24/A | Social Community / Above Ground Density 12 UPA   | (-3>-18)         |     |  |
|      | Social Community / Above Ground Density 10 UPA   | (-3>-6)          |     |  |
| 24/R | Social Community - Employee Housing  | 1x(-10/+10)      |     |  |
|      | 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<br>Preservation/Restoration - Benefit   | +1/3/6/9/12      |     |  |
| 24/R | Social Community - Secondary Structures - Historic<br>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)        |     |  |
|      | Drainage   | Complies         |     |  |
|      | Drainage - Municipal Drainage System   | 3x(0/+2)         |     |  |
|      | Utilities - Power lines  | Complies         |     |  |
|      | Construction Activities  | Complies         |     |  |
|      | Air Quality  | Complies         |     |  |
|      | Air Quality - wood-burning appliance in restaurant/bar                                   | -2               |     |  |
|      | Beyond the provisions of Policy 30/A   | 2x(0/+2)         |     |  |
|      | Water Quality  | Complies         |     |  |
| 31/R | Water Quality - Water Criteria   | 3x(0/+2)         |     |  |
|      | Water Conservation   | Complies         |     |  |
| JZIA | water conservation   | Compiles         |     | Staff recommends negative three (-3) points  |
| 33/R | Energy Conservation - Renewable Energy Sources   | 3x(0/+2)         | - 3 | for excessive energy use by the heated driveway.   |
| 33/R | Energy Conservation - Energy Conservation  | 3x(-2/+2)        |     |  |
|      | HERS index for Residential Buildings   | , ,              | +3  | Staff recommends positive three (+3) points under Policy 33R for a HERS Index of 41-60.          |
| 33/D | Obtaining a HERS index   | +1               |     |  |
|      | HERS rating = 61-80  | +2               |     |  |
| 33/P | HERS rating = 41-60  | +3               |     |  |
|      | HERS rating = 19-40  | +4               |     |  |
|      | HERS rating = 1-20   | +5               |     |  |
|      | HERS rating = 0  | +6               |     |  |
| 33/1 | Commercial Buildings - % energy saved beyond the IECC minimum                            | . 0              |     |  |
| 22/D | standards  | .11              |     |  |
|      | Savings of 10%-19%   | +1<br>+3         |     |  |
|      | Savings of 20%-29%   |                  |     |  |
|      | Savings of 30%-39%   | +4               |     |  |
|      | Savings of 40%-49%   | +5               |     |  |
| 33/R | Savings of 50%-59%   | +6               |     |  |
|      | Savings of 60%-69%   | +7               |     |  |
|      | Savings of 70%-79%   | +8               |     |  |
|      | Savings of 80% +   | +9               |     |  |
| 33/R | Heated driveway, sidewalk, plaza, etc.   | 1X(-3/0)         |     |  |

| 33/R   | Outdoor commercial or common space residential gas fireplace | 1X(-1/0)  |  |
|--------|--|-----------|--|
|        | (per fireplace)  | . ,       |  |
| 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  |  |
| 50/A   | Wireless Communications Facilities                           | Complies  |  |

#### TOWN OF BRECKENRIDGE

Paull Residence Highlands, Filing 4, Lot 116 71 Rounds Road PL-2017-0100

**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 **April 27, 2017** 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 **May 2, 2017** 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 **November 9, 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.
- 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 provide the Town with a projected HERS Certificate prepared by a registered design professional estimating a HERS Index of 60 or less.
- 14. Applicant shall submit proof of ownership of the project site.
- 15. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 16. 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.
- 17. 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.
- 18. 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.
- 19. 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.
- 20. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location and type of construction fencing, 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.

- 21. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
- 22. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
- 23. 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.
- 24. 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

- 25. Applicant shall provide the Town with a final HERS Index energy analysis prepared by a registered design professional confirming a HERS Index of 60 or less.
- 26. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 27. 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.
- 28. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 29. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 30. 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, to be awarded the positive two (+2) points. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
- 31. 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.
- 32. Applicant shall screen all utilities.
- 33. 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.
- 34. 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.
- 35. 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.
- 36. 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.
- 37. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 38. 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) |  |
|----------------|--|

# PAULL RESIDENCE

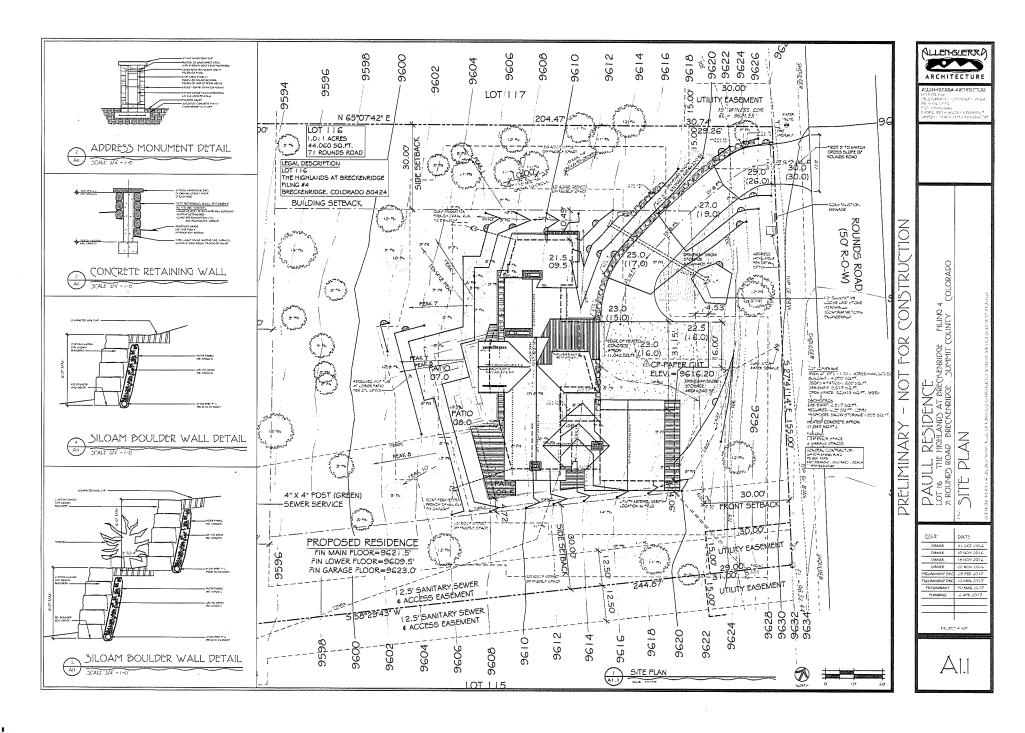
LOT 116. THE HIGHLANDS AT BRECKENRIDGE. FILING 4
71 ROUNDS ROAD. BRECKENRIDGE. SUMMIT COUNTY. COLORADO

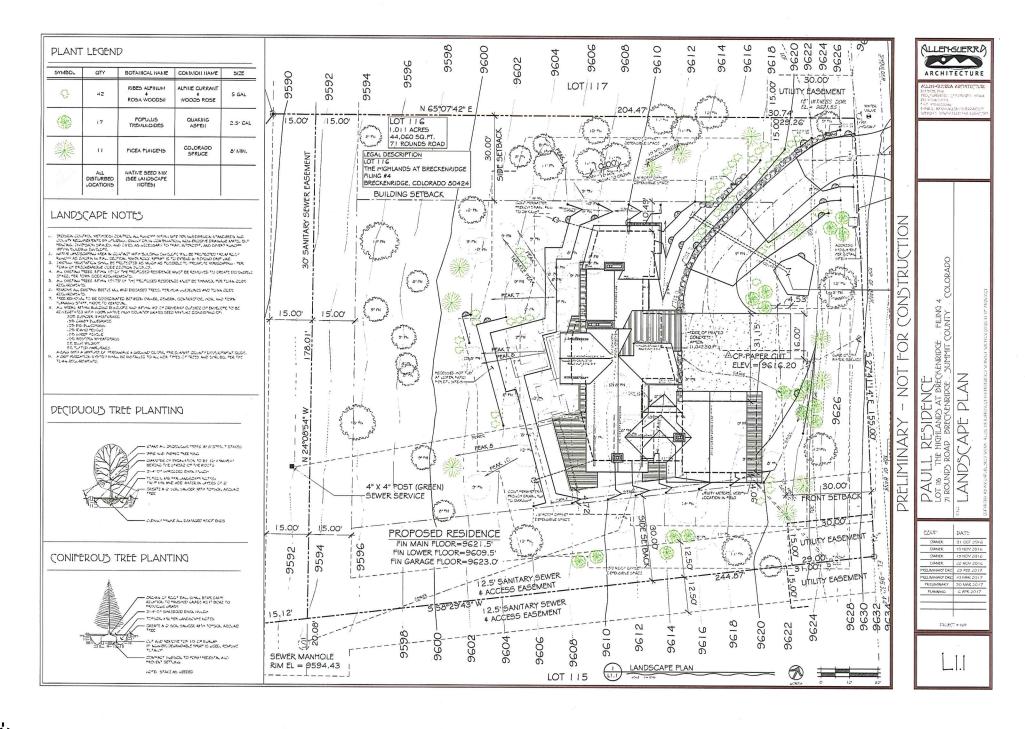




| OMNER 31 OUT 20 CM CMMER 10 NOV 20 CM OMNER 10 NOV 20 CM OMNER 10 NOV 20 CM FELLMANACO CM FELLMANACO CM FELLMANACO CM FELLMANACO CM CM NOV 20 CM FELLMANACO CM FELLMANACO CM CM NOV 20 CM FELLMANACO CM FELLMANOCO CM FELLMANACO CM FELLMANACO CM FELLMANACO CM FELLMANACO CM F | LEUE           | DATE      |
|--|----------------|-----------|
| OWNER 15 NOV 20 0 OWNER 22 NOV 20 0 PRELIMINARY DR 2 PEB 2011 PRELIMINARY DR 10 MAR 20 0 PRELIMINARY DR 30 MAR 20 0  | OWNER          | 31 OCT 20 |
| OWIER 22 NOV 201 PREUMINARY DR 2 PGB 2011 PREUMINARY DR 10 MAR 201 PREUMINARY DR 30 MAR 201  | OWNER          | 10 NOV 20 |
| PREUMINARY DR. 2 PGB 201<br>PREUMINARY DR. 10 MAR 20<br>PREUMINARY DR. 30 MAR 20   | OWNER          | 18 NOV 20 |
| PREUMINARY DR. 10 MAR 20<br>PREUMINARY DR. 30 MAR 20   | OWNER          | 25 NOA 50 |
| PRELIMINARY DR. 30 MAR 201   | PREUMINARY DR  | 2 fdB 201 |
|  | PREUMINARY DR  | 10 MAR 20 |
| PLANNING CAPE 201  | PRELIMINARY DR | 30 MAR 20 |
|  | PLANNING       | C APR 201 |
|  |                |           |
|  |                |           |
|  | PROJECT        | • 1577    |

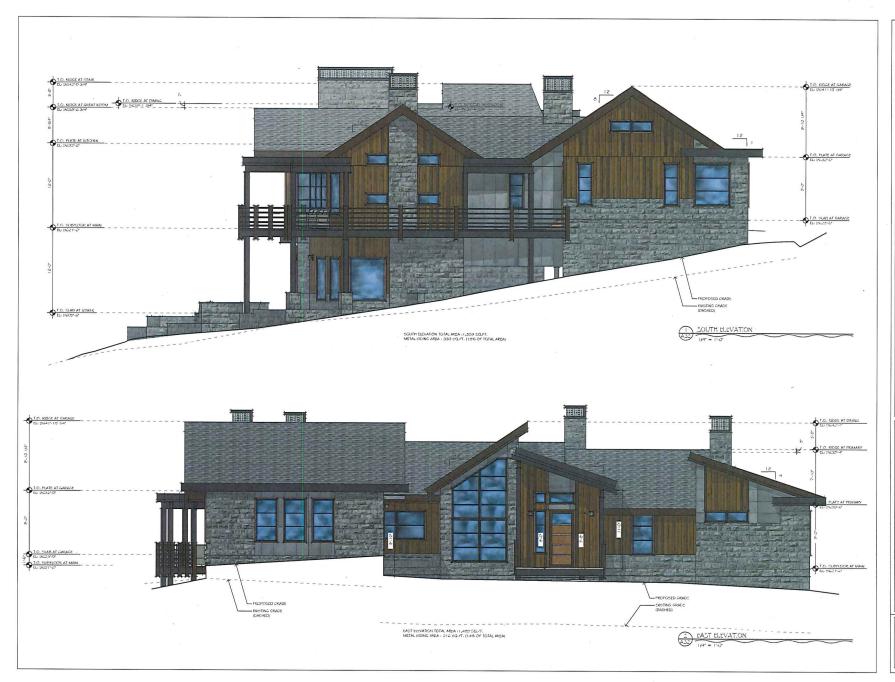














A3.2













PAULL RESIDENCE
LOT 16. THE HIGHLANDS AT PRECKENRIDGE, FILING 4
11 ROUNDS ROAD. PRECKENRIDGE, SURMIT COUNTY, COLORADO
EXTERIOR, RENDERINGS

ALLEN-GUERRA

ALLEN-GUERZA, AZCHTECTURE PO BOX 748 SYTEMENDE, COLON 70, 2012 PIX WO-03700: PIX WO-03700: PIX WO-03700: WED TIE WWW-LIEN-GUERRA COM

DUE DATE

DMRK 3 0 OF 2016

OMRK 3 1 OF 2016

OMRK 1 1 MOV 2016

OMRK 2 1 MOV 2016

OMRK 2 2 MOV 2016

TEXANAMOR D 2 2 FEB 2017

TEXANAMOR D 3 OMR 2017

TEXANAMOR D 3 OMR 2017

A3.3

PROJECT # 1577

# PAULL RESIDENCE

EXTERIOR MATERIALS SCHEDULE - PAGE | OF 2 DATE: 25 APRIL 2017

| LABEL | ITEM   | COLOR | DESCRIPTION .   |
|-------|--|-------|---|
| MI    | ROOF SHINGLES                                      |       | GAF TIMBERLINE ULTRA HD 50 YR SHINGLES<br>COLOR "CHARCOAL"          |
| M2    | METAL ROOF   |       | US METALS STANDING SEAM STEEL, COLOR -<br>SLATE GRAY NON-REFLECTIVE |
| M3    | FASCIA   |       | RS 2X CEDAR - STAINED WITH SUPER-DECK<br>#2319 - ''ENGLISH WALNUT'' |
| M4    | 50FFIT   |       | IX6 S45 CEDAR T&G - STAIN WITH<br>SUPER-DECK #2114 - "COASTAL GRAY" |
| M5    | VERTICAL SIDING                                    |       | CENTENNIAL WOODS RECLAIMED WOOD "WEATHERED"                         |
| M6    | DOORS/WINDOWS                                      |       | JELD WEN WINDOW COMPANY<br>BLACK LICORICE                           |
| M7    | METAL SIDING .<br>GUARDRAILS<br>EXPOSED STEEL BM'S |       | COATED STEEL PANELS "PREWEATHERED GALVALUME" NON-REFLECTIVE         |
| M8    | STONE VENEER                                       |       | GALLEGOS STONE<br>335G CHOPPED<br>CHARCOAL                          |



# PAULL RESIDENCE

EXTERIOR MATERIALS SCHED ULE - PAGE 2 OF 2

DATE: 25 APRIL 2017

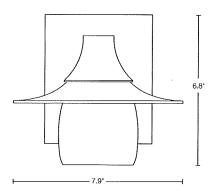
| LABEL | ITEM                              | COLOR  | DESCRIPTION .   |
|-------|-----------------------------------|--|---|
| M9    | CAP AT STONE VENEER               |  | GALLEGOS STONE - 322G<br>VALS QUARTZITE                                     |
| MIO   | WINDOWS AND<br>DOORS TRIM         |  | 2" X 3" CEDAR - STAINED WITH SUPER-DECK<br>#2319 - "ENGLISH WALNUT"         |
| MI    | EXPOSED POSTS/BEAMS               |  | TIMBER POSTS AND GLULAM BEAMS STAIN<br>W TIMBERDECK #2114 ''COASTAL GREY''  |
| MI2   | WOOD DECKS                        | //EXX  | EVERGRAIN COMPOSITE DECKING - COLOR<br>SHALL BE ''WEATHERED WOOD'' OR EQUAL |
| . MI3 | HORIZONTAL DECK<br>RAILING        | The state of the s | COATED STEEL "PREWEATHERED GALVALUME"<br>NON-REFLECTIVE                     |
| MI4   | GARAGE DOORS                      |  | IX & 2X CEDAR PER DETAILS - STAIN<br>W/ SUPERDECK #2114 "COASTAL GREY"      |
| MI5   | FLASHING, GUTTERS<br>& DOWNSPOUTS |  | COLOR SHALL BE DARK GREY  |

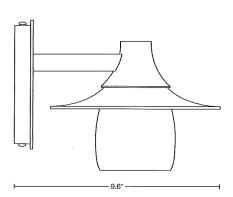
NOTE: ALL EXPOSED METAL INCLUDING, BUT NOT LIMITED TO, FLASHING, DRIP EDGE, VENT STACKS, FLUE PIPES, ETC, SHALL BE DARK GREY

DESIGN-BUILD, INC.



306563 HOOD SMALL OUTDOOR SCONCE As shown: 306563-18





# 306563

# HOOD

Outdoor aluminum dark-sky friendly sconce, small. Patent Pending

### **Dimensions**

 Height
 6.8"

 Width
 7.9"

 Projection
 9.6"

 Backplate
 5.0" x 6.0"

 Mounting Height
 3.8"

 ADA Compliant?
 No

# Max Hanging Weight

3 lbs

### Incandescent Lamping

Socket: medium Bulb: A-15, 60 watt max

### **UL Listing**

Outdoor wet

Updated 1.13



HUBBARDTONFORGE.COM

FOR MORE INFORMATION CALL CUSTOMER SERVICE AT 800-826-4766 OR EMAIL CUSTOMERSERVICE@VTFORGE.COM FOR RESIDENTIAL; CONTRACT@VTFORGE.COM FOR COMMERCIAL.

154 RT. 30 SOUTH · CASTLETON, VERMONT 05735 · T 800-826-4766 · F 877-910-3700 All designs and images ©1989-2012 Hubbardton Forge <sup>®</sup>. All rights reserved.



# DEEPERGREEN CONSULTING

4/26/2017

Planning Department Town of Breckenridge 150 Ski Hill Road Breckenridge, CO 80424

To whom it may concern,

Deeper Green Consulting has been contracted by Allen-Guerra Architecture to provide a HERS Index Score for the Paull Residence at 71 Rounds Road. The project can gain (+3) points for a HERS rating under Policy 33R for energy conservation. This would require a HERS Index Score between 41 and 60.

After reviewing the plans and energy specifications, I believe a score in the mid to high 50's is achievable. Deeper Green will be consulting Allen-Guerra Architecture and the builder prior to and during construction to ensure a score of 60 or below on the HERS Index will be attained. A projected HERS Certificate will be ready for the Planning Commission meeting on 5/2/17.

Please feel free to contact me with any questions or concerns you may have concerning this project.

Sincerely,

Matt Wright

Deeper Green Consulting

970-389-2448

matt@deepergreenconsulting.com



# 2017 - Class C Single Family Development Staff Report

| 2017 01   |  |  |  |
|---|--|--|--|
| Project Title:                                    | Pilon Residence  |  |  |
| Proposal:   | Build a new 8,100 Sq. Ft. Single Far   | mily Residence with 6 bedrooms and 7 bathrooms   |  |
| Project Name and PC#:                             | Single Family Residence at 206<br>Stillson Placer Terrace  | PL-2017-0101   |  |
| Project Manager:                                  | Chapin LaChance, Planner II  |  |  |
| Date of Report:                                   | April 26, 2017   |  |  |
| Property Owner:                                   | Jeff & MC Pilon  |  |  |
| Agent:  | Ben Henson with Allen-Guerra Archit  | tecture  |  |
| Proposed Use:                                     | Single Family Residence  |  |  |
| Address:  | 206 Stillson Placer Terrace  |  |  |
| Legal Description:                                | Gold Flake Subdivision, Filing 3, Lot  | 2  |  |
| Area of Site in Square Feet:                      | 91,517 sq. ft.   | 2.10 acres   |  |
| Existing Site Conditions:                         | The lot is mostly vegetated with Lodgepole Pine up to 13" in diameter. The lot slopes downward from west to east, at an average grade of approximately 14%. There is an existing 20' Drainage Easement that crosses the lot from the southwest to the northeast. A 25' Public Trail Easement exists along the eastern property line.  There is also an existing 40' Public Trail and Drainage Easement along the southwestern property line (shared with Lot 3), through which the existing Bonanza Trail switchbacks. A recent survey shows that portions of the Bonanza Trail are outside of the 40' Public Trail and Drainage Easement. |  |  |
| Areas of building:                                | Proposed Square Footage  |  |  |
| Lower Level:                                      | 2,996 sq. ft.  |  |  |
| Main Level:                                       | 3,372 sq. ft.  |  |  |
| Upper Level:                                      | 696 sq. ft.  |  |  |
| Accessory Apartment:                              |  |  |  |
| Total Density:                                    | 7,064 sq. ft.  |  |  |
| Garage:   | 1,036 sq. ft.  |  |  |
| Total:  | 8,100 sq. ft.  |  |  |
|   | Code Policies (Po  | licy #)  |  |
| Land Use District (2A/2R):                        | LUD:1  | Residential, Recreation  |  |
| Density (3A/3R):                                  | 7,500 sq. ft. (per plat note #16)  | Proposed: 7,064 sq. ft.  |  |
| Mass (4R):  | Allowed: 9,000 sq. ft.   | Proposed: 8,100 sq. ft.  |  |
| F.A.R.  | 1:11.30 FAR  |  |  |
| No. of Main Residence Bedrooms:                   | 6 bedrooms   |  |  |
| No. of Main Residence Bathrooms:                  | 7.0 bathrooms  |  |  |
| Height (6A/6R):*                                  | 34.3 feet overall  |  |  |
| *Max height of 35' for si                         | ngle family outside Conservation Dist  | rict unless otherwise stated on the recorded plat  |  |
| Platted Building/Disturbance /Footprint Envelope? | Disturbance Envelope   |  |  |
|   | Staff recommends negative four (-4)  | points for the location of the proposed garage, which creates a long nce. Staff also recommends negative two (-2) points for retaining walls ight.   |  |
|   | existing Bonanza Trail, which is show<br>recommends positive three (+3) point  | n existing Public Trail and Drainage Easement on the lot, to encompass the vn by a recent survey to be located outside the existing Easement. Staff ts.  |  |
| Recreation Facilities (20R):                      | Precedent: Huron Landing (PL-2015-0498; Parcel E-1, Industrial Area Sub & Government Lot 45, 30-6-77, 0143 Hi Road) An existing, heavily utilized trail connection from Huron Road to the Upper / Lower Flume Trail was alre   |  |  |
|   |  | n of the Huron Landing site, yet did not have a formalized trail easement. positive three (+3) points for the dedication of a trail easement   |  |
| Lot Coverage/Open Space (21R):                    | 7.475 0  | 7.00   |  |
| Drip line of Building/Non-Permeable Sq. Ft.:      |  | 7.84%  |  |
| Hard Surface/Non-Permeable Sq. Ft.:               |  | 5.28%  |  |
| Open Space / Permeable:                           | 79,507 sq. ft.   | 86.88%   |  |
| Snowstack (13A/13R):  Required Square Footage:    | 4 000 #  | OFFICE of according to the control of the control o |  |
|   | 1,209 sq. ft.  | 25% of paved surfaces is required  |  |

| •   |   |   |  |  |  |
|---|---|---|--|--|--|
| Proposed Square Footage: Energy Conservation (33A/33R): | 1,209 sq. ft.   | (25.01% of paved surfaces)  |  |  |  |
| Outdoor heated space:                                   | VEC   | 1,111 sq. ft.   |  |  |  |
| HERS Index:   |   |   |  |  |  |
| HERS IIIdex.  | 41-00   |   |  |  |  |
|   | Staff recommends negative three (-3) points under Policy 33R for excessive energy use by the heated driveway, and positive three (+3) points for the applicant achieving a HERS Index of 41-60.   |   |  |  |  |
| Parking (18A/18/R):                                     |   |   |  |  |  |
| Required:   | 2 spaces  |   |  |  |  |
| Proposed:   | dd: 5 spaces  |   |  |  |  |
| Fireplaces (30A/30R):                                   |   |   |  |  |  |
| Number of Gas Fired:                                    | 4 Gas Fired   |   |  |  |  |
| No. of EPA Phase II Wood Burning:                       | 0 Wood Burning  |   |  |  |  |
| Architectural Compatibility (5/A & 5/R):                | The architecture and finishes match   | that of the other homes in the neighborhood.  |  |  |  |
| Exterior Materials and Colors:  Landscaping (22A/22R):  | Roofing: standing seam metal (Color: Dark Bronze) and composite multi-width shake shingles (Color: "Mountain") Fascia: 2x Cedar (Color: "Cape Blackwood" stain) Soffit: 1x tounge and groove cedar (Color: "Light Walnut" stain) Horizontal siding: 2 x 12 hand hewn Cedar (Color: "Cape Blackwood" stain) Chinking: log jam chinking (Color: "Mortar White") Vertical Siding: 2x board by board (Color: "Western") Door and window cladding: aluminum clad wood (Color: "Anodized Extra Dark Bronze") Door and window tim: 3x & 4x Cedar (Color: "Cape Blackwood" stain) Si: Wood decking: 2x Brazilian hardwood (Ipe) (Color: Natural oil seal) Chimney cap: 6" buff sandstone cap with chiseled edge Stone veneer: Siloam stone sandstone, full veneer dry stack Stone veneer: Siloam stone sandstone, full veneer dry stack Stone veneer cap: 3" buff sandstone cap with chiseled edge per details Exposed posts/beams: hand hewn Douglas Fir timber posts and beams per details (Color: "Cape Blackwood stain) Deck gaurdrails: custom steel and wood per details Garage doors: Cedar cladding with 2x reclaimed at vertical, per details (Color: "Cape Blackwood" stain) Beam end flashing, exposed steel, etc.: custom steel per details (Color: "Dark Bronze") Staff recommends positive four (+4) points for an above average landscape plan.  Precedent: Three Fourteen Peerless Residence (314 Peerless Dr.; PC#2014057) Aspen: 16 @ 3" caliper Spruce: 9 @ 10' - 14' Bristlecone Pine: 5 @ 10-12' Shrubs: 22 @ 5 gallon |   |  |  |  |
|   | Aspen: 31 @ 2.5" caliper<br>Spruce: 16 @ 8' - 12'<br>Shrubs: 62 @ 5 gal   |   |  |  |  |
| Planting Type   | Quantity  | Size  |  |  |  |
| Quaking Aspen   | 33  | 3" caliper (50% multi-stem) minimum  8 @ 12'  |  |  |  |
| Colorado Spruce   | 15  | 7 @ 14'   |  |  |  |
| Alpine Currant and Woods Rose                           | 52  | 5 gal.  |  |  |  |
| Defensible Space (22A):                                 | Complies  |   |  |  |  |
| Drainage (27A/27R):                                     | Positive drainage away from building  |   |  |  |  |
| Driveway Slope:   | 8.00%   |   |  |  |  |
| Point Analysis (Sec. 9-1-17-3):                         | This application has met all Absolute Policies. Staff recommends negative three (-3) points under Policy 33R for excessive energy use by the heated driveway. Staff also recommends negative four (-4) points under Policy R for the location of the garage which creates excessive driveway, as well as negative two (-2) points for retaining walls proposed in excess of four feet. Staff recommends positive three (+3) points under Policy 20R for providing additional Public Trail easement on site, positive four (+4) points under Policy 22R for an above average landscape plan, and positive three (+3) points under Policy 33R for a HERS Index of 41-60.  |   |  |  |  |
| Staff Action:   | Staff has approved the Pilon Residence, PL-2017-0101 showing a passing score of one (1) point and with the attached Findings and Conditions.  Prior to Issuance of a Building Permit:  13. Applicant shall provide the Town with a projected HERS Certificate prepared by a registered design professional estimating a HERS Index of 60 or less.   |   |  |  |  |
| Additional Conditions of Approval                       | Prior to Issuance of a Certificate of Occupancy:  25. Applicant shall provide the Town with a final HERS Index energy analysis prepared by a registered design professional confirming a HERS Index of 60 or less.  at 26. Applicant shall submit and receive Town approval of a plat showing the modified Public Trail and Drainage Easement, as shown on the approved site plan, and shall record the plat with the Summit County Clerk and Recorder.  31. 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  |   |  |  |  |
| ,   | Easement, as shown on the approve Recorder.  31. Applicant shall execute and recorunning with the land, in a form accept  | d site plan, and shall record the plat with the Summit County Clerk and rd with the Summit County Clerk and Recorder a covenant and agreement otable to the Town Attorney, requiring compliance in perpetuity with the perty. Applicant shall be responsible for payment of recording fees to the |  |  |  |

|                     | Final Hearing Impact Analysis  |                        |             |   |
|---------------------|--|------------------------|-------------|---|
| Project:            | Pilon Residence  | Positive               | Points      | +10   |
| PC#                 | PL-2017-0101   |                        |             |   |
| Date:               | 4/26/2017  | Negative               | Points      | - 9   |
| Staff:              | Chapin LaChance, Planner II  |                        | 4           |   |
|                     |  |                        | Allocation: | +1  |
|                     | Items left blank are either not  |                        |             |   |
| Sect.               | Policy   | Range                  | Points      | Comments  |
| 1/A<br>2/A          | Codes, Correlative Documents & Plat Notes  Land Use Guidelines   | Complies<br>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)            |             |   |
| <b>5/A</b><br>5/R   | Architectural Compatibility Architectural Compatibility - Aesthetics                                   | Complies<br>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<br>6/R          | Building Height Outside H.D. / Stories  Density in roof structure                                      | (-5>-20)<br>1x(+1/-1)  |             |   |
| 6/R                 | Broken, interesting roof forms that step down at the edges   | 1x(+1/-1)<br>1x(+1/-1) |             |   |
| 5/13                | For all Single Family and Duplex/Multi-family Units outside the  | 17/(+1/-1)             |             |   |
|                     | 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<br>7/R          | Site and Environmental Design / Site Design and Grading Site and Environmental Design / Site Buffering | 2X(-2/+2)<br>4X(-2/+2) |             |   |
| 7/R                 | Site and Environmental Design / Retaining Walls  | 2X(-2/+2)              | - 2         | Staff recommends negative two (-2) points for retaining walls proposed in excess of four feet.              |
| 7/R                 | Site and Environmental Design / Driveways and Site Circulation Systems                                 | 4X(-2/+2)              | - 4         | Staff recommends negative four (-4) points for the location of the garage which creates excessive driveway. |
| 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               |             |   |
| <b>9/A</b><br>9/R   | Placement of Structures Placement of Structures - Public Safety  | Complies<br>2x(-2/+2)  |             |   |
| 9/R<br>9/R          | Placement of Structures - Adverse Effects  | 3x(-2/+2)              |             |   |
| 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)              |             |   |
| <b>14/A</b><br>14/R | Storage Storage  | Complies<br>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               |             |   |
| <b>18/A</b><br>18/R | Parking Parking - General Requirements   | Complies<br>1x(-2/+2)  |             |   |
| 18/R<br>18/R        | Parking - General Requirements  Parking-Public View/Usage  | 2x(-2/+2)              |             |   |
|                     | g  |                        |             | ļ   |

| 1974   1975   | 18/R   | Darking Loint Darking Facilities   | 1 1/ ( 1 1 )   |     |   |
|---|--|--|--|-----|---|
| 18/19   |  | Parking - Joint Parking Facilities   | 1x(+1)   |     |   |
| 1914   Loading  | 10/K   | Parking - Common Driveways   |  |     |   |
| 200R   Recreation Facilities   3x(-2/+2)   43   53   53   53   53   53   53   53  |  |  |  |     |   |
| 22/A   Landscaping  | 20/R   | Recreation Facilities  | 3x(-2/+2)  | +3  | for providing additional Public Trail Easement  |
| 22/R   Landscaping  |  |  |  |     |   |
| 22/R  |  |  |  |     |   |
| Accepted   Accepted | 22/A   | Landscaping  | Complies   |     |   |
| 24/14   Social Community  |  |  |  | +4  |   |
| 244R   Social Community / Above Ground Density 10 UPA   (.3~6)  |  |  |  |     |   |
| 24/R   Social Community - Employee Housing   1x(-10/1-10)   |  |  |  |     |   |
| 24/R   Social Community - Community Need  |  |  |  |     |   |
| 24/R   Social Community - Social Services   4x(-2/+2)   |  | Social Community - Employee Housing  |  |     |   |
| 24/R   Social Community - Meeting and Conference Rooms   3x(0+2)  |  |  |  |     |   |
| 5/8 Social Community - Conservation District         3x(-5/0)           24/8 Social Community - Primary Structures - Historic Preservation/Restoration - Benefit  |  | Social Community - Social Services   |  |     |   |
| 24/R   Social Community - Historic Preservation   3x(0/+5)  |  |  |  |     |   |
| Social Community - Primary Structures - Historic  |  |  |  |     |   |
| Preservation/Restoration - Benefit  | 24/R   | Social Community - Historic Preservation   | 3x(0/+5)   |     |   |
| Preservation/Restoration - Benefit  | 24/R   | Preservation/Restoration - Benefit   | +1/3/6/9/12  |     |   |
| 24/R   Social Community - Moving Secondary Structures   -3/10/15  |  | Preservation/Restoration - Benefit   |  |     |   |
| 24/R   Social Community - Changing Orientation Primary Structures   -10   |  |  |  |     |   |
| 24/R   Social Community - Changing Orientation Secondary Structures   -2  | 24/R   | Social Community - Moving Secondary Structures   | -3/10/15   |     |   |
| Social Community - Returning Structures To Their Historic Location  | 24/R   | Social Community - Changing Orientation Primary Structures   | -10  |     |   |
| 25/R   Transit  | 24/R   |  | -2   |     |   |
| 26/R  |  | Location   |  |     |   |
| 26/R   Infrastructure - Capital Improvements  |  | Transit  | 4x(-2/+2)  |     |   |
| 27/A   Drainage   Complies  |  |  |  |     |   |
| 27/R  |  |  |  |     |   |
| 28/A         Utilities - Power lines         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/R         Water Quality - Water Criteria         3x(0/+2)           31/R         Water Quality - Water Criteria         3x(0/+2)           32/A         Staff recommends negative three (-3) points for excessive energy use by the heated driveway.           33/R         Energy Conservation - Renewable Energy Sources         3x(0/+2)           33/R         Energy Conservation - Energy Conservation         3x(-2/+2)           4-8         Staff recommends negative three (-3) points for excessive energy use by the heated driveway.           33/R         Energy Conservation - Energy Conservation         3x(-2/+2)           4-8         Staff recommends positive three (+3) points under Policy 33R for a HERS Index of 41-60.           33/R         HERS indig = 61-80         +2           33/R         HERS rating = 19-40         +4           33/R         HERS rating = 19-40         +4           33/R         HERS rating = 0         +5           33/R         HERS rating = 1-20         +5           33/R <t< td=""><td>26/R</td><td>Infrastructure - Capital Improvements</td><td>4x(-2/+2)</td><td></td><td></td></t<>   | 26/R   | Infrastructure - Capital Improvements  | 4x(-2/+2)  |     |   |
| 29/A  | 26/R<br><b>27/A</b>  | Infrastructure - Capital Improvements  Drainage  | 4x(-2/+2)<br>Complies  |     |   |
| 30/A   Air Quality   Complies   | 26/R<br><b>27/A</b><br>27/R  | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  | 4x(-2/+2)<br>Complies<br>3x(0/+2)  |     |   |
| 30/R   Air Quality - wood-burning appliance in restaurant/bar   -2  | 26/R<br>27/A<br>27/R<br>28/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines   | 4x(-2/+2) Complies 3x(0/+2) Complies   |     |   |
| 30/R   Beyond the provisions of Policy 30/A   2x(0/+2)  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies  |     |   |
| 31/R   Water Quality   Water Criteria   3x(0/+2)     32/A   Water Conservation   Complies   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies   |     |   |
| 31/R   Water Quality - Water Criteria   3x(0/+2)  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2  |     |   |
| 32/A   Water Conservation   Complies  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2)   |     |   |
| Staff recommends negative three (-3) points for excessive energy use by the heated driveway.   33/R   Energy Conservation - Energy Conservation   3x(-2/+2)   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>31/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies  |     |   |
| 33/R       Energy Conservation - Renewable Energy Sources       3x(0/+2)       - 3       for excessive energy use by the heated driveway.         33/R       Energy Conservation - Energy Conservation       3x(-2/+2)       Staff recommends positive three (+3) points under Policy 33R for a HERS Index of 41-60.         33/R       Obtaining a HERS index       +1       53/R HERS rating = 61-80       +2         33/R       HERS rating = 41-60       +3       43/R HERS rating = 19-40       +4         33/R       HERS rating = 1-20       +5       45/R HERS rating = 0         Commercial Buildings - % energy saved beyond the IECC minimum standards       41       41         33/R       Savings of 10%-19%       +1       41         33/R       Savings of 30%-39%       +4       43         33/R       Savings of 40%-49%       +5       44         33/R       Savings of 50%-59%       +6       44         33/R       Savings of 60%-69%       +7       48         33/R       Savings of 70%-79%       +8       48   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2)   |     |   |
| HERS index for Residential Buildings  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2)   |     |   |
| HERS index for Residential Buildings  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Conservation   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies  | - 3 | for excessive energy use by the heated  |
| 33/R HERS rating = 61-80  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies  | - 3 | for excessive energy use by the heated  |
| 33/R HERS rating = 61-80  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R HERS rating = 41-60  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2) 3x(0/+2)                            |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R HERS rating = 19-40  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)                                     |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R HERS rating = 1-20   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 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  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| Commercial Buildings - % energy saved beyond the IECC minimum standards   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>31/A<br>31/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 19-40   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 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   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/A<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 19-40  HERS rating = 1-20   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  4x(0/+2) 3x(-2/+2)  +1 +2 +3 +4 +5 |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 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  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  4x(0/+2) 3x(-2/+2)  +1 +2 +3 +4 +5 |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 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   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 -2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)                                    |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R Savings of 50%-59% +6 33/R Savings of 60%-69% +7 33/R Savings of 70%-79% +8  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 20%-29%  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 -2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)                                    |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R Savings of 50%-59% +6 33/R Savings of 60%-69% +7 33/R Savings of 70%-79% +8  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R   | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 20%-29%  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies Complies -2 -2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)                                    |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R Savings of 70%-79% +8  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/A<br>31/R<br>32/A<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R                         | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 61-80  HERS rating = 19-40  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 20%-29%  Savings of 30%-39%   | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
| 33/R Savings of 70%-79% +8  | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/R<br>31/R<br>31/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R         | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 50%-29%  Savings of 30%-39%  Savings of 50%-59%  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
|   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/R<br>31/R<br>31/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R         | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 50%-29%  Savings of 30%-39%  Savings of 50%-59%  | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |
|   | 26/R<br>27/A<br>27/R<br>28/A<br>29/A<br>30/R<br>30/R<br>31/R<br>31/R<br>31/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R<br>33/R | Infrastructure - Capital Improvements  Drainage  Drainage - Municipal Drainage System  Utilities - Power lines  Construction Activities  Air Quality  Air Quality - wood-burning appliance in restaurant/bar  Beyond the provisions of Policy 30/A  Water Quality - Water Criteria  Water Quality - Water Criteria  Water Conservation  Energy Conservation - Renewable Energy Sources  Energy Conservation - Energy Conservation  HERS index for Residential Buildings  Obtaining a HERS index  HERS rating = 61-80  HERS rating = 41-60  HERS rating = 19-40  HERS rating = 1-20  HERS rating = 1-20  HERS rating = 0  Commercial Buildings - % energy saved beyond the IECC minimum standards  Savings of 10%-19%  Savings of 50%-29%  Savings of 50%-59%  Savings of 50%-59%  Savings of 60%-69% | 4x(-2/+2) Complies 3x(0/+2) Complies Complies -2 2x(0/+2) Complies 3x(0/+2) Complies 3x(0/+2)  -2 -2                                       |     | for excessive energy use by the heated driveway.  Staff recommends positive three (+3) points |

| 00/5   | I  | 4344.0403 |  |
|--------|--|-----------|--|
| 33/R   | Heated driveway, sidewalk, plaza, etc.                       | 1X(-3/0)  |  |
| 33/R   | Outdoor commercial or common space residential gas fireplace | 1X(-1/0)  |  |
|        | (per fireplace)  | . ,       |  |
| 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) |  |
|        | 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  |  |
|        | Voluntary Defensible Space                                   | Complies  |  |
| 49/A   | Vendor Carts   | Complies  |  |
| 50/A   | Wireless Communications Facilities                           | Complies  |  |

### TOWN OF BRECKENRIDGE

Pilon Residence Gold Flake Subdivision, Filing 3, Lot 2 206 Stillson Placer Terrace PL-2017-0101

**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 **April 26, 2017** 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 **May 2, 2017** 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 **November 9, 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.
- 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 provide the Town with a projected HERS Certificate prepared by a registered design professional estimating a HERS Index of 60 or less.
- 14. Applicant shall submit proof of ownership of the project site.
- 15. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 16. 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.
- 17. 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.
- 18. 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.
- 19. 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.
- 20. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location and type of construction fencing, 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.

- 21. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
- 22. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
- 23. 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.
- 24. 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

- 25. Applicant shall provide the Town with a final HERS Index energy analysis prepared by a registered design professional confirming a HERS Index of 60 or less.
- 26. Applicant shall submit and receive Town approval of a plat showing the modified Public Trail and Drainage Easement, as shown on the approved site plan, and shall record the plat with the Summit County Clerk and Recorder.
- 27. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 28. 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.
- 29. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 30. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 31. 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.
- 32. 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.
- 33. Applicant shall screen all utilities.
- 34. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
- 35. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this

condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.

- 36. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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.
- 37. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "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.
- 38. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 39. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. *Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy*.

| (Initial Here) |  |
|----------------|--|

LOT 2 . GOLD FLAKE SUBDIVISION . FILING #3 . 206 STILLSON PLACER TERRACE

BRECKENRIDGE . COLORADO . 80424



# PRELIMINARY HOA & TOWN PLANNING

7 APRIL 2017

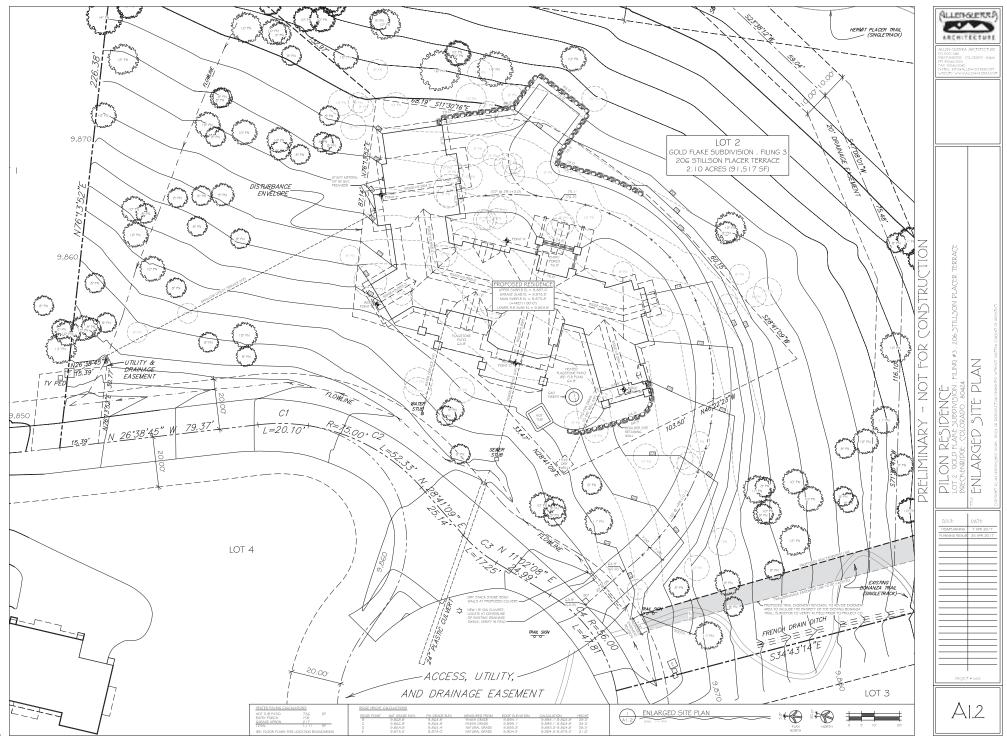


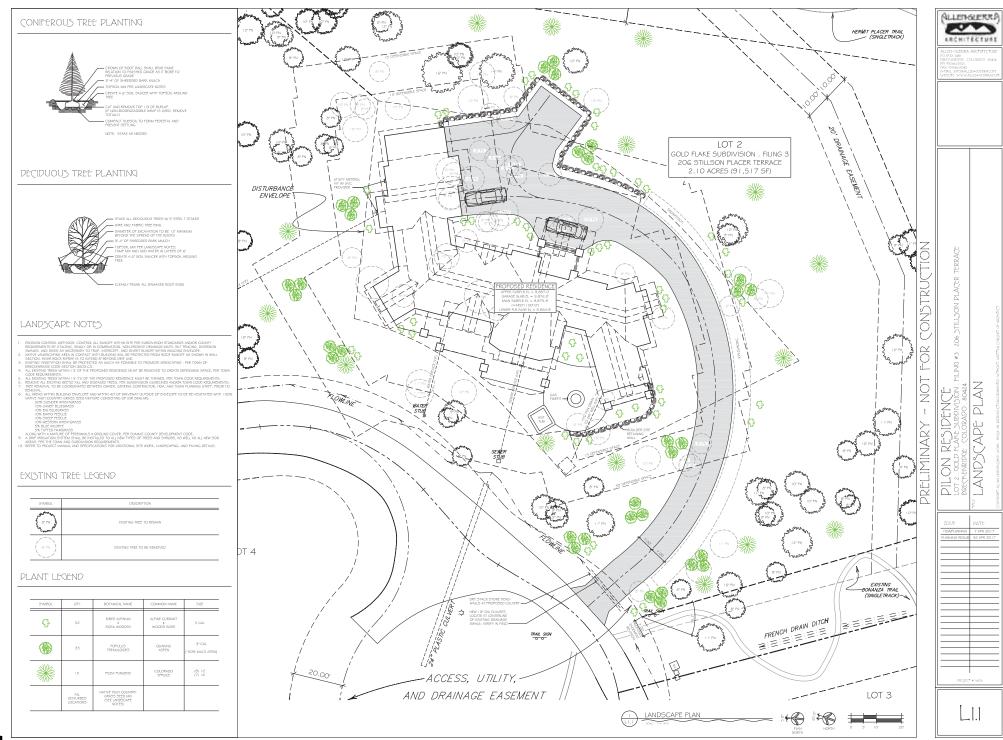
DRECKENRIDGE . COLORADO T: 970.453.7002 WWW.ALLEN-GUERRA.COM



# PRELIMINARY – NOT FOR CONSTRUCTION PILON RESIDENCE LOT 2, GOLD HAVE SUBDIVISION FILIND #3 , 200 STILLSON PLACER TERRACE PRECKENRIDGE, COLORADO , 80424 COVER SHEET

|                       | Ù au                |
|-----------------------|---------------------|
| LSSUE:<br>HOMPLANNING | DATE:<br>7 APR 2017 |
|                       |                     |
|                       |                     |
|                       |                     |
|                       |                     |
|                       |                     |
| PROJEC*               | [ #: 10100          |









A3.1







PILON RESIDENCE
OT 2. GOLD FLAKE SUBDIVISION: FILING #3. 206 STILLSON PLACER TERRACE
BREKERHROGE: COLORADO, 80424

EXTERIOR ELEVATIONS

ISSUE DATE HOAFLANDING LAW 281

43.2





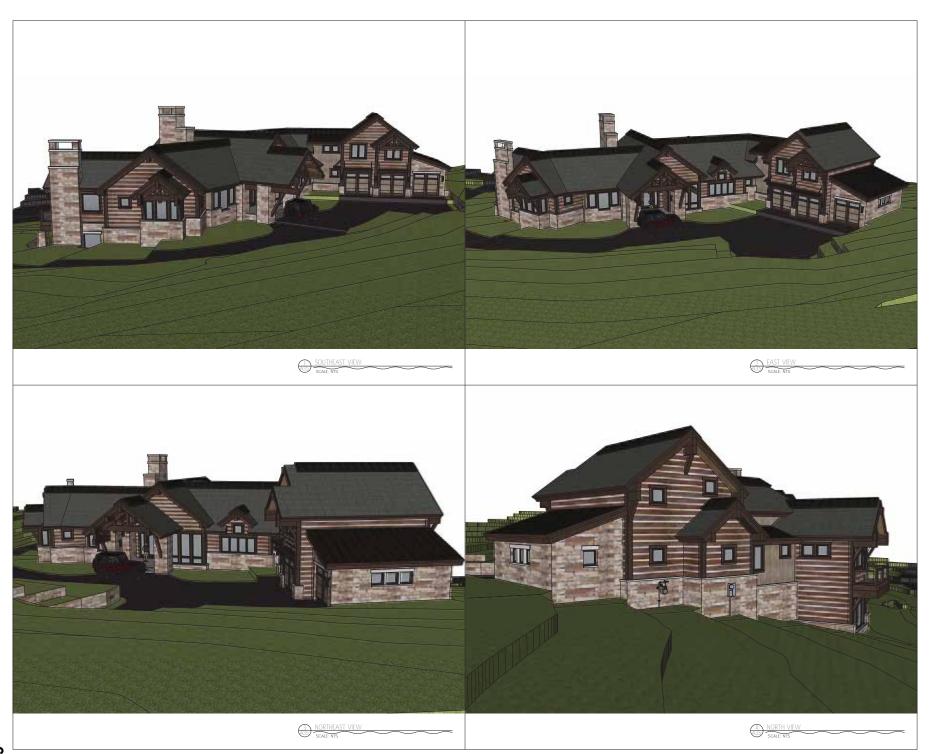


ALEN-GLERRA ARCHIECTURE PO BOX NEI PO BOX NEI PA VIGEOLOGY PA VIGEOLOGY WE STE WWWALLIS GREACOW WE STE WWWALLIS GREACOW

PILON RESIDENCE
1.072, GOLD FLARE SUBDIVISION, FILING #3, 206 STILLSON PLACER TERRACE
3D MODEL VIEWS

ISSUE DATE
HOMPLANNING 7249 207
PROJECT #687

A3.4



ALEN-CUESRA ARCHITECTURE
PO DOS NIE
PO DOS N

PILON RESIDENCE
1072, GOLD FLAKE SUBDIVISION, FLING #3, 206 STILLSON PLACER TERRACE
BRECKENBROSE, COLORADIO 80424
3D MODEL VIEWS

SSUE DATE 1997 201

A3.5

EXTERIOR MATERIALS SCHEDULE DATE: 7 APRIL 2017

| LABEL | ITEM                      | COLOR | DESCRIPTION   |
|-------|---------------------------|-------|---|
| M1    | ROOF - SHINGLE            |       | DAVINCI COMPOSITE SHINGLES<br>MULTI-WIDTH SHAKE:<br>'MOUNTAIN'                        |
| M2    | ROOF – METAL              | 111   | SNAP LOCK STANDING SEAM:<br>KYNAR 'DARK BRONZE'                                       |
| МЗ    | FASCIA                    |       | 2x CEDAR PER DETAILS:<br>SW SUPERDECK STAIN<br>'2320 CAPE BLACKWOOD'                  |
| M4    | SOFFIT                    |       | 1x T&G CEDAR PER DETAILS:<br>DALYS STAIN<br>'191 LIGHT WALNUT'                        |
| M5    | HORIZONTAL SIDING         |       | 2x12 HAND HEWN CEDAR:<br>SW SUPERDECK STAIN<br>'2320 CAPE BLACKWOOD<br>& 25% THINNER' |
| М6    | CHINKING                  |       | LOG JAM CHINKING: 'MORTAR WHITE'  |
| M7    | VERTICAL SIDING           |       | 2x BOARD BY BOARD<br>MONTANA TIMBER PRODUCTS<br>RANCHWOOD 'WESTERN'                   |
| M8    | DOOR & WINDOW<br>CLADDING |       | JELD-WEN EPIC VUE<br>ALUMINUM CLAD WOOD:<br>'ANODIZED EXTRA DARK BRONZE'              |
| M9    | DOOR & WINDOW<br>TRIM     |       | 3x & 4x CEDAR PER DETAILS:<br>SW SUPERDECK STAIN<br>'2320 CAPE BLACKWOOD'             |

NOTE: ALL EXPOSED METAL INCLUDING, BUT NOT LIMITED TO, TYPICAL FLASHING, DOWNSPOUTS, GUTTERS, DRIP EDGE, VENT STACKS, FLUE PIPES, ETC, SHALL BE KYNAR 'DARK BRONZE. ALL MATERIALS TO HAVE MATTE (NONOREFLECTIVE) FINISH.



EXTERIOR MATERIALS SCHEDULE DATE: 7 APRIL 2017

| LABEL | ITEM                                       | COLOR | DESCRIPTION   |
|-------|--|-------|---|
| M10   | WOOD DECKING                               |       | 2x BRAZILIAN HARDWOOD (IPE):<br>NATURAL OIL SEALER  |
| M11   | CHIMNEY CAP                                |       | 6" BUFF SANDSTONE CAP W/<br>CHISELED EDGE PER DETAILS   |
| M12   | STONE VENEER                               |       | SILOAM STONE SANDSTONE<br>FULL VENEER DRY STACK   |
| M13   | STONE VENEER CAP                           |       | 3" BUFF SANDSTONE CAP W/<br>CHISELED EDGE PER DETAILS   |
| M14   | EXPOSED<br>POSTS/BEAMS                     |       | HAND HEWN DF TIMBER POSTS & BEAMS PER DTLS; SW SUPERDECK 'CAPE BLKWOOD & 25 % THINNER'                                  |
| M15   | DECK GUARDRAILS                            |       | CUSTOM STEEL & WOOD PER<br>DETAILS: CEDAR STAIN 'CAPE<br>BLKWOOD W/ THINNER' & POWDER<br>COATED STL KYNAR 'MATTE BLACK' |
| M16   | GARAGE DOORS                               |       | CEDAR CLAD, PER DETAILS;<br>STAIN W/ SW SUPERDECK<br>'CAPE BLACKWOOD AT TRIM<br>& 2x RECLAIMED AT VERTICAL              |
| M17   | BEAM END FLASHING<br>EXPOSED STEEL,<br>ETC |       | CUSTOM STEEL PER DETAILS:<br>KYNAR 'DARK BRONZE'  |

NOTE: ALL EXPOSED METAL INCLUDING, BUT NOT LIMITED TO, TYPICAL FLASHING, DOWNSPOUTS, GUTTERS, DRIP EDGE, VENT STACKS, FLUE PIPES, ETC, SHALL BE KYNAR 'DARK BRONZE'. ALL MATERIALS TO HAVE MATTE (NON-REFLECTIVE) FINISH.



LOT 2, GOLD FLAKE SUBDIVISION, FILING #3 206 STILLSON PLACER TERRACE BRECKENRIDGE, COLORADO



MODEL # 0D2209 W/ CUSTOM INSERT TO MEET DARK SKY REQUIREMENTS (SEE BELOW)

MANUFACTURER: HAMMERTON

DIMENSIONS: 22" HEIGHT; 11" WIDTH; 13" DEPTH

FINISH & GLASS: FLAT BRONZE W/ ACRYLIC-DARK W/O SHEEN LENS & PERMANENTLY WELDED OPAQUE INSERT TO MEET DARK SKY ORDINANCE (LIGHT EMITS DOWNARD FROM FIXTURE ONLY)

MAX WATTAGE: 60 WATTS

# **Planning Commission Staff Report**

**Subject:** Lincoln Grill

(Class A Development, Final Hearing; PL-2017-0030)

**Proposal:** The proposal is for a two-story building with a basement containing a total of 2,678

sq. ft. of restaurant space.

Project Manager: Chris Kulick, AICP

**Date:** April 25, 2017 (for the meeting of May 2, 2017)

**Applicant/Owner:** GHW Associates – Jon Gunson

**Agent:** Jon Gunson, Custom Mountain Architecture

**Address:** 112 Lincoln Avenue

Legal Description: Lot 41, Bartlett and Shock Subdivision

**Lot 5 Site Area:** 0.061 acres (2,678 sq. ft.)

Land Use District: 18.2: 1:1 FAR, Commercial and 20 UPA, Residential

**Historic District:** Core Commercial - Character Area #6

**Site Conditions:** The property slopes downhill towards the south west at a rate of about 8%.

The site is vacant and a portion of the Courthouse Parking lot encroaches onto the north portion of the site (378 sq. ft.). Native vegetation covers the rest of the site (2,300 sq. ft.). The Town sidewalk encroaches into the south side of the lot. There is a platted pedestrian easement along the north and east sides on the property that upon construction of a walkway will provide access from Lincoln Avenue to the Courthouse Lot. Additionally there is a parking easement located on the northern edge of the property that is dedicated to the Town and County. This easement credits the property for 3 spaces. A Town light pole and parking meter is located on the

property. They will need to be moved to Town property with this application.

Adjacent Uses: North: Courthouse Parking Lot West: Salt Creek Saloon

South: Lincoln Avenue East: Blue Front Bakery

**Density:** Allowed (1:1 FAR, Commercial): 2,678 sq. ft.

Proposed density: 2,678 sq. ft.

**Above Ground:** In Character District 6: Core Commercial, above ground density is not restricted.

Mass: Allowed (No mass bonus for commercial): 2,678 sq. ft.

Proposed mass: 1,888 sq. ft.

Height (measured to the top of the parapet):

Recommended: 26' (30' max) Proposed: 23'-10 3/4"

**Parking:** Required:

Restaurant Use (3.5/1,000 SF): 9.373 spaces

Proposed (on-site): 3.00 spaces (per Mutual Easement)

To be purchased in Parking Service Area: 6.373 spaces

**Setbacks:** 

Required (Absolute/ Relative): 0'

Proposed:

Front: 1' 6"
Sides: 2' and 0"
Back: 23"

# Changes Since March 21, 2017 Preliminary Hearing

- 1. Landscaping the applicant has revised the landscape plan to have a buffer of spruce trees behind the building to provide screening from the adjacent parking lot.
- 2. Colored Architectural Rendering at the request of the Commission, the applicant has provided a detailed colored rendering.
- 3. Full Size Plans the applicant has provided full size plans for the meeting.

# **Item History**

The Lincoln Grill was reviewed by the Planning Commission as a Work Session on January 17, 2017 and as a Preliminary Hearing on March 21, 2017. At the preliminary hearing, staff received direction on several policies. Below is a summary of the policies that achieved a majority consensus and remain unchanged from the previous preliminary hearing. These items include:

- **Policy 21/R Open Space:** Negative three (-3) points because only 6.9% of the site (195 sq. ft.) is designed as open space.
- **Policy 16/R Internal Circulation:** Positive three (+3) points for providing a public mid-block crossing.
- **Policy 18/R Parking:** The proposal shows 3 onsite parking spaces. The remaining required parking (6.373 spaces) will be purchased per the Parking Service Area requirements. This is a condition of approval. Additionally, positive one (+1) point was recommended by the Commission because the onsite parking is accessed from shared access points.
- Land Use (Policies 2/A & 2/R): Land Use District 18-2 suggests both residential and commercial uses. The applicant intends to have the building serve as a restaurant.
- Placement of Structures (9/A & 9/R): As a commercial use, zero setbacks are allowed. The submitted plans show setbacks of 1'-6" from the front property line facing Lincoln Avenue, the building being attached to the Salt Creek Restaurant on the Westside, 2' from the east property line

facing the pedestrian easement and 22' from the north property line bordering the Courthouse Parking Lot.

- Snow Removal and Storage (13/A & 13/R): Snow storage meets 25% requirement.
- Refuse (15/R): Refuse for this development will be accommodated by an existing waste facility located behind the Town Square Mall that is shared by the surrounding uses (Town Square Mall, and the Blue Front Bakery tenants).
- **Drainage (27/A & 27R):** Drainage for the site will be handled through an existing storm sewer line that is located within the pedestrian easement. The applicant paid for this drainage improvement in 2008.
- Social Community / Employee Housing (24/R): Since the development is less than 5,000 square feet in density, no employee housing is required.
- Utilities Infrastructure (26/A & 26/R; 28/A): All necessary utilities are located in the adjacent ROWs.

# **Staff Comments**

# The Social Community (24/A):

B. Historic And Conservation District: Within the conservation district, which area contains the historic district (see special areas map) substantial compliance with both the design standards contained in the "handbook of design standards" and all specific individual standards for the transition or character area within which the project is located is required to promote the educational, cultural, economic and general welfare of the community through the protection, enhancement and use of the district structures, sites and objects significant to its history, architectural and cultural values.

Since this policy addresses the design criteria found in the Handbook of Design Standards for the Historic and Conservation Districts along with the individual Character Areas, discussion of all historic details will be reviewed under this policy and are to follow:

**Elevations:** The typical building details for this Character Area included large display windows at the street level with simple smaller rectangular windows above. Historically, the upper level of a building exhibited more solid than the typical solid-to-void ratio we see in other Districts.

Section 4.3 of the Handbook of Design Standards for the Historic and Conservation Districts describes the specific building components found on typical historic commercial buildings found in Breckenridge. This is exhibited in the illustration below and compared with the proposed front facade:

# **Illustration From Handbook**

# **Proposed Front Facade**



The proposed building shows a recessed entrance store-front design, with storefront windows, sandstone kick plate and sandstone above transom windows on the lower level with wood lap siding with arched windows on the second story. At the Preliminary Hearing the Commission found the design to abide with the Handbook of Design Standards. The design is unchanged from the design the Commission reviewed at the Preliminary Hearing. Staff has no concerns with the form.

**Building Materials:** The design features wood 4" reveal lap siding as the primary second story building material, and sandstone and glass on the lower level to comply with the design standards of the Core Commercial Character Area.

Design Standard 225 states "Maintain the present balance of building materials found in the Core Commercial Area." and further emphasizes;

- "Use painted wood lap siding as the primary building material. An exposed lap dimension of approximately 4 inches is appropriate. This helps establish a sense of scale for buildings similar to that found historically."
- "Masonry (brick or stone) may only be considered as an accent material. Stone indigenous to the mountains around Breckenridge may be considered."

At the Preliminary Hearing, the Commission achieved consensus that the proposed primary materials were in compliance with Design Standard 225 (Mr. Giller & Mrs. Leidal were supportive of how the primary materials complied with Design Standard 225, however they did not believe the metal ornamentation complied).

Windows: The windows in the present design are unchanged from the Preliminary Hearing.

Priority Design Standard 95 states "The proportions of window and door openings should be similar to historic buildings in the area" and that "this is an important design standard." Priority Design Standard 96

further emphasizes the importance of window proportions, "Use a ratio of solid to void that is similar to those found on historic and supporting buildings." The importance of windows is again repeated in Priority Design Standard 222, "Maintain the alignment of upper story windows."

At the Preliminary Hearing the Commissioners present supported the design of the second story elevation and determined the design abided with Priority Design Standards 95, 96 and 222 due to their historic profile and narrow height to width ratio.

The elevations also show arched upper level window heads, rather than a simple rectangle. Historic arched windows do exist in Town, but simple rectangular windows are more prevalent on upper levels of commercial buildings. Arched windows are seen on some historic buildings such as the Breckenridge Grand Vacations Community Center and new construction on the Centennial Bank Building next door (116 Lincoln Ave.) and the Rounds building (137 S. Main St.).

Design Standard 223 states: "Maintain the pattern created by upper story windows."

• "Windows of a similar size and shape to those found historically should be used, and other façade elements that establish the same pattern should be incorporated."

Since this is new construction and there is established precedent, both from historic buildings and new construction, the Commission found the arched windows on the second story acceptable at the Preliminary Hearing because they adhere to recommended solid to void ratios.

**Ornament and Detail:** The cornice and trim detail of the building is unchanged from the preliminary hearing. Specifically, the proposed cornice is made of metal, has a height of 24" and the cornice openings are 10" H x 14" W (140 sq. in.). The applicant has provided color renderings to better illustrate the look of the ornamentation.

Design Standard 228 states "Use ornament and detail that will reinforce the established pedestrian character of the area." and additionally specifies:

• "In particular, windows, details, ornaments and cornice moldings reoccur frequently and are encouraged to enhance visual interest."

Staff further notes, the Handbook states under Design Standard 228 "Contemporary interpretations of traditional details may be considered" and language on page 53 specifically recommends using style defining features as a means of distinguishing old from new.

"Using different styles to distinguish old from new

One option is to develop a design that is different stylistically from original buildings, but that retains enough similar characteristics to remain compatible with the context. One way to be compatible is to use a vocabulary of basic building elements that are similar to those used on historic structures, but without actually imitating the detail of historic styles. Using this approach, a design for a new building would be similar in size, shape, and materials to those in the historic context and basic proportions of major architectural features such as porches, window openings and roofs, would be similar to those of historic structures. The style-defining features of the historic period, such as decorative cornices and brackets, however would not be used. In this way, the new building would be distinguishable from the older structures in the area.

When buildings of this type are inserted into the historic district, two benefits result: First, we are able to distinguish the new from the old and therefore can clearly interpret the evolution of the street as it

has changed in time. Second, although we are able to distinguish between individual building periods, the overall image of the street is cohesive because of the basic similarities in the forms of the buildings themselves. Designing in new styles that are compatible yet distinguishable from historic buildings in the district is therefore an approach that is encouraged."

Staff believes the applicant has designed a building that sympathetically balances old from new by utilizing all of the historic forms and materials at the macro level and differentiates itself subtly at the micro level by using metal instead of wood for cornice and trim details. At the Preliminary Hearing the Commission achieved a narrow consensus (Mr. Lamb, Mr. Schuman, Mrs. Dudney and Mr. Gerard – yes; Mr. Giller and Mrs. Leidal – no) that the proposed cornice and trim detail abided with Design Standard 228. We find the language on page 53 to further support this consensus.

**Site Plan:** The project follows the historic settlement pattern for this block (Priority Design Standard 4). It also matches the Town grid (Priority Design Standard 5). Staff believes that the new construction reinforces the unity of the block (Priority Design Standard 8).

All parking is located at the rear of the lot in a portion of the site and a small portion of the existing Courthouse Parking Lot (discussion below). Landscaping (Design Standard 213) has been kept to a minimum along the street edge to be harmonious with the functions of the Core Commercial Character Area.

At the Preliminary Hearing, the Commission was supportive of placing the building as currently shown on the site plan. This positioning is similar to other buildings located in the Core Commercial Area, having little to no side yards. The proposal maintains a strong "building wall" along the sidewalk per the Core Commercial design standards, complying with Priority Design Standard 210.

Landscaping (22/A & 22/R): Requirements for any landscaping in the Core Commercial Area is limited. Design Standard 214 states that the majority of plantings within the property should be native while perennial plantings may be used as accents. There is no requirement for substantial planting in this Character Area. The applicant has revised his landscape plan to include a buffer of spruce trees behind the building to provide screening from the adjacent parking lot. Additionally, the plan uses planters along the walkways to beautify the site while still allowing full pedestrian access to the walkways. Staff is supportive of the landscape plan.

**Point Analysis (Section: 9-1-17-3)**: Staff believes that all absolute policies have been met and that the proposal warrants the following points for a total passing point analysis of positive one (+1) point.

Negative points are incurred for:

• Policy 21/R Open Space: Negative three (-3) points because only 6.9% of the site (195 sq. ft.) is designed as open space.

Positive points are awarded for:

• Policy 16/R Internal Circulation: Positive three (+3) points for providing a public mid-block crossing.

• Policy 18/R Parking: Positive one (+1) point because the onsite parking is accessed from shared access points.

# **Staff Recommendation**

The applicant has worked with Staff closely to bring this proposal into compliance with the Development Code and the Handbooks of Design Standards for the Historic and Conservation Districts. Key design issues were discussed and the changes addressed with this submittal.

Staff has no specific questions for the Commission with this final review. However, we welcome any comments and questions.

The Planning Department recommends the Commission approve the Lincoln Grill, (PL-2017-0030), showing a passing score of positive one (+1) point along with the attached Findings and Conditions.

|                 | le:   |                       | T            |                                 |
|-----------------|---|-----------------------|--------------|---------------------------------|
| Droin at:       | Final Hearing Impact Analysis   | Decisio-              | Dointo       | 14                              |
| Project:<br>PC# | Lincoln Grill PL-2017-0030  | Positive              | Points       | +4                              |
| Date:           | 4/7/2017  | Negative              | Points       | - 3                             |
| Staff:          | Chris Kulick, AICP  | Negative              | ·            |                                 |
|                 |   | Total                 | Allocation:  | +1                              |
|                 | Items left blank are either not   | applicable or h       | nave no comn | nent                            |
| Sect.           | Policy  | Range                 | Points       | Comments                        |
| 1/A             | Codes, Correlative Documents & Plat Notes   | Complies              |              |                                 |
| 2/A<br>2/R      | Land Use Guidelines   | Complies              |              |                                 |
| 2/R<br>2/R      | Land Use Guidelines - Uses Land Use Guidelines - Relationship To Other Districts                                | 4x(-3/+2)<br>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  Architectural Compatibility H.D. / Above Ground Density 12 | 5x(-5/0)              |              |                                 |
| 5/R             | UPA   | (-3>-18)              |              |                                 |
|                 | Architectural Compatibility H.D. / Above Ground Density 10  | (0, 0)                |              |                                 |
| 5/R             | 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  |                       |              |                                 |
| 6/R             | the Historic District Building Height Inside H.D 23 feet  | (-1>-3)               |              |                                 |
| 6/R             | Building Height Inside H.D 25 feet  Building Height Inside H.D 25 feet  | (-1>-5)<br>(-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   |                       |              |                                 |
| 0/5             | District  |                       |              |                                 |
| 6/R<br>6/R      | Density in roof structure   | 1x(+1/-1)             |              |                                 |
| 6/R             | Broken, interesting roof forms that step down at the edges Minimum pitch of eight in twelve (8:12)              | 1x(+1/-1)<br>1x(0/+1) |              |                                 |
| 7/R             | Site and Environmental Design - General Provisions  | 2X(-2/+2)             |              |                                 |
| 7/R             | Site and Environmental Design / Site Design and Grading   | 2X(-2/+2)             |              |                                 |
| 7/R             | Site and Environmental Design / Site Buffering  | 4X(-2/+2)             |              |                                 |
| 7/R             | Site and Environmental Design / Retaining Walls   | 2X(-2/+2)             |              |                                 |
|                 | Site and Environmental Design / Driveways and Site Circulation  | 4X(-2/+2)             |              |                                 |
| 7/R<br>7/R      | Systems Site and Equipmental Region / Site Privacy  | , ,                   |              |                                 |
| 7/R<br>7/R      | Site and Environmental Design / Site Privacy Site and Environmental Design / Wetlands                           | 2X(-1/+1)<br>2X(0/+2) |              |                                 |
| 7713            | -   | · · · · · ·           |              |                                 |
| 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<br>9/R      | Placement of Structures - Public Snow Storage Placement of Structures - Setbacks                                | 4x(-2/0)<br>3x(0/-3)  |              |                                 |
| 12/A            | Signs   | Complies              |              | 1                               |
| 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/D            | Refuse - Dumpster enclosure incorporated in principal structure   | 1x(+1)                |              |                                 |
| 15/R<br>15/R    | Refuse - Rehabilitated historic shed as trash enclosure   | 1x(+2)                |              |                                 |
| 13/13           |   |                       |              |                                 |
| 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)             | +3           | Mid-block pedestrian connection |
| 16/R            | Internal Circulation - Drive Through Operations   | 3x(-2/0)              |              |                                 |
| 17/A            | External Circulation  | Complies              |              |                                 |
| 18/A            | Parking Coporal Requirements  | Complies              |              |                                 |
| 18/R            | Parking - General Requirements  | 1x( -2/+2)            | ļ            | <u> </u>                        |

| 40/0 | D. I. D. I. M. H.  | 0 (0(:0)     |       | ı   |
|------|--|--------------|-------|---|
|      | Parking-Public View/Usage                                      | 2x(-2/+2)    |       |   |
| 18/R | Parking - Joint Parking Facilities                             | 1x(+1)       |       |   |
|      | Parking - Common Driveways                                     | 1x(+1)       | +1    | Shared driveway that serves more than one |
| 18/R | 1 arking - Common Driveways                                    | 17(11)       | • • • | property.                                 |
|      | Parking - Downtown Service Area                                | 2x( -2+2)    |       |   |
| 19/A | Loading  | Complies     |       |   |
|      | Recreation Facilities  | 3x(-2/+2)    |       |   |
|      | Open Space - Private Open Space                                | 3x(-2/+2)    | - 3   | 6.9% is Open Space (<15%)                 |
|      | Open Space - Public Open Space                                 | 3x(0/+2)     |       |   |
|      | Landscaping  | Complies     |       |   |
|      |  |              |       |   |
|      | Landscaping  | 2x(-1/+3)    |       |   |
|      | Social Community   | Complies     |       |   |
|      | Social Community - Employee Housing                            | 1x(-10/+10)  |       |   |
|      | Social Community - Community Need                              | 3x(0/+2)     |       |   |
|      | Social Community - Social Services                             | 4x(-2/+2)    |       |   |
|      | Social Community - Meeting and Conference Rooms                | 3x(0/+2)     |       |   |
| 24/R | Social Community - Historic Preservation                       | 3x(0/+5)     |       |   |
|      | 0  | .0/0/0/40/45 |       |   |
| 24/R | Social Community - Historic Preservation/Restoration - Benefit | +3/6/9/12/15 |       |   |
|      | Transit  | 4x(-2/+2)    |       |   |
|      | Infrastructure   | Complies     |       |   |
|      | Infrastructure - Capital Improvements                          | 4x(-2/+2)    |       |   |
|      |  |              |       |   |
|      | Drainage   | Complies     |       |   |
|      | Drainage - Municipal Drainage System                           | 3x(0/+2)     |       |   |
|      | Utilities - Power lines  | Complies     |       |   |
|      | 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)     |       |   |
|      | Water Quality  | Complies     |       |   |
|      | Water Quality - Water Criteria                                 | 3x(0/+2)     |       |   |
|      |  | Complies     |       |   |
|      | Water Conservation   |              |       |   |
|      | Energy Conservation - Renewable Energy Sources                 | 3x(0/+2)     |       |   |
|      | 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           |       |   |
|      | HERS rating = 19-40  | +4           |       |   |
|      | HERS rating = 1-20   | +5           |       |   |
|      | HERS rating = 0  | +6           |       |   |
|      | Commercial Buildings - % energy saved beyond the IECC minimum  | +0           |       |   |
|      | 9, ,   |              |       |   |
|      | standards  | . 4          |       |   |
| 33/R | Savings of 10%-19%   | +1           |       |   |
|      | Savings of 20%-29%   | +3           |       |   |
|      | Savings of 30%-39%   | +4           |       |   |
|      | Savings of 40%-49%   | +5           |       |   |
| 33/R | Savings of 50%-59%   | +6           |       |   |
| 33/R | Savings of 60%-69%   | +7           |       |   |
|      | Savings of 70%-79%   | +8           |       |   |
|      | Savings of 80% +   | +9           |       |   |
|      | Heated driveway, sidewalk, plaza, etc.                         | 1X(-3/0)     |       |   |
|      | Outdoor commercial or common space residential gas fireplace   |              |       |   |
|      |  | 1X(-1/0)     |       |   |
|      | (per fireplace)  |              |       |   |
|      | Large Outdoor Water Feature                                    | 1X(-1/0)     |       |   |
|      | Other Design Feature   | 1X(-2/+2)    |       |   |
|      | Hazardous Conditions   | Complies     |       |   |
| 34/R | Hazardous Conditions - Floodway Improvements                   | 3x(0/+2)     |       |   |
|      | Subdivision  | Complies     |       |   |
|      | Temporary Structures   | Complies     |       |   |
|      | Special Areas  | Complies     |       |   |
|      | Community Entrance   | 4x(-2/0)     |       |   |
|      |  |              |       |   |
|      | Individual Sites   | 3x(-2/+2)    |       |   |
|      | Blue River   | 2x(0/+2)     |       |   |
|      | Cucumber Gulch/Setbacks  | 2x(0/+2)     |       |   |
| 37R  | Cucumber Gulch/Impervious Surfaces                             | 1x(0/-2)     |       |   |
|      | Home Occupation  | Complies     |       |   |
|      | Master Plan  | Complies     |       |   |
|      | Chalet House   | Complies     |       |   |
|      | Satellite Earth Station Antennas                               | Complies     |       |   |
|      | Tatama Eurin Station Alltolinus                                | Compiles     |       |   |

| 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

Lincoln Grill Lot 41, Bartlett & Shock Subdivision 112 Lincoln Avenue PL-2017-0030

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 **April 7, 2017** 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 **May 2, 2017** 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 **May 9, 2020**, 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

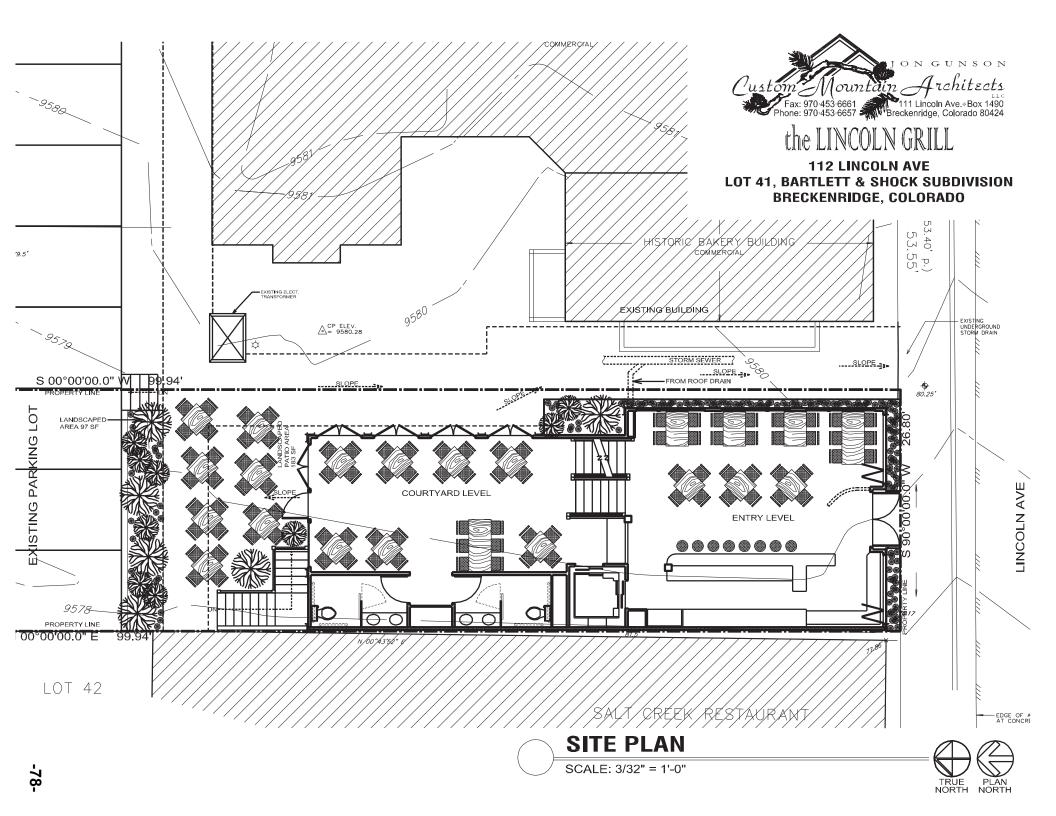
- 9. Applicant shall submit proof of ownership of the project site.
- 10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 11. Per section 9-3-12 of the Town Code, the applicant shall pay a fee in lieu 6.37 spaces. The amount of the in lieu fee shall be adjusted annually to reflect the percentage increase, if any, in the consumer price index (CPI-U) for all items for the Denver-Boulder, Colorado area produced by the bureau of labor statistics, or any successor index. This fee is on record with the Town.
- 12. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location and type of construction fencing, 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 or parking lot 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.
- 13. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
- 14. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

# PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 15. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
- 16. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
- 17. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
- 18. Applicant shall screen all utilities.

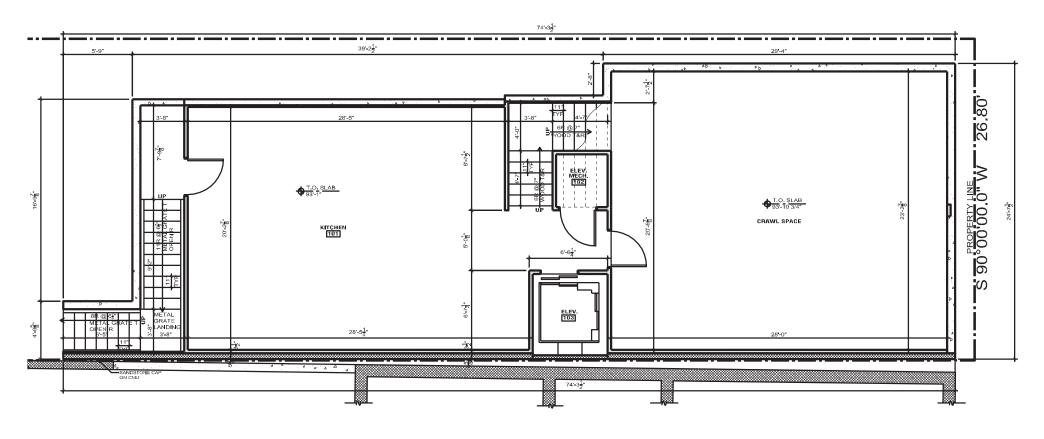
- 19. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 20. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
- 21. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
- 22. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "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.
- 23. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 24. 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) |  |  |
|----------------|--|--|





# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO

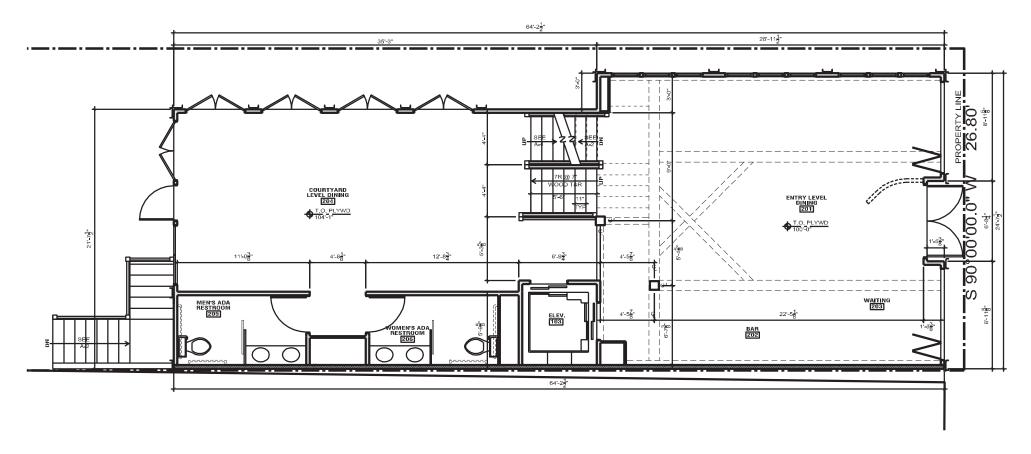








# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO

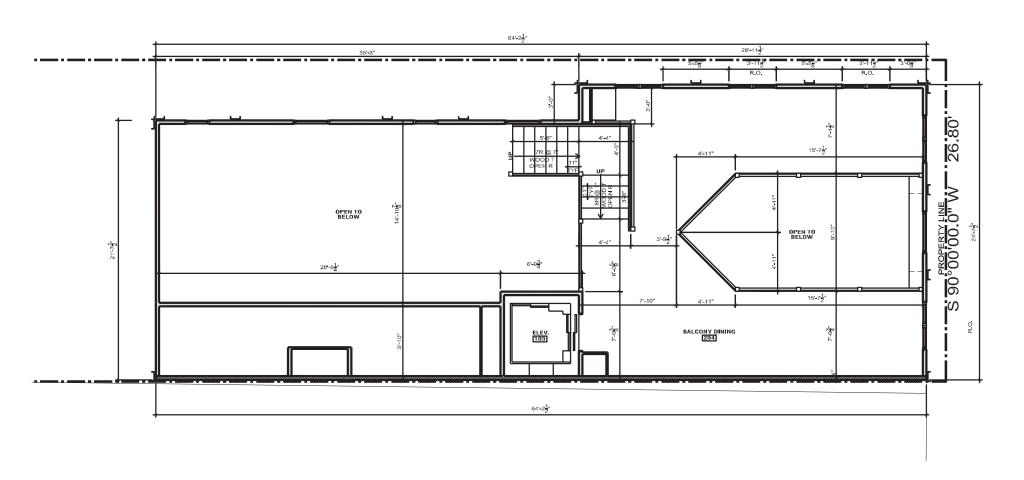








# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO

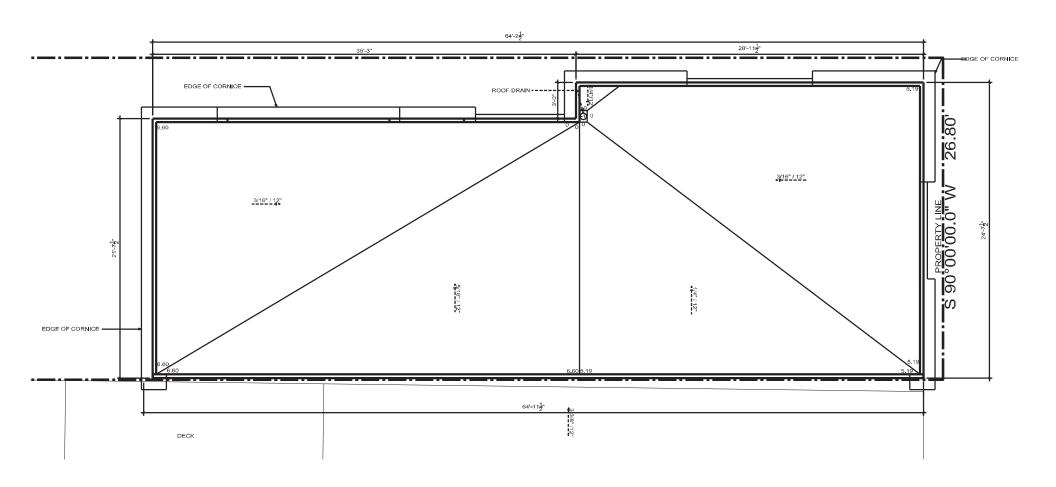


# **UPPER LEVEL FLOOR PLAN**





# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO









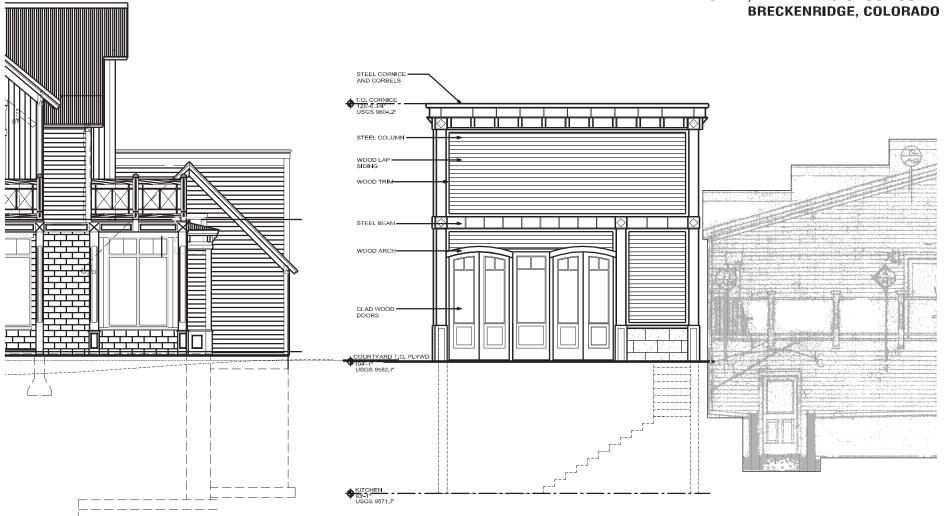
# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO



# **SOUTH ELEVATION**



# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO



# **NORTH ELEVATION**



# 112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO



# **EAST ELEVATION**



112 LINCOLN AVE LOT 41, BARTLETT & SHOCK SUBDIVISION BRECKENRIDGE, COLORADO



# **SOUTH ELEVATION**

SCALE: 3/16" = 1'-0"

ARCH 100.0' = USGS 9578.6'



SCALE: 3/16" = 1'-0"

ARCH 100.0' = USGS 9579.0'

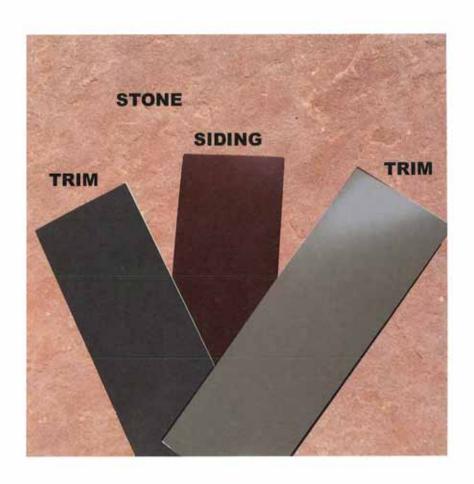


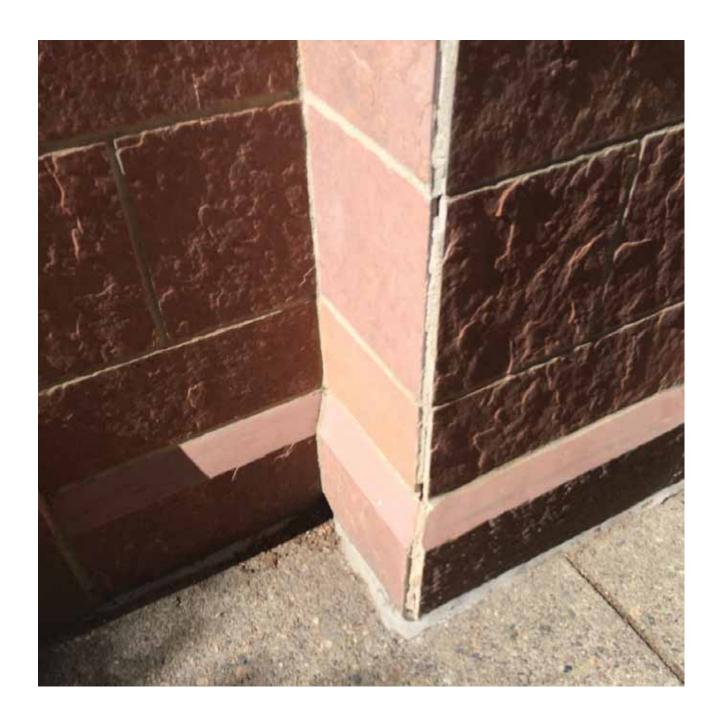


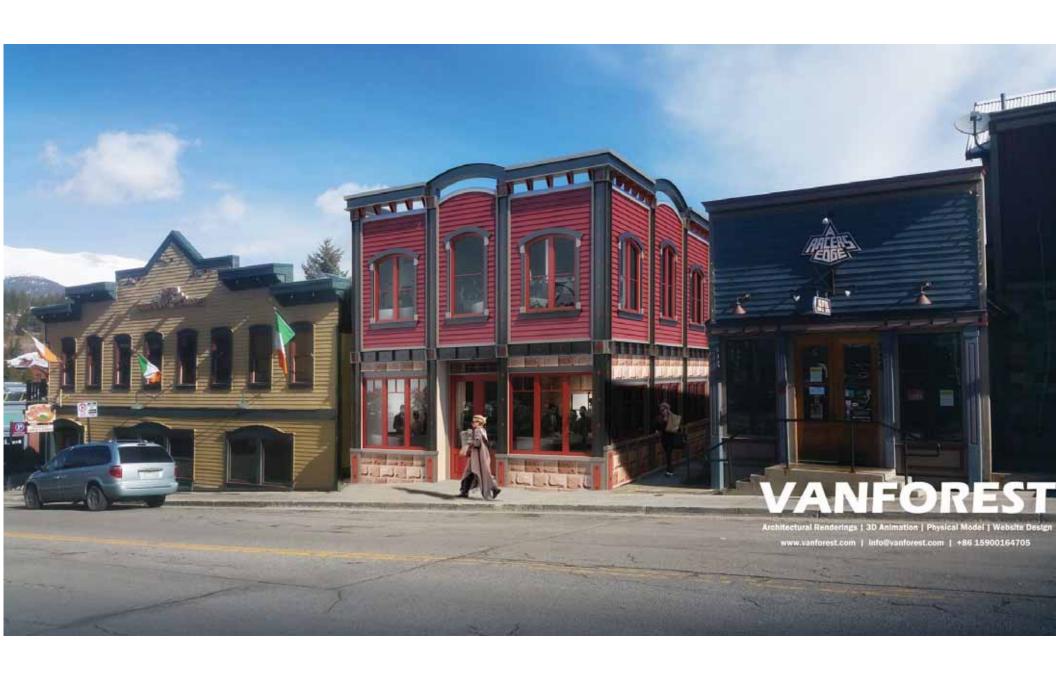
# **EAST ELEVATION**

SCALE: 3/16" = 1'-0"

ARCH 100.0' = USGS 9579.0'







# **Planning Commission Staff Report**

**Project Name:** Satellite Place Subdivision

(Class B Final Hearing; PL-2017-0054)

**Project Manager:** Chapin LaChance, Planner II

**Date:** April 27 for meeting of May 2, 2017

Applicant/Owner: JIJA Enterprises, LLC

**Agent:** Lee Edwards, DRC Company

**Proposal:** Subdivide Breckenridge Airport Subdivision, Block 5, Lot 4 into three separate lots, creating the Satellite Place Subdivision with access from Fraction Road. The Fraction Road right of way will also be platted with this subdivision.

Address: 1730 Airport Road

**Legal Description:** Lot 4, Block 5, Breckenridge Airport Sub Amended Resubdivision

**Total Site Area:** 58,327 sq. ft. (1.339 Acres)

**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 land use in this District but only on Block 11 of the Breckenridge Airport Subdivision, 1:4 FAR

**Site Conditions:** This is an undeveloped parcel with an existing bus stop along Airport Road frontage and an existing curb cut and concrete curb along Fraction Road which was recently constructed by the Town. Fraction Road connects Airport Road to the Town owned Satellite parking lot to the east of the property.

# **Adjacent Uses:**

**North**: mixed use (1<sup>st</sup> floor commercial/office, 2<sup>nd</sup> floor residential)

**South**: commercial (auto-repair)

East: Satellite Skier Parking Lot (town owned Block 11/future residential use)

**West**: mixed use (1<sup>st</sup> floor commercial/office, 2<sup>nd</sup> floor residential)

# Changes Since April 18, 2017 Preliminary Hearing

- 1. The bearing shown on the north boundary of the provided survey has been corrected.
- 2. The lot line dimension on the west side of proposed lot Lot 3 was previously called out as "93.04" on the provided survey, and has been corrected to "94.04."
- 3. The lot numbers have been modified from "Lot 4A, Lot 4B, Lot 4C" to "Lot 1, Lot 2, Lot 3" on the proposed plat, plat notes, and survey. Staff has reflected this change in the staff report.
- 4. Proposed plat note #5 has been updated to include a reference to a reception number for the Satellite Place Subdivision Declarations.

5. Proposed plat note #4 has been updated to clarify that the "no portions of [The 10' Snow Stack and Utility Easement] may be used for storage of snow from Lots 1, 2 or 3." per Commissioner Mathews-Leidal's comment at the Preliminary Hearing (easement runs along Airport Road).

# **Item History**

Breckenridge Airport Subdivision, Block 5, Lot 4 was platted in 1997. Per a June 2015 Deed of Dedication, the Town of Breckenridge dedicated "a 50 foot road right of way across the south 50 feet of Lot 4, Block 5, Breckenridge Airport Subdivision...containing 12,876 square feet or 0.296 acres more or less...to the perpetual benefit of the public for use as a public right –of-way." Upon the Recording of the Deed of Dedication, the density (3,219 sq. ft.) associated with the dedicated land remained on the remainder of Block 5, Lot 4. This was not deemed a density transfer. The use of this density was specified to still "be subject to the applicable requirements and limitations of the Town of Breckenridge Development Code and related land use regulations." No assurance was given or implied that the "remaining density may actually be developed or otherwise used by the owner" of Block 5, Lot 4. The public road (Fraction Road) was installed last year by the Town and will be platted as part of this application.

It was also a condition of the purchase and sale contract that the purchaser create a valid and enforceable Restrictive Covenant and Agreement running with the land prohibiting the growing, processing, or cultivating of marijuana. A Restrictive Covenant and Agreement to this effect was executed and recorded with Summit County in September of 2015.



# **Staff Comments**

### **Plat Notes:**

At a 1:4 FAR, 11,362.55 square feet of density is available for the three proposed lots. In addition, the 3,219 sq. ft. of density associated with the right-of-way (as noted above under Item History) is also assigned to the property. Thus a total of 14,582 square feet of density is available. The proposed plat

notes assigns 8,582 sq. ft. of density to proposed Lot 1, and 3,000 sq. ft. of density each to proposed Lots 2 and 3.

Staff has required the applicant to include a plat note referencing a Declaration of Covenants, Conditions, and Restrictions of Satellite Place recorded with the Summit County Clerk and Recorder which describes the easements shown on the plat and assigning the responsible parties for those easements and maintenance.

Staff has required the applicant to include a plat note stating that no private stacking of snow is permitted to occur inside the existing public 10' Snow Stack and Utility Easement along the Airport Road right of way.

Staff has required the applicant to include a plat note prohibiting vehicular access from Airport Road. Additional plat note comments which have been incorporated into the Findings and Conditions include:

- 1. Per the Town Attorney's request, staff has requested the applicant remove "for the purposes stated" from plat note #4. The applicant has communicated to staff that they desire their attorney review this modification and the revision has not been made at this time, however the Town Attorney will have an opportunity to review and approve the final plat notes prior to recording of the plat.
- 2. Per the Town Attorney's request, staff has requested the applicant add an additional plat note, stating that the subdivided property is subject to the Restrictive Covenant and Agreement, recorded at Reception # 1091640. The applicant has communicated to staff that they desire their attorney review this modification and the revision has not been made at this time, however the Town Attorney will have an opportunity to review and approve the final plat notes prior to recording of the plat.

# 9-2-4-1: General Requirements:

Staff finds that the land is suitable for subdivision and development. There are no concerns regarding flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, adverse visual impacts, or other features which could be harmful to the safety, health and welfare of the inhabitants of the subdivision, its surrounding area, or the town in general. There is an existing 10' Snow Stack and Utility Easement along the Airport Road right of way, but the remainder of the property does not contain any other existing easements.

# 9-2-4-2: Design Compatible With Natural Features:

There is approximately 8 feet of elevation change across the site, as it generally slopes downwards from the south to the north at an average grade of approximately 4-5%. There are no trees or significant natural features on the site.

# 9-2-4-2: Design Compatible With Natural Features, states:

3. In addition to the landscaping required above, the subdivider of land containing little or no tree cover as determined by the town shall provide one tree having a minimum trunk diameter (measured 12 inches above ground level) of not less than two inches (2") suitable for the Breckenridge climate for every ten (10) linear feet of roadway platted within or immediately adjacent to the subdivision. It is further encouraged that landscaping be placed on the downhill side of any retaining structures to screen the visibility of the road cut when viewed from off site. Where cut and fill slopes are used, they shall be revegetated with native plant materials to reestablish ground cover and reduce the potential for soil erosion. (emphasis added)

The proposed lots have 254 feet of frontage along the new Fraction Road right of way, and 186 feet of frontage along Airport Road, for a total of 440 feet of public right of way immediately adjacent to the subdivision. Therefore, a total of 44 trees are required across the total area within the lots which will be a minimum of 2" caliper. Staff has added the quantity and size requirement as a condition of approval to ensure compliance.

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

The Town has installed an existing curb and gutter system in the Fraction Road and Airport Road right of ways. There are existing culverts on the west side of Lot 4 which manage storm water from Fraction Road and from existing Lot 4 by draining to the north. The proposed plat provides a 15 foot Drainage Easement on proposed Lot 2. This has been reviewed and supported by the Town Engineer. Staff does not have any concerns.

### 9-2-4-4: Utilities:

There is an existing water line servicing the proposed shared utility easement from the Fraction Road right of way, as well as from Airport Road to proposed Lot 2. There is an existing underground electric line along the eastern property boundary. Sanitary sewer service lines are located in the Airport Road right of way. Staff does not have any concerns.

# 9-2-4-5: Lot Dimensions, Improvements And Configuration:

The depth and width of the proposed lots are adequate to provide for sufficient ingress and egress to the lots. The lot depth to width ratios are appropriate (depths are less than twice the width). Staff finds that the depth and width of the proposed lots are adequate to provide off street parking for commercial use. Although a development permit has not been submitted at this time, the applicant has provided a preliminary site plan showing a commercial building and 14 parking spaces on proposed Lot 1, and 6 parking spaces and a commercial building on both proposed Lots 2 and 3. The summary below shows the required number of parking spaces based on the maximum permitted density by proposed lot, per the current Off Street Parking Regulations, which require 1.4 spaces per 1,000 sq. ft. of general commercial and office use:

Proposed Lot 2 & 3:

Maximum permitted density per proposed plat: 3,000 sq. ft. 3,000 sq. ft. / 1,000 sq. ft.  $= 3 \times 1.4 = 4.2$  spaces required (6 shown on preliminary site plan)

# Proposed Lot 1:

Maximum permitted density per proposed plat: 8,582 sq. ft. 8,582 sq. ft. / 1,000 sq. ft.  $= 8.582 \times 1.4 = 12.02$  spaces required (14 shown on preliminary site plan)

The area shown for parking should be accurate however, staff will review parking counts and dimensions at a development permit application level. All future development is required to meet a fit test with all applicable policies in the Development Code.

Per the Town's Subdivision Standards, the minimum drive aisle width is 24'. The applicant has provided a preliminary site plan showing a 25' wide drive aisle. Staff does not have any concerns regarding available space for ingress, egress, and parking. Side lot lines are at right angles and lots are in plain, relatively rectangular shapes. Lots are proposed in appropriate sizes and further resubdivision is not expected. The anticipated use of the proposed lots is commercial. Policy 9A Placement of Structures in the Development Code requires a minimum of 1' setback for all structures from adjacent property in this

Land Use District, and a disturbance envelope is required to be platted for all residential lots. As the proposed lots are located in Land Use District #31 for which residential uses are not acceptable, it is not appropriate for a Building or Disturbance Envelope to be shown on the plat.

**9-2-4-6: Blocks:** This section does not apply, as new blocks are not being created.

# 9-2-4-7: Pedestrian And Bicycle Circulation Systems:

An existing sidewalk has been installed by the Town in the Fraction Road and Airport Road right of ways. Staff does not find it appropriate to require additional sidewalks, bicycle paths, trail dedications, or open space dedications, due to the size of the existing lot.

# 9-2-4-8: Street Lighting:

Considering the small size of the subdivision and that no streets are proposed in the subdivision, staff does not find it appropriate to require streetlights to be installed. The Town has installed street lights in the Fraction Road right of way.

# 9-2-4-9: Traffic Control Devices And Signs:

As there are not any internal streets proposed with this subdivision, this section is not applicable.

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

There are not any new internal roads or streets proposed with this subdivision. All vehicular ingress and egress will occur from the existing two-lane road that the Town has installed (along with curb and gutter, street lighting, and street signs), shown in the 50' right of way on the proposed plat as "Fraction Road." The Public Works Dept. has selected the name "Fraction Road" and has coordinated with Summit County to confirm the road name does not duplicate or too closely approximate the names of other streets or subdivisions in the town or Upper Blue Valley.

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

There are not any new internal roads or streets are proposed with this subdivision. A plat note has been provided prohibiting access to Airport Road, as there is an existing public transit stop in the Airport Road right of way adjacent to the proposed lots. All vehicular ingress and egress will occur from the publicly dedicated Fraction Road 50' right of way. Fraction Road is installed in the location specified in the Block 11 Master Plan. The three proposed lots are shown to have access to Fraction Road through an Access Easement shared by all three lots. Staff does not have any concerns regarding circulation or traffic generated from the proposed subdivision. Both Airport Road and Fraction Road have been constructed by the Town to Town Standards. Staff does not find that there is any additional right of way dedication or construction of improvements in the right of way required for this subdivision.

# 9-2-4-12: Nonresidential Subdivisions:

Staff finds that the proposed subdivision is compatible in character to other lots that have been created in the vicinity and along Airport Road, and is appropriate for commercial use. There are other commercial lots along Airport Road (Such as Breckenridge Airport Subdivision, Block 4, Lot 3B) that are not directly accessible from Airport Road, but rather have access from easements across other lots. Staff does not have any concerns.

9-2-4-13: Dedication Of Park Lands, Open Space And Recreational Sites Or The Payment Of Fees In Lieu Thereof: Open space land along the River parcel was dedicated with original Airport Subdivision and no further dedication is required. Staff does not have any concerns.

# **Staff Recommendation**

This subdivision proposal is in general compliance with the Subdivision Standards. Staff does not have any concerns with this application or any questions for the Commission.

Staff recommends the Planning Commission approve the Satellite Place Subdivision (PL-2017-0054), located at 1730 Airport Road, with the attached Findings and Conditions.

### TOWN OF BRECKENRIDGE

Satellite Place Subdivision Lot 4 Block 5 Breckenridge Airport Sub Amended Resub, Lot 3, Block 5 1730 Airport Road PL-2017-0054

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 **April 27, 2017** 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 **May 2, 2017** 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.

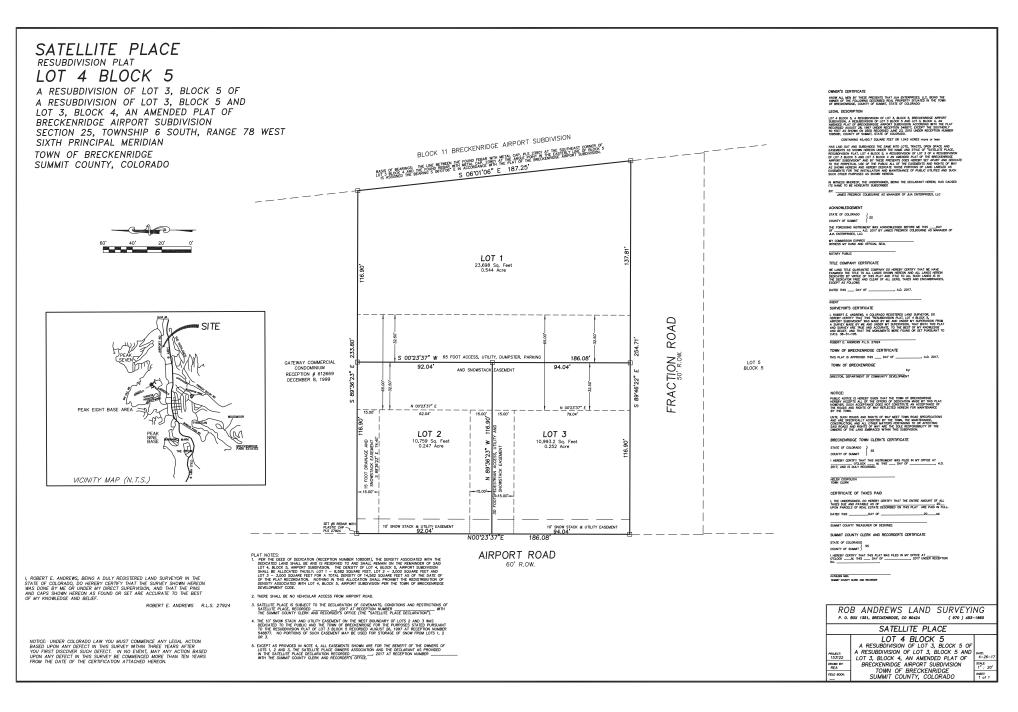
# **CONDITIONS**

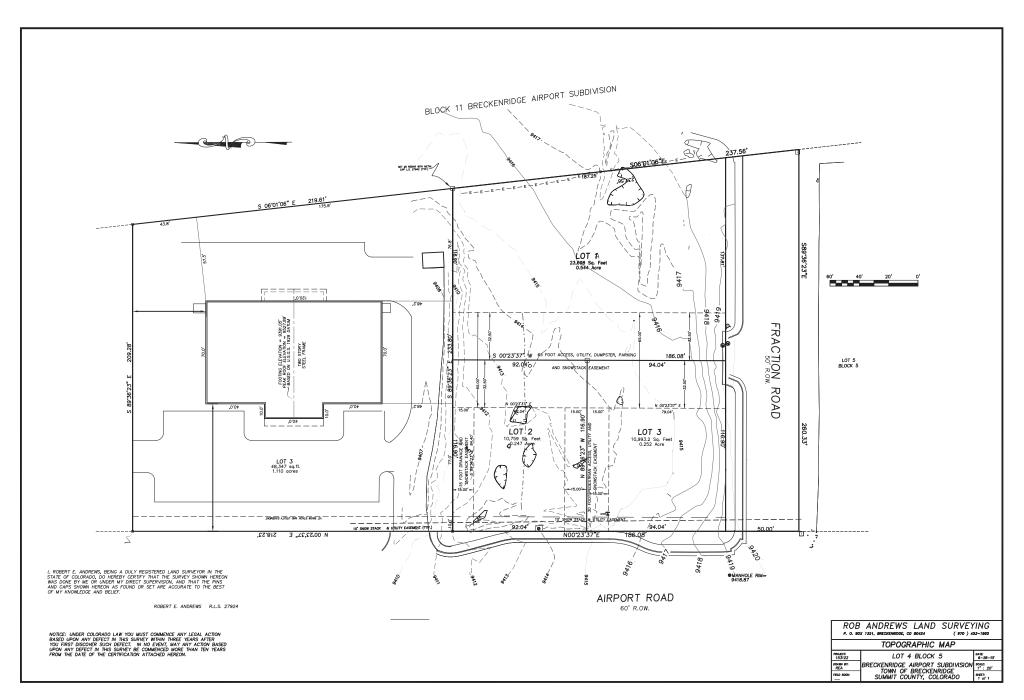
- 1. The Final Plat of this property may not be recorded unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to 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 **May 9, 2020** 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. 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

- Applicant shall enter into a Subdivision Improvement Agreement requiring a submittal and approval from Town staff of a landscaping plan in compliance with the Subdivision Ordinance requirements, specifying revegetation consisting of native grasses and other native vegetation. A minimum of 44 trees measuring 2" in caliper shall be installed.
- 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 Attorney for the Declaration of covenants, Conditions and Restrictions which addresses easements and responsible parties for those easements and maintenance.
- 10. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, and erosion control.
- 11. Per the Town Attorney's request, staff has requested the applicant remove "for the purposes stated" from plat note #4. The applicant has communicated to staff that they desire their attorney review this modification and the revision has not been made at this time, however the Town Attorney will have an opportunity to review and approve the final plat notes prior to recording of the plat.
- 12. Per the Town Attorney's request, staff has requested the applicant add an additional plat note, stating that the subdivided property is subject to the Restrictive Covenant and Agreement, recorded at Reception # 1091640. The applicant has communicated to staff that they desire their attorney review this modification and the revision has not been made at this time, however the Town Attorney will have an opportunity to review and approve the final plat notes prior to recording of the plat.
- 13. 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.
- 14. 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.





# **Planning Commission Staff Report**

**Subject:** Searle House Restoration, Landmarking and Addition

(Class B Historic, Preliminary Hearing; PL-2017-0070)

**Proposal:** To restore and locally landmark the historic house, remove the non-historic

structures, add a full basement beneath the historic portion of the house, build a

new addition with garage including an accessory apartment.

**Date:** April 24, 2017 (For meeting of May 2, 2017)

**Project Manager:** Michael Mosher, Planner III

**Applicant/Owner:** Searle Historic, LLC, Philip and Barbara Gibbs

**Agent:** Janet Sutterley, J.L. Sutterley, Architect, P.C.

**Address:** 300 East Washington

**Legal Description:** Abbett Addition, Block 4, Lots 15 & 16

**Site Area:** 0.141acres (6,148 sq. ft.)

Land Use District: 17 - Residential Single family/Duplex - 11 Units per Acre (UPA)

**Historic District:** 1 - East Side Residential Character Area

Site Conditions: The lot is located at the northeast corner of French Street and Washington

Avenue. The western portion of the site contains the historic home with historic additions, non-historic additions and mature conifers along French Street. Along the north property edge and towards the east are several non-historic sheds/outbuildings that are functioning as storage and housing. Parking for the property occurs along the Washington Avenue right of way adjacent to the sidewalk with one car parked in the front yard near the non-historic sheds. (The

property files show no development permits for these improvements.)

**Adjacent Uses:** Residential

**Density:** Allowed under LUGs: 2,484 sq. ft.

Proposed density: 2,476sq. ft.

**Above Ground Density:** 

Allowed:

At9 UPA: 2,302 sq. ft.

Up to 10 UPA (with restoration): 2,258 sq. ft. (-6 points)

Proposed: 1,912sq. ft.

Mass: Allowed under LUGs: 2,981 sq. ft.

| Proposed: | 2,498sq. ft. |
|-----------|--------------|
|           |              |

**Total:** 

| Lower Level (incl. 892 SF Landmarked): | 1,456 sq. ft. |
|--|---------------|
| Main Level(incl. 586 SF Garage):       | 2,088 sq. ft. |
| Upper Level:                           | 410 sq. ft.   |
| Total:                                 | 3,954 sq. ft. |

Height: Recommended: 23 ft. (mean)

Proposed: 21.5 ft. (mean);24.5 ft.(overall)

**Lot Coverage:** Building / non-Permeable: 2,128 sq. ft. (35% of site)

Hard Surface / non-Permeable: 1,257 sq. ft. (20% of site) Open Space / Permeable Area: 2,763 sq. ft. (45% of site)

Parking: Required: 3spaces

Proposed: 3 spaces

Snowstack: Required: 163 sq. ft. (25%)

Proposed: 168 sq. ft. (25%)

**Setbacks:** Front (15' recommended): 15 ft.

Sides (5' recommended): 5 ft. Rear 15' recommended): 10 ft.

# **Item History**

Articles in the Breckenridge Daily Journal indicate that this dwelling was built in 1885. This information is corroborated by Sanborn Fire Insurance maps, which indicate that it was built sometime between 1883 and 1886. The original building was a simple rectangle with a gable roof orientated north to south (see photo below). Later, Sanborn maps depict it as an offset T-shaped building through 1914. Shed-roofed additions to main house to the north (rear) elevation appear quite old, and probably date to the late 1910s or 1920s.

Breckenridge has always been considered an attractive place to retire. A.G. Searle, a passenger conductor on the Chicago, Milwaukee, and St. Paul Railroad, settled in Breckenridge with his wife Lucinda after his retirement in 1885. At his death in 1905, the property was sold to Mary McManis as an income property. Charles Marz next purchased the property for his son George in 1908, who continued to live at this address until 1945. That year, the property was sold to J.M. and Jennie W. Armstrong, a retired couple from Kokomo, Colorado. Upon Jennie's death in 1963, the property passed to her brother, Grover O. Hauser, who sold it to Dean and Clara Huntington in 1964.

Non-compliant additions have occurred at the back of the structure at the north and to the north east end of the building. As a corner lot, three sides of the historic building are visible as primary facades and, with the exception of the porch, match the historic phototaken between 1890 and 1899.



The property has been used as rental property over the years.

The front porch was added at a later date then this photo and appears to be within the Town's period of significance.

The Town's Cultural Resource Survey has rated this house as "Contributing" to the district.

# 42. Statement of significance:

This property is historically significant for its associations with Breckenridge's historical development during the "Town Phase" and Stabilization Phase" periods of the town's evolution. The property's level of significance is not to the extent that it would qualify for individual listing in the National Register of Historic Places, or in the State Register of Historic Properties. It does, however, qualify for individual local landmark designation by the Town of Breckenridge, and it is a contributing resource located within the boundaries of the Breckenridge Historic District. (Emphasis added.)

43. Assessment of historic physical integrity related to significance:

This property exhibits a reasonably high level of integrity, relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society - setting, location, design, materials, workmanship, feeling and association. The property appears minimally altered during the last several decades.

46. If the building is in existing National Register district, is it contributing - Yes.

# Planning Commission comments from the August 16, 2016 Work Session:

The last review was a worksession to discuss:

- 1. Determineofficial "front yard" and related setbacks from that determination;
  - a. (The front yard was determined to be from Washington Avenue as it is addressed and historically located.)
- 2. Obtain Commission feedback on façade widths for this Character Area;
  - a. Facades widths were generally acceptable. However, the depth dimension of the offset to define the façade with was questioned by some Commissioners.
- 3. Obtain Commission feedback on connecter and general massing of a proposed addition;
  - a. Some of the Commissioners felt the massing of the addition overwhelmed the smaller historic structure. Understanding the restrictions of the property, some Commissioners felt the mass would be large but could be reduced.
- 4. The location of a third parking space for a proposed accessory apartment.
  - a. The impacts of adding the accessory apartment negatively affects the primary façade with the added outdoor parking space.

The Commission expressed concerns about the impacts of the massing on this corner lot. The mass of the addition overwhelms the neighboring historic properties. The third parking spot (required for the proposed accessory apartment) will have ice/snowstacking/buffering problems. Concerns were expressed about having the historic rating of the building possibly reduced. The massing is overwhelming; it may devalue the historic house. The addition should also be simpler and a bit smaller. The massing modules should show a 6-foot minimum offset.

# **Changes From the August 16, 2016 Work Session**

- 1. The massing along the east side of the property was slightly reduced.
  - a. The garage shed was reduced 12-inches in height.
  - b. The overall height of the addition was reduced 18-inches.
- 2. There are 2 new windows proposed in the east wall of the historic building.
- 3. A landscaping plan is included.
- 4. Additional detailing on all elevations are provided.
- 5. The historic house is shown 12-inches higher to correct drainage concerns.

# **Staff Comments**

At this preliminary review, staff would like to address the key policies addressing the concerns expressed at the worksession and identify issues related to having this proposal obtain a passing Point Analysis at a future meeting.

Staff has identified the following absolute and relative policies related for discussion:

# Site and Environmental Design (7/R):

| 4 x (- | B. | Site Buffering: Developments should be buffered from adjacent properties and public rights of    |
|--------|----|--|
| 2/+2)  |    | way. To achieve this, buildings and other development impacts should be located in a manner that |
|        |    | allows for site buffering (existing or proposed). Buffering between the developments and         |
|        |    | neighboring properties may include, but are not limited to:                                      |
|        |    | - Existing mature tree stands.   |

|  | - | The physical distance from property edge to the development. |
|--|---|--|
|  | - | New landscaping.   |
|  | - | Landscaped berms at the property perimeter.                  |

The plans are showing the new development set back from the right of way (ROW) and placed towards the north of the lot and a parking pad for the accessory apartment at the east side of the site abutting the Town's Community Center and Library.

The north edges show cobble rip-rap and a concrete walkway flanking the new building with about 5-feet of permeable land available for site buffering along the north property edge. The plans show 2-aspen and 2-shrubs along this 96-foot long property edge. Staff believes that additional buffering, as identified above, could be added along this edge to mitigate the impacts of the addition.

Along the east property line, there is one tree planted at the southeast corner of the lot. Otherwise, no plantings are proposed along this edge. Although the abutting property (the Town's Community Center and Library) has ample landscaping, this policy does not allow any off-site buffering on an adjacent property to mitigate the impacts of the on-site development.

Staff is suggesting negative four (-4) points under this policy for minimal to no buffering along the north and east property lines. Does the Commission concur?

# Placement Of Structures (9/A & 9/R): Per this policy:

- (1) Within The Conservation District (All Residential Development):
- a. Front Yard: Fifteen feet (15').
- b. #1 Side Yard: Five feet (5').
- c. Rear Yard: Fifteen feet (15').

The drawings show that the rear setback is 10-feet, meeting the absolute, but incurring negative three (-3) points under the relative policy.

**Social Community** / **Historic District (24/A&24/R):** The Handbook of Design Standards for the Historic and Conservation Districts:

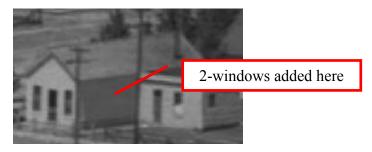
**Design Standard: 23**. Avoid removing or altering any historic material or significant features.

- Preserve original doors, windows and porches.
- Preserve original facade materials.
- Examples of historically significant architectural features are porches, turned columns, brackets, and jig-saw ornaments. Other significant elements may be the overall building form, or roof form.

(Priority Policy) Design Standard: 76 - Avoid changing the position of historic windows.

- This is especially important on significant facades of Contributing Buildings.
- Also, avoid adding new windows to facades visible from the street on Contributing Buildings. (Emphasis added.)

There are two new windows proposed in the historic structure and fabric in what staff considers a primary façade to the historic structure, highly visible from the front yard. There have never been any openings along this face (see historic photo below.)



(Priority Policy) Design Standards: 20. Respect the historic design character of the building.

• Any alteration that would cause a reduction in a building's rating is not allowed. (Emphasis added.)

Staff believes that adding windows to this contributing building would fail Priority Policy 76 and Priority Policy 20. It would also incur negative points under Design Standard 23. We also believe the removal of historic fabric and the addition of windows may lower the current rating of "contributing" to a lower level.

Staff does not support the removal of historic fabric or the addition of new windows to the primary façade. Does the Commission concur?

#### Plant Material:

Design Standard 131. Use evergreen trees in front yards where feasible.

No evergreen trees are proposed in the front yard (Washington).

**Design Standard: 132.** Reinforce the alignment of street trees along property lines. <u>"Planting new cottonwood trees along street edges is encouraged.</u> (Emphasis added.)

The plans are showing that no cottonwood trees are proposed. In addition, there are trees proposed in the abutting Town ROW. Executing and recording an encroachment license agreement will be added as a Condition of Approval for any off-site improvements. Additionally, if trees are to be planted in the ROW, the Town will require cottonwood trees be used to meet this design standard.

Policy:Plant materials should be used to mitigate negative visual impacts of existing structures that are out of scale. Plantings should also be used to minimize the visual impact of new service areas abutting adjacent properties and public ways.

**Design Standard:** 133. Use landscaping to mitigate undesirable visual impacts.

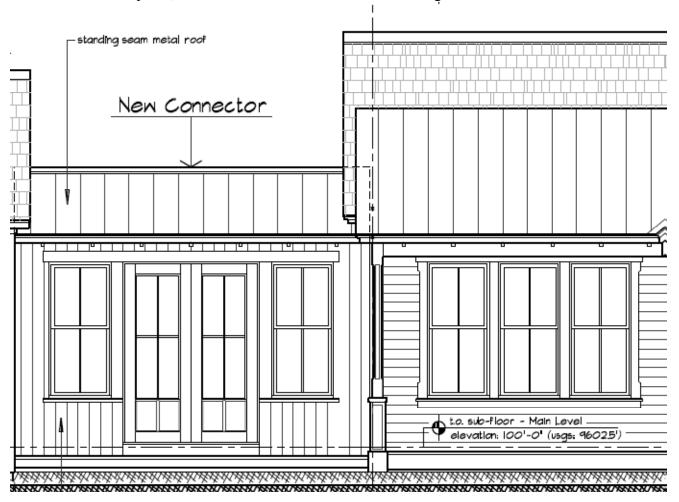
- Use large trees to reduce the perceived scale where larger building masses would abruptly contrast the historic scale of the area.
- *Include hedges and other masses of lower-scale plantings to screen service areas.*

The historic portion of the building is separated from the larger addition with a connector. The drawing shows a concrete patio and no plantings in front of the connectorthat separatesmasses as seen from the ROW. Staff believes that landscaping added here could be used to reduce the perceived scale where

larger building masses would abruptly contrast the historic scale of the area. Does the Commission concur?

(*Priority Policy*) Design Standard 80A. At the worksession, we heard some support of the proposed massing, stepping in at the corners and the separation the proposed connector provides for the new addition from the historic structure. Some commissioners expressed concern over the depth of the stepping for the facades

With the submitted plans, additional detail has been added showing fenestration to the connector.



# Per this policy:

- 6. A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form. A simple roof form (such as a gable) is allowed over a single door. (Emphasis added.)

The south elevation, facing the Washington Avenue ROW is showing a pair of French doors flanked by double hung windows. Staff reminds the Commission that Policy 80A was recently modified in 2014 adding this language to require connectors to be simple in form as connectors were seen as becoming too ornate, detailed and large. (Staff notes that Frenchdoors have been allowed on other historic projects since 2014when they are not facing a primary façade and generally hidden from view. This design does not qualify).

Staff believes that this design fails this section of Absolute Policy 80A. Does the Commission concur?

(Priority Policy) Design Standard: 96. Use a ratio of solid to void that is similar to those found on historic and supporting buildings.

Staff believes that the amount of 'void' shown on the image above is out of character and is not similar to those found on historic and supporting buildings. We believe it fails this Priority Policy. We welcome Commissioner comments

# **Historic Preservation:**

Additional on site preservation and restoration efforts beyond the requirements of the historic district guidelines for historic structures and sites as defined in chapter 11 of this title are strongly encouraged.

Positive points shall be awarded according to the following point schedule for on site historic preservation, or restoration efforts, in direct relation to the scope of the project, subject to approval by the planning commission. Positive points may be awarded to both primary structures and secondary structures.

A final point allocation shall be made by the planning commission based on the historic significance of the structure, its visibility and size. The construction of a structure or addition, or the failure to remove noncontributing features of a historic structure may result in the allocation of fewer positive points:

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

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

Provided the plans can overcome the issues related to failing priority policies and the negative points associated with the design standards, there is the possibility for positive six (+6) points under Policy 24/R for the restoration of the historic structure with revisions.

(Priority Policy) Design Standard 80. Respect the perceived building scale established by historic structures within the relevant character area.

- An abrupt change in scale within the historic district is inappropriate, especially where a new, larger structure would directly abut smaller historic buildings. (Emphasis added.)
- Locating some space below grade is encouraged to minimize the scale of new buildings.

Concerns were expressed at the last review about the overall mass of the addition. Addressing these concerns, the agent has slightly reduced the massing. Though the density and height are below the suggested maximums, the scale of this building will have a significant visual impact at this corner. We welcome any Commissioner comments.

**Point Analysis (Section: 9-1-17-3):** At this preliminary review, we have focused on key design issues that may have a significant impact on the overall design of this property. We have identified the following with this report:

## From the Development Code:

- (-3 points Policy 9/R) For the 10-foot rear yard setback.
- (-4 points Policy 7/R) Site buffering along the north and east property lines.

## Historic Standards (22/R)

- (-3 points) Design Standard 132 Planting cottonwoods encouraged.
- (-3 points) Design Standard 23 Avoid removing or altering historic material for adding new windows in the historic structure and removing fabric.
- (+6 points) Possible with revisions under Policy 24R Historic Preservation.
- (Fail Priority Policy 76) Removal of historic fabric in primary façade adding windows where there was none.
- (Fail Priority Policy 80A) Connectors Elevations show 3/4-lite French Doors flanked by double hung windows facing primary façade.
- (Fail Priority Policy 96) Solid to void ratio in the connector.

At this initial review, the proposal is showing failure of 2 priority polices along with negative thirteen (-13) points with positive six (+6) points.

9-11-3:Designation of Landmarks, Landmark Sites, Historic Districts and Cultural Landscape Districts: The applicant is proposing to have the historic building locally landmarked in order to add the square footage in the basement for added livable area for the main house. (The accessory apartment is located beneath the connector and a portion of the addition.)

Provided the issues related to having a passing final score can be overcome, the following criteria must be met. Under the Town's ordinance, the fundamental focus of the designation process is to try to determine if the proposed landmark has a "special historical or architectural value."

The ordinance contains specific criteria that are to be used to determine whether a proposed landmark has the required special historical or architectural value. To be designated as a landmark, the property must: (1) meet a minimum age requirement; (2) have something special about either its architecture, social significance, or its geographical/environmental importance as defined in the ordinance; and (3) be evaluated for its "physical integrity" against specific standards described in the ordinance. Staff comments are in **bold**.

| COLUMN         | COLUMN "B"                                 | COLUMN "C"   |
|----------------|--|--|
| "A"            |  |  |
| The property   | The proposed landmark must meet            | The proposed landmark must meet at least             |
| must be at     | at least ONE of the following 13 criteria: | ONE of the following 4 criteria:                     |
| least 50 years |  |  |
| old.(Having    | ARCHITECTURAL IMPORTANCE                   | 1. The property shows character, interest            |
| been built in  |  | or value as part of the development,                 |
| 1885, the      | 1. The property exemplifies specific       | heritage or cultural characteristics of the          |
| building is    | elements of architectural style or period. | community, region, state, or nation.                 |
| over 50-years  |  |  |
| old.)          | 2. The property is an example of the work  | 2. The property retains original design              |
|                | of an architect or builder who is          | <u>features</u> , <u>materials</u> and/or character. |
|                | recognized for expertise nationally,       |  |
|                | statewide, regionally, or locally.         | 3. The structure is on its original location         |
|                |  | or is in the same historic context after             |

- 3. The property demonstrates superior craftsmanship or high artistic value
- 4. The property represents an innovation in construction, materials or design.
- 5. The property is of a style particularly associated with the Breckenridge area. (The simple "salt-box" gable form and the window trim is a classic form in Breckenridge.)
- 6. The property represents a built environment of a group of people in an era of history.
- 7. The property includes a pattern or grouping of elements representing at least one of the above criteria.
- 8. The property is a significant historic remodel.

#### SOCIAL IMPORTANCE

- 9. The property is a site of an historic event that had an effect upon society.
- 10. The property exemplifies cultural, political, economic or social heritage of the community.
- 11. The property is associated with a notable person or the work of a notable person.

# GEOGRAPHIC/ENVIRONMENTAL IMPORTANCE

- 12. The property enhances sense of identity of the community.
- 13. The property is an established and familiar natural setting or visual feature of the community

having been moved.

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

Staff believes that by adding a window to the east elevation of the historic house, it will not qualify for the portions underlined above.

#### **Staff Recommendation**

Staff understands the difficulties of any new addition on this historic property. There is essentially no back yard. There are primary facades facing French Street and Washington Avenue making shielding any new development very difficult. In addition, many of the design criteria identified in the code are not easily remedied with this property layout.

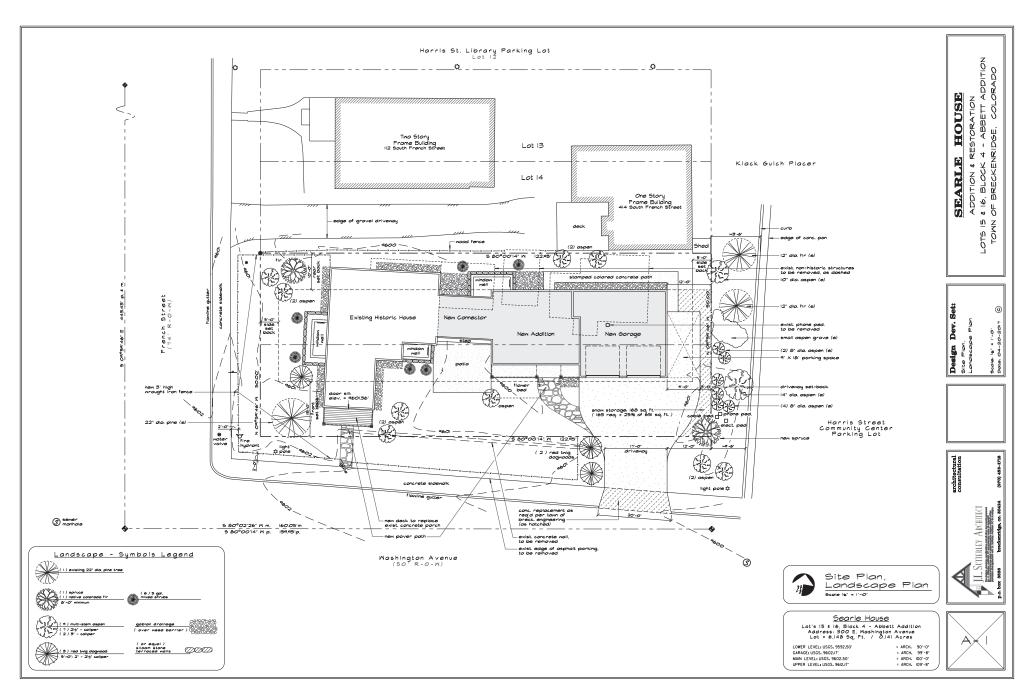
However, we believe that many of the issues are related to the overall intensity of the development on this prominent site. The extra parking space for the accessory apartment eliminates the opportunity for site buffering along the east property line. The overall massing, though it is below the recommended 9 units per acre (UPA), still fills the property end to end. We suggest placing more of the density below grade.

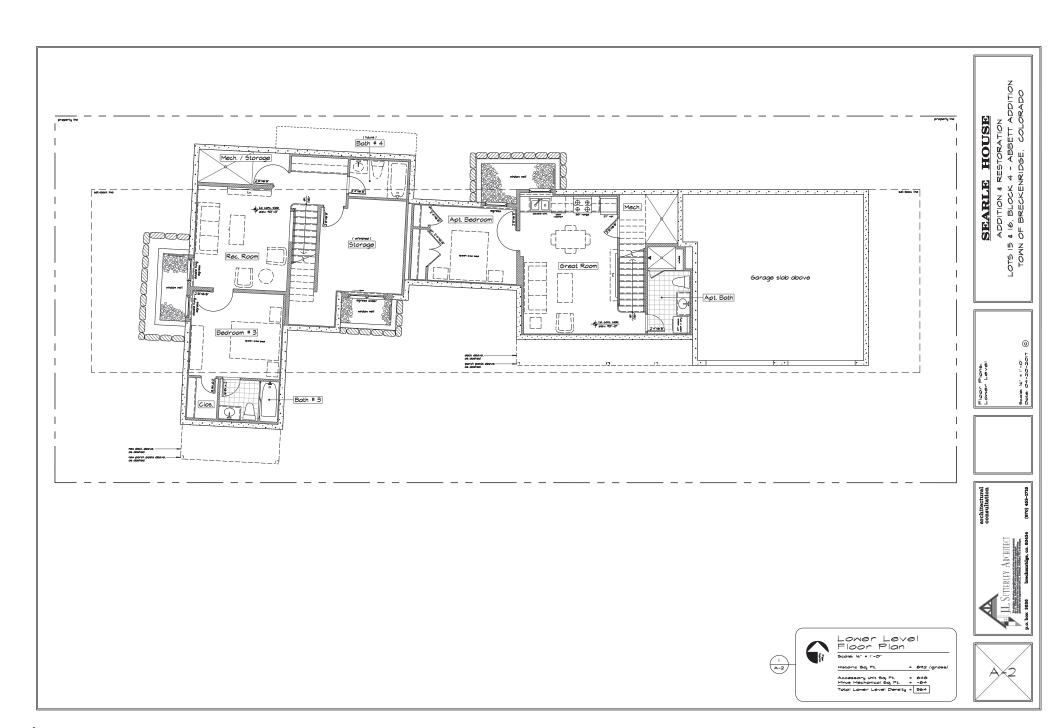
Additionally, the applicant is seeking local landmarking for this building to obtain extra density beneath the historic portion of the building. We believe that some of the proposed alterations to the historic structure may jeopardize the ability to meet the required criteria. We will have more information at a future meeting.

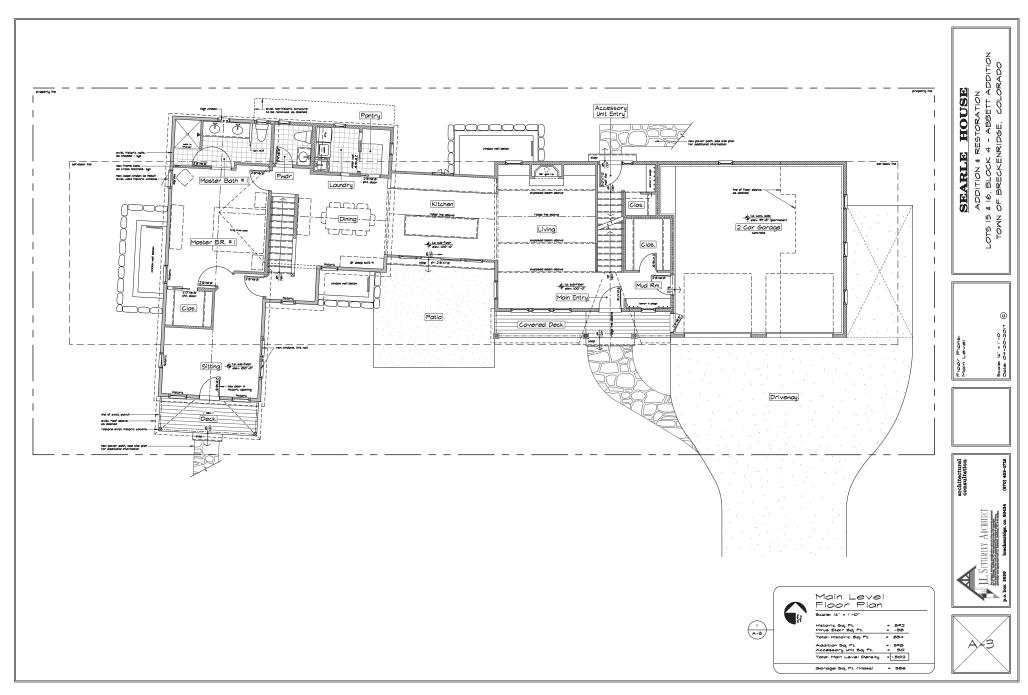
We have the following questions for the Commission:

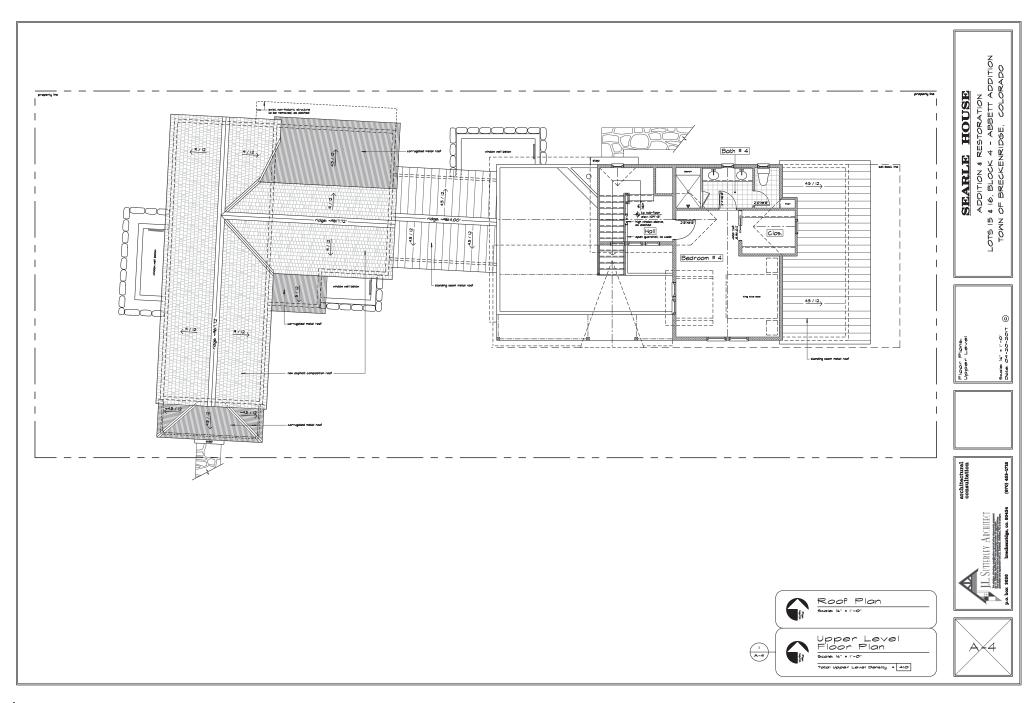
- 1. Based on the above landmarking criteria, the historic house may be landmarked by meeting only one criteria in each of the 3 columns. However, staff believes by adding the windows to the historic structure (a priority policy) it will fail to meet the criteria listed as "The property retains original design features, materials and/or character". Does the Commission support this property for local landmarking status?
- 2. Staff is suggesting negative four (-4) points under policy 7/R, Site and Environmental Design, for minimal to no buffering along the north and east property lines. Does the Commission concur?
- 3. Staff does not support the removal of historic fabric or the change to the primary façade with the additions of windows on the east side of the historic building as it does not comply with Priority Policy 76 &20. Does the Commission agree?
- 4. The drawings show a concrete patio and no plantings at the connector as seen from the ROW. Staff believes that added landscaping here could to reduce the perceived scale where larger building masses would abruptly contrast the historic scale of the area. Does the Commission concur?
- 5. The connector facing the Washington Avenue ROW is showing a pair of Frenchdoors flanked by double hung windows. Staff believes that this design fails section 6 of Absolute Policy 80A, Connectors and Design Standard 96. Does the Commission concur?
- 6. Does the Commission believe the perceived scale of the building respects the scale of the nearby historic structures?

The Planning Department recommends this proposal return for a second review.

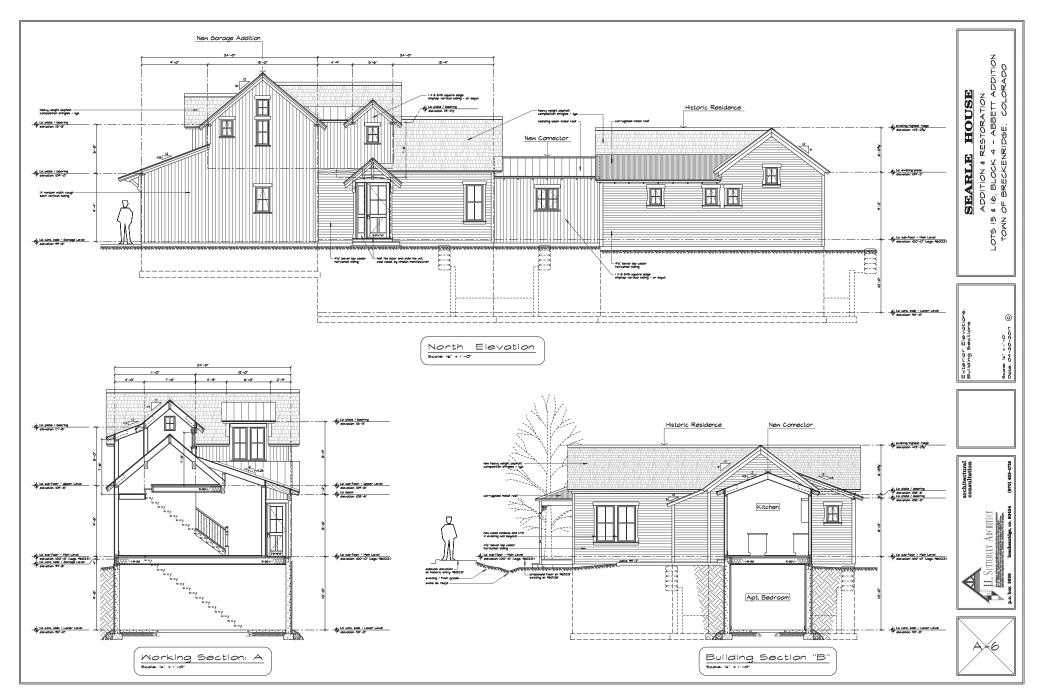












# **Planning Commission Staff Report**

**Subject:** Gold Pan Saloon/Restaurant Restoration and Addition

(Class B Historic, CombinedHearing; PL-2017-0069)

**Proposal:** To remove 187 square feet of non-historic area and expand the existing kitchen. A

historic roof form will be restored and paving and landscaping added to the west

side of the property.

**Date:** April 20, 2017 (For meeting of May 2, 2017)

**Project Manager:** Michael Mosher, Planner III

**Applicant/Owner:** Silverheels Inn, Inc.

**Agent:** Janet Sutterley, Architect

**Address:** 103 North Main Street

**Legal Description:** Bartlett and Shock, Lots 81 & 82

**Site Area:** 0.13 acres (5,950 sq. ft.)

Land Use District: LUD 19 - Commercial Uses - 1:1 Floor Area Ratio (FAR); 20 Units per Acre

(UPA)

**Historic District:** 6: Core Commercial

**Site Conditions:** The property is home to the historic Gold Pan Saloon/Restaurant, with parking

and a dumpster enclosurein the rear of the property. The southwest corner of the

lot contains a phone/TV pedestal and an electrical transformer and meter.

**Adjacent Uses:** North: Bangkok Happy Bowl (Elk Building)

South: Sterling Building multi-unit commercial

West: Alley and Schoonover Building

East: N. Main Street and Breckenridge Town Square Mall

**Density:** Allowed under LUGs: 5,950 sq. ft.

Existing density: 5,025sq. ft.

Mass: Allowed under LUGs: 5,950 sq. ft.

Proposed mass: 5,025sq. ft.

Parking: Required: 5 spaces on-site

Proposed: 5 spaces on-site

The remaining required parking spaces are located in the Parking Service Area.

There is no additional parking required with this proposal.

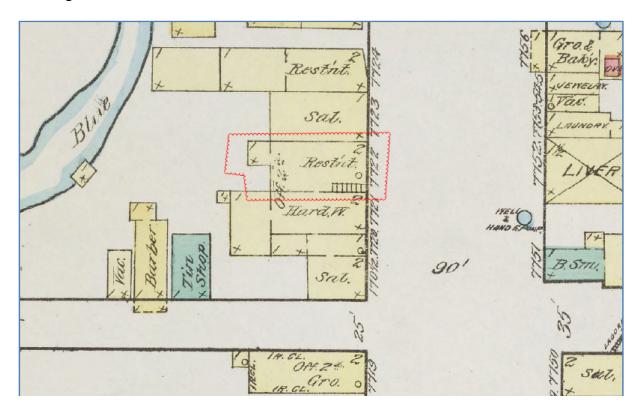
Setbacks: Front: 0 ft.

Sides: 0 ft.

Rear: 44ft.

## **Item History**

The historic north portion of the Gold Pan Saloon/Restaurant building shows on the historic Sanborn Maps as far back as 1883. The south building was a hardware store at this time (it is now the bar). Over time, the small rectangular extension off the west end of the Gold Pan Saloon/Restaurant has been encapsulated with an upper level built over the existing roof. The original fascia of this portion is all that remains along the west facade.



A second story was added over the south building in 1911.

At the June 2, 2015 Planning Commission meeting, the Commission approved Gold Pan North Exterior Siding Alteration, PL-2015-0087, to install 22-gauge corrugated rusted steel on the exterior of the first floor on the north elevation. The second floor exterior was sided with vertical pine shiplap siding of various widths. This application will carry these finishes around the corner of the building to the northwest elevation

This application was advertised as a Combined 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**

The overallconcept for this proposal is to expand the existing kitchen facilities and, in the process, bring the small rectangular extension off the west, back in form, recreating the roof and a portion of the exterior. The kitchen expansion will extend beyond the west wall of the original form, but will have a lower ridgeline and the footprint will step in from the northeast corner (see attached plans).

Land Use (Policies 2/A& 2/R): There is no change of use proposed. The current saloon and restaurant with residential apartments above conforms to the suggested uses in Land Use District 19. We have no concerns.

**Density/Intensity (3/A& 3/R)/Mass (4/R):** There is no change to the proposed density. The plan is to remove the 187 square foot area over the historic portion and place the same square footage of 187 square feet onto the main level as an extension to the kitchen. The density and mass remain the same. We have no concerns.

**Architectural Compatibility (5/A & 5/R):** The west side of the Gold Pan Saloon/Restaurant is sheathed in badly weathered painted horizontal lap siding. Staff is certain this siding is quite old, and uncertain whether it is historic, but it is in very poor condition. The west edge of smaller historic portion of the original building is highlighted below.



The applicant is proposing new wood siding on the entire west elevation. The multiple roof forms on the west elevation will be 'cleaned up' with simpler forms and newer materials. The historic "original" roof form shown above will be rebuilt as a full roof - not just the facade.

**Building Height (6/A& 6/R):**Building height will remain the same. The living space over the historic portion will be removed bringing the height to the original location of the gable roof. This will bring the overall appearance of this elevation into conformancewith other historic structures in the Character Area. Architectural details related to the Design Standards for the Historic District are reviewed below under Policy 24/R.

**Placement Of Structures (9/A & 9/R):** The building has apartments on the upper level and the saloon/restaurant on the main level. The only change from the existing building footprint will be the kitchen expansion. As a commercial use, zero setbacks are allowed. The distance from the north-side property line is 5-feet. The distance from the west-rear property line is 40-feet. We have no concerns.

**Snow Removal And Storage (13/R):** The paving and parking area at the back of the lot will be improved with asphalt, landscaping and the existing parking delineated. Similar to the neighboring properties, the parking is tight and snow storage is limited. The proposed kitchen addition increases the area available for the parking area. There is no significant change from the existing snow storage area.

**Parking (18/A & 18/R):** The agent worked with staff to define the existing on-site parking and verified that 5-parking spaces are available behind the building. The proposed improvements maintain this number. The remaining required parking is previously identified in the Parking Service Area. Staff has no concerns.

**Landscaping (22/A& 22/R):** There is currently no landscaping behind the Gold Pan Saloon/Restaurant building. The drawings show that one 6-foot tall spruce and 3-1.5 inch caliper aspens are proposed. Additionally, 2-native 5-gallon shrubs are shown.

**Social Community** / **Employee Housing (24/A&24/R):** With no square footage being added there is no requirement for employee housing. Staff notes, that the applicant has always maintained housing on the upper level of the Gold Pan. Though there is no employee restriction associated with the units, the applicant has typically housed employees of the Gold Pan in these units.

**Social Community** / **Conservation District** (24/A &24/R):Per this section of the policy: Within the conservation district, which contains the historic district, compatibility of a proposed project with the surrounding area and the district as a whole is of the highest priority. Within this district, the preservation and rehabilitation of any historic structure or any "town designated landmark" or "federally designated landmark" on the site (as defined in chapter 11 of this title) is the primary goal. Any action which is in conflict with this primary goal or the "handbook of design standards" is strongly discouraged, while the preservation of the town's historic fiber and compliance with the historic district design standards is strongly encouraged. Applications concerning development adjacent to Main Street are the most critical under this policy.

The only changes proposed to the building are off the west elevation. The multiple non-conforming additions will be rebuilt to better conform to the standards defined in the *Handbook of Design Standards* 

Simple gable and shed forms are proposed with masses consistent with neighboring historic structures and the design standards. Priority Policy 219 is being met which states, "Building heights should step down to the rear of properties to retain the lower scale that is traditional on alleys."

To maintain consistency with the materials approved on the north elevation, the northern end of the building will also use the 22-gauge corrugated rusted steel on the exterior of the first floor with the second floor exterior sided with vertical pine shiplap siding of various widths.

The remaining siding on the historic structures will be re-sided with horizontal cedar siding using a 4-1/2-inch reveal to match the existing siding. The kitchen expansion, attached to the reconstructed historic portion, will be finished as an 'out-building' with a dark stained vertical cedar siding. This same finish is proposed on the non-historic portion on the south building. See the attached west elevation. Staff has no concerns with the proposed materials and finishes.

The existing exterior stairs to the upper level are to be rebuilt, simplified and will function as a visual separator between the north and south buildings. After removal of the 187 square foot non-historic upper level (over the historic roof to be reconstructed) a new, building code compliant, egress window will be added to the bedroom above. This window is vertically oriented and double hung. We have no concerns.

Overall, the proposed kitchen expansion allowed for multiple improvements to this elevation. Staff and the agent will answer questions and describe this in more detail at the hearing.

**Drainage (27/A& 27/R):** With the improvements and landscaped areas being proposed in the parking area, staff anticipates improvements to the existing drainage for the property. The standard Condition of approval will be included: *Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.* We have no concerns

**Point Analysis (Section: 9-1-17-3):**As submitted, this proposal has met all Absolute Policies in the Development Code and has not been awarded any positive or negative points under any applicable Relative Policies. The project passes with a score of zero (0) points.

#### **Staff Recommendations**

Overall, staff welcomes the improvements to the back of this important site. Specifically, reintroducing most of the original small addition that is shown on the Sanborn Maps.

Staff asks the Commission if they are supportive of continuing the exterior finishes from the existing north elevation around the corner to a portion of the west elevation. We also welcome any Commissioner comments on any part of the application.

The Planning Department recommends approval of the Gold Pan Saloon/Restaurant Restoration and Addition, showing a passing score of zero (0) points along with the attached Findings and Conditions.

|            | Final Hearing Impact Analysis  |                       | <u> </u> |   |
|------------|--|-----------------------|----------|---|
| Project:   | Gold Pan Saloon/Restaurant Restoration and Addition  | Positive              | Points   | 0   |
| PC#        | PL-2017-0069   |                       | 10       |   |
| Date:      | 4/20/2017  | Negative              | Points   | 0   |
| Staff:     | Mixhael Mosher, Planner III  |                       | 4        |   |
|            |  |                       |          | 0   |
| Coot       | Items left blank are either not  |                       |          |   |
| Sect.      | Policy Codes, Correlative Documents & Plat Notes   | Range<br>Complies     | Points   | Comments  |
| 2/A        | Land Use Guidelines  | Complies              |          |   |
| 2/R        | Land Use Guidelines - Uses   | 4x(-3/+2)             | 0        | There is no change of use proposed. The current saloon and restaurant with housing above conforms to the suggested uses in Land Use District 19.  |
| 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              |          | There is no change to the proposed density. The plan is to remove the 187 square foot area over the historic portion and place it on the main level as an extension to the kitchen. The density and mass remain the same.   |
| 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)             |          | The applicant is proposing new wood siding on the entire west elevation. The multiple roof forms on the west elevation will be 'cleaned up' with simpler forms and newer materials.   |
| 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   |                       | 0        | The overall building height will remain the same. The living space over the historic portion will be removed bringing the height to the original location of the gable roof. This will bring the overall appearance of this elevation conform to other historic structures in the Character Area. |
| 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 For all Single Family and Duplex/Multi-family Units outside the Conservation District | 1x(+1/-1)             |          |   |
| 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<br>Systems  | 4X(-2/+2)             |          |   |
| 7/R        | Site and Environmental Design / Site Privacy   | 2X(-1/+1)             |          |   |
| 7/R<br>7/R | Site and Environmental Design / Wetlands Site and Environmental Design / Significant Natural Features  | 2X(0/+2)<br>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)              | l        |   |

|          |   |             | Т |  |  |
|----------|---|-------------|---|--|--|
| 9/R      | Placement of Structures - Setbacks                              | 3x(0/-3)    | 0 | The building has apartments on the upper level and the saloon/restaurant on the main level. The only change from the existing building footprint will be the kitchen expansion. As a commercial use, zero setbacks are allowed. The distance from the north-side property line is 5-feet. The distance from the west-rear property line is 40-feet.                              |  |
| 12/A     | Signs   | Complies    |   |  |  |
| 13/A     | Snow Removal/Storage  | Complies    |   |  |  |
| 13/R     | Snow Removal/Storage - Snow Storage Area                        | 4x(-2/+2)   |   | The paving and parking area at the back of the lot will be improved with asphalt, landscaping and the existing parking delineated. Similar to the neighboring properties, the parking is tight and snow storage is limited. The proposed kitchen addition increases the area available for the parking area. There is no significant change from the existing snow storage area. |  |
|          | 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)      |   |  |  |
|          | Parking - Downtown Service Area                                 | 2x(-2+2)    | 0 | The agent worked with staff to define the existing on-site parking and verified that 5-parking spaces are available behind the building. The proposed improvements maintain this number. The remaining required parking is previously identified in the Parking Service Area.  |  |
| 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)   | 0 | There is currently no landscaping behind the Gold Pan Saloon/Restaurant building. The drawings show that one 6-foot tall spruce and 3-1.5 inch caliper aspens are proposed. Additionally, 2-native 5-gallon shrubs are shown.  |  |
| 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) |   | With no added square footage being added there is no requirement for employee housing. Staff notes, that the applicant has always maintained housing on the upper level of the Gold Pan. Though there is no employee restriction associated with the units, the applicant has typically housed employees for the Gold Pan in these units.  |  |
| 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)    |   |  |  |
| <u> </u> | Johnson, Johnson Bloadst  | 5.4 5.0)    | ! | ļ  |  |

| 24/R | Social Community - Historic Preservation   | 3x(0/+5)    | Overall, the proposed kitchen expansion allowed for multiple improvements to this elevation.  |
|------|--|-------------|---|
|      | Social Community - Primary Structures - Historic<br>Preservation/Restoration - Benefit   | +1/3/6/9/12 |   |
| 24/D | Social Community - Secondary Structures - Historic<br>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)   |   |
|      | Drainage   | Complies    | With the improvements and landscaped areas being proposed in the parking area, staff anticipates improvements to the existing drainage for the property. The standard Condition of approval will be included: Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans. |
| 27/R | Drainage - Municipal Drainage System   | 3x(0/+2)    |   |
|      | Utilities - Power lines  | Complies    |   |
| 29/A | Construction Activities  | Complies    |   |
|      | 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)    |   |
|      | 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   | ,           |   |
|      | Obtaining a HERS index   | +1          |   |
|      | HERS rating = 61-80  | +2          |   |
|      | HERS rating = 41-60  | +3          |   |
| 33/R | HERS rating = 19-40  | +4          |   |
| 33/R | HERS rating = 1-20   | +5          |   |
|      | HERS rating = 0  | +6          |   |
|      | Commercial Buildings - % energy saved beyond the IECC minimum standards                  | -           |   |
|      | Savings of 10%-19%   | +1          |   |
|      | Savings of 20%-29%   | +3          |   |
|      | Savings of 30%-39%   | +4          |   |
|      | Savings of 40%-49%   | +5          |   |
|      | Savings of 50%-59%   | +6          |   |
|      | Savings of 60%-69%   | +7          |   |
|      | Savings of 70%-79%   | +8          |   |
|      | Savings of 80% +   | +9          |   |
| 33/R | Heated driveway, sidewalk, plaza, etc.   | 1X(-3/0)    |   |
|      | 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)   |   |
|      | Hazardous Conditions   | Complies    |   |
|      | Hazardous Conditions - Floodway Improvements   | 3x(0/+2)    |   |
|      | Subdivision  | Complies    |   |
|      | Temporary Structures   | Complies    |   |
|      | Special Areas  | Complies    |   |
|      | Special Areas - Community Entrance   | 4x(-2/0)    |   |
|      | Special Areas - Individual Sites   | 3x(-2/+2)   |   |
|      | Special Areas - Blue River   | 2x(0/+2)    |   |
|      | 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 |  |
| 50/A   | Wireless Communications Facilities           | Complies |  |

#### TOWN OF BRECKENRIDGE

Gold Pan Saloon/Restaurant Restoration and Addition Bartlett and Shock, Lots 81 & 82 103 North Main Street PL-2017-0069

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 **April 20, 2017** 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 **May 2, 2017** 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.
- 7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

## **CONDITIONS**

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires three years from date of issuance, on **May 9, 2020**, 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 notify the Town of Breckenridge Community Development Department (970-453-3160) prior to the removal of any building materials from the historic building. Applicant shall allow the Community Development Department to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property, which may jeopardize the status of the property as a local landmark and/or its historic rating, and thereby the allowed basement density. Any such action could result in the revocation and withdrawal of this permit.
- 8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

#### PRIOR TO ISSUANCE OF BUILDING PERMIT

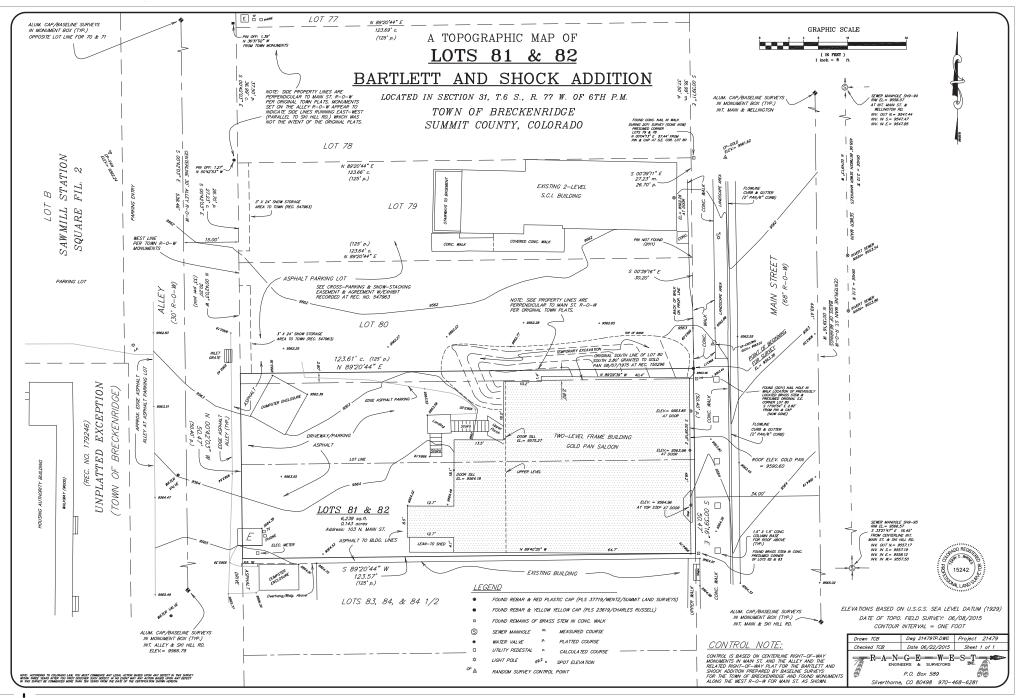
- 9. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 10. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor and the Town's project Manager, Chief Building Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).
- 11. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
- 12. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
- 13. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

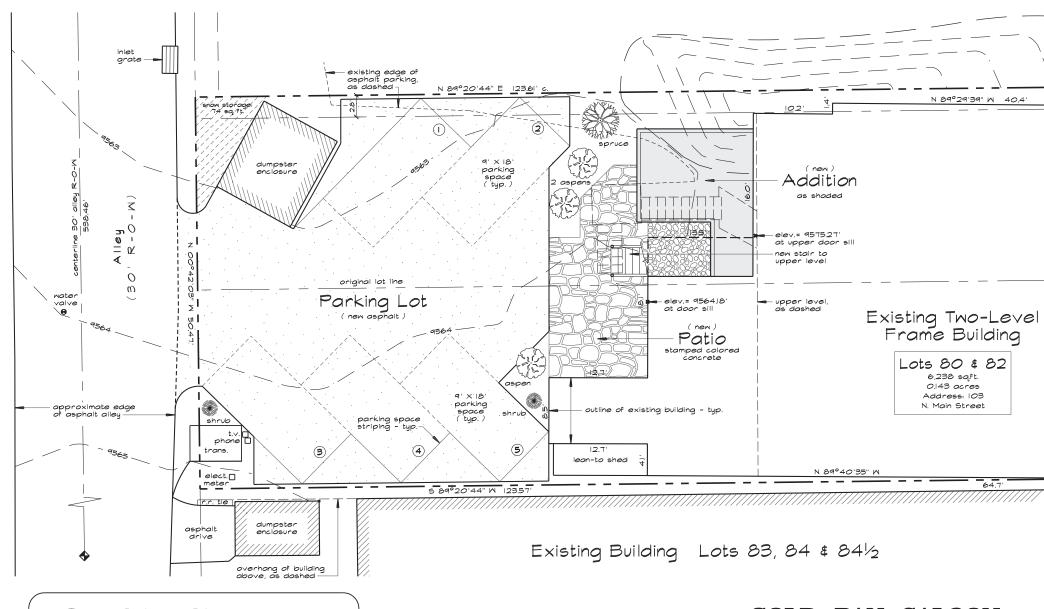
## PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 14. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
- 15. 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.

- 16. Applicant shall screen all utilities.
- 17. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 18. 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.
- 19. 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.
- 20. 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.
- 21. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 22. 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) |  |  |
|----------------|--|--|







# **GOLD PAN SALOON**

ADDITION & RESTORATION

BARTLETT AND SHOCK ADDITION

TOWN OF BRECKENRIDGE, COLORADO

