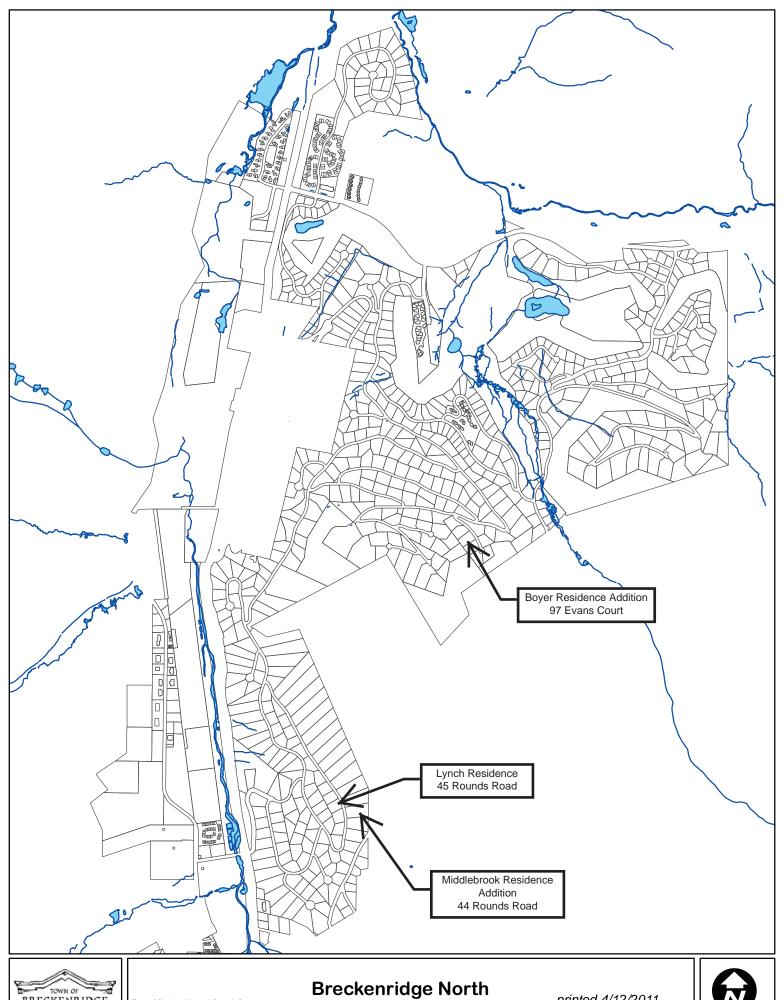
Town of Breckenridge Planning Commission Agenda

Tuesday, April 19, 2011 Breckenridge Council Chambers 150 Ski Hill Road

7:00	Call to Order of the April 19, 2011 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes April 5, 2011 Regular Meeting Approval of Agenda	4
7:05	 Consent Calendar Tyra Summit Townhomes Exterior Remodel Units 900-908 (JP) PC#2011014 900-908 Four O'Clock Road Middlebrook Residence Addition (JP) PC#2011018 44 Rounds Road Boyer Residence Addition (JP) PC#2011017 97 Evans Court Lynch Residence (MGT) PC#2011020 45 Rounds Road Wellington Neighborhood Lot 4, Block 9 SFR (MM) PC#2011015 8 Walker Green Wellington Neighborhood Lot 5, Block 9 SFR (MM) PC#2011016 16 Walker Green 	15 23 28 33 39 41
7:15	Town Council Report	
7:30	Final Hearings 1. The Elk (MM) PC#2011001 103.5 North Main Street	46
8:30	Combined Hearings1. Gold Pan Saloon Restoration (MGT) PC#2011013103 North Main Street	60
9:00	Other Matters 1. PC Field Trip (CN)	71
9:30	Adiournment	

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

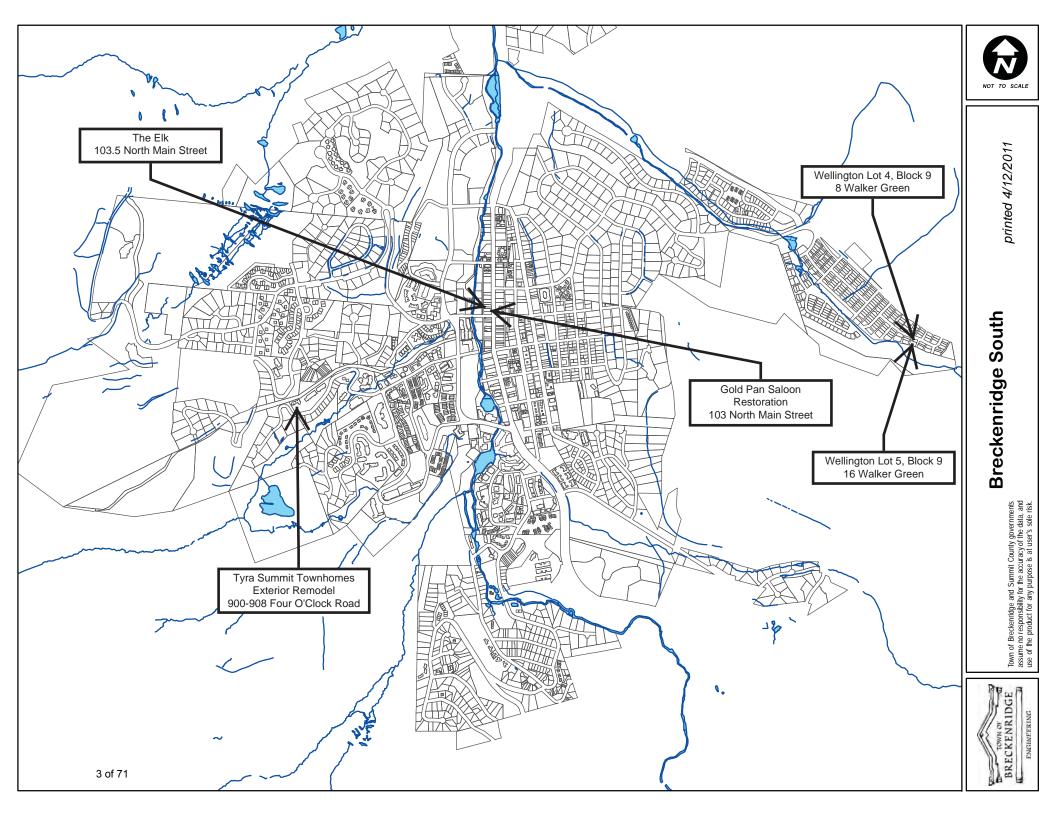
^{*}The indicated times are intended only to be used as guides. The order of projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.





printed 4/12/2011





Town of Breckenridge Date 04/05/2011 Planning Commission – Regular Meeting Page 1

PLANNING COMMISSION MEETING

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

ROLL CALL

Trip Butler Kate Christopher Gretchen Dudney Rodney Allen Dan Schroder Jack Wolfe

Dave Pringle arrived at 7:03 pm Mark Burke (Town Council)

APPROVAL OF MINUTES

Mr. Burke: On page 3 of the packet, please change "Clerk and Recorder" to "Court Reporter".

Ms. Christopher: On page 11 of the packet, I need to clarify, please change the panels I mentioned to freestanding

panels instead of roof panels.

With two changes, the March 15, 2011, Planning Commission meeting minutes were approved unanimously (7-0).

APPROVAL OF AGENDA

With no changes, the April 5, 2011 Planning Commission meeting agenda was approved unanimously (7-0).

CONSENT CALENDAR:

1. Longbranch Solar Thermal Panels (MGT) PC#2011009; 107 North Harris Street

Mr. Pringle:

Do we need to call up Longbranch to explain to Commissioners? (Mr. Thompson: The original permit is expired, and these panels are a little different than the original permit. Pretty straight forward, code suggests trying to put on an outbuilding, but the only outbuilding is on north side of the building. There is also not room on the ground on this property, so the south facing roofs are the only place they can do solar. The panels will not be very visible. You can see them from some locations south of the building. This project is inside the historic district, so it is a Class C. Outside would have been Class D.) Thanks, you just gave the presentation I needed.

2. Lot 3, Timber Trail (MGT) PC#2011010; 220 Timber Trail Road

Mr. Wolfe:

Was it subjective to come up with positive four points (+4) on landscaping? (Mr. Thompson: No, not subjective due to the new landscape ordinance. The plan calls for 11 total spruce trees, 9 of which are over 10' in height and 24 aspen trees, with 12 of the 24 exceeding 2.5 caliper inches. The Applicant could get 0, 2, 4, or 6 positive points. If there were no trees less than 2.5 caliper and no trees less than 10' in height, then we would have suggested positive six (+6) points. There are some trees less than 2.5 caliper and some less than 10', so that is why they got positive four (+4).)

- 3. Mainridge Condos Exterior Remodel (MGT) PC#2011011; 540 South Main Street
- 4. Sprung Structures Permit Extension (MGT) PC#2011012; 1599 Ski Hill Road

Mr. Pringle:

This is an extension of permit with the variance included, correct? (Mr. Thompson: Yes, we included the variance from the first approval. This application is for another three year extension. The structures will go away when the Applicant builds Building 804 at base of Peak 8 or the new Skier Services building at the gondola base.)

With no requests for call up, the Consent Calendar was approved as presented.

WORKSESSIONS:

1. Joint Upper Blue Master Plan (JUBMP) Update (MT, JP)

Mr. Truckey presented. The Joint Upper Blue Master Plan (JUBMP) Update Committee has now met six times and has reached consensus on the key JUBMP issues. A first draft of the Plan Update has been prepared. A copy of the Plan draft was presented to the Commission. Each jurisdiction (Town of Breckenridge, Town of Blue River, Summit County) was updated on the overall Plan in early March. A public open house is scheduled for Thursday evening, April 21, at the Summit County Courthouse. (Note the date change from April 28.)

Key Goals/Policies of JUBMP Update: Summary of the principle goals and policy direction contained in the Plan:

• Maintain a cap on overall density in the Upper Blue Basin (i.e. no upzonings in the Basin without utilizing Transferable Development Rights/TDRs).

- Recognize a new realistic build-out, which is higher than the one contained in the 1997 edition of the Plan, and incorporate the envisioned demand for affordable workforce housing.
- Target a recognized realistic build-out of 14,200 residential units in consideration of pursuing realistic density reduction strategies.
- The targeted build-out in the Basin is based on maintaining community character, not necessarily infrastructure capacity.
- Continue to preserve the undeveloped character of the Upper Blue Basin's backcountry areas and limit development in the backcountry to the maximum extent possible. Continue to promote the TDR program as a means of protecting backcountry areas.
- Work to increase the supply of affordable housing units in the basin.
- The Town of Breckenridge and Summit County should attempt to reduce density that they hold when building new affordable workforce housing units to offset impacts of the housing.
- Increase capacities and efficiencies in the basin's transportation and transit systems, including an emphasis on "complete streets" and providing for the full range of alternative transportation modes (e.g., biking, walking).
- Promotion of "sustainable" development and support for the Town and County sustainability planning efforts.
- Support for forest management projects that improve forest health and for long-term planning efforts to avoid impacts of wildfire and protect our watershed.
- Commitment of the County and Town to continue to jointly acquire open space and improve the basin's trail network.
- Continue to develop active recreational and park spaces.
- Policies that support provision of adequate infrastructure while recognizing that growth should be driven by character issues as opposed to ability to service areas.
- Policies suggesting that the County adopt development standards similar to the Town's in an area of mutual interest.
- Policies suggesting amending the current intergovernmental agreement on TDRs and in re-evaluating the methodology used to determine the price of TDRs.
- Support for retaining lands that are zoned for commercial service/light industrial uses.
- Policies addressing redevelopment.
- Policies in the draft Plan would preclude the Town of Breckenridge or the County from allowing deed restricted units in the Town of Blue River to meet Breckenridge or County housing requirements/obligations. The Town of Blue River is also exempt from the overall Plan recommendations to reduce density.

The previous TC agreed to not allow new affordable housing carte blanche as free density as there are impacts associated with adding affordable housing. The previous Council agreed to extinguish 1 unit for every 2 units created. That was the policy the Council agreed to at that time. It was a compromise between those such as Mr. Mamula and Mr. Bergeron, being our two reps on the JUBMP Advisory Committee, wanting a 1:1 ratio and other Council members wanting less of a ratio as density may be needed for some other use in the future. The BOCC agreed to go along with the 1:2 ratio. Since then, we had a change of guard with the Town Council. The current Council questioned whether we really wanted to extinguish that density. They saw it as eliminating a valuable taxpayer asset whereas others saw it as additional density which would impact the community character. Conclusion at the February Council meeting was the majority of Town Council members voting to not maintain that 1:2 ratio policy. The new proposal was not to extinguish the density, but to put the density into a lockbox. The affordable housing density we need (potentially up to 389 SFEs off of property we own based on the 1:2 ratio and current housing needs assessment) would be put into that lockbox, and that density could not be used unless Council goes through public process, full disclosure, to release it. Might need super majority vote of the Council as well. Right now, we can do anything we want with the density the Town owns. This process has not been ironed out yet. (Mr. Pringle: How much density does the Town have?) Town owns a little under 600 SFEs currently. (Mr. Pringle: In my simple mind, if we are retiring the density, it is going away. That is not the case?) Based on direction at the last Council meeting, we are not going to do any extinguishment up front, but put it into the lockbox for future use. (Mr. Wolfe: What is the logic to making it harder to retrieve that density for other than affordable housing?) We are trying to show some commitment to the overall concept of the JUBMP as far as extinguishing density for affordable housing. (Mr. Grosshuesch: This is a compromise for the new Council.) (Mr. Pringle: Maybe we should not be pulling this density out of thin air, there needs to be a formula.) There will probably be more permutations on this in the future; the Council will discuss more details on the 26th. We did not have a lot of discussion on affordable housing in the original version of the JUBMP other than it would be allowed as free density. By giving free density, we got an increase in affordable housing, more than we expected, so we needed to

Date 04/05/2011 Page 3

adjust. I went to the County Commissioners at one of their recent work sessions and explained the lockbox concept to them. Their thought was they don't love the lock box idea and suggested having language more general in the plan. Leave the details up to the individual jurisdictions to determine the final way to implement density for affordable housing. So we have a diversity of philosophies between County and Town. BOCC said let's keep it more general. (Mr. Allen: Would that go into the Development Code?) It would probably be a Resolution by the Council. (Mr. Wolfe: How is this any different than what is there now?) There would have to be another deliberate step with the Council to decide if we make density available in other ways. (Mr. Pringle: This gets a future council to agree to a new process.) (Mr. Grosshuesch: It probably comes down to which pool of density is used last. Density in lockbox is untouched until other pool of 260 some units gets drawn down to 0.) (Mr. Wolfe: It seems logical to offer positive points in our development code to get property owners to reduce density.) Grosshuesch: A lot of these policies will be converted into Ordinances and Resolutions.) (Mr. Burke: Were we going to agree to extinguish some density? What have they been told?) The lock box scenario. Mr. Mamula is trying to get some portion of density extinguished. It is a moving target, but wanted to update you on where it is at. On the opposite side, the Upper Blue Planning Commission would like to see a 1:1 ratio. (Mr. Burke: The concern is the lost revenue for the Town. Not just density you are extinguishing, also construction jobs, there was uneasiness that we were extinguishing that plus subsidizing affordable housing, potentially to the tune of a \$50 million reduction overall. That is why council was uneasy.) (Mr. Wolfe: I would go further, if you built a hotel with the density, include lodging tax, sales tax, from use of that density, then the value is probably in excess of \$50 million; is there a concern we are putting handcuffs on future Town Council?) (Mr. Burke: Yes, I think that was a way to find the middle of the road for the people who did not want to extinguish anything. We felt we were giving a lot a way to Blue River for example.) At the JUBMP, it might be helpful to ask "do you think it is appropriate to extinguish density as affordable housing is built"? (Mr. Pringle: One example of implementing this is we take density from property in town, parking lot for example, and transfer to Block 11 where there is no density. I don't understand how we can tie future Council members' hands to use the density in the lock box.) This doesn't bind their hands; they would just have to go through a public process to do that. (Mr. Burke: Current Council we can create density if we want to and can also ignore the JUBMP.) (Mr. Pringle: Yes but that is not the spirit of the IGA.) (Mr. Wolfe: Why not have points in the development code for density reductions?) (Mr. Grosshuesch: It has never been a priority (on the Top 5 list) and would not be in that kind of detail in this plan. Policies will be updated as necessary after the plan is approved.)

Ms. Puester discussed the housing numbers in more detail. We took the 2007 housing needs assessment and we have about 914 units left to be built. That counted 2007 projects that were approved on the books but not built yet. The 389 number you see in the plan represents the amount of density identified in the needs assessment minus existing zoning that is on some of those potential housing parcels, at a 1:2 ratio. (Mr. Wolfe: What does 914 get us?) It represents essentially what is projected as the need for workforce housing, workers that do not have housing that would like to love in the area.

Mr. Truckey continued the presentation. The number includes getting the deficit of the people who would like to live here that can't right now. In addition to that, for any new jobs that are created until buildout ten years or so, the 914 units includes those numbers as well.) (Mr. Wolfe: I get that, what does 900 units garner us? What is the over arching goal?) (Mr. Grosshuesch: 47%. 47% of Breckenridge workers live here. Goal is to keep that going forward. Healthy goal. Problem with 914 number is that is same as what we are going to lose from move outsellout so 914 is conservative. That is, free market housing currently occupied by employees, won't be in the future. We will lose that number, so we won't gain any ground at all, but that is how aggressive the Council wanted to be. With economy, Valley Brook will take 3-4 years total to buildout. By the time we see several more projects built, building them one at a time, we will go through several more economic cycles. We are still not overshooting this number.) 914 is associated with buildout, but does that happen in 6 years or 20? (Mr. Pringle: What about taking the 389 and applying to Block 11 now, take land we already own, then we have bricks and mortar document saying courthouse lot has no density, it is all out on Block 11.) (Mr. Burke: 389 is what original document would extinguish at 1:2. This Council says we are not comfortable extinguishing it.) (Mr. Grosshuesch: When we talk about it being in a pool, it is on those parking lots, it will stay there until we do something with it. It is not in a density bank like we do with the backcountry TDR's. It is associated with one parcel or another; it will stay there until we use it.) (Mr. Burke: Are we willing to give up the density from F lot?) (Mr. Grosshuesch: It has to be associated with some space. We have not worked out the exact logistics.) (Mr. Pringle: Clean record we can follow as to what is going on. 389 in lockbox will take some calculation to figure out where it is, how much we have. Let's make it clean and just move it, done, so we don't have to calculate-a transfer. Agreeing to JUBMP

would honor the idea that we can't create density out of thin air.) (Mr. Burke: Times change, Councils change. Ten years from now Council could create density out of thin air.) (Mr. Grosshuesch: I think it would be difficult for the Town Council to create density out of thin air in the future.) (Mr. Pringle: Town should use good faith intention of how much density the Town has. Keeping the density is a smart business thing, the other side of that is the aesthetic thing.) (Mr. Wolfe: The day we started counting 1:2, we were more worried about building housing than about traffic and impacts.) (Mr. Grosshuesch: There is a lot of the opposite going on, Mr. Bergeron and Mr. Mamula do not want to disregard the impacts.) They wanted 1:1. Differing views. That is why we are discussing this. This is going to be an ongoing process for resolution. We need to keep it more generalized in order to get all the entities on board. (Ms. Dudney: I am pretty confused. In the past, the goal was to create affordable housing with free density with not as much emphasis on traffic and impacts. The, Town affected policy to take 1 SFE of Town density to allow 2 SFEs of affordable housing to be built. JUBMP is concerned with the impact of affordable housing. As for the Council, some want affordable housing but not at 1:2 but put it in a lock box and some would rather do 1:1 ratio. Still want housing built but not as much. Another Council may not want to use that density for something else or sell it.) (Mr. Grosshuesch: You are on track with your summary.) (Mr. Wolfe: 1997 JUBMP had it right. Was based on community character, Can always buy more capacity. Disturbing thing is there was a 2,000 unit bust. 7,500 unit built, 10,800 built, infrastructure busts at 10,000. I would hate to lose sight of that.) A lot of text from the old plan stayed. Besides these little complicated issues we run into, the plan itself has been largely successful and has created great policy. We don't want to just see density sprout out of thin air and onto hillsides around town. (Mr. Burke: Mr. Joyce and I just want to discuss it more. Not just approve at 1:2, discuss it. Mr. Dudick is absolutely against extinguishing any for future development. Need to understand what are we accepting and what are we giving up.) Mr. Dudick gets it, he understands the impacts created by new affordable housing, his point was is that 389 really the tipping point for the community? Could be for Mr. Mamula and Mr. Bergeron. Mr. Dudick might be more comfortable. (Mr. Pringle: I agree with Mr. Dudick, we are making a judgement about density on this property is already established, why would we want to give it up?) (Ms. Dudney: They were wrong, it hasn't been devastating to have 10,800 units, do you challenge your assumptions when the last one was so wrong?) That analysis also kept the road at two lanes, certainly four laning helped. (Mr. Allen: Most of units created as affordable housing (700 some), have they all been created with free density?) (Mr. Grosshuesch: Yes.)

Blue River did not like option to allow someone to deed restrict a unit in Blue River to meet their housing requirement elsewhere. Concern of Blue River as to reduction in property tax. Council and BOCC have agreed to keep Blue River as a partner in the plan. Right now, they'll go along with no deed restricted units in Blue River. (Mr. Wolfe: It is a non binding agreement?) Yes, they do want to become part of the plan and the IGA on TDRs. Would have to go against the IGA if they don't honor it. We exempted them from density reduction strategies. They mostly have single family lots out there, non issue for us. (Ms. Puester: Council also considered that with Blue River having deed restriction exemption to buy down units, they did not have too much heartburn because we want employee housing by employment centers as well as accessible to bus routes, etc. to decrease impacts on infrastructure.)

Please note the open house date is incorrect, it will be April 21st at the Recreation Center Multi Purpose Room at 6:30. We encourage you to be there. In addition, there will be a Sustainable Breck open house on May 11 for the final Action Plan. That will also be at the Recreation Center Multi Purpose Room at 6:30pm.

Commissioner Questions / Comments:

Mr. Allen:

Talking about the 1:2 ratio, I did not see much in the plan for when private development wants to come in and develop affordable housing. (Mr. Truckey: We are going to be the ones to pony up for those SFE's.) Why not just require a 1:4 from a private developer? He has ten units, 6 market, 4 affordable housing. I am suggesting maybe Council doesn't pony up. (Mr. Grosshuesch: Project wouldn't get built then or Town susbsidies would be more elsewhere.) (Mr. Wolfe: Council wants to partner with private parties to get affordable housing built.) (Mr. Grosshuesch: JUBMP is not where our housing policy exists, it is more general. This plan is not going to address that level of detail.) There should be something in here that private sector could be developing affordable housing. On the buy down, Blue River didn't want it; one unit does not have any effect. 90% does. Can there be strategy of only a certain percentage of any building can be bought down instead? (Mr. Truckey: We initially thought Blue River's issue was that affordable housing somehow degrades character and property values, but really it is there is a

difference between deed restricted and market rate for tax purposes. They live off of property tax. Also, no deed restricted units in Blue River at this time.) (Mr. Grosshuesch: No one on Council is happy with Blue River's approach, but up to now, they are still willing to compromise.)

Mr. Wolfe:

The Town of Frisco put into effect the cabin zoning ordinance. Some day Blue River may want to do that. It is upzoning. Put 8 units there, sized to meet price point that would meet affordable housing. It is Frisco's way of creating affordable housing from the private sector. (Mr. Truckey: It depends on how we calculate it for density. You are allowed to build ADUs now without additional SFEs in most cases.)

Mr. Allen:

Sustainability is broad, why was economic sustainability not part of this plan? (Mr. Truckey: We used template of old plan. Added community sustainability, can add economic sustainability.) Want people to have a job. Last one, we have never looked at JUBMP in any of our development permits. Should we do that? (Mr. Grosshuesch: The nature of our master plans is different, master plans drive ordinances in the future and the Development Code contains the policies that we review development against, not the Town Master Plan documents.)

Mr. Pringle:

JUBMP has guided all our other plans. (Mr. Grosshuesch: JUBMP has been remarkably successful.) (Mr. Truckey: We changed our codes after JUBMP.) (Mr. Grosshuesch: We originally wanted to review density number issues and lawsuit against county and not a whole lot more.)

Ms. Dudney:

Community character was talked about, but not infrastructure capacity. Is there a tipping point as far as schools etc.? (Mr. Truckey: We did a capacity analysis 2 years ago looking at everything in relation to Town and basin, roads sewer etc.) Is it the County that takes on schools, the landfill? (Mr. Grosshuesch: The County did the 2030 analysis to look at those topics.) How did we do on the issues? How about schools? (Mr. Burke: In 2007 they were full, now they are not, which is odd.) (Mr. Truckey: Still capacity at the High School, Breckenridge still has capacity left.) (Mr. Grosshuesch: They have bigger fish to fry than capacity right now.) (Mr. Allen: Capacity analysis showed at total buildout that the Town had enough water but just enough.) (Mr. Truckey: We have more water rights but right now not the ability to hold it. If we do the pump back and another reservoir, then water capacity increases.) (Mr. Grosshuesch: This plan avoids basing the buildout number on infrastructure capacity. It's based on community character values. You can buy your way out of infrastructure issues.)

Mr. Truckey:

Come to open house! Come to both open houses, those comments will be related to the Committee and the Council.

Mr. Allen:

Question on Page 25 of the report regarding density. (Mr. Truckey: Acquired density and put into TDR bank. Mining claims sitting out there, stand alone development right. When we take that density and put it into the bank, 20 acres becomes 1 unit. Stays that way under the new Plan, which predicts there will be more of that happening. Not a change.) If I have a 5 acres claim that I sell, there is just 1 unit out of that, \(^1/4\) TDR? (Mr. Truckey: Correct.)

OTHER MATTERS (Not an agenda item):

Ms. Dudney:

I got a note about an open house on Peak 6. What is that about? (Mr. Allen: The Forest Service is putting that on.) (Mr. Grosshuesch: Someone on staff may go.)

Mr. Pringle

Regarding Peak 6, if you have a large employer that generates a large amount of employees, can we incorporate an employee parking requirement into an agreement on that? (Mr. Grosshuesch: When we discussed the Peak 6 expansion plan, those types of social issues were brought up. That process gets a commitment out of the Ski Area on those issues.) Why does the Ski Area give free employee parking away? (Mr. Grosshuesch: We have a parking agreement with the Ski Area, they have to provide 3,200 spaces, which includes for employees. Ski Area would gladly be relieved of their parking agreement.) (Mr. Burke: Why does parking garage have to be right here, downtown? Maybe it belongs on Airport Road.) Why are we satisfying their employee parking lot on town lots? Do we want them parking their employees all day long?

TOWN COUNCIL REPORT:

Mr. Burke:

Presentation on coyotes. No worse than it has ever been. Fiber-cement siding passed on second reading. I was not at first hearing on wood grain, but I did raise the issue about wood grain. Mr.

Joyce shared his experience as a builder; some of the non-wood grain samples actually look better than the wood grain ones. The second reading for density exemption for basements was continued because of comments from the audience. For example at the Gold Pan, to raise that basement, he would have to pay water and parking fees as a restaurant. A few of those issues were raised. Mr. Berry felt we should continue it. If Mr. Gray uses it for storage, it relieves some of his space in the restaurant. There is value there. (Mr. Wolfe: The goal is to get the building restored.) Exactly. There were a few on the Council that raised that issue. (Mr. Grosshuesch: It is going to come back as a separate issue to address the PIFs and parking. Staff does not support the request to change the building elevation provision. Variance is available in a hardship situation.) (Mr. Mosher: We have used this in several situations where there was water damage or other major problems. We have precedent.) Read a Council Bill to issue optional premise liquor license for events on the Riverwalk lawn. Council made a motion to cancel our April 12 Council meeting. I just want to remind you that you can do that if needed.

OTHER MATTERS:

1. Riverwalk Center and Golf Course Point Analysis Update (PG)

Mr. Grosshuesch presented. The nature of the question raised was, how can staff be so different from Planning Commission on the points? Basically, we had approved the policy on solar panels a couple of years ago. In that policy, it identifies solar panels on poles as second priority. There are other policies, but that one is probably the most important. We had the week before been directed by the Town Council to pursue the project. What staff heard at Sustainable Task Force, reduce energy consumption and reduce carbon footprint. Accomplishing a lot for Town and facilities. Pretty good reasons for testing public acceptance of the project. One of the applications came in at 0 and one at a couple of positive points, both of which are as close as you can get to not passing. Planning Commission showed that you understand the code, that you can bring in additional policies and emphasize them more than others for a different point conclusion. Throw all that into the mix and where you got to.

Commissioner Questions / Comments:

Mr. Burke: Curious, as a new council member, members of the community felt like there was undue pressure

on the planning staff that because it was a Town project that your analysis would have been different if it was a private builder project for example. (Mr. Grosshuesch: I don't know that that is true, the policy is new and we don't have precedent to go on with this policy in this case.) If it had been anybody other than the Town, the analysis would have been different. What should

I look at moving forward?

Mr. Allen: As hard as it was, the process was fantastic. Council went through it, Planning Commission

applied the code. It was a fantastic process.

Mr. Pringle: When we developed that policy, I don't know that we had solar arrays in mind. (Mr.

Grosshuesch: When we sent that through initially, I was thinking 3 4 5 panels on the roof, but when you get covering 100% of actual buildings, you are looking at a lot more. You have to have a lot more panels to make a big difference for a larger building like the RWC. If you are talking about an 8,000 square foot house in the Highlands, you are going to need a lot of panels

to get to 100% offset.)

Mr. Burke: For this PPA, the standard was much more than the policy addressed.

Mr. Pringle: We are going to have to take this into consideration in the future on the policy.

Mr. Wolfe: I agree the project worked, but I don't think staff considered all the policies. Was this laid out by

finance people and engineers, or by solar people? I think the golf course could have been done differently. (Mr. Grosshuesch: They maxed out the sites.) Do we need to go back and reconsider the policy? (Mr. Grosshuesch: Possibly. When we said pole mounted are second,

how do you hide those? It is difficult to do.)

Mr. Pringle: We were thinking of one small one behind a house. Not so many of them overwhelming the site.

(Mr. Grosshuesch: One small one behind a house still can be seen by the neighbors, they would still be affected. There would be incompatibilities with pole mounted arrays. So my back yard, I have a pole mounted array sitting back there. It might be offensive to some people, but it would

not be my whole back yard filled with these. The ordinance does not address that.

Ms. Dudney: Is there any way to get Xcel to be proactive to work on this concept, can we put political pressure

to get them to do more? (Mr. Grosshuesch: They (Xcel) are going to roll out the solar garden

concept.) Then we need to get them to get going on that. (Mr. Grosshuesch: Solar gardens will work well for the private sector, but not so good financially speaking, for the public sector.)

Mr. Allen: We need to get ahead of this so that when a developer comes and says I am going to put a solar

array out on French Gulch Road, we don't look like a deer in the headlights.

Ms. Dudney: If they can reduce the panels by half, it still is not financially viable. That is another thing to

explore. Rather than making a 16 x 16 panel work, let's find something that works. (Mr. Grosshuesch: The efficiencies aren't there. Solar people are convinced they are near the end of the efficiency spectrum. If you wait, how long do you wait? When do you pull the trigger?)

Mr. Burke: We pulled the trigger on 9 of 11 sites. The two we turned down were clearly not right to me

from the beginning. It was a big billboard. To me it was not what we are about. It is in the eye of the beholder, but I think we know. Council is looking at how to make that work at the Riverwalk Center. 9 of 11 is a great accomplishment for this Town. We need to focus on

positive.

Mr. Pringle: You showed us the other 9; I thought we were going to see the others again. I thought they were

coming back. Now I am assuming everything has been approved. What is approved and what is not approved? I like the idea of seeing the point analysis on the Riverwalk and the Golf Course. (Mr. Grosshuesch: There are some changes. They are going to be higher on the buildings so snow has a place to shed. The pump house got dropped. Right now it is off the table.) All of the ones at police, golf, etc. are not flush mounted anymore? (Mr. Grosshuesch: They came through as administrative reviews. We elevated them to a courtesy review so you could see them.) Some of those are issues we discussed. It was no problem when we saw them the first time. Now if

they are going to be sitting up like picnic tables, you start bringing in issues again.

Mr. Wolfe: I agree, there are some visual impacts. But as Mr. Grosshuesch explained, these did not have to

come to Planning initially.

Mr. Burke: I don't remember the 3 foot change being raised in front of Council. Did the modifications go to

the Town Council? (Mr. Grosshuesch: I thought they had, but I am not sure what Mr. Waldes

presented to Town Council. I wasn't there for all his presentations.)

Mr. Pringle: I am perplexed that this change was not brought to our attention, but we do not get to make that

decision

Mr. Wolfe: We see a lot of PV being installed flush, is that not appropriate anymore? (Mr. Grosshuesch: If

it can't fall off the edge of the roof, you would have to clean off the panels, it made fiscal sense to raise them up to get the shedding to happen. Where they were visible before they are going to be more visible. Not at the Ice Arena, the golf course, or the Public Works Maintenance building, they are not very visible. Most visible at the Rec Center. Always highly visible at the Police Department. There will be an array across street from the Police Department on a berm

facing the tennis courts. I think it fits with the staff review policies.)

Mr. Pringle: We never are worried about slowing down the private process. (Mr. Grosshuesch: This is time

sensitive.)

Mr. Burke: Information might be good if there is a change, simple memo to let PC know of a simple change.

Let's focus on the 9 and I have been telling people flush mounted. Just information would be

good. This is a hot button topic, so information helps.

Mr. Allen: Good suggestion. Administration needs to communicate on hot topics.

Mr. Burke: What about on condo complex, Longbranch? What percentage of electricity? (Mr. Mosher: It is

hot water, which is more efficient than the electric. The stats should be in the staff report.)

Mr. Pringle: Can I get a list of what solar project will be on which building? (Mr. Grosshuesch: Sure.)

ADJOURNMENT:

The meeting was adjourned at 9:23 pm.

Rodney Allen, Chair

TOWN OF BRECKENRIDGE

Standard Findings and Conditions for Class C Developments

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

FINDINGS

- 1. The project is in accord with the Development Code and does not propose a prohibited use.
- 2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated April 13, 2011 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 April 19, 2011 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 October 25, 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. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

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

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

- 21. Applicant shall install construction fencing in a manner acceptable to the Town Planning Department and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
- 22. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 23. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property, to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 24. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 25. 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.
- 26. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 27. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 28. 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.
- 29. 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.
- 30. Applicant shall screen all utilities.
- 31. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 32. 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.
- 33. 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.

- 34. 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.
- 35. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 36. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
- 37. 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)		

Planning Commission Staff Report

Project Manager: Julia Puester, AICP

Date: April 12, 2011 (For meeting of April 19, 2011)

Subject: Tyra Summit Townhomes Exterior Remodel (Class C-minor, PC#2011014)

Applicant/Owner: Tyra Summit Townhomes HOA

Agent: Will Crago, Equilibrium Architecture

Proposal: Replace exterior material with horizontal cedar siding and new cultured stone

veneer wainscot and accents, new cedar decking, new gable features over windows and doors, new wood garage doors, new doors and windows, replace roof material with burgundy standing seam metal roof. A material and color

sample board will be available for review at the meeting.

Address: 900-908 Four O'Clock Rd.

Legal Description: Tyra Summit Condo, Tract 1

Site Area: A portion of Tract 1-3.5 acres (154,725 sq. ft.)

Land Use District: 10: Per Tyra Summit Master Plan

Site Conditions: Tyra Summit townhomes is an existing townhome building consisting of a total of

5 units built in 1980. The existing exterior material is vertical and horizontal cedar with some cultured stone around the garages. There are existing mature lodge

pole pine trees on site.

Adjacent Uses: North: Multi-family residential

South: Multi-family residential East: Multi-family residential West: Multi-family residential

Density: No change

Mass: No change

Height: No change. The additional gables are at the same height as the existing roofline.

Lot Coverage: No change

Parking: No change

Snowstack: No change

Setbacks: No change

Landscaping: No change

Staff Comments

As this application is for an exterior remodel of the building, those Development Code policies that are not applicable have been left out of this Staff report.

Architectural Compatibility (5/A & 5/R): The proposed exterior materials meet the guidelines of this Policy. The proposed building materials are horizontal cedar siding and timber accents. The body and trim colors proposed are earth-tone stained wood siding. A new cultured rock wainscot in "fieldstone" is proposed around the base of the building and around the garages. The cultured stone is less than 25% of any elevation. Existing decking will be replaced with natural stained cedar. New windows and doors will be installed in 'mesa red' aluminum cladding, and new standing seam metal roof in 'burgundy'. A material and color board will be available at the meeting for review. Staff has no concerns and is encouraged to see upgrades proposed at this site.

Exterior Lighting (46/A): No new exterior lighting is proposed at this time. However, should new fixtures be installed, they will be required to meet the Development Code. Staff has no concerns.

Point Analysis (Section: 9-1-17-3): Staff finds that this application has met all Absolute Policies and has incurred no negative or positive points under all Relative Policies. The proposal passes with a score of zero (0) points.

Staff Decision

The Planning Department has approved the Tyra Summit Townhomes Exterior Remodel (PC#2011014) with the attached Findings and Conditions.







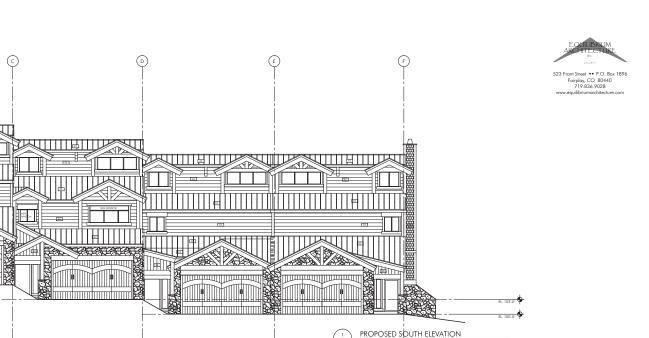


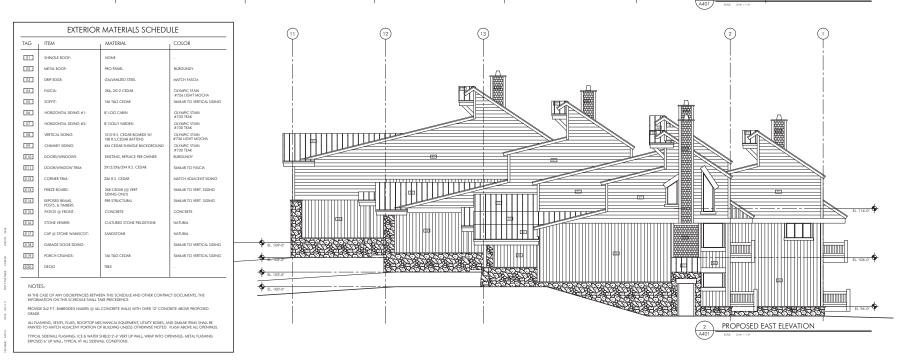












TYRA SUMMIT TOWNHOMES

UNITS 900 - 908 FOUR-O'CLOCK ROAD BRECKENRIDGE, CO

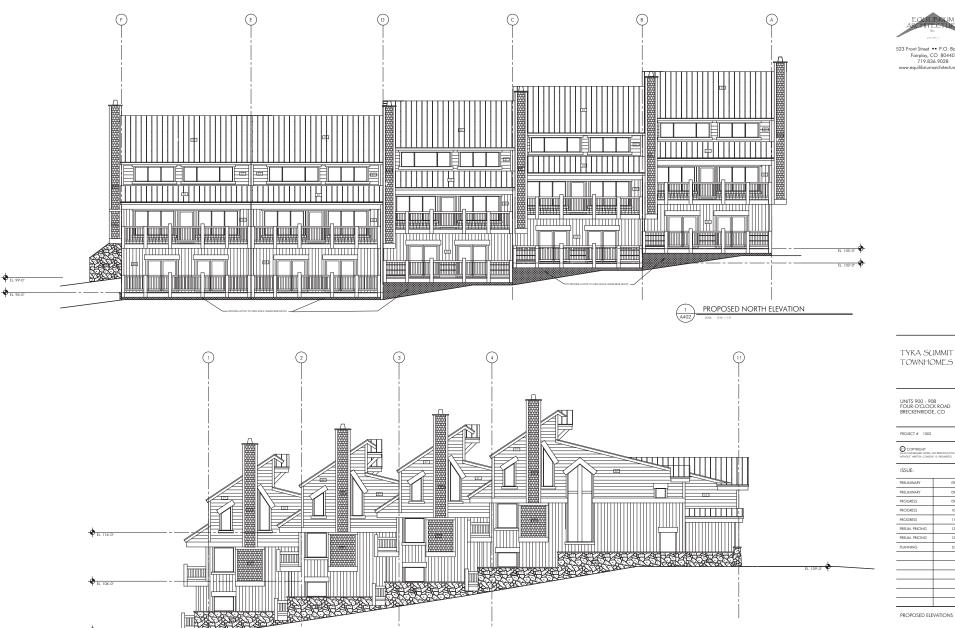
PROJECT # 1002

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PRELIMINARY	09.01.1
PRELIMINARY	09.13.1
PROGRESS	09.21.1
PROGRESS	10.28.1
PROGRESS	11.08.1
PRELIM. PRICING	12.03.1
PRELIM. PRICING	12.16.1
PLANNING	03.22.1

A401



523 Front Street •• P.O. Box 1896 Fairplay, CO 80440 719.836.9028

TYRA SUMMIT

1330L.	
PRELIMINARY	09.01.1
PRELIMINARY	09.13.1
PROGRESS	09.21.1
PROGRESS	10.28.1
PROGRESS	11.08.1
PRELIM. PRICING	12.03.1
PRELIM. PRICING	12.16.1
PLANNING	03.22.1

PROPOSED WEST ELEVATION

A402



Class C Development Review Check List

Project Name/PC#: Middlebrook Addition PC#2011018

Project Manager: Julia Puester, AICP

Date of Report: April 12, 2011 For the April 19, 2011 Planning Commission Meeting

Applicant/Owner: Bill Middlebrook
Agent: Stais Architects

Proposed Use: Single family residence addition

Address: 44 Rounds Road

Legal Description: Lot 63, Highlands Subdivision, Filing 2 **Site Area:** 94,929 sq. ft. 2.18 acres

Land Use District (2A/2R): 6: Delaware Flats Master Plan

Existing Site Conditions: Presently, a 5,896 square foot single family home is situated on the lot. The

applicants are proposing to add a total of 1,129 square feet which includes converting a portion of the garage to living space and adding additional garage square footage and a living space above the garage. There are some existing trees, shrubs and

retaining walls on site. There is a wetland setback platted on the lot.

Density (3A/3R): Allowed: unlimited Proposed: 4,586 sq. ft. (528 sq. ft. new)

Mass (4R): Allowed: unlimited Proposed: 7,027 (940 new)

F.A.R. 1:12.62 FAR

Areas:

 Lower Level:
 1,435 sq. ft.

 Main Level:
 2,476 sq. ft.

Upper Level: 1,323 sq. ft. (189 sq. ft. new)

Accessory Apartment: N/A

Garage: 1,793 sq. ft. (940 sq. ft. new, 123 sq. ft. mechanical room)

Total: 7,027 sq. ft.

Bedrooms: 3
Bathrooms: 3

Height (6A/6R): 32' existing (25'7" maximum for addition)

(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable: 4,224 sq. ft. 4.45%
Hard Surface / non-Permeable: 7,225 sq. ft. 7.61%
Open Space / Permeable: 83,480 sq. ft. 87.94%

Parking (18A/18/R):

Required: 2 spaces

Proposed: 3 spaces

Snowstack (13A/13R):

No change.

Required: 1,806 sq. ft. (25% of paved surfaces)
Proposed: 2,038 sq. ft. (28.21% of paved surfaces)

Fireplaces (30A/30R): No change.

Accessory Apartment: None

Building/Disturbance Envelope? Building envelope

Setbacks (9A/9R):

Front: Within the Building Envelope Side: Within the Building Envelope

Side: Within the Building Envelope Rear: Within the Building Envelope

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

Exterior Materials:

Proposed exterior materials for the addition will match materials from existing residence. Materials will consist of horizontal cedar fascia and trim boards, natural

stone base, wood railings, and aluminum clad windows.

Roof:

Addition will match existing roof material consisting of asphalt shingle.

Garage Doors: Cedar sided with windows.

Landscaping (22A/22R):No new landscaping is proposed with this application.

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

Driveway Slope:Covenants:
No change
None.

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

positive or negative points.

Staff Action:

Staff has approved PC# 2011018, the Middlebrook Residence Addition, located at 44 Rounds

Road, Lot 63, Highlands Subdivision, Filing 2 with the standard findings and conditions.

Comments:

Additional Conditions of

Approval:

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BUILDING AREAS ARE SHOWN FOR CODE PURPOSES ONLY AND SHALL BE RECALCULATED FOR ALL OTHER PURPOSES.

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION & REMOVAL OF ALL NOTED ITEMS PER NOTE #19 BELOW.

ALL INTERIOR WALLS SHALL EXTEND FROM FLOOR ELEVATION TO UNDERSIDE OF STRUCTURE ABOVE, UNLESS OTHERWISE NOTED.

INSTALL BLOCKING BEHIND ALL SURFACE APPLIED FIXTURES, TRIM, GRAB BARS, EQUIPMENT, AND ACCESSORIES WHEN MOUNTED ON STUD WALLS.

EXISTING CONDITIONS DRAWINGS ARE BASED ON INFORMATION SUPPLIED BY THE OWNER. NOT ALL INTERIOR PARTITIONS ARE SHOWN. GENERAL CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PER NOTE #10 ABOVE.

18) FIELD CUTTING OF STRUCTURAL MEMBERS:

CONSEQUENCES ARISING FROM SUCH CHANGES.

WHEN NECESSARY TO BORE STRUCTURAL MEMBERS FOR ELECTRICAL/MECHANICAL RUNS, SUCH HOLES SHALL BE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODE REQUIREMENTS, MANUFACTURER'S INSTRUCTIONS, AND STRUCTURAL DOCUMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING ARCHITECTENGINEER'S APPROVAL PRIOR TO ANY CUTTING, NOTCHING, OR DRILLING WHICH MAY AFFECT THE NTEGRITY OF THE STRUCTURE.

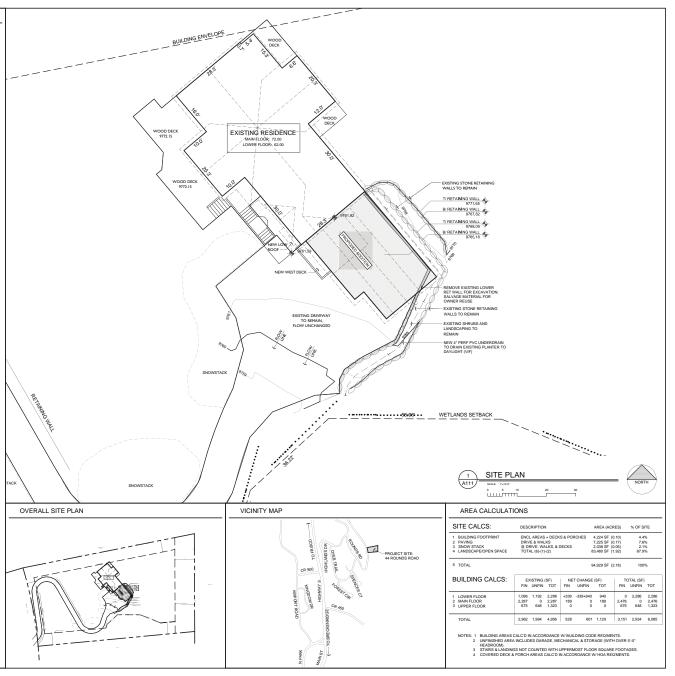
DEFINITIONS OF WORK AS NOTED ON DRAWINGS:

DEFINITIONS OF WORK AS INVITED ON DAWNINGS.

A) NEW, NOUNCES TERMS TO BE FINNHESHED AND NETALLED BY THIS CONTRACT. TYPICALLY USED TO RISUBE CLARITY AMONG VARIOUS COMPONENTS OF THE DRAWNINGS. MOT ALL TRIES ARE LABELD AS NEW YMEN HIT IS CHOUGH SEY O'HER RIGHOLTON, CONCELT AGAITHCE FOR A CHAPTER OF THE PROPERTY OF THE P

20) MECH/ELEC/SPRINKLER/ALARM WORK NOT INCLUDED WITH THESE ARCHITECTURAL PLANS. GENERAL CONTRACTOR SHALL COORDINATE REQ'D WORK WITH PROPER CODE AUTHORITIES PERFORM THIS WORK ON A DESIGN-BUILD BASIS.

THIS PROJECT SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) & ASSOCIATED BUILDING CODE REDWITS AS DICTATED BY LOCAL CODE OFFICIALS. REFER TO CURRENT REGULATIONS AS ADOPTED BY THIS JURISDICTION FOR COMPLETE DETAILS.





108 north ridge street reckenridge colorado 80424 970 453 0444



middlebrook residence additions + alterations

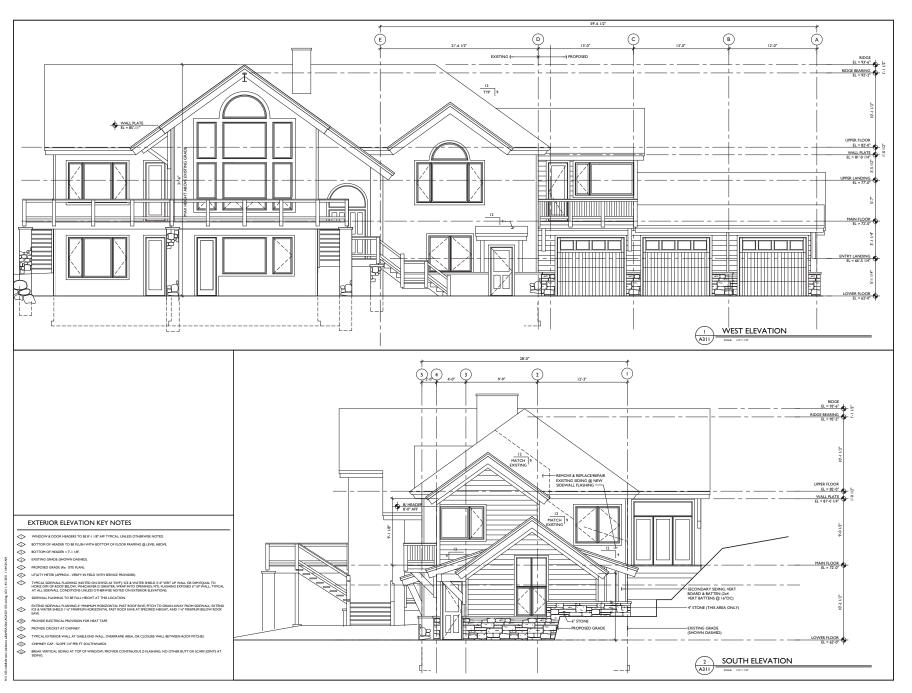
44 rounds road lot 63, highlands filing 2 breckenridge, colorado

ISSUE:

schematic	14 feb 2011
planning	4 apr 2011

SITE PLAN, NOTES & AREA CALCULATIONS

AIII





matthew stais archite 108 north ridge street p o box 135 breckenridge colorado 80424 970 453 0444



middlebrook residence additions + alterations

44 rounds road lot 63, highlands filing 2 breckenridge, colorado PROJECT# 1105

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ISSUE:

review	21 jan 2011
schematic	14 feb 2011
planning	4 apr 2011

EXTERIOR ELEVATIONS

A311





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middlebrook residence additions + alterations

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ISSUE

21 jan 2011
14 feb 2011
4 apr 2011

EXISTING EXTERIOR ELEVATIONS

X311



Class C Development Review Check List

Project Name/PC#: Boyer Addition PC#2011017

Project Manager: Julia Puester, AICP

Date of Report: April 11, 2011 For the April 19, 2011 Planning Commission Meeting

Applicant/Owner:Gilda BoyerAgent:Stais Architects

Proposed Use: Single family residence addition

Address: 97 Evans Ct.

Legal Description: Lot 227, Highlands Subdivision, Filing 8 **Site Area:** 50,530 sq. ft. 1.16 acres

Land Use District (2A/2R): 6: Delaware Flats Master Plan

Existing Site Conditions: Presently, a 3,737 square foot single family home is situated on the lot. The

applicants are proposing to add a total of 1,109 square feet to two areas of the home which includes 499 square feet for a bedroom and bathroom and living area on the

lower floor and 610 square feet of living area on the main floor.

Density (3A/3R): Allowed: unlimited Proposed: 3,955 sq. ft. (1,109 sq. ft. new)

Mass (4R): Allowed: unlimited Proposed: 4,846 sq. ft.

F.A.R. 1:10.43 FAR

Areas:

Lower Level: 1,287 sq. ft. (499 sq. ft. new) **Main Level:** 2,316 sq. ft. (610 sq. ft. new)

 Upper Level:
 352 sq. ft.

 Accessory Apartment:
 N/A

 Garage:
 891 sq. ft.

 Total:
 4,846 sq. ft.

Bedrooms:4(1 new)Bathrooms:4.5(1 new)

Height (6A/6R): 32' existing (28' maximum for addition)

(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable: 2,610 sq. ft. 5.17% Hard Surface / non-Permeable: 3,719 sq. ft. 7.36% Open Space / Permeable: 44,201 sq. ft. 87.47%

Parking (18A/18/R):

Required: 2 spaces

Proposed: 3 spaces No change.

Snowstack (13A/13R):

No change.

Required: 929 sq. ft. (25% of paved surfaces) Proposed: 951 sq. ft. (25.57% of paved surfaces)

Fireplaces (30A/30R): No change.

Accessory Apartment: None

Building/Disturbance Envelope? Disturbance envelope

Setbacks (9A/9R):

Front: Within the Disturbance Envelope Side: Within the Disturbance Envelope Side: Within the Disturbance Envelope Rear: Within the Disturbance Envelope

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

Exterior Materials:

Proposed exterior materials for the addition will match materials from existing residence. Materials will consist of horizontal cedar fascia and trim boards, natural

stone base, aluminum clad windows.

Roof: Existing roof material is asphalt shingle. Roof material for addition will be corrugated

metal.

Garage Doors: Existing cedar sided

Landscaping (22A/22R):

Planting Type	Quantity	Size
Aspen		
		3(1" caliper), 4(2"caliper)
		and 3 (2" caliper)

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

Driveway Slope: No change

Covenants: Standard landscaping covenant.

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

positive or negative points.

Staff Action: Staff has approved PC# 2011017, the Boyer Residence Addition, located at 97 Evans Ct., Lot

227, Highlands Subdivision, Filing 8 with the standard findings and conditions with the addition

of one condition below.

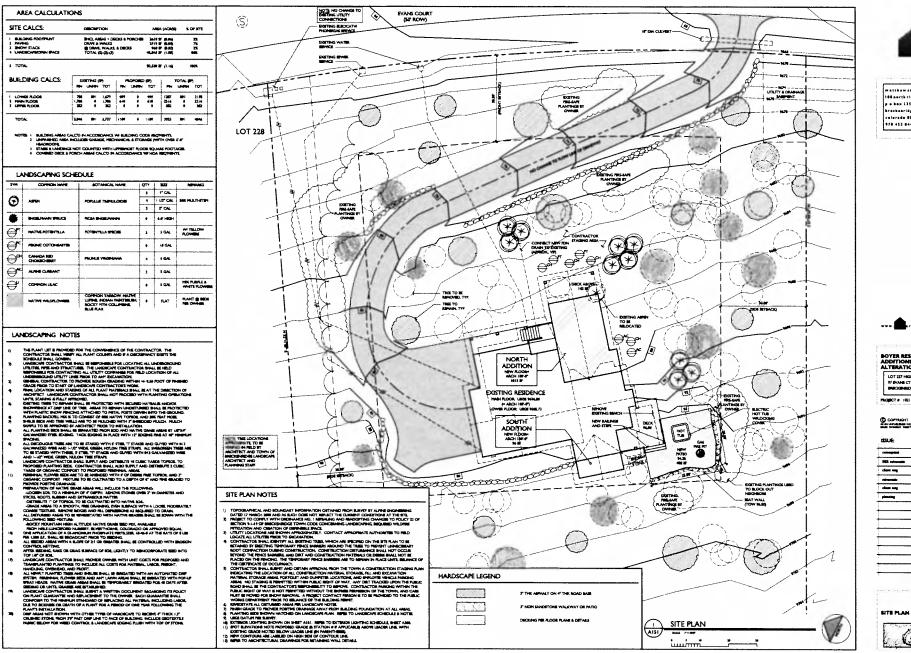
Comments:

Additional Conditions of

Approval:

1. Applicant shall submit a landscape plan which locates new plantings a minimum of 15' from

any existing or proposed portions of the structure.





matchew state architects 188 north ridge street e e bex (33 reckspridge ------978 453 8444



BOYER RESIDENCE ADDITIONS & LOT 227 HIGHLANDS FLING IS 17 EVANS CT

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matthew stais archite 108 north ridge street p o box 135 breckenridge colorado 80424 970 453 0444



BOYER RESIDENCE ADDITIONS & ALTERATIONS LOT 227 HIGHLANDS FILING #8 97 EVANS CT BRECKENRIDGE, COLORADO

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ISSUE:

PROJECT # 1021

conceptual	3 sept 2010
50% schematic	16 feb 201
client mtg	22 feb 201
schematic	10 mar 201
client meg	10 mar 201
planning	4 apr 201

EXTERIOR ELEVATIONS

A311





matthew stais architect 108 northridge street p o box 135 breckenridge colorado 80424 970 453 0444



BOYER RESIDENCE
ADDITIONS &
ALTERATIONS

LOT 227 HIGHLANDS FLING #8
97 FAVAS COLORADO

PROJECT # 1021

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ISSUE:	
conceptual	3 sept 2010
50% schematic	16 feb 2011
client mtg	22 feb 2011
schematic	10 mar 2011
client mtg	10 mar 2011
planning	4 apr 2011

EXTERIOR ELEVATIONS

A312



Class C Development Review Check List

Project Name/PC#: Lynch Residence PC#2011020

Project Manager: Matt Thompson, AICP

Date of Report: April 8, 2011 For the 04/19/2011 Planning Commission Meeting

Applicant/Owner:Jere and Sally LynchAgent:Suzanne Allen-GuerraProposed Use:Single family residenceAddress:45 Rounds Road

Legal Description: Lot 110, The Highlands at Breckenridge, Filing 4

Site Area: 46,173 sq. ft. 1.06 acres

Land Use District (2A/2R): 6: Subject to the Delaware Flats Master Plan

Existing Site Conditions:

The lot slopes downhill at approximately 17% from the front of the lot towards the

rear. The lot has many specimen pine and fir trees, along with a meadow on the western portion of the property. There are two 15' x 30' utility easements in the front corners of the property along Rounds Road. There is also a 30' sanitary sewer

easement along the western portion of the lot.

Density (3A/3R):

Allowed: unlimited Proposed: 4,302 sq. ft.

Mass (4R):

Allowed: 5,432 sq. ft.

Proposed: 4,999 sq. ft.

F.A.R. 1:9.20 FAR

Areas:

 Lower Level:
 1,748 sq. ft.

 Main Level:
 1,929 sq. ft.

 Upper Level:
 625 sq. ft.

 Garage:
 697 sq. ft.

 Total:
 4,999 sq. ft.

Bedrooms: 4
Bathrooms: 4.5

Height (6A/6R): 33 feet overall

(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable: 4,491 sq. ft. 9.73%
Hard Surface / non-Permeable: 1,940 sq. ft. 4.20%
Open Space / Permeable: 39,742 sq. ft. 86.07%

Parking (18A/18/R):

Required: 3 spaces

Proposed: 3 spaces

Snowstack (13A/13R):

Required: 485 sq. ft. (25% of paved surfaces)
Proposed: 1,000 sq. ft. (51.55% of paved surfaces)

Fireplaces (30A/30R): 1 EPA Phase II wood burner and one gas

Accessory Apartment: Yes, meets the Code

Building/Disturbance Envelope? N/A

Setbacks (9A/9R):

Front: 25 ft. Side: 64 ft.

Side: 35 ft. Rear: 123 ft.

Architectural Compatibility (5/A & 5/R): This residence will be architecturally compatible with the neighborhood.

Exterior Materials: 2x12 hand-hewn cedar siding with chinking, rough sawn 1x6 tongue and groove

cedar soffit, rough sawn 2x cedar fascia, doors and windows bronze, door and

window trim 2x and 3x rough sawn cedar, and a natural stone base.

40-year asphalt shingle "Barkwood" and corrugated rusted metal roof

Garage Doors: 2x cedar stained "Teak" and "Canyon Brown"

Landscaping (22A/22R):

Roof:

Planting Type	Quantity	Size
Colorado Blue Spruce	3	(1) 10', (1) 12', (1) 14'
Aspen	6	(3) 1.5", (3) 2" min. caliper

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

Driveway Slope: 6 %

Covenants: Standard landscaping covenant.

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

points.

Staff Action: Staff has approved the Lynch Residence, PC#2011020, located at 45 Rounds Road, Lot 110,

The Highlands at Breckenridge, Filing 4.

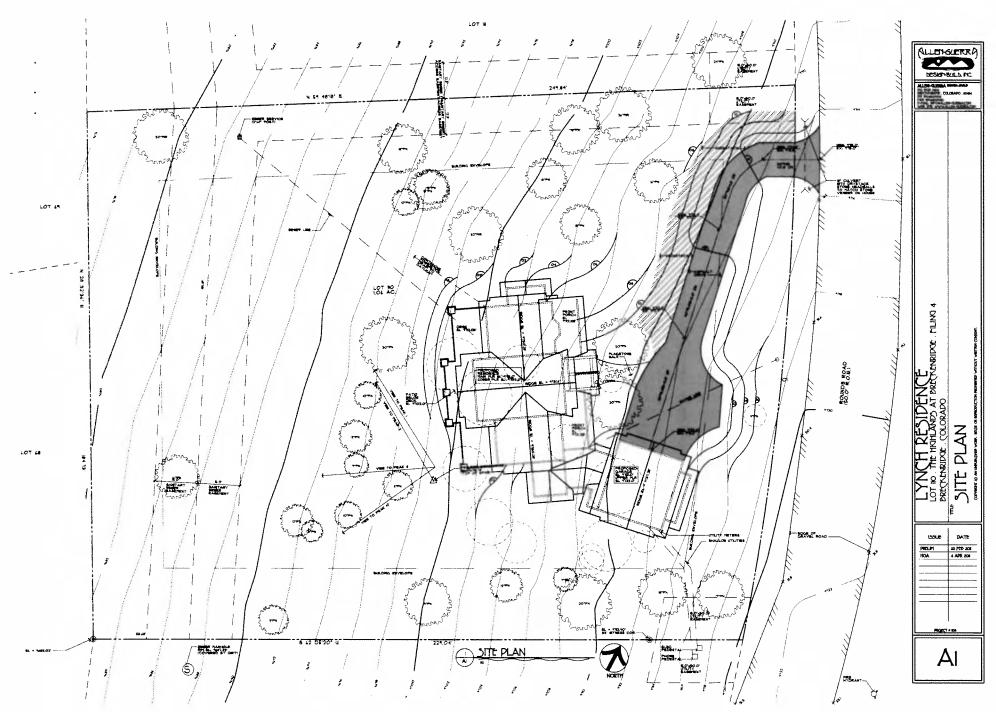
Comments: There is an accessory apartment above the garage. The proposed accessory apartment is

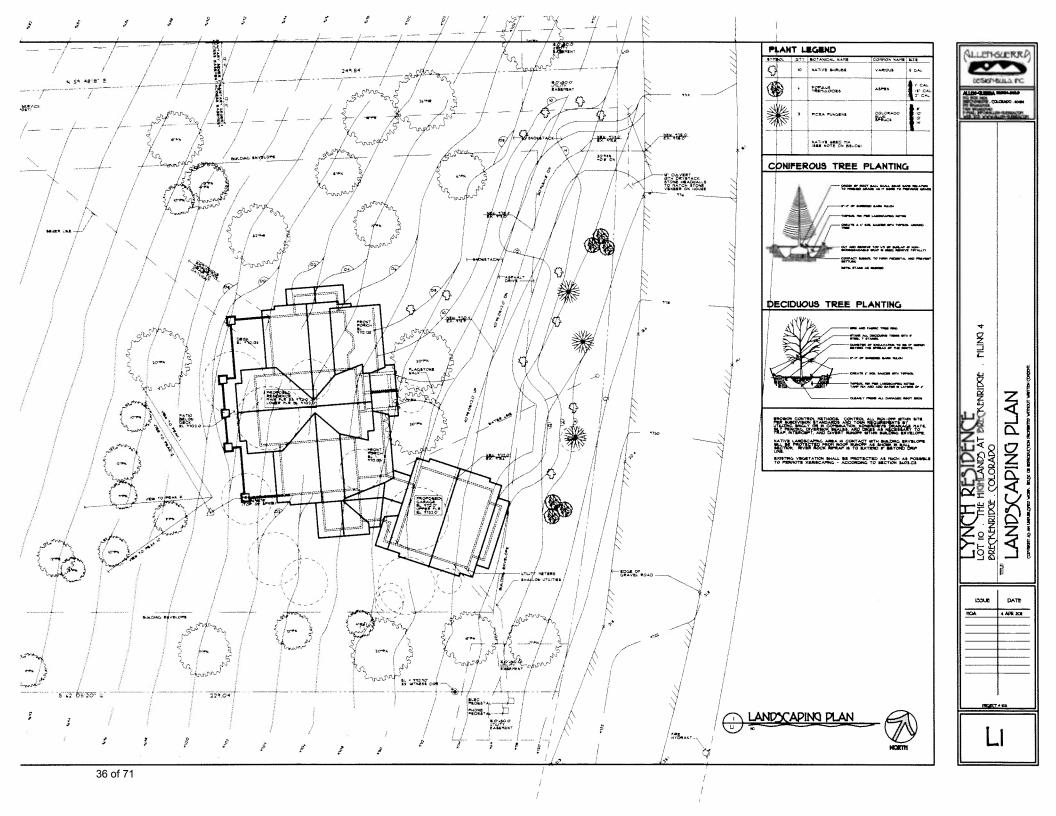
625 sq. ft., hence it meets the Development Code requirements of less than 1,200 sq. ft., less than one-third the size of the residence, and legal title to the accessory apartment and single-

family unit is held in the same name.

Additional Conditions of

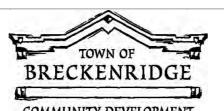
Approval:







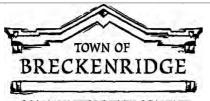




Class C Development Review Check List

Cia	22 C Development Ke	To the Criteck List			
	Lot 4, Block 9,				
Duois at Nama/DC#	Wellington	PC#2011015			
Project Name/PC#:	Neighborhood, Single	PC#2011015			
	Family Home				
Project Managar	Michael Mosher - Planner III				
Date of Report:		April 19, 2011 Planning Commission Meeting			
	Poplar Wellington Inc.				
	Traditional Neighborhood Builders, Inc.				
	Small Lot Single Family	Home - Winter Rose			
Address:	8 Walker Green				
Legal Description:	Lot 4, Block 9, Wellingto	n Neighborhood 2			
Site Area - (min. 3,500 SF):	5,161 sq. ft.	0.12 acres			
		rcial per Wellington Neighborhood Master Plan			
		with a slope down from east to west of about 6%. The			
Emisting Site Conditions.	-	graded, with no significant vegetation.			
	The seem providedly s	gradod, war no organioant vogotation.			
Daneity and Mass	Allowed	Dranged			
Density and Mass	Allowed 2.250 sq. ft	Proposed: 1 670 cg. ft			
	Allowed: 2,250 sq. ft.	Proposed: 1,670 sq. ft.			
· ,	Allowed: 2,700 sq. ft.	Proposed: 1,670 sq. ft.			
	1:3.09 FAR				
Areas:					
Lower Level:					
	1,012 sq. ft.				
Upper Level:	658 sq. ft.				
Garage:	0 sq. ft.				
Total:	1,670 sq. ft.	Note: master plan minimum is 1,172 sq. ft.			
Bedrooms:	3				
Bathrooms:	3				
Height (6A/6R):	-				
	20 1001 0 0 1011				
Lot Coverage/Open Space (21R):					
Lot Coverage/Open Space (21K).	Area	Percentage			
Building / non-Permeable:		43.98%			
Hard Surface / non-Permeable:		3.74%			
Open Space / Permeable:		52.28%			
Open Space / Fermeable.	2,090 Sq. 1t.	J2.20 /6			
Parking (18A/18/R):					
Required:	•				
Proposed:	2 spaces				
Snowstack (13A/13R):					
Required:	48 sq. ft.	(25% of paved surfaces)			
Proposed:		(100.78% of paved surfaces)			
F - 3 O W.	·	/			
Fireplaces (30A/30R):	0				
Theplaces (30A/30R).					
Carriage House / Accessory					
	N/A				
Apartment:					
0 1 1 (0.1/07)					
Setbacks (9A/9R):					
Front:					
Side:					
	10 ft.				
Rear:	42 ft.				
	The proposed home is s	imilar to other models approved in this neighborhood.			
	The design of the home	is compatible with other homes in this subdivision, and			
): meets the requirements of the Wellington Neighborhood Master Plan.				
Architectural Compatibility (5/A & 5/R):	meets the requirements	of the Wellington Neighborhood Waster Flan.			
	Scheme "Bark" - Hardbo	pard siding with 5"+/- reveal in "Woodlet", hardboard			
Exterior Materials:	Scheme "Bark" - Hardbowindow trim in "Burberry	pard siding with 5"+/- reveal in "Woodlet", hardboard beige", 2x6 cedar window header trim.			
Exterior Materials: Roof:	Scheme "Bark" - Hardbo	pard siding with 5"+/- reveal in "Woodlet", hardboard beige", 2x6 cedar window header trim. shingles			

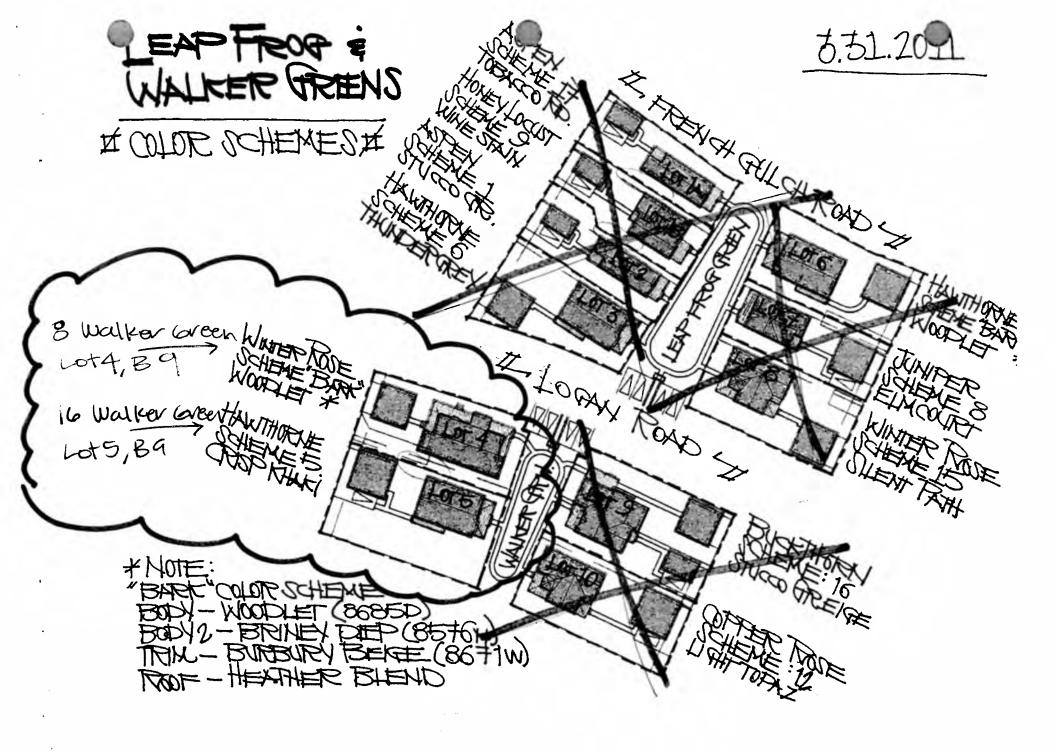
Lands caping (22A/22R):	No landscaping is proposed with this application. The landscaping was reviewed with the subdivision.			
Drainage (27A/27R):	Positive drainage is prop	posed away from the home.		
Point Analysis (Sec. 9-1-17-3):	All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.			
Staff Action:	• •	Single Family Home located at 8 Walker Green, Lot 4, see 2 with standard findings and conditions.		
Comments:	None			
Additional Conditions of Approval:	None			

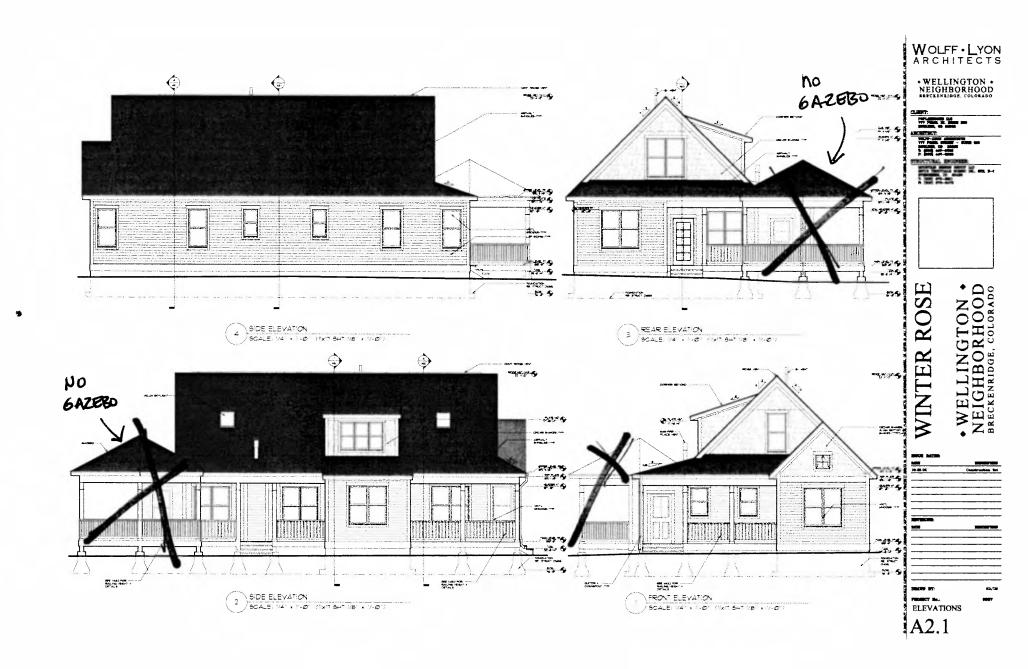


COMMUNITY DEVELOPMENT

	COMMUNITY DEVELOPMEN			
	Class C Development	Review Check List		
	-			
	Let F. Block O			
	Lot 5, Block 9,			
Project Name/PC#:	Wellington	PC#2011016		
1 Toject Name/T Cir.	Neighborhood, Single	1 0112011010		
	Family Home			
Project Manager:				
-	Michael Mosher - Planner III			
Date of Report:		April 19, 2011 Planning Commission Meeting		
Applicant/Owner:	Poplar Wellington Inc.			
Agent:	Traditional Neighborhoo	d Builders, Inc.		
Proposed Use:	Small Lot Single Family	Home - Hawthorne		
-	16 Walker Green			
		n Noighborhood 2		
	Lot 5, Block 9, Wellingto			
Site Area - (min. 3,500 SF):		0.14 acres		
Land Use District (2A/2R):	16 - Residential/Comme	rcial per Wellington Neighborhood Master Plan		
Existing Site Conditions:	The site is relatively flat,	with a slope down from east to west of about 6%. The		
	lot has been previously	graded, with no significant vegetation.		
	The state was a provided by	gradou, marino organicam regeranem		
D 1: 137	A			
Density and Mass	<u>Allowed</u>	<u>Proposed</u>		
Density (3A/3R):	Allowed: 2,250 sq. ft.	Proposed: 1,665 sq. ft.		
	Allowed: 2,700 sq. ft.	Proposed: 1,665 sq. ft.		
	1:3.72 FAR			
		<u> </u>		
Areas:	0 4			
Lower Level:				
	1,012 sq. ft.			
Upper Level:	653 sq. ft.			
Garage:				
	1,665 sq. ft.	Note: master plan minimum is 1,172 sq. ft.		
Total.	,	,		
Dadasassa	2			
Bedrooms:				
Bathrooms:				
Height (6A/6R):	23 feet overall			
Lot Coverage/Open Space				
(21R):	Area	Percentage		
				
Building / non-Permeable:		29.83%		
Hard Surface / non-Permeable:		8.51%		
Open Space / Permeable:	3,820 sq. ft.	61.66%		
Parking (18A/18/R):				
Required:	2 snaces	<u> </u>		
Proposed:	≥ spaces			
Snowstack (13A/13R):				
Required:	132 sq. ft.	(25% of paved surfaces)		
Proposed:	-	(39.47% of paved surfaces)		
Troposed.		(33/3 3. pa. 3a 3a.iaa33)		
T' 1 (00 1 (00 T)				
Fireplaces (30A/30R):	U			
Carriage House / Accessory	NI/A			
Apartment:	IN/A			
1 iputtinent.				
0-11-1 (0 1 (0 1)				
Setbacks (9A/9R):				
Front:	6 ft.			
Side:	4 ft.			
	25 ft.			
Rear:		<u> </u>		
Kear:	JJ 11.	<u> </u>		
	The management of the second	Smallen de callen escalelle escale de la Company		
	The proposed home is similar to other models approved in this neighborhood.			
	The design of the home is compatible with other homes in this subdivision, and			
& 5/R):	meets the requirements	of the Wellington Neighborhood Master Plan.		
Exterior Materials:				
Exterior Materials.	Scheme 5 - Hardi-board	siding with 5"+/- reveal in "Crisp Khaki", "Stucco		
		d wood window trim in "Burberry beige"		

Roof	"Mission Brown" Asphaltic shingles		
	No garage with this application		
Garage Doors.			
Lands caping (22A/22R):	No specific landscaping is proposed with this application. The landscaping was reviewed with the subdivision.		
Drainage (27A/27R):	Positive drainage is proposed away from the home.		
Point Analysis (Sec. 9-1-17-3):	All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.		
Staff Action:	Staff has approved the Single Family Home located at 16 Walker Green, Lot 5, Block 9, Wellington Phase 2 with standard findings and conditions.		
Comments:	None		
Additional Conditions of Approval:	None		







Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III

Date: March 31, 2011 (For meeting of April 19, 2011)

Subject: The Elk, Mixed Use Building (Class A, Second Preliminary Hearing;

PC#2011001) - (The last meeting was a first preliminary hearing.)

Applicant/Owner: Craig Burson

Agent: Janet Sutterley, J. L. Sutterley, Architect

Proposal: To construct a 2,980 square foot mixed use building with commercial/retail and

workforce housing uses. A 392 square foot garage is located at the rear of the lot. The commercial/retail use occurs on the front portion of the site on three levels (one below grade). The residential, workforce housing, is below grade, beneath

the garage, at the back portion of the site.

Address: 103.5 North Main Street

Legal Description: Lot 80, Bartlett and Shock Subdivision

Site Area: 0.085 acres (3,733 sq. ft.)

Land Use District: 19, Commercial at 1:1 FAR and Residential at 20 UPA (No concerns)

Historic District: Character Area #5, Main Street Residential/Commercial Character Area

Site Conditions: The property is currently vacant. A cluster of mature trees (spruce and aspen)

exist at the northeast corner of the lot. A paved walkway meanders through the property connecting the sidewalk at Main Street to the alley to the west. There is an unpaved parking area at the rear of the property off the alley. A shared access, snow stacking and parking easement between Lots 79 and 80 exists off the alley

at the back of the property. (See discussion below).

Adjacent Uses: North: Springmeyer/SCI Building (Historic)

East: Main Street and the Breckenridge Towne Square Mall

South: Gold Pan Saloon (Historic)

West: Sawmill Station Square parking lot, Schoonover Building

Density (mixed use): Allowed under LUGs:

Commercial: 2,354 sq. ft.
Residential: 633 sq. ft.
Total density: 2,987 sq. ft.

(*Note: residential uses have a 1,000 sq. ft. multiplier in this LUD*)

Proposed Density:

Commercial: 2,354 sq. ft. (79%)
Residential: 626 sq. ft. (21%)
Total density: 2,980 sq. ft.

(Note: Meets the criteria for the Downtown Overlay District)

Above Ground Density: Recommended: 1,234 sq. ft. (9 UPA)

Proposed: 1,490 sq. ft. (10.87 UPA)

Mass: Allowed under LUGs: 3,017 sq. ft.

Proposed mass: 1,962 sq. ft. (No concerns)

Square Footages	Residential	Commercial	Total Density	Mass	Above Ground Density
Lower Level	616 SF	874 SF	1,490 SF	0 SF	0 SF
Main Level	10 SF	1,064 SF	1,074 SF	1,446 SF	1,074 SF
Upper Level	0 SF	416 SF	416 SF	416 SF	416 SF
TOTAL	626 SF	2,354 SF	2,980 SF	1,862 SF	1,490 SF

Height: Recommended: 23'-0" (mean)

Proposed: 22'-3" (mean); 27'-6" (overall)

(No concerns)

Lot Coverage: Building / non-Permeable: 1,560 sq. ft. (41.8% of site)

Hard Surface / non-Permeable: 1,775 sq. ft. (47.5% of site)
Permeable Area: 398 sq. ft. (10.7 % of site)

Parking: Required: Per Parking Agreement

Proposed: Per Parking Agreement

Snowstack: Required: Per Parking Agreement

Proposed: Per Parking Agreement

Setbacks: Front: commercial; 0 ft.

Sides: commercial 0 ft., residential 3 ft.

Rear: residential 52 ft.

Item History

This proposal was last reviewed on February 15, 2011. At that meeting we heard the following issues from the Commission:

- 1. There was general support for the connector link meeting the intent of Priority Policy 80A.
- 2. There was also general support for the flat roof design as the link element.
- 3. Concerns were expressed about the quantity of stone on the commercial elevations.
- 4. The discussion of the point assignment of the open space resulted in most Commissioners supporting the assignment of negative three (-3) points, instead of negative six (-6).
- 5. The Commission felt that the application should not be addressing any potential Riverwalk improvements until the property is directly subject to these conditions in the future.

(*The following information was described in the last report and is repeated for reference*)

Lot 80, Lot 79 and the Town of Breckenridge share a *Grant and Dedication of Cross-Parking and Snow Stacking Easements and Agreement* that was recorded in 1991. The property owners (at that time) and the Town agreed to providing nine shared parking spaces, private snow-stacking easement and a three-foot windrow snow-stacking easement. According to this document (Hyde and CDC were the original owners of the properties):

"Breckenridge acknowledges that by the creation of the Combined Parking Areas, consisting of a total of nine (9) parking spaces, and the granting of easements for snow-stacking, pursuant to this Agreement, CDC and Hyde have satisfied all parking requirements of the Town of Breckenridge for the Properties, assuming maximum, full buildout of both properties".

Essentially, this means that, unless the Agreement is modified, amended, or abandoned, the parking requirement and layout for both properties, regardless of the building sizes, has "satisfied all parking requirements" and has identified the associated snow-stacking as shown in the exhibit. Hence, Policies 13, Snow Storage and 18, Parking, are not applicable in this review. The building on Lot 70 (SCI Building) encroaches into the snow stacking area of this parking/snow stacking agreement.

Staff reviewed this agreement with the Town Attorney and he acknowledges that the parking is shared and any development on Lot 80 should be allowed the same amount of encroachment (no more) at Lot 79. The current plans show that the SCI building encroaches 66.1 square feet into the easement and the garage on The Elk encroaches 50.04 square feet.

Additionally, on a separate issue, after this agreement was recorded, the previous property owner of Lot 80 and the property owner of Lots 81 & 82 (the Gold Pan) adjusted their shared property line by moving it north by about 3-feet. Hence, the parking and easement on Lot 80 is partially over the adjusted property line onto Lot 81. As a Condition of Approval, the Town is requiring an easement agreement between these two properties, Lot 80 and Lots 81&82, for this encroachment.

Changes since the February 15, 2011 Preliminary Hearing

- 1. The garage has been shifted slightly to the north. This adds additional offset for the connector link and additional planting space at the southwest corner.
- 2. The proposed paved area of the existing parking lot easement has been removed from Lot 81 (Gold Pan Property).
- 3. Both of the bay windows on the commercial portion of the building have been removed.
- 4. The dumpster on Lot 81 will be shared with the uses in this proposal.
- 5. The overall building square footage has been reduced slightly.
- 6. A small window with a window-well has been added to the basement of the commercial portion near the southeast corner.
- 7. The architecture on the garage 'outbuilding' is simplified with simpler fascia, rustic finishes and porch posts.
- 8. The proposed stone on the retail building is reduced.
- 9. There is some additional landscaping proposed.

Staff Comments

Architectural Compatibility (5/A & 5/R): During the last review, Staff heard the Commission agree that the majority of the Design Standards from the Handbook of Design Standards for the Historic and Conservation Districts and those in Design Standards for the Historic District Character Area #5, Main Street Residential/Commercial had been met with the proposed design. The exceptions are discussed below.

Priority Policy 80A: Use connectors to link smaller modules and for new additions to historic structures. The sizes of the commercial and residential modules are smaller than the suggested size of 1,400 square feet. The proposed drawings show a link that meets the intent of this policy on only the north elevation. Though not meeting the exact criteria, the wall planes are set back two-feet, the height

of the connector is clearly lower, and the separation of the larger masses is effectively accomplished by the width of the connector.

However, on the south elevation, the two-foot setback is not proposed. One reason, as described at the last hearing, was to protect the neighboring historic structure from ice and water damage. The applicant contends that the off-set, besides not being visible from public areas, is on the north side of the taller historic structure and would allow moisture to collect in an area where the sun would never shine potentially allowing water to damage the neighboring building. Per this Design Policy (Staff comments in *italics*):

- The width of the connector should not exceed two-thirds the façade of the smaller of the two modules that are to be linked. (Here, the 'width' refers to the width of the connecting elevations of the two structures and the width of the connector, not width of the side elevations. Since the connector abuts the commercial and garage along the south elevation, the plans do not reflect this design standard.
- The wall planes of the connector should be set back from the comers of the modules to be linked by a minimum of two feet on any side. (The plans show that this has been met only on the north side, not on the south.)
- The larger the masses to be connected are, the greater the separation created by the link should be; a standard connector link of at least half the length of the principal (original) mass is preferred. (In addition, as the mass of the addition increases, the distance between the original building and the addition should also increase. In general, for every foot in height that the larger mass would exceed that of the original building, the connector length should increase by two feet.) (This design standard addresses the side elevations of the connector. The principal building (the commercial portion to the east) is 32-feet wide. Hence the 'preferred' length of the connector would be 16-feet. It is shown at 13-6" or 2'-6" shy of meeting the preferred length. The second portion of this design standard is not applicable to this proposal since it is assuming there is an 'original building' with a 'larger mass' connecting.
- The height of the connector should be clearly lower than that of the masses to be linked. In general, the ridge line of the connector should be at least two feet less than that of the original, principal mass. (The connector is 16'-6" lower than the primary building and 8'-0" lower than the garage. The plans show that this has been met.)
- When adding onto a historic building, a connector should be used when the addition would be greater than 50% of the floor area of the historic structure or when the ridge height of the roof of the addition would be higher than that of the historic building. (Since there is no historic building associated with this application, this portion is not applicable.)

Staff notes that, in some cases, following the design standard to the letter may not produce the same results on certain properties. There are two previous projects that have been approved with similar situations; The Frank Brown House (currently Starbucks) and Fatty's Pizzeria. With each of those approvals, a variance was granted from Absolute Policy 5 as it relates to Priority Policy 80A of the *Handbook of Design Standards for the Historic and Conservation Districts*. At the last hearing, we heard majority support for this application meeting the intent of Priority Policy 80A. The applicant is seeking a variance to this Design Standard with the final review.

Policy 198 - "Building height should be similar to that of nearby historic buildings.

- Primary facades should be 1 or 1-1/2 stories tall.
- If two story portions are to be constructed, they must be set back from the primary facades to minimize their visual impact."

At the last hearing, concern was voiced as to whether the façade facing Main Street met the criteria for a two-story building. Since the initial worksession review on October 28, 2010, the plate height of the second level has been dropped such that the Main Street Elevation shows a 1-1/2 story façade. Staff has no concerns.

Building Scale: As currently proposed, the above ground density is slightly reduced from the last hearing to 1,490 square feet, or 10.87 UPA. This is over the suggested 9 UPA (1,234 square feet). As a result, negative twelve (-12) points will be incurred.

Building Materials: This portion of the character area was originally developed as part of the commercial core of Main Street (1882 through1917). The *Design Standards for the Historic District Character Area #5, Main Street Residential/Commercial* do not specifically address stone accent applications in relation to commercial use buildings. In this Character area the primary building materials were painted wood siding. Priority Policy 200 states "*Masonry (brick or stone) may only be considered as an accent.*"

The proposed elevations show that the majority of the primary façade of the main building is clad in a 4-1/2 reveal horizontal lap siding with a 2-foot tall stone base. Since the last hearing the north elevation has been changed to show a stone base about 2-feet tall as well.

This building is between two historic buildings whose main façades are lap siding with no stone. We see taller examples of stone bases in the Core Commercial Character Area. We suggest lowering the stone to no taller than 6-inches along all façades. We welcome any Commissioner comment.

Doors and Windows: Since the last review, the bay windows at the east and north elevations have been removed bringing the character of the commercial portion of the building to a true commercial appearance. We have no concerns.

Ornament and Detail: Since the last meeting the drawings show that the ornament and details on the outbuilding are more rustic in nature. The finishes are also in keeping with typical outbuildings in Breckenridge.

Per Design Standard 91,

Use building components that are similar in size and shape to those found historically along the street. * *These include windows, doors and porches.*

Policy:

If ornamental details are to be used that are similar to those used historically, they should appear to be functional in the same manner in which they originally occurred. Ornamental details should appear to perform an obvious function. Traditionally, decorative brackets were used to support overhanging cornices, for example. Today, when such details are applied, they should be used in similar ways.

Staff has concerns about the detailing on the railing surrounding the upper level deck between the commercial building and the garage. The style is not typical of any fence or railing seen in the Historic District and staff believes this could confuse the character and possibly set unwanted precedent. We suggest a wooden or wrought iron railing similar to a fence. We welcome Commissioner comment.

Summary of Applicable Historic Standards with Policy 5

As stated above, the proposal is in general compliance with most of the key Design Standards as they relate to Policy 5/A and 5/R with possible exception of the proposed module link (a variance under Policy 5/A) and the amount of stone at the base of the commercial building (Policy 5/R). We welcome any Commissioner comment.

Placement of Structures (9/A & 9/R): As a mixed use structure there are different setbacks required for each use. Commercial uses are allowed a zero (0) foot setback. Residential structures should have a relative setback of: Front Yard = 15-feet; Side Yard = 5-feet; and Rear Yard = 15-feet.

As shown on the drawings, the commercial use has a front yard setback of zero (0) feet, side yards of zero and 2-feet, and the rear yard is over 74-feet.

The current drawings show that the residential portion is not meeting the suggested 5-foot relative setback at the north property line. However, it is meeting the absolute 3-foot setback. As a result negative three (-3) points are being incurred.

Refuse (15/A and 15/R): Since the last review, the applicant has entered into an agreement with the owner of Lots 81 and 82 (The Gold Pan) to share the existing dumpster located on lot 81. A copy of this agreement will be required prior to issuance of a building permit. Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Per Policy 16/R: (1) Pedestrian Circulation: Whenever appropriate to the type and size of the development, the inclusion of a safe, efficient and convenient pedestrian circulation system is encouraged. The provision of pedestrian circulation areas adjacent to and at the same level as adjacent sidewalks is strongly encouraged.

The drawings show a mid-block connection between Lots 79 and 80. Staff has discussed the plan and noted that part of the walkway is on Lot 79. The owner of Lot 79 is supportive of the shared access and since the applicant is paying for and constructing the walkway (and landscaping). A pedestrian access easement agreement will be required between the owners of Lot 79 and 80. We support awarding the positive three (+3) points for this application.

Open Space (21/R): Commercial areas are encouraged to provide a minimum of 15% open space or incur negative points. Open space areas that can be counted must meet this definition:

Landscaping areas, strips, planters, etc., with a minimum dimension in all directions of five feet (5'), and with a minimum overall size of fifty (50) square feet.

The drawings show that 10.6% of the site area is permeable. At the last hearing, we heard support for assigning negative three (-3) points for this policy rather than negative six (-6) points as a result of providing the landscaped public pedestrian connection between Lots 80 and 79.

Landscaping (22/A & 22/R): The applicant has elected to have this development permit reviewed under the recently adopted Landscaping Ordinance (Ord. 1, 2011) as this application was submitted prior to the effective date of January 19, 2011.

Staff is working with the applicant and agent to look at a landscaping plan that could be awarded positive two (+2) points. The agent has met with Planning Staff and a Certified Arborist regarding the existing trees on the property. The landscaping plan (to be reviewed in detail at the next hearing) will involve the relocation of all the existing healthy mature trees to other locations on the site, adding larger specimens as needed, and a providing comprehensive landscape plan using Xeriscaping with native species is proposed. If the Commission concurs, Staff would be supportive of the proposal and may be suggesting positive two (+2) points at the final hearing.

Social Community / Employee Housing (24/A &24/R): The plans show an employee unit of 626 square feet. This is over 10% of the total density and, as a result, will be awarded positive ten (+10) points at final review.

Utilities Infrastructure (26/A & 26/R; 28/A): All needed utilities exist in the Main Street Right of Way and along the public alley. Staff has no concerns.

Drainage (27/A & 27/R): Site drainage will be reviewed at the next hearing.

Energy Conservation (33/R): The applicant has elected to have this development permit reviewed under the recently adopted Energy Conservation Ordinance (Ord. 2, 2011) as this application was submitted prior to the effective date of March 2, 2011.

The agent has been working with a qualified engineer and the Community Development staff to provide the needed data to be awarded positive three (+3) points under this policy. Current plans are that the insulation in the roof and walls will be increased, windows, and a high efficiency forced air furnace is being proposed. The agent will verbally review the key elements that are being applied during the meeting.

A small portion of the concrete walk at the public pedestrian connection abutting the garage is proposed to be heated for safety. Staff is not suggesting any negative points associated with this proposal.

Point Analysis (Section: 9-1-17-3): At this hearing we are seeing negative points being incurred for the above ground density overage (-12 points), side yard setbacks (-3 points) and open space (-3 points) for a total of negative eighteen (-18) points.

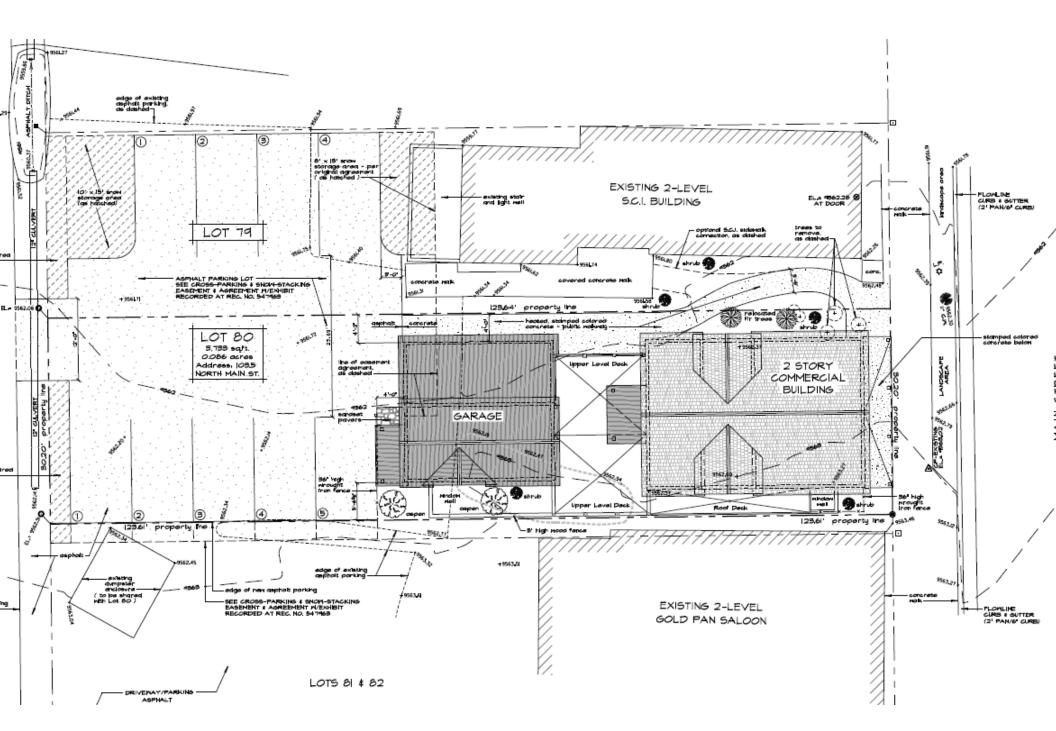
Positive points are being sought for the public pedestrian connection (+3), landscaping (+2), employee housing (+10), and energy conservation (+3) for a total of positive eighteen (+18). If approved, this would result in a passing score of zero (0) points for the proposal.

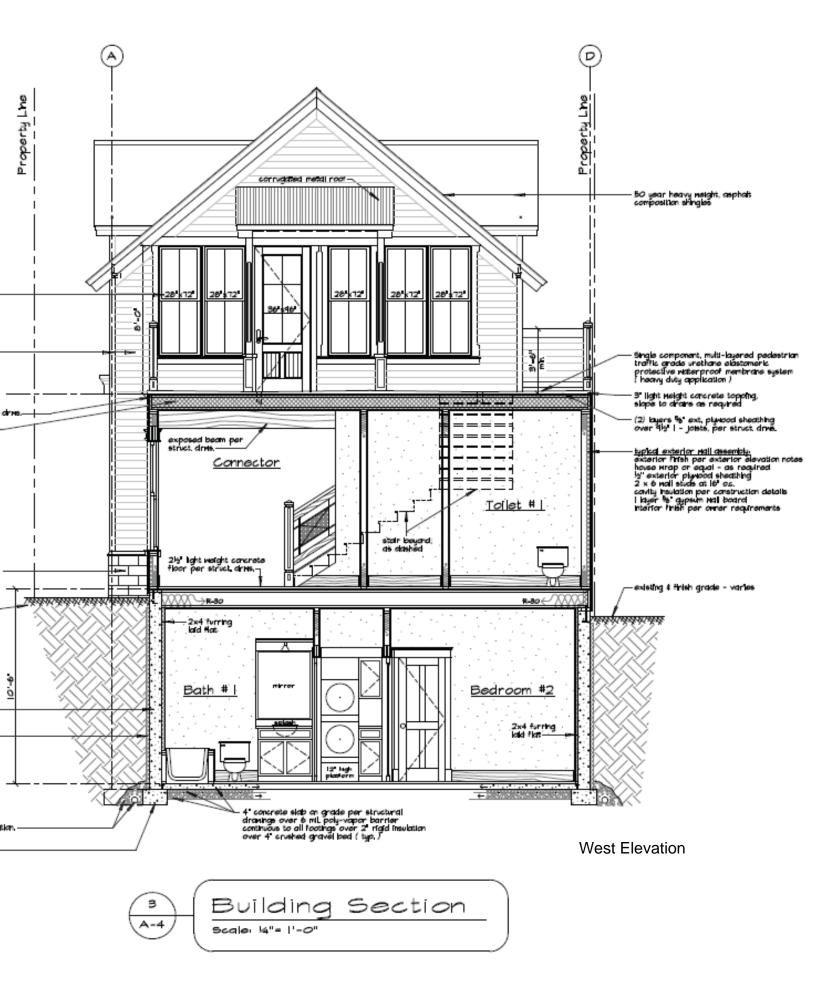
Staff Recommendation

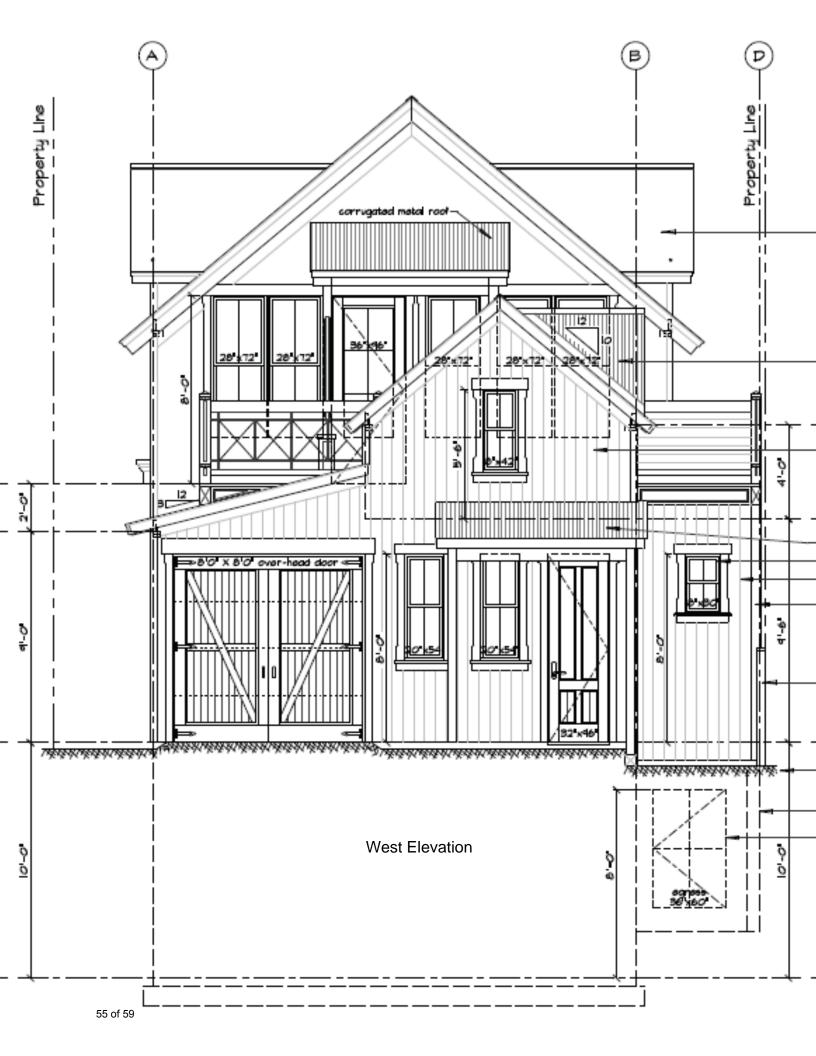
The applicant and agent have made efforts to address the concerns of both the Commission and Community Development. There are still a few items we'd like to discuss. We have the following questions for the Commission:

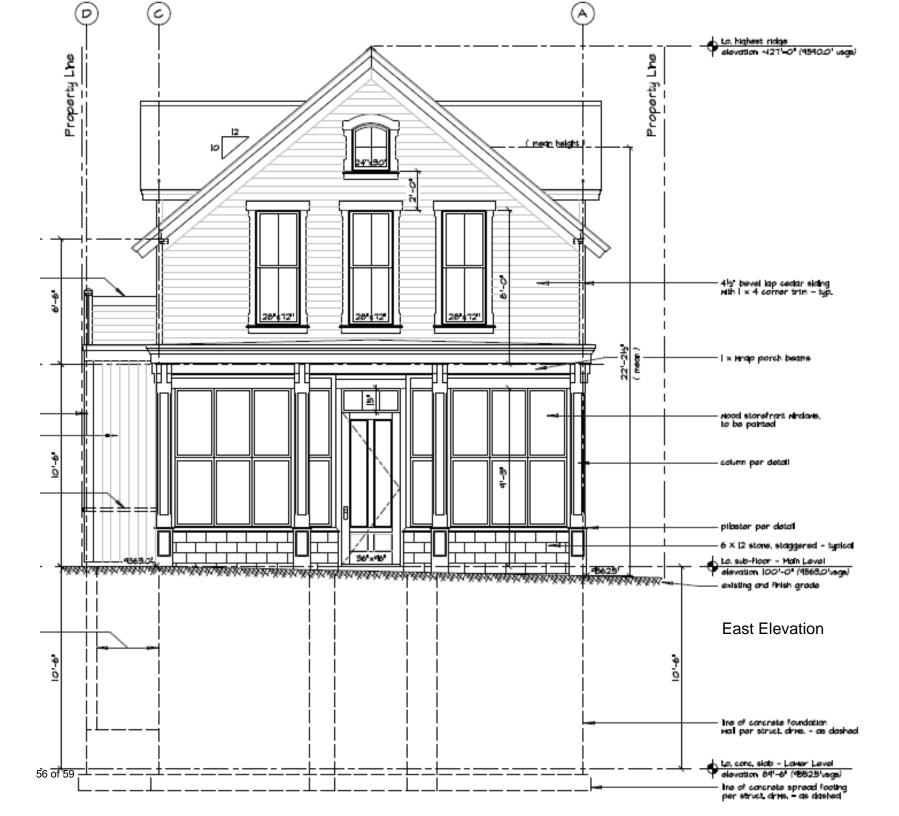
- 1. Does the Commission believe the stone wainscot shown on the east and north elevations of the commercial building should be reduce from 24-inches to 6-inches?
- 2. Staff is suggesting a wooden or wrought iron railing similar to the fence on grade be used for the upper deck railing. Does the Commission concur?
- 3. Would the Commission support processing a variance at the next hearing to allow the connector link (Policy 80A) to be constructed as shown?

We welcome any additional comments.



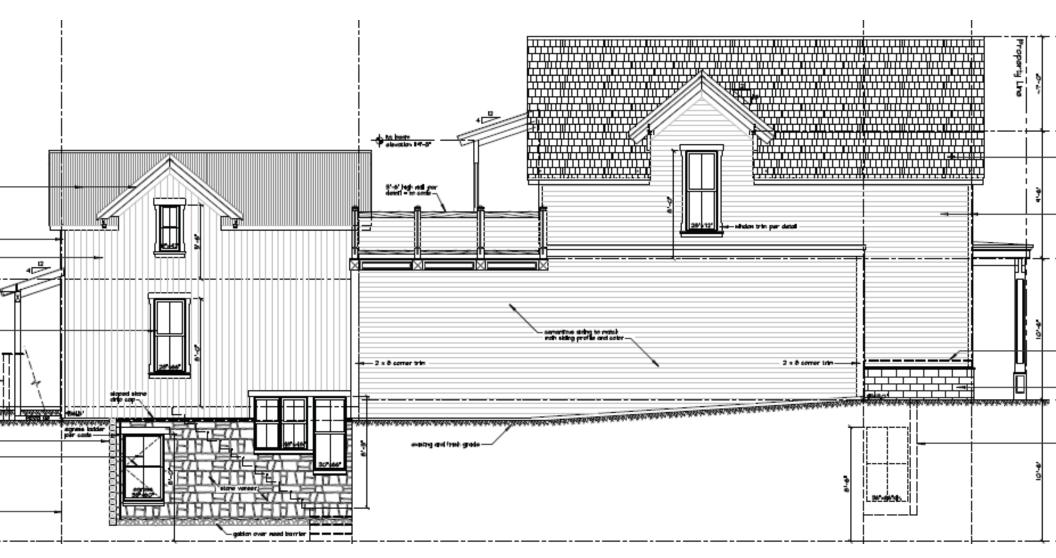








North Elevation



South Elevation

GENERAL PRODUCT INFORMATION

Adornments for Aegis II®







l Flare



Finials or Rings always add a decorative flair to any Aegis II® fence.



Rings and Finials for Aegis Plus®

Ameristar's unique patented (pending) ring design provides secure and beautiful attachment with no exterior fasteners.

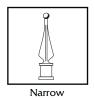




Ameristar's unique flare finial adds a beautiful look and can be attached either of two ways.









59 of 59

Page 14

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: April 11, 2011 (For Meeting of April 19, 2011)

Subject: Gold Pan Bar and Restaurant Foundation

Combined Hearing/Class B Minor - Historic: PC#2011013

Owner/Applicant: Silverheels Inn, Inc. (Reginald Gray)/Randy Kilgore (G.C.)

Proposal: Construct a foundation underneath the historic saloon on Lot 81-82, Bartlett & Shock.

Summit Construction Specialties Inc. (Randy Kilgore) intends to stabilize the existing structure by shoring and cribbing as necessary. Then excavate (starting in the existing 292 sq. ft. basement) the south half of the building to provide crawl space (2-3) in height) and install concrete foundation and subfloor. The applicant will then excavate the north half of the building and install a foundation. Finally, they will level and plumb (make vertical) the existing structure as much as possible with a new subfloor and main support beams. If and when the vacant lot to the north is developed, the applicant will add a tall foundation wall to match the depth of the dig at the proposed Elk Building to the north. No other improvements are proposed at this time. (Please

refer to the attached plans for details).

Address: 103 North Main Street

Legal Description: Lot 81-82, Bartlett & Shock

Site Area: .13 Acres (5,950 Square Feet)

Land Use District: 19 – Commercial – 1:1 FAR

Historic District: (6) Core Commercial

Site Condition: Lots 81 - 82 are located on the west side of N. Main Street, in the heart of downtown.

The Gold Pan Bar and Restaurant is comprised of what historically was two buildings, with a common center wall. The building has a zero setback to the lot line along the Main Street sidewalk. There is parking and a dumpster enclosure in the rear of the

property accessed from the alley.

Adjacent Uses: North: Vacant lot (proposed Elk Building)

South: Sterling Building (commercial)
East: Breckenridge Town Square Mall
West: Schoonover Building (mixed-use)

Item History

The building to the south originally consisted of a one-story structure, built in the 1880's and used historically as a saloon. The building to the north was constructed in 1905, initially housing "Bradley's Bowling Alleys & Pool & Billiard Rooms." The second story was added over both buildings in 1911, and the two combined buildings subsequently became known as the "Bradley Block."

Staff Comments

The applicant intends to excavate by hand from the existing 292 sq. ft. basement for the south building. They will use a conveyor belt to get the material out from under the south building while the foundation is built. Then the applicant will back fill under the south building creating a crawl space 2-3 feet in height. The north building will be dug under using a mini-excavator accessed from vacant Lot 80, owned by Craig Burson, use agreement between owners, Craig Burson and Reginald Gray will be provided prior to the building permit being issued.

Staff is comfortable with this foundation technique. It has been used successfully in the past on other historic residences such as the Briggle House, Carter Museum, West Residence, and most recently the Sutterley Residence (where Randy Kilgore, G.C. used the same technique successfully). Staff is pleased with the proposed foundation improvements, as they will help stabilize and preserve the structure. In order to ensure that the overall height of the building will not increase, the applicant provided an improvement location certificate (ILC), demonstrating the existing grade (9,563.98 floor elevation at front door) and ridge elevations (9,590.60 roof elevation). Prior to Certificate of Completion, the applicant will demonstrate that the building has not risen in height.

Point Analysis: As done in the past, only those policies relevant to the scope of this application are to be reviewed and assessed points. (i.e. density, mass, building placement are irrelevant, as they are not proposed to be altered). Consequently, the Planning Department conducted a Point Analysis for this project and found it to pass all the Absolute and Relative Policies of the Development Code with an overall score of six positive points (+6). Six positive points (+6) are recommended under Policy 24/R Social Community for the on-site historic preservation effort of average public benefit, and no negative points are suggested to be allocated to the project.

Per Policy 24/R Social Community, E. Historic Preservation and Restoration:

+3 On site historic preservation/restoration effort of minimal public benefit.

Examples 1: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details.

+6 On site historic preservation/restoration effort of average public benefit.

Examples: Preservation of, or the installation of a new foundation, structural stabilization, complete restoration of secondary structures.

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

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

+12 On site historic preservation/restoration effort with a significant public benefit.

^{1.} 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 title.

Example: Restoration/preservation efforts which bring a historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style and respecting the historic context of the site that fall short of a pristine restoration.

+15 On site historic preservation/restoration effort with a very significant public benefit.

Example: Restoration/preservation efforts to a historic structure or site which bring the historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style and respecting the historic context of the site with no new structures or additions and the removal of all noncontributing features of a historic structure or site. Such restoration/preservation efforts will be considered pristine." (Ord. 25, Series 2004)

Examples of recent projects that received positive points for Historic Preservation are listed below:

St. Mary's Church Rectory (+6 points): Installation of a new foundation, restoration and repair of historic windows, replacement of non historic windows with more appropriate wood windows, replacement of damaged siding replacing non-historic doors, re-pointing the historic chimney, patching and repairing trim, replacing the asphalt roof, and replacing garage door with more appropriate door detailing.

Randall Residence (+ 9 points): The primary historic preservation efforts in this application include the full restoration of the historic barn (including a new foundation, restored roof, new chinking and removal of north shed), and the installation of a foundation under the historic home. The front porch on the historic home was also restored.

<u>Watson/McMenamy (+9 points)</u>: One of the most significant restoration efforts for this site included the relocation and restoration of the McMenamy Residence. This historic building previously encroached into the Watson Avenue right-of-way by 1.2'. The building was not on a foundation, and the floor and roof slanted significantly. Moving this building onto the site and placing it on a foundation has improved the structural stability and livability of the building.

Based on past precedent for on-site historic preservation efforts, Staff recommends that six positive points (+6) be awarded to the project under Policy 24/R Historic Preservation.

Staff Recommendation

The Planning Department has advertised this project as a Combined Preliminary and Final Hearing as we believe all relevant issues have been resolved. We suggest that the Planning Commission approve the Gold Pan Bar and Restaurant Foundation request (PC#2011013) with the attached Point Analysis and Findings and Conditions. If the Commission does not agree with our analysis, we ask you to modify the Point Analysis and Conditions of Approval as you see fit, or to provide feedback to the applicant and Staff.

Final Hearing Impact Analysis

Project: Gold Pan Bar and Restaurant Foundation
PC# 2011013 **Positive Points** +6

Date: 04/11/2011

Staff:

Negative Points 0 Matt Thompson, AICP

Total Allocation:

+6 Items left blank are either not applicable or have no comment

Soot	Items lett diank are eitner no			
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/D		(1>2)	 	
6/R	Building Height Inside H.D 23 feet	(-1>-3)		
6/R	Building Height Inside H.D 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)	 	
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation			
6/D	District Density in roof structure	1v(±1/4)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
	Site and Environmental Design / Driveways and Site Circulation	,		
7/R	Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
9/A	Placement of Structures Public Sefets	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
4.5.15				
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies	 	
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2+2)	<u> </u>	

19/A 20/R 21/R 21/R	Loading Recreation Facilities	Complies 3x(-2/+2)		
21/R				
		3x(-2/+2) 3x(-2/+2)		
	Open Space - Private Open Space			
	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		to shall all and a first and a
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	+6	Installation of a new foundation and structural stabilization.
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		

TOWN OF BRECKENRIDGE

Gold Pan Bar and Restaurant Foundation 103 N. Main Street Lot 81 – 82, Bartlett & Shock PERMIT #2011013

STAFF RECOMMENDATION:

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

FINDINGS

- 1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
- 2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **April 11, 2011,** 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 **April 19, 2011**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
- 6. The Breckenridge Planning Commission hereby finds that the addition of a foundation below the building will result in an average public benefit. The current building on the property has no foundation, and installation of a foundation will substantially improve the structural integrity of the building. The Planning Commission has assigned six positive points (+6) in the final point analysis for historic preservation. The Applicant realizes the significance and importance of this historic resource to the Town of Breckenridge and the community at-large, and will do everything in their power to protect this valuable historic asset.

CONDITIONS

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires three years from date of issuance, on **April 26, 2014,** unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

- 5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of completion for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
- 6. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.
- 7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
- 8. Applicant shall notify the Town of Breckenridge Community Development Department prior to the removal of any building materials from the historic structure. Applicant shall allow the Town of Breckenridge to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property. Any such action could result in the revocation and withdrawal of this permit.
- 9. Applicant shall notify the Town of Breckenridge Community Development Department of any window or door openings or other architectural features discovered during the restoration, or renovation of any buildings on the property. If the window or door openings are determined by the Town of Breckenridge to be historic, the Applicant may be asked to revise the development plan to incorporate such features to the extent reasonable. The applicant may be required to return to the Planning Commission, as determined by Staff to have these changes approved.
- 10. Prior to blocking or closing any public street, sidewalk, alley or right-of-way, Applicant shall contact the Town of Breckenridge Public Works Department at least 48 hours in advance. The Public Works Department shall have the final authority on whether or not (and when) to close a public street, sidewalk, alley or right-of-way.

PRIOR TO ISSUANCE OF BUILDING PERMIT

- 11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 12. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor (including subcontractors moving the main residence) and the Town's project Manager, Chief Building Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).
- 13. An Improvement Location Certificate (ILC) from a Colorado registered surveyor showing the top of the existing historic buildings' ridge heights shall be submitted to the Town. An ILC showing the top of the existing buildings' ridge heights must also be submitted to the Town after construction activities, prior to the certificate of occupancy. The building is not allowed to increase in height due to the construction activities, other that what the Town has approved.
- 14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
- 15. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove.

Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

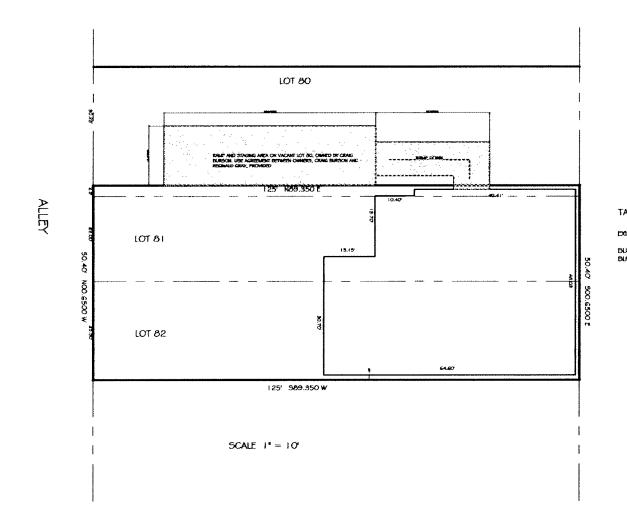
16. Applicant shall install construction fencing around the construction site in a manner acceptable to the Town Planning Department. An on site inspection shall be conducted.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLETION

- 17. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
- 18. Applicant shall provide the Planning Staff with a copy of the Use Agreement between the owner of Lot 80, (Craig Burson); and Silverheels, Inc (Reginald Gray), owner of the Gold Pan, to create a ramp and staging area on vacant Lot 80, Bartlett & Shock.
- 19. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
- 20. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
- 21. No Certificate of Completion 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. As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.
- 22. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

THE HLAN NOTES

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TABULATIONS

BUILDING MAIN 2962.45 G.5.F. 2436.00 G.5.F.

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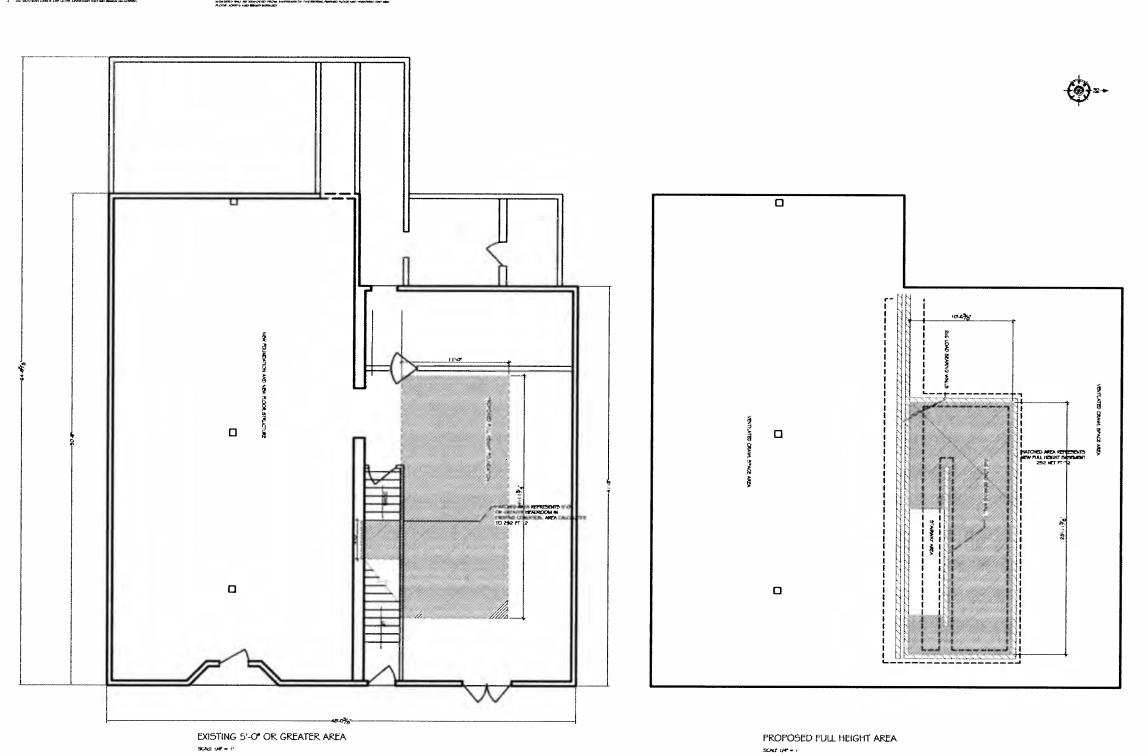
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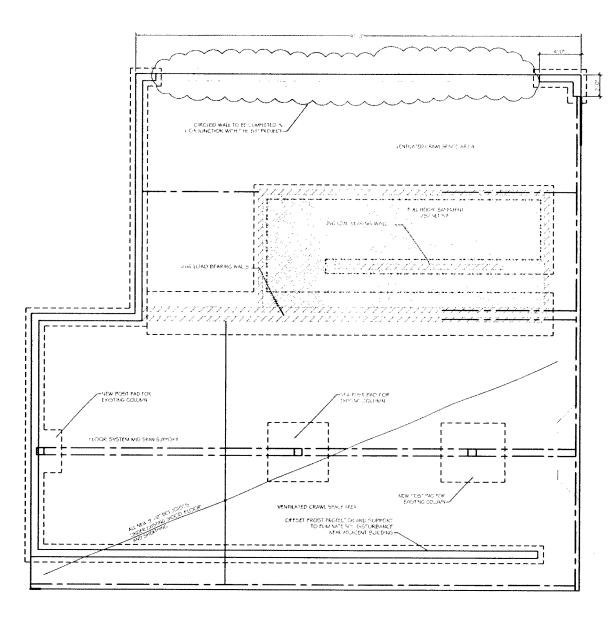
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MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker

DATE: April 13, 2011

SUBJECT: Planning Commission Fall Field Trip

We last discussed a possible Planning Commission field trip during the March 1st meeting. The purpose of the trip is to see how other communities handle some of the planning issues that we face in Breckenridge. Some of the issues and places to visit may include:

General Issues: historic districts, affordable housing, open space, sustainability, complete streets

Vendor carts and temporary structures Solar panels and sustainable development Changing real estate market

Obsolete, large projects

Redevelopment

Telluride: historic core and an obsolete Mountain Village

Aspen: historic character issues

Steamboat: problems with historic preservation

Durango: historic district standards

Santa Fe: impact of the arts

Another idea is to review existing projects in Breckenridge to see how we like the developments that we have approved, and if the results were as expected. We could also provide tours of Town owned facilities, such as the Arts District and Cucumber Gulch. We have done this type of trip in the past and it has been enlightening to see the Commission's reaction to projects we have approved, and to discuss how we would change a decision or our policies, if at all. This could be accomplished in conjunction with a full retreat, or as a site visit on the day of one of the Commission's meetings.

Once we have identified the topics and issues of importance, we can design a field trip to address the Commission's needs.