

Town of Breckenridge
Planning Commission Agenda

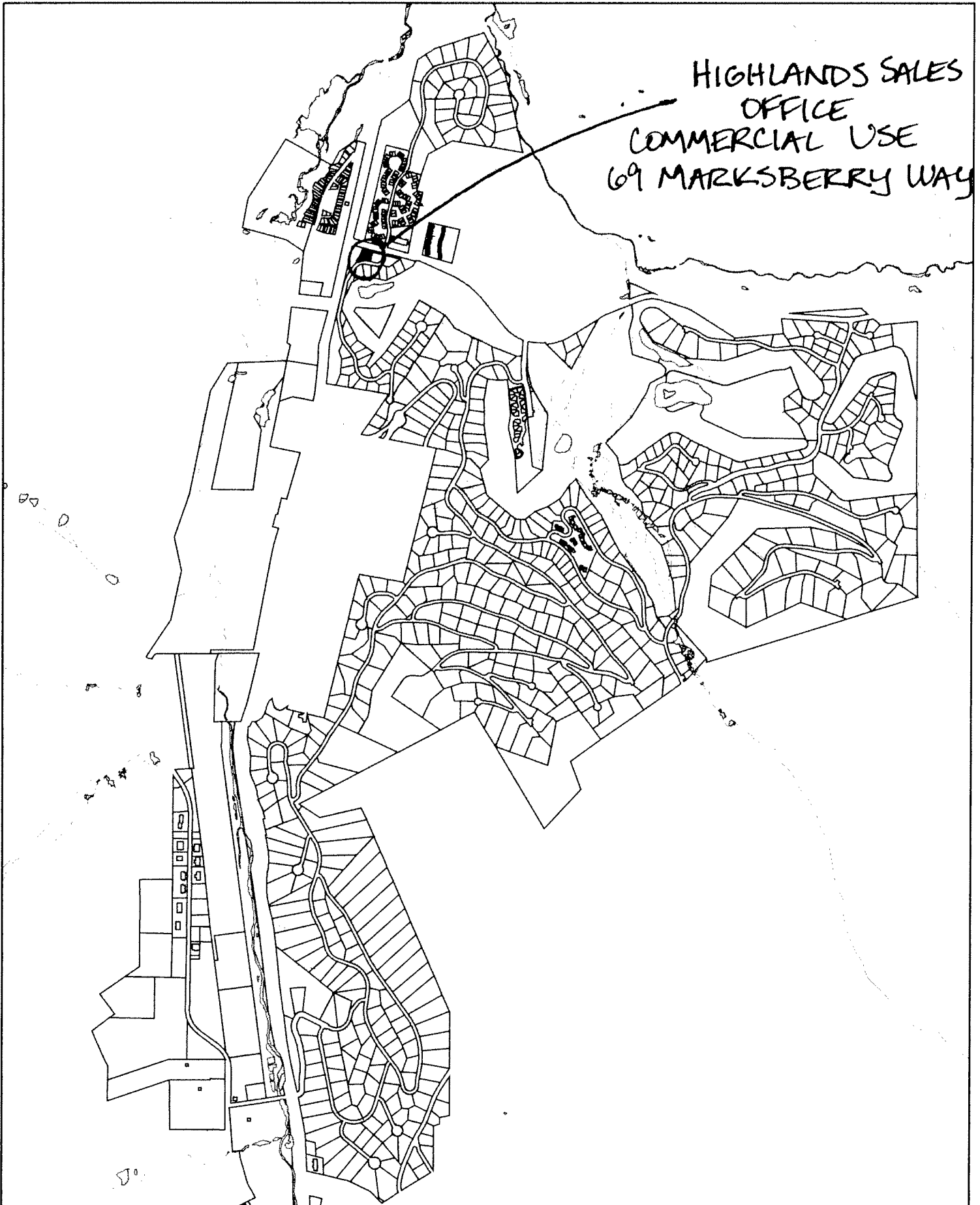
Tuesday, August 3, 2010
Breckenridge Council Chambers
150 Ski Hill Road

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|--------------|---|-----------|
| 7:00 | <i>Call to Order of the August 3, 2010 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes July 20, 2010 Regular Meeting Approval of Agenda</i> | 4 |
| 7:05 | <i>Consent Calendar</i> 1. Christie Garage (MM) PC#2010040 9 Midnight Sun Road | 10 |
| 7:15 | <i>Town Council Report</i> | |
| 7:30 | <i>Worksessions</i> 1. Highlands Sales Office Commercial Use (CN) 69 Marksberry Way | 19 |
| 8:15 | <i>Final Hearings</i> 1. Nauman Residence Historic Renovation and Landmarking (MM) PC#2010030 211 East Washington | 28 |
| 9:15 | <i>Preliminary Hearings</i> 1. Lot B, Parkway Center (CK) PC#2010037 503 Airport Road | 51 |
| 10:15 | <i>Other Matters</i> | |
| 10:25 | <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.*

HIGHLANDS SALES
OFFICE
COMMERCIAL USE
69 MARKSBERRY WAY



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

Breckenridge North

printed 2007

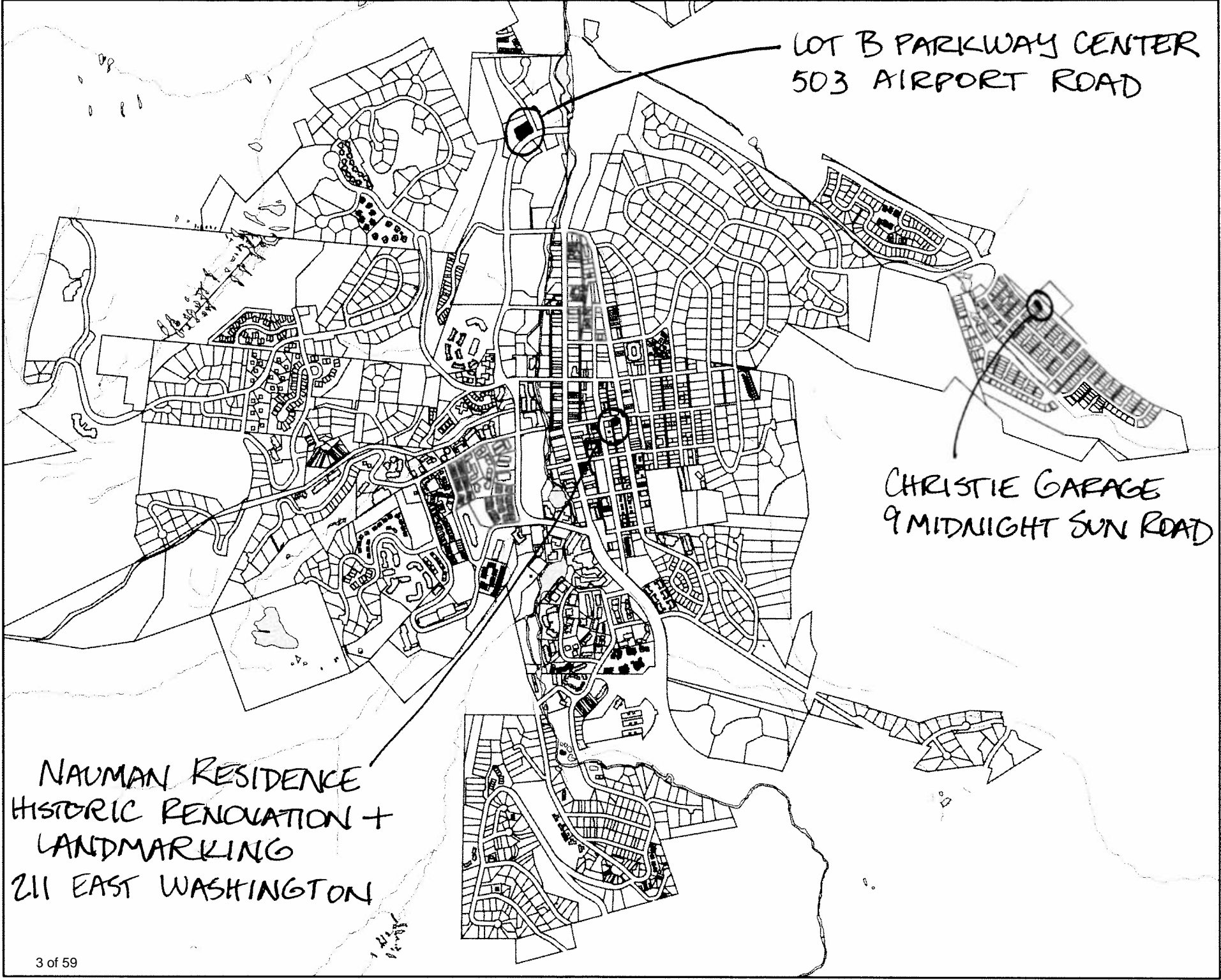
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Breckenridge South

printed 2007



LOT B PARKWAY CENTER
503 AIRPORT ROAD

CHRISTIE GARAGE
9 MIDNIGHT SUN ROAD

NAUMAN RESIDENCE
HISTORIC RENOVATION +
LANDMARKING
211 EAST WASHINGTON

PLANNING COMMISSION MEETING

The meeting was called to order at 7:04pm.

ROLL CALL

| | | |
|--------------|--------------|-----------------|
| Jim Lamb | Dan Schroder | Michael Bertaux |
| Leigh Girvin | Rodney Allen | Dave Pringle |
| Mark Burke | | |

APPROVAL OF MINUTES

On page 13 of the packet, it was Mr. Allen who opened the hearing for public comment, not Mr. Lamb. With one (1) change, the minutes of the July 6, 2010 Planning Commission meeting were approved unanimously (6-0).

APPROVAL OF AGENDA

With no changes, the Agenda for the July 20, 2010 Planning Commission meeting was approved unanimously (6-0).

CONSENT CALENDAR:

1) Vista Point and Gibson Heights Master Plan Modification, PC#2010039

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

TOWN COUNCIL REPORT:

Mr. Burke: One percent (1%) tax increase on lodging was discussed, to be used for marketing. There will be subsequent meetings to discuss this issue. Ordinance number seventeen (17) referring to lighting was deleted from the agenda. Guest Sean McAllister spoke of the emergency ordinance on medical marijuana dispensary ban, putting a limit on dispensaries and receiving future medical marijuana dispensary licenses, state law 12/84. We will talk about this at the next meeting with public hearing.

Todd Barson was present and we were impressed with his presentation. He will be running for the vacant judge position. A new ordinance clarifies that medical marijuana cannot be smoked in public places, even if it is medical. Valley Brook is being done through the housing authority, because it is a non-profit organization.

The Entrada property annexation (across from 7-Eleven, which is in foreclosure) was repealed, with ordinance number 14 and 28.

My report to the Council included our discussion of the HERS rating. We debated whether the rating is even necessary if we do not include the light bulbs, fixtures, appliances, etc. that we talked about.

We discussed the recent resignation from this board. The Council, with guidance of Tim, our town attorney, that we are to open this to the public for selection to fill the position within 30 days from Ms. Katz's resignation.

There was discussion of the AT&T temporary tower removal, and when the permanent tower would be ready. (Mr. Neubecker: AT&T is having challenges with the new location at Beaver Run. They are having some issues with the HOA on the design of the new location. Mr. Thompson: Portions of the new AT&T equipment for the tower will be moved inside a building for purposes of working indoors in poor weather.)

I know that the Council feels very strong that the Pellet Mill will have proper air-flow. We need tests before we can move forward.

(Ms. Girvin: What is the current Breckenridge Lodging Tax?) 2.4%. (Ms. Girvin: So that makes us the second highest already?) The staff and the Town have gone two years without raises. We are a resort community; we have to market ourselves as that. But with less tax revenue than Aspen and

Vail, for example, we will have to be careful on how we spend our money. If the lodging community is okay with this 1% increase, then I am okay with it.

COMBINED HEARINGS:

1) Environmental Energy Partners Pellet Mill, PC#2010038, 12863 Colorado Highway 9

Mr. Thompson presented a proposal to install two temporary Sprung structures, 56 feet wide by 91 feet long, to house equipment for manufacturing wood pellets. Each structure would be 5,091 sq. ft. and sit on its own concrete pad. There would be three pieces of equipment operating outdoors: a diesel powered wood chipper, a log loader, and a front end loader. The operation would run 24-hours a day and seven days a week inside of the tents, but only outside operations would run from 7am-7pm Monday through Saturday. The Town Council and the applicant have proposed a five-year lease for the operation.

This project, located on the McCain property, is proposed right at five (5) acres. The Alpine Rock operation will go far beyond the five (5) years proposed by the Pellet proposal. The Town has had a hard time getting rid of these wood chips on Airport Road. Currently, they are being removed and dumped in the landfill. Since December, 2009, Environmental Energy Partners have been meeting with us on the issue. The land use district, number forty-three (43), was created in 2003 to allow mining in this area. We are developing a master plan to determine other uses of the property when mining is complete. Proposed site design, building design, building height, exterior lighting, snow removal and storage, and parking were discussed in reference to the architectural drawings. Positive three (+3) HERS points are suggested for using natural resources. Noise created by the mill will be considered construction noise under the Town noise ordinance, as per Town Code. A decibel map was presented to show the amount of decibels heard at certain points of the property. Public comments, mostly from Silver Shekel, oppose this proposition because of noise, dust and increased traffic that will be created by this project. (Mr. Bertaux: What about fencing?) No fencing is proposed. We have thought about berming, which will shield the existing pipelines. (Mr. Bertaux: What about a security fence?) None is proposed.

If the Commission finds that the Environmental Energy Partners Pellet Mill application meets all absolute and relative policies, Staff recommends approval of PC#2010038, with the presented findings and conditions.

Mr. Bill Nootenboom, C.O.O. of Environmental Energy Partners, outlined the ideas of their company and this project. Pine beetle kill needs to be taken care of to eliminate a hazardous forest fire fuel. The best way to use this biomass is for energy production. This is an opportunity for Breckenridge to take responsibility to produce energy in an environmentally friendly and sustainable way. This will create local jobs, a local energy source, and clean up our forest. We have tried to work with area neighbors and take into consideration their concerns. Noise, for example, cannot be eliminated in this project. We have, however, taken measures to control that noise, hours of operation and location of equipment. Traffic is being created already for moving trees and wood chips. Light will be addressed to make the space as dark as possible. Dust will be minimized through the biomass that will lay on the surface.

Mr. Allen opened the Public Hearing for public comment.

Ms. Erica Schmidt, 551 Shekel Lane: Mr. Allen, has the zoning of that property been changed to commercial zoning from industrial zoning? (Mr. Thompson: The land use guidelines will follow the code.) You keep bringing up natural resource management. For every amount of logs cut, the truck bringing them to the site will be giving off emissions. It seems that 'sustainability' is the main focus of this project and I do not see it that way. I also agree that Breckenridge is not a lumber town. Read our Vision Plan #1. I do not believe that this project reflects that.

Mr. Svein Rognerud, 532 Shekel Lane: I would like to talk about noise. I am concerned about the 30 decibels proposed, that's the sound of a normal conversation. 90 decibels is the noise of a motorcycle. I can hear a motorcycle on Highway 9 at night. I am concerned about the additional nine (9) trucks, the additional roundabout, and the current Highway 9 traffic congestion. Am I every going to be able to exit from Silver Shekel with all the traffic (due to roundabout and no traffic light)? Also, I do not want to come home or to welcome tourists to such an eye-sore as piles of trees and mills and traffic. Appraisers have already reduced property values due to noise from highway. I am very much opposed to the whole project.

Mr. Tony DiLallo, 862 Shekel Lane: I am concerned about the noise of both Alpine Rock, the new Pellet Mill and the Highway combined. What is the combined noise of Alpine Rock, wood chipper and the highway?

Ms. Kathy Christina: As stated on the OSHA website: “when the daily noise level is combined with other noises, the combined decibel level will much exceed the 90 decibel level.” Next question, are you using chemicals to make these pellets? (Mr. Nootenboom: No, the wood is compressed and the wood binds to itself without the need of additional chemicals.) How are the pellets going to get from the large storage pile to the bag? (Mr. Nootenboom: We are looking at bulk storage in recyclable plastic bags.) I am very concerned about the logging trucks in the existing roundabout, as well as the proposed roundabout.

Mr. Kevin Berkley, 721 Silver Circle: Alpine Rock was grandfathered in when we annexed to the Town. That is not a proper use for the gateway of Breckenridge. Our town is based on real estate and tourism, not industry. Adding to this operation does not have to happen here. There are other neighboring communities, such as Kremmling, that could better allow this project. Also, why can this operation be allowed 24-hrs per day when other operations have to stop?

Mr. Forrest Rouser, 281 Fairview Boulevard: I live on Fairview Boulevard with a west facing home. There are no trees or berm near my property. CDOT took measurements (assessment on July 1st, 2009) on my property line, which were 56.1 decibels minimum and 77.1 max decibels at approximately 12:00pm. 66 decibels was the average at this time. Trees will not eliminate this noise. Only a substantial berm would make any difference in these noise levels. I also have a concern with the roundabout

Mr. Roger Hollenbeck, 47 Fairview Circle: Hours of operation are from 7am to 7pm. I am concerned about the lighting in winter that needs to be taken into consideration. If it is a mostly winter operation, will we see these logging trucks all over our town and residential streets?

Mr. Bill Bartels, 531 Fairview Boulevard: If this happens, it will disrupt my view. Why has noise not been addressed?

Mr. Todd Taylor, 551 Fairview Boulevard: There will be a conveyor outside moving logs. That will be another outside noise level maybe not addressed. Also, our landfill is addressing making logs into compost. Let them continue that process there. My family has lived here since 1982.

Mr. Lance Wolf, 532 Fairview Boulevard: I only know one person who uses a pellet stove, and they are out of state. I don't think that this is a good way to address the current economy or this proposed location. If this gentleman wants to prospect on this adventure, let him do it out at the dump; that would be a perfect place. I also am concerned, not only about the noise, but the smell. Is there a smell? We also have to consider the noise produced by the nearby Stan Miller Construction. Roundabout is a viable discussion now, not later.

Ms. Cheryl Tatro, 13097 & 13197 Colorado Highway 9: I did a traffic study in accordance to my subdivision out there. I know for a fact that the added traffic will not be beneficial.

Mr. Bill Bartels, 531 Fairview Boulevard: I am concerned about the soil quality.

Mr. Kerry Burns, 601 Fairview Boulevard: I already can't stand the noise levels of the nearby equipment.

Mr. Michael Joannides, 801 Silver Circle: These are issues that need to be addressed: OSHA should be involved in these noise issues (air compressors, and other equipment not mentioned, etc), air quality (air particulates), diesel vehicular leakage, sewer leakage, roundabout/traffic issues. This may provide 20 to 30 jobs, but at our expense. Move it to another neighborhood.

Ms. Lorna Wolf, 532 Fairview Boulevard: My question is about heating. With those employees, thirty decibels is equivalent to a whisper! I have a really hard time believing that this will be achieved.

Ms. Erica Schmidt, 551 Shekel Lane: Not a lot of profit to town (\$100k per year, not month). Also, I have a pellet stove and it is cheaper to heat my house with electricity. They are not nearly as cost effective as they sound.

Mr. Nootenboom addressed technical questions that were raised during public hearing, as well as explained the process of chipping and wood pellet milling. Steam is created in this process. Logging, compression methods, storage and equipment were addressed. Our equipment is dust confining and containing. Our chips will maximize the amount of white wood content and minimize the amount of slash (twigs, leaves, etc.). Our chip-to-pellet process is relatively quick to minimize the problem of mold, mildew, and decomposition in the process. The trees that we have on our property will be dead standing trees, not green wood, so beetles will not be attracted to our stacked trees. The limit of what we can stack a pallet is two (2) pallets high, and the wood would be approximately twenty (20) feet high. We want to be good neighbors, and part of the solution, not a contributing problem. We think that we can meet the existing noise ordinance laws.

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

Commissioner Questions/Comments:

Mr. Schroder: Breckenridge is not traditionally a lumber town. Is this project really beneficial to this town, making us look more progressive against our neighbors? (Mr. Nootenboom: Absolutely. This gives us an opportunity to educate the locals, and visitors what is killing our trees and what we can do about it. Hopefully, others will follow suit. We can either do nothing and let our forest naturally burn, or turn this into an energy solution and help advocate our future sustainability and global warming.) Will this mill take outside wood as well, from all over the area, or just your property? (Mr. Nootenboom: Yes. We will accept trees from all over the county; however, it is expensive to transport the trees.) Once the logs are on your property, are they yours? If something happens to your company and you close up shop, will these be left on the property? (Mr. Nootenboom: No, as per the bond, we will remove everything from the property.)

Final Comments: This is our forest. We did not buy property in an area with dead trees. What do we do with this wildland-urban interface (the area of the forest where people live)? We need to figure out what to do with this, now, more so than later. I am sympathetic to the noise levels proposed; however, when you bought this property, you knew the noise levels were there with the highway, etc. This is a case of NIMBY (not in my back yard). Frankly, that is everyone's opinion. We are not ready to move forward on this application, because more research needs to be done, but we need to be proactive on this and the project is a good idea.

Ms. Girvin: What is the market for a pellet? Can I use these in my home, or only outside? (Mr. Nootenboom: The efficiency of a wood pellet stove is more than the efficiency of a wood burning stove. Combustion is hotter and longer. These methods are being used globally. Pellets are easier to transport and store. Their energy content is higher, due to less amounts of water in the pellet.) And what do you mean by 'Carbon Neutral' for this burning system? (Mr. Nootenboom: Natural Carbon cycle, not added carbon from fossil fuels, etc. This is carbon that's already in the atmosphere, or will be when it decays. It's not bringing carbon trapped under the earth into the atmosphere.) What about the economy? Is there a demand for this product now? (Mr. Nootenboom: Supply and demand curves will fluctuate over time, but biomass energy will rise in the future. It is a long-term solution to the global warming issues that we are facing. This is one step closer toward a sustainable future. We will also be developing a mobile show-room to take around the country and to beetle festivals to use direct marketing and education to develop more products and boosting the market toward this energy use.)

Final Comments: I was on the Planning Commission when Silver Shekel came about twelve years ago or so. Stan Miller has been operating in that area since the 1970s. It appears that the Applicant and the Staff have done what they can to eliminate the majority of the noise issues. Just wait ten years when the Town of Breckenridge turns that area into a reservoir. THAT will create noise! I do understand, however, that this noise is added on top of current noise issues of BBC, Stan Miller, Alpine Rock, etc. I have some personal reservations about this. I am not prepared to approve it today.

Mr. Bertaux: Speaking of dust, what about a water-truck to keep that dust down? (Mr. Nootenboom: We have not specifically thought about that, but it is an appropriate option.) Will you remove the trees, too? (Mr. Nootenboom: No, we are not in the business of removing the trees, but we will provide a place for the trees to go.)

Final Comments: Aesthetics are an issue. This needs to be screened. The traffic is an issue, but not ours; that issue belongs to CDOT. As long as the lighting is Town-compliant, it is okay. Noise is still an issue for me. I know that it is a valid concern for neighbors and I would like to see more research here so that I can understand this issue better. I would support a motion to postpone this. Silver Shekel task force, get together and get your contact information for each other, and stay in touch in the future on these types of issues.

Mr. Pringle: Will the milling machine be operated only in the day, like the chipping machine? (Mr. Nootenboom: No, but it will be inside the milling tent.) Are there any other machines that are located outside the tent that will affect the noise ordinance? (Mr. Nootenboom: Outside the tent, it will read approximately 30 decibels.) Both natural and unnatural products are going to be introduced into the area. Is this going to affect the Blue River? (Mr. Thompson: We could place a berm on the area where water could otherwise drain into the Blue.) Are these classified as permanent structures? Should negative points be assessed? (Mr. Thompson: Negative points could be used in this project because in our building code, this is considered a permanent structure.) Can we be assured that all outside operations will cease after 5pm? (Mr. Nootenboom: Yes, my understanding of the code is that we cannot operate after that time.) Can we assume that there is no onsite combustion, incineration, and therefore, no residue of this type left on site? (Mr. Nootenboom: Yes.)

Final Comments: To some people, this industrial site would be an eyesore and unwelcoming, to others, it will be attractive because of the economic benefits. We need to assess the negative points associated with the visual appeal of the site. Also, the snow removal could be given negative points. There are several areas that may have not been thought through as well as they should have. I don't think that these pellets will be consumed here in town; they will be manufactured here and shipped out. I don't think that burning of these pellets is an issue. It doesn't matter what the decibel is here, if neighbors don't want to hear it, it will always be too loud. That may become a health and prosperity issue for the town. More issues need to be addressed before we can move forward with this.

Mr. Lamb: How loud is 30 decibels, approximately? What goes on during this process at night? (Mr. Nootenboom: We are forcing trees through a 1/4" hole to make the pellets. Shipping and receiving will be operated during daylight hours only.)

Final Comments: I agree with everything that Ms. Girvin has mentioned. As far as I know, there are no current complaints on the Alpine Rock, but I need more information on noise.

Mr. Allen: How many hours a day for chipping? (Mr. Nootenboom: Eight hours per day.) If the market supports you, how long do you intend to stay? (Mr. Nootenboom: Our operation is created to be movable, to move where there is biomass. Our estimates show that we would have at least ten (10) years of wood supply in the area. If there is more, great; if not, we will move on.) How do we evaluate the architectural compatibility of this project? (Mr. Thompson: We typically measure architectural compatibility against the surrounding neighbors. We are open to any color for the tents if you have another color in mind other than brown. Negative points could be considered.) What about construction noise of this project and our town ordinance? Finding number eight (8) mentions noise in emergency operations. (Mr. Thompson: This would require a Class D for that. If it is unneeded, we could strike it out.) (Mr. Neubecker: These terms were drawn from the Alpine Rock permit and would be nearly identical to the terms needed for this applicant.) What about parking? (Mr. Thompson: Paving is not necessary for this project, as it will just be removed later.) Is dust control measurable? (Mr. Thompson: If the taskforce makes a complaint about dust, Alpine Rock will take care of it with a water truck. The same will be said for this project. As soon as we hear a complaint, I will ask Environmental Energy Partners to address it.) (Mr. Neubecker: There is a lot of dust in that area, and dust storms may be frequent, naturally. It's hard to determine if the dust came from this site, or Alpine Rock, or Block 11.)

Final Comments: Land Use District 43 does not list an acceptable land use. That needs to be addressed. Also, compatibility of the architectural code needs to be addressed. I do not believe that landscaping is inapplicable. It needs to apply to Policy 22/A. We need to screen this site from Highway 9 with landscaping. If there is noise inside the tent, there may need to be a variance, provided by Town Council. The code requires that the noise levels be measured at the property line. I think that we should also assess the decibel levels on the neighboring properties. There are quite a few opportunities for negative points here. If there is any lighting at all outside, I want to see a

lighting plan, hours of operation, etc. I have no objections on the project, but there are many hurdles that need to be researched.

Mr. Pringle made a motion to continue the Environmental Energy Partners Pellet Mill, PC#2010038, 12863 Colorado Highway 9, to the August 17, 2010, Planning Commission Meeting. Mr. Bertaux seconded, and the motion was approved unanimously (6-0).

2) Amazing Grace Change of Use, PC#2010025, 213 Lincoln Avenue

Mr. Neubecker presented a proposal to change the use of the property from retail use to a sit down food service establishment (snack bar/deli). No changes are proposed to the exterior of the building.

The Planning Department recommends approval of this Change of Use at Amazing Grace, 213 Lincoln Avenue (PC#2010025), and Staff recommends the Planning Commission uphold this decision.

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

Commissioner Questions/Comments:

Ms. Girvin: The Applicant has applied for a liquor license. Can you have liquor at a snack bar/deli? (Mr. Neubecker: Yes. The difference between a restaurant and a snack bar/deli is a water tap issue.) One of the conditions of this approval is cutting back your capacity to sixteen (16) seats. Is this a parking issue? I was there today and you can currently seat thirty (30) including your outdoor patio. (Mr. Neubecker: Outside seating does not count. We may need to re-word that to make it more clear in the permit.) I am concerned that within this permit application, you have to use disposable plates and silverware. The High County Conservation has something called a 'sustainable compostable party bag' for disposing of and composting paper products as such. I don't know very much about it, but I think that you could be an avant-garde in the community to start using these sustainable, composting dinnerware products and educating our community on the subject. Also, bear-proof trash containers will be important.

Mr. Pringle: If the Council is going to grant the variance, what are we doing? We can't approve this? (Mr. Neubecker: You could approve it, subject to approval by Town Council of the parking variance. That is a condition of this permit.)

Mr. Bertaux made a motion to approve the Amazing Grace Change of Use, PC#2010025, 213 Lincoln Avenue, with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously, (6-0).

OTHER MATTERS:

Mr. Allen indicated that he met with the Town Attorney and found that Mr. Burke will only be here for non-quasi-judicial work session discussions. Mr. Pringle suggested that Mr. Burke fill the empty seat of Ms. Katz, simply so that the Commission can have a better understanding of what we are dealing with. As long as he excuses himself from the call-up hearing, he should be able to be here the rest of the time. On the voting, if it goes 3-3, then maybe it should fail. Mr. Pringle would like the Commission to entertain this idea. He thinks that we are missing out on an opportunity to work together on these issues. Mr. Bertaux, Ms. Girvin, Mr. Lamb agreed. Mr. Allen and Mr. Schroder were not sure with the suggested change. Mr. Allen suggested that it was beneficial to the Planning Commission to have a Town Council member, but not as beneficial to the Town Council to have a member on the Planning Commission. Mr. Neubecker thought that this would be very beneficial. Electronic devices are not an issue, but the insensitivity of improper use of them in our Commission meetings.

ADJOURNMENT:

The meeting was adjourned at 10:33 p.m.

Rodney Allen, Chair

Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III

Date: July 20, 2010, (For Meeting of August 3, 2010)

Subject: Christie Two-Car Garage, (Class C Hearing; PC# 2010040)

Owner/Applicant: Robert Christie

Proposal: To build a new detached two-car garage. The architecture is based on the Wellington Neighborhood Master Plan, which identifies “general requirements for construction”. Materials consist of horizontal hardboard (Masonite) siding (5” reveal), 1x8 hardboard fascia with 1x4 rake trim, 1x4 corner boards, vinyl single hung windows with wood trim, and asphalt shingle roofing. The applicant has received approval (and staff has copy) from the Wellington Neighborhood Design Review Board.

Addresses: 9 Midnight Sun Road

Legal Descriptions: Lot 1A, Block 3, Wellington Neighborhood

Site Area: 0.05 acres (2,429 square feet)

Land Use District: 16 – Subject to the Wellington Neighborhood Master Plan

Site Conditions: The lot is on the corner of Midnight Sun Road and French Gulch Road. The garage would be accessed from the alley. The lot slopes from east to west at a rate of about 4%. The lot has an existing duplex building. A four-foot utility easement has been platted along the northern property line and there is a seven-foot snow stack easement along the alley.

Adjacent Uses: North: French Gulch Road South: Residences
East: Residences West: Private Open Space and Bus Stop

Height: Maximum allowed: 35 ft.
Proposed Garage: 18 ft.

Parking: Required: 2 spaces
Proposed: 2 spaces (in garage)

Snowstack: Required: 82.5 sq. ft. (25%)
Proposed: 135 sq. ft. (40.9%)

Setbacks: Front: 10 ft. (house) Rear: 7 ft. (garage)
Side: 4 ft. (garage) Side: 4 ft. (garage)

Staff Comments

Site Plan: The proposed garage meets all the required setbacks of the Wellington Neighborhood Master Plan. Vehicular and garage access is proposed from the private alley at the rear of the residence. Site drainage is adequate. Staff supports the proposed site plan.

Landscaping: No private landscaping is proposed at this time. The developer has already landscaped the lot with grass seed and shrubs as part of the subdivision permit. This is consistent with the rest of the subdivision. The applicant will be required to re-vegetate the disturbed areas with grass or native seed mix to match the rest of the neighborhood. Staff does not find that additional landscaping is needed at this time. The color of the garage will be painted to match the color of the existing home. We have no concerns.

Architecture: The proposed design of the garage uses simple lines and traditional form, based on the Wellington Neighborhood Master Plan. The primary exterior materials will match the existing home, and have been previously described.

Point Analysis: Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project.

Staff Action

Staff has approved the Christie Two-Car Garage, PC# 2010040, with the standard Findings and Conditions.

TOWN OF BRECKENRIDGE

Christie Two-Car Garage
Lot 1A, Block 3, Wellington Neighborhood
9 Midnight Sun Road
PC#2010040

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 20, 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 **August 3, 2010** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are -recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **February 10, 2012**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 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. An improvement location certificate of the height and location of the top of the foundation wall must be submitted and approved by the Town prior to placing the foundation.
7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
8. 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

9. Applicant shall submit proof of ownership of the project site.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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

15. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
16. 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.
17. Applicant shall screen all utilities.
18. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
19. 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.

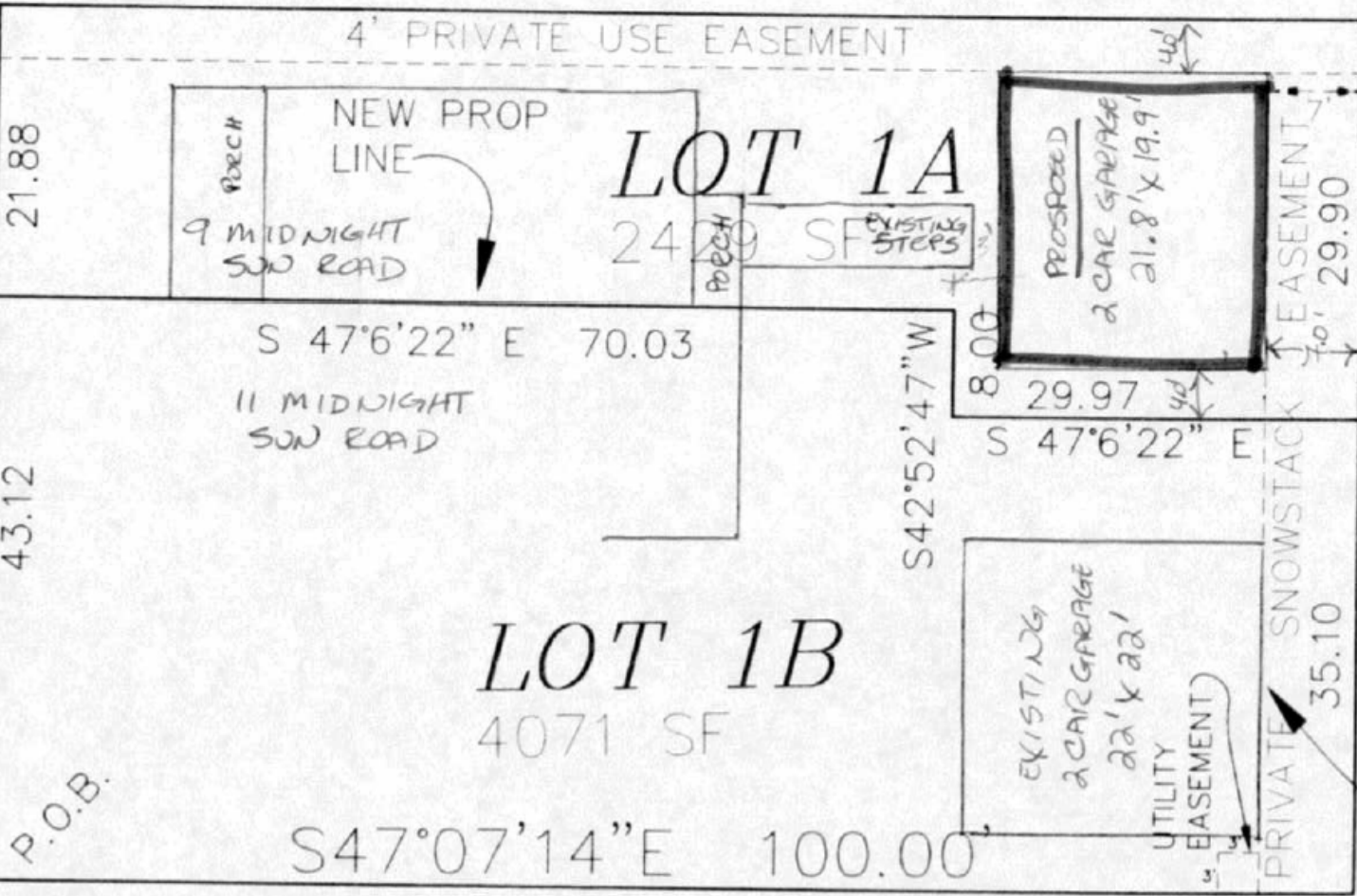
Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such 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.

20. 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.
21. 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.**
22. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

FRENCH GULCH ROAD (CR 2)

MIDNIGHT SUN ROAD (50' R.O.W.)

N42°52'46"E 65.00'

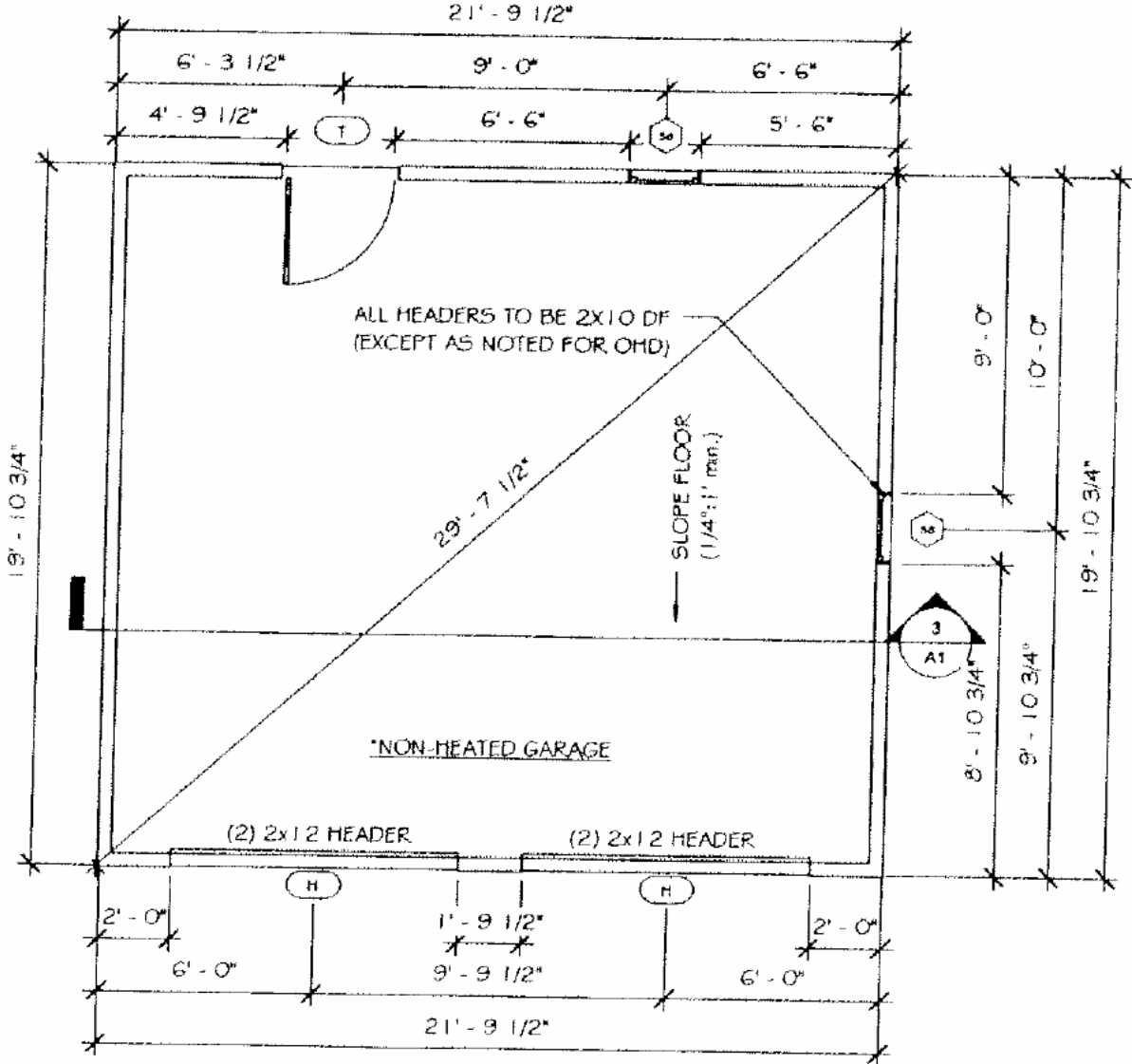


S42°52'46"W 65.00'

CHRISTIE GARAGE

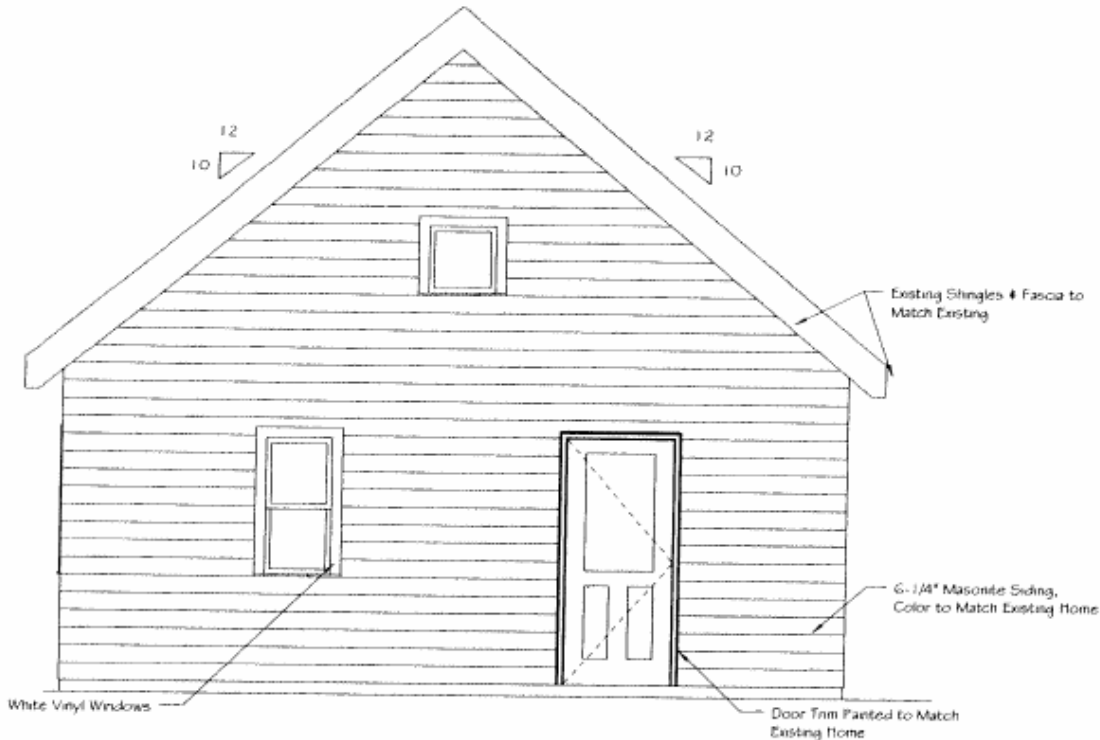
EXISTING GARAGE WITH LOT 11 MIDNIGHT SUN ROAD

CHRISTIE GARAGE

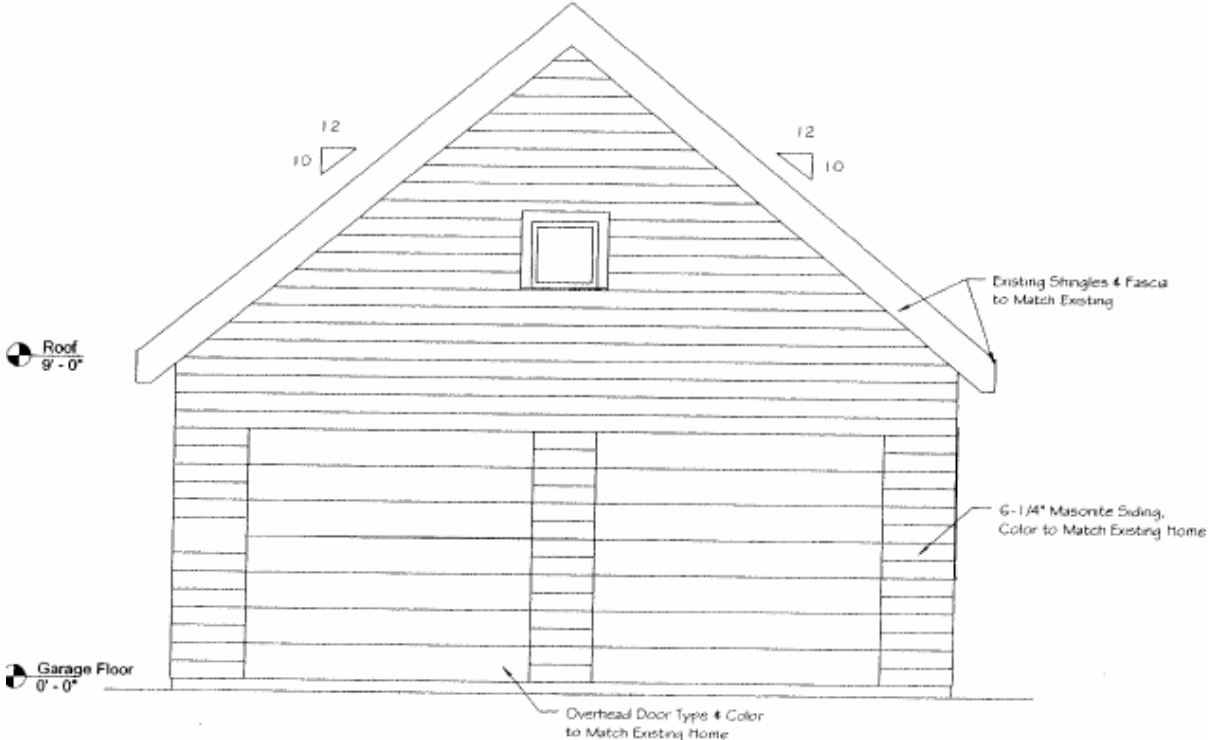


① Garage Floor
1/8" = 1'-0"

CHRISTIE GARAGE



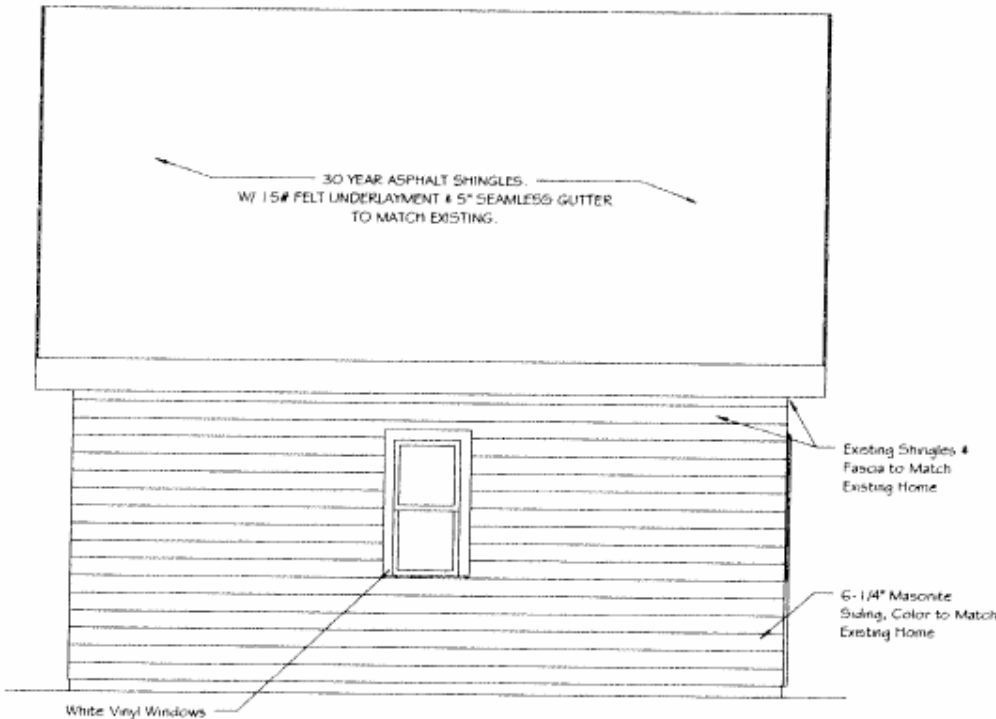
North Elevation
3/16" = 1'-0"



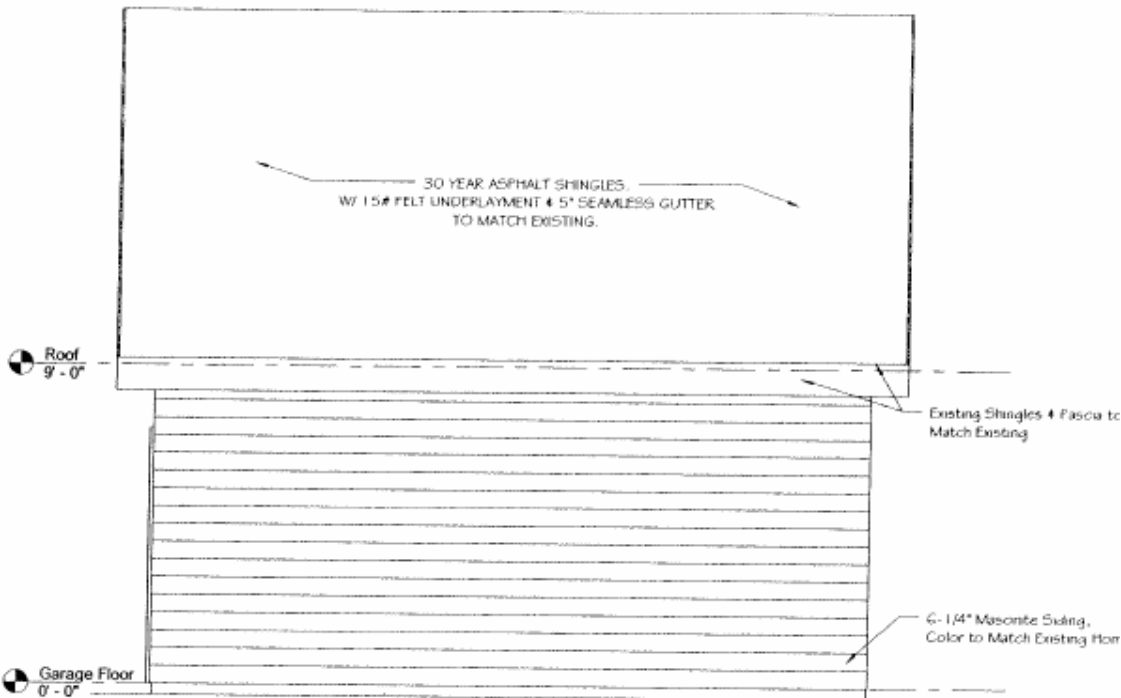
Roof
9' - 0"

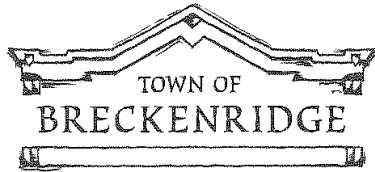
Garage Floor
0' - 0"

CHRISTIE GARAGE



① East Elevation
3/16" = 1'-0"





MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker, AICP

DATE: July 28, 2010

SUBJECT: Highlands Marketplace

The owners of Ten Peaks Sotheby's International Realty (located in the former Highlands at Breckenridge Sales Office), near the intersection of Tiger Road and Highway 9, have approached the Town with a proposal to convert the existing sales office on Lot 1, Golf Course Subdivision, to a neighborhood commercial use, and to construct a new building for the real estate sales office on Lot 2 (currently used as a driveway and parking). The Golf Course Subdivision plat specifically identifies these two lots as commercial use. Specifically, the note states:

“Each lot designated by number of the Plat for this Highlands at Breckenridge Golf Course Filing No. 1 is a Single-Family Residential Lot (except Lots 1 and 2, on which commercial uses intended to be as a real estate sales office, compatible in architectural character with a residential neighborhood utilizing subdued lighting, and associated parking as approved by the Town of Breckenridge, are permitted) as such term is defined in the Declaration (as defined in note 8 below.)”

The floor plan of the existing building does not work well for the needs of the realty operation and the owners would like to construct a new building (in residential character) to accommodate their needs. The provision of commercial use at the north end of town has been discussed on numerous occasions, including the original master planning of the Delaware Flats Master Plan (see the attached memo from the applicants). More recently, there were discussions of including some support commercial uses within the Stan Miller Master Plan. The residential growth at the north end of town including the Golf Course Subdivision, Highland Greens, Vic's Landing, Highlands Park, The Shores, Stan Miller Subdivision, Villas at Swan's Nest, Ten Mile Vista, Summit Estates and various other neighborhoods makes this a much denser bed base than in past years. Providing a small commercial operation in this area could help to alleviate traffic congestion on Highway 9, reduce vehicle miles travelled, and maintain tax revenue within Town limits.

Staff believes that this idea should be considered in greater detail. While there may be some challenges with issues such as traffic and parking, we believe the site can be sensitively developed, and that this use could be a valuable service to residents in this vicinity. To accommodate this proposal, a transfer of density and a master plan amendment would be required. If the Commission supports this idea, staff will continue to work with the applicants, who will likely submit a more formal application for your consideration. Attached are some concept plans on how this site could be developed. We look forward to your input.

HIGHLANDS MARKETPLACE

69 Marksberry Way Breckenridge, CO

For Planning Commission Work Session on August 2nd, 2010

Proposal: Remodel of the exiting 2800 sqft commercial building on Lot 1, The Highlands at Breckenridge Golf Course Filing 1 Subdivision and the addition of a new 4000 sqft commercial building on Lot 2, The Highlands at Breckenridge Golf Course Filing 1 Subdivision. The proposal is to provide low impact, support commercial to the residential areas along the Tiger Road corridor.

Documents of Record:

| | | |
|--|---------------|--------------|
| Delaware Flats Annexation Agreement | May 20, 1982 | Rec.# 241382 |
| Delaware Flats Master Plan Agreement | May 20, 1984 | Rec.# 275012 |
| The Highlands at Breckenridge Golf Course Filing 1 –plat | Nov. 30, 1995 | Rec.#504319 |
| Amendment to the Master Plan Agreement | Oct. 07, 1999 | Rec.# 607559 |
| Dedication Agreement | Oct. 07, 1999 | Rec.# 607560 |
| Lincoln Highlands Development Agreement | Oct. 07, 1999 | Rec.# 607561 |

History: The 1984 Delaware Flats Master Plan identified a future need for retail commercial development near Tiger Road to support the residential development on the north end of Town. The 1984 Master Plan Matrix separated the entire property into 10 separate planning districts. Each district was assigned a total number of sfe's allowed and a list of allowable uses for those sfe's (SF, CSF, Duplex, Triplex, Townhome, Condo, Hotel and Commercial.) There were 2 areas identified for commercial use, District 2A (now known as Highland Greens and Lots 1-10 The Highlands at Breckenridge Golf Course Filing 1) and District 3A (now known as the Shores and the Breckenridge Building Center). The 1984 development Matrix assigned 15 sfe's of commercial development to District 2A and 50 sfe's of commercial development to District 3A.

When development of the Delaware Flats Mater Planned property began in 1994, the Master Developer (The Highlands) and the Town desired to update and amend the 10 year old Master plan and began a 5 year review of the entire 1500 acre Delaware Flats parcel, known today as the Highlands at Breckenridge. Development of The Highlands started with Filing 1 on the south end of the property and Golf Course Filing 1 on the north end. Development of subsequent filings was allowed throughout the

Master Plan review process as long as development was consistent with the 1984 Master Plan and consistent with ongoing master plan negotiations. The amended master plan was approved and recorded on September 9, 1999.

Consistent with the 1984 master plan, during the amendment review, the future need for commercial development serving the large residential base proposed near Tiger Road was discussed. The Master Developer, Planning Commission and Town Council reaffirmed the need and all of the listed commercial densities in the 1984 master plan were retained as part of the amended master plan. At the time of the 1999 amendment, the Golf Course Filing 1 Subdivision and the Highlands Sales office located at 69 Marksberry Way were in existence. To accommodate this, the amended matrix separated planning District 2A into two sub Districts, 2A and 2B. District 2A became what we know as Highland Greens and 2B became what we know as Lots 1 – 10 The Highlands at Breckenridge Golf Course Filing 1. Since the existing Highlands office was 2800 sqft, 3 of the 15 commercial sfe's identified in the 1984 master plan were assigned to District 2B and the remaining 11 commercial sfe's were assigned to District 2A.

A similar situation occurred on the west side of Highway 9 with District 3A. Although not in existence, discussions to relocate the Breckenridge Building Center to its current site were well underway in 1999 and the amended matrix separated District 3A into District 3A and District 3B for that reason. District 3A became what is known as the Shores retaining 20 commercial sfe's and District 3B became the Building Center site that was assigned 40 commercial sfe's.

Concept: The current owners of Lot 1 and 2, The Highlands at Breckenridge Golf Course Filing 1 still believe some type of support commercial for the Tiger Road corridor is needed. They also believe development within the corridor is approaching levels that will support small retail operations. Although Lots 1 and 2 were not contemplated to have additional commercial density in 1999, events since then have changed the development character of the area. Highland Greens was re-master planned and developed without a single commercial use, the Shores was re-master planned and is being developed without a single commercial use and a recent annexation of the Miller property was approved without any commercial density. This leaves Lots 1 and 2 as maybe the last opportunity to provide some form of support commercial in a growing residential area located 4 miles from Main Street.

The proposal is to remodel the existing Sothebys office into one or two retail spaces that will compliment the residential area. Uses such as coffee house/bakery, small deli, limited grocery operation like a scaled down version of the "Market" on Larimer St. in Denver, a small liquor store, high end market/ deli/ butcher shop and a boutique are a few of the ideas at this time. Because the existing building does not work well as a real estate office, the new building is proposed to be built as an efficient real estate office along with one or two additional professional spaces. The new building will have the same residential character and scale as does the exiting building and will require the purchase and transfer of up to 4 TDR's.

We look forward to discussing this proposal with you and listen to your comments and concerns.

Highlands Marketplace

69 Marksberry Way Breckenridge, CO



Town of Breckenridge
Work Session

Submitted: 20 July 2010

Drawing Index

Alta ACSM Land Title Survey
A100 Site Plan Option 1
A101 Site Plan Option 2
A200 Site Elevations
A300 Building Elevations

Owner:
Scott Mitchell
69 Marksberry Way
Breckenridge, CO 80424
970.453.0550

Owner's Representative:
Don Nilson
DNM Consulting
970.390.4803

Architect:
Craine Frahm Architects, Inc.
1580 Lincon St # 480
Denver, CO 80218
303.477.3391

ALTA/ACSM LAND TITLE SURVEY LOT 1 AND LOT 2 THE HIGHLANDS AT BRECKENRIDGE GOLF COURSE FILING NO. 1



LEGEND
 [Symbol] Found 1.5" aluminum nail (Note Eng. 14033)
 [Symbol] Found instrument as indicated herein.

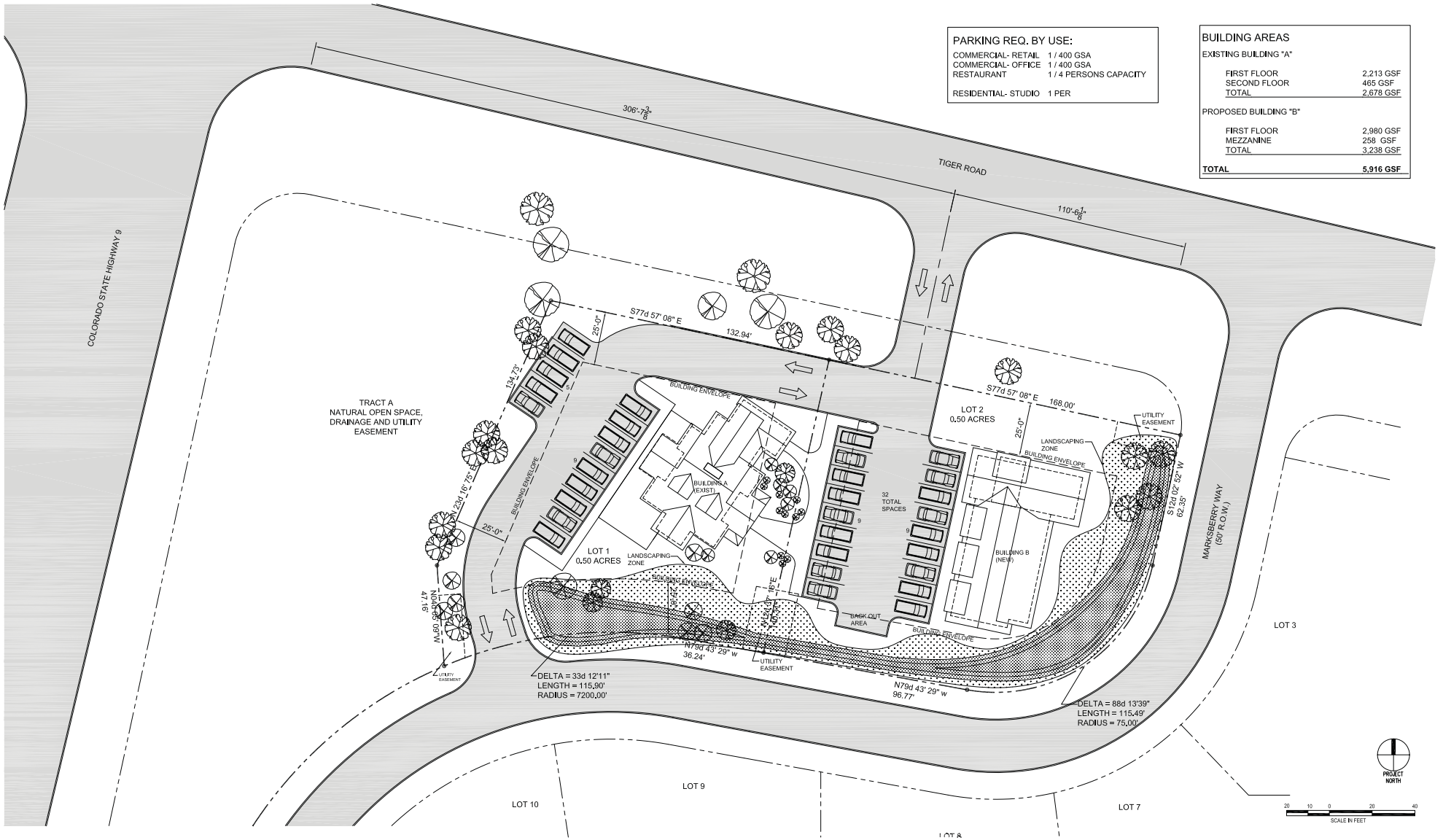


PROPERTY DESCRIPTION
 A parcel of land located in Section 16, Township 8 South, Range 77 West of the Sixth Principal Meridian, Town of Breckenridge, County of Summit, State of Colorado and being more particularly described as follows:
 LOT 1 AND LOT 2, THE HIGHLANDS AT BRECKENRIDGE GOLF COURSE FILING NO. 1 as described on the First Plat for The Highlands at Breckenridge Golf Course Filing No. 1 and other Resubdivision No. 50419-B on November 30, 1999 in the records of the Summit County Clerk and Recorder.
 The described parcels contain 1.00 acres, more or less.

CERTIFICATE OF SURVEY
 ALTA/ACSM Land Title Survey
 for Tiger Hunt Holdings, LLC
 and The Company of The Rockies, Inc.
 Laramie, WY
 This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standards" (Title Requirements for ALTA/ACSM Land Title Surveys) jointly established and adopted by ALTA and NPS in 2005, and "Practice Book 1" and 2 of the ALTA Manual.
 Pursuant to the Attorney Statutes as amended by ALTA and NPS and in effect on the date of this certificate, I, the undersigned, do hereby certify that I am a duly licensed and qualified professional surveyor in the State of Colorado, the practice and jurisdiction of the survey were not altered from what is recited herein.
 Date: _____
 Kenneth W. Curdson
 Colorado P.L.S. 50025

- SURVEY NOTES**
- Date of Survey: November 1, 2008.
 - Basis of Bearing: From the westerly corner of Lot 1, the Highlands at Breckenridge Golf Course Filing No. 1 (1.5" aluminum nail, Approx. Eng. 14033) to the northerly corner of Lot 2, the Highlands at Breckenridge Golf Course Filing No. 1 (1.5" aluminum nail, Approx. Eng. 14033), N65°57'24"W, 310.00 feet.
 - NOTICE: According to Colorado law you must determine any legal better titled claim or defect in this survey within three years after you first discover such defect. In no event may any claim based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
 - The Commission number 005608-C issued by The Company of The Rockies, Inc. was used to create the ALTA/ACSM Land Title Survey.
 - Adjacent property designated on this map as a Tract or Lot was platted as part of The Highlands at Breckenridge Golf Course Filing No. 1 recorded on November 30, 1999 and filed under Resubdivision Number 50419-B.
 - Information on Third Insurance Rate Map, Commission-Filed Number 900120007-C for Town of Breckenridge, Summit County, dated on June 29, 2007 indicates that Lot 1 and Lot 2, the Highlands at Breckenridge Golf Course Filing No. 1 is in Taxation Zone A (Zone determined to be outside the 200-year floodplain).
 - Portions of the covered entry and the building on Lot 1 are not within the building envelope for Lot 1 as defined on the First Plat of The Highlands at Breckenridge Golf Course Filing No. 1.
 - The address of the building on Lot 1, The Highlands at Breckenridge Golf Course Filing No. 1 is 5089 Montevideo Way.
 - There is no adjacent easement for the electric, telephone, water, sewer, and cable TV located near the southeast corner of Lot 2, The Highlands at Breckenridge Golf Course Filing No. 1.
 - Nearest sewerage disposal well and sanitary sewer service was located on Lot 2, The Highlands at Breckenridge Golf Course Filing No. 1 near the southwest corner of Lot 2 as indicated on this map. No observation evidence of the water and sanitary sewer service could be found in the field after 2 thorough 24" S.P. augers.
 - The Highlands at the Building on Lot 2, The Highlands at Breckenridge Golf Course Filing No. 1 are parallel or perpendicular to 10334702'W.

| | |
|--|-----------------|
| CURDSON ENGINEERING, INC. 1000 WEST 10TH AVENUE, SUITE 100 DENVER, COLORADO 80202 TEL: 303.733.8800 FAX: 303.733.8801 WWW.CURDSON-ENG.COM | SHEET 1 OF 1 |
|--|-----------------|



| PARKING REQ. BY USE: | |
|----------------------|------------------------|
| COMMERCIAL- RETAIL | 1 / 400 GSA |
| COMMERCIAL- OFFICE | 1 / 400 GSA |
| RESTAURANT | 1 / 4 PERSONS CAPACITY |
| RESIDENTIAL- STUDIO | 1 PER |

| BUILDING AREAS | |
|-----------------------|------------------|
| EXISTING BUILDING "A" | |
| FIRST FLOOR | 2,213 GSF |
| SECOND FLOOR | 465 GSF |
| TOTAL | 2,678 GSF |
| PROPOSED BUILDING "B" | |
| FIRST FLOOR | 2,980 GSF |
| MEZZANINE | 258 GSF |
| TOTAL | 3,238 GSF |
| TOTAL | 5,916 GSF |

Town of Breckenridge
 Work Session
 Submitted: 20 July 2010

Owner:
 Scott Mitchell
 69 Marksberry Way
 Breckenridge, CO 80424
 970.453.0650

Owner's Representative:
 Don Nilsson
 DNM Consulting
 970.390.4803

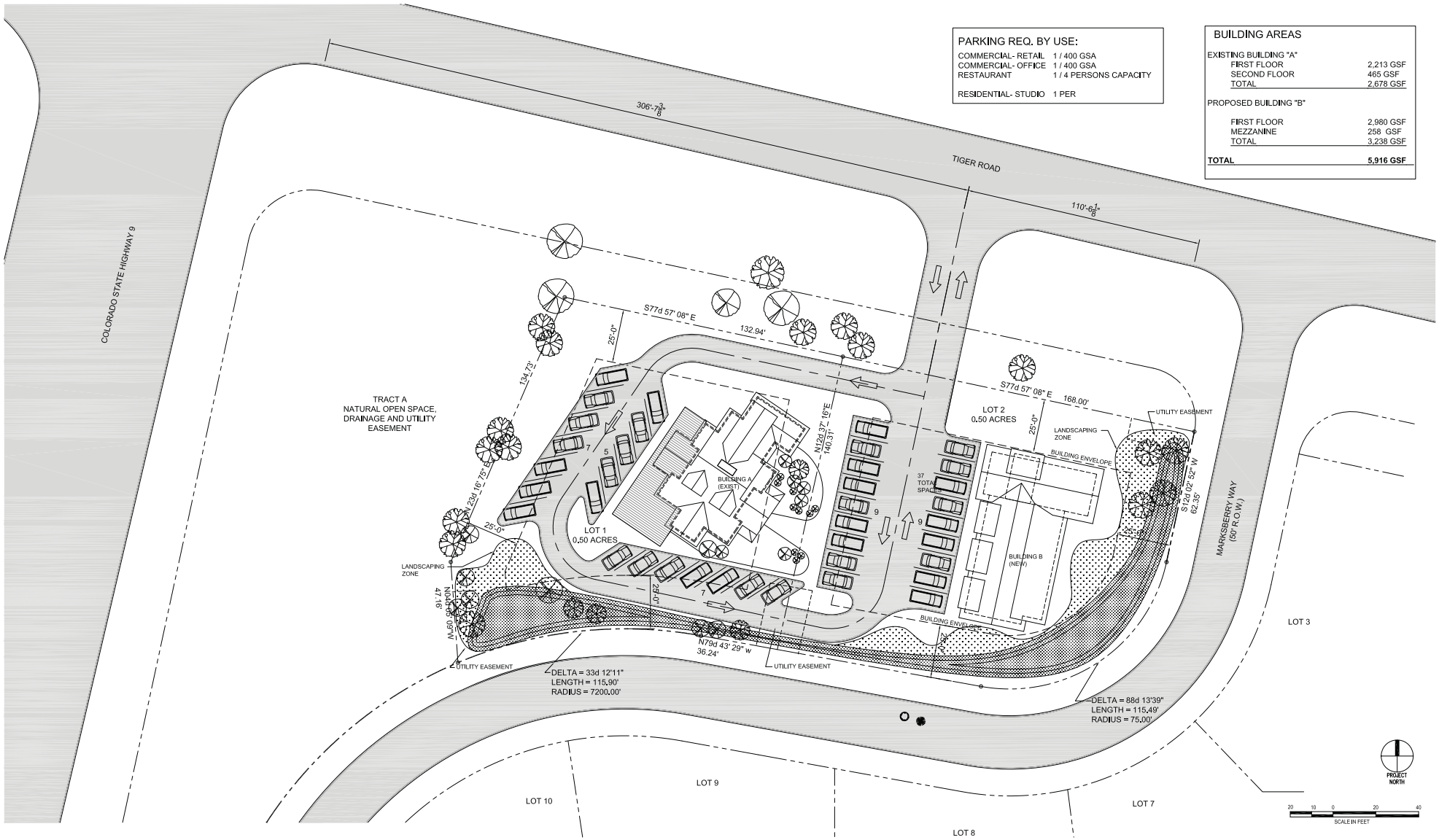
Architect:
 Crabbe Frahm Architects, Inc.
 1580 Lincoln St # 480
 Denver, CO 80218
 303.477.3391

Highlands Marketplace

69 Marksberry Way Breckenridge, CO



SITE PLAN
 OPTION 1
 A 100



| PARKING REQ. BY USE: | |
|----------------------|------------------------|
| COMMERCIAL- RETAIL | 1 / 400 GSA |
| COMMERCIAL- OFFICE | 1 / 400 GSA |
| RESTAURANT | 1 / 4 PERSONS CAPACITY |
| RESIDENTIAL- STUDIO | 1 PER |

| BUILDING AREAS | |
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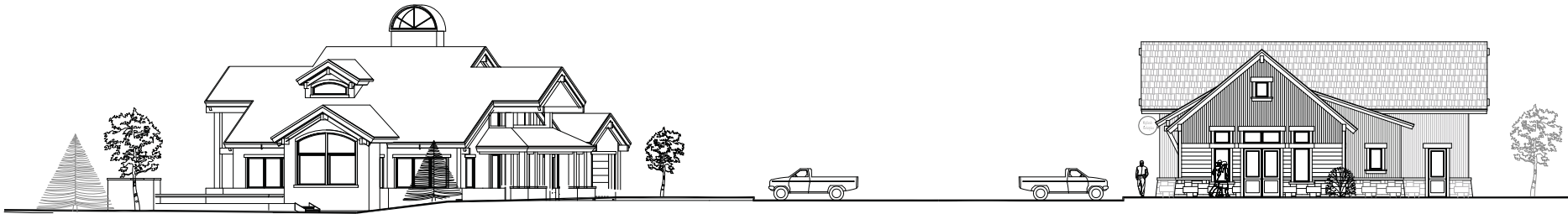
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Highlands Marketplace

69 Marksberry Way Breckenridge, CO

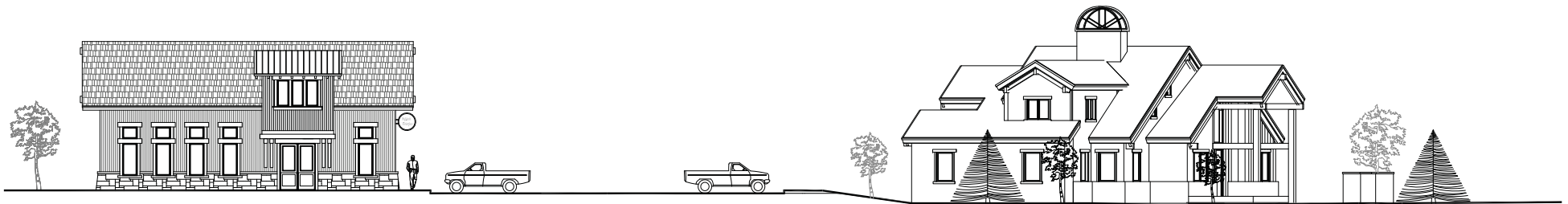


SITE PLAN
 OPTION 2
 A 101



SOUTH SITE ELEVATION: FROM MARKSBERRY

1/8" = 1'-0"



NORTH SITE ELEVATION: FROM TIGER RD

1/8" = 1'-0"

Town of Breckenridge
Work Session
Submitted: 20 July 2010

Owner:
Scott Mitchell
69 Marksberry Way
Breckenridge, CO 80424
970.453.0650

Owner's Representative:
Don Nilsson
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Architect:
Craline Frahm Architects, Inc.
1580 Lincoln St # 480
Denver, CO 80218
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Highlands Marketplace
69 Marksberry Way Breckenridge, CO



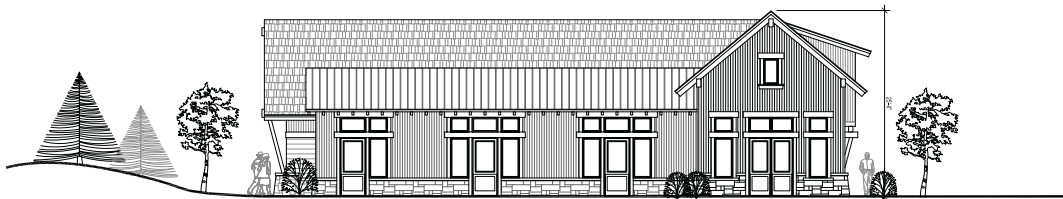
SITE
ELEVATIONS
A 200



WEST ELEVATION: RETAIL FRONT
1/8" = 1'-0"



NORTH ELEVATION: TIGER RD.
1/8" = 1'-0"



EAST ELEVATION: RETAIL BACK
1/8" = 1'-0"



SOUTH ELEVATION: RETAIL SIDE
1/8" = 1'-0"

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** July 20, 2010 (For meeting of August 3, 2010)
- Subject:** Nauman Residence Historic Renovation and Landmarking;
(Class B-Minor, Final Hearing, PC#2010030 - The last meeting was a Second Preliminary).
- Applicant/Owner:** Dennis and Karen Nauman
- Agent:** Janet Sutterley, Architect, J.L. Sutterley, P.C.
- Proposal:** To perform an extensive exterior restoration of the historic house and remodel of the non-compliant addition. The reconstruction of the historic house will include a full basement beneath the historic portion of the footprint within the property lines and a window well outside the property line along the west edge of the site. Local landmarking of the property is also requested.
- Address:** 211 East Washington Avenue
- Legal Description:** Lot 2A, Rittinger Subdivision, a lot line adjustment of Lots 1 and 2, Block 10 Abbetts Addition.
- Site Area:** 0.050 acres (2,174 sq. ft.)
- Land Use District:** 17, Residential, 11 UPA, Single Family or Duplex
- Historic District:** #1, East Side Residential Character Area
- Site Conditions:** The property now contains a historic residence with a larger, historically non-compliant addition towards the back of the site. The remaining property is unimproved and heavily weeded. Parking occurs on the Town Right of Way (ROW). The house encroaches into ROW at the north and west property lines. There are platted utility easements for the neighboring Lot 1A.
- Adjacent Uses:** East, South and West - Single-family residential properties.
North - Hearthstone Restaurant and St. Mary's Church Rectory
- Density:** Existing Density: (Per the recorded plat, the existing density is the allowed maximum)
- | | |
|--------------|---------------|
| Main Level: | 1,057 sq. ft. |
| Upper Level: | 355 sq. ft. |
| Total | 1,412 sq. ft. |
- Proposed Density:**

| | |
|--------------|--|
| Lower Level: | 23 sq. ft. (remaining 547 square feet of density is exempt, pending Landmarking) |
| Main Level: | 1,025 sq. ft. |
| Upper Level: | 343 sq. ft. |
| Total: | 1,391 sq. ft. (21 sq. ft. reduction) |

Above Ground

| | | |
|-----------------|---|--------------------------------------|
| Density: | Recommended (9 UPA): | 734 sq. ft. |
| | Allowed (10 UPA, with negative points): | 816 sq. ft. |
| | Existing: | 1,412 sq. ft. |
| | Proposed: | 1,368 sq. ft. (44 sq. ft. reduction) |

| | | |
|--------------|--|--------------------------------------|
| Mass: | Per the recorded plat, the existing mass is the allowed maximum: | 1,412 sq. ft. |
| | Proposed mass: | 1,391 sq. ft. (21 sq. ft. reduction) |

| | | |
|-----------------|-----------|---------------------------------|
| Parking: | Required: | 2 spaces |
| | Existing: | 2 spaces (partially in ROW) |
| | Proposed: | 2 spaces (see discussion below) |

Setbacks: The historic portion of the house is over the north and west property lines and will be replaced in this historic location. The non-compliant addition was also built partially over the west property line. No change is proposed to the setbacks.

Item History

The original historic portion of the house, the Newcomb House, was constructed 1882 for B.M. Newcomb. He operated an assay and real estate office on Ridge Street and was the developer of the Deadwood Lode mining claim. The Cultural Survey for the subject property has designated the house as contributing. It is still in its original position.

The larger, most recent, non-compliant addition was built in the 1980's. This addition was also partially constructed over the west property line. No changes are proposed to the footprint of the non-historic addition as this portion is on a slab foundation.

Staff notes, that since this is the second review of this proposal, the report has been truncated removing items that have been discussed and are in compliance with the Development Code.

Commissioner Comments from the July 6, 2010 2nd Preliminary Hearing

Commissioner Questions/Comments:

Mr. Lamb: Final Comments: I have no issue with the egress window well. Support wooden newels for railings. I still have issues with the exterior stairs. I know that the Nauman's will not take advantage of this, but I think that future tenants and owners will try. I'm not real sure why the basement has a separate entrance. Everything else, I'm okay with except the stairs. Policy 80/A is not applicable.

Mr. Pringle: What activities make this area 'non-livable'? (Mr. Mosher: It will count as density for calculations. When the Naumans or the next owner wishes to make it livable.)

Final Comments: The window well is either an issue or not with the attorney. (Mr. Mosher: Pending decision from the Commission, it's not. Mr. Berry indicated that Findings can prevent establishing precedent with your decision.) Great, then it's not an issue. I'm OK with the window well. I'm concerned about the basement being finished and used illegally, but... if it were placed illegally we would look after. We have to deal with that all over Town already. We could deal with that when it happens. I'd be willing to go with the unfinished basement with the stair entry in this particular case. I support 80/A being non-applicable.

Mr. Bertaux: I'm in favor of the window well, the stairway, the wooden newels.

Ms. Girvin: The actual square footage is including the basement? (Mr. Mosher: For the report the basement density has been separated from the overall pending locally landmarking. Still subject to water taps and similar fees.) The entire density is how a realtor will advertise this house. I don't get the metal vs. wood thing. (Ms. Sutterley: When used in larger portions, metal is less 'busy' than wood and offer's more light. Can easily switch.) Ms. Sutterley, do you have window wells for cross ventilation in the basement of your historic renovation under construction now on Harris Street? (Ms. Sutterley: Yes, I do.) My last question is on landscaping, why is a Balsam Poplar not proposed here? Our Balsam Poplars here in town are nearing the end of their life cycle. We will be really sad when they are all gone.

Final Comments: I'm still not comfortable with the stairs. Can be OK with the window well. Whether there is a potential for future basement illegal usage or not, I feel that the stairs take away from the lot. I do not think that they are necessary in this project. There is too much program on the site. We are naive if we think that any future residents will not turn this into an accessory apartment. I think this could be a windowless 'entertainment room'. Policy 80/A is inapplicable.

Mr. Schroder: Another density question. What happens when the homeowners put a rec-room in that basement? (Mr. Mosher: It still counts as density now, even though it is unfinished. The Sanitation District will wait for improvements before charging tap fees.) I am in favor of the window well, efficiency, stairs. 80/A is not applicable. From this project, the Town is getting a great historic restoration and renovation.

Mr. Allen: I don't think that the west window meets Policy 9, Building Placement, so I'm not in favor of supporting it. Also still do not support allowing any of the parking in the Town Right of Way. I have no issue of the illegal apartment and the access stairs. If it comes up in the future, we can deal with it then. I believe that you could put in 220, gas, etc. if needed for a laundry unit, or gas fireplace if you wanted. We just need to reinforce the legality of livability. Support Policy 80/A as not applicable. Other than that, good.

Changes since the July 6, 2010 Meeting

1. The on-site parking plan has been modified showing 4'-9" of the required 18-feet extending over the north property line.
2. As suggested, one Balsam Poplar (Balm of Gilead) has been added to the landscaping plan.
3. Wooden newels have been added to the north elevation at the porch.
4. A final Point Analysis and Findings and Conditions (specifically addressing the encroachment license agreement) have been included.

Staff Comments

Land Use (Policies 2/A & 2/R): The proposal conforms to the suggested uses for this Land use District. As discussed at the last hearing, the possibility of the basement being converted to a bandit Accessory apartment based on the proposed external access was not a concern to four of the six Planning Commission members. Staff has no concerns.

Density/Intensity (3/A & 3/R)/Mass (4/R): With this proposal, the overall density is being reduced from the original size by 21 square feet. The above ground density is also being reduced by 44 square feet. The overall mass of the building is being reduced from 1,412 square feet to 1,391 square feet (21 square feet).

As part of this application, the applicant is seeking a local landmark designation which would allow a basement beneath the historic house without adding density calculations under this policy. We have added a Condition of Approval that, prior to issuance of a building permit, the Applicant shall obtain approval of an ordinance from the Breckenridge Town Council for local landmark status for the property.

Architectural Compatibility (5/A & 5/R): At the last hearing, we heard support for the proposed architecture and its compliance with the Handbook of Design Standards for the Historic and Conservation Districts and the Policies in the Design Standards for the Historic District Character Area #1, East Side Residential Character Area.

Based on the discussion and comments from the last hearing, Planning Commission indicated that Priority Policy 80A, "Use connectors to link smaller modules and for new additions to historic structures" is not applicable since the addition is existing, not new, and is only being modified externally. We have added a finding to this effect.

Staff finds that the application meets all applicable Priority Policies and Design Standards in the Handbook of Design Standards for the Historic and Conservation Districts and the Policies in the Design Standards for the Historic District Character Area #1, East Side Residential Character Area.

Building Height (6/A & 6/R): The overall building height will remain at 20'-7" above grade. Staff has no concerns.

Site and Environmental Design (7/R): The only on-site impact associated with this policy is the creation of a new retaining wall to accommodate the required on-site parking. The proposed wooden retaining wall will be no taller than three (3) feet. Staff has no concerns.

Placement of Structures (9/A & 9/R): There is no proposed change in the location of the footprint of the house. As it exists today, the front porch encroaches into the Washington Avenue ROW and the historic bay window encroaches into the west alley ROW. Also, a small portion of the non-compliant addition encroaches into the west alley ROW. An encroachment license agreement will be processed prior to issuance of a building permit for the existing encroachments of the historic house, and has been made a Condition of Approval.

At the last review we heard general support from four of the six Commissioners to allow (with an encroachment license agreement) the window well along the west property line. This window well will be below grade and encroach no further than the existing encroachment of the historic bay window

along this property line. Since this window well is behind the bay window and about seven (7) feet above and thirty (30) feet away from the Washington Avenue ROW, any visual impacts are negligible.

Snow Removal and Storage (13/R): On this difficult site, snow removal will need to be done by hand or snow thrower into the yard south of the parking spaces. There is ample space for this snow storage.

Parking (18/A & 18/R): At the last meeting, the majority of the Commissioners had no concerns with the planned encroachment of the required two parking spaces into the ROW. The parking has been held back from the wind-row of snow removal along the ROW and no public parking is impacted. As discussed at the last meeting, an encroachment license agreement will be processed. We have no concerns.

Landscaping (22/A & 22/R): The proposed landscaping is modest for this tiny lot. One - 6-foot tall Spruce, one - 1.5-2 inch caliper Spring/Snow Crabapple, four - 1.5 inch caliper Aspen and, since the last hearing, one - Balm of Giliad or Balsam Poplar are proposed. These, along with six - 5-gallon shrubs, should complement the site nicely. We have no concerns.

Social Community (24/R): Under this policy there is a section regarding Historic Preservation. At the last meeting we heard support of awarding positive nine (+9) points for the historic restoration and renovation for this project. Per this section of the Code:

+9 *On site historic preservation/restoration effort of above average public benefit.*

Examples: Restoration/preservation efforts for windows, doors, roofs, siding, foundation, architectural details, substantial permanent electrical, plumbing, and/or mechanical system upgrades, structural stabilization, or restoration of secondary structures, which fall short of bringing the historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style.

The planned improvements include:

1. Remove the 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. The existing density under this roofed area will be removed (currently a bedroom).
3. Remove the east and west non-historic bay windows (keeping the west facing historic bay window) on the 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 the front (north) door with a historically compliant door.
6. Full restoration of the front porch with correct post detailing (existing posts 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.

Staff has no concerns.

Utilities Infrastructure (26/A & 26/R; 28/A): All utilities exist in the ROW or platted easement on the property to the east. Staff has no concerns.

Drainage (27/A & 27/R): The site plan shows positive drainage away from the neighboring property and off site onto the adjacent ROWs. Staff has no concerns.

Landmarking of Structure:

The Applicant’s proposal is to bring the historic house back to its original form, drop a portion of the non-historic roof behind the historic roof to create a link and separate the addition from the historic portion. With the historic house “isolated” the agent believes that the house could be locally landmarked under the following criteria:

To be designated as a landmark the property must: (1) satisfy the sole requirement of Column A; (2) satisfy at least one of the requirements of Column B; and (3) also satisfy at least one of the requirements of Column C.

| COLUMN “A” | COLUMN “B” | COLUMN “C” |
|--|---|--|
| <p>The property must be at least 50 years old.</p> | <p>The proposed landmark must meet at least ONE of the following 13 criteria:</p> <p>ARCHITECTURAL IMPORTANCE</p> <ol style="list-style-type: none"> 1. The property exemplifies specific elements of architectural style or period. 2. The property is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally. 3. The property demonstrates superior craftsmanship or high artistic value 4. The property represents an innovation in construction, materials or design. 5. The property is of a style particularly associated with the Breckenridge area. 6. The property represents a built environment of a group of people in an era of history. 7. The property includes a pattern or grouping of elements representing at least one of the above criteria. 8. The property is a significant historic remodel. <p>SOCIAL IMPORTANCE</p> <ol style="list-style-type: none"> 9. The property is a site of an historic event that had an effect upon society. 10. The property exemplifies cultural, political, economic or social heritage of the community. 11. The property is associated with a notable person or the work of a notable person. <p>GEOGRAPHIC/ENVIRONMENTAL IMPORTANCE</p> <ol style="list-style-type: none"> 12. The property enhances sense of identity of the community. 13. The property is an established and familiar natural setting or visual feature of the community | <p>The proposed landmark must meet at least ONE of the following 4 criteria:</p> <ol style="list-style-type: none"> 1. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation. 2. The property retains original design features, materials and/or character. 3. The structure is on its original location or is in the same historic context after having been moved. 4. The structure has been accurately reconstructed or restored based on documentation. |

At a previous meeting we heard Commissioner support for the following:

Column A: The property is at least 50 years old (1882 per cultural survey).

Column B: 1.The proposed landmark exemplifies specific elements of architectural style or period.

5. The proposed landmark is of a style particularly associated with the Breckenridge area.

7. The property includes a pattern or grouping of elements representing at least one of the above criteria.

8. The proposed landmark is a significant historic remodel

Column C: all four criteria.

Staff asks that the Planning Commission recommend to Town Council adoption of an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

Point Analysis (Section: 9-11-7-3): At this final hearing we are finding the application passes all Absolute Policies. We are recommending positive nine (+9) points for the restoration and renovation efforts under Polity 24/R Social Community. Priority Policy 80A, found inapplicable, relates to Absolute Policy 5/A of the Development Code.

Staff Recommendation

Staff recommends approval of the Nauman Residence Historic Renovation and Landmarking, PC#2010030.

We also suggest the Planning Commission recommend that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

| Final Hearing Impact Analysis | | | | |
|---|--|-----------------|--------------------------|--|
| Project: | Nauman Residence Historic Renovation and Landmarking | Positive | Points | +9 |
| PC# | 2010030 | | | |
| Date: | 07/20/2010 | Negative | Points | 0 |
| Staff: | Michael Mosher, Planner III | | | |
| | | | Total Allocation: | +9 |
| Items left blank are either not applicable or have no comment | | | | |
| Sect. | Policy | Range | Points | Comments |
| 1/A | Codes, Correlative Documents & Plat Notes | Complies | | |
| 2/A | Land Use Guidelines | Complies | | |
| | Land Use Guidelines - Uses | 4x(-3/+2) | | The proposal conforms to the suggested uses for this Land use District. As discussed at the last hearing, the possibility of the basement being converted to a bandit Accessory apartment based on the proposed external access was not supported by four of the six Planning Commission members. |
| 2/R | | | | |
| 2/R | Land Use Guidelines - Relationship To Other Districts | 2x(-2/0) | | |
| 2/R | Land Use Guidelines - Nuisances | 3x(-2/0) | | |
| 3/A | Density/Intensity | Complies | | |
| | Density/ Intensity Guidelines | 5x (-2>-20) | | With this proposal, the overall density is being reduced from the original size by 21 square feet. The above ground density is also being reduced by 44 square feet. |
| 3/R | | | | |
| 4/R | Mass | 5x (-2>-20) | | The overall mass of the building is being reduced from 1,412 square feet to 1,391 square feet (21 square feet). |
| 5/A | Architectural Compatibility / Historic Priority Policies | Complies | | |
| 5/R | Architectural Compatibility - Aesthetics | 3x(-2/+2) | | |
| | Architectural Compatibility / Conservation District | 5x(-5/0) | | Staff finds that the application meets all applicable Priority Policies and Design Standards in the Handbook of Design Standards for the Historic and Conservation Districts and the Policies in the Design Standards for the Historic District Character Area #1, East Side Residential Character Area. |
| 5/R | | | | |
| 5/R | Architectural Compatibility H.D. / Above Ground Density 12 UPA | (-3>-18) | | |
| 5/R | Architectural Compatibility H.D. / Above Ground Density 10 UPA | (-3>-6) | | |
| 6/A | Building Height | Complies | | |
| 6/R | Relative Building Height - General Provisions | 1X(-2,+2) | | |
| | For all structures except Single Family and Duplex Units outside the Historic District | | | |
| 6/R | Building Height Inside H.D. - 23 feet | (-1>-3) | | The overall building height will remain at 20'-7" above grade. |
| 6/R | Building Height Inside H.D. - 25 feet | (-1>-5) | | |
| 6/R | Building Height Outside H.D. / Stories | (-5>-20) | | |
| 6/R | Density in roof structure | 1x(+1/-1) | | |
| 6/R | Broken, interesting roof forms that step down at the edges | 1x(+1/-1) | | |
| | For all Single Family and Duplex Units outside the Conservation District | | | |
| 6/R | Density in roof structure | 1x(+1/-1) | | |
| 6/R | Broken, interesting roof forms that step down at the edges | 1x(+1/-1) | | |
| 6/R | Minimum pitch of eight in twelve (8:12) | 1x(0/+1) | | |
| 7/R | Site and Environmental Design - General Provisions | 2X(-2/+2) | | |
| 7/R | Site and Environmental Design / Site Design and Grading | 2X(-2/+2) | | |
| 7/R | Site and Environmental Design / Site Buffering | 4X(-2/+2) | | |
| 7/R | Site and Environmental Design / Retaining Walls | 2X(-2/+2) | | |
| 7/R | Site and Environmental Design / Driveways and Site Circulation Systems | 4X(-2/+2) | | |
| 7/R | Site and Environmental Design / Site Privacy | 2X(-1/+1) | | |
| 7/R | Site and Environmental Design / Wetlands | 2X(0/+2) | | |
| | Site and Environmental Design / Significant Natural Features | 2X(-2/+2) | | The only on-site impact associated with this policy is the creation of a new retaining wall to accommodate the required on-site parking. The proposed retaining wall will be no taller than three (3) feet. |
| 7/R | | | | |
| 8/A | Ridgeline and Hillside Development | Complies | | |
| 9/A | Placement of Structures | Complies | | |
| 9/R | Placement of Structures - Public Safety | 2x(-2/+2) | | |
| 9/R | Placement of Structures - Adverse Effects | 3x(-2/0) | | |
| 9/R | Placement of Structures - Public Snow Storage | 4x(-2/0) | | |
| | Placement of Structures - Setbacks | 3x(0/-3) | | As it exists today, the front porch encroaches into the Washington Avenue ROW and the historic bay window encroaches into the west alley ROW. Also, a small portion of the non-compliant addition encroaches into the west alley ROW. An encroachment license agreement will be processed prior to issuance of a building permit for the existing encroachments of the historic house. The new window well will be below grade and encroach no further than the existing encroachment of the historic bay window along this property line. |
| 9/R | | | | |
| 12/A | Signs | Complies | | |
| 13/A | Snow Removal/Storage | Complies | | |
| | Snow Removal/Storage - Snow Storage Area | 4x(-2/+2) | | On this difficult site, snow removal will need to be done by hand or snow thrower into the yard south of the parking spaces. There is ample space for this snow storage. |
| 13/R | | | | |
| 14/A | Storage | Complies | | |
| 14/R | Storage | 2x(-2/0) | | |
| 15/A | Refuse | Complies | | |
| 15/R | Refuse - Dumpster enclosure incorporated in principal structure | 1x(+1) | | |
| 15/R | Refuse - Rehabilitated historic shed as trash enclosure | 1x(+2) | | |
| 15/R | Refuse - Dumpster sharing with neighboring property (on site) | 1x(+2) | | |

| | | | | |
|------|--|--------------|----|--|
| 16/A | Internal Circulation | Complies | | |
| 16/R | Internal Circulation / Accessibility | 3x(-2/+2) | | |
| 16/R | Internal Circulation - Drive Through Operations | 3x(-2/0) | | |
| 17/A | External Circulation | Complies | | |
| 18/A | Parking | Complies | | |
| 18/R | Parking - General Requirements | 1x(-2/+2) | | The parking has been held back from the wind-row of snow removal along the ROW and no public parking is impacted. As discussed at the last meeting, an encroachment license agreement will be processed. |
| 18/R | Parking-Public View/Usage | 2x(-2/+2) | | |
| 18/R | Parking - Joint Parking Facilities | 1x(+1) | | |
| 18/R | Parking - Common Driveways | 1x(+1) | | |
| 18/R | Parking - Downtown Service Area | 2x(-2/+2) | | |
| 19/A | Loading | Complies | | |
| 20/R | Recreation Facilities | 3x(-2/+2) | | |
| 21/R | Open Space - Private Open Space | 3x(-2/+2) | | |
| 21/R | Open Space - Public Open Space | 3x(0/+2) | | |
| 22/A | Landscaping | Complies | | |
| 22/R | Landscaping | 4x(-2/+2) | | One - 6-foot tall Spruce, one - 1.5-2 inch caliper Spring/Snow Crabapple, four - 1.5 inch caliper Aspen and, since the last hearing, one - Balm of Giliad or Balsam Poplar are proposed. These, along with six - 5-gallon shrubs, should complement the site nicely. |
| 24/A | Social Community | Complies | | |
| 24/R | Social Community - Employee Housing | 1x(-10/+10) | | |
| 24/R | Social Community - Community Need | 3x(0/+2) | | |
| 24/R | Social Community - Social Services | 4x(-2/+2) | | |
| 24/R | Social Community - Meeting and Conference Rooms | 3x(0/+2) | | |
| 24/R | Social Community - Historic Preservation | 3x(0/+5) | | |
| 24/R | Social Community - Historic Preservation/Restoration - Benefit | +3/6/9/12/15 | +9 | The planned improvements include: 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. The existing density under this roofed area will be removed (currently a bedroom). 3. Remove the east and west non-historic bay windows (keeping the west facing historic bay window) on the 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 posts 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. |
| 25/R | Transit | 4x(-2/+2) | | |
| 26/A | Infrastructure | Complies | | |
| 26/R | Infrastructure - Capital Improvements | 4x(-2/+2) | | |
| 27/A | Drainage | Complies | | |
| 27/R | Drainage - Municipal Drainage System | 3x(0/+2) | | |
| 28/A | Utilities - Power lines | Complies | | |
| 29/A | Construction Activities | Complies | | |
| 30/A | Air Quality | Complies | | |
| 30/R | Air Quality - wood-burning appliance in restaurant/bar | -2 | | |
| 30/R | Beyond the provisions of Policy 30/A | 2x(0/+2) | | |
| 31/A | Water Quality | Complies | | |
| 31/R | Water Quality - Water Criteria | 3x(0/+2) | | |
| 32/A | Water Conservation | Complies | | |
| 33/R | Energy Conservation - Renewable Energy Sources | 3x(0/+2) | | |
| 33/R | Energy Conservation - Energy Conservation | 3x(-2/+2) | | |
| 34/A | Hazardous Conditions | Complies | | |
| 34/R | Hazardous Conditions - Floodway Improvements | 3x(0/+2) | | |
| 35/A | Subdivision | Complies | | |
| 36/A | Temporary Structures | Complies | | |
| 37/A | Special Areas | Complies | | |
| 37/R | Community Entrance | 4x(-2/0) | | |
| 37/R | Individual Sites | 3x(-2/+2) | | |
| 37/R | Blue River | 2x(0/+2) | | |
| 37/R | Cucumber Gulch/Setbacks | 2x(0/+2) | | |
| 37/R | Cucumber Gulch/Impervious Surfaces | 1x(0/-2) | | |
| 38/A | Home Occupation | Complies | | |
| 39/A | Master Plan | Complies | | |
| 40/A | Chalet House | Complies | | |
| 41/A | Satellite Earth Station Antennas | Complies | | |
| 42/A | Exterior Loudspeakers | Complies | | |
| 43/A | Public Art | Complies | | |
| 43/R | Public Art | 1x(0/+1) | | |
| 44/A | Radio Broadcasts | Complies | | |
| 45/A | Special Commercial Events | Complies | | |
| 46/A | Exterior Lighting | Complies | | |
| 47/A | Fences, Gates And Gateway Entrance Monuments | Complies | | |

TOWN OF BRECKENRIDGE

Nauman Residence Historic Renovation and Landmarking
211 East Washington Avenue
Lot 2A, Rittinger Subdivision, a lot line adjustment of Lots 1 and 2, Block 10 Abbetts Addition
PERMIT #2010030

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 20, 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 **August 3, 2010** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The determination that the Application complies with Policy 9 (Absolute)(Placement of Structures) and the award of zero points under Policy 9(D) (Relative)(Placement of Structures – Residential Setbacks) is based on the following unique circumstances concerning the real property that is the subject of the Application: (i) the front porch of the structure located on the property currently encroaches into the Town’s Washington Avenue right-of-way by approximately one and one-half (1.5) feet; (ii) the historic bay window of the structure located on the west edge of the property currently encroaches into the public alley adjoining the property by approximately four (4) feet; (iii) a small portion of the non-compliance addition to the structure currently encroaches by approximately one (1) foot into the alley adjoining the property; (iv) the encroachments described in items (i), (ii) and (iii) have existed for many years without demonstrable negative effects on the community; (v) those new improvements to be constructed pursuant to the Application that encroach into the Washington Avenue right-of-way and the alley adjacent to the Applicant’s property have been designed by the Applicant to line-up exactly with the existing encroachments, and therefore will result in no greater encroachment into the Washington Avenue right-of-way and the alley adjacent to the Applicant’s property than existed prior to the construction of the new improvements; (vi) those new improvements that are to be constructed pursuant to the Application that encroach into the Washington Avenue right-of-way and the alley adjacent to the Applicant’s property will result in no greater restriction on the ability of the Town to use the Washington Avenue right-of-way and the alley adjacent to the Applicant’s property than existed prior to the submission of the Application; (vii) for the reasons set forth above, the community will experience a minimum of negative impacts with respect to Policy 9 (Absolute)(Placement of Structures) and Policy 9(D) (Relative) (Placement of Structures – Residential Setbacks).

8. The Planning Commission recommends that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.
9. The Planning Commission hereby finds that Policy 80A of the Handbook of Design Standards for the Historic and Conservation Districts does not apply to this application because: (i) the historic building and later addition are existing, and (ii) the reduction in the height of the roof between the historic house and existing addition will help to distinguish the two portions of the building.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **August 9, 2013**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Applicant shall field locate utility service lines to avoid existing trees.
8. 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

9. Applicant shall submit proof of ownership of the project site.
10. The Applicant shall obtain approval of an ordinance from the Breckenridge Town Council for local landmark status for the property. If local landmark status is not granted by the Town Council, then the density in the basement of the Bradley Residence shall count toward the total density on the property, and revisions to the approved plans, final point analysis and this development permit may be required. The Applicant may be required to appear before the Breckenridge Planning Commission to process an amendment to the approved plans.
11. An Improvement Location Certificate (ILC) from a Colorado registered surveyor showing the top of the existing historic buildings' ridge heights shall be submitted to the Town. An ILC showing the top of the

existing buildings' ridge heights must also be submitted to the Town after construction activities, prior to the certificate of occupancy. The building is not allowed to increase in height due to the construction activities, other than what the Town has approved.

12. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
13. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor and the Town's project Manager, Chief Building Official and Town Historian/Staff to discuss the methods, process and timeline for restoration efforts to the historic building(s).
14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
15. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
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 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.
19. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
20. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

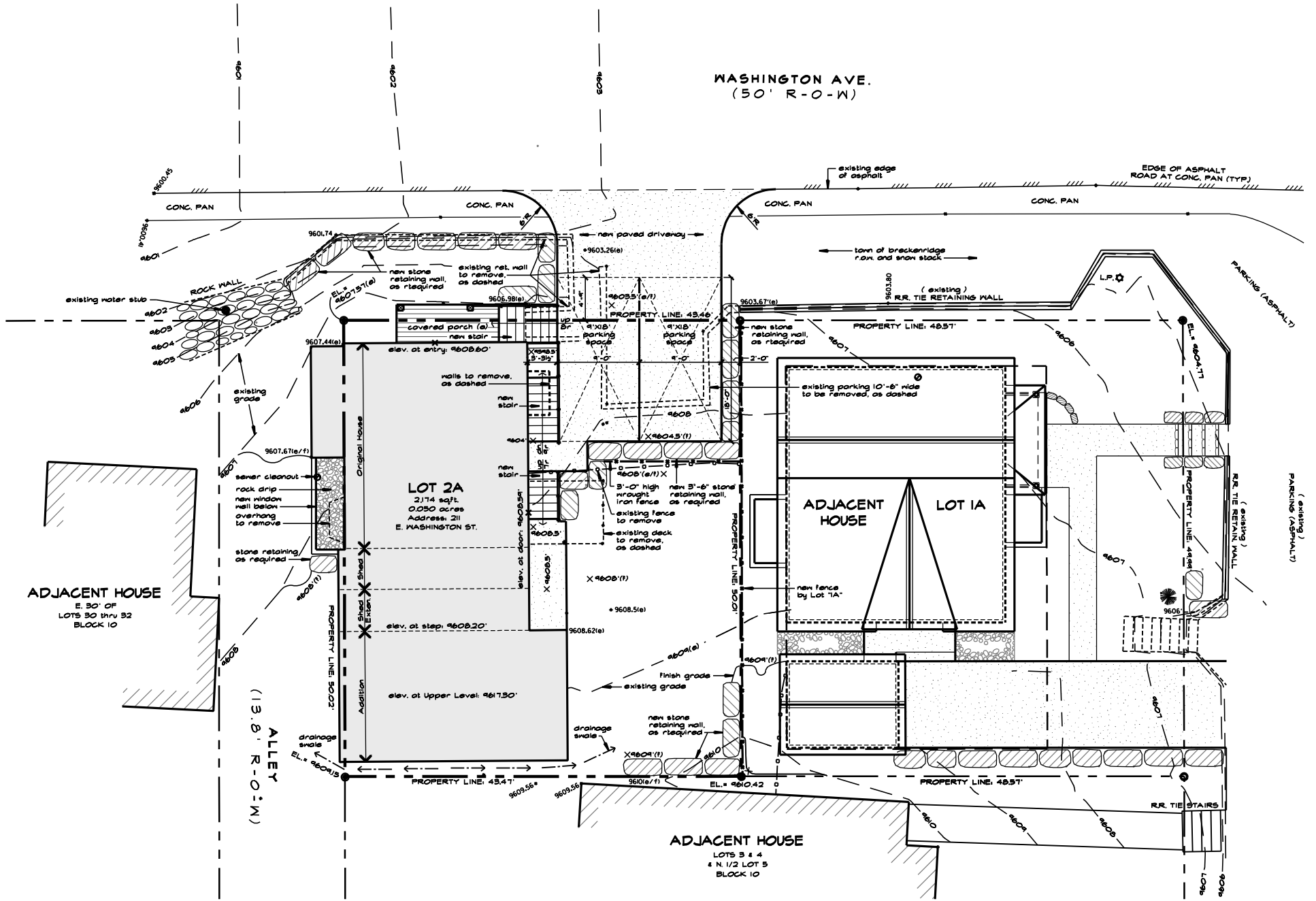
21. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property.
22. Applicant shall execute and record with the Summit County Clerk and Recorder an Encroachment License Agreement, running with the land, in a form acceptable to the Town Attorney, identifying the parking spaces, retaining walls, front porch, and portions of the west side of the house encroachments into the Washington Avenue and Alley right of ways.

23. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
25. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
26. Applicant shall screen all utilities.
27. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
28. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
29. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
30. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
31. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
32. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with

development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)

WASHINGTON AVE.
(50' R-O-W)










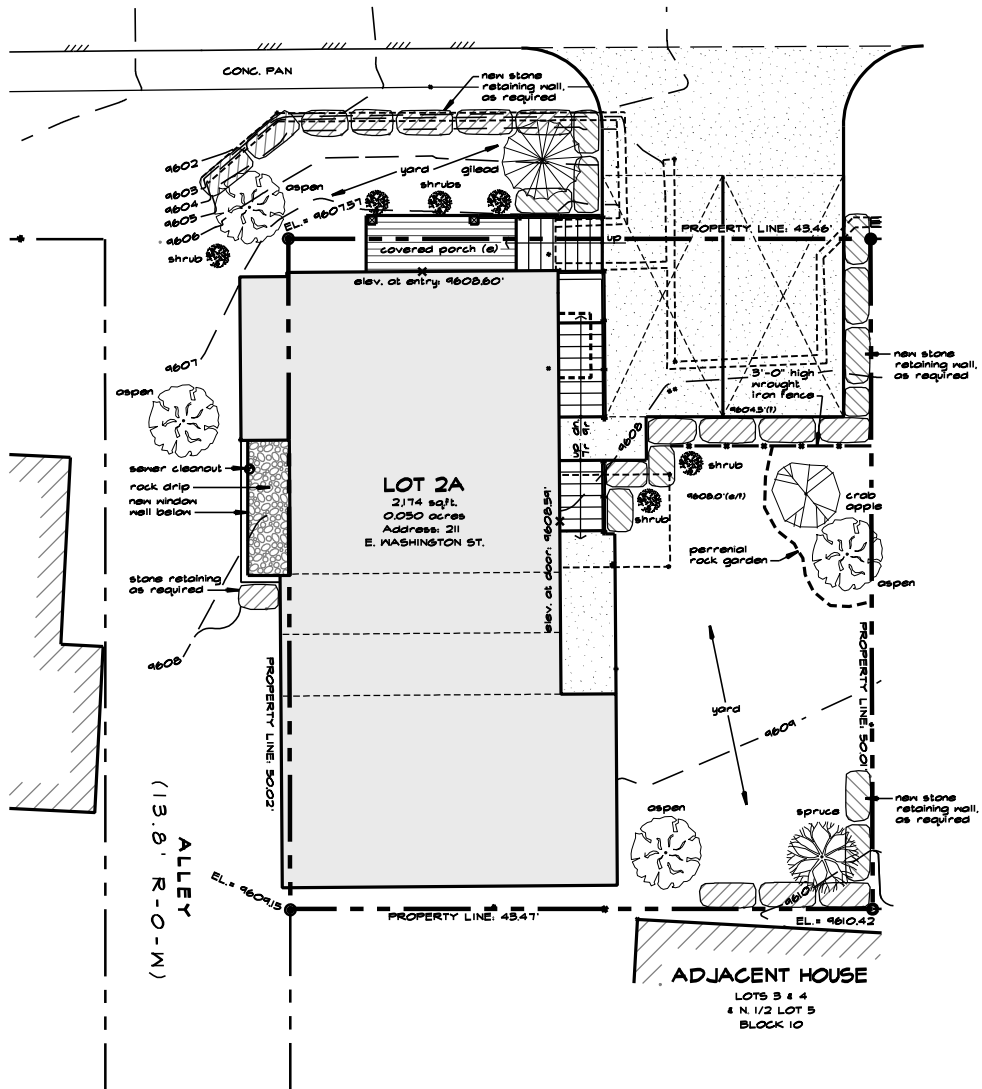
ADJACENT HOUSE
E. 30' OF
LOTS 30 thru 32
BLOCK 10

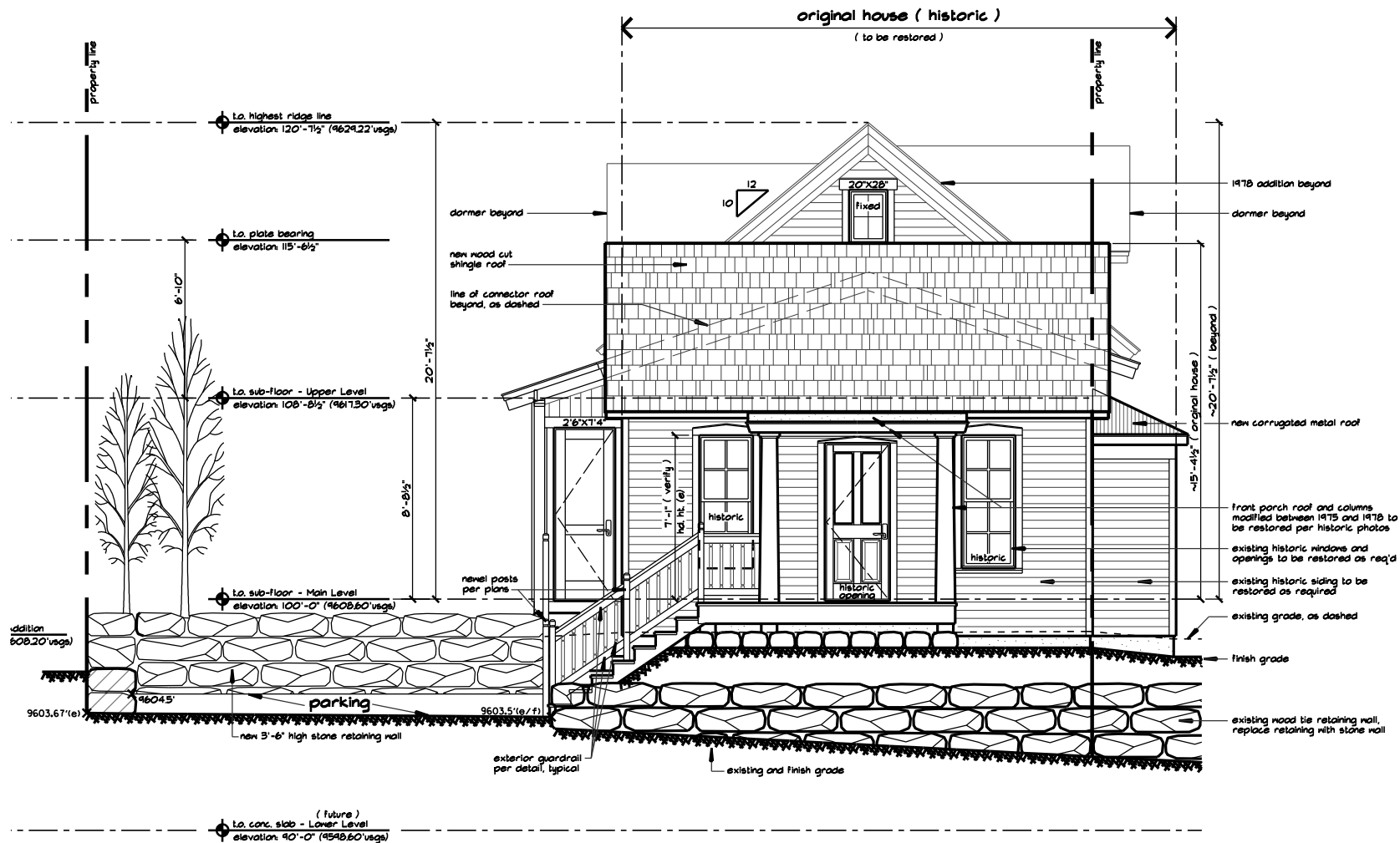
ALLEY
(13.8' R-O-W)

ADJACENT HOUSE
LOTS 3 & 4
& N 1/2 LOT 5
BLOCK 10

Landscape - Symbols Legend

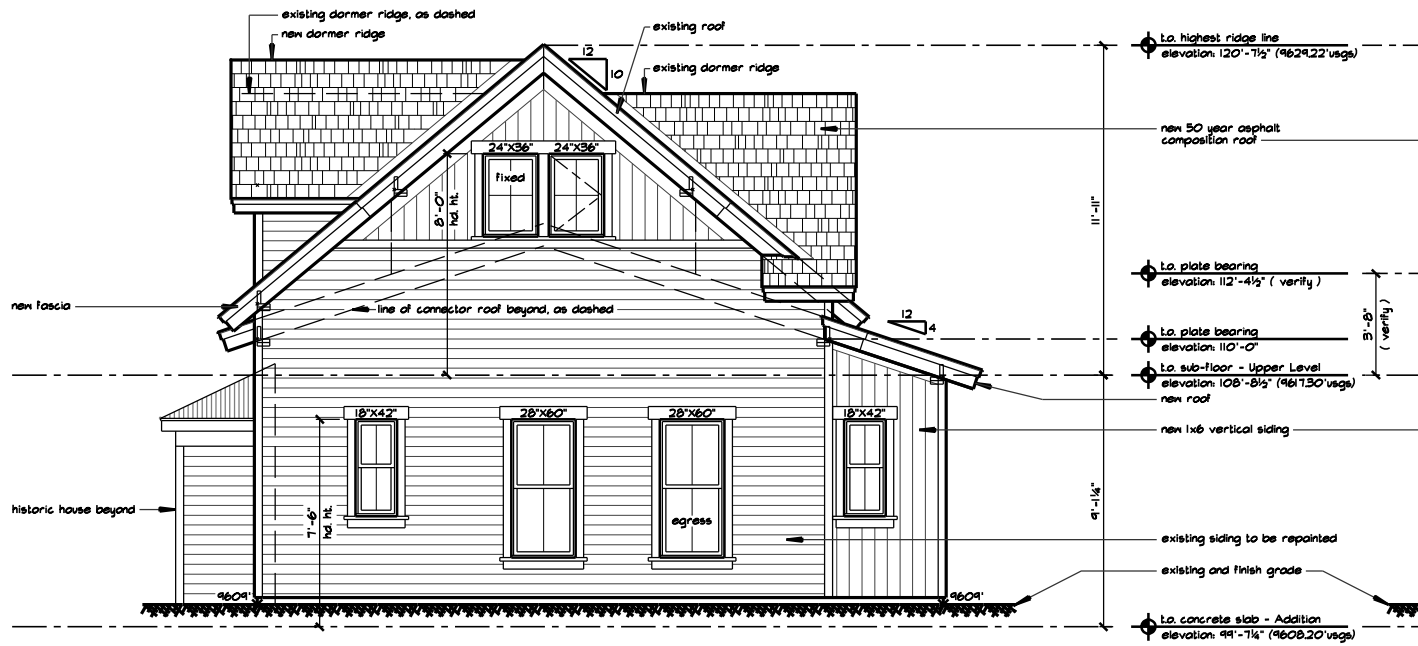
| | |
|--|--|
|  (1) native blue spruce 6' tall |  (1) balm of gilead (balsam poplar) |
|  (1) spring snow crab apple 5' 1½" - 2" caliper |  (7) 5 gal. mixed shrubs |
|  (4) multi-stem aspen 1½" - caliper | small planting bed (rock garden and perennial bed's)  Flat stone terraced walls  |





1
A-3

North Elevation
Scale: 1/4" = 1'-0"

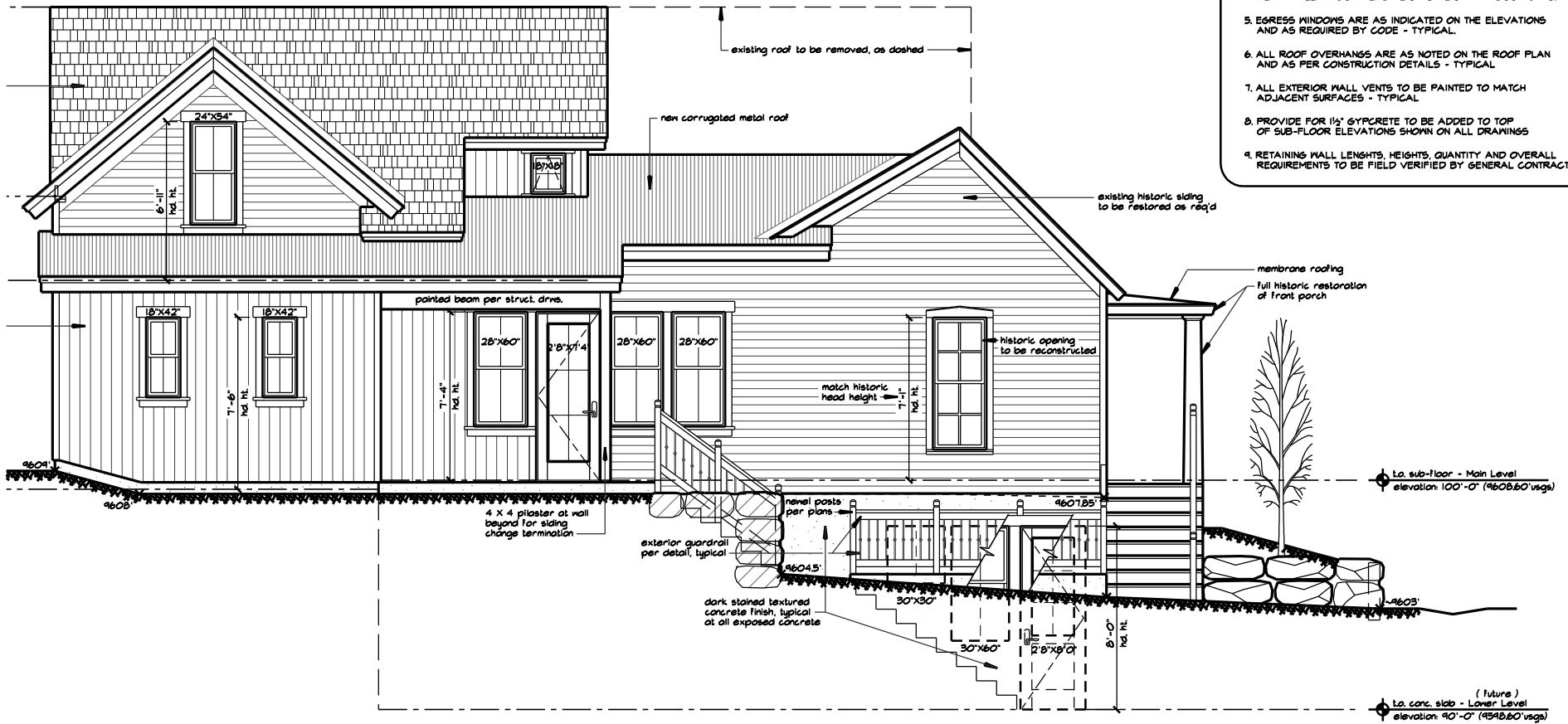


4
A-3

South Elevation
Scale: 1/4" = 1'-0"

GENERAL NOTES - ELEVATIONS

1. ALL ROOF PITCHES ARE AS NOTED OR PER CONST. DETAILS - TYP.
2. ALL CONSTRUCTION MATERIALS & DETAILS NOTED ON THE NORTH & EAST ELEVATIONS ARE TYPICAL FOR ALL ELEVATIONS.
3. WINDOWS AND EXTERIOR DOOR SIZES ARE BASED ON JELD-WEN COMPANY (VERIFY WINDOW SIZES) WINDOW MANUFACTURER TO SUPPLY TEMPERED GLASS WHERE REQUIRED BY CODE - TYPICAL.
4. HEAD HEIGHTS FOR ALL WINDOWS & DOORS ARE AS NOTED. VERIFY ALL WINDOW HEAD HEIGHTS ALIGN WITH DOOR UNITS.
5. EGRESS WINDOWS ARE AS INDICATED ON THE ELEVATIONS AND AS REQUIRED BY CODE - TYPICAL.
6. ALL ROOF OVERHANGS ARE AS NOTED ON THE ROOF PLAN AND AS PER CONSTRUCTION DETAILS - TYPICAL.
7. ALL EXTERIOR WALL VENTS TO BE PAINTED TO MATCH ADJACENT SURFACES - TYPICAL.
8. PROVIDE FOR 1 1/2" GYPCRETE TO BE ADDED TO TOP OF SUB-FLOOR ELEVATIONS SHOWN ON ALL DRAWINGS.
9. RETAINING WALL LENGTHS, HEIGHTS, QUANTITY AND OVERALL REQUIREMENTS TO BE FIELD VERIFIED BY GENERAL CONTRACTOR.

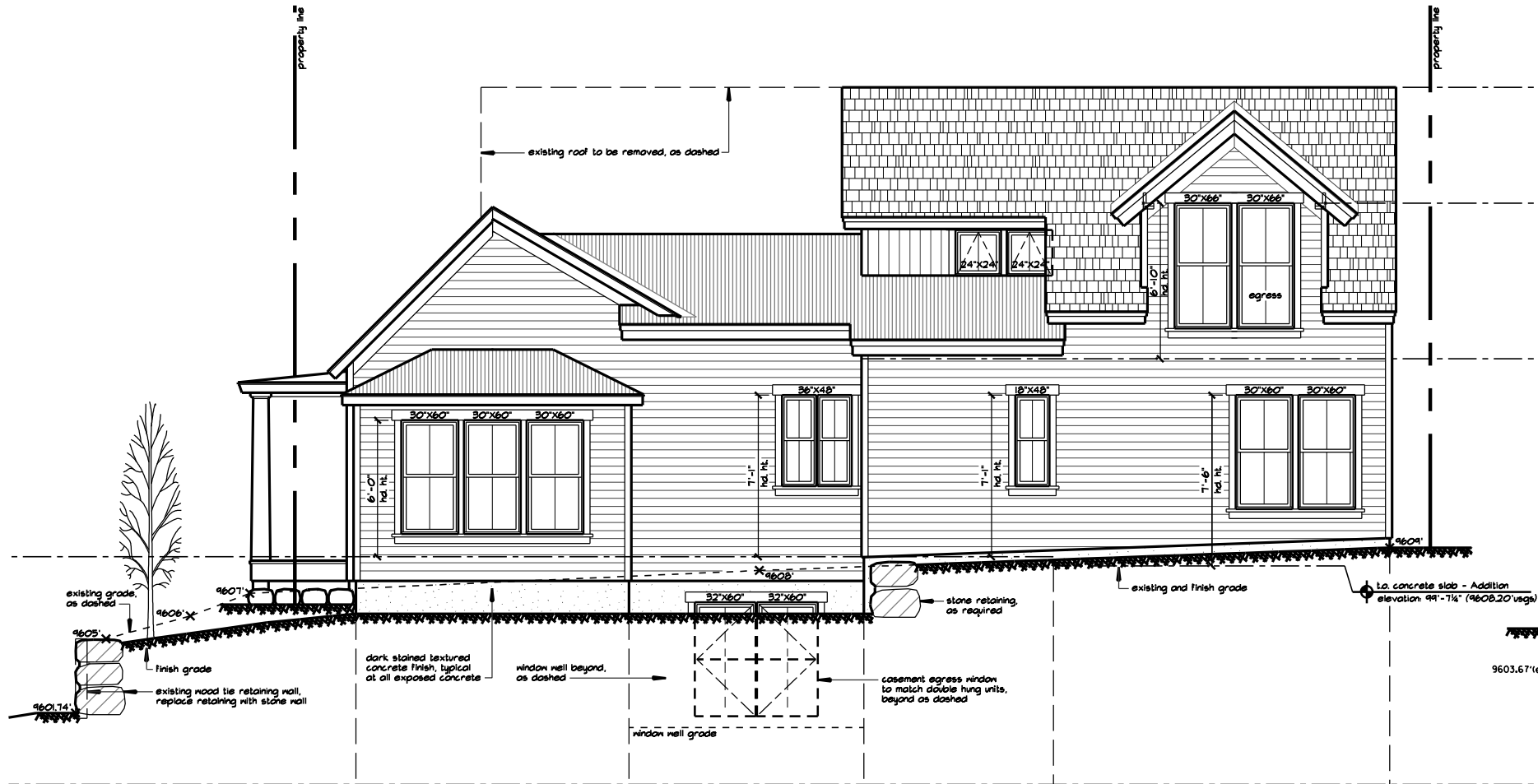


2
A-3

East Elevation

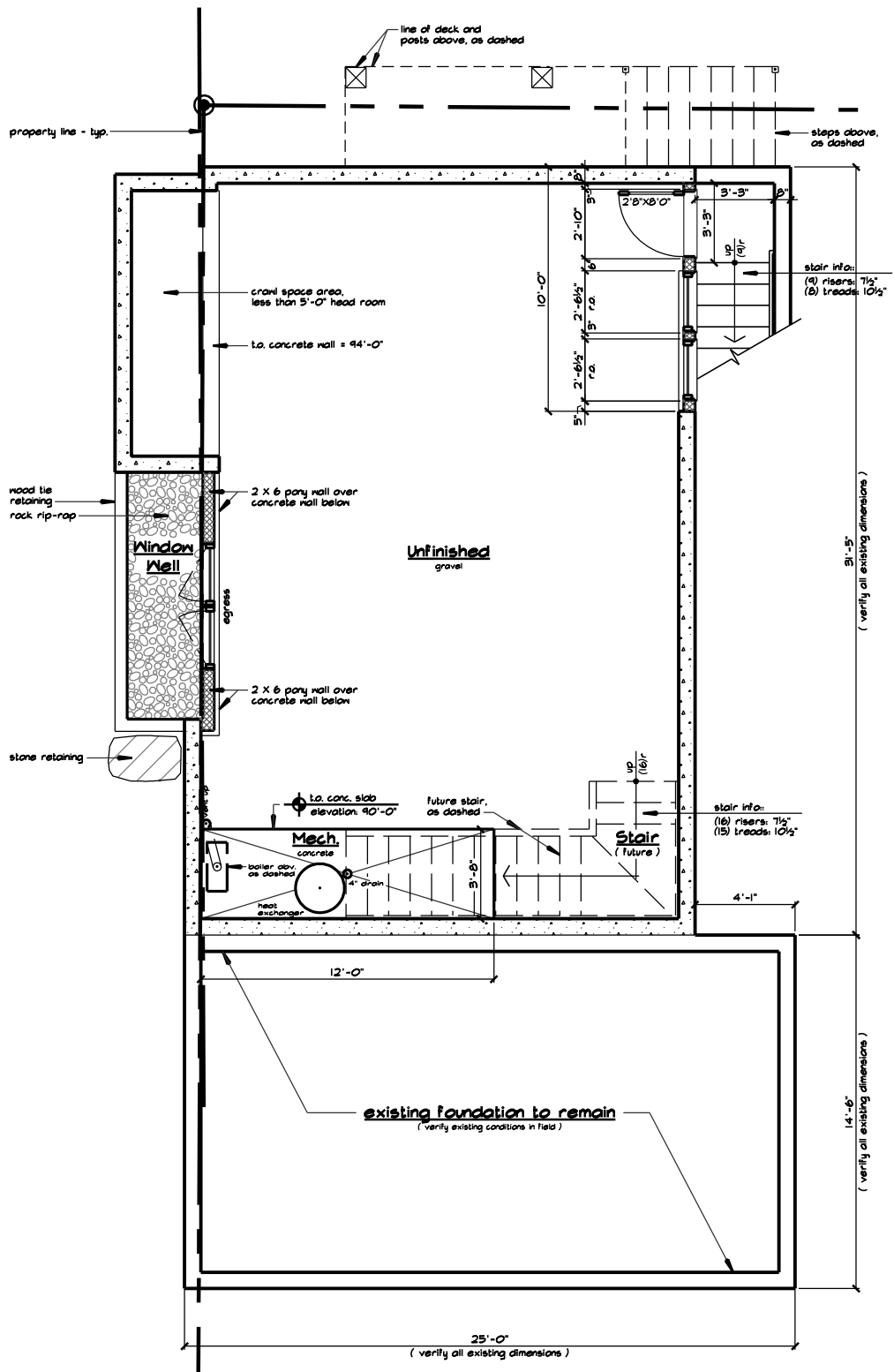
Scale: 1/4" = 1'-0"

NOTE: NO HISTORIC MATERIALS ARE TO BE REMOVED FROM THIS SITE WITHOUT THE WRITTEN CONSENT OF THE TOWN OF BRECKENRIDGE



3
A-3

West Elevation
 Scale: 1/4" = 1'-0"

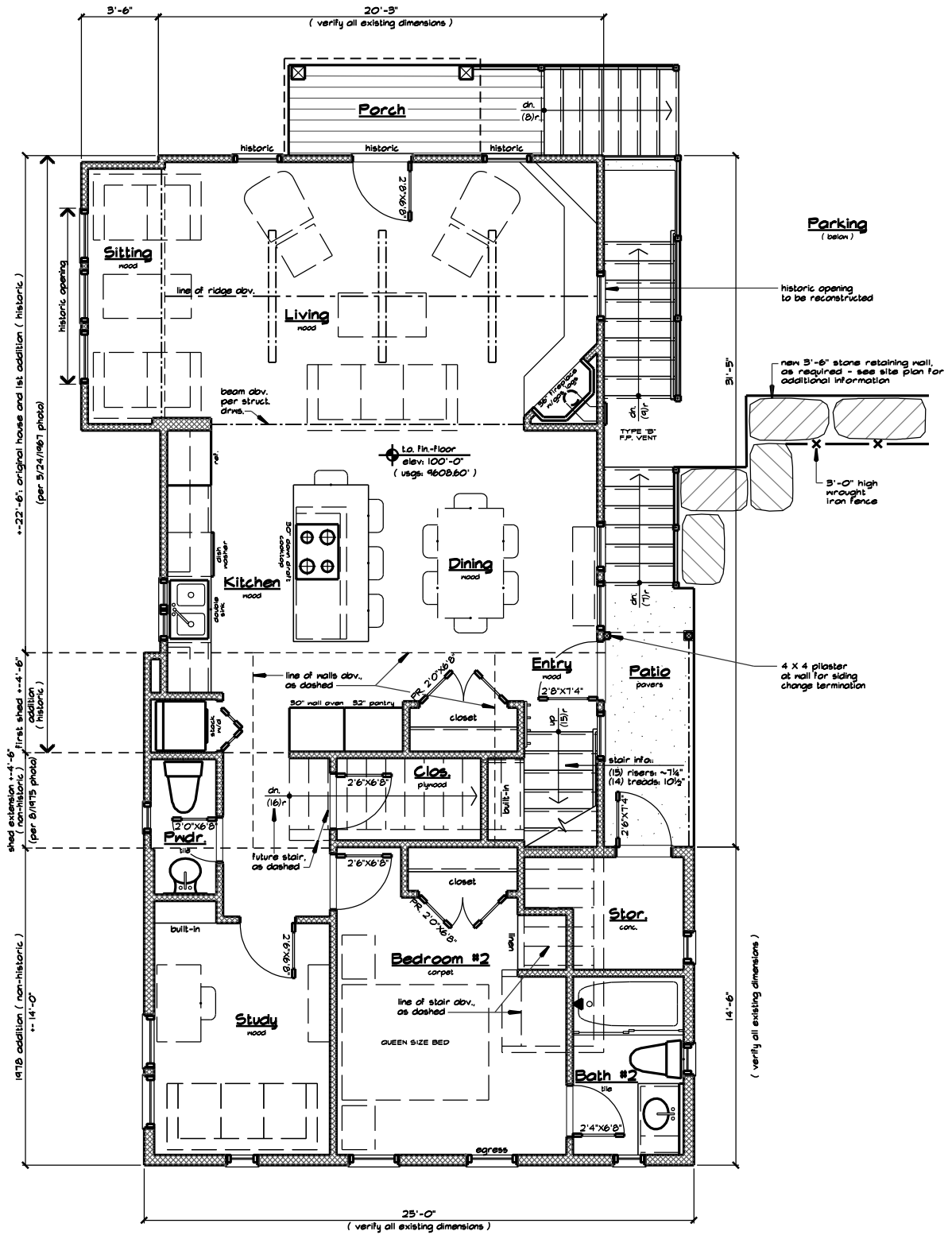


3
A-2

Basement Plan

Scale: 1/4" = 1'-0"

| | |
|------------------------|-------|
| Basement Sq. Ft. | = 547 |
| plus stair density | = +23 |
| Total Basement Sq. Ft. | = 570 |



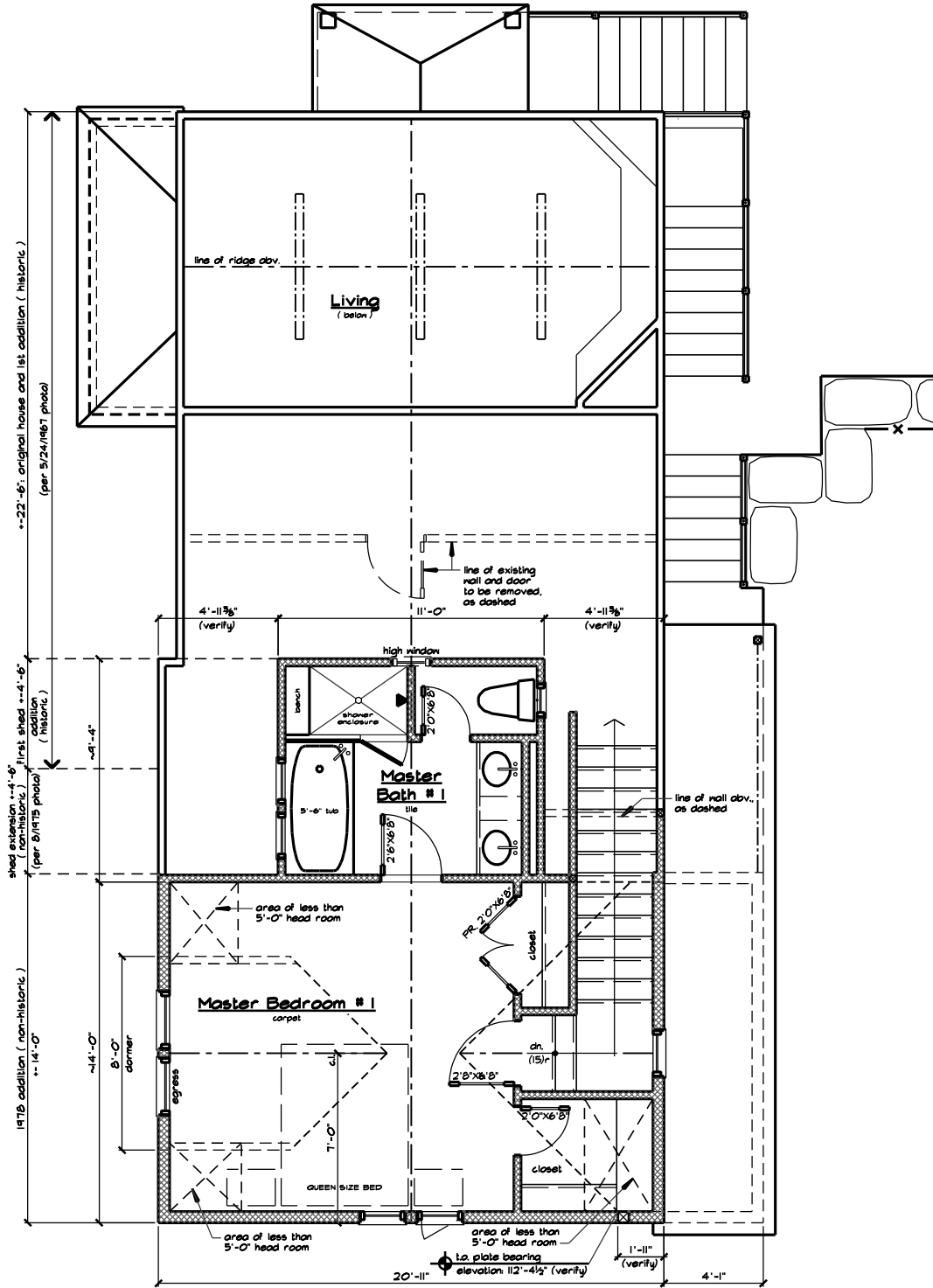
2

A-2

Main Level Floor Plan

Scale: 1/4" = 1'-0"

| | |
|---------------------------|----------------|
| Living Sq. Ft. | = 1,045 |
| minus outdoor storage | = -23 |
| Total Main Sq. Ft. | = 1,025 |



**Upper Level
Floor Plan**

Scale: 1/4" = 1'-0"

| | |
|---------------------|-------|
| Living Sq. Ft. | = 343 |
| Total Upper Sq. Ft. | = 343 |

Planning Commission Staff Report

Project Manager: Chris Kulick, AICP

Date: July 29, 2010 (For meeting of August 3, 2010)

Subject: Lot B, Parkway Center, Class A, Preliminary Hearing; PC#2010037

Applicant/Owner: Tom Begley, Breckenridge Lands

Agent: Stacy Lindholm, Allen-Guerra Design

Proposal: The proposal is for a 9,721 sq. ft. mixed use building. The first level will consist of 4,861 sq. ft. of retail space and 908 sq. ft. of café space. The second level is designed for 3,472 sq. ft. of office space and 480 sq. ft. of employee housing. The primary exterior materials proposed include vertical wood siding, horizontal wood siding, brick, vertical metal siding, glass, and wooden trusses with steel plants and fasteners. A material and color sample board will be available for review at the meeting.

Address: 503 Airport Road

Legal Description: Parcel B, Parkway Center Sub Amended # 1, Resubdivision of lot 6, block1

Site Area: 0.49 acres (21,344 sq. ft.)

Land Use District: 9: Retail commercial, subject to the Parkway Center Master Plan

Site Conditions: The site is essentially flat and heavily covered with mature spruce and pine trees. An access, utility, parking, trash and drainage easement exists in the northern border of the lot. A second utility easement is located in the northwest corner of the lot. A 10' snowstack and side walk easement is located along the southern and eastern borders of the property.

Adjacent Uses: North: Pinewood Village
South: Parkway Center Shopping Plaza
East: Summit County Justice Center
West: Parcel A, Parkway Center Sub Amended # 1 (undeveloped land)

Density: Allowed density: 31.58 SFEs total for lots A, B & C (per the 1985 Parkway Center Master Plan Agreement)
Proposed density: 9.241 SFEs

Mass: Allowed mass: 31.58 SFEs total for lots A, B & C (per the 1985 Parkway Center Master Plan Agreement)
Proposed mass: 9,721 sq. ft.

F.A.R. 1:2.2

| | | |
|----------------------|-------------------------------|-------------------------------|
| Total: | Main Level: | 5,769 sq. ft. |
| | <u>Upper Level:</u> | <u>3,952 sq. ft.</u> |
| | Total | 9,721 sq. ft. |
| Height: | Recommended: | 1-2 stories (26' mean) |
| | Proposed: | 26' (mean); 26' (overall) |
| | Tower Element: | 36' (mean); 36' (overall) |
| Lot Coverage: | Building / non-Permeable: | 5,870 sq. ft. (28% of site) |
| | Hard Surface / non-Permeable: | 10,140 sq. ft. (47 % of site) |
| | Open Space / Permeable Area: | 5,334 sq. ft. (25 % of site) |
| Parking: | Required: | 31 spaces |
| | Proposed on Lot B: | 18 spaces |
| | Proposed Overall | 59 spaces |
| Snowstack: | Required: | 2,535 sq. ft. (25%) |
| | Proposed: | 2,535 sq. ft. (25%) |
| Setbacks: | Front: | 15 ft. (15 ft. required) |
| | Sides: | 15 ft. (15 ft. required) |
| | Rear: | 72 ft. (15 ft. required) |

Item History

The Planning Commission reviewed and approved the subdivision of lot 6, block 1, Parkway Center Subdivision which divided the lot into three developable lots and one lot reserved as common area on July 20, 2004. Through this subdivision, access points, setbacks, density and the circulation plan was established for future development.

Staff Comments

Land Use (Policies 2/A & 2/R): Commercial uses are proposed on the site, which is consistent with the Parkway Center Master Plan for this lot. An employee housing unit is also proposed, which is specifically allowed per the recorded plat. The Planning Commission supported commercial and employee housing uses during the subdivision review of lot 6, in 2004 and added a plat note that stated:

“All improvements constructed on the property shall be for “commercial use” as that term is currently defined in the Breckenridge Development Code, except for such employee housing as may be required or permitted under the Breckenridge Development Code.”

Density/Intensity (3/A & 3/R)/Mass (4/R): 31.58 SFEs (Single Family Equivalents) total are allowed for all of the lots of the former lot 6. A plat note was included during the 2004 subdivision that indicated a maximum density of 31.58 SFEs, rather than specific densities on each lot. This method was chosen to allow some flexibility in future developments, and did not lock the individual development sites, lots A, B & C, into rigid density constraints. At the final hearing for the resubdivision, the

Commission supported this method for allocating density. The proposed building totals 9,721 sq. ft. but only 9,241 sq. ft. of this density is to be counted. The 480 sq. ft. employee unit is exempt from being counted as density due to it being less than 10% of the square footage of the project. Counting 9,241 sq. ft. as density results in utilizing 29% of the 31.58 SFEs of density allocated for lots A, B & C. Below is language from the plat regarding the site's density and verbiage from the code regarding employee housing density.

“The maximum allowable density on the property shall not exceed 31.58 SFEs, as defined in the Breckenridge Development Code, to be apportioned among the marketable lots, tracts or parcels created by this subdivision or subsequent subdivisions, with the maximum allowable density of each such marketable, lot, tract or parcel to be set forth below the designation of the number or letter of each lot, tract or parcel on the drawing of the subdivision.”

D.Employee Housing Density Calculations:

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

Architectural Compatibility (5/A & 5/R): The look of the proposed building is contemporary and incorporates vertical wood siding, horizontal wood siding, brick, vertical metal siding, glass, and wooden trusses with steel plants and fasteners into the design. In the Land Use Guidelines for District 9, under Architectural Treatment it states:

“Contemporary architectural design compatible with the existing architecture of the surrounding neighborhood is preferred.”

The applicants in designing the building looked to other nearby buildings to be compatible with, such as the Justice Center and Library. In doing so, the designers are proposing brick as an accent material. Under policy 5/R: Section A., language about brick states:

“Brick is an acceptable building material on smaller building elements, provided an earth tone color is selected.”

As mentioned above, the look of the proposed building is contemporary, which is encouraged under the Land Use Guidelines for District 9. As is the case with many contemporarily designed buildings there is a mix of materials that includes some non-natural materials with this proposed structure. Despite having a fairly significant amount of non-natural material, including brick and metal, the proposed amount does not cross the 25% threshold and therefore is not subject to negative points under policy 5R. The percentage of non-natural materials per façade is as follows:

North Elevation: 22.7%
South Elevation: 21.7%
East Elevation: 19.4%
West Elevation: 24.8%

Building Height (6/A & 6/R): The majority of the proposed structure is no greater than two stories (26') above existing grade, with the exception of the tower element that is 36' above grade. In the Land Use Guidelines for District 9, under Building Heights it states:

“Recognizing that flexibility in building heights will afford alternative ways in which acceptable land uses and intensities can be arranged upon the site, a special review according to the Development Code process shall be used to determine the alternative arrangement most suited to the site and the community as a whole. The preferred height of structures in this District is one and two stories. Buildings in excess of two stories are discouraged.”

Despite the tower element portion of the building being over the recommended two story height, there is a provision in the code that addresses situations similar to this and allows an exemption for these types of features without assigning negative points. Below is language from the *Building Height* definition under section D. *Exceptions: Building height measurement shall not include: 2.*

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

Considering the tower element in this application contains no density or mass and is 10' above the recommended two-story height limit, staff would like the Commission to weigh in on whether this element should be exempted from building height recommendations.

Site and Environmental Design (7/R): The proposed site plan for the project allows for the building to have frontage on both Park Avenue and Airport Road. Parking will be screened from view by the building itself on Airport Road and through a landscaping buffer along Park Avenue. The site is accessible from both Park Avenue and Airport Road by a common driveway. Staff is supportive of the site plan and believes it follows the anticipated buildout plan of the 2004 subdivision. Construction of the driveway, common parking lot, landscaping of the common driveway and the public improvements was approved during the 2004 resubdivision. The applicants have stated they plan begin work on these improvements before breaking ground on the proposed building. Below is language from the findings and conditions from the 2004 resubdivision.

“The subdivision improvements, including the driveway through the property, the common parking and the landscaping associated with the common driveway and parking, together with the public improvements which shall be covered by a subdivision improvement agreement, shall be completed prior to issuance of a certificate of occupancy for the first building to be built pursuant to a Development Permit”.

Placement of Structures (9/A & 9/R): The proposed building meets all required setbacks. Per the plat, a 15' setback is required from the property lines bordering Airport Road and Park Avenue. Along Airport Road the building is proposed to be setback 15'2" from the property line and along Park Avenue the proposal shows the building being setback 15'5" from the property line. The remaining North and West borders of the property have no required setbacks but the applicants propose a 15' setback from the north

property line and a 72' setback from the west property line. Staff has no concerns with the placement of the proposed structure.

Snow Removal And Storage (13/R): The proposed snow-stacking meets the required threshold of twenty five percent (25%) of the areas to be cleared of snow. Staff is comfortable with the proposed snow stacking plan.

Access / Circulation (16/A & 16/R; 17/A & 17/R):

Access: The proposed access remains unchanged from the plan approved by the Planning Commission during the 2004 subdivision. The access point on Airport Road is proposed as a 3/4 movement, "right-in, right-out" and "left-out". The other proposed access point is from Park Avenue, is also proposed as a 3/4 movement, with "right-in, right-out and left-in" accesses, due to the existing and anticipated volume of traffic on North Park Avenue. These movements were acceptable to the Town Engineer and the Colorado Department of Transportation.

The proposed plan shows traffic islands at the entrances to this site to guide vehicles toward the permitted turning movements. One traffic island is on the applicant's property, and the other is in the Park Avenue right-of-way. Per plat note 13 of the subdivision, in lieu of constructing a traffic island on Airport Road the applicant may pay the Town an amount equal to the estimated cost of the island which may be used by the Town when such improvements are necessary.

Pedestrian Circulation: The applicant has already installed 5' wide sidewalk along Airport Road to the end of the applicant's property adjacent to Pinewood Village Apartments along Park Avenue. The applicants proposed constructing a bus stop and 5' sidewalk from the corner of Airport Road to a point midway along Parcel A and after discussions with the Public Works and transit this proposal was recommended to not be pursued by the Public Works and Transit staff. The sidewalk along Airport Road meets the Town Engineering Department's 5' width standard. The Public Works Department will maintain the sidewalk upon its completion. Internal pedestrian circulation is handled by a 5' sidewalk adjacent to the west and south sides of the building. Staff supports the proposed circulation plan.

Parking (18/A & 18/R): The applicants propose creating 59 parking spaces, 18 spaces to be located on lot B, and 41 additional spaces to be located on the adjacent "common area" lot. Per the plat, the "common area" lot is specified for facilitating access, utilities, parking and drainage for the three surrounding buildable lots. The required parking for the proposed building totals 31 spaces. The retail and office component requires 21 spaces, the café component requires 9 and the workforce housing unit requires 1 space to be located on Parcel A. Staff supports the proposed parking configuration.

Landscaping (22/A & 22/R): The applicants are proposing to add 33 aspen trees (7-1" caliper, 11- 1.5" caliper, and 15- 2" caliper) and 26 Colorado spruce trees (4 – 8', 6 – 10', 8 – 12' and 8 -14'). A significant number of these planting (21) are proposed adjacent to Park Avenue and Airport Road. Staff would like feedback from the Commission on the landscaping plan.

Social Community / Employee Housing (24/A & 24/R): The applicants are proposing a single 480 sq. ft. employee housing unit at this time (5.19% of the commercial sq. ft.). This effort results in positive one (+1) point under Policy 24/R: Social Community.

Infrastructure (26/A): Policy 26/ A requires all developments to be served by adequately sized and constructed streets. During the 2004 subdivision the Town's Engineering staff had a chance to review the

site plan and maximum intensity limits that were set for this property against Policy 26/A and determined the site is adequately served by the existing Airport Road and Park Avenue. Staff is comfortable the proposed development meets the intent of Policy 26/A.

Drainage (27/A & 27/R): The Town Engineering staff is currently working with the applicant's engineers and does not have any initial concerns with the preliminary drainage plans. A finalized drainage plan will be available for the next meeting.

Utilities (28/A): All necessary utilities for the proposed development are presently available onsite and will be located below ground. Staff is comfortable with the proposed utilities plan.

Point Analysis (Section: 9-1-17-3): Staff recommends awarding this project positive one (+1) point under Policy 24/R: Social Community/ Employee. Staff would like to hear feedback from the Commission on Policy 6R: Building Height as it relates to the proposed design.

Staff Recommendation

Staff believes that this proposal is off to a great start. At this preliminary review, we are asking for general comments on the site design, architecture, parking and landscaping.

In addition, Staff has two specific questions:

1. Does the Commission believe the parapet element is exempted from the height guidelines?
2. Does the Commission support the proposed architecture, including the materials?

We welcome any additional comments.



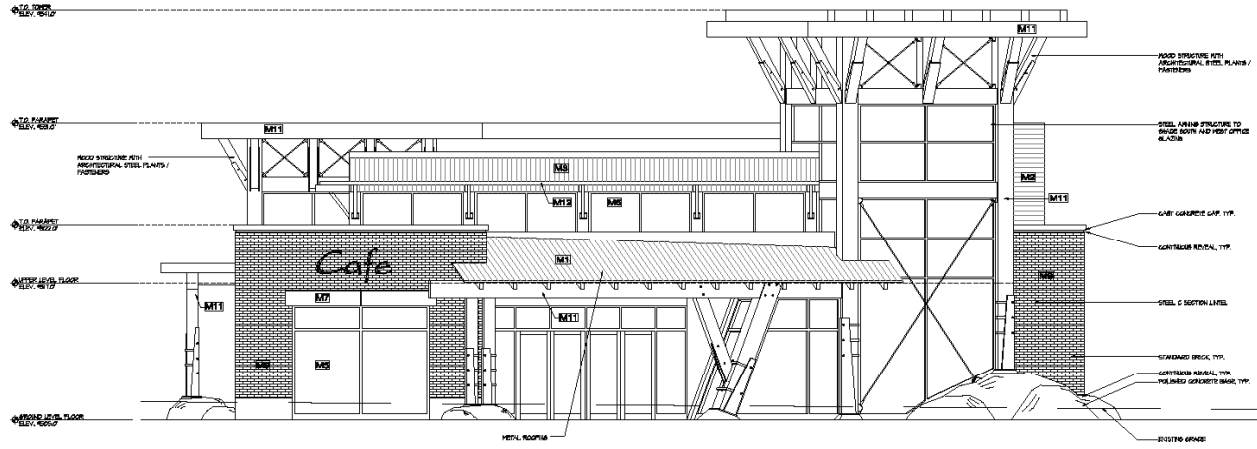
ALLEN SLEKKA & BOKROS ARCHITECTS
 10120 10TH AVENUE, SUITE 100
 DENVER, CO 80231
 TEL: 303.733.7899
 FAX: 303.733.7899
 WWW: WWW.ASB-ARCHITECTS.COM

PARKWAY CENTER
 LOT B, PARKWAY CENTER SUBDIVISION AMENDED, # RESUBDIVISION OF LOT 6 BLOCK 1
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO
COLORED SITE PLAN

| ISSUE | DATE |
|--------|-------------|
| PRELIM | 20 JUL 2006 |
| | |
| | |
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| | |

COLORED SITE PLAN
 All to

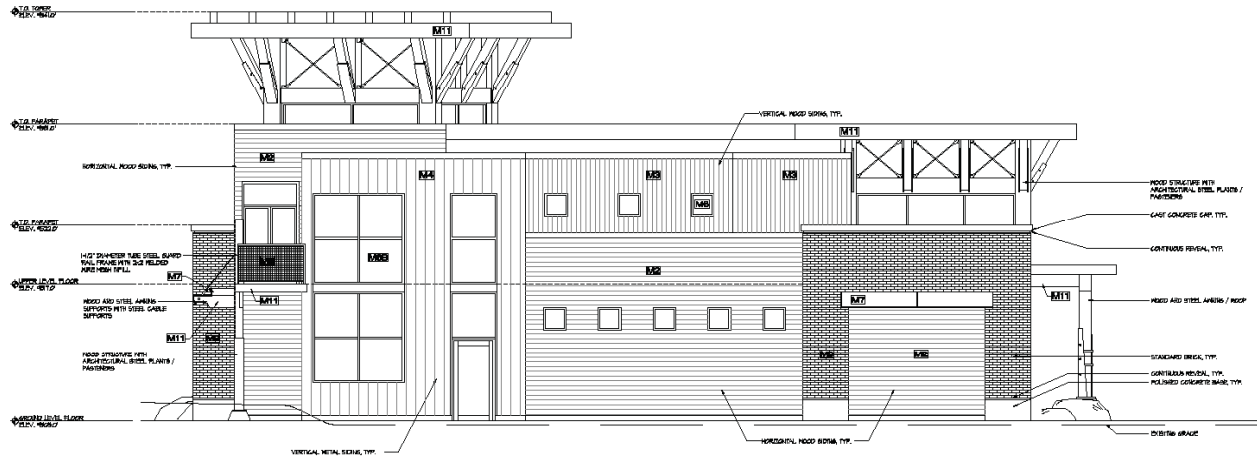
A.I.I.



EXTERIOR WALL MATERIAL CALCULATIONS

| MATERIAL | AREA (SF) | PERCENTAGE OF WALL |
|------------------|-----------|--------------------|
| BRICK | 241 | 112% |
| METAL | 224 | 102% |
| WOOD | 752 | 331% |
| GLASS | 8-4 | 34% |
| FOUNDATION | 17 | 1.0% |
| STONE / BOLLARDS | 56 | 2.6% |
| TOTAL | 2141 | 100% |

1 SOUTH ELEVATION
AS 10-4-0



EXTERIOR WALL MATERIAL CALCULATIONS

| MATERIAL | AREA (SF) | PERCENTAGE OF WALL |
|------------------|-----------|--------------------|
| BRICK | 224 | 102% |
| METAL | 1227 | 570% |
| WOOD | 594 | 28.5% |
| FOUNDATION | 17 | 0.8% |
| STONE / BOLLARDS | 17 | 0.8% |
| TOTAL | 2141 | 100% |

2 NORTH ELEVATION
AS 10-4-0

PARKWAY CENTER
 LOT D - PARKWAY CENTER SUBDIVISION AMENDED - #1 RESUBDIVISION OF LOT 6 BLOCK 1
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO
 EXTERIOR ELEVATIONS
 COMMENT: AS AN UNBLENDED WORK, THESE OR ASSOCIATION REQUIREMENTS WITHOUT VARIATION.

| ISSUE | DATE |
|--------|--------------|
| PRELIM | 20 JULY 2020 |
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PROJECT # 103

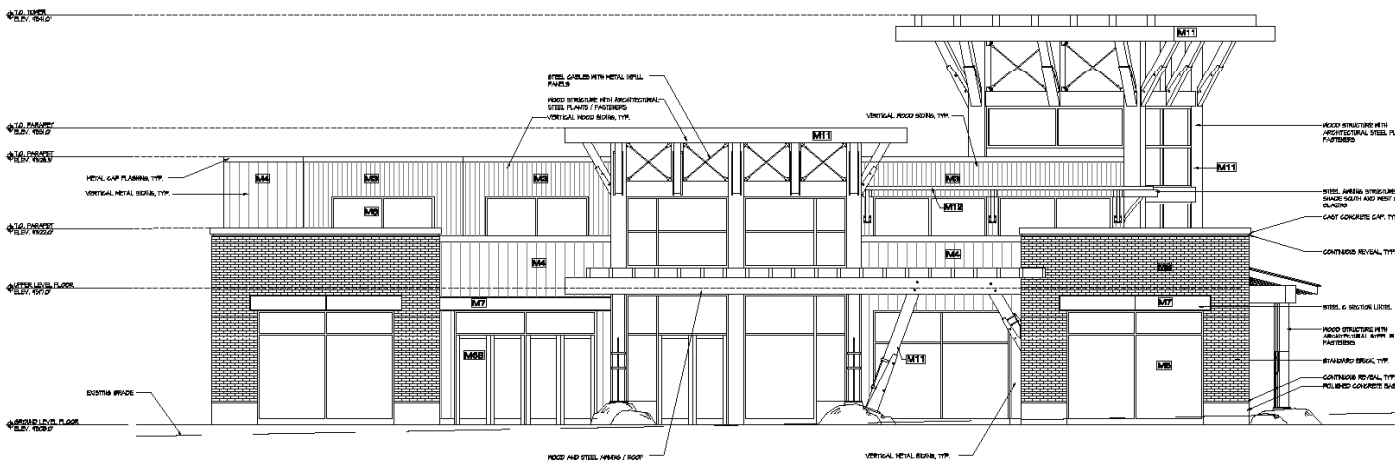
A5



EXTERIOR WALL MATERIAL CALCULATIONS

| MATERIAL | AREA (S.F.) | PERCENTAGE OF TOTAL |
|-----------------|-------------|---------------------|
| BRICK | 209 | 8.9% |
| METAL | 279 | 11.6% |
| WOOD | 170 | 6.9% |
| GLASS | 150 | 6.1% |
| FOUNDATION | 42 | 1.7% |
| STONE / BOLLERS | 99 | 4.0% |
| TOTAL | 241 | 100% |

EAST ELEVATION
 1/ A6 10-4-0



EXTERIOR WALL MATERIAL CALCULATIONS

| MATERIAL | AREA (S.F.) | PERCENTAGE OF TOTAL |
|-----------------|-------------|---------------------|
| BRICK | 356 | 14.3% |
| METAL | 262 | 10.2% |
| WOOD | 779 | 30.4% |
| GLASS | 1045 | 40.8% |
| FOUNDATION | 52 | 2.0% |
| STONE / BOLLERS | 23 | 0.9% |
| TOTAL | 241 | 100% |

WEST ELEVATION
 2/ A6 10-4-0

PARKWAY CENTER
 LOT D - PARKWAY CENTER SUBDIVISION AMENDED - #1 RESUBDIVISION OF LOT 6 BLOCK 1
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO
 EXTERIOR ELEVATIONS
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| ISSUE | DATE |
|--------|--------------|
| PRELIM | 20 JULY 2020 |
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PROJECT # 101

A6