

# **Planning Commission Meeting Agenda**

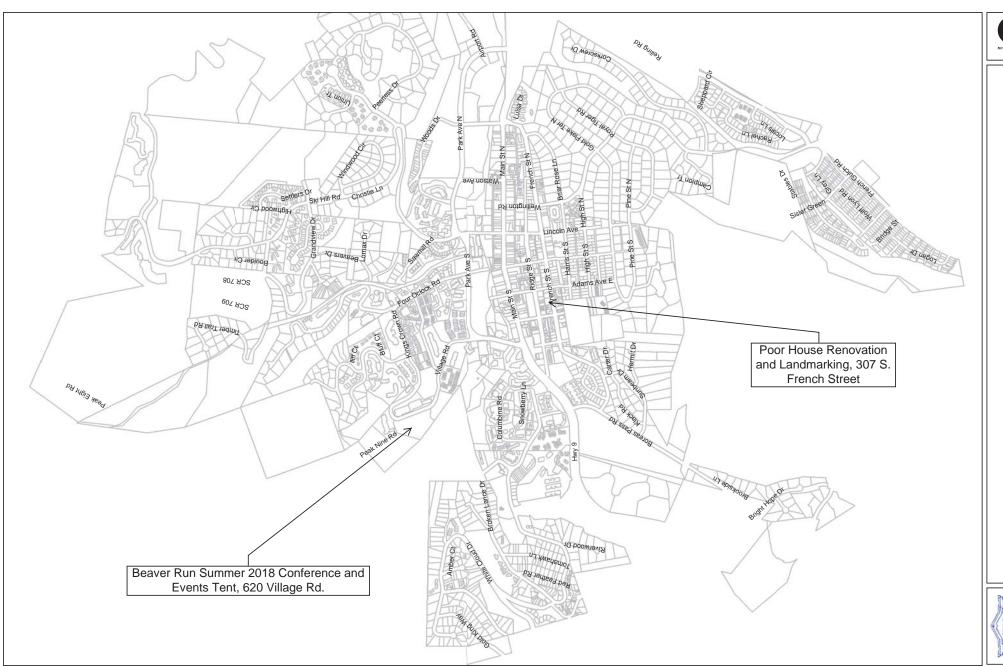
Tuesday, April 3, 2018, 5:30 PM **Council Chambers** 150 Ski Hill Road Breckenridge, Colorado

5:30pm - Call to Order of the April 3, 2018 Planning Commission Meeting; 5:30pm Roll Call Location Map Approval of Minutes Approval of Agenda	2 3	
5:35pm - Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Min Please)	ute Limit	
5:40pm - Other Matters: Request for Continuance	8	
1. Verizon Wireless Communication Facility (CL) PL-2017-0689, 305 S. Ridge Street. The applicant has requested a continuance from the previously scheduled April 12 Planning Commission Meeting to May 1, 2018. Not a public hearing; no public testimony will be heard on this matter.		
5:50pm - Consent Calendar  1. Beaver Run Summer 2018 Conference and Events Tent (CK), PL-2018-0067, 620 Village Ros	<i>13</i> ad	
6:00pm - Work Sessions		
1. Development Code Update		
6:30pm - Combined Hearings		
1. Poor House Renovation and Landmarking (CK), PL-2018-0060, 307 S. French Street	20	
7:00pm - Other Matters		
1. Town Council Summary (Memo Only)	<i>37</i>	
2. State of the Open Space Report (Memo Only)	41	
7.15pm Adjournment		

# 7:15pm - 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.



# PLANNING COMMISSION MEETING

The meeting was called to order at 5:31 pm by Chair Mathews-Leidal.

#### ROLL CALL

Christie Mathews-Leidal Jim Lamb Ron Schuman - absent

Mike Giller Steve Gerard
Dan Schroder Gretchen Dudney

## APPROVAL OF MINUTES

With no changes, the March 6, 2018 Planning Commission Minutes were approved.

# APPROVAL OF AGENDA

With no changes, the March 20, 2018 Planning Commission Agenda was approved.

# PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

No comments.

## **TOWN COUNCIL REPORT:**

Mr. Grosshuesch gave a report on the March 13th Town Council Meeting:

- Planning Commissioners have been added to the email list for Town Council meeting summaries. We
  will take Town Council Report off the meeting agendas but will still answer questions.
- No Planning Commission call ups
- The parking structure was reviewed and it was accepted by the council.
- Council reviewed the state of the open space report which recounts the accomplishments of the Open Space department over the past 12 months.
- Regulations for the use of drones that were approved by Town Council.
   Ms. Leidal: Are the regulations for commercial and personal drones? Can you fly them anywhere?
   (Mr. Grosshuesch: Yes, for all drone use.)

## **FINAL HEARINGS:**

1. Searle Residence Landmarking and Addition (CK), PL-2017-0070, 300 E. Washington Street.

Mr. Kulick presented a 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. Since our last hearing in December, the modifications are: 1<sup>st</sup>, a small roof to be added over the apartment door which will decrease the property line set back from the north to 3.5'. On the connector there is a cricket over the entryway for drainage and the placement for windows on the North has been adjusted slightly. An exterior lighting plan is also included. This is the third hearing for this project, Michael Mosher presented the first preliminary hearing and a work session. (Mr. Kulick pointed out the landscaping plan on the overhead plans and discussed the point analysis.)

# Commissioner Questions / Comments:

Mr. Schroder: Regarding the cottonwood tree - my note to myself was that it was not needed, only

encouraged. It seems strange the tree would define the street edge. I don't think the additional tree is needed. Wondering if staff would support not including the tree and still pass. (Mr. Kulick: It is a staff recommendation based on the Handbook, but it is up to the Commission to decide). (Mr. Truckey: It goes back to the historic character of town and cottonwoods are part

of the historic landscape lining streets.)

Mr. Lamb: Do you know where the water and sewer lines run? (Ms. Sutterley: no.)

Mr. Gerard: On the cottonwood, it is a double front yard and I personally support the addition of a

cottonwood along French Street. I think it's recommended to be along both street frontages.

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(Mr. Kulick: Yes, that is the same conclusion as staff.)

I agree, the only shown cottonwood is off site along Washington Avenue. Ms. Leidal:

Mr. Lamb: The yard on French looks like the cottonwood would overwhelm it. (Mr. Kulick: Janet might

speak to that.)

# Janet Sutterley, Architect, presented:

I would like to make some points about the tree. First, you already approved the landscape plan at the last hearing and we have not made any changes. Second, the street alignments on cottonwood trees is encouraged but not required and I think we have to look at each specific case. We have proposed a nice plan and not asked for positive points. Next, we have a lot going on the site. (Ms. Sutterley pointed out some trees on the plan.) On the corner, we have an evergreen tree, which offers better screening of the backside of the house from French Street. We are proposing a couple of Aspens, and there is a lot going on there and I don't want to put a cottonwood on this side.

## Commissioner Questions / Comments:

On the revised window design on the back, with the two triple pane windows: did you Mr. Gerard:

> consider putting 4 pane windows? (Ms. Sutterley: We wanted to frame the fireplace from the inside and make it be more symmetrical. Mr. Gerard: The 4 panes are more historic and I wondered if you considered it. (Ms. Sutterley: It seems like there would be too many of that kind of window.) (Mr. Kulick: We have looked at the style proposed on other projects and have found the design acceptable.) (Ms. Sutterley: I hear what you're saying, but I still think there would be too many 4 pane windows if they were changed from 3 pane windows.) Mr. Gerard: I'm looking at the requirement that the windows should be similar to other historic buildings in the area and I don't recall seeing many in historic construction. (Ms. Puester: We

think that does conform to what we've seen.)

Mr. Lamb: I think they conform.

Mr. Gerard: My objection isn't to the size, but that they are not similar to those used historically.

Mr. Giller: I have a suggestion, you have a window well for the accessory unit and it would be nice to see

larger windows there to introduce more daylight.

One correction with regards to the evergreen tree, policy 171 does not apply to this project as it Ms. Puester:

is not a policy that pertains to this Character Area.

Ms. Leidal opened the hearing to public comment: No comments.

Ms. Dudney: I do not believe that the cottonwood is required; just encouraged. So I don't think it needs

negative points. I'm fine with the project.

It's been through a thorough analysis and I think it looks good. I think the cottonwood would Mr. Lamb:

overwhelm the house and possibly interfere with utilities. I like the project as presented.

Mr. Giller: Question 1: yes. 2: yes, 3: yes. 5: I don't think you need the tree. It's a handsome project that

meets the code and I'm happy to see the house saved.

I support the cricket, windows comply, apartment roof is compatible, I don't think the tree is Mr. Schroder:

necessary.

Mr. Gerard: Terrific project. Question 1: I approve the cricket. Question 2: I still have questions on the 3

pane windows but it doesn't stop me on the project. Question 3: the entry roof is a great safety feature. The applicant is paying the price (-3 points) for encroachment on the setback. Question 4: I think this falls on the cottonwood. I think it should be where the evergreen is, I clearly agree it's not mandatory but every block has a corner and I don't like the precedent of

not requiring one.

Ms. Leidal: I appreciate all the time and effort put into designing this beautiful project. I agree with staff on

questions: 1-3 and with staff's suggestion to add a cottonwood tree. You are receiving benefit

of a double frontage with setbacks and the historic guidelines encourage cottonwoods. I

support the project with staff's condition as presented in the packet.

Ms. Puester: I'd like to point out if it's a regular Design Standard, it is considered a "Relative" Policy and

would be in consideration for negative points but if it's Priority Design Standard it functions as an "Absolute" Policy. I want to see where everyone falls on the point analysis. Does anyone

want changes to the point analysis or go as is?

Ms. Leidal: Because the Design Standard is encouraged, if they don't meet it, they should receive negative

points.

Ms. Dudney: Is that true?

Mr. Grosshuesch: If you believe the project is in line with all the policies of the standards, there are no negative

points warranted. What we've done in the past, if it falls out of conformance, it can still be judged to not have negative points. If there were non-priority policies it didn't conform to, it

would be eligible for negative points.

Ms. Leidal: Right now no points are recommended but -3 points could be possible for not having a

cottonwood along the French St. street frontage.

Ms. Puester: The Commission should feel it's significant to warrant negative points to set the precedent.

(Mr. Kulick read an excerpt on cottonwoods from the historic design standards book.)

Mr. Schroder: I'd like clarification on the policy.

Ms. Puester: You could change the point analysis, keep condition number three, or remove the condition

and assign no additional points.

Mr. Gerard: This is a good landscape plan so maybe they could get positive points? I still believe we have

to look at this so we don't set a precedent for future hearings.

Ms. Puester: Some of the landscaping that is shown (east side) is actually not on their property, it is existing

and on the town's community center property. Chris, did you analyze the landscape plan for points? (Mr. Kulick: I didn't specifically measure it against previous precedent for positive

points.)

Ms. Dudney: Why would we change the point analysis if four people don't see need for the tree? I'd like to

clarify something. Christie feels that if something is encouraged in a Design Standard, you get negative points if you don't do it. I would assume if something is encouraged, you get positive points. What I heard is that there is disagreement about that. Does it comply overall to have negative points? I like to follow precedent but that language doesn't make it clear. (Ms. Puester: It is a relative type policy so in theory, a relative policy could get either negative or positive points). (Mr. Grosshuesch: Christie is right. I have a suggestion. There is already -3 points for removal of historic fabric. You could add "and for not having a cottonwood tree on

French Street".)

Mr. Schroder: For the record, I feel the word "encouraged" just got redefined so I am glad for the

clarification.

Ms. Leidal: I look at it like it is "recommended".

Mr. Lamb: They have a good landscape plan and it doesn't show up in the point analysis but if they would

have known they would have asked for positive points.

Mr. Kulick: Being one tree, we were thinking it might be something they would want to do. In the context

of asks, putting in one more tree doesn't seem very significant.

Mr. Giller made a motion to amend the points analysis to description under Policy 24/R to include the language "and the lack of a cottonwood tree along the second front yard on French Street right of way". Mr. Lamb seconded the motion and it passed unanimously.

Mr. Gerard made a motion to approve the project as amended, seconded by Mr. Giller. The motion passed unanimously.

# **COMBINED HEARINGS:**

1. Brenner Materials Concrete Batch Plant (CK), PL-2018-0056, 13545 Colorado State Highway 9.

Mr. Kulick presented a proposal to have a concrete batch plant production operation, consisting of storing, combining, and delivering ready mix concrete. The raw materials will be hauled into the location from various sources, and will be stored until use. The master plan was recently amended to allow industrial uses such as a batch plant through 2027. There is a nominal addition of density of 230 square feet for an office. The mass addition is 1200 sq. ft. The total is well under the limit. (Mr. Kulick reviewed the details such as heights and the related policies and pointed out locations on the plans.) Staff proposes to have the application reviewed every 5 years. We are comfortable with the best management practices like we have seen in the past. The noise associated with the plant is considered a construction activity. The Town Code says there can't be noise between 7pm and 7am unless approved through a development permit. The proposed operation is from 6am-7pm for activities on the site. Along with 5 year review, we recommend the review be processed as Class C application and be placed on the consent calendar before Planning Commission at that time. Staff presented amended conditions correcting the dates of the permit, eliminating a redundant condition and placing a finding stating the eligibility for a Combined Hearing. Staff believes the application meets all policies and there are no points with this application.

# Commissioner Questions / Comments:

Mr. Gerard: Is there a travel plan for the traffic? (Mr. Kulick: The estimated truck trips are less than the

previous Alpine Rock operation because there is just concrete proposed with this application. It is not broken down but engineering was comfortable with the proposal. Mr. Brenner might

be able to speak to that more.)

Mr. Giller: Under the Policy 6R, the analysis is that the batch plant is not subject to the height policy

because it is considered machinery and not a structure. Can we add that it's temporary? (Mr. Kulick: It was always treated as equipment and not a structure. I see no reason not to add that

it is temporary because it further strengthens the position on Policy 6/R.)

# Travis Brenner, Manager for Brenner Materials:

Mr. Gerard: I'm familiar with the location and from a travel standpoint, I have a concern about the

roundabout. A lot of visitors don't understand it. I'm wondering if you've considered a travel

plan that could route trucks to the light at Tiger Rd. so they avoid the roundabout.

Mr. Brenner: We prefer the stoplight at Stan Miller as well. Believe that we would only use the roundabout

sometimes if heading into Town. Our intention is to use the stoplight.

Mr. Gerard: Any vehicle is a hazard and I would appreciate the travel plan to use the stoplight.

Ms. Leidal opened the hearing to public comments. No public comments and the hearing was closed.

Mr. Lamb: On question 1, I agree. Question 2, earth tone colors are a good idea. Question 3, yes. I

support approving it.

Ms. Dudney: I agree with items 1, 2 and 3 and approve the project.

Mr. Giller: 1, agree, 2 agree, 3, agree. Mr. Schroder: I agree with 1, 2 and 3.

Mr. Gerard: I think it's a good plan and good location. I agree with numbers 1, 2, 3.

Ms. Leidal: I support staff analysis. I agree with questions 1-3. I appreciate the modifications to the

conditions. I support modifying a finding for Policy 6/R.

Mr. Giller made a motion to amend the comment in the Point Analysis for Policy 6/R to add "equipment, and is temporary." Seconded by Mr. Lamb. Motion passed unanimously.

Mr. Giller made a motion to approve the project with amended findings and conditions, seconded by Mr. Gerard. The motion passed unanimously.

Town of Breckenridge	Date 03/20/2018
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OTHER MATTERS.	
OTHER MATTERS:	
No other matters.	
ADJOURNMENT:	
The meeting was adjourned at 6:45 pm.	
	Christie Mathews-Leidal, Chair



# Memo

**To:** Town of Breckenridge Planning Commission

From: Chapin LaChance, Planner II

**Date:** 3/30/2018

Subject: Request for Continuance of Public Hearing regarding proposed Verizon Wireless

Communication Facility at 305 S. Ridge St. (Class A Development Permit application

PL-2017-0689)

## Commissioners,

At the February 20<sup>th</sup> Planning Commission meeting, the Commission approved a motion to continue the Public Hearing regarding the proposed Wireless Communication Facility at 305 S. Ridge St. to the April 12<sup>th</sup> Planning Commission meeting.

Staff received a letter on March 30<sup>th</sup> from legal council to Verizon Wireless, requesting the Public Hearing be further continued to the regularly scheduled May 1<sup>st</sup> Planning Commission meeting. As stated in the attached letter, Verizon's legal counsel will not be available for the April 12<sup>th</sup> meeting due to scheduling conflicts and physical injuries. In the attached letter, their attorney has agreed to execute an amended Tolling Agreement, which will be available for the Commission's review at the April 3<sup>rd</sup> Planning Commission meeting. There will not be a Public Hearing regarding this application at the April 3<sup>rd</sup> Planning Commission meeting. The Commission will consider and vote on the request for continuance.

Please note that the attached letter states "At the January 30, 2018 hearing, the Planning Commission continued the hearing until February 20, 2018 due to concerns raised by citizens regarding the mailing list for the notice and the opportunity to review the Application in advance of the hearing". After reviewing the January 30, 2018 Planning Commission meeting minutes, staff finds that although members of the public expressed concern at the meeting regarding public notice and review of the application, the Planning Commission did not move to continue "due to" these concerns.

The attached letter also states "On February 20, 2018, Verizon Wireless attended the Town Planning Commission hearing and requested a continuance to allow additional time for Verizon Wireless to submit the additional information and to allow for the Town to hire a third party consultant to review the application" Staff has reviewed the letter dated February 15, 2018 from Verizon Wireless' legal counsel to the Planning Commission requesting the initial continuance, which states: "Verizon Wireless wants to comply with the February 6 additional submittal requests from the Planning Commission and be in a position to present the information to the Planning Commission at the Planning Commission hearing. In order to do so, Verizon Wireless needs additional time to put together the additional submittal requests and submit the accompanying materials as a supplement to its original December 22, 2017 Application". Staff would like to clarify for the Commission that the original request for continuance was not "for the Town to hire a third party consultant to review the application."

Please note that the Town of Breckenridge Planning Commission Rules of Procedure (November, 2016 Edition) Rule 29. Continuance of Hearing (adopted per Town Code 9-1-28: Rules and Regulations) states: "The Commission may continue any hearing, upon timely request, for good cause shown, or upon its own initiative. If a hearing is continued to a date certain, it shall not be necessary to re-notice the hearing; it shall be conclusively presumed that all interested parties are

aware of the continuation of the hearing. If any hearing is continued without a date certain being specified, it shall be necessary to re-notice the hearing in the same manner as the original notice of hearing was given."

Staff will be available at the meeting to answer any questions that the Commission may have.

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Melissa Kerin Reagan Sherman & Howard L.L.C. Direct Dial Number: 303.299.8310 E-mail: mreagan@shermanhoward.com

March 30, 2018

# **VIA EMAIL**

Town of Breckenridge Planning Commission 150 Ski Hill Road PO Box 168 Breckenridge, CO 80424

Re: Verizon Wireless - Application for Wireless Telecommunications Tower

Site Location: 305 S Ridge Street, Breckenridge, Colorado

## Dear Commissioners:

We are counsel to Verizon Wireless in connection with the above-referenced application for the installation of a new wireless telecommunications facility at 305 S Ridge Street, Breckenridge Colorado ("Facility"). Verizon Wireless respectfully requests the Planning Commission continue the hearing for the review and consideration of Verizon Wireless' application for the proposed Facility as good cause exists for the continuance and the Planning Commission may do so upon its own initiative.

In order to provide the citizens of and tourists who visit the Town of Breckenridge with quality wireless services as are needed and sought after by local citizens, visitors, and those traveling through in today's fast-paced and evolving communications environment, Verizon Wireless submitted an application for a Class A Development WCF Permit dated December 10, 2018 and submitted on December 22, 2017, to install a personal wireless communications facility and associated equipment on the rooftop of the above referenced property (the "Application"). This facility is located in and will serve an area with a significant gap in

Town of Breckenridge Planning Commission March 30, 2018 Page 2

coverage/capacity and, thus, will allow Verizon Wireless to comply with federal law, which mandates that Verizon Wireless address this gap and enhance and improve service in this area.

Verizon Wireless filed its Application after reviewing available and feasible locations and participating in a pre-application meeting with the Town of Breckenridge Planning Department. On January 19, 2018 and January 25, 2018, the Planning Department requested additional information from Verizon Wireless in support of its Application regarding whether the antennas could have been façade mounted. Verizon Wireless submitted the additional information to the Planning Department in advance of the January 30 Hearing. The Application complied with all instructions given by the Department, as well as the Town of Breckenridge Development Code. The Application was heard by the Planning Commission on January 30, 2018. At the January 30, 2018 hearing, the Planning Commission continued the hearing due to concerns raised by citizens regarding the mailing list for the notice and the opportunity to review the Application in advance of the hearing. On February 5, 2018, Verizon Wireless and the Planning Department participated in a conference call to discuss the Planning Commission's request for additional submittals from Verizon Wireless regarding the Application and requested that the information be submitted by February 9, 2018.

On February 20, 2018, Verizon Wireless attended the Town Planning Commission hearing and requested a continuance to allow additional time for Verizon Wireless to submit the additional information submittals and to allow for the Town to hire a third party consultant to review the application. At that time, a new hearing date was set for April 12, 2018. Since the hearing date was set, Verizon Wireless' counsel has had an out of state deposition set for April 12, 2018. Verizon Wireless' other counsel who could cover the hearing for Ms. Reagan broke his knee cap (at Arapahoe Basin, not Breckenridge).

Verizon Wireless wants to fully cooperate and be prepared to present its complete application and address any and all questions the Planning Commission, the third party consultant and the public may have regarding this application at the Planning Commission hearing. In order to do so, Verizon Wireless respectfully requests the hearing be moved to May 1, 2018 to allow for Verizon Wireless' counsel to attend the hearing.

Verizon Wireless has submitted it additional submittal requirements requested by the Planning Commission, in addition to attending an in-person meeting with the Planning Department Staff and Town Attorney on March 6, 2018, to review and promptly complete this process so it may obtain the WCF Permit and proceed to build the needed and planned facility, and better serve citizens, businesses, and emergency service providers of the Town of Breckenridge, as well as those travelling through the area. Unfortunately, due to extenuating circumstances, Verizon Wireless requests an extension of time to allow for its counsel to attend the Planning Commission hearing. Verizon Wireless will agree to execute a First Amended Tolling Agreement to extend the deadline for the application to be reviewed to July 31, 2018 and will present the Tolling Agreement in advance of the April 3 Planning Commission hearing.

Thank you.

Town of Breckenridge Planning Commission March 30, 2018 Page 3

Sincerely,

Melissa Kerin Reagan

c: (via e-mail)
Chapin LaChance, Town Planner
Tim Berry, Esq., Town Attorney
Carey Gagnon, Esq., Verizon Wireless

# **Planning Commission Staff Report**

**Subject:** Beaver Run Summer 2018 Conference and Events Tent

(Class C Minor; PL-2018-0067)

**Proposal:** To install a main tent  $(40^{\circ}x100^{\circ} = 4,000 \text{ sq. ft.})$ , a food service/kitchen tent  $(20^{\circ}x40^{\circ} = 4,000 \text{ sq. ft.})$ 

800 sq. ft.), an entryway tent  $(10^{\circ}x10^{\circ} = 100 \text{ sq. ft.})$  and a walkway/connector tent from main tent to the service/kitchen tent  $(10^{\circ}x10^{\circ} = 100 \text{ sq. ft.})$  for use during the summer only. The tent will provide additional space for on-site conferences and functions. This tent has been used previously with the same design and location.

Address: 620 Village Road

**Legal Description:** Lots 3A and 3C, Block 3, Beaver Run Subdivision

Project Manager: Chris Kulick, AICP, Planner III

Date: March 26, 2018 (For meeting of April 3, 2018)

**Applicant/Owner:** Beaver Run Resort HOA

Land Use District: 23: Residential: 20 UPA and Commercial: 1:3 FAR

Site Conditions: The site is a flat, paved parking lot adjacent to the existing Beaver Run Conference

Center. There are no significant development constraints.

Adjacent Uses: North: Cedars Condominiums South: Forest Service / Ski Area

East: Forest Service / Ski Area West: Beaver Run Condominiums

# **Item History**

The conference and events tent has been permitted and installed in this location since 1994. The Breckenridge Development Code requires that Temporary Tents for Private Events abide with Development Code provision: 9-1-19-36A: Policy 36 (Absolute) *Temporary Structures* which was modified most recently in 2017.

# **Staff Comments**

**Policy 36 (Absolute) Temporary Structures:** The Breckenridge Development Code requires that Temporary Tents for Private Events abide with Development Code provision: 9-1-19-36A: Policy 36 (Absolute) *Temporary Structures*, adopted in 2015. Staff has analyzed the application as it relates to Policy 36 below:

- (2) Special Rules For Temporary Tents Located Upon Certain Properties: Temporary tents may be allowed for the following properties if authorized by a class C development permit, subject to the following terms and conditions. For properties that are subject to this subsection F(2), the provisions of subsection F(1) of this section do not apply.
- a. This subsection F(2) applies only to temporary tents to be erected on the following categories of properties: hotel/lodging/inn and condominium properties. For this subsection F(2) to apply a property

must contain a minimum of four (4) acres, or have a minimum of fifty (50) residential single-family equivalents of approved and developed density.

The properties on which the tents are proposed is 6.18 acres. Additionally, the Beaver Run Resort has 678,644 sq. ft. of mixed use density on-site and therefore is well over the minimum (50) residential SFE requirement. Staff does not have any concerns.

b. A temporary tent shall be used solely in connection with the holding of a private event;

The proposed use of the tent is for private events held by Beaver Run Resort.

- c. At the option of the applicant, either:
- 1. One temporary tent permit per calendar year may be issued per property for a maximum duration of one hundred fifty (150) consecutive days; or
- 2. Two (2) temporary tent permits per calendar year may be issued per property for a maximum duration of forty five (45) consecutive days each;

The applicant is requesting a single permit for less than 150 days of use. The tent is proposed to be erected on May 22and removed October 19, 2018.

d. Temporary tents authorized under this subsection F(2) may only be erected after the close of the ski season at the Breckenridge Ski Resort and before start of the next ski season at the Breckenridge Ski Resort;

Breckenridge Ski Resort will closed on April 22, 2018. The requested period for the permit is after the closing of the ski season through fall.

e. No temporary tent approved pursuant to this subsection F(2) may exceed five thousand five hundred (5,500) square feet in size; and

The area of the proposed tent is 5,000 square feet.

f. A temporary tent may not be placed in a location that will interfere with approved circulation on the subject property, or be located on required parking or landscaping.

The tents are proposed to be placed on the south edge of the Beaver Run Conference Center parking lot, adjacent to the United States Forest Service access easement and Breckenridge Ski Resort. It is oriented lengthwise east to west. The conference and events tent is in the same location it has been permitted and installed since 1994. The application has been referred to the Red, White and Blue Fire Department, who also requires a Tent Permit to ensure life-safety concerns and emergency service access and structural requirements are met prior to the tent being erected. Staff does not have any concerns.

- (3) Conditions Of Approval: Without limitation, the conditions of approval of a development permit issued under this subsection F may include, if determined to be appropriate by the director or the planning commission:
- a. Proper upkeep of the temporary tent; and

b. The requirement that the permittee provide a monetary guarantee to the town, in a form acceptable to the town attorney, ensuring the complete removal of the temporary tent, site cleanup, and site revegetation, when the permit expires without being renewed, or is revoked.

Staff does not expect any issues with upkeep or removal of the temporary tent, site cleanup, or revegetation. The site is completely hardscaped.

**Point Analysis:** The proposal meets all Absolute policies of the Development Code. Staff does not find any reason to assign positive or negative points to this application under any Relative policies.

# **Staff Action**

The Planning Department has approved the

Beaver Run Summer 2018 Conference and Events Tent, PL-2018-0067, located at 620 Village Road, with the attached Findings & Conditions. We recommend the Planning Commission uphold this decision.

#### TOWN OF BRECKENRIDGE

Beaver Run Conference Tent 620 Village Road Lots 3A and 3C, Block 3, Beaver Run Subdivision PL-2018-0067

#### **FINDINGS**

- 1. The project is in accordance 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 **March 26, 2018** 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 **April 3, 2018** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are recorded.

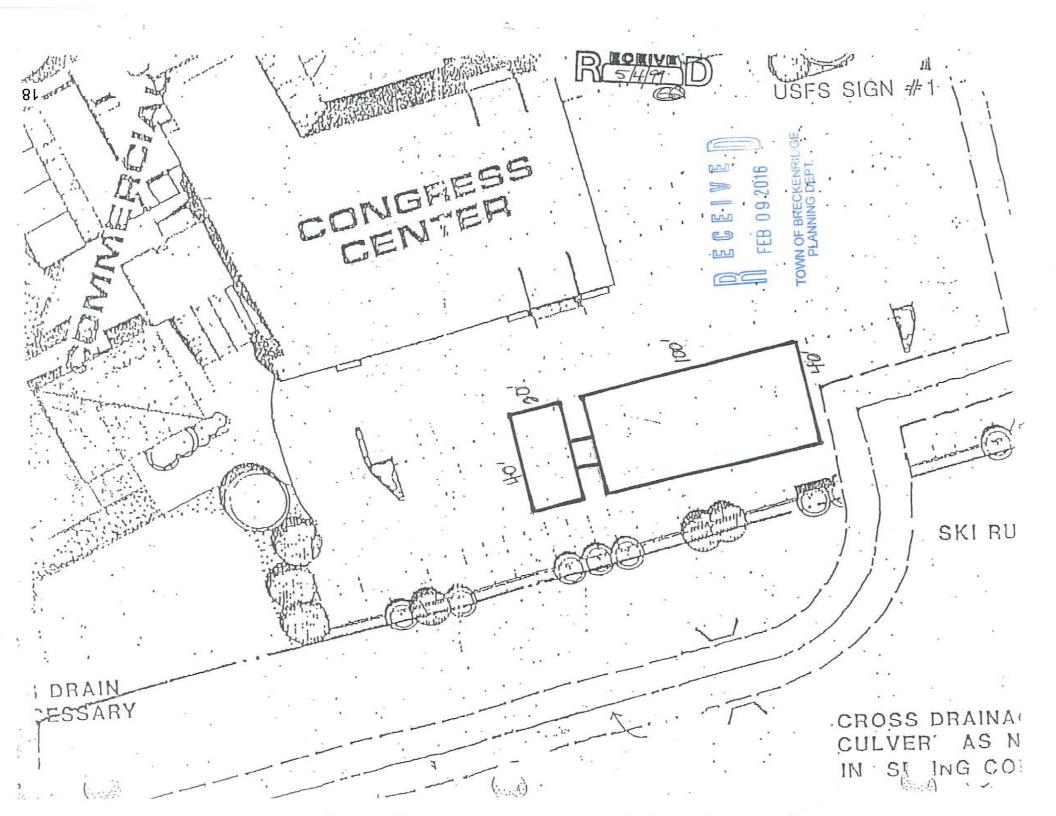
## **CONDITIONS**

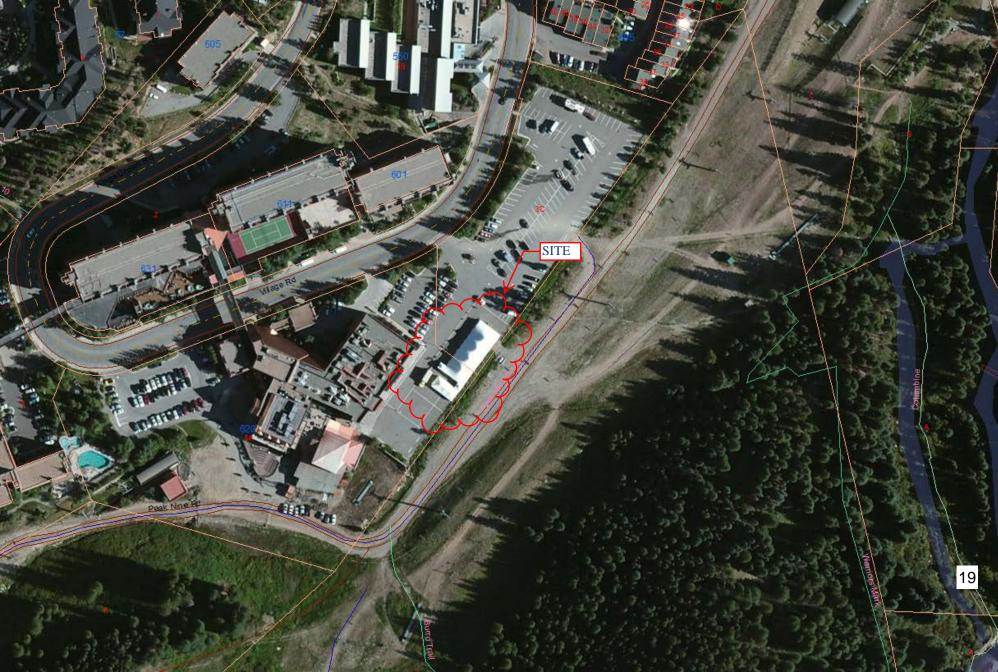
- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, 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 is valid from May 22 October 19, 2018.** In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the permit shall be become null and void.
- 6. 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.
- 7. Applicant shall obtain a temporary tent permit from the Red, White and Blue Fire Department prior to installation of the temporary tent.
- 8. This permit contains no agreement, consideration, or promise that a certificate of compliance will be issued by the Town. A certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
- 9. At all times during the erection of the temporary tent, the permittee must ensure proper upkeep of the tent. Prior to expiration of this permit, the tent must be removed, and the site cleaned of all trash and debris associated with the tent.

PROPANE

PASSAGE MAIN AISLE **SERVI** EXIT THE EXTINGUISHER (TYP. FOR 3) lentrance Ramp X=107:2:53.51 > 50 BEAVER RUN RESORT TENT LAYOUT W/ ROUND TABLES SGALE: 1" = 10' NOSMOKING & EXIT SIGNS

OCCUPANCY LOAD \_\_\_





# **Planning Commission Staff Report**

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

(Class B Historic, Combined Hearing; PL-2018-0060)

**Proposal:** To renovate and build a full basement beneath the historic house. This historic

house is proposed to be locally landmarked.

**Date:** March 14, 2018 (For meeting of April 3, 2018)

**Project Manager:** Chris Kulick, AICP, Planner III

Applicants/Owners: Rob Theobald

**Agent:** Bill Marvin, Hodges/ Marvin Architects

**Address:** 307 South French Street

**Legal Description:** Lot 6-8, Block 9, Abbetts Addition Subdivision

**Site Area:** 0.13 acres (5,796 sq. ft.)

Land Use District: 11 Units per Acre (UPA)

**Historic District:** East Side Residential

**Site Conditions:** The lots are relatively flat and then drop sharply at 55% over the last 11 ft. to the

western edge that borders the vacated Alley. The lots contain the historic Poor House, which is located 4' into the French Street right of way, 2.5' from the property line shared with Lot 9, 10' from the north half of Lot 6 and 30' from the west property line. One mature spruce tree is located in the west side of the

property. Parking and a garage for the house is located on Lots 9 and 10.

Adjacent Uses: North: Bed and Breakfast

South: Chalet House East: Condominiums

West: Single-Family Homes

**Density:** Allowed under LUGs:

Residential (11 UPA): 2,288 sq. ft. Existing: 3,846 sq. ft.

Proposed Density (Free Basement Density): 2,898.5 sq. ft.

**Above Ground Density:** 

Allowed:

At 9 UPA:
At 10 UPA (with negative points):

Existing:

Proposed (no change from existing):

1,872 sq. ft.
2,080 sq. ft.
2,898.5 sq. ft.
2,898.5 sq. ft.

Mass:	Allowed under LUGs:	3,095	sq. ft.
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Proposed: 2,898.5 sq. ft.

**Total:** Historic Poor House

Lower Level (Free Basement Density): 1,963 sq. ft.

Main Level: 1,963.5 sq. ft.

Upper Level: 935 sq. ft.

Subtotal: 2,898.5 sq. ft.

**F.A.R.:** 1:2

Height: Recommended: 23' (mean) 26' (max)

Existing: 23'-5" (mean) Proposed (Unchanged): 23'-5" (mean)

**Lot Coverage:** Building / non-Permeable: 2,457.5 sq. ft. (42% of site)

Open Space / Permeable Area: 3,338.5 sq. ft. (58% of site)

Parking: Required: 2 spaces

Existing (No Changes): 4 spaces

**Setbacks**: No Changes from existing

Front (10' allowed, 15' recommended): 4'into Town R.O.W.

Sides (3' allowed, 5' recommended): 2.5' Rear (5' allowed, 15' recommended): 30'

# **Item History**

Lumberman S.H. Sutton built this large frame house in 1883. Comprising four lots, the original property included the house and a barn. This was the town's show home at the time, and it attracted A.E. Keables, an active mining man and general manager of the Old Union and Masontown Mining Company, as its buyer in February of 1905. That year, Keables installed a hot water heating plant in the residence.

In July of 1906, Summit County purchased the property for use as a county hospital, and the facility opened within thirty days. The county paid \$2500.00 for the property, which included furniture, carpets, fixtures, and kitchen equipment. The building was well-arranged for hospital use.

The former Sutton Keables property served as the Summit County Hospital for many years during the first half of the twentieth century. For many decades now, the property has been owned by the Theobald Family.

Presently, the home is undergoing a minor exterior renovation and major interior renovation that was approved on June 26, 2017 under permit PL-2017-0281. The renovation consists of a complete interior remodel and the addition of two window wells for egress on the north side of the home and removal of a non-historic door on a rear portion of the south elevation. Midway through this renovation the owners discovered the south side of the home was not on a foundation as previously thought. Due to this discovery, the applicants are seeking to add a basement addition to this area of the home instead of

simply pouring a foundation. The additional density required by this proposal necessitates a local landmarking to facilitate free basement density under the historic structure.

# **Staff Comments**

At this combined review, staff would like to address the key policies related to this proposal.

# The Social Community (24/A):

E. 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 here.

**Historic Preservation:** As noted above, the applicants propose to stabilize the structure by building a full basement beneath the south side of the historic house.

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:

+3: On site historic preservation/restoration effort of average public benefit.

Examples: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details, plus structural stabilization and installation of a new foundation.

## Past Precedent

1. Gallagher Residence Renovation, Addition and Landmarking, Pl-2015-0362, December 1, 2015, 114 South Harris Street: (+3 points) The changes to the exterior of the historic house were modest. The original roof pitch and the building form will remain. The applicant kept the existing cut shake shingles on the house. The plans showed the 1997 rear addition remaining but, the rest of the house received new windows, a full basement and substantial electrical and plumbing upgrades.

Based on the applicant's proposal to adding a full basement to the south side of the structure and stabilizing the entire home, a project such as this would typically qualify for positive (+3) three points as a "historic preservation/restoration effort of average public benefit." Does the Commission concur?

**Density/ Intensity (3/A):** The applicants are requesting free basement density for this project to complete a basement on the south side of the structure as allowed through the landmarking process and Policy 3/A.

Policy 3/A states: Exception: Any portion of a basement area of a "town designated landmark" as defined in chapter 11 of this title, which is: a) located directly underneath the landmark building, and b) completely or partially buried below grade, shall not be counted toward allowed density for such building under this policy so long as the historic USGS floor elevation of the building is maintained. This exception shall not apply to any other provision of this code. (Ord. 16, Series 2005)

The design proposes to locate the free density directly underneath the building footprint of the home for which the landmarking is requested. The building is not proposed to have its USGS floor elevations changed. All of the proposed additional density will be completely buried. Staff is supportive of the proposed free basement density, subject to a landmarking, does the Commission agree?

Placement of Structures (9/A & 9/R): As noted above the placement of the home is not proposed to change. However, the home's concrete porch and associated roof are located 4' across the property line and into the Town's French Street right of way. The applicants have been working with the public works department to obtain an encroachment license agreement. Staff from both the public works and planning departments are supportive of the applicants being granted an encroachment license agreement so the placement of the structure is not moved from its historic position. Due to this circumstance, staff has added a condition requiring the applicants to obtain an encroachment license agreement for the portion of the structure that encroaches into the right of way prior to obtaining a building permit.

**Point Analysis (Section: 9-1-17-3):** At this combined review, staff is recommending positive three (+3) points for the policies reviewed. Staff would like feedback from the Commission relative to points assessed.

Positive Points recommended:

• Policy 24/R, Social Community (+3) for on-site historic preservation/restoration effort of average public benefit for a primary structure.

**Local Landmark Designation:** The applicant is seeking local landmarking status with this application. To be designated as a landmark the property must: (1) satisfy the <u>sole</u> requirement of Column A; (2) satisfy <u>at least one</u> of the requirements of Column B; and (3) also satisfy <u>at least one</u> of the requirements of Column C. Applicable criteria have been highlighted in **bold**.

COLUMN "A" The property must be at least 50 vears old. The home was built 1883. Extensions to the original twostory front gabled dwelling date to 1906 when it was retrofitted become the county hospital.

# COLUMN "B"

The proposed landmark must meet at least ONE of the following 13 criteria:

# ARCHITECTURAL IMPORTANCE

- 1. The property exemplifies specific elements of architectural style or period.
- 2. The property is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally.
- 3. The property demonstrates superior craftsmanship or high artistic value
- 4. The property represents an innovation in construction, materials or design.

## COLUMN "C"

The proposed landmark must meet at least ONE of the following 4 criteria:

1. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community. region, state, or nation. This property is historically significant for its association with Breckenridge's development during the "Town Phase" and "Stabilization Phase" periods of development, from circa 1883 to 1942. particular, the property is notable for its use as the Summit County Hospital during the first half of the twentieth century. The property's level of significance is not to the extent that it would qualify for individual listing in the National Register of

- 5. The property is of a style particularly associated with the Breckenridge area.
- 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. The property served as the Summit County Hospital for the first half of the 20<sup>th</sup> century.
- 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

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.

- 2. The property retains original design features, materials and/or character.
- 3. The structure is on its original location or is in the same historic context after having been moved. The home is located in its original location.
- 4. The structure has been accurately reconstructed or restored based on documentation.

Staff finds that the property is eligible as it (1) satisfies the sole requirement of Column A; (2) satisfies at least one of the requirements of Column B; and (3) also satisfies at least one of the requirements of Column C; required for local landmarking. Does the Commission concur? Staff has added a condition of approval for the applicant to obtain approval of an ordinance from the Town Council designating it a local landmark.

# **Staff Recommendation**

Based on staff's analysis at this combined hearing, we have the following questions for the Commission:

- 1. Staff finds the project to qualify for positive (+3) three points as a "historic preservation/restoration effort of average public benefit." Does the Commission concur?
- 2. Is the Commission comfortable with the free basement density as it relates to Policy 3/A?
- 3. Does the Commission find the home is eligible for landmarking?

The Planning Department recommends the Commission approve the Poor House Restoration, Addition and Landmarking, (PL-2018-0060), located at Abbett Addition, Lots 6-8, Block 9, 307 South French Street, showing a passing score of positive (+3) three points along with the attached Findings and Conditions.

Post Notes.   Restoration. Addition and Landmarking		Combined Hearing Impact Analysis			
Page	Project:		Positive	Points	+3
Items left blank are either not applicable or have no comment	PC#				
Start	Date:		Negative	Points	0
Rect. Policy seither not applicable or have no comment  Codes, Correlative Documents & Plat Notes Complies  Complies Complies  Active December 1, 1987 (Comments)  Rect. Land Use Guidelines - Uses Rect. Land Use Guidelines - Uses Rect. Land Use Guidelines - Uses Rect. Land Use Guidelines - West Re	Staff:	Chris Kulick, Planner III	3		
			Total	Allocation:	+3
			applicable or h	ave no comm	ent
	Sect.	Policy	Range	Points	Comments
	1/A	Codes, Correlative Documents & Plat Notes			
	2/A				
	2/R				
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Architectural Compatibility / Historic Priority Policies   33(2/±2)					
Architectural Compatibility - Aesthetics		I .			
Architectural Compatibility / Conservation District					
Architectural Compatibility H.D. / Above Ground Density 12 U.P.A Architectural Compatibility H.D. / Above Ground Density 10 U.P.A Architectural Compatibility H.D. / Above Ground Density 10 U.P.A Architectural Compatibility H.D. / Above Ground Density 10 U.P.A Building Height Building Height L.D. (Above Ground Density 10 U.P.A Relative Building Height L.D. (Above Ground Density 10 U.P.A Building Height L.D. (Above Ground Density 10 England H.D. (Above Ground Density 10 England Height L.D. (Above Ground Height L.D. (Above Ground Density 10 England Height L.D. (Above Ground L.D. (Above Ground Density 10 England Height L.D. (Above Ground L.D. (Above G					
Architectural Compatibility H.D. / Above Ground Density 10  Architectural Compatibility H.D. / Above Ground Density 10  UPA  Sirk  UPA  Relative Building Height  For all structures except Single Family and Duplex Units outside the Historic District  Building Height Inside H.D 25 feet  (-12-3)  Building Height Inside H.D 25 feet  (-13-5)  Building Height Outside H.D 25 feet  (-13-5)  Building Height Outside H.D 25 feet  (-13-6)  Building Height Outside H.D 25 feet  (-13-7)  Building Height Outside H.D 25 feet  (-13-8)  Building Height Outside H.D 25 feet  (-13-8)  Building Height Outside H.D 25 feet  (-13-7)  Building Height Outside H.D 25 feet  (-13-8)  Building Height Outside H.D 25 feet  (-13-7)  Building Height Outside H.D 25 feet  (-13-8)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof structure  1x(+1/-1)  Broken, interesting roof forms that step down at the edges  1x(+1/-1)  Broken, interesting roof structures  2x(-2/-2)  Broken Environmental Design / Site Buffering  4x(-2/-2)  Broken E	5/K		5X(-5/U)		
UPA   Complies	5/R		(-3>-18)		
A			(3 > 6)		
Relative Building Height - General Provisions   1X(-2,+2)	5/R		` ′		
For all structures except Single Family and Duplex Units outside the Historic District  Sir. Building Height Inside H.D. 23 feet  (12-3)  Building Height Inside H.D. 23 feet  (15-5)  Building Height Outside H.D. 25 feet  (15-5)  Broken, Interesting roof forms that step down at the edges  For all Single Family and Duplex Units outside the Conservation  District  Density in roof structure  Density in roof structure  Density in roof structure  Density in roof structure  Minimum pitch of eight in twelve (8:12)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-1/-1)  William Broken, interesting roof forms that step down at the edges  1x(-2/-2)  William and Environmental Design / Netheral Provisions  2x(-2/-2)  William Broken, interesting roof forms that step down at the edges  1x(-2/-2)  William Broken, interesting roof forms that step down at the edges  1x(-2/-2)  William Broken, interesting roof forms that step down at the edges  1x(-2/-2)  William and Environmental Design / Networks and Step step step s	6/A				
The Historic District   1	6/R	Relative Building Height - General Provisions	1X(-2,+2)		
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Size   Sulding Height Outside H.D 25 feet	6/R	Building Height Inside H.D 23 feet	(-1>-3)		
	6/R	Building Height Inside H.D 25 feet	(-1>-5)		
Density in roof structure   1x(+1/-1)	6/R	Building Height Outside H.D. / Stories	(-5>-20)		
For all Single Family and Duplex Units outside the Conservation District  District  Density in roof structure  Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  1x(+1)-1)  Read Broken, interesting roof forms that step down at the edges  2x(-2)-2)  2x	6/R	Density in roof structure	1x(+1/-1)		
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Broken, interesting roof forms that step down at the edges					
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	6/R				
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Placement of Structures - Setbacks   3x(0/-3)     12/A   Signs   Complies     13/A   Snow Removal/Storage   Complies     13/B   Snow Removal/Storage - Snow Storage Area   4x(-2/+2)     14/A   Storage   Complies     14/R   Storage   Complies     15/A   Refuse   Complies     15/A   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)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     15/R   Internal Circulation   Complies     16/A   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	9/R		3x(-2/0)		
Signs   Complies	9/R				
13/A   Snow Removal/Storage   Complies     13/R   Snow Removal/Storage - Snow Storage Area   4x(-2/+2)     14/A   Storage   Complies     14/R   Storage   2x(-2/0)     15/A   Refuse   Complies     15/R   Refuse - Dumpster enclosure incorporated in principal structure   1x(+1)     15/R   Refuse - Rehabilitated historic shed as trash enclosure   1x(+2)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     15/R   Internal Circulation   Complies     16/A   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	9/R				
13/R   Snow Removal/Storage - Snow Storage Area   4x(-2/+2)     14/A   Storage   Complies     14/R   Storage   2x(-2/0)     15/A   Refuse   Complies     15/R   Refuse - Dumpster enclosure incorporated in principal structure   1x(+1)     15/R   Refuse - Rehabilitated historic shed as trash enclosure   1x(+2)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     16/A   Internal Circulation   Complies     16/R   Internal Circulation - Drive Through Operations   3x(-2/+2)     16/R   Internal Circulation - Drive Through Operations   3x(-2/0)     17/A   External Circulation   Complies     18/A   Parking   Complies	12/A				
14/A   Storage   Complies     14/R   Storage   2x(-2/0)     15/A   Refuse   Complies     15/R   Refuse - Dumpster enclosure incorporated in principal structure   1x(+1)     15/R   Refuse - Rehabilitated historic shed as trash enclosure   1x(+2)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     15/R   Refuse - Dumpster sharing with neighboring property (on site)   1x(+2)     16/A   Internal Circulation   Complies     16/R   Internal Circulation - Drive Through Operations   3x(-2/+2)     16/R   Internal Circulation - Drive Through Operations   3x(-2/0)     17/A   External Circulation   Complies     18/A   Parking   Complies	13/A				
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					
Refuse   Complies     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					
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  1x(+2)  16/R Internal Circulation / Drive Through Operations  3x(-2/2)  17/A External Circulation  Complies  18/A Parking  Complies					
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	15/A	Ketuse	Complies		
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	15/R	·	` ,		
16/A	15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
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	15/R				
16/R         Internal Circulation - Drive Through Operations         3x(-2/0)           17/A         External Circulation         Complies           18/A         Parking         Complies	16/A				
17/A External Circulation Complies 18/A Parking Complies	16/R				
18/A Parking Complies	16/R		/		
	17/A				
18/R Parking - General Requirements 1x(-2/+2)	18/A				
	18/R	Parking - General Requirements	1x( -2/+2)		<u> </u>

110/13	Dayling Dublic View/Hears	24/2/12)		
	Parking-Public View/Usage	2x(-2/+2)		
	Parking - Joint Parking Facilities	1x(+1)		
	Parking - Common Driveways	1x(+1)		
	Parking - Downtown Service Area	2x( -2+2)		
	Loading	Complies		
	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)		
	Landscaping	Complies		
	Landscaping	2x(-1/+3)		
22/13	Landscaping	ZX(-1/10)		
	Social Community	Complies		
24/A				
24/R	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)		
2 1/1 (	ecolar Community Meeting and Comercine recome	OX(0/ · Z)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+1/3/6/9/12	+3	For onsite historic preservation/ restoration effort of average public benefit for a primary structure.
	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		
30/R	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)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings	OX( Z/ · Z)		
	Obtaining a HERS index	. 1		
		+1		
33/R	HERS rating = 61-80	+2		
	11500 # 14.00			
	HERS rating = 41-60	+3		
33/R	HERS rating = 41-60 HERS rating = 19-40	+3 +4		
33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20			
33/R 33/R	HERS rating = 41-60 HERS rating = 19-40	+4		
33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20	+4 +5		
33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20 HERS rating = 0	+4 +5		
33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20 HERS rating = 0 Commercial Buildings - % energy saved beyond the IECC minimum standards	+4 +5		
33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20 HERS rating = 0 Commercial Buildings - % energy saved beyond the IECC minimum standards Savings of 10%-19%	+4 +5 +6 +1		
33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 HERS rating = 1-20 HERS rating = 0 Commercial Buildings - % energy saved beyond the IECC minimum standards Savings of 10%-19% Savings of 20%-29%	+4 +5 +6 +1 +3		
33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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%	+4 +5 +6 +1 +3 +4		
33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49%	+4 +5 +6 +1 +3 +4 +5		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59%	+4 +5 +6 +1 +3 +4 +5 +6		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69%	+4 +5 +6 +1 +3 +4 +5 +6 +7		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79%	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 80% +	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79%	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc.	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 50%-69% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 60%-69% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace)	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 60%-69% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 50%-59% Savings of 70%-79% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature  Hazardous Conditions	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature  Hazardous Conditions Hazardous Conditions - Floodway Improvements	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 70%-79% Coutdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 60%-69% Savings of row-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision Temporary Structures	+4 +5 +6  +1 +3 +4 +5 +6  +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2) Complies Complies		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 50%-59% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision Temporary Structures Special Areas	+4 +5 +6 +1 +3 +4 +5 +6 +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2)		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 50%-59% Savings of 50%-59% Savings of 60%-69% Savings of 70%-79% Savings of 70%-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision Temporary Structures Special Areas	+4 +5 +6  +1 +3 +4 +5 +6  +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2) Complies Complies		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 60%-69% Savings of 60%-69% Savings of row-79% Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision Temporary Structures	+4 +5 +6  +1 +3 +4 +5 +6  +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2) Complies Complies Complies		
33/R 33/R 33/R 33/R 33/R 33/R 33/R 33/R	HERS rating = 41-60 HERS rating = 19-40 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% Savings of 40%-49% Savings of 50%-59% Savings of 50%-59% Savings of 60%-69% Savings of 60%-69% Countdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature Hazardous Conditions Hazardous Conditions - Floodway Improvements Subdivision Temporary Structures Special Areas Community Entrance	+4 +5 +6  +1 +3 +4 +5 +6  +7 +8 +9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2) Complies Complies Complies 4x(-2/0)		

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

#### TOWN OF BRECKENRIDGE

Poor House Restoration, Addition and Landmarking Lot 6 & 8, Block 9, Abbetts Addition 307 S. Ridge St. PL-2018-0060

# **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 **March 14, 2018**, 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 **April 3, 2018** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
- 6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

### **CONDITIONS**

- 1. 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 (3) years from date of issuance, on **April 10, 2021**, 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. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.

- 7. If the Town Council should **not** adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance the approval of this Development Permit (PL-2018-060) would be void and the applicants would need to submit a revision to the Development Permit with the application conforming to 9-1-19-3A: Policy 3 (Absolute) Density/Intensity and 9-1-19-3R: Policy 3 (Relative) Compliance With Density/Intensity Guidelines.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. Applicant shall field locate utility service lines to avoid existing trees.
- 12. An improvement location certificate of the height of the top of the foundation wall, and the height of the building's ridges must be submitted and approved by the Town during the various phases of construction. The final mean building height shall not exceed the existing height to the mean at any location.
- 13. At no time shall site disturbance extend beyond the limits of the area of work shown, including building excavation, and access for equipment necessary to construct the residence.
- 14. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.

# PRIOR TO ISSUANCE OF BUILDING PERMIT

- 15. A Town approved encroachment license agreement is required for all portions of the structure located within a Town right of way.
- 16. Applicant shall submit proof of ownership of the project site.
- 17. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 18. 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.
- 19. 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.
- 20. 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.
- 21. 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.
- 22. 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.
- 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 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.

# PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 1. All fencing shall comply with the Handbook of Design Standards and be reviewed as a separate permit.
- 2. A Town approved encroachment license agreement is required for all fencing located within a Town right of way.
- 3. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 4. 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.
- 5. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 6. Applicant shall paint all metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
- 7. Applicant shall screen all utilities.
- 8. 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.
- 9. 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.

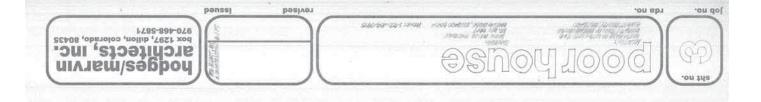
Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.

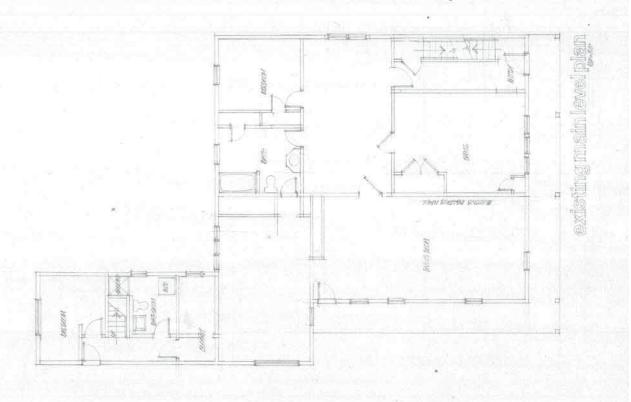
- 10. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as 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.
- 11. 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.
- 12. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 13. 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.

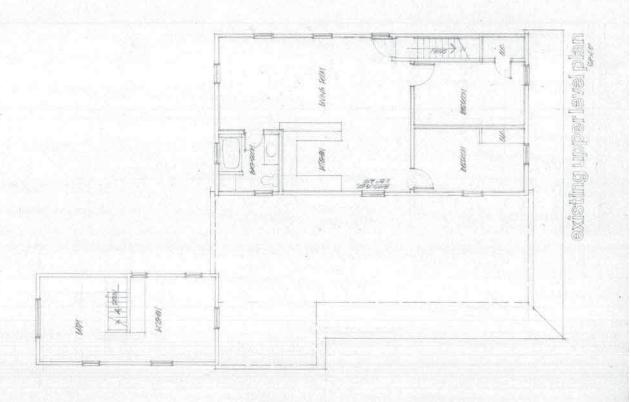
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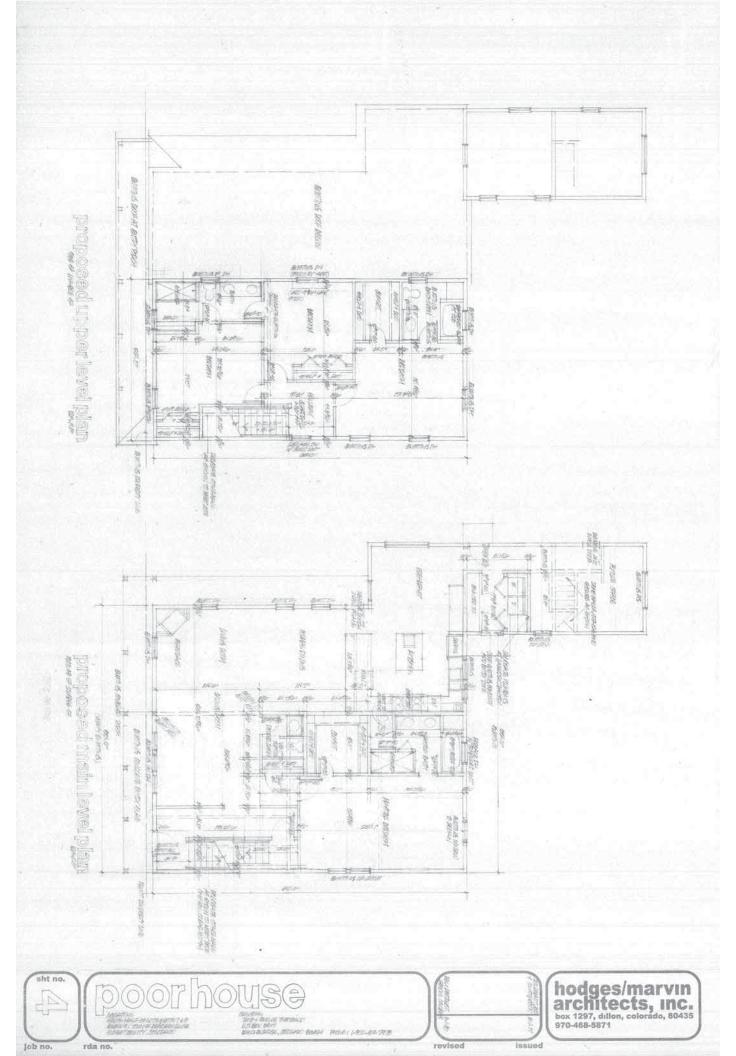


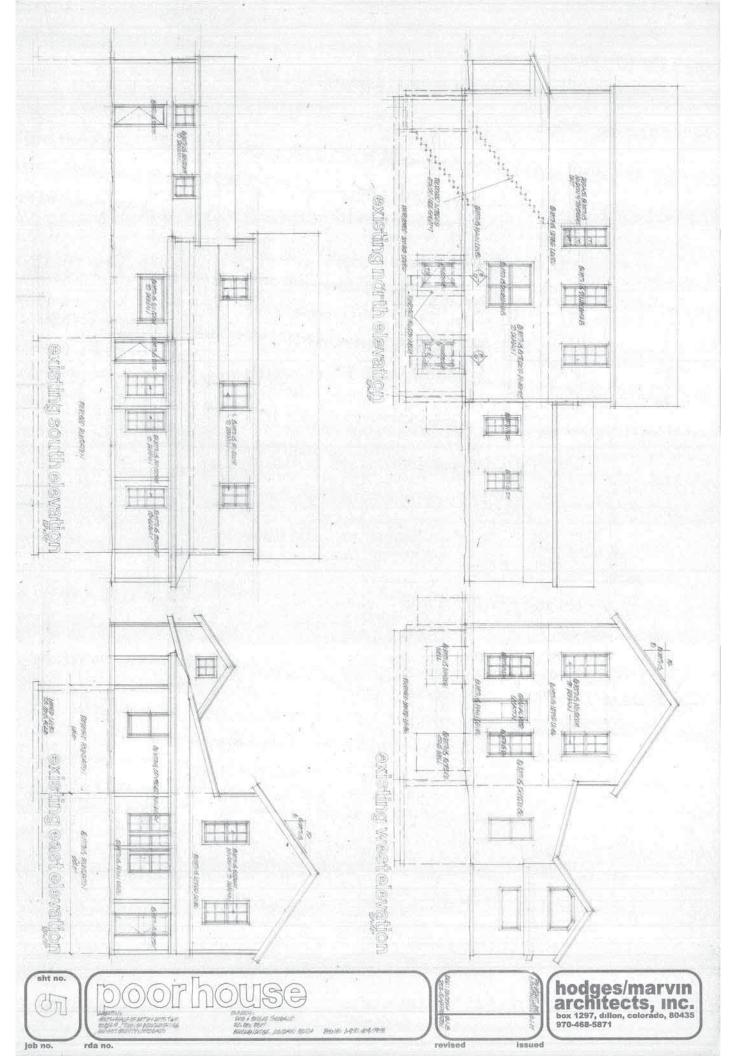
SUOTION SOLUTION SOLU hodges/marvin architects, inc. box 1297, dillon, colorado, 80435 970-468-5871





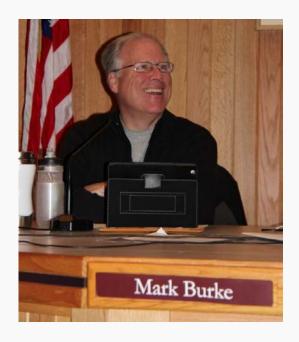








# **Summary of the March 27 Meeting**







Welcome to the Town of Breckenridge's newsletter recapping our latest Council Meeting. Our goal is to get the best information out to our citizens about what happens during Town Council.

Please provide us with feedback on how we can best serve you.

#### Manager's Report

#### **Public Projects**

- Construction for River Park is scheduled to begin in early April (prior to spring runoff) with the installation of the pedestrian bridge across the Blue River.
- The mapping of the neighborhoods, called "Fiberhoods," for the broadband project has been completed. A market assessment website will soon be launched. Anyone interested in the project is encouraged to reach out to Brian Waldes.
- The Second Water Treatment Plant will break ground at the end of April. Public Works will be hosting an Open House for the project on April 11 from 5-6:30 on Airport Road.

#### **Parking and Transportation**

- Council agreed upon the name "Riverwalk Garage" for the new parking structure. The first reading of an ordinance addressing the debt reimbursement was passed.
- Staff continues to work on addressing traffic flow at the structure's location and employee parking solutions. There was some discussion about providing additional lots for employees or a South Gondola lot permit. There was also discussion of making the South Gondola lot paid parking until the afternoon in the hopes of ensuring free parking availability for evening Riverwalk Events.

#### **Housing and Childcare**

- The Carriage House remodel has engaged Egolf Interiors to begin project planning and design services.
   This project has a \$300,000 budget from the 2018 CIP. The Town has also brought on a consultant to study our childcare model and provide suggestions.
- The second phase of applications for Blue52 will be released in the next two weeks. While HUD will not
  have 2018 AMI ready until June at the earliest, staff is expecting around a 6% increased and asked
  council to allow the Blue52 income caps to be raised by 5%.

#### **Finance**

Financial growth trends continued in January, and the net taxable sale is up 10.5%. Expenses are
tracking on budget with some slight variances.

#### **Other Presentations**

#### **BOSAC Appointments**

BOSAC appointed Matt Powers, Reed Owens, and Duke Barlow to the new four-year term positions.
 Staff was encouraged by all the interest and have several applicants that they would like to continue to engage. All those interested in BOSAC are encouraged to attend the meetings and participate.

#### **Gold Run Low Snow Measures**

Staff sought council's consideration of investments to improve Gold Run Nordic Center's (GRNC)
options for handling low snow periods. Those potential investments include rubber tracks for a snowcat
and investments to establish snowmaking capability at Buffalo Flats. These expenses would ensure
GRNC could effectively open and operate in low snow years while protecting the underlying golf course
amenity. For several years, GRNC has experienced increasing trail use, averaging close to 9,000 visitors
per season, and increasing revenues.

#### State of Breckenridge Water Report

 Current water is within the acceptable range. With the addition of the second water plant (2020), rehabilitation of current water plant/storage tanks, staff will be able to incorporate newer technologies/treatment process/efficiencies that reduce the formation of DBP's (disinfection byproducts).

#### **Dynamic Wayfinding**

 The goal of the Dynamic Wayfinding project is to provide up-to-date parking availability information for large parking reservoirs to decrease the unnecessary circling of vehicles searching for parking. Council was shown several design options for updating parking signage around town. The Walker Group will return with incorporated suggestions for a final design approval.

#### Housing Mitigation Formula

• Staff presented on the Town's Housing Mitigation formula, Policy 24R. Staff suggested that the current policy produces few units relative to employees generated and is inequitable because it requires the same rate for all development despite varying employee generation. The current policy also exempts developments under 5,000 square feet (S.F.), which can still have significant employee generation.

Policy 24R is a relative policy meaning that there is no absolute requirement for new development to provide housing. The goal of revising Policy 24R is to create an equitable mitigation system that results in new employee housing that is relative to the impact of development and to create flexibility for satisfying housing obligations. Council will revisit staff recommendations at a later date.

later date.

#### **Breckenridge Tourism Office - Expectations Survey**

#### **Results and Presentation**

- The survey received a tremendous amount of public comment and about 1200 responses. The survey explored parking/transportation/housing, crowding, and overall Breckenridge experience. The BTO is working on boiling data down and will do an official public rollout of the information.
- When asked the question, "What three aspects do you consider to be most important to downtown corridor?" All segments put "home feel/friendly atmosphere" in their top one or two spots.

### **Regular Council Meeting**

- The regular meeting began with a few words thanking Mark Burke for his eight years of service. Many community members attended in support of Burke's final council meeting. "It has been a pleasure serving this town. It's not always easy sitting up here but I can honestly say that everyone's intention is always in the best interest of the town, even though we don't always agree." Council member Burke
- Council passed on first reading an ordinance concerning the parking structure's debt reimbursement and officially appointed the three BOSAC commissioners.



## Memo

To: Breckenridge Planning Commission

From: Julia Puester, Planning Manager

Date: 3/22/2018, for Meeting of April 3, 2018

Subject: 2018 State of the Open Space Report

Attached is the 2018 State of the Open Space Report for your review as referenced at the previous meeting. The report was presented to Town Council by the Open Space & Trails Staff at the March 13, 2018 meeting.

If you have any questions on the report, we are happy to answer them. Otherwise, no further discussion is needed.





#### Mission Statement

The purpose of the Breckenridge Open Space program is to preserve lands and trails through acquisition and stewardship efforts, with the goal of maintaining the unique mountain character of the Upper Blue Basin and our community's quality of life.

# Open Space Program at a Glance

1996

Breckenridge voters approved a 0.5% sales tax to fund open space acquisitions & management

\$20,537,626

TOB Funds used to date for open space acquisitions

\$12,056,631

Funds contributed by Summit County Government towards joint purchases of open space

\$3,147,339

Total Open Space budget for 2017

\$63,120

Estimated value of volunteer time donated in 2017 via the Friends of Breckenridge Trails program

58.2

Miles of multi-use non-motorized trails

117

Acres protected in Cucumber Gulch Preserve, the Town's wildlife preserve and crown jewel of the open space program

6

Number of seasonal Town Trail Crew staff tasked with maintaining the extensive trail network providing public access to our open space properties

4,351

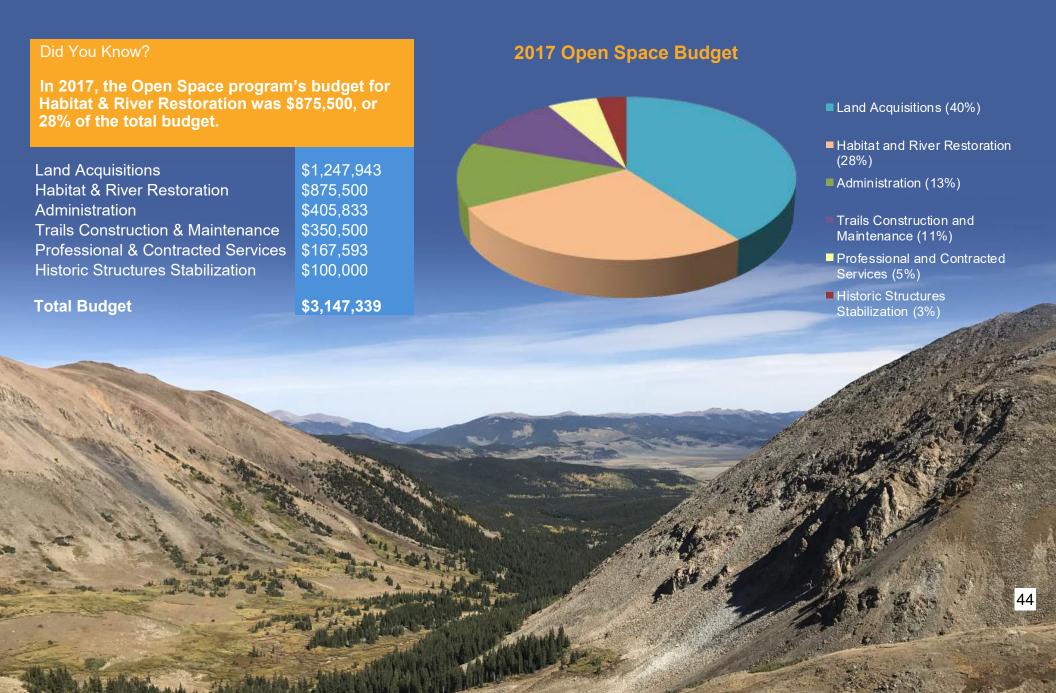
Total number of Friends of Breckenridge Trails volunteers since 2007

1.743

Total number of acres protected as open space

# 2017 Open Space Budget

The total Open Space program budget for 2017 was \$3,147,339. Land Acquisitions comprise 40% of the projected budget. The program preserves lands that enhance Breckenridge's unique mountain character and maintain our community's quality of life, now and in the future.



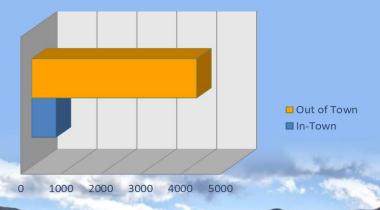
Year	Acres		
Pre-1997	119		
1997	164		
1998	150		
1999	173		
2000	261		
2001	640		
2002	128		
2003	105		
2004	214		
2005	1858		
2006	7		
2007	76		
2008	70		
2009	73		
2010	74		
2011	124		
2012	91		
2013	74		
2014	153		
2015	66		
2016	82		
2017	43		
Total	4,743		

# **Open Space Acquisitions**

In 1996, a voter initiative passed, which dedicated a 0.5% Town sales tax to open space acquisition and management. In the 21 years since its adoption, the Town's Open Space program has acquired a total of **4,743 acres** of property through purchases, land trades, dedications, and joint purchases with Summit County Government.

Of the 4,743 acres, 4,016 acres have been purchased and 727 acres have been acquired through land trades and dedications.

### Total Acres of Open Space





The Town of Breckenridge comprises 3,520 total acres, of which approximately 17% is open space and recreation land. Some of these lands were dedicated through the planning process, while others were acquired through Town purchases.



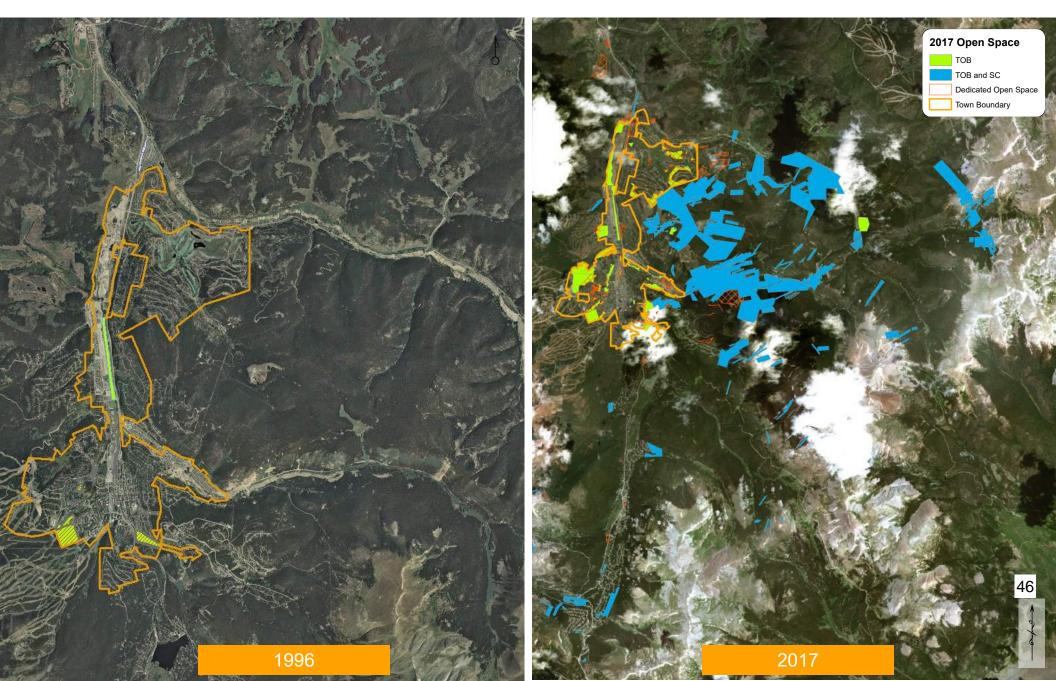
#### 2017 Acquisitions (43 acres)

- Thornton Lode
- Noonday Sun Claims
- Sawlog & Wonderful Lot 2
- Sadie & Nellie Lodes
- Governor King
- Alnine Breck Lots 4-5 Block 7
- Alpine Breck Lot 8. Block 6
- Quandary Village Lots 1-3 Block 6, Lot 11 Block 4



# Open Space Comparison: 1996 and 2017

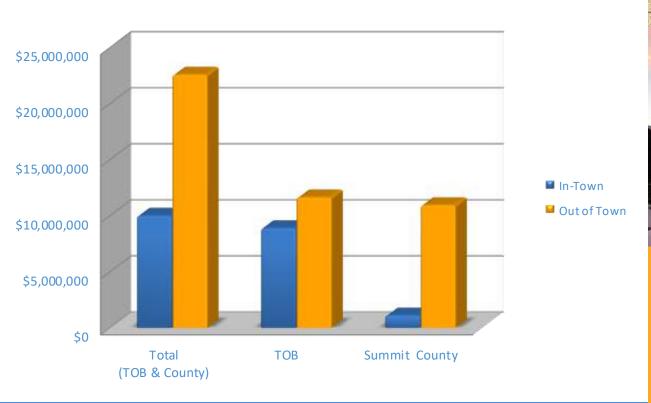
Prior to the establishment of the Open Space program in 1997, the Town owned **119 acres** of open space. Today, the program manages **4,743 acres** of open space, **4,011 acres** of which were jointly acquired with Summit Count Government. A number of the joint purchases lie outside the Town boundary in the Upper Blue Basin.



# **Acquisition Expenditures**

The Town has spent \$20,537,626 on open space acquisitions since the start of the Open Space program. Of this amount, \$8,898,656 (43%) has been used for in-Town acquisitions and \$11,638,971 (57%) has been used for out of Town acquisitions.

### **Total Open Space Expenditures**



	Total (TOB & County)	ТОВ	Summit County *
In-Town	\$10,008,656	\$8,898,656	\$1,110,000
Out of Town	\$22,586,602	\$11,638,971	\$10,946,631
Total	\$32,594,258	\$20,537,626	\$12,056,631

\*This is the total amount Summit County has spent in the Upper Blue Basin. In addition to the Upper Blue Basin, Summit County purchases open space in its other three basins.



#### Did You Know?

On a price-per-acre basis, in-Town acquisitions are substantially more expensive (\$59,079 per acre) than out of Town acquisitions (\$5,872 per acre). Of the 610 in-Town acres acquired, only 169 have been purchased.

### **Acquisition Price Per Acre**



## Habitat and River Restoration



- The Town trail crew worked with Claffey Ecological
   Consulting to repair breaches in the Upper Gulch ponds
- Worked with Vail Resorts to remove sediment in top spreader pond
- Continued wildlife, water, and habitat research



- restoration of the Blue River/McCain Project
- 4,000 plantings included willows, cottonwoods, and evergreens
- Natural surface trail installed with 3 touch points along the river
- Temporary irrigation installed



and the Town of Breckenridge, \$30,000 from Summit County Open Space, and a \$162,275 grant from the State Historical Fund.

Dredge stabilization project will begin in 2018. Total funds contributed include \$87,500 each from the Town of Breckenridge Open Space

# River Park

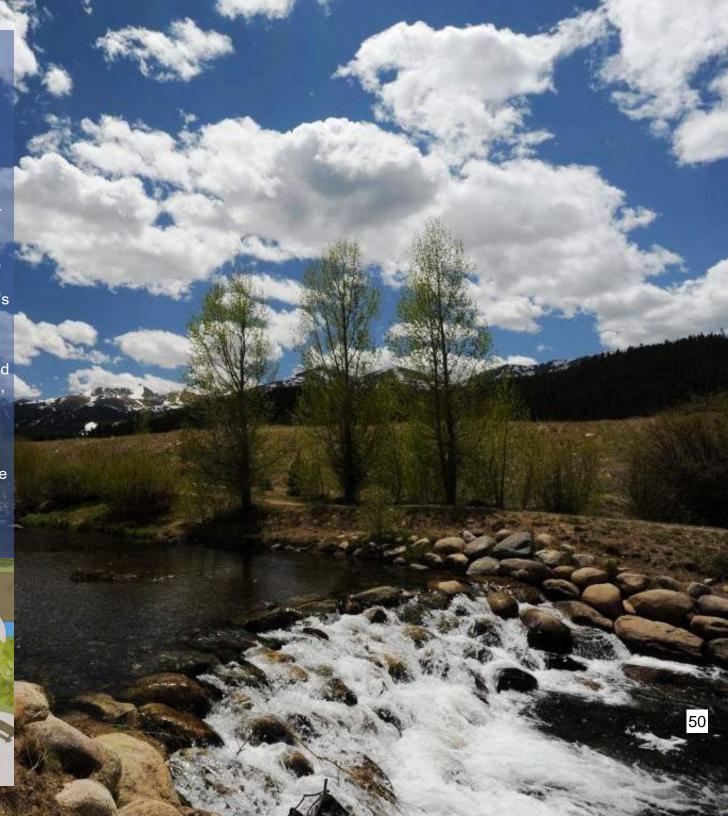
The Town of Breckenridge was awarded a \$350,000 grant from Great Outdoors Colorado (GOCO) to complete Phase 1 of River Park along the Blue River.

River Park will be an artfully designed and constructed, nature-based environment for children to experience river systems, forests, and the rich history of the area while at play. Not only will the park provide shelter and places to gather, but the nature-play features will stimulate children's imagination, engagement, and connection with their environment.

Highlights of Phase 1 include: nature-based playground features for children ages 5-12, bridge connection to the recreation path, pavilion, restrooms, and landscaping.

Construction will commence in spring and conclude by fall 2108. A future phase of the park will expand upon the river theme and create further opportunities for nature-inspired play.

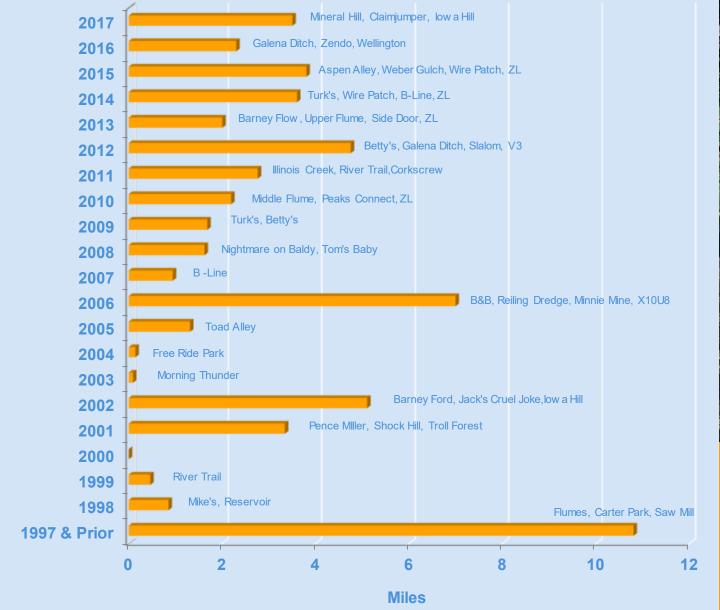




### **Trails**

Prior to the establishment of the Open Space program in 1997, the Town managed **10.8 miles** of trails. Today the program manages **58.2 miles** of multi-use trails.

# **Newly Created Miles of Trails**



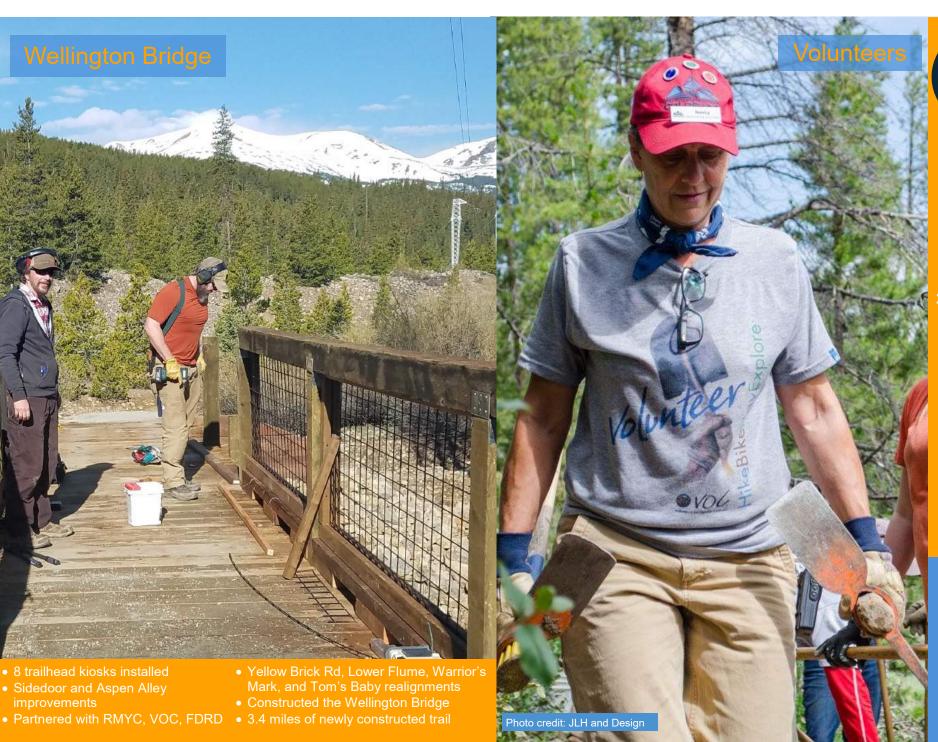
### **2017 Newly Created Trails**



Did You Know?

In addition to the Town-maintained network of trails, over 100 miles of designated trails can be accessed on nearby National Forest lands. Taken together, this trail network is one of the largest and most diverse in the country.

# 2017 Trails Accomplishments





2017 Totals

**455** Volunteers





\$63,120 Estimated Value



**Did You** Know?

The estimated value for a 52 volunteer in 2017 is \$24.14 per hour.

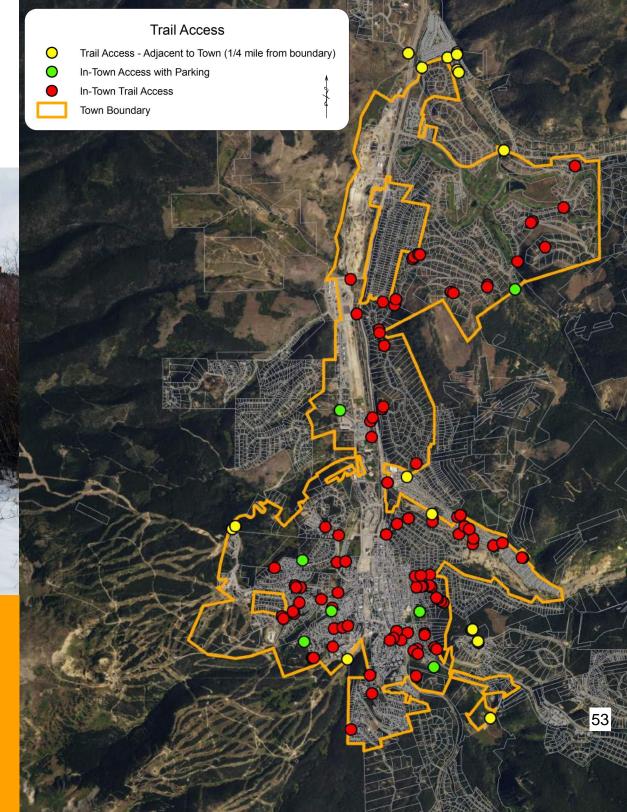
## **Trail Access**

The Open Space program provides **126 trail access portals** located within the Town or within 1/4 mile of its boundary. The numerous portals provide convenient, legal access to Town-maintained trails.



Did You Know?

80% of all in-Town properties are within 1/4 mile of a Town-maintained trail access portal. Staff installed eight kiosks with You Are Here maps at several popular trailheads to provide location information, trail etiquette, and other useful tips for being out on the trails.



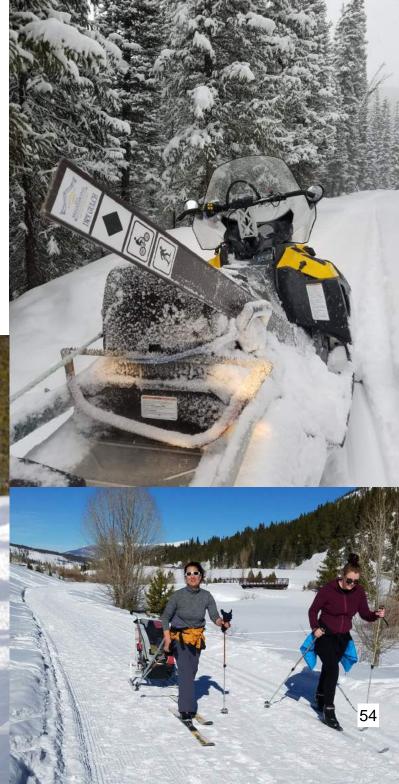
# Winter Grooming

The Open Space program piloted a new winter grooming program in 2017 to expand grooming operations from Gold Run Nordic Center to the Wellington neighborhood using existing routes, including Gold Run Gulch Road to French Gulch Road, a portion of Upper and Middle Flume, Tom's Baby and Wellington Trail.

The recreation path, extending north from the Breckenridge Recreation Center to Tiger Road, was also regularly groomed for multiple uses, including Nordic skiing, snowshoeing, fat biking, dog walking, and other non-motorized winter activities.

Groomed trails greatly expand the winter experience by creating opportunities for a variety of trail users to keep active on trails that would be otherwise be inaccessible and covered in heavy snow. Winter grooming will continue in 2018. Look for the recreation path to be groomed from Breckenridge all the way north to the Town of Frisco in 2018.





# Our People

The success of the Open Space program is dependent upon the many people who make our work possible, including the residents and visitors who experience our open spaces and trail network, our conservation partners, volunteers, Town staff, Breckenridge Open Space Advisory Commission (BOSAC), and Town Council. Special thanks to Peter Grosshuesch and Mark Truckey of the Community Development department for their ongoing commitment to the Open Space program.

Thank you for making 2017 a successful year for open space and trails.

#### Did You Know?

The Open Space program is overseen by the Breckenridge Open Space Advisory Commission (BOSAC) and Town Council. The seven members of BOSAC are residents of Breckenridge and are appointed by Town Council to serve four-year terms.

### 2017 BOSAC Members

Jeff Carlson, *Chair*Craig Campbell, *Vice Chair*Jeff Cospolich
Gavin Dalgliesh
Elizabeth Miller
Matt Powers
Jeffrey Bergeron, *Town Council Liaison* 

## Open Space & Trails Staff

Scott Reid, Director of Recreation
Anne Murphy, Open Space & Trails Manager
Tony Overlock, Open Space & Trails Specialist
Joel Dukes, Lead Trails Technician
Andrew Carney, Trails Technician
Curtis Hogan, Trails Technician
Dominic Muth, Trails Technician
Jamey Schwartz, Trails Technician
Ryan Walker, Trails Technician



