



Planning Commission Meeting Agenda

Tuesday, November 21, 2017, 5:30 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

5:30pm - Call to Order of the November 21, 2017 Planning Commission Meeting, 5:30pm Roll Call

Location Map 2

Approval of Minutes 3

Approval of Agenda

5:35pm - Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Minute Limit Please)

5:45pm - Consent Calendar

1. Welk Riverfront Resort Conditions Modification (CK) PL-2017-0579, 13541 CO Hwy 9 8

5:50pm - Work Sessions

1. Public Comment on Historic Preservation - Comments Year To Date 24

6:15pm - Town Council Report

6:30pm - Other Matters

1. Housing Tour Recap 26

2. Aspen Planning Commission Retreat Recap 27

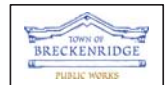
7:00pm - Adjournment

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 the 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.



Welk Riverfront Resort
 Conditions Modification,
 13541 CO Hwy 9



PLANNING COMMISSION MEETING

The meeting was called to order at 5:30pm by Chair Schroder.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb	Ron Schuman
Mike Giller	Steve Gerard	
Dan Schroder	Gretchen Dudney	

APPROVAL OF MINUTES

With the below changes, the October 17, 2017 Planning Commission minutes were approved.

Mr. Gerard: Page 3 shows my question as, “How are the furnishing getting here?” It should be changed to, “How are the carts getting here?” The answer is, “Containers will be shipped from china then by rail.”

APPROVAL OF AGENDA

With no changes, the November 7, 2017, Planning Commission agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments

WORK SESSIONS:

1. Riverwalk Parking Structure Work Session

Ms. Puester Presented: The F lot and Tiger Dredge lot have been selected as the parking structure location by the Town Council. The Council has had a work session with the designers about a barrel roof design vs. gable roof design. There are concerns with the Land Use Guidelines with regard to the barrel roof design in this location and possible negative points. Before this design moves forward with more detail, we would like the Commission’s opinion on the code and potential points. Other policy items such as materials, layout, etc. are only conceptual at this point. The Council has determined that the structure exterior should look like a parking structure rather than being wrapped so that it can be easily identified. The barrel roof design raises concern because of the contemporary style and introduction of a new roof form in this area of town where there is none as well its proximity to the historic district. This would be the only barrel roof form in the area. Gable and shed roofs representative of the surrounding area. If the gable form concept moves forward, improvements can be made to the design such as a modern appearance that compliments the area, dropping the windows down to a pedestrian scale and using materials found in the area. Two questions (For the Commission): Would you give negative points (-3) to the barrel roof for dissimilarity with the Land Use Guidelines? Would you give negative points (-3) for a parking structure itself being dissimilar to buildings in the area? Keep in mind that this is a work in progress and the drawings have not been submitted however, we would like to get your input prior to the designers going forward with a more refined design.

Shannon Smith, Capital Projects Manager: In July the Council looked at four locations within the downtown area. After weighing various factors they decided on the Tiger Dredge/F-Lot location. The CDOT traffic analysis is also going to drive how many spaces are allowed and the flow of traffic.

Rick Holman, Town Manager: The area’s natural grade difference is beneficial to doing a multi-story structure that does not appear tall from S. Park Avenue. The current entrance for F Lot is unusual and leaves a lot of space unused. This new project will maximize the entire area and incorporate the unused space. We hope to move people to Beaver Run or the Gondola to avoid more traffic across S. Park Ave. (Mr. Schroder:

Is there any more talk of a pedestrian overpass?) (Mr. Holman: No, not anymore.) (Ms. Smith: Council's goals are for a modern look and identifiable as a parking structure.)

Commissioner Questions / Comments:

- Mr. Giller: The gable or barrel is vertical circulation and restrooms, anything else? (Ms. Smith: Probably not.) It looks bigger than you need. (Ms. Smith: There will be double bank elevators.)
- Mr. Schuman: Will there be restrooms there? (Ms. Smith: Yes.) Is there talk of an overpass? (Ms. Smith: We talked about it but we couldn't find a way to make it work. People will not want to walk up stairs to cross or get funneled by fences but we will do some other pedestrian crossing improvements at that area.) I see the pedestrian traffic crossing S. Park Ave getting worse, not better with this.
- Mr. Schroder: Do you think positioning it on the bend will discourage people from walking across S. Park Ave? (Ms. Smith: Yes, people will have to walk past the bus stop to cross the road so they will have a make a conscious choice of passing by the bus ride and walk across Park.)
- Ms. Dudney: Will the bus drop you at the Maggie? (Ms. Smith: No, it goes to Beaver Run or to the Gondola.)
- Mr. Schroder: On a side note, I think it would be cool to add vitality to the base of Peak 9 by including a walkway over at the Village rather than elsewhere by bus. Will there be a heated sidewalk since it will now be shaded? (Ms. Smith: We have talked a bit about it.) (Mr. Taylor, architect: We don't think the structure will over shadow the trail. There will be some in the afternoon.)
- Mr. Giller: How tall will the structure be at the east elevation, close to the river? (Mr. Taylor, architect: One supported level, so about 15 feet tall.) So the bigger visual impact is to the east side? (Mr. Taylor: The view from Adams Avenue will be two supported levels.) The east wall seems very tall for its location, it would be nice if you could pull it away another 10 feet from the river and the trail. I ask that you please be mindful and sensitive of that as you proceed.
- Ms. Leidal: In reference to negative points under 5R. Did they consider negative points for material? (Ms. Puester: We haven't at this point because there is no submittal, we haven't gotten details about materials. They are talking about incorporating natural material.)
- Ms. Dudney: Has it been the case that when something is stated as 'strongly encourage' you get negative points if you don't follow that? (Ms. Puester: Yes)
- Mr. Schroder: How did the Riverwalk Center fare points wise? (Ms. Puester: I can look at that in more detail but there were no points under 5R that came up as precedent) (Mr. Truckey: Keep in mind there is a 3 multiplier under Policy 5R.)

Public Comments:

Dan Corwin, local realtor: Capacity? Do you take traffic numbers off S. Park Avenue? Why not make it larger? Think future Flot development, Really like the location of the structure. I think there should be a bridge to the Village for safer pedestrian crossing. Seems counter intuitive to ask people to take a bus to Beaver Run instead of walk across the street. It is a mistake to make it look like a parking structure. People liked the parking structure idea because it could be wrapped. Make it look appealing instead. People will figure out that it is a parking structure. Riverwalk Center was rushed through and it is not pretty. We have the time to make this look really good. Make it amazing and fit into town, win awards for this design and tie it in to the Victorian look of town. Do not like the barrel roof concept here.

Commissioner Questions / Comments:

- Mr. Schroder: I am leaning toward the barrel roof. It is in a separate land use district. The Riverwalk Center is next door but it doesn't preclude a barrel. Let's call it out even more. The dissimilar architecture should get -3 points but I would go with the barrel roof.
- Mr. Giller: I feel that Breck's character should guide the structure design. The gable is more compatible. The barrel design is contrary to town. I understand architectural identity elements for structures but those should be reserved for something beautiful to highlight like Aspen's art museum example. For a utilitarian structure like this, I vote for a gable design.

- Ms. Leidal: I would give -3 points for dissimilarity of the roof forms. We should follow what is there now. I'm not opposed to it being a more modern gable design as staff suggested but a gable fits more with our mountain town. I don't have enough info to warrant another -3 points for the structure type. A parking structure is a unique building and we can't make it what it isn't. I was happy to hear you are working on the solid to void ratio.
- Mr. Lamb: I like the barrel roof. Aspen did a good job of blending two architectural styles in their historic district and I think we could do some of that too. The Riverwalk Center and the Village are not historic and we don't have any precedent for parking garages. I like the artist rendering and they are off to a good start. Negative three points for the barrel design.
- Ms. Dudney: I prefer a modern look but the barrel is too much. The gable would fit in better and make the design more modern with the gable. I would only give three negative points, not six.
- Mr. Schuman: I like the barrel roof. I feel it would be a double ding if you gave them -6. I would give the barrel -3 but I like it. I think it fits with the other modern buildings in the area. The modern architecture would raise the bar on the structure. I say bury the 15 foot wall in some type of material. I like concept one and I think it is off to a good start.
- Mr. Schroder: Will this building set precedent for the future in terms of architecture? (Ms. Puester: Yes, the points/design will set precedent.)
- Mr. Gerard: Aspen is working to remove cars from their downtown and moving parking out to satellite parking lots to preserve character. I understand you want to bring people to the downtown but 400 cars come with it. Big departure from the town character. Needs to fit into the core without barrel roofs if you are putting it here. The barrel roof sets a bad precedent. It is a mistake to not blend it in. I am in favor of the gable roof and in favor of a -6 point deduction to maintain our mining/mountain town feel.
- Mr. Truckey: Just to recap, the majority favors the gable roof form, it seems like most of you are in favor of -3 rather than -6 and that the dissimilarity from the surrounding buildings was not a concern.

2. Code Steering Committee Update

Mr. Truckey presented: We have had Christy and Gretchen represent the Commission as well as a few architects. I did dismiss the architects from the Steering Group since we have moved past the policies where their input was needed. We did some research regarding what our peer communities require for parking spaces for various uses. We considered a concern about under-parking in single family residence situations. We require two parking spots but most new homes typically have more than that with three car garages and driveway parking space. Short term rentals do impact parking. Another section of our code contains parking requirements for short term rentals. It requires that all parking must be accommodated on site, not in the right of way or in landscaped areas. If this becomes a problem the Town has the ability to enforce this. The Steering Group also discussed the code provision that allows large mixed use developments to submit a parking study to justify a change from the code requirements. The Group agreed to keep that provision but not allow it to be extended for projects that were less than 100,000 square feet. We are generally in line with other communities in regards to restaurant parking inside the parking service area. Outside of the service area the code requires parking spaces based on seating capacity and we would like it to change to square footage, as seating can be re-arranged. Based on peer communities, we are looking at 8-10 spaces per 1,000 square foot. The Town's industrial parking space requirements were on the high side. We intend to modify these requirements to be comparable with other jurisdictions and possibly move towards separate requirements for light industrial and warehousing. Supermarkets/grocery stores only have a specified parking requirement in downtown. Outside the service area, the requirement would default to general retail, which is not sufficient. We will be working on a new requirement. City Market's current parking capacity generally works pretty well so we intend to do a parking count there to see how that relates to their square footage.

Commissioner Questions / Comments:

Mr. Schuman: Don't forget to count the dirt spots at City Market also. How did the parking at the Marriott work out? I hear they are having trouble mitigating lack of parking. (Ms. Puester: We haven't

gotten complaints through our office. If there is a problem, it hasn't spilled onto other properties.)

Mr. Schuman: Is there really adequate parking at City Market? (Mr. Truckey: I don't think that lot fills up except at peak times. You might not get a parking spot as close as you like but you almost always can get a spot.)

Ms. Dudney: Also consider the other merchants in the building.

Mr. Truckey: Revisited 4R- Mass. There is a provision for residential units to have 20% mass bonus but it doesn't apply in Land Use Districts 18 and 19. Makes sense in 19 which is core commercial but not in 18 which is mostly residential. Staff hasn't been able to determine a good reason to not provide the mass bonus in LUD 18, as adjacent districts 11 and 17 both allow the mass bonus. Does the Planning Commission have any input? (Mr. Kulick clarified the boundary of the area included in district 18, which takes in North French Street and the northernmost part of Ridge, bordered on the south by Wellington Road.)

Mr. Schuman: Most of it is built out? What would they do? (Mr. Truckey: Scrapes and renovations.)

Mr. Lamb: We should be fair across the board, if other nearby residential districts allow it. (Mr. Kulick: This is the only true residential area that doesn't get the bonus.)

Ms. Dudney: Seems like it might have been a mistake to leave them out of the bonus.

Ms. Liedal: I would like to know precedent and know who received the mass bonus.

Janet Sutterley, Local Architect: Certain projects in LUD 18 have received a mass bonus. We have an owner willing to take off a non-historic addition and add a garage, but they can only do it if the mass bonus is allowed. I see an opportunity for the town here to accomplish some historic restoration.

Mr. Truckey: There are obsolete sections of code that need to be purged. We are continuing to work through the rest of the Code.

TOWN COUNCIL REPORT:

- Called up Village Hotel murals. Scheduled for next Tuesday's Council meeting. We expect the Council will direct staff to amend the code to address murals.
- We may also receive some direction on code amendments for vendor carts, as some Council members seemed concerned that we had no limitation on number of carts outside the Conservation District.
- The majority of the Council supported moving forward with setting a 100% renewable energy goal community-wide by 2035. This will require a strong partnership with Xcel Energy.
- Save as You Recycle/Pay as you throw program. This would change the way you are billed for trash and recycling. Customers would be charged based on the size of trash container they used, thus encouraging them to recycle more. In other communities that have implemented this it has driven up recycling rates. Staff has been asked to further evaluate some portions of the program. The Council could consider action on this in spring 2018. If it was enacted it probably wouldn't be implemented until 2019.
- Employee housing deed restriction policy. It varies for different housing properties. In particular, the existing deed restriction for Valley Brook, Vic's Landing, Maggie Point, and Gibson Heights is of concern. Council implemented a new deed restriction for Denison Placer/Blue 52 which is our new model. The Council agreed to allow property owners in Valley Brook, etc. to opt into the new Blue 52 restriction, which would allow a two percent appreciation in resale prices annually. It would be implemented retroactively. Owners in those neighborhoods have six months to decide if they want to change their deed restrictions.

OTHER MATTERS:

1. 2018 Elections of Planning Commission Chair and Vice Chair

Mr. Lamb made a motion to nominate Ms. Leidal as the Chair of the Planning Commission for the next year. Mr. Gerard seconded, and the motion was carried unanimously.

Mr. Schroder made a motion to nominate Mr. Giller as the Vice Chair of the Planning Commission for the next year. Mr. Gerard seconded, and the motion was carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 7:05 pm.

Dan Schroder, Chair

Planning Commission Staff Report

Subject: Welk Riverfront Resort Conditions of Approval Modification
(Class C, PL-2107-0579)

Proposal: The following conditions of approval for the Welk Development Permit (PC#2012044) are proposed to be amended to be executed and recorded prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the first completed residential unit rather than Prior to the Certificate of Occupancy for the first completed building. Condition 26 concerning the covenant to restrict 3,869 square feet of employee housing; Condition 27 concerning the covenant requiring operation of the Guest Shuttle transit system; and Condition 29 concerning the covenant restricting the Meeting Rooms/ Amenities Conference Rooms for use as amenities and to be owned as general common space.

Condition 20 of the Development Permit (PC#2012044) is also to be amended to provide: (1) that the landscape plan for the property with which Applicant is to comply with will be the one approved in connection with the approval of the building permit for the property and (2) that the covenant requiring compliance with the landscaping plan approved in connection with the approval of such building permit is to be executed and recorded prior to the issuance of a Certificate of Occupancy.

The proposed changes do not affect the project's approved site design, density, mass, parking, building height, architecture or Point Analysis. A copy of the previous conditions is included in the packet.

Date: November 13, 2017 (For meeting of November 21, 2017)

Address: 13541 Colorado State Highway 9

Legal Description: Lots 1, 2, 3 and Tract A, Welk Resorts Subdivision

Project Manager: Chris Kulick, AICP, Planner III

Applicants/Owners: Mr. Jon Fredricks, President of Welk Resorts, Owner
Jeffrey W. Edwards, Vice President of Development, Welk Resorts,

Agent: Steve West, Attorney

Land Use District: 6, Subject to the West Braddock Master Plan and the Delaware Flats Master Plan

Site Conditions: The property has been re-graded from previously disturbed cobble from the Stan Miller Inc. operations and previous historic dredge mining. The site slopes downhill towards the north at about 2.5%. There is no vegetation on the property. Stan Miller Drive is completed past the Red, White and Blue Fire District Building towards the south.

Item History

The Planning Commission approved a proposal to construct a 123-unit time-share resort with a detached Employee Housing / Maintenance Building and a detached Meeting / Facility Building at Tract W and D-3 of the Shores at the Highlands Subdivision on May 21, 2013.

A Development Agreement was approved on November 27, 2012, by the Town Council to allow a mass increase for amenities from the Development Code standard of 200% to 700% which was incorporated into the approved development permit.

A re-subdivision, combining Tract D-3 with Tract W of the Shores Subdivision was recorded (Reception #1036787) on September 12, 2013. This subdivision satisfied Condition 13 of the Development Permit (PC#2012044) which required the Tracts to be combined so that the development occurred all on one parcel. Subsequent to this subdivision, Tract W-1 was re-subdivided creating Lots 1, 2, 3 and Tract A, Welk Resorts Subdivision. This subdivision was necessitated by the need for a separate lot (Lot 1) prior to CO of the Meeting Facilities building.

The applicants recently submitted a Master Plan Amendment for the property to satisfy Condition 14 of Development Permit #2014044. This amendment will be reviewed by the Planning Commission at its December 5, 2017 meeting.

Staff Comments

The Meeting Facility Building is currently under construction and is expected to be completed in spring 2018, which is well ahead of the anticipated completion of the Employee/ Housekeeping Building. In light of this, the developers approached staff to modify the conditions of the existing development permit to move the requirements for employee housing, operation of a shuttle service and restricting usage of the meeting and amenity rooms to prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the first completed residential unit.

9-1-10: MODIFICATIONS TO APPLICATIONS:

B. Modifications to Existing Development Permits: At any time after issuance of a development permit, but before the development permit is abandoned or a certificate of occupancy is issued for the project, the applicant may submit modifications to the development permit. Such modifications shall be acted upon after filing a modification application, utilizing either the class C, class D major, or class D minor permit process as determined by the director. (Ord. 1, Series 2014)

Staff reviewed this request with the Town Attorney who found the proposal acceptable since the development of the residential component is the nexus that necessitates the developer to provide employee housing, a shuttle, and meeting and amenity room covenant. The proposal complies with all absolute and relative policies in the Development Code.

Proposed Changes to the Conditions

The proposed changes to the Conditions of Approval are listed below. Conditions 27, 28 and 29 from the previous approval have unchanged verbiage and are now listed as conditions 38, 39 and 40 because they will be required prior to the issuance of a certificate of occupancy or temporary certificate of

occupancy for the first completed residential unit. Previously they were required prior to the issuance of a certificate of occupancy for any building. The language from the previous Condition 20 has been modified to require compliance with the plan that was submitted with the building permit and is now required prior to a Certificate of Occupancy instead of an issuance of a building permit. The revised condition is now Condition 25.

Proposed Conditions of Approval:

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 25. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property that was approved at the time the Building Permit was issued.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR TEMPORARY CERTIFICATE OF OCCUPANCY FOR THE FIRST COMPLETED RESIDENTIAL UNIT

- 38. Applicant shall execute and record with the Summit County Clerk and Recorder the Town’s standard employee housing covenant for 3,869 square feet of employee housing within the project.
- 39. 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 that the “Guest Shuttle” transit system as proposed remains in operation in perpetuity.
- 40. Applicant shall record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, a covenant for the proposed Meeting Rooms/Amenities/Conference Rooms restricting the proposed 13,691 square foot of amenities and conference space in perpetuity of the project for use as amenities and to be owned as general common space.

Point Analysis (Section: 9-1-17-3): The proposal passes all Absolute Policies of the Development Code. And the points from the Relative Policies remain unchanged from the previous approval:

Negative Points:

- Building Height (6/A & 6/R): -15 points building height
- Energy Conservation (33/R): -2 points - Heating portions of the exterior walkways and the paved areas near the porte-cochère
- Energy Conservation (33/R): -1 point one exterior gas fire-pit
- **Total of negative eighteen (-18) Points**

Positive Points:

- Building Height (6/A & 6/R): +1 point -Broken, interesting roof forms that step down at the edges.
- Refuse (15/R): +1 point - Dumpster/recycle area located in principal building.
- Circulation (16/R): +3 - Good separation of site functions and pedestrians
- Landscaping (22/A & 22/R): +4 points
- Social Community / Employee Housing (24/A & 24/R): +6 points - Providing well over the required meeting and conference facilities or recreation and leisure amenities. No points have been awarded for the employee housing.
- Transit (25/R): +4 points - Providing a shuttle van service (with covenant)
- **Total of positive nineteen (+19) points**

The project shows a passing score of positive one (+1) point. This point analysis has not changed.

Staff Decision

The Planning Department has approved the Welk Riverfront Resort Conditions of Approval Modification, (PL-2107-0579), located at the Welk Resort Subdivision, Lots 1, 2, 3 and Tract A, 13541 Colorado State Highway 9, showing a passing score of one (+1) positive point along with the attached Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Welk Riverfront Resort Conditions Modification	Positive	Points	+19
PC#	PL-2107-0579			
Date:	11/13/2017	Negative	Points	- 18
Staff:	Chris Kulick, AICP			
		Total	Allocation:	+1
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Abides with suggested Master Plan Uses and Land Use Guidelines
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)		Abides with suggested Master Plan density
4/R	Mass	5x (-2>-20)		Meet allowed Mass - Includes Development Agreement allowing a 700% increase for amenities.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	0	The attached drawings now indicate that the exterior materials have been changed to "natural wood siding" that now abides with the Master Plan. The material and type of finishes are: • Natural Stone Veneer Random Rabble Lay-up • Natural Wood trim and accents • Natural wood Shingles, Horizontal lap siding, vertical board and batten, trimmed log siding. • Natural Heavy Timber Accents The drawings also indicate a non-reflective standing seam metal roof. The colors are all earth-tone and do not unduly contrast with the site's background. Staff has no concerns with the materials or colors on this building.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)	- 15	The drawings now show the tallest measurement to the roof of the Accommodations Building at 42'-8". The Workforce Housing/Maintenance building measures 31'-1" and the Meeting Facilities building measures 33'-7" in height.
6/R	Density in roof structure	1x(+1/-1)		None
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	+1	Positive points are possible under this policy only when the proposed buildings exceed the recommended building height. At the last meeting we heard Commissioner support to award positive one (+1) point for the building forms stepping down at the edges.
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		

7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)	0	Along the north property line, and responding to concerns expressed, the Meeting Facilities Building has been further moved and angled away from the north property line. The closest point (measured at the eave) is 6.1 feet and the furthest is 26.5 feet away from the property line and exceeds the minimum 5-foot setback. In addition, the proposed landscaping has been intensified along this edge with larger specimen: • 3-inch caliper Narrow Leaf Cottonwood • 2.5 to 3-inch caliper Aspen • 10-16-foot tall Colorado Spruce
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	0	Snow storage is located throughout property.
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	Meets relative setbacks
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	Snowstack: Required: 17,071 sq. ft. (25%); Proposed*: 17,365 sq. ft. (26%); *Portions are snow melted with covenant
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	+1	The drawings indicate that the dumpster/recycle area is located within the Workforce Housing/Maintenance Building.
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)	+3	The site has been laid out well for separation of functions. The primary entry point for the public and guests is at the intersection of Shores Lane and Stan Miller Drive. The Maintenance, refuse and housekeeping occurs at the south end of the property. The meeting areas, sales offices and other group functions are located away from the residential building to the north.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)	0	Lot Coverage: Building / non-Permeable: 58,297 sq. ft. (20.7% of site) - Hard Surface / non-Permeable: 129,138 sq. ft. (45.9% of site) - Open Space / Permeable Area: 93,745 sq. ft. (33.4% of site)
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		

22/R	Landscaping	2x(-1/+3)	+4	White Fir - 10' ht. B&B - 20; Thin-Leafed Alder - 6' ht. B&B - 8; Bristle Cone Pine - 6' ht. B&B - 8; Colorado Spruce - 8' ht. B&B - 12; Colorado Spruce - 10' ht. B&B - 51; Colorado Spruce - 12' ht. B&B - 15; Colorado Spruce - 14' ht. B&B - 5; Colorado Spruce - 16' ht. B&B - 1; Narrow Leaf Cottonwood - 3"cal B&B - 8; Quaking Aspen - 2"cal B&B - 29; Quaking Aspen - 2.5"cal B&B - 51; Quaking Aspen - 3"cal B&B - 77; TOTAL TREES = - - 285
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	0	3,869 square feet or 5% provided.
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)	+6	Amenities:13,691 sq. ft. - Accommodations Building • A fitness facility • A dedicated lounge for Timeshare Owners • A multi-purpose games room for family use • An indoor/outdoor swimming pool facility that will link directly to an outdoor leisure style swimming pool and expansive deck. • Separate changing areas with showers, lockers and toilet facilities will also be provided as a transition into the swimming pool zone. The Meetings/Facility Building:• Reception Lobby • Theater • Multi-purpose room • Five "Flex-Use Spaces
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)	+4	Providing a shuttle van service (with covenant) for the guests at the Welk Resort.
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		

33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	- 2	At the last review, the drawings showed 7,900 square feet of the exterior walkways and the paved areas near the porte-cochere being heated. These heated areas were large enough to incur negative three (-3) points under this policy. Since then, the area has been reduced to 5,460 square feet (about one-third). Based on precedent, Staff has reduced the points to negative two (-2).
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)	- 1	The drawings also indicate one exterior gas fire-pit.
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

Welk Riverfront Resort Conditions Modification
Lots 1, 2, 3 and Tract A, Welk Resorts Subdivision
13541 Colorado State Highway 9
PL-2107-0579

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 **November 13, 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 **November 28, 2017** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. **This permit expires on the date of the original permit (PC#2012044) May 28, 2016, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.**
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.

7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
8. Driveway culverts shall be 18 inch heavy duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
9. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snow plow equipment from damaging the new driveway pavement.
10. 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

11. Applicant shall submit proof of ownership of the project site.
12. The applicant shall submit to the Town Engineer Final construction plans for approval prior to beginning any site, grading, utility or roadway improvements on the project.
13. Applicant shall submit and obtain approval from the Town a resubdivision plan combining Tract w and Tract D-3 into a single Tract W-1.
14. Applicant shall submit and obtain approval from the Town a modification to the 2012 West Braddock Delaware Flats 4th Amend Master Plan to include the four multifamily SFEs from Tract D-3 into Tract W-1.
15. The applicant shall revise Sheet L1.3 of the Landscaping plans to show that 50% of the proposed Aspen are to be multi stem.
16. The Applicant shall meet the terms of Council Bill No. 33 (Welk Resort Group Development Agreement).
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. Applicant shall provide plans showing that the driveway/curb-cut off of the Shores Lane right of way is 100-feet away from the intersection at Stan Miller Drive right of way.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
20. **Applicant shall install construction fencing and erosion control measures at the 25 foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer. An onsite inspection shall be conducted.**
21. Applicant shall provide a copy of the ACOE permit, and the FEMA CLOMR to the Town.

22. 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.
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.
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 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 that was approved at the time the Building Permit was issued.**
26. **Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring that the driveway and hardscape snowmelt system be maintained in perpetuity.**
27. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
28. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
29. 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.
30. Applicant shall screen all utilities.
31. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
32. 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.
33. 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.

34. 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 cannot 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.**
35. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
36. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
37. 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.***

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PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR TEMPORARY CERTIFICATE OF OCCUPANCY FOR THE FIRST COMPLETED RESIDENTIAL UNIT

38. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 3,869 square feet of employee housing within the project.
39. 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 that the "Guest Shuttle" transit system as proposed remains in operation in perpetuity.
40. Applicant shall record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, a covenant for the proposed Meeting Rooms/Amenities/Conference Rooms restricting the proposed 13,691 square foot of amenities and conference space in perpetuity of the project for use as amenities and to be owned as general common space

Previous Conditions
TOWN OF BRECKENRIDGE

Welk Riverfront Resort, Breckenridge Condo-Hotel
Tract W and Tract D-3, Shores at the Highlands Subdivision
13541 Colorado State Highway 9
PERMIT #2012044

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 **May 11, 2013** 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 21, 2013** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **May 28, 2016**, 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.

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7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
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29. **Applicant shall record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, a covenant for the proposed Meeting Rooms/Amenities/Conference Rooms restricting the proposed 13,691 square foot of amenities and conference space in perpetuity of the project for use as amenities and to be owned as general common space**
30. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
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35. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
36. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
37. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work cannot 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. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
40. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

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Memo

To: Breckenridge Planning Commission
From: Julia Puester, AICP, Planning Manager
Date: 11/16/2017 (For Meeting of November 21, 2017)
Subject: Historic Preservation Public Comments Review Work Session

A regular agenda item was added starting May 2, 2017, to the Planning Commission meetings to allow for general historic preservation public comments. This item was suggested by the State Historic Preservation Officer, Mark Rodman during the 2017 Certified Local Government (CLG) annual visit and supported by the Planning Commission. Staff would like to review the public comments received so far and address them individually with the Commission at this work session. Below are the public comments that have been made with staff comments to follow for discussion.

From May 2, 2017 Meeting:

- Ms. Suzanne Allen-Sabo, Architect: Within the Historic District, height regulations and guidelines work well for flat lots but it is tricky when the lots are steeply sloped. Maybe it is possible to allow some leeway for the degree of slope.

Staff Comment: *Building height measurements per code are measured consistently both inside and outside of the conservation district. The intent of the measurement method is that the buildings step down with the slope. Should buildings on slopes be permitted additional height allowances, more building mass will be visible in town on sometimes, highly visible sloped areas. Staff does not find that a code modification is necessary.*

- Ms. Janet Sutterley, Architect: Over the years we are fine tuning regulations and guidelines, but today I still don't understand what we want our additions to historic buildings to look like. Do we want new additions that look like old buildings? There is a lack of definition in the regulations and I feel it is a subject we should give some thought.

Staff Comment: *The Handbook of Design Standards are fairly specific with regard to primary materials mimicking historic materials (eg. 4 1/2 inch shiplap siding) however, staff cautions dictating too many specific materials and design. The more specific the design standards become, there is risk in too much similarity throughout the district. Broader design standards allow for variation and determination by the Commission depending on the Character Area. Would the Commission like to discuss adding or modifying specific language in the Handbook at a future work session? If so, staff would like to know what standards the Commission is interested in exploring further.*

From June 6, 2017 Meeting:

- Lee Edwards, 103 N High St., Resident: Some time ago, a ditch was placed in front of the front door at a Historic District residence to flow water away from the building. It was determined then by the state historical society that this was ok, yet it has been said recently that a new structure can't be raised. I would like the Commission to be realistic about the roadway in front of historic structures.

Staff Comment: *Current code allows for the historic floor of properties to be elevated for drainage issues up to one foot. This code section allows for some correction to the property without altering the relationship to the adjacent roadway or sidewalk. There are some areas where roadways have been set higher (eg. 114 & 112 N. Ridge St. Hermanson Residence), or lower than the property (eg. 130 S. Ridge St. Searle Residence). The code could be modified to state that the Commission*

may allow additional grading or height allowances if necessary to preserve the historic structure, if desired.

From July 5, 2017 Meeting:

- Lee Edwards, Resident: Five years ago a regulation was added to the historic codes that no additions could be taller than the original historic structure. I never knew why this change was adopted and I would like to revisit this and find an answer.

Staff Comment: *More detail was added to the design standards under Building Scale and Building Height, Policies 80, 80A, 80C, and 81 regarding new secondary structures in 2010. The revisions were to ensure that secondary buildings (outbuildings) do not overwhelm the existing historic structures, new primary structures, or the historic settlement pattern.*

Differentiated from a secondary (outbuilding) structure, an attached addition onto a primary structure may exceed the height of the front façade under certain circumstances. When it comes to primary structures, Policy 82 & 84, relates to building on the back sides of buildings or on hillsides, allows for structures taller than the norm if the scale will not be perceived from major public viewpoints. Staff is not suggesting any code change. The Commission has the opportunity to discuss at the work session should there be any concerns or consideration to modify any standards.

Staff would like to hear any Planning Commission discussion or concerns regarding the above public comments and whether there is any desire to explore any future work sessions on potential desired code changes.

Memo



To: Breckenridge Planning Commission
From: Julia Puester, AICP, Planning Manager
Date: 11/16/2017 (For Meeting of November 21, 2017)
Subject: Housing Tour Recap Presentation

Planning staff visited with the Aspen Housing Authority on August 4 and had a workforce housing tour of Boulder and Denver on October 19 which some of the Planning Commissioners attended. The Planning Commission also recently went to Aspen on November 2-3 for the Annual Planning Commission Retreat and saw one of the larger workforce housing developments and discussed housing policy with the Aspen planning staff and Planning Board.

Staff wanted to provide a summation of all three recent tours in light of upcoming code amendments and project developments related to workforce housing. We will run through a slide show at the meeting and have a brief discussion with the Planning Commission. Some of the items to be discussed include:

- Parking requirements/needs of residents in workforce housing
- Different unit types
 - Live/work
 - Micro units
 - Tiny houses
 - Co-housing
 - Conversions of market rate units
- Reuse of older inventory/Change of uses
- Co-work Space
- Short term rentals
- Neighborhood commercial
- Community Spaces
- Storage

Memo



To: Breckenridge Planning Commission
From: Julia Puester, AICP, Planning Manager
Date: 11/16/2017 (For Meeting of November 21, 2017)
Subject: Aspen Planning Commission Field Trip Recap

Staff would like to provide an opportunity for the Planning Commission to discuss the recent Annual Planning Commission Field Trip held in Aspen this year (November 2-3). On the field trip, we went through the following topics:

- We-Cycle in Basalt: Bike share program, funding, technical details of bike shares and bike share stations, successes and failures.
- Aspen Development Code Issue Topics: Transportation and parking plan; Development code changes for first floor commercial restrictions; Zoning changes and moratorium; Workforce housing policy/housing credits, TDR program overview and pricing; Additions on historic developments and preservation program overview; Downtown developments
- Aspen historic district tour
- Meeting with the Aspen Planning & Zoning Commission
- Tour of Burlingame Workforce Housing

We would like to have an open discussion forum and gather thoughts from the Commissioners on the topics covered above.