

Town of Breckenridge
Planning Commission Agenda
Tuesday, July 5, 2011
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the July 5, 2011 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes June 21, 2011 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Derickson Residence (MGT) PC#2011040 887 Gold Run Road	16
	2. Prestesater Residence (MGT) PC#2011041 1477 Highlands Drive	22
7:15	<i>Worksessions</i>	
	1. Giller Residence SFR (MM) 306 South Ridge Street	28
9:00	<i>Town Council Report</i>	
9:10	<i>Final Hearings</i>	
	1. The Elk Building and Variance Request (MM) PC#2011001 103.5 North Main Street	35
10:05	<i>Combined Hearings</i>	
	1. Master Plan Amendment, Tract C, Shores at the Highlands (MM) PC#2011039 87 Shores Lane	60
	2. Subdivision Amendment, Tract C, Shores at the Highlands (MM) PC#2011038 87 Shores Lane	70
10:35	<i>Other Matters</i>	
10:45	<i>Adjournment</i>	

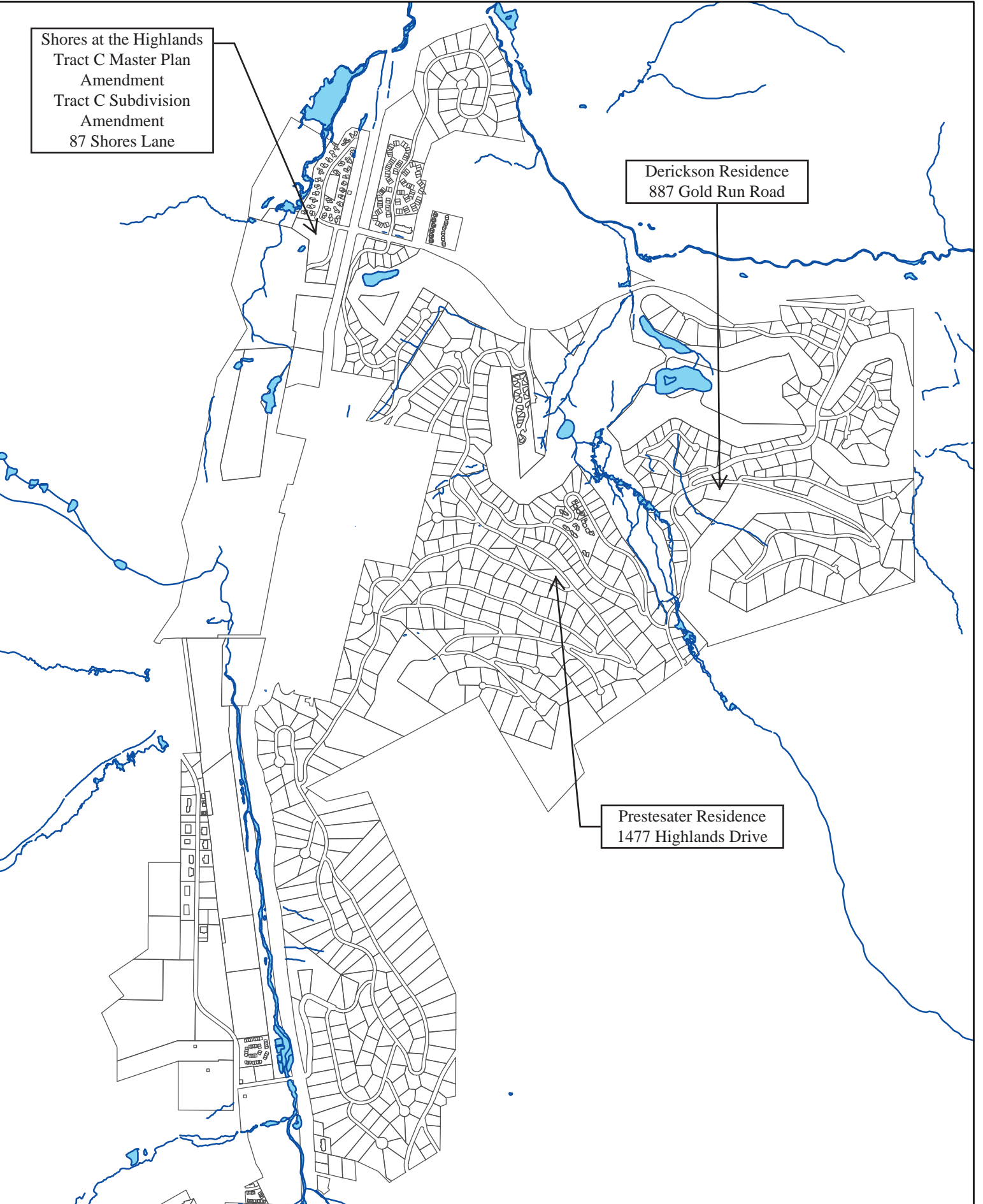
For further information, please contact the Planning Department at 970/453-3160.

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

Shores at the Highlands
Tract C Master Plan
Amendment
Tract C Subdivision
Amendment
87 Shores Lane

Derickson Residence
887 Gold Run Road

Prestesater Residence
1477 Highlands Drive



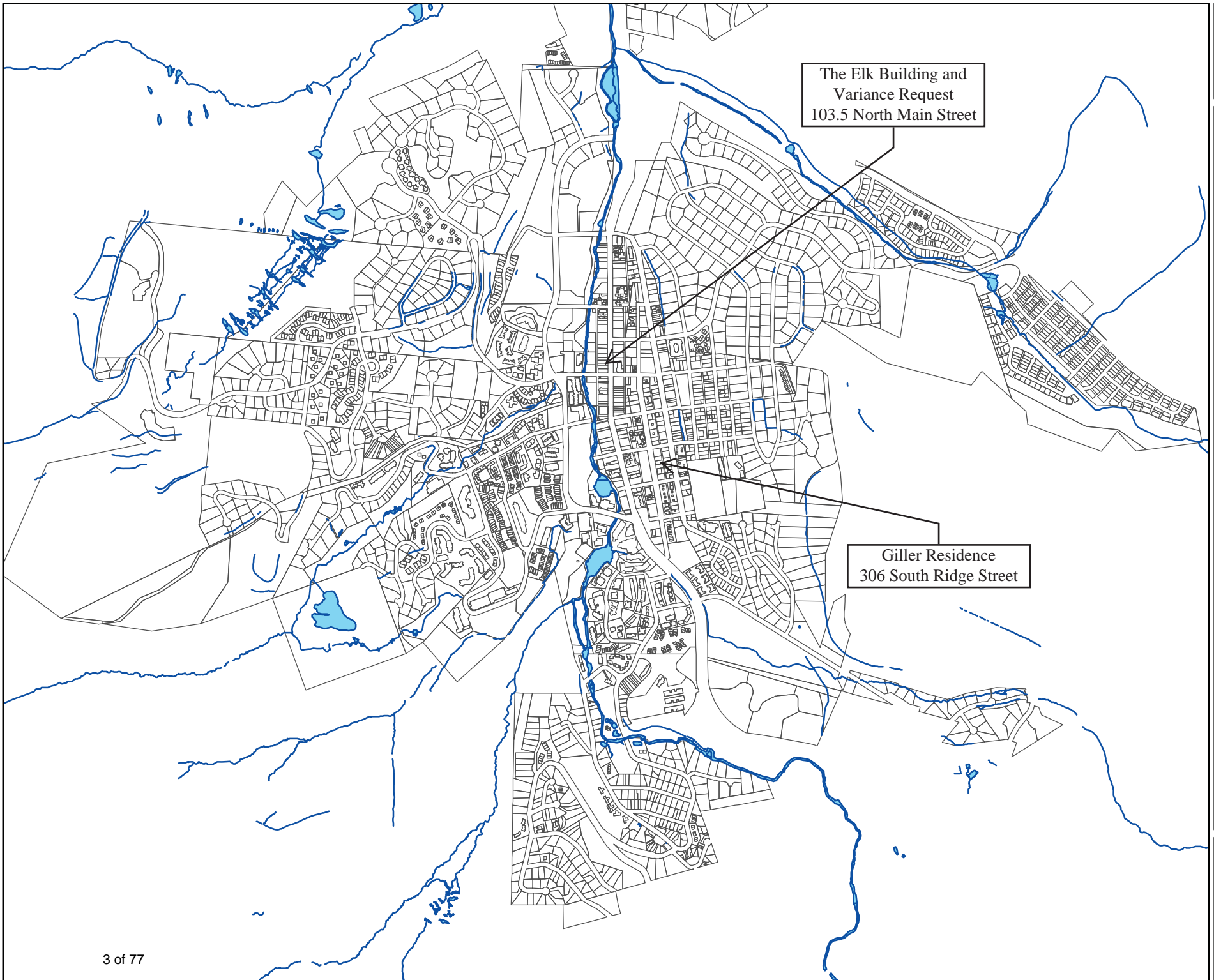
Breckenridge North

Town of Breckenridge and Summit County governments
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printed 4/12/2011



NOT TO SCALE



NOT TO SCALE

printed 4/12/2011

Breckenridge South

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



PLANNING COMMISSION MEETING

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

ROLL CALL

Kate Christopher Gretchen Dudney Dan Schroder
Dave Pringle Trip Butler Michael Rath

There was no Town Council member present.

APPROVAL OF MINUTES

With no changes, the June 7, 2011 Planning Commission meeting minutes were approved unanimously (4-0). (Mr. Butler and Mr. Rath abstained as they were not present at the June 7 meeting.)

APPROVAL OF AGENDA

With no changes, the June 21, 2011 Planning Commission meeting agenda was approved unanimously (6-0).

Mr. Schroder: Question about the Tract C Shores applications. Why are there PC numbers at a worksession? (Mr. Mosher: Numbers assigned as it was entered into the permitting software, application came in as a preliminary and was later decided to present as a worksession.)

ELECTION OF CHAIR AND VICE CHAIR:

Mr. Neubecker announced the resignation of Jack Wolfe, previous Planning Commission Chair. Due to his resignation, a new Chair and Vice Chair need to be elected through October 31, 2011.

Mr. Pringle discussed concern about having full commission board before electing both positions. Mr. Neubecker expressed importance of filling positions now due to recent events and uncertainty of future. Also, the new member may not have Planning Commission experience, and it's unlikely they would be elected to the Chair or Vice-Chair position.

Ms. Dudney made a motion to nominate Mr. Schroder as Chair of the Planning Commission through October 31, 2011. Mr. Butler seconded, and the motion was carried unanimously (6-0).

Mr. Butler made a motion to nominate Ms. Dudney as Vice Chair of the Planning Commission through October 31, 2011. Ms. Christopher seconded, and the motion was carried unanimously (6-0).

CONSENT CALENDAR:

1. Sunrise Ridge Townhomes Exterior Remodel (MGT) PC#2011037, 436-446 White Cloud Drive

Mr. Pringle: Are there enough natural materials being added/does this satisfy the policy? (Mr. Thompson: They are replacing the synthetic stone in place currently with natural stone base; hand railings and deck in the rear of the buildings will be natural wood; new traditional deck hand rails in front will be natural wood as well; doors are natural wood; existing wood ceilings to remain at all unit decks and entry porches; existing wood trim at circular openings to remain at end unit elevations; dormers will remain natural wood; significant amount of natural materials; would like to see cement on backside of building to be stoned as well (but due to cost savings Applicant said they did not want to stone that area).) (Ms. Brenda Moczygemba (Stais Architects): Mr. Thompson touched on most of it. No additional comments.) Are there less natural material being used if you look at the railings on a percentage basis? (Ms. Moczygemba: Yes, but this will give the building a more modern look and will be more aesthetically pleasing.) (Mr. Neubecker: The question is if it meets the code. The code does not state the amount of natural materials needed, so it is up to the commissioners to decide.)

Ms. Dudney: Is there a way to get guidance from the Town Council with this language?

Mr. Pringle: Did Council take the matter up or ask questions at the last meeting regarding this issue? Are they aware of the concern and why we had the discussion? (Mr. Thompson: Yes. They read the Commission minutes.) I would like to call-up the project to talk about the natural materials policy.

Mr. Pringle made a motion to call up the Sunrise Ridge Townhomes Exterior Remodel, PC#2011037, 436-446 White Cloud Drive. Ms. Dudney seconded, and the motion was carried unanimously (6-0).

Mr. Thompson presented the materials being used along with features within the proposal.

Commissioner Questions/Comments:

- Mr. Pringle: Not sure how in-depth we want to get into remodeling an existing building. I am wondering if we are taking a very strict interpretation of the policy. Not opposed to the deck and railing that Mr. Thompson showed, but is the policy being implemented as the Council wanted it to be? (Mr. Neubecker: I believe that it was left vague for a reason, allowing the Commissioners to interpret it. New construction has happened using new materials; the intent of the ordinance was to leave flexibility within the Code.)
- Mr. Schroder: We have Mr. Pringles' concern about the policy on record.
- Ms. Dudley: The fact that we discussed using percentages and the Town Council did not want it written that way; it means they intended us to approve the projects if they meet the terms with natural materials being used on each elevation.
- Mr. Butler: I believe that this is an example of the current economic conditions.
- Mr. Pringle: Discussed concern about the fiber cement siding. Asked if the new Ordinance only applied to siding, not including trim. (Mr. Thompson: Trim was discussed in the Town Council meeting. Fiber cement material can be used for trim as well.)
- Ms. Christopher: Believes the language of this new Code section needs some work. Perhaps the percentage of natural versus fiber cement material is necessary. (Mr. Neubecker: The idea of changing the Code should be discussed outside this application; you would have to vote on changing the point-analysis.)
- Mr. Rath: Is the question about the aesthetic or about the natural material?

Mr. Schroder opened the hearing to public comment.

Mr. Steven Wesley, Sunrise Ridge Owner: This complex is on the edge of the forest and the homeowners are very concerned about wildfire danger. We want fire resistant material, especially considering the fires in Colorado, Arizona and New Mexico. It is about the safety of the people. Also, the homes sit on a ridge so there is no visibility to the back of the homes because of the steepness; it is unbuildable and unseen. Everyone is trying to do the right thing to protect their lives and to make the buildings look nice.

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

Mr. Pringle made a motion to change the point-analysis from a score of zero to negative three (-3) under policy 5/A-Architectural Compatibility. Mr. Butler seconded the motion. The motion failed with a tie vote (3-3).

Ms. Dudley made a motion to approve the point analysis for the Sunrise Ridge Townhomes Exterior Remodel, PC#2011037, 436-446 White Cloud Drive, as presented by Staff. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

Ms. Dudley made a motion to approve the Sunrise Ridge Townhomes Exterior Remodel, PC#2011037, 436-446 White Cloud Drive, with the presented findings and conditions. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

2. Wellington Neighborhood Garage (MM) PC#2011029, 16 Walker Green
3. Wellington Neighborhood Garage (MM) PC#2011030, 8 Walker Green
4. Wellington Neighborhood Garage (MM) PC#2011031, 24 Leap Frog Green
5. Wellington Neighborhood Garage (MM) PC#2011032, 12 Leap Frog Green
6. Wellington Neighborhood Garage (MM) PC#2011033, 14 Leap Frog Green
7. Corkscrew Flats Lot 18 (CN) PC#D11-118, 297 Corkscrew Drive

Mr. Schroder made a motion to call the item Corkscrew Flats Lot 18, PC#D11-118, 297 Corkscrew Drive. Mr. Pringle seconded, and the motion was carried unanimously (6-0).

Mr. Neubecker: Earlier this year we discussed policy 33/R Energy Conservation. We adopted changes to the energy policy numbers. This home achieved a HERS score of 71 which means its 29% more efficient. Because of this, they are receiving positive two (+2) points. They are also proposing a heated driveway. There have been much larger driveways and heated areas in Town, so as a result staff is suggesting negative two (-2) points (vs. maximum of negative three (-3) points). Because this is the first application coming to the staff since the changes in the code, staff wanted to make sure we were correct in the point assignments as it would pass with a score of 0.

Commissioner Questions/Comments:

- Mr. Schroder: Is this house actually eligible for getting positive three (+3) points for the HERS rating? (Mr. Neubecker: No. One point would be to get the HERS rating score and the other would be to get the next level, so positive two (+2) total.)
- Mr. Dudney: Is the driveway taken into account in the HERS Rating? (Mr. Neubecker: Generally it takes into account the home itself and is not heated driveways.) (Mr. Tom Begley, Applicant: The HERS Rating does not take into account the driveway and it won't stand out or take away from the neighborhood. By all practical means we tried everything to off-set the energy consumption of the driveway.)
- Mr. Pringle: When you rate everything you rate the entirety of it; therefore you are rating the good things and not the bad, so would you still end up with the same HERS Rating if you included the bad things? (Mr. Begley: I am new to understanding the HERS Rating, but we couldn't overcome the negative points for the off-set of the driveway; not sure if there is a way to measure additional heat loss with heated driveways.)
- Mr. Rath: From personal experience, it took more energy to heat a driveway than a house. The house required two boilers, an individual one just for the driveway. (Mr. Grosshuesch: The building code is getting caught in a performance standard. Driveway not in HERS score.) (Mr. Begley: We have off-set the negative number with other positive things within the project.)
- Ms. Dudney: Discussed the importance of setting precedence for handicapped individuals and the need for heated driveways. (Mr. Grosshuesch: Project is between the two extremes; can we predict for future applicants where the negative points will lie within an issue like this?)
- Mr. Pringle: Any heated driveway would get negative one (-1), median would get positive three (+3).
- Mr. Rath: Why just negative one (-1) point for any heated driveway? (Mr. Grosshuesch: Example: heated drip-line near garage doors.) So we don't have any square foot guidelines? (Mr. Grosshuesch: Once you start quantifying you stick yourself in guidelines that might not apply in another circumstance.) Since this is precedence, what size boilers are you using for the heat melt system? (Mr. Begley: Not sure of the amount of BTU's; it will require its own boiler.) (Mr. Marc Hogan, Architect: We have designed a lot of heated driveways over the years and we have found that the people who use them use them sparingly and very judiciously; we teach them to use manual controls with timers so they can control when they are operational. Automatic controls will cause large heating bills. A heat exchanger is used so the glycol is used correctly. The original boiler of the home is not large enough.) How many square feet is the driveway? 2,000 square feet? (Mr. Begley: Yes.) (Mr. Neubecker: We want to leave room on both ends; it is the give and take of the code because they know they are getting negative two (-2) points, so that is why they are going out of their way to get positive two (+2) points under the HERS score.) (Mr. Grosshuesch: Negative two (-2) points is a lot for a single family home; it takes a lot to overcome it.)

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

Mr. Pringle made a motion to approve the point-analysis for Corkscrew Flats Lot 18, PC#D11-118, 297 Corkscrew Drive. Ms. Christopher seconded, and the motion was carried unanimously (6-0).

Mr. Pringle motioned to approve Corkscrew Flats Lot 18, PC#D11-118, 297 Corkscrew Drive. Ms. Christopher seconded, and the motion was carried unanimously (6-0).

WORKSESSIONS:

1. Master Plan Amendment and Subdivision Amendment, Tract C, Shores at the Highlands (MM), 87 Shores Lane
Mr. Mosher presented proposals to a) To re-assign the Tract C boundaries of the Shores of the Highlands (PC#2007131) to reflect the original tract boundaries established by the previously approved Amended West Braddock Subdivision (PC#2006077) and b) re-plat the current Tract C boundaries of the Shores of the Highlands (PC#2007131) to reflect the original boundaries established by the previously approved Amended West Braddock Subdivision (PC#2006077).

Master Plan:

The purpose of this master plan modification is to return the boundary, density and uses of Tract C (owned by Bank of the West) to what was reflected on the original Amended West Braddock Master Plan. This map will also create Parcel D-2A and D-2B (owned by Braddock Holdings, LLC) as follows:

- Parcel C = 60 SFEs Multi-family
Parcel D-2A = 22 SFEs Commercial, Multi-family, Townhome, Duplex

Parcel D-2B = 8 SFEs Commercial, Multi-family, Townhome, Duplex
(The remaining 6 SFEs of density from Parcel D assigned to another Parcel on the master plan in August 8, 2006 may be added back to Parcel D-2B at a future date through a process similar to this modification.)

Staff noted that all of the required public dedications and requirements have either been fulfilled or are still in effect from the previous master plan. This will be added as a condition of approval with the final hearing.

The purpose of this modification is to bring the master plan back into compliance with the boundaries and densities that reflect the underlying ownerships of the parcels.

Subdivision:

The purpose of this re-subdivision is to return the boundary of Tract C to what was reflected on the original Amended West Braddock Subdivision. This tract will be named Tract C-1 (owned by Bank of the West) and the remaining portion of the original Tract C will be named Tract C-2 (owned by Braddock Holdings, LLC).

Braddock Holdings, LLC will submit an application in the future to reestablish property lines associated with their remaining holdings.

Staff noted that all of the required public dedications and requirements have either been fulfilled or are still in effect from the previous master plan. This will be added as a condition of approval with the final hearing.

The purpose of this modification is to bring the subdivision back into compliance with the boundaries that reflect the underlying ownerships of the parcels.

Staff welcomed any comments from the Commission on both proposals.

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

Commissioner Questions / Comments:

Mr. Schroder: Page 54 and 59: it is the exact same page, except under the subject line the PC number is different. (Ms. Dudney: One is a subdivision and one is the master plan.) The item history is all the same, was that necessary to present it twice? (Mr. Mosher: They are two different applications.)

Ms. Dudney: Of the six remaining SFEs, are they going to be assigned at a later date? (Mr. Mosher: Right now we are dealing with only two of the three lenders. JP Morgan Chase is acting slowly. We will have all entities defined for the next meeting in order for approval. Parcel C is the primary one that is going forward and Parcel D will be modified at a later date with a separate application. The next meeting we will have a point-analysis and Findings and Conditions. (Mr. Jack Wolfe, Wolfe and Company, Applicant: Parcel D is the key parcel because it is in the center; three different lenders for the two properties. Parcel D was reallocated into parcels A and B. We are looking to go back to the three original properties. Want to reallocate density back to 2006 Master Plan. The three lenders would like to have ownership of the three different properties.)

TOWN COUNCIL REPORT:

There was no Town Council member present, and therefore Mr. Neubecker gave an update.

Mr. Neubecker: Town Council has not made a final decision about having a Council liaison on the Planning Commission board.

Ms. Dudney: Do you know when the interviews will be for the Planning Commission vacancy? (Mr. Neubecker: July 12. The letters are due July 5 by 5pm, and the interviews will be on the 12th.)

PRELIMINARY HEARINGS:

1. 117 South Main Street (JP) PC#2011035, 117 South Main Street

Ms. Puester presented a proposal to construct a 1,628 square foot 2-story mixed use building with retail/office and one bedroom apartment on the vacant portion of the lot adjacent to the Peak-A-Boo Toy Store building. The commercial/retail use occurs on the first floor, office use on the front of the second floor and residential apartment on the rear of the second floor. Two residential parking spaces are proposed at the rear of the building.

In a preliminary point analysis, Staff identified negative points being incurred under Policy 5/R, Architectural Compatibility (-5) for the rear deck, and Policy 21/R, Open Space (-3 points) for a total of negative (-8) points.

Positive points will be sought for energy conservation and will be analyzed with the next submittal to determine a passing point analysis.

Staff welcomed any additional comments and questions.

The applicants presented:

Mr. Tom Begley: Would like to go over a few points from the staff report. Would like to get the project going in the fall and there is also an anxious tenant for the first floor. A main issue I want to clarify is the residential space. The setback is from the north side and it is essentially half the building where the residential sits on the second floor. Office space is allowed zero setback, and residential requires 3-foot setback. From a practical standpoint it wouldn't be good to have a gap in the building. Parking is a needed commodity and would like to keep it, rather than create additional open space. Ok with receiving those negative points. We are looking to overcome points with IECC/ASHRAE (energy) Rating; looking to offset those negative three (-3) points. Ideas include: heat exchange/air exchange system. We are willing to look at upper-story windows but mentioned that square windows were designed to keep view higher because the Toy Store roof was unattractive, but willing to change those to vertical windows. Wanted to propose a deck that was usable for residential; however, can reduce the size drastically if it is problem. Also, we will change the color so it meets code. With regard to the steel material, we want a building that blends into the block yet also has unique elements in it.

Mr. Marc Hogan: A few more points. Center portion of the floor-plan has an atrium to provide natural light to the center of the first floor, which will help with energy issues because it will daylight the middle part of the building which will reduce the need for lighting in the building. Rear deck is over the space below; deck will only protrude about 4 feet from rear wall of the first floor. It is a waterproof deck over the space below; it also provides a covered area for the rear door on the first floor. Could pull deck back 4 feet. On the front detailing, the building fronts onto Main Street and will get a lot of action and wear and tear. We want the ground level to be maintenance free (stone kick plate preferred; has used in other applications). Steel detailing with channels to look historic, steel band and brackets with rivets and rosettes. Building should be of its time: 2012.

Commissioner Questions / Comments:

Mr. Pringle: Use: Question directed toward Tom Begley about how the residential project creates most of the negative point problems and questioned if he is extremely committed to the residential use or the thought of two office/commercial uses so the issues go away? (Mr. Begley: From a practical standpoint and with the economy, it doesn't seem like we have a lack of office space in town and I feel more comfortable that I can rent the residential space more easily. Some issues remain neutral (i.e.: parking); the secondary access will be needed regardless of what use is implemented.) The steel banding is an entirely inappropriate material. Was not seen historically. (Mr. Begley: Steel banding and accents have been used within this block; precedent has been set with its use on Buchman/Taylor split level malls. It will add to the block; wooden panels wouldn't last long with the heavy snowfall/sidewalks.) Split level malls mentioned are not a good example of what to do in the historic district. Those projects were done prior to the Design Standards being adopted and pointed out as what not to do within the standards. Riverwalk: Inviting public entrance from the back (from the Riverwalk); is this design something we still are looking to achieve that? (Ms. Puester: There is a doorway to the commercial space in the rear and windows in the back, deck large visually to rear.)

Ms. Dudney: Is the issue with Policy 5 that there is no historic context for this deck? (Mr. Mosher: Correct, rear decks were not found historically.) We've been told to relate everything back to code and precedent; there are precedents for decks all over the place though. If there is precedent can you avoid negative points? (Mr. Mosher: Precedent is that we have had upper-level decks approved before; however, generally they receive negative points. Example, Palomo deck passed last meeting received negative five (-5) points as pointed out in the staff report.) Policy 5.1 Designing in Context, with that read, believe that you are in compliance with what the standard says with regard to steel material introduction in the district. I respectfully disagree with Mr. Pringle. Rear decks are not historically accurate but how do you get to the

- second floor? (Mr. Mosher: Stairs could be internalized.) It bothers me that there are other decks out there. It would be helpful to see pictures of other historic rear decks in the district to make comparisons.
- Mr. Schroder: The square footage of deck would remain large (even if it was moved back the 4 feet which overhangs the building), but it would be a roof deck. What is the perspective from staff on this point issue if it wasn't overhanging? (Mr. Mosher: It would still receive negative points unless possibly further disguised by design. Palomo was given negative five (-5) points because the deck was enlarged and he added stairs. Had he left it alone it wouldn't have gotten points because it was pre-existing.) Wondering about points because negative eight (-8) points is a large number.
- Ms. Christopher: Do you know the chroma of the red paint from Skinny Winter for a comparison? (Mr. Neubecker: It is possible that the building is brighter than permitted as an exception per code for contemporary landmarks. Code has special exemption for historic buildings painted the same color for many years.)

Mr. Schroder opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

This application has been advertised as a preliminary hearing. Staff has the following questions for the Commission:

1. Did the Commission agree that maintaining the consistency of the block through the design standards is more important than providing the residential side setback or should Policy 9/A be adhered to?

- Mr. Rath: Yes, maintaining consistency is most important.
- Ms. Christopher: Yes.
- Mr. Butler: Yes.
- Mr. Schroder: Disconnect with discussion on historic look, continuity on block and modern materials; want to see something that is more on one storyline; should focus on historic, not necessary. Don't need to apply that in this case, yes.
- Ms. Dudley: Yes, agree with what the staff is doing; relate it back to inconsistency between the design standards and the code; important to maintain visual continuity in the district. A setback for residential would be inappropriate.
- Mr. Pringle: Yes, building is still a commercial zero-lot line building in the district. Defect in code; the different setback requirements were based on a structure that were not supposed to be a zero lot line building. Residential vs. commercial use in something general such as the Development code is not as important as the building form.

2. Did the Commission believe the stone wainscot shown on the east elevation meets the intent of the Policy 222 (*correction Policy 220*)?

- Mr. Rath: Yes.
- Ms. Christopher: Yes.
- Mr. Butler: Yes.
- Mr. Schroder: Yes.
- Ms. Dudley: Yes.
- Mr. Pringle: Not sure what wainscot has to do with policy 222. (Ms. Puester: It was under second subset of policy 220, tradition kick plate, under storefront design.) Maybe there is some reason to consider negative points for it? No problem with that particular material; has been pointed out that it was used previously.

3. Did the Commission have concerns regarding the four (4) square windows on the second story southern elevation?

- Mr. Rath: No concerns.
- Ms. Christopher: No concerns.
- Mr. Butler: Taller windows in the office in the front of building more visible from Main and fine with the small square ones in the back.
- Mr. Schroder: Concerns, because we can see the windows with the Toy Store building one story. Need to go with vertical windows on second story.
- Ms. Dudley: Vertical windows.
- Mr. Pringle: Vertical double hung windows which meet historic profile.

4. Did the Commission concur that the building height proposed is appropriate for the character area?

- Mr. Rath: Question is whether the facade is appropriate with the lower buildings next to it.
- Ms. Christopher: Yes, concurs the height is appropriate; the panoramic picture put it in more perspective; believes the windows align with block panorama presented.
- Mr. Butler: Yes.
- Mr. Schroder: Discontinuous to eye (flat roof next door, 2 stories here, then flat to other side); meets code so supports but it feels funny because it is popping out of street. Has a hard time with it.

Ms. Dudney: Yes.
Mr. Pringle: Is the floor to ceiling height consistent from adjacent stores? Maybe that should be lower if not. Consistency between stores (Billabong/Peak-A-Boo); want to maintain closer relationship to buildings on either side. (Ms. Puester: Will look into it and get information to Commission at next meeting on floor plate heights next door.)

5. Did the Commission agree that the use of steel banding and brackets are inappropriate in this character area?

Mr. Rath: Variety, a little variation is appropriate.
Ms. Christopher: Introducing more modern materials in a small manner is appropriate on a new building.
Mr. Butler: No, not inappropriate, ok.
Mr. Schroder: Yes, should remain historic and use wood banding and brackets rather than steel.
Ms. Dudney: No, the steel seems to be an appropriate to use modern materials.
Mr. Pringle: Yes, the introduction of steel to the character area is too much a departure from standards and character.

6. Did the Commission agree with the preliminary point analysis?

Mr. Rath: Agrees with the negative five (-5) and negative three (-3) points.
Ms. Christopher: Yes.
Mr. Butler: Yes.
Mr. Schroder: Yes, agree as presented; need to stay consistent with application of points.
Ms. Dudney: Yes, but need to look into deck or off-setting negative points.
Mr. Pringle: At this point, yes.

COMBINED HEARINGS:

1. Gaymon Residence Restoration (MGT) PC#2011036, 207 North Main Street

Mr. Thompson presented a proposal to complete a full historic restoration on the residence. The applicant proposes to lift the residence, obtain local Landmarking status, and add a basement under the house. Furthermore, the applicant proposes to: repair the brick chimney per historic photograph, renovate a rear window to match all the other windows, repair or replace damaged trim siding at base all around the house, remove exterior piping and wiring, repair and repaint all siding, restore all exterior woodwork per Historic District guidelines, new rear entry four panel 30" x 68" accessible door (replaces non-historic door), new 30" x 70" four square door with glass in the top two squares (this is in the historic front door location, which has been covered up), replace or repair all interior electrical wiring, remove the non-historic fence, and finally relocate an interior stair for a better commercial use floor plan.

Mr. Marc Hogan, Architect: I feel good about the preservation of this historic building; appreciate the free density for the basement, which made this project possible. I want to thank Matt Thompson for his assistance as the planner on this proposal. (Mr. Thompson: \$8,034 will be required for parking in lieu of providing 0.618 additional parking spaces.)

Mr. D.J. Shappert, Agent: No comment; I am just here to answer possible questions that came up.

Commissioner Questions / Comments:

Mr. Pringle: Great preservation effort and full support.
Mr. Schroder: Full support. (Mr. Butler, Ms. Christopher and Mr. Rath concur.)
Ms. Dudney: Are you saying there should be a modification in condition number 20? (Mr. Thompson: Yes, replace it with a condition that says, "\$8,034 must be paid in lieu of providing .618 of a parking space in the Service Area").

Mr. Schroder opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

Mr. Pringle made a motion to approve the point analysis for the Gaymon Residence Restoration, PC#2011036, 207 North Main Street. Ms. Christopher seconded, and the motion was carried unanimously (6-0). (Net positive score of positive nine (+9) points.)

Mr. Pringle made a motion to approve the Gaymon Residence Restoration, PC#2011036, 207 North Main Street, with the presented Findings and Conditions, with the exception we strike number 20 and replace it with: "\$8,034 must be paid in lieu of providing .618 of a parking space in the Service Area." Ms. Christopher seconded, and the motion was carried unanimously (6-0).

Mr. Pringle made a motion to recommend that the Town Council designate the Gaymon Residence, 207 North Main Street, as a Local Landmark. Ms. Christopher seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

Mr. Neubecker: Working on picking dates for the Planning Commission tour day; will start in historic district. Staff will keep everyone posted with potential dates. (Ms. Christopher: I need at least a week notice to change schedule.)

ADJOURNMENT:

The meeting was adjourned at 10:06 p.m.

Dan Schroder, 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 June 29, 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 July 5, 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 January 11, 2013, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 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)



COMMUNITY DEVELOPMENT

Class C Development Review Check List

Project Name/PC#:	Derickson Residence	PC#2011040
Project Manager:	Matt Thompson, AICP	
Date of Report:	June 29, 2011	For the 07/05/2011 Planning Commission Meeting
Applicant/Owner:	Candace and Jack Derickson	
Agent:	BHH Partners	
Proposed Use:	Single family residence	
Address:	887 Gold Run Road	
Legal Description:	Lot 143 Discovery Hill, Highlands at Breckenridge	
Site Area:	107,470 sq. ft.	2.47 acres
Land Use District (2A/2R):	6: Subject to the Delaware Flats Master Plan	
Existing Site Conditions:	The lot slopes steeply uphill at 23% from the front of the envelope towards the rear of the property. The lot is heavily covered in moderately sized lodgepole pine trees. There is an access restriction along Discovery Hill Drive. The lot is accessed from a private drive, utility and drainage easement off of Gold Run Road. There is an existing single track trail (Discovery Ridge Trail) on the property in a 20' trail easement.	
Density (3A/3R):	Proposed: 3,945	Allowed: unlimited
Mass (4R):	Proposed: 4,819	Allowed: unlimited
F.A.R.	1:22.00 FAR	
Areas:		
Lower Level:	1,050 sq. ft.	
Main Level:	1,941 sq. ft.	
Upper Level:	954 sq. ft.	
Garage:	874 sq. ft.	
Total:	4,819 sq. ft.	
Bedrooms:	3	
Bathrooms:	3.5	
Height (6A/6R):	32 feet overall	
(Max 35' for single family outside Historic District)		
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 7,511 sq. ft.	6.99%
	Hard Surface / non-Permeable: 4,141 sq. ft.	3.85%
	Open Space / Permeable: 95,818 sq. ft.	89.16%
Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 2 spaces	
Snowstack (13A/13R):		
	Required: 1,036 sq. ft.	(25% of paved surfaces)
	Proposed: 1,117 sq. ft.	(26.97% of paved surfaces)
Fireplaces (30A/30R):	1 gas, 1 EPA Phase II wood burner	
Accessory Apartment:	N/A	
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):

This residence will be architecturally compatible with the land use district.

Exterior Materials:

1x horizontal cedar siding, 1x vertical board-on-board reclaimed barn wood siding, 2x trim and fascia boards, exposed heavy timber columns, beams and truss elements, wood windows clad in green, and a natural "Arkansas" moss rock stone veneer with sandstone caps.

Roof:

Heavy cut, thick butt composition black with green specks shingles

Garage Doors:

Custom vertical wood-sided to match vertical siding

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	3	(1) 8' to 10', (2) 12' to 14'
Aspen	9	2" to 3", 50% multi-stem
Potentilla	6	5 gallon
Alpine Currant	10	5 gallon
Cotoneaster	10	5 gallon

Drainage (27A/27R):

Positive drainage away from residence.

Driveway Slope:

8 %

Covenants:

Standard landscaping covenant.

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

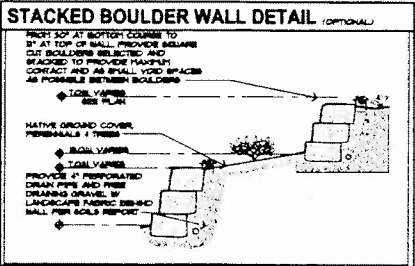
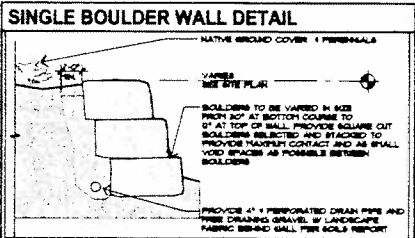
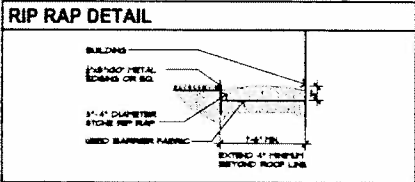
Staff conducted an informal point analysis and found no reason to warrant positive or negative points.

Staff Action:

Staff has approved the Derickson Residence, PC# 2011040, located at 887 Gold Run Road, Lot 143 Discovery Hill, Highlands at Breckenridge, with the standard Findings and Conditions.

Comments:

Additional Conditions of Approval:



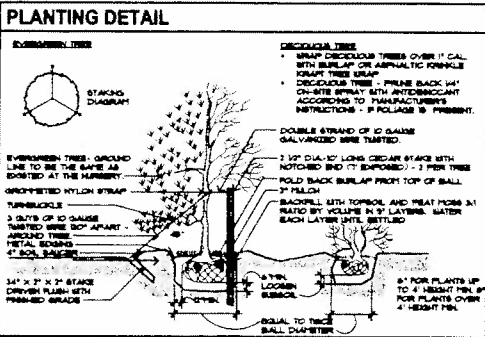
PLANTING LIST & NOTES

KEY	COMMON	BOTANICAL	NO.	SIZE
1	DOUGLAS FIR	PICEA	10	SEE SITE PLAN
2	SPRING		10	SEE SITE PLAN
3	DOLOMITE SPRUCE	PICEA	5	SEE SITE PLAN
4	SPRING		5	SEE SITE PLAN
5	SPRING		5	SEE SITE PLAN
6	SPRING		5	SEE SITE PLAN
7	SPRING		5	SEE SITE PLAN
8	SPRING		5	SEE SITE PLAN
9	SPRING		5	SEE SITE PLAN
10	SPRING		5	SEE SITE PLAN

LANDSCAPE NOTES

- PROVIDE 1/2\"/>
- KEEP EXISTING TREES WHERE POSSIBLE, TAKING INTO CONSIDERATION DRAIN LINES AND ROOT STRUCTURE. PROTECT EXISTING TREES WITH PROTECTIVE BARRIERS AT OR OUTSIDE DRAIN LINE OF TREE. PROTECT AND RELIEVE EXISTING TREES WHERE POSSIBLE.
- GENERAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS PER SPECIFICATIONS AND CODE REQUIREMENTS.
- PROTECT EXISTING TREES WITH PROTECTIVE BARRIERS. PAINT, CONCRETE, STEEL, ALUMINUM, ETC. FROM LANDSCAPE AREA.
- LOCATE ALL PLANTINGS TO AVOID SNOW STACKS & SNOW ALICE AREAS FROM ABOVE.
- SNOW ALICE AREAS TO BE FIELD LOCATED AS APPROVED BY OWNER AND ARCHITECT.
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRAIN IRRIGATION SYSTEM PROVIDE SUBMITTAL.
- ALL NEW PLANTINGS SHOULD BE HIGH ALTITUDE GROWN AND/OR COLLECTED TO ENHANCE BETTER SURVIVAL.
- NATURALIZE GROUPINGS OF TREES BY VARYING HEIGHT & LOCATION BETWEEN SPECIES.
- SCREEN ALL UTILITY PENETRALS WITH LANDSCAPE MATERIALS.
- PROVIDE 3\"/>
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRAIN IRRIGATION SYSTEM PROVIDE SUBMITTAL.
- GENERAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS PER SPECIFICATIONS AND CODE REQUIREMENTS.
- PROTECT EXISTING TREES WITH PROTECTIVE BARRIERS. PAINT, CONCRETE, STEEL, ALUMINUM, ETC. FROM LANDSCAPE AREA.
- LOCATE ALL PLANTINGS TO AVOID SNOW STACKS & SNOW ALICE AREAS FROM ABOVE.
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- LOCATE ALL PLANTINGS TO AVOID SNOW STACKS & SNOW ALICE AREAS FROM ABOVE.
- SNOW ALICE AREAS TO BE FIELD LOCATED AS APPROVED BY OWNER AND ARCHITECT.
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRAIN IRRIGATION SYSTEM PROVIDE SUBMITTAL.
- ALL NEW PLANTINGS SHOULD BE HIGH ALTITUDE GROWN AND/OR COLLECTED TO ENHANCE BETTER SURVIVAL.
- NATURALIZE GROUPINGS OF TREES BY VARYING HEIGHT & LOCATION BETWEEN SPECIES.
- SCREEN ALL UTILITY PENETRALS WITH LANDSCAPE MATERIALS.
- PROVIDE 3\"/>

NOTE: ALL LANDSCAPING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE HIGHLANDS AT BROWNSVILLE HIGHLANDS PROPERTY OWNERS ASSOCIATION DESIGN GUIDELINES.

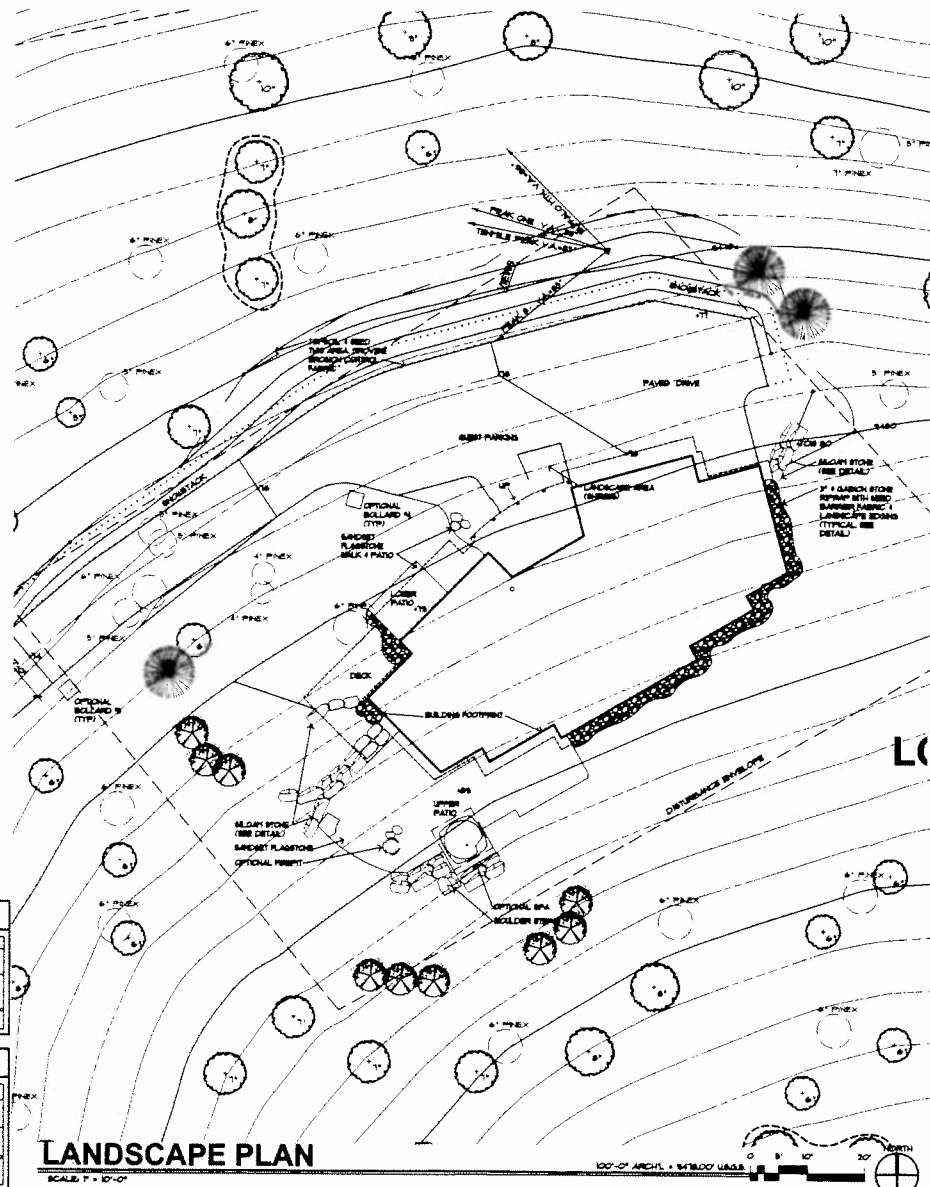


LOT COVERAGE

	AREA	%
LOT SIZE	0.7010 AC	100%
LOT COVERAGE AREA UNDER ROOF, DECK OR PAVING	1.81 SF	7%
TOTAL OPEN SPACE	16,398 SF	100%

REQUIRED SNOWSTACK

	NO. FT.	PERCENTAGE
LANDSCAPE (DRIVEWAY AND DRIVE)	434 SF	100%
REQUIRED SNOW STACK (20% OF LANDSCAPE)	1026 SF	20%
TOTAL SNOW STACK PROVIDED	51 SF	3%



bhh Partners
 100 BOX 811
 160 EAST GOMES
 BROWNSVILLE, CO 80424 (970) 644-9800
 © 2014
 ALL RIGHTS RESERVED

DERICKSON RESIDENCE
 WEST GOLD HILL ROAD, LOT 143, BLK 10, 1, CROWTHER HILL SUBDIVISION, BROWNSVILLE, COLORADO

SP1.2

**RIDGELINE SCREENING/
DEFENSIBLE SPACE NOTES**

THIS PLAN TO SATISFY TOWN OF BRICKENRIEGE
LANDSCAPE STANDARDS FOR RIDGELINE AND VILLAGE
DEVELOPMENT AND BRICKENRIEGE TOWN CODE
DEVELOPMENT CODE STANDARDS FOR DEFENSIBLE.

**BY ZONE - ALL TREES TO BE REMOVED WITH
EXCEPTION OF SPECIFIC TREES (A) TO BE
APPROVED BY T.O.B. (ONLY HEALTHY TREES TO
BE PRESERVED). REMOVED PLANTING MATERIAL TO
BE ADDED TO SCREEN THE HOUSE FROM BELOW.**

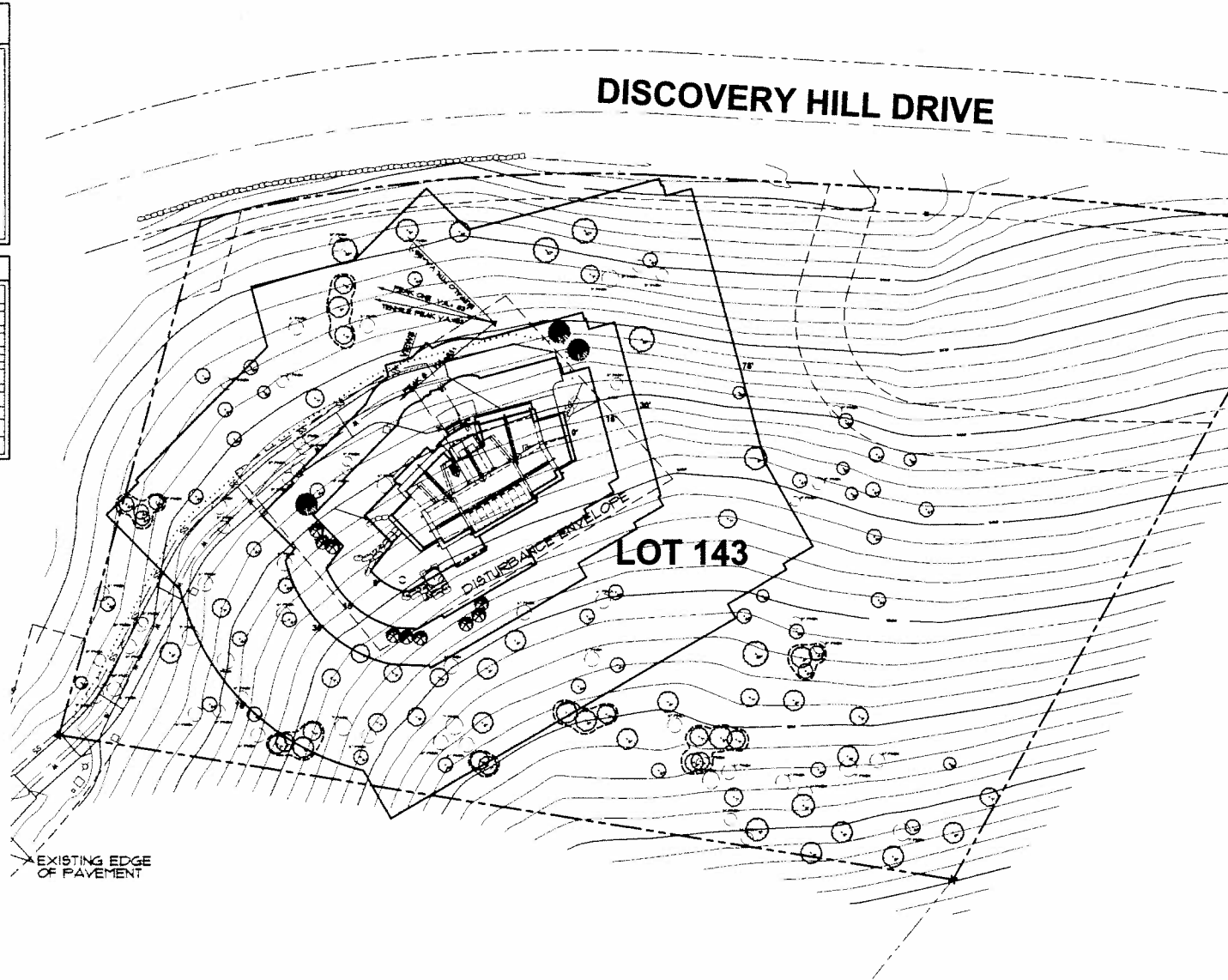
**NO ZONE - TREES TO BE REMOVED TO ALLOW OF BETTER
CATCHERS WITH EXCEPTION OF CLUSTERS TO BE
APPROVED BY T.O.B. (ONLY HEALTHY TREES TO
BE PRESERVED).**

**BY ZONE - TREES TO BE REMOVED TO ALLOW OF BETTER
CATCHERS WITH EXCEPTION OF CLUSTERS TO BE
APPROVED BY T.O.B. (ONLY HEALTHY TREES TO
BE PRESERVED).**

NOTE: NEW LANDSCAPING HAS BEEN ADDED TO PROVIDE
ADDITIONAL SCREENING ENCOURAGED BY THE RIDGELINE
ORDINANCE WHICH FITS TOGETHER LOSS OF SCREENING DUE TO
DEFENSIBLE SPACE ORDINANCE.

PLANTING LIST & NOTES

KEY SYMBOL	BOTANICAL	NO.	SIZE
○	SPRING TREES		
○	WINTER TREES TO BE REMOVED	10	SEE SITE PLAN
○	WINTER TREES TO BE REMOVED	100	SEE SITE PLAN
○	COLORADO SPRUCE	14	12" TO 14" TALL
○	ASPEN	1	12" TO 14" TALL
○	SPRING TREES	8	3 GAL.
○	ALPINE CURRANT	10	3 GAL.
○	SPRING TREES	10	3 GAL.
○	SPRING TREES	10	1 GAL.
○	SPRING TREES	10	1 GAL.



PROJECT NO. 100
DATE: 08-27-11
DESIGNED BY: J. J. J. J.
CHECKED BY: W. J. J. J.

PREPARED FOR:
SOUTHWEST
PRELIMINARY
TOWN SUBMITTAL
08-27-11
10/1/11

bhh Partners
P.O. BOX 111111
BRICKENRIEGE, CO 80404 (303) 455-1111

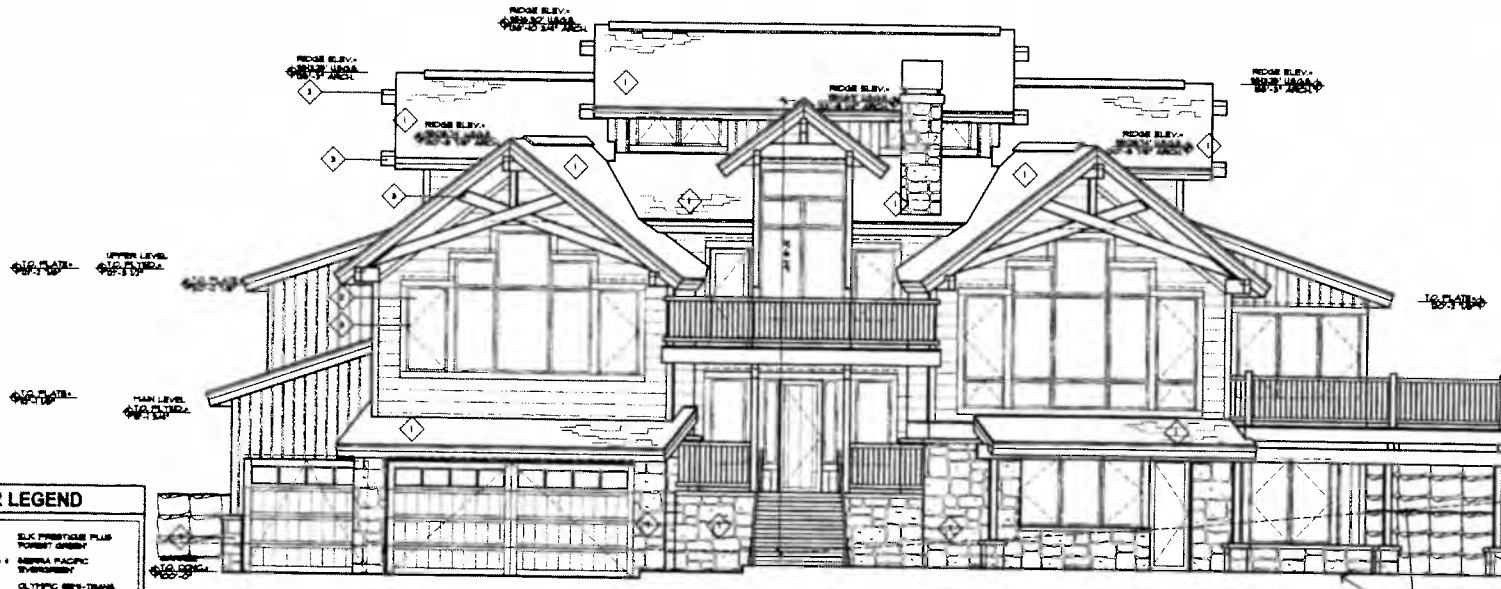
DERICKSON RESIDENCE
WEST BOLD ROAD, LOT 143, FILE NO. 1, DISCOVERY HILL SUBDIVISION, BRICKENRIEGE, COLORADO

© 2011
SCALE: 1" = 10'-0"

SP1.3

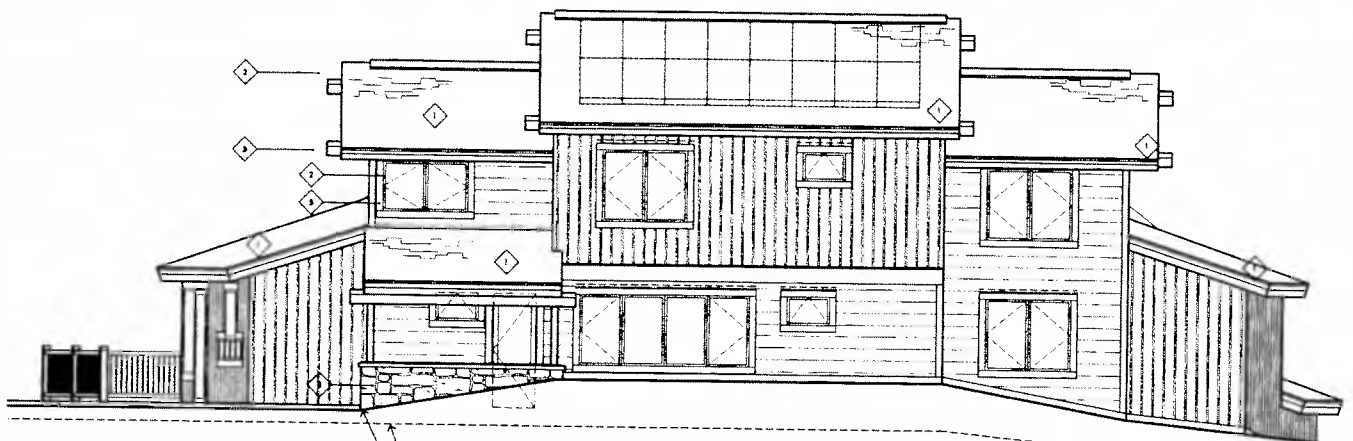
RIDGELINE SCREENING/DEFENSIBLE SPACE PLAN





NORTH WEST ELEVATION

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



SOUTH EAST ELEVATION

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

MATERIAL COLOR LEGEND

◆	SHINGLE ROOFING	SLK PRISTINE PLUS FOREST GREEN
◆	SHING CLADDING	SIERRA PACIFIC EVERGREEN
◆	EXPOSED METAL	
◆	FASCIA, TRIMMS & TRIM	CLYTRIC 88% TRIMS STAIN GLOVE BROWN
◆	HORIZONTAL SIDING	CLYTRIC 88% TRIMS STAIN GLOVE BROWN
◆	BOARD & BATTEN SIDING	RECLAIMED BARNWOOD
◆	SHIMTS	CLYTRIC 88% TRIMS STAIN GLOVE BROWN
◆	STONE VENEER	ARKANSAS HOME ROCK

NOTES: COLORS ARE TYPICAL FOR ALL ELEVATIONS

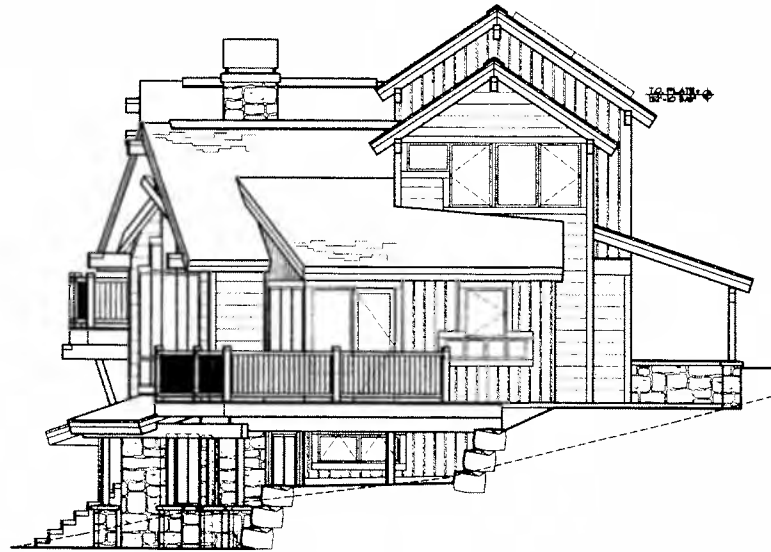
PROJECT NO. 200
DATE 08-21-18
DRAWN BY J. J. J. J.
CHECKED BY J. J. J. J.

APPROVED FOR PERMITS FOR SUBMITTAL 08-21-18
FOR SUBMITTAL J. J. J. J.

DERICKSON RESIDENCE
11000 S. DERICKSON ROAD, LOT 142, PILING NO. 1, DISCOVERY HILL SUBDIVISION, ENCINO, CALIFORNIA 91436
bhh Partners
2018
A2.1
CP/0

MATERIAL COLOR LEGEND		
1	SHINGLE ROOFING	SLK PRESTIGE PLUS "MCKORY"
2	WINDOW CLADDINGS	RELO-ASH "BRIDGE"
3	EXPOSED METAL	CLYTRIC SERR-TRANE STAN CLOVE BRONZ
4	PANCA, TRIMS & TRIM	CLYTRIC SERR-TRANE STAN CLOVE BRONZ
5	HORIZONTAL BOARDS	CLYTRIC SERR-TRANE STAN CLOVE BRONZ
6	BOARD & BATTEN BOARDS	RECLAIMED SHARWOOD
7	SCOTTS	CLYTRIC SERR-TRANE STAN CLOVE BRONZ
8	STONE VENEER	ARKANSAS NOSS ROCK

NOTES: COLORS ARE TYPICAL FOR ALL ELEVATIONS



TO CLIFF
TO CLIFF
TO CLIFF

UPPER LEVEL
TO CLIFF

MAIN LEVEL
TO CLIFF

LOWER LEVEL
TO CLIFF

SOUTH WEST ELEVATION

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



UPPER LEVEL
TO CLIFF

MAIN LEVEL
TO CLIFF

GARAGE
TO CLIFF

NORTH EAST ELEVATION

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

PROJECT NO. _____

DATE: 08-21-11

CHECKED BY: _____

NOTED FOR REVISIONS
PRELIMINARY 08-21-11
TOP AMBITIAL 08-10-11
11/11

bhh Partners
P.O. BOX 651 160 EAST AVENUE
BROOKS, CO 81301

DERICKSON RESIDENCE
9817 GOLD HORN ROAD, LOT 142, PLUNGING NO. 1, DISCOVERY HILL SUBDIVISION, BROOMFIELD, COLORADO

© 2010
SHEET NUMBER
A2.2



COMMUNITY DEVELOPMENT

Class C Development Review Check List

Project Name/PC#: Prestesater Residence PC#2011041
Project Manager: Matt Thompson, AICP
Date of Report: June 29, 2011 For the 07/05/2011 Planning Commission Meeting
Applicant/Owner: Lori and Kraig Prestesater
Agent: bhh Partners
Proposed Use: Single family residence
Address: 1477 Highlands Drive
Legal Description: Lot 188, Filing 8, Highlands at Breckenridge
Site Area: 71,998 sq. ft. 1.65 acres
Land Use District (2A/2R): 6: Subject to the Delaware Flats Master Plan
Existing Site Conditions: The lot slopes downhill at 15% from the front of the lot towards the rear of the property. The lot is moderately covered in lodgepole pine trees. There is a 20' drainage easement on the eastern portion of the property, not near the envelope.

Density (3A/3R): Proposed: 3,564 sq. ft. Allowed: unlimited
Mass (4R): Proposed: 4,192 sq. ft. Allowed: unlimited
F.A.R.: 1:17.00 FAR
Areas:
Lower Level: 1,722 sq. ft.
Main Level: 1,842 sq. ft.
Upper Level:
Garage: 628 sq. ft.
Total: 4,192 sq. ft.

Bedrooms: 3
Bathrooms: 4.5
Height (6A/6R): 24 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 3,666 sq. ft. 5.09%
Hard Surface / non-Permeable: 2,522 sq. ft. 3.50%
Open Space / Permeable: 65,810 sq. ft. 91.41%

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

Snowstack (13A/13R):
Required: 631 sq. ft. (25% of paved surfaces)
Proposed: 733 sq. ft. (29.06% of paved surfaces)

Fireplaces (30A/30R): 3 gas

Accessory Apartment: N/A

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): This residence will be architecturally compatible with the land use district.
Exterior Materials: 2x12 plank horizontal cedar siding, 1x4 batten over 1x10 boards cedar vertical siding, window clad and flashing "bronze," and a natural stone base dry stack "Farmers Brown."
Roof: Black asphalt shingles with brown specs
Garage Doors: 2x6 trim with 1x6 vertical v-groove tongue and groove inlay with windows (to match siding color)

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	3	(2) 6' tall, (1) 10' tall
Aspen	16	(10) 2", (6) 3' min. caliper, at least 50% multi-stem
Potentilla	10	5 gallon
Juniper	10	5 gallon
Cotoneaster	10	5 gallon

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

Driveway Slope: 8 %

Covenants: Standard landscaping covenant.

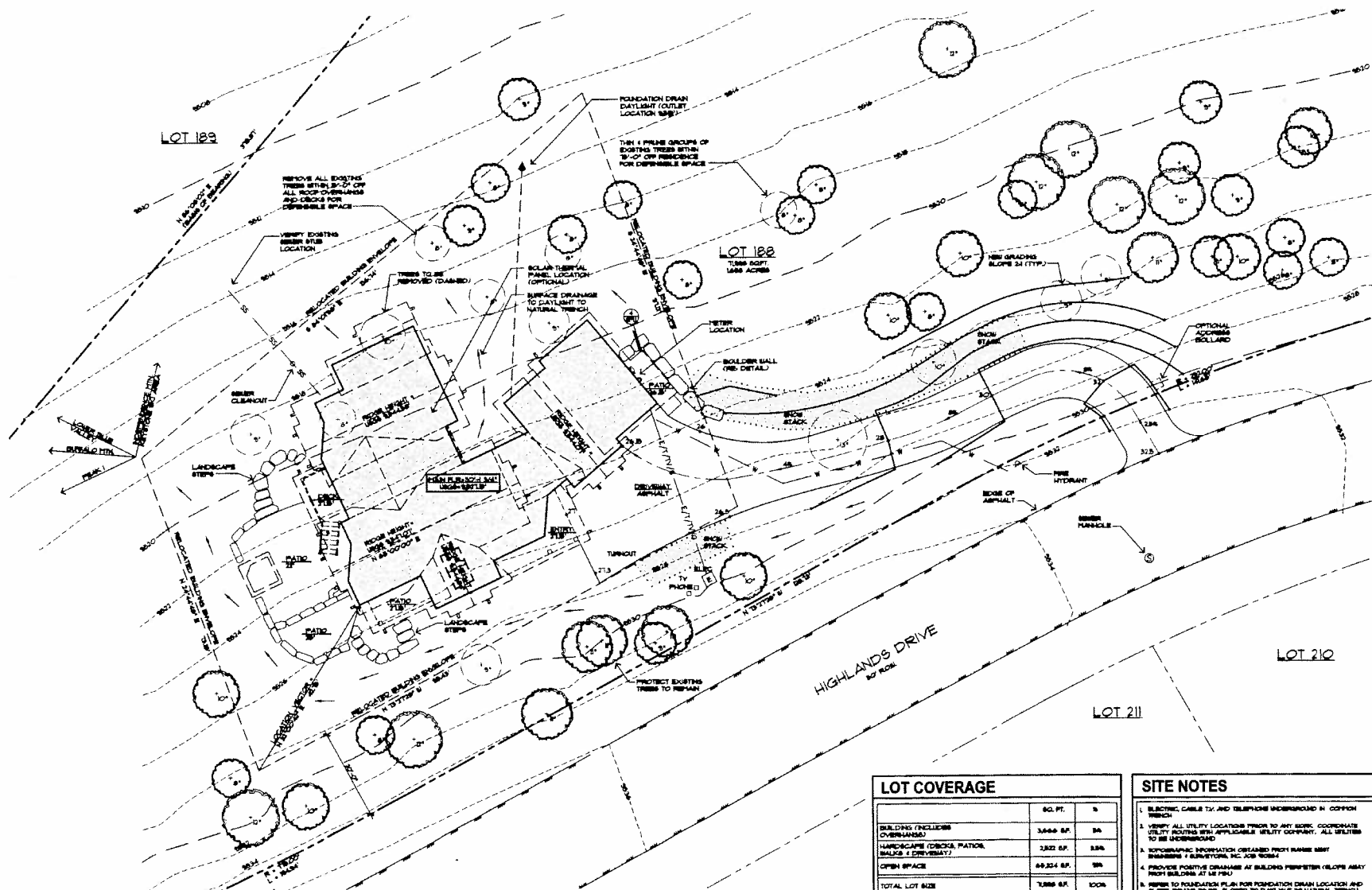
Point Analysis (Sec. 9-1-17-3): Staff has conducted an informal point analysis and found no reason to warrant positive or negative points. All Absolute policies of the Development Code have been met.

Staff Action:

Staff has approved the Prestesater Residence, PC#2011041, located at 1477 Highlands Drive, Lot 188, Filing 8, Highlands at Breckenridge, with the Standard Findings and Conditions.

Comments:

Additional Conditions of Approval:



SITE PLAN
SCALE: 1/4" = 1'-0"



LOT COVERAGE		
	SQ. FT.	%
BUILDING (INCLUDES OVERLANDS)	3,666 SF	84
HANDICAP (CHECK PATIO, BALCONY & DRIVEWAY)	2,802 SF	68
OPEN SPACE	69,254 SF	166
TOTAL LOT SIZE	7,888 SF	100%

REQUIRED SNOWSTACK		
	SQ. FT.	%
HANDICAP (CHECK PATIO, BALCONY & DRIVEWAY)	2,802 SF	100%
PROVIDE SNOW STACK (284 OF HANDICAP)	644 SF	22%
TOTAL SNOW STACK PROVIDED	738 SF	26%

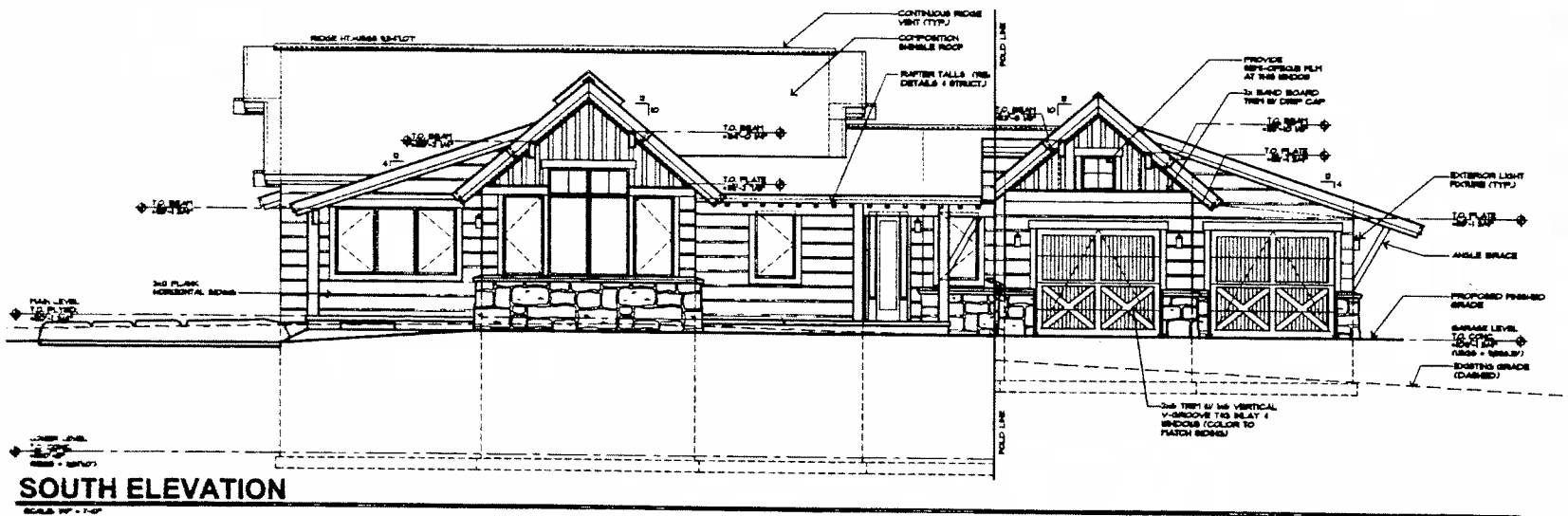
- SITE NOTES**
- ELECTRIC, CABLE TV, AND TELEPHONE UNDERGROUND IN COMMON TRENCH.
 - VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY WORK. COORDINATE UTILITY NOTING WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE UNDERGROUND.
 - SYNCHRONIC INFORMATION OBTAINED FROM PRIVATE MAPPING BUSINESSES & SURVEYORS, INC. JOB #0384.
 - PROVIDE POSITIVE DRAINAGE AT BUILDING PERIMETER (SLOPE AWAY FROM BUILDING AT 4% MIN).
 - REFER TO FOUNDATION PLAN FOR FOUNDATION DRAIN LOCATION AND SLOPE. DRAINS TO BE SLOPED TO DRAINAGE TO NEAREST TRENCH.
 - PLAN ALL WALKS FOR CONCRETE. PRIOR TO FINISH OR REMOVAL.
 - PROTECT ALL REMAINING TREES WITH BENCH PRICES OR OTHER APPROVED BARRIERS DURING CONSTRUCTION.
 - PROVIDE AT ALL BRIDGE RIPS RAMP OVER NEED BARRIER FABRIC AT BANKS AND VALLEY DRAIN LOCATIONS.
 - STAKE HOME LOCATION FOR OWNER, ARCHITECT, AND ARCHITECTURAL REVIEW BOARD PRIOR TO ANY WORK.
 - GENERAL CONDITIONS TO REVIEW & COMPLY WITH ALL SUBDIVISION CONDITIONS. COPIES OF CONDITIONS ARE AVAILABLE FROM ARCHITECT.
 - DRIVEWAY BENCH AS AN SLOPE FOR FIRST 30' FROM HIGHLANDS DRIVE SIDE OF PAVEMENT.

DATE: 11/11/11
 DRAWN BY: T. GERRARD
 CHECKED BY: T. ADAM

CLASS OF RE-ENTRY: ALL
 CA 7118

bhh Partners
 1477 HIGHLANDS DRIVE, LOT 18 PRESTESATER RESIDENCE, COLORADO, COLORADO 80504
PRESTESATER RESIDENCE
 1477 HIGHLANDS DRIVE, LOT 18 PRESTESATER RESIDENCE, COLORADO, COLORADO 80504

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 T. GERRARD
SP-1.0
 SITE PLAN
 OF 2

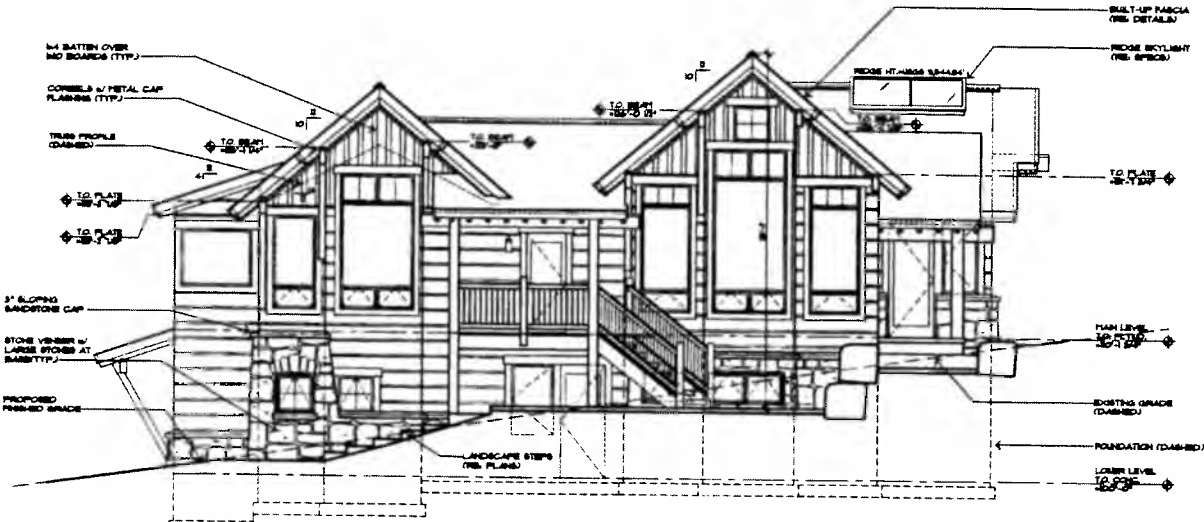


SOUTH ELEVATION

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

COLOR LEGEND	
ROOFING	BLK. PRESERVE PLUS "BARNSIDE"
VERTICAL SIDING	OLYMPIC "POT" 80% TRANSPARENT STAIN
PLANK SIDING + TRUSS TRIM	OLYMPIC "POT" 80% TRANSPARENT STAIN
BEAMS + COLUMNS	OLYMPIC "POT" 80% TRANSPARENT STAIN
WINDOW CLADDING	"NORWA-PACIFIC" BRN/GR
STONE VENEER	DRY STACKED "MIDWEST BRN/GR"

NOTE: COLORS ARE TYPICAL FOR ALL ELEVATIONS



WEST ELEVATION

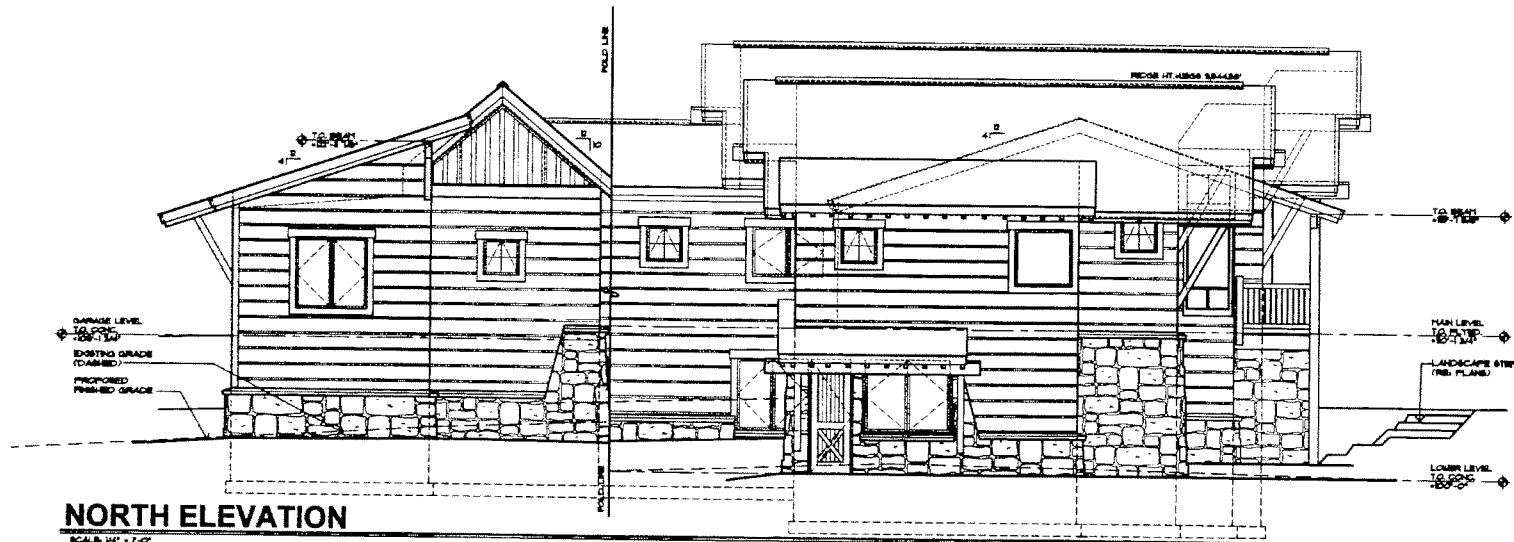
SCALE: 1/4" = 1'-0"

PROJECT NO. _____
 DATE: 04/11/14
 DRAWN BY: J. H. GARDNER
 CHECKED BY: _____
 APPROVED BY: _____

CLIENT: C. H. HARRISON
 ADDRESS: 11111 N. 111th St.
 CITY: DENVER, CO 80231

bhh Partners
 ARCHITECTS
 1111 N. 111th St., Suite 100
 DENVER, CO 80231
PRESTESATER RESIDENCE
 1111 N. 111th St., Lot 111, DENVER, CO 80231

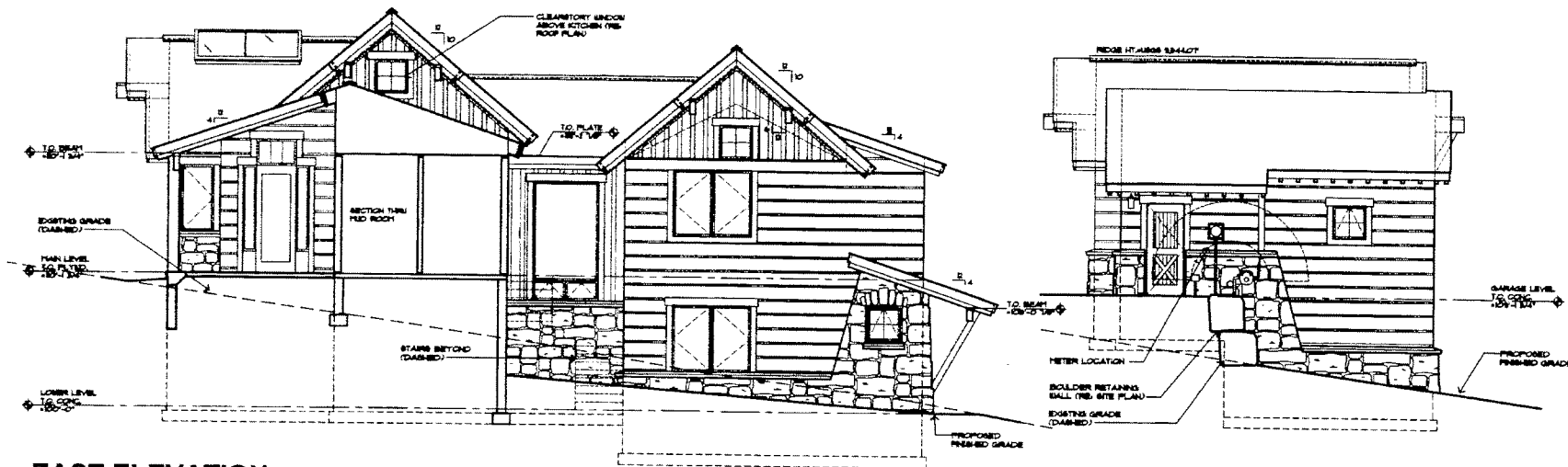
© 2014
A-2.0
 SOUTH ELEVATION
 CP-5



NORTH ELEVATION

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

NOTE: SEE SHEET A-3.0 FOR TYPICAL NOTES AND MATERIALS



EAST ELEVATION

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

EAST ELEVATION @ GARAGE

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

REVISIONS

JOB NO:	184
DATE:	06/21/16
DRAWN BY:	L. Gertman
CHECKED BY:	M. Hogan

OWNER: THE OWNERS OR CONTRACTOR SHALL NOT BE RESPONSIBLE FOR ANY INACCURACIES OR OMISSIONS.

CLASS OF RESIDENTIAL
06-216
11/1/16

bhh Partners
P.O. BOX 881 180 EAST KNABE, BRECKENRIDGE, CO 80424 877-443-8880

PRESTESATER RESIDENCE
477 MARSHLAND DRIVE, LOT 18 BRECKENRIDGE MARSHLAND SUBDIVISION, BRECKENRIDGE, COLORADO

© 2016
A-2.1
BUILDING ELEVATIONS
OF 5

Planning Commission Staff Report

Project Manager: Michael Mosher

Date: June 27, 2011 (For meeting of July 5, 2011)

Subject: Giller Residence Restoration, Addition and Landmarking (Worksession)

Applicant/Owner: Michael and Jennifer Giller

Agent: Janet Sutterley Architect

Proposal: Discuss two issues related to a pending application: 1) Vehicular access to the property and 2) The massing of the proposed addition.

*(Pending Application:
To restore the exterior of the historic house, add a full basement beneath the historic house, demolition of non-historic shed addition, rehabilitate the interior, add a two-car garage (accessed from improved public alley), with attached living space to the back of the house, and locally landmark the historic house.)*

Address: 306 South Ridge Street

Legal Description: Lots 25 & 26, Block 9, Abbetts Addition

Site Area: 0.11 acres (4,600 sq. ft.)

Land Use District: 18.2; Commercial 1:1 FAR; Residential 20 UPA

Historic District: Character Area #3, South End Residential; Up to 12 UPA above ground

Site Conditions: The original historic house and shed addition are the only structures on the site. There is a 9-foot drop in the land from the east (alley side) to the west (primary façade). Four mature cottonwood trees flank the west property line near the public sidewalk. A railroad tie planter box is located at the southwest corner of the lot. The western edge and the southern edge of this planter extend over the property corner. An unimproved 13-foot wide Town alley right of way exists along the east property line, extending from East Adams Avenue to East Jefferson Avenue.

Adjacent Uses:

North:	Residential (Nichols)
East:	Alley and Residential (Theobald)
South:	Commercial (Cottonwood Thicket)
West:	South Ridge Street and Food Kingdom/Post Office

Density:

Existing Residential:	1,290 sq. ft.
Allowed under LUGs:	3,379 sq. ft.
Proposed density:	Pending

Mass:	Existing:	1,209 sq. ft.
	Allowed under LUGs:	4,055 sq. ft.
	Proposed mass:	Pending

Item History

Commonly known as the Jane Shetterly House, the original portion of this house, which consisted only of the 14-foot North-South by the 24-foot East-West front-gabled north wing, was built by local building and lumberman Whitney Newton (circa 1881). (Newton was also responsible for the construction of two false-front commercial buildings on Ridge Street around the same time – the Exchange Building at 100 S. Ridge Street, and the Colorado House at 106 S. Ridge Street.) The side-gabled south wing was built some years later, circa 1907-1908.

In 1892, Newton sold the property to a business associate, O.E. Harris, who in turn, immediately sold it to Arthur C. Howard. A miner, Howard’s business interests included the O’Riley Mining Company, and the Bay State property. Howard proceeded to purchase lots 23 and 24 of this block in 1910, and he occupied this house with his family until his death in 1925.

The Howards eventually lost the house to a tax sale. It was purchased by Christ Kaiser as an income property, and sold to Julia A. Simmons in 1945. Two years later, Simmons sold the property to George A. Graham. Graham then sold it to Olivia S. Beckman. Tony and Olivia Tomsic acquired the property in 1958. Tomsic next sold it to Jane Stapleton Shetterly in 1965. Recent owners include Michael J. Bertaux and Carolyn Kavana.

Staff Comments

This worksession is being presented to the Commission to explore two issues:

1. Vehicular access to the property
2. The massing of the proposed addition

Access / Circulation (16/A & 16/R; 17/A & 17/R) and Parking (18/A & 18/R): The key factor associated with the purchase and restoration/development of this property is the ability for the applicant to secure vehicular access to the lot.

The submitted plans are showing two options to deal with this concern.

1. One shows the Town Alley being improved by the applicant, similar to the matching alley to the north across Adams Avenue. All improvements (retaining walls, paving, moving/changing utility boxes, etc.) would be performed by the applicant with an agreement with the Town that all maintenance and snow removal is to be done by the applicant, not the Town. This option allows the construction of a two-car garage behind the historic house and vehicular access from the alley.
 - a. This design **is** supported by the Development Code and the Handbook of Design Standards for the Historic and Conservation Districts and Design Standards for the Historic District Character Area #3, South End Residential (see below).
2. The other option shows a parking spot on the front of the house off of South Ridge Street.

- a. This design **is not** supported by the *Development Code* and the *Handbook of Design Standards for the Historic and Conservation Districts* and *Design Standards for the Historic District Character Area #3, South End Residential*.
- i. Excerpts from the **Development Code (in italics), staff comments in regular type:**
 1. *18. (ABSOLUTE) PARKING (18/A): Off Street Parking: All developments within the Town shall comply with Title 9, Chapter 3, Off Street Parking Regulations of the Town Code. (Ord. 19, Series 1988)*
 - a. The proposed parking space cannot meet the minimum size of 9'-0"X18'-0" as defined in the *Off Street Parking Regulations*.
 2. *18. (RELATIVE) PARKING (18/R): 2 x (2/+2) - (1) Public View: The placement and screening of all off street parking areas from public view is encouraged. - Some locations within the service area may not be appropriate for any off site parking. Therefore, parcels adjacent to the Riverwalk, and other properties having no rear access to an alley, are not subject to the assessment of negative points under this policy. (Ord. 6, Series 2000)*
 3. *13. (RELATIVE) SNOW REMOVAL AND STORAGE (13/R): 4 x (-2/+2) Snow Storage Areas: Adequate space shall be provided within the development for the storage of snow.*
 4. A. *Size Of Storage Areas: It is encouraged that a **functional** snow storage area be provided which is equal to approximately twenty five percent (25%) of the areas to be cleared of snow. Specific areas to be cleared shall include the full dimensions of roadways, walkways, and parking areas.(Highlight added.)*
 - a. Staff is concerned that, if allowed, this parking space would abut the historic house and the non-functional snow storage cause water/ice damage to the structure.
 - ii. **The Handbook of Design Standards for the Historic and Conservation Districts**
 1. *Parking Facilities; Policy: Even more of an impact occurs when front yards are given over to off-street parking sites. To preserve the sense of character of the district, the visual impact of cars should be minimized throughout.*
 2. *Design Standards: 9. Screen parking areas from view.* Visibility of parking areas from the street should be minimized.* Parking areas should be placed to the rear and/or screened with landscaping.*
 - iii. **Design Standards for the Historic District Character Area #3, South End Residential**
 1. *As much as is possible, the visual impact of cars in the South End should be minimized, particularly with respect to parking provided on individual building lots. It is difficult to provide parking in this area in a manner compatible with the historic image. Individual creative design solutions for parking will be carefully reviewed by the Planning Commission*
- b. Also, the required curb-cut to access the parking space would eliminate a public parking space along this side of Ridge Street in this very busy portion of Town.

Building Scale

Design Standard

Priority Policy 81. Build to heights that are similar to those found historically.

- *This is an important standard which should be met in all projects.*
- *Primary facades should be one or two stories high, no more.*
- *The purpose of this standard is to help preserve the historic scale of the block and of the character area.*
- *Note that the typical historic building height will vary for each character area.*

82. The back side of a building may be taller than the established norm if the change in scale will not be perceived from major public view points.

- *This may be appropriate only where the taller portions will not be seen from a public way.*
- *The new building should not noticeably change the character of the area as seen from a distance. Because of the mountain terrain, some areas of the district are prominent in views from the surrounding areas of higher elevation. Therefore, how buildings are perceived at greater distances will be considered.*
- *As pedestrian use of alleys increases, also consider how views from these public ways will be affected. When studying the impact of taller building portions on alleys, also consider how the development may be seen from other nearby lots that abut the alley. This may be especially important where the ground slopes steeply to the rear.*

At this early design phase, the applicant is seeking to add to the back of the historic structure with a connector (that will abide with Priority Policy 80A of *The Handbook of Design Standards for the Historic and Conservation Districts*).

(Only if the alley access option is used:) To create the garage access off of the alley behind the house, the floor of the proposed garage would be 9-feet higher than the floor elevation of the historic house. The one-story house is 18-feet tall to the ridge. The proposed garage is matching at 18-feet to the ridge. Overall, the new one-story garage would be 9-feet higher than the house as viewed from Ridge Street.

The façade of the proposed garage would be 48-feet behind the façade of the historic house. The inside separation between the historic house and the face of the garage is 33-feet. The grade of the back yards of the neighboring historic properties to the east (above the alley) sit about 10-feet above the alley grade and subsequently are about 18-feet taller than the Shetterly House.

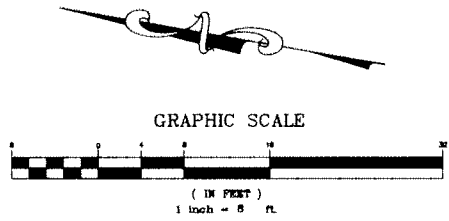
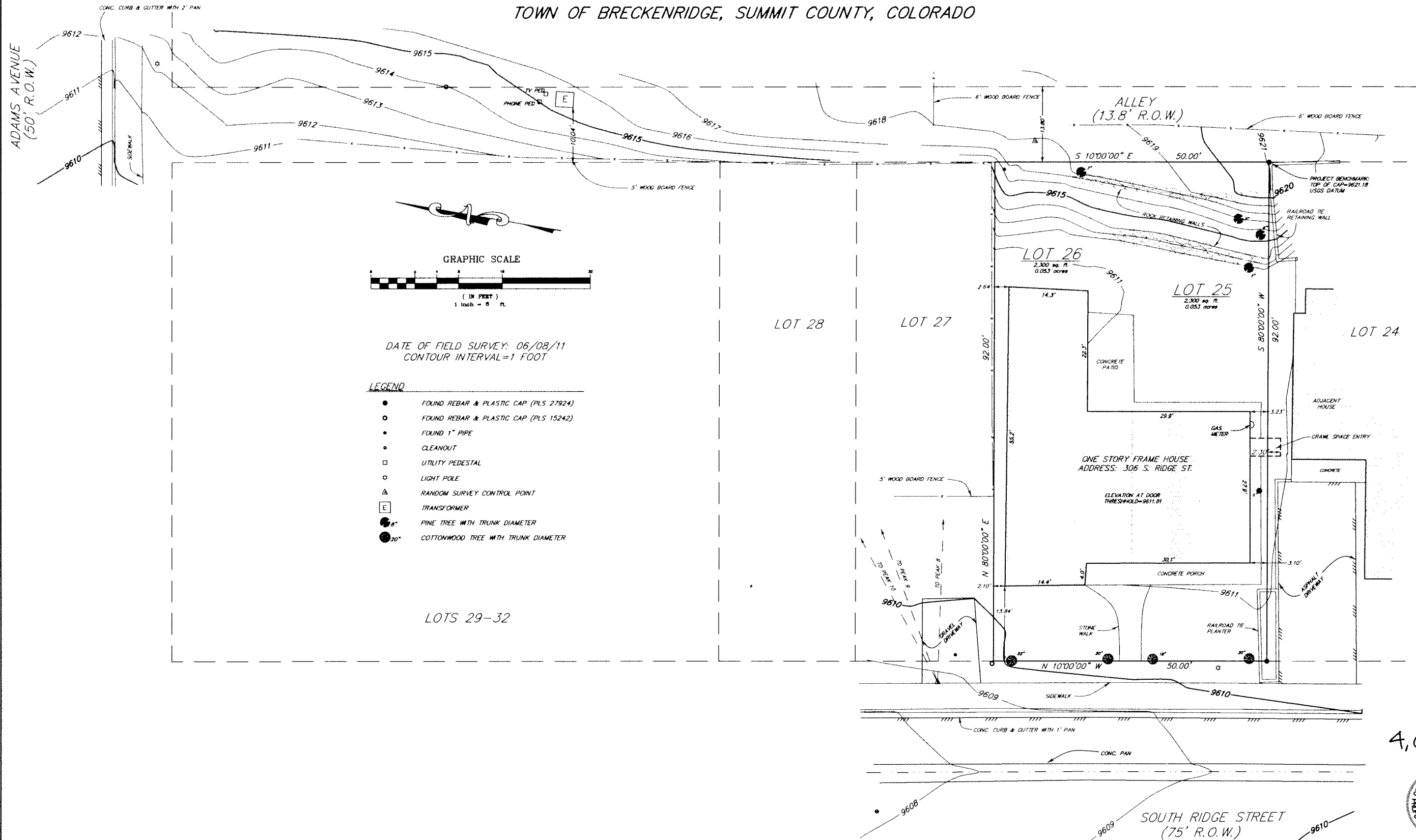
Given the physical constraints of the property and the large grade differential between the neighboring lots, Staff believes the addition of the proposed garage and living area will have minimal impact and meets the intent of the design standards and policies.

Staff Recommendation

The applicant is seeking direction from Staff and the Commission on these two issues prior to going forward with the proposal. Staff is supportive of the alley access for the parking needs and believes that the addition of the garage as delineated should meet the criteria of the Handbooks of Historic Standards.

1. Does the Commission support parking in the back of the lot off of the alley or in the front yard?
2. Does the commission support the massing of the proposed garage?

A TOPOGRAPHIC MAP OF
LOTS 25 & 26, BLOCK 9, ABBETT ADDITION TO
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO



DATE OF FIELD SURVEY: 06/08/11
 CONTOUR INTERVAL=1 FOOT

- LEGEND**
- FOUND REBAR & PLASTIC CAP (PLS 27924)
 - FOUND REBAR & PLASTIC CAP (PLS 15242)
 - FOUND 1" PIPE
 - CLEANOUT
 - UTILITY PEDESTAL
 - ☆ LIGHT POLE
 - △ RANDOM SURVEY CONTROL POINT
 - ⊞ TRANSFORMER
 - 8" PINE TREE WITH TRUNK DIAMETER
 - 20" COTTONWOOD TREE WITH TRUNK DIAMETER

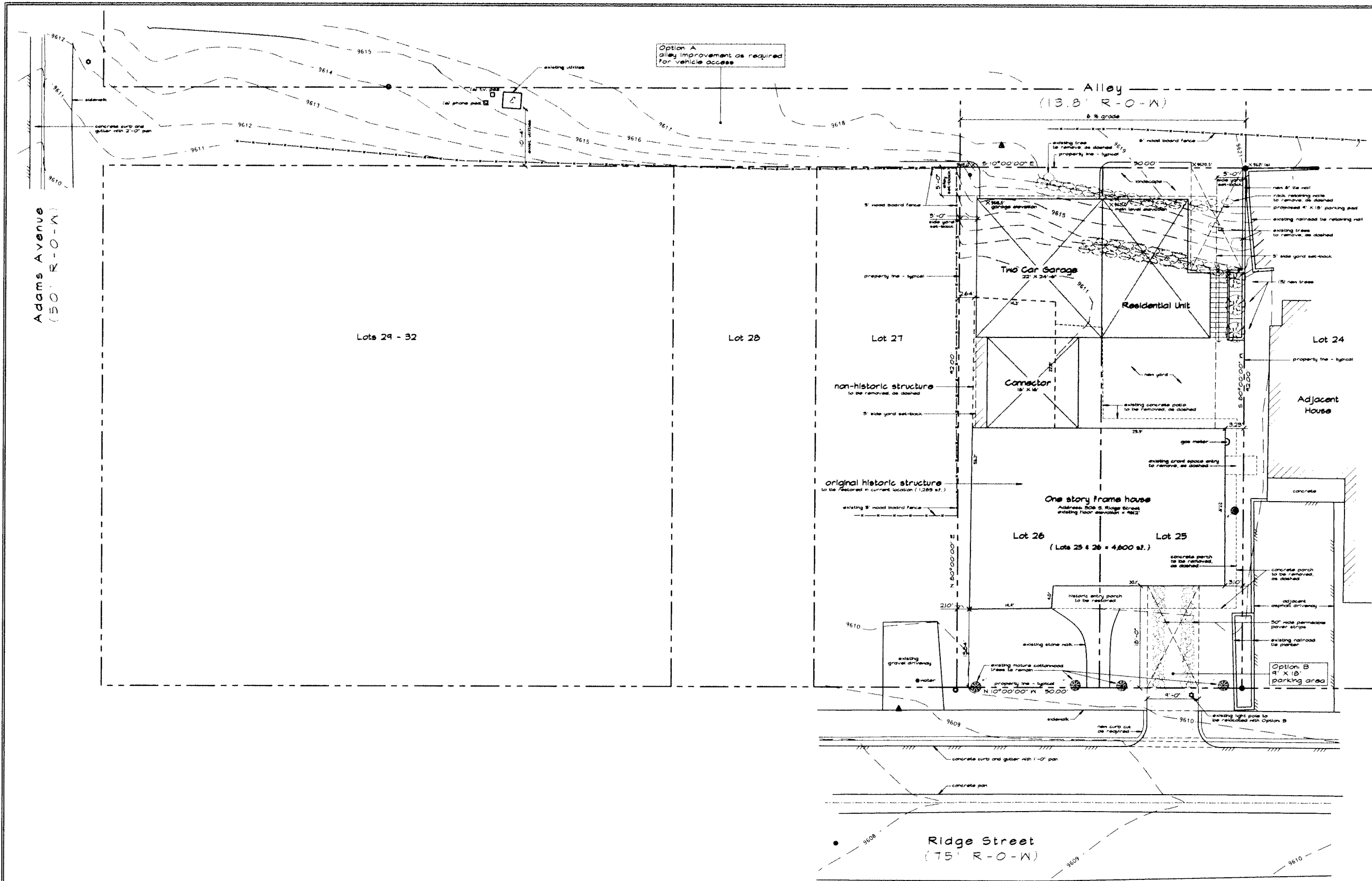
LOTS 29-32

4,600



Drawn DGS	Dwg 11785TP	Project 11785
Checked RRJ	Date 06/16/11	Sheet 1 of 1
RANGE WEST ENGINEERS & SURVEYORS INC.		
P.O. Box 589 Silverthorne, CO 80498 970-468-6281		

NOTICE: PURSUANT TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN ONE YEAR FROM THE DATE YOU FIRST DISCOVER SUCH DEFECT, OR NO LATER THAN FIVE YEARS FROM THE DATE OF THE SURVEY, WHICHEVER IS EARLIER. THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWING HEREON.



Adams Avenue
(50' R-O-W)

Lots 29 - 32

Lot 28

Lot 27

Alley
(13.8' R-O-W)

Lot 26
(Lots 25 & 26 = 4,600 sq. ft.)

Lot 24

One story frame house
Address: 306 S. Ridge Street
existing floor elevation = 482

Adjacent House

Ridge Street
(75' R-O-W)

GILLER RESIDENCE
LOTS 25 & 26, BLOCK 9, ABBETT ADDITION
TOWN OF BRECKENRIDGE, COLORADO

Site Plan

Scale: 1" = 8'-0"
Date: 06-22-2011

J.L. Battenley, Architect, P.C.
architectural consultation

Leonard R. Cransland, Inc.
computer aided design services

P.O. Box 2053 • Silverthorne, Colorado 80488 • 870-582-1443

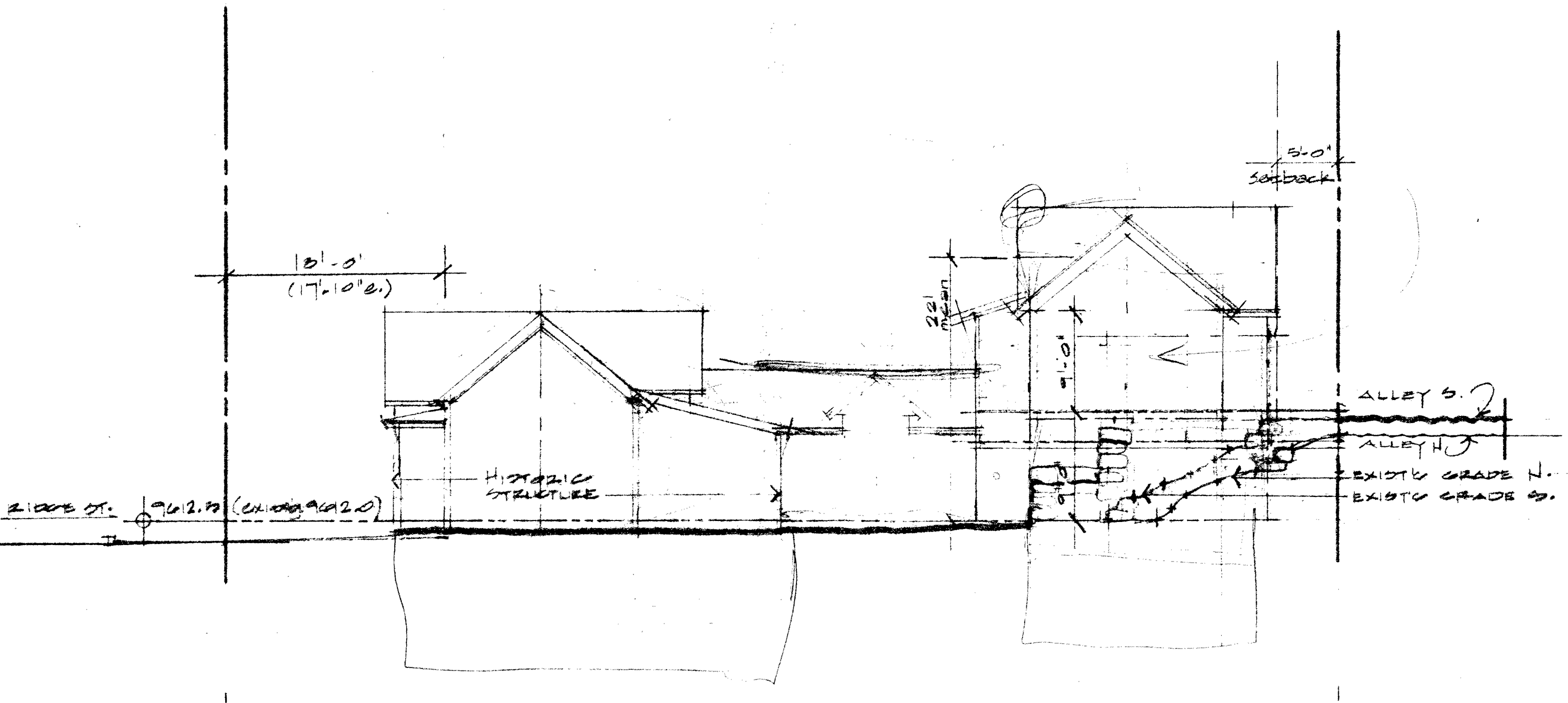
NOTE: NO HISTORIC MATERIALS ARE TO BE REMOVED FROM THIS SITE WITHOUT THE WRITTEN CONSENT OF THE TOWN OF BRECKENRIDGE.

Giller Residence
Lots 25 & 26, Block 9, Abbett Addition
Address: 306 South Ridge Street
Lot = 4,600 Sq. Ft. / 0.106 Acres
Lower Level: USGS 9611.00' = Arch. 90'-0"
Main Level: USGS 9621.00' = Arch. 100'-0"

Site Plan
Scale: 1" = 8'-0"

A-1

S. 7.
270
012



Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** June 22, 2011 (For meeting of July 5, 2011)
- Subject:** The Elk, Mixed Use Building and Variance Request (Class A, Final Hearing; PC#2011001) - *(The last meeting was a second preliminary hearing.)*
- Applicant/Owner:** Craig Burson
- Agent:** Janet Sutterley, J. L. Sutterley, Architect
- Proposal:** To construct a 1,902 square foot mixed use building with commercial/retail and workforce housing uses. A 495 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. A variance is also sought under Policy 5, Absolute, Architectural Compatibility of the Development Code, for non-compliance with Priority Policy 80A of the Handbook of Design Standards for the Historic and Conservation Districts; "Use connectors to link smaller modules and for new additions to historic structures".
- 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 a paved 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/Palomo 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 - based on proposed commercial density):**
- 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: 2,222 sq. ft. (79%)
 Residential: 680 sq. ft. (21%)
 Total density: 2,902 sq. ft.
 (Note: Meets the criteria for the Downtown Overlay District)

Above Ground Density: Recommended: 1,234 sq. ft. (9 UPA)
 Proposed: 1,434 sq. ft. (10.46 UPA)

Mass: Allowed under LUGs: 3,017 sq. ft.
 Proposed mass: 1,816 sq. ft. (No concerns)

Square Footages	Residential	Commercial	Total Density	Mass	Above Ground Density
Lower Level	670 SF	798 SF	1,468 SF	0 SF	0 SF
Main Level	10 SF	1,030 SF	1,040 SF	1,422 SF	1,040 SF
Upper Level	0 SF	394 SF	394 SF	394 SF	394 SF
TOTAL	680 SF	2,222 SF	2,902 SF	1,816 SF	1,434 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.
 residential; 49 ft
 Sides: commercial; 4 ft. & 0 ft.
 residential; 3 ft. & 5.5 ft.
 Rear: commercial; 74.5 ft.
 residential; 52 ft.

Item History

This proposal was last reviewed on April 19, 2011 as a second preliminary hearing. At that meeting we heard the following from the Commission:

1. Full support for the 24-inch tall stone wainscot at the east elevation.
2. Full support for the variance request from Priority Policy 80A.
3. Majority support for the metal railing at the connector portion of the proposed building.

Changes since the April 19, 2011 Second Preliminary Hearing

1. The overall building density has been reduced by 79 square feet. As a result, the negative points for the above ground density overage has been reduced from negative twelve (-12) points to negative nine (-9) points.
2. Interior circulation has been modified slightly.
3. The landscaping plans and details are provided.

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 the *Design Standards for the Historic District Character Area #5, Main Street Residential/Commercial* had been met with the proposed design. The exceptions are Priority Policy 80A, and Design Standard 91. A variance is being sought for Priority Policy 80A while staff is seeking a change in design for Design Standard 91.

Priority Policy 80A: *Use connectors to link smaller modules and for new additions to historic structures.* We heard support from all of the Commissioners for a Variance from this Policy and the associated Policy from the Development Code, Policy 5, Architectural Compatibility, (Absolute). The applicant's agent sited the negative site impacts to the neighboring historic structure (The Gold Pan Saloon on Lot 81) that would be created by constructing the link as required in Priority Policy 80A.

The proposed drawings show a link that meets the intent of this policy on 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 length 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 (The Gold Pan Saloon) 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 causing damage to the neighboring historic building.

There are two previous projects that have been approved with variances for similar situations under Policy 80A; 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.

Variance Request:

Criteria for Approval: Before the Commission can grant a variance to an application, the applicant must prove physical hardship and the Commission must find all of the following:

1. There are special circumstances or conditions applying to the land, buildings, topography, vegetation or other matters on the subject lot which would substantially restrict the effectiveness of the development in question; provided, however, that such special circumstances or conditions are unique to the particular use of which the applicant desires a variance and do not apply generally to all uses.
2. That such special circumstances were not created by the applicant.
3. That the granting of the variance will be in general harmony with the purposes of this chapter, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.
4. The variance applied for does not depart from the provisions of this chapter any more than is required.

The existing two-story historic building to the south (Lot 81, The Gold Pan Saloon) nearly abuts the south property line of this proposal. Currently, with Lot 80 vacant, water, snow and ice have enough permeable open ground and sunlight to disperse the moisture. With the development of Lot 80, this permeable space is greatly reduced. Additionally, the design of a connector (as described in Priority Policy 80A), would concentrate this moisture and restrict sunlight to a much smaller area with less sun.

For the general public, the change in the design of the connector would not be apparent. From three sides (east, north and west) the larger modules would appear separated like other buildings with connectors in the Historic District. From those vantage points, the connector effectively separates the larger modules and is subordinate in mass and scale.

With the proposed design, the south side of the proposed building effectively eliminates the void or “dead-space” that would be created between it and the Gold Pan Saloon to the south. This, along with a roof draining system, moves the moisture from The Elk away from the ground next to the Gold Pan, better protecting the historic structure from the potentially damaging moisture.

Staff does not see any substantial detriment to the public good or substantial impairment to the intent and purposes of the absolute policy.

We see these conditions as being site-specific to the Applicant’s property and this situation does not exist generally within the Town’s Conservation District or the land use district in which the Applicant’s property is located.

Building Scale: With this submittal, the above ground density has again been reduced slightly from the last hearing to 1,434 square feet, or 10.46 UPA. This is over the suggested 9 UPA of 1,234 square feet. As a result, negative nine (-9) points will be assigned.

Building Materials: At the last meeting, we heard support for the stone wainscot on the east elevation and for the north elevation of the connector link. We have no concerns

Design Standard 91:

Ornament and Detail: 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.

At the last review, two Commissioners believed the design of the railing for the connector link did not meet the intent of Policy 91 and the rest believed it did meet the intent. Staff does not support the current design as presented and believes the ornamentation is not similar to other structures on the street. We believe this could confuse the character and possibly set unwanted precedent. We suggest a wooden or wrought iron railing similar to a classic fence design. Note: At the time of this writing, the applicant has indicated that the exterior railing at the connector will be simplified, as requested, and submitted for staff review prior to issuance of a building permit to meet the intent of the policy.

At this final hearing, we are suggesting the Commission support a Condition of Approval identifying the need for a new design for this railing, subject to Town Staff approval. We welcome 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.

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 assigned.

Refuse (15/A and 15/R): Since the last review, the applicant has entered into an agreement with the owner of the neighboring Lots 81 and 82 (The Gold Pan Saloon) to share the existing dumpster located on Lot 81. A copy of this agreement will be required prior to issuance of a building permit as a Condition of Approval. 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 paved 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. Plus, 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 prior to issuance of a building permit. This has been added as a Condition of Approval. We previously heard support from the Planning Commission for awarding positive three (+3) points for the construction of this public walkway.

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, but not all of the areas meet the 5-foot minimum size. At the last hearing, we heard support for assigning negative three (-3) points for this policy in lieu of -6, 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) even though this application was submitted prior to the effective date of January 19, 2011.

Since the last review, the applicant and agent have been working with planning staff and Neils Lunceford, Inc (Arborists and Landscaping Design) to create a landscaping plan that could be awarded positive two (+2) points under this policy. Staff is supportive of the submitted plan being awarded these positive points.

The submitted plans show that the three existing mature trees (two spruce trees and one aspen) will be preserved and moved to a location further away from the sidewalk. There are three new Aspen (3" caliper) proposed along the south property line and a comprehensive Xeriscaping plan of only native and

alpine plantings. All shrubs are in 5-gallon containers and all perennials are in 1-gallon containers. Staff's landscape architect has reviewed the plans, supports the sizes and quantities for this small site and also recommends awarding the positive points.

Social Community / Employee Housing (24/A & 24/R): The plans show an deed restricted employee unit of 680 square feet. There is a standard Condition of Approval identifying this with this application. This is over 10% of the total density and, as a result, has been awarded positive ten (+10) points.

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): The site surfaces will shed water to the west portion of the property. A standard condition of approval is included stating that a final drainage plan will be submitted to the Engineering Department prior to issuance of a building permit.

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.

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

Point Analysis (Section: 9-1-17-3): Negative points are being incurred for the above ground density overage (-9 points), side yard setbacks (-3 points) and open space (-3 points) for a total of negative fifteen (-15) points.

Positive points are being awarded for the public pedestrian connection (+3), extra landscaping (+2), and employee housing (+10). This, along with support for a variance from Policy 5A, Architectural Compatibility, results in a passing score of zero (0) points for the proposal.

Staff Recommendation

The applicant and agent have been working with staff and the Commission to create a building that should enhance the Historic District and provide a new structure that complements the historic character of Main Street. We have two questions for the Commission:

1. Does the Commission support the request for a variance from Priority Policy 80A, Use connectors to link smaller modules and for new additions to historic structures?"
2. Does the Commission support the Condition of Approval that the applicant shall submit plans for a re-designed railing at the connector and obtain staff approval prior to issuance of a building permit?

We welcome any additional Commission comment.

We recommend the Commission support The Elk, Mixed Use Building and Variance Request, PC#2011001, by endorsing the Point Analysis which shows a passing score of zero along with the attached Findings and Conditions which include the variance request.

Final Hearing Impact Analysis				
Project:	The Elk, Mixed Use Building and Variance Request	Positive	Points	+15
PC#:	2011001			
Date:	06/22/2011	Negative	Points	- 15
Staff:	Michael Mosher, Planner III			
			Total Allocation:	0
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
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)		Under Suggested Density - Proposed Density: Commercial: 2,222 sq. ft. (79%); Residential: 680 sq. ft. (21%); Total density: 2,902 sq. ft.
4/R	Mass	5x (-2>-20)		Allowed under LUGs: 3,017 sq. ft. ; Proposed mass: 1,816 sq. ft. (No concerns)
5/A	Architectural Compatibility / Historic Priority Policies	Complies		Variance granted for Policy 80A, Connectors
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 UPA	(-3>-18)	- 9	The above ground density is 1,434 square feet, or 10.46 UPA. This is over the suggested 9 UPA of 1,234 square feet.
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		Recommended: 23'-0" (mean); Proposed: 22'-3" (mean); 27'-6" (overall)
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)	- 3	Front: commercial; 0 ft., residential; 49 ft; Sides: commercial; 4 ft. & 0 ft., residential; 3 ft. & 5.5 ft.; Rear: commercial; 74.5 ft., residential; 52 ft.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		Per recorded Agreement
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		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	0	
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)	0	Applicant sharing with existing neighboring dumpster
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	The drawings show a paved mid-block connection between Lots 79 and 80
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		Per recorded Agreement
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)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		

21/R	Open Space - Private Open Space	3x(-2/+2)	- 3	Minimal open space offset by improved pedestrian connection between lots 79 and 80
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	+2/4/6	+2	The submitted plans show that the three existing mature trees (2 Spruce and one Aspen) will be preserved and moved to a location further away from the sidewalk. There are three new Aspen (3" caliper) proposed along the south property line and a comprehensive Xeriscaping plan of only native and alpine plantings. All shrubs are in 5-gallon containers and all perennials are in 1-gallon containers.
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	+10	The plans show an employee unit of 680 square feet. This is over 10% of the total density and, as a result, has been awarded positive ten (+10) points.
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
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)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		

TOWN OF BRECKENRIDGE

**The Elk, Mixed Use Building and Variance Request
103.5 North Main Street
Lot 80, Bartlett and Shock Subdivision
PERMIT #2011001**

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 **June 22, 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 **July, 5, 2011** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The property which is the subject of the Application is located at 103.5 North Main Street. Such property is located in the Town's Main Street Residential Commercial Character Area. The Main Street Residential Commercial Character Area is part of the Town's Conservation District.
8. Policy 5(Absolute) of Section 9-1-19 of the Town's Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code) ("**Development Code**") provides, in pertinent part, as follows:

B. Conservation District: Within the Conservation District, which area contains the Historic District (see Special Areas Map) substantial compliance with both the design standards contained in "The Handbook of Design Standards" [the Town of Breckenridge "Handbook of Design Standards for the Historic and Conservation Districts"] ("**Design Standards**") and all specific individual standards for the transition or character area within which the project is located is required to promote the educational, cultural, economic and general welfare of the community through the protection, enhancement and use of the District structures, sites and objects significant to its history, architectural and cultural values.

9. Pursuant to the Design Standards, a “priority policy” is a policy that must be met in order for an application to be found to be in “substantial compliance” with the Design Standards under Policy 5(Absolute) of Section 9-1-19 of the Development Code.

10. A Design Standard’s priority policy is treated by the Town as an absolute policy under the Development Code. Therefore, Priority Policy 80A of the Design Standards is treated as an absolute policy under the Development Code.

11. Priority Policy 80A of the Design Standards (“**Priority Policy 80A**”) provides, in pertinent part, as follows:

“Use connectors to link smaller modules and for new additions to historic structures. The width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked.”

12. An absolute policy is defined by Section 9-1-5 of the as “a policy which, unless irrelevant to the development, must be implemented for a permit to be issued.”

13. The Application meets all of the requirements of Priority Policy 80A except that portion which provides that the width of the proposed connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked. Therefore, unless a variance is granted with respect to the requirements of Priority Policy 80A, the Application will have to be denied pursuant to Section 9-1-18-2(E)(5) of the Development Code. (“If the proposed development does not implement all affected absolute policies (subject to variance) . . . the Planning Commission shall deny the permit.”)

14. A variance is defined in Section 9-1-5 of the Development Code as follows:

VARIANCE: A finding by the approving agency that, although a proposed development is not in strict compliance with an absolute policy, to deny the development permit would result in “undue hardship” as defined by law. No relief from compliance with an absolute policy shall be granted except upon findings that:

- A. the failure to implement the absolute policy is of insignificant proportions; and
- B. the failure to implement the absolute policy will not result in substantial detriment to the public good or substantially impair the intent and purposes of the absolute policy; and
- C. there are exceptional circumstances applicable to the specific development which do not apply generally to other properties in the same district or neighborhood.

15. Section 9-1-11 of the Development Code sets forth the Town’s rules for the granting of a variance from the provisions of the Development Code.

16. Paragraph 2 of Section 9-1-11 of the Development Code provides that “(a) variance may be granted with respect to any absolute policy contained in this chapter.”

17. The Applicant seek a variance from the portion of Priority Policy 80A that provides that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked.
18. The Applicant has filed the required application for a variance, and has paid the applicable fee.
19. All required notice with respect to the hearing on the Applicant's request for a variance has been given as required by the Development Code.
20. Paragraph A of Section 9-1-11 of the Development Code provides as follows:

A. Purpose/Limitations:

1. In order to prevent or to reduce such practical difficulties and unnecessary physical hardships inconsistent with the objectives of this chapter, variances from the regulations may be granted. Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance.

This paragraph establishes one requirement for the granting of a variance.

21. Paragraph D of Section 9-1-11 of the Development Code sets forth the additional criteria which must be established by an applicant in order for a variance to be granted. Such paragraph provides as follows:

D. Criteria For Approval: Before the commission can grant a variance application, the applicant must prove physical hardship and the commission must find all of the following:

1. There are special circumstances or conditions applying to the land, buildings, topography, vegetation or other matters on the subject lot which would substantially restrict the effectiveness of the development in question; provided, however, that such special circumstances or conditions are unique to the particular use of which the applicant desires a variance and do not apply generally to all uses.
2. That such special circumstances were not created by the applicant.
3. That the granting of the variance will be in general harmony with the purposes of this chapter, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.
4. The variance applied for does not depart from the provisions of this chapter any more than is required.

22. The Planning Commission has received and considered the evidence submitted in connection with the Applicant's request for a variance; and based upon such evidence makes the following findings as required by the definition of a "variance" in Section 9-1-5 of the Development Code:

A. Although the development proposed by the Application is not in strict compliance with the portion of Priority Policy 80A which provides that the width of the connector should not

exceed two-thirds of the facade of the smaller of the two modules that are to be linked, to deny the development permit would result in “undue hardship” as defined by law.

Reason/Factual Basis for Finding: The denial of the Application under the unique circumstances presented would prevent the construction of the proposed connector element. Such action would result in undue hardship to the Applicant as that term is known to the law.

- B. The failure to implement that portion of the requirements of Priority Policy 80A providing that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked is of insignificant proportions.

Reason/Factual Basis for Finding: Requiring the Applicant to comply with the referenced portion of Priority Policy 80A would create a “dead zone” between the existing two-story historic building on Lot 81, Bartlett and Shock Addition to the Town of Breckenridge (“**Lot 81**”) and the new connector on Lot 80. The creation of such a dead zone would create numerous undesirable negative effects, including, but not limited to, jeopardizing the structural integrity of the neighboring historic structure by creating a drainage condition on Lot 80 that could result in ice and water damage to the neighboring historic structure on Lot 81. Not implementing the referenced portion of Priority Policy 80A is therefore necessary to adequately protect the neighboring historic structure on Lot 81. All such factors lead to the conclusion that the failure to implement the requirements of Priority Policy 80A, providing that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked, is of insignificant proportions.

- C. The failure to implement the requirements of Priority Policy 80A providing that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked will not result in substantial detriment to the public good or substantially impair the intent and purposes of the absolute policy.

Reason/Factual Basis for Finding: The failure to implement the referenced portion of Priority Policy 80A will have no public detriment as the referenced portion is not visible from any public right-of-way. In addition, the appearance of the historic building module areas are maintained from all public rights-of-ways. See the Reason/Factual Basis for Finding under Findings A and B of this Paragraph 16.

- D. There are exceptional circumstances applicable to the Application which does not apply generally to other properties in the same district or neighborhood.

Reason/Factual Basis for Finding: The applicable conditions are site-specific to the Applicant’s property which is the subject of the Application, and the existing conditions at the neighboring property, Lot 81, do not exist generally within the Town’s Conservation District or the land use district in which the Applicant’s property is located.

23. The Planning Commission makes the following additional findings as required by Section 9-1-11 of the Development Code:

- A. There are practical difficulties and unnecessary physical hardships associated with the Application. Such difficulties and hardships are inconsistent with the

objectives of Chapter 1 of Title 9 of the Breckenridge Town Code, known as the Breckenridge Development Code.

Reason/Factual Basis for Finding: The existing two-story historic building on Lot 81 is located only about 1.5 feet from Lot 80's southerly property line. Currently, with Lot 80 vacant, water, snow and ice have enough permeable open ground and sunlight to disperse the moisture. With the development of Lot 80, this permeable space will be greatly reduced. Additionally, the design of a connector (as described in Priority Policy 80A), would concentrate this moisture and restrict sunlight to the area; would limit the melting of snow and ice surrounding the historic structure on Lot 81; and could thereby jeopardize the structural integrity of the historic structure on Lot 80. Further, requiring the Applicant to comply with the referenced portion of Priority Policy 80A would create a "dead zone" between the existing building and the new connector. The creation of such a dead zone creates numerous undesirable effects, including, but not limited to, jeopardizing the structural integrity of the neighboring historic structure on Lot 81.

- B. There are special circumstances or conditions applying to the land, buildings, topography, vegetation or other matters on the subject lot which would substantially restrict the effectiveness of the development in question. Such special circumstances or conditions are unique to the particular use of which the applicant desires a variance and do not apply generally to all uses.

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Finding A of this Paragraph 17.

- C. That such special circumstances were not created by the applicant.

Reason/Factual Basis for Finding: The special circumstances have been created by persons other than the current owner of the real property which is the subject of the Application, and not by the Applicant.

- D. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property.

Reason/Factual Basis for Finding: The applicable conditions are site-specific to the Applicant's property and do not exist generally within the Town's Conservation District or the land use district in which the Applicant's property is located.

- E. That the granting of the variance will be in general harmony with the purposes of this chapter, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Findings A, B, C and D of this Paragraph 17.

- F. The variance applied for does not depart from the provisions of this chapter any more than is required.

Reason/Factual Basis for Finding: Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Findings A, B, C, D, and E of this Paragraph 17.

Accordingly, the Applicant's request for a variance from the requirements of Priority Policy 80A providing that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked, all as described in the Application and supporting documentation, is GRANTED.

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 **July 12, 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 occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. 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.
8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.

11. Applicant shall submit and obtain approval from the Community Development Department for a detailed design for the upper railing on the connector upper level deck.
12. Applicant shall submit a copy of the agreement with the owner of Lot 81, (The Gold Pan Saloon) to share the existing dumpster on Lot 81 for the refuse needs of this development.
13. The applicant and the owner of Lot 79 shall provide copy of a recorded pedestrian access easement between lots 79 and 80.
14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
15. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
16. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees.
17. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
18. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property.
19. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
20. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
21. 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

22. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 680 square feet of employee housing within the project.
23. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
25. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute Landscaping).
26. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the

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

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

(Initial Here)

LOT 78

LOT 79

LOT 80
3,733 sqft.
0.086 acres
Address: 1033
NORTH MAIN ST.

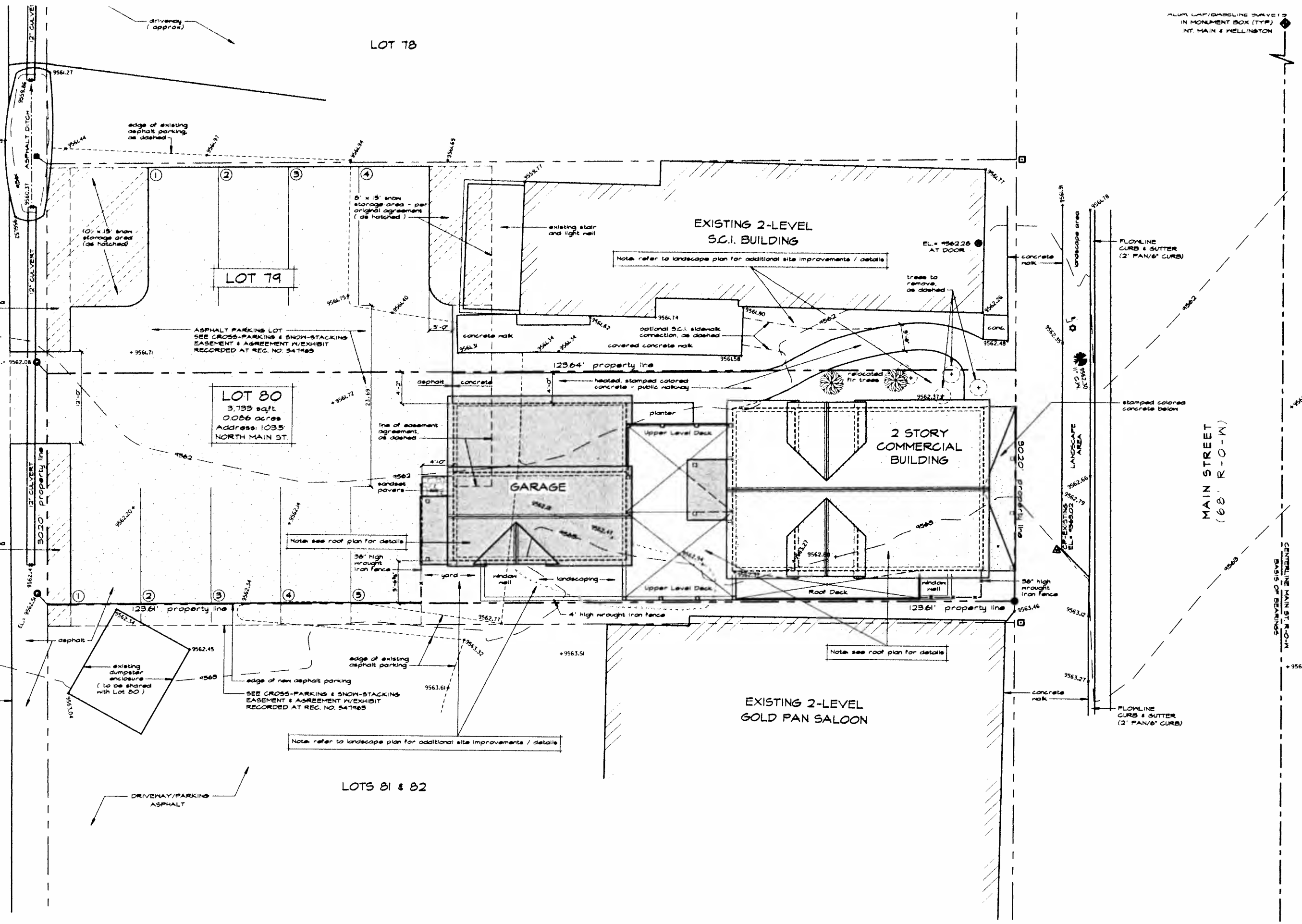
LOTS 81 & 82

EXISTING 2-LEVEL
S.C.I. BUILDING

2 STORY
COMMERCIAL
BUILDING

EXISTING 2-LEVEL
GOLD PAN SALOON

GARAGE



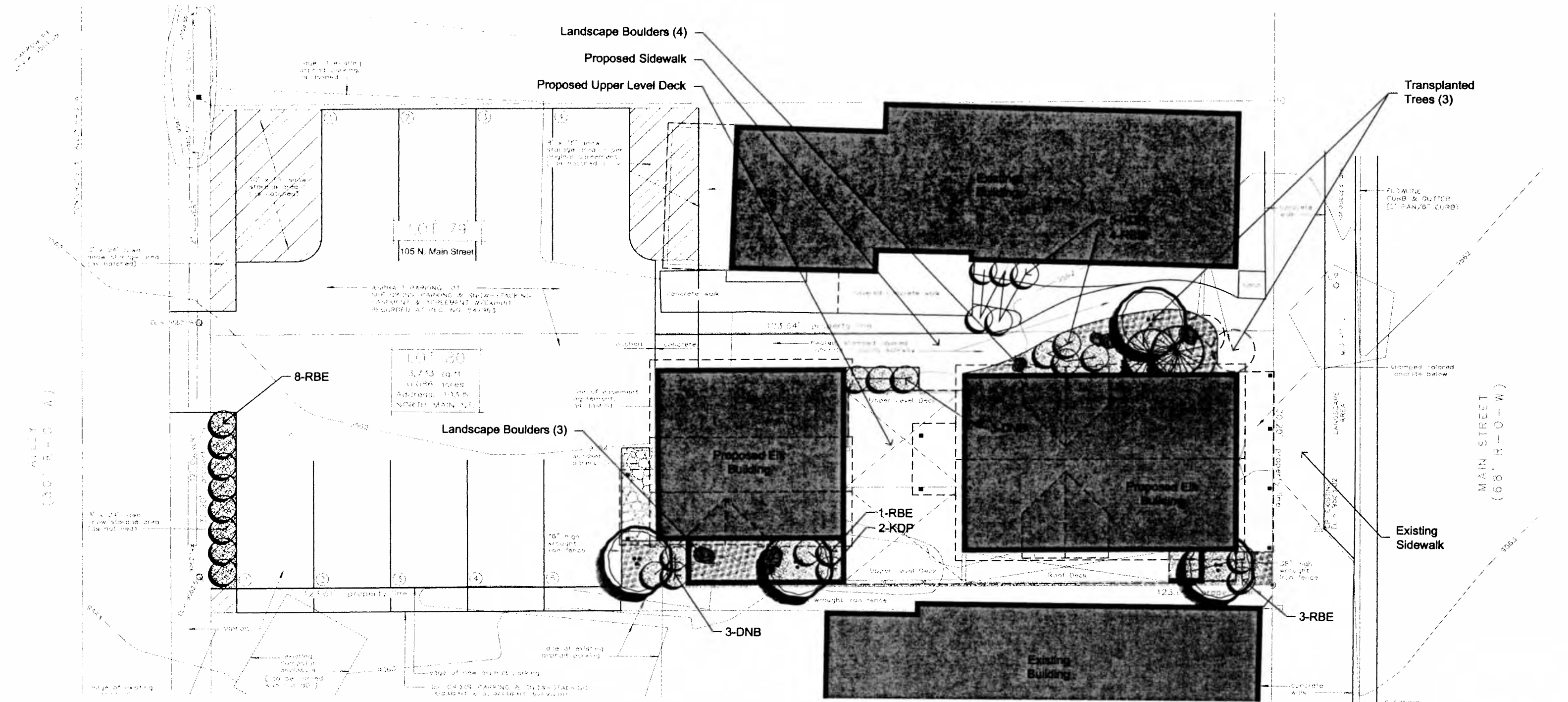
OF APPROX. PT.
ELEV. +956.06

ALLEY
(30' R-O-W)

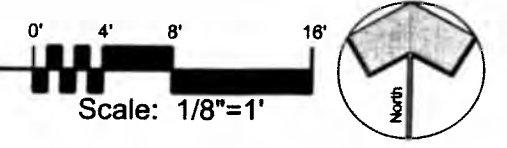
WATER VALVE

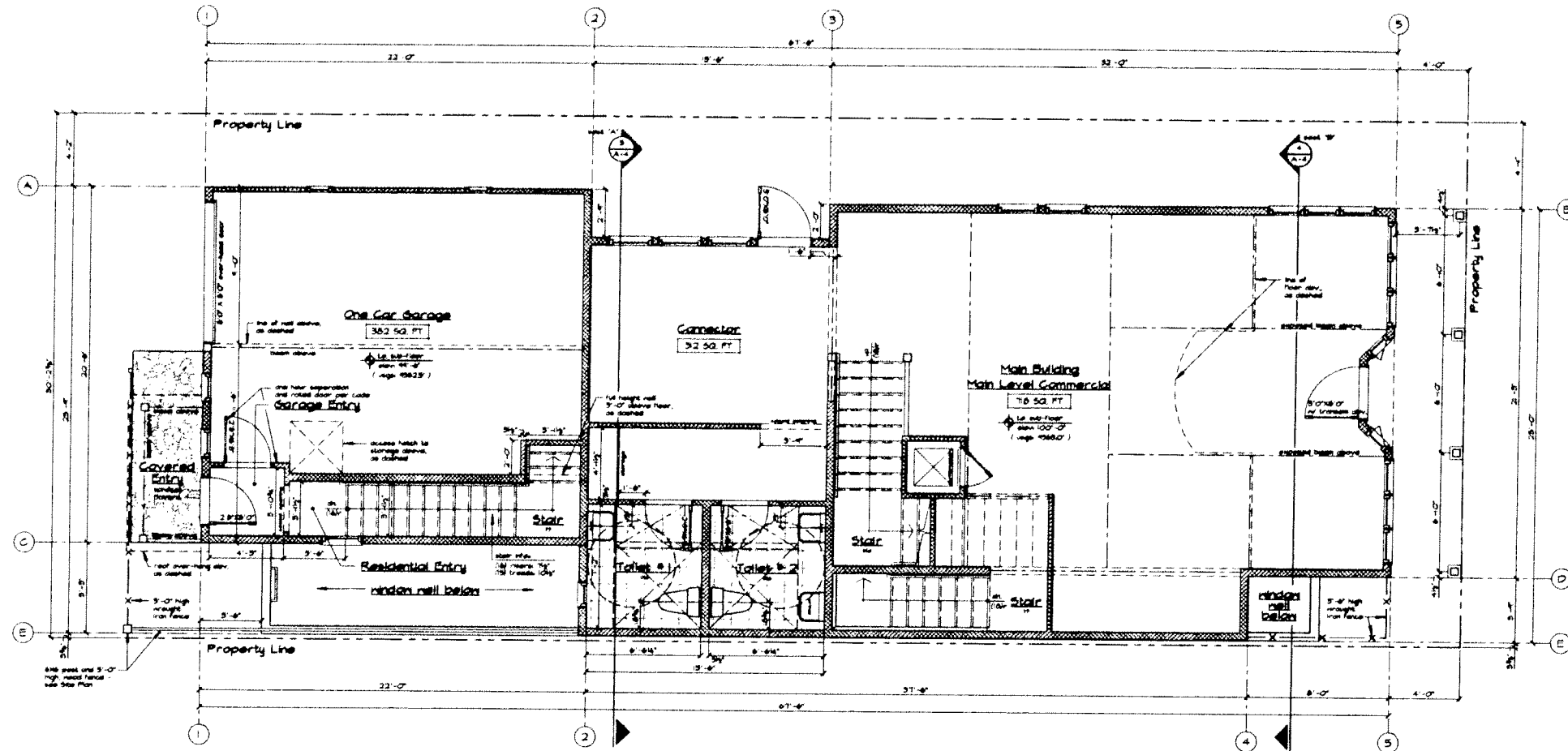
CENTERLINE MAIN ST. R-O-W
BASIS OF BEARINGS

MAIN STREET
(68' R-O-W)



Landscape Concept



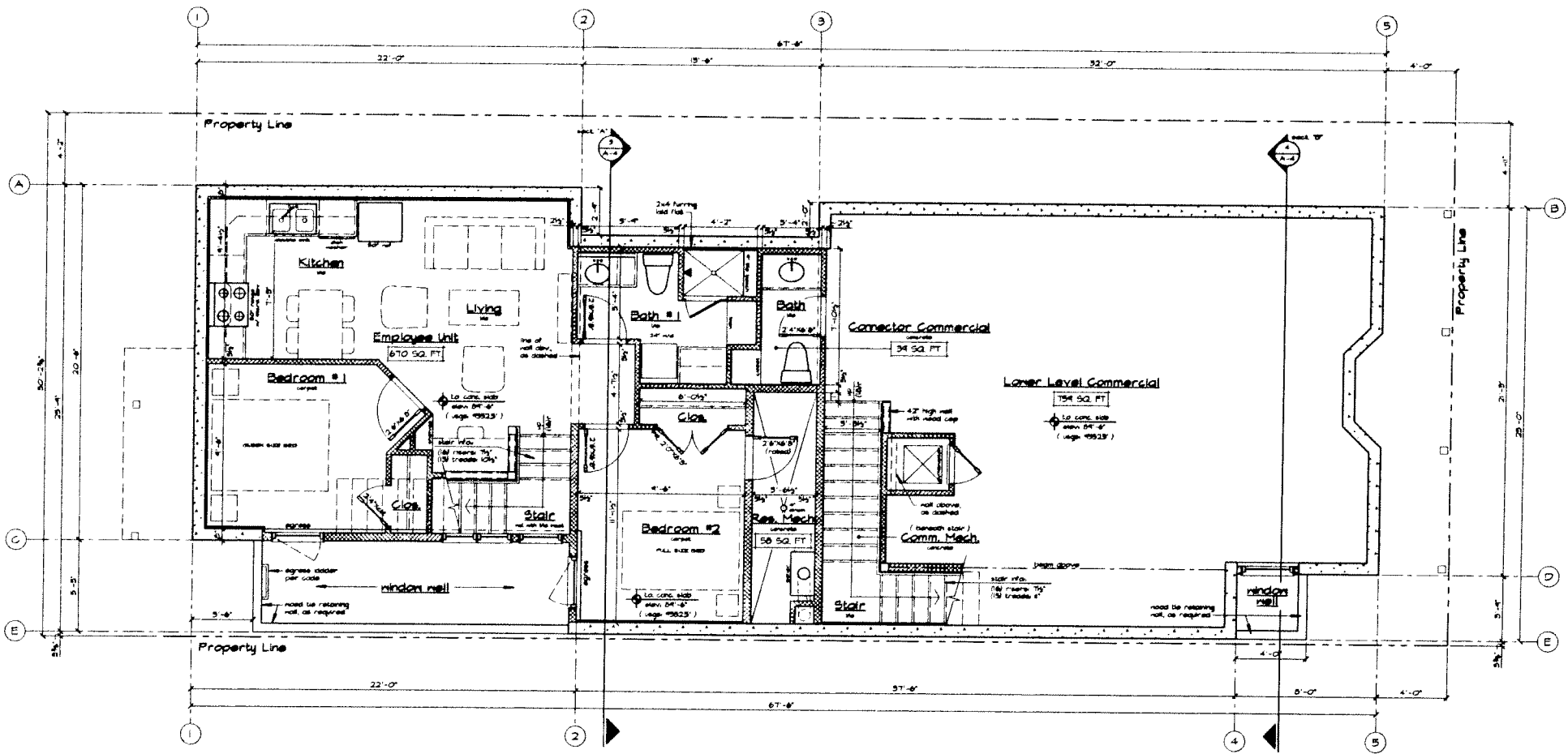


- General Notes - Floor Plans**
- Commercial Building is required to be equipped throughout with an automatic sprinkler system to code.
 - Provide one hour separation in areas indicated on plan code notes with noted assemblies where required for shaft enclosure.
 - All construction to be in compliance with the 2006 International Building and Plumbing Codes, the Americans with Disabilities Act (ADA) (Commercial Building) and the International Energy Conservation Code (IECC).
 - All dimensions are to face of stud or concrete, unless noted otherwise, typical.
 - Particular dimensions prevail over scaled dimensions. Verify all dimensions prior to starting work and notify architect if any discrepancies arise.
 - All interior walls to receive sound batt insulation for full wall thickness, typical.
 - Verify fire sizes and requirements with mechanical contractor.
 - Provide solid blocking as required for all bathroom accessories and hardware.

Main Level Floor Plan SQ. FT. Summary

Commercial	
Main Building	76 sq. ft. gross
- 50 sq. ft. stair encl.	
- 14 sq. ft. dumbwaiter	= 76 sq. ft.
Connector	= 52 sq. ft.
Total Commercial Density	= 1,050 sq. ft.
Residential	
Employee Unit Entry	= 10 sq. ft.
Total Residential Density	= 10 sq. ft.
Total Main Level (above ground density)	= 1,040 sq. ft.

1
A-2
 Main Level Floor Plan
Scale: 1/4" = 1'-0"



Sq. Ft. Summary

Commercial	
Lower Level:	= 754
Main Level:	= 1,050
Upper Level:	= 344
Total Commercial Density:	= 2,222
Residential	
Lower Level:	= 670
Main Level:	= 10
Total Residential Density:	= 680
Storage (mass only)	= 362

Lower Level Floor Plan SQ. FT. Summary

Commercial	
Main Building	= 754 sq. ft.
Connector (Bath)	= 34 sq. ft.
Total Commercial Density	= 788 sq. ft.
Residential	
Employee Unit	= 670 sq. ft.
- 728 sq. ft. gross	
- 58 Res. Mech.	
Total Residential Density	= 670 sq. ft.

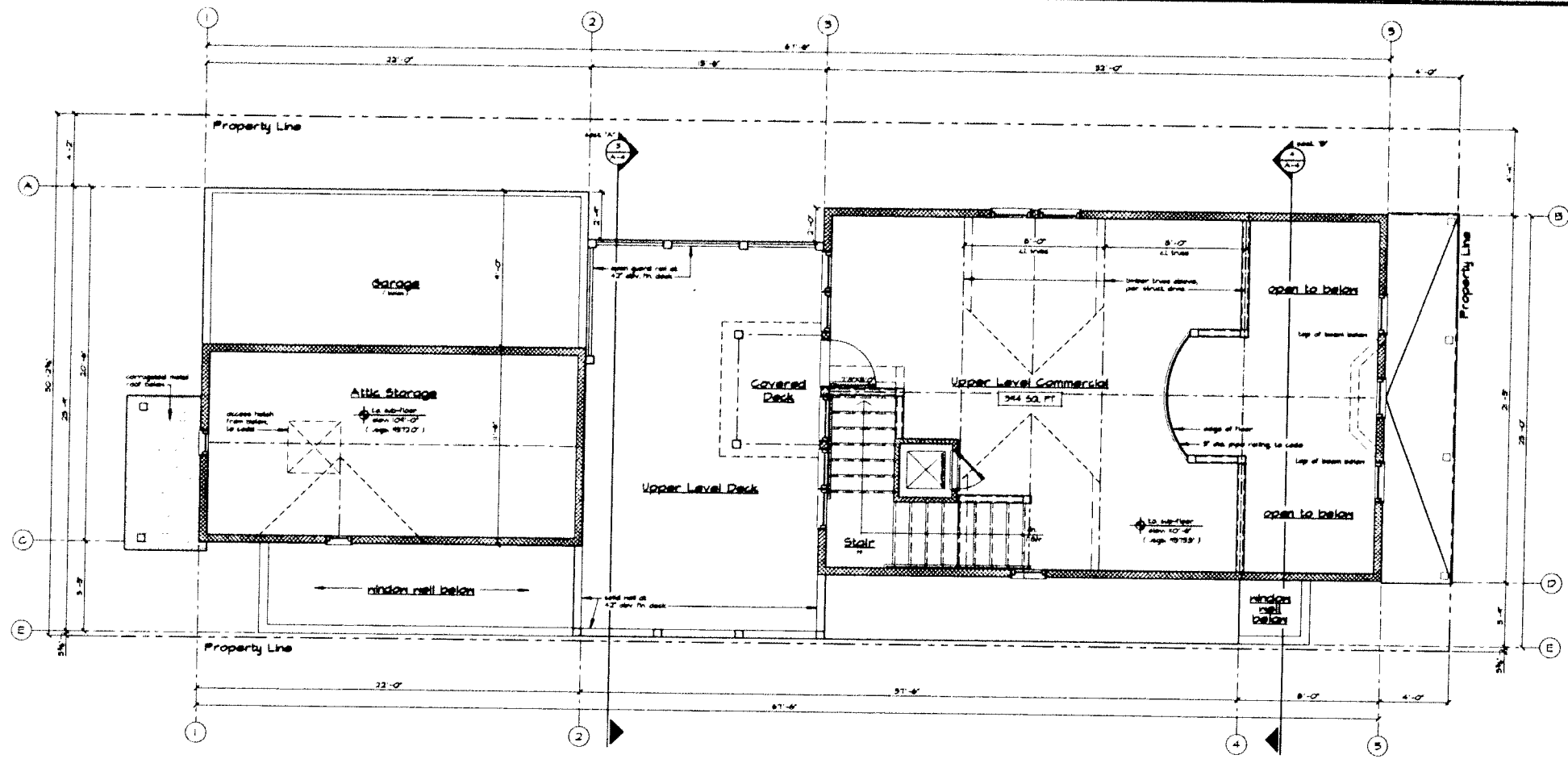
2
A-2
 Lower Level Floor Plan
Scale: 1/4" = 1'-0"

THE ELK
LOT 80, BARTLETT & SHOCK ADDITION
BRECKENRIDGE, COLORADO

Floor Plans:
Main Level Plan
Lower Level Plan
Scale: 1/4" = 1'-0"
Date: 06-10-2011
Re-issue Date: 06-22-2011 (revised Sq. Ft.)

J.J. Satterley, Architect, P.C.
architectural consultation
P.O. Box 3850 • Breckenridge, Colorado 80424 • 970-453-3718
Leonard R. Casland, Inc.
computer aided design service
P.O. Box 2853 • Silverthorne, Colorado 80498 • 970-282-1443

A-2

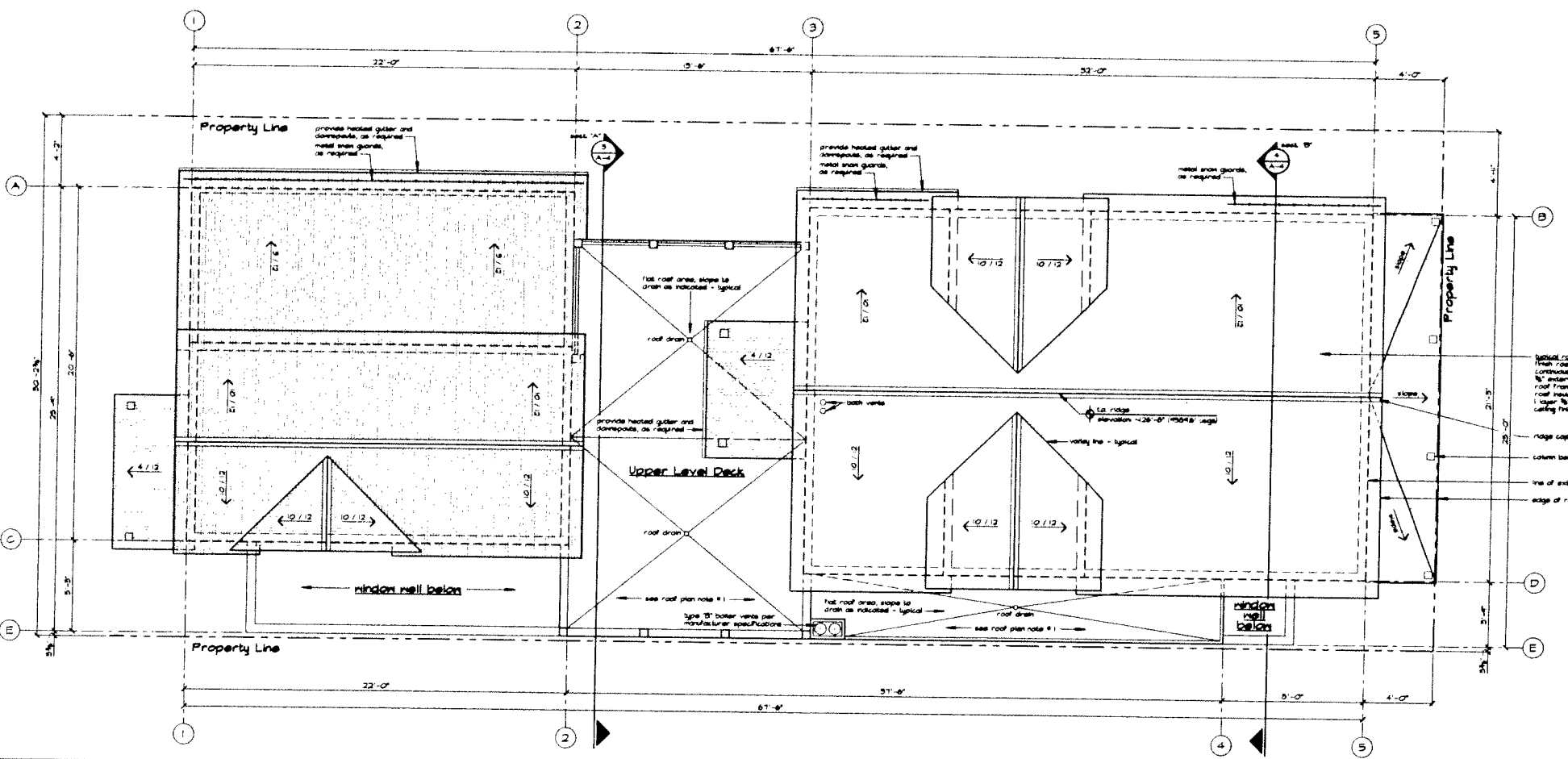


- ### General Notes - Floor Plans
- Commercial Building is required to be equipped throughout with an automatic sprinkler system to code.
 - Provide one hour separation in areas indicated on plan code notes with rated assemblies where required for shaft enclosure.
 - All construction to be in compliance with the 2006 International Building and Plumbing Codes, the Americans with Disabilities Act (ADA) / Commercial Building and the International Energy Conservation Code (IECC).
 - All dimensions are to face of stud or concrete, unless noted otherwise, typical.
 - Written dimensions prevail over scaled dimensions. Verify all dimensions prior to starting work and notify architect if any discrepancies arise.
 - All interior walls to receive sound batt insulation for full wall thickness, typical.
 - Verify tile sizes and requirements with mechanical contractor.
 - Provide solid blocking as required for all bathroom accessories and hardware.

Upper Level Floor Plan SQ. FT. Summary

Commercial	
Main Building	= 344 sq. ft.
Total Commercial Density	= 344 sq. ft.

1 A-3
Upper Level Floor Plan
 Scale: 1/4" = 1'-0"



- ### General Notes - Roof Plan
- Single component, multi-layered pedestrian traffic grade urethane elastomeric protective waterproof membrane system (heavy duty application).
 - Snag guards design, location and installation specifications per roofing contractor. **NOTE: PROVIDE SHOP DRAWINGS FOR APPROVAL PRIOR TO PRODUCTION.**
 - Heated gutter and downspout design and installation specifications per roofing contractor.
 - Roof drain system design by mechanical engineer or qualified mech. contractor, to be connected to proposed and existing storm sewer.
- Roof drains shown in flat roof areas are for general arrangement only. All roof drains are to be heated as required and routed through adjacent exterior walls. All roof piping is to be heated and insulated as required and collected at basement level to terminate into storm drain system. Roof drains must be sized for the drainage area served and for local precipitation requirements.

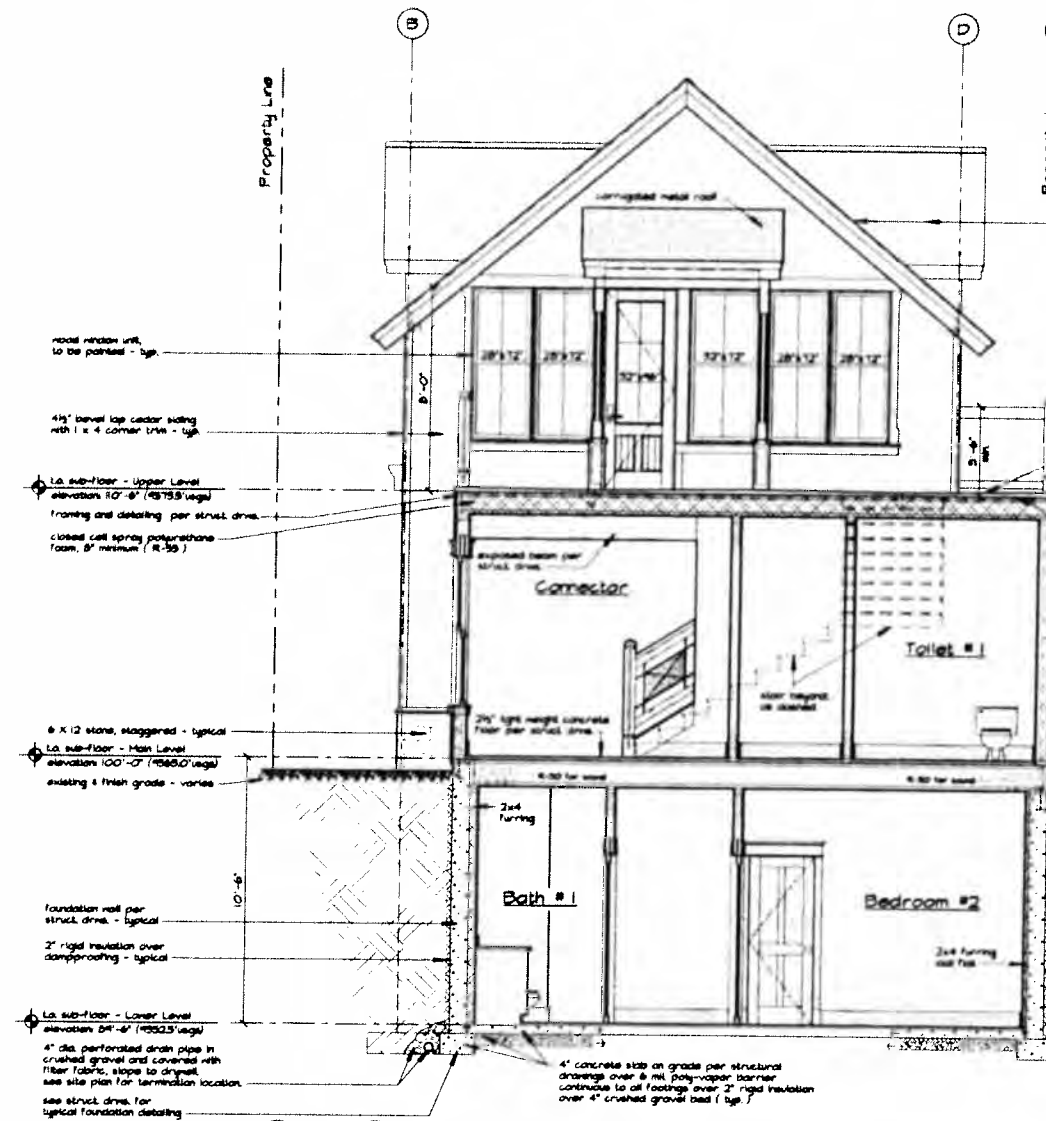
2 A-3
Roof Plan
 Scale: 1/4" = 1'-0"

THE ELK
 LOT 80, BARTLETT & SHOCK ADDITION
 BRECKENRIDGE, COLORADO

Floor Plans, Upper Level Plan, Roof Plan
 Scale: 1/4" = 1'-0"
 Date: 06-10-2011
 Re-issue Date: 06-22-2011 (revised 5q. ft.)

J.L. Battenley, Architect, P.C.
 architectural consultation
 P.O. Box 3836 • Breckenridge, Colorado 80424 • 970-453-3718
 Leonard R. Casland, Inc.
 computer aided design services
 P.O. Box 2853 • Silverthorne, Colorado 80488 • 970-282-1443

A-3



**WEST ELEVATION
OF UPPER LEVEL
CONNECTOR**

50 year heavy weight asphalt
composition shingles

single component, multi-layered pedestrian
traffic grade wet/dry adhesion
protective membrane system
(heavy duty application)

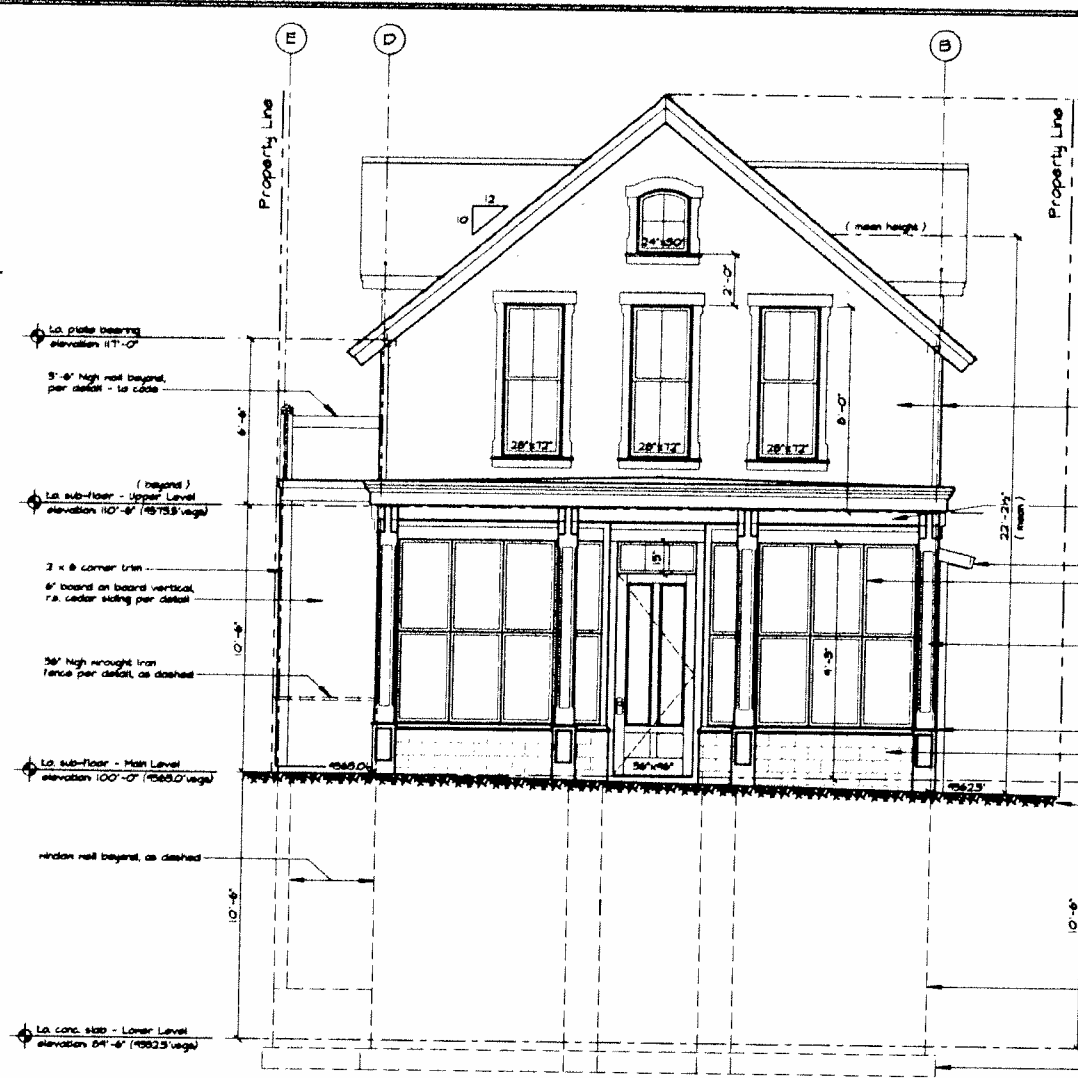
5" light weight concrete topping,
slope to drains as required

(2) layers 5/8" solid plywood sheathing
over 1/2" 1" joists, per struct. drw.

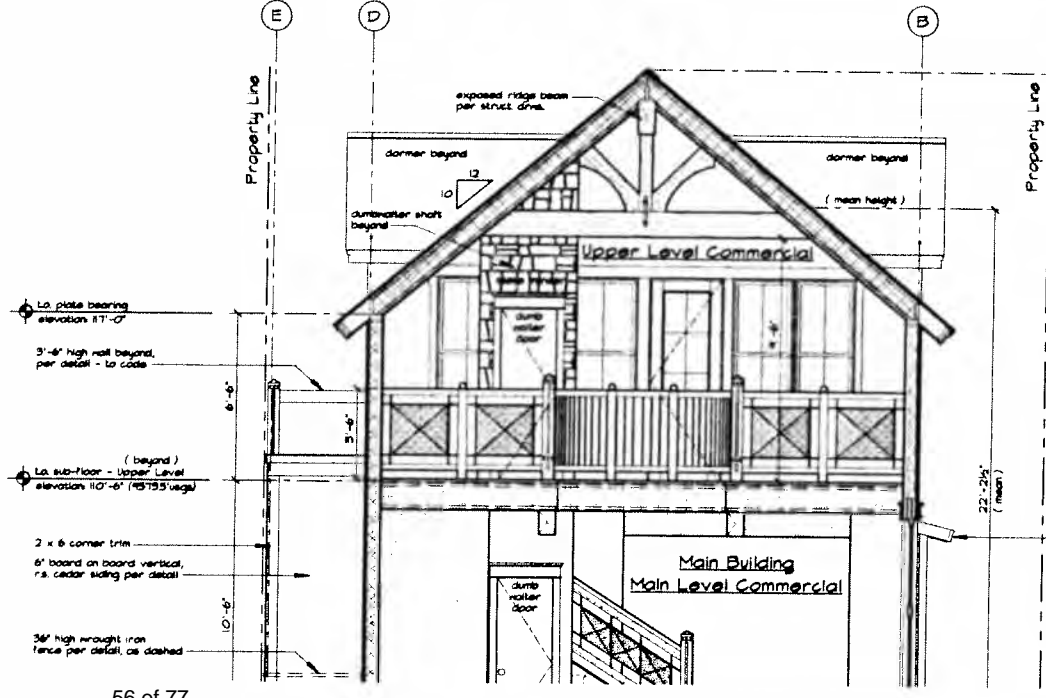
typical exterior wall assembly:
exterior finish per exterior elevation notes
house wrap or equal - as required
1/2" exterior plywood sheathing
2 x 6 wall studs @ 16" o.c.
cavity insulation per construction details
1 layer 5/8" gypsum wall board
interior finish per owner requirements

existing 4" finish grade - varies

3
A-4 Building Section "A"
Scale: 1/8" = 1'-0"



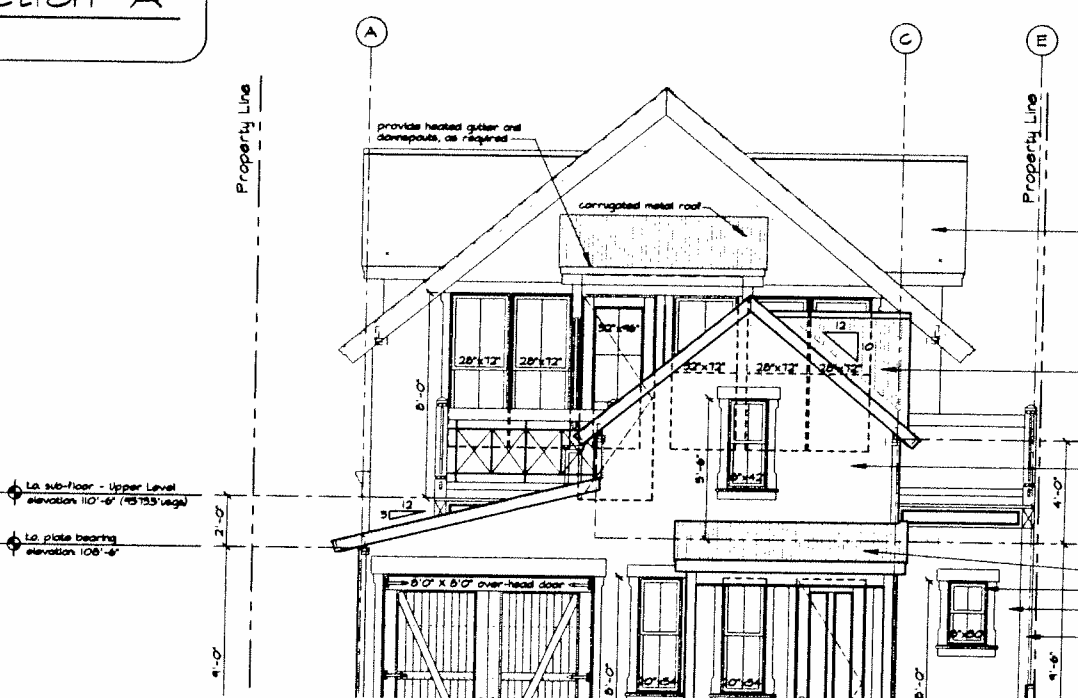
1
A-4 East Elevation
Scale: 1/8" = 1'-0"

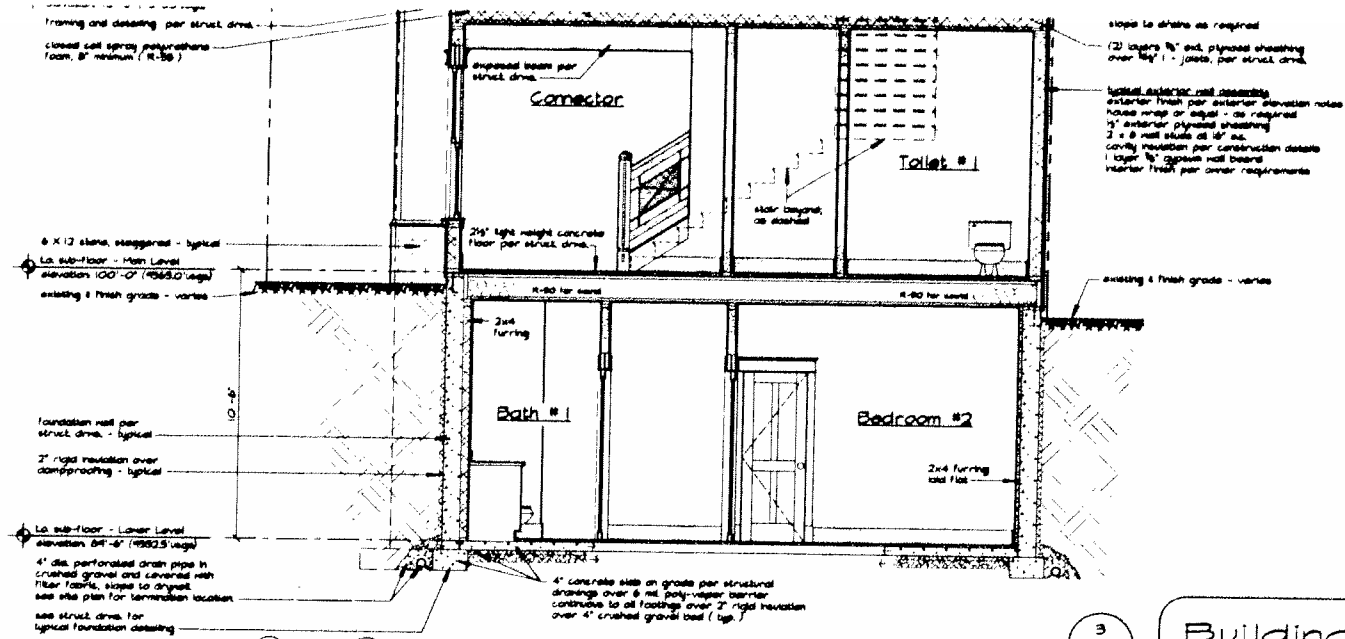


La. highest ridge
elevation ~26'-0" (MS&S) vegl

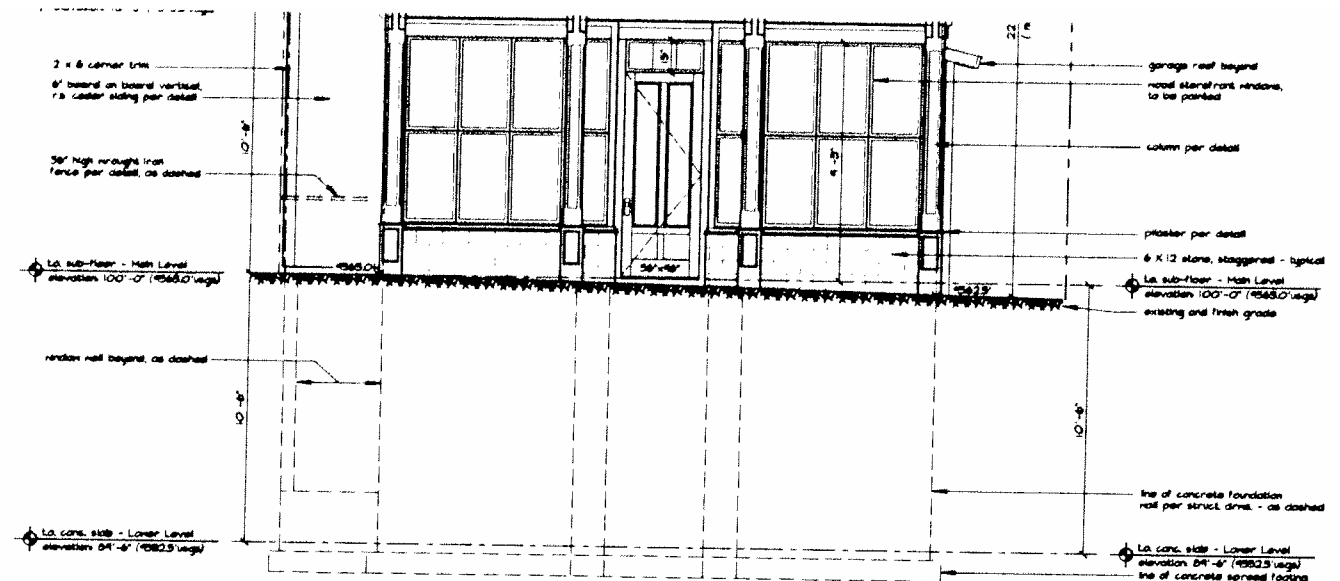
exposed ridge beam
per struct. drw.

garage roof beyond
road storefront windows,
to be painted

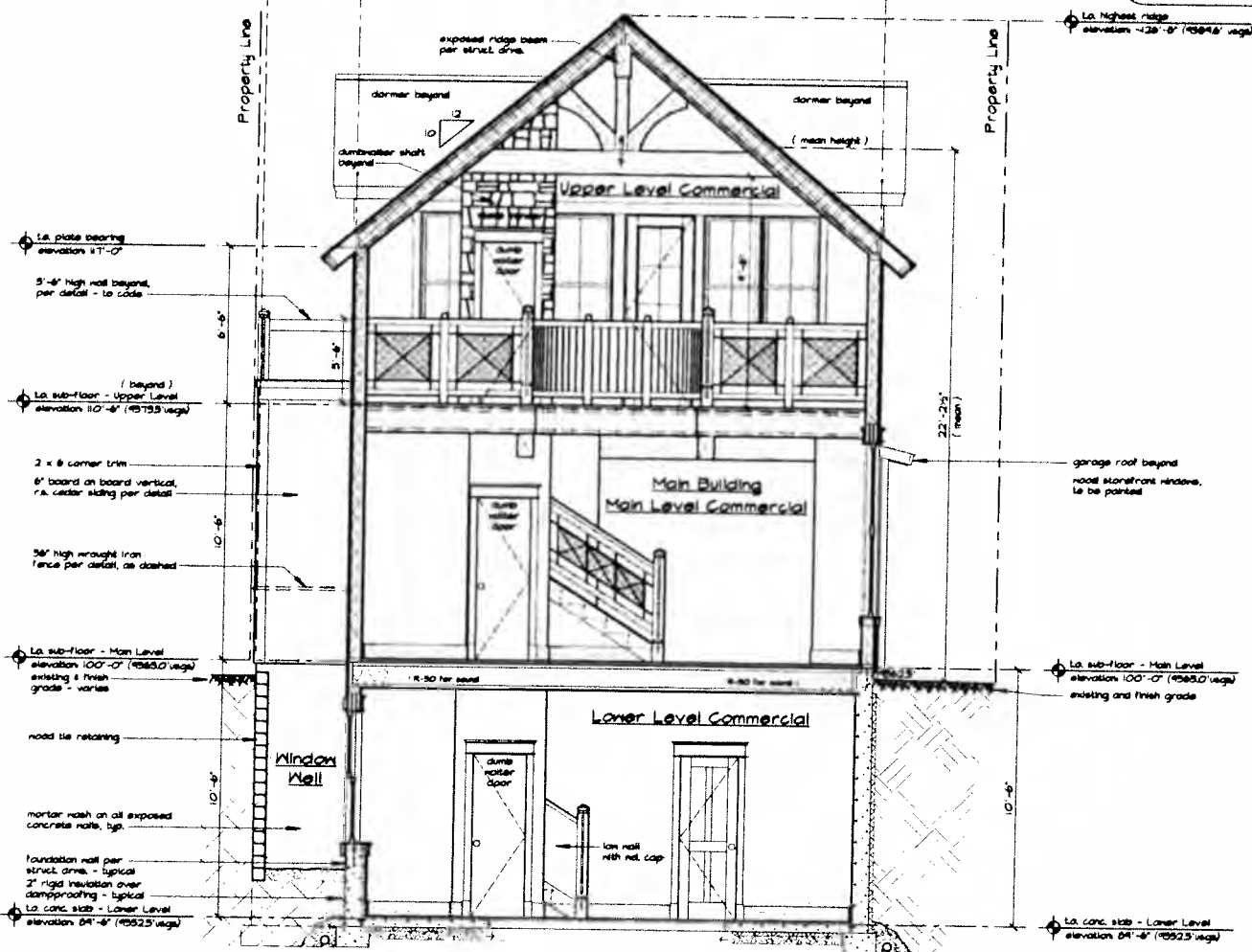




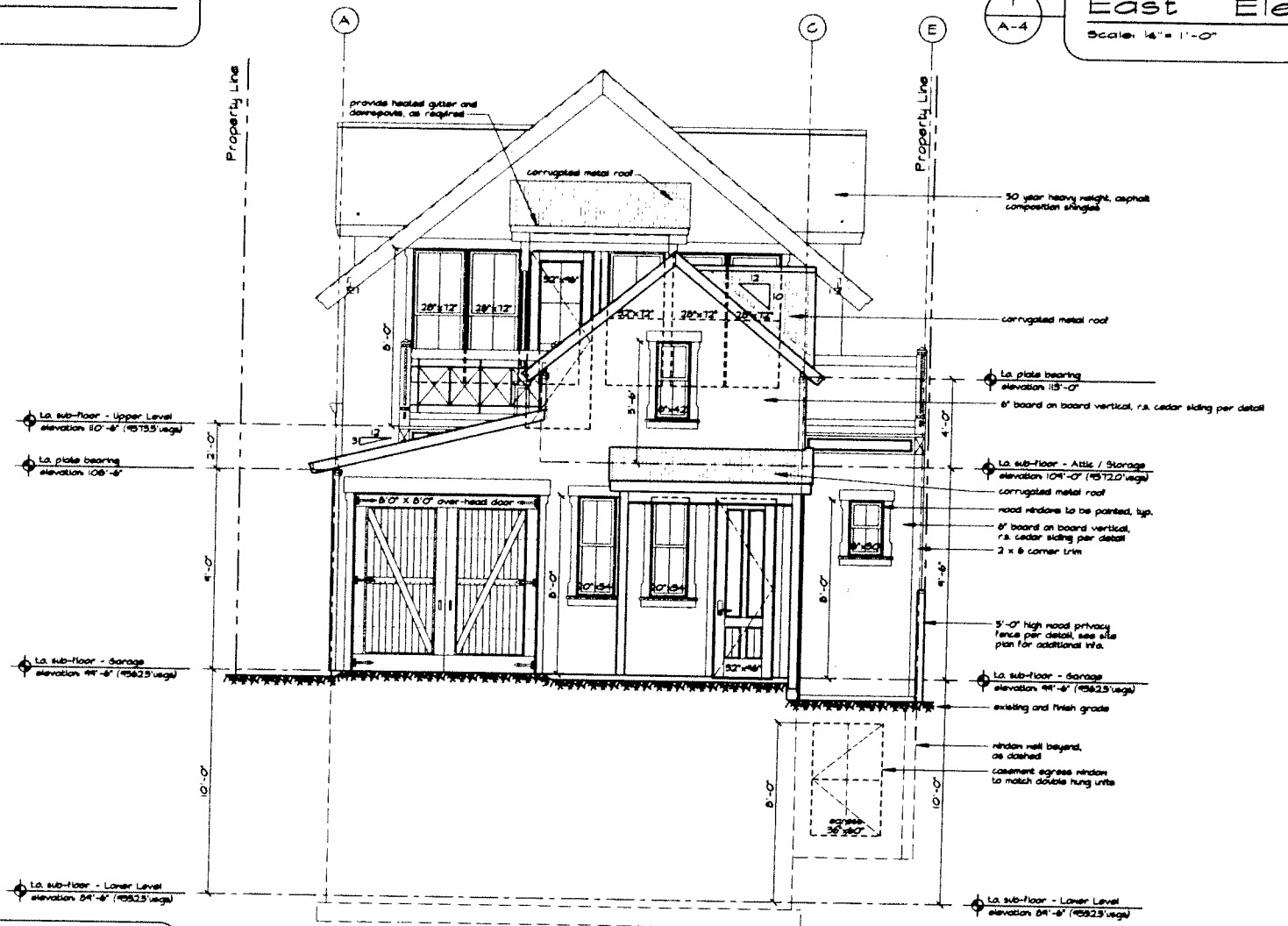
3
A-4
Building Section "A"
Scale: 1/4" = 1'-0"



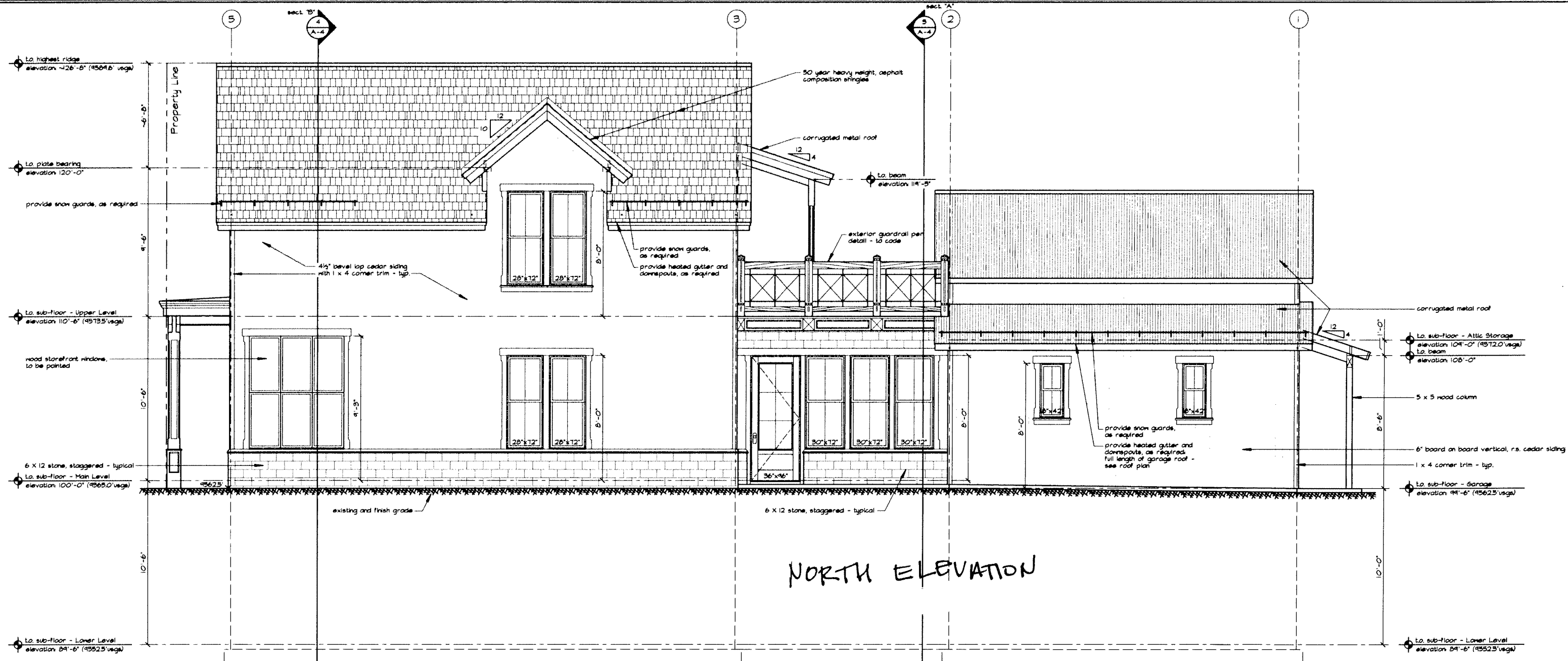
1
A-4
East Elevation
Scale: 1/4" = 1'-0"



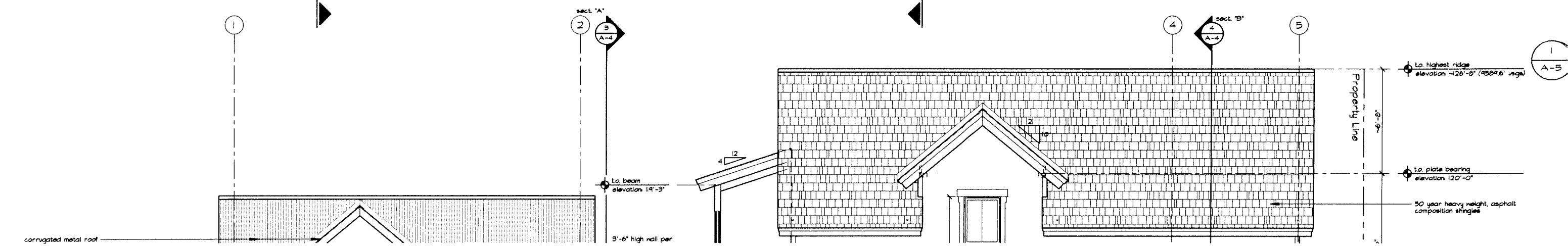
4
A-4
Building Section "B"
Scale: 1/4" = 1'-0"

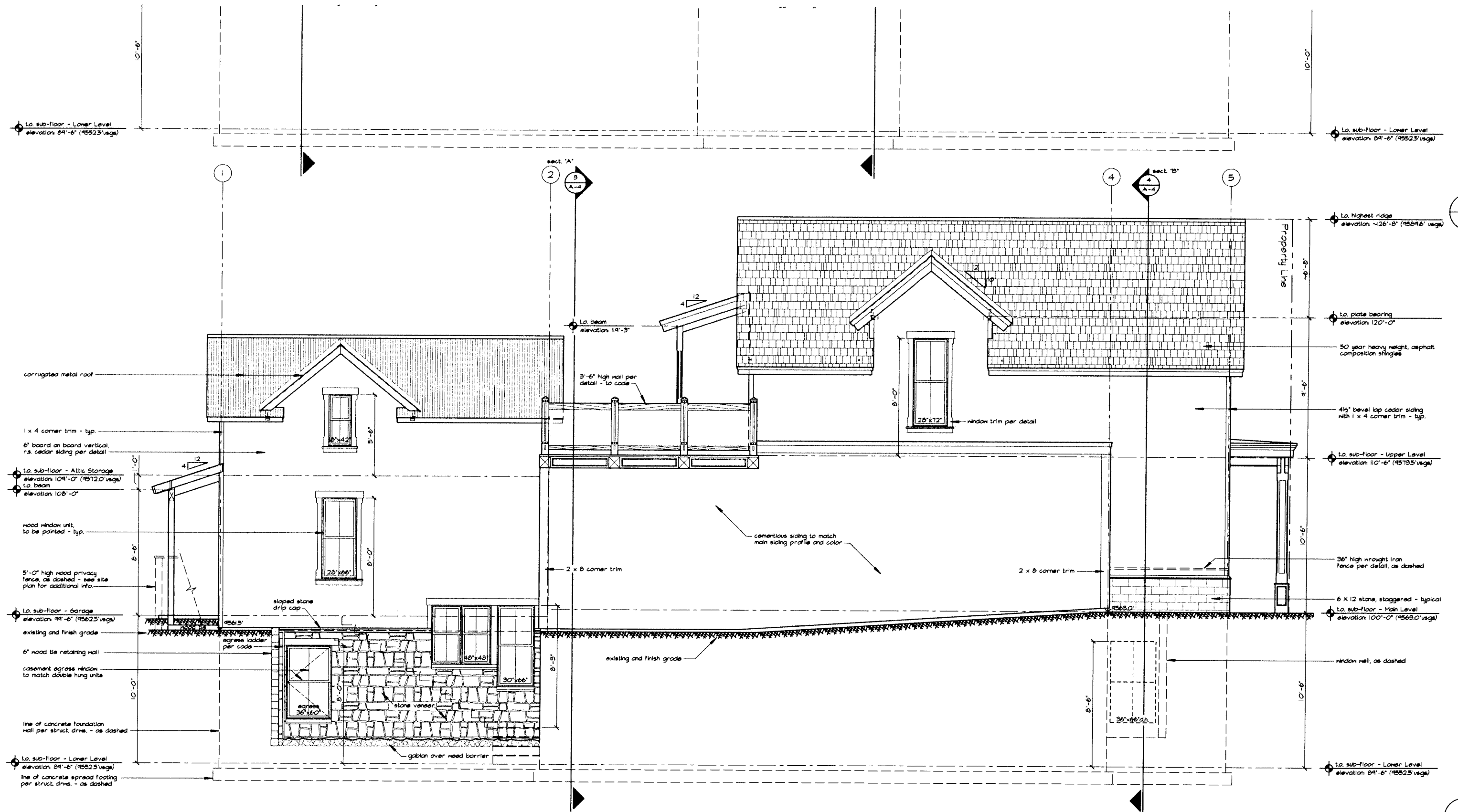


2
A-4
West Elevation
Scale: 1/4" = 1'-0"



NORTH ELEVATION





SOUTH ELEVATION

1
A-5

2
A-5

Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III

Date: June 22, 2011 (For the meeting of July 5, 2011)

Subject: The Third Amended Master Plan of the Delaware Flats Planning Area 3A, Combined Hearing. PC#2011039 (The last hearing was a Worksession.)

Applicant/Owners: Bank of the West, a California Banking Corporation; Dawn M. Clayton, CCIM and Braddock Holdings, LLC; Tom Begley

Agent: Jack Wolfe, Wolfe and Company

Proposal: To modify the Second Amended Master Plan of the Delaware Flats Planning Area 3A (West Braddock, PC#2007120) by re-assigning uses and density within Parcels C and D.

Address: 84 Shores Lane

Legal Description: Tracts C and D, The Shores at the Highlands

Site Area: 5.47 acres (238,273 sq. ft.)

Land Use District: 16, subject to the Shores at the Highlands Master Plan

Site Conditions: The site is currently vacant and undeveloped with no improvements. Public utilities have been placed in the adjacent Stan Miller Drive and Shores Lane Right of Ways (ROWS). A 10-foot snow stacking easement runs along the property lines abutting the ROWs. All public benefit improvements and open space dedications have been fulfilled with the previous subdivision.

Adjacent Uses:

North	Shores at the Highlands duplexes (partially developed)
East:	Highway 9, Highlands Green Subdivisions
South:	Dredge tailings and the Stan Miller property
West:	Tract D, the Shores at the Highlands (undeveloped)

Item History

The Delaware Flats Master Plan Amendment was approved by Town Council on May 8, 1999 (PC#1999015), creating Subdistrict 3A with 150 SFEs of Mixed Use Density.

As part of The Highlands, this property is in Land Use District 6. This filing, which was annexed to the Town in 1982, is within the boundaries of the Delaware Flats Master Plan (dated 1984) and is subject to the following agreements:

Annexation Agreement	Rec. 241832
Supplement to Annexation Agreement	Rec. 265311
Master Plan Agreement	Rec. 275012
Settlement Agreement	Dated January 12, 1999
Amendment to Master Plan Agreement	Rec. 607559

Dedication Agreement
Development Agreement

Rec. 607560
Rec. 607561

The Town Council approved the Amended West Braddock Master Plan, Delaware Flats Planning Area 3A (West Braddock), PC# 2006076, on August 8, 2006. As part of that master plan, density and uses were assigned to Parcel C (then owned by AZCO, LLC) Parcel D (owned by Braddock Holdings, LLC) as follows:

Parcel C = 60 SFES Multi-family
Parcel D = 36 SFES Commercial, Multi-family, Townhome, Duplex

In September 25, 2007, Town Council approved the *Second* Amended Master Plan, , Delaware Flats Planning Area 3A (West Braddock) PC#2007120, which modified the boundaries, density assignments and uses for Parcel C and Parcel D as follows:

Parcel C = 68 SFES Multi-family
Parcel D = 22 SFES Commercial, Multi-family, Townhome, Duplex
(As a result of these past modifications associated with Parcel D, the remaining 6 SFES of density from Parcel D were assigned to another Parcel on the master plan) - (See attached.)

Staff Comments

The ownership of the original boundaries of Parcels C and D was never changed to reflect the boundary changes associated with the Second Amended Master Plan. In addition, AZCO, LLC has gone through foreclosure resulting in the Bank of West purchasing the original Tract C parcel in a public bidding process.

The purpose of this master plan modification is to return the boundary, density and uses of Tract C (owned by Bank of the West) to what was reflected on the original Amended West Braddock Master Plan. This map will also create Parcel D-2A and D-2B (owned by Braddock Holdings, LLC) as follows:

Parcel C = 60 SFES Multi-family
Parcel D-2A = 22 SFES Commercial, Multi-family, Townhome, Duplex
Parcel D-2B = 8 SFES Commercial, Multi-family, Townhome, Duplex
(The remaining 6 SFES of density from Parcel D assigned to another Parcel on the master plan in August 8, 2006 may be added back to Parcel D-2B at a future date through a process similar to this modification with Braddock Holdings and another bank.)

Staff notes, that all of the required public dedications and requirements have either been fulfilled or are still in effect from the previous master plan. This has been added as a Finding in the Findings and Conditions.

Point Analysis (Section: 9-1-17-3): At this final review, Staff has found that the application passes all Absolute Policies in the Development Code and has not incurred any positive or negative points from any Relative Policy. The passing score is zero (0) points.

Staff Recommendation

The purpose of this modification is to bring the Master Plan of the Delaware Flats Planning Area 3A back into compliance with the boundaries and densities that reflect the underlying ownerships of the parcels. Staff has no concerns.

This Master Plan Modification has not presented any concerns to Staff. There will be further detailed review of the development on this property with future applications for development. We welcome any further comments from the Commission.

Since we had no concerns with this proposal, Staff has advertised this review as a combined Preliminary and Final hearing. If, for any reason, the Commission has any concerns, we ask that this application be continued rather than denied.

The Planning Department recommends approval of The Third Amended Master Plan of the Delaware Flats Planning Area 3A, (PC#2011039) by supporting the attached Point Analysis and the associated Findings and Conditions.

Final Hearing Impact Analysis				
Project:	The Third Amended Master Plan of the Delaware Flats Planning Area 3A	Positive Points	0	
PC#	2011039			
Date:	06/22/2011	Negative Points	0	
Staff:	Michael Mosher			
		Total Allocation:	0	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Complies with the Delaware Flats Master Plan
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)		Complies with the Delaware Flats Master Plan
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 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		No development proposed with this Master Plan
6/R	Relative Building Height - General Provisions	1X(-2,+2)		Complies with the Delaware Flats Master Plan
	For all structures except Single Family and Duplex Units outside the Historic District			
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 District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		No development proposed with this Master Plan
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		
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)		

19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	+2/4/6		
24/A	Social Community	Complies		No development proposed with this Master Plan
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		Exists in adjacent ROWs
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)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-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		Complies with Code and previously approved Delaware Flats Master Plan
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		

TOWN OF BRECKENRIDGE

**Third Amended Master Plan of the Delaware Flats Planning Area 3A (West Braddock)
The Shores at the Highlands (Tract C)
84 Shores Lane
PERMIT #2011039**

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

FINDINGS

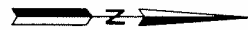
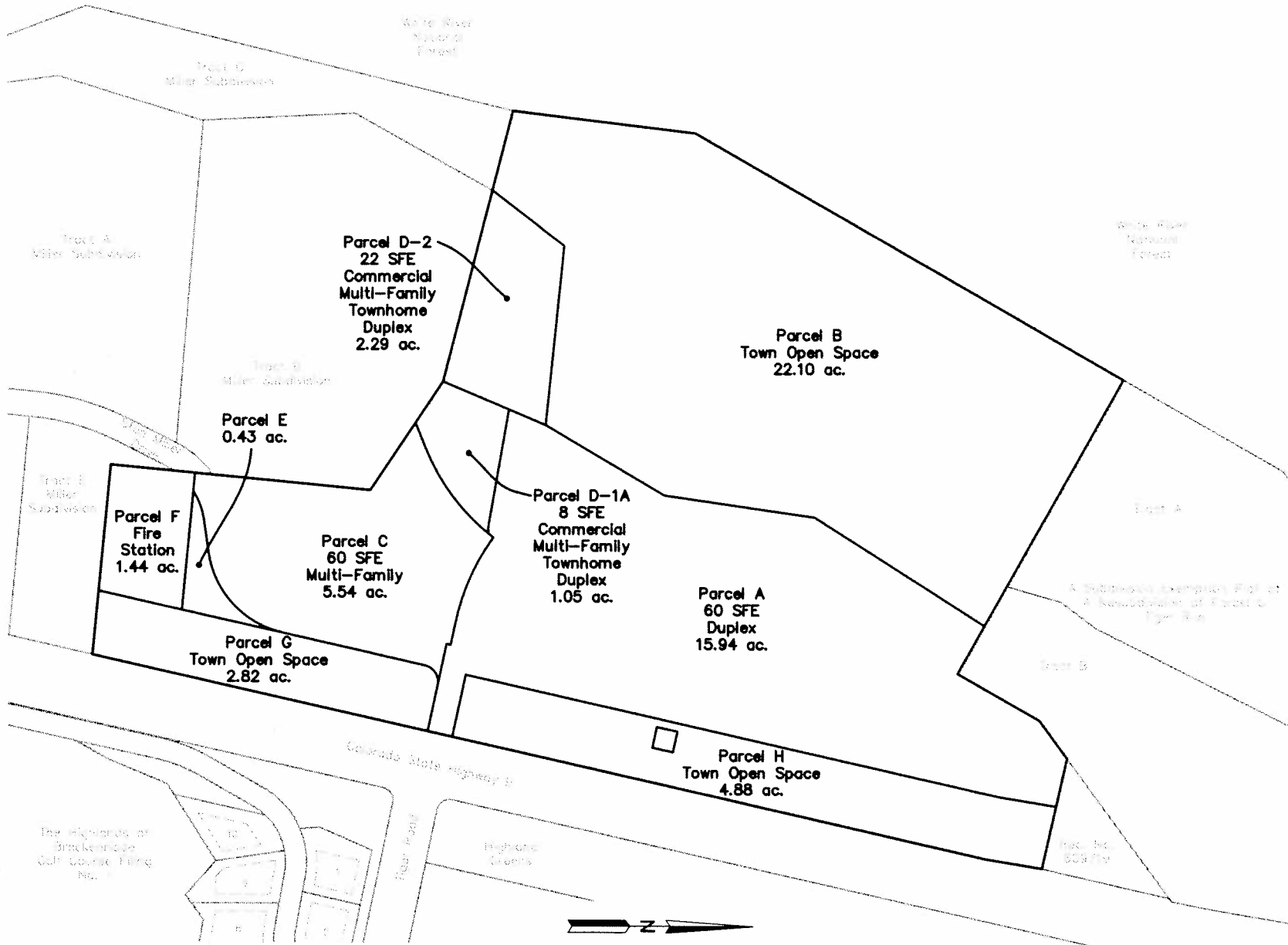
1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **June 22, 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 **July 5, 2011** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. This application has been reviewed as a combined Preliminary and Final hearing. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.
8. All of the required public dedications have been fulfilled from the previous master plan; Amended West Braddock Master Plan, Delaware Flats Planning Area 3A (West Braddock), PC# 2006076.

CONDITIONS

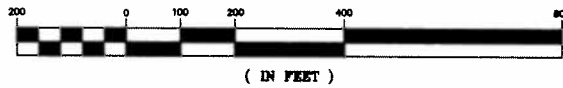
1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the 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. The vested period for this master plan expires three (3) years from the date of Town Council approval, on **July 12, 2014**, in accordance with the vesting provisions of Policy 39 of the Development Code. In addition, if this permit is not signed and returned to the Town within thirty (30) days of the permit mailing date, the permit shall only be valid for eighteen (18) months, rather than three (3) years.

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 compliance for the project covered by this permit. The determination of whether a certificate of compliance 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. This Master Plan is entered into pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan. The provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site specific development of the property subject to this Master Plan.
7. Approval of a Master Plan is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
8. Concurrently with the issuance of a Development Permit, applicant shall submit a 24"x36" mylar document of the final master plan, including all maps and text, as approved by Planning Commission at the final hearing, and reflecting any changes required. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the mylar.
9. Applicant shall record with the Summit County Clerk and Recorder a notice reflecting all information in the approved Master Plan. The notice document shall be in a form and substance acceptable to the Town Attorney and, after recording, shall constitute the approved Master Plan for the future development of the property.

THIRD AMENDED MASTER PLAN - 2011



GRAPHIC SCALE



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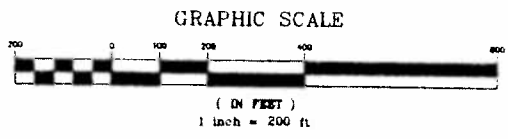
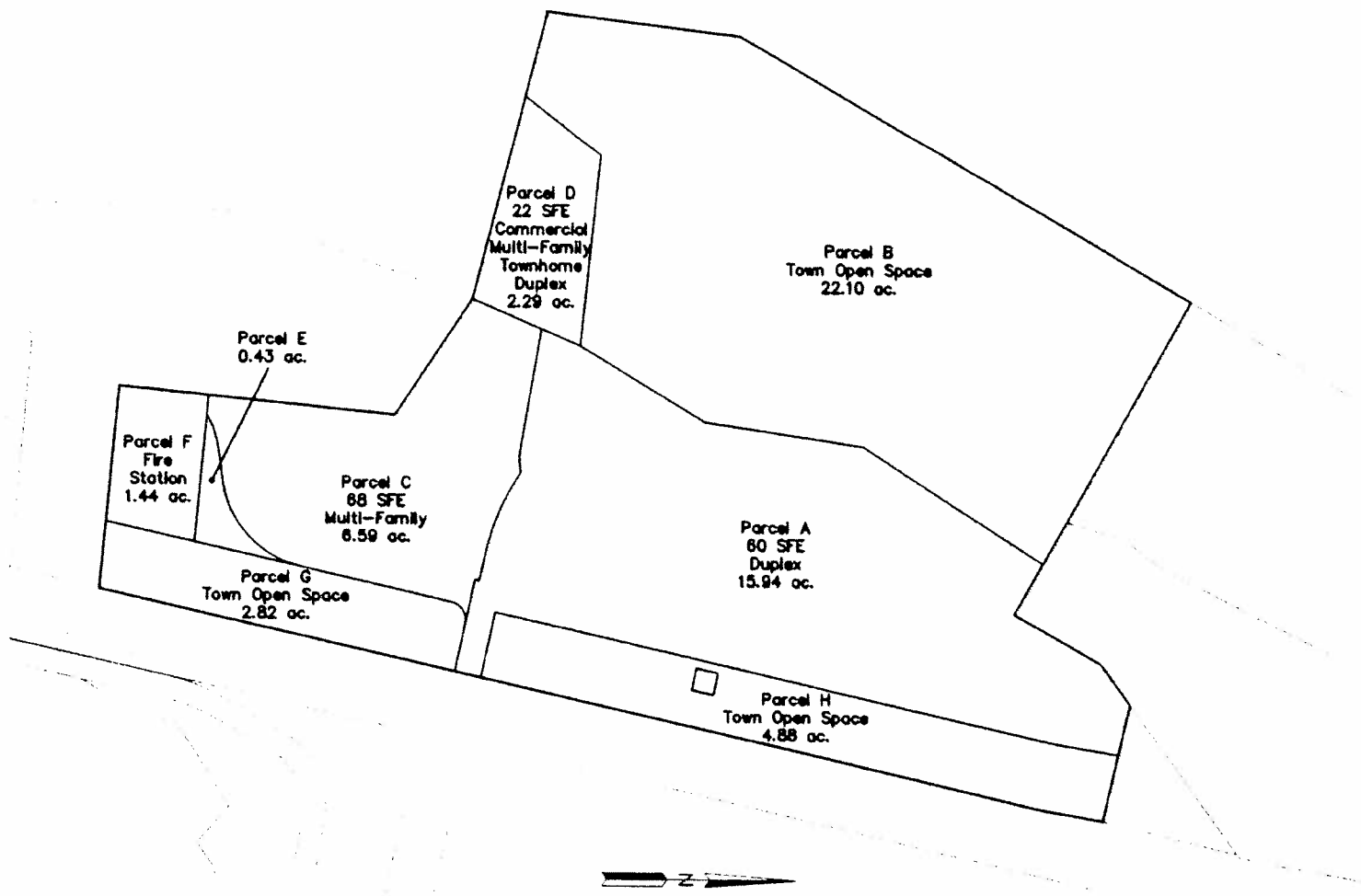
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SECOND AMENDED MASTER PLAN - 2008



approved by the Board of Directors of the undersigned on this date

Dated this _____

BRADDOCK HOLDING
a Colorado limited
By DALGP LLC,
a Colorado limited

By *[Signature]*
Kenneth M. A
President

(NOTARY SEAL)
STATE OF COLORADO
COUNTY OF SUMMIT

The foregoing instrument
2008, by Kenneth
of Braddock Holding

Witness my hand and

AZCO LLC,
a Colorado limited

By *[Signature]*
Richard Cross
Manager

(NOTARY SEAL)
STATE OF COLORADO
COUNTY OF SUMMIT

The foregoing instrument
2007, by Richard C

Witness my hand and

JP Morgan Chase &
Delaware Ficti Plan

JP Morgan Chase &

By *[Signature]*

AMENDED MASTER PLAN - 2006

in fee simple
and State of Colorado

Plan for Delaware Flats

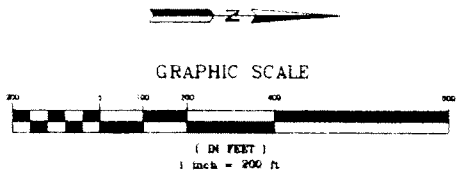
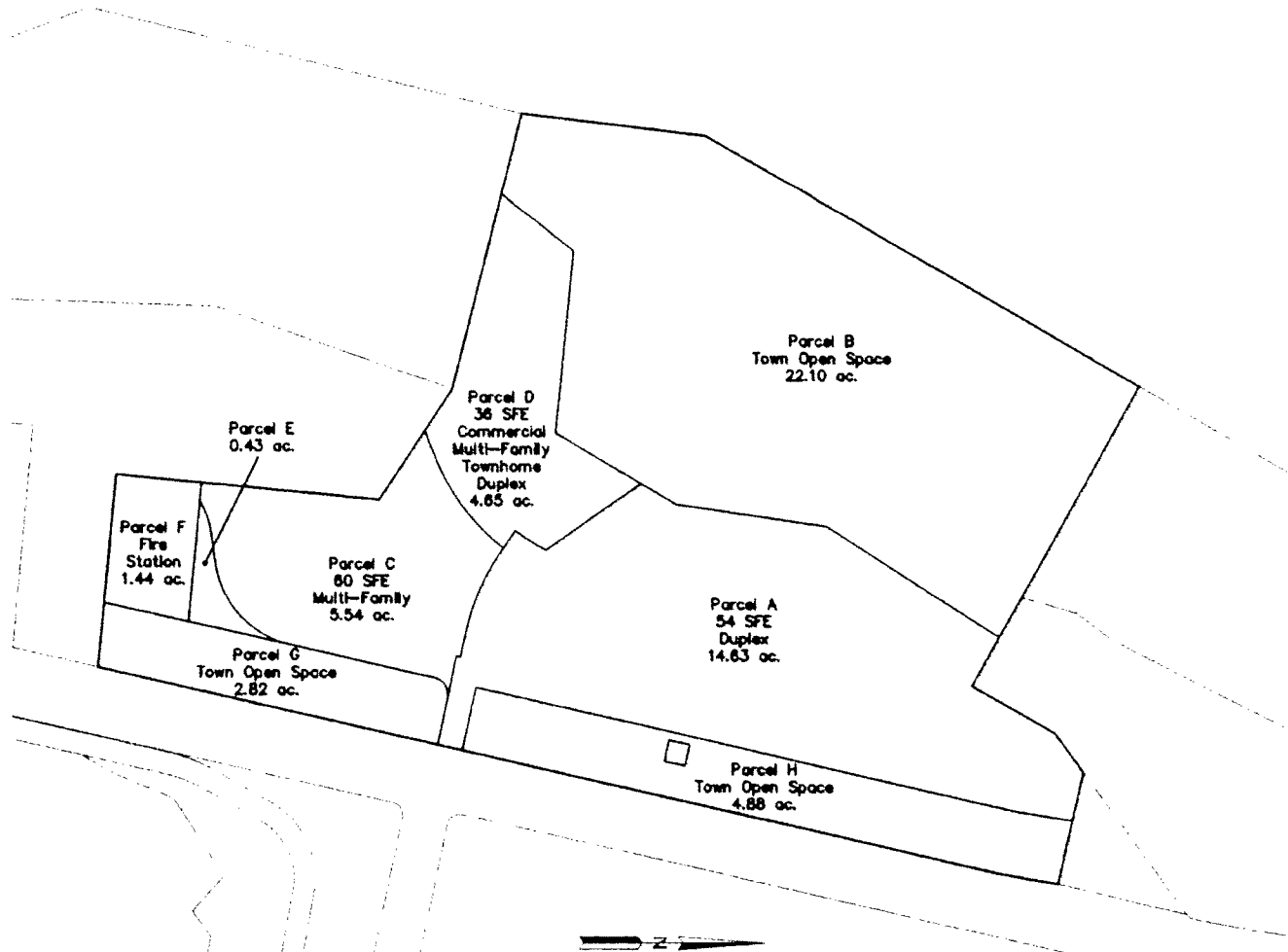
2006.

August
City of Aurora, Manager

W

City of Aurora Planning

James T.
City of Aurora, Clerk



The provisions of this Amended Master Plan shall be binding upon all current and future owners of the Amended Master Plan subject to the Amended Master Plan Final Certificate of Occupancy or Amended Master Plan pursuant to the Master Plan pursuant to the Town's Code issued for the construction of the same and conditions of the Development Master Plan document represents with regard to development rights

Dated this 24th

BRADDOCK HOLDINGS LLC
a Colorado limited liability company
By: [Signature]
Kenneth M. Adams
President

The foregoing instrument was on
2006, by Kenneth M. Adams as
of Braddock Holdings LLC, a Colo

Witness my hand and official seal

My commission expires

(NOTARY SEAL)
STATE OF COLORADO
COUNTY OF SUMMIT

WESTSTAR BANK hereby consents
Area 3A (West Braddock) Project

STATE OF COLORADO }
COUNTY OF SUMMIT }

The foregoing instrument was on
2006, by KENNETH M. ADAMS
Witness my hand and official seal
MY COMMISSION EXPIRES 12/31/2008



CLERK

STATE OF COLORADO }
COUNTY OF SUMMIT }

DATE
August 1 2006.

Planning Commission Staff Report

Project Manager: Michael Mosher

Date: June 28, 2011 (For the meeting of July 5, 2011)

Subject: To re-plat the Tract C boundaries of the Shores of the Highlands - Combined Hearing, PC#2011038

Applicant/Owners: Bank of the West, a California Banking Corporation; Dawn M. Clayton, CCIM and Braddock Holdings, LLC; Tom Begley

Agent: Jack Wolfe, Wolfe and Company

Proposal: To re-plat the current Tract C boundaries of the Shores of the Highlands (PC# 2007131) to reflect the original boundaries established by the previously approved Amended West Braddock Subdivision (PC# 2006077).

Address: 84 Shores Lane

Legal Description: Tract C, The Shores at the Highlands

Site Area: 5.47 acres (238,273 sq. ft.)

Land Use District: 16, subject to the Shores at the Highlands Master Plan

Site Conditions: The site is currently vacant and undeveloped with no improvements. Public utilities have been placed in the adjacent Stan Miller Drive and Shores Lane Right of Ways (ROWs). A 10-foot snow stacking easement runs along the property lines abutting the ROWs. All public benefit improvements and open space dedications have been fulfilled with the previous subdivision.

Adjacent Uses:

North	Shores at the Highlands duplexes (partially developed)
East:	Highway 9, Highlands Green Subdivisions
South:	Dredge tailings and the Stan Miller property
West:	Tract D-2, the Shores at the Highlands (undeveloped)

Item History

The Delaware Flats Master Plan Amendment was approved by Town Council on May 8, 1999 (PC#1999015), creating Subdistrict 3A with 150 SFEs of Mixed Use Density.

As part of the Highlands, this property is in Land Use District 6. This filing, which was annexed to the Town in 1982, is within the boundaries of the Delaware Flats Master Plan (dated 1984) and is subject to the following agreements:

Annexation Agreement	Rec. 241832
Supplement to Annexation Agreement	Rec. 265311
Master Plan Agreement	Rec. 275012

Settlement Agreement
Amendment to Master Plan Agreement
Dedication Agreement
Development Agreement

Dated January 12, 1999
Rec. 607559
Rec. 607560
Rec. 607561

The Town Council approved the Amended West Braddock Subdivision, PC# 2006077, on August 8, 2006. That subdivision created Tracts C (then owned by AZCO, LLC), D-1 and D-2 (owned by Braddock Holdings, LLC).

The most recent subdivision of these parcels was with the Shores at the Highlands Subdivision (the applicant was AZCO, LLC) which combined part of Tract D-1 with Tract C of the Amended West Braddock Subdivision to create a new larger Tract C. There was no change to Tract D-2 (See attached).

However, the ownership of properties was never changed to reflect the boundary changes associated with the Shores at the Highlands Subdivision. The underlying property owner's holdings are reflected by the Amended West Braddock Subdivision Plat. In addition, AZCO, LLC has gone through foreclosure resulting in the Bank of West purchasing the original Tract C parcel in a public bidding process. (The remaining AZCO, LLC property is held by another bank.)

Staff Comments

The purpose of this re-subdivision is to return the boundary of Tract C to what was reflected on the original Amended West Braddock Subdivision. This tract will be named Tract C-1 (owned by Bank of the West) and the remaining portion of the original Tract C will be named Tract C-2 (owned by Braddock Holdings, LLC).

Braddock Holdings, LLC will submit an application in the future to reestablish property lines associated with their remaining holdings.

Landscaping: Per the Subdivision Standards:

Where trees and other vegetation have been removed for the construction of the subdivision including roads, retaining walls, utilities, and other necessary improvements, the subdivider shall implement a landscaping and revegetation plan based on the standards for landscaping established in the town's Development Code, Section 9-1-19-22.

3. In addition to the landscaping required above, the subdivider of land containing little or no tree cover as determined by the town shall provide one tree having a minimum trunk diameter (measured 12 inches above ground level) of not less than two inches (2") suitable for the Breckenridge climate for every ten (10) linear feet of roadway platted within or immediately adjacent to the subdivision. It is further encouraged that landscaping be placed on the downhill side of any retaining structures to screen the visibility of the road cut when viewed from off-site. Where cut and fill slopes are used, they shall be re-vegetated with

*native plant materials to reestablish ground cover and reduce the potential for soil erosion.
(Ord. 40, Series 2006)*

No trees have been planted to date at the row adjacent to this Tract. With 1,000 feet of Public Right of Way abutting the property lines of this subdivision, 100 trees are required to be planted. This has been added as a Condition of Approval.

Staff notes, that all of the required public dedications and requirements have either been fulfilled or are still in effect from the previous subdivision. This has been added as a condition of approval with the final hearing.

Staff Recommendation

The purpose of this modification is to bring the subdivision boundaries back into compliance with the boundaries that reflect the underlying ownerships of the parcels.

This subdivision modification has not presented any concerns to Staff. There will be further detailed review of any development on this property with future applications for development. We welcome any further comments from the Commission.

Since we had no concerns with this proposal, Staff has advertised this review as a combined Preliminary and Final hearing. If, for any reason, the Commission has any concerns, we ask that this application be continued rather than denied.

The Planning Department recommends approval of the re-plat of Tract C, Shores of the Highlands, (PC#2011038) along with the Findings and Conditions.

TOWN OF BRECKENRIDGE

Re-plat the Tract C boundaries of the Shores of the Highlands
84 Shores Lane
Tract C, The Shores at the Highlands
PERMIT #2011038

STAFF RECOMMENDATION: The staff recommends the Planning Commission approve this application with the following Findings and Conditions

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance 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 **June 28, 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 **July 5, 2011** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. This application has been reviewed as a combined Preliminary and Final hearing. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.
8. All of the required public dedications (except Landscaping) has been fulfilled from the previous subdivision, Shores of the Highlands (PC# 2007131).

CONDITIONS

1. The Final Plat of this property may not be recorded 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, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, 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 will expire three (3) years from the date of Town Council approval, on **July 12, 2014** unless the Plat has been filed. 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. Applicant shall construct the subdivision according to the approved subdivision plan, and shall be responsible for and shall pay all costs of installation of public roads and all improvements including revegetation, retaining walls, and drainage system. All construction shall be in accordance with Town regulations.
6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
7. Applicant shall be required to install an address sign identifying all residences served by a private drive posted at the intersection with the primary roadway.

PRIOR TO RECORDATION OF FINAL PLAT

8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements and the terms of the subdivision plan approval.
9. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, erosion control and street lighting plans.
10. Applicant shall submit and obtain approval from the Town Attorney for any restrictive covenants and declarations for the property.
11. Applicant shall either install all public and private improvements shown on the subdivision plan, or a Subdivision Improvements Agreement satisfactory to the Town Attorney shall be drafted and executed specifying improvements to be constructed and including an engineer's estimate of improvement costs and construction schedule. In addition, a monetary guarantee in accordance with the estimate of costs shall be provided to cover said improvements.
12. Applicant shall submit and obtain approval from the Town Engineer of all traffic control signage and street lights which shall be installed at applicant's expense prior to acceptance of the streets by the Town.
13. Per Section 9-2-3-5-B of the Subdivision Standards, the following supplemental information must be submitted to the Town for review and approval prior to recordation of the final plat: title report, errors of closure, any proposed restrictive covenants, any dedications through separate documents, and proof that all taxes and assessments have been paid.
14. Prior to revegetation of disturbed areas, applicant shall submit and obtain approval from Town staff of a landscaping plan in compliance with the Subdivision Ordinance requirements, specifying revegetation consisting of native grasses and other native vegetation. A minimum of 100 trees, at least 50% six feet in height, shall be installed. Field location with attention to the large sewerline cuts is acceptable.

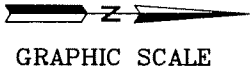
PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

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

PROPOSED PLAT - 2011

CITY OF SUMMIT, STATE OF COLORADO

Curve Table						
Curve	Length	Radius	Delta	Tangent	Chd Brg	Chd Dist
C1	49.30'	115.00'	24°33'38"	25.03'	N87°46'16"E	46.92'
C2	204.89'	525.00'	22°21'40"	103.77'	S66°30'15"E	203.60'
C3	39.43'	25.00'	90°21'58"	25.16'	S32°30'06"E	35.47'
C4	199.64'	165.00'	69°19'33"	114.09'	S47°20'40"W	187.59'
C5	109.00'	235.00'	26°34'28"	55.50'	S68°43'12"W	108.02'
C6	253.97'	500.00'	29°06'12"	129.79'	N53°47'23"E	251.25'
C7	27.96'	115.00'	13°55'47"	14.05'	S88°54'49"E	27.89'
C8	21.34'	115.00'	10°37'51"	10.70'	S80°48'22"W	21.31'



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

POINT OF BEGINNING



FOUND #6 BENT REBAR
REPLACED WITH #6 REBAR
AND 2.5" ALUMINUM CAP
PLS 25620

FOUND #5 REBAR
W/ NO CAP. ADDED
1.5" ALUMINUM CAP
PLS 25620

Tract C-2
1.054 ac.

FOUND
2.5" ALUMINUM CAP
BASELINE LS 23901

FOUND
1.5" ALUMINUM CAP
PLS 22589

Tract C-1
4.415 ac.

10' SNOWSTACK
EASEMENT
(REC. NO. 896028)

S77°41'05"E
31.76'

S12°40'53"W
371.42'

LEGEND

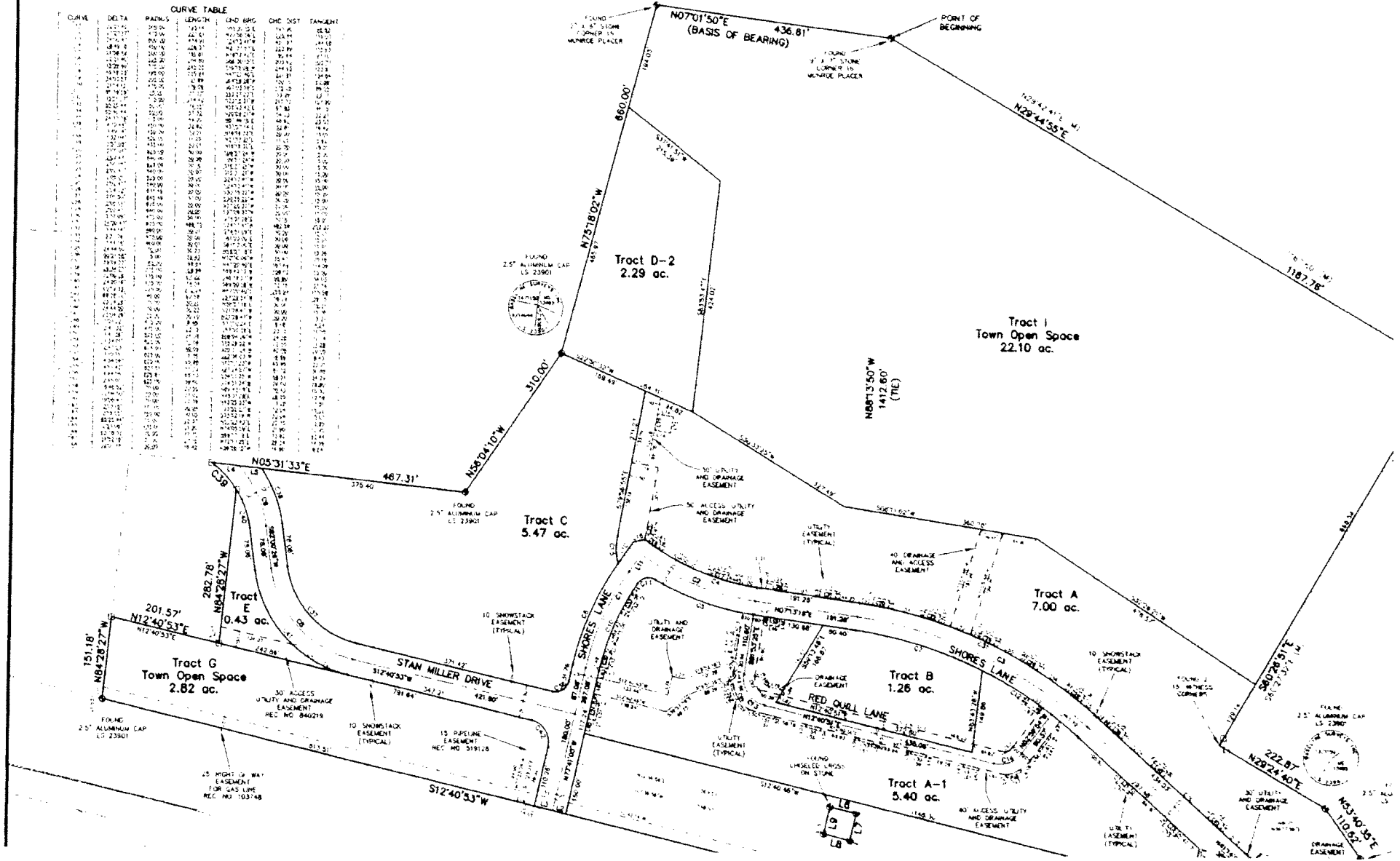
□ SET 1.5" ALUMINUM CAP (LS 25620)

▲

FINAL PLAT - THE SHORES - 2008

CURVE TABLE

CHANG.	DELTA	PARK'S	LENGTH	END B'G	CHG DIST	TANGENT
1	111.11	25.00	12.14	101.25	11.25	11.25
2	111.11	25.00	12.14	101.25	11.25	11.25
3	111.11	25.00	12.14	101.25	11.25	11.25
4	111.11	25.00	12.14	101.25	11.25	11.25
5	111.11	25.00	12.14	101.25	11.25	11.25
6	111.11	25.00	12.14	101.25	11.25	11.25
7	111.11	25.00	12.14	101.25	11.25	11.25
8	111.11	25.00	12.14	101.25	11.25	11.25
9	111.11	25.00	12.14	101.25	11.25	11.25
10	111.11	25.00	12.14	101.25	11.25	11.25
11	111.11	25.00	12.14	101.25	11.25	11.25
12	111.11	25.00	12.14	101.25	11.25	11.25
13	111.11	25.00	12.14	101.25	11.25	11.25
14	111.11	25.00	12.14	101.25	11.25	11.25
15	111.11	25.00	12.14	101.25	11.25	11.25
16	111.11	25.00	12.14	101.25	11.25	11.25
17	111.11	25.00	12.14	101.25	11.25	11.25
18	111.11	25.00	12.14	101.25	11.25	11.25
19	111.11	25.00	12.14	101.25	11.25	11.25
20	111.11	25.00	12.14	101.25	11.25	11.25
21	111.11	25.00	12.14	101.25	11.25	11.25
22	111.11	25.00	12.14	101.25	11.25	11.25
23	111.11	25.00	12.14	101.25	11.25	11.25
24	111.11	25.00	12.14	101.25	11.25	11.25
25	111.11	25.00	12.14	101.25	11.25	11.25
26	111.11	25.00	12.14	101.25	11.25	11.25
27	111.11	25.00	12.14	101.25	11.25	11.25
28	111.11	25.00	12.14	101.25	11.25	11.25
29	111.11	25.00	12.14	101.25	11.25	11.25
30	111.11	25.00	12.14	101.25	11.25	11.25
31	111.11	25.00	12.14	101.25	11.25	11.25
32	111.11	25.00	12.14	101.25	11.25	11.25
33	111.11	25.00	12.14	101.25	11.25	11.25
34	111.11	25.00	12.14	101.25	11.25	11.25
35	111.11	25.00	12.14	101.25	11.25	11.25
36	111.11	25.00	12.14	101.25	11.25	11.25
37	111.11	25.00	12.14	101.25	11.25	11.25
38	111.11	25.00	12.14	101.25	11.25	11.25
39	111.11	25.00	12.14	101.25	11.25	11.25
40	111.11	25.00	12.14	101.25	11.25	11.25
41	111.11	25.00	12.14	101.25	11.25	11.25
42	111.11	25.00	12.14	101.25	11.25	11.25
43	111.11	25.00	12.14	101.25	11.25	11.25
44	111.11	25.00	12.14	101.25	11.25	11.25
45	111.11	25.00	12.14	101.25	11.25	11.25
46	111.11	25.00	12.14	101.25	11.25	11.25
47	111.11	25.00	12.14	101.25	11.25	11.25
48	111.11	25.00	12.14	101.25	11.25	11.25
49	111.11	25.00	12.14	101.25	11.25	11.25
50	111.11	25.00	12.14	101.25	11.25	11.25



AMENDED PLAT - WEST BRADDOCK - 2007

