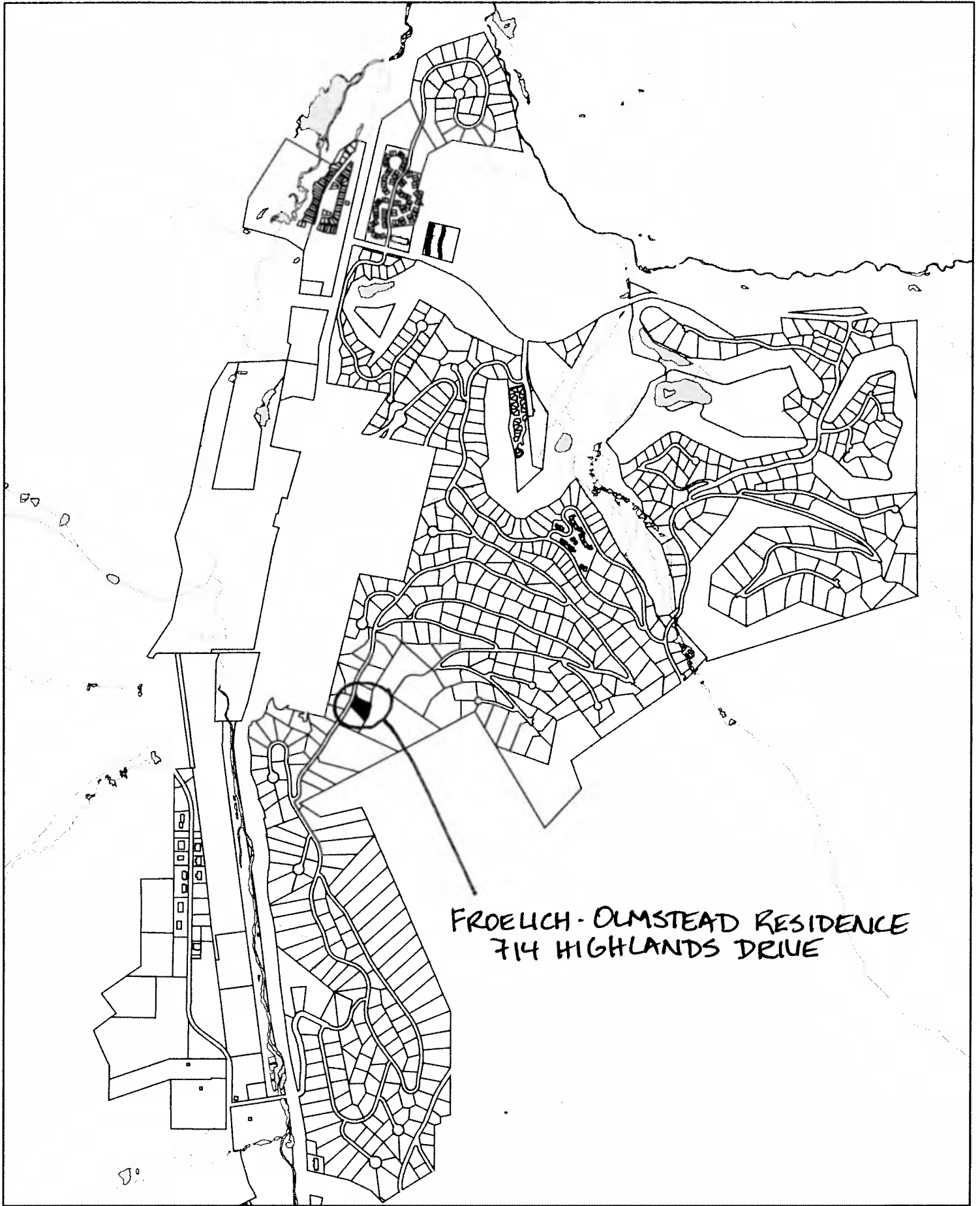


Town of Breckenridge
Planning Commission Agenda
Tuesday, May 4, 2010
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the May 4, 2010 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes April 20, 2010 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Froehlich-Olmstead Residence (JP) PC#2010022 714 Highlands Drive	16
	2. Carter Park Overlook (MGT) PC#2010024 50 Carter Drive	21
	3. Elsner-Adelman Residential Addition (JP) PC#2010023 53 Wildcat Road	32
7:15	<i>Worksessions</i>	
	1. Exterior Lighting Policy (JP)	36
	2. Condominium Exterior Remodels (CN)	52
	3. Transition Standards (MMO)	54
9:30	<i>Town Council Report</i>	
9:40	<i>Other Matters</i>	
	1. Planning Commission Norms (CN)	67
9:45	<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.*



FROELICH-OLMSTEAD RESIDENCE
714 HIGHLANDS DRIVE



Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
2007 product for any purpose is at user's sole risk.

Breckenridge North

printed 2007





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.

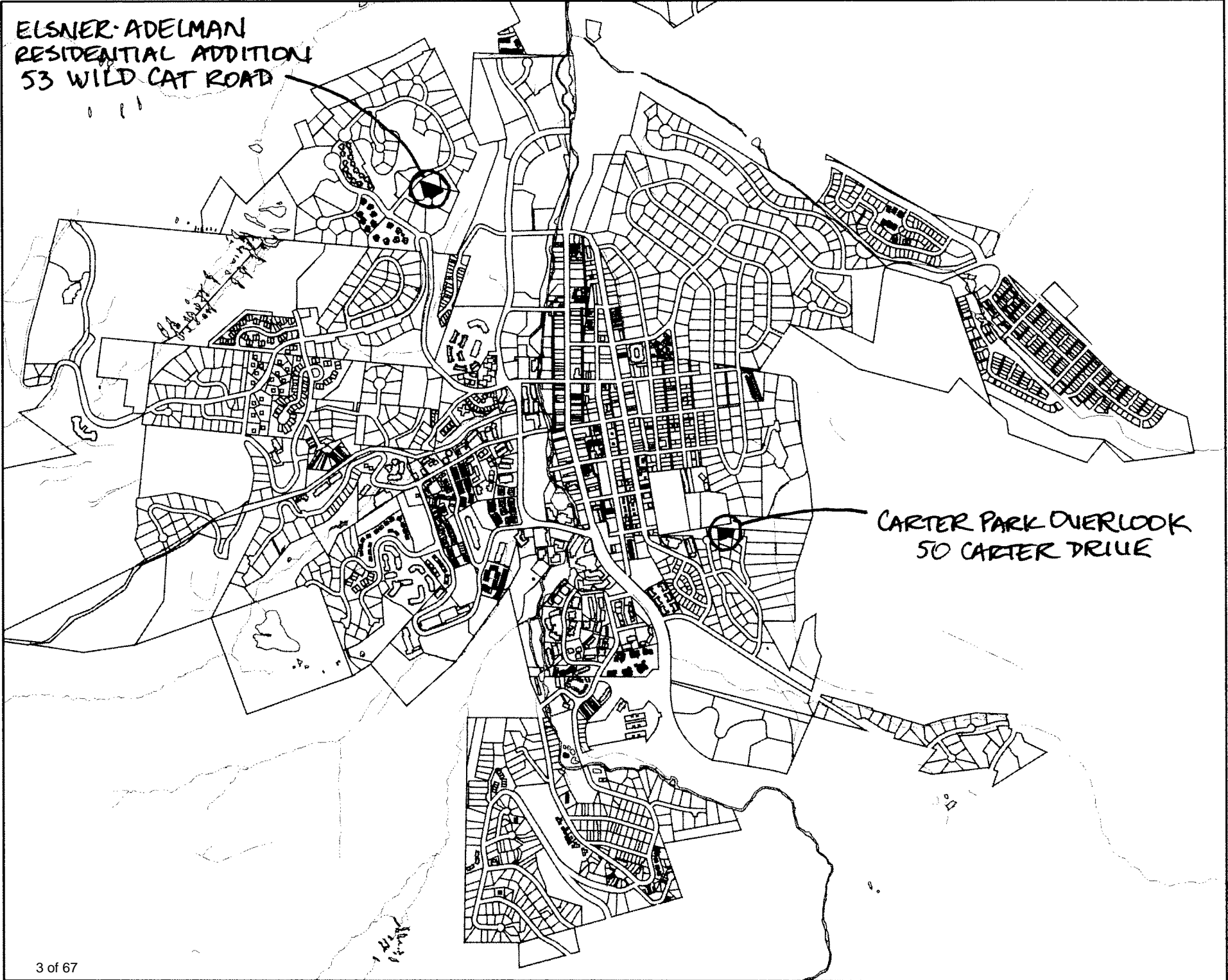
Breckenridge South

printed 2007



**ELSNER-ADELMAN
 RESIDENTIAL ADDITION
 53 WILD CAT ROAD**

**CARTER PARK OVERLOOK
 50 CARTER DRIVE**



PLANNING COMMISSION MEETING

THE MEETING WAS CALLED TO ORDER AT 7:04 P.M.

ROLL CALL

Rodney Allen Jim Lamb Dan Schroder arrived at 7:13 pm.
Leigh Girvin Dave Pringle
Michael Bertaux and JB Katz were absent.

APPROVAL OF MINUTES

With no changes, the minutes of the April 6, 2010 Planning Commission meetings were approved unanimously (4-0).

APPROVAL OF AGENDA

Mr. Mosher announced the withdrawal of the Lighting Policy worksession, due to a staff scheduling conflict. The worksession will be presented at the May 4 Planning Commission meeting. There will also not be any Town Council Report as the representative is absent this evening.

With no other changes, the Agenda for the April 20, 2010 Planning Commission meeting was approved unanimously (4-0).

CONSENT CALENDAR:

1. Beaver Run Summer Events Tent 2010 & 2011 (CK) PC#2010019, 620 Village Road
2. Hanover Residence Addition and Remodel (CK) PC#2010021, 317 Glen Eagle Loop

With no requests for call-up, the consent calendar was approved as presented.

WORKSESSIONS:

1. Landscape Policy

Ms. Cram presented. Staff has combined the Commission's recommended changes from the February 2nd meeting to the absolute and relative policies for Policy 22 - Landscaping. Staff presented all changes in bold underline in the packet. The major change from the last version was that staff added a negative two (-2) points description. Staff requested the Commission's feedback on this section. Staff included a proposed definition and sketch for screening that would be added to the definitions section of the Development Code once approved by the Commission.

Commissioner Questions/Comments:

Mr. Schroder: I thought this was well written and it also gives us room for interpretation. With regard to negative points, it seems like it might be better not to say "bad job" but rather, encourage good landscaping with positive points. There was a previous push-back from the public about defensible space. I was wondering how this is perceived now? (Ms. Cram: This was reviewed with the Fire Wise Task Force, which included representation from several neighbors that were concerned with the original policy and it being retroactive. They were comfortable with requiring it for new construction. It was also discussed that any extensive remodel would have to have exterior impacts to require the defensible space.)

Mr. Lamb: I think it is tough to assign the same policies to the Highlands and the Historic District. There are definitely some sodded areas in the Historic District, which fits the character of the neighborhood. (Mr. Pringle: I agree. Maybe it should be allowed in Zone 1.) I agree regarding strengthening the absolute and removing the negative.

Ms. Girvin: I am really impressed with the work that you have done. There is a typo on page 31, first sentence after the colon, "complementing". If the landscaping guidelines will be the more detailed document, what kind of teeth will those guidelines have? (Ms. Cram: There are existing landscaping guidelines that staff uses as a reference. It would be similar to the development code, because it will be adopted as a correlative document to the Development Code.) On the topic of negative points, I think it is unlikely that we will see a project that will earn negative points, but I think it will help to ensure that we receive good landscape plans. I think that the extensive use of exotic species should earn negative points. I agree it is nice to have somewhat of a lawn area in certain locations.

Mr. Pringle: The changes seem to be in response to the questions that we had previously, and I do not have any questions at this point. I don't mind the negative two (-2) points in landscape. I don't understand why some areas can use sod, but other areas may get negative points. (Ms. Cram: If you felt that someone was removing all native and just doing sod and it seems excessive, you can assign negative points. If someone is building a park, it may be appropriate to have some sod.) Regarding the defensible space ordinance, I don't see in Zone 1 where you should keep the forest floor clean, but you cannot have more than 3" of duff on the ground in the other zones. It seems like it would be pretty intense for a home on a five acre site; not everyone is going to want to rake five acres. (Ms. Cram: I will look at the fire wise standards and check at removing this requirement in Zone 3; it should be required in Zone's 1 and 2.) (Ms. Girvin: I agree with Mr. Pringle. I think elimination of raking in Zone 3 may be appropriate.) I want to make sure that we aren't discouraging creative landscape design that doesn't meet "mountain character". (Ms. Cram: I will work on this, but it is really neighborhood specific.) (Mr. Allen: I agree, don't penalize someone for doing a great job.)

Mr. Allen: Could you please elaborate on the absolute policy about all developments providing some screening from adjacent properties? (Ms. Cram: This was added, along with an image, to respond to some of the Commissioner's previous concerns about view corridors, buffering and landscaping needs.) I support the provision, I was just wondering if it needed to be beefed up for single family developments. I am wondering how screening from properties at higher elevation can happen? (Ms. Cram: Hopefully the sketch will help with this, providing a multi-layer year round screening effect.) I think that there should be more of a minimum requirement for landscaping. There are a lot of good "if you do this, then" but there aren't absolute requirements. (Mr. Lamb: I agree with that. You can get around negative two (-2) points easily, but it doesn't guarantee good landscaping.) Possibly add another sentence that there is a site specific minimum landscaping. (Mr. Mosher: Absolute Policy 22 does include some requirements for trees and shrubs.) It doesn't say you must install landscaping in that policy. I would feel more comfortable if we went with the "excessive" use of sod. (Mr. Mosher: I think that there are certain neighborhoods, such as Wellington, that use sod and it is the character of the area.) (Ms. Girvin: I agree with Rodney. I'd be willing to forgo the negative 2 points because it could be made up easier.) On page 32 number 5, irrigation system shall be provided, I don't remember if we had decided to require irrigation? (Ms. Cram: We removed the word "drip". You could still hand water.) (Mr. Lamb: I think you should drop "systems" and it would be fine.) (Ms. Girvin: Can we also look at adding the words "proper growth and maintenance"? Another word that could be used is "watering".) On number 8 of the same page, wheel retention device, is that defined anywhere? (Ms. Cram: It is not defined, but we included examples in number 3.) On page 33, the narrative of wildfire mitigation, could a window well trigger this? Should the size of the exterior be included? Does this make them comply with the defensible space? (Ms. Cram: You, as the Planning Commission, would have the ability to determine that.) I want to ensure that if the building footprint doesn't get larger, it doesn't get triggered. Maybe the word exterior "size" or "footprint" would help. On page 35 number 3, water features may receive negative points for energy use. Please explain. (Ms. Cram: We thought that would help address excessive use.) What is the remaining 50% discussed on page 36? (Ms Cram: The other 50% of landscape provided that meets a specific size requirement.)

2. Columbia Lode (Old BBC), 400 North Main Street

Mr. Mosher presented a worksession to discuss a Master Plan for 24 units total per the Development Agreement approved on February 10, 2010. The overall project will proceed through the Master Plan process; then each building would be submitted for review separately under individual Class C applications, ensuring compliance with the approved Master Plan.

The proposal was for 22 market-rate units in duplex and single family form with one workforce unit on the lower portion of the site (the original BBC buildings and lumber yard would be demolished). In addition, the existing single-family SFE from the "Corkscrew Subdivision Filing No. 1" is to be relocated to upper/northern portion of the property and would be accessible off of Royal Tiger Road. Master Plan development standards in the form of Master Plan Notes were proposed for the entire development.

The Planning Department has reviewed the application and in general the project is off to a good start. Staff would need additional detailed information at the next hearing on the single family home site as it relates to Absolute Policy 8, Ridgeline Development. Staff had the following questions for the Planning Commission:

1. Did the Commission have any comments on the architecture along the Main Street edge as it related to the Conservation District?
2. Did the Commission support allowing building height being measured from the improved grading rather than the current existing grade?
3. Did the Commission support the grading plan as proposed? Should negative points be incurred?

Staff welcomed any additional comments. As time allows, the applicant would welcome feedback on the following:

1. *Open space and park along Main Street.*
2. *'Klack Creek' drainage/park concept.*
3. *Public Art suggestions (Applicant has contacted the Public Art Commission).*
4. *Private Drive / Vehicular access and circulation.*
5. *Upslope units massing and architecture.*
6. *Single Family Home Site.*

Based on Commission direction, staff suggested the applicant return for a preliminary hearing

Marc Hogan, BHH Partners, presented for the applicant, Jon Brownson. A 3D computer model was presented along with site sections and the civil engineering plan. Steve West and Jon Brownson, applicants, were also in attendance.

Mr. Hogan: The BBC site was artificially lowered in the past. We are proposing to elevate the center drive to the elevation of the alley. The highest fill is in the center at 10-feet, and on the ends is only at about 2-feet. We believe that this fill brings the site back to its original grade and make the private road work better with the street connections and the Klack depression. The upper buildings will have a tuck-under garage with living spaces above. The down slope buildings will have the garage on the main level with living spaces below. The new trail would traverse the hillside and connect up towards the new single family home, avoiding the current trespass through private property. The trail would be located in the drainage swale that is located adjacent to the single family lot. We will have this trail in more detail at a future meeting. The treed backdrop above will be preserved.

The Klack drainage would go underground above the property at the southeast corner and daylight at the northwest corner and then go under the road on the other side of Main Street. We had looked into a creek water feature along the road, but after we discussed with the Town Engineer, we are looking at doing a landscape feature along the street rather than the creek concept. We will also include public art at the intersection of Main and French.

Besides the existing one single family SFE placed off Royal Tiger, there are both single family and duplex buildings proposed. There is one affordable housing unit representing about 2% of the developed density, thus incurring negative five (-5) points. The model shows the potential for solar panels on the south facing roofs. We think that the very narrow curving private drive will be a traffic calming element and discourage the general public from cutting through. We are proposing a full movement intersection at the private drive and Main Street, but have not obtained approval from the Town Engineering Department for this yet.

Based on the current Corkscrew Subdivision, Filing No. 1, there is a one acre platted lot, Lot 1, which was directly above the proposed duplexes. We do not want to develop this lot due to its visual importance. We propose to exchange the Lot 1 building envelope for the smaller envelope to the north. We are also reducing the envelope with this proposal. The home will be buffered and will be less visible from Main Street in this location. We are willing to reduce the height on the single family home to 32'.

Mr. Brownson discussed the proposed modern design of the home and the opportunities that the lot presents. Mr. Hogan presented an image board that depicted photo images of several existing buildings in mountain communities as samples of possible architectural character along with rendered elevations of the lower and upper buildings for this project. There would be a mix of materials along the Main Street buildings, with smaller masses and gable roof forms to better reflect the character of the neighboring Conservation District. There may be some traditional wood siding, along with metal, modern detailing and larger windows. The backyards, facing Main Street, will have "front yard" type architecture as you drive down Main Street. The up-slope homes to the east will have a heavy, rustic, more modern architectural feel. There are five buildings along Main Street in total. The first buildings are in a

traditional grid module, which is similar to the Historic District. The building further north breaks from the grid and turns with Main Street. We have kept primarily to no more than 2-stories along Main Street and also along the private drive. The upper homes have taller portions in the center of the masses. Regarding building height, we are really only asking for 30' above the proposed grade.

Mr. Allen opened the hearing to the public. There was no comment and the hearing was closed.

Commissioner Questions/Comments:

Mr. Schroder: I agree with Mr. Pringle regarding walk-ability at the French and Main Street intersection. Will the private drive that aligns with the alley be affected by vehicular stacking? (Mr. Mosher: We will know more and present more detail with the traffic study at a future meeting. The road is aligned with the existing bridge over the Blue River to address these types of concerns.) Where is the current drainage and detention in the right of way? (Mr. Mosher: Pointed out the existing and mentioned that the proposed detention is going to be redesigned so that is no longer in Town ROW.) (Mr. Kellerman, BHH Partners: There is currently a depression and two 48" culverts where the water crosses under Main Street and into the Blue River.) The sample photo/color board has a lot more colors and angles than the elevations that we looked at. (Mr. Hogan: The lower buildings are intended to be more traditional forms with modern detailing. The upper buildings, 10-23, will have more mining style with modern detailing. We would like to put some color into the architecture on this site.) The colors proposed here would kind of create "bookends" with Maggie Placer at the south end, which is approved, and then this project. (Mr. Hogan: This isn't going to be like Maggie Placer. The colors would be muted. This is the Master Plan, and we'd like to focus primarily on the massing and site layout. Each building would come to the Commission as a Class C development and would be reviewed individually.) (Mr. Mosher: We note that the Master Plan notes can reflect architectural character beyond what the Development Code allows if we would like to address this. The Master Plan will be the governing documents for the development.) I think the image board is pleasing but I lean more towards the image of the "Telluride mining look" with no special colors based on the site location. I like the architecture but I am struggling with the location. How long has this site been the BBC? (Mr. Brownson: Originally built in 1960s. We bought it in 1971. It was already flattened at this time.) (Mr. Pringle: There was a more recent and subsequent excavation of this site done without any permit from the Town.) (Mr. Brownson: This was done on the north end of the site.) The site filling of the property may be more aesthetic than the existing low grade for the entrance to Town. I would be in support of the grading plan, and heights measured from the new grade. I used to think that this site could really help the vitality of North Main Street, but as all second homes it most likely will not.

Mr. Lamb: I think this a great first project outside the Transition Area. Because it is a gateway, I think it should be more sympathetic to the Historic District. I support the historic grid module along the Main Street portion. On the upslope buildings I like the idea of adding more modern color and feel. I agree with Ms. Girvin regarding variation in architecture along the Main Street Buildings, there isn't enough variety in forms. Don't go too high on the chroma on the upslope homes, and have a more historic look along Main Street. I think the lone single family lot is an improvement over the past location. I prefer the narrower private drive. I would have liked to see more affordable housing as well to add vitality. At today's site visit, you could really see how the site should naturally flow. I believe the grading plan restores the site to what it was. I thinking if we were taking an average for the building height we could be on track. I support the landscape idea along Main Street and right turn lane from French.

Ms. Girvin: I am supportive of the more modern look, and I believe the massing and scale reflects that of the Historic District. I am concerned with the repetitiveness of the architecture. As this is the entry to downtown, I would prefer to see more variation in each of the buildings along Main Street. I am not supportive of any strong colors. I am concerned about adding 10' of fill to the grade and then putting 35' of building on top of it. This would certainly warrant negative points under Policy 7/R for the site impacts. This may look really tall from the ROW. I would be more in favor of a grade average on the site to determine allowed building height. The positive things for the plan are moving the existing single-family home site off the hillside. The proposed location can work. I like the formalization of the trail, the opportunity for right turn off French and protection of the forested hillside. However, I am struggling with impacts of the loss of all the native meadow at the south end

of the site in order to bring down the hill in front of the Klack. I thought this site would be a great location for more affordable housing than what you are proposing. We have talked about animation and liveliness at the gateway to Historic District, and I am concerned this site will have the typical market-rate second homes that are empty except a few weeks a year. I believe the idea of the landscape and public art at the corner sounds good. I am fine with 18' for the private drive width. But there is still a lot of excess paving. There seems to be huge parking areas between the private drive and the homes. The drawings show that where the Klack comes to your property, there is a "swimming pool" type structure that looks very unnatural. Study this area and try to show something more natural looking.

Mr. Pringle: Why is there a dedicated left turn at the French Street intersection? (Mr. Mosher: The round-about has restricted access to the City Market area and this intersection is seeing heavy use as a result. The intersection re-design is also planned on the other side of Main Street as well. The intersection layout is being designed by Engineering Staff.) Is it possible for the whole intersection to move north to relieve Gold Camp? (Mr. Mosher: No. There are too many existing site constraints.) Will the sidewalks be aligned with the crosswalk? This is a difficult intersection to cross. (Mr. Mosher: I will have additional detail on this at the next hearing and, if needed, can have Engineering Staff come to present the plan for this intersection to you.) Does the grading go all the way up the hillside? (Mr. Mosher: No, the east hillside will be preserved.) Is it possible to move the lone single family envelope back away from the edge towards Royal Tiger? (Mr. Hogan: We could slide it back a little bit, but because of the narrowing of the site from existing hydraulic mine drainage, easements and the need to have a flat driveway we placed the home where it is.) There is a lot of traffic noise with this lot location. Could the house go closer to the entrance of the lot and be uphill above the switchback of the trail? (Mr. Brownson: The lot has many access easements that we aren't able to build on, which is why we can't locate the lot in the suggested location. Our envelope is as close to the easement as we can get it.) Who owns the other lot? (Mr. Kellerman: The applicant does not own that lot; Mr. Gillillan owns it. The trail is a social trail and currently goes along the property line crossing private property. The homeowner does not want the trail crossing his private property, so we are trying to legitimize the trail per the Trail Master Plan.) We may not want to have just another Victorian home look on Main Street, but we need to be more sympathetic to what our Breckenridge historic motif is with the design of these homes. I thought the upslope homes architecture and massing are very nice. (Mr. Mosher: Would you rather see something closer to the Conservation District architecture?) Yes. This could be a place where lap siding size could relax from the 4-1/2 inch exposure. You could also go to larger windows, with the correct mass to void ratio. (Mr. Mosher: How do you feel about the decks with the coverings?) That's fine. I don't mind colors, but we need to be careful with the intensity of the colors. (Mr. Mosher: I think these are things that can be identified in the master plan notes if the Commission prefers.) Are you asking for a 10' variance on building height? (Mr. Hogan: No. We are looking at 30' from the proposed private road grade; only one home would be measured at 39' above the existing grade.) (Mr. Brownson: The site was originally at this grade, before the lumber yard was in the site. We are proposing to bring in fill to make the site more appropriate and attractive as a gateway to the Town. We do not want to build on a flat site and push homes into the hillside; we feel this is a more attractive solution.) (Mr. Mosher: There is a provision in the code regarding measuring building height that allows the measurement to be based on averaging out a grade, so there wouldn't need to be a variance if the Commission is supportive of this.) Is it possible to achieve your goal without coming up the hill so quickly? (Mr. Brownson: No. We have to come up 10' to meet the alley grade and natural grade of the hillside and at Main Street.) (Mr. Hogan: If we do not raise the private road with fill, we will have large retaining walls behind the buildings. We are trying to avoid this scenario.) I am not sure how the number of units will fit along the upslope side. This seems to be too intense, especially when compared to the units on the down slope side. Maybe too much density here. Also, I am not sure that 10 feet of fill is necessary on the site. When we get into more analysis of the site, I don't think people will be happy with raising the site and putting the homes on top of it. I think you could manipulate the Klack to solve the drainage problems without raising the site 10 feet. I don't see why retaining walls are an issue. I think the open space along Main Street is nice, but it might be more valuable to start developing the edge of the street to look further into Town; more of a smaller front yard look rather than a large park pushing the buildings back. The private drive is fine at 18'. The cut-through potential can be resolved with a better intersection.

Mr. Allen: I have a question regarding the 18' wide driveway rather than 22'. (Mr. Mosher: That will be determined by engineering and have to be processed as a variance.) We do not want to promote cut-throughs. There are some stacking concerns. (Mr. Mosher: A traffic study is being completed.) Let's have a discussion of trails when Engineering comes to the hearing to present to us. I like the architecture that was included in our packet. I thought it was a nice blend of modern, Victorian and mining. However, I do not believe the image board properly reflects Main Street Breckenridge. I agree with Mr. Lamb that the back row of duplexes could be more modern than those along Main Street. I agree with Ms. Girvin in more variation in architecture along the Main Street face. I prefer to keep the colors and materials in the context of the Town character. I support the historic grid module, and proposed berming. I agree with Ms. Girvin on awarding negative points for the extensive site grading for the development. It seems common sense to do the grading that you are proposing; however, I do have the concern of buildings 10-23 getting pretty high. I would be more comfortable with a height of 30-32' with some third story elements. Conceptually, I am okay with an 18' drive, but want to confirm with Engineering. I agree with Ms. Girvin regarding the Klack pipe and naturalizing the look here. It would be great to provide additional right turn easement for future stacking along French Street. I do not like the single-family home location, but prefer it to the previous location. It will be a tough site to build on, but I will support the trade.

3. Nauman Residence Remodel and Landmarking, 211 East Washington

Mr. Mosher presented a worksession on a proposal to perform an extensive exterior restoration of the historic house and remodel to the non-compliant addition that will include a full basement beneath the historic portion of the footprint. Locally landmarking the property was also requested.

The Applicant is proposing a full historic restoration of the original structure (20 x 26 = 520 sq. ft) as follows:

1. Remove north facing roof "growth" over historic main ridge of the historic house, cut the roof addition back approximately 12 to 14 feet and lower this ridge below the original historic ridge to better create the appearance of a "connector", as defined in the Historic Standards.
2. Remove the existing density under this roofed area (currently a bedroom).
3. Remove the east and west non-historic bay windows (keeping the west facing historic bay window) on historic structure per plan (19 sq. ft.).
4. Restore the original roof form to the greatest degree possible on the historic structure.
5. Restore all original window openings and replace front (north) door with historically compliant door.
6. Full restoration of the front porch with correct post detailing (existing to be replaced based on photographs).
7. After locally Landmarking, add full basement under historic footprint (zero lot line on west).
8. On the non-historic addition, correct all windows to historically compliant vertically orientated double hung windows.
9. Correct roof form in non-compliant addition.

Notes:

1. There will be no changes in the historic floor elevation.
2. There will be no increase in rear roofline height.
3. The building is to remain in its current location
4. There will be a slight reduction in existing density.

Generally, Staff was supportive of the extensive rehabilitation and restoration of this house. The finished result, when viewed from the Right of Way, will be a significant change from its present appearance. The historic house will be celebrated and the addition will be hidden behind.

Staff welcomed discussion and direction on the three items below.

1. Did the Commission support the recordation of an Encroachment License Agreement for existing structure and existing parking?
2. Would the Commission recommend to Town Council the Locally Landmarking of the structure?
3. Did the Commission support the redesign of rear roof with new dormers and the overall slight decrease of overall density?

Ms. Janet Sutterley, Architect for the project, was also present at the hearing.

Commissioner Questions/Comments:

- Mr. Schroder: I support leaving the parking as is to minimize impacts to the small site. How do we handle this? (Mr. Mosher: It will need an encroachment license agreement from Town Council. Staff needs to do some research. I am not sure you can make designated spots in the right-of-way.) I go with yes and yes on the other two questions.
- Mr. Lamb: I also believe that the parking should be left as it is. Creating additional mass for a garage isn't a good precedent to set and I am not in favor of that. The current situation for parking is working. I go with yes and yes on the other two questions. Where did you get the pictures? (Mr. Mosher: We found some in our files and some from Assessor's Office.)
- Ms. Girvin: Do you know for sure that the porch from the 1975 photo is original? (Mr. Mosher: We don't know for sure, but we believe it is the original based on several photos and the way it is attached.) The existing addition is a slab on grade, and you are proposing a basement under the historic house only. (Ms. Sutterley: Yes.) Can you bring down the high new roof and maintain the shape of the old shed? (Ms. Sutterley: It is peaked like a cricket to allow water flow away from the addition. The problem with the old addition is that they ran the walls straight back along the historic face with no link. That is why if the roof line was lowered behind the ridge.) The existing historic house and addition are over the property line on an alley? This is an alley? (Mr. Mosher: Yes, the alley is Town owned and is only 13.8 feet wide. There are others like this in Town. There will be an encroachment license agreement, but really no impacts to the alley.) Is there a way to get a variance from the parking requirement? (Mr. Mosher: We can't reduce the minimum requirement for single-family homes. The only variance might be to leave it the way it is, with spaces partially in the ROW. They wouldn't be spaces identified on the property.) That is the way I would lean. There is a lot of character in the block. To try and shoehorn a garage or add retaining walls there would be additional negative impacts. I would like to keep a yard and landscaping. I think a site visit could be helpful. (Mr. Mosher: Possibly we could stake out the parking on the lot prior to the visit.) I think it looks like a really cool design.
- Mr. Pringle: The Town manipulated the grade on Washington and caused this grading and access problem to this street and others. I agree with Mr. Lamb and Ms. Girvin regarding parking. Leave it as it is. I go with yes and yes on the other two questions.
- Mr. Allen: I differ from the other Commissioners and would prefer to put all of the two parking spaces entirely on the site. (Ms. Sutterley: The trade-off is that we lose any landscaping, and the parking will come right to the fence line.) (Mr. Mosher: I will come back with a list of Code-based pros and cons. The parking in the front to meet the Parking Ordinance will conflict with Priority Policies in the Historic District Guidelines.) (Ms. Sutterley: I am thinking of some kind of hybrid between the two parking scenarios. I think we can play with the location of the parking and the yard.) I am worried about future use on the street. We are not taking away any yard from today. The north side of the fence doesn't have a yard. I go with yes and yes on the other two questions.

TOWN COUNCIL REPORT:

There was no report.

OTHER MATTERS:

- Ms. Girvin: On the thought of the sustainability plan, economic development and CMC going to 4-year colleges, we could become a "college town". I think we should really encourage this.
- Mr. Lamb: I agree. I work at CMC now and I think Summit County will definitely have growth as a result of the new facility. Dorms could add diversity in how we address affordable housing.
- Mr. Truckey: Yes, there has been discussion about this.
- Mr. Schroder: What kinds of programs are offered? Are there 12 CMC sites in the state?
- Mr. Lamb: Mostly education and business will be the two 4-year majors. There are 3 campuses. I think that they are also opening an outdoor classroom on the river in honor of Gene Baker.
- Ms. Girvin: How come we didn't see the Columbia Lode project before Town Council had the agreement?
- Mr. Mosher: Any Development Agreement is presented and made with the Council. They needed to go through that negotiation to determine any public need. The Commission reviews at the master plan level. The whole process is really no different than any other application. Treat any

application before you equally. Base all your reviews on the Development Code. Do not feel pressured by the Council's agreement with any applicant to look at the Code any differently. Like a Master Plan, a Development Agreement is no guarantee that certain parts of the Code can be "overlooked".

Mr. Pringle: Few of the Town Council members are experienced Planning Commissioners. I would like the Council representative to have a more active role in the Planning Commission and the Development Code, so they better understand the process. I know there are also legal challenges with having this representative with Mr. Berry. I would like more participation by the Council.

Mr. Mosher: Staff will give the new representative a brief "lesson" in procedure and the Code as it relates to their duties with the Commission. The representative is only here for worksessions, but Code based comments still apply.

Mr. Schroder: In the past, the Town Council representative didn't have anything to report to us about the Council meetings. I would like to hear more about what they did in their session.

Mr. Allen: Have there been very many call-ups?

Mr. Truckey: Very few. Not really, just the more complex projects like Gondola Lots master plan.

Mr. Mosher: One of the best tools the Commission has is to work through Staff. Staff is often before the Council and the Commission. Showing strength and agreement in your comments based on the Development Code and the resulting Point Analysis is your best tool.

ADJOURNMENT

The meeting was adjourned at 10:22 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 April 29, 2010 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on May 4, 2010 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 November 11, 2011, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to, the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall submit proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
16. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
17. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
18. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees; i.e., loss of a 12-inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
20. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's

water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.

21. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
22. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

23. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
25. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
26. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these

requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
34. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)



Class C Development Review Check List

Project Name/PC#: Froehlich-Olmsted Residence PC#2010022
Project Manager: Julia Puester, AICP
Date of Report: April 27, 2010 for meeting of May 4, 2010
Applicant/Owner: Kathleen Froehlich and Thomas Olmsted
Agent: Michael Shult
Proposed Use: Single Family Residence
Address: 714 Highlands Drive
Legal Description: Lot 147, Filing 6, Highlands Subdivision
Site Area: 51,918 sq. ft. 1.19 acres
Land Use District (2A/2R):
 LUD 6: Subject to the Delaware Flats Master Plan
Existing Site Conditions: The site is up sloping. There is a moderately steep drainage swale at the north end of the property. There are some significant lodgepole trees on site.

Density (3A/3R): Permitted: Unlimited Proposed: 5,203 sq. ft.
Mass (4R): Permitted: Unlimited Proposed: 6,267 sq. ft.
F.A.R.: 1:8.28 FAR
Areas:
Lower Level: 1,098 sq. ft.
Main Level: 2,255 sq. ft.
Upper Level: 1,850 sq. ft.
Accessory Apartment:
Garage: 1,064 sq. ft. (108 sq. ft. mechanical room)
Total: 6,267 sq. ft.

Bedrooms: 4
Bathrooms: 6
Height (6A/6R): 28 feet overall
 (Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 4,574 sq. ft. 8.81%
 Hard Surface / non-Permeable: 3,777 sq. ft. 7.27%
 Open Space / Permeable: 43,567 sq. ft. 83.92%

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

Snowstack (13A/13R):
 Required: 944 sq. ft. (25% of paved surfaces)
 Proposed: 1,688 sq. ft. (44.69% of paved surfaces)

Fireplaces (30A/30R): One - gas fired One EPA Phase II

Accessory Apartment: None

Building/Disturbance Envelope? The proposed building footprint lies within the Disturbance Envelope.

Setbacks (9A/9R): Disturbance envelope
 Front: in disturbance envelope
 Side: in disturbance envelope
 Side: in disturbance envelope
 Rear: in disturbance envelope

Architectural Compatibility (5/A & 5/R): The residence will be compatible with the land use district and surrounding residences.

Exterior Materials: Natural stone in "Telluride stone highlands blend"; vertical wood and wood shingle siding in "lifetime wood treatment"; fascia in "wooded bog"; windows in "gingersnap"; gutters in "metal bronze".

Roof: 40 year composite shingle in Tamko "weathered wood" and small amounts of corrugated metal roofing

Garage Doors: Wood doors in "lifetime wood treatment"

Landscaping (22A/22R):

Planting Type	Quantity	Size
Engelmann Spruce	10	5@6-7 feet; 5@8-10 feet
Aspen	32	16 @ 1.5-2 inch caliper; 16@ 2.5-3 inch caliper

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

Driveway Slope: 8 %
Covenants: Standard landscaping covenant

Point Analysis (Sec. 9-1-17-3): An informal point analysis was conducted for this proposed residence and no positive or negative points are warranted.

Staff Action:
 Staff has approved the Froehlich-Olmsted Residence, PC#2010022, located at 714 Highlands Drive, Lot 147, Filing 6, Highlands Subdivision, with the standard findings and conditions.

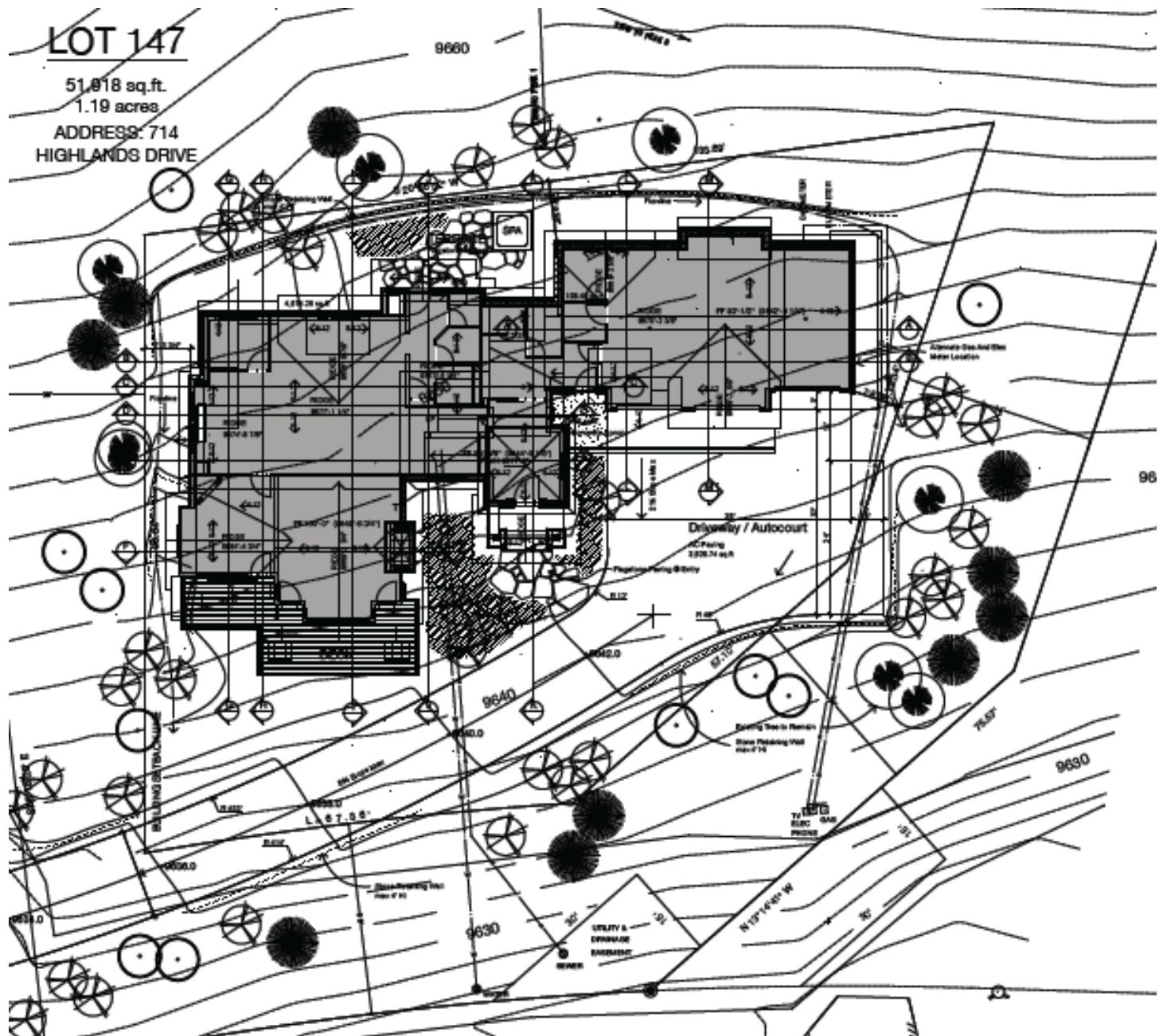
Comments:

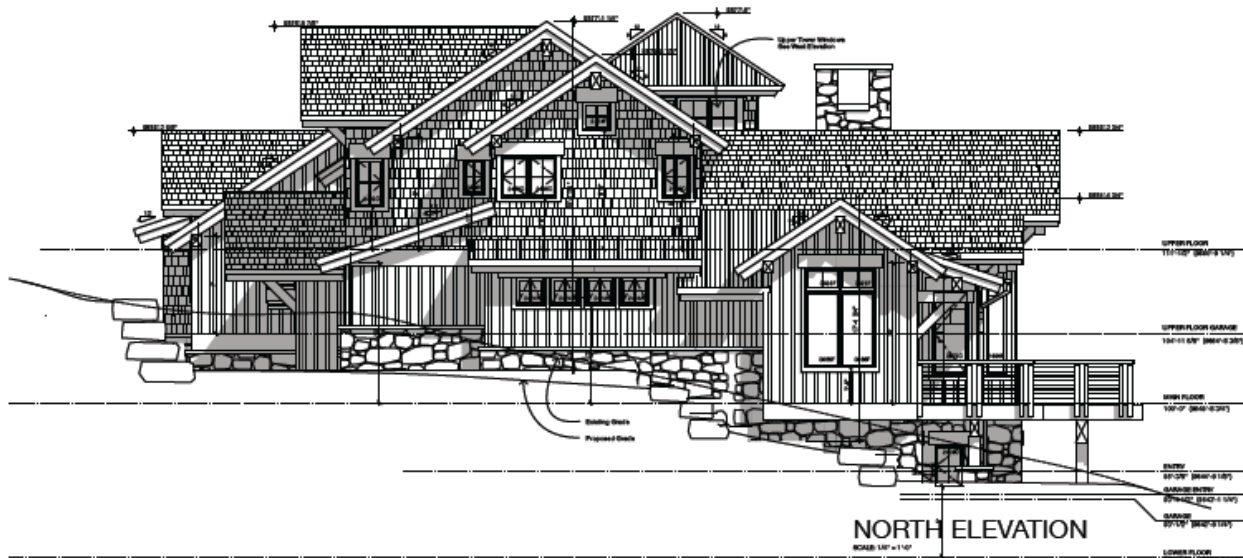
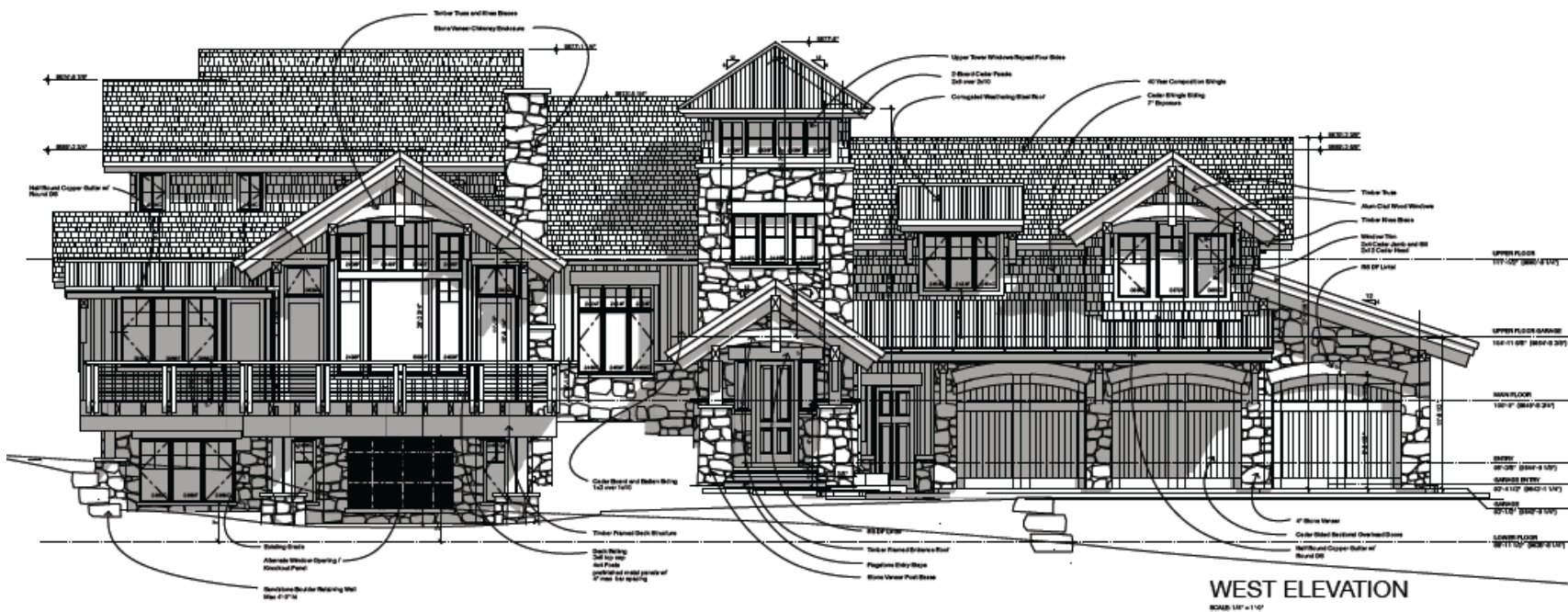
Additional Conditions of Approval:

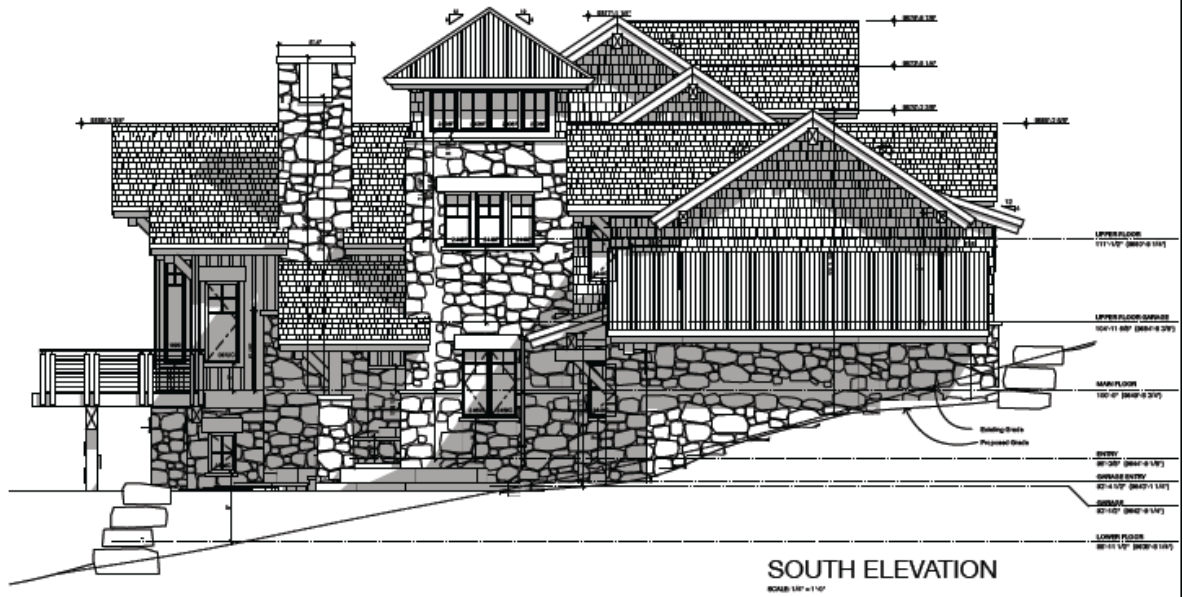
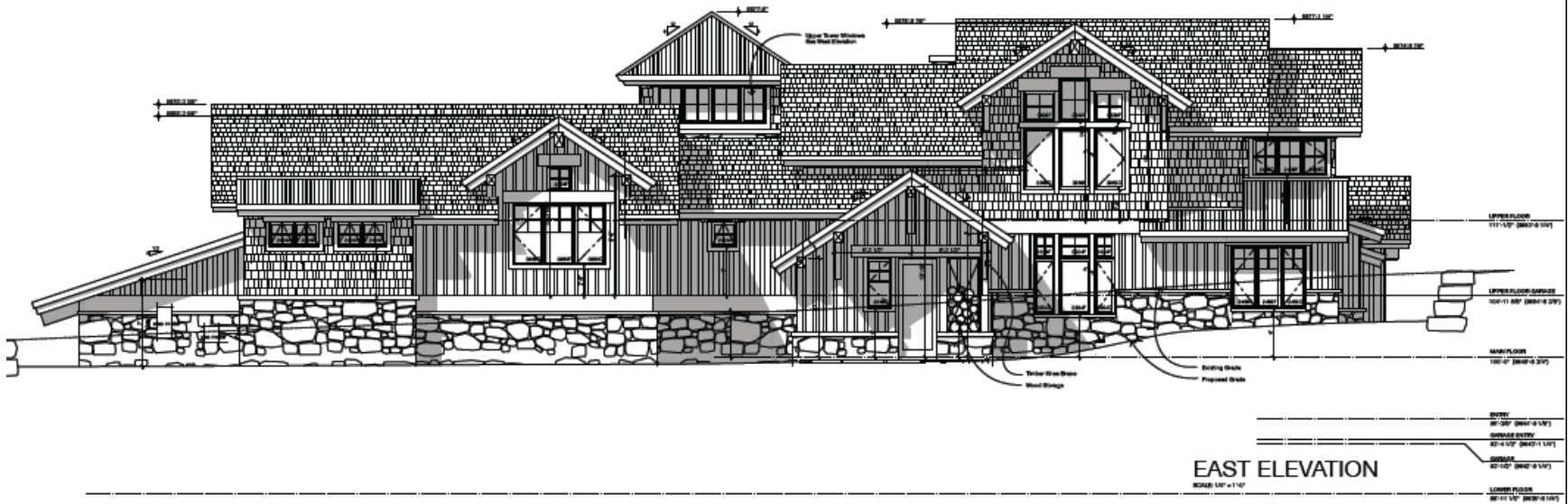
LOT 147

51,818 sq.ft.
1.19 acres

ADDRESS: 714
HIGHLANDS DRIVE









Class C Development Review Check List

Project Name/PC#:	Carter Park Overlook	PC#2010024
Project Manager:	Matt Thompson, AICP	
Date of Report:	April 28, 2010	For the 05/04/2010 Planning Commission Meeting
Applicant/Owner:	Double Diamond Property and Construction	
Agent:	Michael Gallagher	
Proposed Use:	Single family residence	
Address:	50 Carter Drive	
Legal Description:	Lot 30 Sunbeam Estates	
Site Area:	18,413 sq. ft.	0.42 acres
Land Use District (2A/2R):	26: Residential	
Existing Site Conditions:	This lot slopes uphill from the west towards the east at 13%. The property is heavily wooded with lodgepole pine trees. There is a 20' trail easement on the western portion of the lot. There is an existing trail that is east of the trail easement, the trail will need to be moved into the easement during construction. There is a 10' sewer easement along the southern property line.	
Density (3A/3R):	Allowed: unlimited	Proposed: 5,320 sq. ft.
Mass (4R):	Allowed: unlimited	Proposed: 6,264 sq. ft.
F.A.R.	1:2.90 FAR	
Areas:		
Lower Level:	2,066 sq. ft.	
Main Level:	2,292 sq. ft.	
Upper Level:	962 sq. ft.	
Garage:	944 sq. ft.	
Total:	6,264 sq. ft.	
Bedrooms:	4	
Bathrooms:	6	
Height (6A/6R):	30'	
	(Max 35' for single family outside Historic District)	
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 5,213 sq. ft.	28.31%
	Hard Surface / non-Permeable: 1,892 sq. ft.	10.28%
	Open Space / Permeable: 11,308 sq. ft.	61.41%
Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 3 spaces	
Snowstack (13A/13R):		
	Required: 473 sq. ft.	(25% of paved surfaces)
	Proposed: 730 sq. ft.	(38.58% of paved surfaces)
Fireplaces (30A/30R):	4 gas-fired	
Accessory Apartment:	N/A	
Building/Disturbance Envelope?	Building Envelope	
Setbacks (9A/9R):		
	Front: 23 ft.	
	Side: 30 ft.	

Side: 15 ft.
Rear: 21 ft.

Architectural Compatibility (5/A & 5/R): This residence will be architecturally compatible with the neighborhood.
Exterior Materials: Cedar Board and batten vertical siding 1x4 over 1x10, cedar horizontal siding 2x12 chinked plank, shingle siding, wood trim dark slate in color, wood windows clad in brown and reddish "weathered clay" cladding, and a natural stone veneer Telluride stone.
Roof: Composition shingles
Garage Doors: Clad in wood to match vertical siding

Landscaping (22A/22R):

Planting Type	Quantity	Size
Aspen	11	1.5" to 2.5" min. caliper
Spruce	2	6' - 8'
Pine	2	6' - 8'

Drainage (27A/27R): Positive away from residence.
Driveway Slope: 8 %
Covenants: Standard landscaping covenant.
Point Analysis (Sec. 9-1-17-3): Staff conducted an informal point analysis and found no reason to warrant positive or negative points.
Staff Action: Staff has approved PC#2010024, Lot 30 Sunbeam Estates, located at 50 Carter Drive with the attached findings and conditions.
Comments: Staff notes that the heated driveway/snowmelt system shown for the driveway and patio are not part of this application. We have added a condition of approval to this effect. See condition #10.

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Carter Park Overlook
Lot 30, Sunbeam Estates
50 Carter Drive
PC#2010024**

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **April 28, 2010**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **May 4, 2010**, 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 **November 11, 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. Applicant shall field locate utility service lines to avoid existing trees.
7. 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.
8. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
9. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.
10. The snowmelt system/heated driveway/heated patio shown on the site plan reviewed by the Planning Commission are not approved at this time. If the Applicant wishes to install a snowmelt system/heated driveway/heated patio in the future on this property, a separate development permit will be required.

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit proof of ownership of the project site.
12. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
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. 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.
15. 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.
16. 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.
17. 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.
18. Applicant shall install construction fencing along the building envelope in a manner acceptable to the Town Planning Department.

19. 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.

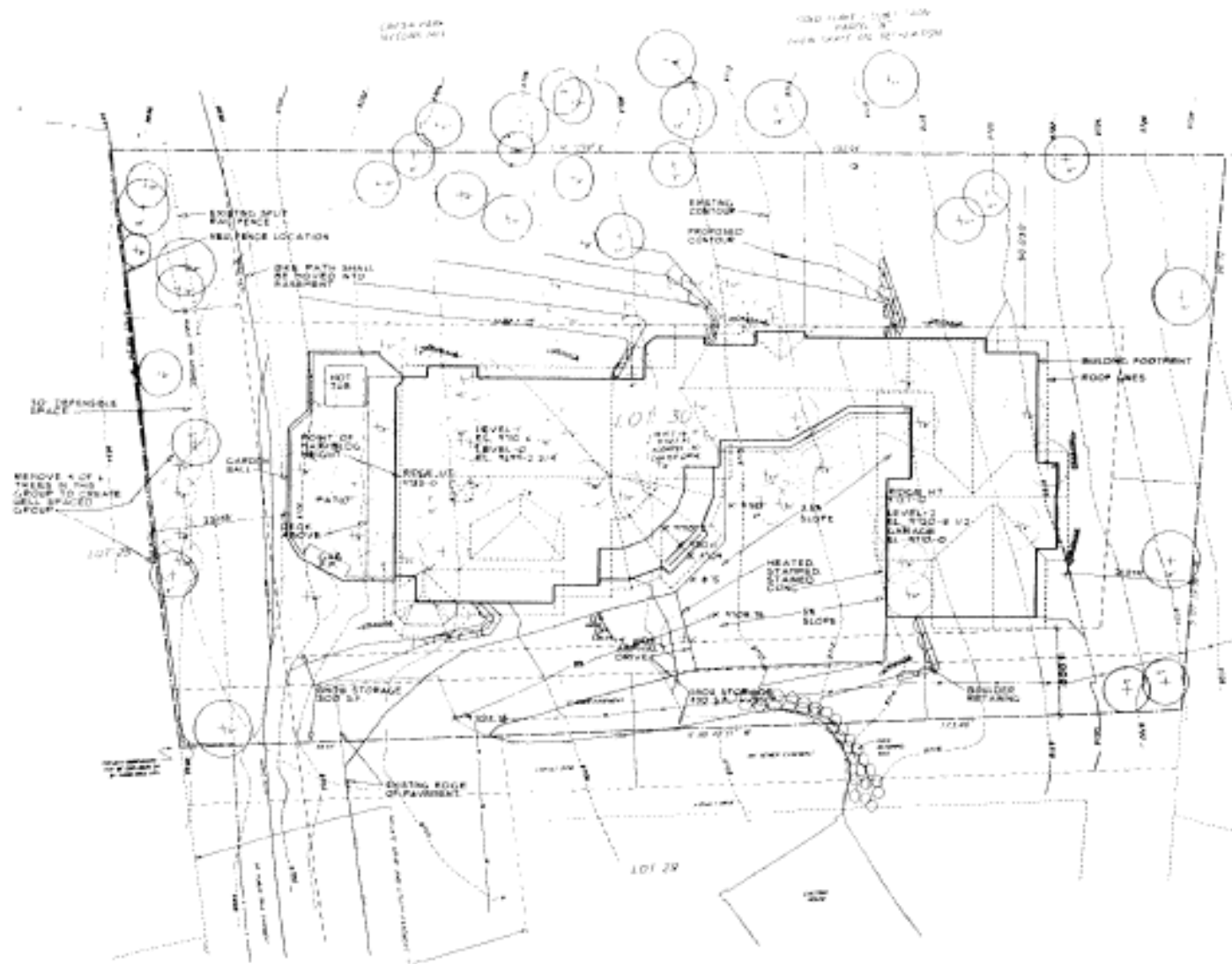
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

20. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
21. 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.
22. 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.
23. 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.
24. Applicant shall screen all utilities.
25. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
26. 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.
27. 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.
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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.

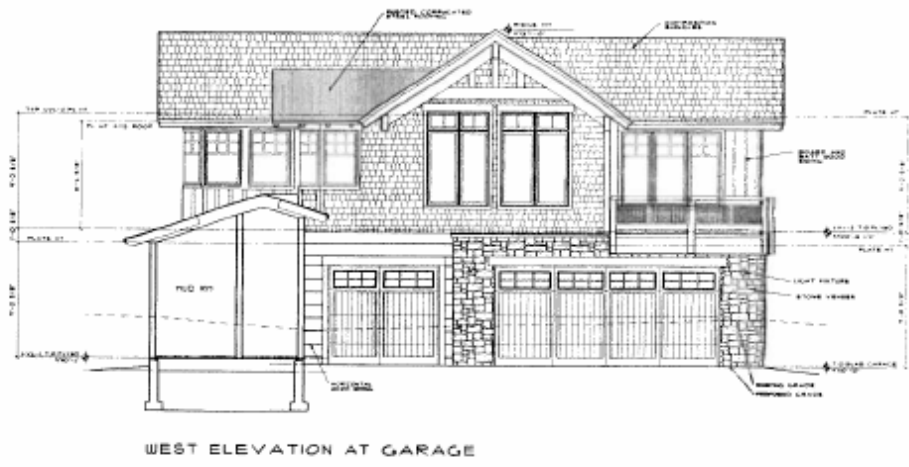
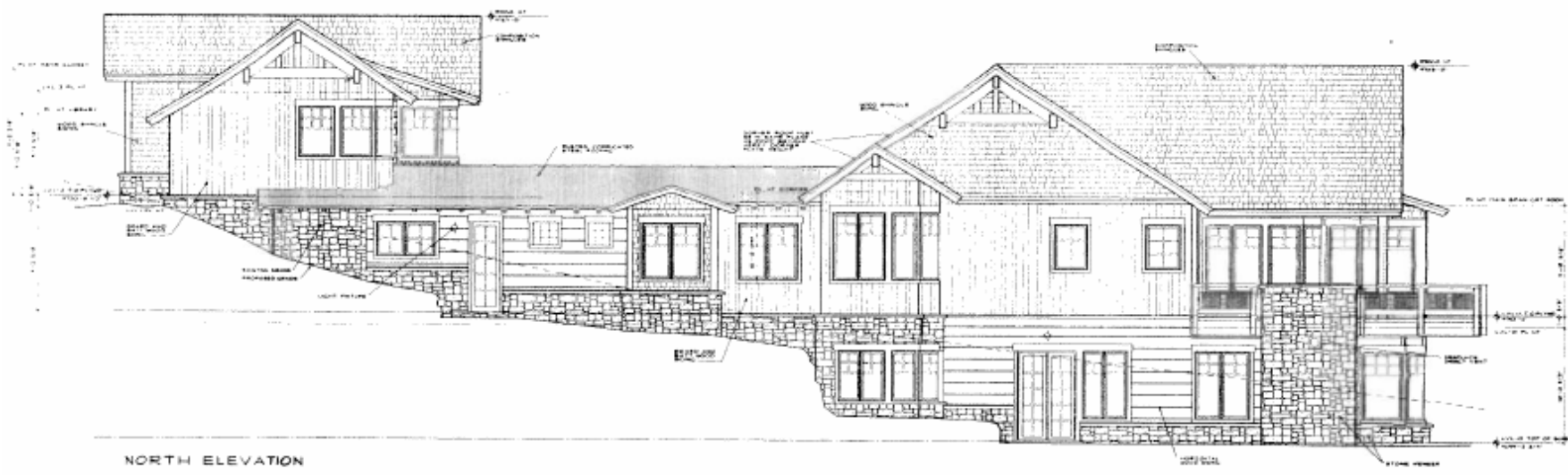
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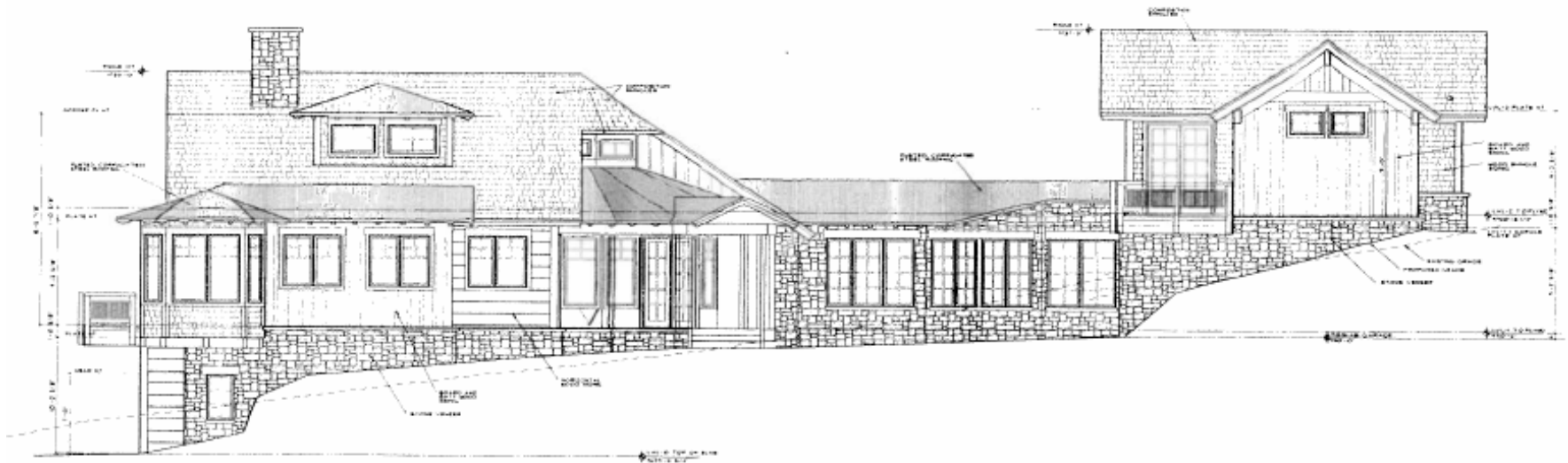
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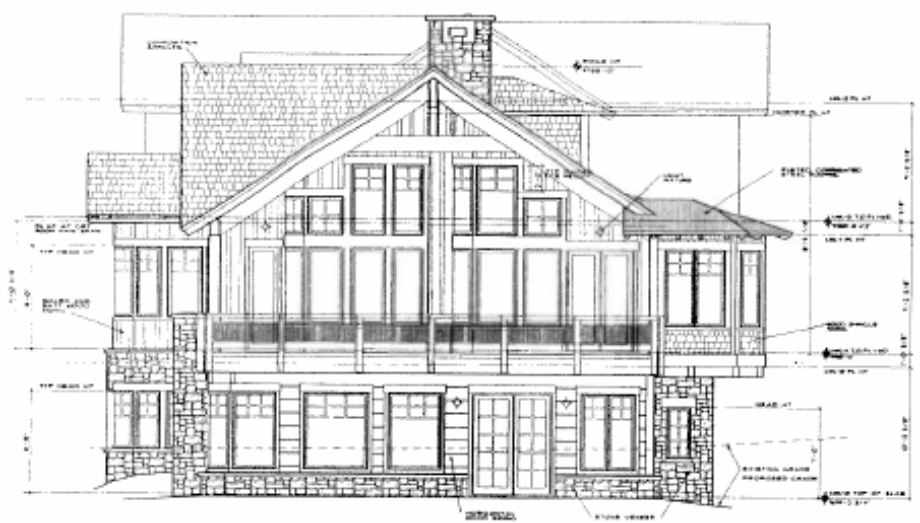
CLASS C DATA	
FLOOR AREA:	
LOWER LEVEL 2,024 S.F.	
UPPER LEVEL 5,121 S.F.	
TOTAL AREA 7,145 S.F.	
TOTAL SIDE GARAGE 710 S.F.	
LOT COVERAGE:	
17% FOR AREA	
PAVING / SIDE-PERMEABLE 1.23 SF	
PAVING / SIDE-PERMEABLE 1.23 SF	
PAVING / SIDE-PERMEABLE 1.23 SF	
SIDE STORAGE:	
REQUIRED 412 S.F.	
PROVIDED 710 S.F.	
DETAILS:	
SOUTH SIDE	
WEST SIDE	
EAST SIDE	
NORTH SIDE	
REMARKS:	
1. REFER TO CASE FILE	



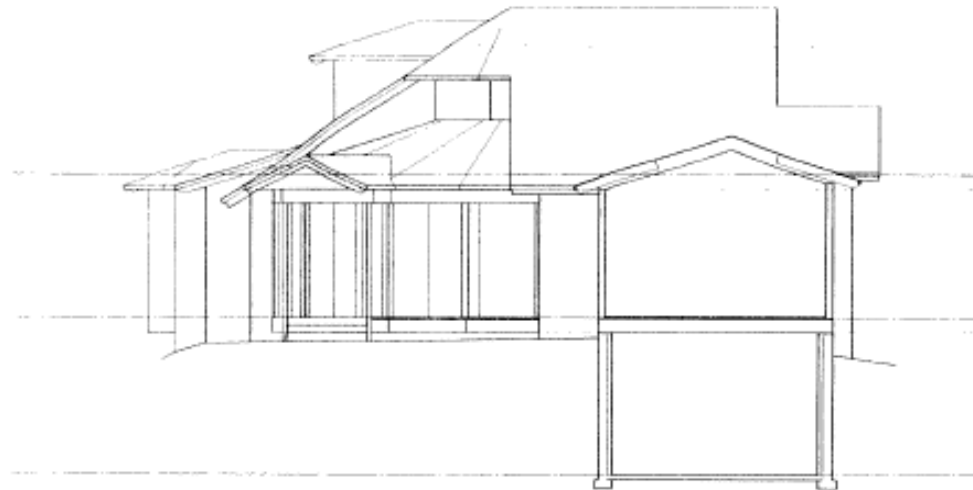




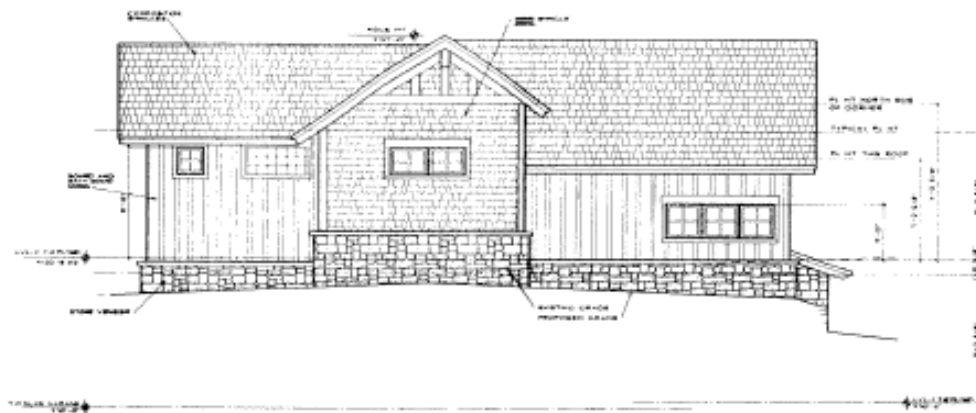
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION AT PARKING



EAST ELEVATION



Class C Development Review Check List

Project Name/PC#: Elsner-Adelman Addition PC#2010023
Project Manager: Julia Puester, AICP
Date of Report: April 27, 2010 for meeting of May 4, 2010
Applicant/Owner: Kathy Elsner and Steve Adelman
Agent: Suzanne Allen-Guerra
Proposed Use: Single family 560 square foot addition to the rear of the home consisting of a new bedroom, closet, and bathroom. Additional trees are proposed at the rear of the lot.

Address: 53 Wildcat Road
Legal Description: Lot 14, Shock Hill Subdivision
Site Area: 28,881 sq. ft. 0.66 acres
Land Use District (2A/2R): LUD 1: Subject to the Shock Hill Master Plan
Existing Site Conditions: The site slopes downhill from the road at a rate of 14%. There is a public trail easement at the rear of the property. There is an existing home on site built in 2001 with established landscape on site.

Density (3A/3R): Permitted: unlimited Proposed: 4,150 sq. ft.
Mass (4R): Permitted: unlimited Proposed: 4,762 sq. ft.
F.A.R. 1:6.06 FAR

Areas:
Lower Level: 1,256 sq. ft.
Main Level: 2,084 sq. ft. (560 square foot addition)
Upper Level: 810 sq. ft.
Accessory Apartment:
Garage: 612 sq. ft.
Total: 4,762 sq. ft.

Bedrooms: 5 (1 new bedroom)
Bathrooms: 4 full baths and 2 half baths (1 new bathroom)
Height (6A/6R): 31 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 3,839 sq. ft. 13.29%
Hard Surface / non-Permeable: 2,350 sq. ft. 8.14%
Open Space / Permeable: 22,692 sq. ft. 78.57%
Note: 721 sq. ft. of new paving

Parking (18A/18/R):
Required: no change (2 garage spaces)
Proposed: no change (2 garage spaces)

Accessory Apartment: None
Building/Disturbance Envelope? Building Envelope
Setbacks (9A/9R):
Front: within building envelope
Side: within building envelope

Side: within building envelope
Rear: within building envelope

Architectural Compatibility (5/A & 5/R): The residence will be compatible with the land use district and surrounding residences.

Exterior Materials: Proposed exterior materials for the addition will match materials from existing residence. Materials will consist of 2x10 rough sawn cedar siding with chinking. Log post and beam accents, and a moss rock veneer rock base.

Roof: Cedar shake roof

Landscaping (22A/22R): New landscaping is proposed at the rear of the lot to screen the addition from the public trail easement.

Planting Type	Quantity	Size
Engelmann Spruce	2	1@8'; 1@10' height
Aspen	6	3@1.5" caliper; 3@2" caliper

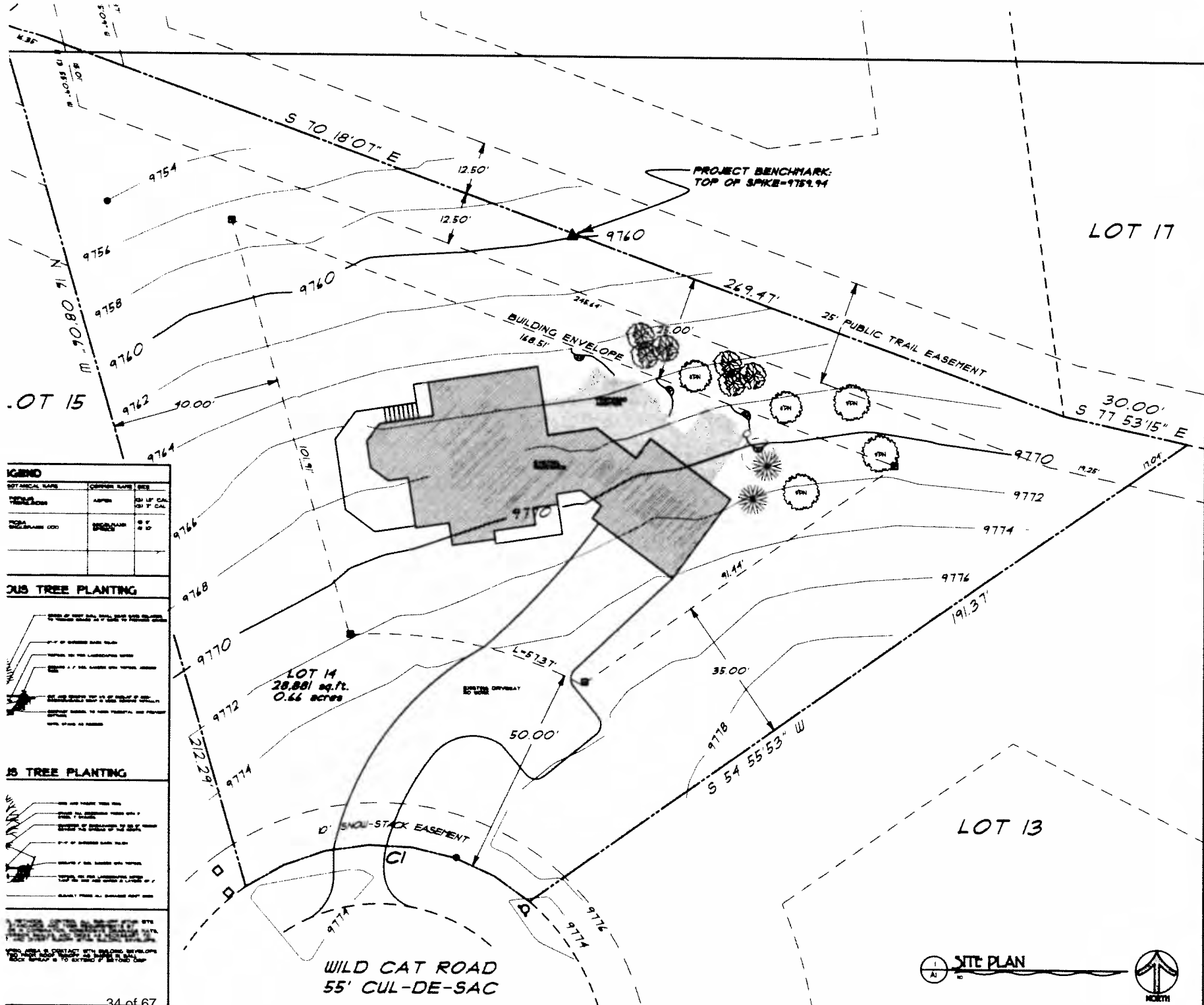
Drainage (27A/27R): Positive, away from structure.

Point Analysis (Sec. 9-1-17-3): Staff conducted an informal point analysis of this residence and found no reason to warrant positive or negative points.

Staff Action: Staff has approved the Elsner-Adelman Addition, PC#2010023, located at 53 Wildcat Road, Lot 14, Shock Hill, with the standard findings and conditions.

Comments: None.

Additional Conditions of Approval: None.



LEGEND

SYMBOL	DESCRIPTION	REMARKS
(Symbol)	PROPERTY LINE	AS SHOWN ON RECORD MAP
(Symbol)	PROPOSED PROPERTY LINE	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED LOT	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED BUILDING ENVELOPE	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED DRIVEWAY	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED EASEMENT	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED LANDSCAPING	AS SHOWN ON THIS PLAN
(Symbol)	PROPOSED UTILITY	AS SHOWN ON THIS PLAN

25' PUBLIC TRAIL EASEMENT

1. EASEMENT FOR PUBLIC TRAIL

2. 25' WIDE EASEMENT

3. 5' WIDE BUFFER ZONE

4. 5' WIDE BUFFER ZONE

5. 5' WIDE BUFFER ZONE

6. 5' WIDE BUFFER ZONE

7. 5' WIDE BUFFER ZONE

8. 5' WIDE BUFFER ZONE

9. 5' WIDE BUFFER ZONE

10. 5' WIDE BUFFER ZONE

10' SNOW-STACK EASEMENT

1. EASEMENT FOR SNOW STACK

2. 10' WIDE EASEMENT

3. 5' WIDE BUFFER ZONE

4. 5' WIDE BUFFER ZONE

5. 5' WIDE BUFFER ZONE

6. 5' WIDE BUFFER ZONE

7. 5' WIDE BUFFER ZONE

8. 5' WIDE BUFFER ZONE

9. 5' WIDE BUFFER ZONE

10. 5' WIDE BUFFER ZONE

PROPOSED LOT 14: 28,881 sq. ft., 0.66 acres

PROPOSED BUILDING ENVELOPE: 168.51'

PROPOSED DRIVEWAY: 50.00'

PROPOSED EASEMENT: 10.00'

PROPOSED LANDSCAPING: 10.00'

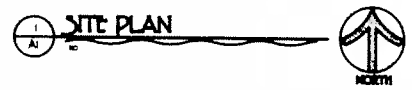
PROPOSED UTILITY: 10.00'

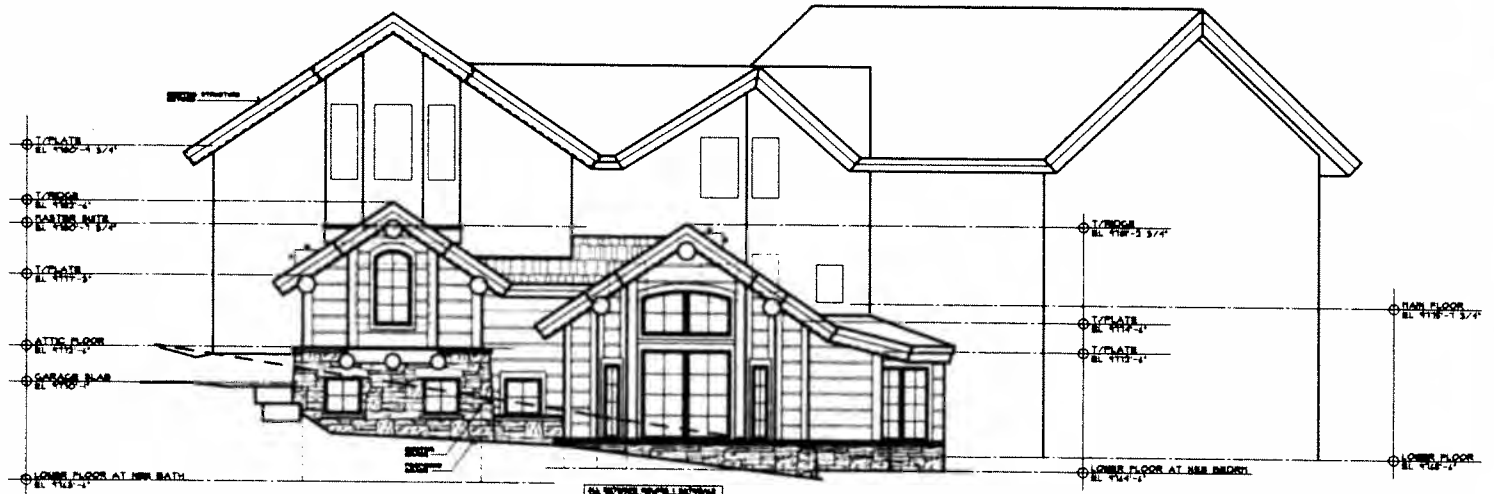


ELSNER-ADELMAN ADDITION
 LOT 14, SHOOK HILL SUBDIVISION
 BRECKENRIDGE, COLORADO
SITE & LANDSCAPING PLAN

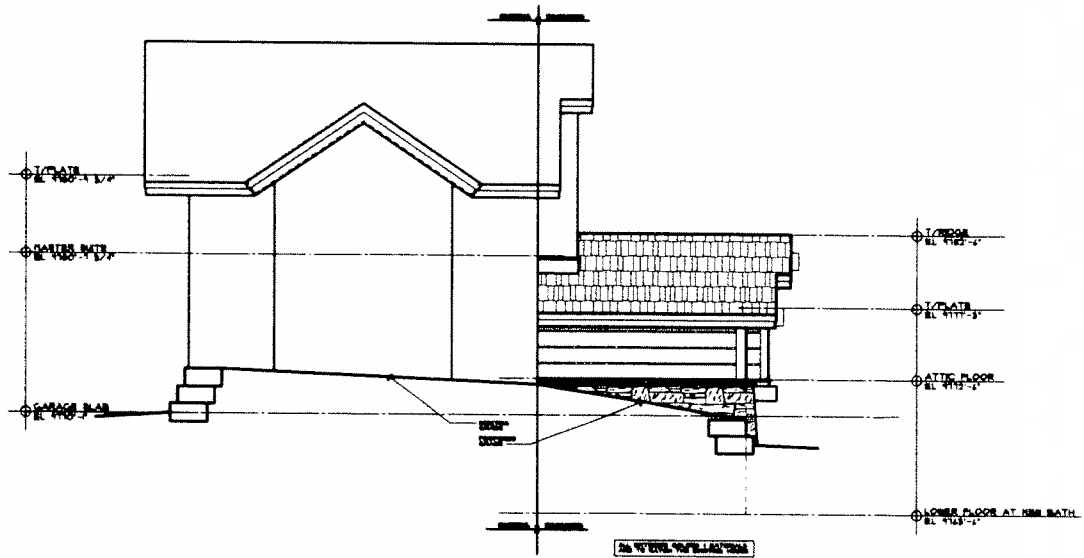
DATE	DATE
PREP	APRIL 2011
PLANNING	APRIL 2011

AI





NORTHEAST ELEVATION
A-A



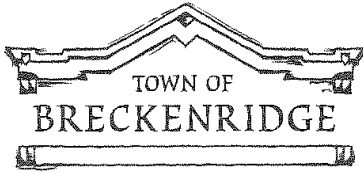
SOUTHEAST ELEVATION
A-A



ELZNER-ADELMAN ADDITION
LOT 4, SHOOK HILL SUBDIVISION
BRECKENRIDGE, COLORADO
EXTERIOR ELEVATIONS

DATE	DATE
REV. 1	07 APR 2011
FLANER	8 APR 2011

A4



MEMORANDUM

TO: Planning Commission

FROM: Julia Puester, AICP

DATE: April 15, 2010 for meeting of May 4, 2010

SUBJECT: Exterior Lighting Policy Modification (Canopy lighting)

Staff had been directed by the Town Council to look at amending the Exterior Lighting Policy (Title 9, Chapter 12 of the Town Code) to allow for lighting along walkways to shops between buildings. Some storeowners feel that canopy lighting would enhance the pedestrian and shopping experience as people meander through the site to shops in the rear of the property.

Staff has spoken with the two current users of canopy type lighting (La Cima Mall and Shoppes at Historic South Main). Both owners indicated that the intent of the lighting was for ambiance during winter months. Neither have been using the lighting during the summer months. The property manager of La Cima felt that the lights were not needed in the summer months and that it would appear tacky. The owner of Shoppes at Historic South Main voiced that the lighting was not needed in the summer but if it were allowed, the lights should have clear bulbs. Both property owners or managers considered it holiday lighting. Both properties have colored lighting and have changed the color of the lighting from year to year.

Staff took the issue to the Planning Commission worksessions on February 16th and March 16th. The following modifications have been proposed based on those meeting comments and interviews with current canopy light users:

- Added a definition for canopy lighting and included canopy lighting in *Exemptions 9-12-8*. Canopy lighting is proposed to be allowed November 1 to the end of the Breckenridge Ski Resort ski season (consistent with holiday lighting).
- Bistro lighting for outdoor restaurants/bar areas allowed in all Lighting Zone Districts, rather than only Lighting Zone 1. (Bistro lights are to remain only May 1-October 31.)
- Included a wattage restriction and hour limitation (to business hours) for bistro lights.
- In the bistro lighting definition, the word “dining area” has been replaced with the word “restaurant” for clarification. This would ensure that commercial businesses can use these lights, not private residential properties.
- Language has been added to require holiday, bistro and canopy lighting to be maintained.

We have not proposed to require a permit for canopy lighting. We believe that this would work well as an exemption similar to holiday and bistro lights and not much will be gained by issuing a permit. We also have not proposed any language on time of day for canopy lights to be turned off as it would be similar to holiday lighting which does not have a time limit. This is not required for other on site lighting and we feel that this would be both an enforcement and public relations challenge.

It was suggested by the Commission that canopy lighting be white or clear bulbs only, have bulb spacing requirements and length requirements. After discussing the canopy lighting with the current users, the owners have utilized colored bulbs during winter months only in conjunction with their holiday lighting. Staff believes that a color limitation of white lights for the canopy would appear to stand out more since the remainder of the lighting on the building and/or trees are colored holiday lights and have not proposed a color limitation in the policy. Staff has also not included a spacing requirement as people who utilize canopy lighting may only utilize small holiday lighting string lights which are close together and low wattage. Also, we have not included a length requirement as this would also be difficult to measure and enforce as properties have very individual widths between buildings and depths of the site.

Planning Commission March 16th meeting minutes:

Mr. Schroder: I have a problem with "food service hours only"; they should be allowed to have their lights on when they are open. Do bistro and holiday lights need to be removed at the end of the season? Are they really going to take them down? (Mr. Neubecker: You don't have to take them down; you just have to turn them off.) (Ms. Puester: Right now we don't have a time of day to turn them off. If shops close at 8pm and someone is driving into town at 9pm, the Town would look dark if all the lights are turned off.) At Main Street Station, there is a little amphitheatre with a long string over that. Who owns that? Does that qualify? (Mr. Neubecker: The HOA owns it; it would qualify under the canopy lights provision.) There was one strand over one side and one over the other, it looked weird. I am almost at the same place I was before, wondering why we are we messing with this. Not sure why this is an issue to regulate.

Mr. Bertaux: Under Bistro Lighting, during business hours will we require restaurant owner to turn them off? (Ms. Puester: If you are a bar and you close at 2am, the code as written would require you to turn them off at 2am. Enforcement would be difficult with timing and would likely be based on a complaint basis.) I am suggesting stronger language, but also think it is ready to go to Council. We could require them to have a timer that turns them off. (Mr. Neubecker: We can have a time they have to go off but how they turn them off is usually up to the owner.) Tougher language is needed with a time limit in the code. Requiring a permit would require a fee; do we want to put that on the staff and property owner for a string of lights? I think we can solve it with language instead of a permit. (Mr. Neubecker: Staff is proposing this as holiday lighting; to require the few canopy people to come in and get a permit might be considered onerous.) That is why I suggest they turn it off at the end of the season. Also, need to define canopy lights.

- Mr. Allen: Concerned about restaurants that are open until late right next to residential units. If we have them shut them down the canopy lights at 10pm, will there be other lights on? Can we ask about that too? (Mr. Neubecker: Yes.) There was a consensus last time for clear or white only for the canopy lights. (Mr. Neubecker: That is going to be very difficult to enforce if they also have colored holiday lights all over the building; it will be hard to tell them white only for one part and not the rest.) Still think the canopy lights need to be clear or white. (Mr. Neubecker: This is going to be a major issue enforcement wise and it will not make sense to the property owner. People walking by will not notice the difference with all of the other lights up.) Canopy light length restriction? (Ms. Puester: It doesn't work well because different lengths of buildings, sites and so on.) In the Towne Square Mall, we don't have an exterior lighting plan just for holiday and canopy lights; it would be onerous if we were dictated to on what we can do there.*
- Mr. Pringle: We have multiple issues. (Ms. Puester: We did start a discussion last time on hanging lights between buildings not on the same property.) Why are we not asking for a permit? (Mr. Neubecker: We have had a good experience with no permit for holiday lights.) I thought this whole discussion was because there are buildings with court areas that they are stringing lights between, it's not bistro or holiday, but permanent lighting for their walkways. (Mr. Neubecker: So far we have seen in one or two cases of canopy lighting and only in the winter, so that is why we are proposing this be part of holiday lights.) If a place like the Shops on Historic South Main is going to want to do that, why don't we have an exterior lighting to get a handle on it? We might want to have them present a plan of what they are actually going to do and require a permit. I think they will want them on year round. Canopy lights are still different from holiday lighting. This is to illuminate the walkway. (Mr. Neubecker: It's usually not for required lighting but to designate activity in the area.) We are talking about the hybrid, canopy lights, not holiday and not bistro; needs a review and permit.*
- Ms. Katz: Is this like La Cima? Don't they have those up year round? Fatty's used to have it but they built over that area. (Ms. Puester: That would be bistro lights.) Maybe it needs to not be just winter. Maybe it is creating an entryway. (Mr. Neubecker: Too hard to distinguish between holiday lights and canopy lights, that is why we went with the holiday light timing.) This part of it is giving us issues, can you talk to a couple of people who are doing this and find out what they think? (Ms. Puester: I will talk to those who have these up, find out what they want, what their hours have been thus far. We have not gotten complaints on this issue which is why we went to no permit. I will get a memo out on the results of that conversation.) We need to do an informal survey as to where it can be done. (Mr. Neubecker: We might take out the "single lot" requirement; it might be in too many places.) Let's get the feedback, not sure you should open it up to between buildings on different properties. If you are going to open it up to that, you may need a permit. Not willing to go that way, between lots, talking about trying to get people into places where you don't want them. I don't want to make it more complicated for the couple of people who are doing it. (Mr. Neubecker: We will have to write in "not over public right of way", "not over streets", etc.) Define canopy lights, do not require a permit, and do not allow them between lots.*

Mr. Lamb: I just don't see them needing a permit; requiring a permit is onerous. Should just write more detailed requirements? Have bulb spacing requirements in addition to the wattage limits.

Mr. Rossi: Split level mall storefronts are next to one another. What if I want to hang them from the railing to the next storefront, if there is not a structure in front, and they could put something on the railing to the upper level? (Mr. Neubecker: We may just need to say "between buildings" rather than "storefronts".) Wants to see what happens with definition of "store front". One consideration, Main Street Station is an example, lights over eaves, some are burned out, and not one strand is complete with full lights. Do we have a provision that they can't look bad or not be maintained? (Mr. Bertaux: Add "shall be maintained" to holiday lights definition.)

Staff has not included some of the Commission's recommendations from previous discussions based on interviews from property owners currently utilizing canopy lighting as well as what staff feels is enforceable based on past experience. Staff will be available at the meeting on April 20th and looks forward to hearing from the Commission on the proposed changes.

CHAPTER 12

EXTERIOR LIGHTING REGULATIONS

SECTION:

- 9-12--1: Title
- 9-12--2: Findings
- 9-12--3: Purpose
- 9-12--4: Legislative Findings Regarding Elimination Of Nonconforming Lighting Fixtures
- 9-12--5: Authority
- 9-12--6: Applicability; Compliance Date
- 9-12--7: Definitions
- 9-12--8: Exemptions
- 9-12--9: Prohibited Lighting
- 9-12-10: Lighting Zones
- 9-12-11: Lighting Standards
- 9-12-12: Lighting Standards For Specific Uses
- 9-12-13: Relief Procedures
- 9-12-14: Violations; Penalties; Enforcement

9-12-1: TITLE:

This chapter shall be known and may be cited as the *TOWN OF BRECKENRIDGE EXTERIOR LIGHTING ORDINANCE*. (Ord. 21, Series 2007)

9-12-2: FINDINGS:

The town council of the town of Breckenridge hereby finds and determines that:

- A. The welfare and enjoyment of the town is associated with its small town character;
- B. Because of the importance of the view of the stars in the night sky to the town's residents and visitors, it is important that the town adopt responsible lighting standards to preserve that view;
- C. Preserving and protecting the night sky enhances the use and enjoyment of property through the use of appropriate lighting practices;
- D. The town values the practice of energy conservation, and because of the town's devotion to energy conservation, emphasis on responsible lighting practices is desired to decrease the human impact on the environment; and
- E. Individual pole and building mounted fixtures and lighting systems should be designed, constructed, and installed to: 1) preserve the town's small town character; 2) minimize impacts on adjacent property owners; 3) control glare and light trespass; 4) conserve energy; 5) maintain safety and security of people and

wildlife; and 6) maintain the view of the stars in the night sky. (Ord. 21, Series 2007)

9-12-3: PURPOSE:

The purposes of this chapter are to:

- A. Provide adequate light for safety and security;
- B. Promote efficient and cost effective lighting and to conserve energy;
- C. Reduce light pollution, light trespass, glare, and offensive light sources;
- D. Provide an environmentally sensitive nighttime environment that includes the ability to view the stars against a dark sky;
- E. Prevent inappropriate, poorly designed or installed outdoor lighting;
- F. Encourage quality lighting design and light fixture shielding; and
- G. Establish a program to remove or replace light fixtures that violate the requirements of this chapter. (Ord. 21, Series 2007)

9-12-4: LEGISLATIVE FINDINGS REGARDING ELIMINATION OF NONCONFORMING LIGHTING FIXTURES:

A. On balance, the burdens created to individual property owners by the provisions of this chapter requiring the eventual eliminating of nonconforming lighting fixtures are greatly outweighed by the benefits that will be provided to all of the citizens of and the many visitors to the town and areas that are in close proximity to the town. The value of the fixtures required to be replaced by this chapter are comparatively small and that, on balance, the burden placed on property owners is minimal, given the value of such fixtures as compared to the substantial benefits gained by such replacement, which is a substantial decrease of unnecessary light trespass and light pollution.

B. The required period for the eventual elimination of nonconforming lighting fixtures contained in this chapter, which is based upon the formula that is used by the United States internal revenue service to depreciate fixtures attached to real property over a fifteen (15) year period, is reasonable and provides a rational basis for the deadline of July 1, 2022, for the elimination of nonconforming lighting fixtures established by this chapter.

C. The deadline for the eventual elimination of nonconforming lighting fixtures established by this chapter will allow the

property owner to recoup or recover costs or otherwise to reap the benefits of the useful life of such nonconforming fixtures in a manner that is consistent with the generally accepted methods of depreciating fixtures utilized by the United States internal revenue service. (Ord. 21, Series 2007)

9-12-5: AUTHORITY:

The town council hereby finds, determines and declares that it has the power to adopt this chapter pursuant to:

- A. The local government land use control enabling act, article 20 of title 29, CRS;
- B. Part 3 of article 23 of title 31, CRS (concerning municipal zoning powers);
- C. Section 31-15-103, CRS (concerning municipal police powers);
- D. Section 31-15-401, CRS (concerning municipal police powers);
- E. The authority granted to home rule municipalities by article XX of the Colorado constitution; and
- F. The powers contained in the Breckenridge town charter. (Ord. 21, Series 2007)

9-12-6: APPLICABILITY; COMPLIANCE DATE:

A. The provisions of this chapter shall apply to all new "development" of real property (as that term is defined in section 9-1-5 of this title) which:

- 1. Involves new construction for which a development permit is required;
- 2. Involves the remodeling of an existing building or structure for which a development permit is required; provided, however, that compliance with the requirements of this chapter is required for a remodel of an existing building or structure only with respect to the remodeled portion of the existing building or structure; or
- 3. Involves the installation of new exterior light fixtures.

B. All commercial and residential outdoor lighting fixtures that were lawfully installed prior to July 1, 2007, but that do not comply with the requirements of this chapter are declared to be legal nonconforming fixtures. All legal nonconforming fixtures may continue to be used and maintained after the adoption of this chapter, but shall be brought into compliance with the requirements of this chapter upon the first to occur of:

1. A determination by the director that the legal nonconforming

fixture constitutes a public hazard or nuisance;

2. The replacement of the legal nonconforming fixture; or

3. July 1, 2022.

Notwithstanding any other provision of this chapter, all legal nonconforming fixtures shall be brought into compliance with the requirements of this chapter not later than July 1, 2022. (Ord. 21, Series 2007)

9-12-7: DEFINITIONS:

When used in this chapter, the following words, terms, and phrases, and their derivations shall have the meanings provided in this section, except where the context clearly indicates a different meaning. Words, terms, and phrases, and their derivations used in this chapter which are defined in the Breckenridge development code (chapter 1 of this title) shall have the meaning provided in that chapter, unless there is a conflict with a specific definition set forth in this section, in which case the specific definition in this section shall control.

BISTRO LIGHTS: A display of small white or clear bulbs on a string or tubes used to call attention and provide light and ambiance to an outdoor ~~dining~~ restaurant/bar area designated by the site plan.

CANOPY LIGHTING: **Decorative string lighting between commercial or mixed use buildings or to a post structure forming a canopy over a walkway.**

EMERGENCY LIGHTING: Lighting used by a police department, fire department, or other governmental entity for the purpose of public safety.

ENERGY STAR: A joint program of the U.S. environmental protection agency and the U.S. department of energy which aims to save money and protect the environment through energy efficient products and practices.

FOOT-CANDLE: A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.

FULLY SHIELDED: An outdoor light fixture constructed so that in its installed position all of the light emitted by the fixture is projected below the horizontal plane passing through the lowest light emitting part of the fixture.

HOLIDAY LIGHTING: Outline lighting on a building or structure, or decorative string lighting in trees, commonly associated with the winter holiday season which begins November 1 of each year.

ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (OR IESNA): The professional society of lighting engineers, including those from

manufacturing companies and others professionally involved in lighting.

LZ-1: Lighting zone 1 (the downtown overlay district lighting zone) as described in section 9-12-10 of this chapter.

LZ-2: Lighting zone 2 (the commercial area lighting zone) as described in section 9-12-10 of this chapter.

LZ-3: Lighting zone 3 (the residential lighting zone) as described in section 9-12-10 of this chapter.

LIGHT POLLUTION: Any artificial light that is emitted either directly or indirectly by reflection that alters the appearance of the night sky; interferes with astronomical observation; or interferes with the natural functioning of nocturnal native wildlife.

LIGHT TRESPASS: Any form of shining light emanating from a fixture that penetrates property other than that for which it is intended and permitted.

LIGHTING ZONE: A geographic area of the town as described in section 9-12-10 of this chapter. The lighting zones of the town are depicted on the map maintained in the office of the director. Such map is incorporated herein by reference and made a part of this chapter. The map shall be interpreted so that the boundaries of the lighting zones follow the centerlines of streets, roads, alleys and rights of way, and existing property boundaries. Disputes regarding the boundaries of the lighting zones shall be determined by the town council.

LUMENS: A unit of luminous flux; the flux emitted within a unit solid angle by a point source with a uniform luminous intensity of one candela. A foot-candle is one lumen per square foot.

MOTION SENSOR: A mechanism for controlling illumination by turning lights on when activated by motion and remaining on during activity for a maximum of thirty (30) minutes following the last detection of motion.

OPAQUE: An outdoor light fixture in which the walls of a fixture are comprised of a solid material, unable to be permeated by light, should a light source be held behind it.

OUTLINE LIGHTING ON A BUILDING OR STRUCTURE: Any arrangement or display of incandescent bulbs or lighting tubes used to outline or call attention to the features of a building, including the building's frame, shape, roofline or window dimensions. Outline lighting includes both temporary and permanent arrangement of bulbs or lighting tubing, whether located inside or outside of a building, if such bulbs or tubing is visible to the public from a public right of way or from an outdoor public area.

PHOTOCELL: A mechanism that is activated by the nonpresence of sunlight (and has the effect of illuminating a property all

night). Photocells are permitted only at primary entrances and where the light source is fully shielded.

PUBLIC ART: Artwork created and placed on a site in connection with the town's public art program.

SECURITY LIGHTING: A light used either commercially or residentially for protection of goods or property.

SEMIOPAQUE: An outdoor light fixture with walls of a fixture comprised of a nonopaque material such as frosted, colored glass, or material such as mica which allows for some light trespass to be emitted from the walls of the fixture, referred to as a "glow", but such that the light source is not visible through the walls. Clear glass is not considered to be semiopaque.

UNSHIELDED FIXTURE: A light fixture shielded in such a manner that the light emitted directly from the lamp or indirectly from the fixture is projected at angles above the horizontal plane without limitation.

UPLIGHTING: Lighting that is directed in such a manner as to shine light rays above the horizontal plane. (Ord. 21, Series 2007; amd. Ord. 35, Series 2007)

9-12-8: EXEMPTIONS:

The provisions of this chapter shall not apply to the following:

A. **Emergency Lighting:** Temporary lighting required for public safety in the reasonable determination of public safety officials with authority. (Ord. 21, Series 2007)

B. **Holiday Lighting:** Temporary winter holiday lighting in LZ-1, **LZ-2 and commercial property in LZ-3** is permitted between November 1 and the end of the Breckenridge Ski Resort ski season. Temporary winter holiday lighting in ~~LZ-2 and~~ **residential areas of LZ-3** is permitted between November 1 through February 1. Holiday lighting is prohibited at all other times. Holiday lighting shall not blink all at once, flash, or rotate, nor create a hazard or nuisance from glare. **Holiday lighting shall be maintained.** (Ord. 35, Series 2007)

C. **Street Lighting:** Lighting required for public safety installed by a public entity or private utility company along a public right of way.

D. **Temporary Lighting:** Lighting for festivals, celebrations, or other public activities as approved by the town.

E. **Lighting Of Flags:** The lighting of national, state or local municipal flags is permitted lit with a maximum of two (2) fixtures of not more than eighty (80) watts each. This exemption shall not apply to any other type of flag.

F. **Lighting Of Public Art:** The lighting of public art is permitted with a maximum of two (2) fixtures of not more than sixty (60) watts each. (Ord. 21, Series 2007)

G. **Architectural Accent Lighting:** Lighting to accent an architectural element that is aimed or shielded to prevent lighting of the night sky with a maximum of one fixture of not more than fifty (50) watts. (Ord. 35, Series 2007)

H. **Sign Lighting:** The lighting of a sign when done in accordance with the requirements of title 8, chapter 2 of this code. (Ord. 21, Series 2007)

I. **Bistro Lighting:** Bistro lighting is allowed at an outdoor restaurant/bar area designated by the site plan to provide light and ambiance during business hours. Bistro lighting includes a temporary arrangement of lighting bulbs or tubing at a maximum of 10 watts per bulb from May 1 through October 31 of the same year. Bistro lighting shall be maintained.

J. **Canopy Lighting:** A decorative string of lights forming a canopy over a walkway is allowed between November 1 and the end of the Breckenridge Ski Resort ski season. Canopy lighting shall be a maximum of 5 watts per bulb. Lighting shall not blink, flash, or rotate, nor create a hazard or nuisance from glare. Canopy lighting shall not project into or over a public right-of-way and shall be maintained.

9-12-9: PROHIBITED LIGHTING:

The following are prohibited within the town:

- A. An unshielded fixture or lamp for outdoor lighting;
- B. A searchlight;
- C. A laser light; and
- D. A semiopaque or transparent backlit canopy or awning. (Ord. 21, Series 2007)

9-12-10: LIGHTING ZONES:

A. The purpose of the lighting zones is to separate areas within the town which have different lighting needs, natural conditions, different levels of appropriate light usage, and different sensitivities to the various obtrusive aspects of outdoor lighting. Because of this, the lighting zones are defined within this chapter with lighting standards appropriate to each zone. (Ord. 21, Series 2007; amd. Ord. 35, Series 2007)

B. The boundaries of the lighting zones are shown on the map maintained in the office of the director. (Ord. 21, Series 2007)

9-12-11: LIGHTING STANDARDS:

A. Lighting standards for LZ-1 (downtown overlay district lighting zone):

1. Fully Shielded: Only fully shielded, downcast, semiopaque fixtures with no portion of bulb visible are permitted for commercial, mixed use, triplex, duplex and single-family residential structures, and garages associated with such uses. Such fixtures are prohibited for all other types of structures.

2. Pole Lights Generally: Pole lights may have a maximum of two (2) light sources per pole.

3. Pole Lights In Parking Lot: Pole lights within a parking lot of more than ten (10) spaces shall be shielded, downcast opaque fixtures.

~~4. Bistro Lighting: Bistro lighting is permitted at an outdoor dining/bar area designated by the site plan to provide light and ambiance. Bistro lighting includes a temporary arrangement of lighting bulbs or tubing from May 1 through October 31 of the same year.~~

5. Photometric Plan: Photometric plan of estimated foot-candle levels with maximum and average illumination are required for parking lots with ten (10) or more parking spaces. Emitted light shall not be greater than four (4) foot-candles at the property line, except at site entry points if determined by the director to be necessary for safety. Cut-sheets for all exterior light fixtures shall also be submitted with the photometric plan.

6. Maximum Fixture Height: Maximum fixture height as measured from finished grade:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck

7. Lamp Type: The lamp shall be Energy Star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty (60) watts. Energy Star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are permitted at fifteen (15) watts or no greater than nine hundred fifty (950) lumens. Other lamp types with Energy Star rating are permitted.

B. Lighting standards for LZ-2 (commercial area lighting zone):

1. Fully Shielded: Only fully shielded, downcast, opaque fixtures with no portion of bulb visible are permitted.

2. Pole Lights: Pole lights may have a maximum of two (2) light sources per pole.

3. Photometric Plan: Commercial and mixed use properties require a photometric plan of estimated foot-candle levels with maximum and average illumination. Emitted light shall not be greater than one foot-candle at the property line, except at site entry points if determined by the director to be necessary. Cut-sheets for all exterior light fixtures shall also be submitted with the photometric plan.

4. Maximum Fixture Height: Maximum fixture height above existing grade for all fixtures except those used for outdoor sports facility (field, arena or track) lighting shall be as follows:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck

5. Lamp Type: The lamp shall be Energy Star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty (60) watts. Energy Star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are permitted at fifteen (15) watts, or no greater than nine hundred fifty (950) lumens. Other lamp types are not permitted.

6. Location: The setbacks from the property line shall be at least equal to the total height of the luminaries.

C. Lighting standards for LZ-3 (residential lighting zone):

1. Fully Shielded: Only fully shielded, downcast, opaque fixtures with no portion of bulb visible are permitted.

2. Pole Lights: Pole lights may have a maximum of one light source per pole.

3. Photometric Plan: Commercial, mixed use or multi-family residential property parking lots require a photometric plan of estimated foot-candle levels with maximum and average illumination. Emitted light shall not be greater than two-tenths ($\frac{2}{10}$) foot-candle at the property line, except at site entry points if determined by the director to be necessary for safety. Cut-sheets for all exterior light fixtures shall also be submitted with the photometric plan.

4. Maximum Fixture Height: Maximum fixture height above existing grade for all fixtures except those used for outdoor sports facility (field, arena or track) lighting shall be as follows:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck

5. Lamp Type: The lamp shall be Energy Star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty (60) watts. Energy Star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are permitted at fifteen (15) watts, or no greater than nine hundred fifty (950) lumens. Other lamp types are not permitted.

6. Location: The setbacks from the property line shall be at least equal to the total height of the luminaries. (Ord. 35, Series 2007)

9-12-12: LIGHTING STANDARDS FOR SPECIFIC USES:

A. Standards For Specific Uses:

1. Single-Family Residential: Exterior lighting shall be fully shielded, downcast and opaque with no bulb visible. Energy Star rated compact fluorescent lamps are encouraged.

2. Gas Stations: Canopy fixtures shall be mounted on the lower surface of canopies and must be fully shielded in and of themselves (canopy edges do not qualify as shielding) by means of a flat lens recessed into the underside of the canopy or a flat lens with opaque sides. Lighting shall not exceed twenty (20) foot-candles. Areas outside service station pump island canopy shall be illuminated so that the maximum horizontal luminance at grade level is no more than ten (10) foot-candles.

3. Security Lighting: Security lighting should use the lowest possible illumination to effectively allow surveillance, be shielded, and directed downward toward designated areas. The use of motion sensors, timers, photocells or other means to activate lighting during times when it is needed is encouraged to conserve energy and provide safety and promote compatibility between different land uses. However, photocells are permitted only at primary entrances and where the light source is fully shielded. Security light intensity shall be a maximum of ten (10) foot-candles.

4. Architectural Accent Lighting: Fixtures must be fully shielded and downcast. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed downward onto those features. Uplighting is permitted if the illumination is effectively contained within an overhanging architectural element and is no more than forty (40) watts.

5. Recreational Facilities: Lighting for fields, courts or tracks shall not exceed maximum luminance criteria as defined by the Illuminating Engineering Society of North America (IESNA). Exterior sports arenas with exterior luminaries for the playing area shall be extinguished by ten o'clock (10:00) P.M. or within one-half ($1/2$) hour after the conclusion of the final event of

the day, whichever is later. The remainder of the facility lighting, except for reasons of security, shall be extinguished at ten o'clock (10:00) P.M. or within one hour after the event, whichever is later. (Ord. 21, Series 2007)

6. Signage Illumination: All signage in LZ-1, LZ-2 and LZ-3 shall comply with title 8, chapter 2 of this code. Signage utilizing lighting shall have fixtures mounted to the top of the sign structure aimed downward onto the sign from above. Fixtures shall be fully shielded so that light is directed only onto the sign facade and not aimed at the sky, adjacent streets, roads or properties. (Ord. 35, Series 2007)

9-12-13: RELIEF PROCEDURES:

A. The town council may grant a variance from any requirement of this chapter, upon written request by a developer or owner of property following a public hearing, and only upon finding that:

1. A strict application of such requirement would, when regarded as a whole, result in confiscation of the property or
2. That extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal or requirement.

B. No variance shall have the effect of nullifying the intent and purpose of these regulations. The town council shall not approve a variance under this section unless it makes findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance, exception or waiver of condition will not be detrimental to the public health, safety, or welfare or injurious to other property;
2. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The relief sought will not in any manner vary the provisions of the development code, town master plan or other town law, except that those documents may be amended in the manner prescribed by law.

C. The variance criteria set forth in this section shall control over the variance criteria set forth in section 9-1-11 of this title. (Ord. 21, Series 2007)

9-12-14: VIOLATIONS; PENALTIES; ENFORCEMENT:

A. It shall be unlawful and a misdemeanor offense for any person to fail to comply with the requirements of this chapter. Every person convicted of a violation of any provision of this chapter shall be punished as provided in title 1, chapter 4 of this code.

B. In addition to other remedies available to the town, the town may commence an action pursuant to section 1-8-10 of this code to enjoin the alleged violation of any provision of this chapter, or to compel compliance with any provision of this chapter. Any remedies provided for in this chapter shall be cumulative and not exclusive, and shall be in addition to any other remedies provided by law. (Ord. 21, Series 2007)



MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker, AICP

DATE: April 29, 2010

SUBJECT: Condominium Exterior Remodels

Recently the Planning Commission asked about the review process for condominium exterior remodels and if the process was sufficient. Some Commissioners thought that these remodels should be reviewed in greater detail due to their size and impact on the community. The purpose of this memo and discussion is to determine if the current process is sufficient, or if another review process should be used for condominium remodels.

In the past, most exterior condominium remodels have been Class C Minor permits, although a few larger or more complex projects have also been reviewed in work sessions prior to the formal application submittal (e.g. Village at Breckenridge). Since January 2008, there have been 16 exterior remodels of condominiums reviewed by the Commission. All of these were reviewed as Class C Minor permits. (Staff did not research projects reviewed before January 2008.)

Development permit applications are classified based on the scale of the project, impact to the community, and anticipated staff time to review the application thoroughly. Class A applications are the most expensive and generally involve the greatest staff time. These include new residential uses with three units or more, new hotels and lodging, master plans, and commercial uses greater than 1,000 square feet. On the other end of the scale, Class D applications are the least expensive, and usually involve the least staff time. These include signs, fences, home occupations, temporary vendor carts, and minor remodels (less than 10% new square footage, and no change in character to the building).

Condominium remodels are classified as Class C Minor because they require relatively little staff time, but are important enough to bring to the Planning Commission. Some examples of other Class C Minor developments include:

- Change of use outside of a residential district.
- Master sign plans.
- Temporary structures or uses greater than 3 days in duration.
- Minor remodels and additional to commercial, office or industrial structures.
- Matters relating to non-conforming uses.
- Minor amendment to a master plan.
- Installation of solar devices within the conservation district.

Examples of Class C Major development include:

- New single family residential outside the historic district.
- Duplex residential outside the historic district.

Examples of Class B Minor development include:

- Single family residential within the historic or conservation district.
- Change of use within a residential district.
- Site work, landscaping, grading and utility installations on steep slopes and within environmentally sensitive areas.
- Operation of a home childcare business.

In the current review system, staff meets with the applicant (usually their architect) prior to the formal application submittal. At that time, staff identifies any potential concerns. For example, if non-natural materials are proposed (common for condominium remodels), staff will inform the applicant that negative points may be assigned, and the planner will suggest ways to mitigate these points. (Most remodels will only be reviewed against Policy 5-Architectural Compatibility, since it is usually the only relevant policy. If other polices apply, the point analysis would evaluate those polices as well.) In most cases, there are no significant plan changes other than architectural, so many Development Code policies do not apply. Staff will write a report for the Planning Commission and identify concerns related to the Development Code.

Planning Commissioners have an opportunity to ask questions of the staff during the public hearing. If Commissioners believes that the point analysis is incorrect, that Commission has an opportunity to request a change to the point analysis through the call-up review process. This would also be the time to review the full sized plans if requested. Also, if additional materials or plans are needed, or if there are questions that cannot be answered by the project planner, applicant or architect during the meeting, the Planning Commission may continue an application for up to 21 days to allow for additional research.

Staff would like to discuss this issue with the Planning Commission, and decide if this is the right approach, or if condominium exterior remodels should follow a different review process. Some options include:

- Keep the review process as-is.
- Provide “before” photos with the staff report.
- Provide full size (24” x 36” plans) to the Commission with the staff report.
- Require greater detail in the plans submitted to staff and provided to Planning Commission.
- Require computer simulations of the “after” condition of the property.
- Encourage the use of work sessions for large and complex projects.
- Change the review process to a higher classification. This could include a Class B level, which would require public notice and a higher application fee.

Staff believes that the current review process works well, and that the Commission has the proper tools to review condominium remodels, as well as the authority to ask for more information. We have made some suggestions above on how this process could be further enhanced with additional information. However, we also look forward to hearing from the Commission on your ideas of how we can improve the review process and provide better information for your decision making.

M E M O

Date: April 29, 2010
To: Planning Commission
From: Michael Mosher, Planner III, Community Development
Subject: Review of Transition Standards - Solid to Void Ratio within the Transition Areas

The Planning Commission last reviewed modifications to the proposed “Handbook of Design Standards for the Transition Areas of the Conservation District” and the Character Area for the Briar Rose Transition Area on April 6, 2010.

At that worksession, we heard the following Commission comments:

1. The Commission was supportive of having the individual Historic Character Area Standards apply when modifying any historic structure in the Transition Areas.
2. The Commission was supportive of setting the maximum height of residential structures in the Transition Areas to 26-feet (measure to the mean of the roof).
3. The Commission asked Staff to explain and measure examples of the solid to void ratio as they relate to the Historic District and Transition Areas for discussion.
4. The Commission agreed to name the Transition Areas “Character Areas” to relate better to the existing Handbooks of Design Standards.
5. The Commission asked Staff to make some minor changes to the descriptions of the Conservation District, Transition Areas and Historic District. These follow:

The Conservation District is an area surrounding and encompassing the Historic District and Transition Areas which has been determined by the community to contain resources of value to the community, together with any adjacent area that may have substantial impact such that design review of new development is deemed necessary. The outer boundary of the Conservation District defines the outer edges of the Transition Areas.

Transition Areas are areas within the Conservation District that lie outside the Historic District and serve as buffers from the impacts of development in newer areas of the community to the Historic District. Development in the Transition Areas visually contributes to the traditional character of the core of the community. Within the Transition Areas, there are individual Character Areas that have specific design standards relating to the adjacent Historic Districts.

The Historic District is an area surrounded by the Conservation District that contains the greatest concentration of historic structures / properties and most clearly conveys the sense of character of the town during its early phases of development. Within the Historic District, there are individual Character Areas that have specific design standards addressing the early phases of development unique to that part of the district.

6. Add some clarifications and descriptions for the Briar Rose Character area (to be presented at a future meeting).

Comments from the April 16, 2010 Worksession

- Mr. Bertaux: Briar Rose gets 5 UPA and 35' in height? (Mr. Mosher: Yes.) Come back with solid-to-void data and graphics.*
- Ms. Katz: How would the neighborhood conservation ordinance mesh with this? (Mr. Mosher: There is plenty of above ground density that is available for additions. All of the available densities fall under the maximum allowed density from the neighborhood conservation ordinance.) OK with all. Come back with solid-to-void data and graphic.*
- Mr. Schroder: If mass and scale could balance out the solid to void, it could be addressed through the massing rather than having a long building façade to start with. I like the idea of keeping this flexible. (Mr. Mosher: We could do a drawing of this and bring it to the Commission.)*
- Mr. Lamb: Support all. Come back with solid-to-void data and graphic.*
- Mr. Pringle: I am concerned about how new development or remodels apply these standards and the existing graphic exhibits. (Mr. Mosher: Drew an example and explained the proposed massing and scale character. Briar Rose area is only subject to the specific standards under the Briar Rose Section - nothing else in the Transition Area Standards.) There needs to be a height maximum specific to Briar Rose. (Mr. Mosher: Staff will add a policy specifically stating 35 feet as maximum for Briar Rose.) Solid to void isn't the size of the windows; rather, it is the relationship of wall (solid) to window (void). We need to ensure that it specifically states that none of the other standards apply to Briar Rose. (Mr. Mosher: We will ensure that it is in there.) (Ms. Girvin: It is on page 9 of the design standards, page 52 of the packet.) Is there a policy about turning the garage away from the street? (Mr. Mosher: No. Nothing in the Town Code or Historic Standards requires a design this way. Some HOAs require this design, however.)*
- Ms. Girvin: On the general introduction in the definitions of the historic district, use of the word "within" is incorrect and misleading; it should say "separate" or "surrounds" the Transition District. The Conservation District does not include the entire boundary of the Town. (Mr. Mosher: Agree. We can address those items.) I think it is really important to keep the large backyards in Briar Rose.*
- Mr. Allen: How is the rear yard building setback in Briar Rose being measured? (Mr. Mosher: It depends on the individual site. We usually look at an average with the other homes on the street.) Can you please elaborate on the solid to void? (Mr. Mosher: It's not only Briar Rose, everything in the Transition Areas are relaxed. Typically, in the Historic District, we have looked at a range of existing historic homes to establish a 'standard' solid to void ratio. It isn't specifically quantified. We can create a graphic for this to show the Commission.) (Mr. Neubecker: We could quantify it if we need to, but we would typically just use something that is reflective of the surrounding area.) Is everyone in agreement on number 1, requiring historic buildings in the Transition Areas to follow neighboring Historic Character Area standards? (All Commission members agreed on number 1.) Can you please explain the 26' height in number 2? (Mr. Mosher: The 30' height only applies to building on Main Street between Washington and Lincoln, and was not used at it does not abut any Transition Area. In Transition Areas, the Code will allow buildings up to 26' without negative points.) How will you get taller than that? (Mr. Mosher: You can't. It is a priority policy; 26' will be the cut off.) (All Commissioners agreed on number 2.)*

Discussion: This evening’s discussion will focus on reviewing the solid to void ratios that exist within the Conservation District and reviewing the results as they relate to all Transition Areas.

Solid to Void Ratio is the technical term for how ‘blank’ or ‘windowed’ a building looks. Early construction techniques effectively limited the width of openings, making them vertical in proportion and relatively small. For structural reasons, openings were kept well clear of corners and other structural limitations. As a result, doors and windows were surrounded by large areas of wall making the wall the dominant element. This gave the building a high solid to void ratio compared to modern construction techniques.

The current section related to Solid to Void in the proposed “Handbook of Design Standards for the Transition Areas of the Conservation District” states:

Solid-to-Void Ratio

Policy:

Traditionally, most buildings in Breckenridge appeared as solid masses, with smaller openings for doors and windows cut out of the wall planes. Proportionately, the ratio of solid to void was high. This is especially true of residential structures. Storefronts had a higher ratio of glass of the ground level, but upper stories were more like residential ratios. This relative proportion of solid-to-void should be continued, although with some flexibility, in the Conservation District.

Design Standard:

274. Use a solid-to-void ratio resembling that seen traditionally in similar neighborhoods.

- *In areas abutting the historic district, and along major pedestrian ways, similarity in the ratio of solid-to-void is appropriate. Greater flexibility is appropriate farther away from the historic district, and on secondary facades.*
- *Transition Areas that are residential in character should relate to residential neighborhoods in their historic core and Transition Areas that are commercial in character should relate to commercial neighborhoods in the historic core, in terms of solid-to-void ratios.*

Addressing interests expressed by the Commission, Staff has compiled data regarding the existing solid to void ratios by sampling several contributing buildings within the Historic District, new construction in the Historic District, and two buildings in the Transition Areas.

Data was collected using photos and drawings of existing and proposed buildings in the Conservation District. For most of the examples, the CAD drawings of elevations were created using only the primary façade of the building subject to the measurements of this ratio - no roofs were drawn. Also, portions of the structure in the background were not drawn. Since these elevations were traced, they are not to any specific scale, but each individual elevation has an accurate ratio of the solid to void on its own.

The study shows that for

- Existing historic structures: The range of solid to void falls between 2.5:1 and 7.6:1 with a 4:1 overall average. Most building ranged between 2:1 to 4:1
- For new construction in the Historic District: The range varied higher and lower than the historic structures, with the majority still falling between 2:1 and 4:1. The average (two extremes were eliminated) is about 5:1.
- Of the two studies in the Transition Area, the ratio was approximately 4:1, with greater variation on some single elevations.

Reviewing the numbers, it appears that, even without any policy direction identifying specific measuring technique, new construction in the Conservation District has generally fallen within an acceptable solid to void range compatible with those buildings within the Historic District.

The Commission has supported relaxing the size of building masses, building and roof forms, and allowing an increase in building height as these areas buffer the Historic District. It stands to reason the solid to void ratio could be relaxed too. Staff has identified some concerns in the exhibits for the Transition Areas. Though the overall solid to void ratio was about 4:1, some individual elevations did not conform (see 207 Briar Rose #4 and 303 S. High #3). In each case one elevation went beyond the 4:1 ratio to about double the ratio of opening to wall, closer to a 2:1 ratio. (Copies of the architectural elevations are included for discussion.)

The example on High Street is in the South End Residential Transition Character Area. The building generally follows the suggested guidelines with regard to its massing and form, but many of the window forms are square rather than rectangular, as typically seen on historic structures. The south elevation has a lower solid to void ratio, but the openings are dispersed and separated along the façade.

The example on Briar Rose Lane is in the Briar Rose Transition Character Area. Again, the building generally follows the suggested guidelines with regard to its massing and form. In this case, the window forms are rectangular in form and follow the suggested guidelines better. The west elevation has a lower solid to void ratio, but the openings are grouped in banks of four to six windows together creating larger groupings.

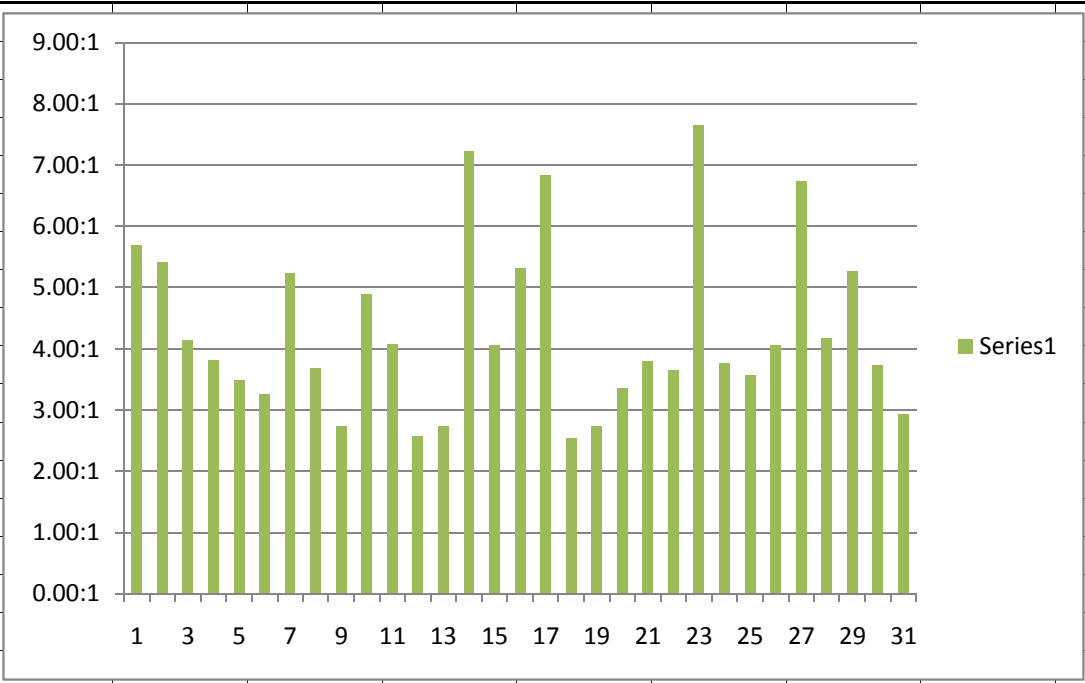
Staff is supportive of allowing a slight increase to the solid to void ratio in the Transition Areas by identifying a ratio less than 4:1. In addition, we suggest adding descriptions to Policy 274 addressing how the openings are placed and suggest the forms as vertical and rectangular. In general, we suggest slightly separating the openings, maintaining a rectangular form, and discouraging large picture windows or groupings beyond three.

It is already written (see above) that “Greater flexibility is appropriate farther away from the historic district and on secondary facades”. This allows the Briar Rose Transition Area greater flexibility than other areas within the Transition Areas as it is the furthest from the Historic District.

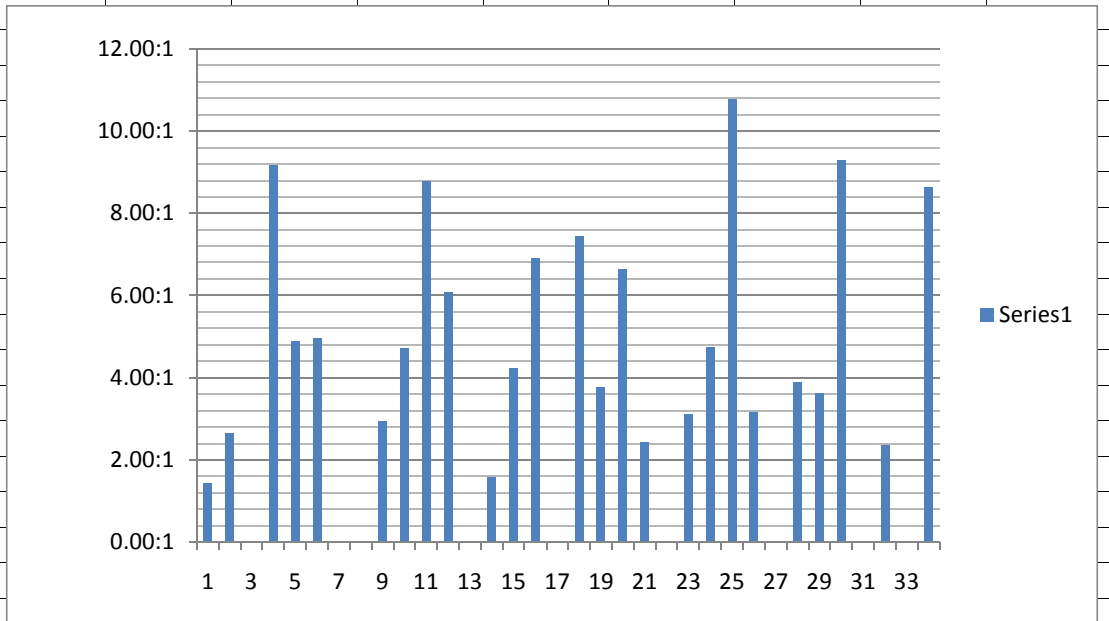
Staff has questions regarding this discussion:

1. Does the Commission support adding language to Policy 274 identifying window forms to be rectangular and placed in groupings no greater than three?
2. Does the Commission believe that a solid to void ratio should be specifically identified under Policy 274? (For example 3:1, or not greater than 2:1)
3. We welcome any additional comments.

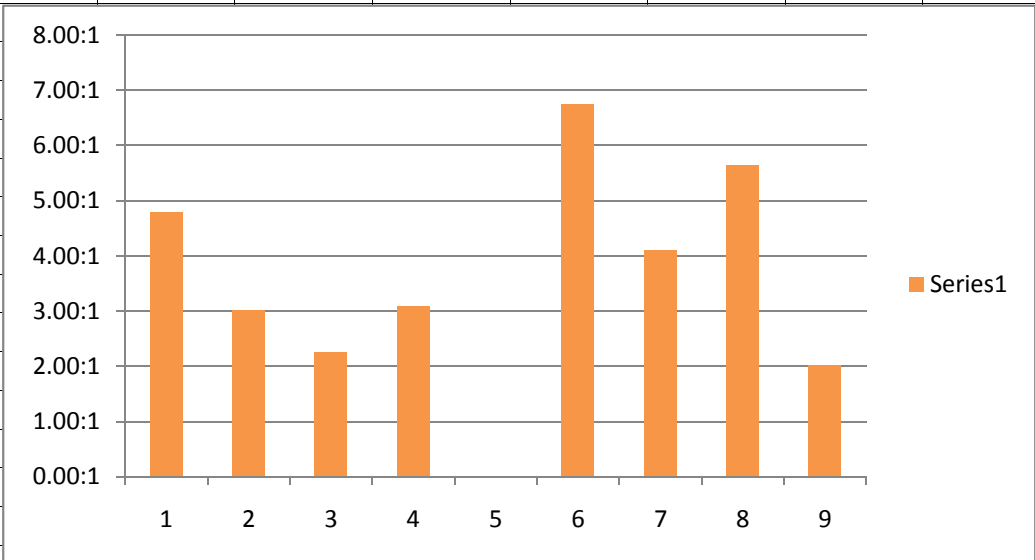
ADDRESS	Char Area	RATIO	AVERAGE
214 N. RIDGE	2	5.69:1	1:4.11
215 N. RIDGE	2	5.41:1	
300 N. FRENCH	2	4.14:1	
108 N FRENCH	1	3.81:1	
106 S. FRENCH	1	3.49:1	
202 S. FRENCH	1	3.26:1	
206 S. FRENCH	1	5.23:1	
306 S. RIDGE	3	3.69:1	
211 E. WASHINGTON	1	2.74:1	
115 S. FRENCH	1	4.90:1	
112 S. RIDGE	3	4.07:1	
407 S. RIDGE	14	2.57:1	
113 N. MAIN	5	2.74:1	
322 N. MAIN	4	7.23:1	
318 N. MAIN	4	4.06:1	
200 S. MAIN	5	5.31:1	
204 S. MAIN	5	6.83:1	
300 S. MAIN	4	2.54:1	
306 S. MAIN	4	2.73:1	
316 S. MAIN	4	3.35:1	
322 S. MAIN	4	3.79:1	
103 N. HARRIS	1	3.65:1	
210 S. HARRIS	1	7.65:1	
211 S. HARRIS	1	3.76:1	
200 S. HARRIS	1	3.56:1	
208 S. HARRIS	1	4.05:1	
215 S. HIGH	1	6.73:1	
100 S. HARRIS	1	4.16:1	
106 S. HARRIS	1	5.27:1	
110 S. HARRIS	1	3.73:1	
108-A S. HIGH	1	2.93:1	

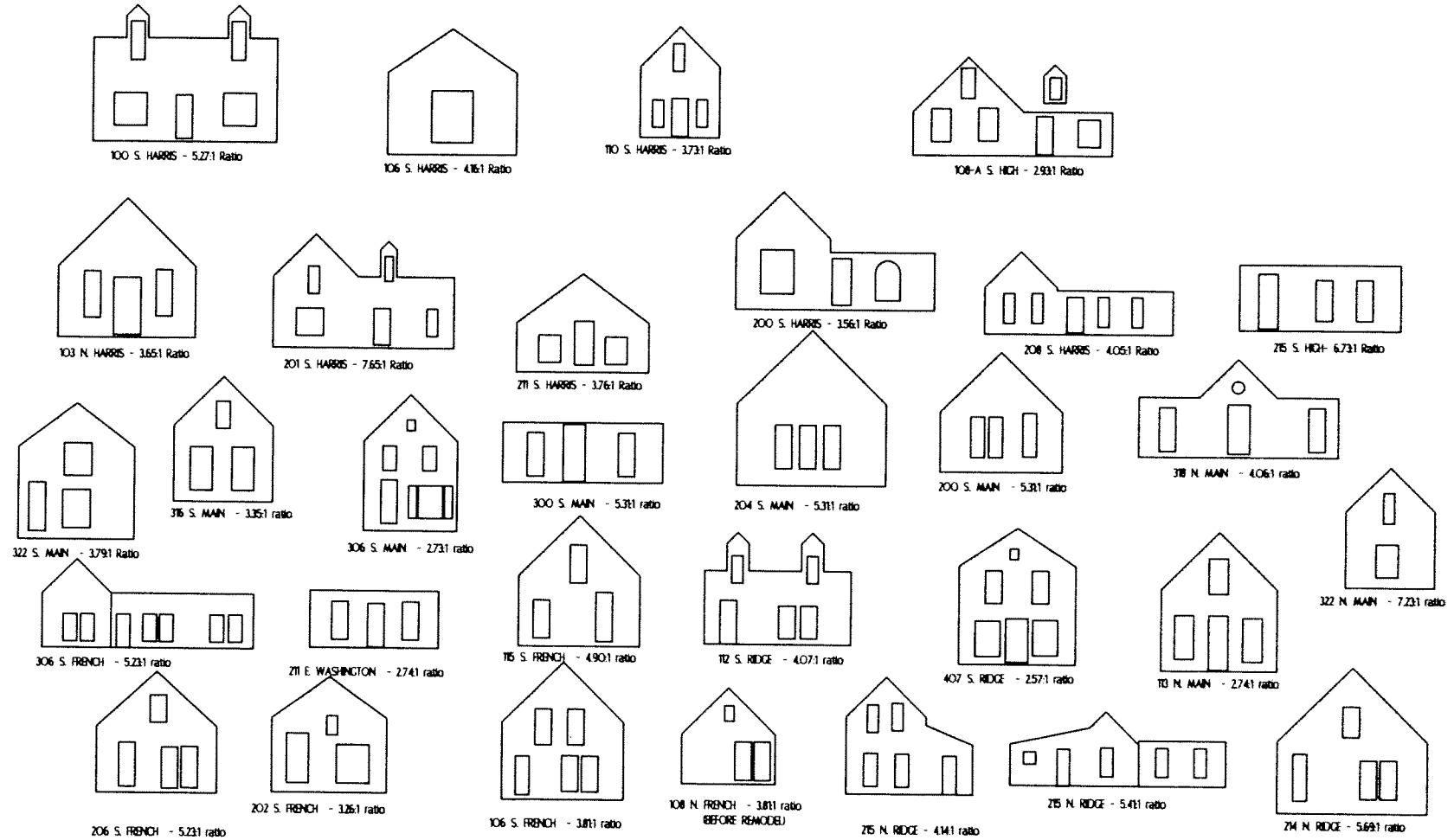


ADDRESS	Char Area	RATIO	AVERAGE
110 S. HIGH - #1	1	1.43:1	1:5.28
110 S. HIGH - #2	1	2.64:1	
300 N. MAIN - 1			
1	4	9.18:1	
2	4	4.90:1	
3	4	4.94:1	
4 = 1:20.61 omitted	4		
300 N. MAIN - 2			
1	4	2.93:1	
2	4	4.71:1	
3	4	8.78:1	
4	4	6.07:1	
322 N. MAIN			
1	4	1.57:1	
2	4	4.22:1	
3	4	6.90:1	
324 and 324 1/2 N MAIN - 1			
1	4	7.44:1	
2	4	3.76:1	
3	4	6.64:1	
4	4	2.44:1	
324 and 324 1/2 N MAIN - 2			
1	4	3.11:1	
2	4	4.73:1	
3	4	10.77:1	
4	4	3.17:1	
324 and 324 1/2 N MAIN - 3			
1	4	3.88:1	
2	4	3.60:1	
3	4	9.28:1	
324 and 324 1/2 N MAIN - 4			
1	4	2.34:1	
2 = 1:48.01 omitted	4		
3	4	8.63:1	

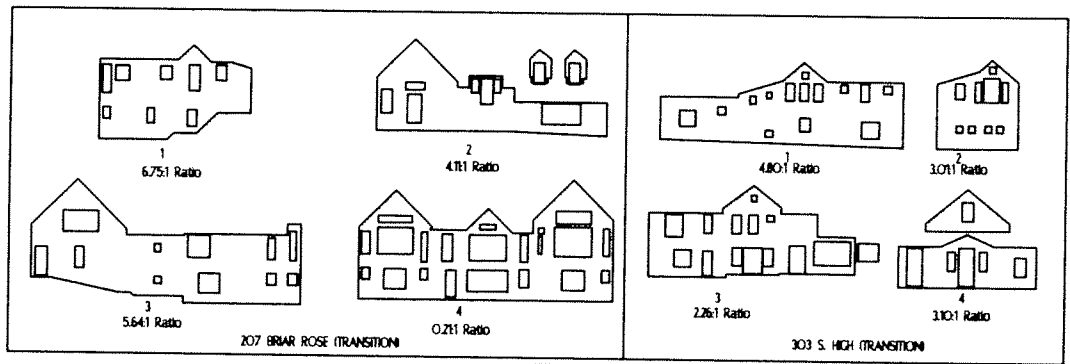


ADDRESS	Char Area	RATIO	AVERAGE
301 S. FRENCH			1:3.96
1	13	4.80:1	
2	13	3.01:1	
3	13	2.26:1	
4	13	3.10:1	
207 BRIAR ROSE			
1	10	6.75:1	
2	10	4.11:1	
3	10	5.64:1	
4	10	2.02:1	

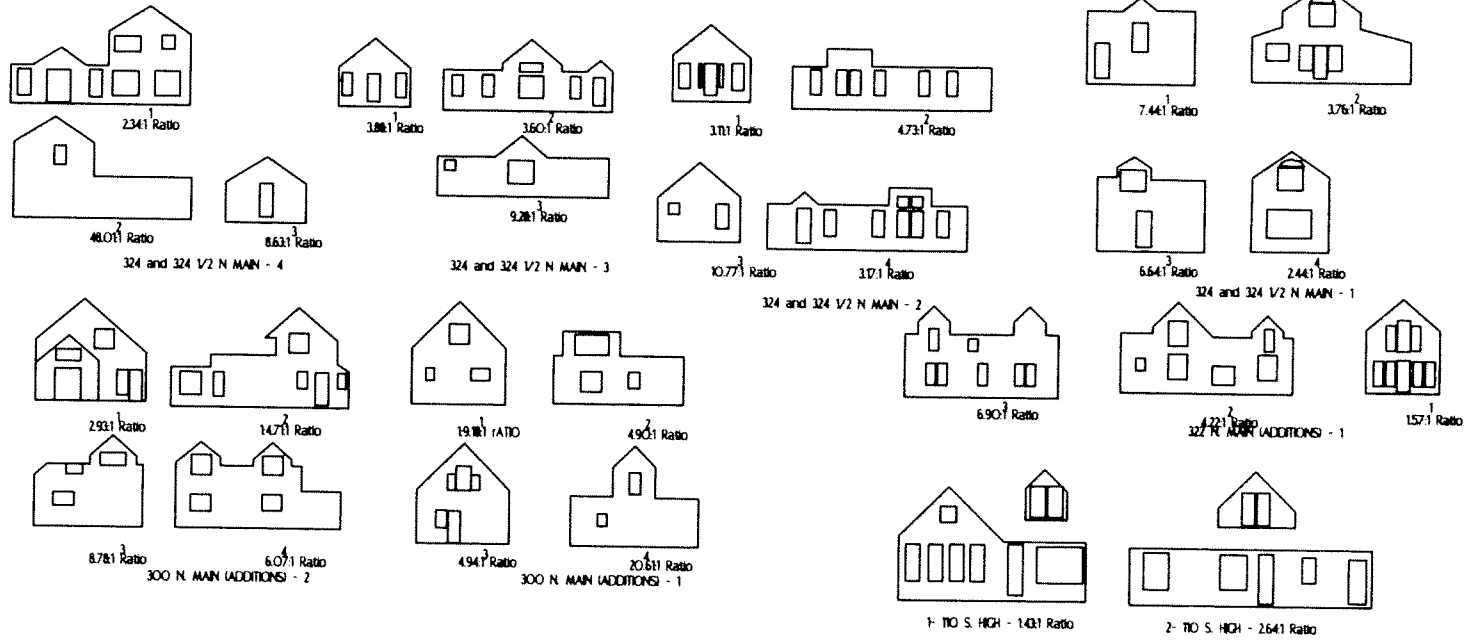
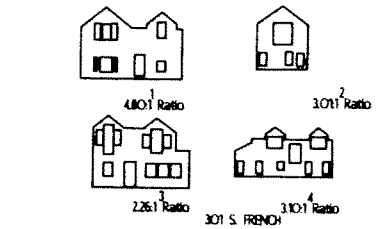


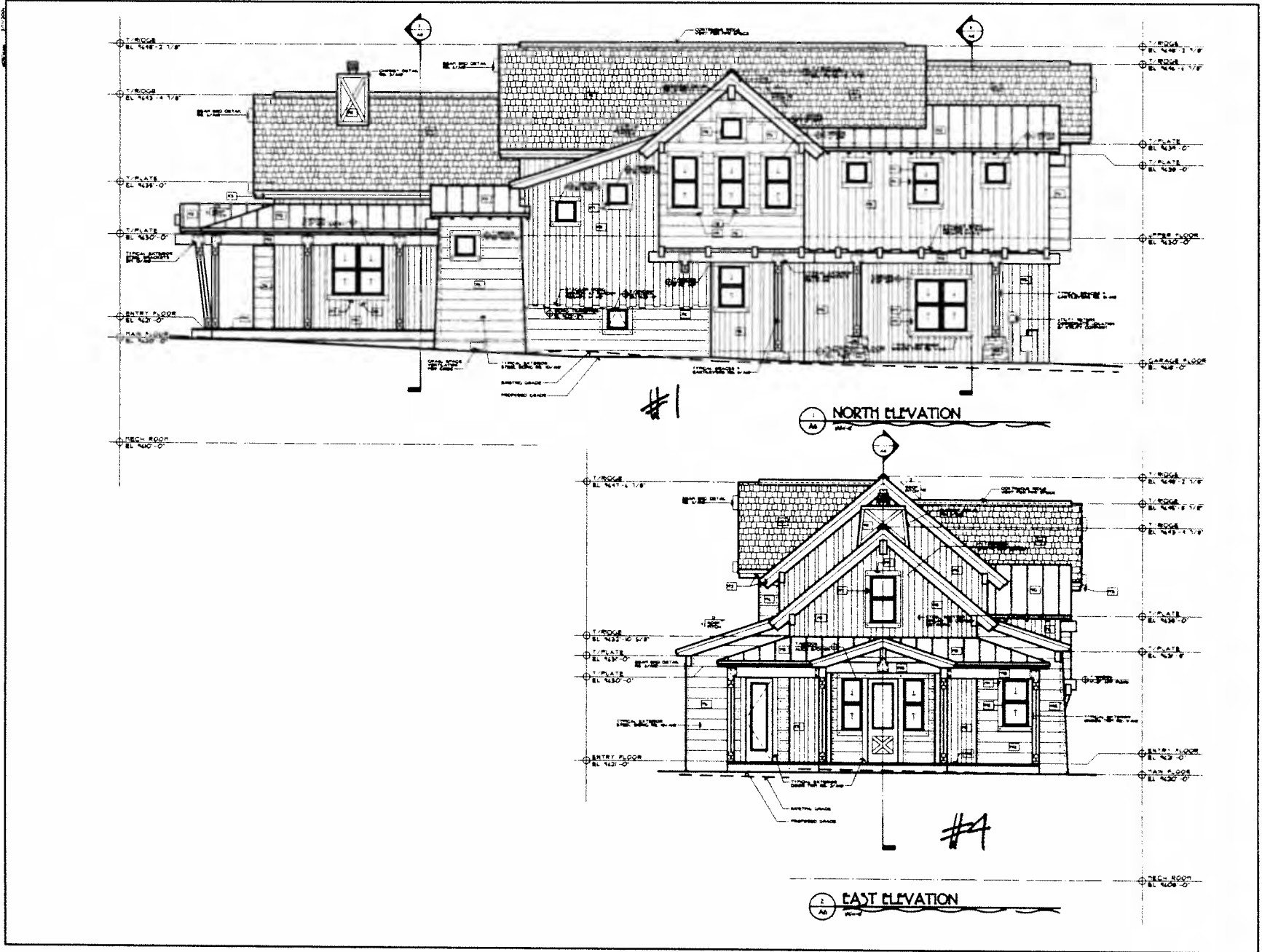


HISTORIC HOMES - PRIMARY FACADES



TRANSITION HOMES





300 S. HIGH ST



ALLETTSCERRA
DESIGN-BUILD, INC.

MATHISON RESIDENCE
LOT 7 BLOCK 5 YINLING & MIFELS ADDITION
BRECKENRIDGE COLORADO
EXTERIOR ELEVATIONS

DATE	DATE
PLANNING	28 AUG 2018
PLANNING	29 NOV 2018
PLANNING	30 JAN 2019
PERMIT	2 JAN 2019

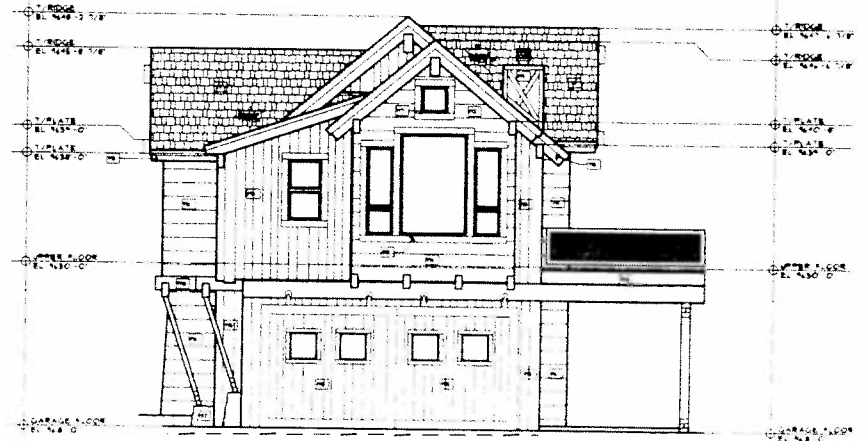
A6



#3

① SOUTH ELEVATION

EXTERIOR FINISH MATERIAL
COVERAGES & DETAILS AS SHOWN
SPR. 2024 - S.E. 2



#2

① WEST ELEVATION

EXTERIOR FINISH MATERIAL
COVERAGES & DETAILS AS SHOWN
SPR. 2024 - S.E. 2



ALLEN GUERRA
DESIGN-BUILD, ETC.

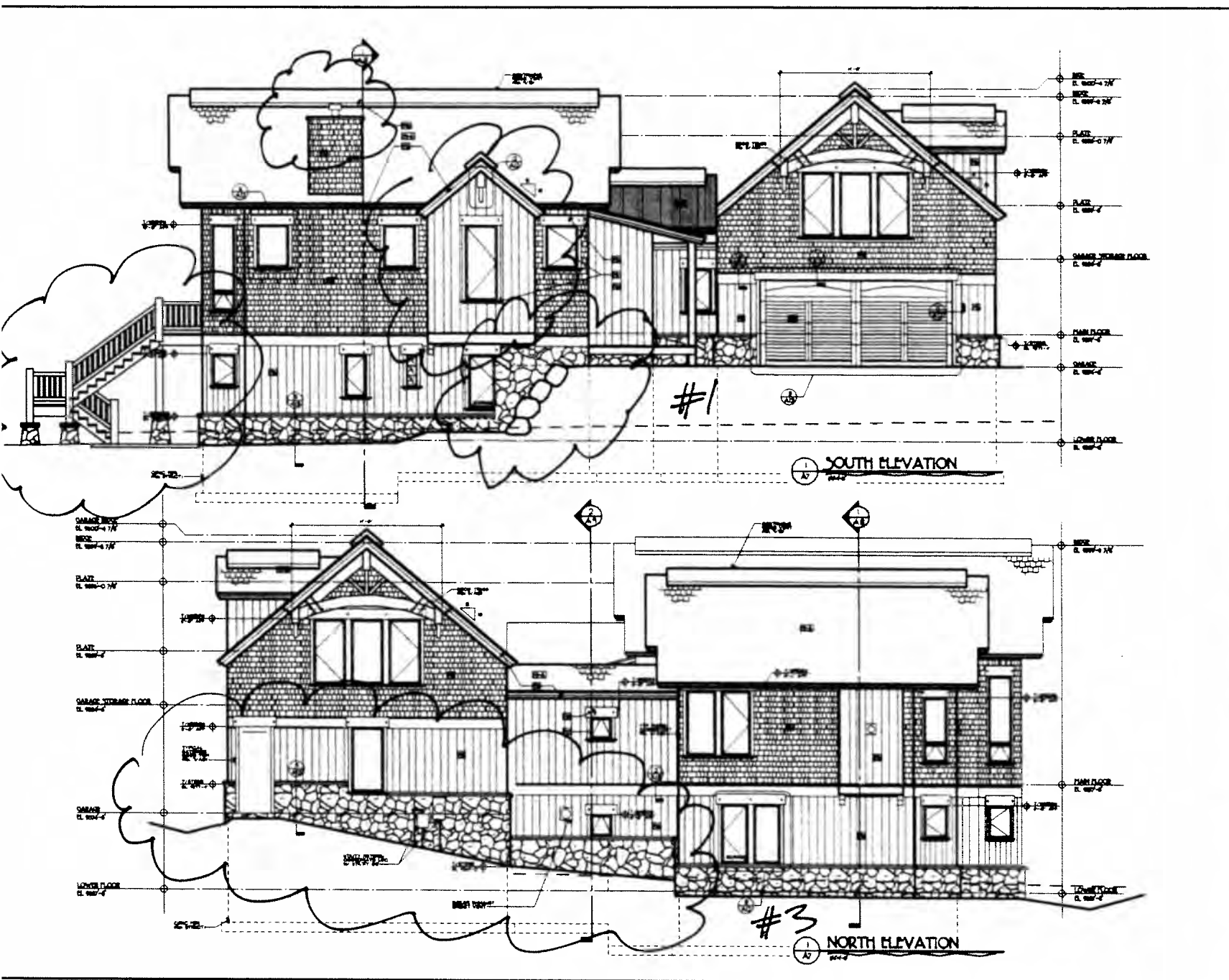
1000 S. HIGH ST. DENVER, CO 80202
TEL: 303.733.1111

MATHISON RESIDENCE
LOT 7 PALOMAR VINEYARD & MILLS ADDITION
BRICKENRIDGE COLORADO
EXTERIOR ELEVATIONS
DATE: 11/15/2023

DATE	DESCRIPTION
11/15/2023	PLANNING
11/15/2023	PLANNING
11/15/2023	PLANNING

A7

300 S. HIGH ST



ALLEY-GERRA
ARCHITECTS P.C.

BENTO RESIDENCE
LOT 4, BLOCK 1, WEDDINGTON #1
DURANGO, COLORADO

NORTH AND SOUTH ELEVATIONS

DATE	DATE
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11
11/11/11	11/11/11

A7

207 Briar Rose



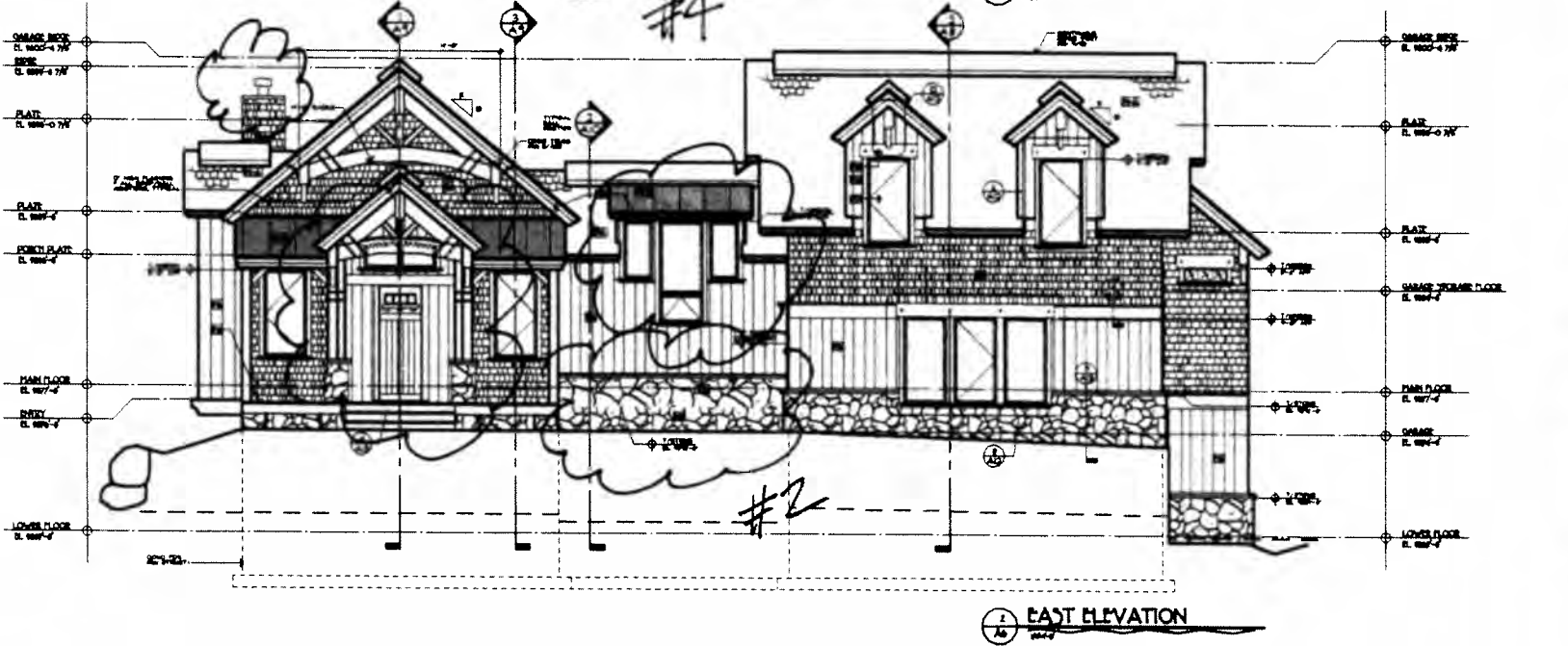
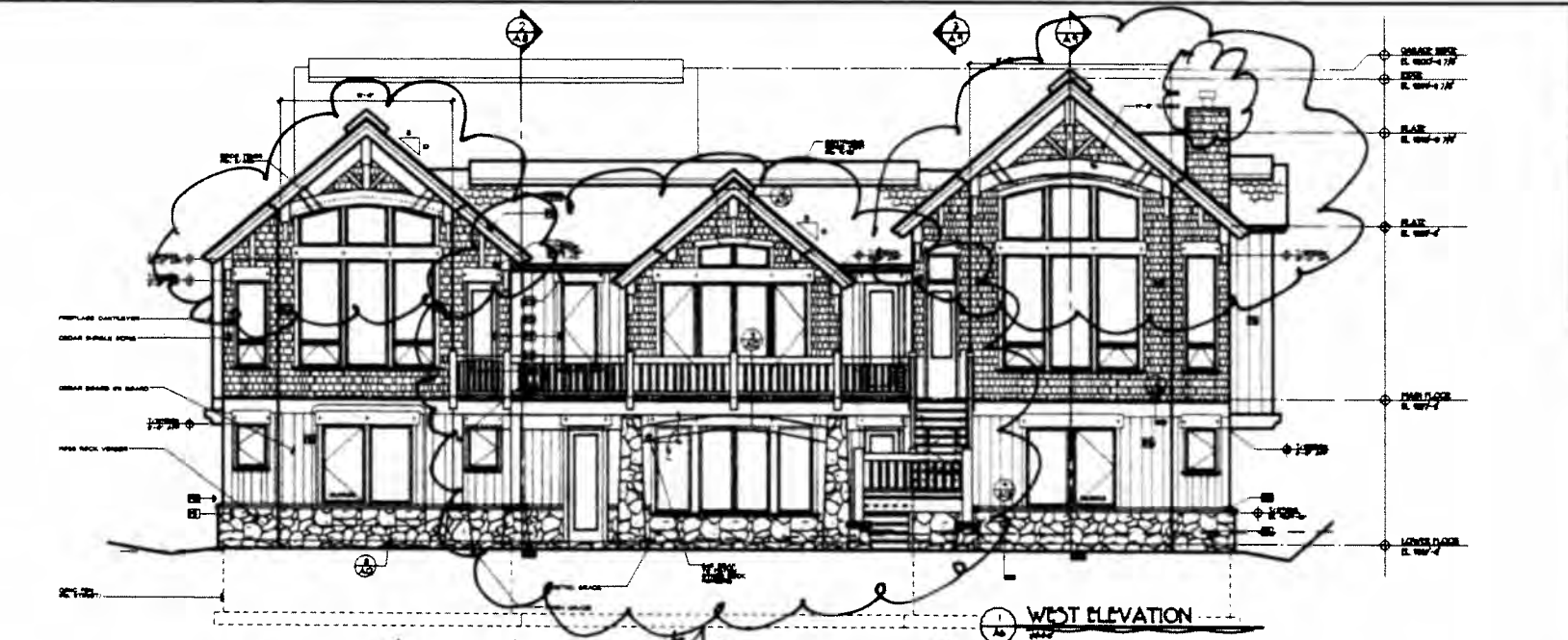
ALLEY CLEVER
DESIGN LLC

PROJECT: DENITO RESIDENCE
LOT 4, BLOCK 1, WINDYBORN #1
DENVER, COLORADO

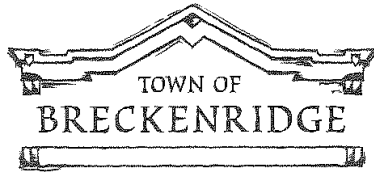
DENITO RESIDENCE
LOT 4, BLOCK 1, WINDYBORN #1
DENVER, COLORADO
EAST AND WEST ELEVATIONS

DATE	DATE
2011	1 NOV 2011
	21 NOV 2011
	1 DEC 2011
	1 JAN 2012
	1 FEB 2012
	1 MAR 2012
	1 APR 2012
	1 MAY 2012
	1 JUN 2012

A6



207 Briar Rose



MEMORANDUM

TO: Planning Commission
FROM: Chris Neubecker
DATE: April 30, 2010 (for meeting of May 4, 2010)
SUBJECT: Planning Commission Norms

In the past, the Planning Commission agreed upon the following group norms to follow during meetings. As we have a new Town Council liaison, we have included these norms as a reminder. Periodically, we will be reviewing these customs to ensure that meetings are as efficient as possible and that all Commissioners get the opportunity to speak.

Please keep these standards in mind during the meetings.

1. One person speaks at a time.
2. Make decisions based on adopted codes and precedent.
3. Ascertain the opinion of the majority of the Commission, and then resist filibustering when it's obviously contrary to the majority opinion.
4. Avoid lengthy explanations of your opinions of and position on development applications.
5. Do not have sidebar conversations while others are speaking.
6. Minimize repetition.
7. Stay focused on the topic or application at hand.
8. Summarize decisions made.
9. Once a decision is made, do not reintroduce the topic.
10. When unable to attend meetings, let staff know.
11. Follow up with staff or other members for meeting summaries, and read pertinent minutes.

One additional suggestion: Ask only questions during the "Questions" period. Do not disguise comments as questions.

We welcome your input on these group norms and any suggestions you may have on how to improve the efficiency of the meetings.