

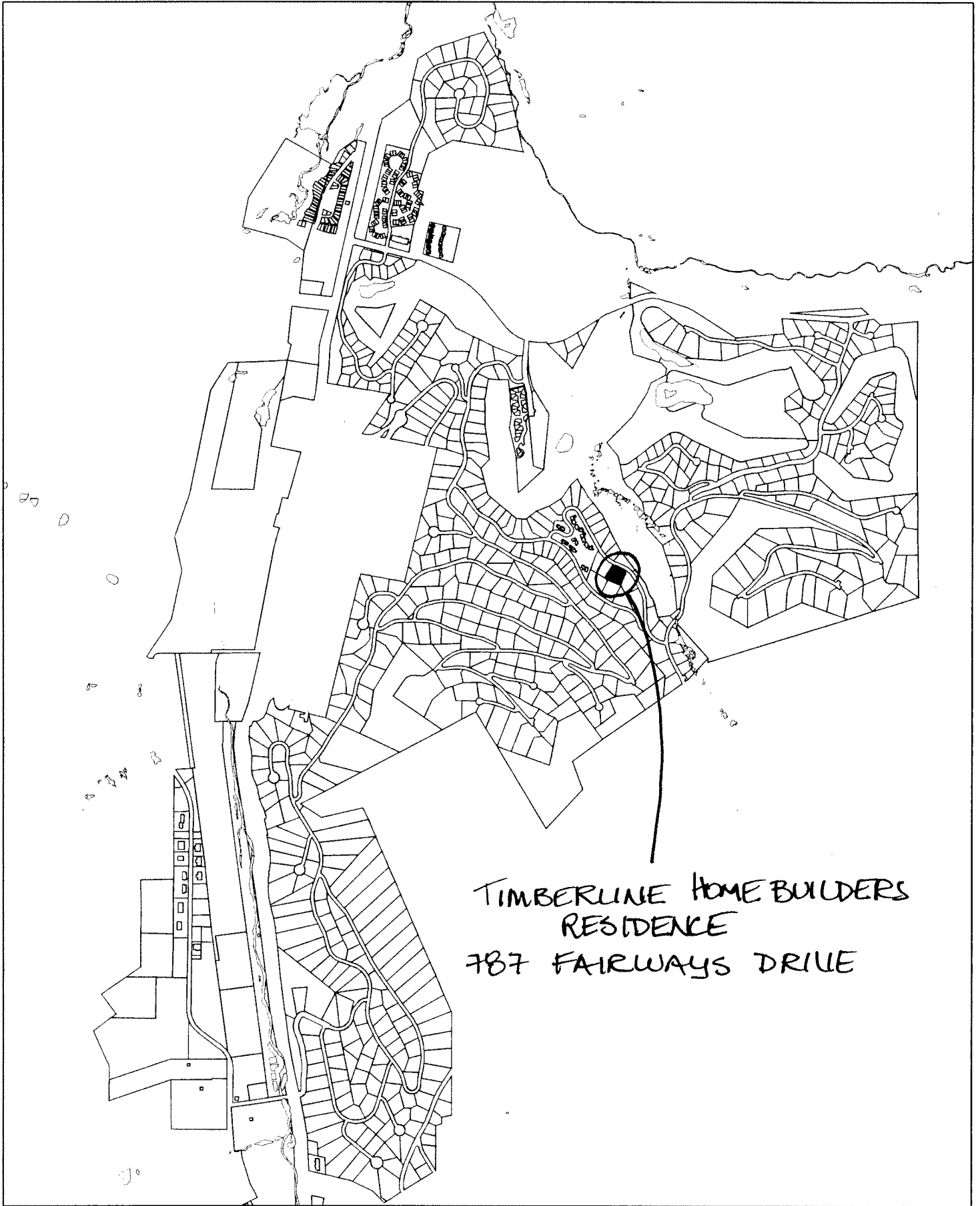
Town of Breckenridge
Planning Commission Agenda

Tuesday, November 3, 2009
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the November 3, 2009 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes October 20, 2009 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Town Council Report</i>	
7:15	<i>Consent Calendar</i>	
	1. Timberline Homebuilders Residence (MGT) PC#2009051 787 Fairways Drive	15
7:30	<i>Final Hearings</i>	
	1. Whitehead House (Prospector) Renovation and Landmarking (MM) PC#2009042 130 South Main Street	20
	2. Gondola Lots Master Plan (CN) PC#2009010 320 North Park Avenue	39
9:45	<i>Other Matters</i>	
9:55	<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.*



TIMBERLINE HOME BUILDERS
RESIDENCE
787 FAIRWAYS DRIVE



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

Breckenridge North

printed 2007

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GONDOLA LOTS
MASTER PLAN
320 NORTH PARK AVENUE

WHITEHEAD HOUSE (PROSPECTOR)
RENOVATION + LANDMARKING
130 SOUTH MAIN STREET



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Breckenridge South

printed 2007



PLANNING COMMISSION MEETING

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

ROLL CALL

Rodney Allen	Michael Bertaux	Leigh Girvin
Dan Schroder	Jim Lamb	Dave Pringle

JB Katz was absent.

APPROVAL OF MINUTES

With no changes, the minutes of the October 6, 2009, Planning Commission meeting were approved unanimously (6-0).

APPROVAL OF AGENDA

Mr. Neubecker added a discussion of the upcoming Planning Commission Field Trip at the end of the meeting. Mr. Allen noted that the order of the consent calendar was incorrect. He would like to discuss the agenda order at the end of the meeting.

With these two changes, the October 20, 2009 Planning Commission agenda was approved unanimously (6-0).

WORKSESSIONS:

1. Landscaping Policy

Ms. Cram presented the proposed changes to the Landscaping Policy, specifically regarding Relative recommendations. Some of the highlights of the changes included new language that gives greater emphasis to native plantings and the inclusion of xeriscape plantings. In addition, staff took a first try at developing some examples for the award of positive two (+2) up to positive eight (+8) points.

Commissioner Questions/Comments:

Mr. Schroder: Regarding irrigation, I don't want to award points to anyone that plants landscaping that will not survive without irrigation. I think that irrigation should be required. Do we ever look to see if the snow plow will get damaged by the boulders or wheel retentions when plowing? (Ms. Cram: We are trying to encourage protection of the landscaping.) (Mr. Neubecker: We also need staff to be more cognizant of tree locations in snow stacking and areas that will be plowed.) I think that staff is on the right track with the quantities of landscaping for the different size lots. It makes sense to require more trees for larger lots. I think that positive six (+6) is enough points. Number 13 may negate the need for a matrix; it says sufficient variety of species to assure appeal.

Ms. Girvin: One thing to consider is that we are encouraging temporary irrigation. Areas with utility cuts, for example, need water for the first few years to get established, and the most cost effective solution will be to require irrigation temporarily, even with spray. You cannot drip irrigate a lawn or native grass; you need to be able to spray it. It needs to go with the type of landscape you are putting in, and the length of time you expect to water it. Regarding #7, I would question the netting; I haven't seen it biodegrade over time and it can harm birds. There are other materials that can be used for the same purpose, such as straw, that are biodegradable. I am curious about the recycling of water that is included; it isn't located anywhere in the code. (Ms. Cram: Recycling is use of gray water, such as bathwater; we could include recommendations in the Landscaping Guidelines.) (Mr. Neubecker: We have looked into our legal water rights with the Town attorney, and we are allowed to recycle water in Breckenridge.) I have a question regarding #11: the first sentence says that "the remaining 50% of the tree stock", what is the remaining from? (Ms. Cram: 50% of the total, it gives minimum guidelines under the absolute policy.) The great example of landscape in its natural state is in Sunbeam Estates along Carter Park - there is a beautiful stand of Columbine and other wildflowers. This type of natural area can be preserved by fencing off and preserving these areas of native plantings during construction. (Mr. Neubecker: I would also add the word "undisturbed" to the policy relating to natural areas.) If you have a small property, how could you get 8-10 trees on it? (Mr. Lamb: I have 30-40 trees on my small lot; it is feasible to have that quantity.) I think that positive six (+6) is enough points. In your positive two (+2) points for preservation, if you have an area of outstanding vegetation and wildflowers such as Columbine, perhaps you should get positive

points without it having to be an entire 1/3 of the parcel. (Mr. Neubecker: Maybe we could have one point for natural area preservation, one point for drip irrigation, and so on. Like a menu.) In #3 you talk about preserving specimen trees; is this the definition of “specimen” or do we define it somewhere else? (Mr. Neubecker: It is defined in the development code.) I think that definition in the development code is appropriate. When discussing plants that are appropriate for the high altitude, I would like to encourage the use of legacy plantings (plants used historically in Breckenridge); they are not native, but have proven to do well here, such as oriental poppies, tansies, cotoneaster, balsam poplar, etc. I would like to encourage those types of plants that work. (Mr. Allen: Would #5 cover this?) (Ms. Cram: We should add “historical use” to the landscaping guidelines.) Technically, we aren’t “alpine” we are “sub-alpine”; you could just reference “high altitude”.

Mr. Pringle: Is it possible to break it out? For example if it is a Class C single family home it requires a specific type of irrigation, and a Class A and B commercial or multi-family should be absolute for irrigation. The netting does serve a purpose on steeper slopes. What are we changing the slope requirement to and from? (Ms. Cram: You can’t grow plants on greater than 2:1 slopes; therefore, we are changing the policy to absolute.) I agree that #9 should be encouraged rather than required. I wouldn’t want to penalize someone who wants to put in a turf yard rather than keep their yard in a natural state. (Mr. Neubecker: You are allowed to, but it would be encouraged to preserve the native grasses. This will also be addressed in the energy policy.) (Mr. Schroder: I think you should be able to do a turf yard, but you should get 0 points in that situation.) (Ms. Cram: Someone who preserves native grasses could get positive points; we are not prohibiting a turf yard.) I don’t like putting numbers in the code, because people will go for the cheapest points. More isn’t better, better is better. Do these rules apply to all development in Breckenridge? (Ms. Cram: Yes.) I think that single family should be able to get the maximum positive points. Do we want to give people positive points if they have a disturbance envelope? (Ms. Cram: We wouldn’t give them points for that; only if they protected something within their disturbance envelope.) (Mr. Allen: Or if they routed their driveway specifically to preserve an area of natural vegetation.) (Mr. Truckey: The language right now reading as “1/3 of a lot” needs to be distinguished with disturbance envelopes and the preservation area.) On page 23, is this part of 22R? (Ms. Cram: We want to make this absolute so we are going to move it.) So this will come out of 22R. Is there a difference between “natural” and “I’m never going to touch this again landscaping”? (Ms. Cram: Yes, this is addressed in maintenance.)

Mr. Lamb: If you require an irrigation system, someone could still choose to not turn it on. My issue with irrigation is that you can typically see them on during rainstorms. (Mr. Rossi: We could require a rain sensor.) I think that #9 is okay in the historic district. I envision a large lot with the parking and landscaping, it sounds like it would look unnatural. I think that the landscape for a small lot seems equitable. I think that positive six (+6) is enough points.

Mr. Bertaux: In an arid climate, the plant material needs irrigation. I think that irrigation is deserving of positive points. The netting works, but you can also use straw or other materials. We might want to allow a xeriscape type project rather than a retaining wall. (Ms. Cram: You could do dry stacked walls.) (Ms. Girvin: You could plant pockets along the dry stacked wall.) (Ms. Cram: This would be allowed with the proposed policy language.) Possibly a strip of gravel or other options could be used in the historic district where curbs or boulders could not be provided. If you are encouraging a large quantity of trees, 40-60, aren’t we going to get a large quantity of aspens versus evergreen trees? (Mr. Schroder: I think there needs to be an equivalency table, like 3 aspens are equal to 1 evergreen or a percentage of each plant type.) I think that positive six (+6) is enough points. Should the code also show the difference between a master plan and a single lot? How do you define the amount of landscaping that isn’t on a developable lot, along a right of way? (Ms. Cram: That is in the subdivision process, which determines how many trees you have to plant in the subdivision.)

Mr. Allen: I agree with Ms. Girvin regarding irrigation, it depends on the type of landscape and type of property. You could also evaluate where the property is located, some parts of town may need different types of irrigation due to the soil type and drainage. Are we talking about the same policy #9 for both single family home driveways along with commercial and multifamily project parking lots? (Ms. Cram: Yes.) Have we seen a problem with this? (Ms. Cram: No.) What is staff’s issue with turf? (Ms. Cram: Water use.) (Mr. Pringle: We could include a tall turf type fescue or other lower water use turf besides Kentucky Bluegrass.) Could we have a floor area ratio type formula for landscaping? (Mr. Bertaux: You need to make sure if you apply this approach, you need to take the

net of the lot area so that impervious areas are not included.) I want to make sure we aren't precluding trees from being planted outside the disturbance envelope. (Mr. Neubecker: We have allowed people to plant outside the disturbance envelope.) (Mr. Lamb: Typically people aren't asking for positive points outside the disturbance envelope unless they are creating buffers.) (Ms. Cram: This hasn't been an issue in the past.) (Mr. Neubecker: It is about how the tree is planted, you should use a less disturbing planting mechanism, like a bobcat rather than a dozer.) I agree with Mr. Neubecker, and with pine beetle, planting outside the disturbance envelope will be an issue in the future.

Mr. Rossi: This isn't mentioned in the plan, but is there any reason to encourage nursery grown versus field grown, and where the plants come from? (Ms. Cram: We want to allow people to do both. Engelmann Spruce will be field collected, while Blue Spruce will be nursery grown. We just want to make sure that plants are adapted to our elevation. There are some species that are less likely to survive if they come from Denver. We will put information regarding planting, watering, and tips in the Landscaping Guidelines to help people.) (Mr. Bertaux: I think that nursery stock from Denver can be grown here, as long as it is watered and planted appropriately.) Can you specify the type of sod that is put in, potentially a low water use type sod or seed? Maybe that is one way to have a lawn with less water use.

Mr. Truckey: One comment on the discussion of Classes, a single family home in the historic district is not a C. You need to weigh the amount of positive points that are available, since affordable housing can get up to positive ten (+10) points at this time.

Mr. Neubecker: Are we missing any type of landscaping that should be getting points? Like a plaza? Is there any non-plant landscaping feature we are forgetting? (Ms. Cram: Those areas will not get positive points, only landscaped areas.)

2. Footprint Lots

Mr. Neubecker presented. The Planning Commission discussed footprint lots at the February 3, 2009 and March 17, 2009 Planning Commission meetings. After these two meetings, a few consensus points seemed to arise. These include:

- Prohibit footprint lots in the Conservation District, except possibly in the commercial core.
- Secondary structures should have a different design standard that makes them look secondary (e.g. no ornamentation, smaller scale, etc.)
- Footprint lots should be identified by the applicant during the site plan application and review process.
- Separation of structures/footprint lots needs to be addressed.
- Accessory apartments should still be allowed, but criteria for accessory apartments may need revision.
- Form based codes should be considered.

Staff would like to verify that there was consensus among the Commission on these items.

The following items either needed additional information, or did not have a consensus:

- Should condominiumization of buildings be allowed where footprints are not?
- Should the Downtown Overlay District have different rules, since it is already a more active, commercialized area? (For footprint lots and condominiumizations?)
- Should there be a minimum size for a development to qualify for footprint lots? (This could eliminate a small development, with only one or two historic lots, from using footprints.)

Staff anticipated changes to both the Subdivision Code (which currently addresses footprint lots and minimum lot size) and the Handbook of Design Standards for the Historic and Conservation Districts. Staff did not expect that changes were needed to the Development Code at this time, since the Handbook of Design Standards is the primary governing document for design related issues within the Conservation District.

Commissioner Questions/Comments:

Mr. Schroder: People need to understand what they are allowed to build on the footprint lot, and that secondary buildings are going to look like a barn rather than a residence. I am in agreement regarding the remaining bullet points. I agree that the secondary building should be subordinate to the primary structure.

Ms. Girvin: Regarding Mr. Pringle's example, what could happen on those properties with an existing smaller structure on the lot? I don't think we want the historic structures get relegated to the back of the lot to put a primary structure on the front of the lot. Is that a place where a footprint lot might make sense? (Mr. Neubecker: We could request that they move the cabin to the front and have the development in the back.) At least when you have a condominium, you have an HOA. (Mr. Allen: You could have an HOA with footprint lots also, for snow plowing, trash, landscaping, etc.) One of my concerns is the issue of financial consideration. That shouldn't be an issue we are discussing with footprint lots. (Mr. Neubecker: I think we should discuss it with the policy. We want to consider if there will be incentive for historic preservation and restoration.) (Mr. Pringle: You are right about the financial benefit, but sometimes footprint lots also satisfy other competing interests in the town such as neighborhood character or available density on a lot.) (Mr. Neubecker: Keep in mind we can distinguish between different areas in town.) There is an example of too much density on Harris Street, with multiple units and cars crammed in, and then there is a large home overlooking the old house (Abernathy's old house). This is what we are trying to get away from. If we saw a lot of this, it is definitely a degradation of the neighborhood. (Mr. Neubecker: This is not an example of an accessory dwelling unit, but of the time in the 70s-80s when subdivision of those lots was used in the hopes to get more people living in the area.) I am in agreement regarding the second and third bullet point. I think if we are going to allow footprint lots, it makes sense to have different rules for different areas. Most of the examples we've discussed are in the commercial core. (Mr. Allen: It might even be encouraged in the commercial core.) (Mr. Schroder: Vitality.) I would only want to see these in the business core, not in residential. If we get rid of footprint lots, it should be in the residential area.

Mr. Pringle: There are good examples of footprint lots in the Town of Breckenridge, at Legacy and also Dosse Court, a development pattern was included which fit into the neighborhood. The problem I have with footprint lots is sometimes it allows for more development on a lot than you would normally see. I think you want to keep footprint lots, because once in a while it presents a solution, and the Planning Commission should decide if it is allowed on a property. We have a minimum lot size in town, so you can't just subdivide any lot. There have been projects in the past where subdivision of the property by footprint lots was the only way to go forward with the development. (Mr. Neubecker: I think that there are ways to develop properties without the footprints.) I don't see a distinction between inside the commercial core and outside. I have some concerns with requiring the design standards on footprint lots – I think people should be able to apply for a master plan. (Mr. Neubecker: People can always apply for a master plan and request different standards.) Regarding the third bullet point, setbacks are an issue for commercial and residential properties and need to be addressed. The accessory apartment cannot be sold off like a footprint lot. (Mr. Truckey: Can an accessory unit be located on a footprint lot?) (Mr. Neubecker: Maybe we should add that accessory units shouldn't be allowed on footprint lots.) (Mr. Allen: Why not? If you have the room to provide the parking, etc. why couldn't you do this? You have limits to density.) This is why I prefer master plans. You can see the total amount of development.

Mr. Lamb: What is the advantage of a footprint lot? Is it just that you can sell part of the property? (Mr. Neubecker: Yes, and developers can sell a building and the land.) (Mr. Allen: It is easier to finance than a condominium, because the land can be sold.) A footprint lot seems like an increase in density, and many times people seem to shoe-horn in a lot of additional development. The question is: are we comfortable with a situation where applicants are able to circumvent the minimum lot size? Is the potential adverse impact on the neighborhood included in the policy, such as multiple landowners where there used to be one? (Mr. Pringle: The aesthetic is the same whether it is under one ownership or two.) (Mr. Allen: I agree.) (Mr. Neubecker: The code could require additional parking areas, which does change the aesthetic because originally the lot required fewer parking spaces.) (Mr. Pringle: If you just allowed one single family house and an accessory apartment you are probably going to have more cars than you have spaces.) I am in agreement regarding the second bullet and third point. I agree with Mr. Pringle regarding accessory units. What if you banned footprint lots everywhere, and made everyone who wants to do this type of development do a master plan? (Mr. Neubecker: I don't think you will solve that much, you would end up with the same development proposal.) I have an issue with the form based codes, because what if the house in the front of the lot is small and they have a large amount of density? You want people to be able to build to the little amount of density that they have. (Mr. Neubecker: There will be exceptions for every

rule.) (Mr. Allen: Maybe we should address an example of this in the policy?) I am not sure that secondary structures need to look like a barn, but that they look subordinate to the main structure. I agree with Ms. Girvin regarding footprint lots in commercial versus residential.

Mr. Bertaux: It is not always density; it is often subdivision that drives the issue. There are several lots in the historic district where there are smaller existing buildings on the lot, and people want to be able to develop the lot. Footprint lots allow the development of the lot and preservation of the structure, and can create some revenue generation to restore the historic structures. I am in agreement regarding the remaining bullet points. I agree that the secondary structure should look subordinate to the primary structure. I'd like to see more master planning take place in the commercial area. (Mr. Allen: Especially along the river corridor.)

Mr. Allen: Is there a mechanism that can allow for the sale of a footprint lot that meets historic guidelines? (Mr. Neubecker: Condominiumization is the first way. There are a couple issues with footprint lots, first is that people want to buy a "primary" looking structure. The second issue is that on lot with multiple property owners there can be issues with parking and maintenance, even with an HOA.) I have a concern with prohibiting footprint lots in the historic district. If we are talking about banning footprints, why wouldn't we discuss condominiumization? (Mr. Neubecker: Yes, at some point we will discuss condominiumization.) I don't see a distinction between inside the commercial core and outside of it in Town. I am in agreement regarding the second bullet point. Are you saying that there will be different rules for accessory apartments? Doesn't it also say it must be within the main structure or in the garage? (Mr. Neubecker: It can be a separate unit; the code doesn't address that, but it could be added.) (Mr. Pringle: The only difference between accessory unit and footprint lot is that you don't sell the accessory unit. I don't think that bringing this discussion into this is necessary.) What is the issue with having an additional accessory unit? (Mr. Neubecker: The parking and other site impacts are the issue.) Can you elaborate on what you will include in the form based code? (Mr. Neubecker: More guidelines about the architectural character of properties, mostly in the back yard, making them look more like a secondary building.) I think most of the Commission members agree that the secondary building should look subordinate to the primary structure, but that we don't agree on the materials. If you could provide us with some old maps and photos we could discuss that at another time. I think you either allow both condominiumization and footprint lots or you prohibit both. (Mr. Bertaux: I agree.) I agree with Ms. Girvin regarding having different rules in the commercial core. On the last bullet point, was Dosse Court and Legacy Place more than one lot? (Mr. Pringle: Yes, they are larger lots.) If we are allowing footprint lots, are you saying that lots need to be a certain size? (Mr. Lamb: I think there should be a minimum, but I'm not sure what it is.) I agree with that, possibly staff can bring us some examples. (Mr. Kulick: Do you really want to start advocating a change in the historic lot size in that area? They are part of the context of the Town's settlement pattern.) I think that footprint lots should be allowed, especially if they fit all of these rules that we've discussed.

TOWN COUNCIL REPORT:

Mr. Rossi: Get everyone up to speed on Entrada, ValleyBrook and the positive ten (+10) points issue for affordable housing. Everyone on Council was in agreement that the positive ten (+10) points was being abused. This can be addressed in the transfer of and the granting of density to the property. You have heard about Valley Brook. The drive way came through on Entrada and we made an agreement with the applicant that they can continue with the lawsuit, but if they don't win the lawsuit they will buy two TDRs from the town. At that time Council will allow the purchase of that easement through Summit Ridge. (Mr. Allen: Do you think you should talk to Council about footprint lots?) There seems to more acceptance of the concept with the last two meeting minutes that I read. I know that Council member Mamula had concerns with the issue.

CONSENT CALENDAR:

1. Lot 17, Corkscrew Flats, Filing 3 (CK) PC#2009048, 271 Corkscrew Drive
2. Roberts Change of Use (MGT) PC#2009050, 1900 Airport Road, Units A3-A4

Ms. Girvin: What is in this location now, at 1900 Airport Road? (Mr. Roberts, Applicant: It was a timeshare sales office. The only other thing in the building now is a photo gallery.) What is the land that the Town is getting in the exchange? (Mr. Thompson: To the north of Rock Pile Ranch, the town has been using the land as an access point to Block 11, and the Town would like to make our access point legitimate and give Rock Pile Ranch some area to

expand their parking east of their building. The parking will be on this land that is traded.) So it sounds like a good land trade for the Town? (Mr. Thompson: Yes.) (Mr. Neubecker: This has been planned before the Applicant's request.) Is this walkable to the new college? (Mr. Roberts: Yes.)

Mr. Allen: Is the applicant looking to develop right away? (Mr. Thompson: According to the applicant it will take 6 weeks for interior tenant finish, and it will also be contingent on the land trade.)

Mr. Pringle: We are introducing a more intense use than the support commercial / industrial type of use that is going on in this area. Is this something that will continue to happen in this area? (Mr. Thompson: We thought it would be positive for the community to have a café / deli use in this neighborhood. The Applicant is required to pay additional tap fees and provide additional parking, and that will mitigate the more intense use. I think there will be additional traffic in the area.) This could lead to a more "destination" commercial in this area. (Mr. Bertaux: The neighborhood changed when people started putting in residential uses on the second floor of the commercial spaces.) (Mr. Neubecker: As Block 11 develops this area will continue to change.) (Mr. Lamb: We are happy about it at the college.)

Mr. Allen: Two changes in the conditions to this project:

Condition 5: Moved to "prior to certificate of occupancy".

New Condition 6: Exchange agreement with Rock Pile Ranch shall be completed prior to certificate of occupancy.

Mr. Pringle made a motion to call up Roberts Change of Use, PC#2009050, 1900 Airport Road, Units A3-A4, Mr. Bertaux seconded. Mr. Pringle moved to approve the Roberts Change of Use, PC#2009050, 1900 Airport Road, Units A3-A4, together with the corrected and additional findings and conditions. Mr. Bertaux seconded and the motion was carried unanimously (6-0).

3. Water House on Main Street Temporary Roof and Screening (CN for MM) PC#2009049, 600 Columbine Road
On page 43 it is noted as vested for one year, and applicant wants to extend vesting for fencing to 18 months which is what is allowed per a Class C permit. (Ms. Sharon Cole, Applicant: It is to allow usage of the garage which is being built. This temporary roofing structure will be in place until the next building is under way. At that time the permanent roof structure would replace this temporary one.) (Mr. Neubecker: We would put in the permanent structure at that time.) The Commission agreed that the vesting for 18 months was acceptable.

Ms. Girvin made a motion to call up Water House on Main Street Temporary Roof and Screening, PC#2009049, 600 Columbine Road. Mr. Bertaux seconded. Ms. Girvin made a motion to approve Water House on Main Street Temporary Roof and Screening, PC#2009049, 600 Columbine Road, with the change to the extended vesting to 18 months. Mr. Bertaux seconded, and the motion was carried unanimously (6-0).

With two requests to call up, the remainder of the consent calendar was approved as presented.

OTHER MATTERS:

1. Consent Calendar

Mr. Allen asked Mr. Neubecker why the consent calendar was not at the beginning of the meeting as previously discussed. (Mr. Neubecker noted that the Council had wanted it to be moved. The feeling was that generally the people that are showing up for the consent calendar are the architect or developer and are paid to attend, and can wait until 9pm if needed. Staff presented the Commission's concerns to the Town Council at the last meeting.) Planning Commission doesn't think that this agenda order serves the public very well. The order should be: Consent Calendar, Worksession, and Council Update. If there is a call up off the Consent Calendar it potentially goes to the end of the line after the Worksession. If it is technical, we will extend that courtesy to the applicant, if we think it will be quick. If it is a longer discussion, we will move the Call Up discussion to after the Worksession. The Planning Commission is on agreement on this issue.

2. Planning Commission Field Trip

Mr. Bertaux and Mr. Pringle will not be able to attend. Mr. Schroder is 90% sure he will make it.

Mr. Neubecker: The mission is to look at energy related issues that are not addressed by our green building codes. Everyone takes the typical items into account (solar, VOC, etc.). We are going to look at more site planning type issues, such as building orientation and bio-swales. Many of the units at Prospect New Town have accessory units. It is possible that the order of projects visited during the field trip may change, but Staff wanted to make sure the Planning Commission had the times correct.

ADJOURNMENT

The meeting was adjourned at 10:18 p.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 October 28, 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 November 3, 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 May 9, 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 Develop

Project Name/PC#: Timberline Residence PC#2009051
Project Manager: Matt Thompson, AICP
Date of Report: October 16, 2009 For the 11/03/2009 Planning Commission Meeting
Applicant/Owner: Timberline Homebuilders (Dave Edraney)
Agent: Riverbend Architecture/Darci Hughes
Proposed Use: Single family residence
Address: 787 Fairways Drive
Legal Description: Lot 259, Gold Run at The Highlands
Site Area: 56,200 sq. ft. 1.29 acres
Land Use District (2A/2R): 6: Subject to the Delaware Flats Master Plan
Existing Site Conditions: This lot fronts Glen Eagle Loop but is accessed by a 45' shared access, utility and drainage easement from Fairways Drive. There is also a 10' snow storage easement along Glen Eagle Loop. The lot slopes uphill from Glen Eagle Loop.

Density (3A/3R): Allowed: unlimited Proposed: 4,798 sq. ft.
Mass (4R): Allowed: unlimited Proposed: 5,576 sq. ft.
F.A.R. 1:10.00 FAR
Areas:
Lower Level: 2,065 sq. ft.
Main Level: 2,153 sq. ft.
Upper Level: 580 sq. ft.
Garage: 778 sq. ft.
Total: 5,576 sq. ft.

Bedrooms: 5
Bathrooms: 5.5
Height (6A/6R): 27 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 4,107 sq. ft. 7.31%
Hard Surface / non-Permeable: 2,217 sq. ft. 3.94%
Open Space / Permeable: 49,876 sq. ft. 88.75%

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

Snowstack (13A/13R):
Required: 555 sq. ft. (25% of paved surfaces)
Proposed: 1,384 sq. ft. (62.43% of paved surfaces)

Fireplaces (30A/30R): 2 gas

Accessory Apartment: N/A

Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):
Front: 52 ft.
Side: 34 ft.
Side: 110 ft.

Rear: 94 ft.

Architectural Compatibility (5/A & 5/R): Will be architecturally compatible with the neighborhood.
Exterior Materials: Board and batten, horizontal spruce siding, drystack moss rock stone veneer
Roof: Asphalt shingles in "Rustic Slate"
Garage Doors: Wood clad, stained to match siding

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	9	3 (8'), 4 (10'), 2 (12')
Aspen	8	1 1/2" - 3" caliper
Shrubs	8	5 gallon

Drainage (27A/27R): Positive away from residence.
Driveway Slope: 8 %
Covenants: Standard landscaping covenant.

Point Analysis (Sec. 9-1-17-3): All absolute policies of the Development Code are met with this application. Staff conducted an informal point analysis and found to reason to warrant positive or negative points for this single family residence.

Staff Action: Staff has approved the Timberline Homebuilders Residence, PC#2009051, at 787 Fairways Drive with the Standard Findings and Conditions.

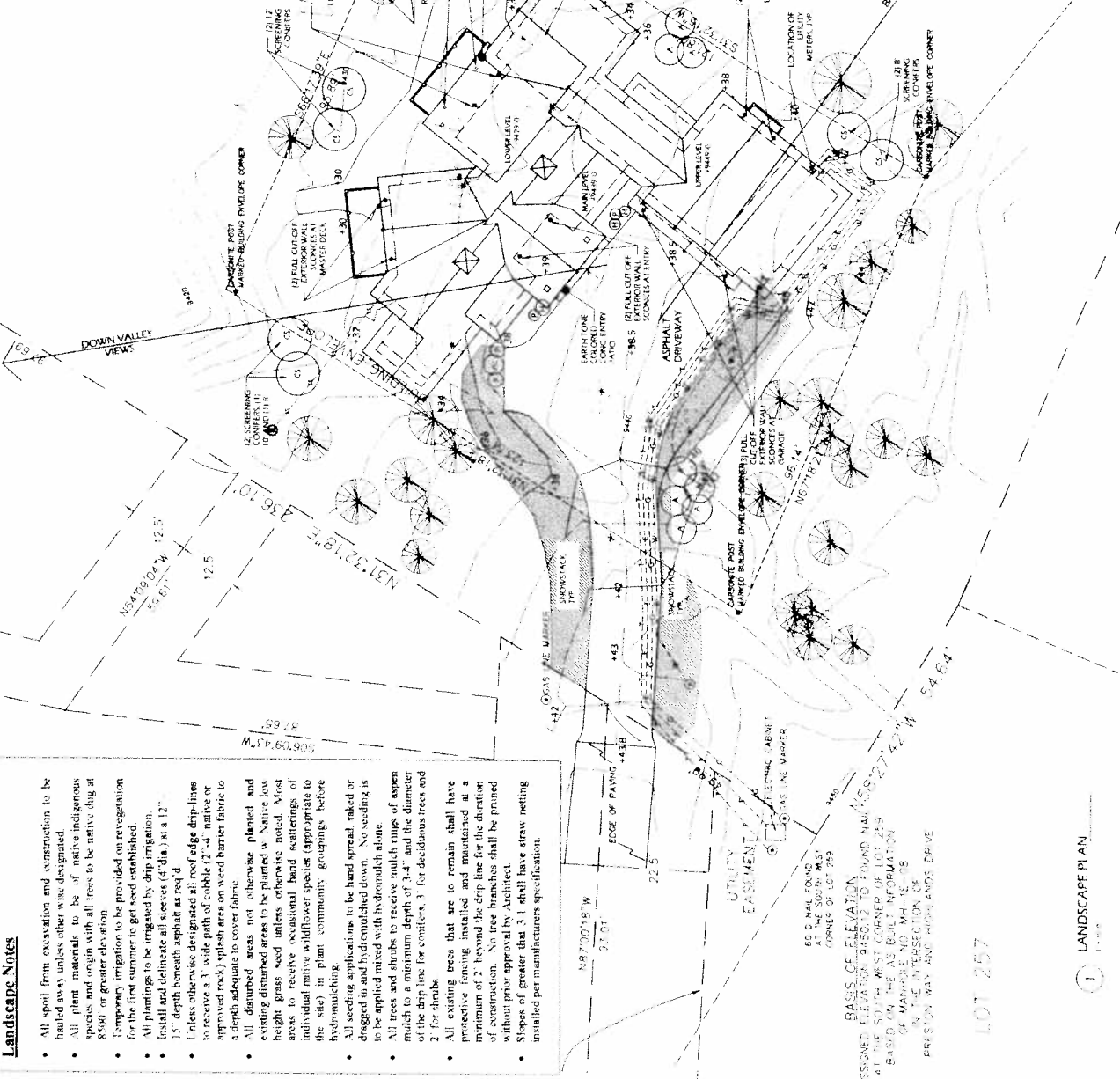
Additional Conditions of Approval:

Issue Date	October 19, 2009
Revisions	October 19, 2009
	October 19, 2009
	November 19, 2009
	January 15, 2010

The
Landscape Plan

Sheet
A1.2
 Project No.
 27714

Species	Description	Qty	Comments
Living Green Trees			
CR	Colorado Spruce / Picea pungens	8	
CR	Colorado Spruce / Picea pungens	10	
CR	Colorado Spruce / Picea pungens	12	
Deciduous Trees			
A	Quaking Aspen / Populus tremuloides	17	3' cal
Shrubs			
H	Amur's Red Hornbeam / Cornus	6	3' cal
P	Potentilla / Potentilla fruticosa	5	3' cal
A	Alpine Currant / Rubus idaeum	6	3' cal
Small trees			
	Native low height grass seed		



Landscape Notes

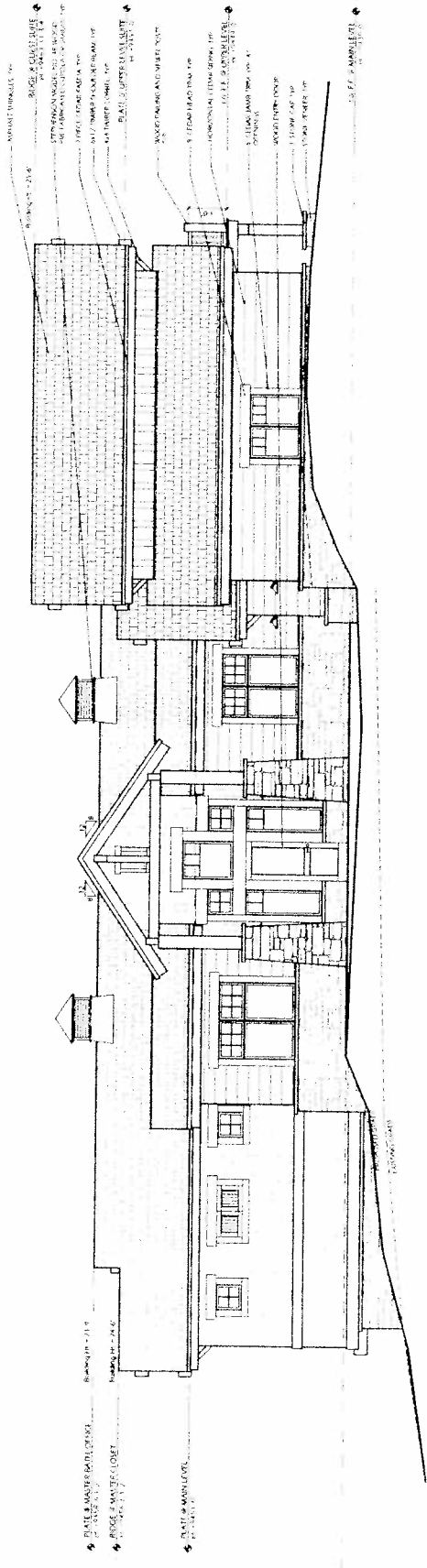
- All soil from excavation and construction to be hauled away unless otherwise designated.
- All plant materials to be of native indigenous species and origin with all trees to be native dug at 8500' or greater elevation.
- Temporary irrigation to be provided on revegetation for the first summer to get seed established.
- All plantings to be irrigated by drip irrigation.
- Install and delineate all sleeves (4 dia.) at a 12" depth beneath asphalt as req'd.
- Unless otherwise designated all roof edge drip-lines to receive a 3" wide path of cobble (2" - 4" native or approved rock) splash area on weed barrier fabric to a depth adequate to cover fabric.
- All disturbed areas not otherwise planned and existing disturbed areas to be planted w/ Native low height grass seed unless otherwise noted. Most areas to receive occasional hand scatterings of individual native wildflower species (appropriate to the site) in plant community groupings before hydromulching.
- All seeding applications to be hand spread, raked or dragged in and hydromulched down. No seeding is to be applied mixed with hydromulch alone.
- All trees and shrubs to receive mulch rings of Aspen mulch to a minimum depth of 3-4" and the diameter of the drip line for conifers, 3' for deciduous trees and 2' for shrubs.
- All existing trees that are to remain shall have protective fencing installed and maintained at a minimum of 2' beyond the drip line for the duration of construction. No tree branches shall be pruned without prior approval by Architect.
- Shrubs of greater than 3' shall have straw netting installed per manufacturers specification.

LANDSCAPE PLAN

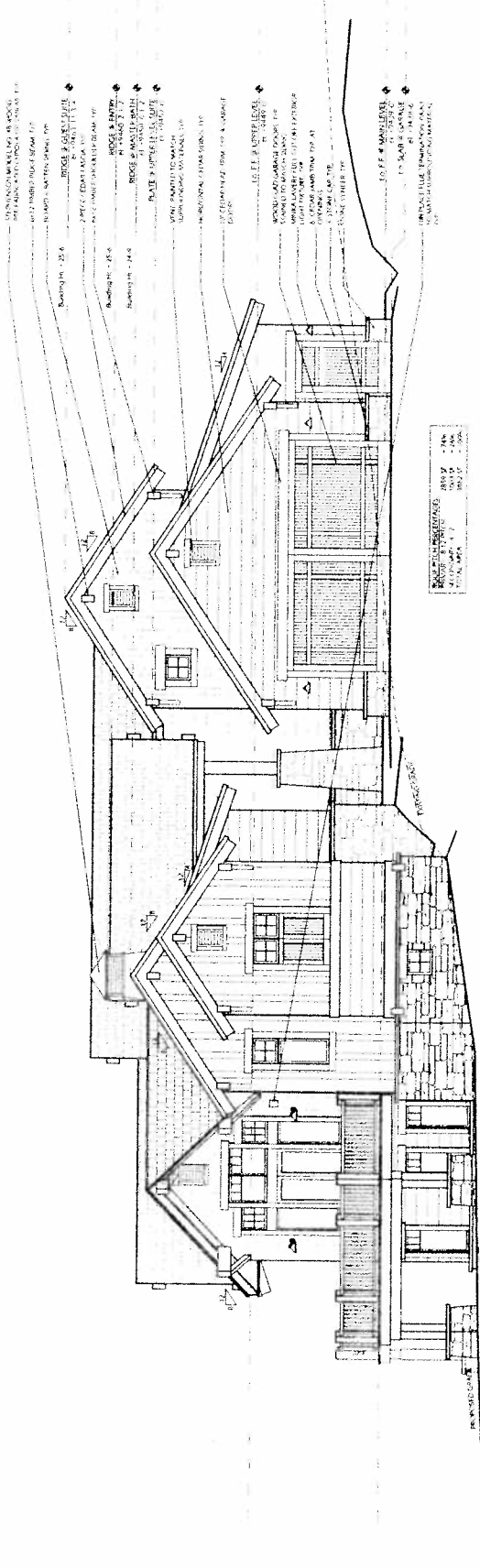
Issue Date
October 16, 2009
October 1, 2009
September 9, 2009
February 15, 2009
January 29, 2009
December 16, 2007

Building Elevations

A3.1
 Project No. 27114



2 SOUTH ELEVATION



1 WEST ELEVATION

Planning Commission Staff Report

Project Manager: Michael Mosher

Date: October 12, 2009 (For meeting of November 6, 2009)

Subject: Whitehead Building (Prospector) Rehabilitation and Landmarking, (Class B Historic, Final Hearing; PC#2009042)

Applicant/Owner: Steve Pinewski, Pinewski Builders

Agents: Andy Stabile 2B Design/Build and Robbie Dixon, Equinox Architecture

Proposal: To reconstruct a historically accurate restoration of the lower portion of the west façade of the Whitehead Building, place a new foundation beneath the historic building, perform a restoration and add a full basement to the historic shed, remove the east non-historic additions and replace it with a historically compliant new addition. The upper level will be for residential use while the main level will remain as restaurant use.

Address: 130 South Main Street

Legal Description: Lot 3 (less the south two feet), Block 1, Stiles Addition Subdivision

Site Area: 0.07 acres (3,151 sq. ft.)

Land Use District: 19, Commercial uses, 1:1 FAR/20 UPA residential (note: residential use has 1,000 SF multiplier)

Historic District: #6, Core Commercial

Site Conditions: The narrow lot contains the existing Prospector Restaurant with addition, a historic shed and a separate cooler. The remaining lot is unimproved dirt and gravel. The historic shed is placed over the south property line abutting the neighboring building.

Adjacent Uses:

North:	Mary's Famous Mountain Style Cookies
East:	Alley and the Town's Arts District
South:	Wildflower Clothing and Apparel
West:	Main Street and several retail spaces

Density:

Allowed under LUGs:	3,151 sq. ft. (100% Commercial)
Proposed density: Restaurant	1,102 sq. ft. (55% Commercial)*
Apartment	899 sq. ft. (45% Residential)
<hr/>	
Total Density:	2,001 sq. ft.

** Density is 42 square feet under. Landmarked basement of shed will not count towards density calculations.*

Mass: Allowed per LUGs (w/ proposed mixed use): 2,184 sq. ft.

	Proposed mass:	2,181 sq. ft.
	* <i>Mass is 2.7 square feet under.</i>	
Height:	Recommended:	25' (mean);
	Existing:	24'-6" (see discussion below)
	Proposed:	13'-3" (mean); 14'-6" (overall)
Parking:	<u>Existing:</u>	
	Restaurant:	5.66 spaces in district
	Apartment:	2 spaces on site
	<u>Required:</u>	
	Restaurant:	3.85 spaces in district
	Apartment:	2 spaces, on site
	<u>Proposed:</u>	
	Restaurant (reduced in SF):	3.85 spaces in district
	Apartment:	4 spaces, on site
Snowstack:	Required:	204 sq. ft. (25%)
	Proposed:	320 sq. ft. (39%)
Setbacks:	Front:	0 ft.
	Sides:	.5 ft.
	Rear:	46 ft.

Item History

Based on the Town's Cultural Survey:

Harry S. and Jennie Whitehead came to Breckenridge in 1880. Harry soon found work as a carpenter and a miner. Jennie discovered that single miners paid well for "home cooking." Around 1892, Harry Whitehead constructed this building as the Arcade Hotel. This short-lived hotel venture prepared Jennie for her next foray into the boardinghouse business. She began sharing her hotel/home with boarders and, in 1902, she reopened the Arcade Restaurant downstairs to hungry miners. She also began leasing an office space upstairs, first to Dr. C. H. Scott in 1899 and, later, to Dr. Osborne in 1905. Attorney Frank Goddard moved into the same office space in 1907. Jennie Whitehead eventually earned renown as Breckenridge's "keeper of popular and homelike boardinghouses."

After Jennie died of pneumonia in 1904, Harry Whitehead left town for good. Summit County Government placed a tax lien on the property on December 23, 1907, and acquired it in 1913 to provide low-income housing for widows. Florence Tressler resided here for many years under the "Widow Fund" program.

The building was remodeled as a restaurant in 1970. Owners in recent years have included Wayne A., Bert, and Phyllis Goldwater; Larry L. Diehl; Kim and Rosie Batcheller; Sandra Gaylord; Deena Denea; and Trent E. Saviers. The building most recently housed the Prospector Restaurant downstairs, and apartments upstairs.

With this application:

The historic Whitehead building will be raised 18 inches (to correct existing drainage issues) and receive a foundation (none exists now). The historic shed will be carefully dismantled (preserving the historic fabric) and re-assembled over a new full basement with sistered new framing inside. The original lower level Main Street façade will be restored based on historic photographs (the upper level has remained unchanged over the years). All historic windows will remain.

The non-historic rear additions are to be removed and replaced with a similar size addition with historically compliant detailing.

Planning Commission comments from previous meeting:

Mr. Lee Edwards, Local Builder: Fantastic. Very encouraged. Is it still going to be restaurant use? (Mr. Pinewski: Yes.) Addition won't be visible from Main Street? (Mr. Mosher: No.)

Commissioner Questions/Comments:

Mr. Schroder: Appreciated historic colors, is really helpful. Connector issue pre Policy 80/A, does not seem to apply, the link not visible from alley of Main Street. Shed change OK with Policy 69. Last Friday three Commissioners including myself attended a historic preservation workshop, and in one of the sessions they explained the adaptive reuse criteria for historic structures. So I am in full favor of spinning roof to assist drainage, and in support of the point analysis and local landmarking. To have local landmark, do we need to have list of criteria met? (Mr. Mosher: the more you meet the better, but only have to meet one criteria.) Thank you.

Ms. Girvin: Is the Wildflower historic? (Mr. Mosher: Does not show on the Sandborn Maps, but it age falls into our period of significance. Sistering framing is when 2X4 balloon framing has new stronger framing like a 2x12 attached to it to help support.) Did you consider a full basement beneath the restaurant? (Mr. Pinewski: We initially did, but from a cost perspective it would be too expensive and a danger to the neighboring buildings. Building to the North only 18" away.) Door next to the restroom has conflict with kitchen door. (Mr. Mosher: Staff will use double swinging doors next to bar. This door is little used.) Will building be separated into Condominium unit? (Mr. Pinewski - will be an apartment under same ownership. (Mr. Neubecker: Not a planning code requirement, may be building code.) Really awesome project. Yes, yes, yes, and yes to the questions Staff posed.

Mr. Pringle: Do we address the connection via Policy 80/A? (Mr. Neubecker: Is the addition more than 50%, is addition higher than original structure? Then connector is required. However, a step in building form of a foot or so distinguishes between old and new well.) Agreed with Mr. Lamb. Solid to void ratio comes into play here? (Mr. Mosher: Front lower level was all glass on historic photographs, not a lot of information on the detail of the door. As far as the Core Commercial historic standards, this is very classic, except the recess of the entry door.) Did we want to have more solid, not early siding? (Mr. Mosher: The idea was to follow the photograph.) Tally ho, no issues.

Mr. Lamb: I have done this myself, you have a lot of work ahead. Off to a fantastic start. Priority Policy 80/A non applicable to my reading. Shed makes sense. Supported work and application.

Ms. Katz: If we do suggested specialized finding, how does that affect the application? (Mr. Mosher: It would go forward with that finding.) (Mr. Neubecker: You could also grant a variance to this policy.)

Mr. Bertaux: What will happen upstairs? (Mr. Pinewski: It will be a 2 bedroom apartment; we are not sure if we will rent that or not.) Supported project.

Mr. Allen: Me too! Agreed with all other commissioner comments.

Staff Comments

Land Use (Policies 2/A & 2/R): The property lies within Land Use District 19 which recommends commercial use with allowed secondary residential uses. The restaurant is on the Main Street level and the apartment is on the upper (alley) level, abiding with the Downtown Overlay district guidelines. Staff has no concerns with the proposed uses.

Density/Intensity (3/A & 3/R)/Mass (4/R): The existing structures are over the allowed density for the size of the lot. Since portions of the existing structures are being removed, the proposed new development will bring the density into compliance with the available density and mass for the property.

As part of the restoration and rehabilitation, the main building and shed are to be locally landmarked. Chapter 11, Title 9 of the Town Code, “Historic Preservation”, allows locally landmarked buildings to not count the density located beneath the historic structures. With this application, the drawings show that the shed will have a full basement. Staff has not counted the 205 square feet in the density calculations.

The current set of plans shows the proposed development is under the allowed density and mass. We have no concerns.

Architectural Compatibility (5/A & 5/R): This policy covers the compatibility of the architecture based on the Development Code and those design standards found in the Handbook of Design Standards for the Historic and Conservation Districts plus the Design Standards for the Historic District, Character Area #6, Core Commercial. The materials of the building are all natural cedar siding and wood trim with the exception of the lower portion of the east addition, which is naturally rusting corrugated metal siding that constitutes less than 25% of each elevation.

The Main Building:

With both the historic photographs and the excellent condition of the upper level of the façade facing Main Street Staff has little concerns with the proposed restoration. Staff is pleased that this is part of the proposal and believes it will be a benefit to the historic district.

Chapter 4.3 of the Handbook of Design Standards for the Historic and Conservation Districts addresses the design of a typical storefront along Main Street. Part of the criteria includes a recessed entry element. Based on the historic photographs and the Town Historian, this entry was never recessed. The remaining elements (proposed and existing) conform to the guidelines. Staff has no concerns with the restoration of the front façade.

Most of the guidelines in the handbooks address the impacts of development towards Main Street. Since the only new construction is planned at the back of the lot, many of the design standards are non-applicable.

Policies 215 and 216 of the Design Standards for the Historic District, Character Area #6, Core Commercial address parking. Specifically, keeping the required parking at the back of the lot, minimizing

the visual impact. The plans show the required on-site parking located at the back of the property off the alley. Staff has no concerns.

The existing/remaining historic horizontal lap siding is to be preserved and where it had been removed in the past will be replaced with siding matching the historic profile and exposure.

Priority Policy 80A addresses the use of connectors for additions to historic structures. In this case, the large portions of the east wall of the historic structure had been removed and replaced when the non-historic additions were added at the back of the lot. There is little remaining historic fabric to preserve, only some of the studs. Additionally, any small link would not be visible unless one stood between the walls of the neighboring buildings (3-foot separation to the north and 10-feet to the south). The view from Main Street and the alley would appear the same. The new addition is slightly inset and has a lower roof (similar to the removed addition) preserving the historic fabric that is visible from the alley.

The proposed addition would be attached to the historic building in the same manor as the one being removed except there is a 6-inch step back from the historic building on the north and south edges. Addressing staff concerns to this proposal, the drawings show a vertical corner board with a 6-inch recess and board and batten siding at the main level and corrugated metal siding on the lower level. Staff believes that these features differentiate the historic building from the new addition.

Per the definitions in the Development Code:

ABSOLUTE POLICY: A policy which, unless irrelevant to the development, must be implemented for a permit to be issued. The policies are described in section 9-1-19 of this chapter.

Policy 80A was not strictly followed with the Fatty's Pizzeria Addition, (PC#2006194) and Starbucks Addition (PC# 2006087). In these cases, the link would have not been visible from public view and the removal of historic fabric would have been unnecessary. Staff believes that adding a link as described in Absolute Policy 80A would be "*irrelevant to the development*" and therefore it is not applicable to this development proposal.

The roof of the historic building is corrugated metal and the proposed roof for the addition will match. We have no concerns.

All of the historic windows are to be preserved and restored as necessary. The addition will have three separate vertically orientated wooden double-hung windows side-by-side on the north elevation. The south elevation has one pair of wooden casement windows (over the upstairs kitchen sink) that are not historically compliant. In many approved developments in the historic district this type of window has been allowed as long as they are not on the primary façade of the building. These are well hidden from Main Street and from the Alley. Staff suggests that these windows have divided lights added to accentuate vertical aspects. Staff has no concerns.

The Shed:

Based on the Sanborn Maps, the historic shed was moved to the property sometime after 1914 (our latest map). Staff suspects that it may have been placed on the property in the 1960's or 1970's after the non-historic addition was added on the east end of the historic structure. It currently is located over the south property line by 2-feet and the roof sheds water to the south against the neighboring building.

The applicant wishes to move the shed onto the property, and restore and re-use it as a garage for a residential parking space (not restaurant storage) and place a full basement beneath for restaurant storage. *(Staff notes that the Town will require a covenant to be recorded prior to Certificate of Occupancy ensuring the garage remains as residential parking.)*

Priority Policy 69 states: Preserve the original roof form.

- Avoid altering the angle of the roof.
- Maintain the perceived line of the roof from the street.

The concerns are that preserving the existing roof and existing historic openings is vital to having the building landmarked. However, placing the shed on the property such that the water would run into the site instead of out would orientate the openings in such a way to make their locations unusable for adaptive re-use.

Staff has discussed this situation with the Town Historian and we would support and suggest to the Commission that the roof be removed and replaced 180 degrees from its current configuration. This would preserve the fabric and form of the shed while providing a functional re-use of the structure and solve the drainage concerns. This would require special findings at final review in order to landmark the shed with these modifications. We heard support from the Commission at the last hearing.

Staff finds that the proposal passes the absolute and relative portions related to historic preservation of Policy 5, Architectural Compatibility.

Building Height (6/A & 6/R): The Development Code suggests a building height of 25-feet, measured to the mean. The existing restaurant sits about 18 inches below grade at the Main Street. On the existing building, there is a 6” step down immediately inside the entry door and the structure walls are below the sidewalk level. The alley side of the site slopes about 2-feet down towards the back door of the building. Both situations allow water to flow towards the building rather than away. Raising the building 18-inches corrects both drainage concerns. The overall historic height of the building does not change.

The measured height from grade to the highest point on the mean roof restaurant is 24’-6”, or 6-inches below the recommended height per this policy. Staff has no concerns.

Site and Environmental Design (7/R): Since this building is located in Land Use District 19, Commercial uses, and in the Core Commercial Character area, many of the site concerns related to this Policy do not apply. The Whitehead building is only being raised. There is no horizontal change proposed to its location on the site. The historic shed is being placed within the property lines. As the main building is replaced after the foundation is created, the grading and drainage concerns will be corrected to provide positive flow away from the building at the east and west ends. The narrow spaces between the neighboring buildings will be designed to drain the little water that falls between into permeable grade and foundations drains. The Engineering Department has tentatively approved the grading impacts to the site. Staff has no concerns.

Placement of Structures (9/A & 9/R): Per this section of the Code:

Zero Setback: No portion of any structure including overhangs and projections shall be placed closer than one foot (1') to an adjacent property, except that commercial, office, industrial, or other similar

developments may be allowed to be built at the property line in Land Use Districts 11, 18₂, and 19. (Ord. 19, Series 1988)

As mentioned above, the building is located in a commercial use area. The upper level is residential. The primary use and square footage of the building is commercial. This policy allows zero setbacks for commercial buildings. Similar to the mixed use buildings in the same area, commercial setbacks are being used rather than residential. The building and shed locations abide with this portion of the code. (Staff notes that these setbacks have been reviewed with the Town Building Official to ensure Building Code compliant separation assemblies are also addressed in the reconstruction.)

Snow Removal and Storage (13/R): Adequate and functional snow stacking is provided for the paved areas at the back of the property. Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The only site circulation involves the parking off the alley and a service sidewalk to the back door of the restaurant and apartment. There are no inherent conflicts in this small area. Staff has no concerns.

Parking (18/A & 18/R): As noted above the existing parking already in the service area more than covers the required parking for the restaurant. The required parking for the apartment is two spaces. Tandem parking is allowed for residential uses. The current parking plan is over parked for the development.

The garage parks one vehicle with one in front of the door. If needed, an additional residential parking space fits behind the second car. A separate parking space (perhaps for the restaurant manager or another residential parking space) is located north of the residential parking. Staff has no concerns.

Landscaping (22/A & 22/R): Similar to other Core Commercial buildings in the district, no landscaping is required.

Social Community / Employee Housing (24/A & 24/R): The proposed development is less than 5,000 square feet. Thus, no employee housing is required by the Code and none is proposed.

24 E. Historic Preservation and Restoration: The exterior restoration of the main building is to include replacement of non-historic siding, repair of historic siding as needed, restoration of trim details, windows, entry door with transom and side-lights, and a new foundation. The inside of the building will be renovated to include sistered framing, new wall finishes, new insulation, new wiring, plumbing and heating.

The historic shed will be dismantled, with documentation per the Historic Standards Guidelines, and re-assembled with sistered framing, new historic compliant roofing, new electrical, restoration of the historic openings with compliant windows and doors, insulation and a new full basement. Per this section of the Code:

+9 *On site historic preservation/restoration effort of above average public benefit. Examples: Restoration/preservation efforts for windows, doors, roofs, siding, foundation, architectural details, substantial permanent electrical, plumbing, and/or mechanical system upgrades, structural stabilization, or restoration of secondary structures, which fall short of bringing the historic structure or site back to its*

appearance at a particular moment in time within the town's period of significance by reproducing a pure style.

Based on the criteria listed above, the Commission agreed at the last meeting that positive nine (+9) points could be awarded. This is reflected in the attached Point Analysis.

Landmarking, Per Ordinance No. 24, Series 2001; an Ordinance Adopting Chapter 11 of Title 9 of the Breckenridge Town Code Concerning Historic Preservation:

9-11-4: DESIGNATION CRITERIA: The following criteria shall be used in reviewing proposals for designation pursuant to Section 9-11-3:

A. Landmarks/Landmark Sites. Landmarks or landmark sites must be at least fifty (50) years old and meet one or more of the criteria for architectural, social or geographic/environmental significance as described in subsections (A)(1) through (3) of this Section. A landmark may be exempted from the age requirement if it is found to be exceptionally important in other significant criteria.

1. Landmarks and Landmark Sites. Landmarks or landmark sites shall meet at least one of the following:

Staff believes that the restoration of this building and shed warrant being locally landmarked based on the following criteria (see ordinance for full listing).

a. Architectural

- 1. Exemplifies specific elements of architectural style or period.*
- 5. Is of a style particularly associated with the Breckenridge area.*
- 6. Represents a built environment of a group of people in an era of history.*

b. Social

- 3. Is associated with a notable person or the work of a notable person.*

The building is being raised 18 inches to correct drainage concerns, but is being left in the same position horizontally. Though not historically located on the site until some time after 1914, the shed is historic and is being restored and left in the approximate same location of the site. With only one criterion needed to landmark the building, we feel comfortable that this proposal would easily meet the needed criteria. Does the Commission concur?

Utilities Infrastructure (26/A & 26/R; 28/A): All utilities are in the adjacent street and alley. Staff has no concerns.

Drainage (27/A & 27/R): With the restoration and rehabilitation, positive site drainage is being created. Staff has no concerns.

Point Analysis (Section: 9-1-17-3): Based on the review, the design if a link, based on Priority Policy 80A of the Handbook of Design Standards for the Historic and Conservation Districts, is “irrelevant to the development” and does not fail absolute Policy 5A, Architectural . The application has not incurred any negative points under the relative policies. Positive nine (+9) points are suggested for the historic restoration of the main building and shed.

Staff Recommendation

The applicant and agent have been working closely with staff to ensure that the proposal abides with the absolute and relative policies of the Development Code and the Handbook of Design Standards for the Historic and Conservation Districts plus the Design Standards for the Historic District, Character Area #6, Core Commercial.

Final Hearing Impact Analysis				
Project:	Whitehead Building (Prospector) Rehabilitation and Landmarking.	Positive Points	+9	
PC#	2009042	Negative Points	0	
Date:	10/12/2009			
Staff:	Michael Mosher			
		Total Allocation:	+9	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
	Land Use Guidelines	Complies		The property lies within Land Use District 19 which recommends commercial use with allowed secondary residential uses. The restaurant is on the Main Street level and the apartment is on the upper (alley) level, abiding with the Downtown Overlay district guidelines. Staff has no concerns with the proposed uses.
2/A				
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
	Density/ Intensity Guidelines	5x (-2>-20)		The current set of plans shows the proposed development is under the allowed density and mass. We have no concerns.
3/R				
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
	Architectural Compatibility - Aesthetics	3x(-2/+2)		The materials of the building are all natural cedar siding and wood trim with the exception of the lower portion of the east addition, which is naturally rusting corrugated metal siding that constitutes less than 25% of each elevation.
5/R				
	Architectural Compatibility / Conservation District	5x(-5/0)		Staff finds that the proposal passes the absolute and relative portions related to historic preservation of Policy 5, Architectural Compatibility.
5/R				
	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R				
	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
	Building Height Inside H.D. - 25 feet	(-1>-5)		The measured height from grade to the highest point on the mean roof restaurant is 24'-6", or 6-inches below the recommended height per this policy. Staff has no concerns.
6/R				
	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		Since this building is located in Land Use District 19, Commercial uses, and in the Core Commercial Character area, many of the site concerns related to this Policy do not apply. The Whitehead building is only being raised.
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)		
	Placement of Structures - Setbacks	3x(0/-3)		Similar to the mixed use buildings in the same area, commercial setbacks are being used rather than residential. The building and shed locations abide with this portion of the code. (Staff notes that these setbacks have been reviewed with the Town Building Official to ensure Building Code compliant separation assemblies are also addressed in the reconstruction.)
9/R				
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Adequate and functional snow stacking is provided for the paved areas at the back of the property.
13/R				
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		

15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
	Internal Circulation / Accessibility	3x(-2/+2)		The only site circulation involves the parking off the alley and a service sidewalk to the back door of the restaurant and apartment. There are no inherent conflicts in this small area.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
	Parking - General Requirements	1x(-2/+2)		The existing parking already in the service area more than covers the required parking for the restaurant. The required parking for the apartment is two spaces. Tandem parking is allowed for residential uses. The current parking plan is over parked for the development.
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		Similar to other Core Commercial buildings in the district, no landscaping is required.
24/A	Social Community	Complies		
	Social Community - Employee Housing	1x(-10/+10)		The proposed development is less than 5,000 square feet. Thus, no employee housing is required by the Code and none is proposed.
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)		
	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	+9	The exterior restoration of the main building is to include replacement of non-historic siding, repair of historic siding as needed, restoration of trim details, windows, entry door with transom and side-lights, and a new foundation. The inside of the building will be renovated to include sistered framing, new wall finishes, new insulation, new wiring, plumbing and heating. The historic shed will be dismantled, with documentation per the Historic Standards Guidelines, and re-assembled with sistered framing, new historic compliant roofing, new electrical, restoration of the historic openings with compliant windows and doors, insulation and a new full basement.
24/R				
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		All utilities are in the adjacent street and alley.
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		With the restoration and rehabilitation, positive site drainage is being created.
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)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		

TOWN OF BRECKENRIDGE

**Whitehead Building (Prospector) Rehabilitation and Landmarking
Lot 3, Block 1, Stile Addition Subdivision (less the south two feet)
130 South Main Street
PERMIT #2009042**

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 **October 12, 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 **November 6, 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 proposed architectural link between the historic building and the addition is not visible from public view. There is little remaining historic fabric where the addition is proposed. Therefore, adding a link as described in Absolute Policy 80A would be “irrelevant to the development” and therefore it is not applicable to this development proposal.
8. *Priority Policy 69 states: Preserve the original roof form.*
 - a. *Avoid altering the angle of the roof.*
 - b. *Maintain the perceived line of the roof from the street.*

The roof of the historic may be preserved and removed and then replaced 180 degrees from its current configuration. This would preserve the fabric and form of the shed while providing a functional re-use of the structure and solve the drainage concerns. This meets the intent of this policy in this application.

9. The Planning Commission recommends that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **November 9, 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.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. 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

8. Applicant shall submit proof of ownership of the project site.
9. **Applicant shall notify the Town of Breckenridge Community Development Department prior to the removal of any building materials from the historic structures. Applicant shall allow the Town of Breckenridge to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property, which may jeopardize the status of the property as a local landmark, and thereby the free basement density associated with commercial storage. Any such action could result in the revocation and withdrawal of this permit.**
10. **Prior to issuance of a building permit for any improvements on the site, Applicant shall obtain approval from the Breckenridge Town Council of an ordinance declaring the historic house as a "local landmark".**
11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor and the Town's project Manager, Chief Building

Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).

13. 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.
14. 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.
15. 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.
16. The road 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.
17. 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.
- 18. 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

- 19. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant ensuring the main level of the historic shed is to be used as a garage for the residential use associated with this development permit.**
20. 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.
21. Applicant shall screen all utilities.
- 22. All exterior lighting all development within the Town shall comply with Title 9, Chapter 12, Exterior Lighting Regulations.**
23. 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.

24. 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.
25. 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.**
26. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
27. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

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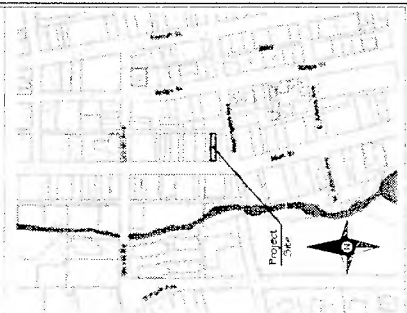
LEGAL DESCRIPTION

LOT 3, BLOCK 1, STILES ADDITION SUBDIVISION
 (REGD-SOUTH TWO FEET)
 SECTION 31, TOWNSHIP 6 SOUTH,
 RANGE 77 WEST OF THE 9TH P.M.
 TOWN OF BRECKENRIDGE,
 SUMMIT COUNTY, COLORADO

GENERAL NOTES

- The set of drawings contained within constitutes a "Builder's Set" only. The Contractor shall be responsible for all existing conditions, project coordination, licenses and permits to complete the project per "Construction Methods" section of the contract documents.
- These drawings are an abstract of service and are the property of 2D Design Build Inc. They may not be duplicated, altered, or reproduced without the expressed written consent of 2D Design Build Inc. Due to the complexity of the Design and Construction process, omissions and alterations may occur. Notify the Architect immediately to resolve any issues prior to any construction.
- Construction methods and specifications shall be in compliance with all applicable codes in force at the time of construction.
- All dimensions are to face of wood or concrete.
- Verify all existing conditions shown on plans prior to construction start (do not scale drawings) and notify Architect of any discrepancies.
- Significant loadings are by code purposes only and should be recalculated for any other purpose.
- All exterior walls are 24" frame construction, unless noted otherwise.
- Interior walls are 24" frame construction, unless noted otherwise.
- All interior walls and ceilings to have 1/2" standard gypsum board, unless noted otherwise. Provide 5/8" type X gypsum board where required by Summit County Fire Mitigation regulations. Provide 1/2" mineral wool insulation in exterior walls and ceilings in rooms intended for air distribution to be selected or approved by Owner.
- 50# floor plans for stair, roof and rim dimensions.
- Provide main in full completion for assemblies as follows:
 - Exterior walls: R-21
 - Floors (to the exterior): R-20
 - Roof/ceilings (to the exterior): R-19
 - Walls between units: R-11

VICINITY MAP



AREA CALCULATION

COURTESY LENGTH:	505.8 SF
Existing:	505.7 SF
Proposed Addition:	
TOTAL COMMERCIAL DENSITY:	1,101.5 SF
RESIDENTIAL DENSITY:	
Existing:	581.6 SF
Proposed Addition:	317.5 SF
TOTAL RESIDENTIAL DENSITY:	899.1 SF
MASS:	
Existing Mass:	1,101.5 SF
Proposed Mass:	899.1 SF
Existing Mass (Storage):	205.0 SF
New:	89.4 SF
Underground Density:	5,114.0 SF
TOTAL MASS:	2,194.5 SF

PROJECT TEAM

OWNER	13750 Crossman Dr. NW Andover, MN 55304 (763) 753-8195 (763) 427-4392 fax
GENERAL CONTRACTOR	3750 Crossman Dr. NW Andover, MN 55304 (763) 753-8055 (763) 427-4392 fax
ARCHITECT	28 1/2 Sycamore Blvd. NE P.O. Box 41192 Denver, CO 80242 (970) 473-8312 (970) 473-8312 fax
CIVIL STRUCTURAL ENGINEER	1319 Sycamore Blvd. NE Denver, CO 80242 (303) 444-1961 (877) 444-1961 toll free (303) 444-1957 fax SURVEYOR: Surveying, LLC P.O. Box 5761 Denver, CO 80243 (970) 409-2953

HISTORICAL RENOVATION of the WHITEHEAD BUILDING

LOT 3, BLOCK 1, STILES ADDITION SUBDIVISION
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO



2D DESIGN BUILD, INC.
 3750 Crossman Dr. NW
 Andover, MN 55304
 (763) 753-8195
 (763) 427-4392

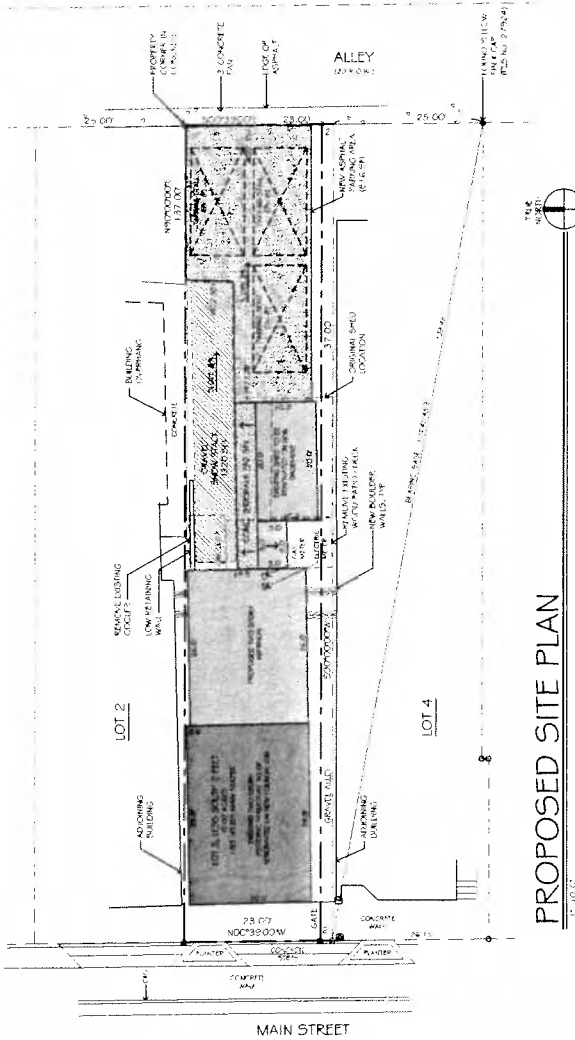
SHEET INDEX

- A1 EXISTING & PROPOSED SITE PLAN
- A2 GENERAL NOTES
- A3 EXISTING & PROPOSED EXISTING & PROPOSED UPPER LEVEL FLOOR PLANS
- A4 EXISTING & PROPOSED EXISTING & PROPOSED FIRST FLOOR PLANS
- A5 EXISTING & PROPOSED EXISTING & PROPOSED EAST & SOUTH ELEVATIONS
- A6 EXISTING & PROPOSED EXISTING & PROPOSED WEST & NORTH ELEVATIONS

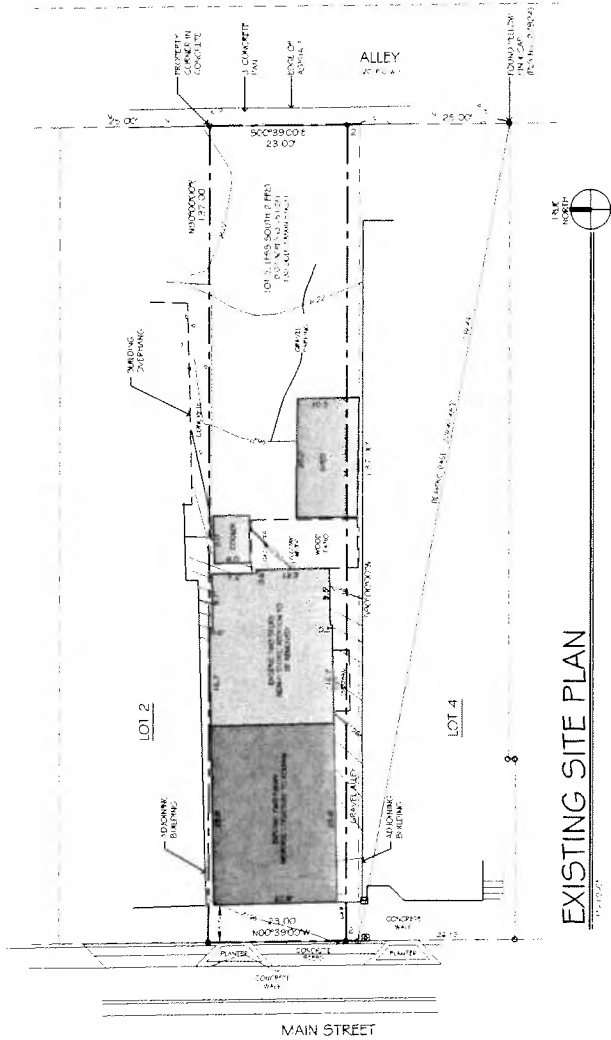
EXISTING & PROPOSED SITE PLAN & GENERAL NOTES

A1

NOTE: IF THIS SET IS PRINTED ON PAPER SMALLER THAN 24" X 36", IT HAS BEEN REDUCED AND IS NOT TO SCALE.



PROPOSED SITE PLAN



EXISTING SITE PLAN



3B DESIGN BUILD, INC.
 1000 PINE BLVD #100
 DENVER, COLORADO 80202
 303.733.1944

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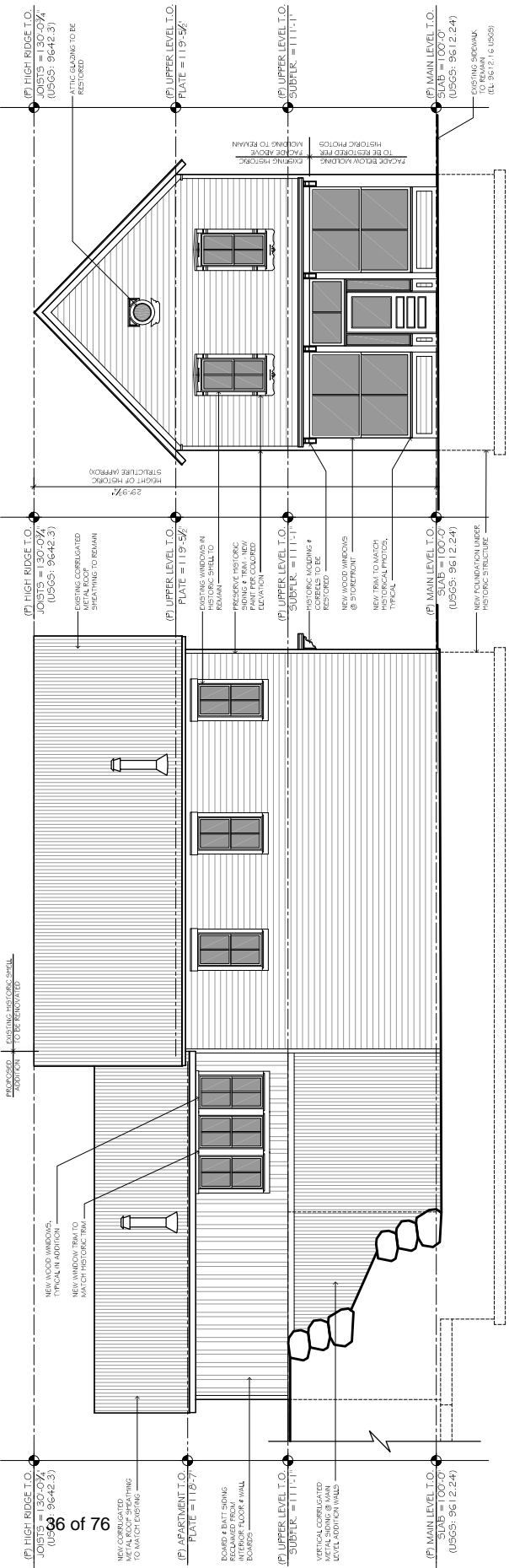
HISTORICAL RENOVATION of the WHITEHEAD BUILDING

130 SOUTH MAIN STREET
 LOT 3, BLOCK 1, STILES ADDITION SUBDIVISION
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO

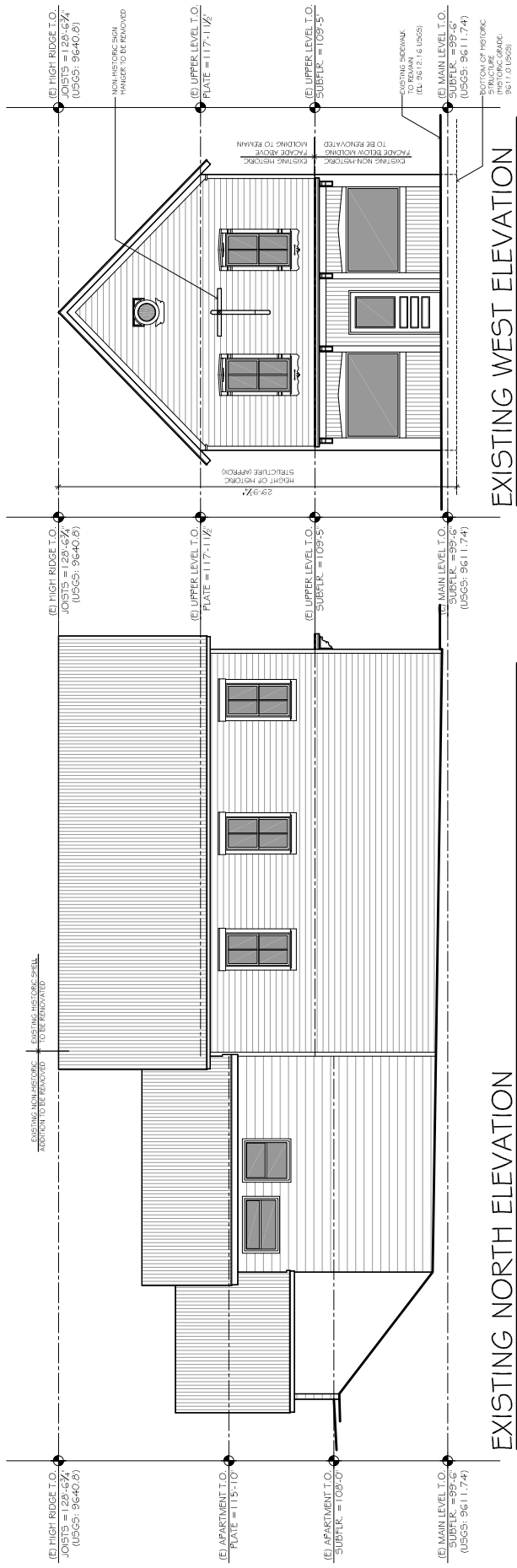
ISSUE	DATE
PRELIM	31 AUG 2009
REVISED	3 SEP 2009
REVISED	1 OCT 2009
FINAL PLANING	28 OCT 2009

PROJECT # 908
 EXISTING & PROPOSED
 WEST & NORTH
 ELEVATIONS

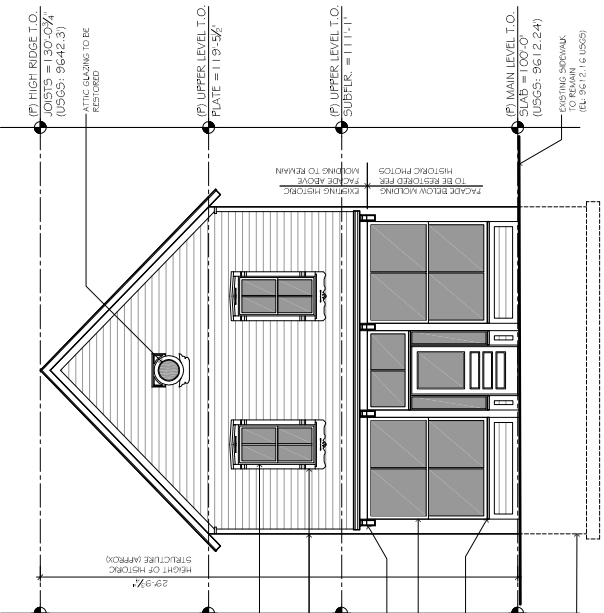
A5



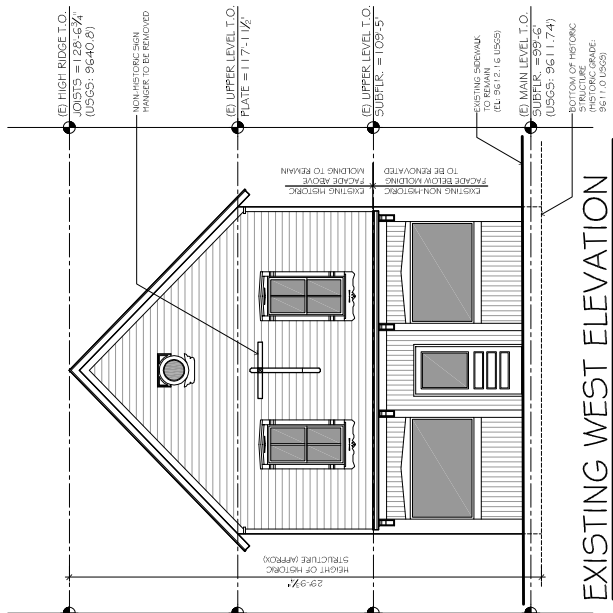
PROPOSED NORTH ELEVATION
 1/4" = 1'-0"



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



PROPOSED WEST ELEVATION
 1/4" = 1'-0"



EXISTING WEST ELEVATION
 1/4" = 1'-0"



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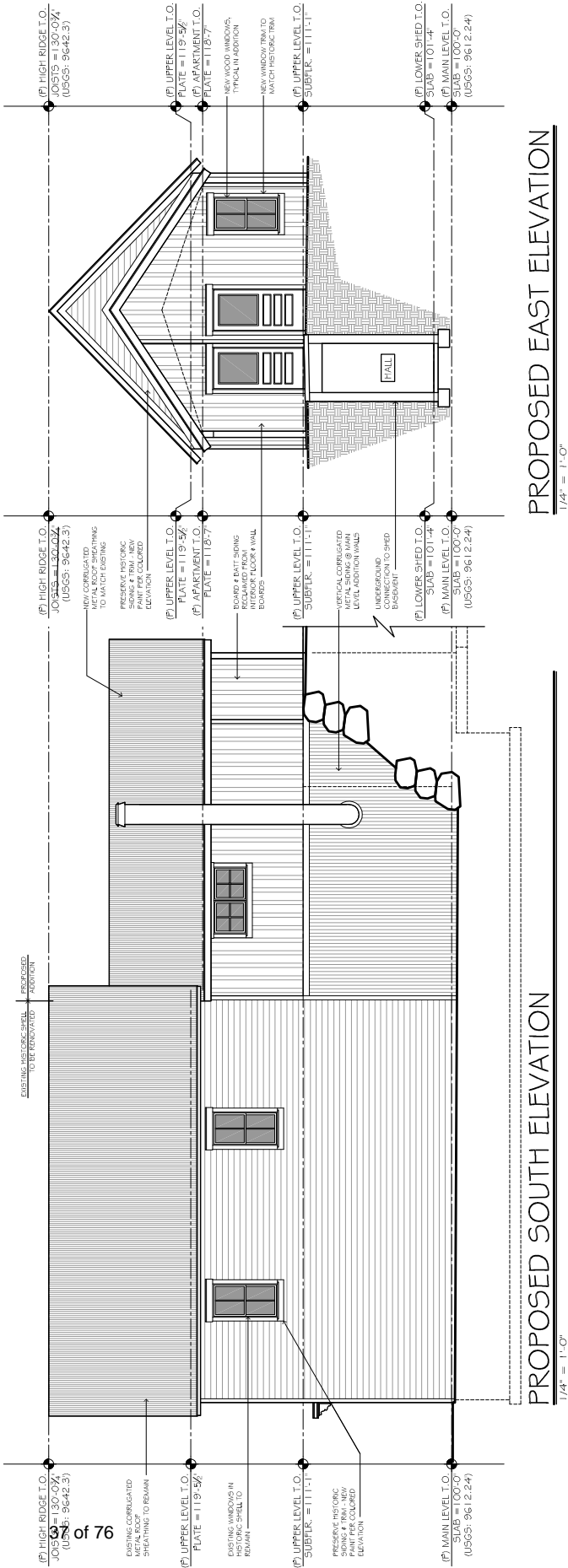
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HISTORICAL RENOVATION of the
 WHITEHEAD BUILDING
 130 SOUTH MAIN STREET
 LOT 3, BLOCK 1, STILES ADDITION SUBDIVISION
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO

ISSUE	DATE
PRELIM	31 AUG 2009
REVISION	3 SEP 2009
PERMITS	7 OCT 2009
FINAL PERMITS	28 OCT 2009

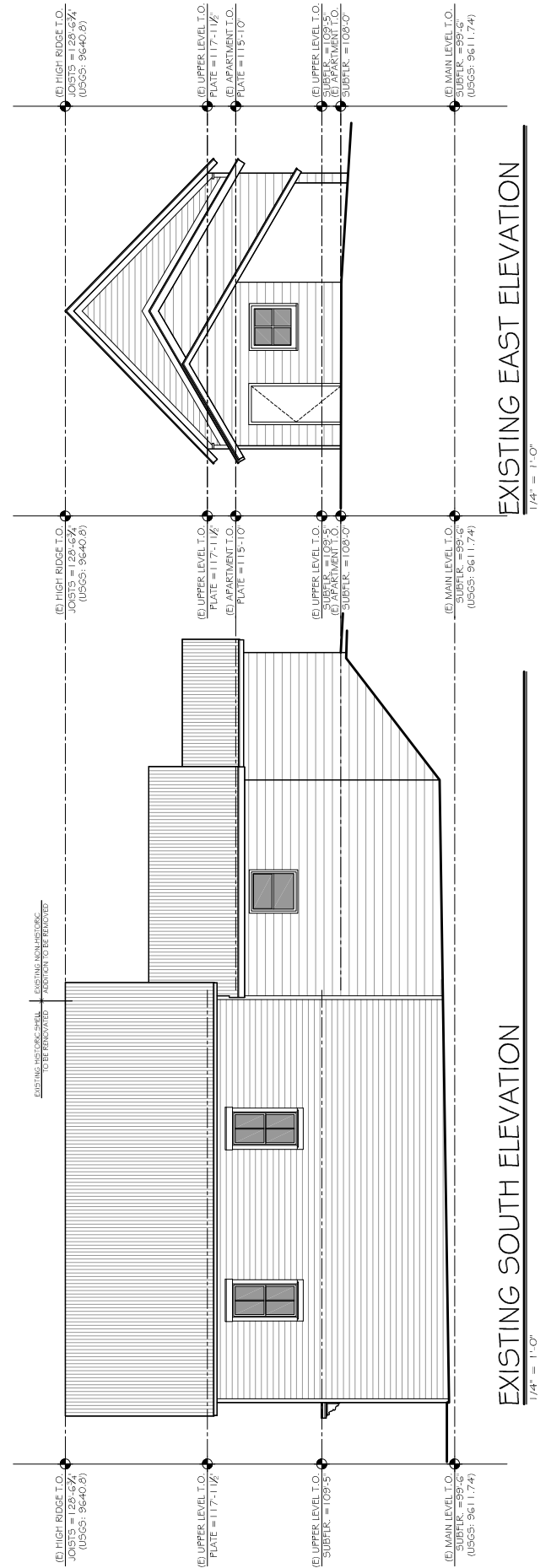
PROJECT # 908
 EXISTING & PROPOSED
 EAST & SOUTH
 ELEVATIONS

A6



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

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



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

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

of 76



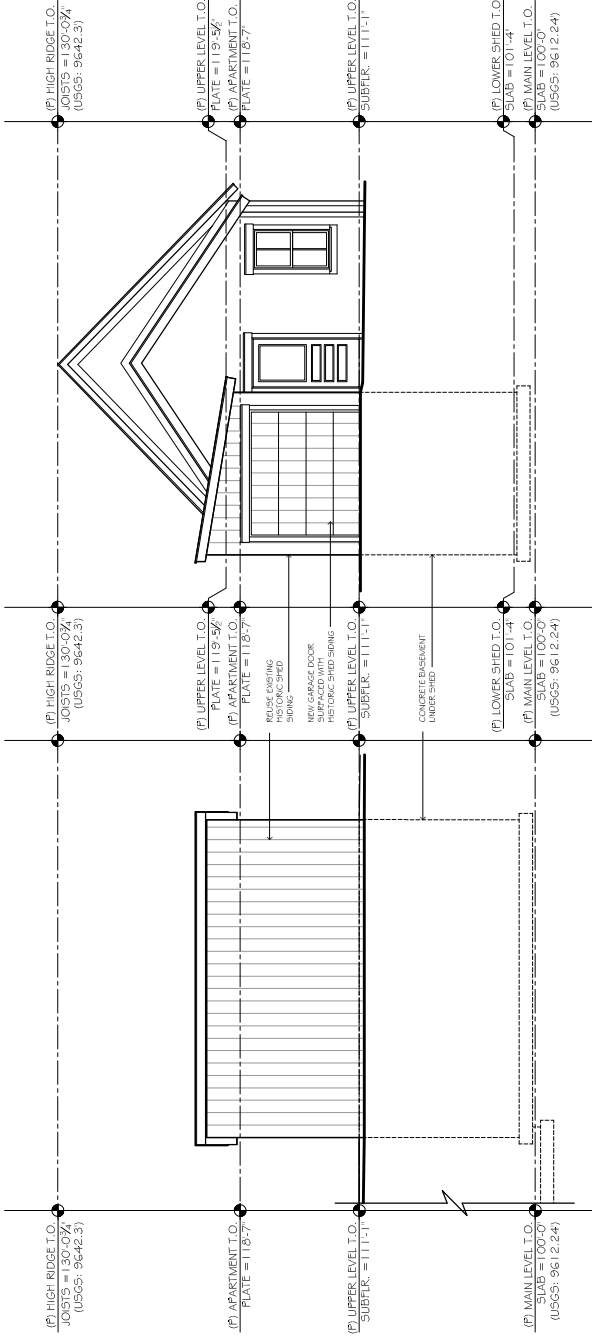
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HISTORICAL RENOVATION of the
 WHITEHEAD BUILDING
 130 SOUTH MAIN STREET
 LOT 3, BLOCK 1, STILES ADDITION SUBDIVISION
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO

ISSUE	DATE
ISSUED	31 AUG 2009
REVISION	3 SEP 2009
REVISION	1 OCT 2009
REVISION	28 OCT 2009

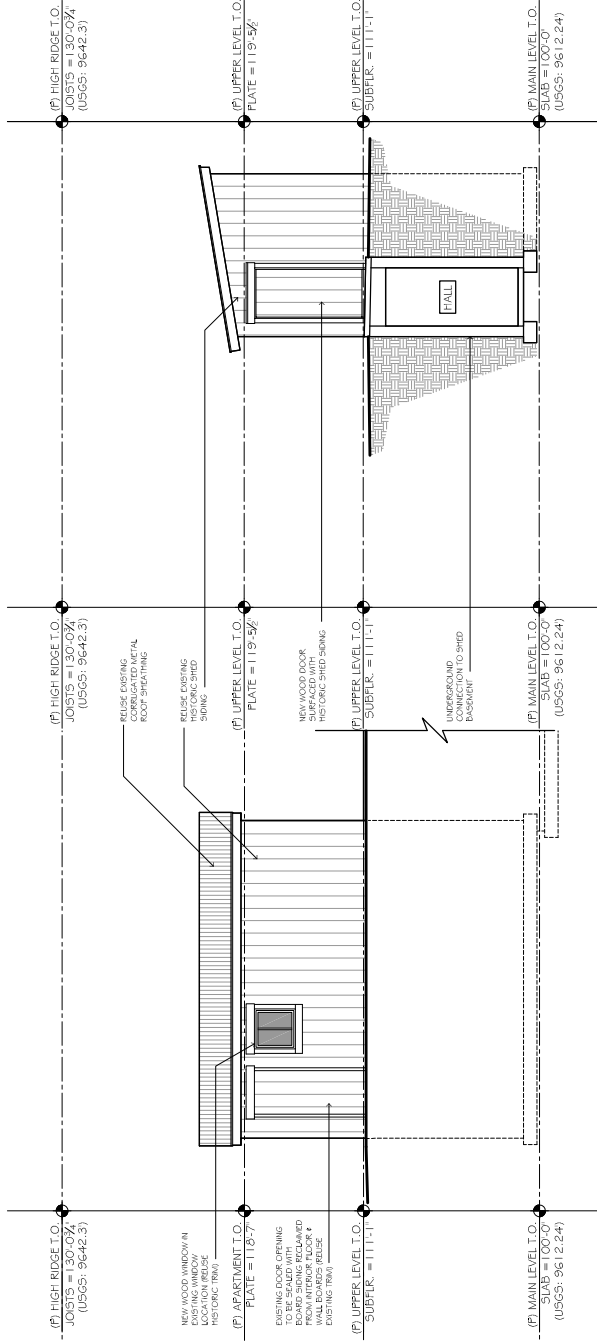
PROJECT # 908
 SHED ELEVATIONS

A7



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

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



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

WEST SHED ELEVATION
 1/4" = 1'-0"

Planning Commission Staff Report

PROJECT MANAGER: Chris Neubecker, AICP

DATE: October 28, 2009 (For November 3, 2009 meeting)

SUBJECT: Gondola Lots Redevelopment Master Plan
Class A, Final Hearing, PC# 2009010

OWNER: Vail Summit Resorts, Inc.

APPLICANT: Vail Resorts Development Company (VRDC); Alex Iskenderian

AGENT: DTJ Design; Bill Campie

PROPOSAL: Master Plan the north and south parking lots surrounding the town gondola terminal with a condo-hotel, townhomes, commercial uses, mixed use building, new skier service facilities, new transit facilities, and two parking structures. The proposal also includes development on portions Wellington parking lot and the East Sawmill parking lot, plus modifications to the Blue River, all of which are owned by the Town of Breckenridge. This proposal includes the transfer of 93 SFEs of density from the Gold Rush parking lot to the north and south gondola parking lots.

A reduced parking requirement of 1 space per 1 condo-hotel unit is proposed, per a preliminary approval from Town Council. The final development agreement for this reduced parking ratio will be reviewed by the Town Council, and has been made a condition of approval.

ADDRESS: 320 N. Park Avenue (Gondola)

LEGAL DESCRIPTION: Tract A, Block 3, Parkway Center
Lot 1, Block 3, Parkway Center
Lot 1-A, Sawmill Station Square, Filing No. 3
Lot 1-B, Sawmill Station Square, Filing No. 3
Lot 1-C, Sawmill Station Square, Filing No. 3
Lot 2-A, Sawmill Station Square, Filing No. 3
Lot 2-B, Sawmill Station Square, Filing No. 3
Lot 3-A, Sawmill Station Square, Filing No. 3
Lot 3-B, Sawmill Station Square, Filing No. 3
Lot 4, Sawmill Station Square, Filing No. 3
Lots 71-74, and Lots 87-90, Bartlett & Shock Addition

SITE AREA: Approximately 17.07 acres

LAND USE DISTRICTS: East of Blue River: Land Use District 19 (1:1 FAR / 20 UPA Residential; 2 stories)

West of Blue River: Land Use District 20 (1:3 FAR, Lodging or Commercial; 3 stories, except along the Blue River and Watson Avenue, which is 2 stories)

HISTORIC DISTRICT: East of Blue River: Main Street Residential / Commercial

EXISTING CONDITIONS: Most of the site is used for paved and unpaved parking lots. Part of the site includes the Breckenridge Station transit center, the BreckConnect Gondola and ticket office. East of the Blue River are the Wellington and East Sawmill parking lots. There is no significant vegetation on the site, except for willows in the river, and new landscaping around the north gondola lot. The site slopes downhill from south to north at a rate of 2-3%.

ADJACENT USES:
 North: Parkway Center Plaza/City Market
 South: 1st Bank, Breckenridge Town Hall, and Breckenridge Professional Building
 East: Blue River, Main Street and mixed use buildings
 West: Park Avenue, Mountain Thunder Lodge, and Gold Rush lot

ITEM HISTORY

May 19, 2009: Introduction to Planning Commission:
 June 16, 2009: Site Plan, Architecture, Height, Density, Mass
 July 7, 2009: Blue River Corridor, Landscaping, Gondola Plaza, Infrastructure, Sustainability
 August 18, 2009: Transportation, Traffic, Transit, Parking, and Circulation

Since the last Planning Commission meeting on this application, staff and the applicants have had a few meetings to discuss transportation and circulation issues. We have also discussed the reduced parking requirement for the condo-hotel building, and have also met with the Town Council concerning a development agreement to formalize the reduced parking. Town Council generally supported the reduced parking, but requested more information on the parking study, and a commitment from the applicant to meet in the future with the Council to discuss ski area employee parking. The development agreement on reduced parking has not yet been formalized.

SOURCE OF DENSITY

The density allocated to these sites comes from several sources, including the underlying Land Use Guidelines, previous master plans, previous PUDs, and previous density transfers.

	Gold Rush Lot Block 4, Parkway Center	Gondola North Lot Block 3, Parkway Center	Gondola South Lot Sawmill Station Square	TOTALS
Original/Previous Density (SFEs)	190	103	149	442
Density Transferred to Peaks 7 & 8	(50)	(30)	(50)	(130)
Density Reductions (25%)	(47)	(5)	(59)	(111)

Remaining SFEs	93	68	40	201
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DENSITY PROPOSAL

Master Plan Density Distribution				
Building Type	Proposed Use	Maximum Commercial SFE / Building	Maximum Residential SFE / Building	Maximum Total SFE / Building
Townhomes (All 3)	Residential	0	60	60
Skier Services	Commercial	25	0	25
Mixed Use Building	Mixed Use	15	15	30
Condo Hotel	Mixed Use	20	150	170
Warming Hut	Commercial	3	0	3

**Note: This table depicts the maximum density (SFE) per building. The total density for this property (including the density transfer from the Gold Rush Parking Lot) is 201 SFEs, which will not be exceeded unless affordable housing is added to the project. All affordable housing would be in excess of the 201 SFEs.*

As proposed, the combined maximum density allocations exceed the total allowed density for the site. These densities indicate the most commercial and most residential density that could be built at one building site, but the entire project as a whole could not exceed 201 SFEs. No positive or negative points are warranted under this policy.

Density Multipliers

The allowed density per unit is based on the Development Code in effect at the time of the master plan application. The current multipliers, or allowed square feet per Single Family Equivalent (SFE), for uses proposed for this master plan are as follows:

Use	Square feet per SFE
Townhome:	1,600 sq. ft.
Condo hotel (residential):	1,200 sq. ft.
Condo hotel (Commercial):	1,000 sq. ft.
Hotel (with no kitchens of any kind in units)	1,380 sq. ft.
Mixed use building (residential):	900 sq. ft.
Mixed use building (commercial):	1,000 sq. ft.
Skier Services Building (commercial):	1,000 sq. ft.

There will be no single family or duplex residential units permitted within this master plan.

Mass Bonus: Policy 4 (Relative) Mass, allows a bonus of additional floor area in addition to the allowed density, for provision of above ground common elements such as recreation areas, lobbies, hallways, etc. The allowed mass multiplier is based on the proposed use. Existing mass multipliers in the current Development Code are:

Townhomes:	20% of allowed density
Condominiums and Apartments:	15% of allowed density
Condo-hotels and Hotels :	25% of allowed density
Commercial:	no bonus

Deviations from the recommended mass are allowed, but negative points are allocated on an incremental scale. Staff also notes that although the density for these properties are determined by a recorded density transfer covenant, the underlying density in Land Use District 20 was based on the Floor Area Ratio (FAR) of 1:3 for this land use district. Section (4) B of Policy 4 also states:

B. In a land use district where density is calculated by a floor area ratio only, residential and mixed use projects shall not be allowed additional square footage for accessory uses, and the total mass of the building shall be that allowed by the floor area ratio of the specific districts. In residential and mixed use developments within land use districts 18, and 19, no additional mass shall be allowed for the project and the total allowed mass shall be equal to the allowed density. (Ord. 10, Series 1990) (Emphasis added)

In this case, the density is not based upon a floor area ratio only. The recoded density covenant allocates density to these properties, and the density is listed in SFEs. Since the density is listed in SFEs and not an FAR, a mass multiplier will be allowed.

No negative points are currently warranted under this policy. Individual buildings will be reviewed against this policy, and points will be allocated (if any) during the development review process for individual buildings.

SITE PLAN AND LAND USE

No major changes are proposed to the site plan. The site plan is designed around five main uses. These include parking, skier services/transit, condo-hotel, a mixed use building, and townhomes.

Two parking structures are proposed, including one at the north end of the site adjacent to Park Avenue and French Street, and another structure along Park Avenue behind Town Hall. These locations were selected due to their access to Park Avenue, and also to maintain a more open and pedestrian friendly environment near the center of the site. A condo-hotel is planned near Park Avenue and Watson Avenue, across from and south of the gondola plaza. The existing transit loading area is proposed to move from its current location south of the gondola ticket office to a location immediately west, along Park Avenue. This will help to create a more pedestrian friendly gondola plaza without busses and diesel fumes, and allows for a better connection to the Blue River. **In this plan, the existing Breckenridge Station is proposed to be removed, and the transit functions of the building would be accommodated in the skier services building.**

At the north end of the site, next to the Blue River, townhomes are proposed. These would be accessed from North Depot Road, which also provides access to the north parking structure. These units would be designed with views and access to the Blue River and pedestrian/bike path.

At the south end of the site, between the Blue River and the condo-hotel, a mixed use structure is planned. This building would likely include commercial uses on the ground floor, with residential uses on the upper floors. This new street will become one of the main pedestrian and vehicular accesses to or from downtown.

There are also plans for a small kiosk or small building at the east end of the gondola plaza. The specific use for this building has not yet been identified, though it is tentatively identified as a warming hut with up to 3,000 square feet (3 SFEs) of density. Other potential uses might include a café, restaurant, ice skate rentals, information center, etc. This sunny location should work well for après ski activities, such as a

restaurant/bar, which could act as a good meeting point at the end of the ski day. Outdoor seating in this location could also help add activity to the plaza during summer months, and would create a great vantage point for “people watching” toward the plaza and river amenities.

Parking for all new uses will be provided under the new buildings or in the new parking structures. The parking structures are sized to accommodate approximately 1,250 vehicles, which exceeds the current capacity of the surface parking lots. No new surface parking lots are proposed, but some on-street parking is proposed along North and South Depot Roads. Staff proposes that the on-street parking be allowed to count toward the provision of required parking. We have added a note to this effect in the “Findings” section of the conditions of approval. If this is a concern to the Commission, please let us know.

At this time, staff finds no reason to assign positive or negative points under this policy.

BUILDING HEIGHTS

No changes are anticipated to the buildings from the meeting on June 16, 2009 when this was last discussed. The plan still includes a condo-hotel of up to 5 stories tall. This building will be taller than most other buildings in downtown or the adjacent historic district. But this building is also located near to other tall lodge properties, including Mountain Thunder Lodge to the west and River Mountain Lodge to the south. The condo-hotel is proposed on the west side of the site, away from the historic district. Some general language in policy 6 (Relative) Building Height, addresses the potential impacts of building height:

1 x (-2,+2) The height of a building has many impacts on the community. Building heights that exceed the Land Use Guidelines can block views, light, air, and solar radiation; they can also disrupt off site vistas, impact scenic backdrop and penetrate tree canopies that provide screening to maintain a mountain forest character. It is encouraged that the height of new buildings be controlled to minimize any negative impacts on the community.

Land Use District 20 recommends buildings up to three (3) stories in height (38’ to the mean), and two (2) stories in height (26’ to the mean) along the Blue River and Watson Avenue. As proposed, the condo-hotel would be up to five (5) stories in height, with the fifth level of the hotel built into the roof. This does not exceed the absolute policy, but warrants twenty (-20) negative points. The parking structures would be up to three (3) stories on 4 levels, with some parking on the upper (roof) level. The proposed townhomes would be 2 – 3 stories. Mixed use buildings are anticipated at about two (2) stories. The transit & skier services building would be about 1 ½ stories. The building height policy encourages incorporating the upper most story of density into the building roof. Staff believes that this can be accomplished with the condo-hotel and townhomes, and as such one positive point (+1) may be warranted during the site plan review, but is not warranted at this time.

Following is a portion of the master plan language on building height for the condo-hotel:

Heights of Buildings-This building will be up to five stories in height, not reflecting the recommendations in the General Design Criteria for Land Use District #20. However the outside face will incorporate the fifth floor into the roof, using dormers to create windows in those spaces. The additional height within this building allows the other buildings to vary between one and three stories throughout the site, creating a more organic spread of density that reflects the adjacent communities that include a variety of building heights between five and one story.

In addition to the condo-hotel proposed at up to 5 stories, the townhomes are proposed at 3 stories. The Land Use Guidelines recommend buildings of up to 3 stories, “*The determination of acceptable building heights will be made during the development review process. Buildings in excess of three stories are discouraged, except along the Blue River and Watson Avenue where buildings in excess of two stories are discouraged.*” (Emphasis added)

The plan is designed to have lower buildings along the Blue River and near the historic district, with the taller buildings closer to the bed base west of Park Avenue. Portions of the townhomes are proposed at 3 stories, but these taller building elements would likely be facing North Depot Road, with 2 story elements facing the Blue River. We suggest that language be added to the master plan notes for the townhomes, to indicate that portions of the buildings along the Blue River shall be 2 stories, with 3 story elements allowed only along North Depot Road. Staff would like the Commission to weigh in on this proposal, and whether or not this meets the intent of LUD #20. We have added this as a condition of approval.

Due to the condo-hotel proposed at up to five stories tall, staff recommends the allocation of twenty (-20) negative points.

ARCHITECTURAL CHARACTER

No changes are proposed to the architecture of the buildings, and no significant changes are proposed to the master plan language. The design character of the buildings will depend on each building’s use and location. For example, the mixed use building and townhomes are closer to the Blue River and the historic district and will be shorter and will reflect the design character of buildings along Main Street. The condo-hotel will be the tallest building on the site, and the most visually dominant. It will be designed as an icon for this site, and its scale will not be downplayed but rather embraced and celebrated. Also, the skier services/transit building should be a unique and easily identifiable building, and can be used to make a statement without impacting the historic district.

Condo-Hotel

This building will take its design cues from other civic structures in town, such as the old Summit County Courthouse and Colorado Mountain College (CMC) on Harris Street. The intent with this building is to use design features that could have existed on a destination hotel in the Rocky Mountain west. While brick has generally been used only on civic structures in Breckenridge, staff supports the use of brick and stone on this large structure. We do not believe that a primarily wood sided building is appropriate on such a large building. Also, as this building is in the downtown core, it is not appropriate to use log siding or rougher exterior treatments that might be used in a more forested setting. However, Policy 5 (Relative) Architectural Compatibility recommends brick only as an accent:

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. Brick is an acceptable building material on smaller building elements, provided an earth tone color is selected. Stucco is an acceptable building material so long as an earth tone color is selected, but its use is discouraged and negative points shall be assessed if the application exceeds twenty five percent (25%) on any elevation as measured from the bottom of the fascia board to finished grade. (Emphasis added)

Staff finds that the use of brick or cut stone is appropriate on a building of such scale in this location. However, it should not be a primary material without allocation of negative points during the

development review for individual buildings, and we have included a condition of approval to this effect. (No negative points have been assigned in the master plan for the use of brick..)

Proposed Master Plan Language (Condo-hotel):

Architectural Character: This building plays a major role in the Master Plan and will reflect a traditional downtown western hotel character. The building will create an iconic image within the downtown and will emphasize the connection to the larger traditional buildings within Town.

Building Materials: Natural materials; including brick (possibly as the primary material), wood siding, and stone may be used for this building.

Heights of Buildings-This building will be up to five stories in height, not reflecting the recommendations in the General Design Criteria for Land Use District #20. However the outside face will incorporate the fifth floor into the roof, using dormers to create windows in those spaces. The additional height within this building allows the other building to vary between one and three stories throughout the site, creating a more organic spread of density that reflects the adjacent communities that include a variety of building heights between five and one story.

Roofs: This building may have both gabled and hipped roof types. There may be flat roofs types that also are used for outdoor decks.

Townhomes:

The townhomes will take design clues from buildings on North Main Street. They will include materials such as brick, stone and wood siding. Colors will reflect the colors of buildings in the downtown core. Staff would like to see these buildings using traditional Breckenridge vernacular, including steeply pitched roofs and vertically oriented windows. We feel that these design features are important, as they will help this site to blend with the character of the adjacent historic district. The use of brick throughout Breckenridge has generally been limited to civic buildings (such as the Summit County Courthouse, CMC, and other municipal buildings), although there are a few exceptions (Red Ugly, and 314 Lincoln Avenue). We believe that brick should be used in only limited quantities, such as for foundations and chimneys. As these buildings are close to the Blue River, it may also be appropriate to use river rock on foundations and accents.

Proposed Master Plan Language:

Architectural Character: The townhome buildings will most reflect the character of the northern Main Street community. These smaller building will reflect the smaller massing and historic detailing found in much of the residential area of downtown.

Building Materials: Natural materials; including brick, wood siding, and stone may be used for this building. The colors used within these building materials will reflect the colors of the building in the downtown core.

*Heights of Buildings: These buildings will be no more than three stories in height **near North Depot Road, and no more than two stories in height near the Blue River** as recommended by the General Design Criteria for Land Use District #20. (Language suggested by staff in **bold**.)*

Mixed Use Building:

This building will most closely reflect the commercial buildings in the 100 block of South Main Street. They will be set at zero lot line (at the sidewalk edge), and will include storefront windows on the lower level (for display of merchandise) and smaller upper level windows in the residential units. The buildings will use a combination of wood siding, brick and stone. Staff also suggests design features such as recessed entries, transom windows, kick plates, cornices and sign bands. These features are important to create the commercial feeling of the street and make the sidewalks welcoming to pedestrians.

Roof forms proposed include gabled, flat and hipped roofs. (Staff recommends that hipped roofs be avoided, as they were not commonly used in commercial buildings in Breckenridge. We suggest false front buildings with gables or flat roofs instead.) It will also be important that the scale, mass and façade rhythm look right to create the feeling of individual buildings. Some examples of newer buildings that fit into the historic rhythm of the 100 block of South Main Street include the Struve building at 122 South Main Street, and the Rounds Building at 137 South Main Street.

Proposed Master Plan Language:

*Architectural Character: This building will be the closest in character to the South 100 block of Main Street. Historic looking storefronts with residential uses above and a zero lot line appearance. **Design features of these buildings could include recessed entries, transom windows, kick plates, cornices and sign bands. Upper level windows should be smaller, residential type windows.** The building sits upon the main street of the site (Depot Street) and functions much in the same way the buildings on Main Street function. (Language suggested by staff in **bold**.)*

Building Materials: Natural materials; including brick, wood siding, and stone may be used for this building. The color and primary material may changer per each tenant space to give the appearance of individual buildings. The colors used within these building materials will reflect the colors of the building in the downtown core.

Heights of Buildings: This building will be no more than two stories in height and as recommended by the General Design Criteria for Land Use District #20.

*Roofs: This building may have a variety of roof types to create the Main Street image, including gabled, flat, and ~~hipped~~ **false front**. (Language suggested by staff in **bold** and ~~strikethrough~~.)*

Skier Services/Transit Building:

This building is planned to incorporate architectural styling of a train station that could have existed in Breckenridge. It is not a replica of any building that existed historically in town, although the town's train station (with a much simpler design) was very close to this location. The building is planned to reflect the railroad heritage of the west, which may include a large sheltering roof with significant eaves and focal elements, such as a clock tower. The building will use natural materials such as brick, wood siding, and/or stone. Colors will reflect dark natural colors, such as the red brick of the Summit County Courthouse in Breckenridge. It may have both gable and hipped roofs.

Staff believes that the proposed materials and style are appropriate for this development. We like the idea of using features traditionally used in a train station, since this building will serve as a transit center, and our historic train station was very near to this location. Also, some type of tower element will help to visually identify this site as a gathering place and may serve a valuable function (for example, if a clock is installed).

We also support the proposed use of brick on the building. While most historic buildings in Breckenridge (including the historic train station) did not use brick, many civic buildings did use brick. This civic type structure is unique and its function and architecture should be celebrated.

Proposed Master Plan Language:

Architectural Character: This building will represent the iconic nature of a transit station in Breckenridge. The design will reflect the traditional train depots of the west.

Building Materials: Natural materials; including brick, wood siding, and stone may be used for this building. The colors used will relate to the historic Summit County Courthouse, as well as the new Condo Hotel building within the project.

Heights of Buildings; This building will be no more than two stories in height and as recommended by the General Design Criteria for Land Use District #20.

Roofs: This building may have both gabled and hipped roof types.

Parking Structures

The design of the parking structures will be some of the most challenging and important elements of this plan. These large structures will need to accommodate their primary function while fitting into the core of downtown without overwhelming the site. A variety of techniques can be used to reduce the visual mass of the buildings, and to help them look less like traditional parking structures. Changes in building materials, wall planes and the use of both solid and void spaces can help the structure fit into the urban fabric of the site. They can also help the building to maintain a human scale. However, it will also be important to identify these buildings as parking structures, so that visitors quickly find their entrances and do not reduce traffic circulation efficiency while seeking a place to park. Proper use of landscaping can also be effective at softening the materials and scale of large buildings.

Proposed Master Plan Language:

Architectural Character: Much of the architectural character for the two above ground parking structures will be related to making the mass feel smaller and using materials that create a like aesthetic to the community. The design will seek to lessen the visual impact of the parking structure and help the buildings blend into the surrounding neighborhood through the possible use of windows, faux windows, storefront, and other architectural techniques.

Building Materials: Natural materials; including brick and stone may be used for this building. Additionally there may be some concrete panels and metal screening used to create additional architectural interest. The colors used within these building materials will reflect the colors of the building in the downtown core.

Heights of Buildings: These buildings will be no more than three stories in height and as recommended by the General Design Criteria for Land Use District #20.

Staff and the applicant will be happy to discuss ideas on how the parking structure may be designed to minimize its visual impact and improve the aesthetics of this large building.

Gondola Roof Structure

During review and approval of the gondola itself, a roof structure was approved above the gondola terminal in town. During the construction of the gondola, it was determined that the roof structure could not be built if the gondola was to be open in time for the winter of 2006-2007 season. As a result, the roof structure was not built, but foundations were installed in anticipation of later installing the roof.

With the review of this master plan, the applicants would like the Commission to consider the impact of installing the roof. They have indicated a concern over the size of the roof structure, and feel that the roof is not appropriate within this development as planned. As a result, a note on the Gondola Building has been included on Sheet 1 of the master plan. The note essentially states that the roof structure is not compatible with the architectural character of the adjacent buildings, and is therefore an impediment to the plan. Following is the propose language in the master plan:

The plans for the Gondola approved under Development Permit #2004010 provided for a roof structure to be constructed over the Gondola base facilities, but that structure has not yet been constructed. The roof as designed may not be compatible with the architecture of the adjacent buildings provided for in this master plan and, in addition, may present some impediments to certain maintenance, repair, and replacement activities anticipated to be necessary. Accordingly, to avoid a waste of resources, the roof should not be constructed as provided for under Development Permit #2004010, [and] that Permit should be administratively amended to delete the roof requirement.

This is a new issue that has not been previously discussed by this Commission. While Staff believes that the gondola roof was an important design element that helped to get the gondola approved, and we feel that the roof structure could be designed into this plan and become a focal element of the site, we are not committed to this roof design. We welcome Commission input on the gondola roof. We will provide a graphic of the roof structure as approved for the meeting.

AMENITIES

The success of this project will depend partly on the amenities and physical design of the public spaces. The main public space in this plan is the expanded gondola plaza. The current plaza is curtailed by the transit staging area. The proposed plan expands the plaza and ties it into the Blue River much better, thereby making it a more pedestrian friendly area, particularly in summer when the plaza could be used for special events.

The gondola plaza itself will be one of the most important and most visited spaces within this plan. The plaza is the main loading and unloading zone for the gondola, and is designed to accommodate large crowds. The space is designed to be large enough to handle the volume of gondola riders, while remaining small enough to feel intimate on less crowded days. It will be a place for meeting in the morning, and a place to reconnect for après ski activities at the end of the day. The plaza will be formed by the transit/skier services building to the west, the gondola to the north, and the Blue River to the east.

A café with outdoor seating is planned for the skier services building, with seating facing the plaza and the morning sun. Another outdoor seating area is possible at the warming hut/café/restaurant near the river and pond. This area would be sunny in the afternoon and could also work well as a coffee shop or a restaurant/bar for après-ski activities. It would also provide great people watching in summer with the plaza, river and pond in view. The gondola plaza would be built in Phase II.

Another public amenity is the new transit staging area and transit center. The current transit staging area creates conflicts between busses, cars and pedestrians. The new location is designed to minimize these conflicts, and could also help the busses stay on schedule by providing more direct access to Park Avenue, potentially with dedicated bus lanes.

One other amenity of this plan includes a possible conference facility within the condo-hotel. Although not “public”, this approximately 12,000 – 15,000 square foot facility would provide additional venue space in the downtown core, which has been identified as a community need by the Breckenridge Resort Chamber. Since it is unknown at this time exactly how much conference space will be provided, staff recommends that these points (if any) be assigned during the site specific development review of the condo-hotel, rather than at this time. As such, no positive or negative points are currently recommended.

PRIVATE VEHICLE ACCESS AND CIRCULATION

The most significant change to the access and circulation plan from the version shown to the Commission at the least hearing includes the access to the south parking structure. The applicant is still in negotiations with 1st Bank concerning the access to the parking structure behind the bank. As you may recall, the access was shown to be relocated to the east side of the parking structure (instead of the south east corner). There are some legal issues that VRDC is discussing with the bank that have not yet been resolved. While the previous access location was preferred by CDOT and staff, the current proposal shows the curb cut remaining in its current location, with additional turn lanes but no new curb cuts. Since this master plan is really a concept plan, and will still require further site specific development permits before buildings can be built, staff is comfortable that this plan can be approved without relocating the access. However, if the access point is later proposed to relocate to the north, as suggested by CDOT and previously shown, the access easement and agreement with 1st Bank will need to be resolved, and the master plan may need to be amended.

One other change, as requested by the Commission, anticipates a left turn lane for westbound traffic on French Street, to turn southbound onto North Depot Road. This turn lane would allow vehicles turning south to get out of the way of through traffic, and not block cars heading to City Market.

Other than these change to the plan, the rest of the circulation remains as previously presented.

The site is well served by an existing network of public streets including Park Avenue (State Highway 9), Main Street, French Street, Watson Avenue and Ski Hill Road. These existing roads provide the majority of the private vehicle access to the site. Two new roads are also proposed, including South Depot Road, which connects to the existing Wellington Road at Main Street, and North Depot Road, which will connect into the site from French Street on the north. Good pedestrian circulation is also proposed, with improvements to the Riverwalk providing good access to downtown, and with a pedestrian bridge providing improved access to North Main Street. As a result, staff recommends the assigned of three (+3) positive points for circulation.

TRANSIT ACCESS

No significant changes are proposed to the transit access or bus bay design. The buses will still access the site from Watson Avenue and depart from a new curb cut onto Park Avenue. A mountable curb has also been proposed to allow buses to use North Depot Road in case the egress to Park Avenue is blocked.

The current transit building (Breckenridge Station) is proposed to be removed from the site (there are no current plans to re-use the building) and the current bus loading is proposed to be rebuilt north of Watson Avenue along Park Avenue. All new transit operations would operate from the new skier services building,

which would also accommodate transit uses. Since there is no change to the level of transit service, and the existing transit center is being replaced but not necessarily improved, no points are warranted at this time.

PARKING

No changes are proposed to the location or number of parking spaces. Two parking structures are proposed for day-skier parking. These two structures would replace the surface parking lots. The two structures combined would accommodate approximately 1,200 vehicles (500 in the south structure and 700 in the north structure.) The current surface lots each hold slightly less than 600 cars each.

Parking for the townhomes and the mixed use building will be below each building, per Sheet 1 of the master plan notes. The current master plan identifies the following parking requirements for each use:

Use	Parking Proposed in Plan	Parking Required by Code	Proposed location
Townhomes	2 per unit	1.5/ 1-bedroom and larger	Under building
Condo-hotel	1 per unit	1.0/ studio or 1-bedroom	Under building
		1.5/ 2-bedroom or larger	Under building
		0.5/ lock-off unit	Under building
Mixed Use Building (Residential)	1 per unit	1.5/ 1-bedroom or larger	Under building
Mixed Use Building (Commercial)	1/400 sq. ft.	1/400 sq. ft.	Parking on street
Skier Services Commercial	0	Special review by Director and Planning Commission	In Parking Structure
Conference Space in Hotel	0 extra spaces	Special review by Director and Planning Commission	In Parking Structure. Conference attendees would park under hotel or in structure.

The Off-Street Parking Regulations for the Town of Breckenridge identify the required parking spaces for all uses. Section 9-3-8 B of this code also allows Mixed Use Developments of greater than 100,000 square feet to base the parking requirements on a qualified parking study.

“D. Mixed Use Developments: The requirements of this Section may be increased or decreased for a mixed use development containing not less than one hundred thousand (100,000) square feet. Such change shall be accomplished by a development agreement in connection with the approval or amendment of a master plan. Any request to vary the requirements of this Section shall be supported by a written analysis paid for by the applicant and prepared by a qualified parking consultant. Once approved, the development agreement and master plan shall establish the off-street parking requirement in lieu of that set forth in this Section and shall serve as one of the controlling development policies for a site plan level development of the property which is the subject of the master plan as provided in subsection H of policy 39 "(Absolute) Master Plan", section 9-1-19 of this title. (Ord. 3, Series 1999)”

A revised parking study from Felsburg, Holt & Ullevig transportation consultants is attached for your review. The study explains why the proposed parking plan is considered sufficient. The study makes several assumptions about the guest arrival mode split (transit usage by guests and employees) and varying peak demand times based on use. As mentioned earlier in this report, the Town Council has

given preliminary approval for a reduced parking supply of one (1) parking space per one (1) condo-hotel unit, as opposed to 1.5 spaces per 1 unit as required by the code.

The proposed plan counts the on-street parking on South Depot Street and North Depot Street toward the parking supply for the project. Considering that the applicant is constructing the street and will own and maintain the private streets, staff believes that these parking spaces could be considered like private parking lots. Since on street parking is not normally counted toward the parking supply, we have added a special finding to the proposed Findings and Conditions. (See finding #7)

Overall, Staff supports the idea of shared parking among complimentary uses. We support the reduction in parking for the condo-hotel, due to the proximity of transit to this site, the proximity of downtown, and the overall walkability of the area. We believe that if any property in town is could take advantage of these assets, this is the project.

At this time, staff recommends positive four (+4) points for providing over 95% of the parking either in a structure or under the buildings. We also recommend positive one (+1) point for making parking available to the public (in the structure) and positive one (+1) point for shared driveway access.

BLUE RIVER CORRIDOR

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 currently inaccessible and is generally unseen by most locals and visitors.

The river will also be improved for better aquatic habitat, including fish and other riparian species. Details of the river restoration will be required before work begins, and have not been included within the master plan.

Other landscaping improvements are also proposed along the river and Riverwalk expansion. Again, details of these plantings, and details of the river banks will be provided in future development permits. The overall goals of the river restoration is to improve access to the river, install the Riverwalk extension, improve habitat, improve the visual aspect of the river, and provide links to Main Street and points south.

As this is a master plan and not a site specific site plan approval, many of the details of the river restoration have not been determined at this time. However, a hydraulic analysis of the river (including river width, elevation and flow/velocity) will be required before development permits can be issued for Phase II or Phase III of this plan.

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. This business issue will need to be discussed with the Town Council, and memorialized through future agreements with the Town, which have not yet been determined.

Since there has not yet been a commitment by the applicant to construct the river corridor improvements, we can not recommend any points at this time.

Phasing of River Improvements:

The river corridor improvements on the south side of the site would be installed along with Phase III of the project. This phase includes construction of the condo-hotel, mixed use building, and South Depot Road. River corridor improvements north of Watson Avenue would need to be completed along with the gondola plaza improvements. These developments are shown to be part of Phase II, which also includes the north parking structure.

It is likely that the river improvements would be completed by VRDC at the time of their other improvements within Phase III. These are business details that need to be discussed between the Town Council and VRDC due to land ownership. Notably, the Blue River adjacent to the mixed use building is proposed to be relocated to the east to accommodate the new building. Construction of the river improvements may be included as part of the public commitments made as part of a future development agreement for reduced parking, extended vesting, or other issues approved by the Town Council.

INFRASTRUCTURE

No major changes are proposed to the road layout. The most significant change to the plan relates to the access to the south parking structure, as mentioned above.

The access to the south parking structure was an issue raised by CDOT, and was one reason that the access was proposed to move to the north. Tentative approval was granted by CDOT based on the previous access plan. We have not received final approval from CDOT on the access plan, and this approval will be required before any building within the master plan can be constructed. (The change to the access, back to the 1st Bank curb cut, is an issue that has not yet been submitted to CDOT.)

Another access point that needs to be identified in the phasing plan includes the extension of Wellington Road through locomotive park. This road is part of the anticipated circulation plan for South Depot Road, but its construction has not yet been identified in the phasing plan. It is anticipated that this road will need to be constructed for South Depot Road to operate as designed.

SUSTAINABILITY

There are significant changes proposed to the notes on sustainability, in response to commissioner comments from the meeting on July 7, 2009. Most of the sustainability language has been removed, and replaced with less specific language to allow greater flexibility in the future. All references to specific sustainability techniques and certification programs have been removed. The new master plan language from Sheet 1 reads as follows:

“The Master Plan is designed to create an efficient and sustainable development. The project will explore ways to reduce the environmental and carbon impact of the development. Technology and certifications will change over time and the Master Plan intends to use the latest proven technology available to create a highly sustainable development and the project will meet the current Town sustainability code.”

Staff finds that the proposed language is too vague. We recommend using more specific language, similar to the wording previously proposed, but with some modifications. Listed below is the original sustainability language, which Staff's recommended changes:

Sustainability:

Vail Resorts, Inc. is committed to sustainability. This includes carefully integrating the needs of our guest while balancing our obligation to protect the spectacular natural environment, which serves as the backdrop of our resorts. Our long-term goal is to build green practices into our Company's daily operations and projects.

The Master Plan is designed to create an efficient and sustainable development. The project will explore ways to reduce the environmental and carbon impact of the development. This includes the potential use of the following strategies and technologies:

*Alternative Energy Sources – Due to the amount of sunshine in Breckenridge, it is well-suited to take advantage of both active and passive solar energy applications. This could include PV Panels on top of the Parking Structures **buildings**. Smaller, stand-alone PV arrays are well-suited for street and parking lot lighting. The potential use of vertical or concentrating PV systems could be used to mitigate the accumulation of snow in the winter. Using Biomass as a source of alternative fuel for heating needs will be explored. ~~Confluence Energy in Kremmling, CO currently processes dead pine beetle lumber into small, dry pellets that can be cleanly burned as fuel.~~*

~~*Alternative Snowmelt Systems – “Seasonal Thermal Storage” – a means of collecting solar heat during the summer and storing it for use at a later time when demand is greater or the heat less abundant. This system typically incorporates a constant or seasonal heat source, a storage medium, and a means of distributing the stored heat. Projects in Canada, Japan and Germany have used this system successfully. Traditionally, such systems are powered by boilers running on natural gas or other fossil fuels.*~~

*Shade and Shadow Design – minimizing need for snow melt energy usage. **This includes good solar orientation for plaza areas, sidewalks and other hard surfaces. It also includes proper use of landscaping to allow for solar access during winter months. Snowmelt systems will be considered only in areas of high pedestrian circulation and where adequate solar access can not be obtained.***

*Efficient and shared parking facilities – because this is a mixed-use project and it has been designed to be pedestrian friendly, vehicle usage and parking demands should be minimized. **Parking spaces within the hotel will be pooled, and will not be assigned, thereby increasing efficiency of the parking supply. The operation of a guest shuttle will reduce the need to bring personal vehicles to the condo-hotel.***

*Enhanced Transit System Facilities - reduce vehicle traffic and promote transit usage. **The new location and improved transit waiting areas should help to make transit use more desirable. Improved transit signage should help to make the transit system easier for guests to understand, and more desirable to use. The design of the transit waiting areas and signage will be coordinated with the Town of Breckenridge Transit Department.***

~~*Leadership in Energy and Environmental Design (LEED) National Certification on sustainability of New Construction Certified Buildings.*~~

Technology and certifications will change over time and the Master Plan intends to use the latest proven technology available to create a highly sustainable development and the project will meet the then-current Town sustainability codes. ~~National-Certification~~ may include Leadership in Energy and

Environmental Design (LEED), LEED –ND, or another national standard agreed upon by Vail Resorts Development Company and the Town of Breckenridge. Some of the sustainability techniques envisioned include (but are not limited to):

Sustainable Sites:

Storm Water Management - treatment and reduction of impervious pavement systems to reduce storm water run-off; Protection or Restoring of Habitat on the Blue River Corridor; Alternative Transportation – Bicycle Storage, preferred parking for low-emitting and fuel-efficient vehicles; Light Pollution reduction

Water Efficiency:

Installation of Water Efficient Landscaping using native plants and low-flow irrigation systems; Innovative Wastewater Technologies and Water Use Reduction – specification of low-flow fixtures, reusing stormwater or graywater for sewage conveyance;

Energy & Atmosphere:

Commissioning of Building Energy Systems; On-Site Renewable Energy sources – including solar, wind, and geothermal; Zero use of CFC-based refrigerants in the HVAC&R Systems; Optimization of Energy Performance – demonstrating improvement from ASHRAE/IESNA Standard 90.1-2004

Materials & Resources:

Storage and Collection of Recyclables; Building Reuse – potential re-use of existing Transit Building; Construction Waste Management – diversion of trash from landfill; Use of Recycled Building Materials, Use of Rapidly Renewable Materials and Certified Wood

Indoor Environmental Quality:

Elimination of Smoking areas within buildings; Monitoring of outdoor air deliver; increased ventilation; instituting a Construction Indoor Air Quality Plan during construction; Using Low-Emitting Building Materials for adhesives and sealants, paints and coatings and carpet systems; Increasing the controllability of both lighting and thermal systems within buildings to reduce energy consumption

~~*We will explore the use of the Leadership in Energy and Environmental Design (LEED) Neighborhood Development Certification which integrates the principles of smart growth, urbanism and green building into the first national system for neighborhood design. Currently this system is being revised and is expected to launch in the late summer of 2009. It includes credits in the following categories: Smart Location & Linkage, Neighborhood Pattern & Design, Green Construction & Technology, Innovation & Design Process. LEED ND strives to encourage healthy living, reduce urban sprawl, protect threatened species and increase transportation choice and decrease automobile dependence.*~~

Vail Resorts, Inc. is currently working with the University of Colorado's Real Estate Center to develop a set of standards and criteria for building green projects. It is in the preliminary development stage, but could be incorporated into this project in the future.

The current Development Code allows positive points for energy conservation and renewable sources of energy. It is difficult at this time to assign points since the buildings are not yet designed, and specific sustainability features have not been identified. As a result, no positive points are recommended at this time. We would like comments from the Commission on the proposed sustainability notes.

EMPLOYEE HOUSING

The provision of employee housing is strongly encouraged by Policy 24 (Relative) Social Community. Generally, employee housing is built into a project and is deed restricted at the time of the issuance of a building permit or upon issuance of a certificate of occupancy. However, in order to mitigate the negative points for the building height in the master plan, the Applicant has proposed to deed restrict employee housing units (off-site) at the time of the recordation of the master plan.

In order to determine the amount of deed-restricted employee housing needed to obtain the maximum of ten (+10) positive points, staff calculated the “worst case scenario”. This calculation takes into account the most density that could be built on this site, in square feet. (This calculation is needed at this time since employee housing is measured in square feet, rather than in SFEs. The calculation uses the most SFEs that could be constructed at the highest multipliers, which in this case are 60 SFEs for the Townhomes at the rate of 1,600 square feet, and the remaining 141 SFEs at the hotel rate of 1,380 square feet per SFE.)

The result is that 27,634 square feet of employee housing would be required, equal to 9.51% of the “worst case” density, using all 201 SFEs at the highest possible density multiplier. We have added a condition of approval requiring deed restrictions for 27,634 square feet of employee housing, prior to recordation of the final master plan. Staff recommends positive ten (+10) points.

PHASING

This site will be developed over time. In order to allow this, a phasing plan has been developed. The plan anticipates the need to construct the parking structures to replace surface parking. It also allows for the skier services/transit building to be built first, in a location that does not impact guest parking. There are also a few aspects of the development that are not in the phasing plan, including improvements to North Park Avenue and construction of the round-about. The phasing plan has been included on Sheet 10 of the Master Plan. Additional language recommended by staff is shown in **bold**:

Phase I:

Demolition or removal of the existing transit building

Demolition of existing bus parking area

Build new skier services/transit building

Build bus drop off/pick up area and access point to Park Avenue

Construct round-about at intersection of North French Street and North Park Avenue

Install and stripe turn lanes on North Park Avenue

Phase II:

Build northern parking structure

Build three townhome buildings

Build North Depot Road and connect bus area to French Street

Create gondola plaza

Install and stripe turn lanes on French Street

Construct river improvements associated with gondola plaza

Install pedestrian bridge across Blue River

Phase III:

Demolish surface parking lot

Build south parking structure

Build condo-hotel (Building may be built in two phases over time)

Build South Depot Road and extension of Wellington Road to South Depot Road

Build mixed use building

Construct expansion of Wellington Road through locomotive train park.

Install river improvements south of Watson Avenue.

In addition to this phasing plan, there are some studies that are needed before certain phases of development can begin. One of these issues relates to a hydraulic analysis of the Blue River, including river width, elevation and velocity (flow). This information on the new design for the river, and associated river improvements will be needed before Phase II and III begin, since grading of the river can affect adjacent development. (Phase I, construction of the skier services/transit building, has an elevation set by the existing gondola, and can not vary significantly.) As a result, staff suggests that the phasing plan be removed from the current master plan, and be considered separately, when more information is available.

We have included a condition of approval which states: “*The phasing plan shown on Sheet 10 of the Master Plan is illustrative only, and is not part of this master plan approval. Prior to the issuance of any Class A, B or C development permit for any development within the master planning area, Applicant shall submit to and obtain approval from the Town of Breckenridge for a revised phasing plan.*” We welcome Commission input on this solution.

POINT ANALYSIS

All master plans are required to be reviewed on a point analysis, and shall comply with all absolute policies, obtain a score of zero or more with respect to all relative policies, and comply with all other applicable development policies of the town in effect at the time of the master plan application. One of the issues with reviewing a master plan relates to the timing of the assignment of points. While some elements of the master plan warrant the allocation of points during the master plan review, other elements may not warrant point allocations until development permit review. The following points are recommended:

Policy 6 (Building Height)	-20 points for buildings up to 5 stories
Policy 16 (Internal Circulation)	+3 points for good vehicle and pedestrian circulation
Policy 18 (Parking-View)	+4 points for providing parking underground or in a structure
Policy 18 (Parking-Joint Facilities)	+1 point for making parking available to the public
Policy 18 (Parking-Shared Access)	+1 point for shared driveway access
Policy 24 (Social Community)	+10 points for providing 9.51% of density as employee housing
Policy 24 (Social Community)	+3 points for Council goals, including transportation enhancements, economic sustainability and environmental sustainability

The result is a passing score of positive two (+2) points.

PROCESS

We have had four preliminary hearings on this application, broken into several different categories. At each of these meetings, various issues were raised by staff, the Commission and the public. This meeting

wraps up these issues and attempts to address them with revisions. Below are the dates of previous meetings.

I	Introduction to process / Overview of project	05/19/09
II.	Transportation/Transit/Circulation/Access/Parking	08/18/09
	a. Vehicular	
	Public road alignment	
	Parking structures	
	Project parking	
	Traffic/Circulation/Impacts	
	Service Access	
	Transit/Gondola	
	b. Pedestrian Circulation	
III.	Development Concept	06/16/09
	a. Site plan/uses	
	b. Architectural character	
	c. Density/Mass	
	d. Building heights	
	e. Amenities	
	f. View Corridors	
	g. Relationship to Historic District	
IV.	Blue River Corridor	07/07/09
	a. River Improvements	
	b. Pedestrian features	
	c. Landscaping	
	d. State Permits	
	Infrastructure, Utilities and Drainage	
	Sustainability/Green Codes/LEED	
V.	Wrap Up, Plan Revisions, Phasing, and Vesting	11/03/09

STAFF RECOMMENDATION

We have advertised this application for a final hearing. If the Planning Commission is comfortable that all necessary issues have been addressed, and if you support the passing point analysis, then this application can be approved.

There are still several issues that have not been finalized in this application, which have been included as Conditions of Approval. These include the phasing plan, notes on the Blue River restoration, and approval of a development agreement with the Town Council for the reduced parking for the condo-hotel. In addition, there are several business issues that must be agreed upon by the Town Council, and that approval has not yet happened. These include deletion of property lines, ownership and construction of public amenities, and construction of the river improvements. Other issues that may be discussed with the Town Council include funding and operation of the parking structures, improvements to Park Avenue, and elimination of parking spaces.

We have attempted to address these concerns with the attached Conditions of Approval. However, we welcome Commissioner input on the Conditions of Approval (or any other element of the plan), and any suggestions you may have for improvement.

Project:	Final Hearing Impact Analysis			
PC#:	Gondola Lots Master Plan		Positive Points	+22
Date:	2009010		Negative Points	- 20
Staff:	10/28/2009			
	Chris Neubecker		Total Allocation:	+2
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		Master Plan
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	Lodging and commercial uses recommended
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)	0	
2/R	Land Use Guidelines - Nuisances	3x(-2/0)	0	None anticipated
3/A	Density/Intensity	Complies		93 SFEs of density transfer from Gold Rush Lot. Project shall not exceed 201 SFEs over the entire site.
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	
4/R	Mass	5x (-2>-20)	0	Standard mass bonuses in place on April 2, 2009 are in effect.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
		3x(-2/+2)	0	Natural materials are recommended. Brick is proposed as a primary material on the condo-hotel and skier services building, rather than as an accent. No points have been assigned at this time. Points for use of brick will be reviewed during individual development permits for each building.
5/R	Architectural Compatibility - Aesthetics			
5/R	Architectural Compatibility / Conservation District	5x(-5/0)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)	N/A	
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)	N/A	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions For all structures except Single Family and Duplex Units outside the Historic District	1X(-2,+2)		
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)	- 20	Buildings up to 5 stories (condo-hotel) proposed.
6/R	Density in roof structure	1x(+1/-1)	0	Specific building designs have not yet been submitted.
6/R	Broken, interesting roof forms that step down at the edges For all Single Family and Duplex Units outside the Conservation District	1x(+1/-1)	0	Specific building designs have not yet been submitted.
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	Site is vacant with no significant development constraints.
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)	0	No significant grading is proposed.
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)	0	Site is in an urban area. No significant buffering is proposed at this time. Landscaping plans will be reviewed at time of development permit, and buffering will be addressed at that time.
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)	0	No retaining walls are proposed at this time.
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)	0	No significant grading is required for driveways or parking areas.
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)	0	Site is in an urban area. Minimal privacy is anticipated. Privacy issues will be further reviewed during site specific development permit.
7/R	Site and Environmental Design / Wetlands	2X(0/+2)	0	No wetlands are anticipated to be impacted, other than the Blue River during restoration. Army Corps permits will be required prior to any work within the river or flood plain.
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)	0	There are no significant natural features on the site, other than the Blue River. The river has been incorporated into the design of the project, but points (if any) for the river restoration will be assigned during the site specific plans for the river.
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)	0	Points will be assigned during the development review process for individual developments.
9/R	Placement of Structures - Adverse Effects	3x(-2/0)	0	Points will be assigned during the development review process for individual developments.
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	0	Points will be assigned during the development review process for individual developments.
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	Points will be assigned during the development review process for individual developments.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	Points will be assigned during the development review process for individual developments.
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)	0	Points will be assigned during the development review process for individual developments.
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	0	Points will be assigned during the development review process for individual developments.

15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)	N/A	
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)	0	Points will be assigned during the development review process for individual developments.
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	Good network of pedestrian paths, bridges and sidewalks. Walkable plan helps to separate incompatible uses such as pedestrians and buses.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)	0	None anticipated.
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)	0	Project meets parking need, per parking study from Felsburg, Holt & Ullevig parking consultants. 1:1 parking ratio for the condo-hotel will be reviewed by Town Council under a separate development agreement.
18/R	Parking-Public View/Usage	2x(-2/+2)	+4	Parking in structures and under buildings. Minimal surface parking on new private streets.
18/R	Parking - Joint Parking Facilities	1x(+1)	+1	Parking structures will be open to public use.
18/R	Parking - Common Driveways	1x(+1)	+1	Shared access with Town Hall and 1st Bank for south parking structure.
18/R	Parking - Downtown Service Area	2x(-2/+2)	0	
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)	0	None proposed within master planned area. Private recreation facilities may be included within condo-hotel, and will be reviewed at a later date.
21/R	Open Space - Private Open Space	3x(-2/+2)	0	
21/R	Open Space - Public Open Space	3x(0/+2)	0	No open space has been identified with this development. Open space requirements will be reviewed during the development review process for individual developments.
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	0	No landscaping plan has been supplied with the master plan. Landscaping requirements will be reviewed during the development review process for individual developments.
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	+10	Employee housing equal to 10% of the density of the project will be provided off-site. Deed restrictions for the employee housing shall be created prior to the recordation of the master plan or master plan notice.
24/R	Social Community - Community Need	3x(0/+2)	+3	Development will address Council Goals for 2008, including transportation enhancements, economic sustainability and environmental sustainability in buildings.
24/R	Social Community - Social Services	4x(-2/+2)	0	None proposed.
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)	0	Conference space planned in hotel building.
24/R	Social Community - Historic Preservation	3x(0/+5)	0	None proposed.
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	0	None proposed.
25/R	Transit	4x(-2/+2)	0	Existing transit functions relocated. No expansion of services or facilities.
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)	0	No significant improvements proposed.
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)	0	Final drainage plan will be required prior to development permits for individual buildings.
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	0	None proposed at this time.
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)	0	None proposed at this time.
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)	0	No specific enhancements proposed at this time.
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)	0	No specific renewable energy sources identifies at this time.
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	0	No specific energy conservation efforts identified at this time.
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)	0	
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)	N/A	
37/R	Individual Sites	3x(-2/+2)	0	
37/R	Blue River	2x(0/+2)	0	No commitment has yet been made as to which entity will construct the river improvements.
37/R	Cucumber Gulch/Setbacks	2x(0/+2)	N/A	
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)	N/A	
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)	0	Some public art anticipated, but not yet identified. Applicant will need more specific plans approved by Public Art Commission.
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		

TOWN OF BRECKENRIDGE

Gondola Lots Master Plan

Legal Description: Tract A, Block 3, Parkway Center, Lot 1, Block 3, Parkway Center, Lot 1-A, Sawmill Station Square, Filing No. 3, Lot 1-B, Sawmill Station Square, Filing No. 3, Lot 1-C, Sawmill Station Square, Filing No. 3, Lot 2-A, Sawmill Station Square, Filing No. 3, Lot 2-B, Sawmill Station Square, Filing No. 3, Lot 3-A, Sawmill Station Square, Filing No. 3, Lot 3-B, Sawmill Station Square, Filing No. 3, Lot 4, Sawmill Station Square, Filing No. 3, Lots 71-74, and Lots 87-90, Bartlett & Shock Addition

PERMIT #2009010

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 October 28, 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 November 3, 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 proposed plan shows that on-street parking is proposed on North Depot Road and South Depot Road. Each of these streets is proposed to be owned and maintained by the applicant, Vail Resorts Development Company or its parent company, Vail Summit Resorts. While on-street parking is generally not allowed to count toward the parking supply for a development, parking on private streets not maintained by the Town of Breckenridge has not been previously discussed, approved or denied. The Planning Commission hereby finds that the creation of a new private street, which will not be maintained by the Town of Breckenridge, and upon which parking has been provided, shall count toward the "Off Street Parking" requirements for this development.

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. The vested period for this master plan expires three (3) years from the date of Town Council approval, on November 3, 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.
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. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. A wetlands delineation study will be required, and a wetlands mitigation plan will be needed if wetlands are impacted by the design of the round-about at French Street and North park Avenue, or any other wetlands impacted by this development.
11. Applicant shall revise Sheet 6 of 10 to state: "A more detailed study of the Blue River, including river width, water velocity/flow, and horizontal and vertical alignments will be required prior to the issuance of the first development permit within Phase II or Phase III."
12. Prior to the recordation of the master plan or notice of approval of a master plan, Applicant shall execute and record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, the Town's standard employee housing covenant for 27,634 square feet of employee housing within the project.
13. The Master Plan approved by this Permit shall not become effective until a development agreement authorizing a reduction in the parking spaces required for the proposed condominium/hotel from one and one-half spaces to one space for each residential unit including one bedroom or more has been approved by the Town Council and executed by Applicant and the Town.

14. The phasing plan shown on Sheet 10 of the Master Plan is illustrative only, and is not part of this master plan approval. Prior to the issuance of any Class A, B or C development permit for any development within the master planning area, Applicant shall submit to and obtain approval from the Town of Breckenridge for a revised phasing plan.
15. Prior to recordation of the master plan or a notice of approval of a master plan, applicant shall record a density transfer covenant, in a form acceptable to the Town Attorney, for the 93 Single Family Equivalents (SFEs) from the Gold Rush Parking Lot (Lot 1, Block 4, Parkway Center) onto the South Gondola Lot (Sawmill Station Square, Filing No. 3).
16. Prior to recordation of the master plan or a notice of approval of a master plan, Applicant shall revise Sheet 1 of the master plan Design Standards for the Townhomes. The Heights of Buildings portion shall be revised to read: "These buildings will be no more than three stories in height near North Depot Road, and no more than two stories in height near the Blue River, as recommended by the General Design Criteria for Land Use District #20."
17. Prior to recordation of the master plan or notice of approval of a master plan, Applicant shall add the following note to the Design Standards - Policy and Compatibility section of Sheet 1: "Note: Neither negative nor positive points have been allocated to this master plan under Policy 5 (Relative) Architectural Compatibility. All buildings shall be reviewed against the recommendations of Policy 5 (Relative) Architectural Compatibility, and points shall be assigned based on how a development proposal meets such policy as well as all design standards listed below."
18. Prior to recordation of the master plan, Applicant shall obtain approval from the Colorado Department of Transportation (CDOT) for the access plan to and from State Highway 9 (North Park Avenue). If the access plan is not approved by CDOT, revisions to the master plan may be required, which may require re-review of the master plan by the Town of Breckenridge Planning Commission and/or Town Council.

Planning Commission Minutes Past Meetings on Gondola Lots Master Plan

May 19, 2009: Introduction

Commissioner Questions/Comments:

Mr. Bertaux: Abstained from the issue as an employee of the Breckenridge Ski Resort.

Mr. Lamb: Why aren't there two entry points to both of the parking structures? What is the second access at the south parking structure for the condo hotel? (Mr. Campie: Second access is valet / special events parking which is separate from the main entry point.) Agreed that circulation is a great place to start.

Mr. Schroder: Infrastructure and drainage is a really important issue, especially snow melt concerns with the structures.

Ms. Katz: Where do you foresee skier drop offs happening? The current configuration is very busy. (Mr. Campie: Considering temporary parking spots in addition to the Gondola Drop off area. VRDC is considering adding drop off at Peak 8 as well.) Buses do a one-way from Park or go all the way through the project? (Mr. Campie: Unsure of exact bus routing at this time.) (Mr. Allen: When will you have input from CDOT regarding the bus access?) Is the bus parking area also used for shuttle buses from hotels/condos? (Mr. Campie: Shuttles will go to the gondola drop-off or the Peak 7 drop-off.) Circulation seems to be a large component of the master plan process. The impacts are really important.

Mr. Pringle: Have you analyzed the traffic study? Concerned with the access point with 1st Bank and town hall. (Mr. Campie: The traffic study shows that this alignment works. The left turn is an LOS ("level of service") E, which is typical for unsignalized left turns. A signal is not possible at that location.) The 1,200 spaces will be in addition to the parking needed for the condo/hotel building in the south parking structure? (Mr. Campie: Yes, condo/hotel parking will be located below the condo/ hotel building. Also the building will have conference and restaurant space. Retail/restaurant uses are also proposed to be located along the ground floor of the building.) Will the Town/Commission see a full development plan for the Riverwalk? (Mr. Neubecker: There are goals to expand the Riverwalk and this is the transition point from the developed river (south) to the natural river (north). Currently the river isn't accessible. Need to determine when this happens and who takes care of it, how it is phased, etc.)

Mr. Allen: Can Mr. Campie please walk the commission through the circulation? (Mr. Campie: Displayed the proposed site plan and noted locations for parking structure, condo/hotel building, mixed use building, transit/skier service building, bus transfer circulation and drop off, townhomes, etc. Will use diverse building heights on site so the entire site doesn't look the same. Park Avenue is the main access for the site, with some access from Main Street. Project doesn't bring a lot of new traffic to the town; rather it provides walk-to uses, parking to replace the existing lots, circulation for buses, pedestrian and skier traffic. Team is working with CDOT on Park Avenue access, but proposal is that buses will access from Park Avenue and at proposed North Depot Road. Warrants for a traffic signal may be met at Park Avenue and French Street with this project, which will help to facilitate circulation. Pedestrian access will be provided and well identified. Proposed streets will have design techniques to promote slow speeds. Potential service access locations were identified.) Can you walk us through a pedestrian's journey from the skiback, to the structure, to town, etc.? (Mr. Campie: Once skiers are used to parking in this development, we believe that many will park in the south parking structure which is closer to the skiback access via the Skyway Skiway. Also will provide signage for pedestrians through several plaza areas through the project and around the condo/hotel to Main Street and other areas of the gondola lot.) (Ms. Katz: What is the slant of the site?) (Mr. Campie: High point at southwest end.) (Mr. Neubecker: Described the ownership of the buildings around Town Hall. They are not under Town or VRDC control.) The vision sounds like it is to get people to Main Street. (Mr. Pringle: The train park will be located along the proposed pedestrian way.) (Mr. Campie: Discussed trolley or some kind of loop transit that services the project and the Main Street.) (Mr. Pringle: Important to keep the plazas small and dynamic.) How far do we discuss the Riverwalk at this point? Important to circulation as well. (Mr.

Neubecker: Riverwalk will connect to the bike path to the north. Many important river corridor discussions are anticipated for channeling, eddies, habitat, landscape, etc.)

Mr. Allen opened the hearing to public comment.

Stephanie Epps (listing agent for property on Watson adjacent to the project): Concerned with traffic and pedestrian safety on Watson. It's a busy road. People on bikes don't look for cars. Will be difficult to cross the road without a bridge or some other crossing assistance.

Bill Kiester (Resident at French and Main): Noticed that many skiers do not use the "ski back" and instead remove their skis and walk across Highway 9. Need to address skier circulation.

Dave Garrett (Adjacent Property and business owner): Was there any discussion of putting a structure on the Gold Rush lot or in another location that is more hidden rather than in the center of town? Important that conceptual things, such as building heights for hotel and structure, are discussed before it is approved. Heard in meetings that the street grid system should be maintained to keep the "small town feel". The "grand hotel" idea has been tried in several projects in town (Village at Breckenridge, Main Street Station, Beaver Run) and they have had issues filling their plazas and businesses.

Mark Burnell (Property owner at French and Wellington): Curious about whether the approach of "blurring the property lines" is the right way to go. Who are the land owners? Just VRDC and town? (Mr. Allen: Yes.)

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

Commissioner Comments:

Ms. Katz: Really disappointed in the circulation. The amount of pickup/drop-off area is under-estimated and is used by more than just ski school users. Pickup/drop-off shouldn't be buried in the middle of the project. They are going to go as close to the gondola as they can get, regardless of where you provide drop-off space. People will drop-off on Watson and other streets with traffic issues. Even if the lodge shuttles are supposed to go to Peak 7 and drop off, they won't. People want to ride the gondola. Shuttles also will start pulling up wherever they can, and are more likely to go to the designated spot within the project. If CDOT allows the ¾ turn at North Depot road it might work, but overall disappointed with the bus circulation. Concerned with parking structures and filling up north first, because the south parking lot is closer to everything else and is more hidden, and that's where everyone will want to park. Concerned with the access point for the bank and town hall is constrained and will have heavy use. Seems that the current system is finally clicking and it is critical to maintain that. Agreed with what Ms. Epps said regarding Watson Street traffic. Agreed that other issues on the list will be addressed during the process.

Ms. Girvin: Agreed with Ms. Katz that the exit for the south parking lot is inadequate. Current circulation is already constrained; and adding 600 cars with no signal is not appropriate. Turn lanes are going to be needed on French Street and on Park Avenue. Lodging bus designation points will need to be considered. Would like to see a diversity of architecture on the property, and the three clusters of townhomes should all look different. Swan Mountain Villas is a good example of everything looking the same; we don't want suburbs here in Town. There are a lot of impervious surfaces here and concerned with water quality. Going to lose parking if the river is moved to the east. Most important reservation is to create a "real place" and not just something that "feels like a real place". We don't want it to feel like River Run. Agreed that the approach is correct as far as topics listed.

Mr. Schroeder: Left turns at the south parking garage are a major concern. Left turn into the north parking lot on French needs turn lanes. The gondola is a draw for people in town, and need to make sure that people will use public transportation rather than get a car out of the structure to drive to Mi Casa or another restaurant. Fearful that traffic isn't minimized. We are approaching this in the correct manner.

Mr. Lamb: Blue River corridor should move up on the list and same with the CDOT permits. Comments that Ms. Girvin made about French Street and 1st Bank intersections are shared. County and town have

done a great job with a complicated bus system, and need to be included in discussion for the bus system and routing. Liked the two parking structures (north and south). Circulation does seem most important and the is the backbone of the process.

Mr. Pringle: Liked Mr. Campie's thoughts about bringing the dynamic flavor into the development with small pedestrian areas and cars. Concerned with traffic and congestion at the end of a ski day. What can we do to bring people into the project, and also make it easy to get out? Can an underground roadway be explored to get people out of town? Access and egress and circulation management are most important. Create an authentic story and viable project. The condo/hotel will be a large building and iconic, big buildings when done correctly and when sympathetic to town vision can be great. Agreed with Mr. Lamb that the river corridor should move up on the list. This is going to be the most important project that the town will see in a long time. We are approaching this process correctly.

Mr. Allen: This is a great start, and the project goals and vision are good. Agreed with Ms. Girvin regarding the turn lanes. Would like to see North Depot Road enhanced to be a place where a lot of the cars go, if cars go from French and to North Depot we will have the least amount of pedestrian conflict. Would like to think ahead about how we capture the pedestrians from future lot development at Gold Rush, Postal Lot and Parkway Center developments, especially when people cross Park Avenue. River corridor is a part of circulation and should be discussed now. Has coming out of the north side of the south parking structure been considered with a roundabout at Mountain Thunder Drive? Phasing plan should include a pedestrian circulation plan that works with the entire project throughout the construction. The north parking structure should also be "wrapped" like the south structure. Ski back tunnel is a big issue and is a current disaster and doesn't seem inviting or easy for thousands of skiers to get through the project. Where is the sense of arrival for skiers? Can the tunnel arrive into the plaza to invite people in? Concerned with pedestrians walking along Park Avenue. Gondola plaza looks wonderful, but the crossing over to Watson and the South Depot Road doesn't seem inviting. Buses turning left onto Park Avenue are key and need to be confirmed with CDOT. We are approaching the process correctly.

Applicant Response, Mr. Campie: Goal for the north parking structure is to locate it closest to the gondola and nearest egress from town. There will be less reason to drive down Watson with signals at Ski Hill and French. Many of the circulation issues mentioned are already problems today, and it is our intention to improve the current situation with this project.

June 16, 2009: Site Plan, Architecture, Density and Building Height

Mr. Fred Kinat, Business Owner and Resident on North Main Street: I was hoping we'd see more about the circulation in the master plan today. I see a drop off point to the right of the gondola? I was also wondering about why the Gold Rush lot isn't included in the master plan, from skiers crossing Park Avenue because there are conflicts. I was hoping that the plan would reduce conflicts with skiers, pedestrians and vehicles. (Mr. Allen noted that the July 7th meeting would discuss circulation.) (Mr. Iskenderian, VRDC, noted that the circulation discussion might not be that soon and that a meeting with CDOT is in the works and is necessary to move forward.) (Mr. Neubecker noted that crossings of Park Avenue are important to this master plan at all of the intersections, and will be reviewed in this plan.) (Ms. Katz noted that the plan for Gold Rush is that it will stay as it is.) (Mr. Iskenderian noted that VRDC is committed to addressing pedestrian crossing issues.)

Mr. John Quigley, Resident of Shock Hill: I live about 250 feet above the development, on Shock Hill. My one concern is that we thought we'd be looking at underground parking and now we have two top level decks that we look down upon. I am concerned that they will be lighted at night, especially the top level. The existing lots are not lighted. The home was designed to screen the view of the City Market parking lot lighting. The river could be a really energetic, lively restaurant and plaza scene. I suggest that you take advantage of the river to create true facades to the river, and not just the backs of buildings. Lastly I would suggest that the lower level of parking be used for transportation circulation, pedestrian drop off, etc. (Ms. Katz noted that there is a dark sky ordinance that will address some of the lighting concerns.)

Ms. Lindsey Shorthouse, Marketing and Sales Director for Preservation Village Fairplay: What are you zoned for square footage for livable space? (Mr. Neubecker noted that the zoning is being established with the master plan. Right now its just 201 SFEs without uses assigned.) What sort of sustainability factors are required? (Mr. Neubecker noted that the visioning process states sustainability as a main goal of the project. We will have a session about sustainability / green codes / LEED at some point in the future. VRDC has made a commitment to sustainability.)

Mr. Marc Hogan, local architect: I think the plan has come a long way, and I do think the architecture is on the right track. I think that the parking is a big problem; the southern parking structure blocks the hotel from Ski Hill Road. The parking needs to be diminished, not increased. Several locations in town there are multiple levels of underground parking. It would be cheaper to solve some engineering issues than to disguise a parking structure with towers, windows, etc. Has it been considered to increase the parking west of Park Avenue? (Mr. Neubecker: We want the parking as close as possible to the gondola and to downtown. Parking further from town discourages people from spending time in town after skiing.) The plan glorifies the car and clogs the vitality of the good things. The north end is particularly bad because the townhomes and parking garage will deaden the streetscape and it will not be an active area.

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

Commissioner Questions/Comments:

Mr. Lamb: Are you going to build on the existing grade on the site or bring the level down to access the river? (Mr. Campie: We would propose the step down the site to the river from the south at the condo-hotel to the north and towards the river. There is a fixed grade point at the existing gondola, but the plaza site will step down towards the river.)

Final Comments: Floating density is how you do a project like this. The reality is that people are still driving cars, and when the structures aren't needed for that they can be modified to another use. I liked Mr. Quigley's comments about making the river usable. Architecture is crucial to making the building heights. I liked the use of brick in the iconic condo-hotel. View corridors have been addressed, as well as architectural character.

Mr. Schroder: Have you gone through the ski tunnel? (Mr. Campie: Yes.) Is a ramp an option rather than stairs? (Mr. Campie: We have looked at reducing the number of steps, and improving the character.) Have you had any conversations with staff about how to mitigate the 20 negative points from building height? (Mr. Neubecker: Employee housing would provide 10 points, then points for underground parking, architecture, and for incorporating density into the roof and varied roof plan, there may be public art, transportation improvements, etc.)

Final Comments: I liked the idea that there is floating density in the master plan. Had some concerns with the mass bonus-- will these extra elements be available to the public? What is the public able to access within the mass bonus square footage? (Mr. Campie: The restaurant and commercial will be accessible.) (Mr. Neubecker: Those commercial spaces are considered density.) Had concerns with height, but my height concerns were addressed by showing the 3D massing model. Will you be able to see the mountains from the gondola? (Mr. Campie: Yes.) I think that brick is appropriate in architecture for the iconic building. I appreciated Ms. Katz's comments regarding use of brick in other structures. I am okay with the language regarding townhomes character, but have concerns about what the team considers the "North Main Street character". The plaza artwork is "cool", but needs to be carefully considered. (Mr. Campie: The snowflake is conceptual.)

Ms. Katz: Final Comments: I believe the building height negative points will be made up and that you can address it. I am fine with the brick on the condo-hotel. I was concerned with the brick being in the primary material in the townhomes, and I think it should be just an accent on those. I like where the transit center is now because it needs to be close to Main Street. Parking structures are going to look different here than they look in Boulder and Denver, it should look nice but still be a parking structure. We ought to not hide it too much because of the concern with way-finding. I agree with Mr. Pringle about incorporating some other uses in the parking structures, but they need to not be after thoughts – it should be planned in. I think that the town isn't ready to give up their parking

reservoir and that the town needs to accommodate the car and that it needs to be in the plan. My only comment on the architecture of the mixed use building is that there is an architectural dividing line in town, Ski Hill Road and Lincoln Avenue, and I worry about architecture being too contrived. We shouldn't be married to tying the architecture of all of Main Street into this area, and should keep an eye on tying into the new architecture on the 200 block of North Main. I am uncomfortable with the quantity of brick on buildings other than the condo-hotel. I am fine with the skier service building, although I wish it didn't have to move. I like the track that you're on with the amenities. I am fine with floating density; it is critical to this plan and need the ability to massage it. View corridors seem okay also.

Mr. Pringle: How will the south walls of the south parking structures be treated? (Mr. Campie: The elevations will all be treated with equal care, but no hotel units on that side.) Is there a way to get people to ski through the ski back into the plaza near the pool area? (Mr. Campie: Grading on the west side of Highway 9 and existing utilities creates a conflict with re-aligning the tunnel and exit.) Finding some way to make the ski back tunnel area more interesting is important. (Mr. Allen: I had similar ideas about this area; maybe some solutions to this can be presented with the next circulation meeting.) Will the north parking structure have wrapped uses? (Mr. Campie: No. It will have character, but no density and uses.) Noted the differences between the Vail structures, Vail Village and Lionshead and the uses or lack of uses in each. Could there be some municipal uses, like a museum or BRC offices that would occur in the structure? Or move the transportation center into the structure to free up the center of the site for other types of uses and make the structure more active? (Mr. Iskenderian: An issue with putting the transit center in the building is that there is resistance to moving the transit center any further from the Main Street core, making it farther to walk for employees, residents, etc.) (Mr. Campie: Including the bus circulation in the parking structure building made it nearly five stories tall. Also, the Vail structures are much larger than these proposed structures.) Will there be more amenities in the area other than the river and the plaza? (Mr. Campie: The river corridor and the trail are major improvements, the conference space, additional street space to close off for festivals, etc. The transit facility is also an amenity.) (Mr. Allen: Is the conference space density? Where does it come from?) (Mr. Neubecker: It is mass, not density, and comes from the 25% additional mass; and code allows you to go up to 200% of what is required without counting towards density.) (Mr. Allen: Have you maxed it out? Would like conference space as large as possible.) (Mr. Campie noted that this is a master plan and the building is not final design, and the master plan is the intention to provide these.)

Final Comments: I still think that there should be other uses in the parking structure – information office, historic alliance group, arts district, museum, etc. Not so much a retail commercial as an institutional commercial to bring more activity to the building. There will not be a lot going on in the north end with the townhomes and structure, and need to address that and make it active. We have a geographic center of town that is moving around right now, and this could be a big change to what the big picture is down the road. The transportation center incorporated into the parking structure could add a lot of activity on a year round basis. The distance to move the center is based on today's center of town, not the future. I like the transition of building heights. I think that we should reinforce the traditional development pattern, if we can find out what that really is. I don't know that you can set the pattern, but we really need to take a look at that. We'll have to take a hard look when we get into the townhome development, and how it will fit in. Architecture and massing are looking good, and models are helpful. We really need to reflect on the materials, and I like masonry but not sure if it should be brick or stone. The quality of the materials can make large buildings really compatible; the buildings need to have timeless elegance. They shouldn't be dated in a few years. I think we need to allow for places for amenities to occur naturally. We don't need to bring in circus acts and bearded ladies to make good spaces. The views corridors are okay. I think the river amenity is great. I am good with the floating density. Architectural character should be a thread of continuity. Top level parking structure, agreed with Mr. Allen, and maybe there could be different levels of lighting and potentially in non-peak times the lighting could be turned off.

Mr. Allen: Is there parking under the parking structures? (Mr. Campie: Yes, there is one level underground and 3 levels above ground.) Is Wellington Road offset on the site plan? (Mr. Campie: The town is undergoing a study for the train park in that location, and it will be coordinated with the town.) (Mr.

Neubecker noted that the existing parking lot includes a landscape aisle that influences the offset.) Are the engineers okay with that? (Ms. Shannon Smith, Town of Breckenridge Engineering Department, noted that it is a drivable intersection and that it looked more offset in the plan.) How big is the new Beaver Run conference center? (Mr. Iskenderian: It is 30,000 square feet. This proposal is about half the size, and Mountain Thunder is 5,000 square feet.) What are the uses that are still allowed on the Gold Run lot if the density is removed? Why isn't the Gold Run included in the master plan? (Mr. Iskenderian: The plan for the Gold Run lot is intended to be what it is today, and there isn't an intention to develop it. If you are more comfortable with us showing it on the master plan, we can.)

Final Comments: I like the way the south parking structure is wrapped. I completely agree with Mr. Pringle regarding the north structure. Maybe some of the public benefit space and uses could provide free density, and also the idea of "affordable commercial" space to bring people to that side of the project. Affordable housing is another way to make a great visual impact. The North Depot Street seems like it could be a ghost town, and some of those uses could liven it. The Gold Rush lot needs to be a part of this master plan, especially with the floating density and clearly defined with future uses. I would also like to see as large a conference space as possible, and possibly some density bonuses could be provided due to the economic benefits provided to the town. Concerning the lighting on the upper level of the structure and seeing the cars, maybe we could have a conversation about whether a roof makes it better and maybe the applicant can provide some options for the Planning Commission regarding the roof. I want to make sure that the master plan describes the exploitation of the river; especially that the proposed mixed use buildings and others the architecture fronts the river and is attractive. I hope that the on-street parking can be worked out. I would prefer some visuals/graphics in the master plan rather than just text, similar to those in the presentation. I love the brick on the iconic hotel, and agree with Ms. Katz on the secondary buildings. I would like to see the language described in the character a little more detailed - elaborate on the vision. Natural materials are noted in the plan, but I am open to natural "looking" materials. Would like to make sure that the references to North and South Main Street are both new and historic buildings – look at them all. The statement about colors, should we identify a quantity and be more specific? Fine with the floating density. On view corridors, would like to see more slides on that especially as it relates to one looking east from above (from Shock Hill and people riding the gondola down). The plazas don't seem that great, especially on the main area and want the mountains to come down into the space. Doing a great job.

July 7, 2009: Blue River Corridor, Landscaping, Gondola Plaza, Infrastructure, Utilities and Sustainability

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.

August 18, 2009: Transportation, Traffic, Transit, Parking, and Circulation

Public Comment

Mr. Bobby Craig, owner of 322 North Main Street: I like the general concept of the plan and the circulation changes are great. I am concerned with the dead end cul-de-sac at the North Depot drop-off. There needs to be another way to exit from that location because it could get backed up. I think that the density is great in this location, and should be located around a transit station. I am concerned with the size of the buildings; the parking structures and the hotel are very large. I'd like to see them broken into four buildings rather than two, and I like the wrapping of the south structure by the condo-hotel. Better spaces might be created with more buildings rather than these large buildings. I don't want to see another Main Street Station. This is in the town and needs to fit scale. How will employees of Town Hall get to the gondola?

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

Commissioner Questions/Comments:

Mr. Lamb: Final Comments: Regarding Mr. Craig's comment, I agree that the buildings are large but this is our last big chunk of density in the town, and I think that the density and mass needs to be here. I think the general circulation plan is improving. I think that a single lane roundabout is better because options are eliminated. The transit plan is better. Parking structure and pedestrian circulation are good. I question the parking study and the mode split; I'd like to see something studied a little closer to home rather than Teton Village. I agree with the comments made regarding French Street and turning lanes into City Market and hope that a turn lane can be accommodated. How will the drop-off be enforced?

Ms. Katz: Can you set up the parking validation so that you can purchase packages? (Mr. Campie: Yes.) The transit building was built by a federal grant, and I want to know what the terms for the grant were. Does staff think this harms our chances to get future transit grants? I am also concerned with the town's image. (Mr. Neubecker: As long as we replace the building from the functional and programmatic aspect it should be okay, although the public and others may not be in favor of tearing the building down because of environmental concerns.)

Final Comments: I still think the condo-hotel seems too big. I am warming up to the circulation and I like roundabouts. I don't think that it being one lane will make it better, but if it has to be one then that is what it is. I feel better about the bus circulation. I think there is an under-estimation of the employee parking needs. Most people will drive themselves. I agree with Mr. Craig that the parking structure buildings are large, but people can't find the parking now and because the buildings are huge people may be able to find them. I support the mixing of the parking counts and that there will be an overlap in use. I am not in love with the complete plan layout, but know we are coming to an agreement.

Ms. Girvin: When you exit the south parking structure will it take into account the 1st Bank and employee parking for Town Hall? You will no longer be able to turn left at the bank exit? (Mr. Campie: Yes, that's correct.) It is already difficult to turn left at this location. (Mr. Campie: CDOT directed the left turn to be removed.) The proposal is to remove the parking spaces overall. We've already lost some parking spaces on the east side of the river. Has that loss been accounted for? (Mr. Neubecker: No.) Wellington Road looks like it is offset from its current alignment? (Mr. Campie: This is a town project. There is only a 6' offset but it is off our property.) I had suggested turn lanes be provided on French Street onto North Depot Road, will there be a turn lane there? (Mr. Campie: No; this has not been contemplated yet, but backup should be better with the proposed garage payment system.) Our current roundabout works pretty well most of the time, but during our busiest days that there is gridlock. (Mr. Jeff Ream, Transportation Consultant: When the roundabout blocks up it won't be a function of the roundabout, it is a function of the large amounts of traffic downstream.) (Mr. Kulick: We have been looking at advocating roundabouts along the Park Avenue corridor to make traffic move more efficiently. When stoplights are in use, traffic gets backed up and roundabouts provide better movement.)

Final Comments: I like the transit circulation. I am fine with the roundabout, and I like them. Not being able to turn south on Park Avenue from the south parking structure is an issue— could there be another roundabout here? Overall circulation is coming along, but we need to look at a more local parking study examples. I do not support the parking reduction study; I have concerns with employee parking and conference space. If possible, a turn lane should be added on French Street. Pedestrian circulation is a good aspect of the plan. I think that the private on-street parking spaces should be counted as part of the overall parking plan. I don't think it is fair that the free parking that is being removed is being moved into a pay parking structure. It is going to be important to study at a future development plan how you leave the parking structure buildings, especially the relationship to pedestrian circulation. I agree with Mr. Pringle about adding commercial and public uses to the north public structure. (Mr. Campie: Would you consider allowing extra density on the site if we added a commercial wrap to the north structure?) I might. I agree with Mr. Craig regarding the size and scale of the buildings. Could parking be added below?

Mr. Schroder: How many people use the ski back? (Mr. Bob Moore, Breckenridge Ski Resort: 30-40% coming off Peak 8 ride the gondola.) (Ms. Lucy Kay, COO, Breckenridge Ski Resort: When the gondola gets backed up, staff will encourage people to take the ski back.) Could a magic carpet be provided to bring people out of the ski back tunnel? This may help reduce people walking off-path. The peak demand for parking is between 11am-3pm; what does that mean? (Mr. Ream: Parking builds throughout the morning, but these are the hours when these structures are the most full.) (Mr. Moore: Skier habits have changed in the past few years. More people are arriving later and skiing later in the day.) Do we just expect that people will use multiple modes of transportation to get here? (Mr. Campie: Remember that we are providing more parking than is currently provided.) I had some concerns with the 1 to 1 parking ratio. Can you park your car in the structure overnight? (Mr. Campie: The intent is that it is a mixed use parking and will provide parking for people that are skiing or going downtown, and anyone can pay to park there.) I wanted to discuss Ms. Girvin's

point regarding North Depot Road access from French Street. (Mr. Ream: The queue will be improved with this system.) From out of the bus depot turning left, will the acceleration lane be in control of this project or CDOT? Will signage be provided for the bus acceleration lane? (Mr. Ream: There will be striping and the plan will be approved by CDOT.)

Final Comments: I agree with Mr. Lamb regarding the one lane roundabout and support it. I agree with comments made regarding French Street. I think the transit plan works. I think that the parking structure operations seem to work really well. Regarding pedestrian circulation, you may want to consider the magic carpet coming out of the ski back. It could help with families. Is the Gold Rush lot a part of the master plan? (Mr. Alex Iskenderian, Vail Resorts Development Company: Yes it will be included.) Will the Woods folks be involved? (Mr. Iskenderian: They wouldn't be a part of the master plan.) (Mr. Neubecker: A ski-back on the west side to the Gold Rush lot would be a separate application.) I support the parking reduction. I would support promoting commercial or non-profit uses in the north parking structure.

Mr. Pringle: I am concerned about the roundabout and the parking structure getting backed up. (Mr. Ream: It operates at Level of Service (LOS) B, which is the second best rating. Vehicles will flow into the roundabout.) I am concerned that people will have to yield to vehicles already in the roundabout because most people are coming north to south. (Mr. Ream: Both parking structures will be loaded in the morning, and will help to create gaps in the traffic movements. They all operate at LOS B. Overall there will be fewer back-ups.) (Mr. Kulick: The speed is really brought down because it is a single lane rather than a double lane roundabout. There will be substantially less delay time with this design.) I still think that French and North Main Street are being underutilized in this project, and that would be a natural spot for an egress for this parking structure. We aren't diverting enough traffic to that area. (Mr. Campie noted that the movement isn't being precluded with this design.) (Mr. Moore noted that 40% typically go towards Main Street and 60% will go toward the roundabout.) I think the bus transportation works a lot better.

Final Comments: Circulation plan is coming along well. I think roundabouts are a better solution than traffic signals. Hopefully additional roundabouts on Park Avenue will help to solve traffic movement and gridlock. Maybe we should also be looking at French and Main. I think the transit plan is coming along well, and wonder if we should plan long-range for more of a regional / RTD type system at this location. Anything that can be helped with the queuing at the structures at peak times should be included. I wonder if we want to revisit the ski back from the bridge area to Gold Rush lot; people are probably trying to ski there now. Maybe we should look at people being able to ski back to this lot for safety reasons rather than promoting several crossings across Park Avenue. I agree with others regarding French Street concerns. I don't mind the 1 to 1 parking ratio but employee parking being combined with the 1200 spaces should be reconsidered. I like how the pedestrian circulation flows through the project. Vehicular movement needs to remain intact through the site. I would promote commercial or public uses being a part of the structures on the north side of the project to enliven the area.

Mr. Allen: Is 1st Bank on board with this change of access? (Mr. Neubecker: We have spoken with them but they are not on board yet. Currently they have an access easement with Vail Resorts that needs to be verified.) Now on the east side of the ski back tunnel it is shown as going east-west and right now it goes north, is there a change proposed? (Mr. Campie: Yes, we are trying to direct traffic and improve the experience.) How does the bike path cross Watson? (Mr. Campie: There will be an underpass.) Was there anything to talk about the intersection of French and North Depot Road and how this will affect City Market? (Mr. Ream: It wasn't included in the LOS analysis, but if there is enough width for a turn lane I would propose that we include it.) (Mr. Moore: It is 3 lanes at the light.) (Mr. Iskenderian: There are four access points into City Market; operationally the garage will work better than the existing situation. We aren't opposed to it, just not sure of the need.) Have other projects been allowed to do a 1 to 1 parking ratio? (Mr. Neubecker: Yes. Base of Peak 7 & 8. You are allowed by code to do this with a parking study showing that it works.)

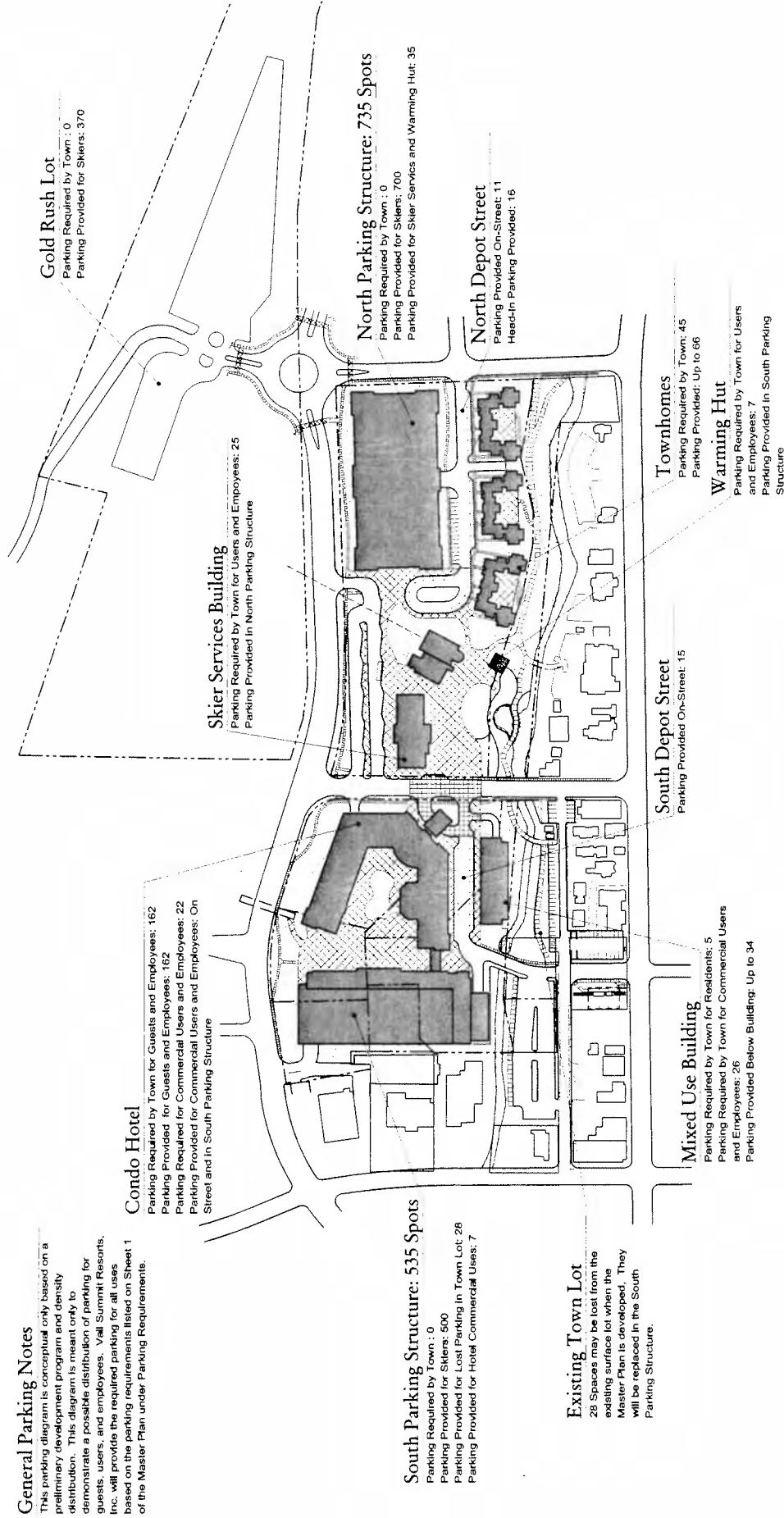
Final Comments: Circulation has come a long way. I like the pedestrian traffic conflict reductions. I need more information on the condo-hotel parking and what ratio it should be and am concerned with the 1 to 1 ratio. I don't think that condo-hotel parking should overflow into the ski parking. I agree with staff regarding the mode split. I think we need to address the employee parking. I would

like to see the parking study based on local issues. Parking structure operations and organization seem to work well. Roundabout is fantastic. I agree with Mr. Pringle regarding the Gold Rush lot and ski back access. If we explore this, then the tunnel needs to be “Beaver Creek” nice and people prefer to use it so that they won’t ski to Gold Rush and walk across Park Avenue. I support the proposed ski back proposal, but there are going to be people that want to short cut back to the north parking structure. There will also be pedestrians coming from 4 O’clock run area and will be coming to the gondola. Where the buses turn off Park Avenue I have a concern with pedestrian conflicts and we need to address it. I agree with the comments regarding French Street and want to make sure that if there is adequate space for a turn lane we should provide it. Sidewalks on either side of South Depot Road need to be wide to handle large amounts of pedestrian traffic. I support the emergency connection between the drop-off and the bus circulation. There needs to be adequate room on the west side of the Blue River and the condo structure so people can get back to Town Hall. Policy 16/R calls for safe and efficient pedestrian circulation and currently I don’t believe the way the tunnel is operating is safe. I would encourage pedestrian bridge crossings and easements over the Blue River to be determined now if possible. I agree with Mr. Pringle regarding public benefit type uses in the north parking structure and may support additional density for this. If we decide to pursue this, we’ll need to look at the circulation to serve that space.

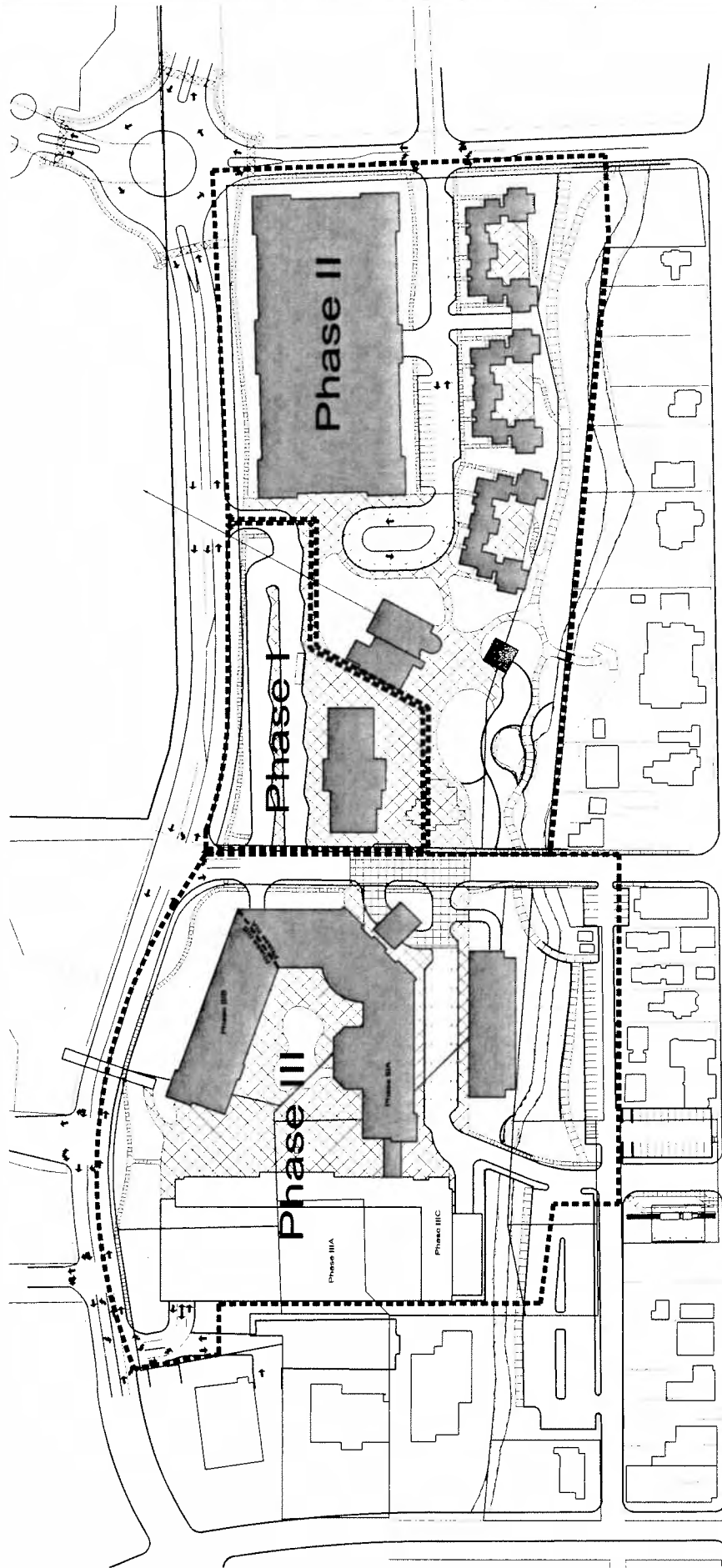
Parking Exhibit

General Parking Notes

This parking diagram is conceptual only, based on a preliminary development program and density distribution. This diagram is meant only to demonstrate a possible distribution of parking for guests, users, and employees. Vail Summit Resorts, Inc. will provide the required parking for all uses based on the parking requirements listed on Sheet 1 of the Master Plan under Parking Requirements.



Gondola Lots Redevelopment
 Master Plan
 Sheet 10 of 10
 Possible Phasing Plan



GENERAL NOTES:

- Phase I
 - Demolish Existing Street Building
 - Demolish Existing Bus Parking Area
 - Build Show Services/Trailer Building
 - Build Bus Drop Off/On, Up Area and Access Point to Park Avenue
- Phase II
 - Build Northern Parking Structure
 - Build Northern Drop Off and Comment Bus Area to French
 - Create Gondola Plaza
 - Rear Improvements adjacent to developed areas
- Phase III
 - Demolish surface parking lot
 - Build southern Parking Structure
 - Build Condo Hotel - Building may be built in releases over time
 - Build Depot Road and extension of Wolfson to Depot Road
 - Build Mixed Use Building
 - Site Improvement adjacent to developed areas

All phasing is conceptual and subject to change based on development strategies and market influences.

Submittal Date: 4-3-09
 NO: BY: DATE: REVISIONS:
 1 5/14/09 Planning and Zoning Review
 2 10/04/09 Planning and Zoning Final

