

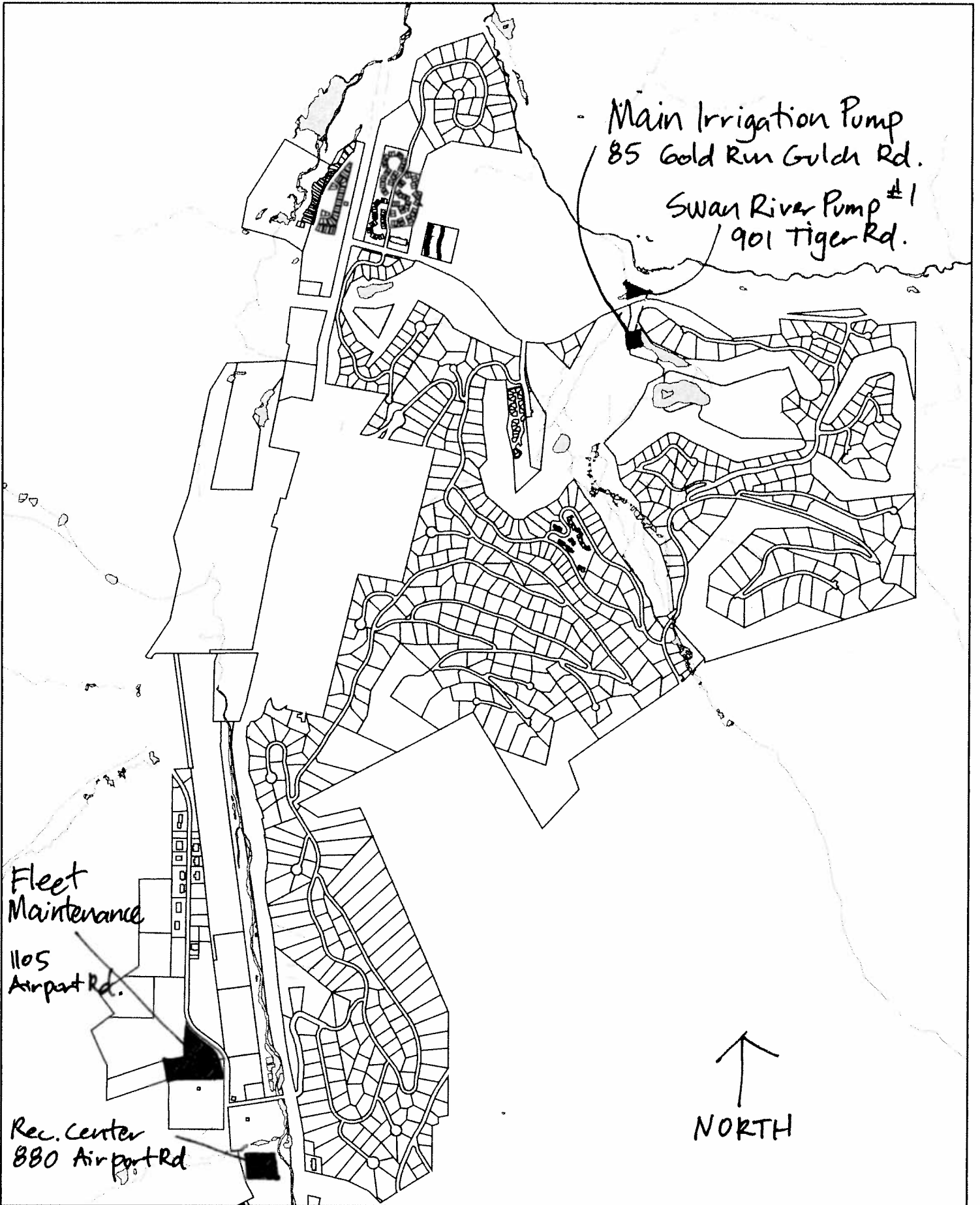
Town of Breckenridge
Planning Commission Agenda

Tuesday, November 16, 2010
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the November 16, 2010 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes November 2, 2010 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Schauder Residence Addition (MGT) PC#2010058 87 Sunrise Point Drive	11
7:15	<i>Worksessions</i>	
	1. Non-Natural Materials (CN)	22
	2. Temporary Vendor Carts (CN/MGT)	25
	3. Energy Policy (JP)	29
9:15	<i>Town Council Report</i>	
9:25	<i>Preliminary Hearings</i>	
	1. Columbia Lode Master Plan 3rd Preliminary (MM) PC#2010017 (<i>Withdrawn</i>) 400 North Main Street	
9:25	<i>Class D Courtesy Review</i>	
	1. Town of Breckenridge PPA Solar Project (CN)	46
10:10	<i>Other Matters</i>	
10:15	<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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 assume no responsibility for the accuracy of the data, and
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Breckenridge North

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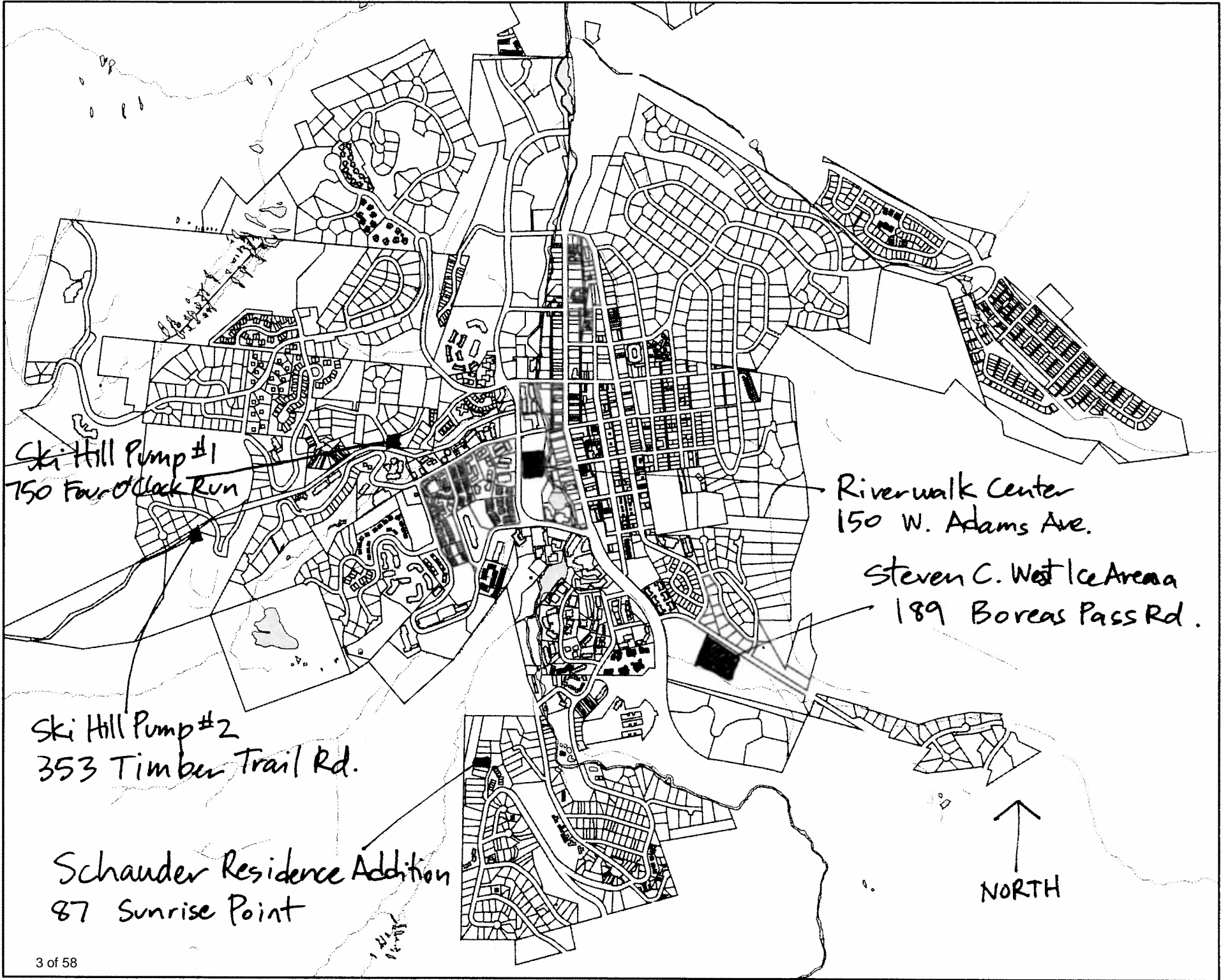
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Breckenridge South

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Ski Hill Pump #1
 750 Four O'Clock Run

Riverwalk Center
 150 W. Adams Ave.

Steven C. West Ice Area
 189 Boreas Pass Rd.

Ski Hill Pump #2
 353 Timber Trail Rd.

Schauder Residence Addition
 87 Sunrise Point

NORTH

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 p.m.

ROLL CALL

Dan Schroder	Jack Wolfe	Rodney Allen
Trip Butler	Kate Christopher	Gretchen Dudney
Dave Pringle	Mark Burke (Town Council Representative)	

APPROVAL OF MINUTES

With no changes, the October 19, 2010, Planning Commission meeting minutes were approved unanimously (4-0). Mr. Butler, Ms. Christopher and Ms. Dudney abstained as they were not in attendance at the October 19 meeting.

APPROVAL OF AGENDA

Mr. Neubecker noted that there were some changes. The sign code item will remain at the beginning. Otherwise, the Town Council report and election of chair are to be moved to the front of the meeting, allowing Mr. Burke to participate before the discussion of the Elk Building. With no additional changes, the Agenda for the November 2, 2010 Planning Commission meeting was approved unanimously (7-0).

WORKSESSIONS (1):

1) Sign Code Amendments (CN)

Mr. Neubecker presented. On October 12, 2010 the Town Council directed the staff to research amending the Breckenridge Sign Code to allow for off-premises signs on pedicabs. In addition, it was suggested that we consider allowing for advertising (off-premises signs) of community events on variable message boards used to provide wayfinding. The current Sign Code includes a list of prohibited signs, including off-premises signs. Staff is working with the Town Attorney on the sign ordinance for pedicabs, which will be presented to the Town Council for first reading next week.

On the issue of advertising for civic events, we will consider amending the Sign Code to allow for such promotions of community events. The current Sign Code provides an exemption for civic event posters in the windows of local businesses, but not on these electronic message boards. We believe that this addition would not be a stretch from the current regulations. The variable message boards would be used primarily for traffic information, wayfinding, closure of parking lots, etc. The Ski Area and the Town would partner on the purchase of the variable message signs. The signs will be mobile initially. After we establish the right location (year one) we would aim for a permanent location at the north end of town

Commissioner Questions / Comments:

Mr. Pringle: Are there criteria for what kind of detail could be included on the variable signage? (Mr. Neubecker: This is a different issue. In the context of wayfinding the Town wanted methods to control traffic. The Town Council thought these same signs could be used for other town information, such as “Snow Sculpture Next Weekend!”) During ski season it may be used at the north end of Town for parking needs and special events. Perhaps a permanent sign is needed too. Curious as to how this is to be managed. Is the pedicab signage for only this business? (Mr. Neubecker: No it is for all pedicabs.)

Mr. Burke: Town Council did not want private advertising to be on these signs. Two signs are proposed. The fixed location will be established at a later date.

Mr. Allen: Is pedicab signage the only item before Town Council next week? (Mr. Neubecker: Yes. We will deal with the variable message board issue at a later date.)

TOWN COUNCIL REPORT:

Mr. Burke: The Town Attorney was present at the Town Council meeting regarding the pedicabs. No new business and no old discussed last week. We discussed Planning Commission appointments and the sign code. Thanks and welcome to all the new Commissioners. Town Council may want to look again at the proposed agenda for the joint meeting and adjust. (Mr. Neubecker: With the new Commissioners, there would be discussion about function of the Planning Commission and a discussion about the field trip and redevelopment.) Should we do something for the members of the

Commission that were not re-elected? Maybe an acknowledgement from the Town at the joint meeting.

OTHER MATTERS:

1) Election of Chair and Vice Chair through October 31, 2011:

Mr. Pringle made a motion to elect Mr. Allen as Chair of the Planning Commission for the next 12 months. Mr. Schroeder seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to elect Mr. Schroeder as Vice-Chair of the Planning Commission for the next 12 months. Mr. Allen seconded, and the motion was carried unanimously (7-0).

WORKSESSIONS (2):

2) Elk Building Historic Re-Construction (MMO/CN)

Mr. Mosher presented. Staff has been approached by Janet Sutterley, Architect and agent for the Applicant, to develop Lot 80 Bartlett and Shock (105 North Main Street) with a new building of which overall massing would be based on photographs of the original historic structure that occupied the property up until the 1940's or 1950's.

As proposed, the new building would exceed (like the original historic structure) the recommended 9 units per acre (UPA) in the Development Code. This, and the proposed additions, would then bring the total above ground density to 12 UPA. This is larger than the recommended above ground density. Land Use District 19 and Historic Character Area #5 North Main Street Residential/Commercial allows a development to exceed 9 UPA up to 12 UPA and incur negative eighteen (-18) points. The applicant has requested to not receive negative points, since there is photographic evidence that a building of this size existed historically on this site. A passing score of zero (0) or greater is needed for a development to be approved. Staff has looked through the Development Code, and we think it could pass a point analysis. Public art, employee housing, trash enclosure, could all be used to get positive points.

The second issue is the requested building height. In the Main Street Residential/Commercial Character Area, historic building heights were 1 and 2 story. Priority Policy 198 recommends that new buildings be designed with 1-story or 1-1/2 stories. If 2 full stories are proposed, the two story portion should be set back from the primary façade. The requested building is shown at 2-stories in the front.

Priority Policy 81 states to preserve the historic scale of the historic buildings in the area. Based on historic photos, at the Blue Front Bakery project (approved and under construction at Lincoln and Ridge) a larger building was placed on the corner of Ridge Street. Photos were shown during review by the Planning Commission, and Commission was OK with the large mass on the corner based on the photographic evidence. Staff noted that neither the Historic Standards nor the Development Code has any provision to deviate from adopted policies for new construction based on historic photos.

The agent is also seeking Commission input on waiving the negative eighteen (-18) points based on the photographic evidence of the larger historic building and the choice to “replicate” this structure, with some deviations, as a public benefit and to have the proposed building better contribute to the Historic District. In addition to the proposed replication, the proposal would add more windows to the lower level facing Main Street, plus a small one-story addition behind the new building. Staff noted that there is no provision in the Code to allow waiving negative points.

Staff has explored the relative Policies in the Development Code and found possible sources for the positive eighteen (+18) points. Hence, we do not support this proposal considering the negative points could be mitigated with existing policies in the Development Code. Additionally, we question the precedent this approach might take with future applications with photographic evidence of other original historic buildings.

Overall, some sort of Code revision or change to the Design Standards would be necessary to allow modifications from the Code based on historic photographic evidence. Waiving any negative points is contrary to the Town's review process and philosophy that has been in place for many years.

Ms. Sutterley, Architect: We understand this is just a worksession, and the Commission can't make decisions. The transition from the Commercial Core Character Area to the Main Street Residential/Commercial Character Area is at the north property line of the Gold Pan adjacent to this lot. We don't want a one story building next to the taller Gold Pan; that would look contrived. We want to transition down in scale to the historic SCI building to the north.

Replication or reconstruction of the original historic structure is really not where we want to go. That opens the idea of setting poor precedent. If we want to replicate it, then replicate it. If someone has a historic photo of a 4 story building, we would not want to see that. The delineated width of the façade meets the design policy. We do not propose any code violations except the request for the front façade height. The module size is 1,400 square feet as required. We can meet the parking requirement. (Ms. Sutterley then showed what the streetscape would look like with a 1-story building on the site.) The 1-story building would look out of place in the context to the neighboring historic buildings. We are meeting intent of Policy 194 with the exception of the building height along Main Street.

There is conflicting language in the historic design standards regarding the suggested height. The character area standards states that buildings were historically 1 to 2-stories tall (and surviving buildings exist along this block of both sizes), and then they suggested height for new construction asks for 1-story heights fronting Main Street. I would like Commission's input on this issue. The historic structure (now gone) was originally a rooming house, but the proposal is to use it as retail space. The intent is to compliment and loosely represent what was there based on the photograph, but not replicating it. The submitted site plan shows setbacks that meet the recommended setbacks in the Development Code. Representation of the original building is goal, but we are trying to make it work for present day use.

We are finding it difficult to make up negative eighteen (-18) points. At 9 UPA, the floor area is only 1,364 square feet, which would look odd along the block. I understand there is nothing in the Development Code that allows the Town to waive negative points. But the SCI Building to north was over the allowed 12 UPA and had the negative eighteen (-18) points waived. Maybe Staff can address why that happened. We can try to mitigate the negative eighteen (-18) points, but why did they allow it next door? Code wants buildings setback from the street, but also wants buildings to align with historic buildings. We could notch back from the Gold Pan. We don't want people walking between this building and Gold Pan. It becomes a urinal for the Gold Pan bar. It becomes a dead zone. We would set it back about 6 feet along the primary façade to create the required side yard. Coupling the north yard with the SCI Building's south yard creates about 12 feet of space between structures. We could put a walkway through, with nice landscaping. Question #1 is on waiving the negative eighteen (-18) points, #2 is the height question being two stories at the street, #3 is on the side yard setbacks. The main building meets 1,400 square foot module size. Façade width is below what is allowed. Can a portion of a policy be deemed "not applicable"?

Mr. Allen opened the worksession to public comment.

Turk Montapare, Realtor for the property: I have always been perplexed by a character change in the middle of this block. Now we have someone trying to make sense of what was historically there and the code differs. Across the street to the east, we have evidence of a 2½ story façade hotel, which burned down. I could never understand why the commercial character area did not extend to Wellington Road. I think we are on the right track with this idea. We'll never know what the deal was with Cooney's (SCI) building's approval. I always felt that 9 UPA was Draconian. I don't know where the documentation came from that we should switch to a residential character in the middle of the block. Disclaimer: I have both of these lots listed. I think Janet has done a great job.

Peter Grosshuesch, Director of Community Development: Please note that Policy 194 states that new buildings should be in scale with "existing historic buildings". It does not say historic buildings that used to be there. The idea is to support the character of existing buildings. This character area is one of the smallest in scale, since these buildings were part of the settlement phase of the town's development. That is one of the reasons we have such small buildings here.

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

Commissioner Questions / Comments:

Mr. Schroder: There is nothing here to reconstruct. It's a new building, so the title should be changed. The area line transitions at the north edge of the Gold Pan.

Final Comments: Shape of the gable helps make the height transition from the Gold Pan smoother. If there were any “twigs” (historic material) remaining, we’d have something to work with as restoration or reconstruction. But this is a new building. It looks like the commercial next door, which looks visually correct to me. We need to fall back on the code. Support you going ahead as presented, but the negative eighteen (-18) points? Look forward to seeing the application and having more vitality in this part of Town.

Mr. Wolfe: Do we know what happened to the original building? (Ms. Sutterley: Sometime before the ski area opened it was destroyed or torn down.) Are we being asked to waive the negative eighteen (-18) points? (Mr. Mosher: Yes, but there is no Code provision or method to waive the points, and the applicant can actually mitigate the points.)

Final Comments: We may be distracted by the photos on the issues before us. The building shown by Ms. Sutterley seems to be a good transition from the Commercial Core to the buildings to the north. If we strictly follow the Historic Guidelines, we may end up with a building that is out of scale along this block. I don’t know how we could waive negative eighteen (-18) points. Maybe a Development Agreement. Like what is presented. (Mr. Mosher: The Code allows granting variances, but only to the priority policies and with hardships.) A variance requires a hardship; we’d need to see what the hardship. We can’t look at the financial hardship. That is the Town Council’s role (example was pedicabs). But what’s shown is a good transition from the Gold Pan to smaller buildings to north.

Final Comments: We like the design, but we are not sure how to make it happen.

Mr. Pringle: At what point would it be historic preservation or restoration, if they replicate a historic building? If the Gold Pan burned down tomorrow, could it be rebuilt as it was? Should we review this as a new building, or replication of a historic building? (Mr. Grosshuesch: We would review it as new building. There is no provision to waive the points.) Gold Pan and Sterling Building are different character area; BIC (SCI) building is a residential character. I don’t know how to meet the Character Area 5 standards where the surrounding buildings do not follow these guidelines. If we meet the criteria of 5/A, Architectural Compatibility, it will be the only building on the block to do so. (Mr. Mosher: We don’t want this development to be fodder for other applications to propose things that don’t meet the Code.)

Final Comments: I agree with Mr. Wolfe and Ms. Dudney. We want to transition, and have continuity on the block. That’s more important than 1 or 2 stories. I like the transition from Gold Pan to BIC. I find it palatable, but Code requires that we look at 9 UPA and 1-story heights.

Ms. Christopher: Is proposed height same as Gold Pan? (Ms. Sutterley: Yes, and the height is to Code.) What is separation of this building and the building to north? (Ms. Sutterley: 12 feet separation; 5 feet to property line.) Is the side addition a flat roof? (Ms. Sutterley: Yes.) I am concerned about leakage.

Final Comments: I like the design. I understand the importance of square footage in the building. I prefer the 2 stories, but don’t support that it’s as tall as Gold Pan; perhaps making it a bit shorter would help it transition better. Concerned about public safety for pedestrians walking through the walkway in winter, when it will be very icy. One story flat roof on south will need to have snow shoveled off in winter. Don’t see how to waive the negative points. If density is important, need to find a way to mitigate points.

Mr. Butler: Final Comments: I’d be supportive of the proposal the way it’s drawn. It is representational. It’s perfect for the character. The waiver of points, not sure how to support that. Would like to find a way meet the code or to make a variance happen.

Ms. Dudney: Are we also asking to consider the height issue? “If 2 stories are proposed, they shall be setback from the front façade...” Is there some way to allow 2 stories without modifying this policy? (Mr. Mosher: The Nauman Residence found a way to not require a connector link since the condition was existing. The Commission found that portion of the Design Standards as “inapplicable”. There has been precedent to state that certain policies did not apply to a project.) Are there any other historic buildings that are 2 stories in this district? (Mr. Mosher: Racer’s Edge and one other.) When you look at vacant lots, do you always have photos showing what was here? (Mr. Mosher: No.) What precedent does this set to allow buildings at the property line? How many floodgates would this open? (Mr. Mosher: The historic Sanborn maps show building locations and rough footprint size, but we don’t have historic photos of all historic

buildings that were here. We don't want to perpetuate any precedent to all properties.) By going from 9 UPA to 12 UPA, you increase the building by 400 square feet. Why do you want to do that? (Ms. Sutterley: 12 UPA is what looks right next to the Gold Pan. Financially, it needs to be viable. It's extremely important to my client.) You think you would have difficulty finding a tenant at 1,300 square feet? (Ms. Sutterley: Yes.)

Final Comments: #4 may be the conflict. I agree with Mr. Wolfe, the transition is important. The Town does not want reproductions. We want people to know which is historic and which is new. I'd like to see a 2 story façade work, since it's representational of what was there, but I don't see a way to waive the negative eighteen (-18) points.

Mr. Allen:

Priority Policy 198 states to be similar size to other historic buildings. (Mr. Mosher: Absolute polices can get a variance, but not relative policies. Variances need to be very specific to one unique property. We need to avoid setting a precedent. Sanborn maps show several outbuildings in the rear of this lot. Should they also be used as precedent? That is Staff's chief concern.) Could you explain how the SCI building next door was allowed to be over density? (Mr. Mosher: Planning Commission denied the project, but it went De Novo at the Town Council, and was eventually approved by Town Council. Additionally, the module size was broken up to maintain the average, but was over 12 units per acre. Staff could not find any negative points mentioned in the Findings and Conditions for the SCI building.)

Final Comments: Historic representation is great. You meet Design Standard 194, but not Design Standard 198. Need to find a way around policy 198, or maybe find that it is not applicable. Agree with Ms. Christopher on transition to height; it should step down to the north. Support the pedestrian connection. Heat the sidewalk if it's a safety issue. Agree with others on the negative eighteen (-18) points; maybe Council has ideas on how to waive that, but we can't. This project would be a great development in this part of Town.

COMBINED HEARINGS:

1. Village at Breckenridge Sign Variance (MGT) PC#2010057, 535 South Park Avenue

Mr. Thompson presented a proposal to request an amendment to the existing Village Master Sign Plan. This will involve three variances from the Sign Code and a variance to the Fence Policy.

There are four (4) variances proposed to the Sign Code:

- Variance #1: 8-2-12 (B) Maximum Sign Area. The applicant is proposing a sign larger than 20 square feet for the building identification sign.
- Variance #2: 8-2-13 (F) Freestanding Signs. The applicant is proposing more than one freestanding sign, and the signs proposed are taller than ten feet (10').
- Variance #3: 8-2-15 (F) Off-premises signs. The applicant is proposing wayfinding signage to properties off the VAB premises.

One variance is proposed from Policy 47 (Absolute) Fences, Gates and Gateway Entrance Monuments:

- Variance #4: The applicant is proposing an archway over Circle Drive. Gateway Entry Arches are currently prohibited in the Development Code.

Mr. Thompson described in detail each of the variance requests and criteria based on the Development Code.

Staff recognizes that there are unique circumstances at the Village at Breckenridge, including its use as a public portal to Peak 9, its unusual size, and the pedestrian/vehicle conflicts in this area. We believe that some flexibility is warranted in light of these issues. We believe that the proposed Master Sign Plan and the variances proposed are necessary to identify the Village at Breckenridge, provide adequate way finding, improve safety and to properly identify the commercial tenants of the property. The Village at Breckenridge is about to complete a major renovation of their property, and improved signage is the next step to complete this transformation. Staff believes that there are unique circumstances that apply only to this property, and we do not believe that we are creating a precedent.

The Planning Department recommends approval of the Village at Breckenridge Master Sign Plan and Variance requests, (PC#2010057) by supporting the presented Point Analysis and the presented Findings and Conditions.

Chris Guarino, Wember Inc. (Applicant): These variance requests are essential for proper use of the property. He explained that drivers have only around ten seconds from the time they see the Village at Breckenridge sign to locate Circle Drive and turn into the project, and that there is only one entrance into the VAB. He is excited to hear feedback from the Commission.

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

Commissioner Questions / Comments:

Mr. Schroder: Four variance requests with clear presentation and review – good job! Don't have much to add in questions. Hardship has been described well. Directional sign type "D" and "F" details? (Mr. Guarino: There are four freestanding directional (way finding) signs and two that are freestanding pedestrian directional/directory signs.) Initially my concerns were this big sign on the building. Had concerns about the large sign on the side of the building. Does it have the word "Breckenridge" in it? (Mr. Guarino: At 140 SF it was clearer but the sign was too large. VAB heard the Planning Commission at the worksession and realized a 140 SF sign was too large. They feel if the drivers can read the word "VILLAGE" then they will be able to identify the Village at Breckenridge, even though "Breckenridge" is in a smaller font size. It all seems to work as the overall scale of the project is large and the signage is the proper scale.)

Final Comments: I support the 98 square foot sign. It's a matter of scale. What's presented is in balance. No problem with the archway.

Mr. Pringle: Four variances in a combined hearing are a bit uncomfortable for me. We all have to weigh in tonight for approval. I am not comfortable with approving a Master Sign Plan this large with four variances in a Combined Hearing. Will all properties on Park Avenue now be requesting larger than 20 SF signs? Does One Breck Place have similar issues since it is on Highway 9? Are we going to see more applications for larger signs as a result of this review? I thought last time we said to use the smallest sign that is effective? Just because it's next to Peak 9, is that a reason for a variance? Not sure if we had enough review at the last hearing. We should all feel comfortable before going ahead.

Mr. Wolfe: The Sign Code was not written for a situation like this, due to its size and layout. This is a good example of Staff reading the "grey area" and trying to find a solution to a problem. I support the request for the four variances. Thanks for providing wayfinding to adjacent properties. One small criticism, if there are more than three or four messages on one sign post they tend to get lost, five is too many. This is a good Master Sign Plan.

Ms. Christopher: I agree with Mr. Wolfe. The Sign Code was not written for a development like this. I have personally been lost in this area. Public safety is important and makes the community "user friendly". Use as many way finding signs as necessary, go for all you can. Check height for clearance of snow and skis. The arch is rather exclusive and not a life safety issue. Tend to say no to the arch as far as life safety. But appreciate the actual design of the archway.

Mr. Butler: Support all four of the requests. Scale and balance works here. Does not look out of place. Like free standing and off-premise signs and can support the arch, too.

Ms. Dudney: Support all four variances. As a past visitor here I appreciate the need for better signage at the Village at Breckenridge.

Mr. Allen: Support all four variances. Comfortable that I have seen enough information on this project to make a decision. The Village has some unique circumstances and design issues that make these requests necessary. Archway is appropriate and announces the entry to the property. Don't think that it sets precedence for One Breck Place. Support the proposal as presented.

Mr. Schroder made a motion to approve the point analysis for the Village at Breckenridge Sign Variance, PC#2010057, 535 South Park Avenue. Mr. Wolfe seconded, and the motion was carried unanimously (7-0).

Mr. Pringle: Questioned whether the Commission needed to approve each of the variance requests separately. I wish to change my vote on the Point Analysis.

Ms. Christopher: Questioned voting on each variance separately too.

Mr. Pringle: Have concerns about the method of approving the separate variances all at once in the Point Analysis. I do not feel the sign over 20 square feet needs to be 98 square feet, I believe that this variance does depart from the provisions of this chapter more than is required. Want to change

Absolute Policy 12 to failing in the Point Analysis. Would like to change his vote on the Point Analysis to “No”.

The Point Analysis was amended to show Mr. Pringle voting “No”. The Point Analysis passed with a vote of 6-1.

Ms. Christopher: I am not sure. The archway is not a public safety issue. May set bad precedent. Exclusivity of an arch is not welcoming to the public. No other Commissioners concurred.

Mr. Schroder made a motion to approve the Village at Breckenridge Sign Variance, PC#2010057, 535 South Park Avenue, with the presented Findings and Conditions. Mr. Wolfe seconded, and the motion was carried unanimously (7-0).

Discussion ensued on the method of discussing variance in conjunction with the Point Analysis. The uniqueness of this property was also discussed.

2. Shock Hill Lodge Permit Extension, Tract C, Shock Hill (CN), 200 Shock Hill Drive (*Withdrawn at the request of the Applicant.*)
3. Shock Hill Lodge Permit Extension, Tract E, Shock Hill (CN), 260 Shock Hill Drive (*Withdrawn at the request of the Applicant.*)

OTHER:

Mr. Schroder announced his new mailing address. A new roster will be handed to the Commissioners at the next meeting.

ADJOURNMENT:

The meeting was adjourned at 9:50 p.m.

Rodney Allen, Chair



Class C Development Review Check List

Project Name/PC#: Schauder Residence
Additions and Alterations PC#2010058

Project Manager: Matt Thompson, AICP

Date of Report: November 11, 2010 For the 11/16/2010 Planning Commission Meeting

Applicant/Owner: Keith and Denise Schauder

Agent: Suzanne Allen-Guerra

Proposed Use: Single family residence

Address: 87 Sunrise Point

Legal Description: Lot 12, Sunrise Point PUD

Site Area: 14,479 sq. ft. 0.33 acres

Land Use District (2A/2R): 30.1: Residential

Existing Site Conditions: There is an existing 3,759 square foot residence on the property. The lot slopes downhill from the street towards the rear portion of the lot steeply at 30%. There is a 30' utility easement in the rear of the property, which is the rear setback line. The lot is moderately covered with lodgepole pine trees.

Density (3A/3R):	Proposed: 5,440 sq. ft.	Allowed: 6,500 sq. ft.
Mass (4R):	Proposed: 5,968 sq. ft.	Allowed: 6,500 sq. ft.
F.A.R.	1:2.40 FAR	
Areas:	<u>Existing</u>	<u>Additions</u>
Lower Level:	1,675 sq. ft.	778 sq. ft.
Main Level:	1,404 sq. ft.	626 sq. ft.
Upper Level:	680 sq. ft.	276 sq. ft.
Garage:	528 sq. ft.	
Total:	4,287 sq. ft.	1,681 sq. ft.

Total after additions: 5,968 sq. ft.

Bedrooms: 5

Bathrooms: 5

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

Lot Coverage/Open Space (21R):

Building / non-Permeable:	4,395 sq. ft.	30.35%
Hard Surface / non-Permeable:	648 sq. ft.	4.48%
Open Space / Permeable:	9,436 sq. ft.	65.17%

Parking (18A/18/R):

Required: 2 spaces
Proposed: 2 spaces

Snowstack (13A/13R):

Required: 162 sq. ft. (25% of paved surfaces)
Proposed: 162 sq. ft. (25.00% of paved surfaces)

Fireplaces (30A/30R): Two new gas fireplaces

Accessory Apartment: N/A

Building/Disturbance Envelope? N/A

Setbacks (9A/9R):
Front: 8' (0 is allowed)

Side: 10' (7.5' allowed)

Side: 9' (7.5' allowed)

Rear: 93' (64' allowed)

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

The residence will be architecturally compatible with the neighborhood.

Exterior Materials:

Horizontal siding: 1 x lap cedar siding with 10" exposure stained brown; Vertical siding: reclaimed random width boards in gray tones; and rusted steel siding Wainscoat.

Roof:

Class A 40-year black composite shingles

Garage Doors:

To match new siding.

Landscaping (22A/22R):

Planting Type	Quantity	Size
Aspen	12	(6) 1.5", (6) 2" min. caliper
Spruce	10	(6) 8', (4) 10'

Drainage (27A/27R):

Positive away from residence.

Driveway Slope:

Existing

Covenants:

Standard landscaping covenant.

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

Staff conducted an informal point analysis and found to no reason to warrant positive or negative points.

Staff Action:

Staff has approved the Schauder Residence Additions and Alterations, PC# 2010058, located at 87 Sunrise Point, Lot 12, Sunrise Point.

Comments:

Additional Conditions of

Approval:

TOWN OF BRECKENRIDGE

Schauder Residence Additions & Alterations
Lot 12, Sunrise Point
87 Sunrise Point Drive
PC#2010058

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 **November 11, 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 **November 16, 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 **May 23, 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 of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
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 and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. Applicant shall install construction fencing in a manner acceptable to the Planning Department.
16. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all new 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.

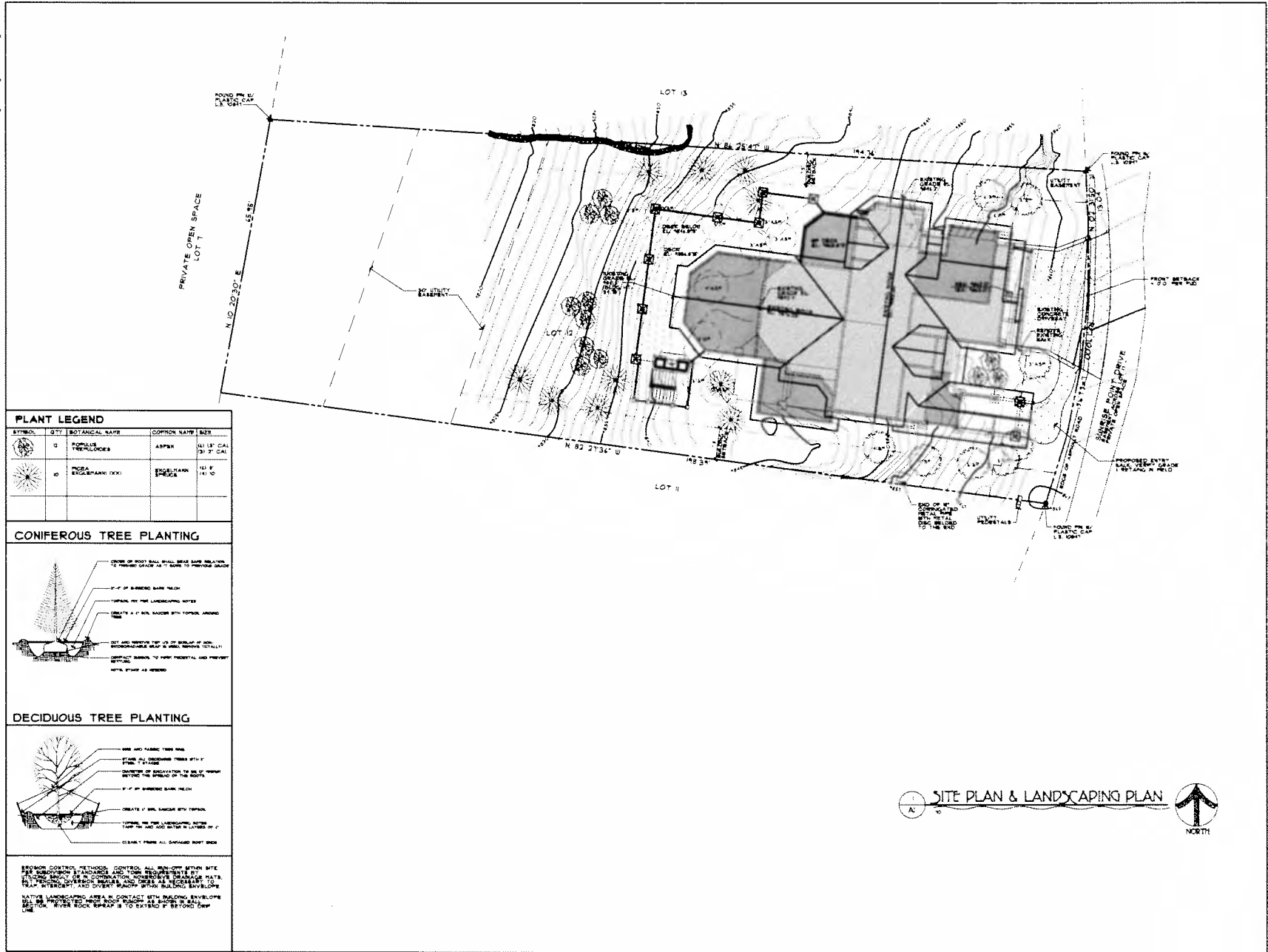
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

17. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
18. 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.

19. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
20. 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.
21. Applicant shall screen all utilities.
22. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
23. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
24. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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.
25. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
26. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
27. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town

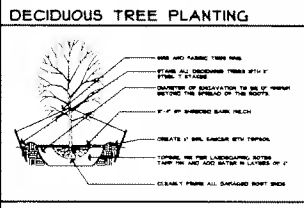
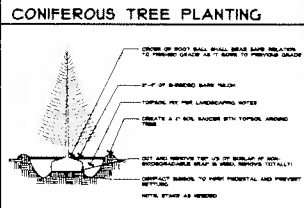
of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant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

(Initial Here)



PLANT LEGEND

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE
	12	NORWAY SPRUCE	ASPEN	40' H' CAL 31' P' CAL
	10	PICEA ENGELMANNII	ENGELMANN SPRUCE	40' H' CAL 41' P' CAL



EROSION CONTROL METHODS: CONTROL ALL RUN-OFF WITHIN SITE PER LOCAL COUNTY ORDINANCES. CONTROL EROSION WITHIN 50' OF ALL EXPOSED EROSION CONTROL MEASURES. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED TO PREVENT EROSION OF TRAIL, WATERCOURSE AND OTHER RUN-OFF WITHIN BUILDING ENVELOPE.

WATER MANAGEMENT: USE ALL AVAILABLE METHODS TO PREVENT WASTEWATER FROM TRAIL, WATERCOURSE AND OTHER RUN-OFF FROM TRAIL ENVELOPE.

SITE PLAN & LANDSCAPING PLAN

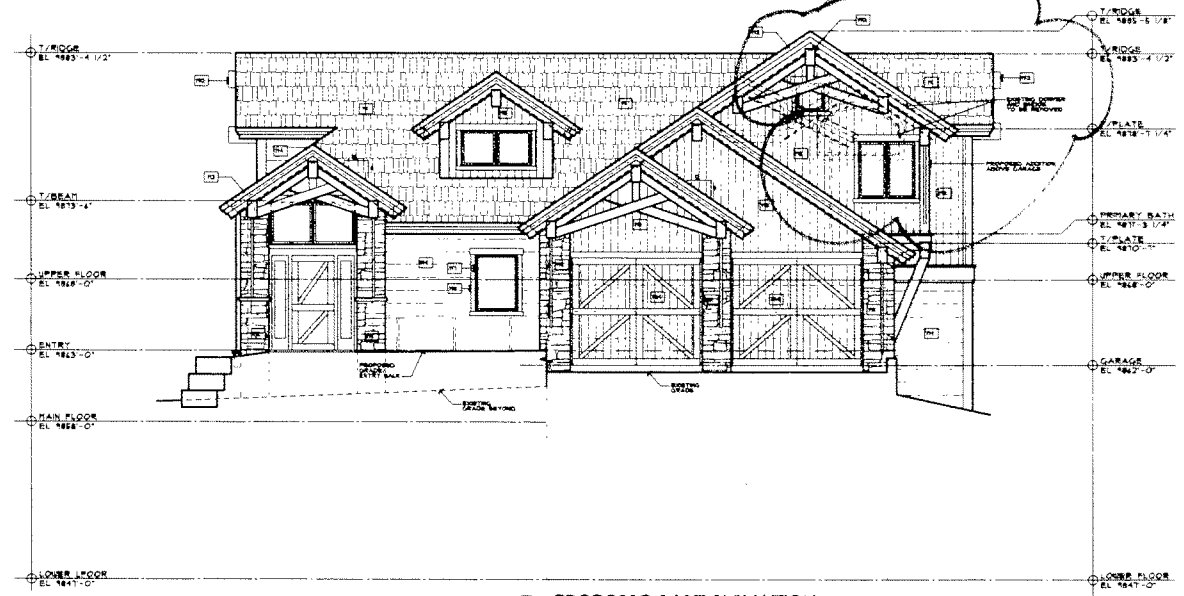


SCHAUDER RESIDENCE ADDITIONS & ALTERATIONS
 LOT 12, JUNIPER POINT - UPPER WARRIORS MARK
 BRECKENRIDGE, COLORADO
 TITLE: **SITE PLAN**
CONSENT AS AN INSTRUMENT OF SERVICE TO THE CLIENT

DATE	DATE
PREP	4 JULY 00
PLANNED	15 NOV 00

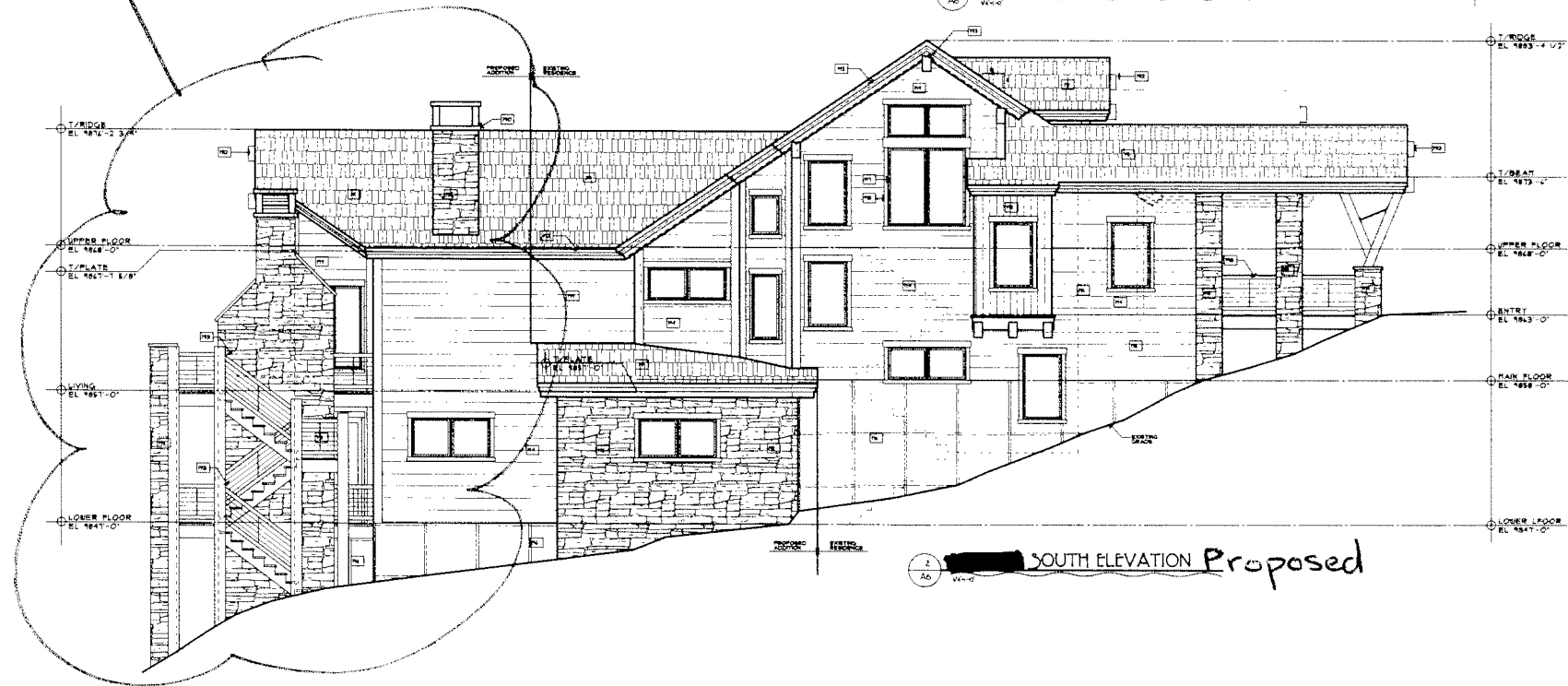
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Addition



1 AC PROPOSED EAST ELEVATION

Addition



2 AC SOUTH ELEVATION Proposed



SCHAUDER RESIDENCE ADDITIONS & ALTERATIONS
LOT 12, SUNRISE POINT, UPPER WARRIORS MARK
SUMMIT COUNTY, COLORADO

PROPOSED EXTERIOR ELEVATIONS

CONSENT AS AN INDUSTRY PRACTICE. THIS DOCUMENT IS NOT VALID WITHOUT CONSENT.

ISSUE	DATE
PRELIM PLANNING	09 JULY 2001 1 NOV 2002

A6



Addition

1 PROPOSED WEST ELEVATION
A7

2 PROPOSED NORTH ELEVATION
A7



RESIDENTIAL DESIGN-BUILD
COLORADO 2008

SCHAUDER RESIDENCE ADDITIONS & ALTERATIONS
LOT 12, SUNRISE POINT, UPPER WARRIORS MARK
SUMMIT COUNTY, COLORADO
THE
PROPOSED EXTERIOR ELEVATIONS

CONSENT TO AN ARCHITECTURAL JUDICIAL REVIEW OF ARCHITECTURE REGULATORY AFFAIRS BOARD

LOGIC	DATE
PRELIM	09 JULY 2007
PLANNING	1 NOV 2007

A7



ALLENGUERRA DESIGN-BUILD
COLORADO, P.C.

SCHAUDER RESIDENCE ADDITIONS & ALTERATIONS
 LOT 12, SUNRISE POINT, UPPER WARRIORS MARK
 SUMMIT COUNTY, COLORADO
 2022
EXISTING EXTERIOR ELEVATIONS
CONSENT AS SHOWN ONLY - USE OF INFORMATION ASSUMED USER'S RESPONSIBILITY

USER	DATE
PRELIM. PLANNING	07 JULY 2022
	10 NOV 2022

All



EXISTING WEST ELEVATION
A2 3/4" = 1'-0"

EXISTING NORTH ELEVATION
A2 3/4" = 1'-0"



ALLEN GUERRE DESIGN-BUILD PC
COLORADO 8094

SCHAUDER RESIDENCE ADDITIONS & ALTERATIONS
LOT 12, SUNRISE POINT, UPPER WARRIORS MARK
SUMMIT COUNTY, COLORADO
THE EXISTING EXTERIOR ELEVATIONS
CONTRACT NO. 2008-0001-0001-0001-0001-0001

DATE	DATE
PRELIM PLANNING	09 JULY 2008
	1 NOV 2008

A12

MEMO

TO: Planning Commission

FROM: Chris Neubecker

RE: Policy 5 (Relative) Architectural Compatibility

DATE: November 9, 2010

The Town Council recently directed the staff to research the existing policy on the use of non-natural materials. This was in response to a citizen speaking to the Council during the Citizen's Comments period of one of their meetings this past summer. The Council indicated that it was time for the Town to reconsider its policy of assigning negative points, specifically as it relates to the use of fiber-cement siding (the industry term) outside the Conservation District. (The Council did not review the policy in detail, nor did it review samples of the products.)

The use of non-natural materials is currently discouraged in the Breckenridge Development Code through the assignment of negative points for projects outside the Conservation District, when non-natural materials exceed 25% per side. (Note that the code does not specifically mention fiber-cement siding, but its application has been compared to stucco, and points have been similarly assigned based on the amount of material applied to a building's elevation.)

*Exterior building materials and colors should not unduly contrast with the site's background. **The use of natural materials, such as logs, timbers, wood siding and stone, are strongly encouraged because they weather well and reflect the area's indigenous architecture.** Brick is an acceptable building material on smaller building elements, provided an earth tone color is selected. **Stucco is an acceptable building material so long as an earth tone color is selected, but its use is discouraged and negative points shall be assessed if the application exceeds twenty five percent (25%) on any elevation as measured from the bottom of the fascia board to finished grade.** Such measurement shall include column elements, windows and chimneys, but shall not include decks and railing elements. Roof materials should be nonreflective and blend into the site's backdrop as much as possible. Inappropriate exterior building materials include, but are not limited to, untextured exposed concrete, untextured or unfinished unit masonry, highly reflective glass, reflective metal roof, and unpainted aluminum window frames. This section applies only to areas outside of the historic district, but does not apply to the Cucumber Gulch overlay protection district (see policy 5 (absolute), subsection D, of this section). (Ord. 30, Series 2003) Emphasis added*

Negative points are not currently assigned for the use of painted fiber-cement siding for projects inside the Conservation District because the Commission determined that painted fiber-cement siding looks close enough to painted wood siding. Priority Policy 90 in the Handbook of Design Standards states:

P. 90 *Use materials that appear to be the same as those used historically.*

- *New materials that appear to be the same in scale, texture and finish as those used historically may be considered.*
- *Imitation materials that do not successfully repeat these historic material characteristics are inappropriate.*

At the time, the Commission also determined that “stained” fiber-cement siding did not look natural enough, and that stained products available at the time appeared “too shiny” for use outside the Conservation District, where a rougher, more natural wood character was desired.

We have received many inquiries in the past into the use materials such as Hardi-board (James Hardy Siding), CertainTeed fiber-cement siding, and other “cementitious” siding products. These products can be designed to look like wood products, and manufactures claim that they have lower maintenance costs, contain some recycled content, and are much more fire resistant. As a result, many architects, developers and property owners prefer to use these products, rather than cedar or other natural wood products.

Fiber-cement siding comes in a variety of shapes, dimensions and colors. These include smooth lap siding, “wood grain” lap siding, shingles, board sheets, trim, and vented soffit boards. The product generally comes pre-finished with a painted or stained appearance. As we saw during the Planning Commission site visit to Pinewood Village Apartments, the product does seem to last longer than wood. We do not know if it lasts as long as manufacturers claim, with warranties up to 30 years. But we do know how cedar siding performs: it tends to crack and warp if it is not well maintained, and it does burn quickly. Fire tests have proven that fiber-cement siding is significantly better at withstanding fire than wood siding.

There are several buildings in Breckenridge that have used some type of fiber-cement siding. Most of these have been constructed or remodeled within the past 10 years. The properties include:

- One Ski Hill Place, Base of Peak 8: Shake siding above 3rd floor is fiber cement
- Mountain Thunder Lodge, 50 Mountain Thunder Drive: Shake siding above 3rd floor is fiber cement
- Valley Brook Housing, Airport Road: 100% fiber cement siding
- Snodallion Condominium, 730 Columbine Drive: Fiber cement on lower portion of building
- Park Place Condominium, 325 Four O’clock Road: 100% fiber cement siding
- Sundowner II Condominium, 465 Four O’clock Road: 100% fiber cement siding
- Sawmill Creek Condominium, 105 S. Park Avenue: Fiber cement siding above third floor
- Ski Hill Condominiums, 250 Ski Hill Road: 42% of the exterior is fiber cement siding

Staff will provide samples of fiber-cement siding from James Hardy and CertainTeed companies during the meeting on Tuesday night. In addition, we have invited representatives from these companies to hear the discussion and provide feedback to the Commission, if needed.

Staff believes that the use of this material from a maintenance standpoint seems much better than wood. Up close, we do not believe that fiber-cement siding appears as good as natural wood, and does not appear “natural” as recommended in Policy 5 (Relative) Architectural Compatibility. However, we recognize the benefits of reduced maintenance and superior fire protection. Also, when viewed from a distance, most people cannot recognize the difference between fiber-cement siding and wood.

A few suggestions on how we could move forward on this policy include:

- Reduce the amount of negative points for the use of fiber-cement and other non-natural materials
- Increase the allowed area (from 25% to 50%) before negative points are assigned.
- Remove the negative points altogether, recognizing the durability and improved safety of this material.

We welcome the Commission’s input on these ideas.

1. Does the Commission believe that fiber-cement siding looks “natural”?
2. Does the Commission believe that negative points should still be assigned?
3. Should negative points be removed, or reduced, for the use of fiber-cement siding?

MEMO

TO: Planning Commission
FROM: Chris Neubecker
RE: Temporary Vendor Carts
DATE: November 9, 2010

Staff has recently received many requests for temporary vendor cart permits. These are vendors selling food for immediate consumption from a small cart, wagon or booth. Policy 36, Temporary Structures, currently allows for Temporary Vendor Carts when they meet the following criteria:

C. Temporary Vendor Carts: Temporary vendor carts may be allowed when they meet the following criteria:

(1) They provide no service other than the sale of food or beverages in a form suited for immediate consumption.

(2) They are located entirely on private property, or on public property specifically designated for vending by the town.

(3) They are no greater than one hundred (100) square feet in size.

(4) They provide a positive impact upon the community, as determined by an evaluation of the application against all relevant policies of the development code. These will include, but not be limited to, aesthetics, site design, architectural compatibility, etc.

D. Transient Vendor Carts: Vendor carts, wagons, booths, etc., that do not meet the criteria and definition of a temporary structure or temporary vendor cart shall only be allowed for special events sponsored by the town, the Breckenridge resort chamber, or as approved by the town. (Ord. 19, Series 1988)

Following are the code definitions for both Temporary Vendor Carts and Transient Vendor Carts:

TEMPORARY VENDOR CART: A structure of less than one hundred (100) square feet in size in the form of a wagon, cart, booth or other similar structure, intended for the sale of goods and services on a temporary basis for a period of time of not less than four (4) days nor more than three (3) years.

TRANSIENT VENDOR CART: A structure in the form of a wagon, cart, booth, etc., intended for the sale of goods and services on a temporary basis for a period of time of less than four (4) days, and usually associated with a special event. (Ord. 19, Series 1988)

In addition, staff has also received requests for mobile vendor trucks. These are usually in the form of a truck with side panels that open, and can sometimes include a small kitchen. Other times, food is prepared off-site but kept warm or cold in the truck until sold. In some cases, vendors propose to travel from one construction site to another to sell their food. In other cases, vendors have proposed to serve food from a fixed location along Main Street, or other locations within the downtown core. These food trucks are becoming very popular in bigger cities such as Los Angeles, San Francisco and Portland, where trucks and carts congregate together and have created their own mobile food scene. Staff has approved at least one two vendor trucks for sales at various construction sites, but the applicants are operating primarily on private property, and are required to obtain permission from the property owner or general contractor.

Staff is finding that the current regulations for temporary vendor carts are vague and do not address all of the requests we are receiving. We would like to discuss possible modifications to these policies with the Planning Commission. Some of the questions/concerns include:

- Should the definition of a “temporary vendor cart” be modified? For example, the current definition allows a “booth or similar structure”. This has led to applicants proposing small shed-like buildings. Are these structures appropriate for Breckenridge?
- Should temporary vendor carts count as density? Traditionally, vendor carts have been small with vendors standing next to the cart (like a New York City hot dog cart.) If the cart is large enough that the vendor stands inside the cart or wagon, it is reasonable to count it as density? What if the cart is removed from the site each day (such as the Jerky Wagon) as opposed to one that is less temporary (like Beaver Tails)?
- Should vendor carts be allowed to connect to utilities such as water, sewer and electric? If so, does that make it no longer “temporary”? If connected to water, should they pay water Plant Investment Fees?
- Where should vendor carts be located on a lot? In the front yard? On the lawn?
- Should vendor carts be required to meet the Handbook of Design Standards for the Historic and Conservation Districts? Will this lead to poor attempts to comply, such as adding lap-siding and a gabled roof to a cart or wagon?
- Should there be different standards for vendor carts outside of the Conservation District?
- Should the vendor carts be required to meet paint colors per Policy 5 (Absolute Architectural Compatibility)?

Mobile Food Trucks

- Should mobile food trucks be allowed in town? If so, where?
- Should they be allowed to park on a public street, and sell to pedestrians on the sidewalk? Does it make a difference if they operate only late at night, when most restaurants are closed and there is plenty of parking?
- What design standards, if any, should be required for food trucks?

Vendor Carts Approved in Recent Past

In the past 10 years, staff has approved several temporary vendor carts and mobile vendor trucks. The approved vendor carts have included:

- Bob's Backcountry Food & Beverage (Food truck at construction sites)
- Helen's Hot Dog Cart (hot dogs and drinks at the new Breckenridge Building Center)
- Nice Dreams Ice Creams (ice cream sold from a bike/cart; formerly the Ice Cream Peddler)
- Kavkaz Hot Dog Cart (hot dogs at Lincoln West Mall)
- Jerky Cart (various forms of meat jerky at Lincoln West Mall)
- Hot Diggity Dog (hot dog cart at Cecilia's and Salt Creek bars)
- Beaver Tails (fried dough pastry near Peak-A-Boo Toys)
- Sno and Joe (snow cones and coffee in South Gondola Lots)
- A & J Mexican Food (food vending truck at construction sites)
- Summit Dogs (hot dog and sausage cart at The Shops at Historic South Main)

Most of these carts did not last for very long. Only the Jerky Cart, Bob's Backcountry, Beaver Tails and Summit Dogs are still in operation (as far as staff is aware.) Crêpes à la Cart has been around for so long that we have not found a permit, or if it was considered temporary at the time. Staff will provide photos and examples of some of the carts in operation locally as well as the food trucks operating in Portland, Oregon.

Some ideas for how we might update our current regulations on temporary vendor carts include:

- Allow vending carts only in commercially zoned Land Use Districts.
- Count carts or booths as density if vendor stands inside the cart.
- Require water and sewer tap fees if connected to utilities.
- Consider reducing the allowed size from the current allowed 100 square feet.
- Require a constructed building to meet setbacks and historic district standards.
- Allow carts that are moved each evening to not meet historic district standards.
- Prohibit construction of decks, counters and storage areas to count as "temporary".
- Require carts to be removed each night, or stored in a screened location.
- Require a cash or surety bond to guarantee cart is removed upon discontinued use.

The question of allowing mobile food trucks to sell on public streets is a policy question for the Town Council. Some suggestions, if these trucks are allowed, include:

- Require trucks to meet all parking time limits if on public streets.
- Prohibit the set up of tables, chairs and menu boards in the street or sidewalk.
- If parking is a concern, consider allowing trucks late at night (after 9:00 pm?) when parking is not a problem and fewer restaurants are open.
- Require truck engines to be turned off.

Staff finds that temporary vendor carts, and even mobile food carts, can add character and animation to the sidewalk, and provide an additional dining option for guests and locals. Crêpes à la Cart is a great example of a unique business that is wildly popular, especially in the evening.

But we understand that preserving the character of the community is important. We welcome your feedback on these issues, which we will bring to Town Council for their input.

Memo

To: Planning Commission
From: Julia Puester, AICP
Date: November 9th for meeting of November 16, 2010
Re: Energy Policy Worksession-Draft Policy

This is the seventh worksession on revising the existing Policy 33R *Energy Conservation*. While this relative policy has been in place for many years, the actual amount of energy conservation or production of energy has not typically been measurable, making it difficult to determine how much energy is being saved or produced and therefore, how many points are assigned. To remedy this, staff proposes the use of a HERS (Home Energy Rating System) score as it is a universal calculation created by certified raters. The results are calculated and measurable. For commercial and multi-family buildings, a percentage above the IECC would correspond similarly to the HERS score.

Staff has proposed a draft policy with changes shown in ~~strike~~, **bold** and underline, based on Planning Commission comments from the October 19th meeting (minutes attached to the memo). The primary changes are:

- Defined “large water feature” to include wattage amount.
- Increased positive points and reduced required HERS score and percentage above IECC.
- Removed deconstruction section. (This is addressed in detail in the Sustainable Building Code-section attached for informational purposes).
- Limited negative points for outdoor gas fireplace or fire pits to apply to commercial or common space residential developments only.
- Altered wording regarding “in perpetuity”.

A sliding scale allows the Planning Commission flexibility within the Development Code to review applications on a case by case basis. Like many other items within the Development Code’s point based system, the Commission would approve a point analysis for a project based on the written policy and past precedent. In the case of a new policy, such as the Energy Policy, the Commission would set precedent as projects are submitted.

One of the issues raised by the Commission for change was water features. Staff believes that by defining a large water feature in detail down to the wattage amount, it limits the Commission’s ability to analyze applications on a case by case basis. A large water feature could have multiple pumps with varying water features, or be small in size and require a lot of horsepower, depending on the number of waterfalls, fountain features, length of pump back stream, months of

usage and so on. One example raised at the last meeting was the water feature in front of the Frisco Post Office which runs on two pumps, one which is a 5 horsepower motor which converts roughly to 3,725 watts and contains a pond feature and one waterfall (the other pump was unknown). Another way to think about the amount of energy being used for the feature is about 37, 100 watt light bulbs. Staff believes that water features should either be removed from the policy (as there has been no large water feature proposed to date which pose a problem) or water features should remain broad in definition to allow for the Commission to set precedent on large features as they are proposed. If water features become an issue in the future, the policy can be modified.

At the last worksession, there was a lot of discussion regarding deconstruction plans. These plans describe how materials from old buildings will be reused or recycled. Some of the issues were:

- what if there was only a few items which could be reused?
- what if the material did not fit the current architecture proposed?
- how does recycling old material fit in to the plan, etc.

Staff has proposed to remove the deconstruction language with this draft as the Sustainable Building Code (SBC) addresses this in great detail and awards applicants with positive points. Portions of the SBC has been attached for your information.

Lastly, there was a question about how much energy an outdoor gas fireplace uses. Typically, 40,000-65,000 BTUs are standard for an outdoor fireplace or fire pit, which is 40-65 cubic feet/hour of natural gas. The Commission appeared to favor negative points only for outdoor commercial gas fireplaces. Staff has also included the provision to apply to outdoor gas fireplaces which are owned by a residential development within common space as it could function similarly to the commercial usage.

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.

Energy Policy Draft for PC November 23, 2010

Section 9-2-2 Definitions:

Energy Measure: A physical improvement to the home (such as solar photovoltaic panels or high level of insulation, etc.) which enhances energy conservation or energy production within the home as approved by Residential Energy Services Network's (RESENET) Home Energy Rating Survey (HERS) program.

Large outdoor water feature: A water feature such as a large fountain, waterfall, pond or series of ponds, powered by a motor with 4,000 watts or 5 horsepower or more.

Policy 33R Energy

The goal of this policy is to incentivize energy conservation and renewable energy systems in new and existing ~~homes~~ **development**. This policy seeks to ~~help enhance reductions in~~ **reduce** the community's carbon footprint and energy usage and to help protect the public health, safety and welfare of its citizens.

(1) Residential Structure 3 Stories or Less.

All new and existing residential developments are strongly encouraged to have a Home Energy Rating Survey (HERS) to determine potential energy saving methods **and to reward developments which reduce their energy use.** Positive points will be awarded according to the following point schedule:

Points	HERS score for residential
+1	Obtaining a HERS score
+2	61-80
+3	41-60
+4	19-40
+5	1-20
+6	0
+2	81-90
+3	71-80
+4	61-70
+5	51-60
+6	41-50
+7	31-40
+8	21-30
+9	0-19

(2) Commercial, Lodging And Multifamily In Excess Of Three (3) Stories In Height.

New and existing commercial, lodging and multifamily developments are strongly encouraged to ~~undergo~~ **participate in** the energy provisions of the adopted International Energy Conservation Code (IECC) to determine potential energy saving methods. Positive points will be awarded for the percentage of energy ~~usage~~ conserved beyond the standards of the IECC ~~and approved measures in accordance with the Town~~ per the following point schedule:

Points	% beyond the IECC
+2	20%-39% 10%-19%
+3	40%-59% 20%-29%
+4	60%-79% 30%-39%
+5	80%-99% 40%-49%
+6	100% 50%-59%
+7	60%-69%
+8	70%-79%
+9	80%+

~~(3) Deconstruction and/or Reuse of existing buildings~~

~~When the existing building(s) remain partially or in whole or when the deconstruction of existing buildings is necessary, it is strongly encouraged that existing building materials obtained during deconstruction are reused within the new building. A deconstruction plan may be submitted and approved by the Town for positive points. The deconstruction plan will be monitored by the Town Building and Planning Departments during the deconstruction and construction process.~~

~~1x(0/+2) Deconstruction/reuse plan~~

~~Other design features determined by the Town to conserve excessive amounts of energy may be considered for positive points.~~

(3) Excessive Energy Usage.

Development with excessive energy components are discouraged. However, if the Town finds that any of these measures are required for health, safety and welfare of the general public, this section may be waived at the discretion of the Town. To encourage energy conservation, the following point analysis shall be utilized to evaluate how well a proposal meets this policy:

1x(-3/0) Heated driveway, sidewalk, plaza, etc.

~~1x(0/-2) Deconstruction/demolition of existing buildings~~

1x(-1/0) Outdoor **commercial or common space residential** gas fireplace (per gas fireplace)

1x(-1/0) **Large** outdoor water features (per feature)

(4) 1x(-2/+2) Other design features determined by the Town to conserve significant amounts of energy may be considered for positive points. Alternatively, features which use excessive amounts of energy may be assigned negative points.

~~In cases that the above items utilize a conservative energy source (such as Energy Star or other similar program), the assessment of negative points may be reconsidered.~~

(5) General Provisions:

~~a. All energy measures for developments under this policy shall remain in perpetuity of the project or shall be replaced with a similar or higher energy efficiency measure. No development approved **with required positive points** under this policy shall be modified to reduce the HERS score or percentage of saving above the IECC in connection with the issuance of such development permit. **("Required positive points" means those points that were necessary for the project to be approved with a passing point analysis.)**~~

b. Each development for which positive points are awarded under this policy shall submit a letter of certification from a Colorado registered engineer or HERS rater showing compliance with the projected energy rating prior to the issuance of a certificate of occupancy.

(6) Sliding Scale Examples*

~~**Deconstruction demolition and reuse 1x(+2/-2)**~~

- ~~• Positive Points – could be awarded for using existing reusable materials in the new project.~~
- ~~• Zero Points – for buildings when there are no usable materials for reuse on the new project.~~
- ~~• Negative Points – could be assessed when there are existing reusable materials that are not reused in the new project.~~

a. Heated outdoor spaces 1x(0/-3)

- Zero points - for public safety concerns, systems which are 100% powered by alternative energy source such as solar, wind or geothermal, or small areas on private property which are part of a generally well designed plan which takes advantage of southern exposure and/or specific site features.
- Negative Points - ~~could be~~ assessed based on the specific application of heated area. (For example, ~~heating a long, winding~~ a **heated** driveway of a single family home compared to a driveway apron only; a heated rear patio ~~which is rarely used on the north side of the house~~). The points warranted ~~would be~~ **are** dependent on the specific project layout such as safety concerns, amount of heated area, design issues such as north or south facing outdoor living spaces, etc.

b. Water Features 1x(0/-1)

- Zero Points – no water feature or features powered by an alternative energy source or feature utilizing a ~~very minor amount of power~~ **less than 3,999 watts or 5 horsepower.**

- Negative Points – based on the amount of energy (watts) utilized for the feature (**large features of 4,000 watts or more**)~~and whether a motor which utilized less energy could be installed.~~

***Footnote: Examples set forth in this policy are for purpose of illustration only, and are not binding upon the Planning Commission. The ultimate allocation of points shall be made by the Planning Commission pursuant to section 9-1-17-3 of this Chapter.**

Energy Policy Worksession

Commissioner Questions/Comments from October 19, 2010 meeting:

Commissioner Questions / Comments:

Mr. Bertaux: What would a deconstruction plan look like? (Ms. Puester: Construction materials on site would be reviewed as to reusable materials and the Planning Commission would assign relative positive points if applicable. This is also in the Sustainable Building Code and gets reviewed by the Buildings Department and HC3.)

Mr. Pringle: Would we be encouraging a redevelopment to use the existing windows, doors, siding, etc. in a redevelopment, or are we making these items available for use on other building projects? (Ms. Puester: If materials are not usable for the specific project, builders could send these materials to the Habitat for Humanity restore.) I understand the goal of reusing materials onsite, but I don't know how realistic it is. Could apply this to a demo permit.

Mr. Burke: What if someone does not want to reuse the material or it does not make financial sense for them? (Ms. Puester: They do not need to reuse it or get positive points for it; they could use another policy to gain positive points if needed.)

Mr. Allen: In the next paragraph, though, they will be given negative points for not reusing materials.

Mr. Pringle: Again, I understand the importance of reusing materials; however I question exactly how realistic this reusing process is. (Ms. Puester: In the case of no materials being able to be reused, then they would simply not receive any negative or positive points.) (Mr. Neubecker: Described the transit center project that may be torn down as an example. In this case, we were not planning on reusing old materials as it does not conform to the gondola master plan. But there are some very usable materials.)

Mr. Bertaux: In Eagle County, it is being considered to build a biomass plant to balance out the non-reuse of materials. Perhaps the waste wood could go to a biomass plant.

Mr. Burke: It says that "negative points could be used..." Whose judgment is that? (Ms. Puester: The Planning Commission is the ultimate body to approve the point analysis.) It would be good if there were opportunities to recycle the materials to mitigate negative points.

Mr. Bertaux: If we can reuse these materials in small quantities, in time, it can grow into larger re-usage.

Mr. Pringle: Can we look at each project when someone asks for a demolition permit vs. application for development? (Mr. Neubecker: These negative points for deconstruction would be a disincentive when applying for development.) Wouldn't this be better used through Sustainable Building Code rather than the Development Code?

Mr. Wolfe: Is the investment worth the points? Can people really achieve this level of energy savings in Breckenridge? (Ms. Puester: Valleybrook units are reaching 40 HERS scores.) I know, but is it worth the money? The 'positive two (+2) points for twenty to forty percent (20-40%)...' is that a realistic number? Will people actually

take advantage of this policy? Please explain. (Ms. Puester: Yes, those positive two (+2) points are reachable; also, it would be extremely difficult to receive those positive five (+5) or positive six (+6) points. Things are always changing, and people want to reach those goals also for marketability.) I am concerned, as well, about mold issues due to poor air quality. If we make buildings too tight, does it lead to other problems? (Ms. Puester: That is taken into consideration during design of the building; HERS raters and engineers are knowledgeable on those systems.) I want to make sure that the scale of the investment is proportionate to the incentives. No one will spend an extra \$30,000 to obtain another positive two (+2) points. I just hate to implement this and then find out that it is not achievable.

Mr. Burke: I understand Mr. Wolfe's question. Is there really incentive to invest so much more in the property? (Mr. Kulick: Gave another example of a project where the owner invested above and beyond what was needed to receive more positive points.) Is that money spent worth the extra points? Is the incentive worth it? How did you come up with this 20% to 39% energy savings off the IECC? (Mr. Neubecker: It mirrors the energy savings of the HERS system proposed.)

Mr. Pringle: I am still concerned about the concept. (Mr. Neubecker: Explained the process a bit more.)

Mr. Wolfe: We understand the process; we want to know if people will actually spend money for the points. Is this achievable? Is it realistic? Will people do it? (Ms. Puester: Yes, people will. They are doing it now for no points. This would reward them.)

Mr. Pringle: It seems that homeowners will either do the HERS rating because they are excited and they want to do it, or they do not want to do it and we are making them. I am still concerned about the "in perpetuity" language of this system. (Mr. Burke: Agreed.) Our standards today may not be the same as in the future.

Mr. Allen: To change the subject, back on water features; what is a small fountain? A large one? Can you give us examples? (Ms. Puester: Small fountains are found around Town, a large feature would be more like if the Village at Breckenridge gazebo area was modified to be a waterfall and pond feature.) I think that we need to quantify those water size definitions into the code. (Ms. Puester: This code depends on the energy usage, not the gallon usage.) I am in support of negative points on the really big fountains, but not the small ones.

Mr. Lamb: It seems that we've been spending a lot of time on a topic that is not exactly a problem for our community.

Ms. Girvin: What would the Frisco Post Office water feature be? (Ms. Puester: I don't know.) In regards to Mr. Lamb's previous comment, I suggest a local private water fountain that would be considered large, proving the topic's relevance. There is something not right in the math here; the minutes and hours do not match.

Mr. Burke: Whether it is minute or hour, we need to focus on wattage; energy use, not volume of water.

Mr. Schroder: This gives us the opportunity to work on quantifiable numbers and analyze each one on a case per case basis.

Mr. Allen: I think that we've come to the conclusion, that if it is a large fountain, there will be negative points given, if it is small, no negative points. We need to define what is *large* and perhaps the wattage amounts.

Mr. Bertaux: I wonder how much energy is used at the ice rink in Vail Village or Solaris?

Final comments:

Mr. Schroder: Good job at quantifying all this energy usage figures for us. I am supportive of using the HERS scores for homes. I am supportive of how the energy usage code is presented with +1 to +6. Understand Jack's point but people can make up points other ways if they don't want to use this policy. I feel that we need to push the building owners for better scores. As for deconstruction, I am in favor of points, both ways, and multiplying it out to four points. The quantifiable water features, too, need to be focused on wattage, not gallons. General provisions: I think that we are thinking too hard about 'in perpetuity.' For example, a pair of jeans is guaranteed to wear out at the knees. Our house, too, will wear down. So in my mind, that is not even a necessary conversation. How would this work against you? This would be your baseline. Appliances that you buy in the future to replace existing would only be more efficient, 'energy star' or similar type of rating system. Examples are good to have in the policy. Water features should be consistent and quantifiable (watts). I support number five. I appreciate all the conversation that has gone on tonight. I am in support of all that is proposed.

Ms. Girvin: The greenest building has already been built. I think that negative two (-2) points is not enough for teardowns. Whether these materials are reused or not, more negative points need to be given, like -4 or -6. We give negative three (-3) points for using non-natural materials, but only negative two (-2) points for complete teardowns? Also, I do not want to see our unwanted materials (such as single pane windows) sent to the Restore. Nobody wants those materials. They do not belong in Summit County. (Mr. Burke: The resale store would not accept them if they were not up to code.) On heated outdoor spaces: how do we know that a patio is "rarely used", and also heated driveways and walkways? Rephrase that part.

Mr. Wolfe: Would rather shoot lower, then tighten policy later. I think that we should consider that these points are diminishing returns, and people will not necessarily go after them; number 3, too, is unrealistic. More points for less energy rating. To have a reuse plan is not practical; it is too costly and takes too much time. Liability in real estate with a HERS rating in perpetuity. On page 25, the words here are too suggestive; there is too much subjectivity. Number 5: Also, we should use the term wattage, not water. Heated outdoor spaces are good as proposed.

Mr. Lamb: I agree with most everything that has been said so far. Ok with more points on HERS and IECC ratings. "In perpetuity" is fine. On the HERS system, I am sure that in the future, we will not be able to buy such appliances, light bulbs, boilers, etc, that are not energy efficient. So, I am not worried about the word 'in perpetuity.' On tearing down old buildings, we want to get rid of buildings that were poorly built and replace them with more lasting structures. On water features, I

appreciate these presented numbers and costs. That certainly helps clarify the topic. We need to definitely concentrate on energy usage, not water quantity, but would like some discretion. We will know a large water feature when we see it.

Mr. Pringle: I am empathetic to both views presented on the reuse of building materials; however, I think that Mr. Lamb's approach toward deconstruction is more valid than Ms. Girvin's. In reality, we will be deconstructing in order to build a better community. I do not think that it is practical to reuse these materials. If we could find a better method, like biomass, that would be better than reuse. Do not want to incentive this. Deconstruction and reuse should be handled by the building department. As for heated driveways, they can work well if using renewable energy offset. Water features need to be given a wattage base, not water. Personally, would not want to use policy 33R to make up points because of perpetuity. We should remember to provide a balance of positive and negative points.

Mr. Bertaux: I am in support of the energy plan direction. Can grow into this policy in the future. We need to look at the incentives for the points given. On reuse of materials, nobody wants old, used things. This is not realistic. On the HERS, there should be positive points as well as negative. On the heated outdoor spaces and water features, negative points need to be assessed if it is an energy hog.

Mr. Burke: I like the HERS rating. Should there be a bigger incentive to do it? Commercial buildings do not have an incentive. Should give more positive points. I am concerned when there is an architect in the audience saying that he does not do it. I hope that we can create a system that people will want to use. On deconstruction, I agree with Mr. Bertaux. There should be a larger incentive to reuse materials instead of a disincentive. If the materials are not practical, we cannot use them. I still have an issue with "in perpetuity". If it is a non-issue down the road, then take it out of the code. As of now, the wording is a deterrent for homeowners, like myself. Leave examples in code. On water features, I would take it out completely, or allow the wordage to be 'large features by wattage.'

Mr. Allen: I appreciate all of the work that has gone into the research. I have general concerns about the amount of social engineering we are doing; you can't do this or that. I have strong issues about reusing materials. Would need to quantify what type of materials should be reused because who will reuse 50-year old linoleum or moldy 2 x 4 studs? For positive points, if we could go to biomass, composting, or anything to have a positive effect on the environment, instead of reusing the materials. On the HERS ratings, I'm with Mr. Wolfe and Mr. Bertaux. We need to give more points or lower the target, maybe 10%, in order to make the policy more effective and usable. We should tie energy use to the current code. Heated outdoor spaces could be negated, with the exception of safety for the public and or private citizen. Also, outdoor fireplaces should not be in the code, unless it is an energy hog. Negative points for commercial areas where it (fireplace) runs daily are okay; personal homeowners should not be penalized for using a little gas. We should quantify the policy, allowing no points for the residential gas fireplaces

outdoor but maybe for the association owned commercial property applications.
Let's fix the language and bring it back for review.

3.2.4 On-Site Batch-Plant/Crushed Rock Used On-Site

1 point per 10 yards (maximum of 4 points)

3.2.5 Topsoil is tested and/or amended with Compost

3 points

3.2.6 Plant Trees greater than 4' Tall

2 points per tree

3.2.7 Stay within the Disturbance Area

1 point

Compliance: Self Certified

CONSTRUCTION AND DEMOLITION RECYCLING

Estimates show that over 50% of Summit County's waste stream is from Construction and Demolition Debris. It is in the best interest of the community at large to prolong the life of our local landfill as much as possible. Salvaged materials keep embodied energy in use and reduce waste. In new construction, typical new homes create anywhere from 3.0 to 5.2 pounds of waste per square foot and roughly 80% of a homebuilder's waste stream is recyclable.

3.3 Deconstruction Recycling

With planning, much of the materials in an old home can be reused and recycled, and potentially reduce overall disposal costs.

3.3.1 Deconstruction Plan Submitted to High Country Conservation Center

A deconstruction plan consists of an inventory of salvageable and reusable materials, and a list of planned sources for reuse and recycling, and a timeline for deconstruction. See Appendix 7 for a Sample Deconstruction Plan.

Submit to:

High Country Conservation Center

building@highcountryconservation.org

PO Box 4506 Frisco, CO 80443

110 3rd Ave (in Frisco Community Center)

970-668-5703

4 points

Compliance: Inspected (Plan Check)

3.3.2 Wood Recycled

Wood can be recycled at the Summit County Resource Allocation Park (landfill) and source separated clean wood waste costs 75% less to dispose of than a mixed load (\$10 per ton for clean construction wood waste vs. \$65 per ton of mixed loose waste). For a list of recycling and reuse options, see Appendix 4.

1 point per 25% (4 points maximum)

NOTE: Percentage of recyclables refers to percent of total waste disposal for project. Weight slips for recycling and disposal are provided at the Summit County Landfill.

3.3.3 Metal Recycled

Metal can be recycled at the Summit County Resource Allocation Park (landfill) for substantial cost savings (scrap metal is \$5 per ton vs. \$65 per ton for mixed waste). Source separated scrap metal can include fixtures, roofing, pipes, and other materials that contain 70% or more of metal. Appliances can also be recycled with scrap metal.

*1 point per 25% (4 points maximum)
(See note above for details on calculating percentage)*

3.3.4 Concrete Recycled

Clean concrete free from rebar and wire mesh can be recycled at various local sites, including Everest Materials and the Summit County Resource Allocation Park (landfill).

*1 point per 25% (4 points maximum)
NOTE: Percentage of recyclables refers to percent of total waste disposal for project. Weight slips for recycling and disposal are provided at the Summit County Landfill. Weight slips can also be obtained from Everest Materials and Stan Miller.*

3.3.5 Compaction (grinding or shredding)

Grinding or shredding construction debris before it is delivered to the Summit County Resource Allocation Park or other landfill substantially increases usable air space and also reduces the costs and impacts of transportation. For a list of C/D Grinding options, see Appendix 4.

*1 point per 25% (4 points maximum)
NOTE: Percentage of grinding refers to percent of total waste disposal for project. Weigh slips from the Summit County Landfill indicate whether material was loose or compacted (ground).*

3.3.6 Fixtures/Materials/Wood Donated to Reuse Center

Examples of reusable fixtures that can be donated to Reuse Centers include but are not limited to Windows, Doors, Lighting Fixtures, Sinks, Tubs, Mantles, Tile, and Cabinets. For a list of recycling and reuse options, see Appendix 4.

*1 point per cubic yard of materials donated (4 points maximum)
NOTE: Estimates will be accepted.*

Compliance: 3.3.2-3.3.6 Self Certified

3.4 Construction Recycling

By separating clean wood waste, scrap metal, and other recyclable materials a builder or home owner can reduce costs and waste.

3.4.1 Wood Recycled

In a construction project, much of the excess wood can be recycled at the Summit County Resource Allocation Park (landfill). Source separated clean wood waste costs 75% less to dispose of than a mixed load. See Appendix 4 for details.

Summit Sustainable Building Program Resource Guide, Version 1.1, page 12

1 point per 25% (4 points maximum)

NOTE: Percentage of recyclables refers to percent of total waste disposal for project. Weight slips for recycling and disposal are provided at the Summit County Landfill.

3.4.2 Metal Recycled

In a construction project, much of the metal can be recycled at the Summit County Resource Allocation Park (landfill) for substantial cost savings (scrap metal is \$5 per ton vs. \$65 per ton). For a list of recycling and reuse options, see Appendix 4.

1 point per 25% (4 points maximum)

(See notes above for details on calculating percentage)

3.4.3 Cardboard Recycled

Cardboard is a voluminous part of our waste stream, but is an easily recyclable and valuable product. Clean, source-separated cardboard is accepted for free at the Frisco or Breckenridge Drop-off Centers or the Summit County Resource Allocation Park at the Materials Recovery Facility (MRF).

1 point per 25% (4 points maximum)

(See notes above for details on calculating percentage)

3.4.4 Compaction (grinding or shredding)

Grinding or shredding material prior to delivery to Summit County Resource Allocation Park (landfill) for disposal can substantially increase usable air space in the landfill and can reduce transportation costs and impacts. For a list of C/D Grinding options, see Appendix 4.

1 point per 25% (4 points maximum)

NOTE: Percentage of recyclables refers to percent of total waste disposal for project. Weight slips for recycling and disposal are provided at the Summit County Resource Allocation Park (landfill). Weight slips can also be obtained from Everest Materials and Stan Miller.

3.4.5 Excess New Wood/Materials Donated to Reuse Center

Donating materials to a Reuse Center helps conserve resources. Examples of reusable fixtures that can be donated to Reuse Centers include but are not limited to: windows, doors, lighting fixtures, sinks, tubs, mantles, tile, and cabinets. For a list of recycling and reuse options, see Appendix 4.

1 point per cubic yard of materials donated (4 points maximum)

NOTE: Estimates will be accepted.

Compliance: 3.4.1-3.4.5 Self Certified

Sample Deconstruction Plan

CONTACT INFO & LOCATION:

Smith Residence
 110 Green Street
 Breckenridge, CO 80424

INVENTORY:

Salvageable Materials	Number	Value	Total
<i>Windows</i>			
4 Bay Operable Wood 54" x 120"	1	\$400	\$400
28 x 59 operable wood	6	\$100	\$600
20 x 54 operable wood	2	\$60	\$120
30 x 36 operable wood	2	\$60	\$120
24 x 42 nonoperable	3	\$50	\$150
28 x 59 nonoperable	7	\$80	\$560
30 x 54 nonoperable	1	\$100	\$100
71 x 36 nonoperable	1	\$140	\$140
60 x 54 nonoperable	1	\$160	\$160
30 x 36 nonoperable	10	\$60	\$600
triangle 35 base 27.5 height	2	\$45	\$90
36 x 95.5 nonoperable	3	\$150	\$450
28 x 37 nonoperable wood	1	\$40	\$40
36 x 37 nonoperable wood	1	\$50	\$50
27 x 44 double pane wood	1	\$45	\$45
47 x 22 skylights	2	\$50	\$100
<i>Doors</i>			
6 panel solid wood door 6'8"x2'6"	3	\$75	\$225
6 panel solid wood door 6'8"x2'6"	2	\$75	\$150
6 panel solid wood door 6'8"x 2'4"	1	\$75	\$75
6 panel sold wood sliding doors 6'5"x2'6"	2	\$75	\$150
27.5 x 80.5 glass	4	\$50	\$200
36 x 80 metal door	1	\$25	\$25
solid wood 36 x 80 w/jamb	1	\$100	\$100
solid wood 33 x 82 w/jamb	2	\$100	\$200
solid wood 25 x 82 w/jamb	2	\$100	\$200
24 x 80 split center double door w/jamb	1	\$300	\$300
solid wood 81.5 x 31.5 w/jamb	1	\$150	\$150
solid wood 81.5 x 29 w/jamb	1	\$150	\$150
solid wood 81.5 x 25 w/jamb	3	\$150	\$450
solid wood 81.5 x 31 w/jamb	1	\$150	\$150
solid wood 36 x 80	1	\$80	\$80
solid wood 30 x 80	2	\$80	\$160
hollow 24 x 80	1	\$40	\$40
glass sauna door 24 x 80	1	\$80	\$80
32 x 80 metal country style glass	1	\$125	\$125
<i>Screens/Blinds</i>			
various size screens	16	\$10	\$160
various size blinds	12	\$5	\$60

slider glass door screens	1	\$10	\$10
<i>Cabinetry</i>			
Cherry Wood 7' x 2' surface mount	1	\$210	\$210
Cherry Wood 3' x 2' surface mount	1	\$90	\$90
Cherry Wood 5' x 2' surface mount	1	\$150	\$150
Cherry Wood 2' x 2' surface mount	1	\$60	\$60
Cherry Wood 14" x 30" x 10' wall mount	1	\$75	\$75
Cherry Wood 20" x 30" x 10" wall mount	1	\$60	\$60
Alder Bathroom Vanity 20.5" x 6.5"	2	\$75	\$150
<i>Fixtures</i>			
misc wrought iron bath accessories	10	\$10	\$100
wall sconce wrought iron	4	\$30	\$120
bathroom vanity light 3 light	1	\$35	\$35
bathroom vanity light 4 light	1	\$45	\$45
bathroom vanity light 5 light	1	\$55	\$55
ceiling light wrought iron 16"	2	\$20	\$40
ceiling light wrought iron 13"	1	\$10	\$10
ceiling light wrought iron 18"	2	\$25	\$50
ceiling fans 5 blade	2	\$25	\$50
large fuse box	2	\$5	\$10
large junction box	1	\$15	\$15
gang boxes w/ various switch/outlets	60	\$2	\$120
stainless 2 bay sink w/hardware	1	\$30	\$30
8" stainless sink w/hardware	1	\$15	\$15
garbage disposal	1	\$20	\$20
pedestal sink w/hardware	1	\$75	\$75
20" cast vanity sink w/hardware	1	\$30	\$30
toilet	2	\$25	\$50
bathtub	1	\$45	\$45
Kohler drop in sink 20.5" x 6.5" deep	2	\$55	\$110
Kohler 1.6 gallon toilet	1	\$40	\$40
<i>Spa & Accessories</i>			
Dimension One Spa 91" square 6 person	1	\$500	\$500
Ideal Cover Lift for Spa	1	\$50	\$50
Cover for Spa	1	\$50	\$50
Gussets w/botls	22	\$1	\$22
<i>Lumber, Etc.</i>			
2x4 stock 6' lengths	120	\$1	\$120
2x6 6' lengths	50	\$1	\$50
plywood various sizes	12	\$1	\$12
headers 8' x 18"	10	\$2	\$20
10" x 6" beams - 16' or more	7	\$3	\$21
oak trim (150 linear feet)	1	\$45	\$45
Truss System 25' x 5'8" peak	7	\$15	\$105
480 Bricks	1	\$96	\$96
<i>Insulation</i>			
15" x 30" R-13 (clean, dry, bagged)	65	\$2	\$130
TOTAL			\$10,046

TIMELINE:

Deconstruction will begin on May 15, 2007 and will continue for approximately one week as items are dismantled and inventoried. A crew of 4 will dismantle these items.

SOURCE:

Materials will first be donated locally, through word of mouth and through postings on Summit Freecycle. Additional items will be listed in the Summit Daily's Swap for Charity. Any materials not donated locally will be delivered to the Habitat Home Outlet in Gypsum on or before May 27, 2007.

Planning Commission Staff Memo

Project Manager: Chris Neubecker

Date: November 11, 2010 (For meeting of November 16, 2010)

Subject: Power Purchasing Agreement Solar Panel Project
(Class D Courtesy Review; Permit# D-361)

Applicant: RSBF Breckenridge I, LLC

Agent: Vibrant Solar

Land Owner: Town of Breckenridge

Proposal: Install photo-voltaic solar panels on several Town-owned buildings and properties. The installation will be done according to a Power Purchasing Agreement, with RSBF Breckenridge I, LLC (RSBF) contracting with Vibrant Solar for the installation of the panels, and the Town receiving electricity at a significantly reduced rate.

This is a courtesy review for the Commission, and to allow public comment. Staff will process these applications as Class D development permits.

Properties: Steven C. West Ice Arena, 107 Boreas Pass Road, Roof Mounted
Fleet Maintenance Building, 1107 Airport Road, Roof Mounted
Ski Hill Pump #1, Tract F, Skyway Ridge Subdivision, Ground Mounted
Ski Hill Pump #2, 247 Timber Trail Road, Roof/Carport Mounted
Recreation Center, 880 Airport Road, Roof Mounted
Golf Course Main Irrigation Pump, Tiger Road, Ground Mounted
Swan River Pump #1, Tiger Road, Ground Mounted (at Golf Course)
Riverwalk Center, 150 W. Adams Avenue, Roof Mounted

Item History

In October 2010, the Town of Breckenridge entered into a Power Purchasing Agreement with RSBF Breckenridge I, LLC (RSBF) for the purchase of solar electric power. The agreement allows RSBF to install photo-voltaic solar panels on Town owned properties, at their own expense. RSBF receives the tax credits and rebates for the installation, and then sells the electric power generated by the solar panels to the Town at a rate lower than available from Xcel Energy. The agreement also allows the Town to purchase the panels from RSBF after 6 years. If the purchase occurs, the Town would then receive all of the electric power from the panels for free (other than the purchase price and any maintenance of the panels).

Due to the current tax rebate programs, the solar panels must be associated with specific electric meters. The program does not currently allow rebates for solar farms, where energy is produced without a connection to an existing meter. The rebate program also does not allow rebates for more 101 kW (kilowatts), and hence some of the proposed systems top out at 101 kW. Furthermore, because the Town of Breckenridge is tax-exempt, there is no tax credit allowed to the Town, which is why it only makes

financial sense for a private company to make the capital investment and receive the tax credits and rebates.

On October 20th, the Town held an open house in the Town Hall Auditorium to show the proposed solar panel graphics and site plans to the public. Notice of the open house was also sent to all property owners with 300 feet of the proposed solar projects. The open house was attended by only a few property owners and interested citizens (less than 10).

Planning Commission comments from previous meeting:

The Commission last reviewed these plans during a work session on October 5, 2010. At that time, the Commission generally supported the proposal, but had some concerns about the visibility of one of the panels (Swan River Pump on Tiger Road) and generally wanted to ensure that the panels would meet all of the Town's Development Code policies. It was noted by Staff at the time that all roof-mounted panels would be flush mounted. There was also a concern raised about tree removal to gain solar access.

Changes from the Previous Submittal

Since the October 5th meeting, the location of the panels for the Swan River Pump have been moved closer to the Golf Course Maintenance building across Tiger Road. A trench under Tiger Road will connect the panels to the pump building and electric meter. No other significant changes are proposed from the October 5th presentation.

Staff Comments

Land Use (Policies 2/A & 2/R): The solar panels are proposed as auxiliary uses to the current use of the properties. In the past, solar panels have not been reviewed as a "use" by themselves, but rather as a means of generating energy. Especially when panels are proposed on the roof of buildings, and have no significant impact to the site, they have not been considered an issue. However, one of the panels is proposed in Land Use District #1 on public open space.

District #1 generally contains steep slopes or environmentally sensitive areas. The Land Use Guidelines state that "*land area within District 1 should remain substantially in its natural state.*" As a result, Staff is concerned with the proposed panels at Ski Hill Pump #1, which is on public open space, and appears may contain wetlands. If the panels were proposed on the roof of the existing pump building, with no additional site disturbance, we would think differently about this location. If allowed, we would recommend negative four (-4) points for placing ground mounted solar panels within Land Use District #1.

Also, per the plat for Skyway Ridge Subdivision, the Tract E Public Open Space shall be used "*for certain open space purposes, which purposes are limited to preservation of natural flora and fauna, and pedestrian and bicycle trails and signage associated with such trails.*" For this reason, Staff believes that using this property for solar panels violates this plat note, which is an Absolute policy. However, this pump uses a lot of energy, and there is considerable public benefit to renewable sources of energy. Staff will work with the Town Attorney to determine if this land can be used. We will process a variance or public project application, if needed.

Other panel locations are not a concern to Staff.

Density/Intensity (3/A & 3/R)/Mass (4/R): Solar panels do not count as density or mass.

Architectural Compatibility (5/A & 5/R): Policy 5 (Absolute) regulates the installation of solar panels. All of the locations proposed are outside of the Conservation District. Some of the panels are proposed as roof-mounted panels (where possible). There are also several ground mounted panels, where the building roof is not large enough or has poor solar orientation.

*Outside of the Conservation District a solar device shall be located based upon the following order of preference. Preference 1 is the highest and most preferred; preference 6 is the lowest and least preferred. A solar device shall be located in the highest preference possible. The order of preference for the location of a solar device outside of the Conservation District is as follows: (1) as a building-integrated photo-voltaic device; (2) **flush mounted (9" above the roofline) panel on an accessory structure roof, or as a detached array of solar devices;** (3) **flush mounted roof panel on the primary structure or screened detached array;** (4) a tilted roof mounted panel that is not highly visible from the public right of way; (5) a tilted or angled and tilted roof mounted panel that is not highly visible from the public right of way; and (6) a tilted or angled and tilted roof mounted panel that is highly visible from the public right of way. (Emphasis added)*

Roof mounted solar devices shall run as closely parallel to the roofline as possible while still maintaining efficient solar access. Solar devices and related mechanical equipment and mounting structures shall be non-reflective such as an anodized finish. Mechanical equipment associated with the solar device such as invertors, convertors and tubing attached to the building fascia shall be painted to match the building color to blend into the building. New structures are encouraged to include building integrated solar devices into the initial design, rather than as a later addition.

Roof mounted solar devices shall not break the existing ridgeline of the roof to which the panels are mounted. All mounting structures shall be on the same roofline as the panels. Elevated solar arrays which follow the orientation of the roofline are allowed. An east or west facing roof may have an angled orientation in relation to the existing roofline. A maximum tilt angle of 45 degrees is allowed for electrical solar devices. An elevated array for a solar hot water heating system may have a maximum tilt angle of 50 degrees and a maximum tilt angle of 55 degrees for a solar heating system.

Solar devices which appear as an awning may be mounted onto building facades or decks.

*The location of detached solar devices shall also consider visibility from adjacent properties and public rights of way, which shall be reduced to the extent possible while still maintaining solar access. Detached solar devices which serve the structure on the site may be located outside of the building or disturbance envelope **if no significant existing vegetation must be removed for the installation and an adequate buffer is provided to adjacent properties.** (Emphasis added)*

Where roof mounted arrays are practical, they have been proposed. In a few locations, including Main Irrigation Pump at the Golf Course Maintenance, Swan River Pump, and Ski Hill Pump #1, ground mounted arrays are proposed. This is due to the lack of adequate roof space or poor orientation of the roofs. The two ground mounted arrays at the Golf Course property are not highly visible, except from

the golf course itself. These arrays would be visible from Bear #9 tee box, and possibly from the Elk #1 green. They are located to the north of the maintenance building, at least 300 feet from Tiger Road (facing south).

The Ski Hill Pump #1 is proposed on town open space to the north of the pump building. This location is north of Four O'clock Trail, and south of the Skyway Skiway. The back of the panels may be visible from a few homes within the Snowy Ridge Subdivision (northwest), but the site is screened from views from the south (Four O'clock Run,) and east (Sawmill Road). Landscaping could help to screen the backs of some panels, but could also shade some other panels, and therefore is not recommended.

Building Height (6/A & 6/R): All panels proposed are either flush mounted on the roof, or free-standing but below height limits in each district. Staff has no concerns.

Site and Environmental Design (7/R): This policy primarily addresses site buffering, site design, grading, and driveway design. It is intended to encourage development that reflects the natural capabilities of the site, and discourage levels of development intensity that compromise site functions, buffers and aesthetics. It also states that physically constraining elements of a site should encourage development in other areas.

In this case, the only significant constraint to development is on Ski Hill Pump #1, which may contain wetlands and has several trees that would be removed. The site is on a slight slope, but is not a hillside or ridgeline. The site is buffered well on the south and east, but as previously mentioned, the panels would likely be visible from some homes to the northwest. Additionally several trees would be removed from the site to make room for the panels and to ensure solar access.

Staff recommends negative two (-2) points under Section A of this policy, for the removal of trees. We also recommend negative two (-2) points under Section G of this policy, Significant Natural Features, since portions of the site appear to contain wetlands.

Ridgeline and Hillside Development (8/R): No panels are proposed on ridges or hillside.

Placement of Structures (9/A & 9/R): Most of the panels proposed would be on the roof of existing buildings, and the setbacks would not change. For the ground mounted arrays, all required setbacks will be met.

Access / Circulation (16/A & 16/R; 17/A & 17/R): This policy is intended to ensure proper access around developments, including vehicular and pedestrian access. Once installed, these solar panels will not require regular access. In fact, they do not even require snow removal from the panels, and so regular access is not required. However, each of the panels will be accessible by maintenance crews if ever needed, but no roads or sidewalks are proposed at this time.

Landscaping (22/A & 22/R): No landscaping is required or proposed.

Social Community: (24/R): This policy addresses such issues as employee housing and historic preservation. The policy also rewards projects that address specific needs of the community as identified in the yearly goals and objectives report. This list is commonly referred to as "Town Council Goals".

The Town Council Goals from May 2008 (the most recent report) specifically mentions the use of energy efficient modes of construction, and implementing an energy study for all town owned buildings

and facilities. These panels are a direct result of that study, and should be rewarded. Staff recommends the assignment of three (+3) positive points under this policy.

Energy Conservation (33/R): The proposed solar panels will provide up to 100% of the electricity required to run some of these buildings. On average, the solar panels will generate about 65% of the energy required for these buildings. This is a significant amount of renewable energy. Staff recommends the assignment of six (+6) positive points for renewable sources of energy.

Point Analysis (Section: 9-1-17-3): Staff finds that all of the proposed solar panels meet the applicable absolute policies, except for the Ski Hill Pump #1. We recommend negative four (-4) points under 2/R-Land Use; negative two (-2) points under Section A of Policy 7/R-Site and Environmental Design; and negative two (-2) points under Section G of Policy 7/R-Site and Environmental Design. We also recommend positive three (+3) points under Policy 24/R-Social Community, and positive six (+6) points under Policy 33/R-Energy Conservation. This results in a passing score of +1 point.

Staff Decision

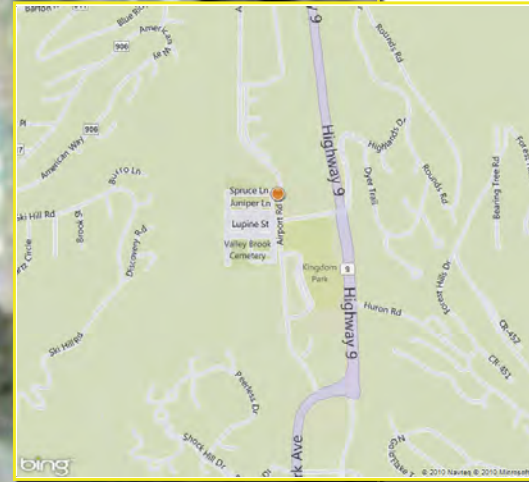
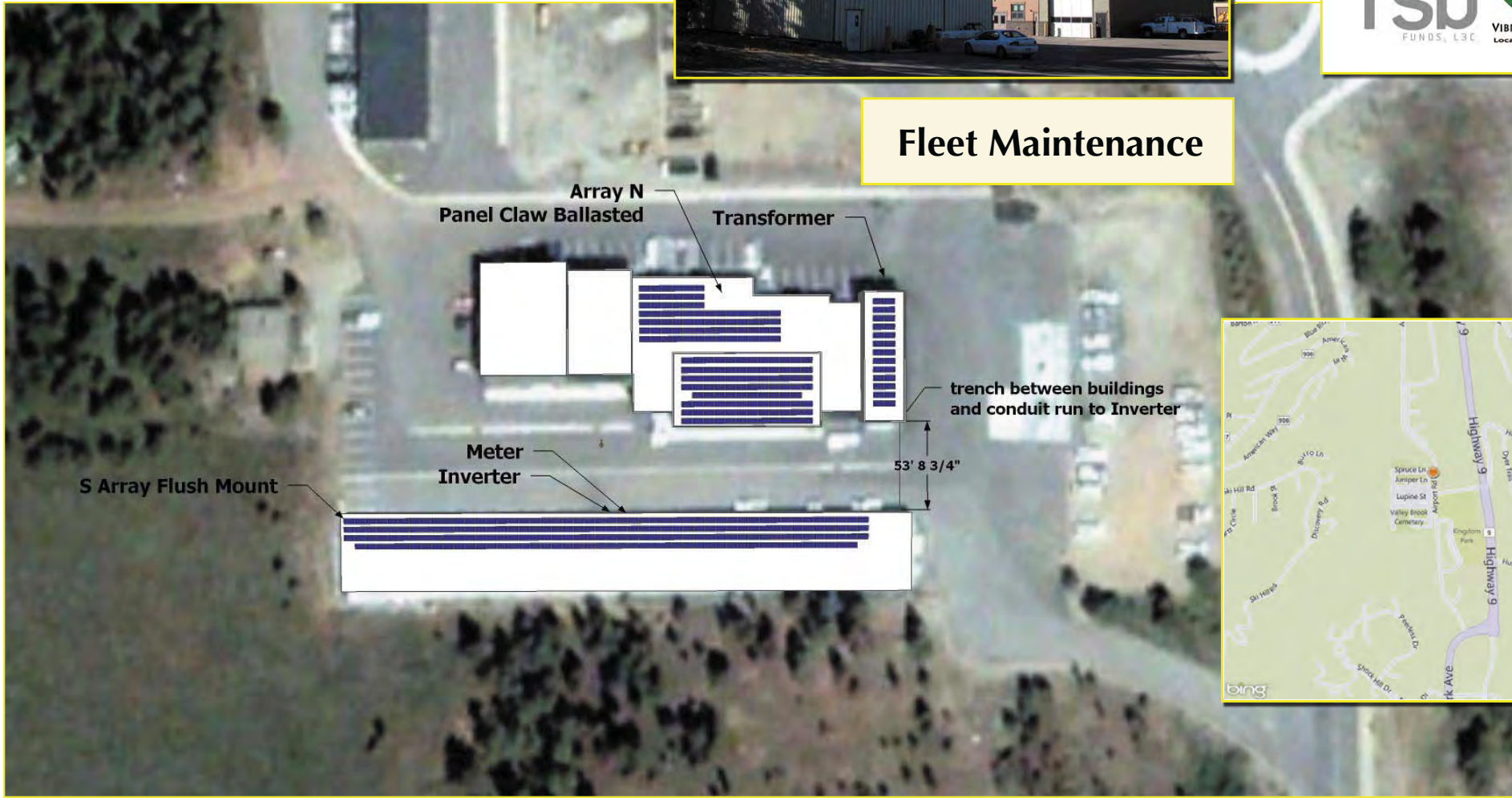
The Planning Department will approve the Power Purchasing Agreement Solar Panel Project, PC#D-361. We will continue to research Ski Hill Pump #1, and will make a decision on this site at a later date.

Breckenridge Solar Project

- ☀️ 1105 Airport Road 100.82 kW
- ☀️ Generates ~158,570 kWh/year
- ☀️ Reduces CO² emissions by ~364,580 lbs/year
- ☀️ Offsets 100% of annual usage



Fleet Maintenance



Breckenridge Solar Project

- ☀️ 189 Boreas Pass Road 100.82 kW
- ☀️ Generates ~158,570 kWh/year
- ☀️ Reduces CO² emissions by ~364,580 lbs/year
- ☀️ Offsets 15% of annual usage



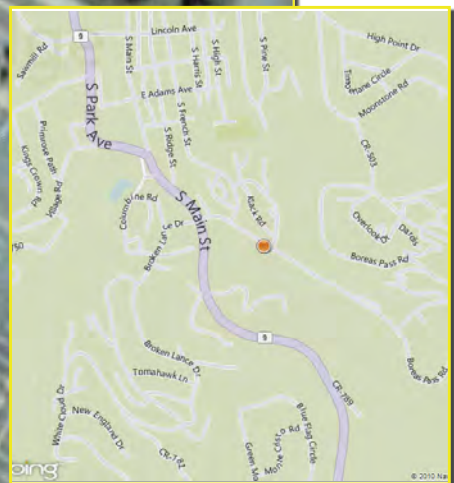
Stephen C. West Ice Arena



PV Array mounted flush to roof

Meter and Main Switch Gear
 Inverter and PV Intertie
 Conduit on Exterior

Area for snow slough
 No added snow breaks specified
 May need to protect compressor

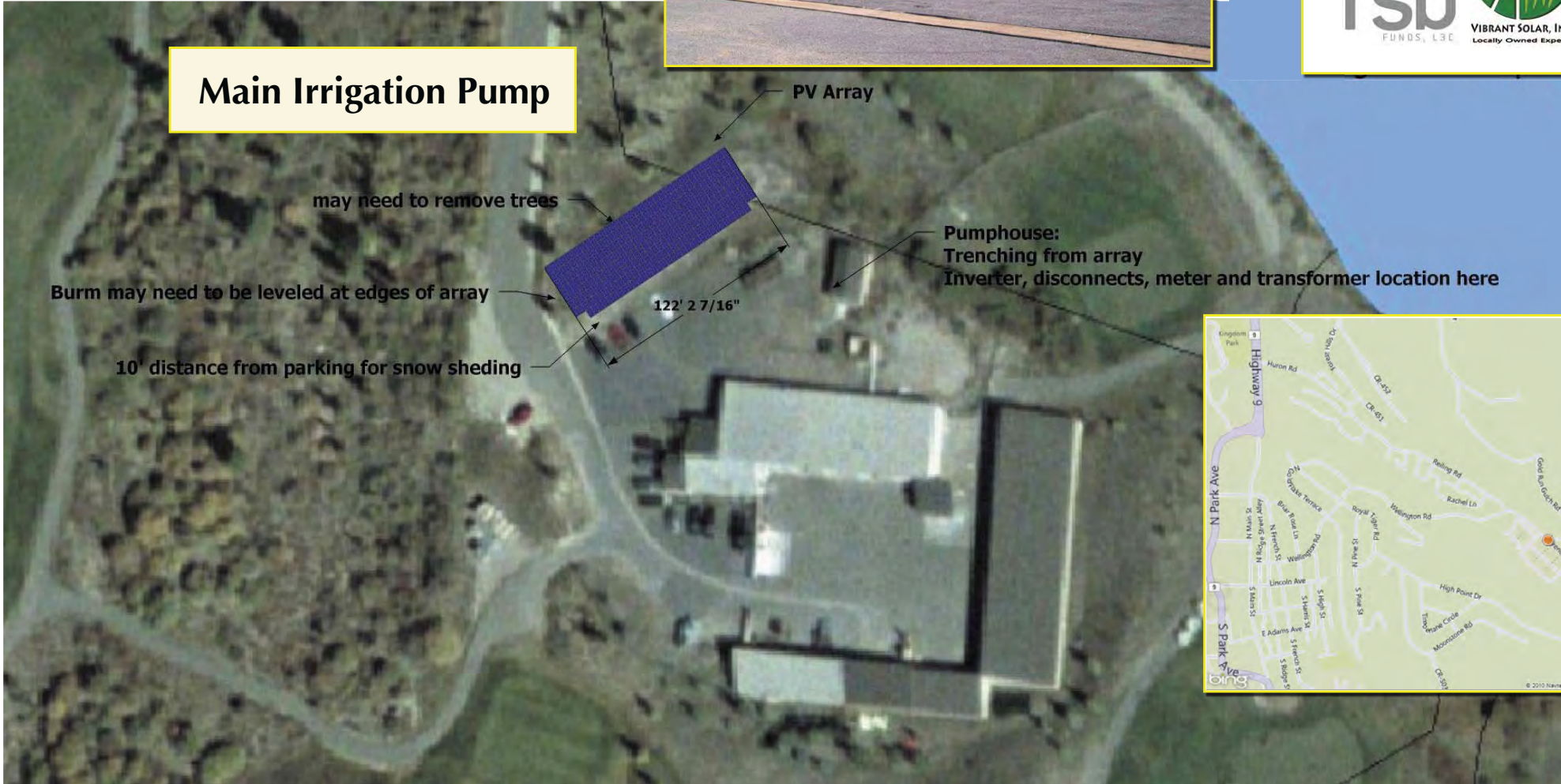


Breckenridge Solar Project

- ☀️ 85 Gold Run Gulch Road 59.22 kW
- ☀️ Generates ~94,350 kWh/year
- ☀️ Reduces CO² emissions by ~216,930 lbs/year
- ☀️ Offsets 100% of annual usage



Main Irrigation Pump



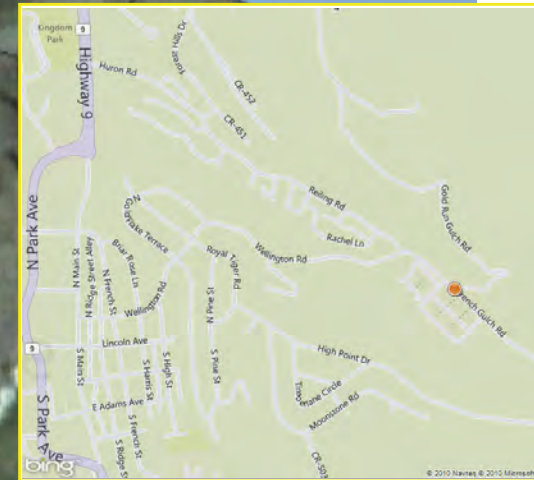
may need to remove trees

Burm may need to be leveled at edges of array

10' distance from parking for snow shedding

PV Array

Pumphouse:
Trenching from array
Inverter, disconnects, meter and transformer location here

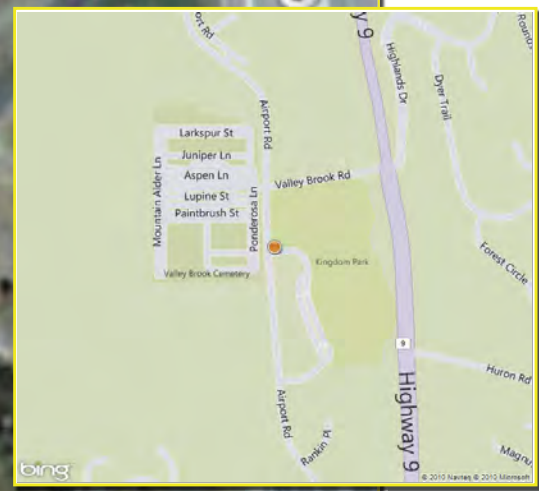
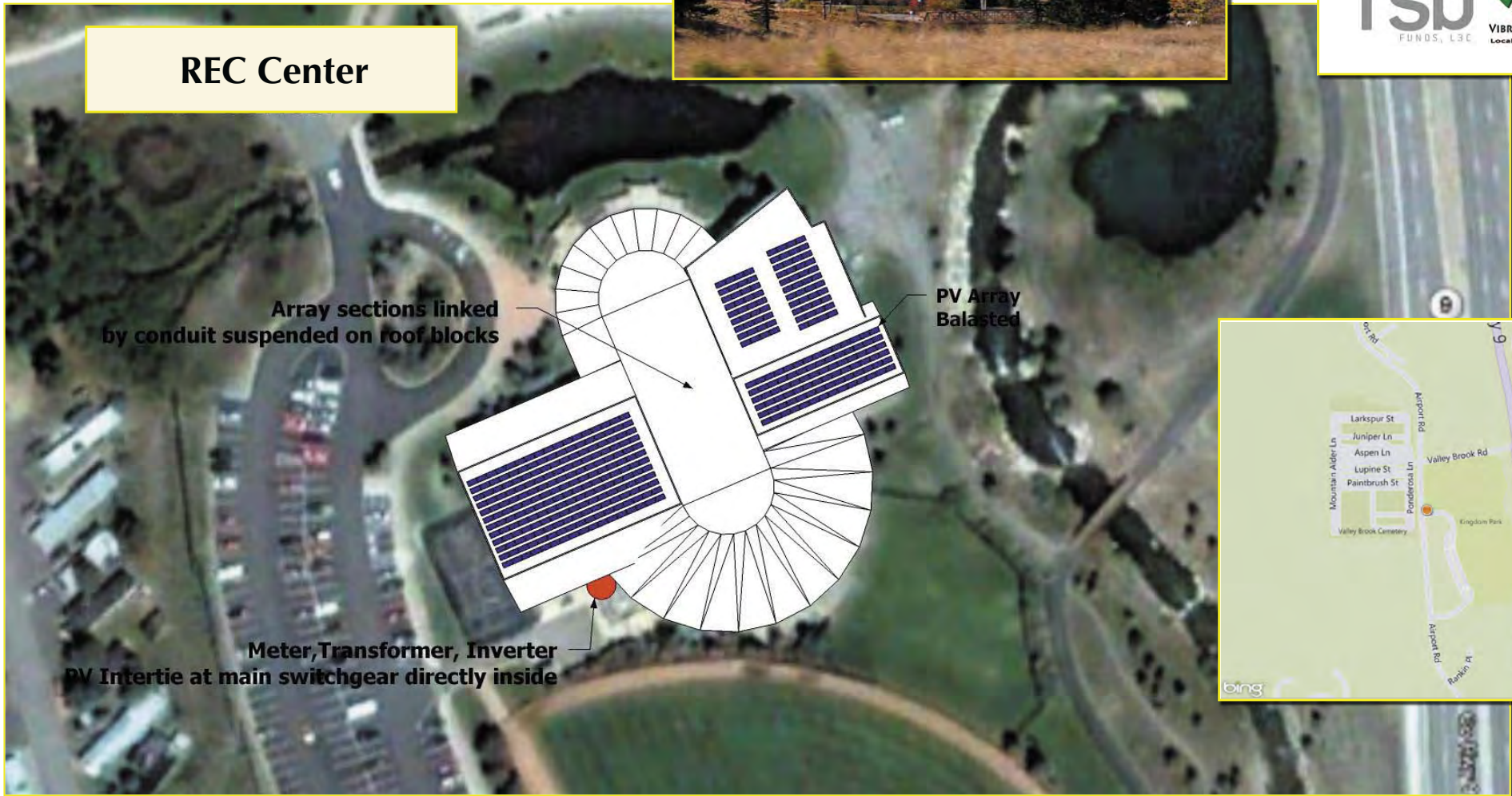


Breckenridge Solar Project

- ☀️ 880 Airport Road 100.82 kW
- ☀️ Generates ~158,570 kWh/year
- ☀️ Reduces CO² emissions by ~364,580 lbs/year
- ☀️ Offsets 8% of annual usage



REC Center

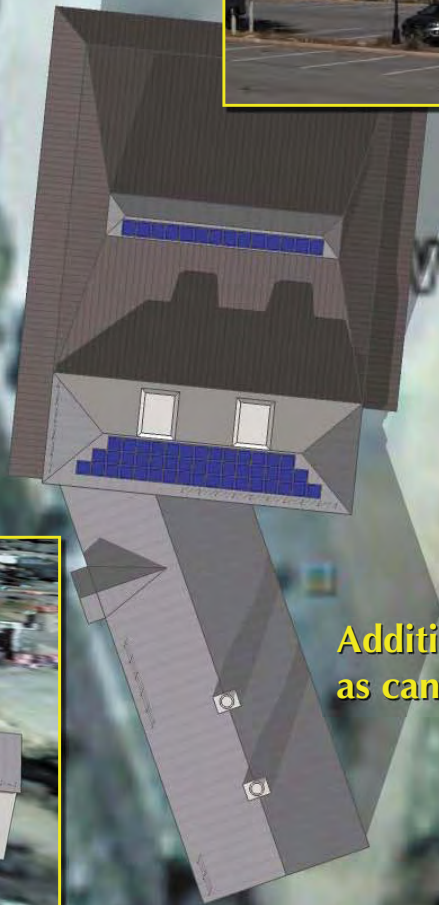


Breckenridge Solar Project

- ☀️ 150 W Adams Ave 13.865 kW
- ☀️ Generates ~22,090 kWh/year
- ☀️ Reduces CO² emissions by ~50,780 lbs/year
- ☀️ Offsets 13.6% of annual usage *(52% when Part 2 complete)*

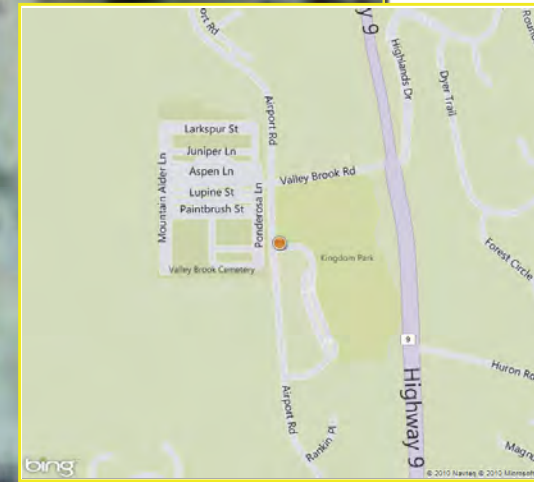
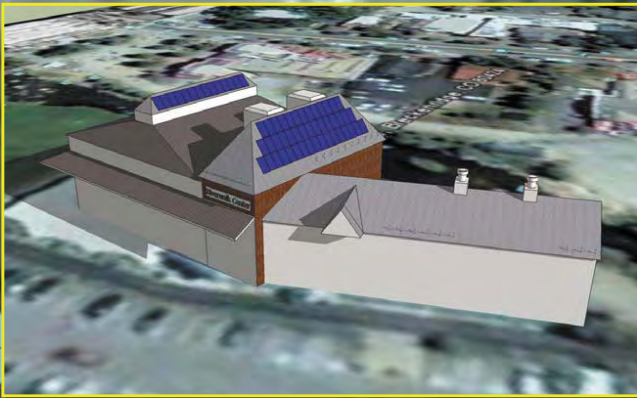


Riverwalk Center



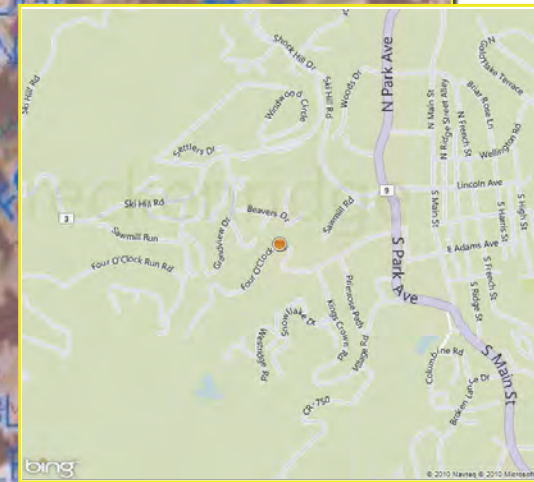
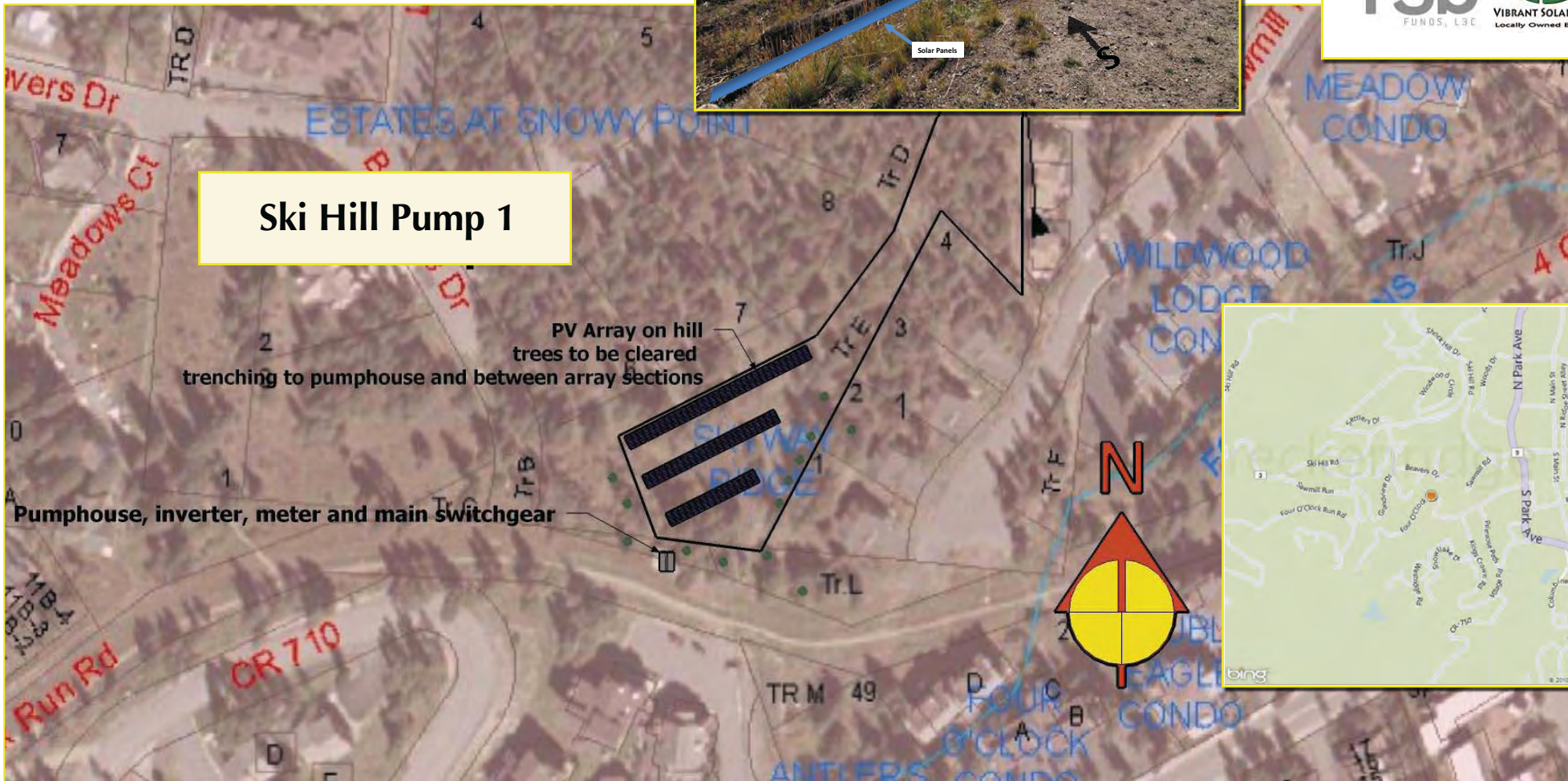
150 W Adams Ave, Breckenridge, CO

Additional arrays planned as canopies over parking lot.



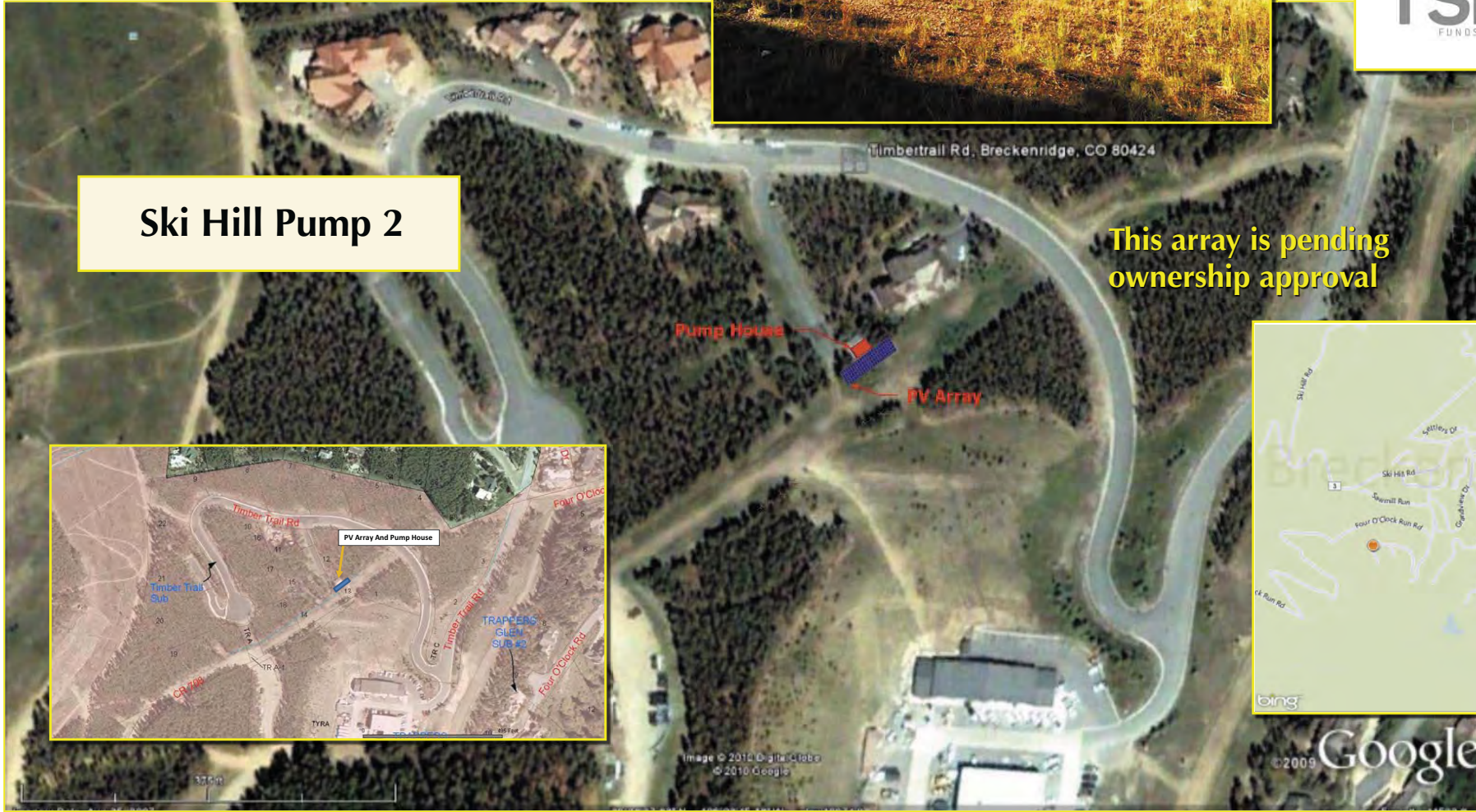
Breckenridge Solar Project

- ☀️ 750 Four O'Clock Run 100.82 kW
- ☀️ Generates ~160,620 kWh/year
- ☀️ Reduces CO² emissions by ~369,290 lbs/year
- ☀️ Offsets 90% of annual usage

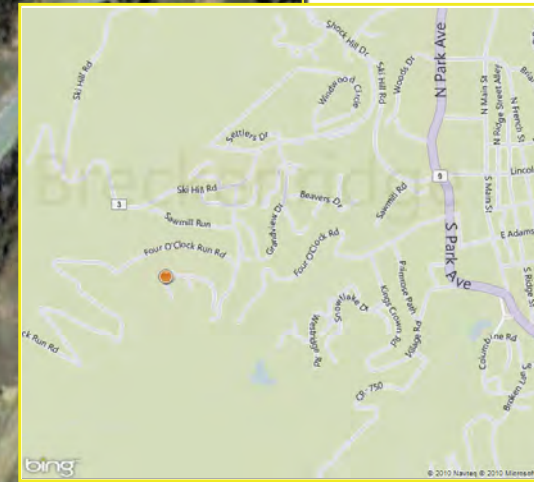


Breckenridge Solar Project

- ☀️ 353 Timber Trail Road 19.74 kW
- ☀️ Generates ~31,450 kWh/year
- ☀️ Reduces CO² emissions by ~72,300 lbs/year
- ☀️ Offsets 100% of annual usage



This array is pending ownership approval



Breckenridge Solar Project

- ☀️ 901 Tiger Road, on Golf Course 7.05 kW
- ☀️ Generates ~ 11,232 kWh/year
- ☀️ Reduces CO² emissions by ~25,820 lbs/year
- ☀️ Offsets 100% of annual usage



Swan River Pump 1

