

Town of Breckenridge
Planning Commission Agenda

Tuesday, October 5, 2010
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the October 5, 2010 Planning Commission Meeting; 7:00 p.m. Roll Call</i>	
	<i>Approval of Minutes September 21, 2010 Regular Meeting</i>	3
	<i>Approval of Agenda</i>	
7:05	<i>Consent Calendar</i>	
	1. Barron-Sandman Residence (MGT) PC#2010053 68 Victory Lane	10
	2. Hardoy-Drumwright Garage (MMO) PC#2010054 3 Meadow Lark Green	19
7:15	<i>Worksessions</i>	
	1. Briar Rose Transition Area (MM)	27
	2. Joint Upper Blue Master Plan (JUBMP) Update (MT)	30
	3. Sign Code Update (MGT)	32
9:30	<i>Town Council Report</i>	
9:40	<i>Other Matters</i>	
	1. Joint Planning Commission / Town Council Meeting (PG)	33
9:45	<i>Adjournment</i>	

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

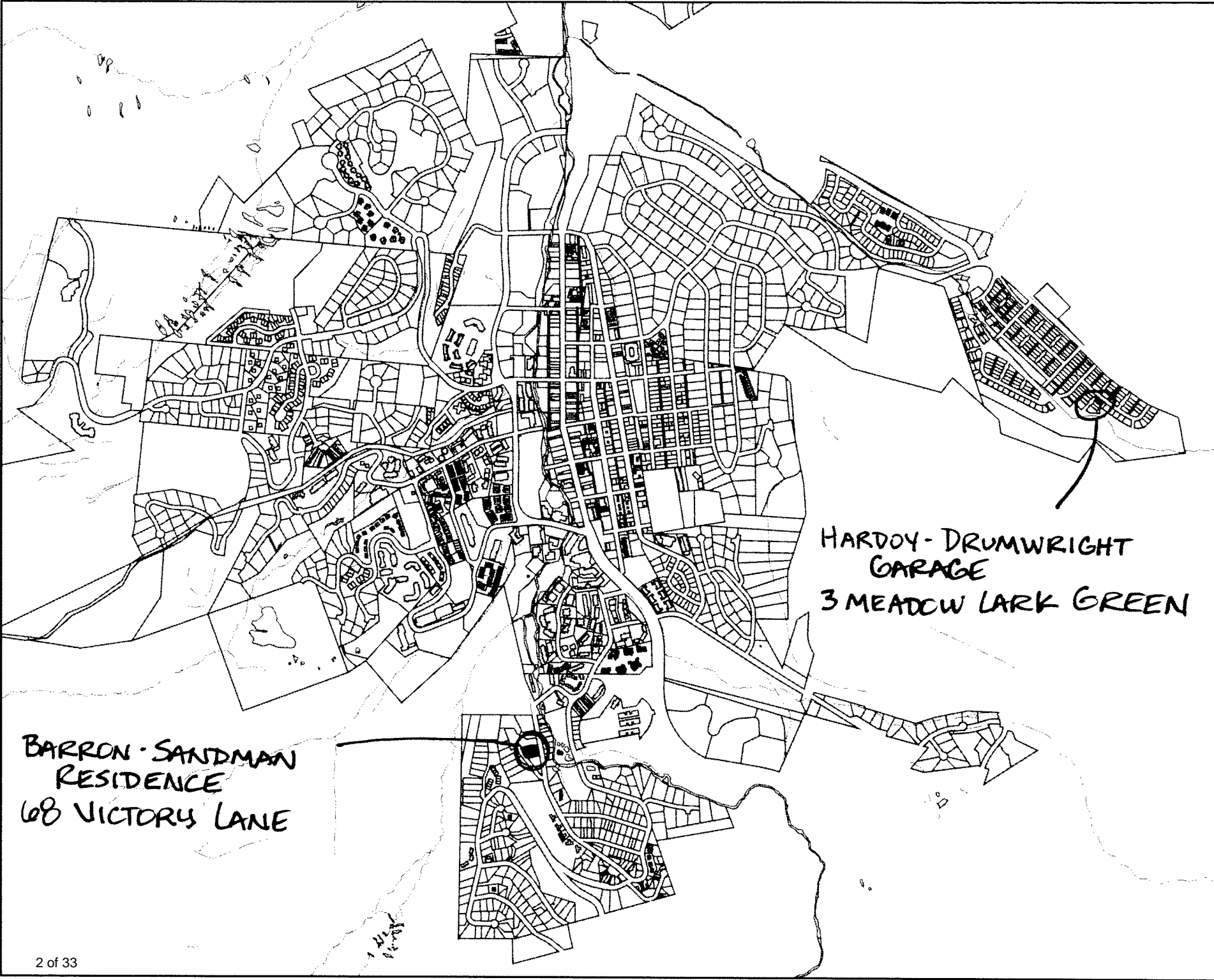
**The indicated times are intended only to be used as guides. The order of projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.*



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Breckenridge South

printed 2007



BARRON-SANDMAN
RESIDENCE
608 VICTORY LANE

HARDOY-DRUMWRIGHT
GARAGE
3 MEADOW LARK GREEN

PLANNING COMMISSION MEETING

The meeting was called to order at 7:02 p.m.

ROLL CALL

Dan Schroder	Michael Bertaux	Jim Lamb
Rodney Allen	Jack Wolfe	Leigh Girvin
Mark Burke		

Dave Pringle was absent

APPROVAL OF MINUTES

With no changes, the minutes of the September 7, 2010 Planning Commission meetings were approved unanimously (6-0).

APPROVAL OF AGENDA

Mr. Neubecker would like to add three items to other matters: Planning Commission Field Trip on Oct. 14th, expiring Planning Commissioners' terms, and a brief discussion of the Joint Meeting with Town Council on Nov. 9th. With these changes, the Agenda for the September 21, 2010 Planning Commission meeting was approved unanimously (6-0).

CONSENT CALENDAR:

- 1) McLaren Residence (MGT) PC#2010051; 474 Gold Run Road
- 2) Hosley Remodel (CK) PC#2010049; 215 Wellington Road
- 3) Breckenridge Pedicabs (CK) PC#2010052

Ms. Girvin moved to call up PC#2010052, Breckenridge Pedicabs. Mr. Schroder seconded it. The motion up was approved unanimously (6-0).

With no other requests for call up, the remainder of the consent calendar was approved as presented. Mr. Burke was excused for the call up discussion.

Commissioner Questions/Comments (Breckenridge Pedicabs):

Mr. Schroder: I would like some clarification regarding the rider distances on page thirty (30), for the Breckenridge Pedicabs. The prohibited zones were discussed with Mr. Neubecker, Mr. Kulick and Mr. Kevin Holmquest (the Applicant). Can I have clarification of the sign code on the cabs for advertising? (Mr. Kulick: They would not allow off-premise signs as advertising.) Mr. Neubecker, can you clarify the difference of this and advertising on sides of the ski area buses? Also, what about the ads inside the bus? (Staff explained that outside of the bus is used for promoting the ski resort, not other businesses. Ads inside the bus are not signs, since they are not seen from outside.)

Final Comments: I see this Pedicab project as a cool venture and great for the Town, but although conditions are unique, I do not want to see mobile advertising in Town, as it does not follow the sign code. I suggest that Council looks at this in a hard way, and see if it will make sense.

Mr. Lamb: I do not see the hardship; however, I think that this would increase the character and 'bike-friendly' aspect of the Town.

Final Comments: I like the idea of this form of transportation in Town.

Mr. Bertaux: What is the hardship (for the variance)? I do not agree that it has been proven. Would we grant this same variance if there were a second pedicab company to come into the picture?

Final Comments: I support the pedicabs, but without advertising variance.

Ms. Girvin: Asked the applicant to discuss his view of 'advertising' on the cabs. (Mr. Holmquest: Presented types of businesses and locations of advertising on the cabs. Explained that in order to run a business such as this, they *need* advertising. They would not reach out to certain advertising, such as Budweiser or medical marijuana, but more relevant advertising to help support local businesses, such as restaurants, retail, or, for example, the Town of Breckenridge. The applicant added that this would qualify as a hardship, not to keep out cost down, but to keep the cost more effective for their customers.) I think that the Grand Timber shuttle is an eyesore. I don't see why this section of the code is worse. (Mr. Neubecker: Read the section of the code describing signage on vehicles

describing the name and type of business.) I believe that a happy-medium would be that the Pedicab would advertise town events instead of other businesses.

Final Comments: Agree that this is a unique project in light of the Sustainability Plan. Is in favor of granting a future variance to approve this opportunity.

Mr. Wolfe: (Ms. Girvin compared this advertisement to local buses already in use in town, for example, Grand Timber Lodge.) Mentioned that there is a fine line between posting, aka ‘advertising’, that your vehicle is a courtesy vehicle for Grand Timber Lodge, vs. advertising timeshares for sale at Grand Timber Lodge.

Final Comments: Encourages this company as a sustainable form of transportation; however, does not see the hardship aspect. Would like staff to take a hard look at this application.

Mr. Allen: Final Comments: I love this business idea and I am in support of the application, but could not support an advertising variance, as it is not allowed in the sign code.

Mr. Bertaux made a motion to approve Breckenridge Pedicabs (CK) PC#2010052 with the presented findings and conditions. Mr. Lamb seconded the motion, and it was approved unanimously (6-0).

WORKSESSIONS:

1) Energy Policy (JP)

Ms. Puester presented. This is the fifth worksession on revising the existing Policy 33R *Energy Conservation*. The policy currently addresses energy conservation and renewable energy with the intent of encouraging renewable and conservation methods beyond those required in the Sustainable Building Code and State Energy Code. While this relative policy has been in place for many years, the actual amount of energy conservation or production of energy have not typically been measurable, making it difficult to determine how much energy is being saved or produced and therefore how many points are warranted. This has resulted in concerns on how points were being assigned and if the points have been equitable. Staff proposes using a HERS (Home Energy Rating System) score. The purpose of using a HERS rating for residential and a similar method for commercial is that they are internationally recognized and universal calculations by certified raters (as established by the Residential Energy Services Network-RESNET). The results are calculated and measurable.

Staff proposed a draft policy with changes based on the Planning Commissioners concerns at the July 9th meeting. Changes to the policy were shown in strike and bold.

One question that was brought up for clarification was how much energy an outdoor water feature utilizes. There is a broad range of water features and the typical feature circulates 20-30 gallon of water per hour. The amount of energy is dependent on the type of energy source. For instance, there are some solar powered features (although these tend to be small bird bath size features) and some more energy efficient motors. However, these design features appear to be used in warmer climates and are turned off in cooler months. To take these energy conservation methods into consideration, staff has included a statement to reduce the negative point assessment based on the information the applicant provides on the water feature.

Staff would like to get Commissioner comments on the proposed changes to Policy 33R. If the Commission is comfortable with the policy as drafted, staff would like direction to proceed to the Town Council.

Commissioner Questions/Comments:

Mr. Schroder: Agreed that the HERS system is a tangible system to use to measure energy.

Final Comments: Is in favor of this presentation.

Mr. Lamb: Can we control the size of the water feature (hence, the emissions) by limiting the type of motor used? (Ms. Puester: It is possible to define but it limits the future ability to be flexible as the motors advance over time, such as the solar powered motors that are coming out now.)

Mr. Bertaux: What would allow a water feature to run twelve months out of the year, other than glycol, which is not allowed? (Mr. Allen: The motor would have to be running constantly and give off enough heat to keep the water from freezing.) Maybe more negative points should be added to water features.

Final Comments: Believes that HERS should be required for new construction. Just to reiterate his opinion, does not want to give one positive point (+1) just for doing the HERS rating.

Ms. Girvin: Asked about the water feature emissions. Asked if there was a sliding scale for teardowns of existing buildings. (Ms. Puester: Yes, as written it would be zero (0) through negative six (-6)).

Final Comments: Supports the negative points, and feels better knowing that all of the negative points proposed for big energy users are on a sliding scale for the negative points. Believes that some examples of teardowns would help the Commission.

Mr. Wolfe: Suggested that a negative six (-6) points given for teardowns is discouraging to owners of a commercial property that needs to be redeveloped. Suggests that historic commercial buildings should be addressed differently than other commercial property. (Mr. Grosshuesch: The negative points for teardowns are on a sliding scale ranging from negative six (-6) to zero (0). They can be assigned in one point increments like the other policies in the Development Code.) (Mr. Neubecker: Tearing down an entire building and replacing with new materials, wood, siding, concrete and all the energy it takes to make those materials and truck them to Town is the ‘embodied energy’ that you destroy with a teardown.) Likes that there is a zero (0) option given to these negative points, as some people may reach this by attempting to recycle and reuse materials. (Staff agreed.) Has staff looked into other areas using this system of rating and how did it apply or mesh with LEED certification? (Ms. Puester: There have been several field trips and projects that we have looked at. The LEED certifications apply to overall ‘green design’ not specifically to energy conservation, so for our purpose, the HERS rating system is more applicable for our energy conservation policy. The LEED system has a lot of holes when it comes to looking at energy. You can get points for bus stops or low VOC paint rather than energy measures.) Would Gold certified LEED buildings fall into this HERS rating? (Ms. Puester: A builder could get gold or platinum certified LEED building with very little energy efficiency or very much efficiency. It is not exactly the same rating system. In the Sustainable Building Code, however, you can use different rating such as LEED or Green Globes to get points under the building code. This focuses entirely on energy.)

Mr. Allen: How many builders re-use material? What would the average gallon rate be for water features? (Ms. Puester: It may be twenty (20) to thirty (30) gallons, but it greatly depends on the pump valve, the motor, the form of energy used (solar or electric), etc. and could range up to several hundred gallons per minute for a large commercial scale feature.) What about negative points given after a home has been built and they want to add heated driveways and a water feature etc.? (Ms. Puester: This would assess negative points that would have to be made up either through the energy policy or another policy in the code for positive points, landscaping for example.) Receiving a negative five (-5) points on a single family home would be very hard to overcome. Would like to see an example of negative points applied for heated driveways, heated culverts, or heated roofs, etc. (Mr. Neubecker: On some projects we have given negative points for snowmelt, but then positive points for community benefit and safety.) (Mr. Grosshuesch: If it was for safety reasons, the Commission could choose to assign zero points. It would be based on the precedent that would be developed. The first few cases are always more difficult to get through and then it gets easier.)
Final Comments: I am concerned with negative points given to heated driveway aprons, complete tear-downs, and water features. Depends on the energy use (they might not need negative points; we need to address that per feature). Would like to see some examples for numbers on the sliding scale. Would like to see specifics such as amps of the motor for one amount of negative points vs. another amp number for a larger amount of points. (Ms. Puester: This could limit the flexibility of the code and Commission; other policies are done using precedent.)

Mr. Burke: I am concerned with ‘perpetuity’ with the HERS ratings that we are giving. (Staff discussed that they can catch things when permits are applied for and they find things that need to be upgraded to keep the HERS ratings.) (Ms. Puester: This is an optional policy. Plus, if someone’s refrigerator dies 10 years later, it is unlikely that a new fridge would require more energy than the old one did.) I am concerned with non-conforming buildings. How do we address these? Agreed with Mr. Wolfe’s comment that assigning zero (0) points is good if the situation required it. What if the homeowner has asbestos in their materials and can’t recycle them, even if they want to?
Final Comments: I would like the Planning Commission to look at some examples on the specific examples of a sliding scale.

Mr. Allen opened the worksession to public comment.

Ms. Stacy Lindholm, Allen-Guerra & Burns Design-Build: Tony Miller, a local contractor, would be a good reference, as he just tore down a home in the Weisshorn and recycled the materials.

Ms. Suzanne Allen-Guerra, Allen-Guerra & Burns Design-Build: The Canepa-Olson residence had a grey water system approved. Maybe that would be something to look at here, too.

Mr. Allen closed the Energy Policy worksession to public comment and directed staff to bring back examples of the sliding scale.

2) Transition Standards (MM)

Mr. Mosher presented. The Planning Commission last reviewed modifications to the proposed “Handbook of Design Standards for the Transition Areas of the Conservation District” on June 11, 2010. As originally drafted, the South Main Transition Area focused on architectural character that was more relevant to commercial properties along Main Street and identified design standards more in line with the Core Commercial Character Area. Staff reviewed the existing character of this Transition Area along with the neighboring South Main Street Residential Character Area to the north.

Based on the surviving historic buildings in the South Main Street Residential Character Area, immediately to the north, Staff believes that development in this Transition Area should reflect a residential character rather than mimic what was seen in the Core Commercial Character Area, similar to the recently built Shops at Historic South Main Street. The Land Use Districts (18-2 and 19) both allow commercial uses, but the character would be residential.

Staff believes that these suggested changes are more in character with the pattern of recent redevelopment in the South Main Street Residential Character Area that abuts this Transition Area than the Core Commercial Character Area. Staff has the following questions:

1. Does the Commission support changing from Core Commercial character to the more traditional residential character?
2. Does the Commission support allowing reduced yards along Main Street?

Staff welcomed any additional Commissioner comments.

Commissioner Questions/Comments:

Mr. Lamb: Is a side yard applicable as well? (Mr. Mosher: Yes, in reduced sizes along Main Street.)
Final Comments: Support the proposed changes.

Mr. Bertaux: Do the current yards reflect residential character? (Mr. Mosher: Yes.) (Staff explained the front and side yard character standards that were written for 200 block of South Main were based on development after the historic fire at the turn of the century. They are classified commercial, but they look residential. It is suggested to the Commission to emulate that character written for the south 200 block.) Noted the use of the word ‘urban’ in the second sentence under landscaping. Suggest changing this to “complement the architecture” instead.
Final Comments: Support the proposed changes.

Ms. Girvin: The 300 block (of South Main) works well, because there are variations in setbacks between the buildings as you walk down the street. It does not feel clustered or cramped.
Final Comments: Supportive of the proposed modifications.

Mr. Wolfe: Could we achieve this desired yard character with the large amount of density in La Cima Mall, for example? La Cima Mall and Main Street Station are very dense. How do we apply this historical yard character in these areas that are very urban? (Mr. Neubecker: These buildings are legal non-conforming and can maintain the density if destroyed by accident. If the property were scraped to redevelop, then the new density and associated design criteria would come into play.)

Mr. Allen: Look at the Breckenridge Mountain Lodge. They have a higher density. The Lodge might not come into this; but, for example, if they scraped the lot and rebuilt, would we change their density if they decided to redevelop in this character area? Why are the scales of doors and windows not as critical in this area? (Staff: Massing and scale need to be flexible in this transition area. Their general forms and scale are important as described in the overall design standards for the Transition Areas, but details are less important in transition areas.)
Final Comments: Conceptually supports this application, but wants to make sure that we are not taking away anyone’s rights.

TOWN COUNCIL REPORT:

Mr. Burke: Dick Taft from the Village at Breckenridge came, without even being asked to come, to address the brightness of the clock. We were pleased to see him and impressed with his presentation. (Staff quickly explained the lighting issues that were addressed, such as brightness and color of the light. They are looking for ways to reduce brightness.) The Entrada was de-annexed, and was bought at a great foreclosure price; however those owners were developers of storage units. We may see some of that in the short term, especially in the back of the lot, which is already an approved development proposal from the County. The lighting code amendment was approved, essentially as approved by Planning Commission. (Staff mentioned holiday lighting proposal approved to be used in winter only, until end of ski season.) Town Council approved a resolution opposing Amendments 60 and 61 and Proposition 101; Town Council is also looking into a resolution to support the school district ballot proposal. Hidden Gems was not supported as currently existing. Heide Andersen was asked to come to the next meeting to explain it more. (Mr. Bertaux suggested that we tell Congressman Polis to create a specific proposal on Hidden Gems; not one that constantly changes.) I agree that that is how the Council felt as well. Council was not yet ready to support the Hidden Gems until they have more information. Footprint lots ordinance was approved at first reading. (Staff: We were asked to consider specific setbacks outside the Conservation District; will have a second reading soon.)

FINAL HEARINGS:

1) Lot B, Parkway Center (CK) PC#2010037; 503 Airport Road

Mr. Kulick presented a proposal to construct an 8,583 sq. ft. mixed use building. The first level will consist of 4,727 sq. ft. of retail space, 335 sq. ft. of café space and 449 sq. ft. of common space. The second level is designed for 2,629 sq. ft. of office space and 443 sq. ft. of employee housing. The primary exterior materials proposed include vertical wood siding, horizontal wood siding, brick, vertical metal siding, glass, and timber beams with steel plants and fasteners.

Circulation and drainage proposed were approved by CDOT. The applicants willingly agreed for the proposal of a sidewalk and bus station added north of Park Avenue. The transit system, Summit Stage and Town Public Works did not agree. They were concerned that the sidewalk will end and force people to cross at an inappropriate location. They were also concerned with plowing and maintenance, snowplowing, etc. Staff would like to know if the Commission approves this plan without these suggested circulation issues. If not approved, what are your concerns? The applicants are receiving one positive (+1) point for the proposed amount of employing housing.

Mr. Tom Begley, Applicant, thanked the Commission for their previous comments and the Staff report given. As a developer of this site, we like the sidewalk north of Park Avenue because it will allow better pedestrian traffic and front-door access to the bus system. If the Commission has any ideas on helping us achieve this, please do suggest.

Ms. Suzanne Allen-Guerra, Agent, discussed the sidewalk and curb setting. They also, as per Mr. Pringle's suggestion on material choices, selected a 'tumbled and antiqued' brick to make it look more worn and historical. Also, she suggested that the initial measurement of height was off by 12" and noted the corrected height. Tower element is 36', not 35'.

Changes Since the Last Submittal

1. The overall square footage has been reduced from 9,721 sq. ft. to 8,583 square feet.
2. The café's density has been reduced from 908 square feet to 335 square feet.
3. Office density has been reduced from 3,472 square feet to 2,629 square feet.
4. Retail space has been decreased from 4,861 square feet to 4,727 square feet.
5. The roof lines have changed to incorporate gable elements instead of previously proposed wooden truss elements.
6. Minor alterations to the floor plans and exterior elevations.
7. Due to the overall reduction in density, the total number of required parking spaces has been reduced from 31 to 24.
8. The left turn movement off of Park Avenue presented in the previous circulation plan has been removed.

Staff recommends the Planning Commission approve Lot B, Parkway Center, PC#2010037, by supporting the Point Analysis along with the proposed Findings and Conditions.

Commissioner Questions/Comments:

Mr. Schroder: This proposition does not include a future sidewalk. I can see that this argument is valid for this application. We can't ask the applicants to build a sidewalk here if it leads to nowhere.

Final Comments: I am in support of the easement, materials, and future development of sidewalk along the entire lot. As for now, a sidewalk in the new proposed area and landscaping are good.

Mr. Lamb: Final Comments: Supports the project, materials, sidewalk proposed for now and eventually running it the entire length of Park Avenue.

Mr. Bertaux: Asked about wording in the application referring to the CDOT access movement, saying that the applicant 'may...' (Applicant discussed the wording.) Suggested that if we want to have pedestrians stay on the east/south side of Park Avenue, then the zoning is wrong! What happens if they build a sidewalk at least down to the intersection? Does the applicant escrow that money for future use in building the sidewalk? (Staff: This is a safety element. We do not feel that this sidewalk proposal is safe, unless there is an intersection that it leads to.) (Mr. Begley: Can we as the developer legally build the sidewalk, whether it was approved or not?) (Staff replied that it could not be built if it was not in the approved plan.)

Final Comments: Agrees with Mr. Lamb.

Ms. Girvin: Is pretty adamant about seeing a sidewalk on the Park Avenue side. Can Town Council intervene here and demand that Public Works allow this? (Staff: If it gets called up, yes we could do that. This maintenance issue would also involve the Police Department. Other examples of pedestrian flows were discussed.) What would it take to run a sidewalk from this proposed lot clear to the Gold Rush parking lot? (Staff: It is not in the budget.) The sidewalk on this side will need to link the Café to the bike shop. Does it end there? (Mr. Neubecker: Signage could show that the "Sidewalk will end in one hundred (100') feet. Cross here.") Under density and intensity, it looks like this development uses only twenty-five percent (25%) of the SFEs allowed, so will seventy-five percent (75%) of the density fit on the other two (2) lots? (Mr. Begley: These densities are not guaranteed, but for example, other buildings will be larger.)

Final Comments: This is an important gateway to our community, and it looks good. I am okay with ending the sidewalk at the suggested perpendicular access area for now, but would like to keep the future dedications in place to continue the sidewalk in the future.

Mr. Wolfe: Agrees that the Town should build and maintain sidewalks all along the Park Avenue for pedestrians. This is an urbanized area. People will walk here, whether we provide them with a sidewalk or not. Asked staff what their opinion is. (Staff: Building sidewalks here is a safety issue. We want to reduce pedestrian risk.)

Final Comments: Likes the project overall. Supports bringing the sidewalk down to the perpendicular intersection of the interior sidewalk, to support the path of least resistance for pedestrians. Would like to see the bus easement, if that is wanted by the transit system. Long term, I believe that there will eventually be a sidewalk along the entire length of Park Avenue and I support that.

Mr. Allen: Summarized what the applicant suggested, that they take the sidewalk to the intersection of the internal sidewalk next to the parking lot. In reality, people will mostly walk out of the building in this area.

Final Comments: Agrees with Mr. Lamb and Mr. Bertaux.

Mr. Allen opened the hearing to public comment.

Mr. Dave Hartman, Woodwinds Property Management: I was present at the meeting when Commission had this same discussion for the sidewalk and rock wall along Ski Hill Condos near Mountain Thunder Lodge. Pedestrians were not crossing where they were supposed to, and the Town had to come back in and add sidewalk to allow better skier access to parking. Pedestrians will want to take the quickest route to their car. We cannot force them to cross exactly where we want them to, if it is out of their way to get to their car. This is just a brief history and I feel that this is exactly the same situation.

There was no further comment and the hearing was closed.

Mr. Bertaux made a motion to approve the point analysis of positive one (+1) point for Lot B, Parkway Center, PC#2010037, 503 Airport Road. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

Mr. Bertaux made a motion to approve Lot B, Parkway Center, PC#2010037, 503 Airport Road, with the presented findings and conditions (and to end the sidewalk at the end of the internal sidewalk on the east side of the parking lot). Mr. Wolfe seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

Planning Commission field trip: Oct 14th to Vail. We will be meeting with other developers, tentatively leaving town hall around 8:00 A.M. We will have lunch somewhere. (Mr. Bertaux suggested Sweet Basil.)

Staff is looking for Hardi-board samples ten (10) years old or older (specifically cementitious siding). We want to further observe how it weathers in regards to making decisions to reconsider Policy 5/Architectural Compatibility. Please keep your eyes peeled.

Mr. Bertaux, Ms. Girvin, Mr. Lamb and Mr. Allen will need to submit a letter for reconsideration of their positions as Commissioners. Their terms end October 31st. (Letters are due Oct. 18th by 5:00 P.M.) Oct 26th will be our interviews with Town Council.

Are there any issues that we need to discuss with the Town Council at the future joint meeting? (The Commission supported meeting with Town Council, if for nothing else than for Town Council bonding. We could discuss our Vail tour. The Commission was sure that other issues would come up.)

ADJOURNMENT:

The meeting was adjourned at 9:52 p.m.

Rodney Allen, Chair



Class C Development Review Check List

Project Name/PC#: Barron-Sandman Residence PC#2010053

Project Manager: Matt Thompson, AICP

Date of Report: September 28, 2010 For the October 5, 2010 Planning Commission Meeting

Applicant/Owner: Jennifer Barron and Curt Sandman

Agent: Kirk Mickelsen

Proposed Use: Single family residence

Address: 68 Victory Lane

Legal Description: Lot 1, Warriors Preserve

Site Area: 22,869 sq. ft. 0.53 acres

Land Use District (2A/2R): 30.6: Residential

Existing Site Conditions: The lot slopes downhill steeply at 22% within the building envelope. The lot is heavily wooded with both large spruce and lodgepole pine trees. There is also an existing landscaped berm that has five spruce trees planted in-between Victory Lane and the proposed residence. Victory Lane is in a 50' utility and private access easement.

Density (3A/3R): Allowed: unlimited Proposed: 5,271 sq. ft.

Mass (4R): Allowed: unlimited Proposed: 6,283 sq. ft.

F.A.R.: 1:3.64 FAR

Areas:

Level One: 1,143 sq. ft.

Level Two: 908 sq. ft.

Level Three: 1,724 sq. ft.

Level Four: 1,009 sq. ft.

Level Five: 910 sq. ft.

Garage: 589 sq. ft.

Total: 6,283 sq. ft.

Bedrooms: 3

Bathrooms: 4

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

Lot Coverage/Open Space (21R):

Building / non-Permeable:	4,132 sq. ft.	18.07%
Hard Surface / non-Permeable:	817 sq. ft.	3.57%
Open Space / Permeable:	17,920 sq. ft.	78.36%

Parking (18A/18/R):

Required: 2 spaces

Proposed: 2 spaces

Snowstack (13A/13R):

Required:	204 sq. ft.	(25% of paved surfaces)
Proposed:	276 sq. ft.	(33.78% of paved surfaces)

Fireplaces (30A/30R): 2 gas fireplaces

Accessory Apartment: None

Building/Disturbance Envelope? Disturbance

Setbacks (9A/9R):

Front: within the disturbance envelope

Side: within the disturbance envelope

Side: within the disturbance envelope

Rear: within the disturbance envelope

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

The proposed residence will be architecturally compatible with the land use district.

Exterior Materials:

Flashing, gutters, and downspouts anodized aluminum black. Vertical siding is natural barnwood. Metal siding is rusted steel panels. Doors/windows jeld-wen window company anodized aluminum black. Natural antique stack field stone.

Roof:

Standing seam rusted metal.

Garage Doors:

Barnwood

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	4	6' - 8'
Aspen	5	2" minimum caliper
Shrubs and perennials	9	various 5 gallon

Drainage (27A/27R):

Positive away from residence.

Driveway Slope:

8 %

Covenants:

Standard landscaping covenant.

Point Analysis (Sec. 9-1-17-3):

Staff conducted an informal point analysis and found no reason to warrant positive or negative points. The proposal does meet all absolute policies of the Development Code.

Staff Action:

Staff has approved the Barron-Sandman Residence, PC#2010053, located at 68 Victory Lane, Lot 1 Warriors Preserve with the Standard Findings and Conditions.

Comments:

Additional Conditions of

Approval:

TOWN OF BRECKENRIDGE

**Barron-Sandman Residence
Lot 1, Warriors Preserve
68 Victory Lane
PC#2010053**

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 **September 28, 2010**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 5, 2010**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **April 12, 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. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement.
7. Applicant shall field locate utility service lines to avoid existing trees.
8. An improvement location certificate of the height of the top of the foundation wall, the level five plate and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
9. At no time shall site disturbance extend beyond the limits of the platted building/site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
10. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
11. 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

12. Applicant shall submit proof of ownership of the project site.
13. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
15. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
16. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
17. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
18. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
19. Applicant shall install chain link fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.

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

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

21. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
22. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
23. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
24. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
25. Applicant shall screen all utilities.
26. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
27. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
28. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
29. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions"

generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

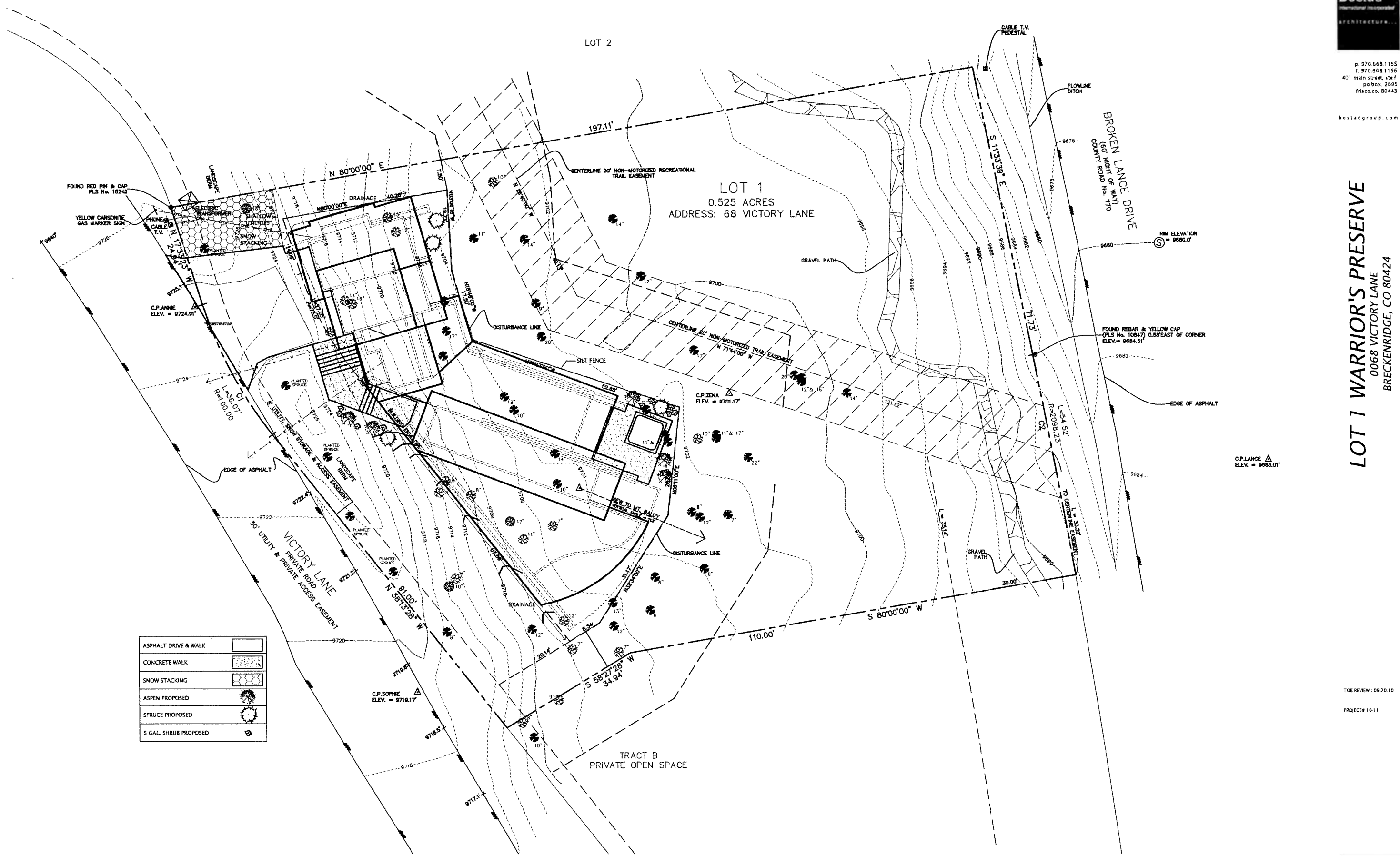
30. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
31. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12,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

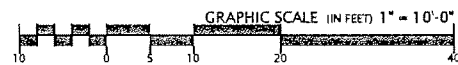
LOT 1 WARRIOR'S PRESERVE
0068 VICTORY LANE
BRECKENRIDGE, CO 80424

LOT 2

LOT 1
0.525 ACRES
ADDRESS: 68 VICTORY LANE



ASPHALT DRIVE & WALK	
CONCRETE WALK	
SNOW STACKING	
ASPEN PROPOSED	
SPRUCE PROPOSED	
S GAL. SHRUB PROPOSED	

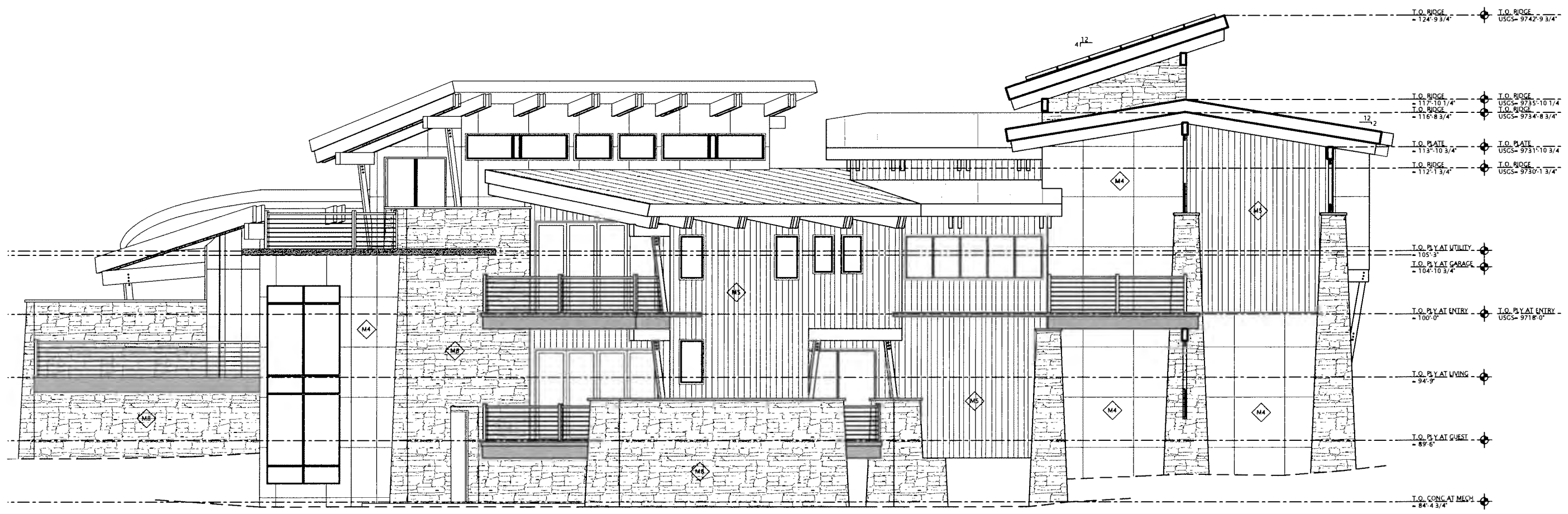


1 | SITE PLAN
SP-1.0 | SCALE: 1" = 10'-0"

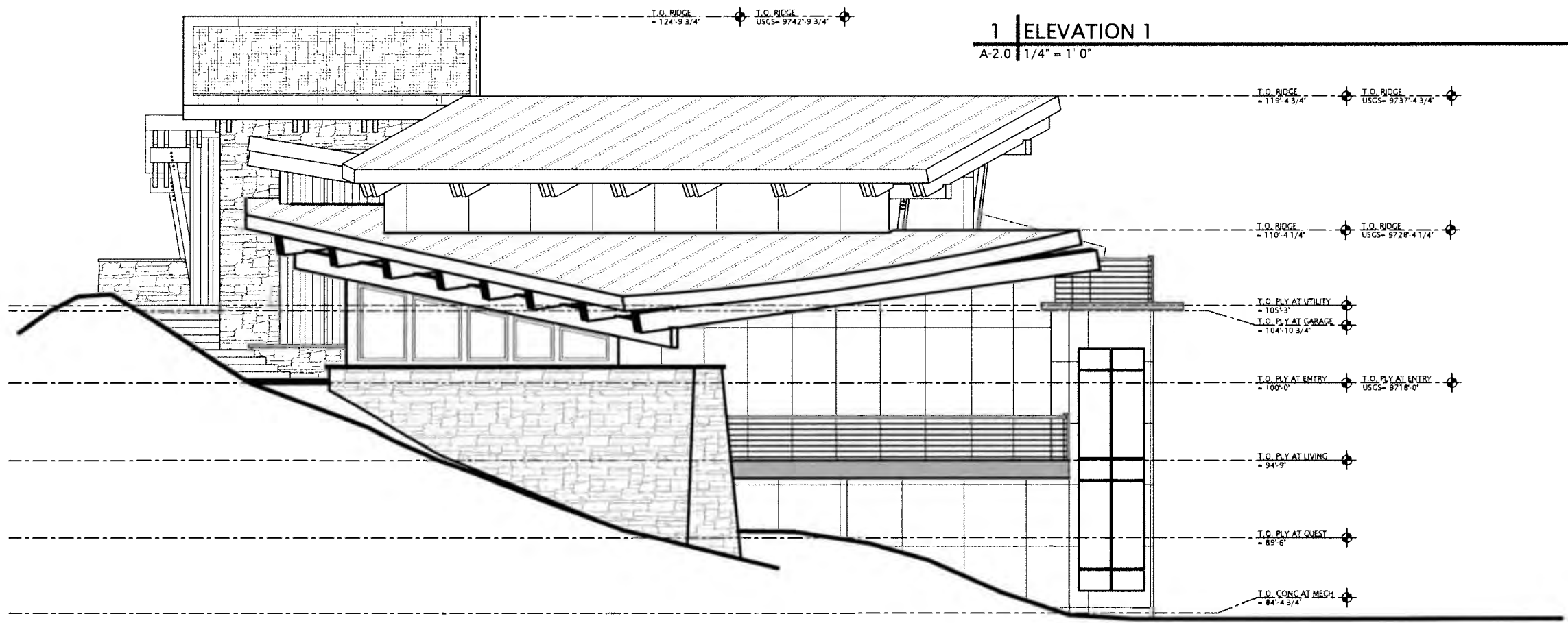
NOTE: TOPOGRAPHIC SURVEY ADAPTED FOR USE BY BOSTAD INTERNATIONAL, INCORPORATED

SP-1.0

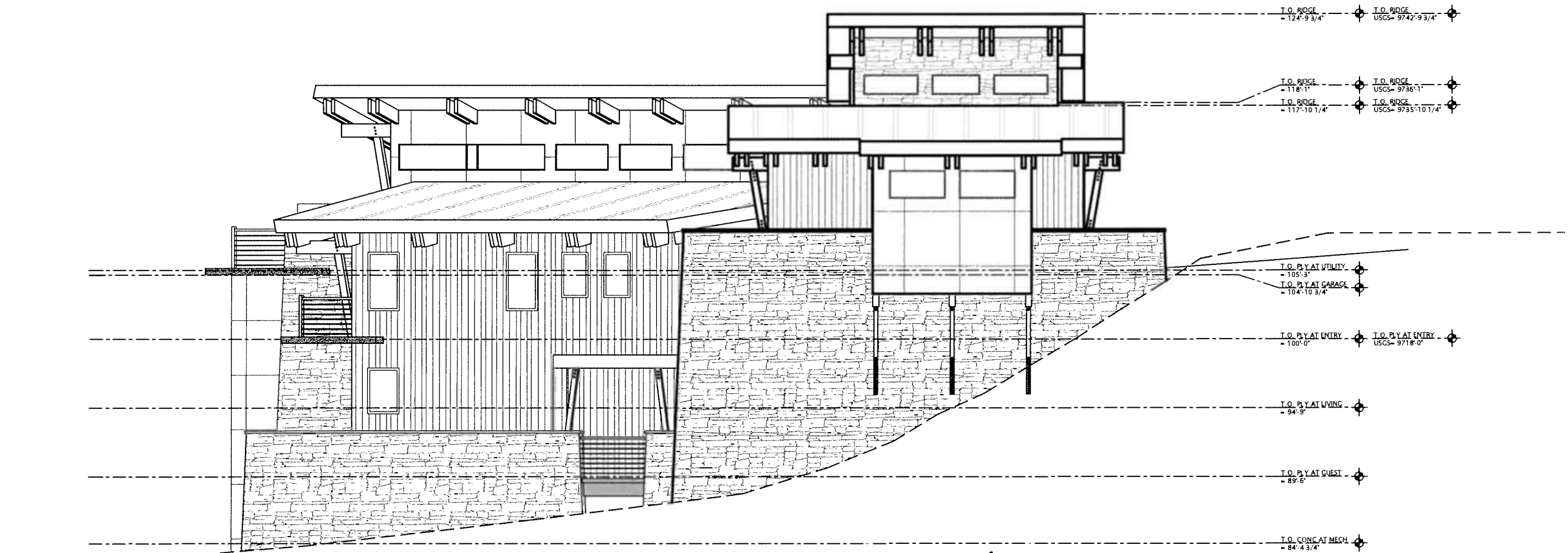
LOT 1 WARRIOR'S PRESERVE
 0068 VICTORY LANE
 BRECKENRIDGE, CO 80424



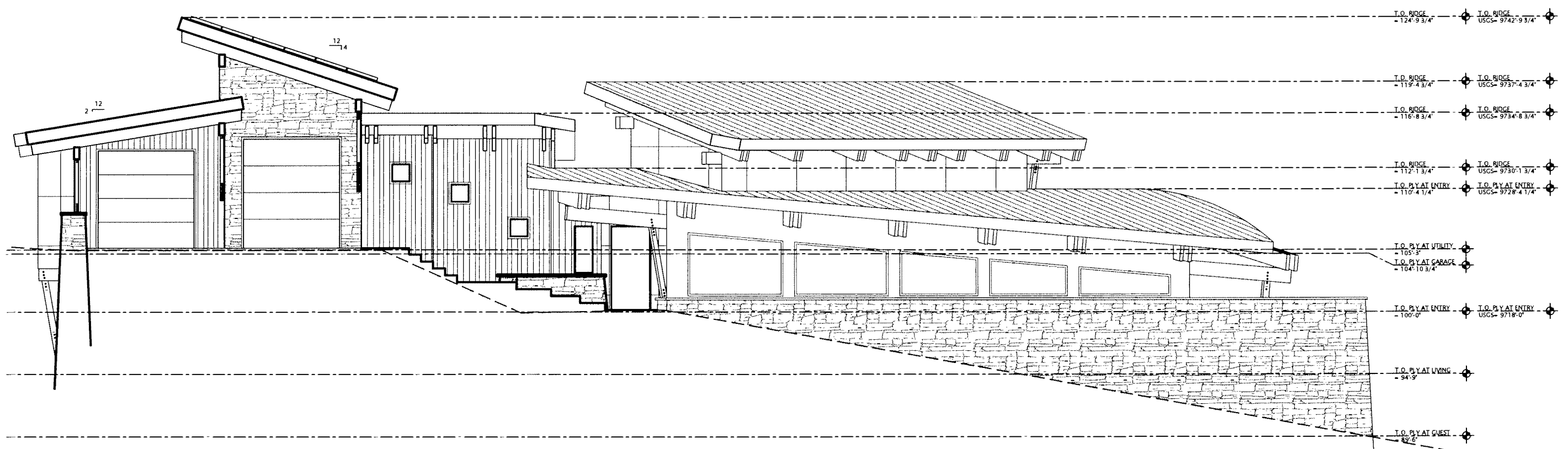
1 | ELEVATION 1
 A-2.0 | 1/4" = 1' 0"



2 | ELEVATION 2
 A-2.0 | 1/4" = 1' 0"



1 | ELEVATION 3
A-2.1 | 1/4" = 1' 0"



2 | ELEVATION 4
A-2.1 | 1/4" = 1' 0"

Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III

Date: September 27, 2010, (For Meeting of October 5, 2010)

Subject: Hardoy-Drumwright Two-Car Garage, (Class C Hearing; PC# 2010054)

Owners/Applicants: Soledad Hardoy and Christopher Drumwright

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 (reveal to match home), 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: 3 Meadow Lark Green

Legal Descriptions: Lot 16A, Block 7, Wellington Neighborhood

Site Area: 0.085 acres (3,719 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: Logan Drive South: Residences
East: Residences West: Residences

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

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

Snowstack: Required: 38.5 sq. ft. (25%)
Proposed: 290 sq. ft. (over 100%)

Setbacks: Front: 10 ft. (house) Rear: 7 ft. (garage)
N. Side: 1.6 ft. (garage) S. Side: 10.1 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 original development permit. This is consistent with the rest of the subdivision. The applicant will be required to revegetate 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# 2010054, with the standard Findings and Conditions.

TOWN OF BRECKENRIDGE

**Hardoy-Drumwright Two-Car Garage
Lot 16A, Block 7, Wellington Neighborhood
3 Meadow Lark Green
PC#2010054**

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 **September 27, 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 **October 5, 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 **April 11, 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

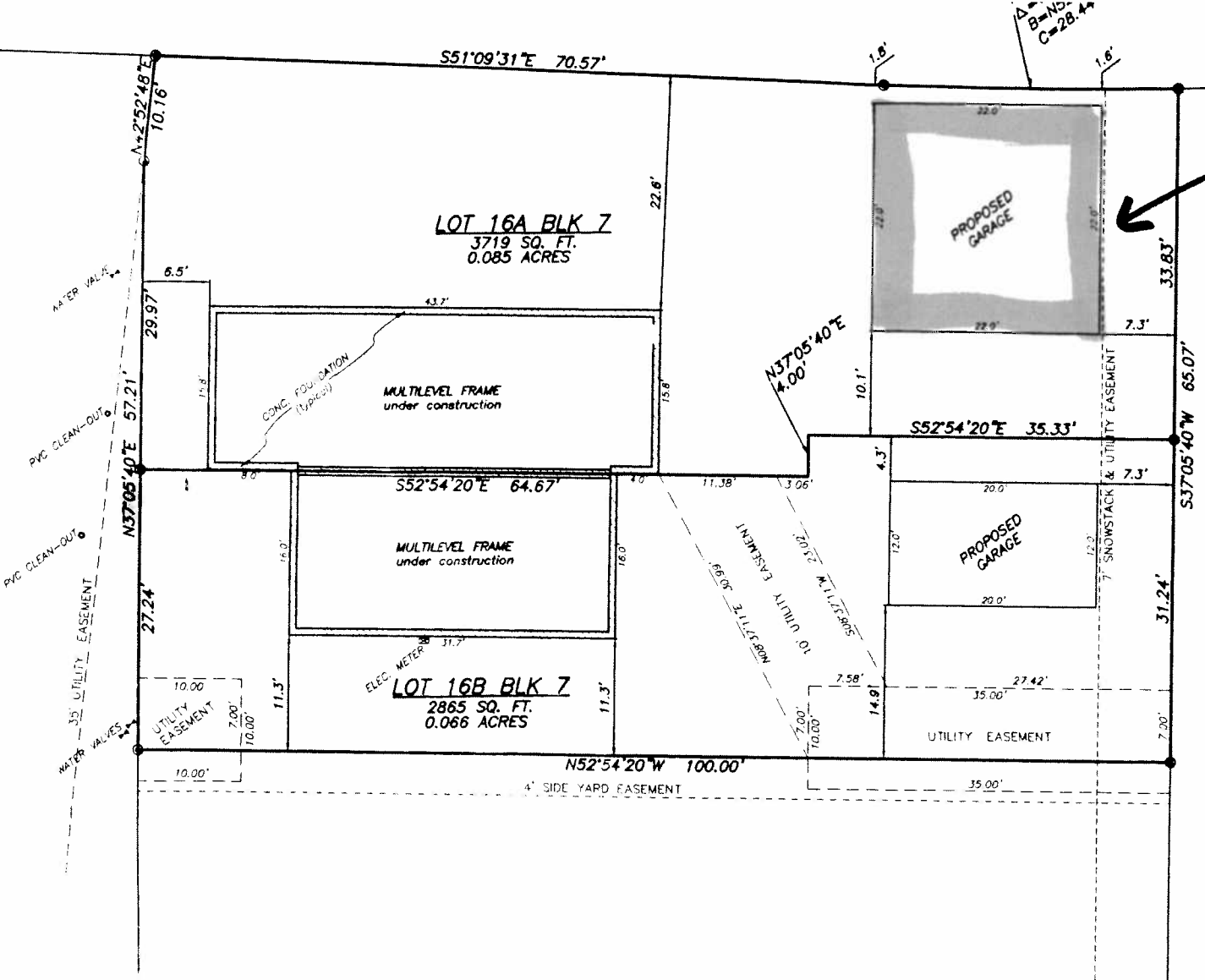
9. Applicant shall submit proof of ownership of the project site.
10. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
11. Applicant shall identify all existing trees, which are specified 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.
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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.
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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.



GARAGE

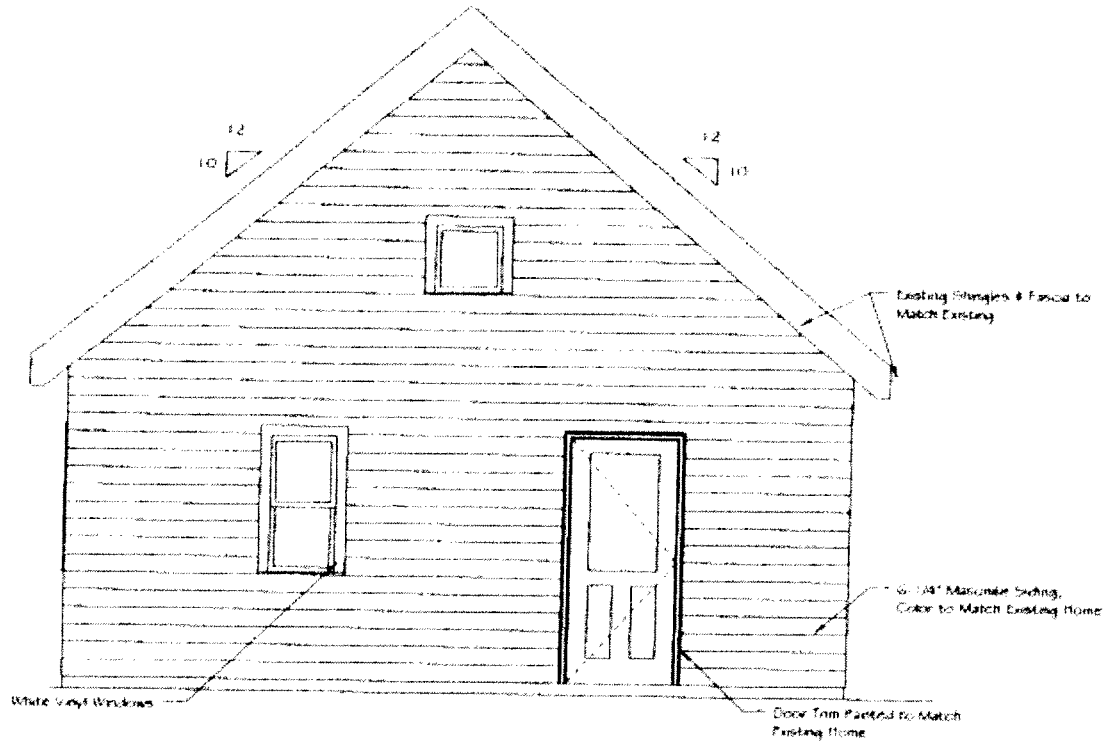


20' PRIVATE ALLEY

SITE PLAN

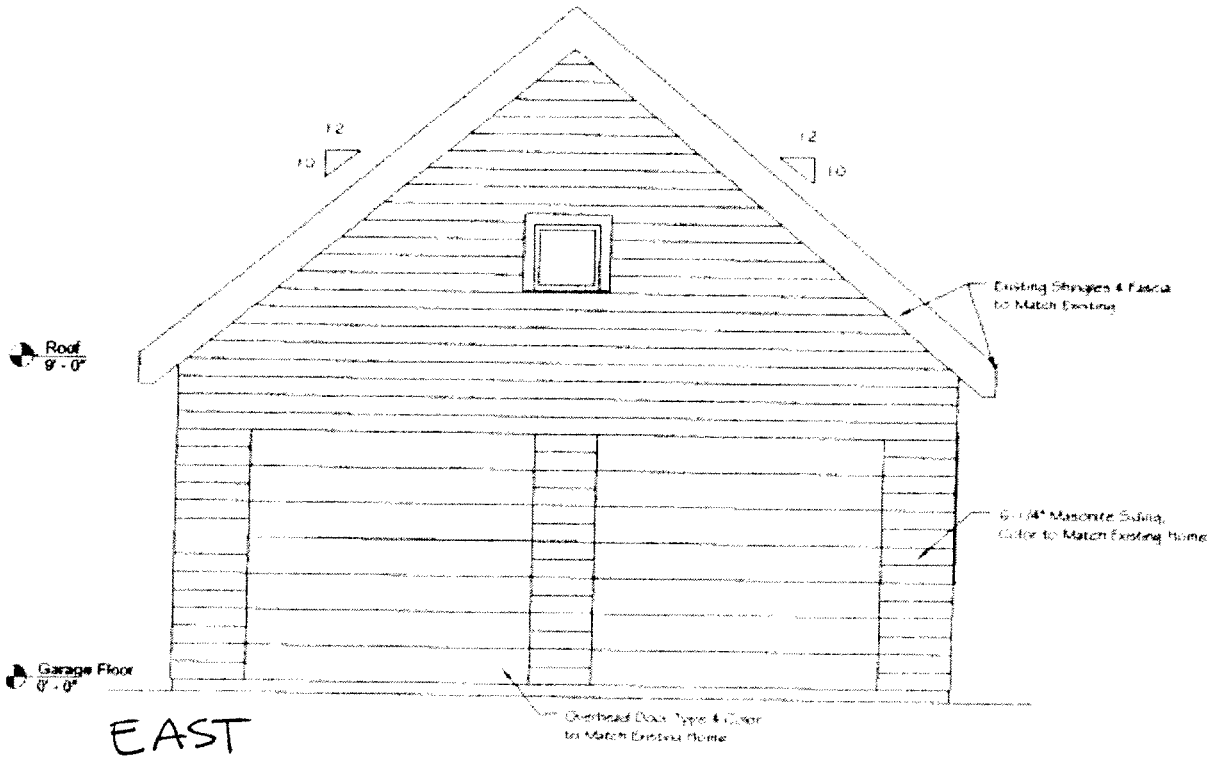


GARAGE



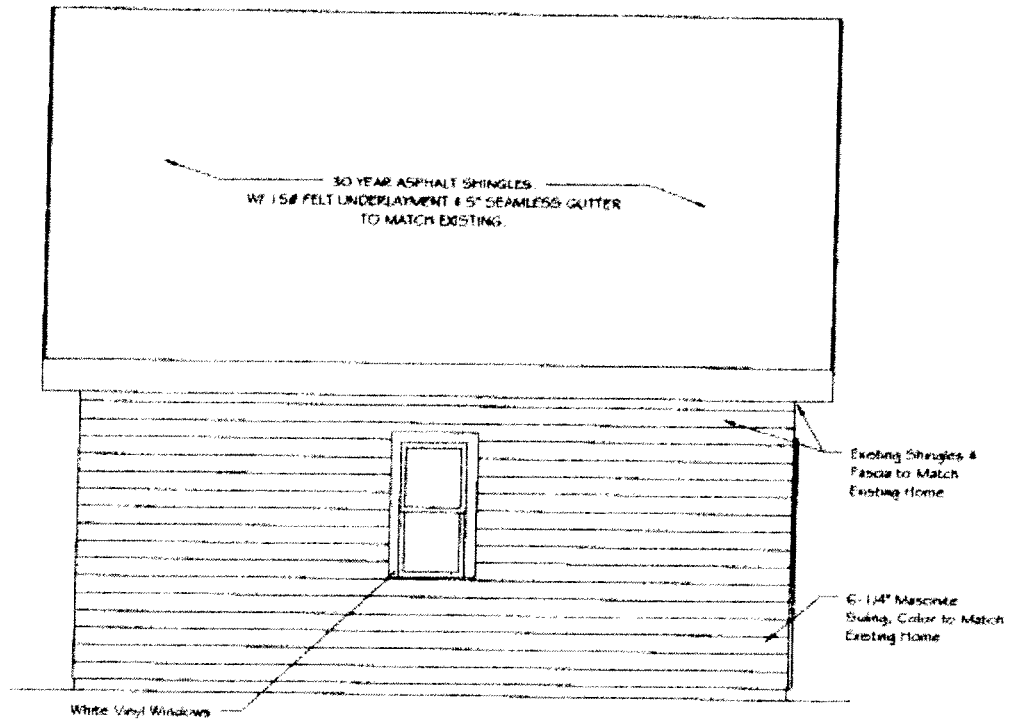
North Elevation
3/16" = 1'-0"

WEST

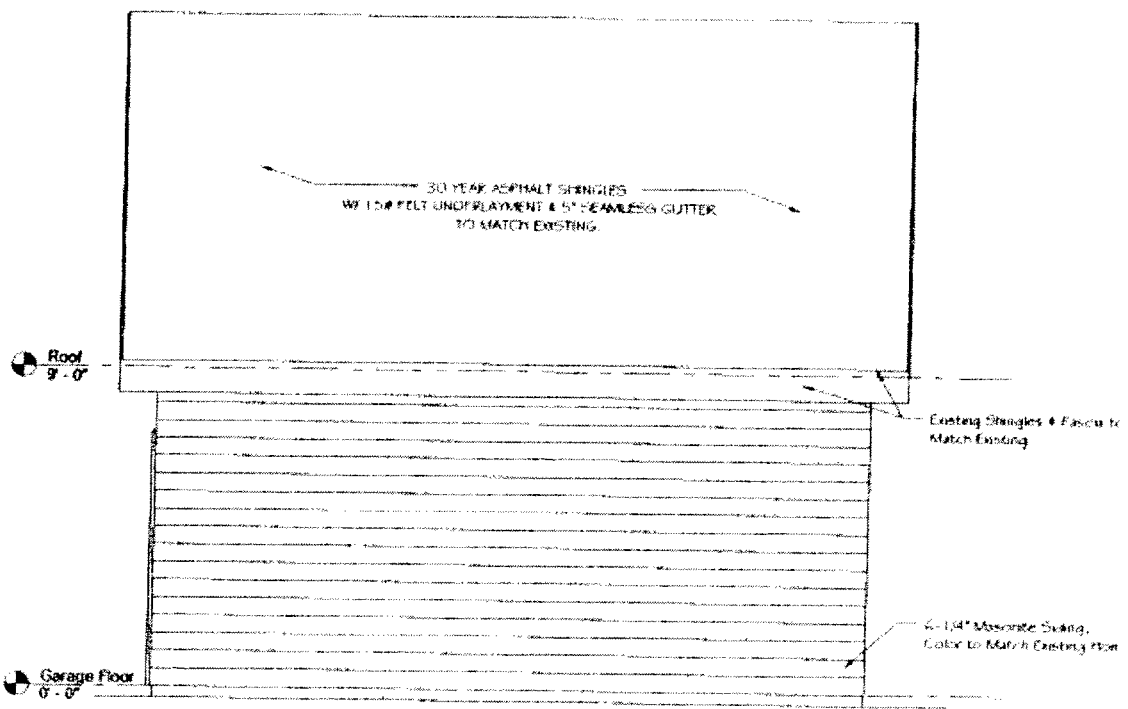


EAST

GARAGE



① East Elevation
3/18" = 1'-0" **SOUTH**



Roof
9'-0"

Garage Floor
0'-0"

NORTH

M E M O

Date: October 1, 2010
To: Planning Commission
From: Michael Mosher, Planner III, Community Development
Subject: Review of Transition Standards - 10 Briar Rose Transition Character Area

This is the final review for the proposed “Handbook of Design Standards for the Transition Areas of the Conservation District” Briar Rose Transition Character Area. On April 6, 2010, Staff presented the overview portion of the handbook along with a draft review of the Briar Rose Transition Character Area. Portions of overview include criteria that affect all Character Areas. It was also noted that the Briar Rose Transition Character Area is unique and has specific standards that deviate from the other Character Areas. Most notably:

- The Briar Rose Transition Character Area is allowed 5 Units per Acre (UPA). (Pursuant to a change in Land Use Guidelines (LUGs) approved in 2002). Properties in the Briar Rose area are much larger than those seen in other Transition areas.
- The Briar Rose Transition Character Area specifies an allowed overall height (ridge height) of 35 feet instead of the maximum height of residential structures in the Transition Areas which is to be 26-feet (o the mean of the roof).
- Architectural detail, massing and scale are more relaxed in the Briar Rose Transition Character Area.

Summarizing, we are suggesting that the Briar Rose Transition Character Area be allowed larger masses, taller structures, slightly smaller solid to void ratios (larger glass areas), and more flexibility in building materials. However, the west facing facades should respect historic forms, such as gable ends, dormers, smaller masses, and other complimentary features of the adjacent historic district. Garages should not be the primary feature of the Briar Rose façade and, if possible, be designed as an “out-building” to better break up the masses. Generally, some specific design criteria have been removed from the design standards to allow greater flexibility in overall design. **Staff Summary**

We have two questions for discussion for this review:

1. Does the Commission have any concerns about the inherent flexibility written into these design guidelines?
2. There are no Priority Policies in this section. Does the Commission believe there are any design criteria that should be ‘absolute’?

- Buildings in the Briar Rose Character Area are allowed a maximum 35-foot building height overall.

#10. Briar Rose Transition Area

The Briar Rose Transition Area lies along the west side of Briar Rose Lane, north of Wellington, forming the northeast buffer to the Historic District. The area contains large lots that slope down from the street to the west. Existing structures are large single-family structures, sited facing the Briar Rose Lane. Stained wood siding is the primary building material. Large evergreen trees provide a distinct character. The scale of buildings, as perceived from below in the Historic District, is a special concern here.

Mass and Scale

Policy:

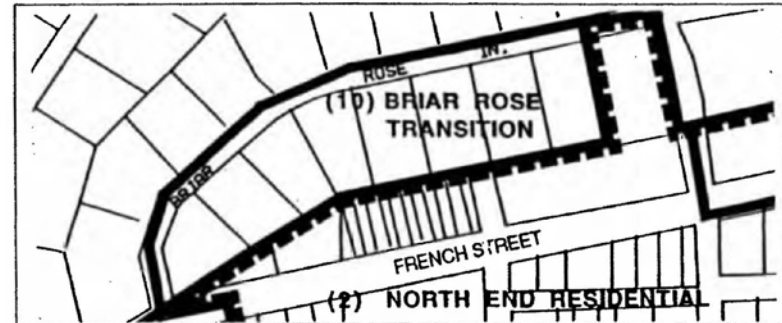
On the west facing elevations as seen from the Historic District below, building mass is the concern in the Briar Rose Transition Area. The mass and scale of the structure should be broken into smaller elements to reflect the character of the Historic District below.

Design Standard:

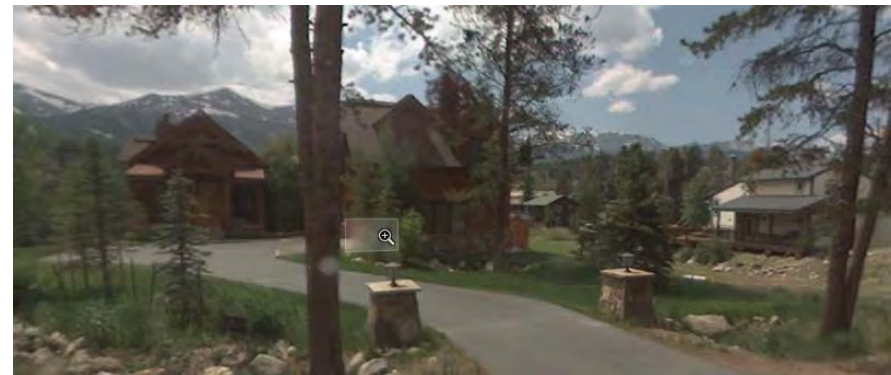
317. The west facing masses of new development should be smaller and reflect more of the architectural character of the Historic District.

- On west facing facades, create subordinate masses off the primary building mass that step down in scale, reflect the character of the Town grid, use a gable roof form, and exhibit a generally simple character.
- Façade widths should be similar to those found in the adjacent Historic District (see Design Standards, Priority Policy 273).
- Greater flexibility for the solid to void ratio is appropriate in this character area since it is farther away from the Historic District.

10. Briar Rose Transition Area



The Briar Rose Transition Area.



New development should appear to have a mass and scale similar to neighboring houses.

10. Briar Rose Transition Area

(Photo Caption pending) The Briar Rose Transition Area contains large lots that slope down to the west.

Design Standard

317a. The rear yard setback of new structures should align with the rear yard setbacks of the existing neighboring structures.

- This character area exhibits large back yards with on-grade decks set away from the Klack drainage.

Automobiles and parking

Policy:

The visual impacts of automobiles should be minimized in the Briar Rose Transition Neighborhood. A particular concern is that garages not dominate the street view.

Design Standard:

318. Minimize the visual impacts of garages.

- A detached garage, set to the side of the primary structure, is preferred, because it will help reduce mass of the overall development.
- Set garages behind the primary facade where feasible.
- A significant portion of the front facade of the primary structure may not be garage, but rather must be composed of traditional residential components, including porches, doors, windows and dormers.

Items generally not as critical

Design Standard:

319. The character of windows, doors and architectural details generally are not as critical in the Briar Rose Transition Area.

- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.

MEMORANDUM

TO: Planning Commission

FROM: Mark Truckey, Assistant Director of Community Development

DATE: October 1 for October 5 Planning Commission Meeting

SUBJECT: Joint Upper Blue Master Plan Update

The Joint Upper Blue Master Plan (JUBMP) was adopted by the Towns of Breckenridge and Blue River and Summit County in 1997. The Plan provides general policy guidance on broad land use issues affecting the Upper Blue Basin. For several reasons discussed below the three jurisdictions have agreed to revisit the 13-year old Plan and update it. The Town Council previously endorsed a recommendation of the Sustainability Task Force to undertake a “minor” update to the JUBMP.

Reasons to Update the Plan

Overall the JUBMP has provided solid direction for basin land use planning. Its policies concerning not creating new density in the basin have been key in ensuring that upzonings, etc. were not approved which would overwhelm our infrastructure and carrying capacity. The policies concerning backcountry protection have resulted in the Town and County jointly acquiring several thousand acres of backcountry (through joint open space acquisitions and through the Upper Blue Transfer of Development Rights program).

Basin Density Target and Density Reduction Strategies

The Town’s Sustainability Task Force discussed some issues related to the JUBMP in 2009 and recommended that a “minor” update be undertaken. Particularly one portion of the JUBMP has proven less successful in its implementation than other portions of the Plan. This is the goal of reducing ultimate build-out in the basin to 75 percent of the zoned density in the basin. Supporting this goal/policy were a series of “density reduction” strategies for reducing buildout. Unfortunately the density reduction strategies were probably overly optimistic and although there have been some density reductions (about 600 units), they fall far short of the JUBMP’s target of 2,550 units. Meanwhile the JUBMP goal of reaching an ultimate basin density of 10,500 units has already been surpassed (about 10,800 units have been constructed to date in the basin and it is likely that full buildout will reach close to 14,000 units). Note: one other factor impacting density is the exemption from density provided in the JUBMP for deed restricted affordable housing projects (the Town Council did in 2009 indicate a desire to transfer density the Town owns at a 1:2 ratio for all new affordable housing projects in order to mitigate impacts created by the new housing density).

Given the above discussions, a portion of the amendments to the JUBMP would focus on revisiting the Plan’s 10,500 unit buildout target, determining whether it should be revised or possibly eliminated, and re-evaluating and amending the density reduction strategies.

District Court Ruling

A second reason for undertaking an amendment to the JUBMP is the County’s desire to amend all of their master plans to address a recent District Court ruling. Recent land use litigation involved the County and a property owner in the Upper Blue Basin (i.e. Polanski) wanting to re-subdivide a property in Silver Shekel, which had previously had its lot lines vacated. The plaintiff, Polanski,

challenged the County’s approval of this resubdivision, which included a condition that three TDRs be purchased in order to reinstate three lots. The Summit County District Court ruled in favor of the plaintiff. In doing so, the Court made some conclusions that questioned the County’s ability to impose master plan policies that conflict with the underlying zoning for a property.

In response to this decision, the County has amended all of their master plans (except the JUBMP) to include more language that clarifies the roles of master plans in relation to zoning and development approvals. The County is suggesting language clarifying that developments must be in “general conformance” with master plan policies, and that the reviewing authority (e.g., planning commission, BOCC) has the discretion to use the master plan policies when reviewing development proposals. The suggested language notes that the master plans may be used to limit density to less than that allowed by zoning.

The Town Attorney has reviewed the District Court ruling and generally feels that it should not affect the way the Town uses its planning documents. The Town has always taken the approach that master plan/comprehensive plan policies are advisory, and that specific requirements are outlined in the Development Code and the Land Use Guidelines. Also, unlike the County, we do not specifically refer to our comprehensive plan policies when reviewing development applications.

Other Plan Modifications

We anticipate that generally the update will be focused on the issues discussed above. In addition, there will likely be some reformatting of the Plan document and a general updating of the Plan to reflect changes that have occurred in the last 13 years. The goal will be to keep focused on accomplishing these “minor” amendments. We do not envision opening the Plan up to a complete overhaul—given the time and resources that would need to be expended for such an effort—and that the Plan is for the most part still working well. Thus, staff intends to focus the update efforts on the key points discussed above.

Committee Appointments

The original 1997 JUBMP was developed by a seven-member Joint Upper Blue Master Plan Committee with staff’s assistance. The committee was made up of representatives from the Towns of Breckenridge, Blue River, and Summit County. Dave Pringle and Leigh Girvin both served on that committee. The Plan was ultimately adopted by the Breckenridge Town Council, the Blue River Town Board, and the County’s Upper Blue Planning Commission at a joint meeting. Our staff has discussed establishing a similar committee for this process. The committee would be fairly short-lived, given that we intend to focus the update effort. At its September 28 meeting, the Town Council determined that they would like one representative from the Council and one from the Planning Commission to serve on the committee.

Questions for Planning Commission

Staff will be requesting that the Planning Commission propose a representative from the commission to serve on the JUBMP update committee. That representative will be confirmed by the Town Council in October.



MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker and Matt Thompson

DATE: September 29, 2010

SUBJECT: Upcoming Sign Code Issues

Recently a few issues sign issues were raised, which staff would like to discuss with Planning Commission. Some of these issues were identified by staff, and others are in response to applications or citizen input. These issues include content based signage, off-premises signs for civic organizations, and advertising / off-site signs for businesses. Each issue would likely require an amendment to the Sign Code. We would like Commissioner comments on whether or not to change the Sign Code to accommodate these requests.

The first topic, content based signs, is an issue that the staff will be researching to address legal concerns of signage regulation based on the type of sign. For example, we currently allow different sign sizes for businesses and for subdivision entrance signs. Businesses are allowed signage based on the linear frontage of the sign, while subdivision entrance signs are allowed a flat 15 square feet. This distinction may need to be removed from our code for legal reasons. Staff will be researching sign codes in other communities and how they address this issue. We will work closely with the Town Attorney on this issue, and will bring recommendations to the Commission within the next few months.

Off-Premises Signs for Civic Organizations is a topic that was recently raised by Rotary International, which requested a sign near the entry to town to inform visiting Rotarians of the time and location of their meetings. Many communities have these types of signs to promote their local civic groups, but this type of sign is currently prohibited since it is off-premises from the location of the meeting. Past Councils have considered this issue but did not want a large array of civic/church/non-profit signs at the entrance to town. We would like Planning Commission input on allowing such exemptions for civic organizations.

Finally, in the context of the recently approved pedicab business, the issue of off-site advertising on pedicabs and other types of vehicles came into the forefront. We would like the Commission to provide input on potentially changing the Sign Code to allow such advertising. While this change is different from the direction we have gone with the Sign Code in the past, we understand that in some cases, advertising can help to “make or break” a business. We do not currently have a strong position on this issue, but such a change to the Sign Code could lead to many complex issues, and maintaining equity from one type of business to another will be a challenge.

We welcome your feedback on each of these issues. We will continue to do research on sign related issues and will return with more details in the near future.



MEMORANDUM

TO: Planning Commission
FROM: Chris Neubecker
DATE: September 28, 2010
SUBJECT: Joint Meeting with Town Council

The next joint Planning Commission/Town Council meeting is scheduled for November 9, from approximately 6:00 PM - 7:30 PM in the Town Hall Auditorium. The Planning Commission is allocated two joint meetings per year, but in the recent past we have held only one meeting annually. Before we schedule a second meeting; however, we want to ensure that there are sufficient issues to discuss.

Some potential topics for discussion might include:

1. Energy Policy: We have recently discussed this policy and some of its limitations. We will look for feedback on other issues related to sustainability but not addressed in the energy policy.
2. Redevelopment: We will have our retreat to Vail on October 14th, so this may be an opportunity to discuss what we saw and learned during this visit. It would also be an opportunity to discuss potential incentives for redevelopment in Breckenridge, and the benefits or limitations of our current policies.
3. Non-Natural Materials: We will soon have discussions on Policy 5 (Relative) Architectural Compatibility, and whether or not we should remove the negative points for the use of Hardi-Board and other fiber cement siding products.

Some other issues that should be considered include:

- Affordable Housing Policy, including Accessory Dwelling Units
- Free Basement Density under Landmarked Commercial Properties
- Water PIF and Parking Fees
- Commercial nodes outside downtown core

We welcome feedback on the proposed joint meeting agenda. Please note that the joint meeting is during the Town Council meeting (alternate Tuesday). Dinner will be served to the Planning Commission, Town Council and staff.