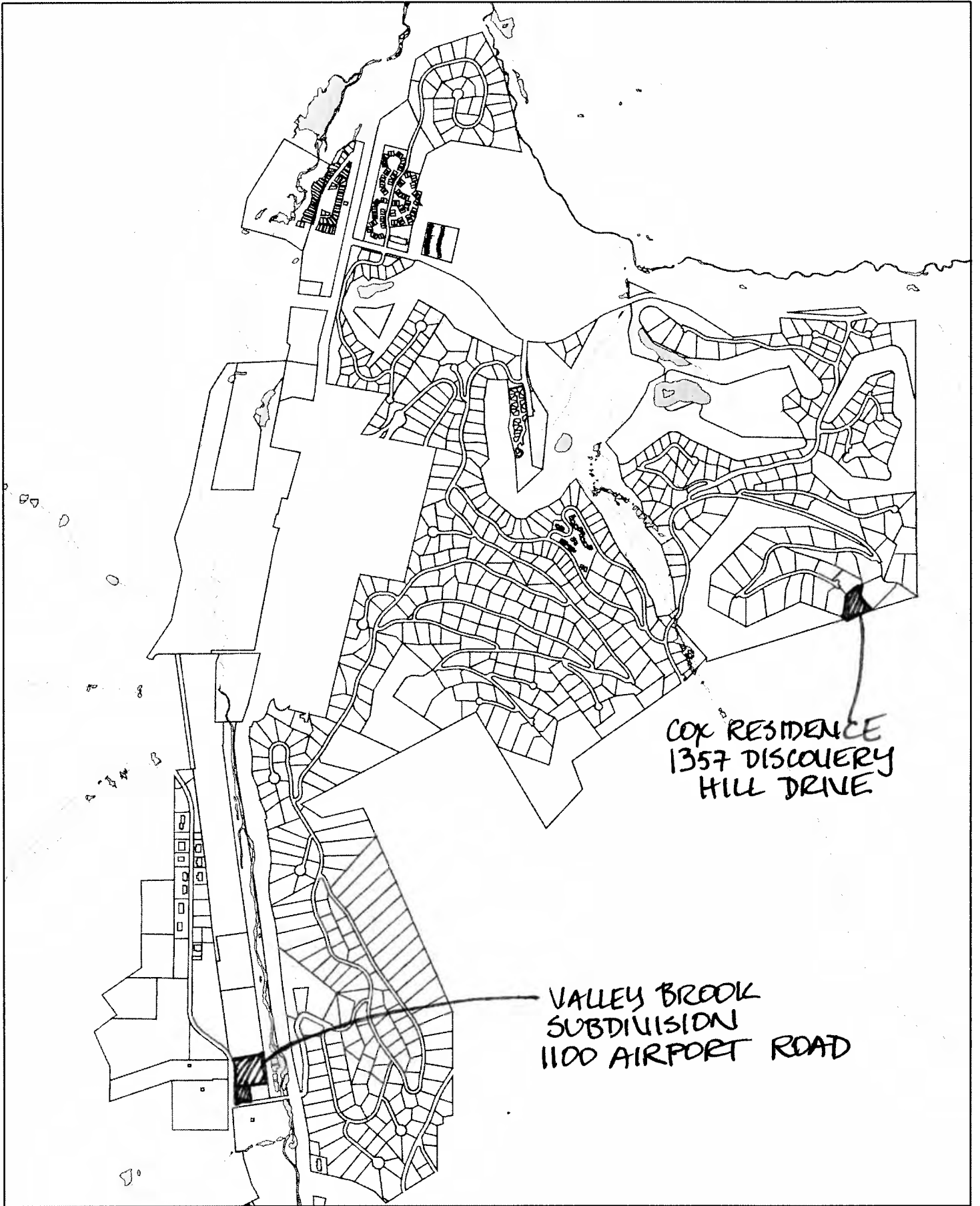


Town of Breckenridge
Planning Commission Agenda
Tuesday, April 21, 2009
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the April 21, 2009 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes April 7, 2009 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Upper Village Pool (MGT) PC#2009014 450 Village Road	13
	2. Cox Residence (MGT) PC#2009013 1357 Discovery Hill Drive	23
	3. Salt Creek Saloon Solar Hot Water Panels (JP) PC#2009012 110 Lincoln	34
7:15	<i>Combined Hearings</i>	
	1. Valley Brook Subdivision (LB/JP) PC#2009011 1100 Airport Road	45
7:45	<i>Worksessions</i>	
	1. Single Family Home Parking Requirements (CK)	52
	2. Historic Structure Setbacks (MGT)	53
9:00	<i>Town Council Report</i>	
9:10	<i>Other Matters</i>	
9:15	<i>Adjournment</i>	

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

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



COX RESIDENCE
1357 DISCOVERY
HILL DRIVE

VALLEY BROOK
SUBDIVISION
1100 AIRPORT ROAD

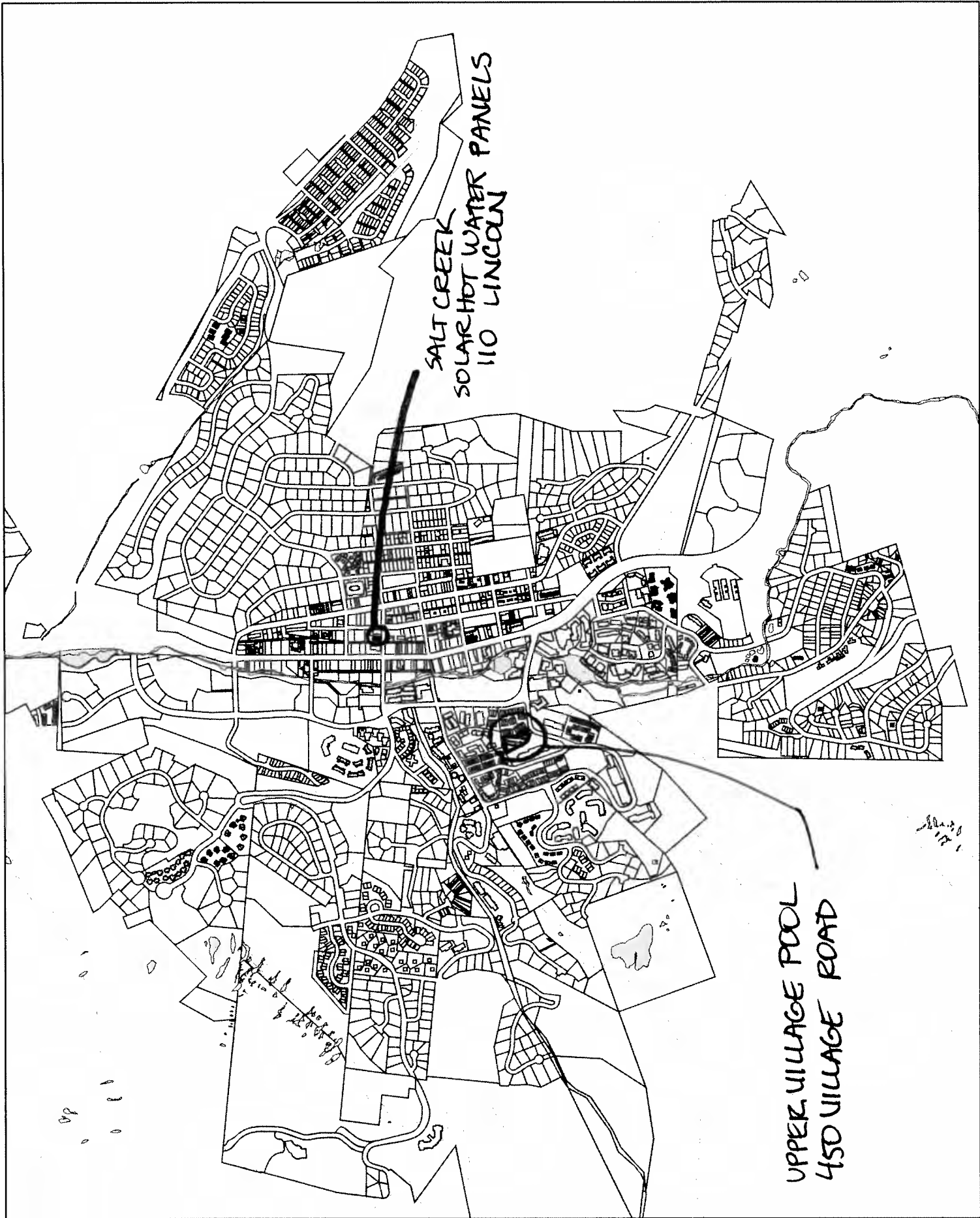


Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and use of the product for any purpose is at user's sole risk.

Breckenridge North

printed 2007

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SALT CREEK
SOLAR HOT WATER PANELS
110 LINCOLN

UPPER VILLAGE POOL
450 VILLAGE ROAD



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use of the product for any purpose is at user's sole risk.

Breckenridge South

printed 2007



PLANNING COMMISSION MEETING

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Dan Schroder	Rodney Allen	Michael Bertaux
Jim Lamb	JB Katz	Dave Pringle

Leigh Girvin was absent.

APPROVAL OF MINUTES

With the no changes, the minutes of the March 17, 2009, Planning Commission meeting were approved unanimously.

APPROVAL OF AGENDA

With no changes, the April 7, 2009, Planning Commission agenda was approved unanimously (6-0).

Mr. Neubecker mentioned the change in date for the Locomotive Train Park which was listed on the agenda, and recommended May 5th for the potential hearing.

CONSENT CALENDAR:

1. Miner's Candle Unit 6 Window (CK) PC#2008119; 106 Broken Lance
2. Equipped Fitness and Cross Fit of Breckenridge Change of Use (CK) PC#2009008; 1805 Airport Road

Commissioner Questions/Comments on Item 1, Miner's Candle Unit 6 Window, PC#2008119:

Mr. Pringle: The reason that the dormer was rejected in the first application was because it didn't fit with the comprehensive plan and neighborhood compatibility. What makes this window better? Was there a staff reason why we can approve this rather than the previously proposed dormer? (Mr. Kulick: At a planning staff meeting there was consensus that the threshold of architectural compatibility was met by the proposed window design.) On a multi-family building where there are multiple units that may be affected by this. For future applications, recommended that the HOA would need to determine a technique for other window or roof additions to agree on a style for future and create an agreement. (Mr. Neubecker: Not sure we can require HOA to do an agreement, but can contact them to discuss.)

Mr. Bertaux: Shouldn't there be a way to make future proposals consistent with this proposal?

Mr. Allen made a motion to call up PC#2008119, Miner's Candle Unit 6 Window, 106 Broken Lance. Ms. Katz seconded, and the motion was carried unanimously.

Mr. Bertaux: As Mr. Pringle said, if there is a proposal to update a multi-family building there should be a way to ensure that the theme is established for the building and other future proposals for future units.

Mr. Lamb: Windows with uniform units aren't likely to have dissimilar patterns. Wouldn't be surprised if future units come in with the same request. Seemed like a simple solution.

Ms. Katz: We can make this a precedent and mention that this proposal was precedent.

Mr. Allen: Problem was with the asymmetry of the proposal because there won't be another window to balance.

Mr. Schroder: Talking about Policy 5/R, architectural compatibility. This is held together by Policy 5/R, because the window will be the new architectural standard for the building. We have regulations in place.

Mr. Pringle: We need an agreement that other units in the building will be modified in the same way if they decide to pursue a similar application. (Mr. Neubecker: We are establishing a precedent for this building and will review future applications with regard to Policy 5/R.) Go to the HOA and establish that the unit proposing this window is creating the precedent for future HOA proposals.

Mr. Allen opened the hearing to Public Comment.

Marianne Cohn, Miner's Candle Unit 6 (Applicant): In point of fact, our proposal has been voted on and passed significantly strongly in the HOA. One of the units recused himself because he was on the board, the other unit

threatened a lawsuit if they weren't allowed to have what we are proposing, and another unit supported it. The lower units supported it. What we were allowed to submit to the Town was negotiated with the HOA. The entire complex voted on putting in a window anywhere on the building, and letting us have our window, and the parameters in which we were allowed to have our window. The impact to our unit is unique. There are 12 units total, and only 2 units were impacted. We had to fight for this. There are minutes for the meetings if needed. Five windows have been individually added over the years, and previous Planning Commissions just approved those proposals.

There was no more public comment and the hearing was closed.

Mr. Pringle: Do we have an HOA sign off on this proposal? (Mr. Neubecker: Yes we have a sign off with the original application; this was a modification to the original. It is still part of the original application.)

Mr. Pringle made a motion to approve the Miner's Candle Unit 6 Window, PC#2008119, 106 Broken Lance. Mr. Lamb seconded and the motion was approved (5-1) with Mr. Allen voting no.

With no other motions for call up, the remainder of the consent calendar was approved as presented.

PRELIMINARY HEARINGS:

1. Silverthorne House (JP) PC#2007004; 300 North Main Street

Ms. Puester presented an application to construct one duplex building, one single family building, relocate and convert the existing barn to a deed restricted residential unit, move the Silverthorne House 20' west, add a parking area in the rear of the lot, install landscaping, remove the curb cut from Main Street, install a new trash enclosure, and locally landmark the Silverthorne House and barn.

Changes from the November 6, 2007 Submittal:

The applicant has proposed the following changes:

- The Silverthorne House is proposed to be moved 20' west (previously 10' was proposed).
- The new single family rear structure has been altered to resemble a barn type of structure with natural stain rough sawn siding.
- The duplex, building B, has been made slightly larger.
- Both the duplex and single family structures have lower plate heights to achieve density in the roof and steeper roof pitches and better meet Historic Standards.
- Eaves have been pulled out of the side setbacks.
- Solar hot water panels have been proposed to be located on the new single family structure and solar PV panels have been proposed on the duplex.
- Additional landscaping has been added, including balsam poplars.
- The varied wood fence has been modified to have a guardrail on the south side to prevent parking issues at the adjacent property.
- Site perspectives were included in the Planning Commission packet.
- The letter regarding the deteriorating health of the trees by A Cut Above Forestry (from the May 20, 2008 worksession) was included in the Planning Commission packet.

This application has been advertised as a preliminary hearing. Staff appreciated the changes made since the last application; however, Staff believes that the application may be failing a few priority policies including the policy regarding module size. The application appears to pass a preliminary point analysis which was included for Planning Commission review with +5.

Staff had specific questions on the following:

1. Did the module size of 1,670 square feet meet the intent of Priority Policy 178?
2. Was the building height/material of the duplex appropriate on this site?
3. Did the Commission find that the revised site plan met Policies 4, 103, 104, and 108 regarding the relocation of the historic buildings (per May 20, 2008 worksession discussion)?

4. Was the material for the new buildings acceptable in this Character Area? Should rough sawn be used for both new structures to achieve an outbuilding appearance?
5. What comments do Commissioners have on the proposed fence (height and spacing)?
6. Did the Commission have any comments regarding the landmark status of the house and the barn and renovation plans for the historic structures?
7. Would the Commission be supportive of granting a waiver to the parking standards with the removal of the Main Street curb cut?
8. Did the Commission agree with the preliminary point analysis?

Staff also welcomed any additional comments from the Commission.

Mr. Bobby Craig with Arapahoe Architects presented on behalf of the applicant. In response to Staff's presentation, the duplex is 9' taller than the Silverthorne House, believes that other projects have been approved over the maximum module size such as Legacy Place, Great Western and his own building. Concerned with the -5 points for relocating the structures because those policies do not apply to this project as the structures are still on site. Also concerned with negative points for no buffer when other projects do not receive negative points. The snow stack meets the square footage requirements and does not believe that negative points should be assessed for functionality.

Commissioner Questions/Comments:

Mr. Bertaux: Can we take a closer look at the employee housing unit? There are currently no windows in the historic outbuilding, and this is a major change that we need to understand. (Ms. Puester: Provided the existing barn elevation and explained restorations and window additions. There are glass additions on the south side. No windows on the north side. On the west side (facing Main Street) there would be two windows added.) Why can't the buffer area on the north side of the duplex be a snow storage area? (Ms. Puester: Buffer was intended to screen from the adjacent property. Not able to access that area for snow storage.) Are there some other projects that we have approved that exceed the module of 1,600 sf? (Ms. Puester: We haven't typically approved variances in module size.) (Mr. Mosher: Building is rated as contributing; Priority Policy 76 suggests no added windows.)

Mr. Pringle: Concerned that proposed windows / doors are not functional. Would be better off to build it functionally for unit, and not pursue a true historic preservation and for a more reasonable adaptive reuse. Is the rough sawn siding to differentiate between primary and secondary proposed to be painted? (Ms. Puester: Stained, and to meet Priority Policy must switch to four.) Are primary and secondary buildings categorized separately? Code is in conflict. We'd like to see adaptive reuse, but according to the code we can't add windows to it. Can we landmark the Silverthorne house without the barn? (Ms. Puester: yes.) Priority policies must be complied with to comply with 5/A. How to make the secondary building less predominant? Is there proper drainage in place for a heated driveway? (Ms. Puester: There will be dry wells in the snow storage areas.)

Mr. Lamb: I was under the impression that adding windows to a historic structure was not recommended. (Ms. Puester: You shouldn't do it, but we wanted to promote adaptive reuse. We haven't done something exactly like this before. With proposed changes, we might not be able to landmark the historic building.) How much taller would the duplex be than the main house? Five to six feet? (Ms. Puester: I don't know. There are perspectives provided that show the roof peaks of the buildings.) Are there any solar heated parking areas in town? (Ms. Puester: One of the banks is looking at it.) Concerned with size of solar panels to heat that square footage of parking. (Mr. Neubecker: Providing solar which is positive points; negative points for heating the driveway. The points offset each other.) (Ms. Puester: New solar panel policy has stipulation that it regarding maintenance.)

Mr. Schroder: Landmark status and density were also in conflict. Questions about fencing, snow stack, and parking. The fence runs along the property line three feet from parking; concerned with cars pulling in far enough and snow storage from adjacent property. (Ms. Puester: There is a snow storage issue at the adjacent property.) (Mr. Neubecker: parking requirement is 9' x18', and 25% for snow stacking.)

Mr. Allen: Are there historic buildings in the area that are over 1,600 square feet? What is the "typically" in the policy? (Mr. Mosher: There is a range in the handbook.) The range is the high and low. Density will count if it isn't historic? (Ms. Puester: Yes, density would count and it would probably be over

density.) What is the natural grade on the site? (Ms. Puester: The site is flat and the fence steps in height.)

Mr. Allen opened the hearing to Public Comment. Present for Public Comment were Bobby Craig, Arapahoe Architects (Architect and Applicant) and Dave Hartman (Owner).

Ms. Katz disclosed that the Hartman's have been clients. Currently nothing is pending. The Planning Commission agreed there was no conflict since the previous relationship between the Owner and a member of the Planning Commission was disclosed.

Mr. Craig (Architect and Applicant): Started project in 2006 and have done several iterations to date. There has been an incredible amount of discussion with staff and consultants. Applicant explained existing conditions plan; including existing access, gravel, beetle kill trees, etc. Over 60% of the site is already disturbed with the existing condition. By relocating the building forward, able to increase landscape on Main Street and streetscape. Historic building location provides view to Main Street and a better contribution to historic character. (Mr. Berteaux: Will Silverthorne house have basement?) Yes there will be a basement. Historic building conversion to deed restricted unit. There are a few approvals in this specific character area that exceed the module size - Great Western Lodging (2,400 sf), my building (1,871 sf), Legacy Place building exceeds also. The duplex building footprint is smaller than module size; the additional 1.5 story puts the square footage over the module. Duplex is 23'-10" to mean height on duplex. (Ms Puester: 29' to top). Silverthorne House is 20' or less. (Mr. Pringle: Difference is 9' or more.) 3D model shows the height difference accurately from alley, adjacent property, Main Street. (Mr. Berteaux: Is there an over main there on the building?) Yes, it should be a foot to 18". Sandborne Map (fire record map) shows that a two story building was once on site, no longer there. Regarding materials, we can change siding to 4" if necessary. We wanted two buildings to have similar but subordinate look to main structure. Regarding point system, had concern with negative five (-5) points for relocation. Referred to page 25 in the staff report (page 103 in the packet). Relocate the building within its original site is what we're doing here is second item and benefit to community. Also meet policy point 4. Also concerned also with negative points for lack of buffering. Existing condition show no buffer at all. Adding landscape and fence makes buffer better between adjacent project. We would be willing to change fence height, pickets, etc. Went and surveyed building heights and couldn't find a new building that wasn't taller than existing structure. Last negative point concern was the snow stack. We met snow stack minimum square footage, and all within 10' of where it would be plowed from. Also included heated parking for maintenance. (Mr. Allen: Address concerns with pushing up against barn.) Currently the barn is against the alley and getting beat up already. The relocation helps improve the existing condition. Also the drainage is away from the barn, and dry wells would be located in storage area. Best way to protect and landmark two historic structure, and improves streetscape and provide deed restricted housing.

Commissioner Questions/Comments for Applicant:

Mr. Pringle: Policy 103 is a good point regarding relocation. (Mr. Mosher: 103 is a Priority Policy and is either pass or fail – no points.) Mr. Craig: 108 and 104 do not apply with our interpretation. (Mr. Mosher: Idea is to move the building as little as possible to improve.) Is the original site the lot it sits on? Then 103 and 108 don't apply. (Mr. Mosher: Disagreed. Relocation is supposed to be as little as possible. Specifically says don't move the building so far to accommodate other development. Keep it as original as it is.) (Mr. Neubecker: Site = original lot.) Yellow color would need to fall within the chroma and hue. (Mr. Neubecker: That is what the current code says, but would prefer to follow historic settlement patterns.)

Ms. Katz: Have to read the entire policy – talks about moving it to another site. Goal would be to keep them on the original lot, not moving them to a different physical lot. Kind of agreed with Mr. Craig because the policy was ambiguous. (Mr. Mosher: Passing policy 103.) Need to look at the intent of the policy – doesn't say you can't. (Mr. Mosher: There is precedent to move it as little as possible.) (Mr. Neubecker: moving it to the front yard wouldn't be appropriate.) (Mr. Craig: Had considered moving it off property to accommodate a bigger building, but didn't.) (Mr. Mosher: Best way is to leave it where it is. Staff interpreted 104 with negative points due to relocation to make room for parking lot.) (Mr. Hartman: I'm trying to look for a use for this structure that will help the community, and employee housing is better use that just putting it on the alley. Moving is makes it more functional.) When you come back for final, please provide height survey, Sandborne survey to Planning Commission. Could minimize the damage to historic building with snow melt.

Mr. Schroder: Great adaptive reuse – great place to live. Can you please reconsider the yellow color?

- Mr. Allen: Snow stacking potential for a couple extra feet of heat for snow melt. (Mr. Hartman: Am doing this in other locations in town. Will look at extending heated concrete / asphalt. Snow stacking is the correct amount for blacktop that's there, and heating half of lot.) How do plows get in and out? (Mr. Craig: Straight in and out.)
- Mr. Lamb: Concerned with snow melt against historic structure. Snow will get stacked up and pushed with the plow. Can we add trees / bollards to protect structures? (Mr. Craig: Will look into it.)
- Mr. Berteaux: What is the current surface? (Mr. Hartman: Could heat grass instead of turning it concrete / asphalt.)

There was no more public comment and the hearing was closed.

Commissioner Final Comments:

- Mr. Berteaux: Concerned with points, 5/R should be negative five (-5) points. Solve fence problem to deal with point issue. Don't create a conflict with your neighbor. Fence is going to make snow on both sides of the fence, and little to no maintenance on neighbor's side. Bigger issue is the negative four (-4) points for buffering. What could they do to avoid the negative four (-4) points? Have to have those egress window wells due to code requirements. No landscaping and pedestrian way in that area that would be at the applicant's disposal. They are doing the right thing and getting negative points. If they increase the heat melt system there is more potential for point change, maybe / maybe not. Cementitious is not a good appearance, rough sawn is better. Consider potential for other materials – rough sawn or other barn wood. Agreed on local landmarking, not sure if State would go. A real door would be more in keeping with historic district rather than glass. 1,600 square feet on module should be met. Building height difference between duplex and primary building was great. Denial for Summit Foundation storage building for only one foot. Policy 104, 108 was no. Parking waiver would be fine.
- Mr. Pringle: Need to hit 1,600 square feet for module. Height requirements should be met. Materials siding should be 4" lap. Another discussion needed for semantics for relocation of building, seems like relocation was being met because it is on the same site it is on currently. Policy 108 is same orientation of original setting because it is behind and to the side as its original orientation – meet that. Didn't agree that rough sawn siding should be allowed for new buildings in the historic district that will have the same architectural detailing as the original structure. Maybe use board and batten. Wanted to prohibit painted rough sawn. New buildings should be 4". Differentiate between primary and secondary with other techniques – combination of horizontal and vertical board and bat, different material, introduce a different dimension would be counter to what we've done in the past. Fence should stay at 3', but can ratchet up to provide privacy, but not necessary to screen for 60'. Allow height taper – would like to see a greater spacing than 1" for pickets. Would like more criteria met for landmark status for house. Can we go for landmarking for changes in barn, hope that we can with proposed changes to promote adaptive reuse? Sliding doors would not be functional – put a real door in the building that functions. Grant waiver on parking. Concurrent with staff on preliminary point analysis. Can the fence be a wider spacing the whole length, and then double side it where the unit would be in conflict? (Mr. Mosher: We'll look at it.) (Mr. Neubcker: We have precedent for height.)
- Mr. Lamb: Get to 1,600 square feet for module. Landmarking information is needed. Would like to make sure if windows aren't cut on side facing road then policy is met. Agree with staff's point analysis. Policy 103, 104, and 108 thinking you lose the points if you move the historic building. Module size should be met and reduced by 70 sf. Building height no issue. Okay with material. Make siding 4". Okay with parking waiver. Concerned with tandem parking. Concerned with snow stacking and historic building damage from plow. Would prefer fence to be 3', 6' seems high. Transition from 3' - 5' would like to see what that looks like.
- Ms. Katz: Start at the end – we need to understand landmarking regulations for adaptive reuse / addition of windows / density. Can staff provide the answer? If it is up to the Planning Commission, then I can live with the windows because of adaptive reuse and we want people living in town. Benefit on site outweighs negative. Building is too tall, but would like to see survey from Mr. Craig. Module size difference is okay off 70 square feet. Policy 103 – overall the benefit of relocation on the site is agreeable. Okay on 108. Policy 90 – wanted 4" lap and preferred rough sawn materials, particularly if we give on the height. Don't want 6' fence (too high), 5' is better, 3' is historic. Ok with different heights. Barricade would be purpose of fence? (Mr. Hartman: Trying to provide privacy for

employee unit with taller fence.) We can decide if it can have a window and be landmarked? (Mr. Neubecker: Staff can look into it.)

Mr. Schroder: Module size doesn't meet Priority Policy 178, but there is a caveat that 9 UPA comes into play (could be some leniency). Overall it is only excess of 70 square feet so ultimately meets the intent of 178. Building height was too tall to meet settlement patterns. Liked perspective but too high. Policy 103, 104, 108 concerned with moving a historic structure with intent to develop policy 104. Historic patterns are being applied to site plan, so Policy 108 would be met. The historic structure was being left on the lot, so it would be meeting the relocation policy 103. Materials in character area – there is precedent for cementitious siding. Want siding to be at 4" and would prefer rough sawn. Fence height is 3' for historic pattern, but proposed 6' is too high, maybe 5'. Okay with differentiated heights on fence. Landmark status was encouraged for both house and barn. In favor of curb cut from Main Street, but concerned with parking layout (tandem spaces). Preliminary point analysis is overall positive five (+5) recommendation, and comfortable with staff analysis.

Mr. Allen: Policies 103 and 108 were met / not applicable. Policy 104 not applicable because it wasn't being moved from the original site. Architectural 5/R - need to have building materials match historic buildings, work hard on differentiating between primary and secondary structures. Can live with building height, because would prefer building to go up rather than out and adjacent properties are possibly higher. Thinking of it contextually from Main Street. Would like to look at precedent for other buildings square footage for module size. Probably okay with 70 square foot difference. Requested staff look at Great Western and Arapahoe Architects buildings. Materials agreed with Mr. Lamb and Mr. Pringle, maybe no rough sawn siding for duplex but secondary color instead. Didn't like yellow. Find a way to make it look secondary. Fence okay with higher in middle, but right around the building not so long. Achieved objective with minimal segment of height. Provide more spacing between pickets. Opposed to solid fence. Not opposed to stepping of fence. Landmark status of house – great job. Struggled with barn. Policy 76 states no windows visible from street, violation of that policy. Windows may need to be hidden from the street. If it met that policy okay with it. Door versus slider – liked the way the slider looked like a barn, but concerned with slider never being closed. Preferred matching historic regular door. Parking waiver okay. Didn't like tandem, but met code requirement of parking space. Snow stacking issue – need to protect the barn and then points can be updated. Point analysis 5/R concerns, snow storage points if barn was protected. Biggest comment – you guys are almost there. It was a disaster a few years ago, nice job with improvements. On landmarking of barn with windows, what is position? (Ms. Puester: Locally landmarked – not state, etc. Planning commission decides.)

2. Lot 5, McAdoo Corner (MGT) PC#2009009; 209 South Ridge Street

Ms. Katz disclosed that she represented Andrew Johnson (property owner of Lot 5, McAdoo Corner) on a case in 2008, and not doing any work for him currently. The Planning Commission agreed there was no conflict of interest since the previous relationship between the Owner and a member of the Planning Commission was disclosed.

Mr. Thompson presented an application to construct a new 3,365 square foot restaurant on Lot 5 of McAdoo Corner Subdivision.

Staff Questions

1. Did the Planning Commission find that the application met the criteria required to exceed 9UPA (Priority Policy 158)?
2. Did the Planning Commission believe that Priority Policy 80A (use of modules and connector width) was being met?
3. Did the Planning Commission find that the building height was similar to nearby historic buildings as required by Priority Policy 163?
4. Did the Commission find that the application met Priority Policy 164 related to façade width?

Applicant Presentation: Janet Sutterley, Architect

Original design intention dealt with square footage and context of historic buildings. Started with idea that it would step up from small building in front, and wanted upper level seating that looks to west side, so provided a two story structure on rear alley side. Talked with staff about how it won't meet 80/A. Ms. Sutterley provided a sketch of what connector could look like and will make it work. 89 square feet over with the rear module. Didn't redesign yet because wanted to revisit after addressing some other issues first. Provided plan with dimensions showing McAdoo,

Ridge Street Dental office, and the proposed restaurant. Building design is in scale with two adjacent buildings. Same height and module width as blue building at alley. There is a three story building beyond that. Blue building isn't historic but height starts to climb in rear. Question for commission – Policy 80/A what do we use to constitute a module? Provided a north elevation and streetscape showing McAdoo and McAbee which shows a change in scale. Most important is that it is based on overall historic mass and scale of the block – dealing with McAdoo corner, dentist office, the Cellar building. Overlaid the Cellar building on our elevation to show size comparison as well as with McAbee. (Mr. Pringle: McAbee was brought in from a different location.) Looking for ways to mitigate this and meet Policy 158. Third is Policy 163 - primary facades. Policy is very specific to primary façade of the building and it is clearly met. Across the façade it is one story so satisfies both policies. Policy 164 satisfying the intent of what the policy is trying to do. Does call out that you can't exceed the 31' in façade width, but what wasn't specified is how far back you step before you aren't calling it the primary façade anymore. Explained offsets of building façade of historic building compared to new building. Design matched to historic building with design. The real intent of this guideline is looking at the shape of a gable building. Respect the context and align with McAdoo house. Would also like some feedback on the upper story windows. We'd like as much glass on the second floor as possible it is a part of a feature.

Commissioner Questions/Comments:

- Mr. Pringle: Did not agree with Ms. Sutterley's argument about the façade width. (Mr. Thompson: It is clearly similar to the McAdoo, but it appears to be wider than 30'.) McAdoo is 40'. (Mr. Thompson: is the 6.5' setback enough to make it look like another façade?)
- Ms. Katz: Would it be fair for us to compare it to the one next door or the one a few blocks over? (Mr. Thompson: The Planning Commission needs to look at only Character area #3.) (Mr. Grosshuesch: Will look at this in more detail into the precedent on dealing with Priority Policy 164, Façade widths).
- Mr. Schroder: Was there a place where façade width was defined? (Mr. Thompson: No, neither are modules.) Where did we measure from 37? (Mr. Thompson: From one side of the building to the other, foundation to foundation.)
- Mr. Allen: Policy 164 – are the primary and front façade the same thing? (Mr. Thompson: Yes.) Stated that it cannot exceed 30'. (Mr. Thompson: Correct.) Are there any other buildings that have that offset? (Mr. Thompson: Look at Main Street dental.) (Ms. Sutterley: Can look at that.)

Mr. Allen opened the hearing to Public Comment.

Jan Radosevich, Owner of little blue building on alley side, Lot 6, Block 13, Abbett Addition: As the zoning in this area allows for residential and commercial, intent was to eventually turn her building back into a residence. Guidelines say that residential was preferred. She is concerned with parking and density of 12 UPA. She believes 12 UPA is overwhelming the property. She does not think four parking spaces will be enough for a restaurant. Concerned with outdoor seating and is that included in parking requirements? (Matt Thompson: No our parking regulations do not consider outdoor seating). Putting money towards parking district hasn't been successful. Snow stacking has been plowed towards blue building, and sees an issue with it. Compatibility of restaurant and outdoor seating on the deck may not be compatible with residential uses. She knew it was going to be commercial but didn't anticipate a restaurant there.

Separate subject, there is a cardboard dumpster that isn't enclosed and it is supposed to be. Thought it was town owned.

Jason Swinger, Owner in Wendall Square Condos: Similar concerns with mass and density. Also concerned with parking. On the air quality issue was there a negative point? (Ms. Katz: Negative two (-2) points.) Was the grease trap built incurring negative points? (Mr. Thompson: Will need to meet code.)

Ms. Sutterley: Item of clarification on density, not anywhere near the 12 UPA, we'd be at 3,375 of above ground density. Above ground density is 2,830, rest of density is underground. Density overall at 11.18 over entire property (if Lot 1 builds maximum above ground). The applicant is trying to avoid kitchens and bathrooms in the basement. Preferred to have it all above ground, but that would not meet the Town's Historic Guidelines.

- Mr. Lamb: Heard comments from neighbors, but it comes down to 12 UPA would meet code and this proposal would actually be less than that. Can't keep people from reasonably developing their property. Will look into parking concerns. Ms. Sutterley will work with modules. Showed that building height was similar to those in context. McAdoo building is least "historic" historic building in Town. Real gray area with Policy 164. Solid to void areas in windows needs to be addressed.
- Mr. Pringle: Possible to add more downstairs to reduce above ground impact? (Ms. Sutterley: Yes more density could be put below grade). Agreed with Mr. Thompson on reducing amount of glass on back and strengthening solid to void ratio. Façade width was a good argument with the step back of façade. Would there be a way to redo roofing plan to strengthen the separate façade width argument? Asked about moving more density to basement to make square footage balance between front and back. Could the rear module roof line be subordinated a little more, rear roof module seems to dominate too much.
- Mr. Bertaux: Policy 164 argument regarding 6.5' offset makes sense, and agree with Mr. Pringle about strengthening of the front façade. Height of back element bothers me, and seemed like the building was taking off in the alley. Potential to heat parking area to reduce snow stack issue. Agreed with staff regarding reducing the amount of windows and stone elements. Waited to hear more on 164 before decision is made. When there are historic policy decisions to make, a brief history is beneficial to support decision. Liked the architecture. Potentially overwhelming on the block, not crazy about the bay window on the second story. Proceed.
- Ms. Katz: Why was density a question if it is approved? Density fits with other buildings in area. Connector module issue can be dealt with. Solid to void agreed with staff that we need less windows. Streetscape was helpful for Policy 164 and looked okay. Mr. Pringle's comments were helpful to façade changes.
- Mr. Schroder: Feels this application is meeting Priority Policy 158, building scale. The density is allowed under the master plan per square footage and massing seems to fit. Connector module will be met with the changes Ms. Sutterley has agreed to make. Height met maximum without incurring negative points, encouraged it to come down. Smaller building to the right architecturally matches. Appreciated extra research on façade width, and liked the way it was broken up. Continue forward motion on project.
- Mr. Allen: Policy 158 talks about module size and is in violation of this priority policy. Need to get under the 1,300 square feet, could move some density from back module to front module to meet policy. Anything that is usable space should be counted in module size. Policy 80/A on the right track. In scale with area and historic character area, also in scale with height. Façade width leaning towards okay with more information. Something between 6' and 12' will do it, and on the right track with stepping it back. Liked the windows on the east side, match those and add more solid space. Look at other historic buildings in area for context. Answer comment about parking from public. (Mr. Thompson: outdoor space was not included in parking calculation.) (Mr. Mosher: Outdoor would be seasonal.) Looking good and should be able to make it work. (Mr. Thompson: Need to figure out when parking needs to be paved per master plan. Currently not paved and not striped, so you aren't getting the correct number of spaces. Needs applicant to determine the trigger point for paving the parking lot.)

PUBLIC PROJECTS:

1. Locomotive Train Park Site Plan (JP) PC#2009007; 123 North Main Street

Mr. Lamb motioned to continue this item to the May 5th Planning Commission meeting. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

WORKSESSIONS:

1. Historic Structure Setbacks

Mr. Thompson presented. On February 3, 2009, the Planning Staff brought a proposal to the Planning Commission considering a modification to Policy (9/A) and (9/R) "Placement of Structures." The discussion revolved around waiving negative points on proposals to move a historic structure encroaching on an adjacent property back on to the subject property, but not meeting the required setbacks. The Commission generally supported the proposal, but offered ideas on how to implement the policy. The Code currently discourages placing structures within the recommended setbacks on site. The importance is such that a 3 times multiplier is associated with the negative point

assignment, which indicates a policy of average importance. Mr. Thompson presented changes to the language on Policy (9/A) and (9/R) “Placement of Structures” for Commissioner comment.

For the record, Mr. Allen motioned to continue this item to a future Planning Commission meeting.

TOWN COUNCIL REPORT:

No Town Council representative was in attendance at 10:37 pm to present a report.

OTHER MATTERS:

None.

ADJOURNMENT

The meeting was adjourned at 10:37 p.m.

Rodney Allen, Chair

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: April 14, 2009 for Planning Commission Meeting of 4/21/09

Subject: Upper Village Pool Remodel (Class C, PC#2009014)

Applicant/Owner: Upper Village HOA

Agent: BHH Partners

Proposal: The applicant is proposing to remodel the Upper Village pool. They are proposing to demolish the existing 940 sq. ft. pool building, and then build a new 1,698 sq. ft. pool building. The new pool building will include: a check-in desk, enclose an existing spa, build a swim-under overhead door, locker rooms, and a mechanical room. Two new 12' x 8' stainless steel spas are proposed. A new insulated pool cover would be installed as part of the remodel. Applicant proposes to remove paving as required, provide new base and paving at new parking areas. The new pool building would be sided with beetle-kill channel lap siding and corrugated metal siding. Asphalt shingles and corrugated metal roofing are proposed. Optional photovoltaic solar panels are drawn on the plans. Cut sandstone veneer with sandstone caps are proposed for the base of the new pool building. A color rendering of the proposed building will be available for review at the meeting.

Address: 450 Village Road

Legal Description: Tract E, Four Seasons Subdivision

Site Area: 1.386 acres (60,395 sq. ft.)

Land Use District: 23 (Residential: 20UPA/ Commercial: 1:3 UPA)

Historic District: N/A

Site Conditions: Tract E is heavily wooded on the northern portion of the property. The southern portion of the property has a grass lawn a few lodgepole pine trees. There are two existing paved pedestrian paths to the west and east of the pool. There is an existing asphalt parking lot. There is an existing privacy fence around the pool area.

Adjacent Uses: East: One Breckenridge Place Townhomes West: Valdor Mountain Lodge
North: Winterpoint Condo South: Village Road

F.A.R. 1: 35

Height: Recommended: Buildings in excess of two stories are discouraged.
Proposed: 26' – 4 3/8" (Does not exceed two stories.)

Lot Coverage:	Building / non-Permeable:	1,186 sq. ft. (1.9% of site)
	Hard Surface / non-Permeable:	5,568 sq. ft. (9.2% of site)
	Open Space / Permeable Area:	53,641 sq. ft. (91% of site)
Parking:	Required: By special review of the Director and Planning Commission.	
	Proposed:	17 spaces
Snowstack:	Required:	1,392 sq. ft. (25%)
	Proposed:	1,670 sq. ft. (33%)
Setbacks:	Front:	130 ft.
	Side:	5 ft.
	Side:	16 ft.
	Rear:	160 ft.

Item History

In the original PUD, Tract E was designated as a recreation area. The site plan for the pool and locker room building was approved July 25, 1973.

Staff Comments

Land Use (Policies 2/A & 2/R): The pool is an appropriate use for land use district 23, which allows for residential and commercial uses. This recreation use is considered an amenity for the surrounding residential properties.

Density/Intensity (3/A & 3/R)/Mass (4/R): The pool is a recreation use and is not considered density.

Architectural Compatibility (5/A & 5/R): The proposed pool house will be architecturally compatible with this land use district.

Building Height (6/A & 6/R): The building height does not exceed 2 stories, and hence meets the land use district guidelines.

Site Plan: The site plan only changes slightly with the pool house moving to the northeast. Staff has no concerns with the site plan.

Site and Environmental Design (7/R): The applicant proposes to reduce the amount of paving, which is encouraged by Policy 7/R. The applicant proposes to add 4 spruce trees and 12 aspen trees, which will help with buffering the pool and locker room building.

Placement Of Structures (9/A & 9/R): The new location of the pool building meets the Town's absolute setbacks. There are no setbacks identified for this use in the relative policy. Staff has no concerns with the setbacks.

Snow Removal And Storage (13/R): The parking area is approximately 5,568 sq. ft. x 25% = 1,392 sq. ft. of snow storage is required. The applicant is showing at least 1,670 sq. ft. of snow storage on the plans. Staff feels there is more than enough room for snow storage.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Pedestrian access is provided by two paved pedestrian paths which lead to the pool area from both the east and west of the pool building. Vehicular access is provided from Village Road.

Parking (18/A & 18/R): 17 parking spaces are shown on the site plan (including one accessible parking spot). Per the original Staff report 7 spaces were required (two parking spaces per 1,000 sq. ft. of gross floor area. The pool house, pool and decks comprised approximately 3,500 sq. ft., therefore seven spaces could easily be placed on the lot. In the past the parking lot was not striped, which did not lead to efficient use of the parking lot. With this proposal the lot would be striped, and hence parking would fit more efficiently.

Landscaping (22/A & 22/R): 4 new spruce trees and 12 new aspen trees are proposed with this application. Also, 36 new shrubs and new perennials are proposed. Staff supports the proposed landscape plan.

Point Analysis (Section: 9-1-17-3): Staff found that this application does not warrant positive or negative points.

Staff Decision

The Planning Department has approved PC#2009014, the Upper Village Pool remodel, located at 450 Village Road, Tract E Four Seasons Subdivision.

TOWN OF BRECKENRIDGE

**Upper Village Pool Remodel
Tract E, Four Seasons Subdivision
450 Village Road
PC#2009014**

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **April 14, 2009**, 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 21, 2009**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **October 28, 2010**, 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. 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.

7. Applicant shall field locate utility service lines to avoid existing trees.
8. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
9. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
10. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. Applicant shall install construction fencing around the construction site in a manner acceptable to the Town Planning Department.
18. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

19. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.

20. 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.
21. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
22. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
23. Applicant shall screen all utilities.
24. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
25. 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.
26. 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.
27. 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.**
28. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

29. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)

UPPER VILLAGE POOL
 40 VILLAGE ROAD, BRECKENRIDGE, COLORADO 80424
 P.O. BOX 831 180 EAST AVENUE BRECKENRIDGE, CO 80424 (773) 453-8880
bhh PARTNERS
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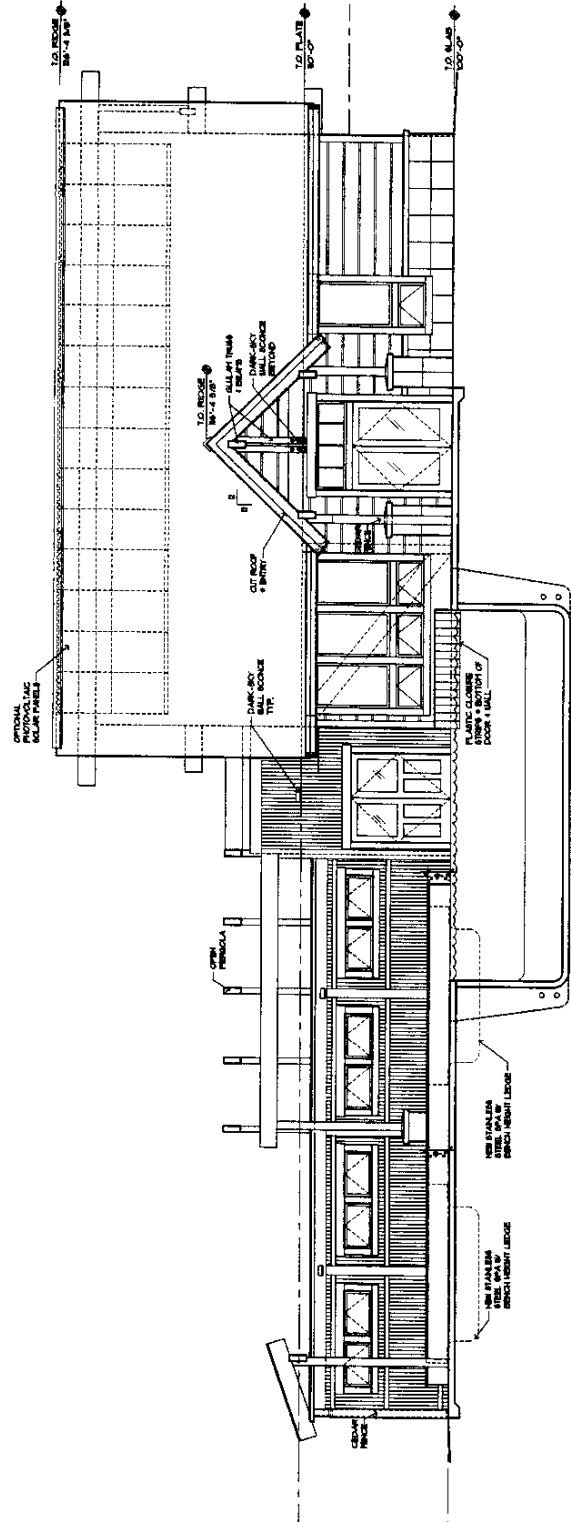
UPPER VILLAGE POOL
 40 VILLAGE ROAD, BRECKENRIDGE, COLORADO 80424
 P.O. BOX 831 180 EAST AVENUE BRECKENRIDGE, CO 80424 (773) 453-8880
bhh PARTNERS
 © 2000

DESIGNER: **W. H. HARRIS**
 ARCHITECT
 1000 W. 10TH AVENUE
 DENVER, CO 80202
 (303) 733-1100
 WWW.WHHARRIS.COM

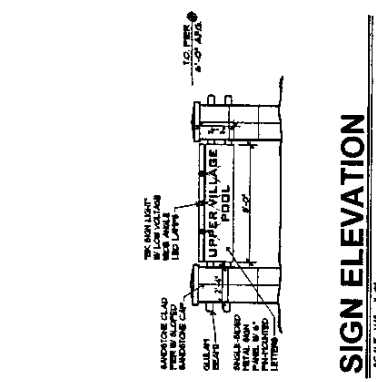
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 DATE _____
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 CHECKED BY: _____
 DESIGNER: _____
 ARCHITECT: _____

Check Print Drawings to confirm that they are the correct version and that they are the correct size for the intended use.

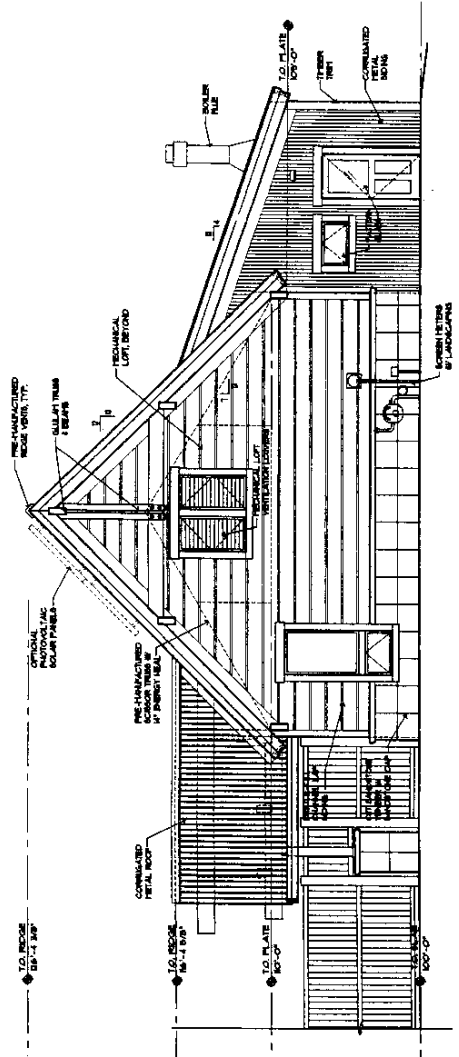
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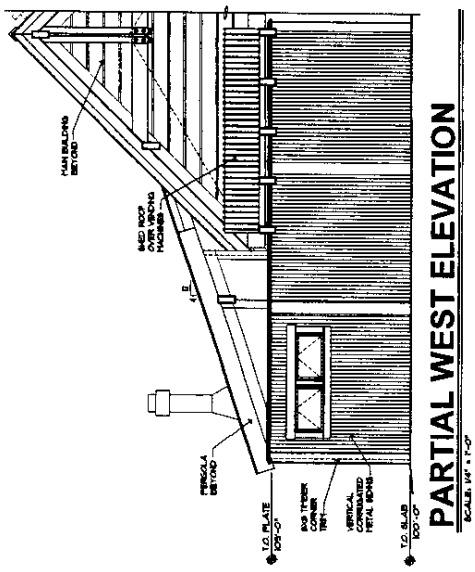
SOUTH SECTION / ELEVATION
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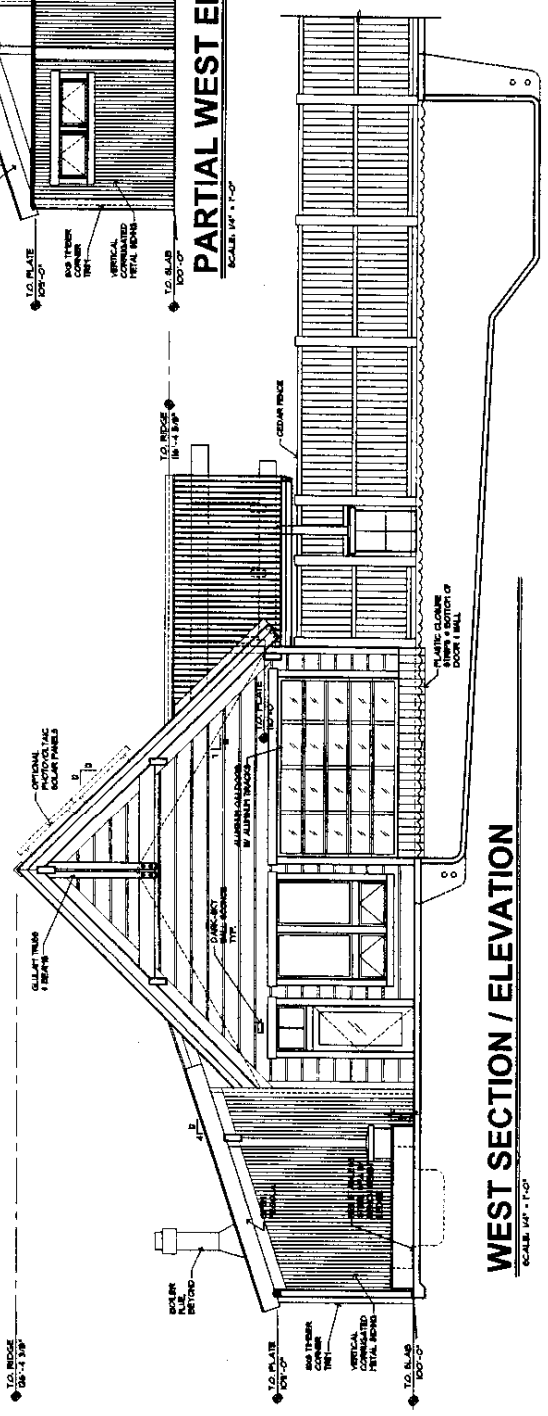
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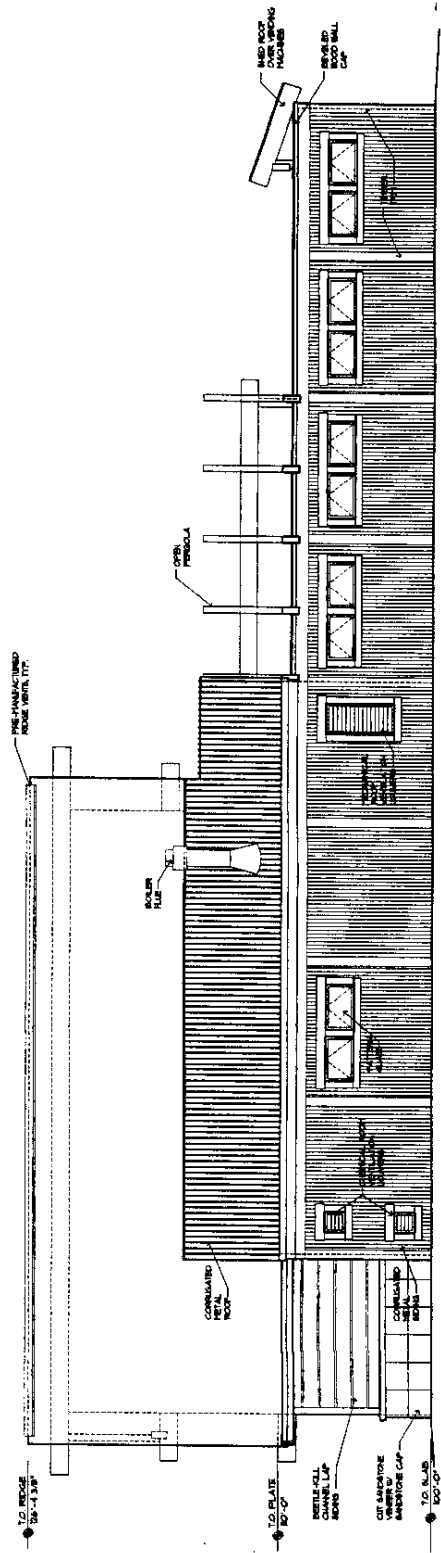
EAST ELEVATION
 SCALE: 1/4" = 1'-0"



PARTIAL WEST ELEVATION
SCALE: 1/4" = 1'-0"



WEST SECTION / ELEVATION
SCALE: 1/4" = 1'-0"



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



Class C Development Review Check List

Project Name/PC#: Cox Residence PC#2009013
Project Manager: Matt Thompson, AICP
Date of Report: April 14, 2009 For the 04/21/2009 Planning Commission Meeting
Applicant/Owner: Mike and Trish Cox
Agent: BHH Partners
Proposed Use: Single family residence
Address: 1357 Discovery Hill
Legal Description: Lot 137, Discovery Hill, Filing #2
Site Area: 118,164 sq. ft. 2.71 acres
Land Use District (2A/2R): 6: Residential, Subject to the Delaware Flats Master Plan
Existing Site Conditions: The lot slopes downhill steeply at 28%. The lot is heavily covered in moderately sized lodgepole pine trees. This lot is accessed by a 45' access, utility and drainage easement. There is a 15' public trail and drainage easement along the eastern portion of the lot. There is also a 20' wide drainage easement that bisects the lot from the west to the east.

Density (3A/3R): Allowed: unlimited Proposed: 4,008 sq. ft.
Mass (4R): Allowed: unlimited Proposed: 4,947 sq. ft.
F.A.R.: 1:24.00 FAR
Areas:
Lower Level: 2,147 sq. ft.
Main Level: 2,060 sq. ft.
Upper Level:
Garage: 740 sq. ft.
Total: 4,947 sq. ft.

Bedrooms: 4
Bathrooms: 4.5
Height (6A/6R): 31'
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 2,800 sq. ft. 2.37%
Hard Surface / non-Permeable: 1,676 sq. ft. 1.42%
Open Space / Permeable: 113,688 sq. ft. 96.21%

Parking (18A/18/R):
Required: 2 spaces
Proposed: 3 spaces

Snowstack (13A/13R):
Required: 419 sq. ft. (25% of paved surfaces)
Proposed: 429 sq. ft. (25.60% of paved surfaces)

Fireplaces (30A/30R): 3 gas burners

Accessory Apartment: N/A

Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):
Front: within disturbance envelope
Side: within disturbance envelope

Side: within disturbance envelope
Rear: within disturbance envelope

Architectural Compatibility (5/A & 5/R): This proposed residence will be architecturally compatible with the neighborhood.

Exterior Materials: 2 x 12 horizontal plank siding; trim, timber post and beams and fascia to be stained Storm Gray, board and batten vertical siding, aluminum clad wood windows "Redwood" in color, and Pennsylvania fieldstone moss rock with buff sandstone caps.

Roof: Elk Prestique composite shingles "weathered wood" and metal corrugated roofing "redwood" in color.

Garage Doors: Board and batten

Landscaping (22A/22R):

Planting Type	Quantity	Size
Spruce trees	7	(5) 6' to 8', (2) 8' to 10'
Aspen	12	2" to 3" min. caliper at least 50% multi-stem
Potentilla	9	5 gallon
Alpine Currant	12	5 gallon
Peking Cotoneaster	13	5 gallon

Drainage (27A/27R): Positive away from residence.

Driveway Slope: 7 %

Covenants: Standard landscaping covenant.

Point Analysis (Sec. 9-1-17-3): Staff found no reason to warrant positive or negative points for this application.

Staff Action: Staff has approved the Cox Residence, PC#2009013, located at 1357 Discovery Hill, Lot 137 Discovery Hill, Filing #2.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Cox Residence
Lot 137, Discovery Hill, Filing 2
1357 Discovery Hill Drive
PC#2009013**

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **April 14, 2009**, 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 21, 2009**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **October 28, 2010**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

7. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement.
8. Applicant shall field locate utility service lines to avoid existing trees.
9. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
10. At no time shall site disturbance extend beyond the limits of the platted site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
11. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
12. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. Applicant shall install construction fencing along the disturbance envelope in a manner acceptable to the Town Planning Department.

20. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

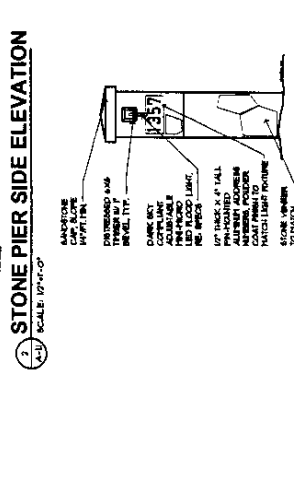
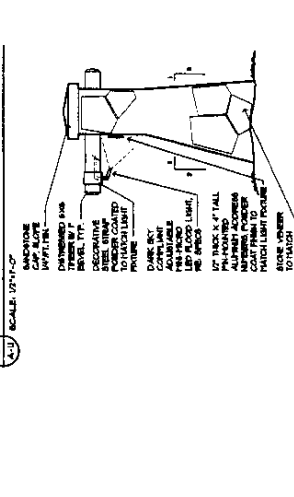
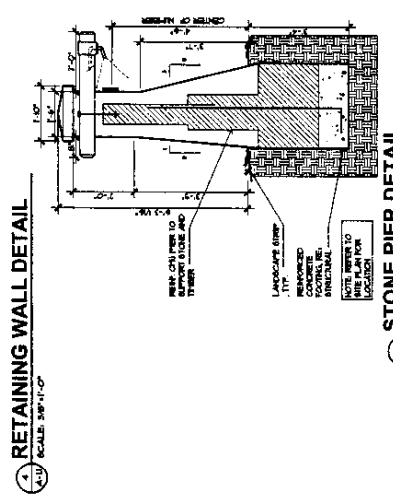
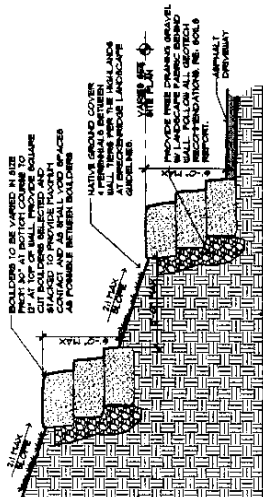
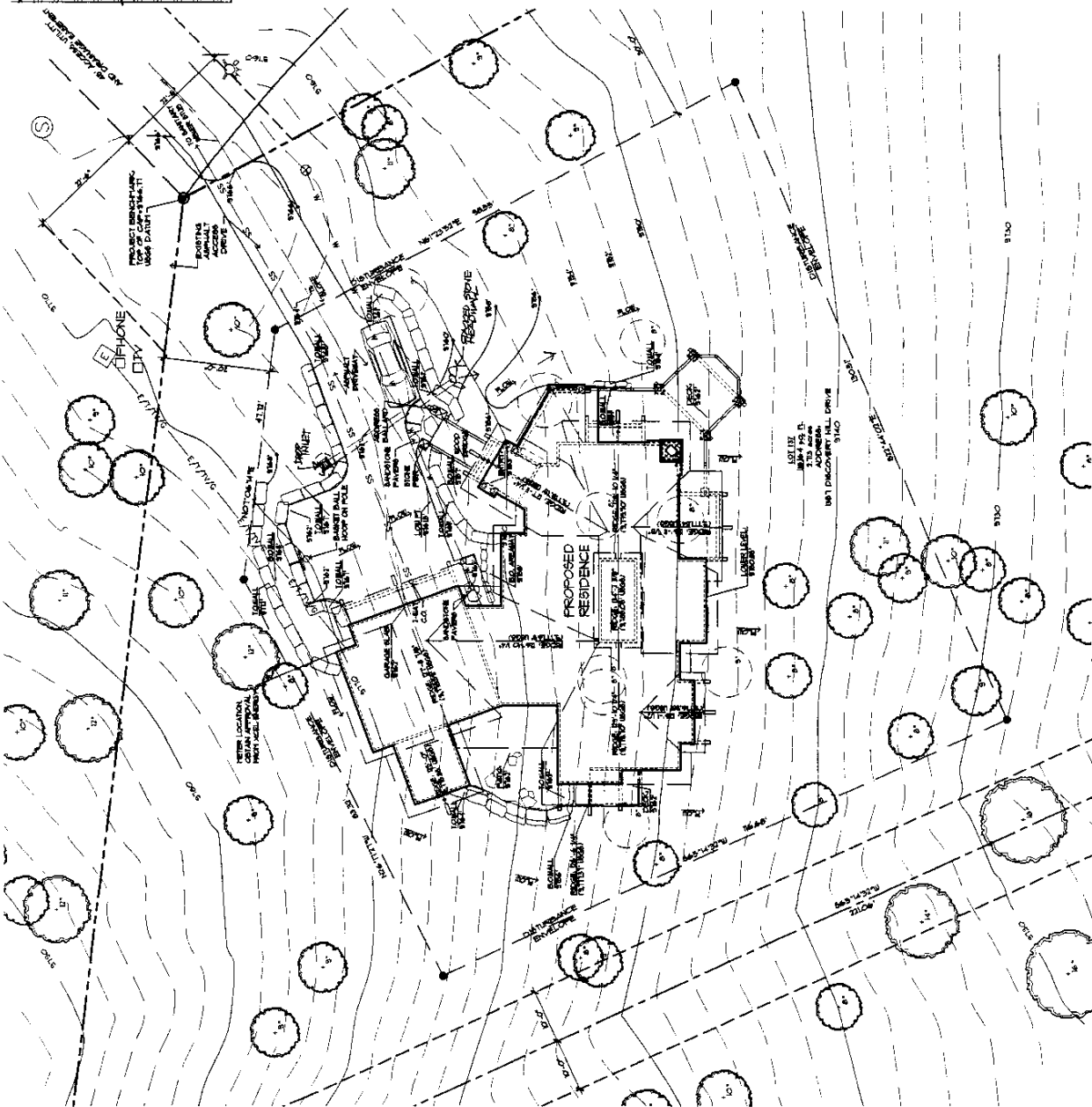
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

21. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
22. 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.
23. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
24. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
25. Applicant shall screen all utilities.
26. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
27. 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.
28. 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.
29. 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.

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

(Initial Here)



REVISIONS:
DATE: 11/20/09
BY: M. J. HANNAH
CHECKED BY: M. J. HANNAH
DATE: 11/20/09
BY: M. J. HANNAH

COX RESIDENCE
1957 DISCOVERY HILL DRIVE
RECOMMENDED ON MAP (760) 625-8800
bh Partners
LOT 157 DISCOVERY HILL, FILING #2, HIGHLANDS AT BECKENBRIDGE

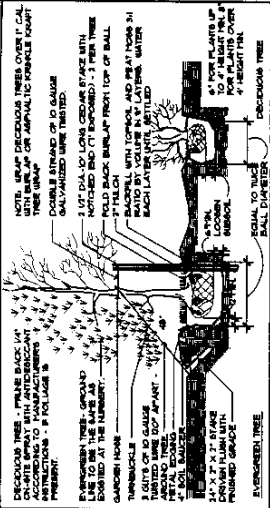
A-1.1
SHEET NUMBER
S.E.

STONE PIER FRONT ELEVATION
SCALE: 1/2" = 1'-0"



ENLARGED SITE PLAN
SCALE: 1" = 10'-0"

PLANTING DETAIL



PLANTING LIST & NOTES

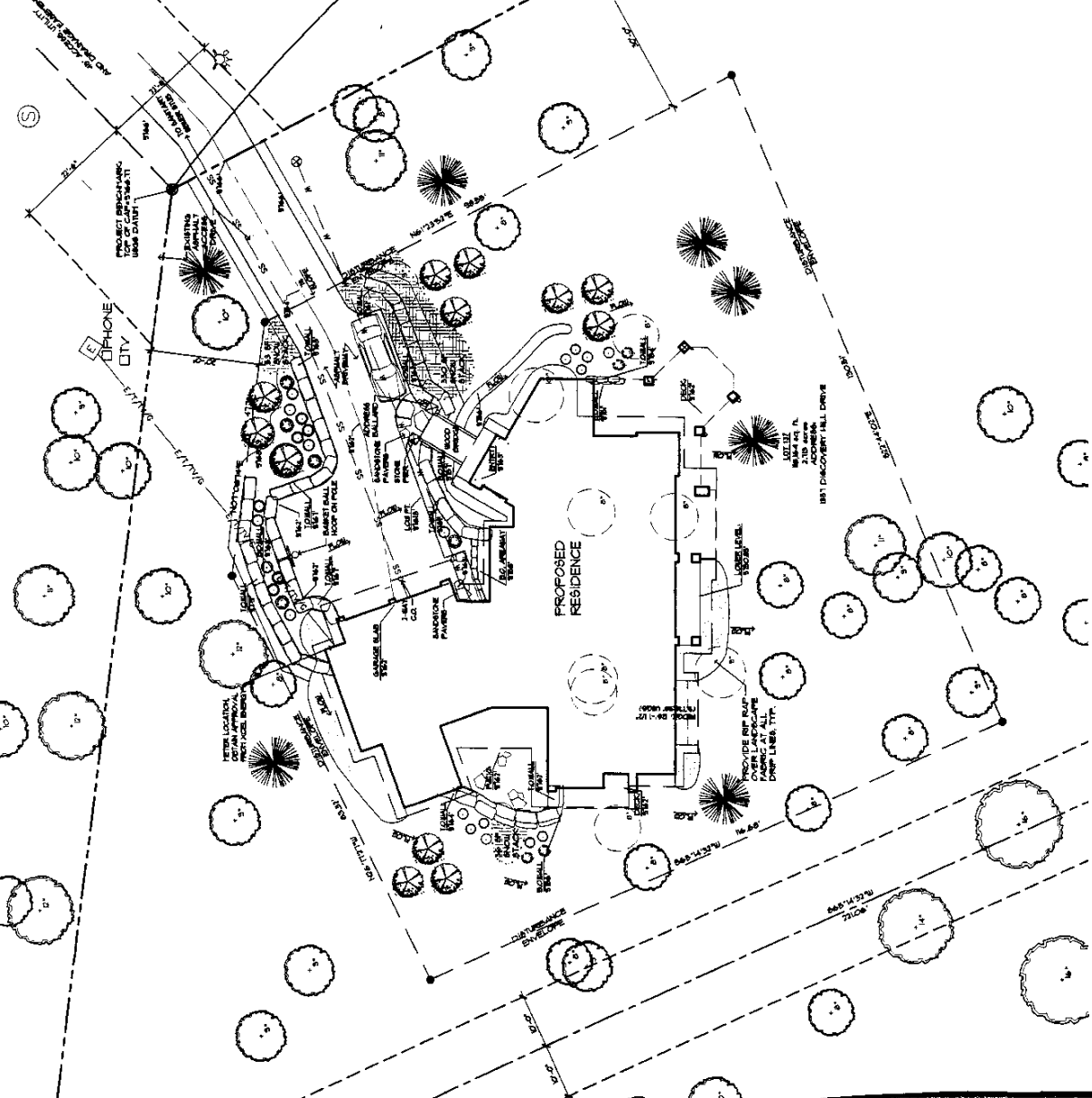
PLANT	SYMBOL	NO.	SIZE
1. POTENTILLA	(Symbol)	1	1.5 GAL
2. ALPINE CURRANT	(Symbol)	2	1.5 GAL
3. SPYRIDA	(Symbol)	3	1.5 GAL
4. SPYRIDA	(Symbol)	4	1.5 GAL
5. SPYRIDA	(Symbol)	5	1.5 GAL
6. SPYRIDA	(Symbol)	6	1.5 GAL
7. SPYRIDA	(Symbol)	7	1.5 GAL
8. SPYRIDA	(Symbol)	8	1.5 GAL
9. SPYRIDA	(Symbol)	9	1.5 GAL
10. SPYRIDA	(Symbol)	10	1.5 GAL

LANDSCAPE NOTES

1. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
2. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
3. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
4. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
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7. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
8. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
9. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
10. ALL PLANTINGS TO BE DONE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

SNOWSTACK CALCS.

LANDSCAPE	NO. FT.	PERCENTAGE
SNOWSTACK REQUIRED	100	100%
SNOWSTACK PROVIDED	100	100%
DEFICIT	0	0%



DATE: 1/20/2020
 DRAWN BY: M. HORN
 CHECKED BY: M. HORN
 PROJECT: 177 DISCOVERY HILL DRIVE
 SHEET: A-1.2

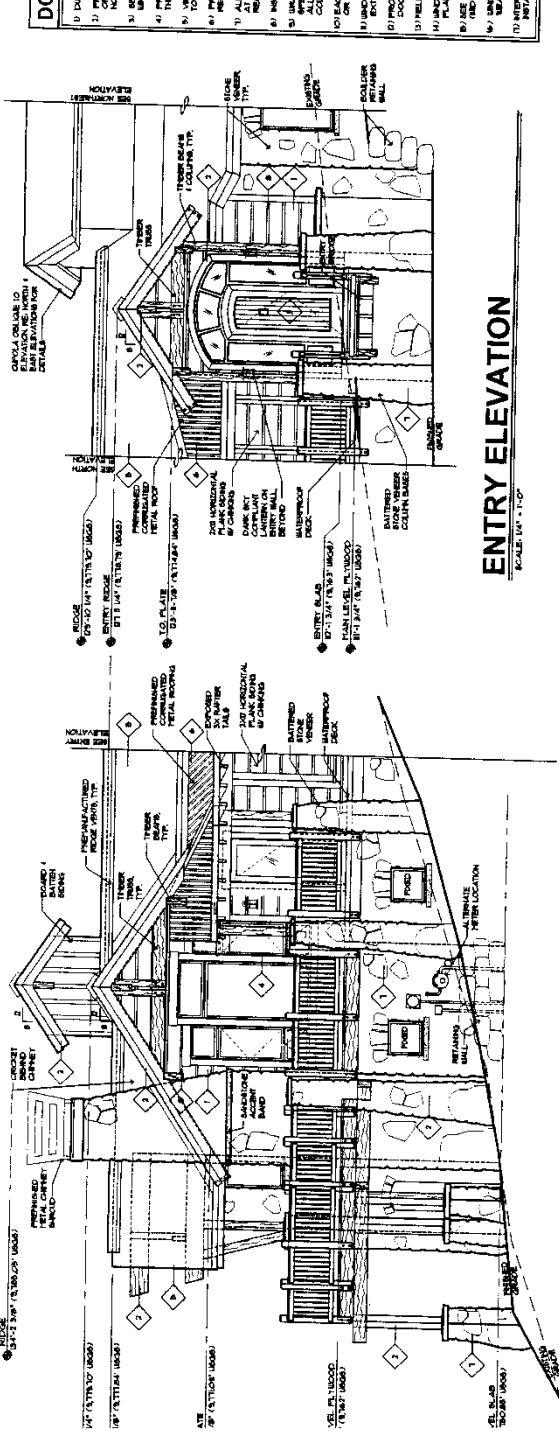
COX RESIDENCE

177 DISCOVERY HILL DRIVE
 BRECKENRIDGE, CO 80424 (303) 453-4400

bhh Partners

LOT 177 DISCOVERY HILL, PLUNG ST. HIGHLANDS AT BRECKENRIDGE

A-1.2



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

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

DOOR & WINDOW NOTES

- 1) SHALL GLAZE ALL WINDOWS AND DOORS WITH GLAZING TO MATCH DRAWING, VERIFY WINDOW NOTIFICATION OF ANY DISCREPANCIES.
- 2) SEE PLANS AND ELEVATIONS FOR OPERATION AND WINDOW TYPE.
- 3) PROVIDE WEATHERSTRIP AND ALUMINUM THRESHOLD AT ALL EXTERIOR DOORS.
- 4) PROVIDE WEATHERSTRIP AND ALUMINUM THRESHOLD AT ALL EXTERIOR DOORS.
- 5) PROVIDE WEATHERSTRIP AND ALUMINUM THRESHOLD AT ALL EXTERIOR DOORS.
- 6) PROVIDE WEATHERSTRIP AND ALUMINUM THRESHOLD AT ALL EXTERIOR DOORS.
- 7) ALL GLAZING SYSTEMS SHALL BE RATED FOR USE IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.
- 8) UNLESS ALL EXTERIOR OPERABLE WINDOWS AT DOORS ARE PROVIDED WITH 1/2" X 1/4" WEATHERSTRIP AT COLOR MATCH TO WINDOW FRAME AND PAINT OR COLOR MATCH TO WINDOW FRAME.
- 9) EACH WINDOW MUST HAVE AN EGRESS DOOR OR WINDOW TO MEET THE 2000 IBC REQUIREMENTS.
- 10) WINDOWS AND DOORS TO HAVE FIELD APPLIED FINISHES - DO NOT PROVIDE BRICK FIELDS.
- 11) PROVIDE ALL EXTERIOR OPERABLE WINDOW DOORS AND WINDOWS TO BE OPERABLE TO MEET ALL CODES AND REGULATIONS.
- 12) FIELD FINISHES TO VERIFY ALL EXTERIOR FINISHES.
- 13) WINDOW CATALOGUE REFERENCES ARE INDICATED ON PLAN.
- 14) SEE FLOOR PLANS FOR DOOR & WINDOW SIZES.
- 15) FINISH HEIGHTS.
- 16) WINDOW SIZES TO BE INDICATED TO MEET ALL CODES AND REGULATIONS.
- 17) WINDOW SIZES TO BE INDICATED TO MEET ALL CODES AND REGULATIONS.
- 18) WINDOW SIZES TO BE INDICATED TO MEET ALL CODES AND REGULATIONS.

EXTERIOR FINISH LEGEND

1	200 HORIZONTAL PLANK SIDING	10	VELVET HAZEL GREEN
2	200 HORIZONTAL PLANK SIDING	11	VELVET HAZEL GREEN
3	200 HORIZONTAL PLANK SIDING	12	VELVET HAZEL GREEN
4	200 HORIZONTAL PLANK SIDING	13	VELVET HAZEL GREEN
5	200 HORIZONTAL PLANK SIDING	14	VELVET HAZEL GREEN
6	200 HORIZONTAL PLANK SIDING	15	VELVET HAZEL GREEN
7	200 HORIZONTAL PLANK SIDING	16	VELVET HAZEL GREEN
8	200 HORIZONTAL PLANK SIDING	17	VELVET HAZEL GREEN
9	200 HORIZONTAL PLANK SIDING	18	VELVET HAZEL GREEN

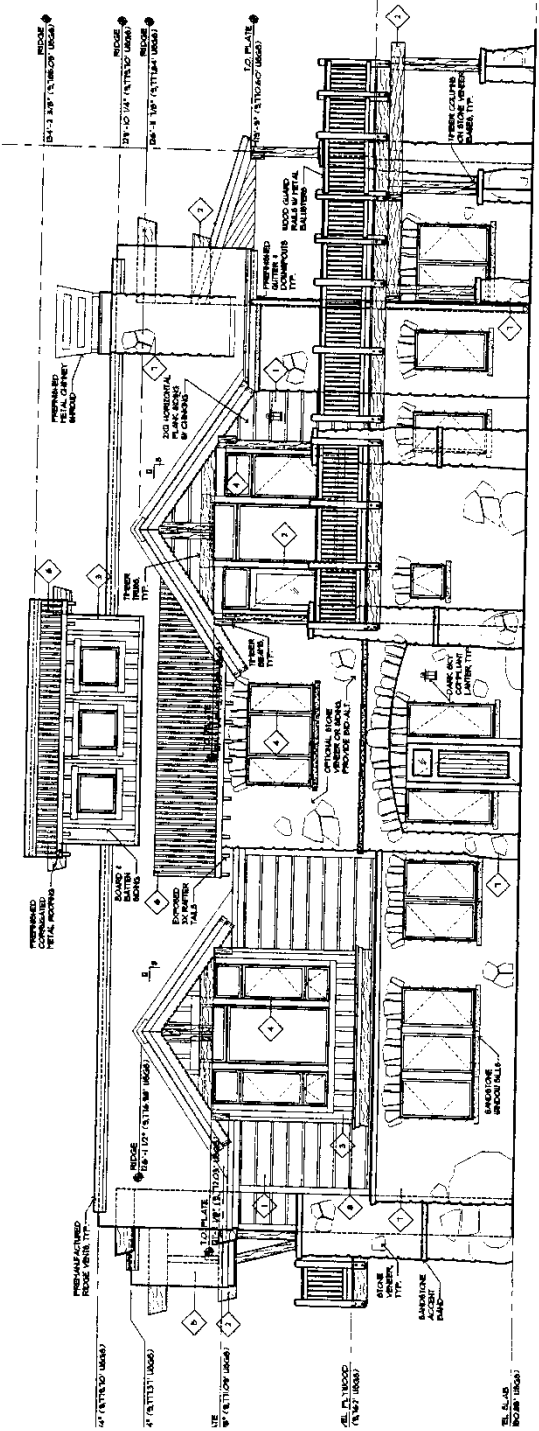
NOTES: COLORS ARE TYPICAL FOR ALL ELEVATIONS.

HEIGHT CALCULATION

FINISH FLOOR TO FINISH FLOOR HEIGHT: 10'-0" (10'-0" TO FINISH FLOOR)

FINISH FLOOR TO FINISH CEILING HEIGHT: 10'-0" (10'-0" TO FINISH CEILING)

FINISH FLOOR TO FINISH ROOF HEIGHT: 10'-0" (10'-0" TO FINISH ROOF)



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

REVISIONS

NO.	DATE	BY	REVISIONS
1	10/20/20	MM	ISSUED FOR PERMITS
2	10/20/20	MM	ISSUED FOR PERMITS
3	10/20/20	MM	ISSUED FOR PERMITS

COX RESIDENCE

157 DISCOVERY HILL, PLING 22, HIGHLANDS AT BROCKENRIDGE

157 DISCOVERY HILL DRIVE

157 DISCOVERY HILL DRIVE

bhh Partners

157 DISCOVERY HILL, PLING 22, HIGHLANDS AT BROCKENRIDGE, CO. 22031 (870) 433-8880

157 DISCOVERY HILL, PLING 22, HIGHLANDS AT BROCKENRIDGE, CO. 22031 (870) 433-8880

A-3-0

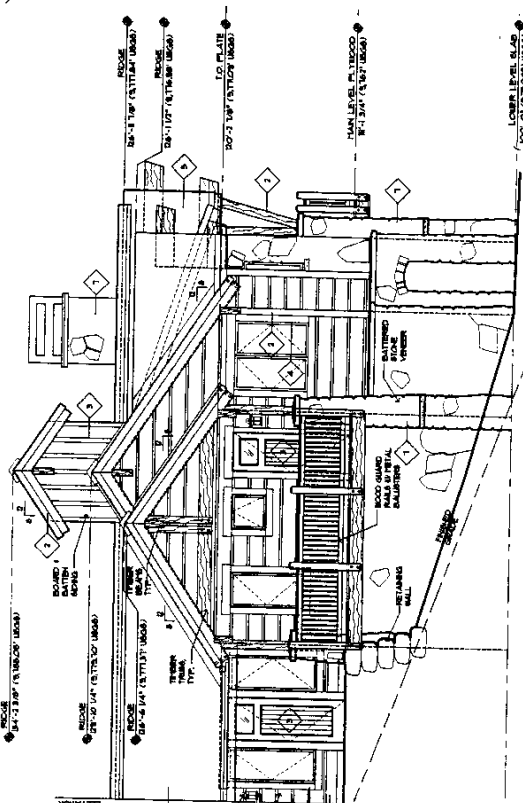
SHEET NUMBER

COX RESIDENCE
 101 1ST DISCOVERY HILL, PILING #2, HIGHLANDS AT BRECKENRIDGE
 1987 PROJECT HILL DRIVE
 P. BOX 831, 180 EAST AOMAS BRECKENRIDGE, CO 80424 (303) 453-8800
bhh Partners
 ARCHITECTS
 1000 WEST 14TH AVENUE, SUITE 1000, DENVER, CO 80202
 PHONE: (303) 733-9200
 FAX: (303) 733-9201
 WWW: WWW.BHH-ARCHITECTS.COM
 LICENSE: AR 100000120

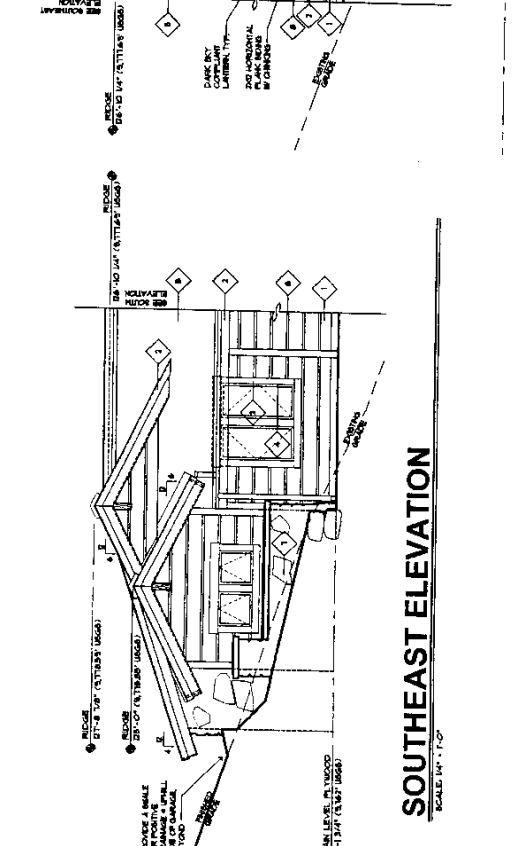
DESIGNED BY: **BRIDGEMAN**
 DRAWN BY: **BJ FRODO**
 CHECKED BY: **BRIDGEMAN**

*PLEASE SEE HIGHLANDS
 #177-19-15-10-10-10-10-10-10*

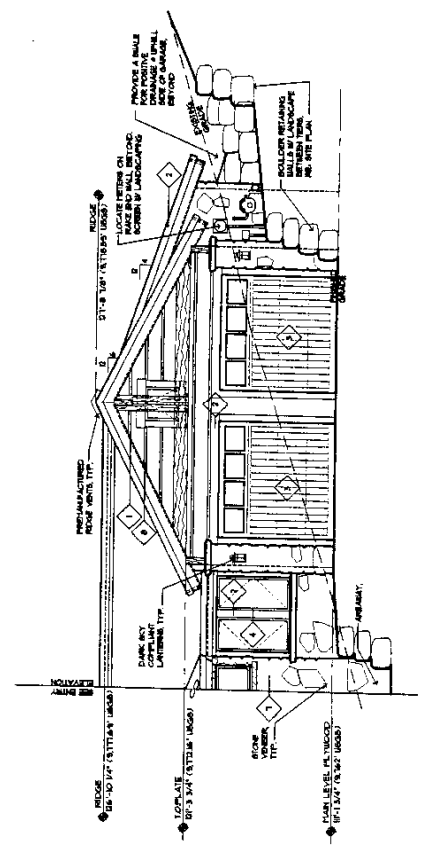
A-3.1
 PRELIMINARY



SOUTH ELEVATION
 SCALE 1/4" = 1'-0"



SOUTHEAST ELEVATION
 SCALE 1/4" = 1'-0"



NORTHWEST ELEVATION
 SCALE 1/4" = 1'-0"

DOOR & WINDOW NOTES

- 1) PAUL GLAZE ALL WINDOWS AND DOORS WITH GLAZER'S SPECIFICATIONS, VERIFY INSULATION VALUES, AND VERIFY ALL GLAZING IS COMPLIANT WITH ALL APPLICABLE CODES AND REGULATIONS.
- 2) PROVIDE ALL WINDOWS AND DOORS WITH GLAZER'S SPECIFICATIONS, VERIFY INSULATION VALUES, AND VERIFY ALL GLAZING IS COMPLIANT WITH ALL APPLICABLE CODES AND REGULATIONS.
- 3) USE PLANS AND ELEVATIONS FOR OPERATION AND INSTALLATION.
- 4) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 5) PROVIDE WEATHERSTRIPPING AND ALUMINUM FLASHING FOR ALL WINDOWS AND DOORS.
- 6) PROVIDE SCHEDULE 40 STEEL BRACKETS FOR ALL WINDOWS AND DOORS.
- 7) ALL GLAZING SYSTEMS SHALL BE RATED FOR USE PER MANUFACTURER'S SPECIFICATIONS.
- 8) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 9) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 10) EACH SLEEPING ROOM TO HAVE AN EGRESS DOOR TO THE EXTERIOR.
- 11) PROVIDE ALL EGRESS DOORS WITH GLAZER'S SPECIFICATIONS, VERIFY INSULATION VALUES, AND VERIFY ALL GLAZING IS COMPLIANT WITH ALL APPLICABLE CODES AND REGULATIONS.
- 12) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 13) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 14) WINDOW CATALOG NUMBERS ARE INDICATED ON PLANS.
- 15) SEE PLAN FOR WINDOW AND DOOR SIZES (WIDTH X HEIGHT).
- 16) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 17) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.
- 18) VERIFY ALL WINDOW SIZES WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE CODES AND REGULATIONS.

HEIGHT CALCULATION

HEIGHTS TO FINISH FLOOR OR TO FINISH CEILING, UNLESS OTHERWISE NOTED.

EXTERIOR FINISH LEGEND

- 1. 1" X 1" X 1" BRICK
- 2. 1" X 1" X 1" BRICK
- 3. 1" X 1" X 1" BRICK
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- 99. 1" X 1" X 1" BRICK
- 100. 1" X 1" X 1" BRICK

Planning Commission Staff Report

Project Manager: Julia Puester, AICP

Date: April 13, 2009 (For Meeting of April 21, 2009)

Subject: Salt Creek Saloon: Installation of Solar Hot Water Panels (Class C Minor Hearing; PC #2009012)

Owners/Applicant: Anthony Bulfin/ Mark Stearns, Mech Tech Inc.

Proposal: The applicant is proposing to install a 30 kilowatt solar thermal panel system on the west southwest facing roof on the primary building as well as on the shed at the rear of the property. This array will be mounted parallel to the roof surface with 9" maximum of clearance between the array and the roof. This array is not highly visible from Lincoln or Main Street. Please see roof layout drawing for array dimensions.

Address: 110 East Lincoln Avenue

Legal Description: Lots 42-45, Bartlett and Shock Subdivision

Site Area: 0.14 acres (6,099 square feet)

Land Use District: 18.2 Residential (20 UPA) and Commercial (1:1 F.A.R.)

Character Area: Historic Character Area #6 Core Commercial

Site Conditions: The Salt Creek Saloon is an existing structure built in 1972 was originally known as the Norway House. It has undergone numerous remodels. It sits in the Town's Historic and Conservation District, hence must meet the requirements of Ordinance No. 26, Series 2008 (Solar Panels), as well as the Handbook of Design Standards for the Historic and Conservations Districts.

Adjacent Uses: North: Vacant
South: Briar Rose Restaurant
West: Alley, Lincoln West Mall
East: Vacant

Density: No change

Mass: No change

Height: No change

Setbacks: No change

Staff Comments

The proposed placement of the panels will allow for an 85% efficiency. Five collectors will be placed on the shed/garage off the alley and 10 panels will be placed on the primary structure. The panels on both structures run parallel to the roof and are flush mounted (within 9" of the roofline). The existing roof is gray/black asphalt shingle roof material. The panels will have a blue/black tint to them. All collectors will be below the ridgeline.

This 30 Kilowatt hot water system will reduce the Salt Creek Saloon CO2 emissions by 7 tons per year. Staff is encouraged to see such a system placed as proposed in the Conservation District. Further, this application will be eligible for the Town/Governor's Energy Office Rebate Program.

Architecture: There are no proposed changes to the exterior architecture to the building. Per Ordinance No. 26, Series 2008 (Solar Panels): Section 4. Policy 5R (Absolute)("Architectural Compatibility") of Section 9-1-19 of the Breckenridge Town Code subsection D, entitled "Solar Panels and Solar Devices", which reads in its entirety as follows:

D. Solar Panels and Solar Devices

(1) "Within the Conservation District: The preservation of the character of the Conservation District and the historic structures and sites within the Conservation District are of the utmost importance. The Town encourages the installation of solar panels and solar devices as an alternative energy source. However, there may be instances where solar panels or solar devices are not appropriate on a particular building or site if such a device is determined to be detrimental to the character of the Conservation District.

(2) Within the Conservation District, no solar devices shall be installed on a structure or site without first obtaining a Class C minor development permit. Solar panels and solar devices are encouraged to be installed on a non-historic building or building addition and integrated into the building design. To ensure that the character of the Conservation District and its historic structures and sites are protected, an application for a development permit to install a solar panel or solar device within the Conservation District will be reviewed under the following requirements:

(a) Solar panels or other solar devices on roofs shall be placed on a non-character defining roofline of a non-primary elevation (not readily visible from public streets). Solar panels and solar devices shall be setback from the edge of a flat roof to minimize visibility and may be set at a pitch and elevated if not highly visible from public streets. On all other roof types, solar panels and solar devices shall be located so as not to alter a historic roofline or character defining features such as dormers or chimneys. All solar panels and solar devices shall run parallel the original roofline and shall not exceed nine inches (9") above the roofline.

The solar panels will not be readily visible from Lincoln or Main Street. The solar panels are proposed to be placed on a non-character defining roofline of a non-primary elevation. The solar panels will be visible from the alleyway to the west. The solar panels will run parallel to the original roofline and shall not exceed nine inches (9") above the roofline and blend fairly well with the existing roof material.

This application has been reviewed under the solar ordinance passed in 2008 not the modified version currently in process.

Staff Action

Staff has approved the application with the attached findings and conditions.

TOWN OF BRECKENRIDGE

**Salt Creek Saloon Solar Hot Water
Lots 42-45, Bartlett and Shock Subdivision
110 Lincoln Ave.
PC#2009012**

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **April 13, 2009**, 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 21, 2009**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **October 28, 2010**, 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 or certificate of compliance 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. Each solar array which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

8. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE

9. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
10. 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.
11. 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.
12. 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.

13. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
14. **The solar panels shall not be highly visible from Lincoln Avenue or Main Street. The solar panels shall be placed on a non-character defining roofline of a non-primary elevation. The solar panels will run parallel to the original roofline and shall not exceed nine inches (9") above the roofline.**

Salt Creek Saloon – Overview of Proposed Solar Hot Water System



Front of Salt Creek Saloon as seen from across Lincoln

The Salt Creek Saloon, 110 East Lincoln Avenue, wishes to install a solar hot water system to support its' operations. Full menu restaurants typically use 2.5 gallons of hot water for each customer. This solar hot water system will considerably reduce the restaurant consumption of fuel as the Salt Creek Saloon consumes this hot water.

The system will consist of solar collectors flush mounted on the West Southwest roof of the restaurant and on the roof of the outbuilding to the rear of the restaurant. Positioning of the collectors will minimize visibility from Lincoln and Main Streets. The heat from the collectors will heat a solar tank within the basement of the building and the heat would then be transferred to the restaurant hot water system by way of a heat exchanger. The existing restaurant hot water system will remain in place to provide final hot water



Salt Creek Saloon with Out Building in Rear as seen by Google Earth. The solar collectors will be on the left side of the roofs.

Salt Creek Saloon – Overview of Proposed Solar Hot Water System

temperature for the restaurant.

During periods, such as springtime, when customer traffic is light, excess solar heat may be directed towards supplementing building heat. This would also be accomplished by a heat exchanger.

The front of the Salt Creek Saloon faces approximately 155 degrees true – or South Southeast. The Town of Breckenridge requests flush mounting for solar collectors (parallel to the roof slope). As a result, the approximately 4 pitch (or about 18 degree slope) roofs on the West Southwest side of the restaurant and the out-building in the rear provide the best solar collector locations that meet Town guidelines. Collectors placed on these roofs will generate approximately 85% of the optimum solar potential that could be provided by collectors that are facing directly south.



The West Southwest side of the Salt Creek Saloon. Solar collectors would be flush mounted to the roof behind and between the gables in this picture.

Placement of the collectors will be as far to the rear as possible. Each solar collector is 4 feet wide by 8 feet tall. Five collectors will be placed in a single array across the roof of the outbuilding just below the skylights. This corresponds to Preference 4 (on an accessory structure) in the Town of Breckenridge solar panel ordinance. An additional 10 collectors will be placed behind and between the two gables towards the rear-center portion of the restaurant roof. This corresponds to Preference 5 (on the primary structure) in the Town of Breckenridge solar panel ordinance. They will be arranged in two arrays of 5 collectors each with one array located below the other array. All collectors will be located below the ridgelines of the buildings. Preferences 1, 2, and 3 in the solar panel ordinance are either not applicable or not possible. The rated performance of the 15 collector system is nearly 30 Kilowatts thermal. The solar hot water system will reduce Salt Creek Saloon CO2 emissions by 7 tons each year.

Salt Creek Saloon – Overview of Proposed Solar Hot Water System



West Southwest Roof of Out Building at Rear of restaurant. An array of 5 collectors will be flush mounted below the skylights seen in this picture.

Salt Creek Saloon wishes to proceed with this installation during the restaurant closure in May.

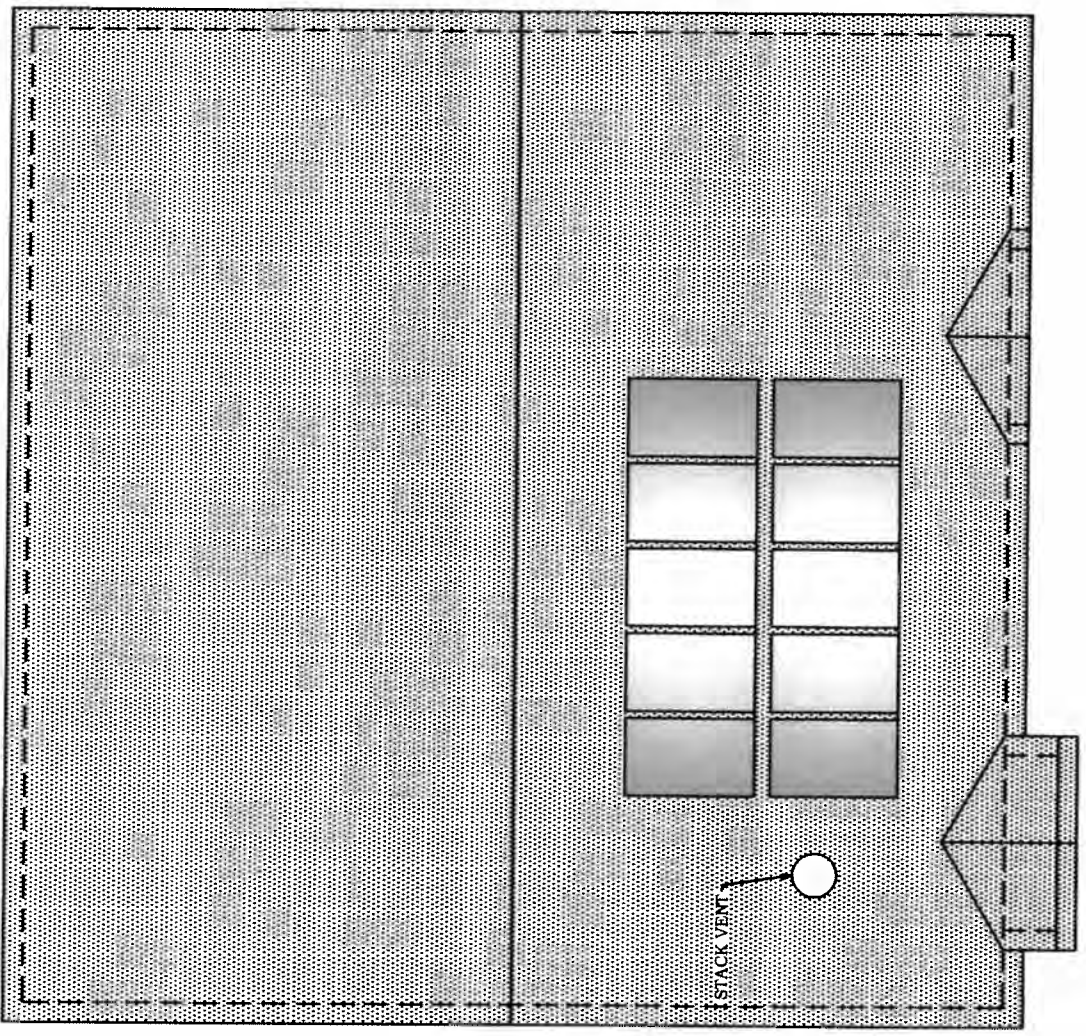
SALT CREEK SALOON BRECKENRIDGE COLORADO

MECHTECH AND RE-ALIGN TECHNOLOGY

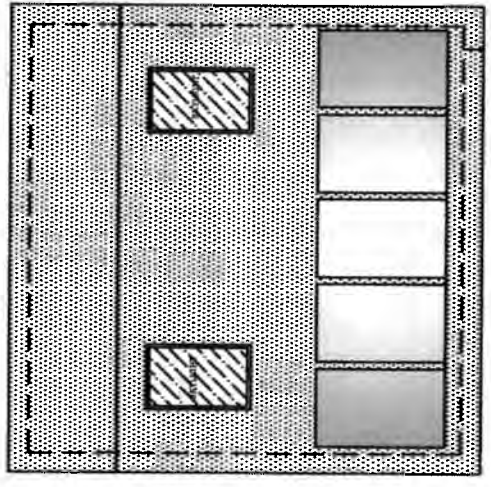
SALT CREEK SALOON LAYOUT

1

REVISIONS:
CHECKED BY:
DRAWN BY: J Egan
DATE: APRIL 6, 2009
DRAWG NO.: SCSD098



RESTAURANT



OUTBUILDING

SALT CREEK SALOON ROOF LAYOUT- 15- 4' X 8' COLLECTORS
 3 ARRAYS OF 5 PANELS FLUSH MOUNTED

PROJECT NO.	
CHECKED BY:	
DATE: 11/18/11	BY: J. BOHN
DATE: 4/24/11	BY: J. BOHN
DATE: 11/18/11	BY: J. BOHN

2

SALT CREEK
OUT
BUILDING
RENDERING

MECHTECH AND RE-ALIGN TECHNOLOGY

SALT CREEK SALOON, BRECKENRIDGE COLORADO

SALT CREEK SALOON -OUTBUILDING WITH (5) 4' X 8' FLUSH MOUNTED SOLAR COLLECTORS IN ARRAY



Planning Commission Staff Report

- Project Manager:** Julia Puester, AICP
- Date:** April 13, 2009 (For meeting of April 21, 2009)
- Subject:** Valleybrook Subdivision, Combined Hearing (PC# 2009012)
- Applicant/Owner:** Town of Breckenridge
- Proposal:** The subdivision plan is to subdivide 5.8 acres known as Tract A-1, Block 11 Subdivision into 2 tracts. One tract for the existing Timberline Learning Center –Tract 2 and the other for a future attainable housing site-Tract 1.
- Address:** 1100 Airport Road
- Legal Description:** Tract 1 and 2, Valleybrook Subdivision
- Site Area:** 4.5742 acres (197,844 sq. ft.) Future Housing Development (Tract 1)
1.180 acres (51,382 sq. ft.) Timberline Learning Center parcel (Tract 2)
5.7542 acres (250,653 sq. ft.) Total Area
- Land Use District:** 31, Commercial and Industrial (This LUD was written intending for a future airport and related facilities. This LUD is currently being revised to permit civic, residential, and park uses).
- Site Conditions:** A child care center has been constructed on the southern portion of this property. The undeveloped remaining northern portion of the site is slated for an attainable housing project known as Valleybrook Townhomes.
- Adjacent Uses:** North: Upper Blue Elementary School
East: Police Station, Blue River, Highway 9 and bike path
South: Carriage House Childcare Center
West: Public Works Department, Airport Road

Item History

The Town had identified a portion of its remaining Block 11 land as a site for affordable housing. The Town then entered into a *Development and Charitable Contribution Agreement* with Mercy Housing Colorado to design, construct, and sell approximately 40 to 60 units on the site.

While Mercy Housing is working on their submittal for a site plan application, the Town needs to subdivide the Valleybrook housing parcel from the childcare center parcel. This will allow Mercy to then proceed with funding for the project when ready and the Timberline Learning Center to have a legal separate parcel.

Staff Comments

The review of the proposed subdivision plan outlines the conceptual land layout and land division. The plat will be further reviewed by Town staff and the Town Attorney prior to recordation.

LAND USE SUMMARY		
TRACT/ROAD	AREA	% OF SITE
TRACT 1	4.5742 ACRES	79.5%
TRACT 2	1.180 ACRES	20.5%
TOTAL	5.7542 ACRES	100%

Tracts: The land is to be subdivided into two development tracts, Tract 1 for the future attainable housing development and Tract 2 for the child care center use which has been recently constructed. Tract 1 will be further subdivided when the final site plan has been approved (to plat Right of Way, utilities, trail connection and park) in addition to final townhome lots. The housing development is projected to start on Tract 1 this summer season, depending on market conditions.

Tract 1 is slated to be deeded to Mercy Housing once the site plan, budget, and related agreements have been approved by the Town Council.

Per Subdivision Code Section 9-2-4-5

9-2-4-5 Lot Dimensions and Standards: This subdivision consists of 2 Tracts for development. Tract 1 will be further subdivided by townhome plats in the future for an attainable housing development as the foundations are poured.

9-2-4-5 Access/Circulation: This section requires that all lots shall abut a public street or alley and have feasible access. Both Tracts will have access from a public street. In addition, the Valleybrook Housing plan shows a one-way road to loop within Tract 1 and connecting to Tract 2. This future Right of Way will later be platted once the final site plan has been approved which will guarantee the correct location.

9-2-4-7 Pedestrian and Bicycle Circulation Systems: A requirements for trail or bike path connection is required of those properties in the Trails Master Plan. There is a river and pedestrian easement along the southern border of Tract 1. This easement will permit connection of a pathway from Airport Road to the Blue River Bike Path. However, this easement will be platted at a later time once all final locations of elements on the site plan have been determined and approved.

9-2-4-13: Dedication of Park Lands, Open Space and Recreational Sites or the Payment of Fees in Lieu Thereof: Ten 10% of the total land area or 10% of the value of the property is required to be dedicated for parks, open space, or trails. There is no such subdivision at this time as the site plan is not approved. However, a small tot lot will be located at the southeastern corner of the site plan. This will be platted at a later time once all final locations of elements on the site plan have been determined and approved.

Landscaping: Per the Subdivision Standards:

3. In addition to the landscaping required above, the subdivider of land containing little or no tree cover as determined by the Town shall provide one tree having a minimum trunk diameter (measured 12 inches above ground level) of not less than two inches (2") suitable for the Breckenridge climate for every ten

(10) linear feet of roadway platted within or immediately adjacent to the subdivision.

At the next phase of subdivision, the application will be reviewed to meet this requirement.

Utilities/Drainage: The appropriate utility and drainage easements will later be platted once the final site plan has been approved to guarantee the easements in the correct location.

Other Easements:

Police Station Easement: There is an easement being platted at this time for parking, a concrete wall, landscaping, grading, lighting and maintenance adjacent to the north section of Tract A-2 (Police Station property). This will allow for the existing police station paved parking area, which is over the existing property line, as well as improvements that Mercy Housing has planned.

Childcare Center Dumpster Easement: The childcare center has a path on the north of the existing building to get to the shared dumpster enclosure with the Police Station. This easement will allow for the path, pedestrian access, rock wall and grading within this portion of the Tract 1 property.

Staff Recommendation

This subdivision proposal is in general compliance with the Subdivision Standards to create two parcels.

We welcome any Commissioner comment on this application in general.

Staff recommends approval of the Valleybrook Subdivision Plan (PC#2009012) as a combined hearing with the standard Class B subdivision findings and conditions.

TOWN OF BRECKENRIDGE

Valleybrook Subdivision
PERMIT #2009011

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

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **April 13, 2009**, 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 21, 2009**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. The Final Plat of this property may not be recorded unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit will expire three (3) years from the date of Town Council approval, on **April 27, 2012**, unless the Plat has been filed. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Applicant shall construct the subdivision according to the approved subdivision plan, and shall be responsible for and shall pay all costs of installation of public roads and all improvements including revegetation, retaining walls, and drainage system. All construction shall be in accordance with Town regulations.

6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes.
7. At the completion of this project, Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers for all such agents used in the platting and construction of this subdivision, as required in accordance with Ordinance No. 1, Series 2004.

PRIOR TO RECORDATION OF FINAL PLAT

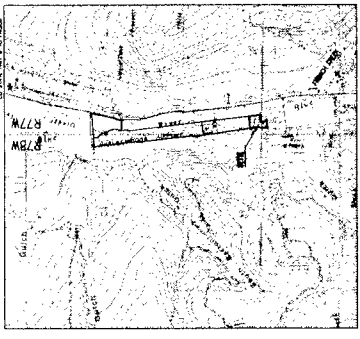
8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements and the terms of the subdivision plan approval.
9. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, erosion control and street lighting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

VALLEY BROOK SUBDIVISION

A RESUBDIVISION OF TRACT A-1 BLOCK 11, ACCORDING TO THE FINAL PLAT A REPLAT OF BLOCK 11, AN AMENDED REPLAT OF BRECKENRIDGE AIRPORT SUBDIVISION RECEPTION NO. 797050 LOCATED IN THE WEST ONE-HALF OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO
SHEET 1 OF 2



TETRA TECH
110 FRENCH DRIVE
BRECKENRIDGE, CO 80424
PHONE 970-533-8888 FAX 970-533-4379



TITLE COMPANY CERTIFICATE
I, the undersigned, Clerk of the County of Summit, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

TAXES PAID
I, the undersigned, Clerk of the County of Summit, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

CLERK AND RECORDER'S CERTIFICATE
I, the undersigned, Clerk of the County of Summit, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

SURVEYOR'S CERTIFICATE
I, the undersigned, Surveyor of the County of Summit, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

OWNER'S CERTIFICATE
I, the undersigned, owner of the above described plat, do hereby certify that the same is a true and correct copy of the original as filed for record.

TOWN OF BRECKENRIDGE CERTIFICATE
I, the undersigned, Mayor of the Town of Breckenridge, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

TOWN CLERK'S CERTIFICATE
I, the undersigned, Clerk of the Town of Breckenridge, Colorado, do hereby certify that the above described plat was duly recorded in the office of the County Clerk of Summit, Colorado, on this 15th day of August, 2009, and that the same is a true and correct copy of the original as filed for record.

NOTES:
1. THE TOWN OF BRECKENRIDGE HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE SAME IS IN ACCORDANCE WITH THE TOWN CHARTER AND THE TOWN CODE. THE TOWN OF BRECKENRIDGE HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE SAME IS IN ACCORDANCE WITH THE TOWN CHARTER AND THE TOWN CODE. THE TOWN OF BRECKENRIDGE HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE SAME IS IN ACCORDANCE WITH THE TOWN CHARTER AND THE TOWN CODE.

MARK DATE DESCRIPTION
11/17/09 DRAFT

AMENDED REPLAT OF BRECKENRIDGE AIRPORT SUBDIVISION
A REPLAT OF TRACT A-1 BLOCK 11
TOWN OF BRECKENRIDGE, CO
FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF SUMMIT, COLORADO, ON THIS 15TH DAY OF AUGUST, 2009.
CLERK OF COUNTY OF SUMMIT, COLORADO

Project No.: 13-00001-00001
Drawing No.:
Sheet No.:
Checked By:

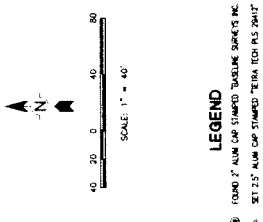
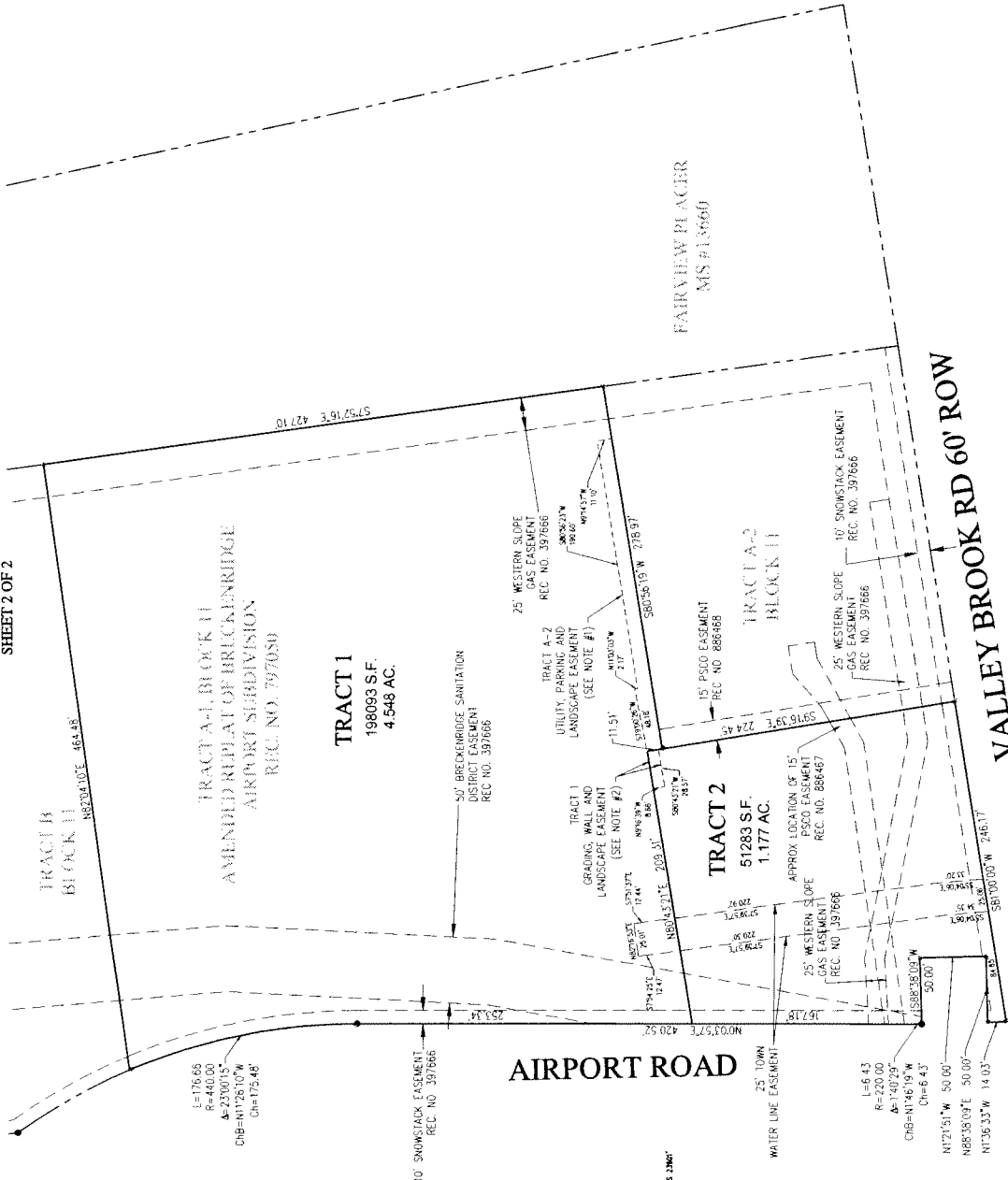
VALLEY BROOK SUBDIVISION

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SHEET 2 OF 2

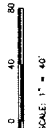


110 FORT COLLINS DRIVE
BRECKENRIDGE, CO 80601
PHONE 970-536-8844 FAX 970-536-8870
WWW.TETRA-TECH.COM



LEGEND

- 1. ROAD 2' ALUM CAP STIMPED TAPERED SURFACE (SEE PLS 2300)
- 2. SET 25' ALUM CAP STIMPED TERRA TED PLS 20417



VALLEY BROOK SUBDIVISION
PRELIMINARY PLAT

AMENDED REPLAT OF BRECKENRIDGE AIRPORT SUBDIVISION
A REPLAT OF TRACT A-1 BLOCK 11

Project No: 13-0002-0001
Designed By: LJM
Checked By: LJM

MEMORANDUM

TO: Planning Commission
FROM: Chris Kulick, Planner I
DATE: April 13, 2009
SUBJECT: Single-Family Home Parking Work Session

Recently it was requested of staff to research parking utilization of single-family residences to ensure adequate parking is being provided on site. Following up on this request staff has put together a Power Point presentation that will be shown to the Commission during a work session. Upon the completion of the presentation staff will be happy to take questions and comments from the Commission.

Memorandum

To: Planning Commission
From: Matt Thompson, AICP
Date: March 18, 2009
Re: Historic Secondary Structures Setbacks

On February 3, 2009, the Planning Staff brought a proposal to the Planning Commission considering a modification to Policy (9/A) and (9/R) "Placement of Structures." The discussion revolved around waiving negative points on proposals to move a historic structure encroaching on an adjacent property, back on to the subject property, but not meeting the required setbacks. The Commission generally supported the proposal, but offered ideas on how to implement the policy. The Code currently discourages placing structures within the recommended setbacks on site. The importance is such that a 3 times multiplier is associated with the negative point assignment, which indicates a policy of average importance.

Planning Commissioner comments from the previous meeting on February 3, 2009:

Dan Schroder: "Should there be language that says the historic structure must be kept as close to its historic location as possible?"

Rodney Allen: "Would like to see a criterion that says the applicant has no other way to make this happen."

Leigh Girvin: "Likes the funky setbacks on Harris Street Alley. Believes the Planning Commission and Staff need to look at these applications on a case by case basis. No negative points for 1' off alley or right-of-way. No negative points for 3' off a side property line."

Eric Mamula (Town Council Liaison to the Planning Commission): "We should make it as easy as possible to fix up these historic sheds. People do the historic preservation on sheds to receive positive points for the rest of the project to pass. Side lot lines will have to be on a case by case basis."

J.B. Katz: "Agrees with Eric. If there are headaches to the property owner they will not restore a historic secondary structure."

Dave Pringle: "We could leave this the way it is, but use the variance process. He is concerned about the Legacy Place example with a side property line. Every square foot counts in the Historic District."

Below are portions of the existing Policy 9/R and 9/A with suggested additions in *italics*.

9. (ABSOLUTE) PLACEMENT OF STRUCTURES (9/A):

- C. Residential Setbacks: For all structures within residential districts and for residential structures within commercial districts, the following setbacks shall be utilized as minimum standards:

(1) Within The Conservation District (All Residential Development):

a. Front Yard: No structure shall be built within ten feet (10') of a front yard property line. In those cases where a garage is located with driveway access in a required front yard, no portion of said garage doors shall be closer than twenty feet (20') from the front property line.

b. Side Yard:

1. Interior: No structure shall be built within three feet (3') of a side yard property line.

2. Street: For all platted lots greater than twenty five feet (25') in width or for more than one lot under single ownership with an aggregate width greater than twenty five feet (25'), up to one-half (1/2) the proposed structure may extend up to five feet (5') from a street side yard property line. The remaining half of said structure may not extend closer than ten feet (10') from the street side yard property line. For single lots less than twenty-five feet (25') in width, no portion of a structure may extend closer than three feet (3') from a street side yard property line.

c. Rear Yard: No structure shall be built within ten feet (10') of a rear yard property line, or within five feet (5') of an alley right of way.

d. Encroachments/Protection: Notwithstanding the above restrictions, and in those instances where a violation of the Uniform Building Code is not created, bay windows, roof eaves and other similar projections may extend within any required yard up to a maximum of eighteen inches (18") with approval of the Planning Commission.

e. *In situations where a historic, non-habitable secondary structure currently encroaches into a required setback, and only when a new foundation and full structural stabilization are proposed for such structure, the secondary structures may be relocated not closer than one foot (1') from the alley or road right-of-way property line, with approval of the Planning Commission. In no situation shall the new structure location increase the non-conformity.*

9. (RELATIVE) PLACEMENT OF STRUCTURES (9/R):

The following setbacks are encouraged for the placement of structures on site:

(1) Within The Conservation District (All Residential Development):

- a. Front yard: Fifteen feet (15').
- b. #1 Side yard: Five feet (5').
- c. Rear yard: Fifteen feet (15').

d. Exceptions for historic structures: The provisions of this subsection D (1) shall not apply to the development of: 1) historic, non-habitable secondary structures which currently encroach into a required setback, and when the structures are proposed to be relocated onto the applicant's property, and a new foundation and full structural stabilization are proposed for such structure. In such cases, an applicant may place the historic secondary structure not closer than three feet (3') from the side property line without the allocation of negative points with the approval of the Planning Commission. If the property line in question is along an alley or right-of-way, the historic structure may be placed not closer than one foot (1') from the property line without the allocation of negative points, with approval of the Planning Commission.

We welcome Commission input on this proposal.