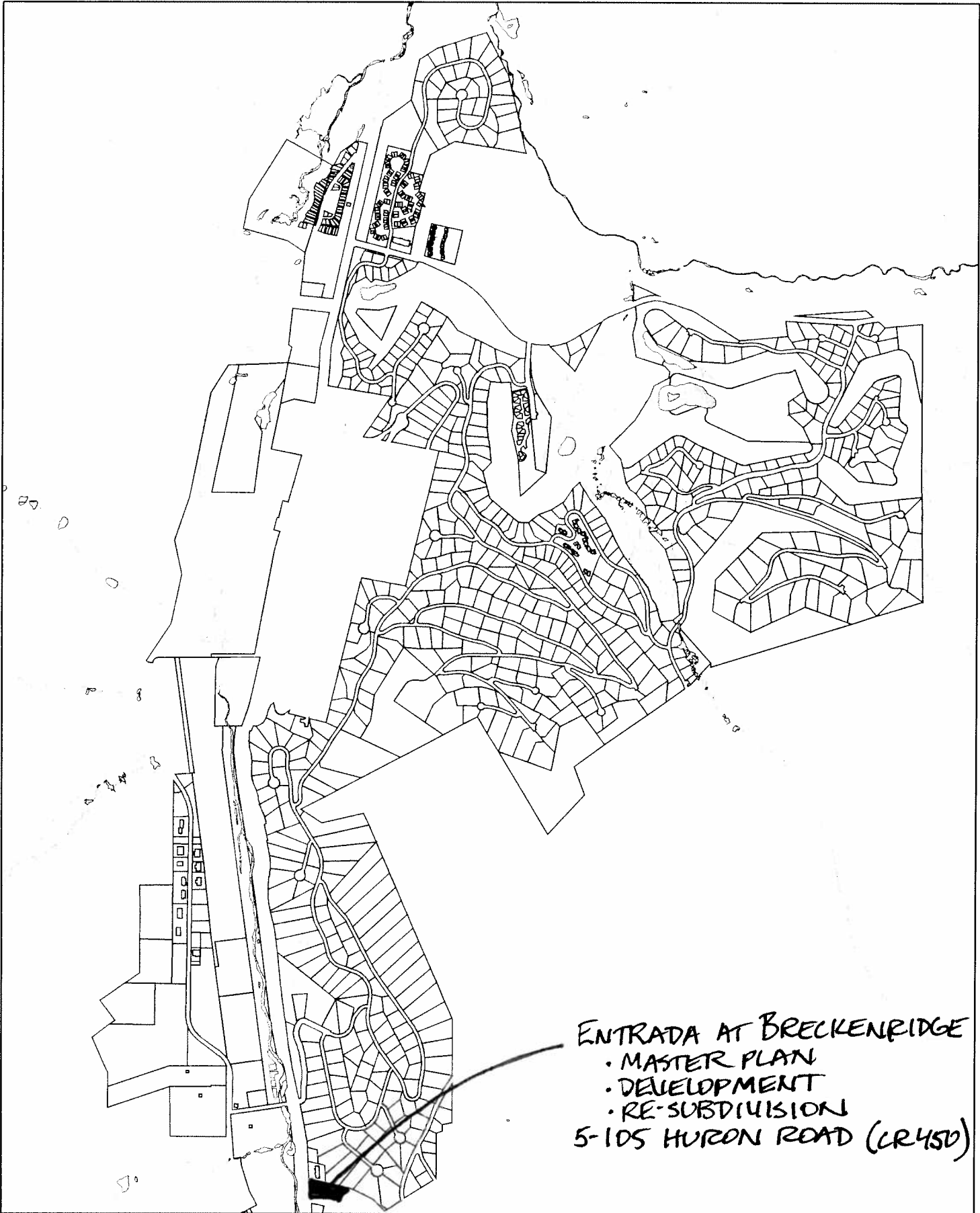


Town of Breckenridge
Planning Commission Agenda
Tuesday, July 21, 2009
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the July 21, 2009 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes July 7, 2009 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i> <ol style="list-style-type: none">1. Gardiner Addition and Remodel (JP) PC#2009031 109 Sunrise Point Drive	16
7:15	<i>Final Hearings</i> <ol style="list-style-type: none">1. Entrada at Breckenridge Master Plan (MM) PC#2009024 5-105 Huron Road (CR 450)2. Entrada at Breckenridge Development (MM) PC#2009025 5-105 Huron Road (CR 450)	23 33
8:15	<i>Preliminary Hearings</i> <ol style="list-style-type: none">1. Preservation Village at Maggie Placer (MM) PC#2008024 9525 Colorado Highway 9	62
9:15	<i>Combined Hearings</i> <ol style="list-style-type: none">1. Entrada at Breckenridge Re-subdivision (MM) PC#2009033 5-105 Huron Road (CR)	90
9:45	<i>Worksessions</i> <ol style="list-style-type: none">1. Landscaping Ordinance (JC)	95
10:15	<i>Town Council Report</i>	
10:25	<i>Other Matters</i>	
10:30	<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.*



ENTRADA AT BRECKENRIDGE
• MASTER PLAN
• DEVELOPMENT
• RE-SUBDIVISION
5-105 HURON ROAD (CR450)

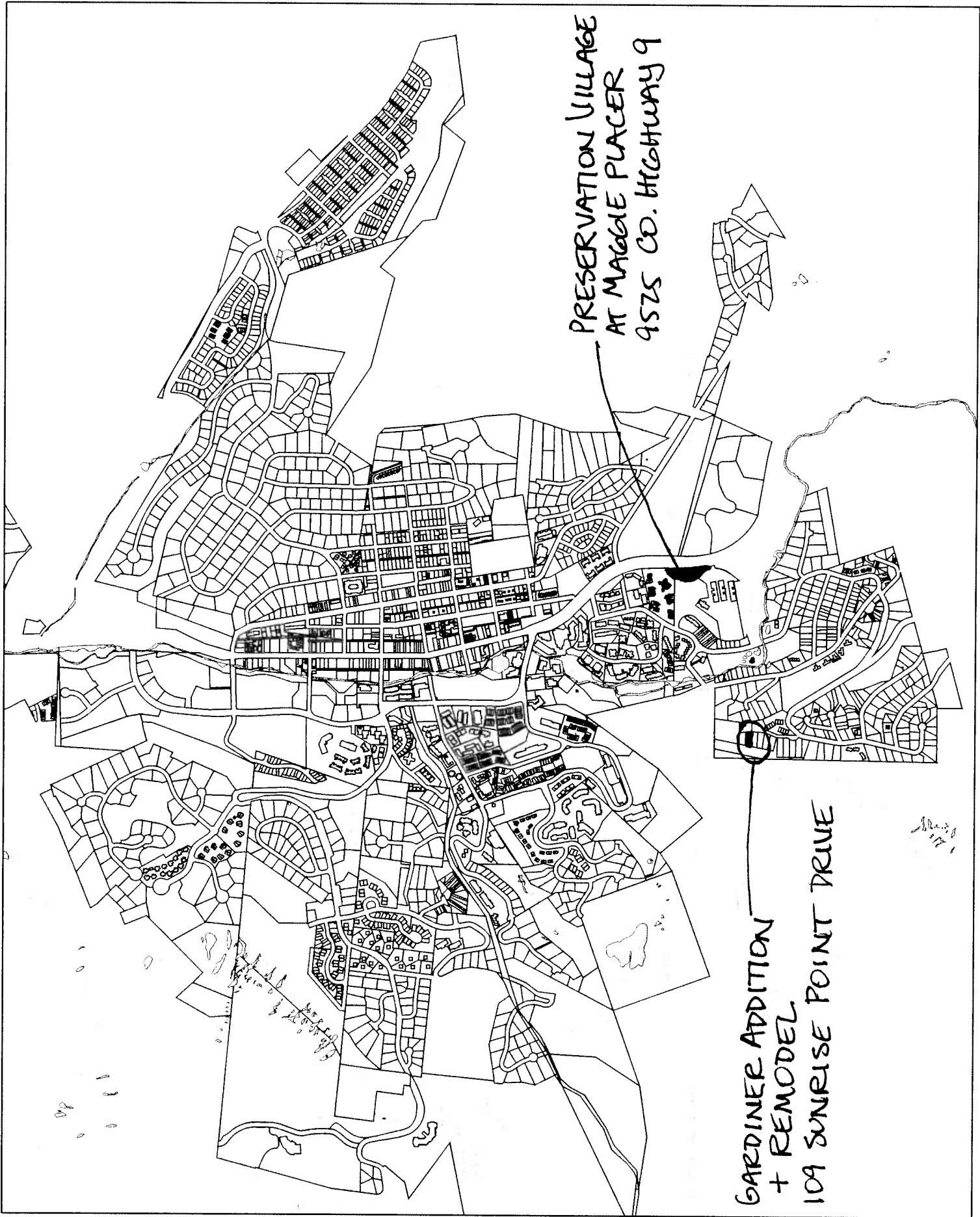


Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and use of the product for any purpose is at user's sole risk.

Breckenridge North

printed 2007





PRESERVATION VILLAGE
AT MAGGIE PLACER
9575 CO. HIGHWAY 9

GARDINER ADDITION
+ REMODEL
109 SUNRISE POINT DRIVE



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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 7:06 P.M.

ROLL CALL

Leigh Girvin	Rodney Allen	Michael Bertaux
JB Katz	Jim Lamb	Dave Pringle arrived at 7:08pm
Dan Schroder was absent.		

APPROVAL OF MINUTES

With three changes, the minutes of the June 16, 2009 Planning Commission meeting were approved unanimously (5-0). Leigh Girvin abstained.

Michael Bertaux's name was misspelled on page 8.

On page 10 under the council report, it should say "Alpine Arborist" instead of "Alpine tree removal". Also on page 10, it was Rodney Allen that said that "the Valleybrook intersection would be 7 lanes wide".

APPROVAL OF AGENDA

With no changes, the July 7, 2009 Planning Commission agenda was approved unanimously (6-0). Mr. Allen suggested that the site disturbance code issue (Policy 7/R) be discussed at the end of the meeting.

CONSENT CALENDAR:

1. Levenick Residence (CK) PC#2009028, 416 Peerless Drive
2. Gittins Residence (CK) PC#2009029, 83 Brooks Snider Road

Gittins Residence (CK) PC#2009029, 83 Brooks Snider Road stands approved.

Ms. Girvin called up PC#2009028 to discuss site disturbance and landscaping. Mr. Allen seconded. Ms. Girvin noted that site disturbance was an issue and the offset of the negative points with landscaping. Mr. Allen noted that the landscape plans on the Levenick plans had only slightly more landscaping than the Gittins plans, but only one of the residences was achieving points for the landscape.

Ms. Girvin asked how near the two homes in Shock Hill were to each other. (Mr. Kulick showed the commission the plans and locations of the homes.) (Mr. Kulick and Mr. Neubecker noted that the Shock Hill plat notes allow for grading and site disturbance outside the envelope, as long as it does not involve tree removal.) Mr. Pringle noted that the home was completely within the envelope. Ms. Girvin noted mitigating excessive site disturbance with landscape doesn't seem right. She suggested we change our philosophy to award positive points for less site disturbance and preserving the natural vegetation. Mr. Lamb said that the issue began a long time ago with the setbacks and site disturbance. (Mr. Neubecker noted that negative points were assigned for site disturbance and the long driveway. The code is set up to have positive and negatives, and any positive points can be used to offset any negative points. The primary issue here is if staff prepared the point analysis correctly. The reason that positive points were not assigned to the Gittins residence is that no negative points were needed to be offset; therefore, a need to assign positive points was not triggered; looking back, Gittins might deserve positive points for landscaping. Staff also thought that the Levenick residence had more and larger caliper trees and a good design.) (Mr. Kulick noted that the landscaping is located to buffer the driveway, not just the quantity of the trees.) Ms. Katz asked whether or not the landscaping would be removed due to the defensible space ordinance. (Mr. Thompson noted that required landscaping is exempt from defensible space.) Mr. Allen cited the code section for the site disturbance. Mr. Pringle noted that they received negative points for site disturbance per the code. (Mr. Kulick noted that Shock Hill has requirements for access and garage design and the residence meets those criteria.) (Mr. Neubecker noted that staff had researched previously approved single family residences and the landscape plans that received positive points. Staff felt that this application did warrant positive points due to that comparison.) Ms. Girvin noted that she would like to look at the landscaping requirements in the code in the future.

John Gunson, Architect for the Levenick residence: The design requirements and plan for Shock Hill Subdivision were done very well. The setbacks from the road make it a really pleasant neighborhood, but also make the driveways longer. Peerless Drive slopes up and the homes are built into the hillsides, and the homes on the other

side of the street really don't see this home. The garage doors are required to be hidden from the street, which makes a nicer streetscape but contributes to longer driveways. When you do a disturbance envelope, that doesn't allow for good grading and drainage solutions. It is almost impossible to not disturb anything outside the envelope. The goal is to avoid retaining walls, reinforced swales and other things, to stay within the envelope. The addition of landscape on the lots provides more diversity in the forest.

Mr. Pringle noted that he hadn't heard anything to overturn staff's point analysis, and could approve the motion.

Ms. Katz moved to approve the Levenick Residence, PC#2009028, with the existing point analysis and conditions and requirements of staff listed in the packet. Mr. Pringle seconded the motion. The motion passed unanimously, (6-0).

FINAL HEARINGS:

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

Mr. Thompson presented a proposal to build a new, 3,365 square foot restaurant and reviewed the Commission's comments and concerns from the last preliminary hearing on May 19, 2009.

Ms. Janet Sutterley, Architect for the McAdoo Corner application: There was going to be rooftop mechanical equipment in the northwest corner near the kitchen area, which is the best location for that equipment. The largest trees will be located on site to screen that equipment. An exit stair is required off the deck. Ms. Sutterley noted the location on the plan and stated that it is tucked into the corner and will not be an entry point and not very visible. A small cricket roof will be located above the stair to accommodate snow shedding. The chimney is now only popping up from the ridgeline, rather than visible the entire elevation. The south elevation shows where solar panels will be located. Signage will come through as a separate signage application, but a free-standing sign will be proposed and if there is additional signage needed it will be on the building.

Mr. Allen opened the hearing to public comment.

Mr. Jason Swinger, Wendall Square Condo Association: The Association has concerns with air quality from the wood burning cooking pizza oven. There could be considerable exhaust that could affect the residential, and that residential isn't allowed to have wood burning unless its EPA Phase II, so why can commercial? The point system shouldn't allow solar panels to make up for air quality. The Association would ask that anything that could be done to minimize the smell and quality of life would be appreciated.

Commissioner Questions/Comments:

Mr. Lamb: Is the wattage for the solar panels known? (Ms. Sutterley noted that that is not known at this time.)
Final Comments: Disagreed with the point analysis. The two negative points for the wood burning is fine, but didn't agree with positive three (+3) points for energy conservation without understanding the wattage and effectiveness of the solar panels. Landscaping points could be applied to offset the negative points, so it will still pass. Thought the Commission needed more understanding of solar panel wattage and what would be enough to achieve these types of positive points. (Mr. Allen noted that the code uses the words "effective means" of renewable energy, which may be something that the Commission has to decide.)

Ms. Girvin: Asked about the smoker at Salt Creek and how it is regulated. (Mr. Neubecker noted that it is regulated by the outdoor burning ordinance.) (Mr. Allen noted the code section on page 102 that discusses wood burning appliances not being allowed.) (Mr. Neubecker noted the difference between the definitions of "wood-burning appliance" and "wood-burning cooking appliance".) (Mr. Pringle noted that the Code allows wood burning ovens for restaurants, and that if there is an issue with a code that it should be brought up to Town Council.) (Ms. Katz noted that the Code applies differently to residential versus commercial development, and that the code specifically allows this use.)

Final Comments: Are the solar panels in the conditions of approval, and required? (Mr. Neubecker: Yes, since they are shown on the plans and discussed in the Staff report, they are part of this development application.) I think Mr. Lamb has a good point about being consistent about what is "effective" and we need to determine if positive three (+3) points would be warranted. It is worth discussing in the future. Agreed with the Wendell Square that the Town Code is very difficult to

understand and it is hard to follow in the public process, but the Code allows this wood burning use. I do support this application.

Ms. Katz: People have different issues with the point system. (Mr. Allen noted that the Commission’s hands are tied by the Code on this application, but Policy 33/R should be reviewed.)

Final Comments: I appreciate the work that has gone into this. I am not sure how to interpret the vague language in the Code regarding renewable energy, but that the point analysis is okay as it stands. (Mr. Lamb noted that this could be an issue in the future, especially when someone puts just one solar panel up and gets positive three (+3) points.)

Mr. Bertaux: What is the EPA rating on the wood burning furnace? (Ms. Sutterley noted that it isn’t EPA certified because it is a pizza wood fire stove with an open front.)

Final Comments: I appreciate the changes that have been made through the process. The Code is made up of a lot of trade-offs, and here is another example. I support the application.

Mr. Pringle: Mr. Pringle noted that EPA rated stoves are not required for commercial; it is just assigned negative points.

Final Comments: I agree with the staff’s point analysis and think it will be a wonderful addition to the streetscape.

Mr. Allen: Did not agree with positive points if only one solar panel.

Final Comments: I agree with a lot that has been said, especially those from the representatives from Wendell Square. The people involved in the project are really good local people, and I believe they will work with the Association to mitigate their concerns. I agree with Mr. Lamb that we shouldn’t be awarding positive points for solar panels when we aren’t sure if they are effective. We could potentially do an audit on built properties, and look at a percentage of energy generated for future projects and points relationship to that. (Ms. Katz noted that an audit on future properties would require more than just solar panels, with other items such as energy efficient windows, etc. as discussed with the state historic preservation office representative a few weeks ago.)

Mr. Neubecker noted that if the wood burning stove was considered a “nuisance” the Planning Commission could assign negative points under Policy 2/R. (Ms. Katz noted that quality of life is based on perception, and some people like the smell of wood burning stoves.) (Mr. Neubecker noted that in his 11 years, this is only the second commercial wood burning stove he has seen. They are much less common than wood burners in residences.)

Jeremy Fisher, Contractor/Builder for McAdoo: The wood burning appliance is a focal point and theme of the restaurant; it is not the primary cooking device in the restaurant. Other Associations have also brought up this as a concern, and we will work on filtering the air and the exhaust system.

Mr. Pringle made a motion to approve the point analysis for Lot 5, McAdoo Corner, PC#2009009, 209 South Ridge Street. Ms. Katz seconded, and the motion was approved (4-2), with Mr. Allen and Mr. Lamb voting no.

Mr. Pringle made a motion to approve Lot 5, McAdoo Corner, PC#2009009, 209 South Ridge Street. Mr. Bertaux seconded, and the motion was approved (5-1), with Mr. Allen voting no.

PRELIMINARY HEARINGS:

1. Gondola Lots Master Plan (CN) PC#2009010, 320 North Park Avenue

Mr. Neubecker presented the next topic on the Gondola Lots Master Plan to discuss the Blue River corridor, landscaping, and gondola plaza as well as infrastructure, utilities and drainage. The restoration and integration of the Blue River into the site plan are key goals of this master plan. The river physically separates this site from the downtown core, but it will become a new link to downtown through an extension of the existing Riverwalk and new pedestrian crossings. By creating a bicycle and pedestrian pathway along the river, the Riverwalk to the south will be connected to the existing bike path on the north. This important link is currently missing, and this portion of the river is virtually inaccessible and is generally unseen by most locals and visitors.

It is important to note that many of the details of the river restoration have not been determined at this time. Portions of the river are owned by the Town of Breckenridge, and the landscape vision for the river includes moving the river to the east adjacent to the Mixed Use building. Also, the land east of the Breckenridge Professional Building on Ski Hill Road is not controlled by the Town or VRDC, and as such, has not been included within this plan. While the master plan envisions how the river might be treated at some point in the future, many of the business aspects of

land ownership or changes to property lines have not yet been discussed. Also, the elevation of the river and the impact to adjacent land if the banks are laid back has not been finalized. As a result, detailed plans for the river are not yet possible. Nevertheless, this master plan seeks to visualize how the river corridor could be improved in the future, and identifies major design elements necessary to integrate the river improvements with the site plan, circulation and land uses.

Landscaping and the use of trees, shrubs, flowers and well designed hardscape will help to minimize the impact of the built environment. It can help provide buffers from public ways, and can be used to provide refuge for both humans and wildlife from the urban environment.

The landscape and hardscape treatment within the plan should reflect the uses of each space. The master plan language seeks to identify major areas of the plan and the appropriate landscape design intent for each area.

In order to develop a large site such as this, many infrastructure improvements are usually required. In this case, much of the needed infrastructure, including most of the roads and utilities are already in place, due to the surrounding developed areas. The existing network of streets, including North Park Avenue, Watson Avenue, and French Street help to feed traffic into and out of this site. Two new roads are proposed to supplement these existing streets, and provide improved internal circulation.

Depending on the design of the Blue River and the pedestrian/bike pathway along the river, new bridges could be installed at Watson Avenue, and possibly at Ski Hill Road. This would be done to allow an underpass at these crossings, where there are currently culverts.

There are water and sanitary sewer lines that surround the subject lots within North Park Avenue, French Street, Main Street and Watson Avenue. There is also an existing natural gas line that runs along the west edge of this property, near Park Avenue. This new development would require the extension of some of these utilities.

During the visioning process sustainability was identified as one of the primary design drivers for this site. Sustainability can mean different things to different people. In the case of this master plan, “sustainability” is used to identify a commitment to environmentally sensitive site planning, efficient transportation systems, energy efficient buildings, low waste construction management techniques, improved indoor air quality, protection and enhancement of the natural environment, energy conservation and renewable energy sources.

Staff welcomed any comments or questions from the Commission concerning the Blue River Corridor, gondola plaza, landscaping/hardscaping, infrastructure, utilities, or sustainability.

1. Did the Commission find that the language on sustainability needs more detail, or did the Commission support more general master plan notes? Did the Commission find that any major sustainability elements have not been addressed?
2. Should the sustainability features be compulsory? Or was the Commission agreeable to a more flexible commitment? (Please keep in mind that it is very difficult at this time to commit to a specific sustainability program now for a project that won't begin construction for many years.)
3. Did the Commission support the design concept for the Blue River and Riverwalk extension?
4. Did the Commission support the language on the restoration of the river? Were there elements that were missing or unnecessary?
5. Did the Commission support the landscaping intent of the master plan?
6. Did the Commission support the design goals for the gondola plaza?
7. Were there other elements of these topics that have not been adequately addressed?

Mr. Dave Williams, DTJ Design, representing the applicant, presented the project. Mr. Williams presented a slide show and began with a discussion of the Blue River corridor. The topics included maintaining the existing trail location, potential to add a pedestrian bridge, landscape enhancement and river restoration. Mr. Williams noted that portions of the river are not owned or controlled by the town or the developer, so it will be worked out in the future in specific areas of the plan. The vision for the Blue River is to develop a destination for all seasons, adding landscape, creating better habitat conditions, providing opportunities for interaction, and extending the bike path. The Blue River is proposed to be shifted east near the mixed use building area of the plan, to provide opportunities

to interaction and bike path extensions. The second topic was landscaping, with a more urbanized landscape treatment on the new Depot streets including planters, street trees, and on street parking. There will be significant buffer landscaping along French and Park Avenue, especially at the parking structures. Adjacent to the ski-back tunnel into the plaza there will be opportunity to walk to the garage, along Park Avenue, or through the plaza. The inspiration for the plaza is intended to be an extension of the mountain and transition to a more urbanized landscape as existing on Main Street. The Gondola Plaza theme is to include the movement of the river, water and snow, including plaza space, water features, and landforms. The third topic was sustainability. Mr. Iskenderian, from Vail Resorts Development Company, noted the company's commitment to sustainability and the environment, such as wind credit off-sets, and that there is an over-arching commitment at this project as well. More detailed discussions about specific sustainability measures will occur in the future. A variety of sustainable systems concepts were explored, particularly for high altitude climates and a report was prepared. Big idea concepts for alternative energy included PV arrays for site lighting, PV panels on parking structures, and alternative fuels sources (beetle kill). Alternative snowmelt systems, including seasonal thermal storage, will be explored which utilizes pipe systems under paved surfaces to re-circulate snowmelt to melt snow on the surfaces, similar to radiant heat system. A shade and shadow analysis was completed and showed that the gondola plaza is in sun most of the day, year round. Shared parking facilities are utilized on the project, minimizing surface parking on the site and locating as much parking as possible close to Main Street. The transit system will also be enhanced with this project, including the proposed skier services building, and dedicated bus or trolley that delivers people directly to Main Street. A list of LEED/LEED ND certification checklist items were shown that could be applied to this project, should a certification level be pursued.

Mr. Allen opened the hearing to public comment.

Ms. Diane Jaynes, property owner on east side of the river: Questions about the gondola plaza, and the large bank and terraces on the sides of the river. My concern is the access and how it will affect private property owners on the other side of the river. Also how will the existing willows and vegetation be addressed, which provides habitat and buffering? Will there be any mitigation with this development as far as privacy for property owners and keeping the public from coming over to our property? Also concerned with flooding in this area, especially the proposed bike path location, and concerned with moving the river. (Mr. Neubecker noted that more detailed studies of the river and floodplain will have to be done in the future. We will get to that detailed level later in the process. Some of the willows will likely be removed, but replaced with other plantings that provide habitat. The idea is to make it more attractive and usable for people along with improved habitat. It will be public on the west side and private on the east side.) (Mr. Pringle: Unless the river is moved further west and creates some public property between your property and the river, it will likely be the same access situation as exists today. At this stage, we only have a vision and these plans will come in the future that you should pay attention to.)

Lindsay Shorthouse, developed the first LEED Certified building in the Rocky Mountains: LEED certification or third party verification could help with the sustainability portion of the master plan. I had the same concerns with the bike path location and nearness to the river. I love the idea of the ice skating rink, since the current facility has events until 3am. Love the idea of the kayak park being extended to this area.

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

Commissioner Questions/Comments:

Mr. Bertaux: Abstained as an Employee of Vail Resorts.

Mr. Lamb: What are the costs to put in river elements that can stimulate the needs of a kayak park? It could generate activity with the large length of river access. (Mr. Williams: That isn't included now, but we are open to suggestions. The Watson underpass could interrupt a kayak park.)

Final Comments: Liked the sustainability details in the plan and think that it should be compulsory. Thought the design concept for the Blue River is good, although early on. Supported language on restoration. This whole project revolves around the river, and this is a great way to improve it, augment properties, and enhance habitat. Thought the landscaping will have good buffering. Trust that the gondola plaza will be absolutely beautiful and it will be on the cover of travel brochures. Liked the language of the third party certification on sustainability.

Ms. Girvin: On the current transit building, were public monies used to build that? (Mr. Iskendarian: Yes.) Will it be paid back? (Mr. Neubecker: No. The agreement with the state is that the function of the

facility be provided or replaced.) Where are stormwater detention and improvements addressed in this plan? (Ms. Shannon Smith, Town of Breckenridge Engineer, noted that it isn't a requirement to provide stormwater plans at this level, only that it will happen and there is adequate space allocated.) It doesn't have to be done? (Mr. Neubecker: We will verify that there is enough space to accommodate it, but we don't need to know the details yet. We just need to know that it will fit.) (Mr. Williams noted that the best water quality management strategy is to allow stormwater to infiltrate prior to entering the Blue River.) When this is developed, how will we stage our parades and where will we have our fireworks? We need to consider these things. (Mr. Neubecker: I've wondered about that, but I don't think that community has discussed it.)

Final Comments: A little concerned with moving the river near the mixed use building. Liked the ability to enhance the river in that area, but it would eliminate a lot of free employee parking. Free parking should be replaced. Stressed "free" for employees because I know how much it costs to park in ski area lots. Was concerned with stormwater, and there has to be room for it. One issue I'd like addressed in the sustainability plan is landscaping that enhances wildlife and bird migration. The sensitive river and wetland environment is primary area for birds and other wildlife and it is important. There are a lot of design elements in the existing gondola plaza, and if you can provide detail here it should be included in other areas of the plan as well. Sustainability needs more detail and should be compulsory. Generally supported the Blue River concepts. The 4th of July and parade issues also should be addressed.

Ms. Katz: Final Comments: Felt better tonight than I did before, and some unknowns have been answered tonight. Really liked the idea from Ms. Shorthouse regarding third party certification regarding sustainability. Did think that sustainability should be compulsory, because VRDC is a publicly traded company and we should nail it down. (Mr. Iskenderian: I have no problem with you holding us to it. Put it in writing in the plan). Was fine with the design concepts for the river and restoration. Fine with landscaping intent and design goals for the plaza. There are many elements that haven't been adequately addressed, but this is doing the best that it can to address what we know now. We need to make our intent as clear as we can whenever we can.

Mr. Pringle: With respect to the Blue River corridor, do we want to anticipate that a corridor by which the river will run through will be dedicated with this development, or stated another way; should the river fall within a specific area with this master plan? Or should we wait to see what will happen in the future? (Mr. Neubecker noted that this plan should establish a vision for the corridor, and the specifics of where things will be located or restored, etc. will be required to meet the vision.) On the gondola plaza behind the gondola, my sense is that the river goes down very steeply in this area. The plans show a very minimal amount of land for gondola queuing in this area; is this really a good representation of the land availability? (Mr. Williams: Vail Resorts operations people have reviewed the plans and felt it would operate to their standard.) Do you think that the river can be laid back more? (Mr. Williams noted that some areas of the river cannot be laid back and others will more likely be stepped terraces, as opposed to a gentler slope, due to the existing grades around the area. The steps will provide access to the river in this area.)

Final Comments: Agreed with the concept of sustainability, and wondered if the commitment is more of a building code consideration than vision in the master plan. It really gets tied down at the building department level, rather than the planning department. (Mr. Iskenderian: The goal is to document those sustainable elements that we would like to commit to). Applauded the Applicant's commitment, but wondered if the Applicant can commit to these because they are building code issues. Wanted this project to provide economic vitality to the town, and didn't want to lose track of that in this process. It is a key part of sustainability. Supported the design concept and vision for the Blue River and language of elements for restoration. Liked the landscape intent and transition from north to south. Could support the vision for the gondola plaza. Would like to keep the idea of the river as more natural, as opposed to more manipulated.

Mr. Allen: You mentioned a potential bridge over Ski Hill Road? (Mr. Williams: Under Ski Hill Road; and it is highly dependent on what happens in the southeast area of the river plan. Our focus is to not preclude the potential for that to happen.) (Mr. Pringle: will that be part of a future development agreement?) (Mr. Williams: It can't be a part of this master plan, because we don't own or control that area.) One of the concerns last time from a community member was lighting on the top floor of the parking structures. How would solar panels on the top of the parking structure affect lighting?

(Mr. Williams noted that lighting would be located underneath solar panels, should that concept be pursued in the future. Hours of operation and other mechanisms could also be explored.)

Final Comments: Thought that there were a lot of details that need to get resolved. The biggest one is the underpasses, bridges, overpasses, bike paths, etc. and didn't need to see design details, but is that something that is going to happen or not? Minimization of conflicts between people, cars, and bikes is a big issue, and if you can get people under the road that is great. Concurred with Ms. Girvin's comment regarding moving the river and loss of parking in that area. The landscape and hardscape vision needs more detail. On sustainability, agreed with Ms. Shorthouse regarding third party verification (and the highest level of that certification – like gold), along with lists for things like alternative energy etc. Thought the mention of VRDC in the sustainability language should be removed, since the land could be sold. Would like to add carpooling incentive to transportation items in sustainability. Sustainability should be compulsory. The design goals for the gondola plaza are great. Really like what the Riverwalk center has done to the river and would like to create a balance to be not too "Disneyland" but also natural.

COMBINED HEARINGS:

1. Main Street Mauka Re-Subdivision (MM) PC#2009026, 203 North Main Street

This application was removed at the request of the Applicant as it is a Class C Subdivision and will therefore be a staff level approval.

TOWN COUNCIL REPORT:

Mr. Neubecker noted that Mr. Rossi will now be the representative for Town Council. No Town Council members were present to provide a report.

Mr. Allen mentioned that the defensible space initiative is gaining some ground, may go to a vote at some time, and it may be beneficial to discuss it and take another look at it. Mr. Neubecker said that first the Town Council would have to reconsider it, before it would go back to Planning Commission. Mr. Bertaux asked if a lunch or dinner was planned with Town Council coming up to discuss the defensible space ordinance and other code issues. Ms. Girvin noted that the defensible space petition didn't say anything about a vote. Ms. Katz noted that many petitions aren't very well drafted. Mr. Truckey noted that if the petition is accepted, then one step that the Council can take is to reconsider it before it goes to a vote. Mr. Neubecker noted that there is a video that the town is trying to put on the website that shows the effectiveness of defensible space. Mr. Lamb and Ms. Katz noted that people aren't questioning if defensible space works, but rather that it was mandated by the town. Mr. Pringle noted that the town's reasons for approving the ordinance weren't explained thoroughly enough to the public and that public education should be enhanced. Ms. Katz noted that when people are facing tough economic issues, they don't like to be told how to spend their money, and it isn't about why it was approved or why the town considered it. Mr. Pringle asked if there was any liability to the town and the fire district if someone doesn't certify their yard for defensible space. Ms. Katz noted that towns are protected. The interesting case with liability would be if one person does it, and their neighbor doesn't do it. Mr. Neubecker noted that the staff is looking at the ordinance for landscaping and site work, and permit requirements.

Mr. Bertaux brought up the "other petition", and was wondering if it might allow a medical marijuana clinic to be proposed as a use in the town. Are there certain land use districts where that would be allowed? Mr. Neubecker noted that the petition discusses decriminalizing possession of marijuana for adults age 21 and over, and has nothing to do with locations for dispensaries or land use. Town Council recently issued a moratorium for location of new dispensaries in town. Ms. Katz said that she could research police enforcement on the issue. Mr. Bertaux's main concern is with dispensary locations being within a certain radius of a school, church, etc. and will they be treated similar to Adult Oriented Business? Mr. Neubecker noted that these are all things that staff is researching at this time.

OTHER MATTERS:

Mr. Neubecker presented a memo to the Planning Commission listing the Class C Subdivisions that have been approved since the last time the Commission was updated. There were no questions on these approvals from the Commission.

Mr. Allen brought up issues with Policy 7R and site disturbance. Mr. Allen's concern is that although he supports what is in the code now for some applications, but using it as a "one size fits all" doesn't work. He brought up that the site specific considerations are important, and that the code doesn't enforce that at all time. Mr. Pringle noted that is why the code is written as flexible as is it. Ms. Katz noted that the balance is important. Mr. Bertaux noted the similar example with the wood burning oven offsetting points with solar panels. Ms. Girvin noted that solar panels are a lot more expensive than trees. Mr. Neubecker noted that when we bring the landscaping policy forward in a few weeks, we are analyzing the multiplier for the landscaping points. Mr. Bertaux suggested that at some point in the process we need to decide "taller, bigger caliper trees", etc. rather than more trees. Ms. Katz noted that she is not necessarily in favor of reducing available points, and that our flexible code over the years has served us well. It can be frustrating, but for the most part it has had good results. Mr. Pringle noted that we have to trust our staff, and that they are going to come up with the point analysis based on sound judgment. Didn't think it serves the process when if we don't like something we start picking apart the point analysis. We should not do this discussion in front of the applicant in the process of a meeting. If we have a problem with the way the points are being addressed, we should go to a staff meeting to see how it is done and that way we can see how staff arrives at a point analysis. Mr. Lamb brought up the renewable energy, and the concept of a lot value per square foot for effectiveness, and a formula. Ms. Katz noted that we should trust science and think through a way to define "effective" without re-doing code sections. Some day, that percentage of "effectiveness" that we determine now might not be that high of a percentage anymore. Mr. Neubecker noted that the energy policy is written to be vague on purpose at this time. Mr. Lamb noted that planning staff could let the applicant know during the review process that they need to prove that the energy proposal is effective. Precedent isn't set in one meeting, with this application. Mr. Pringle noted again that staff needs to be trusted on this issue. They are the ones that are the professionals and determine how things are awarded. As far as precedent goes, we are never compelled to make bad decisions again based on bad information.

Ms. Girvin noted that she was glad that landscaping points are being considered to be reduced. It is ineffective at doing what it is supposed to do, which is to mitigate flaws. Wouldn't we prefer that people do solar panels rather than plant three more trees? Mr. Allen noted that trees might be preferable in some scenarios. Mr. Pringle noted that it should be negative four (-4) to no (0) points and that there are no positive points. Mr. Allen noted that landscaping can get expensive for positive points depending on scale of the project. Ms. Katz was in favor of positive points for landscaping and keeping it. I trust that staff will push applicants in certain directions on certain applications. Mr. Neubecker noted that he would be happy to look at the landscape projects that Ms. Girvin has brought up on a tour.

ADJOURNMENT

The meeting was adjourned at 10:15p.m.

Rodney Allen, Chair

TOWN OF BRECKENRIDGE

Standard Findings and Conditions for Class C Developments

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 July 16, 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 July 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 January 27, 2011, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to, the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall submit proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. 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.
16. 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.
17. 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.
18. 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.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
20. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is

installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.

21. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
22. 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

23. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
24. 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.
25. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
26. 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.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. 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.
30. 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.
31. 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.**

32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
34. 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)



Class C Development Review Check List

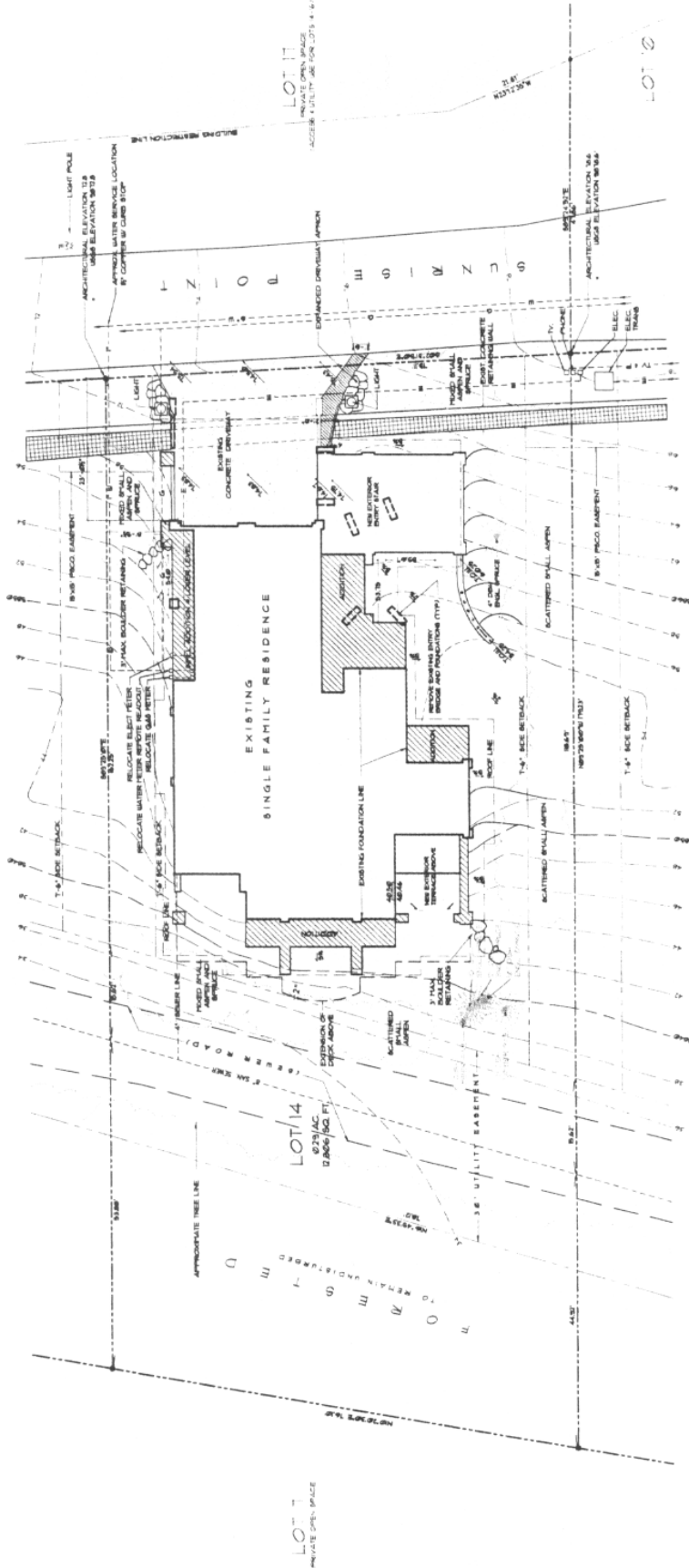
Project Name/PC#:	Gardiner Residence Addition and Remodel	PC#2009031
Project Manager:	Julia Puester, AICP	
Date of Report:	July 13, 2009	For the July 21, 2009 Planning Commission Meeting
Applicant/Owner:	Randy Gardiner	
Agent:	Clifford Taylor Architects	
Proposed Use:	Single-Family Residence	
Address:	109 Sunrise Point Drive	
Legal Description:	Lot 14, Sunrise Point PUD	
Site Area:	12,806 sq. ft.	0.29 acres
Land Use District (2A/2R):	LUD 30.1 Residential Single Family PUD	
Existing Site Conditions:	This is a steep downhill lot of 30% with an existing home built in 1994 with primarily stucco and diagonal wood siding. There is a 30 utility easement at the rear of the lot as well as existing aspen, pine and other vegetation.	
Density (3A/3R):	unlimited	Proposed: 5,901 sq. ft.
Mass (4R):	unlimited	Proposed: 6,869 sq. ft.
F.A.R. Areas:		
Lower Level:	2,650 sq. ft.	(586 sq. ft. new)
Main Level:	2,430 sq. ft.	(824 sq. ft. new)
Upper Level:	821 sq. ft.	(138 sq. ft. new)
Accessory Apartment:	None	
Garage:	968 sq. ft.	
Total:	6,869 sq. ft.	(1,548 sq. ft. new)
Bedrooms:	7	(existing)
Bathrooms:	8	(2 new)
Height (6A/6R): (Max 35' for single family outside Historic District)	over 35 feet (existing)	No added height proposed
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 2,981 sq. ft.	23.28%
	Hard Surface / non-Permeable: 550 sq. ft.	4.29%
	Open Space / Permeable: 9,275 sq. ft.	72.43%
Parking (18A/18/R):	Required: 2 spaces Proposed: 2 spaces	
Snowstack (13A/13R):	Required: 138 sq. ft. Proposed: 140 sq. ft.	(25% of paved surfaces) (25.45% of paved surfaces)
Fireplaces (30A/30R):	3 gas fired	(1 new)
Accessory Apartment:	None	
Building/Disturbance Envelope?	None	
Setbacks (9A/9R):	Front: 25 Side: 16	(existing) (existing)

Side: 11
Rear: 66

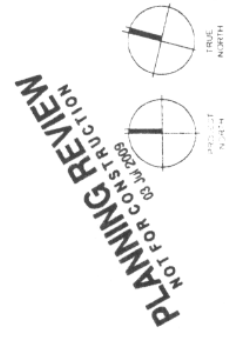
(existing)
(79' existing)

- Architectural Compatibility (5/A & 5/R):** The residence will be compatible with the land use district and surrounding residences.
- Exterior Materials:** Cedar shingle siding in "weathered shingle", natural stone veneer base in "limestone", trim in Douglas fir "oak brown" stain", section of stucco under garage/against the retaining wall area in "weathered shingle"
- Roof:** Asphalt shingle in "autumn blend"
- Garage Doors:** Mahogany wood doors in "mission brown"
- Landscaping (22A/22R):** The applicant has proposed to keep all existing landscaping. No new landscaping is proposed.
- Drainage (27A/27R):** Positive away from structure
- Driveway Slope:** 2 %
- Covenants:** None.
- 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 Gardiner Residence Addition and Remodel , PC#2009031, located at 109 Sunrise Point Drive , Lot 14 Sunrise Point PUD, with the standard findings and conditions.
- Comments:** The stucco area proposed is located under the driveway which faces a steep grade and is not highly visible. It is 18% of the east elevation.
- Additional Conditions of Approval:**

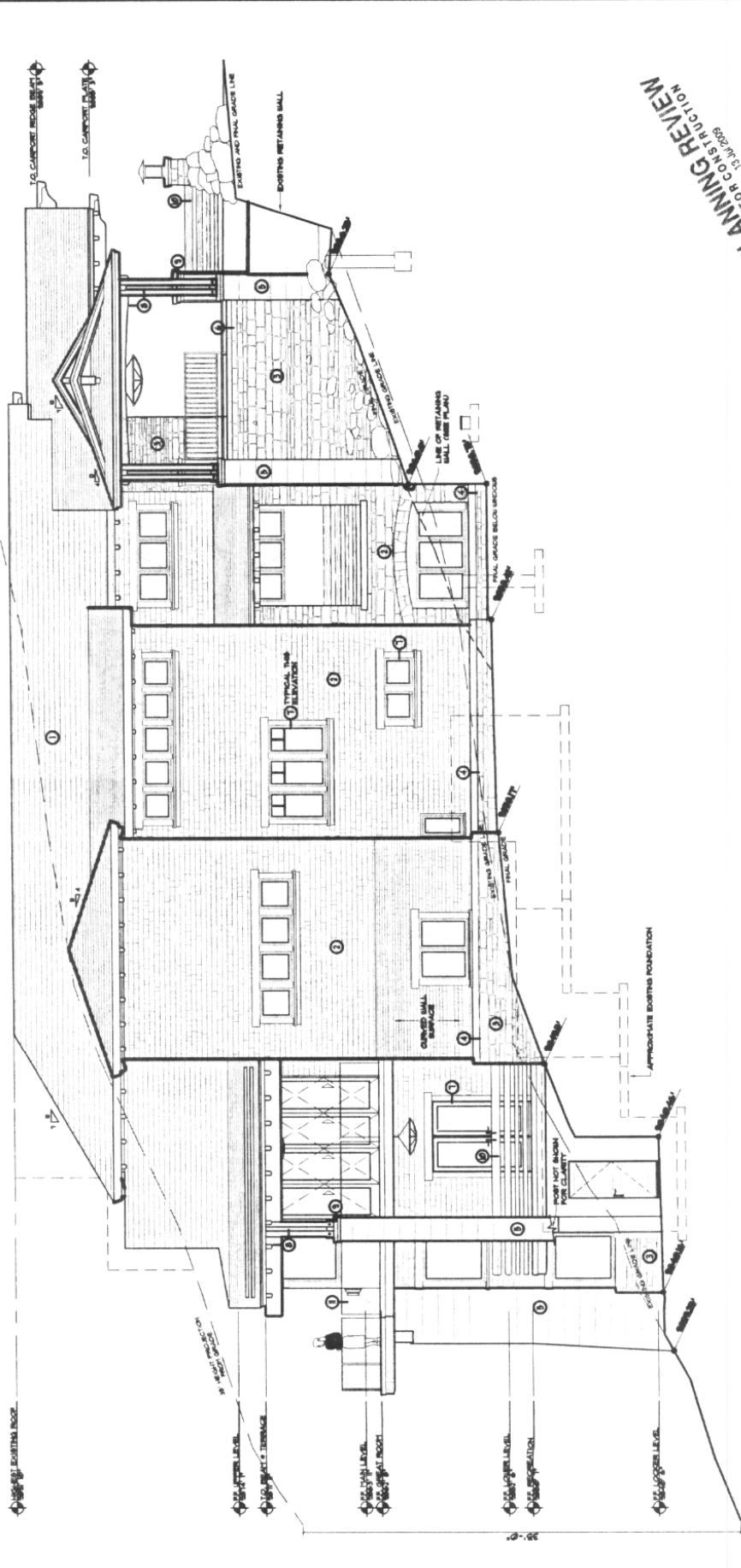
LOT 15



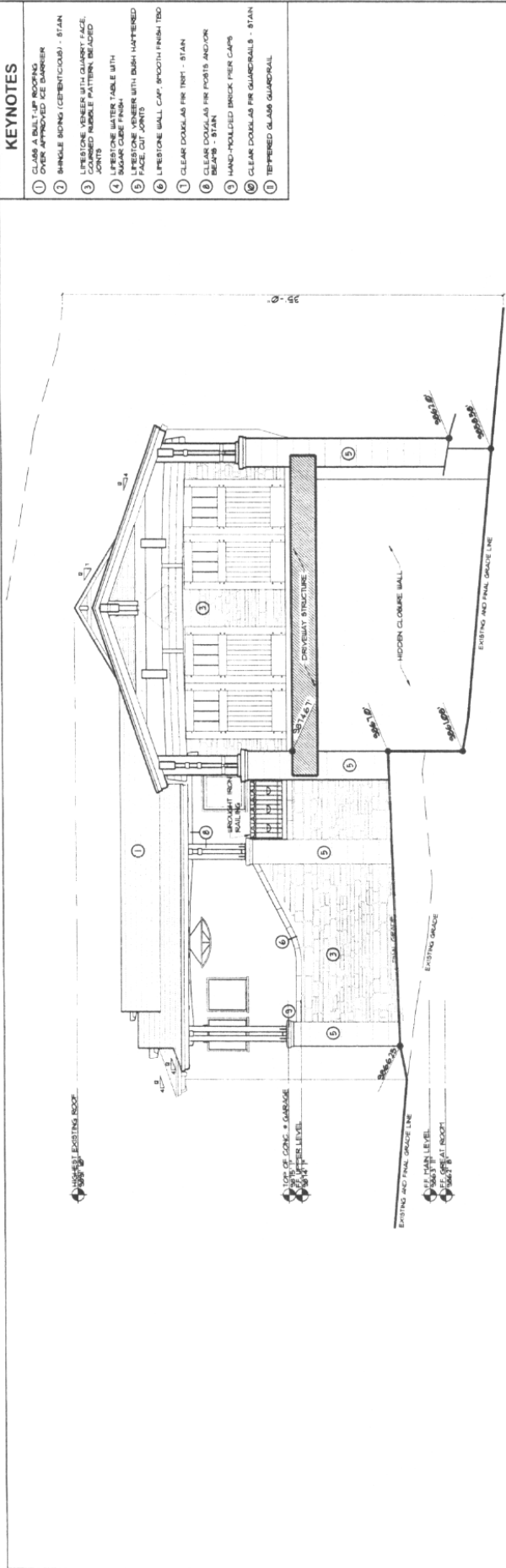
LOT 13



- KEYNOTES**
- 1 CLEAR A BUILT-UP ROOFING OVER APPROVED ICE BARRIER
 - 2 HANDLE SIDING (CENTRICIOUS) - STAIN
 - 3 LITERATURE VENEER WITH GLAZED FACE OVER FIBERGLASS FIBERFACED JOINTS
 - 4 LITERATURE WATER TABLE WITH BRICK CURB FINISH
 - 5 FINISH JOINTS WITH HANDED HAZEL CUT JOINTS
 - 6 LITERATURE MILL CAP, BRUSH FINISH TED
 - 7 CLEAR DOUGLASS PINE TRIM - STAIN
 - 8 CLEAR DOUGLASS PINE PORTS AND/OR SCAPS - STAIN
 - 9 HAND-HOLED BRICK PIER CAPS
 - 10 CLEAR DOUGLASS PINE GUARDRAILS - STAIN
 - 11 TYPED GLASS GUARDRAIL



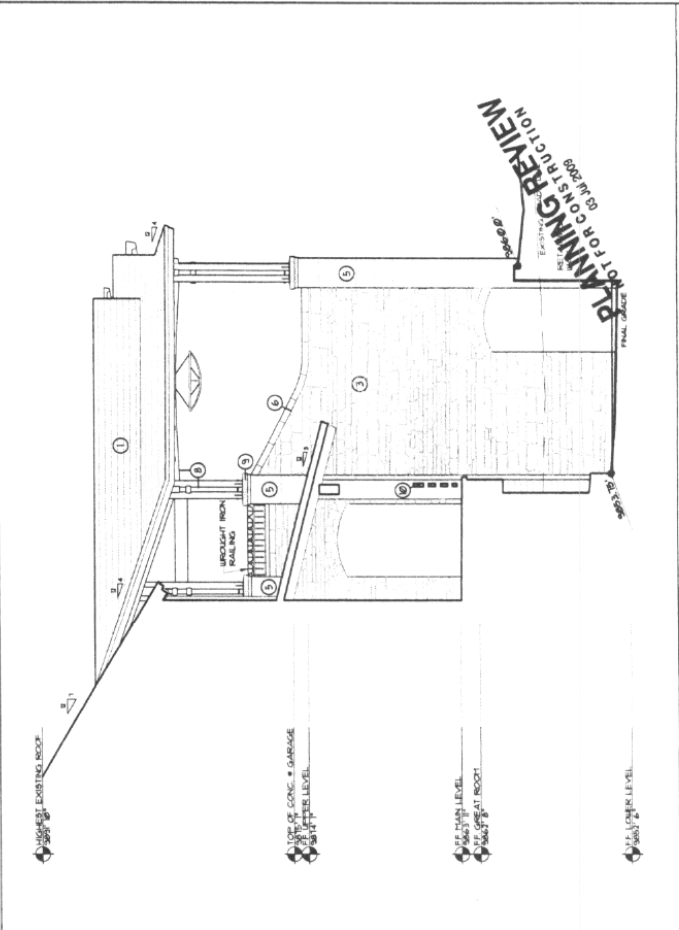
PLANNING REVIEW
 NOT FOR CONSTRUCTION
 12.14.2023



KEYNOTES

- 1 CLEAR AUBURN ROOFING OVER APPROVED ICE BARRIER
- 2 MARBLE BOND (CEMENTIOUS) - STAIN
- 3 LIFESTONE VENEER WITH QUARTZ FACE, SANDY MARBLE PATTERN, BEADED JOINTS
- 4 LIFESTONE WATER TABLE WITH SQUARE CHISEL FINISH
- 5 LIFESTONE VENEER WITH BUSH HATTENED FACE JOINTS
- 6 LIFESTONE WALL CAP - SMOOTH FINISH T&G
- 7 CLEAR DOUGLAS FIR TRIM - STAIN
- 8 CLEAR DOUGLAS FIR POSTS AND/OR BEAMS - STAIN
- 9 HAND-POURED BRICK FINE CAPS
- 10 CLEAR DOUGLAS FIR GUARDRAILS - STAIN
- 11 TEPPERED GLASS GUARDRAIL

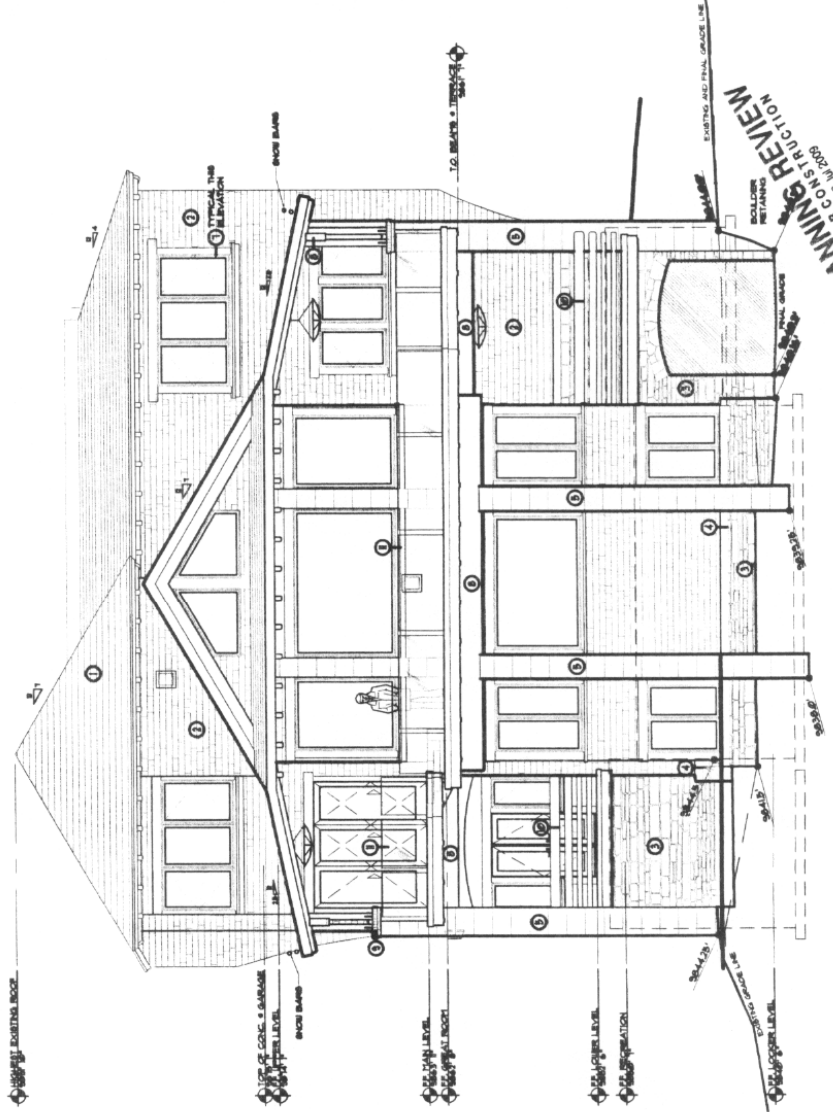
EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION (HIDDEN)
SCALE: 1/4" = 1'-0"

KEYNOTES

- 1 CLEAR A-BILT-UP ROOFING OVER APPROVED ICE BARRIER
- 2 BRUSHED BRONS (OR BENTONICIOUS) - STAIN
- 3 LYPERORE VENEER WITH QUARTZ FACE AND BRUSHED BRONS PATTERNS, BRUSHED JOINTS
- 4 LYPERORE BATTERY TABLE WITH BRUSHED BRONS FINISH
- 5 LYPERORE VENEER WITH BRUSH HATTERED BRONS JOINTS
- 6 LYPERORE MILL CAP, SMOOTH FINISH TID
- 7 CLEAR DOUGLAS FIR TRIM - STAIN
- 8 CLEAR DOUGLAS FIR PORTS AND/OR BRIMS - STAIN
- 9 HAND-HOILED BRICK PIER CAPS
- 10 CLEAR DOUGLAS FIR GUARDRAILS - STAIN
- 11 TINTED GLASS GUARDRAIL



PLANNING REVIEW
NOT FOR CONSTRUCTION
NO. 134289

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

01

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** July 16, 2009 (For meeting of July 21, 2009)
- Subject:** Entrada at Breckenridge Master Plan (Class A, Final Hearing; PC#2009024)
- Applicants/Owners:** Entrada at Breckenridge, Inc. – Kirk Michelson and Kurt Ave
- Agent:** Lee Neely, Neely Architecture
- Proposal:** To master plan the property at Tract A and Tract B, Entrada at Breckenridge (pending annexation, and resubdivision) into two office/commercial properties, one mini-storage property, and a tract to be transferred to the Town of Breckenridge for possible affordable housing or other uses as the Town sees appropriate.
- Address:** (After resubdivision) 32, 36, 74 and 110 Huron Road, northeast corner of Highway 9 and Huron Road
- Legal Description:** Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada at Breckenridge, Summit County Colorado (Reception No. 856500)
- Site Area:** 3.978 acres (173,271 sq. ft.)
- Land Use District:** LUD 5 is being amended during the annexation process to allow mini-storage use. Otherwise,
- | | |
|-------------------|----------------------|
| Land Use Type: | Service Commercial |
| Intensity of Use: | 1:5 Floor Area Ratio |
| Structural Type: | Special Review |
| Land Use Type: | Lodging |
| Intensity of Use: | 10 Units per Acre |
| Structural Type: | Special Review |
- Staff notes that the overall density and uses are being established via the annexation agreement and identified in this master plan*
- Site Conditions:** Prior to this submittal, the applicants have been removing the existing trailers, vegetation, trash, and re-grading the site. There are remaining Lodgepole pine trees along the east property edge. The lot slopes down from east to west at a rate of about 5%. A small triangular portion of the property, at the southwest corner, has been dedicated to CDOT (Reception #776494). An eight-foot wide water service line easement (Reception # 345004) is located along the west property line. There is an existing access easement connecting the parking at Summit Ridge Center and the parking on this property at the northwest curb cut at Highway 9 (Reception # 801773).

Adjacent Uses: North: Summit Ridge Center East: Baldy Mountain Mini-Storage
South: Huron Road and 7-11 West: State highway 9 – Rec. Center

Density: Allowed LUGs and Annexation Agreement: 41,280.40 sq. ft.
Proposed density: 41,280.40 sq. ft.

Density/Use Assignment:

Lot 1 (0.663 acres): 7,264.0 square feet/Professional Office
Lot 2 (0.663 acres): 7,766.4 square feet/ Professional Office
Lot 3 (1.326 acres): Town Use – no density assigned
Lot 4 (1.326 acres): 26,250.0 square feet/Mini-storage w/ one-person office

Item History

In May 2007, Entrada at Breckenridge received a Planned Unit Development (PUD) approval from the County for development within the B-1 zoned property. That proposal included the two office buildings and four mini storage building with an allowed maximum total of 88,200 square feet.

On January 7, 2009, Entrada at Breckenridge submitted a Petition for Annexation to the Town of Breckenridge. Since the submittal, the applicants have been working with Staff and the Town Council on the details of their Annexation Agreement. At the time of this writing, the annexation agreement is expected to be adopted after final approval from the Planning Commission. As part of this agreement, the Town will be receiving the center portion of the property for future development. In exchange, the Town will be providing 6.626 SFEs of additional density (beyond the suggested density in the Land Use Guidelines) that will be exempt from any negative points incurred from the overage during Master Plan review. Part of this reasoning is that the impacts of the extra overall density is partially associated with the mini-storage portion of the development which has minimal water needs, power requirements or parking requirements, besides the small office in one of the storage buildings.

This is the final review of the master plan. A development plan and re-subdivision are being reviewed concurrently.

Changes since the June 6, 2009 Meeting

1. Master Plan Notes include:
 - a. Hours of operation for the mini-storage property
 - b. Restrictions on outdoor storage and uses for the mini-storage property
 - c. Design and location of the fence surrounding the mini-storage property
 - d. Restrictions of type of use for the two office properties
 - e. Parking for the mini-storage is addressed
2. The lots have been relabeled
3. A Use, Density, and Parking matrix is included.

Commissioner and Public Comments from the June 6, 2009 Meeting

Public Comment:

Barbara Campbell (owner in the Highlands, Lot 13, above the development): Due to beetle kill, we have lost nearly 300 trees and my view now looks towards the chain link fence below. Wanted to know the hours of operation because the sound resonates up the hill from the other mini-storage at all hours. Also asked to

see a berm and/or heavily planted buffer with disease resistant plants. (Mr. Mosher: Would it be okay for staff and the applicant to visit your property and look at the views and concerns with you?) Yes. Also, at the neighboring mini storage near this project there are piles of diseased lumber being stored. Would there be restrictions as to what can be stored there? Is anything to be allowed to be stored outside like motor homes etc.? (Mr. Michel: There will be no outdoor storage allowed at this property.)

Bobby Craig (resident on County Road 450): Was in favor of this whole-heartedly. Drives and walks by it everyday, and thought it was a good compromise for all of the parties. Previously thought it might be all developed as storage, and this is a good mix of uses with the development on the corner. Appreciated if those uses weren't a McDonald' or another 7-11. Would like the master plan to move forward quickly.

Commissioner Questions/Comments:

Mr. Bertaux: Do you think that there should be traffic concerns with the turning movements, especially the left turn into the site from County Road 450? (Mr. Mosher noted that this was discussed during staff review with engineering and the project met town traffic concerns.) Would an 8-foot fence be a problem? (Mr. Mosher: Height is needed for security and should blend into background. Should not be a problem with the design.) This will be better than what is there now. Would like to note that many tree species face pest issues, not just the Lodgepole Pine and the mountain pine beetle. Thought that the town attorney and developer need to work on the details of the possible uses for the Town tract and the restrictions on the commercial uses. Buffer the mini storage to the north to address the neighboring properties in the Highlands.

Mr. Lamb: This is very preliminary, and it is below the density that could be used in the County. Sensitive to the building materials, good layout, and it is on its way.

Mr. Schroder: Where is the nicer steel fence being located? (Mr. Mosher: the fence will be on the south, facing Huron Road and the west towards the Town Parcel. The north fence will be black chain link.) Supported the proposal for the master plan.

Ms. Katz: The proposed shared access point with Summit Ridge Center could benefit other adjacent properties, such as the Breckenridge Inn? (Mr. Mosher: they are not included in the official agreement, but possibly yes.) Hoped that Ms. Campbell's comments can be addressed regarding berming to the greatest extent possible. Looks good.

Mr. Pringle: Do we need to expand or qualify the uses on the Town property? (Mr. Mosher: per the current draft of the Annexation Agreement, the town can use the parcel as it sees fit. Any proposal would be reviewed by the Planning Commission. The density will be transferred from Town properties.) Should we memorialize, as part of the master plan, that there is no use either intended or prohibited and the town can use the property as it sees fit? (Mr. Michel: There are obligations in the draft annexation agreement with the applicant and the town.) Will it be noted in your covenants that there won't be any commercial uses in your storage? Will it be residential storage? (Mr. Michel: There aren't covenants. In the agreements it will be noted that it will be prohibited for people to run businesses from the storage unit.) (Mr. Mosher added that this can be addressed on the master plan notes too.) Didn't have any problems with the master plan but wanted to ensure that defining the uses in more detail would be included in the master plan. Hours of operation for the mini storage should also be addressed. This is likely the least obtrusive proposal that you can hope for on the site.

Ms. Girvin: Had a question regarding the use-fit criteria. (Mr. Mosher: the area is Highway 9 commercial and professional offices, no retail.) (Mr. Allen: Can there be a restaurant?) (Mr. Mosher: No. No retail or tourist oriented development is proposed, just offices, banks, etc.) Have you done your market homework regarding mini storage, is there a real need?

(Mr. Michel noted that the market study shows that mini storage is over 95% full in county and there is indeed a need.) Will it be large enough to store recreational equipment, such as boats? (Mr. Mosher: There will be a variety of sizes, not large enough for an RV. There will be no outdoor storage.) Agreed that the project is on track for what is proposed.

Mr. Allen: Does the code address what is allowed in storage units? (Mr. Mosher: No, but the annexation agreement addresses this.) (Mr. Grosshuesch: The Planning Commission can impose reasonable conditions.) This is in the right direction. No issues.

Staff Comments

Land Use (Policies 2/A & 2/R): With the proposed density and use modifications to this Land Use District (LUD) being implemented with the annexation agreement, the proposal falls within the allowed uses and density for this LUD. The portion of the site with professional office uses abuts Highway 9 and the mini storage portion abuts a neighboring mini-storage use in the County.

Part of this portion of the Development Code addresses uses that may create nuisances to abutting properties. Since our last review, and addressing neighbors concerns, the Master Plan notes address hours of operation for the mini-storage lot (from 6 a.m.-10 p.m.), restrictions on what gets stored at the mini-storage, allowed uses for the office buildings. With these modifications, staff has no concerns about the proposed uses.

During the public comment portion of the last hearing, we heard from Barbara Campbell, a concerned neighbor in the Highlands Subdivision, regarding the thinning tree buffer due to beetle kill, and the resulting opening of the view below to this property and the neighboring property in the County. Since then, Staff and applicant met with Ms. Campbell, owner of Lot 13, to walk her property and assess her concerns. We observed that the applicant's property does not abut Ms. Campbell's lot, so there is no opportunity to directly provide extra buffer that could directly screen her property. Many of Ms. Campbell's concerns (noise, outdoor storage, hours of operation) arose from the neighboring mini-storage and can not be directly mitigated with this application, need to be addressed by the county. We did assure her that there would be restrictions on hours of operation, and the neighboring trees on Lot 12 would be preserved (with that owner's permission – see development application).

There is a substantial tree buffer abutting the north property line of the mini-storage lot on the neighboring Lot 12 in the Highlands. The applicant contacted the owner of Lot 12, Greg Hullinger, regarding protecting the existing treed buffer, possibly adding some new spruce trees, and obtaining an easement to store snow from the mini-storage property. He received tentative approval.

However, at the time of this writing a follow up conversation has not occurred. Staff is suggesting that, if an agreement is made, a separate application be submitted (Class D) to establish any agreement between the applicant and the homeowner to preserve the off-site trees, plant new trees, and add a snow stacking easement. This has been added as a Condition of Approval for the Development Application.

Density/Intensity (3/A & 3/R)/Mass (4/R): With the density being established by the Annexation Agreement, the proposal meets the density and mass allowed. As part of the Annexation Agreement, the Town is transferring 6.626 SFEs of commercial density (6,626 square feet) to the property. The proposed density and mass limitations described on the Master Plan fall within this limit.

Site and Environmental Design (7/R): The property has a relatively flat profile (a 5% slope) and has little remaining vegetation except the stand of Lodgepole pines along the east property line. The proposed

building placement is such that a small (two-foot +/-) retaining wall is shown on the plans at the east property line abutting the neighboring mini-storage property and one at the northwest corner. These walls are being placed within the boundaries of Lot 3 and will not impact the neighboring properties.

All access is taken from Huron Road. There are no new proposed curb cuts along Highway 9. There are no wetlands or other significant features on the property.

Snow Removal and Storage (13/R): At the last meeting, Staff expressed concerns about the efficiency of the snow removal within the mini-storage property. The Master Plan Notes include a provision that the owner of Lot 3 is responsible for removing snow, when needed, to ensure proper circulation. At the time of the writing, the notes were being reviewed by the Town Attorney. Any modifications will be addressed prior to recordation of the Master Plan notice. Staff has no concerns.

Internal Circulation (16/A & 16/R): The professional office properties are accessed from a single curb-cut opposite the existing 7-11 driveway on Huron Road. The mini-storage is accessed from a shared driveway with the Town Tract, off Huron Road (pre the Annexation Agreement). There will be a coded mechanically operated gate controlling access to the mini-storage property. Staff notes the Red White and Blue Fire Department has approved the circulation around the office and mini-storage buildings. We have no concerns.

The applicants have provided a traffic study along with this submittal. Planning, Engineering and Public Works staff have reviewed the impacts of this development and the proposed future growth further east from Huron Road and found that the Entrada Development would have negligible impacts on the traffic along Huron Road.

The access driveway for the offices is located far enough away from the Highway 9/Huron Road intersection enough to allow a safe left turn (heading east) and to allow safe access heading west out of the driveway. Also, there is sufficient stacking distance for vehicles turning right onto Highway 9 from Huron Road to not impact the driveway accessing the proposed development. Engineering staff has no concerns.

Special Note: Since the last hearing, Staff and applicants have learned that CDOT will ***not*** allow the existing southern access to the Summit Ridge Center to remain after any improvements to the Entrada property. Though the applicants have an access agreement with Summit Ridge Center to the north to share the existing right-in/right-out only curb cut at the south end of the Summit Ridge Center property, it is now abandoned as part of this submittal. Since this access was not a critical part of the circulation plans, Staff has no concerns with its removal.

As part of the Annexation Agreement, the applicants have dedicated an eight-foot (8') wide easement along the south edge of the property for the Town to construct a new sidewalk. The final grading and drainage plans (required by the Subdivision) will be reviewed by Engineering Staff prior to its construction.

Parking (18/A & 18/R): As part of the Annexation Agreement and the assignment of this property into Land Use District 5, the mini-storage density is only being assigned a parking requirement for the one office space (for one employee), not the remaining storage spaces. The two parking spaces shown on the development plans for the office parcels is adequate for the density and it is noted in the Master Plan Notes.

There is ample parking for the two office buildings and the two employee units beneath Building 2. Staff has no concerns.

Utilities Infrastructure (26/A & 26/R; 28/A): All required utilities exist in the adjacent ROWs. Staff has no concerns.

Drainage (27/A & 27/R): The surface drainage on the office properties is directed to the north to catch basins that tie into the same storm drainage system. Details of the site drainage is addressed with the Subdivision Plans. As the sidewalk is constructed along the south edge of the property, details of drainage will be submitted to Engineering Staff for review. Staff has no concerns.

Fences, Gates and Gateway Entrance Monuments (47/A): Per this section of the Development Code:

C. Outside the Conservation District: Fences and landscape walls are prohibited outside the Conservation District, except the following fences are permitted when constructed in accordance with the design standards described in section D of this policy:

9. fences specifically authorized in a vested master plan containing specific fence design standards;

The Master Plan Notes describe the allowed security fences around the mini-storage property. Typically chain-link fences are seen elsewhere in the county surrounding mini-storage developments for security reasons. With Council direction, the design of the fence facing the west and south (visible from adjacent ROWs and the Town Tract) will not be chain-link but rather a wrought-iron looking steel fence, similar in profile to that seen at the Barney Ford house in Town. However, it will not be an ornate design, but rectangular tube steel, powder coated black, and a maximum of eight-feet tall. (See attached cut sheet.)

The fence at the north property line, abutting the back of Lots 11 and 12 of the Highlands, is proposed as 8-foot tall black chain-link. *(Per the Code: black or dark green vinyl coated chain link fencing is permitted for around ball fields, tennis courts, swimming pools or other outdoor recreation areas. Uncoated or galvanized chain link fencing is prohibited.)* This fence is about 360 feet away from and about 80 feet below the nearest house. It should not be visible from Huron Road (over 300 feet away) and will be behind the office buildings along Highway 9. Specific language and design of the fences are identified in the Master Plan Notes. Staff has no concerns.

The existing fence (uncoated galvanized) from the neighboring mini-storage (in the county) will be utilized for the east facing property edge. This fence is located just on the shared Entrada property line. If this fence were to be replaced by the applicant, it would be black vinyl coated. We welcome any Commissioner comment.

Point Analysis (Section: 9-11-7-3): A draft review of the proposal indicated that this Master Plan has incurred no negative or positive points.

Staff Recommendation

The applicants have been working with all of Town staff during the annexation process to ensure the proposal abides with the Development Code in all possible ways. The Planning Department recommends the Planning Commission uphold the Point Analysis showing a passing score of zero (0) and approve the Entrada at Breckenridge Master Plan (Class A, Final Hearing; PC#2009024) with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

**Entrada at Breckenridge Master Plan
Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada
at Breckenridge, Summit County Colorado (Reception No. 856500)
32, 36, 74 and 110 Huron Road
PERMIT #2009024**

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with the following findings and conditions.

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 16, 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 **July 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. 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. **The permit does not become effective until the Entrada Annexation Ordinance, Entrada New Zoning Ordinance, Revised Entrada Annexation Agreement have been approved and recorded.**
3. 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.
4. The vested period for this master plan expires three (3) years from the date of Town Council approval, on **July 27, 2012**, in accordance with the vesting provisions of Policy 39 of the Development Code. In addition, if this permit is not signed and returned to the Town within thirty (30) days of the permit mailing date, the permit shall only be valid for eighteen (18) months, rather than three (3) years.

5. 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.
6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
7. This Master Plan is entered into pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan. The provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site specific development of the property subject to this Master Plan.
8. Approval of a Master Plan is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
9. Concurrently with the issuance of a Development Permit, applicant shall submit a 24"x36" mylar document of the final master plan, including all maps and text, as approved by Planning Commission at the final hearing, and reflecting any changes required. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the mylar.
10. Applicant shall record with the Summit County Clerk and Recorder a mylar document reflecting all information in the approved Master Plan. The mylar document shall be in a form and substance acceptable to the Town Attorney, and after recording shall constitute the approved Master Plan for the future development of the property.

Final Hearing Impact Analysis

Project: Entrada at Breckenridge **Master Plan**
 PC# 2009024
 Date: 07/16/2009
 Staff: Michael Mosher

Positive Points 0
Negative Points 0
Total Allocation 0

Items left blank are either not applicable or have no comment

Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	Exception provided with Annexation Agreement to allow uses other than those described in LUD 5
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	Density established by Annexation Agreement
4/R	Mass	5x (-2>-20)	0	Mass established by Annexation Agreement
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	0	
5/R	Architectural Compatibility / Conservation District	5x(-5/0)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)	N/A	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)	0	Two-story Land Use District - 26 feet to the mean.
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)	N/A	
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)	N/A	
6/R	Building Height Outside H.D. / Stories	(-5>-20)	N/A	
6/R	Density in roof structure	1x(+1/-1)	0	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)	N/A	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	N/A	
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)	N/A	
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)	0	
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)	0	
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	Exceeds suggested setbacks
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Functional storage with removal requirement for Mini-storage.
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		Separate Dumpster Enclosure
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		

18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		Parking reduced for storage per Annexation Agreement. Office parked adequately
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		Shared driveway with Town property.
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		

Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III

Date: July 16, 2009 (For meeting of July 21, 2009)

Subject: Entrada at Breckenridge Development Plan (Class A, Final Hearing; PC#2009025)

Applicants/Owners: Entrada at Breckenridge, Inc. – Kirk Michelson and Kurt Ave

Agent: Lee Neely, Neely Architecture

Proposal: To develop the property at Lot 1, 2 and 3, Entrada at Breckenridge (pending annexation, master plan, and resubdivision) with two office/commercial buildings, three mini-storage buildings. Tract A shall be transferred to the Town of Breckenridge for possible affordable housing or other uses as the Town sees appropriate.

Address: (Pending resubdivision) 32, 36, 74 and 110 Huron Road

Legal Description: Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada at Breckenridge, Summit County Colorado (Reception No. 856500)

Site Area: 3.978 acres (173,271 sq. ft.)

Land Use District: LUD 5 is being amended during the annexation process to allow mini-storage use. Otherwise, existing LUD

Land Use Type:	Service Commercial
Intensity of Use:	1:5 Floor Area Ratio
Structural Type:	Special Review

Land Use Type:	Lodging
Intensity of Use:	10 Units per Acre
Structural Type:	Special Review

Site Conditions: Prior to this submittal, the applicants have been removing the existing trailers, vegetation, trash, and re-grading the site. There are remaining Lodgepole pine trees along the east property edge. The lot slopes down from east to west at a rate of about 5%. A small triangular portion of the property, at the southwest corner, has been dedicated to CDOT (Reception #776494). There is an existing access easement connecting Summit Ridge Center and this property at the northwest curb cut at Highway 9 (Reception # 801773).

Adjacent Uses: North: Summit Ridge Center East: Baldy Mountain Mini-Storage
South: Huron Road and 7-11 West: State Highway 9 – Rec. Center

Density: Annexation Agreement: 41,280.40 sq. ft.
Proposed density: 41,139.15 sq. ft.

Mass: Annexation Agreement: 41,280.40 sq. ft.
Proposed mass: 41,139.15 sq. ft.

Building Areas:

Building 1	
Lower	0.00 SF
Main	3,923.50 SF
Upper	3,200.00 SF
TOTAL	7,123.50 SF
Building 2	
Lower	1,389.50 SF
Main	2,973.25 SF
Upper	3,140.50 SF
TOTAL	7,503.25 SF
Trash Enclosure	166.50 SF
Mini Storage	
Building A	8,525.00 SF
Building B	8,750.00 SF
Building C	8,975.00 SF
TOTAL	26,250.00 SF

Note: The 1,655 square feet of employee housing on the lower level of Building 2 is exempt from area calculations. See discussion below.

Height: Recommended: 26 feet to the mean
Proposed: 26 feet (mean); 31 feet (overall)

Parking: Required:
Office Building 1: 17.8 Spaces
Office Building 2: 19.0 Spaces
Mini-Storage: 1.0 Space (per Annex. Agr.)
Employee housing: 4.0 Spaces
Total Required: 41.8 Spaces (rounding up)
Proposed: 45.0 Spaces (2 @ mini-storage)

Snowstack: Office Buildings required: 6,068 sq. ft. (25%)
Proposed: 6,248 sq. ft.

Mini-Storage required: 4,347 sq. ft. (25%)
Proposed: 4,390 sq. ft.*
**Master Plan note requiring snow removal.*

Setbacks: Office Property
Front: 50 ft.
Sides: 10 ft. and 50 ft.
Rear: 53 ft.

Mini Storage Property
Front: 60 ft.
Sides: 10 ft. and 7 feet
Rear: 23 ft.

Minutes from the June 6, 2009 Planning Commission Meeting

Commissioner Questions/Comments:

Mr. Bertaux: Have you discussed snow melt systems with the developer? (Mr. Mosher: Yes. We also discussed snow hauling and other drainage solutions.) As far as landscaping, there are several established trees on the site, please save any that you can. On the southeast corner of the storage units, if snow stacking is an issue you might pull some landscaping around the dumpster to provide more room for stacking. Will this project require a model? (Mr. Mosher: It can be asked, and it can be either be built or computer generated to see human scale.) You might want to see the visual impact from the corner, and computer generated would be fine. The architecture is a step up for making it an attractive corner. Liked that there is a lot of rock in the façade. Thought the drive-through looked very good. Thought they could get a positive point or two for 5/R architecture, but project won't need to go fishing for points since it is already an approvable project. A heat system for snow storage might be something to look at. Thank you for the deed restricted units and the property dedication to the town.

Mr. Lamb: Liked the architecture and the 50' setbacks from the road, and it will be a good gateway to the town. The storage buildings will be difficult to make attractive, but did think that it would be a benefit to the community and it is a necessary use. For a property like this, the landscaping that will be offered makes the site look good. Good start.

Mr. Schroder: Can you please explain the stepping in the mini storage buildings? (Mr. Mosher pointed out the stepping on the building elevations. Each mini storage building will have a one-foot step and a ridge vent to accentuate the change in height.) Regarding the landscaping plan, do we expect to see this many trees, since this is a preliminary plan? (Mr. Mosher: Yes. The Land Use District 5 calls for a good buffer. Size, quantity and species are included in the plans.) Was not in favor of negative points for architecture. The buildings up front are beautiful. Perhaps the positive and negative balance each other out. Landscaping could help to block 7-Eleven, but agreed with Ms. Girvin's point. Hoped that the property owner and neighbors can work together. Wanted to make sure that the town's parcel will be addressed. Was also concerned with the turning impacts from County Road 450. How many storage units will be there? (Mr. Mickelson: There will be 256 spaces.) Make sure that drainage is addressed and that the town portion isn't getting swamped. Is the parking at the offices accessible to all public or will it be signed as private? (Mr. Michel: It will be posted as for patrons.) Thought ultimately it is a great application.

Ms. Katz: Was optimistic that this property may finally develop! Liked the vehicular connection to the Summit Ridge Center. Glad that there will be some personal follow up with Ms. Campbell. The drive-through looks good. Also thought that for 5/R that positive points should be provided; in this case it balances out the mini storage which inherently is a metal structure. This architecture goes above and beyond many things in the county for offices.

Mr. Pringle: On self storage, you enter a common door in each building to access from the interior? (Mr. Neely: yes.) Can a change of use be applied for? (Mr. Mosher: Yes, but it would be dealt with in the revision of the master plan and annexation agreement.) You talked about 125 aspen trees, 3" caliper. Thought multi-stem aspens would be important to include and should be added. (Applicant: Will do.) Was also in favor of some positive points for the architecture if staff agreed. Thought circulation and snow stacking issues needed to be worked out in detail for the mini storage. Since an internal hallway will be used for access for mini storage, could there be a clerestory window bringing in some natural light and ventilation which would also provide more interest to the architecture? The landscaping is great.

Ms. Girvin: One of my concerns is what will happen with the access to the town's tract, if a left turn lane was needed to get into the site from County Road 450 (driving east on 450)? We need to accommodate the room for it now by widening Huron Road further back. (Mr. Neubecker: We will run this by the town engineer.) Had concerns with the landscaping and the businesses view from the Highway 9. With too much landscaping, people can't see the businesses. In 20 years from now, how will the businesses feel about that? Thought it was great, but people want visibility to their business. (Mr. Mosher: This is more professional office type building, rather than retail or restaurant, most people might look up the businesses the phone book.) (Mr. Bertaux: Is there an entry monument proposed?) (Mr. Mosher: It is noted on the plans and will be reviewed under a separate application.) Thought positive points for 5/R architecture would be great. Site plan for just the commercial, it seems that there will be a lot of parking. Can snow stacking be provided in the extra parking spaces? There are issues with snow storage and removal to be addressed and was not in support of any snow melt. Thought that would be a waste of natural resources. Thought this project needs to be the nicest storage facility in the county, so it needs to operate and function well. Thought there may be additional access issues that aren't now envisioned with conflicts of patrons using the internal spaces. Also thought that staff should go on site with Ms. Campbell (neighbor) and could potentially locate more landscaping on the northeast corner.

Mr. Allen: Will the drive aisles in the storage area be wide enough for cars to pass each other? (Mr. Mosher: They are 20', so yes. Once established, it isn't an intensive use.) (Ms. Katz: You can get by with that amount of space in my experience with storage units elsewhere.) Have you looked at positive points for 5/R architectural compatibility? (Ms. Katz: Agreed.) (Mr. Neubecker: Keep in mind that there are metal mini storage buildings as a part of the same application.) (Ms. Katz: You can see the effort that is made with the other buildings and we should encourage that.) Since this is a class A application, if a buyer comes in and wants to make a change to these buildings what changes could they make? (Mr. Mosher: Staff would analyze if a change is requested, and a modification may be reviewed as a Class B or C. Applicant notes that they don't intend to do that.) Thought that the application was great. Thought the landscaping as presented warranted positive points. Was concerned with some kind of landscape buffering to Ms. Campbell's lot. Maybe some off-site landscaping could be discussed. Was also opposed to any snow melt systems. Supported the negative three points for the mini storage, but they should get positive points for the commercial buildings under 5/R. If there was potential for pedestrian access from the town tract into the commercial tract it would be appreciated. Thought applicants were doing a great job.

Changes since the Last Submittal

1. Building 1 is now two-stories (not three, with one level in the basement) resulting in a slightly larger footprint.
2. The architecture for Building 1 has been modified as a result.
 1. The drive through bays are located to the east (behind) the building.
 2. Building foot print and roof forms are slightly modified, but all finishes, accents, window types, etc. have remained the same.
3. The site and parking layout has been modified slightly.
4. The northwest drive connection to Summit Ridge Center has been abandoned.
5. Detail of the dumpster enclosure has been provided.
6. New renderings are provided.

Item History

In May of 2007, Entrada at Breckenridge received a Planned Unit Development (PUD) approval from the County for development within the B-1 zoned property. That proposal included the two office buildings and four mini storage buildings with an allowed maximum total of 88,200 square feet.

On January 7, 2009, Entrada at Breckenridge submitted a Petition for Annexation to the Town of Breckenridge. Since the submittal, the applicants have been working with Staff and the Town Council on the details of their Annexation Agreement. As part of this agreement, the Town will be receiving the center portion of the property for future development. In exchange, the Town will be providing 6.626 SFEs of additional density (beyond the suggested density in the Land Use Guidelines).

This is a final review of the development portion of Entrada at Breckenridge. A master plan and subdivision final is being reviewed concurrently.

Staff Comments

Land Use (Policies 2/A & 2/R): With the proposed density and use modifications being implemented for Land Use District (LUD) 5 with the annexation process, the proposal falls within the allowed uses and density for this LUD. The portion of the site with office uses abuts Highway 9 and the mini storage portion abuts a neighboring county approved mini-storage use at the east portion of the site. Staff has no concerns with the proposed uses or their placement.

Density/Intensity (3/A & 3/R)/Mass (4/R): With the density being established by the Annexation Agreement, Master Plan and LUD designation, the proposal meets the density and mass allowed. The density includes the two offices buildings, mini-storage buildings, and trash enclosure. The employee unit is exempt (see below).

Architectural Compatibility (5/A & 5/R):

Office Buildings:

Per the LUGs, both office buildings have been designed as 2-story wood-framed buildings (there is a full basement under Building 2) with a rustic residential architectural feel. Exterior materials include a natural stone base, horizontal chinked 2X12 wood siding and varied dimension vertical cedar siding, with heavy timber accents throughout. Roof materials are architectural grade asphaltic shingles with Corten corrugated metal shed roof accents.

The overall massing of the buildings has been broken up into smaller portions with articulated roof forms of gables and arches. Extra large porches define the entries to each building. Building #1 is being purchased by a bank and includes three drive-through tellers with a lease space on the second level covered with a gently sloping arched roof. The basement level has been eliminated. Each building is accented with a tower element which contains no density. All selected colors are earth-tone. (A color/material sample board will be available at the evening meeting.)

At the last hearing we heard from the Commission that positive points could be supported for the architecture on the office buildings. This has been reflected in the attached point analysis. Staff has awarded positive three (+3) points under Policy 5/R for the architecture of the office buildings. We welcome any Commissioner comment.

Mini Storage Buildings:

Similar to other mini-storage buildings, these are pre-manufactured as metal structures, but the drawings indicate that those portions visible from adjacent right of ways (ROWs) will be sheathed with natural materials and accented with additional height and architectural detail.

The south elevation of each building (facing Huron Road) will follow the same architectural dialog of the office buildings. They will have a stone base, horizontal chinked 2X12 wood siding, 1X12 horizontal lap siding and arched and gable roof forms. These natural finishes wrap the corners of each structure towards the north softening the edges as one passes by. On the west elevation of Building A, the siding finishes continue, with portions of the metal building being left exposed to break up the overall massing along the entire length of the façade. Landscaping is proposed in groupings in those locations where the metal is exposed to lessen the impact of the non-natural material facing Highway 9 (see discussion below).

With the application of remaining metal on most of the mini-storage buildings and none on the office buildings, staff believes that this portion of the application warrants negative three (-3) points overall under this policy at final review. At the last hearing we heard support of this assignment.

Summarizing, the total points assigned under this Policy for architecture would be zero (0) points. Positive three (+3) points for the office buildings and negative three (-3) for the mini-storage.

Dumpster Enclosure:

The dumpster enclosure is a simple form with a main gabled roof with a shed element over the door. The exterior materials are 1X12 lap cedar lap siding with 2X4 wood trim. It contains a dumpster along with a recycling area. There are two small windows facing northwest to add natural light inside the dumpster enclosure. Staff has no concerns.

Building Height (6/A & 6/R): LUD 5 has a building height recommendation of two stories, or 26 feet measured to the mean of the roof. The height of the office buildings measures 26 feet tall. The mini-storage buildings are 16 feet tall. Staff has no concerns.

As noted above, each office building has a tower element containing no density. Per this section of the Development Code:

(D.) Exceptions: Building height measurement shall not include...

(2.) For Non-residential structures and Multi-family structures: Elevator shaft extensions, chimneys, and focal elements such as church steeples, spires, clock towers or similar structures that have no density or mass, (in no instance shall any these structures extend over ten (10) feet above the specified maximum height limit) or the first five (5) feet of height within the first floor common area lobbies in Multi-Family structures.

These tower elements extend 9 feet above the recommended 26 foot height limit and conform to this portion of the Code. Staff has no concerns.

Site and Environmental Design (7/R): The property has a relatively flat profile (a 5% slope) and little vegetation. The proposed building placement is such that only small (2 foot +/-) retaining walls are indicated on the plans. Setbacks from the ROWs to the buildings are ample at 50-plus feet and with the

added landscaping, the development is well buffered from the ROWs. There are no new proposed curb cuts along Highway 9. The curb cut along Huron Road accessing the mini-storage property is to be shared with Tract A (Town Parcel) to minimize further impacts. There are no wetlands or other significant features on the property.

There are two small (2 foot tall +/-) concrete retaining walls along the east property line abutting the existing chain link fence for the neighboring mini-storage development. There is a second retaining wall along the east property lines of Lots 1 and 2 (maximum 4-foot tall). This wall is above the grade at Tract A (to be developed at a future date) so snow removal for the sidewalk along the ROW.

These walls are being placed to aid in site drainage. They are proposed to be faced with a solid textured finish (similar to stucco) with a tan color. Staff has no concerns.

Placement of Structures (9/A & 9/R): Placement of the office and mini-storage buildings exceed the suggested setbacks in the Code. Staff has no concerns.

Snow Removal and Storage (13/R): Adequate snow storage is being provided on each property. The long paved corridors that abut the buildings need to be kept clear and the only area to deposit the snow is at either end of the property at the ends of the aisles. The Master Plan includes a note addressing the removal of snow on Lot 3 as needed (see Master Plan). Otherwise, Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Lot 1 and 2 are accessed towards the south off of Huron Road. The access easement from Summit Ridge Condominiums is being abandoned because of a requirement from CDOT.

The mini-storage is being accessed off Huron Road with a driveway that will share access to the Town Tract (to be developed at a future date). As a result, we are suggesting the application receive positive one (+1) point for providing the shared driveway with the Town Tract.

Office Building 1 includes a drive through. Per this portion of the Code:

3 x (-2/0) B. Drive Through Operations: Outside of Districts 11, 17, 18, 182, and 19 of the Town, as specified in the Town's Land Use Guideline District Map, drive through window operations are discouraged, but may be allowed in those instances where the drive through operation does not create the need for additional curb cuts onto any public street over and above those required to serve the project without the drive through operation. In addition, the Town would encourage that all drive through operations be screened completely from view from any public right of ways and from adjacent property as well.

Since the last review, the plans now show the drive-through for the bank located at the rear of the site well hidden from Highway 9. The closest drive lane is 40-feet from the Town Tract and has a landscaping buffer against the parking area along the east property line. Staff believes that the design of the proposed drive-through fully mitigates the impacts, meets this portion of the Code, and we suggest no negative points be incurred. We have no concerns with the circulation for Office Building 2.

The mini-storage is to be accessed via a driveway off Huron Road with a coded mechanically operated gate. At the Commission's request and responding to neighbor's concerns, the hours of operation for the mini-storage have been restricted from 6AM to 10 PM. We welcome any Commissioner Comments.

In addition, the on site dumpster is also accessed with a code. As storage space is leased, a personal access code is assigned to the lessee to enter and leave the property and to access the dumpster. This discourages any unauthorized dumping on the property. Staff notes the Red White and Blue Fire Department has approved the circulation around the office and mini-storage buildings. We have no concerns.

Parking (18/A & 18/R): As part of the Annexation Agreement and revised LUD 5, the mini-storage is only required to park for the one office space, not the remaining storage spaces. The plans indicate that 2 spaces will be provided, one for the manager and one for patrons.

The office building parking exceeds the minimum required parking requirements. The drawings indicate that for all site lighting, full-cut-off Town compliant fixtures are proposed. Staff will have cut sheet for Commission review at the meeting.

Landscaping (22/A & 22/R): With little existing vegetation on this highly visible site, any new landscaping is important for site buffering and visual enhancement. The revised plans show 34 Engelmann Spruce at 8'-12' tall, 114 Aspen at 2"-3" caliper and 8 Mugo Pines at 4' tall. This along with 173 five-gallon shrubs provides a nice landscaping plan that should buffer the development. This is just a few trees less than the last review. Some of the trees have been moved to the mini-storage site to better shield the west elevation of the development.

We heard comments from the Commission that some of the tree count along the State Highway side could be reduce slightly to show more of the buildings (positive points for architecture) beyond, and aid in any on-site advertising. Based on comments from the last hearing, staff is letting the positive points for landscaping remain. So, Staff is suggesting that positive four (+4) points be awarded under Policy 22/R with the final point analysis.

As a Condition of approval, Staff has added a note regarding buffering the north edge of the mini-storage lot from the neighboring properties: "Applicant shall reach and agreement with the property owner of Lot 12, Filing 1, The Highlands at Breckenridge (65 Forest Circle) to protect the existing stand of trees at the south edge of Lot 12 and add additional spruce trees as needed. If no agreement can be reached, additional landscaping shall be added along the north edge and east corner of Lot 3, Entrada at Breckenridge to buffer the neighboring properties."

Social Community / Employee Housing (24/A & 24/R): Per the Development Code:

D. Employee Housing Density Calculations:

(1) A maximum of ten percent (10%) of the density of a project which is located outside of the conservation district shall be excluded from the calculated density of the project if such density is used to construct "employee housing" as defined in section 9-1-5 of this chapter. ...

The drawings indicate that there will be 1,655 square feet of employee housing located in the lower level of Office Building 2. This equates to 4.01% of the developed density and would incur negative one (-1) point under this policy. As mentioned above, this density is not applied towards the total density of the project. However, it will still be subject to water taps, parking requirements and other Code compliance concerns with the building permit.

Utilities Infrastructure (26/A & 26/R; 28/A): All required utilities exist in the adjacent ROWs. Staff has no concerns.

Drainage (27/A & 27/R): A drainage plan has been provided the subdivision submittal. The current drawings show the drainage at the mini-storage property collecting at a detention pond the northwest corner and then being directed into a storm drain along the north property edge towards the west into the existing storm drain system adjacent to Highway 9. The surface drainage on the office properties is directed to the north to catch basins that tie into the same storm drainage system. Staff has no concerns.

Point Analysis (Section: 9-11-7-3): A review of the proposal indicates that the development passes with positive four (+4) points. Negative three (-3) points would be incurred for the metal portions of the mini-storage under Policy 5/R and positive three (+3) for the architecture of the office buildings. Negative one (-1) would be incurred for the amount of employee housing being proposed. Landscaping could provide positive four (+4) points.

Staff Recommendation

The applicants have been working with Town staff during the annexation process to ensure the proposal abides with the Development Code in all possible ways. The general design impacts (use, density, parking, etc.) of the mini-storage, which are not identified in the Code, are being addressed in the Annexation Agreement.

The revisions in this submittal reflect the comment heard from the Planning Commission at the last hearing along with changes/corrections from the applicants and their agent. The Planning Department recommends the Planning Commission uphold the Point Analysis showing a passing score of positive four (+4) points and approve the Entrada at Breckenridge Development (Class A, Final Hearing; PC#2009025) with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

**Entrada at Breckenridge Development Plan
Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada
at Breckenridge, Summit County Colorado (Reception No. 856500)
32, 36, 74 and 110 Huron Road
PERMIT #2009025**

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with the following findings and conditions.

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 16, 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 **July 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. 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. **The permit does not become effective until the Entrada Annexation Ordinance, Entrada New Zoning Ordinance, Revised Entrada Annexation Agreement have been approved and recorded.**
3. Applicant shall reach and agreement with the property owner of Lot 12, Filing 1, The Highlands at Breckenridge (65 Forest Circle) to protect the existing stand of trees at the south edge of Lot 12 and add additional spruce trees as needed. If no agreement can be reached, additional landscaping shall be added along the north edge and east corner of Lot 3, Entrada at Breckenridge to buffer the neighboring properties.
4. 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.
5. This permit expires three years from date of issuance, on **July 27, 2012**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed

and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.

6. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
7. 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.
8. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.
9. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
10. 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.
11. Applicant shall field locate utility service lines to avoid existing trees.
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 proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. 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.
16. Applicant shall identify all existing trees that 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 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.
20. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
21. 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

22. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 1,655 square feet of employee housing within the project.
23. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
25. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
26. Applicant shall screen all utilities.
27. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
28. 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.
29. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
30. 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.**

31. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
32. 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)

Final Hearing Impact Analysis

Project: Entrada at Breckenridge Development
 PC#: 2009025
 Date: 07/16/2009
 Staff: Michael Mosher

Positive Points +5

Negative Points - 1

Total Allocation +4

Items left blank are either not applicable or have no comment

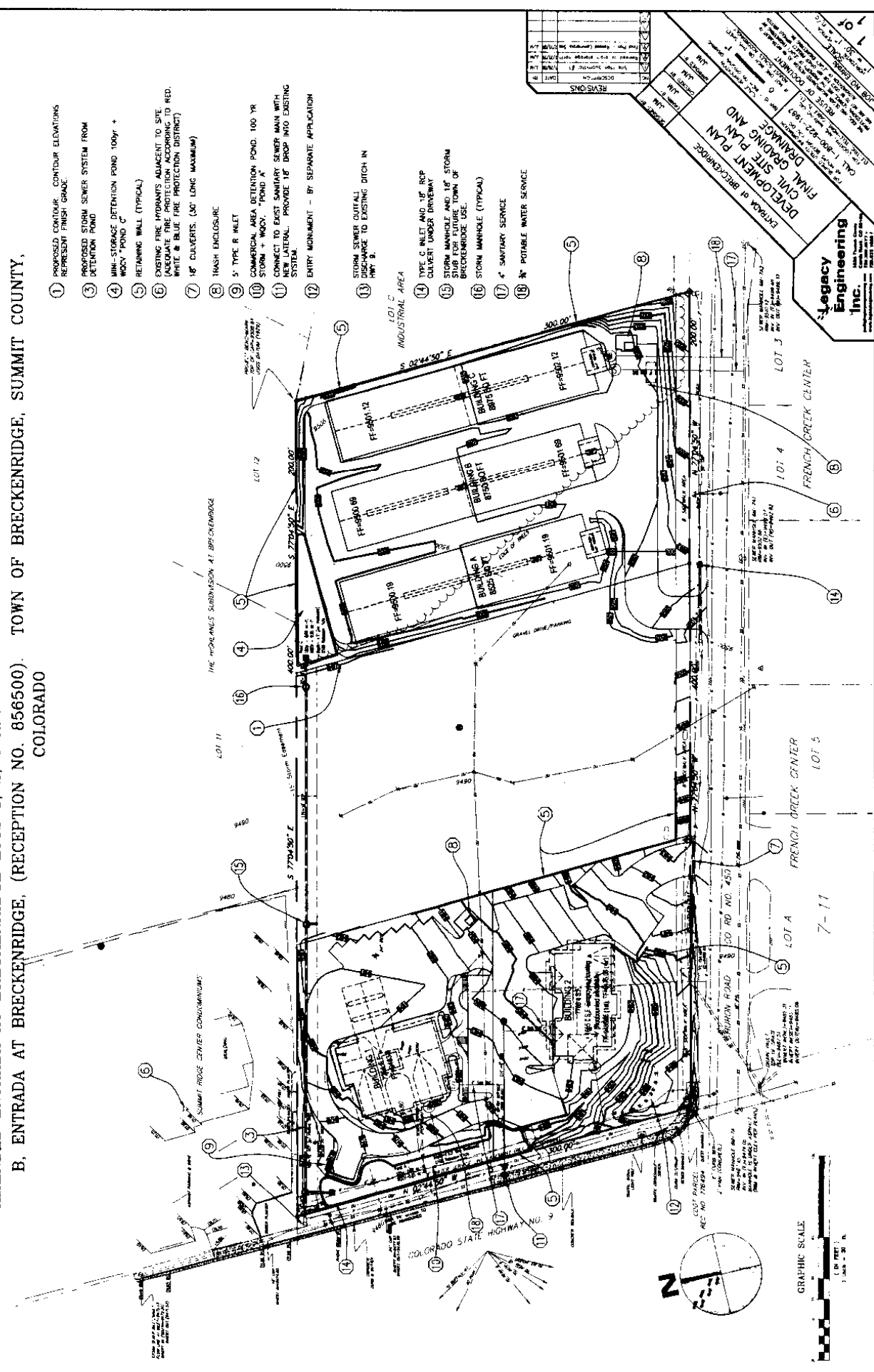
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	Exception provided with Annexation Agreement to allow uses other than those described in LUD 5 - See note
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	Density established by Annexation Agreement
4/R	Mass	5x (-2>-20)	0	Mass established by Annexation Agreement
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	0	Positive three (+3) points for the office buildings and negative three (-3) for the mini-storage.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)	N/A	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)	0	Two-story Land Use District - 26 feet to the mean. Building are 26 feet to the mean
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)	N/A	
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)	N/A	
6/R	Building Height Outside H.D. / Stories	(-5>-20)	N/A	
6/R	Density in roof structure	1x(+1/-1)	0	Offices have some density in roof structure, Storage has none.
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)	N/A	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	N/A	
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)	N/A	
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)	0	
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)	0	Buildings placed away from R.O.W.s buffering between developments - Added landscaping to buffer to the west for storage buildings
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	Exceeds suggested setbacks
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Functional storage with removal requirement for Mini-storage.
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		

15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		Separate Dumpster Enclosure
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		Parking reduced for storage per Annexation Agreement. Office parked adequately
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)	+1	Shared driveway with Town property.
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	+4	Extra landscaping and larger sizes
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	- 1	4.07% to be provided. 1,655 square feet of employee housing to be provided.
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		

Entrada at Breckenridge - Development Plan

AMENDED ENTRADA AT BRECKENRIDGE LOTS 1, 2, 3 AND TRACT A. A RESUBDIVISION OF TRACT A AND TRACT B, ENTRADA AT BRECKENRIDGE, (RECEPTION NO. 856500). TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO

- ① PROPOSED FINISH GRADE, CONTOUR ELEVATIONS REPRESENT FINISH GRADE.
- ② PROPOSED STORM SEWER SYSTEM FROM DETENTION POND
- ③ MINI-STORAGE DETENTION POND 100yr + WOODY POND C
- ④ RETAINING WALL (TYPICAL)
- ⑤ EXISTING FIRE HYDRANTS ADJUSTED TO SITE (ADJUSTABLE FIRE PROTECTION ACCORDING TO RED, WHITE & BLUE FIRE PROTECTION DISTRICT)
- ⑥ 18" CONCRETE (30' LONG MAXIMUM)
- ⑦ TANK ENCLOSURE
- ⑧ 5' TYPE R INLET
- ⑨ COMMERCIAL AREA DETENTION POND, 100 YR STORM + WOODY, POND A
- ⑩ CONNECT TO EXISTING SANITARY SEWER MAIN WITH NEW LATERAL, PROVIDE 18" DROP INTO EXISTING SYSTEM
- ⑪ ENTRY MONUMENT - BY SEPARATE APPLICATION
- ⑫ STORM SEWER OUTFALL DISCHARGE TO EXISTING DITCH IN HWY 9.
- ⑬ TYPE C INLET AND 18" RCP COVER UNDER DRIVEWAY
- ⑭ STORM MANHOLE AND 18" STORM MAIN SERVING TOWN OF BRECKENRIDGE USE.
- ⑮ STORM MANHOLE (TYPICAL)
- ⑯ 4" SANITARY SERVICE
- ⑰ 8" POTABLE WATER SERVICE



REVISIONS

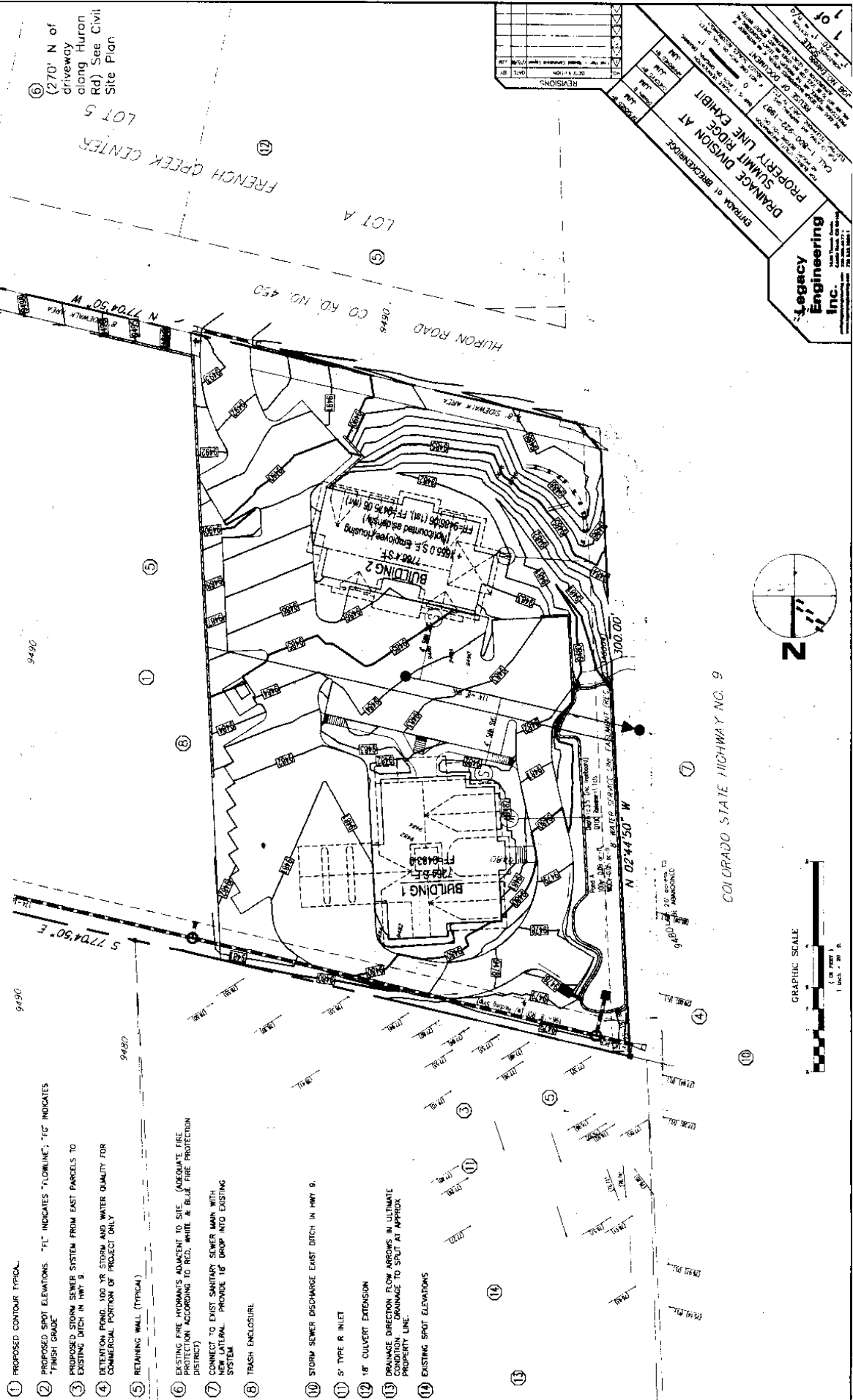
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98	01/15/09	REVISIONS TO PERMITTING
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100	03/15/09	REVISIONS TO PERMITTING

Legacy Engineering Inc.
 1000 14th Street, Suite 100
 Breckenridge, CO 80424
 (303) 469-1111
 FAX (303) 469-1112
 www.legacyeng.com

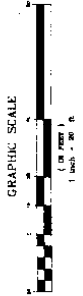
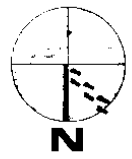


Entrada at Breckenridge - Development Plan

AMENDED ENTRADA AT BRECKENRIDGE LOTS 1, 2, 3 AND TRACT A. A RESUBDIVISION OF TRACT A AND TRACT B, ENTRADA AT BRECKENRIDGE, (RECEPTION NO. 8566500). TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO



- ① PROPOSED CONTOUR TYPICAL.
- ② PROPOSED SPOT ELEVATIONS. "FL" INDICATES "FLOWLINE"; "FG" INDICATES "FINISH GRADE".
- ③ PROPOSED STORM SEWER SYSTEM FROM EAST PARCELS TO EXISTING DITCH IN HWY 9.
- ④ DETENTION POND, 100 YR STORM AND WATER QUALITY FOR COMMERCIAL PORTION OF PROJECT ONLY.
- ⑤ RETAINING WALL (TYPICAL).
- ⑥ EXISTING FIRE HYDRANTS ADJACENT TO SITE. (ADEQUATE FIRE PROTECTION ACCORDING TO RED, WHITE & BLUE FIRE PROTECTION DISTRICT).
- ⑦ CONNECT TO EXIST SANITARY SEWER MAIN WITH NEW LATERAL. PROVIDE 18" DROP INTO EXISTING SYSTEM.
- ⑧ TRASH ENCLOSURE.
- ⑨ STORM SEWER DISCHARGE EXIST DITCH IN HWY 9.
- ⑩ 5" TYPE R INLET
- ⑪ 18" CULVERT EXTENSION
- ⑫ DRAINAGE DIRECTION FLOW ARROWS IN ULTIMATE CONDITION. DRAINAGE TO SPLIT AT APPROX PROPERTY LINE.
- ⑬ EXISTING SPOT ELEVATIONS



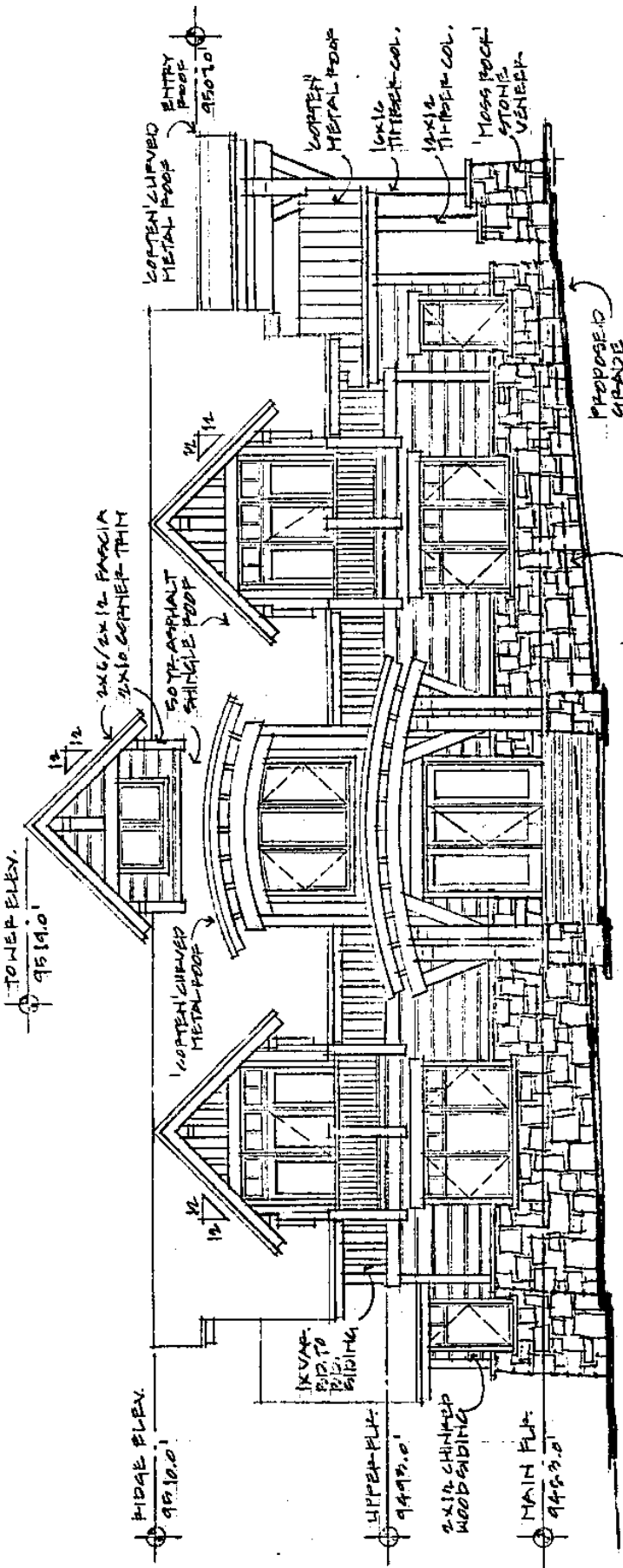
Legacy Engineering Inc.
 1000 S. W. 10th St.
 Suite 100
 Breckenridge, CO 80424
 Phone: (970) 536-1111
 Fax: (970) 536-1112
 Email: info@legacyeng.com
 Website: www.legacyeng.com

DRAINAGE DIVISION AT PROPERTY LINE EXHIBIT

PROJECT NO. 2020-001
 DATE: 10/15/2020
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 APPROVED BY: J. H. HARRIS

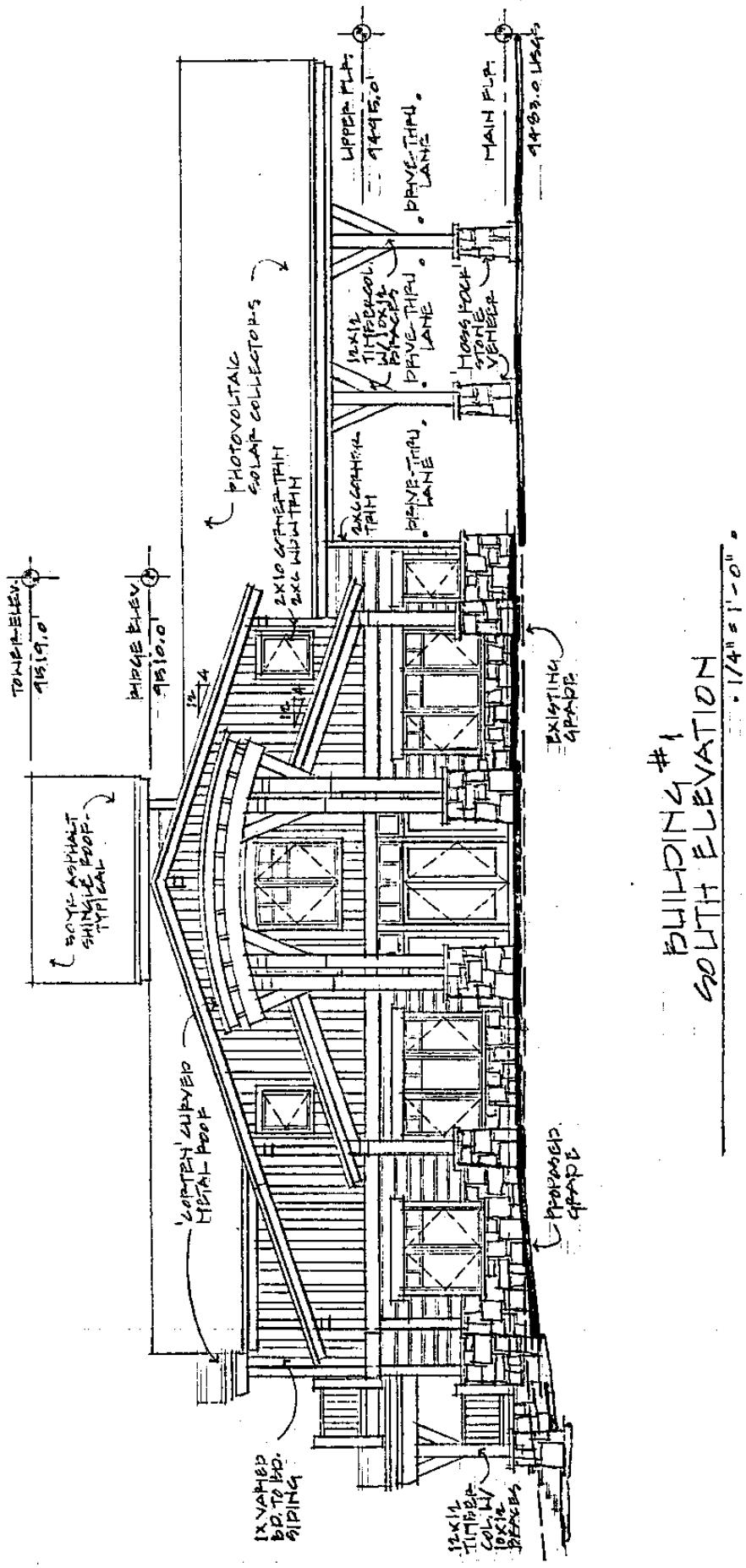
REVISIONS:

NO.	DESCRIPTION	DATE
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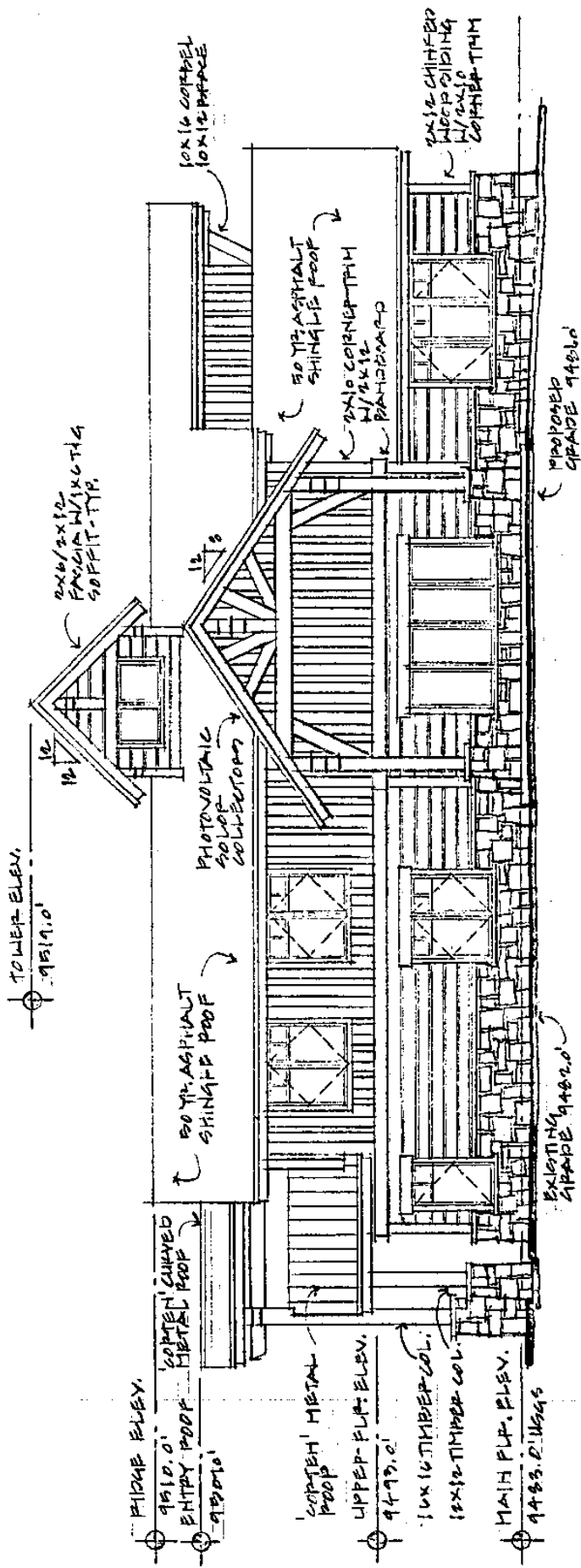


BUILDING #1
WEST ELEVATION

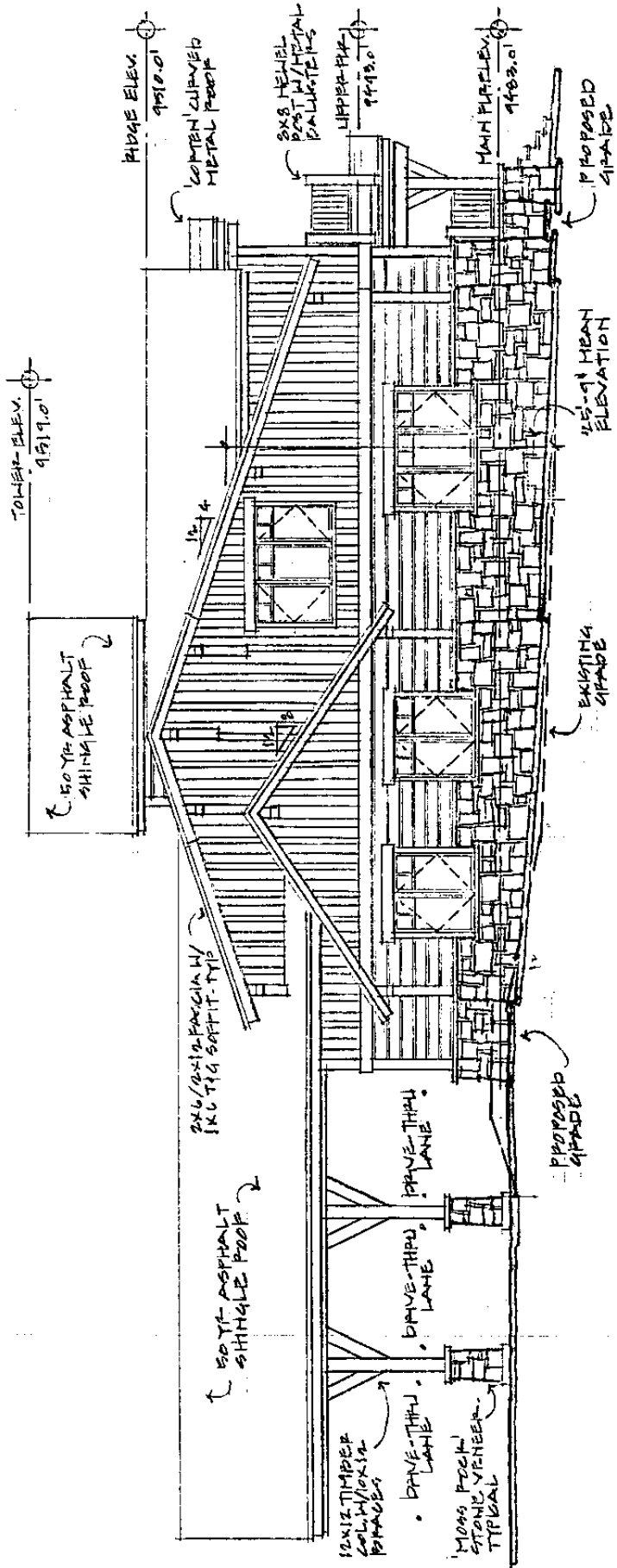
1/4" = 1'-0"



BUILDING #1
SOUTH ELEVATION
1/4" = 1'-0"

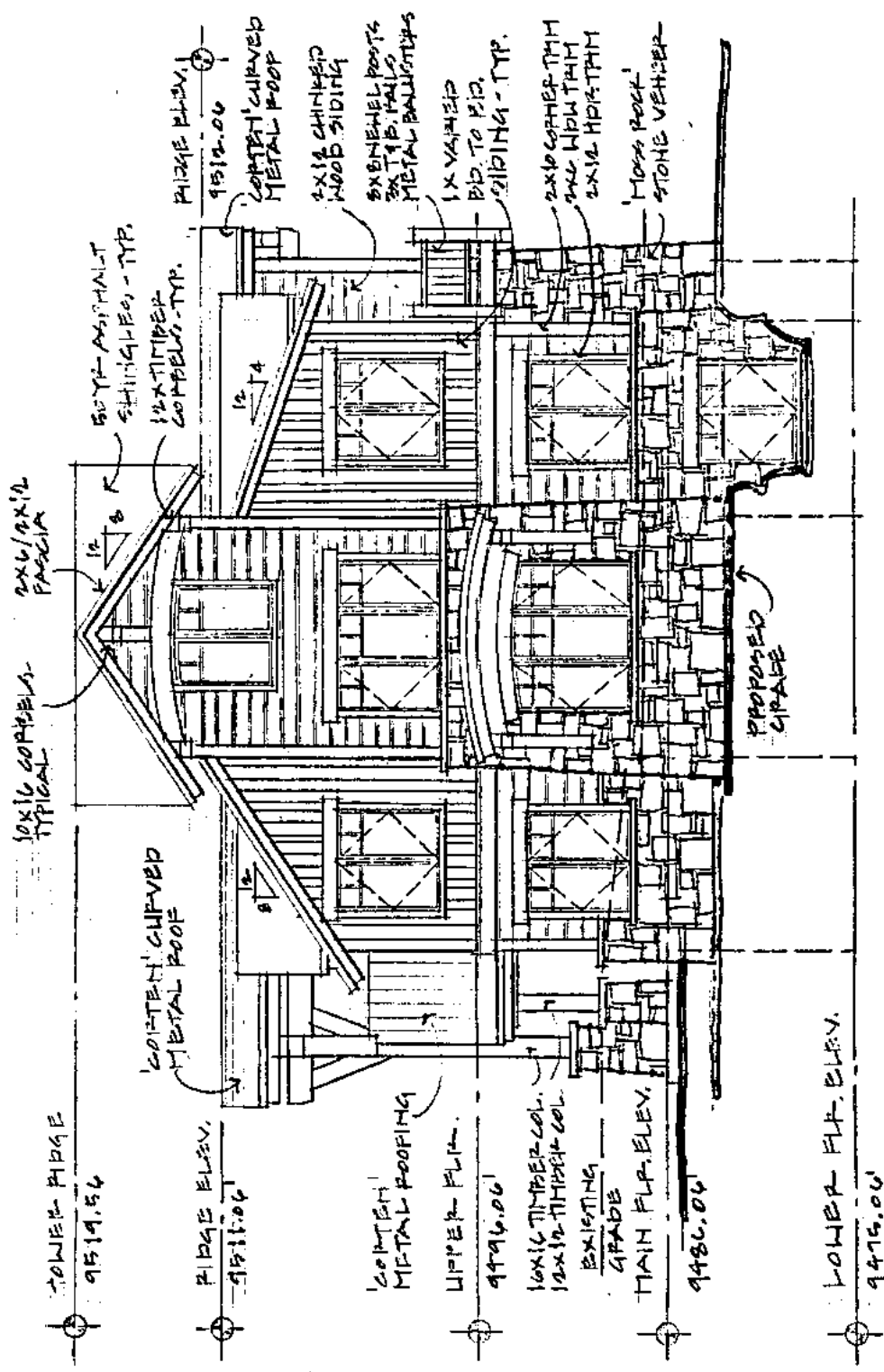


BUILDING #1
 EAST ELEVATION
 • 1/4" = 1'-0"



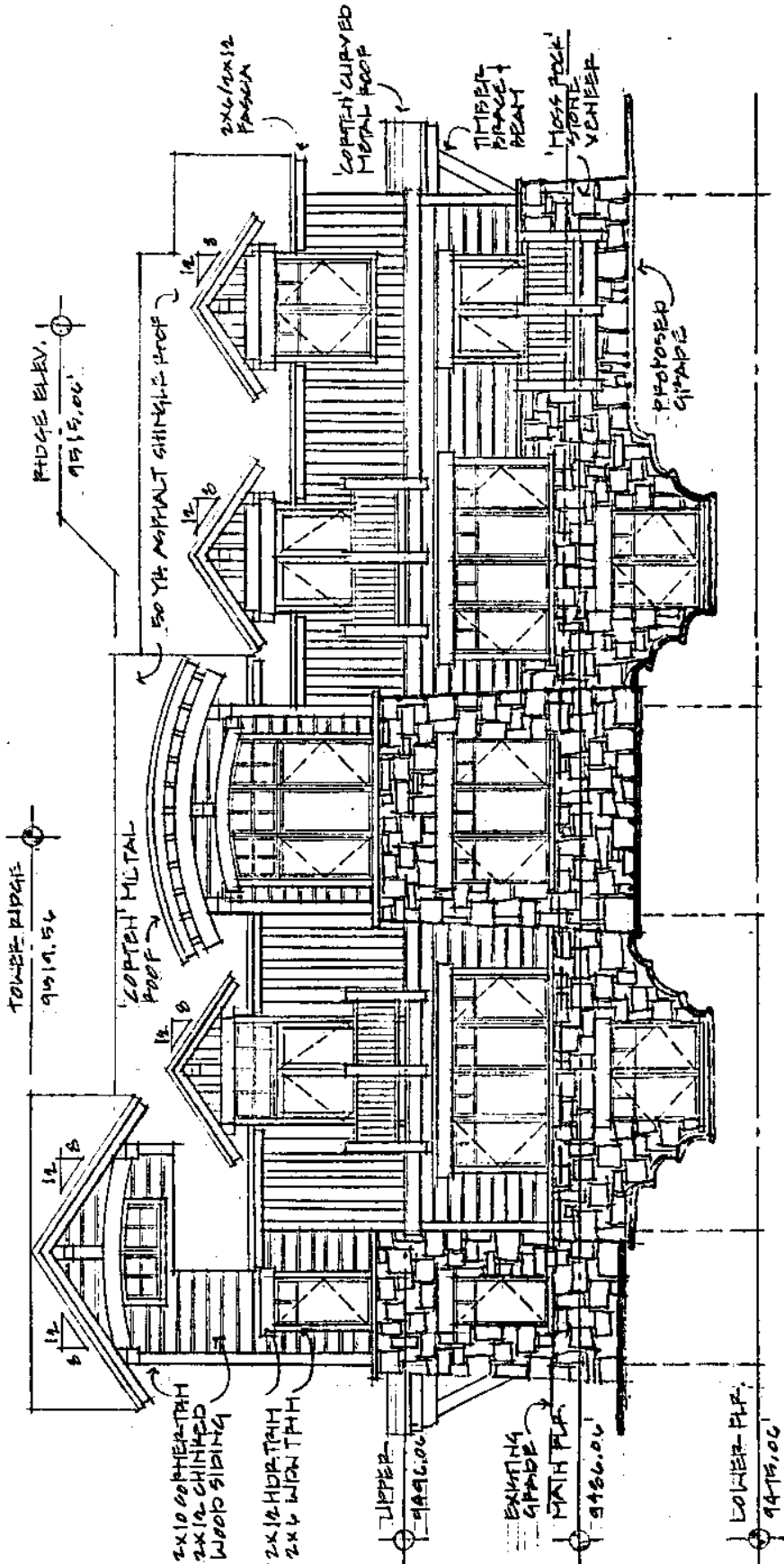
BUILDING #1
NORTH ELEVATION

1/4" = 1'-0"



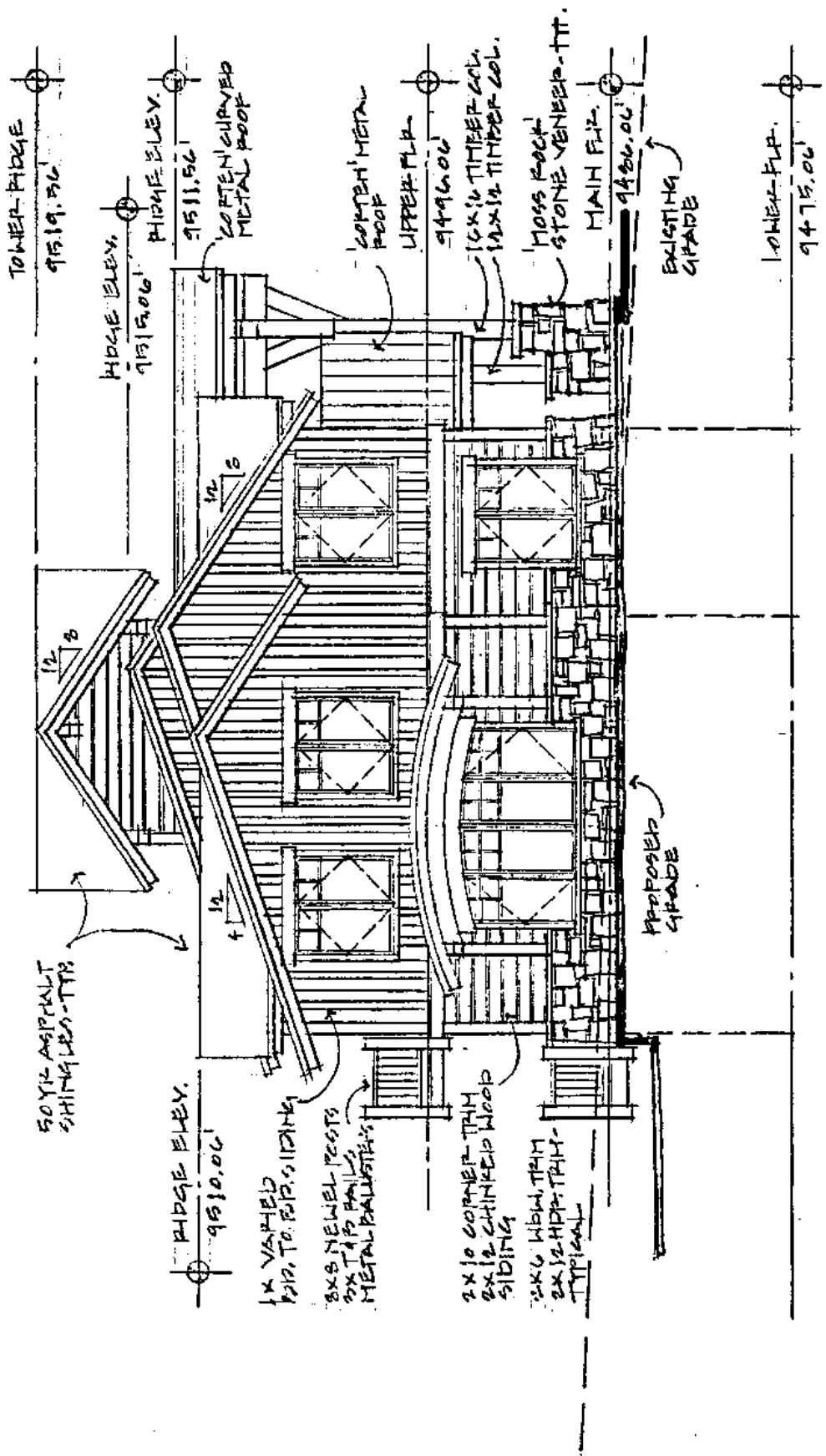
BUILDING #2
WEST ELEVATION

1/4" = 1'-0"



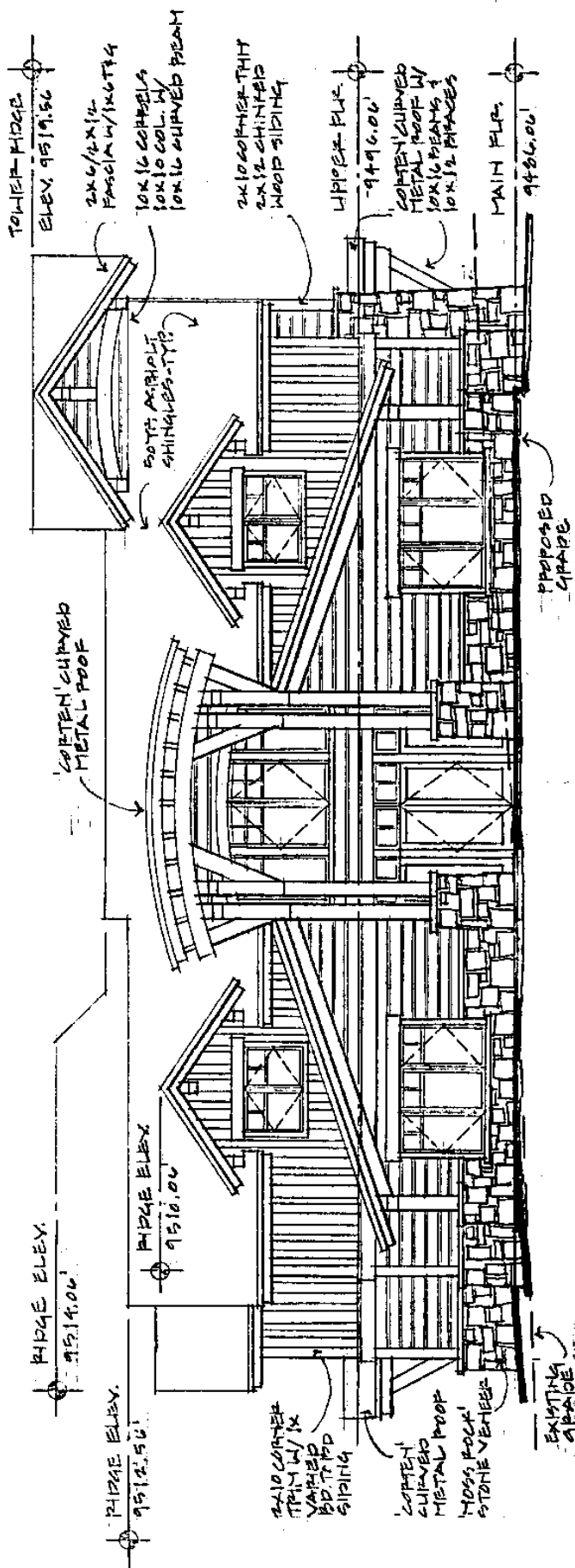
BUILDING #2
SOUTH ELEVATION

1/4" = 1'-0"



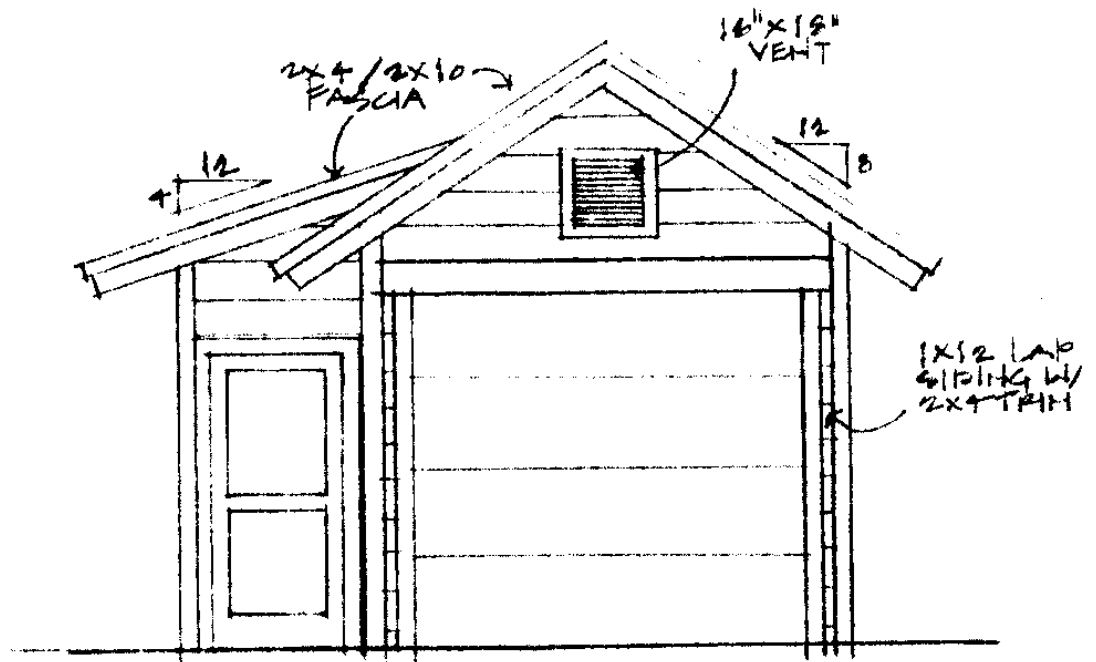
BUILDING #2
EAST ELEVATION

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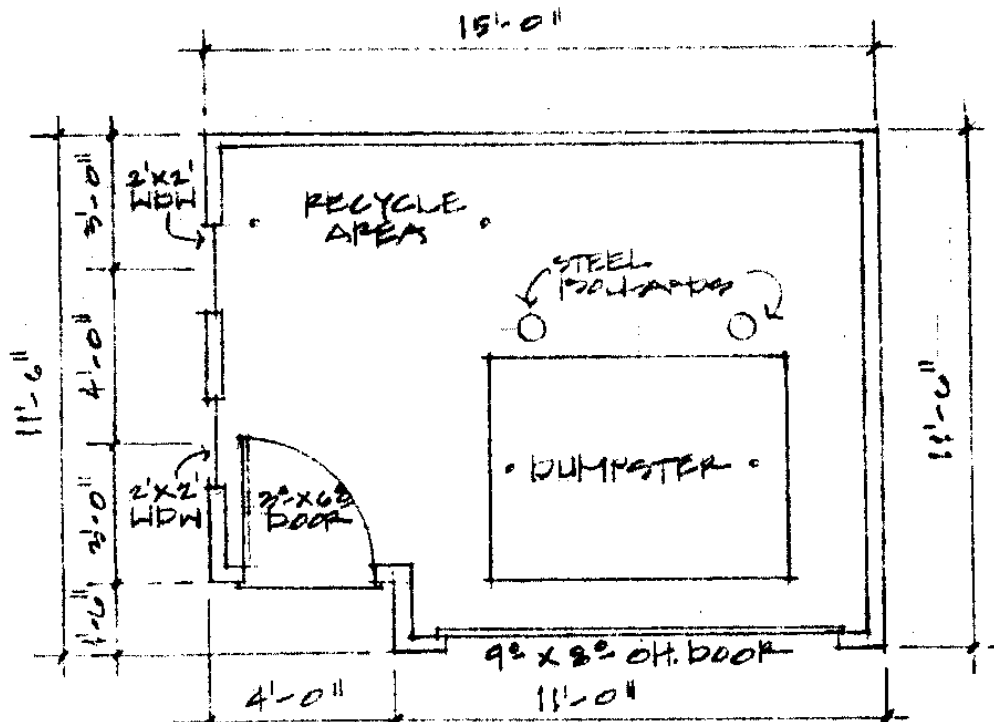


BUILDING #2
NORTH ELEVATION

1/4" = 1'-0"



WEST ELEVATION

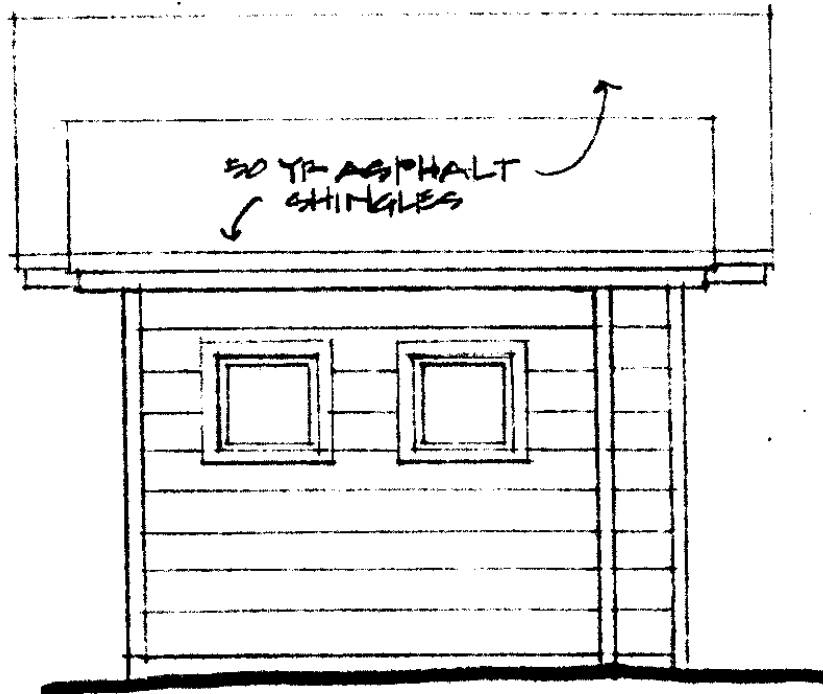


ENTRADA AT BRECKENRIDGE
DUMPSTER ENCLOSURE PLAN

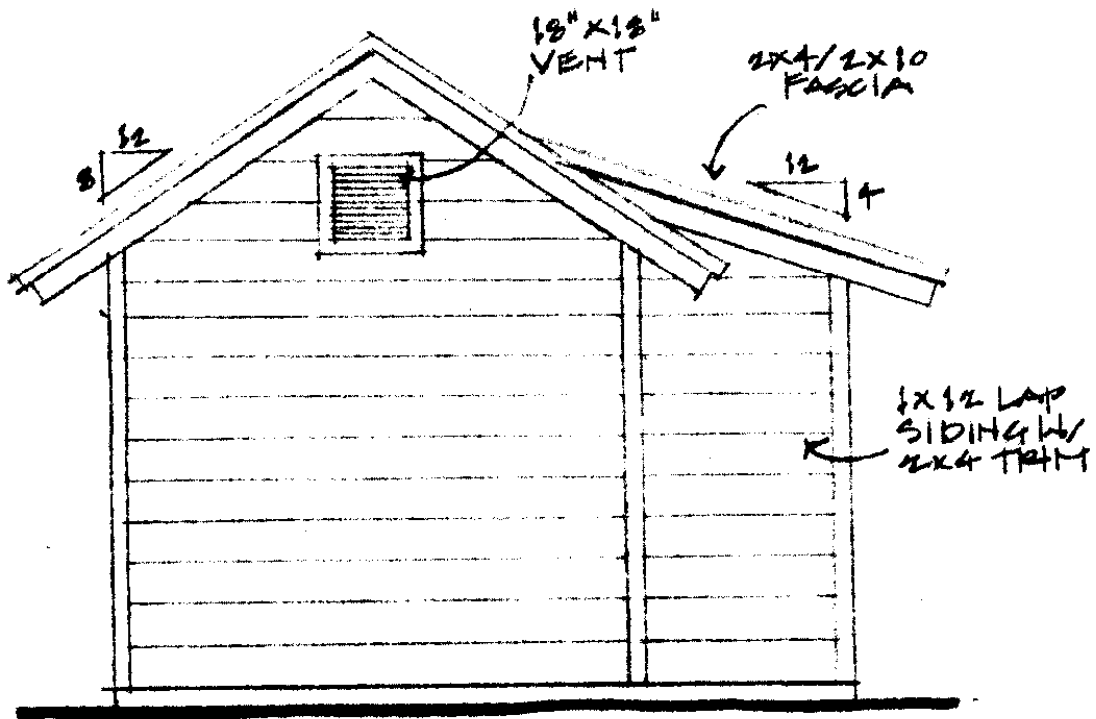
T/10/09

106.5

1/4" = 1'-0"



NORTH ELEVATION



EAST ELEVATION

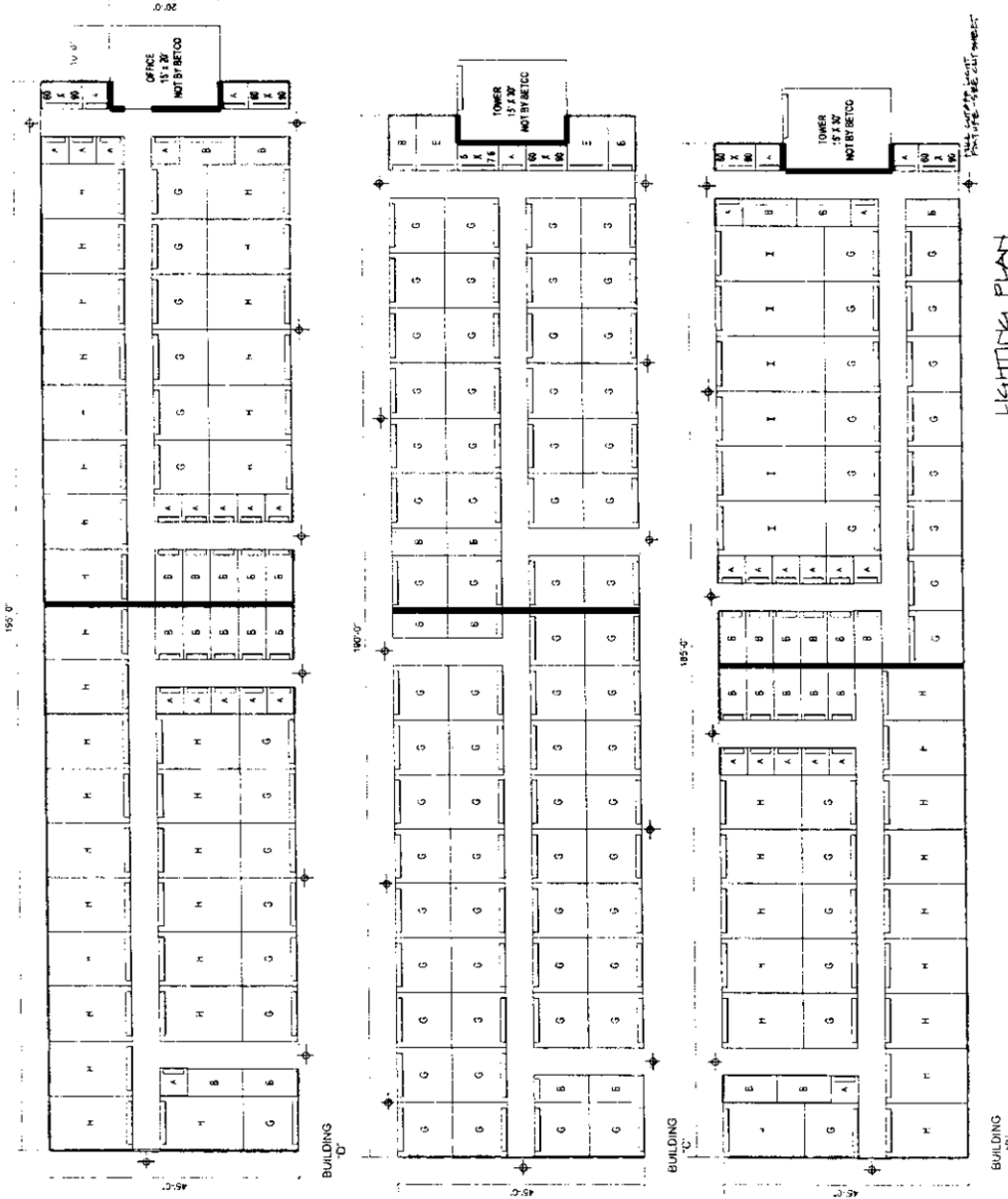
7/10/09

• 1/4" = 1'-0"



ENTRADA AT BRECKENRIDGE
 AMENDED ENTRADA AT BRECKENRIDGE LOTS 1, 2, 3 AND TRACT A
 A RESUBDIVISION OF TRACT A AND TRACT B, ENTRADA AT
 BRECKENRIDGE, (RECEPTION NO. 8565500)

DATE	7/15/04
PROJECT NO.	5-1
DRAWING NUMBER	1 OF 1



LIGHTING PLAN

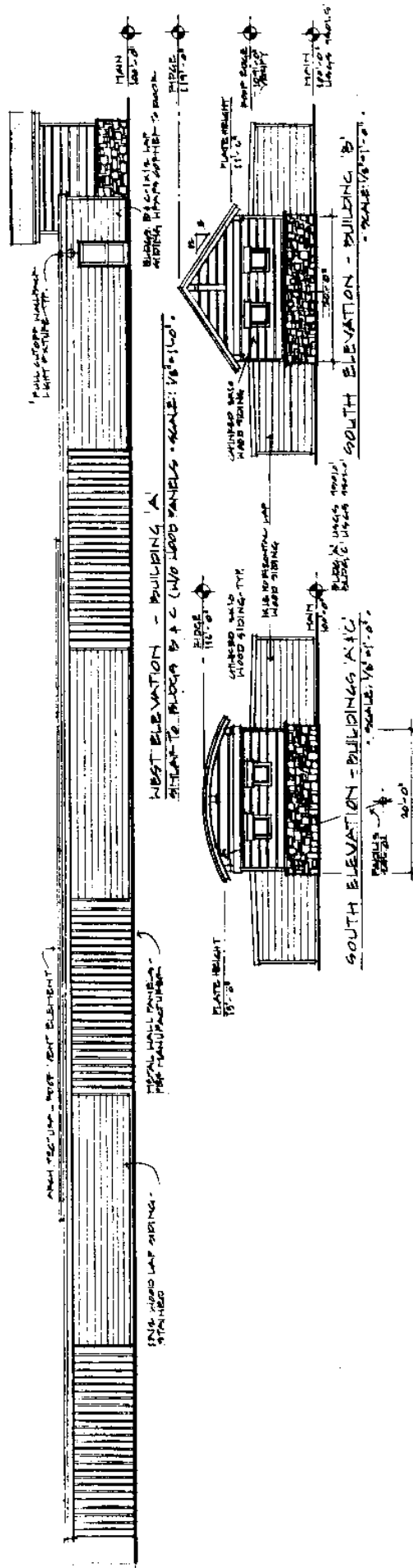
NOTE: BETCO INC. ESTIMATING DRAWING
 NOT FOR FIELD CONSTRUCTION

UNIT MIX SCHEDULE

NO.	DESCRIPTION	QTY	DESCRIPTION	QTY
A	5' x 5'	34	10' x 20'	0
B	5' x 10'	38	10' x 25'	0
C	5' x 7.5'	6	10' x 30'	0
D	5' x 20'	0	15' x 15'	0
E	7.5' x 10'	2	15' x 20'	0
F	8' x 10'	0	15' x 25'	0
G	10' x 10'	97	15' x 30'	0
H	10' x 15'	46	20' x 30'	0

PROJECT NAME: Breckenridge Super Storage
 PROJECT ADDRESS: Breckenridge, CO
 OWNER: Kirk Mickelson
 SHEET TITLE: FLOOR PLAN BUILDING "1"
 PROJECT NO.: 5-1
 DRAWING NUMBER: 1 OF 1

DATE: 1/8/08
 DRAWN BY: JAB
 SCALE: NOT TO SCALE



Planning Commission Staff Report

Project Manager: Michael Mosher

Date: July 16, 2009 (For meeting of July 21, 2009)

Subject: Preservation Homes at Maggie Placer, Preliminary Hearing (PC# 2008024)

Applicants/Owners: Royce Tolley, Preservation Development Group
John Springer, Springer Development

Agent: Marc Hogan and Tim Gerken, BHH Partners

Proposal: To develop 21 townhomes in the form of nine duplexes and one triplex. Four of the units are sold as market-rate and 17 will be for workforce housing. There are 16 three-bedroom units and five two-bedroom units. Each has at least a one-car garage (some have two-car garages).

Address: 9525 State Highway 9

Legal Description: A parcel of land located in the Maggie Placer, U.S.M.S. no. 1338, in sec. 6, township 7 south, range 77 west of the 6th p.m., County of Summit, State of Colorado

Site Area: 1.8169 acres (79,144 sq. ft.)

Land Use District: 30, Land Use Type: Residential
Intensity of Use: Per Approved Plat*
Structural Type: Duplex up to 8-Plex, Townhouses, Condominiums
**Density subject to Annexation Agreement*

Site Conditions: The property is primarily treed with mature Lodgepole Pines. A pocket of younger pines and aspens lay at the south east corner of the property. The topography undulates and drops off sharply towards the north end of the site. Overhead power lines cross the east side of the property. There are no platted easements on the site.

Adjacent Uses: Multi-family residential

North:	Village Point Townhomes
South:	Ski and Racquet Club
West:	Allaire Timbers B&B
East:	State Highway 9 & Southside Estates

Density: Established by Annexation Agreement
Proposed density: 26,775 sq. ft.

Mass: Allowed - Established Density + 20% 32,130 sq. ft.
Proposed mass: 31,993 sq. ft.

F.A.R. 1:3

Height:	Recommended:	35 feet overall
	Proposed:	35 feet overall
Lot Coverage:	Building / non-Permeable:	24,125 sq. ft. (30.5% of site)
	Hard Surface / non-Permeable:	21162 sq. ft. (26.7% of site)
	Open Space / Permeable Area:	33,857 sq. ft. (42.8% of site)
Parking:	Required for dedicated multi-family (2 spaces/unit)	42 spaces
	Provided:	59 spaces
	<i>Note: every unit has at least a one-car garage plus tandem surface parking. (One parking space per bedroom)</i>	
Snowstack:	Required:	5,291 sq. ft. (25%)
	Proposed:	6,485 sq. ft. (31%)
Setbacks:	Front:	15 ft.
	Sides:	5 ft.
	Rear:	5 ft.

Item History

In October of 2007 the Town entered into an annexation agreement with Henry F. Harris, Jr. (who later sold the property to John Springer, Applicant), for the development of 18 deed restricted and 4 market units on the 1.82 acre site commonly known as Maggie Placer. The initial concept included a three story multi-family structure containing the 18 deed restricted units and 4 market rate single family lots. After the annexation agreement was approved the applicant attempted to work through the planning process to obtain a development permit. During that process, issues with the scale and mass of the structure as well as site disturbance and access constraints led to several revisions.

The applicant now has a new proposal with a new development team providing a different product with different site impacts. There are now 17 deed restricted units and 4 market rate units.

Comments from the June 16, 2009 Planning Commission Worksession

Commissioner Questions/Comments:

Mr. Bertaux: Are the elevations repeated for the employee housing units and market rate? (Mr. Mosher: Yes, the idea is that they have the massing broken up, make it more of a neighborhood, less institutionalized and all units have the same finishes.) There is no connectivity between this project and Ski and Racquet except from the state highway. (Yes, CDOT only granted a right-in and right-out movement for the property.) No left in from the south? How far do people have to go into town (heading north from Alma), before they can turn around to get into the right in/right out? (Ms. Katz: We don't want people to pull into Southside Estates to turn around.) (Mr. Allen: Can you u-turn at Broken Lance?) (Ms. Katz noted that you can u-turn anywhere in Colorado except where it is noted otherwise.) Where are the market rate units located? (Mr. Tolley noted that the four units were on the far west, however the best value and most square footage will be in the middle units.) We don't live there, but when the conflict is pushed out to Highway 9 it is a bigger problem for the Town; would help greatly if vehicular movement could be internal to the site and share the Ski and Racquet Club full-movement intersection. Where do people put their toys/bikes etc.? (Mr.

Hogan: In the garages – they will be oversized with 8’ high doors and 9’ ceilings. Many of the units will have two car garages and crawl spaces. Closets are also oversized.)

Mr. Lamb: Is Hardiplank siding more or less expensive than wood? (Mr. Tolley: Less expensive when bought in volume, and would like to invite the Planning Commission to come see a current project in Fairplay that uses that material and similar modular construction. The high quality of the workmanship and interiors are what we want to show.) I like the staggered garage doors on the center units. It will look like somebody lives there.

Mr. Schroder: If costs increase, would you offset the increase by eliminating an affordable unit and providing an additional market unit? (Mr. Tolley: No.) An enclosed space is preferable than a separate car port and garage on the center units.

Ms. Katz: I don’t want to see such an important project stalled because of the access issues. CDOT controls the highway. This is a huge improvement over previous submittals. It would be great if the circulation issue could get worked out with Ski and Racquet very soon and not impact this development; and I hope it does, but I also don’t want this project to get derailed. It is nice to see some different architecture.

Mr. Pringle: I am concerned about the new materials, but we just need to see them. (Mr. Mosher noted that staff had the same concern, but is excited about the combination of new materials and that there could be negative points for lack of natural materials, but the proposal would still pass a point analysis.) This will be a good site for this. (Mr. Neubecker noted that precedent could be set for this architecture, but the points would be set too.) It would be in the interest of both Ski and Racquet and this development to address the egress/access issue. (Mr. Tolley noted that the current proposed access meets the needs of CDOT, Ski and Racquet, and others.) Would you be amenable to going in at the common interest and then going through an easement? (Mr. Tolley: Ski and Racquet was opposed to any proposal.) Is that still the position? (Mr. John McAllister, Ski and Racquet: The homeowners were much happier with this design at the last HOA meeting. I don’t see a problem with finding common ground and on trying finding an alternative.) The Town would be willing to help. I am not interested in a high-speed, bad solution. The problem could be handled internally, but it is going to be instead pushed onto the highway. Will any of the issues that came up with Wellington Neighborhood and snow loading inspections for the roof come up here? (Mr. Mosher: All of Town Staff is involved in making sure a quality product will be delivered.) Seems like most of the heartburn has been dealt with in this new proposed plan. When we look at the ingress/egress intersection, is there anything that could be done that could make it better than what is shown here?

Mr. Allen: It would be in Ski and Racquet’s best interest to cooperate with this issue if possible. If so, you need to get this resolved quickly. What size will the market units be? (Mr. Hogan: 1,350 square feet, but the accessible units are the largest.) (Mr. Bertaux: How many accessible units?) (Mr. Hogan: Two.) What is the idea with the car ports rather than garages with doors on both sides? (Mr. Hogan noted that the design shows a garage door tucked in and a covered space in front. However, the garage door could be pulled out and have a two-car tandem garage to better protect from the weather.) Concern is that you can view other people’s stuff. (While speaking, Mr. Gerken added a garage door on the computer model to show the change.) (Mr. Hogan noted that there would be covenants to control what is left outside.) You didn’t address sustainability in the presentation. (Mr. Hogan: All buildings are roughed in for solar. We also talked about the party wall agreement, and sharing solar.) (Ms. Laurie Best, Town of Breckenridge Long Range Planner, noted that the Town would include PV panels as a permitted capital improvement.) (Mr. Tolley noted that the manufacturer can get them to 88% green. For instance, all of the homes have gas non-convention air heaters and no ductwork. The insulation is fantastic

because it is put in place in a controlled environment, and subfloors have more wood. The units are created with reduced waste because of the controlled environment and trades.)

Dr. Warner: Commented that the garage should be fully enclosed and provide security for residents but still are staggered.

Public comment:

John McAllister, Ski and Racquet: Here to answer questions regarding access and egress with regard to HOA concerns. The access proposal was acceptable, and noted the concern of the amount of traffic on that intersection with the existing residents, bus, and the new residents. Next board meeting is in September. (Mr. Tolley noted that since it is an affordable housing project and the schedule is very tight, this issue needs to be addressed immediately. Prior to this meeting we had come to the conclusion that Ski and Racquet and CDOT were okay with this proposal.) Will there be anything in the design along the south property edge facing the Ski and Racquet Club in terms of fencing or will it be natural? (Mr. Hogan noted that it will be natural, not fencing and that there is heavy vegetation there already and more landscaping would be added too.)

Changes since the last review June 16, 2009

1. An agreement between The Ski and Racquet Club and the Preservation Village at Maggie Placer team has been reached and access (via a new easement) to the development can now be taken from the full-movement intersection near the Ski and Racquet Club entrance. There will no longer be any right-in/right-out curb cut along Highway 9.
2. The site layout and a few units have been slightly modified to accommodate the change in access.

Staff Comments

Land Use (Policies 2/A & 2/R): Per the Land Use District Guidelines (LUGs), multi-family development of building types of duplex up to 8-Plex, townhouses, and condominiums are allowed. With duplex and triplex units proposed, the building type matches the recommendations of the LUGs. With similar building types abutting the property, the proposed use does not conflict with the existing types of adjacent use.

Density/Intensity (3/A & 3/R)/Mass (4/R): Per the LUGs, density for this district is established by the previously approved plats within the Warriors Mark area or by designs “*compatible with the existing neighborhood, as well as sensitive and harmonious to the natural aspects of the site*”.

The density for this property was initially established by the Planning Commission during the last worksession on June 16, 2009 and will be codified with the modification to the annexation agreement at Town Council and final approval of the development. During the worksession, Staff had run a preliminary point analysis to see if the proposal would have a passing score. This report goes into the specific details of each applicable policy of the Development Code and will seek final input from the Commission on the point analysis at final review.

Architectural Compatibility (5/A & 5/R): Per this section of the Code: *Exterior building materials and colors should not unduly contrast with the site's background. The use of natural materials, such as logs, timbers, wood siding and stone, are strongly encouraged because they weather well and reflect the area's indigenous architecture.*

The elevations show three different siding materials. There is 1X8 horizontal ship-lap siding, pre-finished plywood panels, and vertical metal siding. At this preliminary review, the quantity of metal siding appears to be more than 25% on some elevations and may incur negative points under this policy at final review. The trim and accent components are heavy timber or glu-lam. The garage doors are the pre-finished plywood panels.

The color and material sample board indicate that along with the typical earth-tone color palate, brighter colors are to be added as accent (similar to the Valley Brook Daycare Center) on the plywood panels and the metal siding. Though these colors fall within the chroma level established in the absolute portion of this policy, they are not the typical earth-tone colors seen on other developments outside the downtown Conservation District. The colors are slightly muted to look compatible with the earth-tone colors on the buildings. Does the Commission believe these colors comply with the intent of the relative portion of this policy (color sample to be provided at the meeting)?

Though the buildings are all pre-manufactured the massing has been broken up nicely with a variety of building forms and roof types. There are seven types of floor plans. The garages are shown attached and detached. Staff has no concerns with the architectural style submitted. We welcome any Commissioner comments.

Building Height (6/A & 6/R): With all of the buildings being duplex (except one), Staff is measuring the height of the buildings as if all were duplex, which allow a maximum of 35 feet measure to the mean of the roof. None of the buildings exceed this height. Staff has no concerns.

Site and Environmental Design (7/R): The overall site undulates slightly and then drops off steeply to the north end of the property. The development area is proposed only on the portions of the site that slightly undulate. Responding to the site conditions, each of the building designs reflect the conditions of where they are placed. At the north, the buildings step down to follow the slope. In the center, the buildings step up with the garage tucked underneath the living area. There is no excessive cut or fill and no substantial retaining walls. Staff has no concerns.

Ridgeline and Hillside Development (8/R): Since the buildings have all been located off the steep slope towards the north end of the site, Staff believes that this absolute policy has been met.

Placement of Structures (9/A & 9/R): Outside the Conservation District the following setbacks are suggested for non-single family residential development:

b. Other Residential Development:

1. Front yard: Fifteen feet (15').
2. Side yard: Five feet (5').
3. Rear yard: Fifteen feet (15'). (Ord. 13, Series 2000)

Since this lot is triangular, the lot has no “rear yard”. The minimum perimeter setbacks (front 15 feet and sides 5 feet) have all been met. Staff has no concerns.

Snow Removal and Storage (13/R): The drawings reflect that the required snow stacking requirements have been met. Staff is supportive of having the snow stacking dispersed throughout the development site and has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Since the last review, the issue regarding the primary site access has been resolved. A tentative agreement between The Ski and Racquet Club has been reached to allow the Maggie Placer property to be accessed off the existing full-movement intersection just south of the property. Upon final review, the allowed right-in/right-out that CDOT provided for access to the property will be abandoned. The advantages of this change are substantial. The Ski and Racquet Club, Allaire Timbers, Powder Downs Townhomes, and now Maggie Placer can all share the same drive.

The entrance to Ski and Racquet had been redesigned to facilitate better vehicular circulation. A center raised island will separate the incoming and outgoing traffic. The bus stop would be paved and improved. In addition, the drive adjacent to Maggie Placer will be improved to better handle the two way traffic.

Since Maggie Placer will take its access at the existing State Highway access in front of Ski and Racket, Engineering staff would like for the improvements that have been discussed for this intersection to move forward in the future. They have roughly estimated the costs for the improvements to be approximately \$30,000. Engineering staff proposes that the Preservation Village at Maggie Placer pay 1/3 of the costs, Ski and Racket pay 1/3 of the costs when they redevelop, and the Town pay 1/3. The project would not occur until the Town sees fit to have the improvements installed. An agreement on funding the improvements will be arranged prior to final hearing.

Parking (18/A & 18/R): As mentioned above, there is extra parking beyond that which is required by the Code. The drawings show that 59 parking spaces are being provided when 42 spaces are required. Staff appreciates the extra parking and has no concerns.

Landscaping (22/A & 22/R): A review of the landscaping will be presented at the next meeting. At this time, the applicants are reviewing the impacts of the existing tree buffer and new plantings along the development perimeter.

Social Community / Employee Housing (24/A & 24/R): With 81% of the proposed units deed/equity restricted to employees, positive ten (+10) points will be awarded at final review. Staff has no concerns.

Utilities Infrastructure (26/A & 26/R; 28/A): All required utilities are located near the property. Staff will have additional detail on the connections at the next hearing.

Drainage (27/A & 27/R): The current submittal has no specific detail on site drainage. The site slopes towards the north and has no existing drainage improvements. With this development, the applicants anticipate a possible drywell and smaller detention ponds to control site run-off. The existing trees at the north end of the property will be maintained. Staff will present more detail at the next hearing.

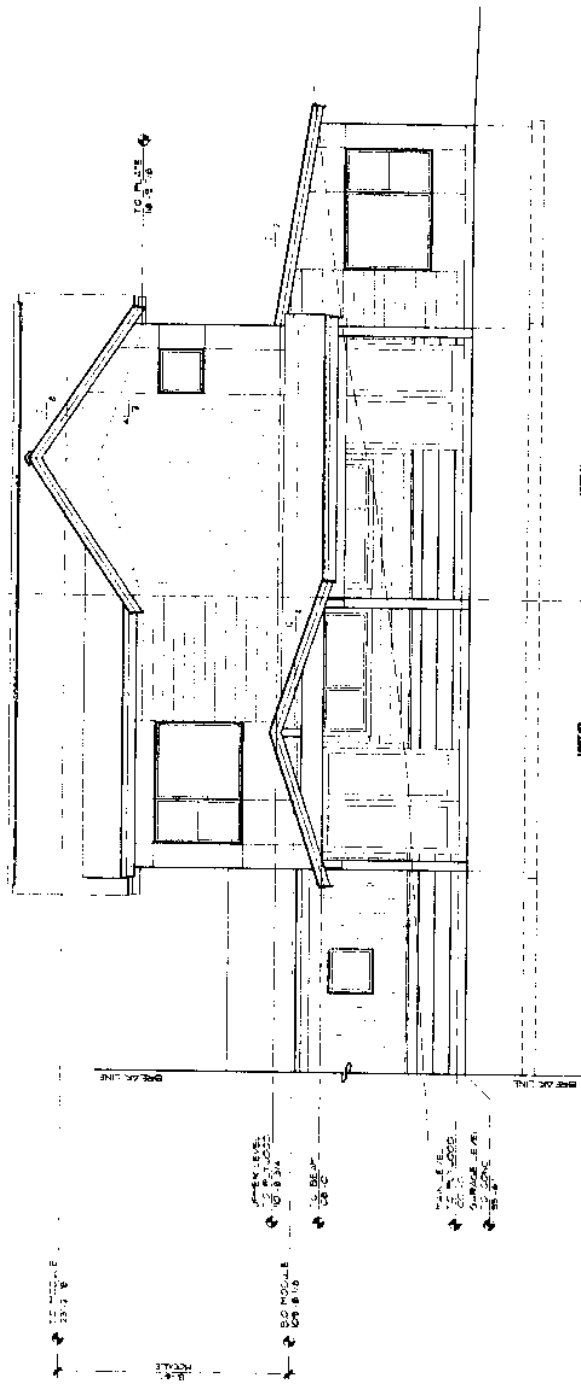
Staff Recommendation

Since the last review, the last minute change on the site access to Maggie Placer has impacted the amount of detail drawings on site drainage and landscaping. More information will be presented at the hearing.

At this time, Staff welcomes any comment on the following:

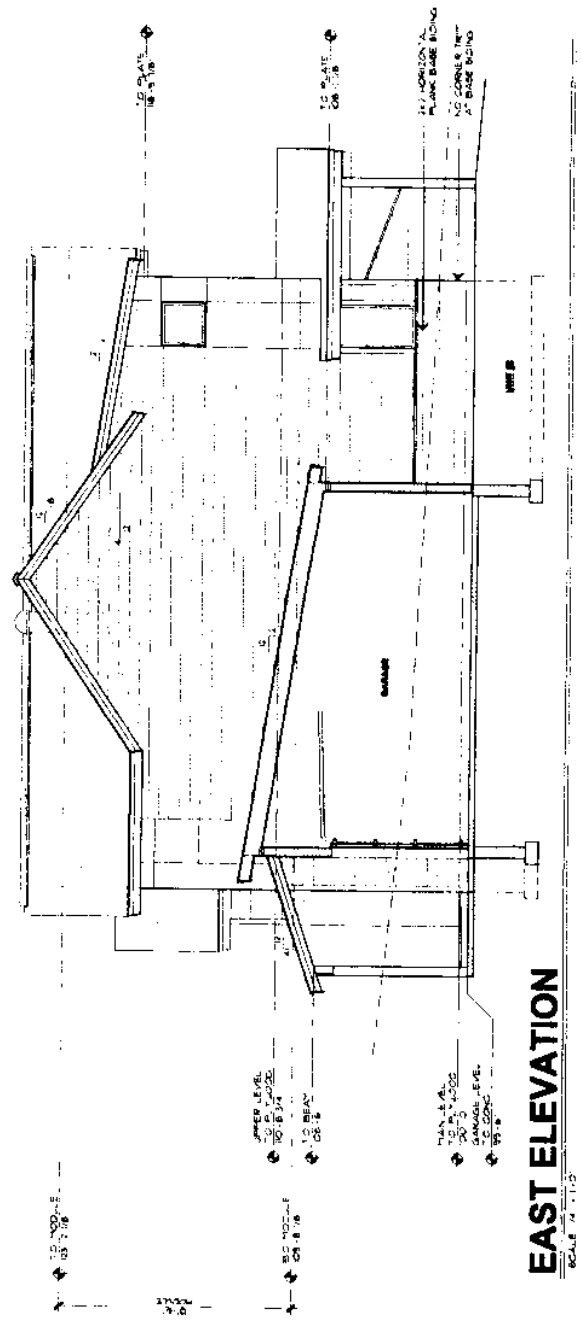
1. The access change.
2. Placement of landscaping.
3. The architecture and color/material selections.

The Planning Department recommends this application return for second review.

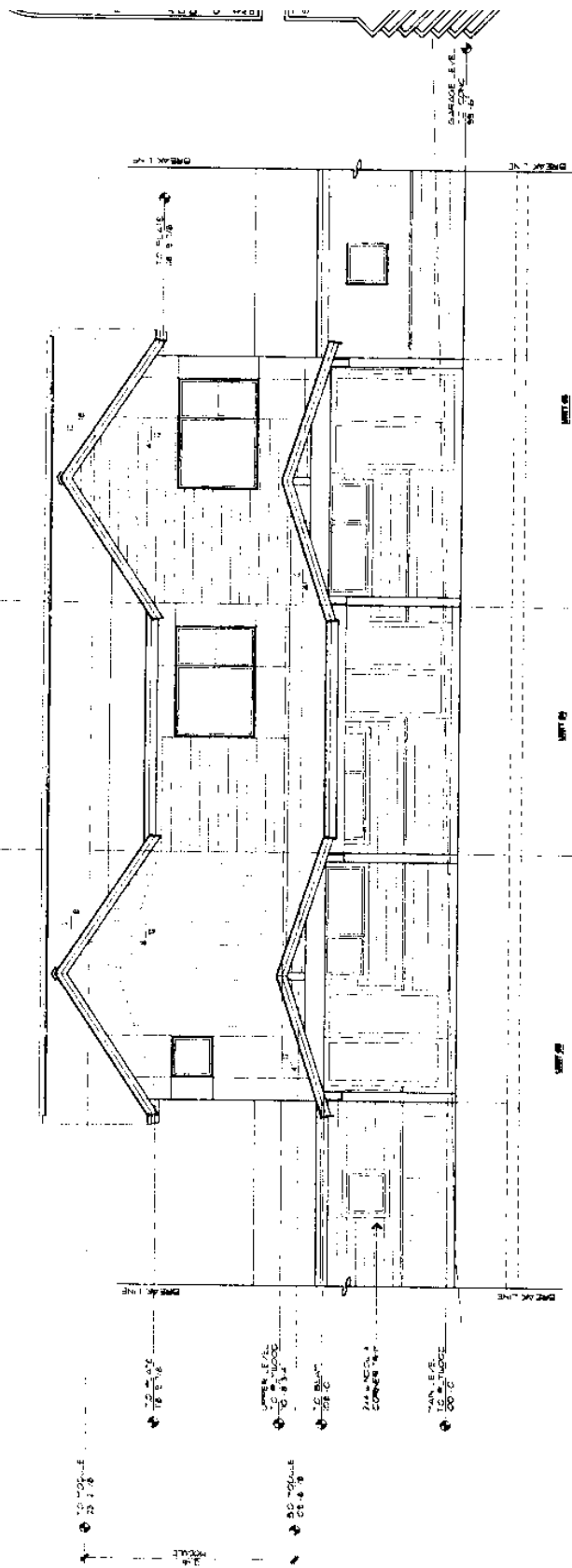


SOUTH ELEVATION
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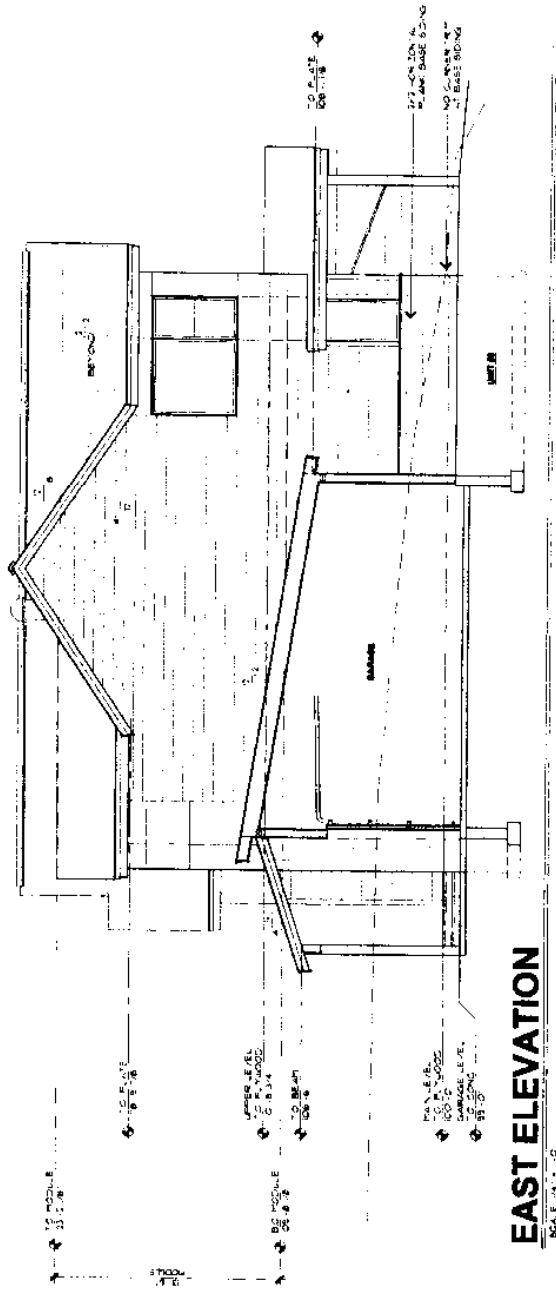
NOTE: SEE SHEET 110 FOR
MATERIAL NOTES AND MATERIALS



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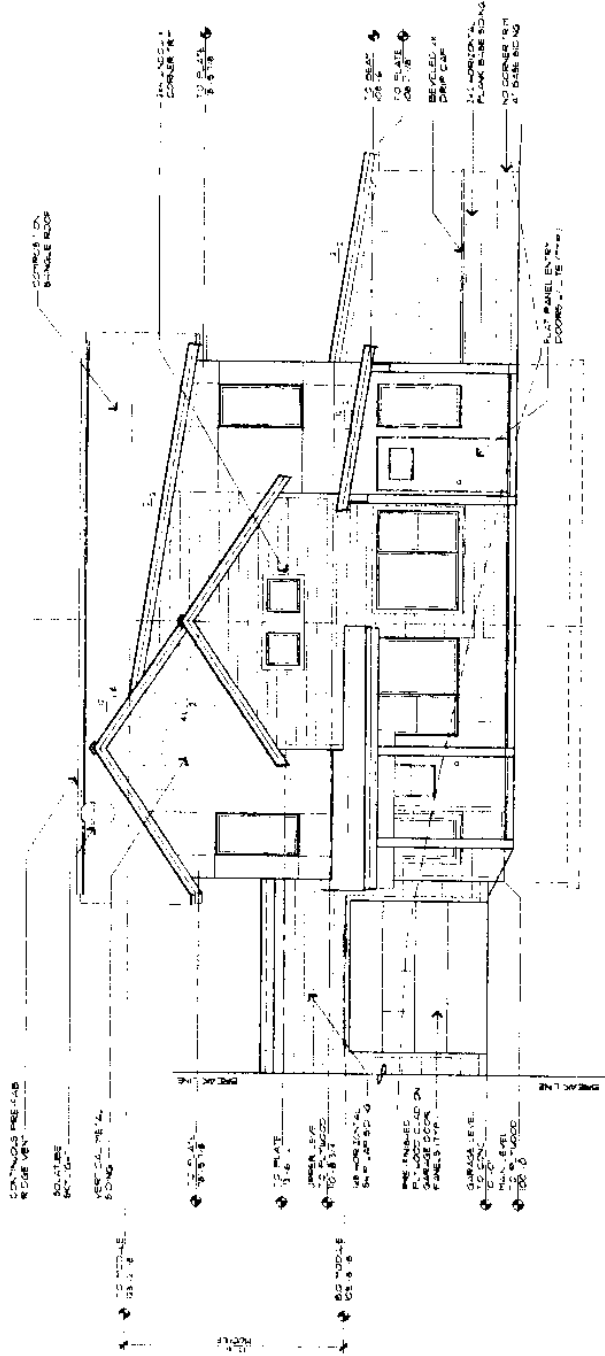


SOUTH ELEVATION
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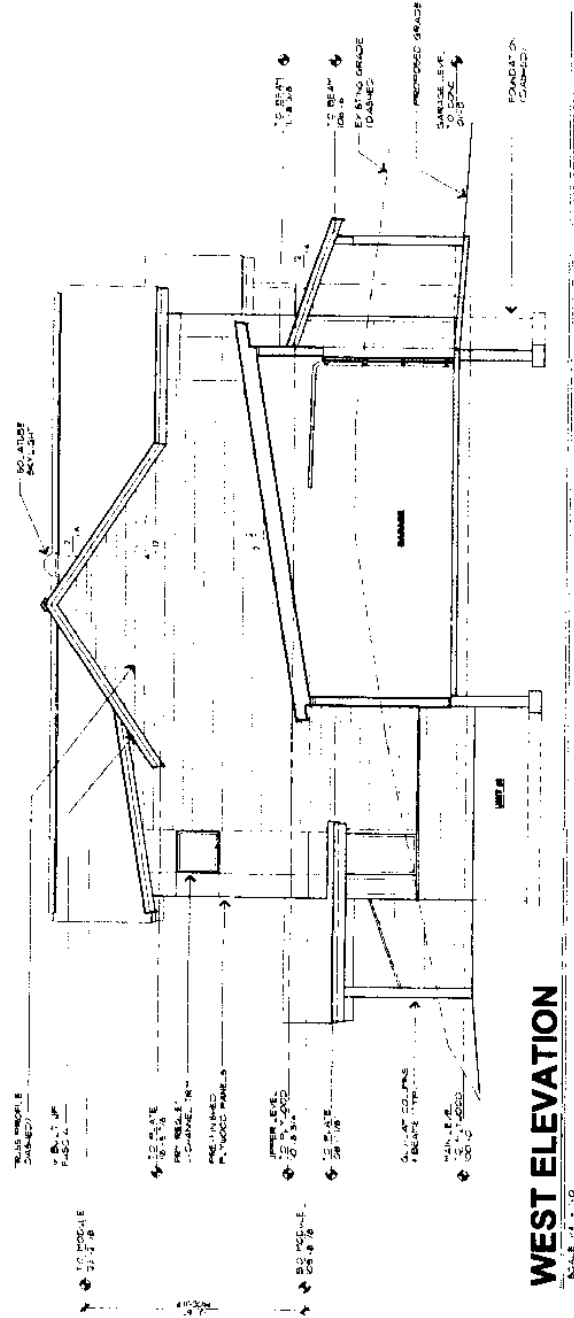


EAST ELEVATION
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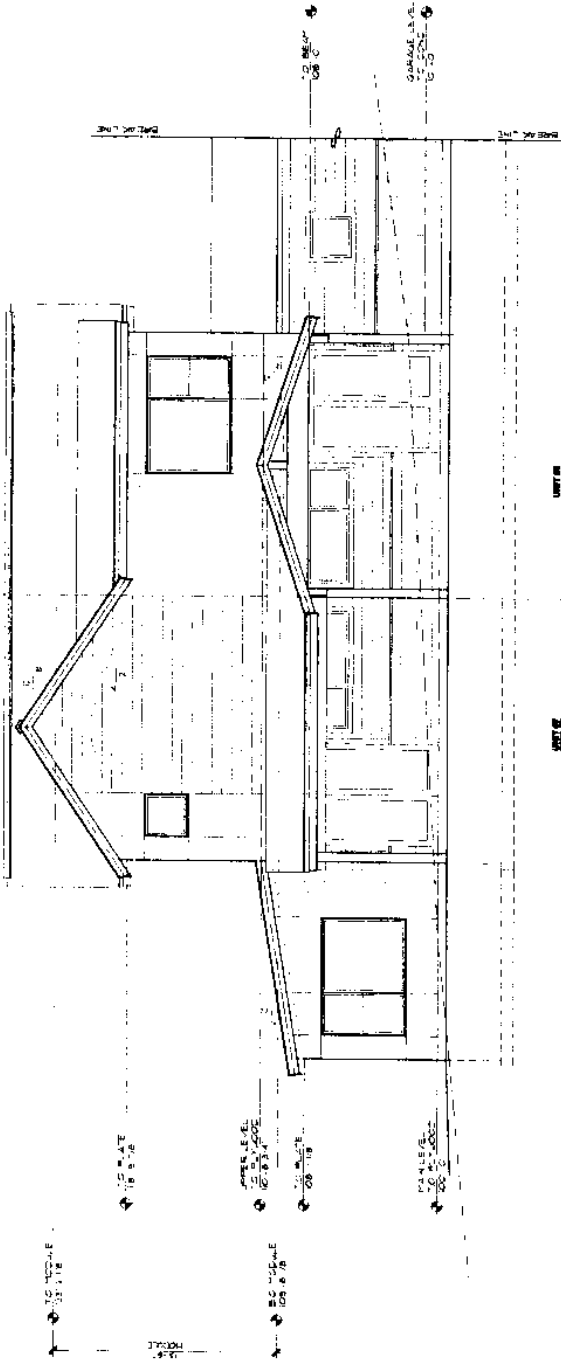
1/2" SECTION - ALL WORK
UNLESS NOTED OTHERWISE



NORTH ELEVATION
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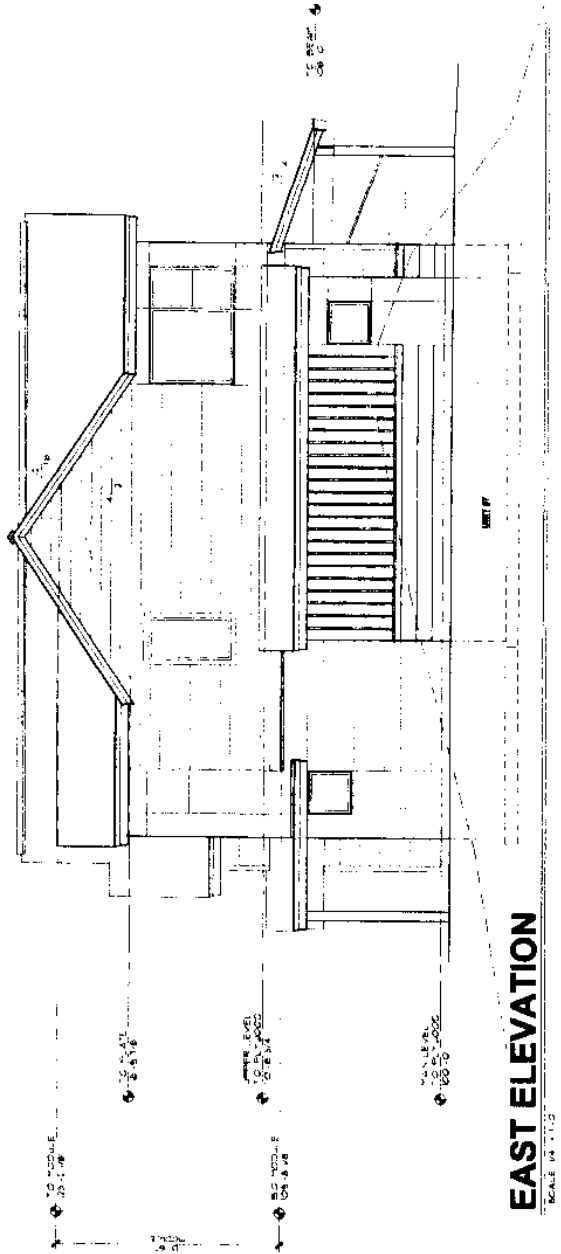
WEST ELEVATION
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SOUTH ELEVATION

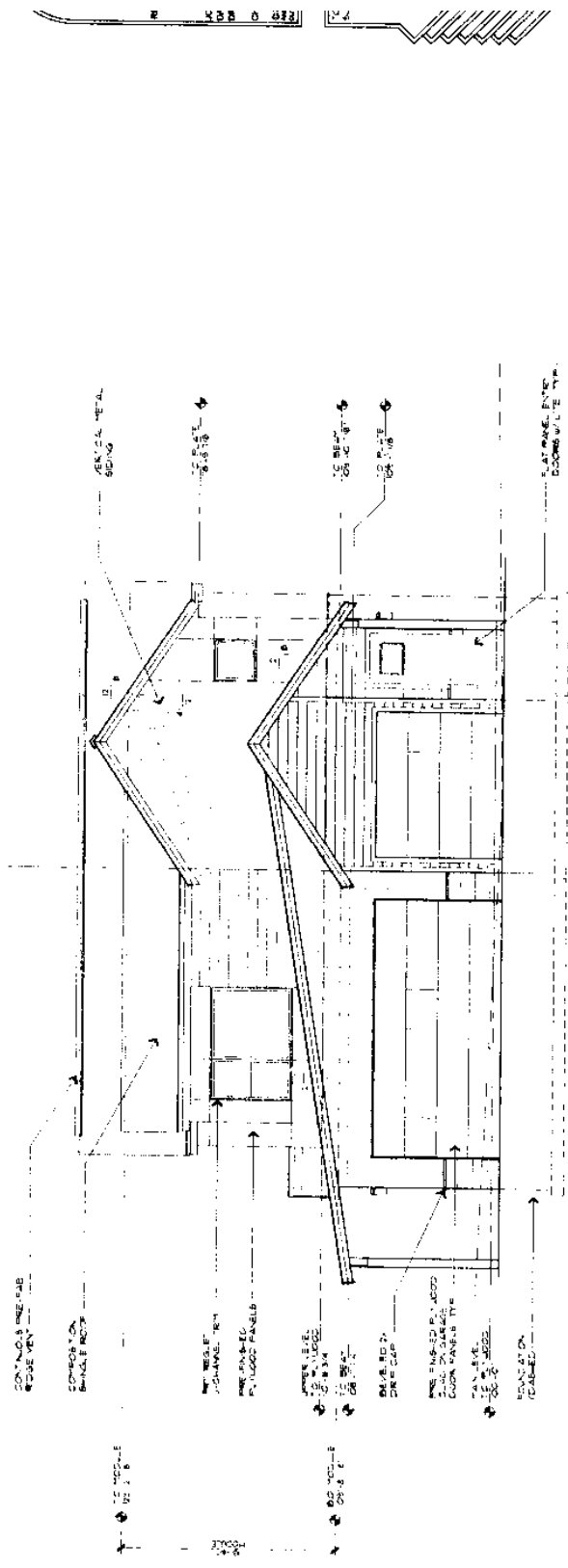
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NOTE: SEE SHEET 21.0 FOR
 MATERIALS AND FINISHES



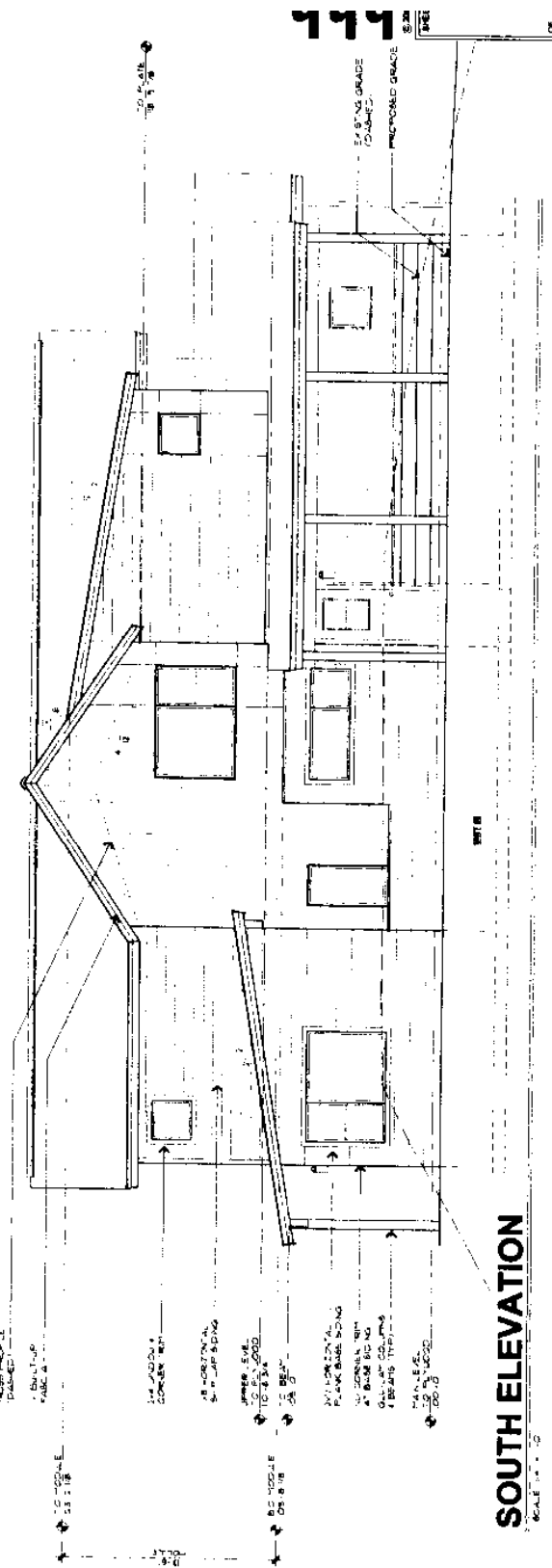
EAST ELEVATION

SCALE 1/4" = 1'-0"



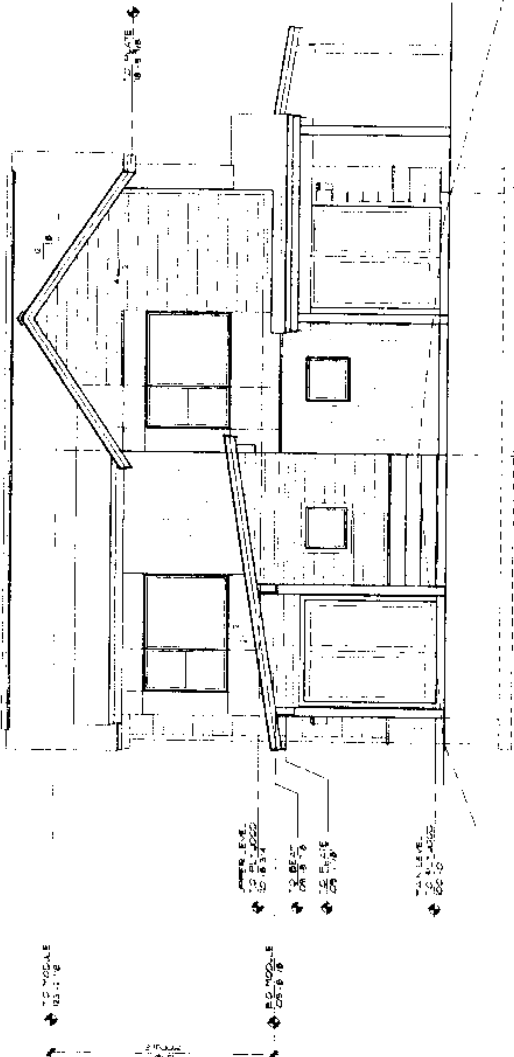
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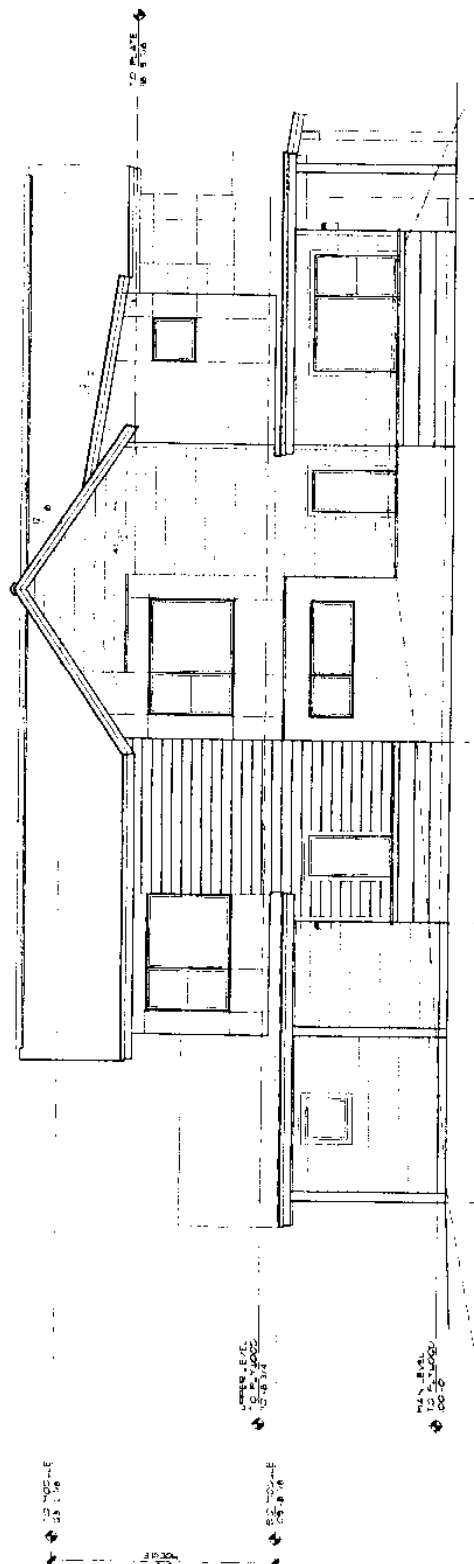
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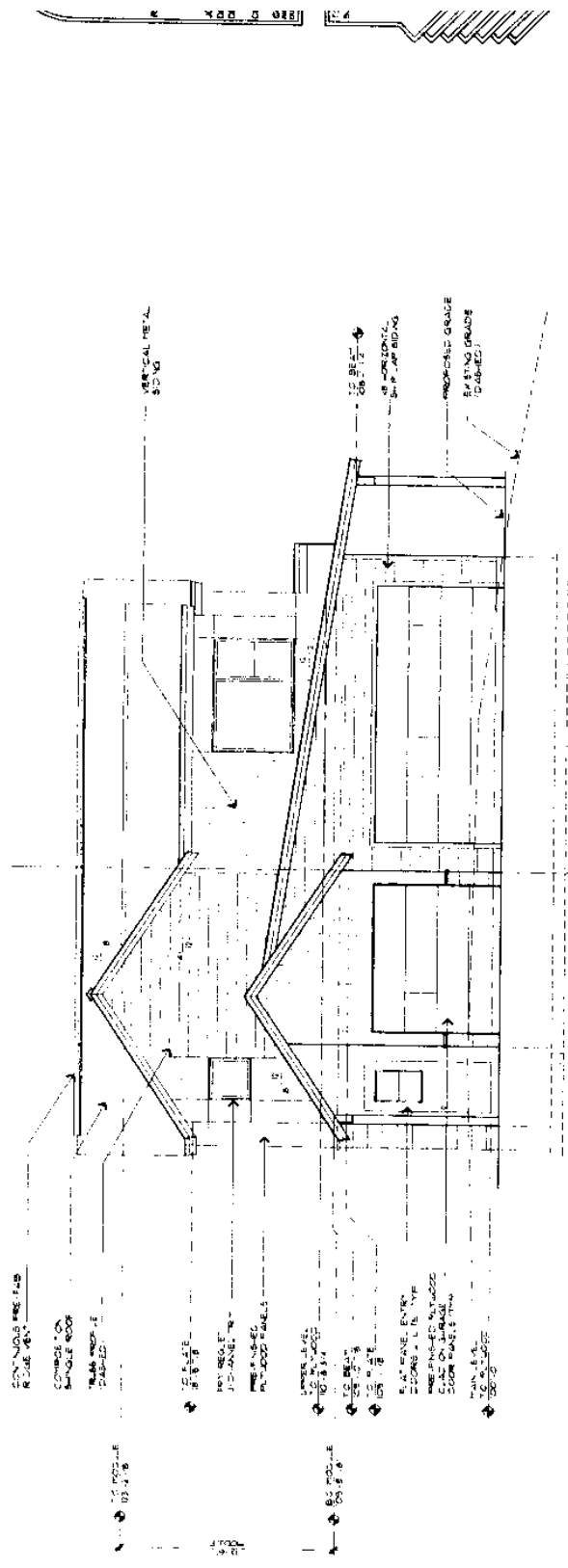


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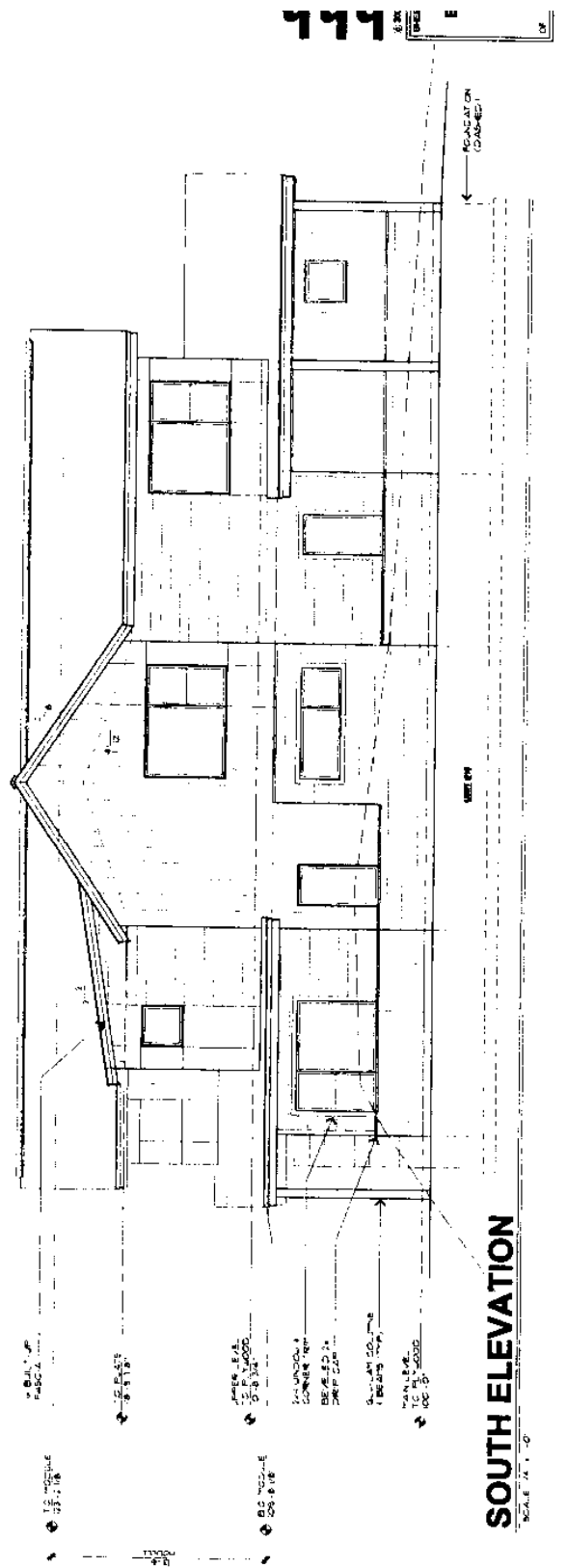
NOTE: SEE ARCHITECT'S GENERAL NOTES AND SPECIFICATIONS



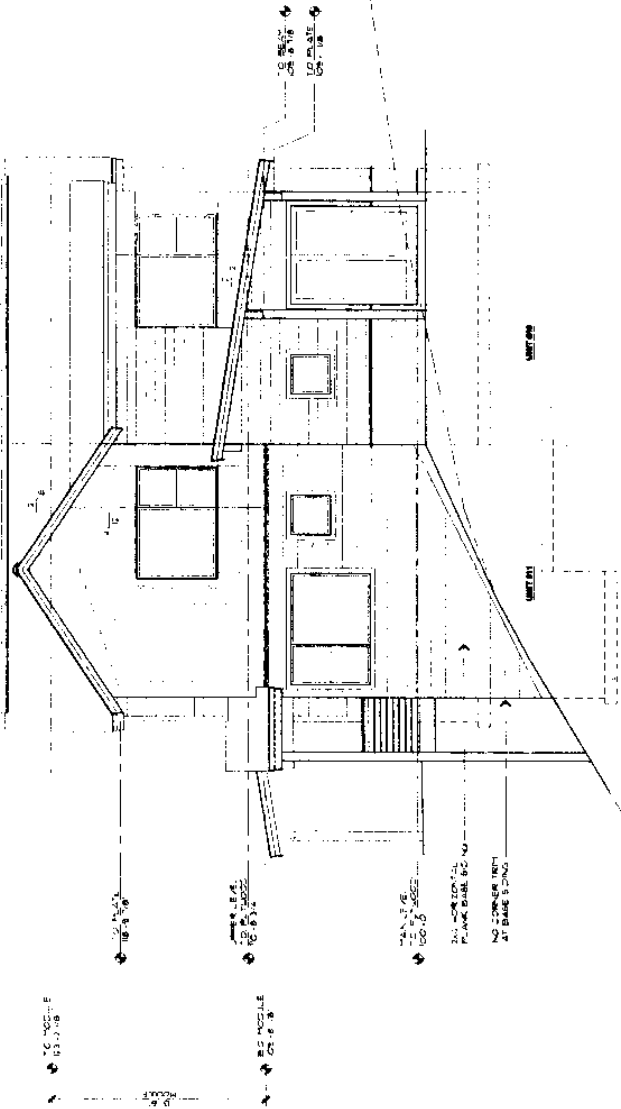
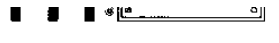
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SCALE 1/4" = 1'-0"



WEST ELEVATION



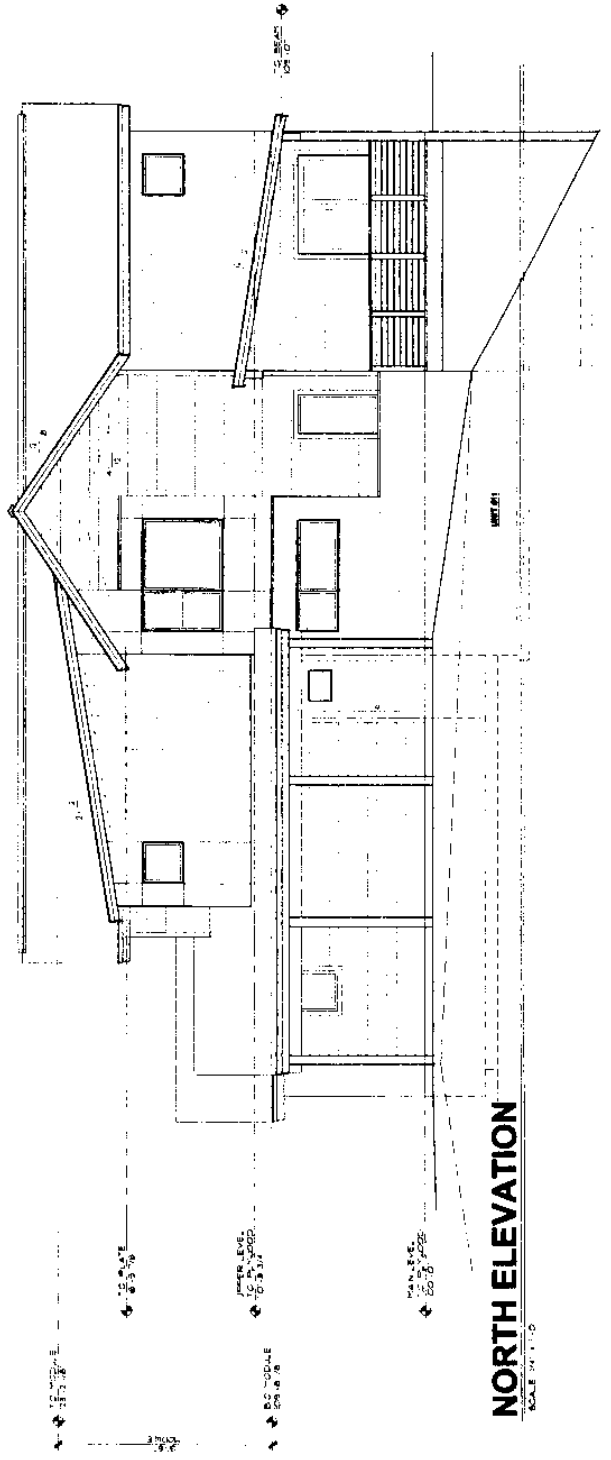
SOUTH ELEVATION



EAST ELEVATION

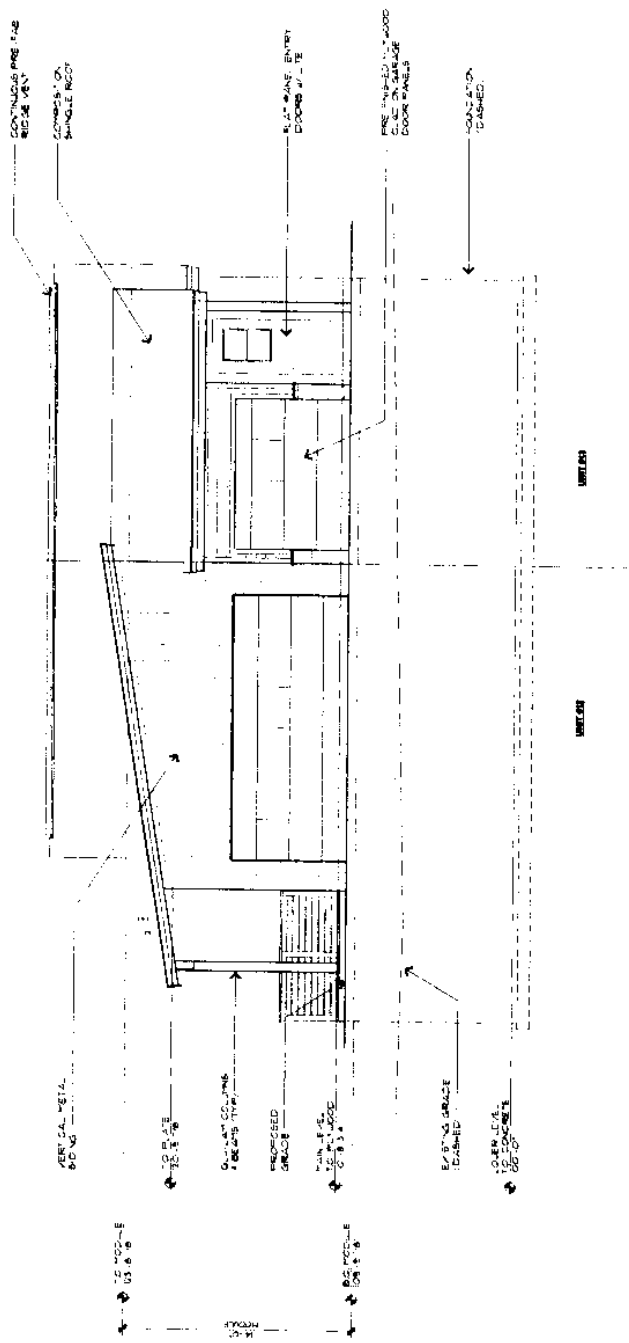
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NOTE: SEE SHEET A-1.2 FOR MATERIALS AND FINISHES

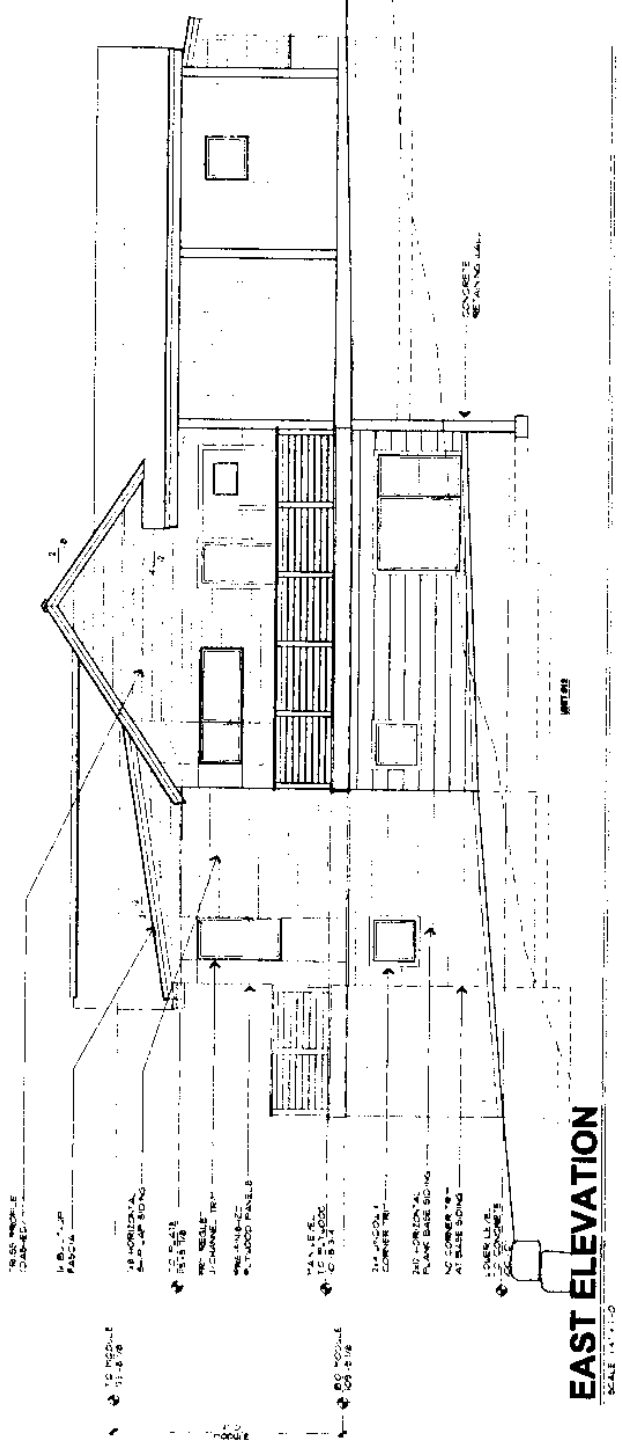


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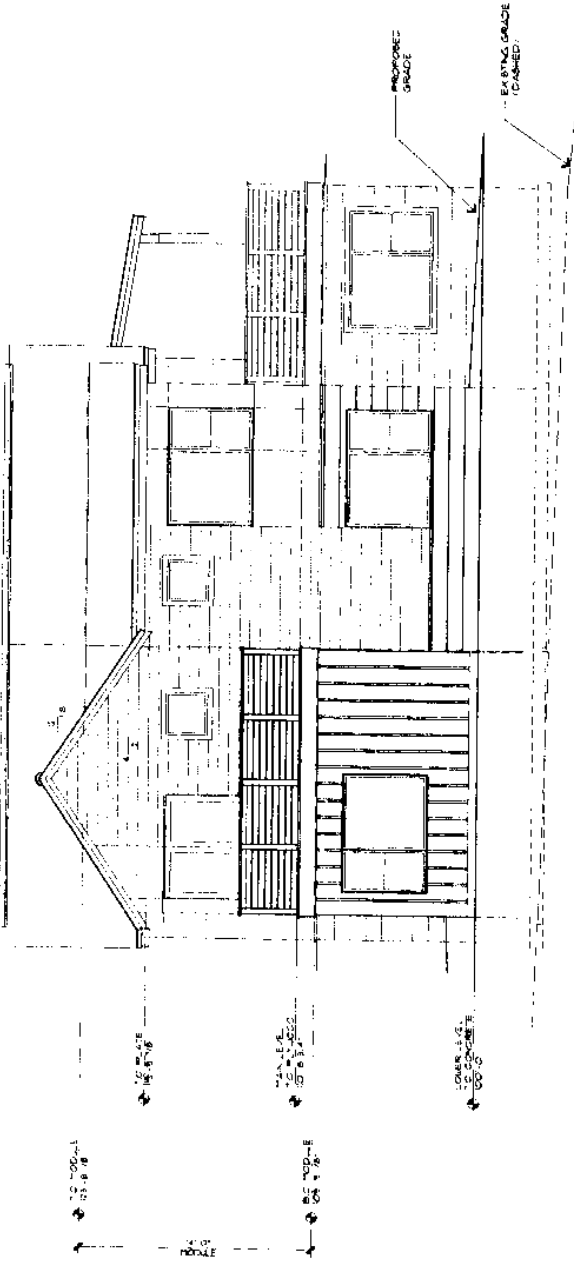
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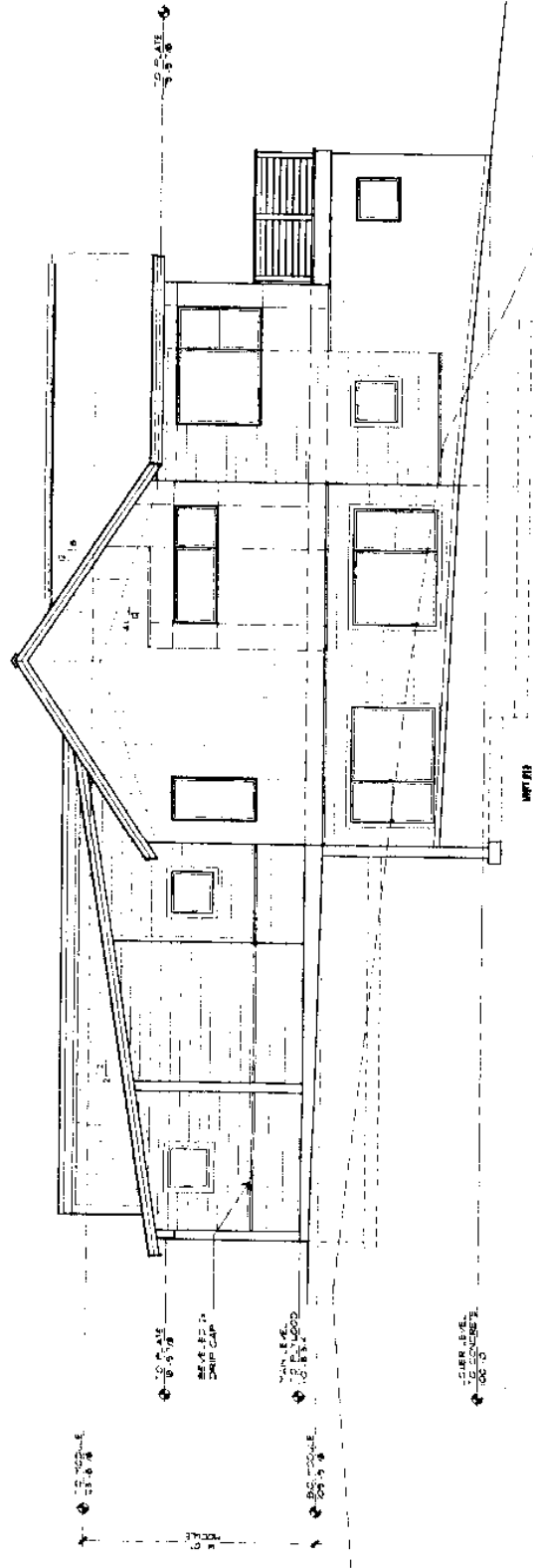
SOUTH ELEVATION
SCALE 1/4" = 1'-0"



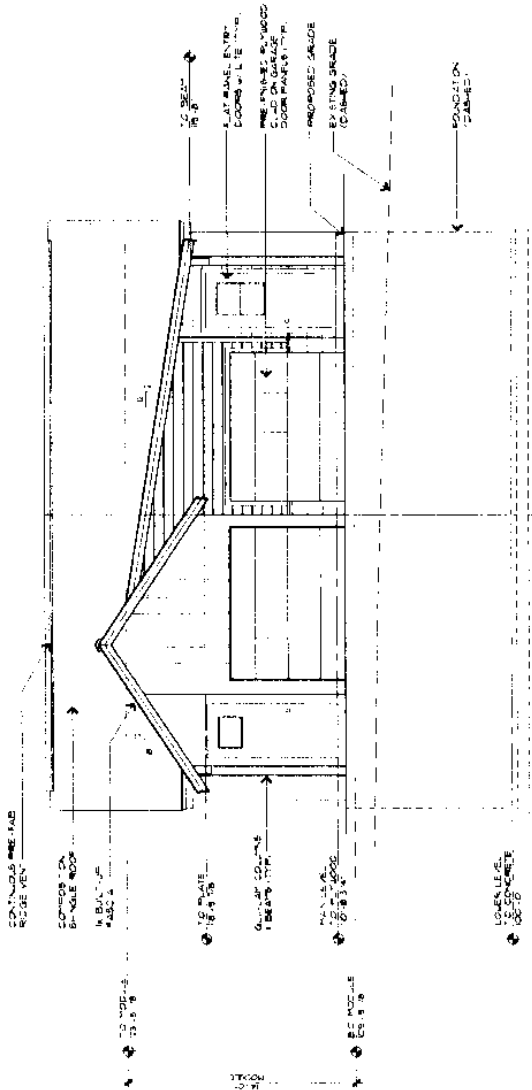
EAST ELEVATION
SCALE 1/4" = 1'-0"



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

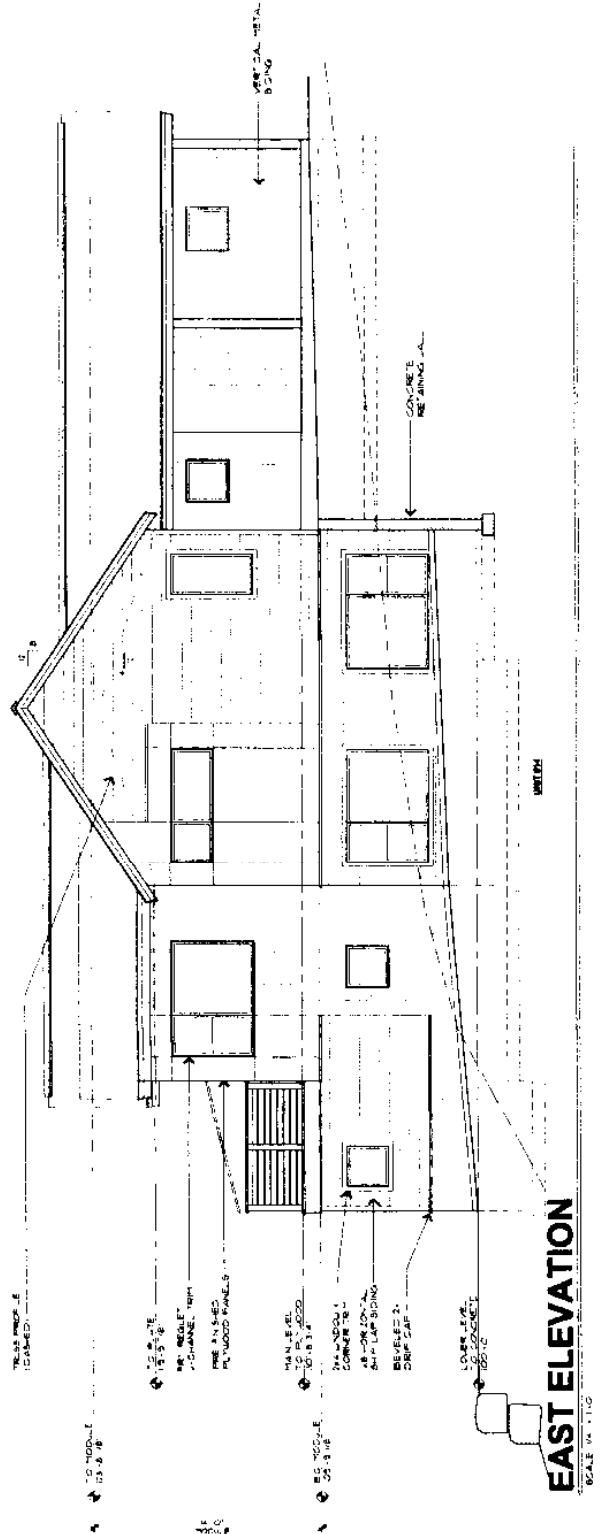


WEST ELEVATION
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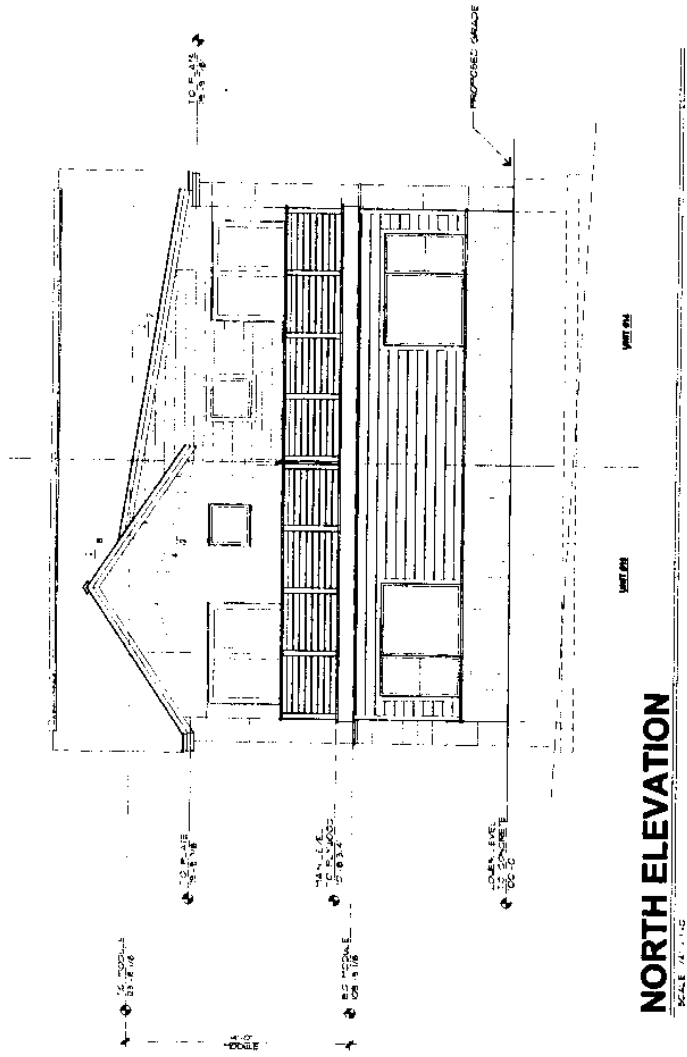
SOUTH ELEVATION

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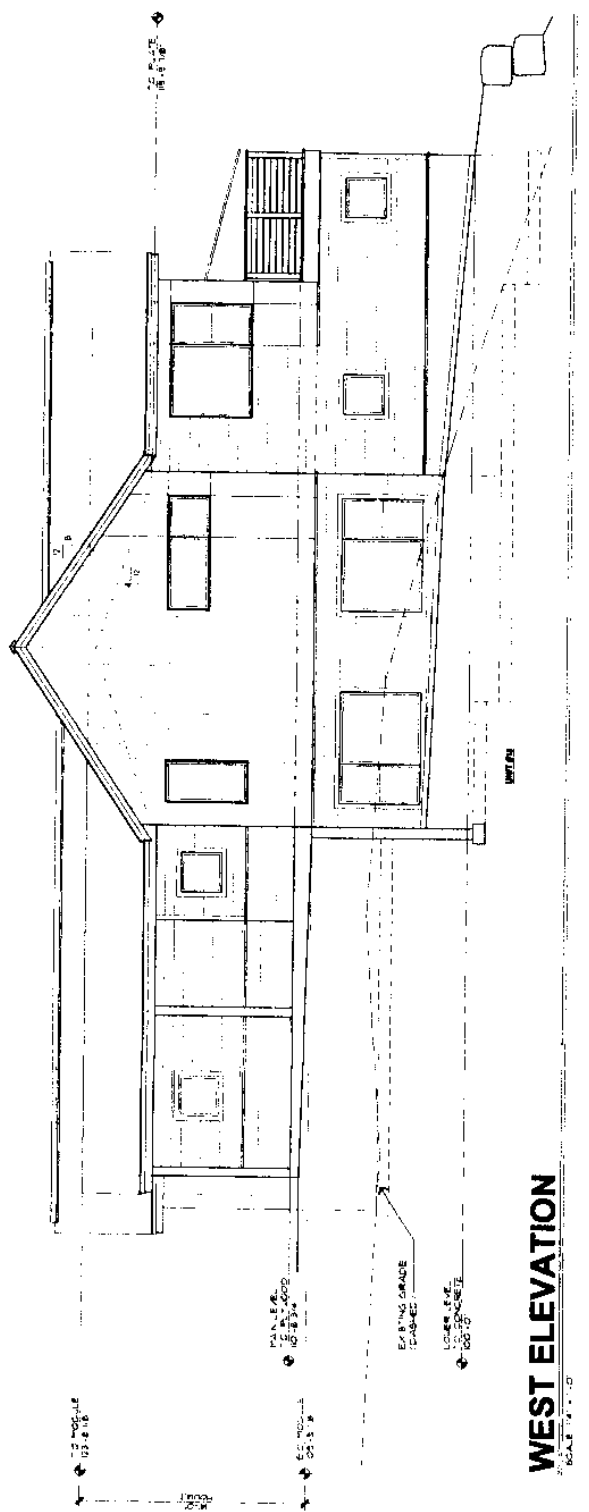


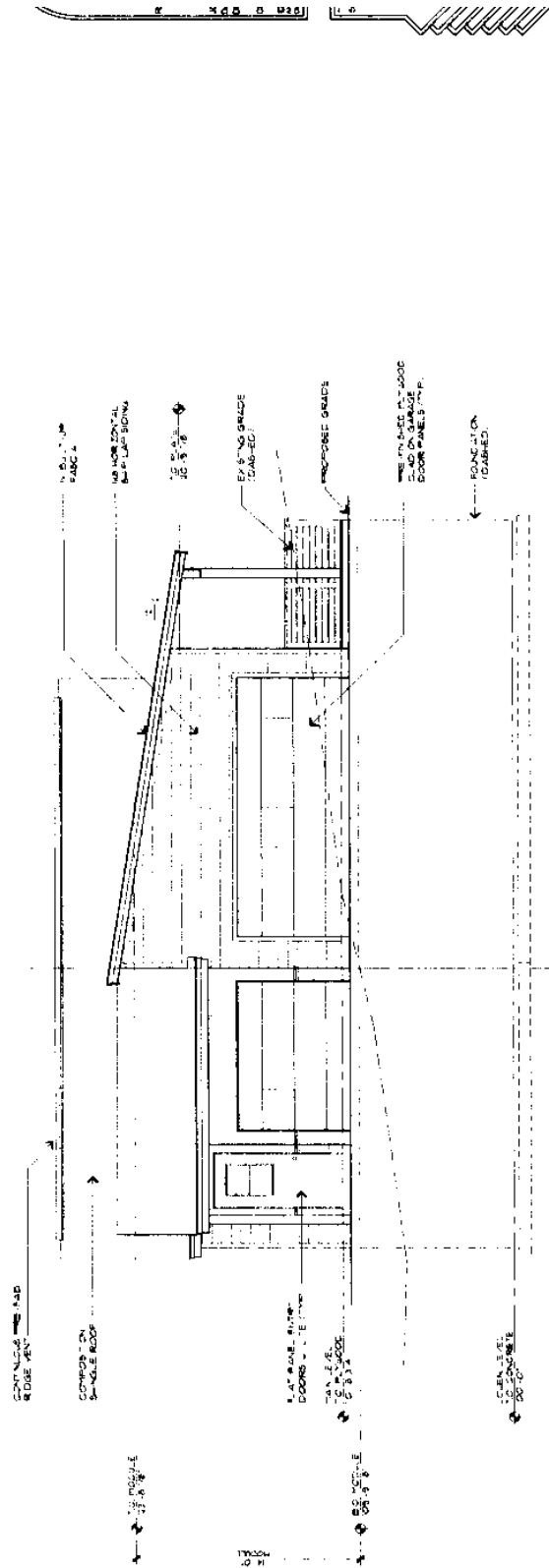
EAST ELEVATION

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NOTE: SEE SHEET 1-1.0 FOR TYPICAL NOTES AND DETAILS



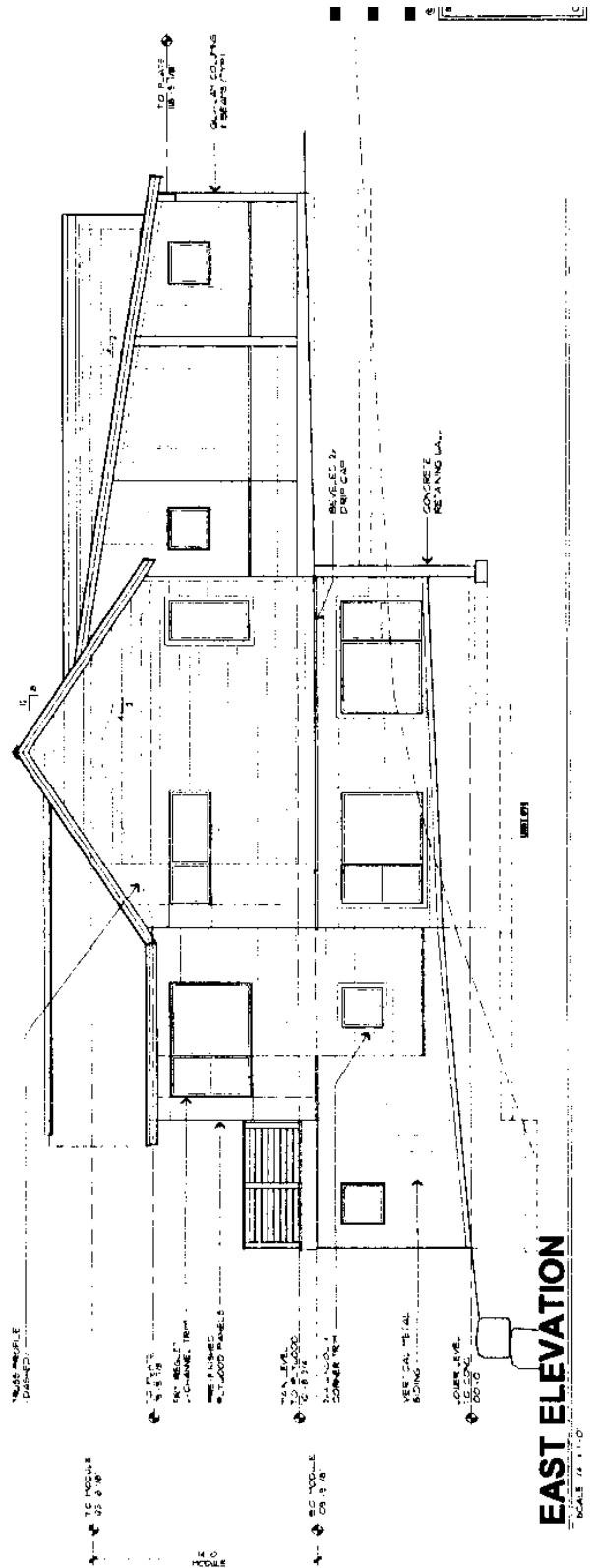


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SOUTH ELEVATION

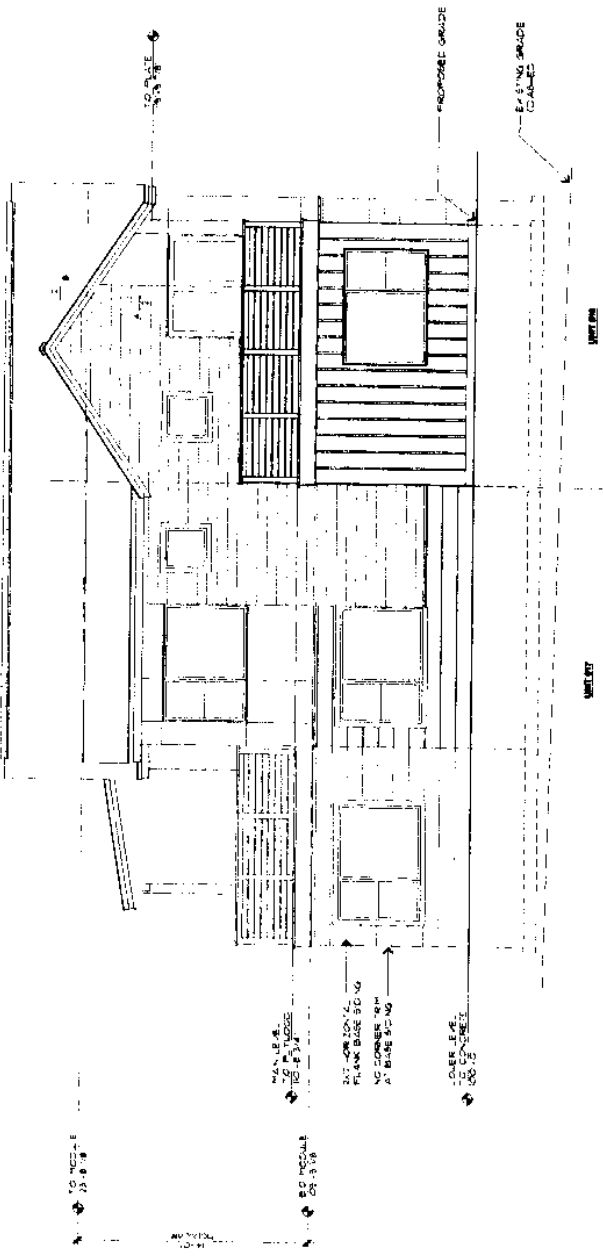
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EAST ELEVATION

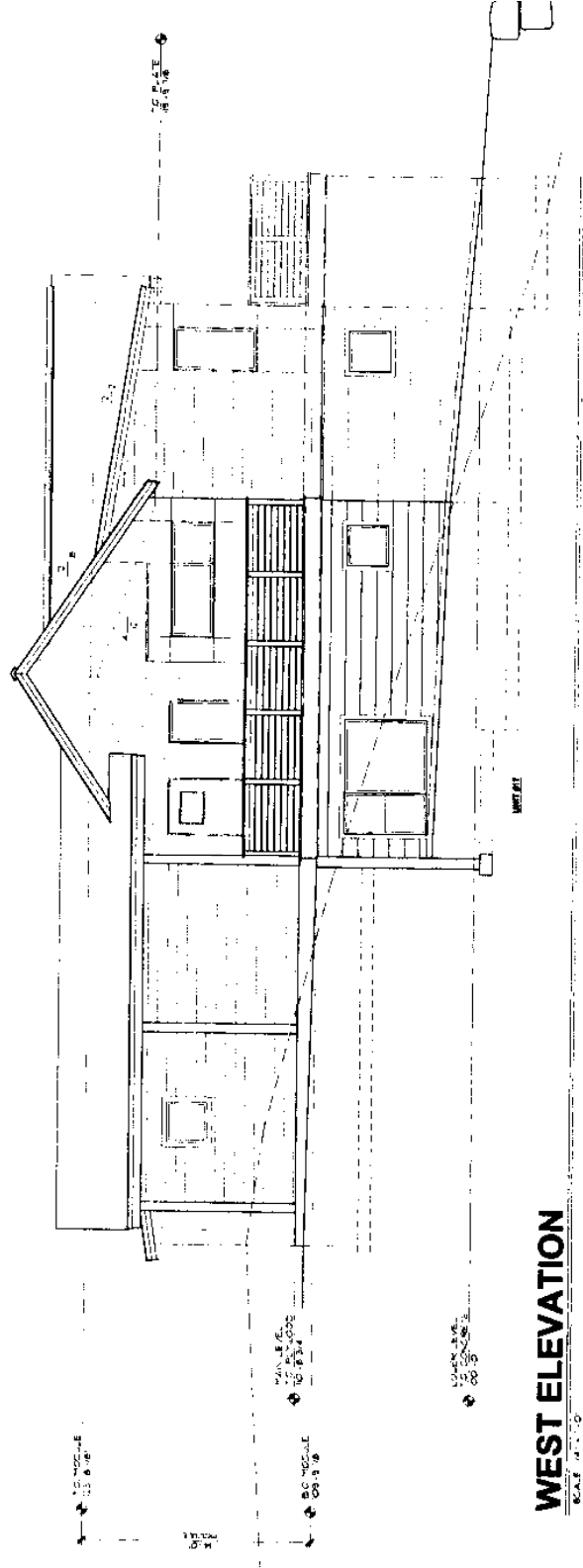
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NORTH ELEVATION

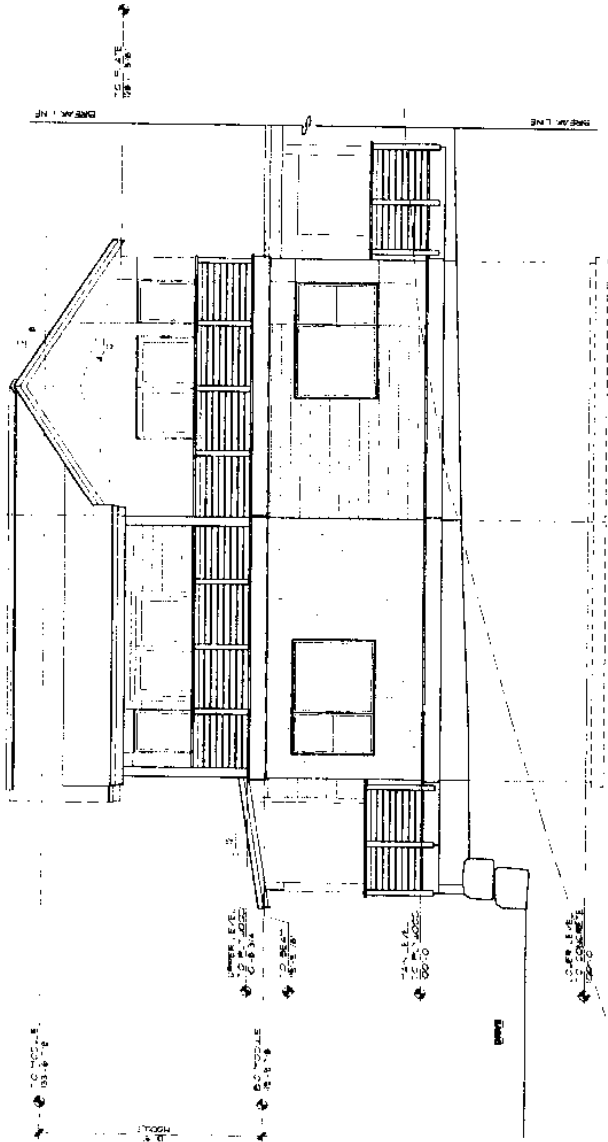
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SEE SHEET A-10 FOR
TYPICAL NOTES AND MATERIALS



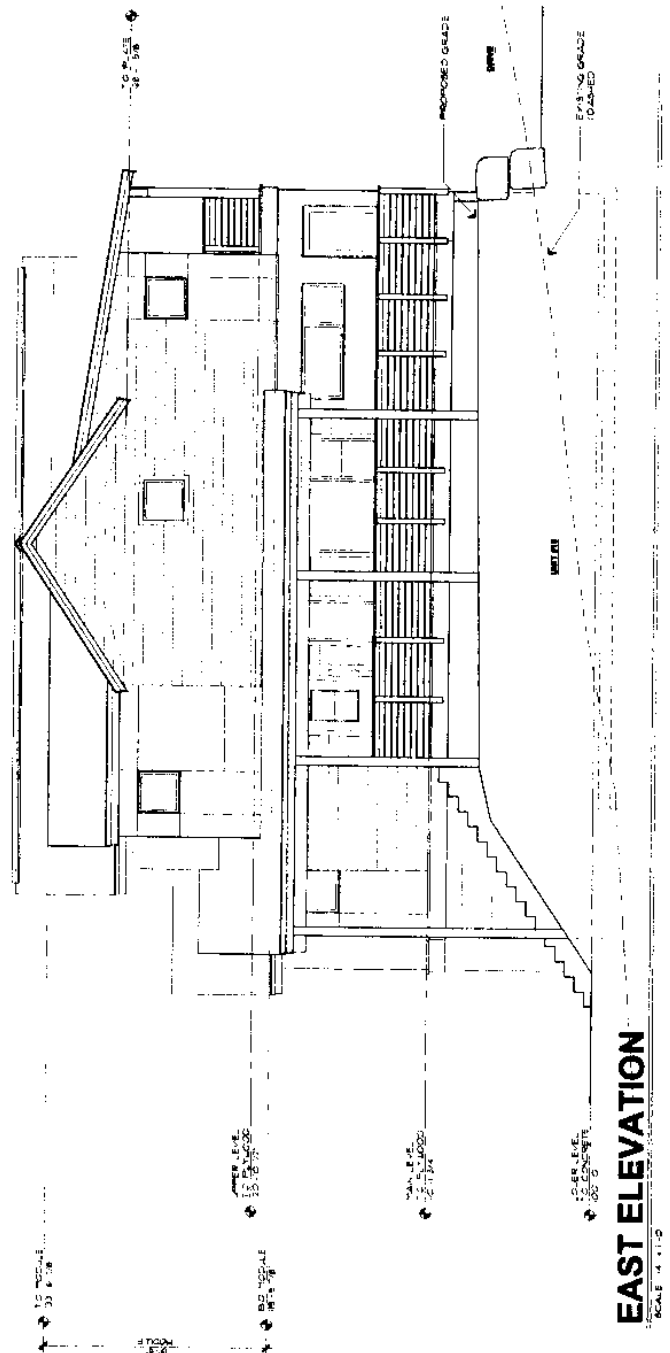
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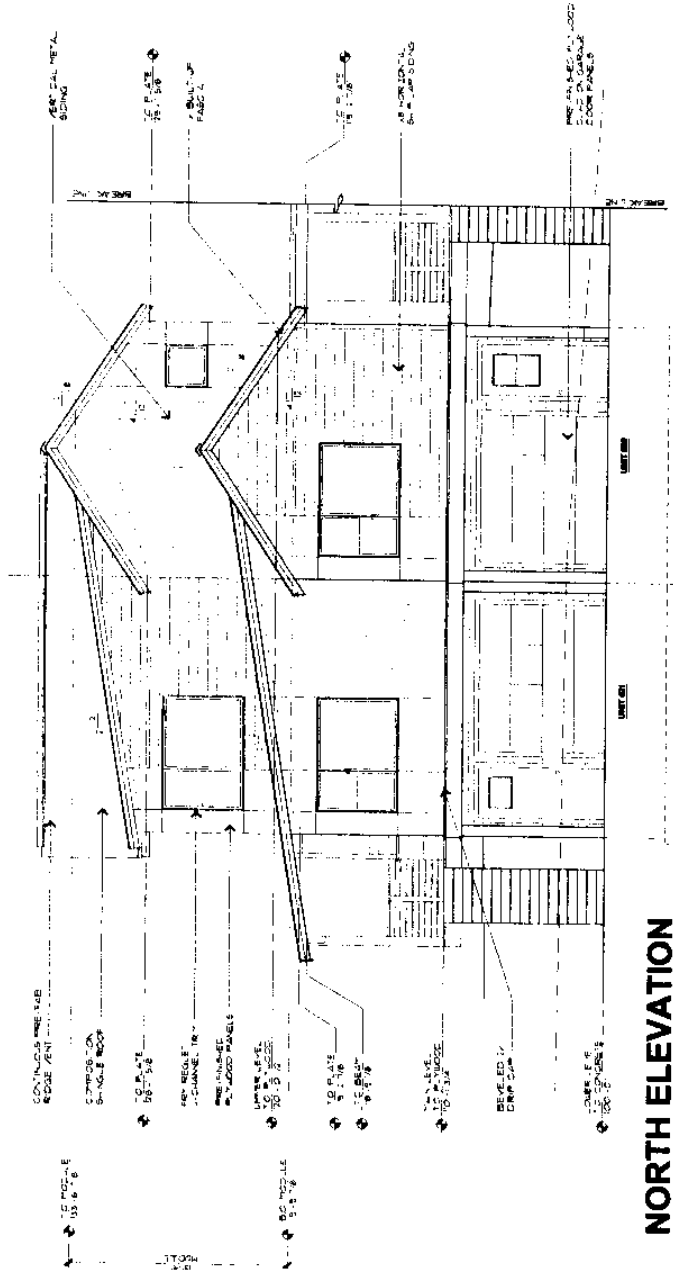


SOUTH ELEVATION
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SEE SHEET 4.110 FOR TYPICAL NOTES AND MATERIALS

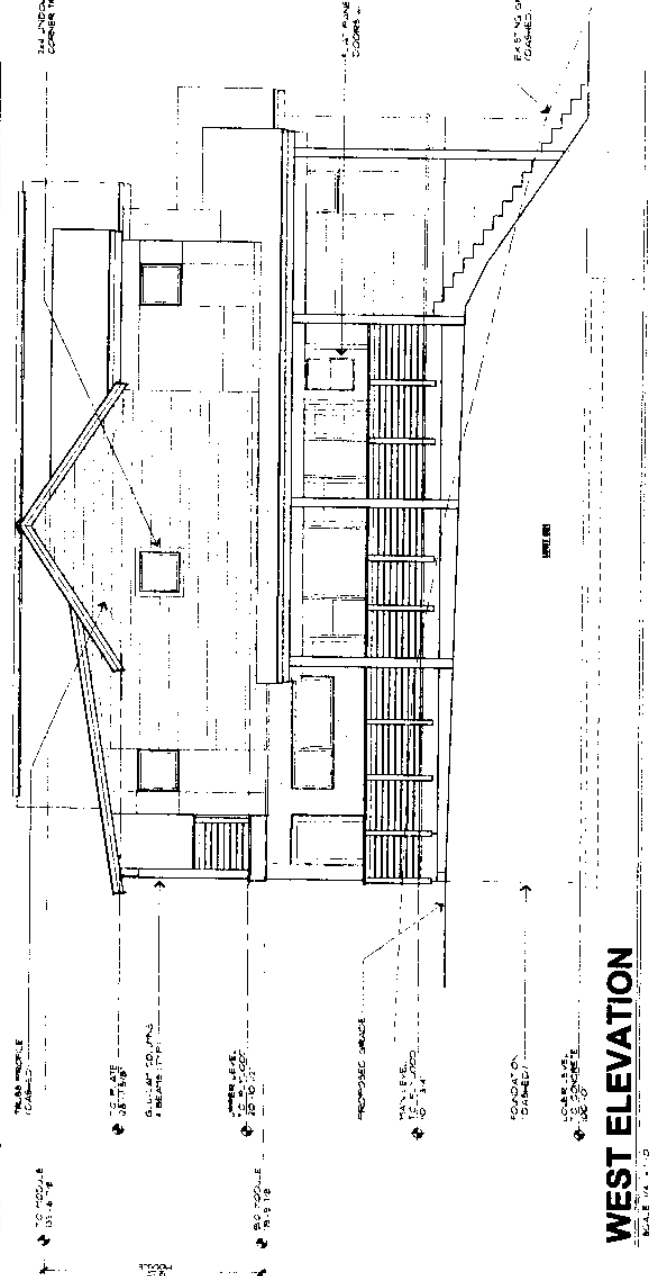


EAST ELEVATION
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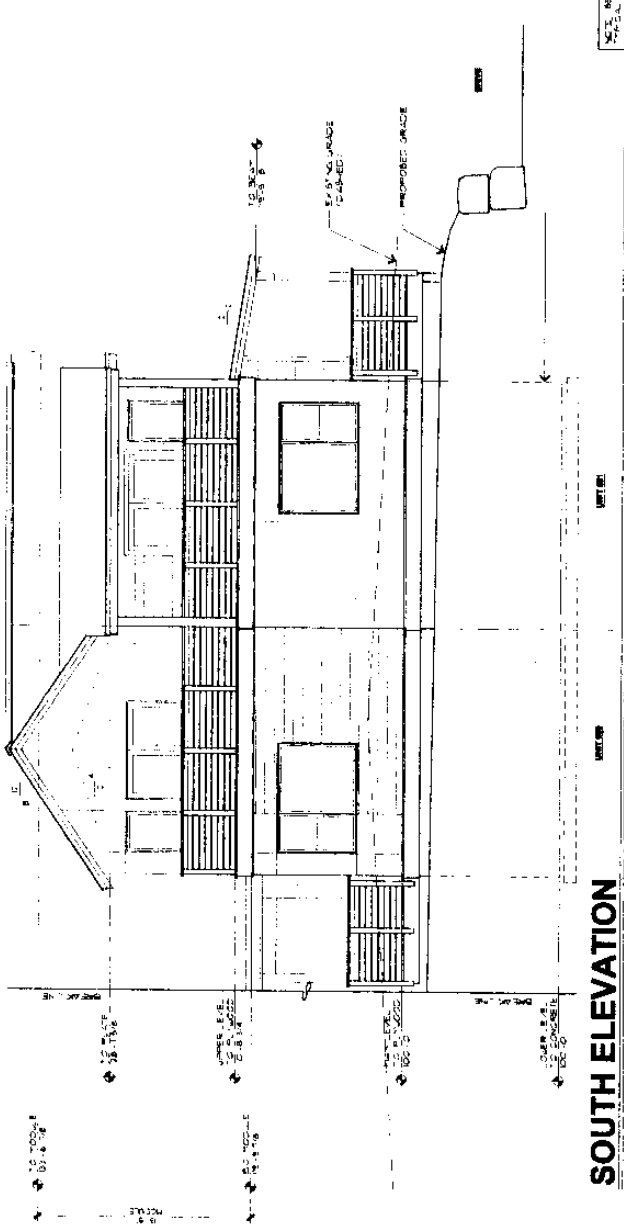
NORTH ELEVATION

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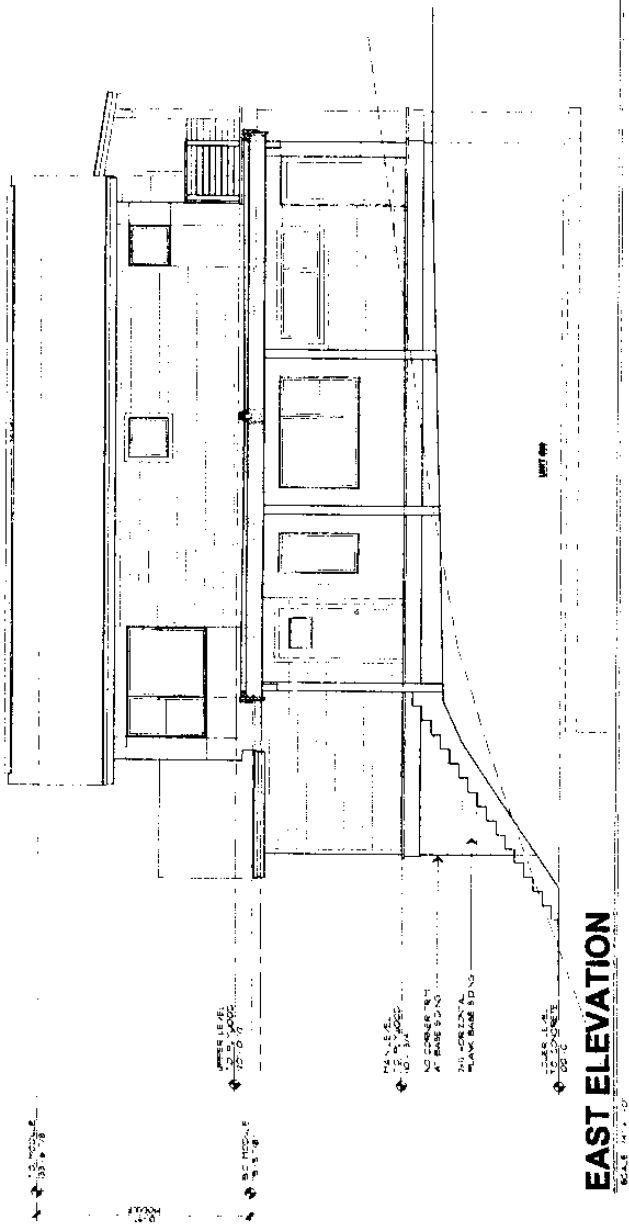


WEST ELEVATION

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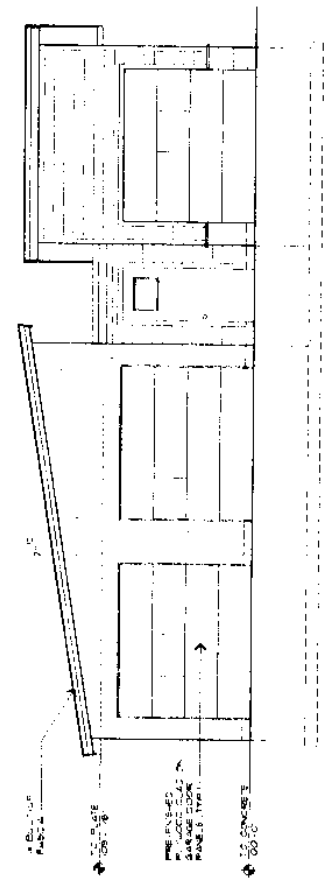


SOUTH ELEVATION
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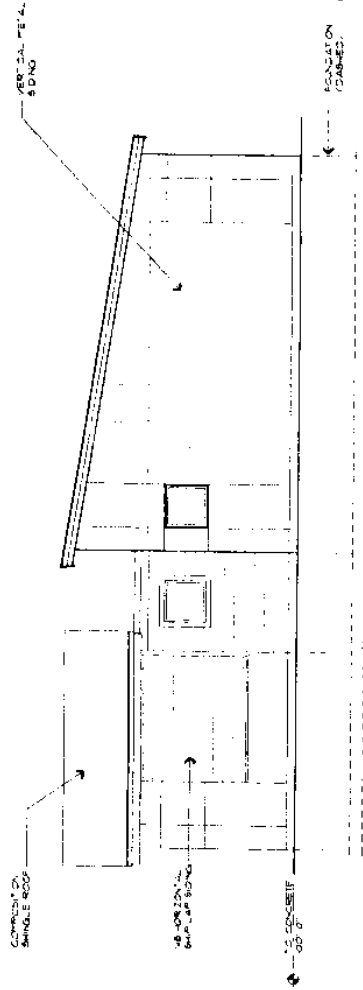
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SEE SHEET 10 FOR
PLAN AND DETAILS



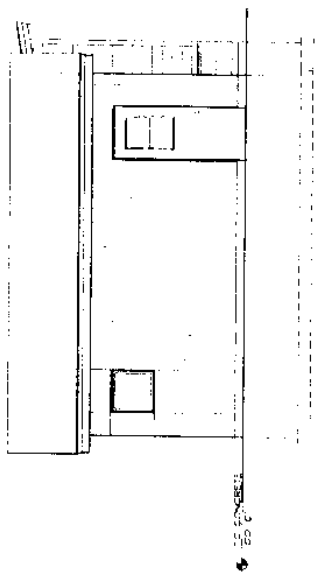
SOUTH ELEVATION

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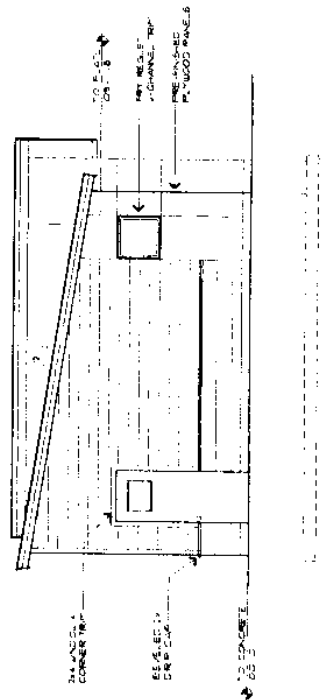
NORTH ELEVATION

SCALE 1/4" = 1'-0"



EAST ELEVATION

SCALE 1/4" = 1'-0"



WEST ELEVATION

SCALE 1/4" = 1'-0"

Planning Commission Staff Report

Project Manager: Michael Mosher

Date: July 16, 2009 (For meeting of July 21, 2009)

Subject: Entrada at Breckenridge Re-Subdivision, Combined Hearing (PC# 2009033)

Applicant/Owner: Entrada at Breckenridge, Inc. – Kirk Michelson and Kurt Ave

Proposal: To re-subdivide Tract A and Tract B, Entrada at Breckenridge into two lots, a mini-storage Tract and a Town Tract which will be transferred to the Town of Breckenridge for possible location of affordable housing or other uses as the Town sees appropriate.

Address: (Pending recordation) 32, 36, 74 and 110 Huron Road (northeast corner of Highway 9 and Huron Road)

Legal Description: Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada at Breckenridge, Summit County Colorado (Reception No. 856500)

Site Area:	<u>Overall</u>	3.978 acres (173,271 sq. ft.)
	Lot 1	0.663 acres (28,879 sq. ft.)
	Lot 2	0.663 acres (28,879 sq. ft.)
	Tract A (Town)	1.326 acres (57,757 sq. ft.)
	Lot 3 (Mini-storage)	1.326 acres (57,757 sq. ft.)

Site Conditions: Prior to this submittal, the applicants have been removing the existing trailers, vegetation, trash, and re-grading the site. There are remaining Lodgepole pine trees along the east property edge. The lot slopes down from east to west at a rate of about 5%. A small triangular portion of the property, at the southwest corner, has been dedicated to CDOT (Reception #776494). There is an existing access easement connecting the parking at Summit Ridge Center and the parking on this property at the northwest curb cut at Highway 9 (Reception # 801773).

Adjacent Uses: North: Summit Ridge Center East: Baldy Mountain Mini-Storage
South: Huron Road and 7-11 West: State highway 9 – Rec. Center

Item History

In May 2007, Entrada at Breckenridge received a Planned Unit Development (PUD) approval from the County for development within the B-1 zoned property. That proposal included the two office buildings and four mini storage building with an allowed maximum total of 88,200 square feet.

On January 7, 2009, Entrada at Breckenridge submitted a Petition for Annexation to the Town of Breckenridge. Since the submittal, the applicants have been working with Staff and the Town Council on the details of their Annexation Agreement. At the time of this writing, the annexation agreement is expected to be adopted after final approval from the Planning Commission. As part of this agreement, the Town will be receiving the center portion of the property for future development. In exchange, the Town will be providing 6.626 SFEs of additional density (beyond the suggested density in the Land Use Guidelines) that will be exempt from any negative points

incurred from the overage during Master Plan review. Part of this reasoning is that the impacts of the extra overall density is partially associated with the mini-storage portion of the development which has minimal water needs, power requirements or parking requirements, besides the small office in one of the storage buildings.

Staff Comments

The review of the proposed subdivision plan outlines the conceptual land layout and land division. The Land Use Summary is:

Lot 1	28,879.00 SF	0.663 AC
Lot 2	28,879.00 SF	0.663 AC
Tract A (Town)	57,757.00 SF	1.326 AC
Lot 3	57,757.00 SF	1.326 AC
TOTAL	173,272.00 SF	3.978 AC

Per the Subdivision Standards Section 9-2-4-5

9-2-4-5 Lot Dimensions and Standards: All of the proposed lots meet this portion of the Subdivision Standards. Staff has no concerns.

9-2-4-5 Access/Circulation: Each lot has access from the abutting Right of Way (ROW) Huron Road. The access to the mini-storage property is via a shared access easement on the Tract A (part of the Annexation Agreement). Description of the access details are in the Master Plan report. Staff has no concerns.

9-2-4-7 Pedestrian and Bicycle Circulation Systems: As part of the annexation agreement, the applicants have dedicated an eight foot wide pedestrian easement along the entire south property line to the Town for placement of a new sidewalk.

As part of the Annexation Agreement, the applicants have dedicated an eight-foot (8') wide easement along the south edge of the property for the Town to construct a new sidewalk. The final grading and drainage plans (required by the Subdivision) will be reviewed by Engineering Staff prior to its construction.

The existing sidewalk along the west property line abutting Highway 9 does not connect to Lot 1. Engineering Staff requests that this missing portion of sidewalk be added along the entire property edge. This has been added as a Condition of Approval.

9-2-4-13: Dedication of Park Lands, Open Space and Recreational Sites or the Payment of Fees in Lieu Thereof: Per the Annexation Agreement, the Town has waived the required ten percent (10%) of the total land area or 10% of the value of the property that is required to be dedicated for parks, open space, or trails. We have no concerns.

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.

There are no public roads within this subdivision, hence this requirement is not applicable.

Utilities/Drainage: A fifteen foot (15') wide drainage easement is shown along the north edge of Lot 1 and Tract C to facilitate a storm drain connection from Lot 3 (mini-storage lot).

Staff Recommendation

This submittal been reviewed by Planning and Engineering staff without any major concerns. This report has been presented as a combined Preliminary and Final hearing. Staff believes that the issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings. If the Planning Commission believes there are further issues to discuss, we recommend this application be continued rather than a denied.

Staff recommends approval of the Entrada at Breckenridge Re-Subdivision, PC# 2009033, along with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

Entrada at Breckenridge Re-Subdivision
Amended Entrada at Breckenridge, Lots 1, 2, 3 and Tract A, a Resubdivision of Tract A and Tract B, Entrada
at Breckenridge, Summit County Colorado (Reception No. 856500)
32, 36, 74 and 110 Huron Road
PERMIT #2009033

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 **July 16, 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 **July 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.
7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. **The Final Plat of this property may not be recorded until the Entrada Annexation Ordinance, Entrada New Zoning Ordinance, Revised Entrada Annexation Agreement have been approved and recorded.**
2. 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.
3. 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.
4. This permit will expire three (3) years from the date of Town Council approval, on **July 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.

5. 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.
6. 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.
7. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.

PRIOR TO RECORDATION OF FINAL PLAT

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 and declarations for the property.
11. Final Plat Drawings will indicate continuance of the existing sidewalk along the west property line, abutting State Highway 9, be completed to the northwest property corner of Lot 1.
12. 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.
13. Applicant shall submit and obtain approval from the Town Engineer of all traffic control signage and street lights which shall be installed at applicant's expense prior to acceptance of the streets by the Town.
14. Per Section 9-2-3-5-B of the Subdivision Standards, the following supplemental information must be submitted to the Town for review and approval prior to recordation of the final plat: title report, errors of closure, any proposed restrictive covenants, any dedications through separate documents, and proof that all taxes and assessments have been paid.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

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

Memo

To: Planning Commission
From: Jennifer Cram, AICP
Date: July 17, 2009
Subject: **MPB and Defensible Space Updates and Landscaping Ordinance Updates**

MPB Ordinance Update

- Updates to the Mountain Pine Beetle (MPB) Ordinance require that all dead and infected trees be removed by June 1, 2012.
- The Town will be treating all Town owned property and Open Space parcels by June 1, 2012 as well. Open Space parcels will be treated based on recommendations noted in the Forest Management Master Plan for open space parcels.
- Approved contractors do not need a permit to remove dead and infested trees. Staff has conducted several training sessions for contractors to be placed on the approved list. Staff is tracking the work of contractors in the field on a regular basis.
- Many property owners are being proactive and removing dead and infested trees this season.

Defensible Space Update

- The Defensible Space Ordinance was adopted on Second Reading on June 9, 2009.
- However, the Town Clerk has certified that the referendum petition on the Defensible Space Ordinance is sufficient and the Ordinance is suspended.
- The Town Council will determine whether to repeal the ordinance, or to submit the ordinance to a vote of the electors.
- The Town Attorney is currently working on an ordinance that will allow property owners to create defensible space on a voluntary basis until the legal status of the Defensible Space Ordinance is determined.
- Over 200 property owners have currently had inspections completed by the RWB in an effort to create defensible space.

Landscaping Ordinance Updates

During the worksessions on February 19, March 4, and May 20, 2008 staff discussed

proposed changes to Policy 22 - Landscaping with the Commission. Changes were discussed to both Absolute and Relative policies. The minutes from the May 20th meeting have been included for your review.

Absolute Policies – Noxious Weeds, MPB, Fuels Reduction and Water Features

The Commission was comfortable with the proposed changes to absolute policies to address Noxious Weeds, the removal of Mountain Pine Beetle (MPB) infested trees and Fuels Reduction to be consistent with existing Town Ordinances and Conditions of Approval.

A new absolute policy to address water features was also discussed. The Commission noted that Water Features should not be allowed outside of disturbance envelopes, that the use of Glycol should be prohibited and that water features that were excessive in size and/or that were heated to run year round should receive negative points under Policy 33 – Energy Conservation.

Based on comments from the May 20th meeting it was recommended that the term “excessive” be defined. Staff has conducted additional research on water features. Overall, the pumps used to run either a small or large water feature do not utilize a lot of energy. However, the pumps used to run a water feature can be more energy efficient if they use lower amps. In addition, solar powered pumps are available. We have attached some research data for the Commission to review.

- Staff would like to know if the Commission believes a water feature is excessive based on the size of pump required to run it, or the overall size of the water feature compared to the size of the lot, or both.

We also learned that Glycol was not generally used as part of the water feature system to keep the water from freezing, but rather used to keep the pump from freezing. We will continue to research the use of Glycol to be sure that we are not unnecessarily prohibiting it. We believe that this can be addressed in the future with recommended guidelines in the Policy and a condition of approval that would only allow the use of glycol in association with the pump.

Another issue that staff will be looking into is water use and if any additional tap fees should apply.

Defensible Space – Relative or Absolute Policy?

As discussions continue with the Town Council regarding Defensible Space staff will continue to update the Commission. Defensible Space may either be a relative or absolute policy. It is also possible that Defensible Space may not be a part of the Landscaping Policy.

Relative Policies – Forest Health and Species Diversity

Forest Health - We would like to encourage private property owners to improve the health of the trees on their properties. Forest management includes thinning trees to improve spacing between crowns, removal of dead and diseased trees and replanting to encourage species diversity. The Town Council believes that enhancing existing relative policies would encourage more property owners to improve the health of the trees on their properties. The way that Policy 22R is applied by staff and the Commission will also be important, as we have many existing tools in Policy 22R.

With this being said, staff believes that positive points should only be awarded under Policy 22R for those projects that look at the health of existing trees along with the replanting of appropriate species in a variety of sizes including larger trees according to industry standards. We believe that just planting new trees is no longer enough to receive positive points.

Staff believes that properties can be reviewed on a case-by-case basis and positive points awarded based on the amount of healthy existing vegetation that remains and the amount and sizes of new vegetation that can be planted that will fit based on mature growth habit. Where few or no trees currently exist, projects could still be eligible for positive points for above average landscaping plans based on proposed species, quantity and size. In reviewing a proposed landscape plan for positive points, staff will look at the health of existing trees, species diversity of new plantings (with native species being preferred), size of new plantings and location to provide buffers to public rights of way and neighboring structures for privacy. The Landscaping Guidelines will also be updated to provide information on recommended species, industry standards for sizes, planting details etc.

- We would appreciate the Commissions input on this new holistic approach to awarding positive points for landscaping based on forest health and species diversity.

Point Multipliers for Policy 22 - Landscaping

Currently a development permit application can obtain up to +4, or +8 positive points under Policy 22R – Landscaping (4X multiplier) for proposed landscape improvements that provide exceptional buffers and aesthetics. Many projects are able to mitigate significant negative impacts using this policy. It has been suggested that the point multiplier could be reduced to +2, +4, +6, +8 to encourage better design of projects, or mitigation through other policies.

Town Council did not believe that the point multiplier should be reduced. The existing ordinance gives staff the ability to get significant landscaping for positive points. With a new holistic approach to awarding positive points, we believe that +2 up to +8 points could be warranted for exceptional landscaping efforts.

- Does the Planning Commission want to consider reducing the point multiplier to

+2, +4, +6, +8 or keeping the point multiplier as is?

The Commission had mixed thoughts about changing the point multiplier during the discussion on May 20, 2008. Most thought that reducing the multiplier was a good idea. It was noted that +8 should be possible for larger lots. It was also noted that perhaps forest health should be an absolute policy, with the relative policy being focused on new plantings. Staff would like to discuss this further with the Commission to get an idea of what the issues are for the Commission in reviewing landscape proposals and awarding positive points.

Summary

With our landscape changing due to the MPB epidemic it is important to update the Landscaping Policy to be consistent with current Ordinances and to look at how our future landscape can be shaped. Many changes have occurred since we last discussed the Landscaping Policy. During the worksession on July 21st staff wishes to bring the Commission up to speed with the changes to the MPB and Defensible Space Ordinances, refresh the Commission on past discussions regarding the Landscaping Policy and move forward with updates.

Minutes from May 20, 2008 Worksession

1. Landscaping Policy (JC)

Ms. Cram presented changes to the Policy 22 - Landscaping since the February 19th and March 4th Worksessions.

Questions: Should defensible space be an absolute or relative policy? Should a holistic approach with regard to forest health and species diversity be considered in order to receive positive points? Should the point multiplier be reduced to +2, +4, +6?

Commissioner Questions/Comments:

Mr. Allen: Smaller lots within the conservation district need special consideration. Eight points should be an option for larger lots outside of the conservation district, strongly in favor of keeping eight points as an option. Two points should be an option as well. Forest health and species diversity should be encouraged. If defensible space is an absolute outside of the conservation district, need to have variance process for narrow lots.

Ms. Girvin: Liked taking a more holistic look at landscaping. Keep in mind shrubs and native plantings of wildflowers replacing critical links in the chain of life. Regarding water features, "excessive" needs to be defined.

Mr. Bertaux: Argument to be made to go to +2, +4, and +6 if folks think landscaping points are being given away. Perhaps forest management and landscaping should be separate, or more verbiage is needed to clarify how points will be awarded. Defensible space should be an absolute policy.

Mr. Khavari: If you really want forest management, make it an absolute policy. Two points would be fine because sometimes four points is too much, especially in the conservation district, where two points would be more

appropriate. Thought +2, +4, and +6 would be good, worried a little bit about + 8, may really allow for bad design to pass such as excessive stucco, wood burning devices, etc. More verbiage with examples may help.

*Based on 10 cents / kilowatt hour.

*Pump size info taken from pondpumps.com

(Birdbath / Small pond)

Example: 100 gallons/min, uses 5 watts elec.

.0005 cents per hour Around 1.2 cents/day

(Fountains / Small water Gardens)

Example: 132 gallons/min, uses 9 watts elec.

Around 2.4 cents/day

(Large Fountain)

Example: 3,200 gallons/min, uses 684 watts

6.8 cents/hour Around \$1.64/day

AquaSurge Pump Performance Chart

Model	Discharge	Watts	Monthly Operating Costs *	Max Head Height	0'	5'	10'	15'	20'
2000	1.0"	250	\$18.24	22'	1900	1500	1300	900	300
3000	1.5"	180	\$13.13	15'	3328	2853	1902		
4000	1.5"	220	\$14.45	16.5'	3960	3300	2700	1426	
5000	1.5"	250	\$18.24	19.5'	4752	4280	3328	2377	
7000	2.0"	700	\$50.57	22'	6600	5100	4000	2800	1000

AquaScape Pro 1500 and 4500 Pump Performance Chart

		Cost	Max							
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Model	Watts	Per Month*	Head Height	5'	10'	15'	20'	25'	30'	35'	40'
1500	205	\$14.96	18'	1650	1150	400					
3000	280	\$20.43	20'	2900	2000	1250					
4500	625	\$45.60	33'	4500	4000	3300	2700	2000	1100		
7500	1150	\$83.90	42'	6700	6200	5600	4800	4200	3400	2500	1200
10,000	1240	\$90.47	29'	10600	8200	6800	5000	2600			

http://www.thepondoutlet.com/home/tpo/page_2499_192/aquasurge_pumps_by_aquascape.html

Fountain pumps

Fountain pumps include Floating fountains, and aerators as well as foggers, misters, pond fountains, pond pumps, bronze fountains, and wall fountains. These pumps are designed for continuous duty and are usually good for high flow, low head applications.

<http://www.waterpump.com/fountainpumps.html>

Pond and Garden Pumps

Pond and garden pumps can be either above ground centrifugal pumps or submersible pumps that are rated for continuous duty. These pumps are common in Koi ponds, water garden ponds, and small waterfalls.

<http://www.waterpump.com/pondgardenpumps.html>

Solar Powered Pump

A solar powered pump is a pump running on the power of the sun's solar rays. A solar powered pump can be more environmental friendly and economical in its operation compared to pumps powered by conventional power sources.

<http://www.waterpump.com/solarpumps.html>

Glycol

(Protecting a gas powered heater) Glycol will **lower the freezing temperature to under -20 Celsius** when mixed with water in a 30% mix. So, if you have a power outage or your pump dies, your heater is safe from cracking. **You will also be able to fire your heater up and resume heating your pond once power is restored** or the faulty pump replaced. This is key - getting your system back online

key points

So the two main points are not only preventing the expensive damage that can occur by using glycol, but also being able to get your heating system back on-line as soon as possible before your pond temperature drops. There is a downside to running glycol, First, a second pump is required to run the hot circuit. Second, a stainless steel heat exchanger needs to be purchased and setup. And finally, the conduction of stainless steel does not match copper - as a result, heating costs will be higher

<http://www.clarkekoi.com/PondHeating.html>

TWO WAYS OF DE-ICING:

A floating de-icer, A submersible de-icer

<http://pondsolutions.com/pond-heaters.htm>

Additional reference info:

How to Calculate Electric Costs for Pumps and Aerators

Be careful when comparing pumps. Always compare GPH (gallons per hour) vs. amps draw. To calculate the operating cost of an electric motor use the following formula:

Amps x volts (115 or 230 volts) = watts x hours per day of operation ÷ 1000 x cost per kilowatt hour.

For example: Say you are looking at our SCPA10 aerator (at the following link: <http://pondsolutions.com/aerators.htm>) and you read that it draws 1 amp of electricity and it uses 115 volts. This aerator (as well as others) should run **24 hours a day** as well as most pumps for backyard ponds, etc. What we need to do to figure out the total cost is get out our electric bill. Look on the bill where it states the kilowatt or kwh. You'll find some numbers something like this: 240kwh @ .9704 or .1003. The numbers will be different throughout the country as electric costs vary. Our electric costs is **.1002** and I'll use that for this example. This .1002 means that it costs me **10 cents** (use the first numbers after the decimal point) per kilowatt hour. Now, let's plug this information into our equation:

$1 \text{ amp} \times 115 \text{ volt} = \text{watts} \times \mathbf{24 \text{ hours per day}} \div 1000 \times \mathbf{.10}$

This calculates to:

$1 \times 115 = 115 \text{ watts. } 115 \text{ watts} \times 24 \text{ hours} = 2760. 2760 \div 1000 = 2.76.$

$2.76 \times .10 = .276$ or nearly 28 cents per day to run my SCPA10 aerator. With 30 days in the month I multiply the .28cents per day x 30 days and I get \$8.40 which is the price it will cost me per month (a 30 day month) to run my aerator!

Sometimes you will see a big difference in prices for comparable pumps throughout our site. This is not only due the individual features of the pumps but because of how energy efficient they are as well. Take for example the 2 pumps at the following page:

<http://pondsolutions.com/3000gph-pumps.htm> You will see the first pump by Beckett that sells for \$215.89 and uses 700 watts and the second pump by OASE that sells for \$700.00 and draws only 260 amps. The first pump would cost us \$50.40/month to operate while the second pump would cost us \$18.72/month to operate. The first pump would cost us over 2 1/2 times per month to operate compared to the second pump. Granted, there is also a substantial difference in price between the two as well as other differences in product quality, but you should consider the cost of operation of any pumps to make sure you can afford to operate them.

<http://pondsolutions.com/electric-costs.htm>

The 1st commandment of pond water pumps is amps (amperage) equals money down the drain!

- Higher amps means more money down the drain,
- Lower amps means saving more money.

- Amps x \$100 = the cost per year (at a kilowatt-hour cost of \$0.10) to run a pump.
- Amps x \$500 = the cost per 5 years to run a pump.
- Amps x \$1,000 = the cost per 10 years.

http://www.koifishponds.com/pond_water_pumps.htm

PIPE SIZE	MAX. FLOW GPM	MAX. FLOW GPH
1/2 "	3.5	210
3/4"	6	360
1	10	600
1 ¼"	20	1,200
1 ½"	30	1,800
2"	60	3,600
2 ½"	100	6,000
3"	175	10,500

http://www.koifishponds.com/pond_water_pumps.htm

The operating cost of a motor-pump combination is the cost of electricity that the pump uses.

- Remember the amps x voltage gives you the watts.
- So if your pump draws 10 amps at 115 volts, you are using 1,150 watts per hour, and if you are paying \$0.10 (10 cents) per kilowatt-hour it is costing you \$0.115 per hour, or \$2.76 per day, which is \$85.56 per month, and \$1,007.40 per year.

How much would you save over 5 years if you could reduce the amps from 10 to 2.6? Would you believe \$3,727.38? How much more would you save if you ran the pump at an average 65% of its design speed? You would save another \$458.37 for a total of \$4,185.75; an annual operating cost of \$170.25? How much more would you be willing to pay for a pump that could save you \$4,185.75?

The following table shows the amps the more popular pumps draw as a function of horsepower.

Horse Power	Money-Saver™ Pumps	Jacuzzi 2-speed	Wave Pumps	Sequence 1725 RPM	Sequence 3450 RPM
	Amps				
1/8	0.5	2.6	1.7	1.04	
1/6	0.6		2		
1/5	0.7	3.6			
1/4	0.8	4.4	2.5	2.87	
1/3	0.9				8.7
1/2	1.3				8.8
3/4	1.7		8.8		12.3
1	2.6	8.8	11		16.5
1.5	4	12.2	13.8		19.4
2	5	16.4			25
3	6.8				
5	13				

http://www.koifishponds.com/pond_pumps.htm

HOW TO ESTABLISH THE SIZE OF SUBMERSIBLE PUMP YOU WILL NEED

Submersible pumps are an essential part of having a water feature or pond. It is important what size pump you choose for your feature.

There are a few points one needs to establish before choosing your submersible pump.

- ° Determine size (volume) of pond or feature. i.e. Length x Depth x Width.
- ° Will you be putting fish into the pond?
- ° Is there going to be a rock wall or decorative fountainhead that stands above the water line.

Once these have been established, you can then work out your submersible pump size.

1. Your pond size will determine your minimum pump size. Work out the volume and look for a submersible pump that will pump that volume per hour. This info will be on the box packaging.
2. If you are going to have fish in you pond then try to keep the volume of water circulating once every 1.5 hours, this can be increased to once every hour. (minimum of once every 3 hours)
3. Should you want a water fall or rock feature (where the water would firstly have to go uphill before coming back to the pond), you need to measure the max height to the top of the feature and compensate for the decrease in flow as a result of gravity. Choose a stronger pump by reading the "curve" on the packaging. This will tell you what flow will come out at a specific height.
4. N.B. A pump is marked to have a specific flow rate / hour and also a "head". The "head" is where the pump will

deliver NO flow. This is also known as " shut off head".

There are also Bio-Filters with UV Lights that can be added to your pond. This would be connected in-line to your submersible pump. A Bio-Filter helps to create an artificial Eco-System for your pond by filtering your water and giving different organisms a place to live creating your own food chain. The UV Light counters the sunlight, which causes your water to go green and leading to a build up of algae.

http://www.waterpumps.co.za/water_pumps.htm

HIGH VOLUME WATERFALL PUMPS													
Model	AMPS (MIN/MAX)	WATTS (MIN/MAX)	MAX FLOW	MAX HT.	1'	5'	10'	15'	20'	25'	30'	35'	40'
PW1200	1.17-1.65	138-187	1370	19.3'	1325	1150	875	550	-	-	-	-	-
PW2500	1.10-2.85	112-308	3100	19.6'	2880	2220	1395	560	-	-	-	-	-
PW3500	1.10-3.60	112-404	3900	23.3'	3840	3220	2400	1530	575	-	-	-	-
PW4500	1.15-6.20	117-692	5200	25'	5040	4490	3700	2825	1750	-	-	-	-
PW5500	2.71-8-10	125-902	5750	33.2'	5620	5160	4500	3795	3000	2090	1000	-	-

<http://www.calpump.com/products.asp?category=9>

LOCAL PROVIDERS:

Summit Landscaping

<http://www.summitlandscapingofbreck.com/navigator.html>

1925 Airport Rd.
Breckenridge, CO 80424
970-453-1039
fax 970-453-0274

Breckenridge Garden Center

16023 Hwy 9 - Farmer's Corner
Breckenridge CO, 80424
Office: (970) 547-9693
Fax: (970) 453-1371

Neils Lunceford Nursery

740 Blue River Parkway
Silverthorne, Colorado 80498
1 mile North of I-70 on U.S. Highway 9.
970.468.0340

Alpine Gardens

988 Blue River Parkway
Silverthorne, CO
970/468-8189