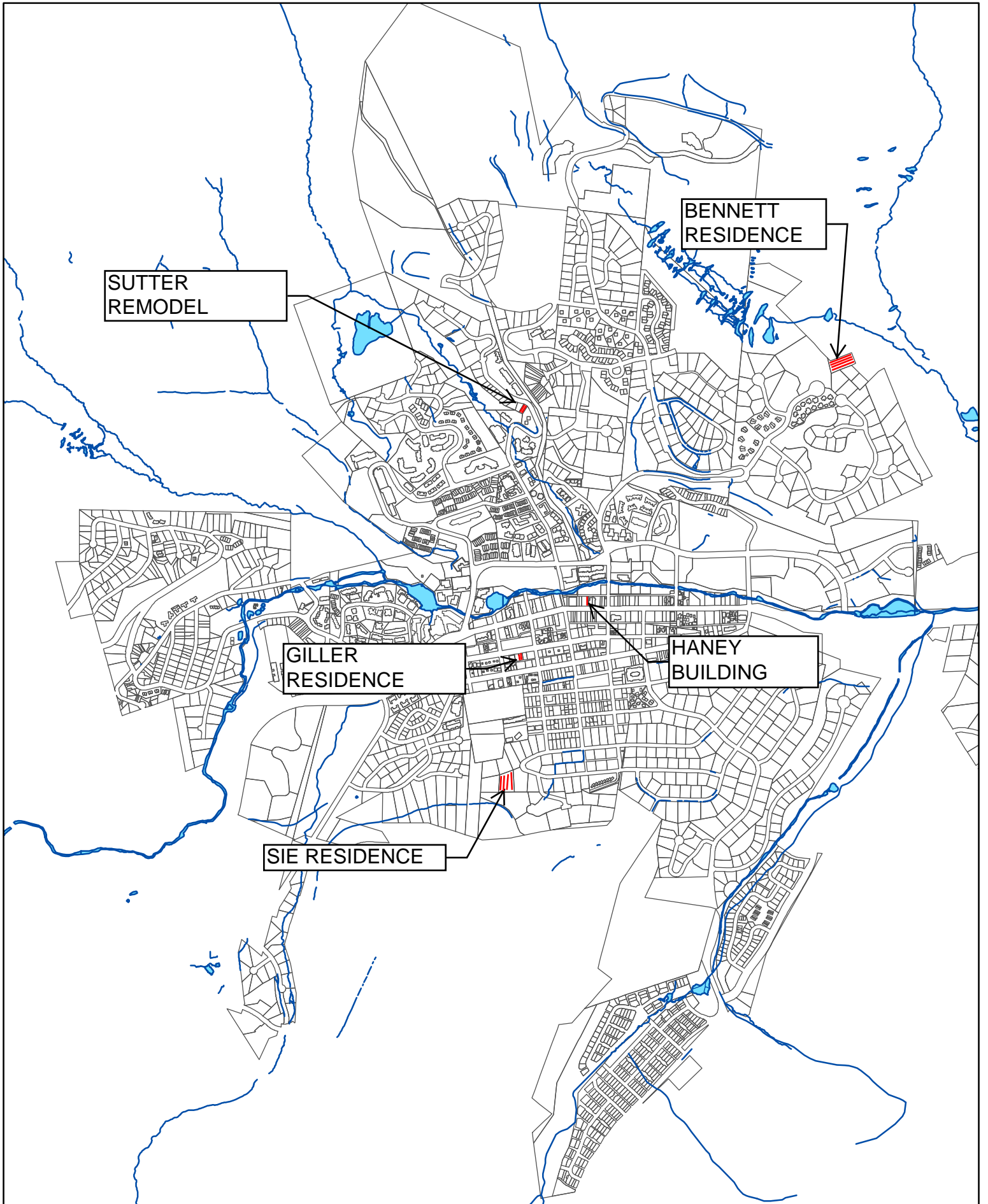


Town of Breckenridge
Planning Commission Agenda
Tuesday, August 2, 2011
Breckenridge Council Chambers
150 Ski Hill Road

7:00 PM	<i>Call to Order of the August 2, 2011 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes July 19, 2011 Regular Meeting Approval of Agenda</i>	3
7:05	<i>Consent Calendar</i>	
	1. Sutter Exterior Remodel (JP) PC#2011046 885 Four O’Clock Road	11
	2. Sie Residence (MGT) PC#2011048 260 Gold Flake Court	21
	3. Bennett Residence (MGT) PC#2011049 576 Peerless Drive	33
7:15	<i>Final Hearings</i>	
	1. Haney Building (JP) PC#2011035 117 S. Main Street	39
8:00	<i>Worksessions</i>	
	1. Giller Residence SFR, 306 South Ridge Street (MM)	67
	2. Policy 24, Employee Housing and Accessory Dwelling Units (Memo Only) (LB)	88
9:30	<i>Other Matters</i>	
9:45	<i>Adjournment</i>	

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

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



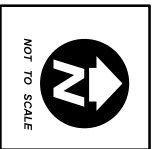
SUTTER
REMODEL

BENNETT
RESIDENCE

GILLER
RESIDENCE

HANEY
BUILDING

SIE RESIDENCE



PLANNING COMMISSION MEETING

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

ROLL CALL

Kate Christopher Gretchen Dudney Jim Lamb
Dave Pringle Trip Butler Michael Rath
There was no Town Council member present. Dan Schroder was absent.

APPROVAL OF MINUTES

With no changes, the July 5, 2011 Planning Commission meeting minutes were approved unanimously (6-0).

APPROVAL OF AGENDA

With no changes, the July 19, 2011 Planning Commission meeting agenda was approved unanimously (6-0).

CONSENT CALENDAR:

1. Hermanson Residence (MGT) PC#2011043, 204 Briar Rose Lane
2. Bellin-Coontz Residence (MGT) PC#2011045, 449 Timber Trail Road
3. Skipper Remodel (JP) PC#2011044, 895 Four O’Clock Road

Ms. Dudney made a motion to call up the Skipper Remodel, PC#2011044, 895 Four O’Clock Road. Mr. Butler seconded, and the motion was carried unanimously (6-0).

Ms. Puester presented a proposal to perform an exterior renovation of half a duplex building. There is no HOA or design review committee. The adjacent property owner has also recently submitted an application for a remodel using the same materials proposed, but it will be reviewed at the next meeting.

The current exterior materials are outdated and the owner would like to update their unit with a more modern appearance. Although it would be ideal if both units would participate in an exterior remodel, Staff is encouraged to see the effort toward updating the appearance of the property. The adjacent property owner has since submitted a formal application for an exterior remodel as of yesterday. As buildings age throughout town, it is encouraging to see owners’ make an effort and commit financially to upgrading structures. The building’s exterior remodel and modification consists of:

- Residing the unit to cedar shake shingle, horizontal wood siding, natural stone base, metal accent on chimney, and metal section of roof on the rear (east) elevation;
- Additional window on south side, near chimney;
- Four new windows;
- New wood garage door;
- New deck railings and composite decking;
- Second story deck extension (to match footprint of first level deck);
- Gas fire-pit and hot tub on deck;
- New timber pergola (with relocation of drainage easement, condition #19)
- Patterned concrete porch and new front door;
- New lighting;
- New color scheme compatible with the adjacent unit.

The proposal would keep compatible materials with the existing wood siding however, the orientation of the siding would differ to horizontal and shake and have a natural stone base. (Existing siding is diagonal.) Colors would be complimentary to existing colors.

In this case, staff believes that the proposed remodel meets the intent of Policy 5, and that it will be architecturally compatible with the neighboring unit. Staff has included a special finding (#6) which addresses this case in the Findings and Conditions attached. Also, we believe that the neighbor will be doing a similar remodel, possibly at the same time.

Jarrett Buxkemper, bhh Partners (Agent): The applicant would like to move forward. They have to order some custom windows which will take a few weeks while the adjacent owner just recently decided to also move forward with the remodel,

but does not need any new windows. We feel that the materials and color are compatible with what is there now and with adjacent properties. It was done with compatibility in mind. Made a class C submittal to have the same upgrades next door—the new materials would still be cedar materials and the color of the siding would be compatible with the adjacent unit owners even if the owners do not go forward. We feel the compatibility that the code requests are shown in our drawings and the adjacent unit owner has made a submittal to make the same upgrade. He is asked that the commission take that into consideration.

Commissioner Questions / Comments:

- Mr. Lamb: Not familiar with duplex lots—is the land owned like condos, or do they own the land? (Ms. Puester: They own the land. This is a standalone duplex without a master plan, which typically does own a lot associated with the duplex. In a master plan its more common to have a footprint and common space.)
- Ms. Dudney: You said that this project would set a precedent. Compatibility of adjacent properties; wants to make sure the adjacent owner wasn't in the audience and against it. (Ms. Puester: Had spoken to adjacent owner and he had submitted an application for the same remodel with the same architect, as of yesterday.)
- Mr. Pringle: I think we are setting a real bad precedent; a duplex was developed as one structure. We have half the structure looking one way and no assurance that the other half will come in and look the same. Is this the right path we want to go down? We are lucky that the other party submitted an application for the same project. What happens when the two neighbors do not get along and don't want the same thing when they want something remodeled? We need to be careful of one-half of a duplex to coming in to change the look of the structure. (Mr. Lamb: I hear your concern Mr. Pringle but this is a case by case basis. In this case, both the materials and colors are compatible. Not one white and one green.) Because we haven't faced this issue before we need to be careful how we handle it. When the buildings were built they were built as one unit. (Ms. Puester: We did include a finding #6 for this application on pg. 29 of the packet which finds that the materials and colors are compatible in this application.) (Mr. Grosshuesch: Our philosophy on selecting code changes to try to move through the system depends on how often we run into problems with these ordinances. We hardly ever run into this issue. We will probably be ok by approving this.) What is to stop one person from trying to drastically change his unit? (Mr. Grosshuesch: Excessive dissimilarity is addressed in code.) If we start seeing duplexes and triplexes coming through where one owner proposes a remodel without the other two—I think that is a horrible precedence and we should plan on a code amendment.
- Mr. Lamb: It's not like stucco on one side and log on another. OK with this as proposed.
- Mr. Rath: I think it is dangerous precedence to say "no" to this because we are setting precedence for future projects like this—if we say "no", nothing will ever be upgraded. (Mr. Pringle: This could be a nightmare if we start seeing a lot of applications with split owners trying to change their places. Why do we spend all the time reviewing projects coming in if we just let this go so quickly?) (Ms. Dudney: Sides with the rights of the property owners to improve their property and if it is compatible to the commission; we don't want to give disincentives for people to purchase duplexes in the future. Given the history that not many cases come through like this without a common HOA, I think it is ok. Especially in this case because this design does appear compatible with what the other individual is doing. I say yes, on a case by case basis.) (Mr. Lamb: I agree with Ms. Dudney's point.) (Mr. Butler: Could you say that it is a "finding?")
- Ms. Dudney: The language is already there as stated in Policy 5/R, unless you think we should propose new language to it. (Mr. Rath: We have the opportunity to look at the building as a whole, can we evaluate it as a whole at the next meeting?) We shouldn't hold one owner hostage. This application is before us now. If it was ever too excessive dissimilarity, than we could give them -6 under the current code. Hard to make up negative points with an existing property.
- Mr. Pringle: There is a presumption that when you buy a duplex it is one structure—the presumption is that there it should be an organized look to any remodel or any addition that goes on to the building. We need to be careful in the future. Thinks that applicants could make up negative points.
- Ms. Christopher: On the fence. Agrees with Mr. Pringle—would love to see the entire structure the same; I have no problems with the new remodel, but we need to be careful in the future with certain applications.
- Mr. Pringle: Maybe bringing a motion to change Policy 5/R; it will get the attention to the council.

Ms. Dudney opened comments to the public and none were made.

Mr. Pringle motioned to change the point analysis for Policy 5/R Architectural Compatibility to reflect that it gets -3 points for architectural dissimilarity with the other duplex. Ms. Christopher seconded. The motion was voted (3-3) and therefore failed. (Mr. Lamb, Mr. Butler, and Ms. Dudney against).

Ms. Dudney motioned to approve the Skipper Remodel PC#2011044 with the point analysis and staff findings and conditions as presented by staff; the motion was seconded by Mr. Lamb and was passed unanimously (6-0).

TOWN COUNCIL REPORT:

No report was given.

COMBINED HEARINGS:

1. McHugh Fence Variance (JP) PC#2011042, 1377 Broken Lance Drive

Ms. Puester presented a proposal to build a fence. Per Policy 47/A, Fences, Gates and Gateway Entrance Monuments, the applicant is seeking a variance to construct a wooden split rail fence along the south property line to separate the public use of the Warrior's Mark HOA owned Open Space from the applicant's private property abutting the park.

In front of the lot there is a large gravel and dirt area in the right of way. The applicant's driveway is oversized which gives the look and feel of a public access road rather than a private residential driveway. To further the issue, there is a clear line of sight from Broken Lance Drive through the applicant's property to the open space. The house is off to the side hidden from view largely by existing trees. Over time, the applicant has observed people regularly accessing the open space through his driveway by foot as well as by car, often parking on his property. There have been several instances where the unwanted visitors refuse to leave the property after being asked by the applicant.

A wooden split rail fence along the rear of the applicant's property is proposed to match the existing fence along the roadway from the open space. This would block direct physical access from the private property to the open space and hopefully create a visual barrier, deterring unwanted visitors from using the private property for access to open space.

Staff believes that, per Policy 47/A, a fence is warranted in this area as the fence is between private land and the open space. The placement of the fence should help to eliminate confusion and to reduce the risk of liability of uninvited people getting injured on private property. The simple wooden split rail design is supported by the Code.

Staff supports granting the variance based on the criteria outlined in the packet.

Commissioner Questions / Comments:

Ms. Dudney: Asked about how the public is supposed to access the open space. Is there public parking for the open space? (Burke McHugh, Applicant: There is parking around the other side of Broken Lance.)

Mr. Pringle: People trespass on my property, too. They are very rude when told it is private property. In favor.

Burke McHugh, Applicant: Two weeks ago, the HOA installed horseshoe pits and other improvements which has added to the traffic through the property.

Tracey Sheffield, Agent: The "No Trespassing" signage on the property has been torn down time and time again and ignored. In fact, this winter snow ramps and tubes were built right next to the signs on the property.

Ms. Dudney opened the floor to public comment and none were made.

Mr. Lamb motioned to approve the McHugh Fence Variance PC#2011042, 1377 Broken Lance Drive, it was seconded by Ms. Dudney and was passed unanimously (6-0).

OTHER MATTERS:

Mr. Neubecker presented a memo summarizing the Class C subdivisions approved for the first six months of 2011. Code requires that we send this to you.

Mr. Neubecker also discussed the following items:

- A. Upcoming Commissioner training is in Central City sometime in October (possibly the 7th)
- B. Commissioner tour this summer will focus on historic district—looking into setting a new date because the last one did not work well.
- C. Added a site visit on August 16 to look at wildfire mitigation and defensible space projects.
- D. APA Four Corners Conference is September 11—15. Please let us know if you are interested.

ADJOURNMENT:

The meeting was adjourned at 8:00 p.m.

Gretchen Dudney, Vice-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 August 2, 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 August 2, 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 February 9, 2013, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to, the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

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

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

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

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

24. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
25. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
26. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
27. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
28. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
29. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
30. Applicant shall screen all utilities.
31. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
32. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
33. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application.

Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.

34. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
35. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
36. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
37. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)

Planning Commission Staff Report

Project Manager: Julia Puester, AICP

Date: July 26, 2011 (For meeting of August 2, 2011)

Subject: Sutter Duplex Exterior Remodel (Class C Minor, PC# 2011046)

Applicant/Owner: Luther Sutter

Agent: bhh Partners

Proposal: This is an exterior renovation of half a duplex building. Total scope of the project includes the installation of new shake cedar siding, and horizontal wood siding* (*see more discussion on siding below*), timbers and trim, natural stone base accents, light fixtures, decking & railings, metal siding accent on the chimney, wood garage door and new stain. A material and color sample board will be available for review at the meeting.

Address: 885 Four O’Clock Road

Legal Description: Lot 2, Tract B, Tyra Subdivision #3

Site Area: 0.127 acres (approximately 5,344 sq. ft.)

Land Use District: 10: Residential, 2 UPA

Site Conditions: The site has half of an existing duplex with a horseshoe driveway and wetlands in the rear (east) downhill side. The existing building is primarily vertical wood siding in the front and rear elevation and diagonal natural stained wood siding on the sides of the duplex. Extra surface parking is located to the right of the building and the site has existing landscaping.

Adjacent Uses: Residential-duplex

Density/Mass: No change

Height: No change

Parking: No change

New Landscaping: No change

Item History

The duplex was constructed in 1982. This application is an exterior remodel for one of the units. The adjacent owner of the duplex on Lot 1 had an application (PC#2011044) approved at the July 19, 2011 Planning Commission meeting with the same colors and wood shake and horizontal siding. However, these applications were submitted separately and therefore, have been reviewed as a stand alone application. There is no Homeowner's Association or Design Review Board. Each property owner owns the property under and around their unit.

Staff Comments

The exterior materials are outdated and the owner would like to update their unit with a more modern appearance. As mentioned previously, the adjacent owner applied and received approval for the exterior remodel at the July 19th Planning Commission meeting. Staff is encouraged to see the effort toward updating the appearance of the property from both owners. As buildings age throughout town, it is encouraging to see owners make an effort and commit financially to upgrading structures. The building's exterior remodel and modification consists of:

- Residing the unit to cedar shake shingle, horizontal wood siding, natural stone base, and metal accent on chimney (**see discussion below on exterior material*);
- New wood garage door;
- New deck railings and composite decking;
- New lighting;
- New color scheme compatible with the adjacent unit, same color scheme as adjacent unit proposal (PC#2011044).

Architectural Compatibility (5/A & 5/R): This policy is intended to discourage excessive similarity, dissimilarity, or poor quality design of any building which may adversely affects the immediate area or community as a whole. Per this policy:

"The town hereby finds that excessive similarity, dissimilarity, or poor quality design of any building adversely affects the desirability of the immediate area and the community as a whole, and by so doing impairs the benefits of existing property owners, the stability and value of real property, produces degeneration of property with attendant deterioration of conditions affecting health, safety, and general welfare of the community, and destroys a proper relationship between the taxable value of real property and the cost of municipal services provided therefor. Features of design include, but are not limited to, size, shape, scale, proportions, solid to void ratios, texture, pattern and color of materials, and architectural elements and details. (Ord. 10, Series 1990)

3 x (- 2/+2)	A. <i>General Architectural And Aesthetic Compatibility: All proposed new developments, alterations, or additions are strongly encouraged to be architecturally compatible with the general design criteria specified in the land use guidelines. It is strongly encouraged that cut and fill slopes be kept to a minimum, and that the site, when viewed from adjacent properties, be integrated into its natural surroundings as much as possible. In addition, excessive similarity or dissimilarity to other structures existing, or for which a permit has been issued, or to any other structure included in the same permit application, facing upon the same or intersecting streets within the same or adjacent land use districts is discouraged. This section only applies to areas outside of the historic district. (Ord. 19, Series 1995)</i>
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Exterior building materials and colors should not unduly contrast with the site's background. The use of natural materials, such as logs, timbers, wood siding and stone, are strongly encouraged because they weather well and reflect the area's indigenous architecture. Brick is an acceptable building material on smaller building elements, provided an earth tone color

is selected. Stucco is an acceptable building material so long as an earth tone color is selected, but its use is discouraged and negative points shall be assessed if the application exceeds twenty five percent (25%) on any elevation as measured from the bottom of the fascia board to finished grade. Such measurement shall include column elements, windows and chimneys, but shall not include decks and railing elements. Roof materials should be nonreflective and blend into the site's backdrop as much as possible. Inappropriate exterior building materials include, but are not limited to, untextured exposed concrete, untextured or unfinished unit masonry, highly reflective glass, reflective metal roof, and unpainted aluminum window frames..."

As this is one side of a duplex building, staff has reviewed this remodel of one duplex unit to whether it is considered architecturally compatible or architecturally dissimilar to the adjacent property. The application has also been reviewed in comparison to the adjacent *existing unit conditions* as there is no guarantee that the adjacent owner will go forward with a building permit on the approved development permit.

The existing building has wood siding with vertical orientation on the front and rear elevations and diagonal wood siding on the sides of the duplex. The side by side view of the duplex is primarily visible from the front and rear elevations. The front elevation is mostly consisting of windows and garage doors rather than large expanses of siding. The rear elevation, visible from Four O'Clock Road below, is primarily windows and decking. Most of the siding is located on the side elevations of the duplex which are not adjacent to each other.

The proposal would keep compatible materials with the existing wood siding however, the orientation of the siding would differ to horizontal and shake and have a natural stone base. Colors would be complimentary to existing colors (color photos and samples will be available at the meeting).

In this case, staff believes that the proposed remodel meets the intent of Policy 5, and that it will be architecturally compatible with the neighboring unit as the materials are the same as the existing adjacent unit and the colors would be compatible with existing colors.

Siding material change*: However, the applicant would like to change the cedar shake and cedar horizontal siding to *fiber cementitious* wood grain shake and horizontal siding. Staff has also been told from bhh Partners that the adjacent duplex application approved June 19th (Skipper remodel PC#2011044) would also like to modify the wood siding to fiber cementitious. As this application stands alone, staff finds that to meet the intent of Policy 5 *Architectural compatibility* as previously interpreted by staff and the Planning Commission, both units should consist of the same materials. Should material which differentiates from the adjacent unit be proposed, staff would recommend -6 points under Policy 5R. To avoid negative points, and since it appears that both owners would like to change the siding to fiber cement, staff has added a condition of approval that in order to change material from wood to fiber cement, both duplex property owners must submit a building permit with the same materials and colors as one building permit and one contractor. Staff believes that with this condition, the proposed remodel meets the intent of Policy 5, and that it will be architecturally compatible with the neighboring unit. Staff has included a special condition (#11) which addresses this case in the Findings and Conditions attached. This condition attempts to solve the concern that only one owner might proceed with the remodel while the owner does not, resulting in two units with different siding material (wood and fiber cement).

Point Analysis (Section: 9-1-17-3): Staff conducted an informal point analysis for the Sutter remodel project and found it to pass all applicable Absolute and Relative Policies of the Development Code with the additional condition #11.

Staff Recommendation

Staff has approved the Sutter Exterior Remodel, PC#2011046, located at 885 Four O’Clock Rd, Lot 2, Tract B, Tyra Sub #3, with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

**Sutter Duplex Exterior Remodel
Lot 2, Tract B, Tyra Sub. #3
885 Four O'Clock Rd.
PERMIT #2011046**

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

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 26, 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 **August 2, 2011** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.
6. The project utilizes the wood material which is the same existing material on the adjacent unit. The colors are compatible with the adjacent unit.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **February 2, 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 completion for the project covered by this permit. The determination of whether a certificate of completion should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. Applicant shall field locate utility service lines to avoid existing trees.
7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
11. The approved primary exterior materials are cedar shingle and cedar horizontal siding. Should the applicant desire to change the exterior material to fiber cementitious siding, the Development Permit shall be re-analyzed including a point analysis. Should the property owner of Lot 2, Tract B, Tyra Sub. #3(PC#2011046) and Lot 1, Tract B, Tyra Sub. #3 (PC#2011044) agree to modify the exterior materials for both duplex units to fiber cementitious siding, both owners shall submit together under one building permit application with the same contractor. If the owners of Lot 1, Tract B, Tyra Sub. #3 choose to keep wood siding as the primary material, negative points may be assigned to Lot 2, Tract B, Tyra Sub. #3 under Policy 5/R-Architectural Compatibility for “excessive dissimilarity.”
12. 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.
13. 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.
14. 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.
15. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant’s responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
16. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
17. 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.

18. 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

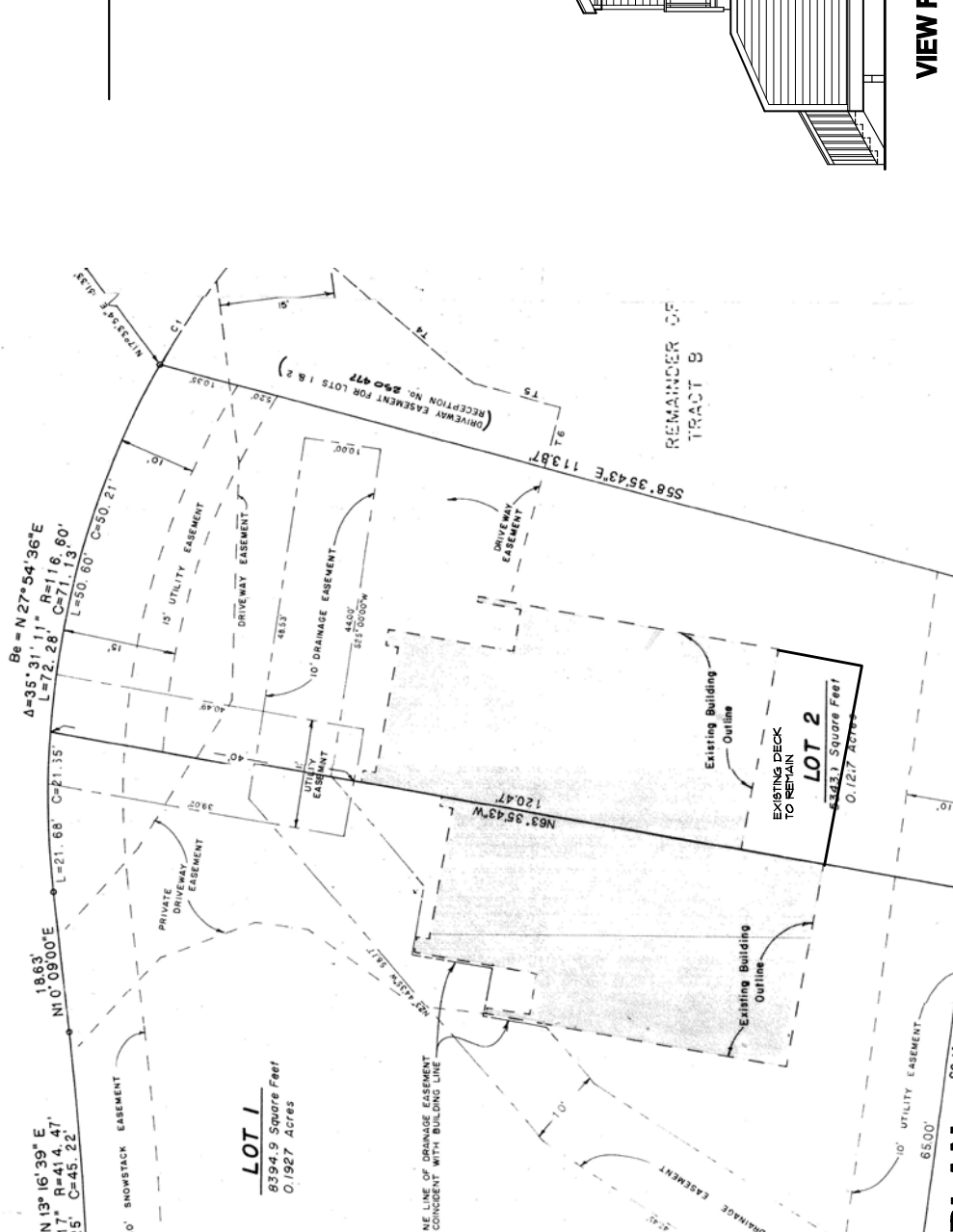
19. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
20. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
21. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
22. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
23. 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.
24. Applicant shall screen all utilities.
25. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
26. 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.
27. 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.
28. 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.**

29. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
30. 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.*

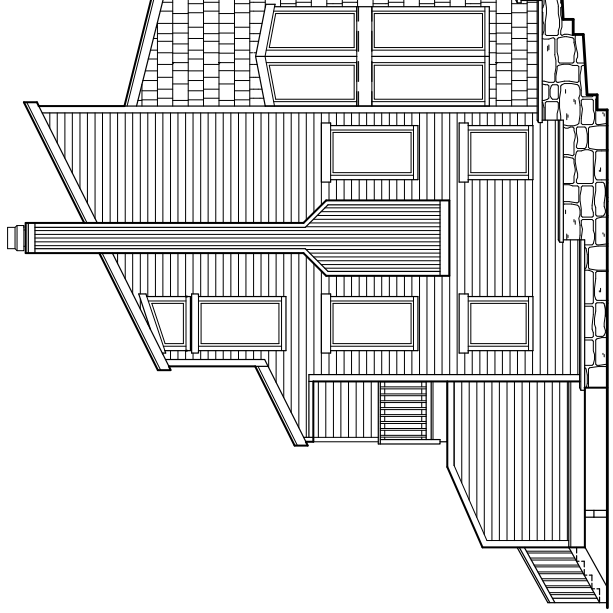
(Initial Here)

FOUR O'CLOCK ROAD (60' R.O.W)



SITE PLAN
SCALE: 1" = 10'-0" REMAINDER OF ...

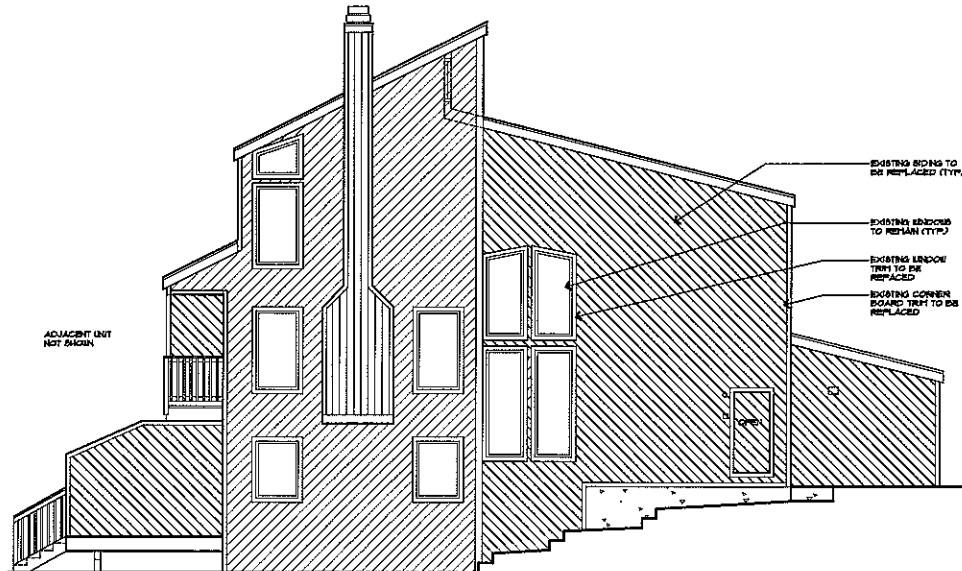
VIEW FROM NORTH



VICINITY MAP 81TE
NORTH

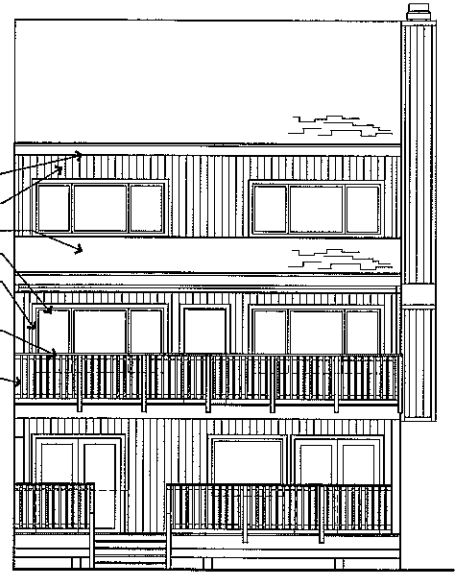
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BRECKENRIDGE

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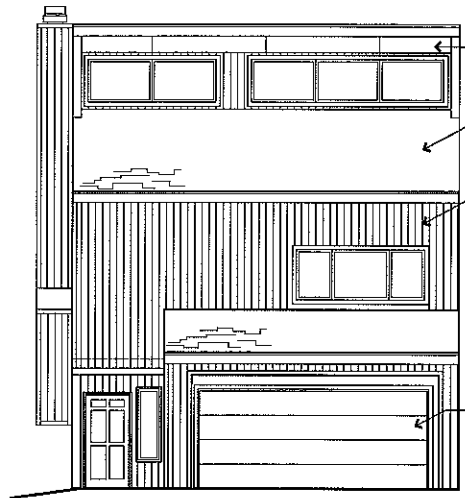
EXISTING NORTH ELEVATION

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



EXISTING EAST ELEVATION

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



EXISTING WEST ELEVATION

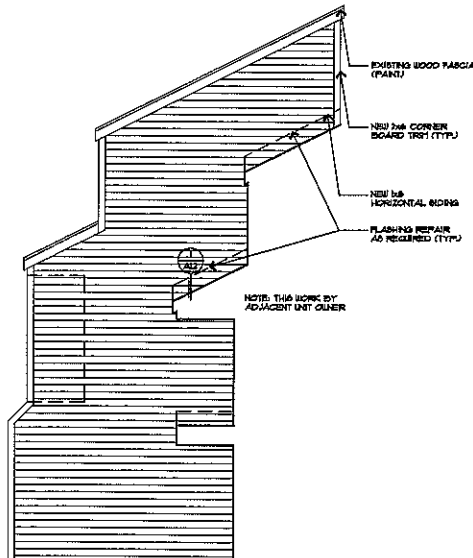
SCALE: 1/4"=1'-0"

KEYWORK:
 SHEET NO: 104711
 DATE: 07-18-11
 DRAWN BY: jacobcampar
 CHECKED BY: rfragan
 OWN THE DRAWING IS COPYRIGHTED AND SHALL NOT BE REPRODUCED WITH-OUT WRITTEN PERMISSION

ISSUED FOR:
 1010, GLASS C/
 07-18-11

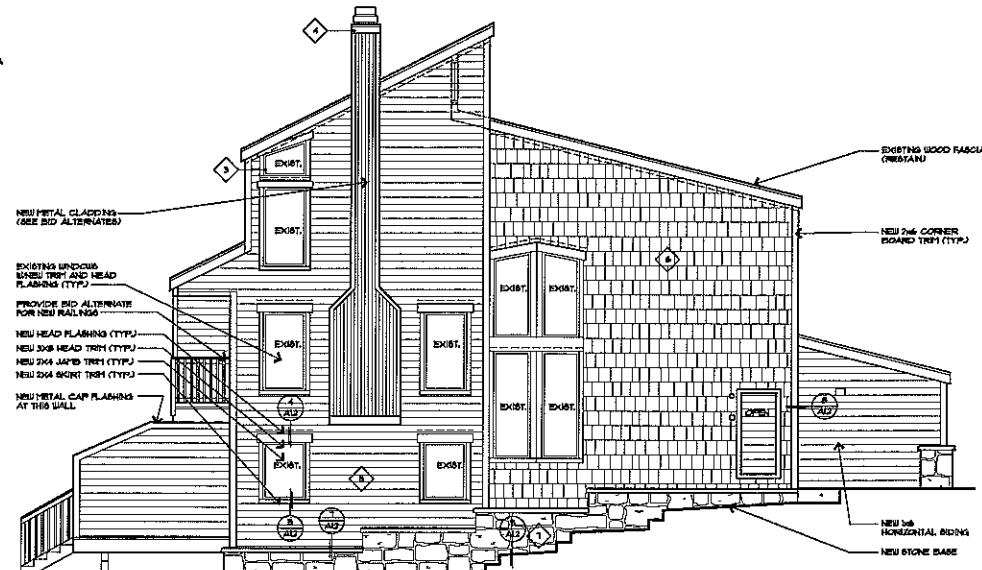
bhh Partners
 CONSULTING ARCHITECTS
 1000 14TH AVENUE, SUITE 800
 DENVER, COLORADO 80202
SUTTER REMODEL
 1010, TRACT 8, TYRA, WINTERGREN PL, WINTERGREN, COLORADO

© 2010
 SHEET NUMBER:
A1.0



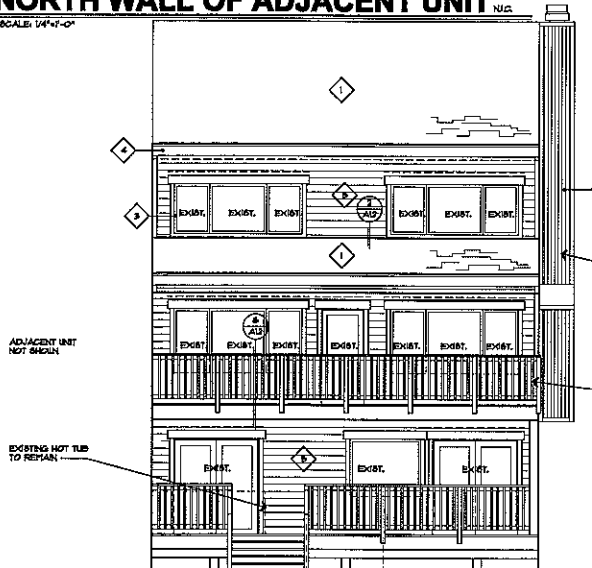
NORTH WALL OF ADJACENT UNIT

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



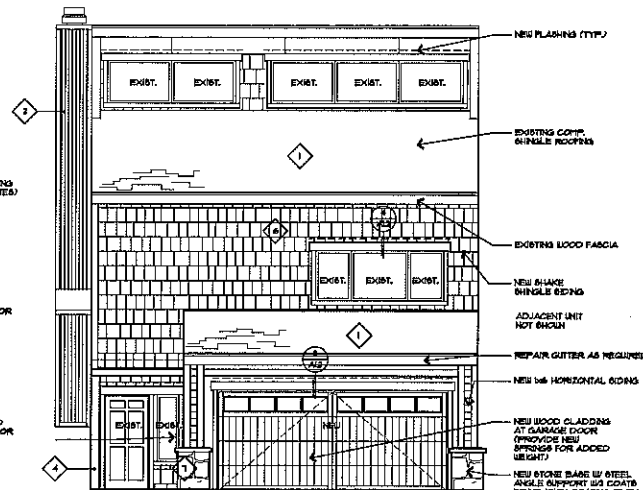
PROPOSED SOUTH ELEVATION

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



PROPOSED EAST ELEVATION

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



PROPOSED WEST ELEVATION

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

COLOR LEGEND	
◆	SHINGLE ROOFING EXISTING TO REMAIN
◆	METAL ROOFING/ SIDING BERKEDGE "BIRNBA TAN"
◆	EXPOSED METAL "TRENCH"
◆	TRIMBER 4 TRIM SHERWIN-WILLIAMS GOLD STAIN "CARIBOU"
◆	HORIZONTAL SIDING SHERWIN-WILLIAMS BENTON TRANE STAIN "PROUSTAN ASH"
◆	SHAKE SHINGLE SIDING SHERWIN-WILLIAMS BENTON TRANE STAIN "YANKEE BARN"
◆	STONE VENEER PARKER ENGLISH - "NOSTIC PARTNER"

NOTE: COLORS ARE TYPICAL FOR ALL ELEVATIONS

NOTE: PROVIDE BID ALTERNATE FOR PREFABRICATED FIBER CONCRETE SIDING AND TRIM IN LIEU OF CEDAR SIDING AND TRIM. COORDINATE COLORS UNIFORM AND ARCHITECT.

NOTE: PROVIDE BID ALTERNATE FOR 2x4" INSULATION UNDER NEW SIDING.

REVISIONS

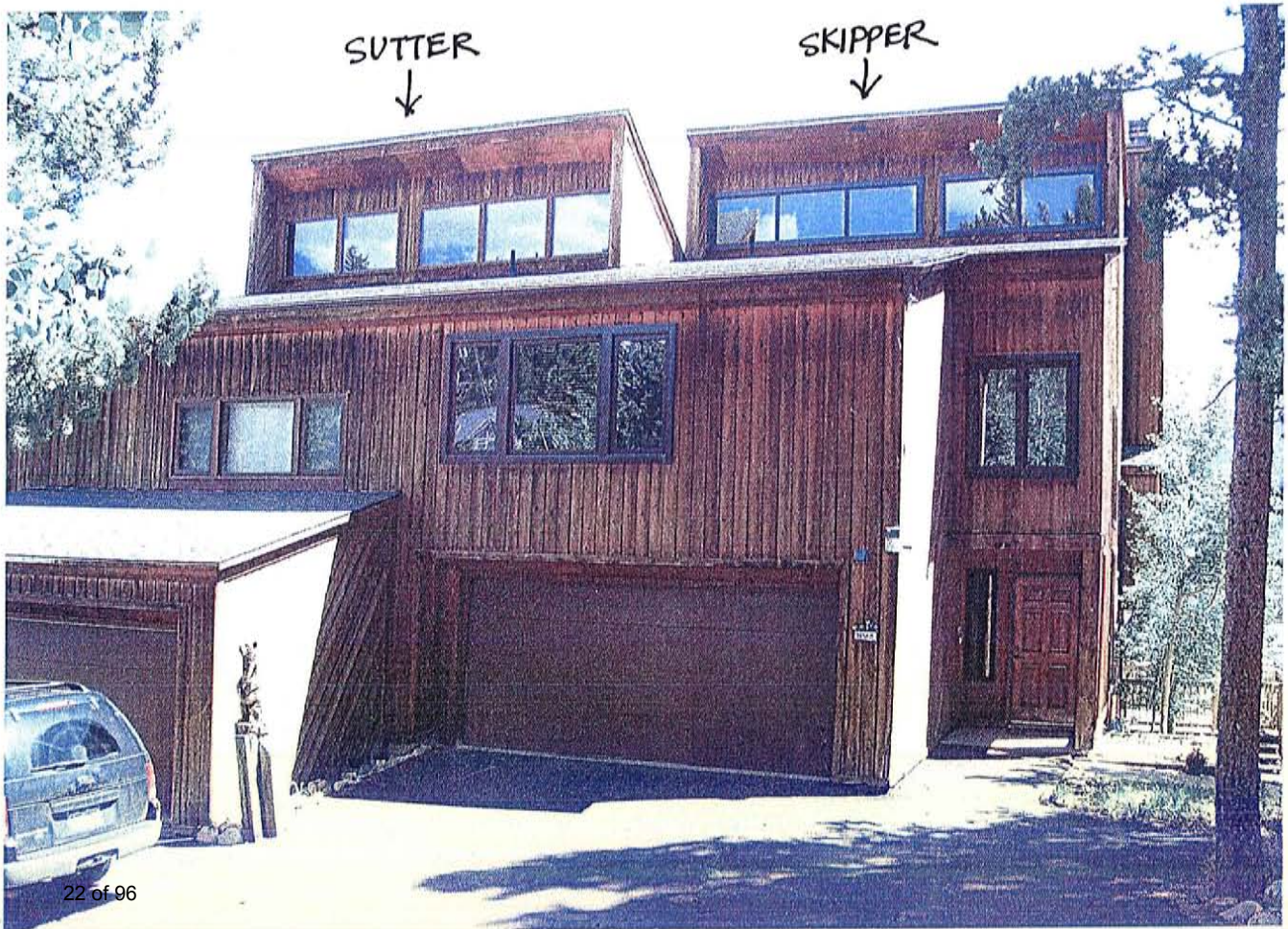
JOB NO: 10471
 DATE: 07-18-11
 DRAWN BY: J. Cookman
 CHECKED BY: P. Hogan

DATE THIS DRAWING IS COPYRIGHTED AND SHALL NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT

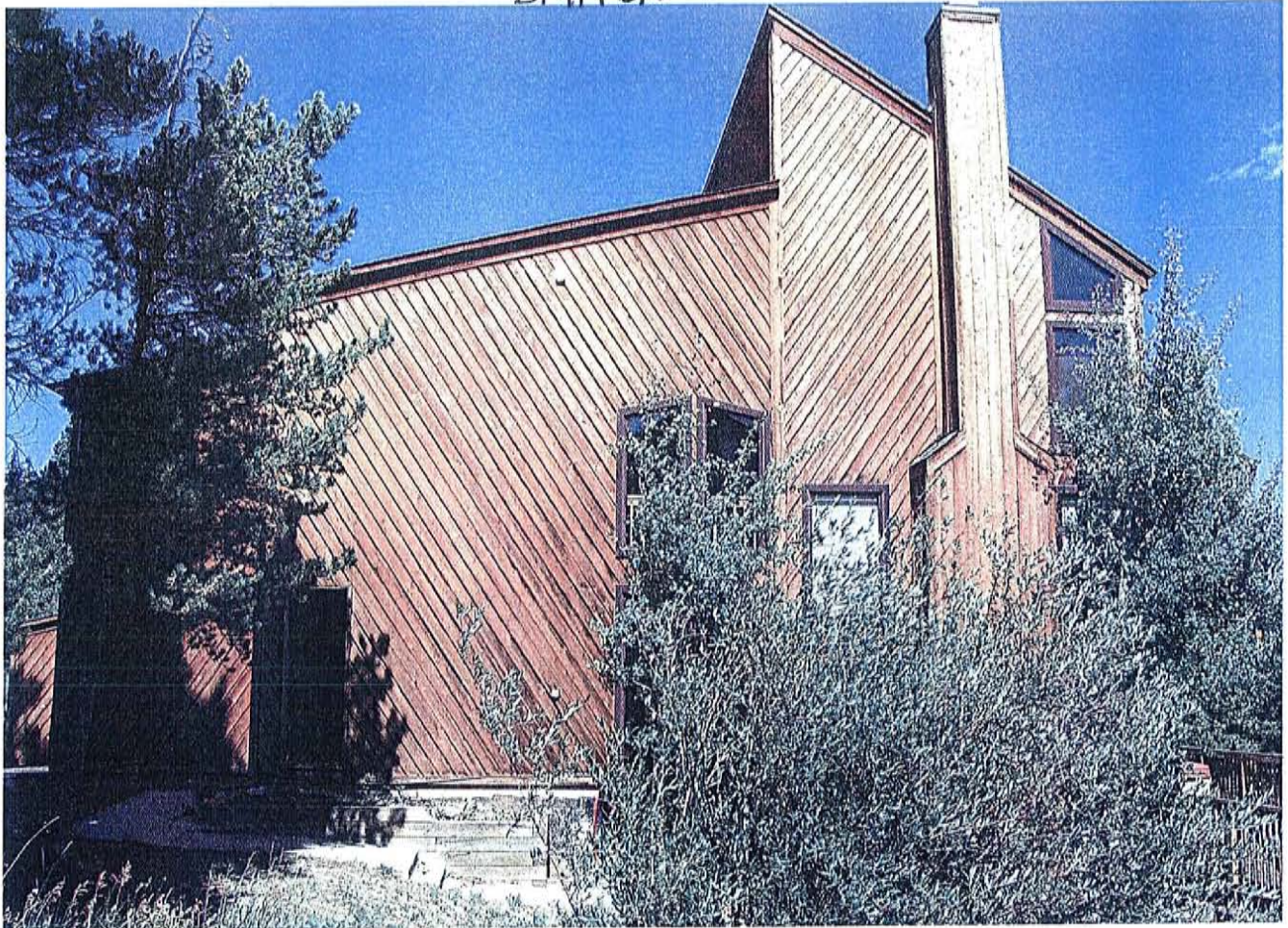
ISSUED FOR: TO A. CLASS 'C'
 07-18-11

bhh Partners
 ARCHITECTS 1000 W. 10TH AVENUE SUITE 100 DENVER, CO 80202
SUTTER REMODEL
 1075 S. TRACI & TYRA BLDG DENVER, CO 80202

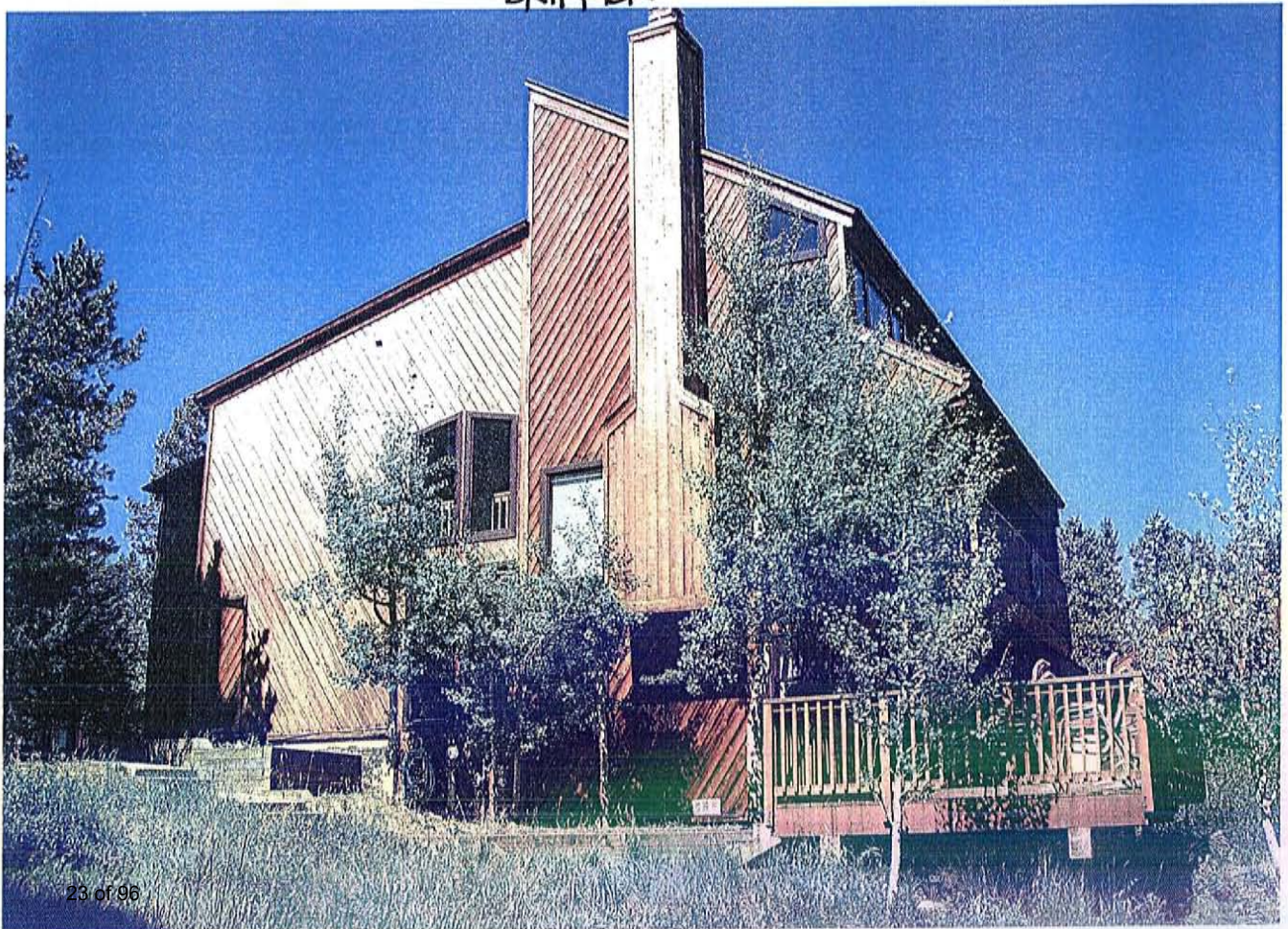
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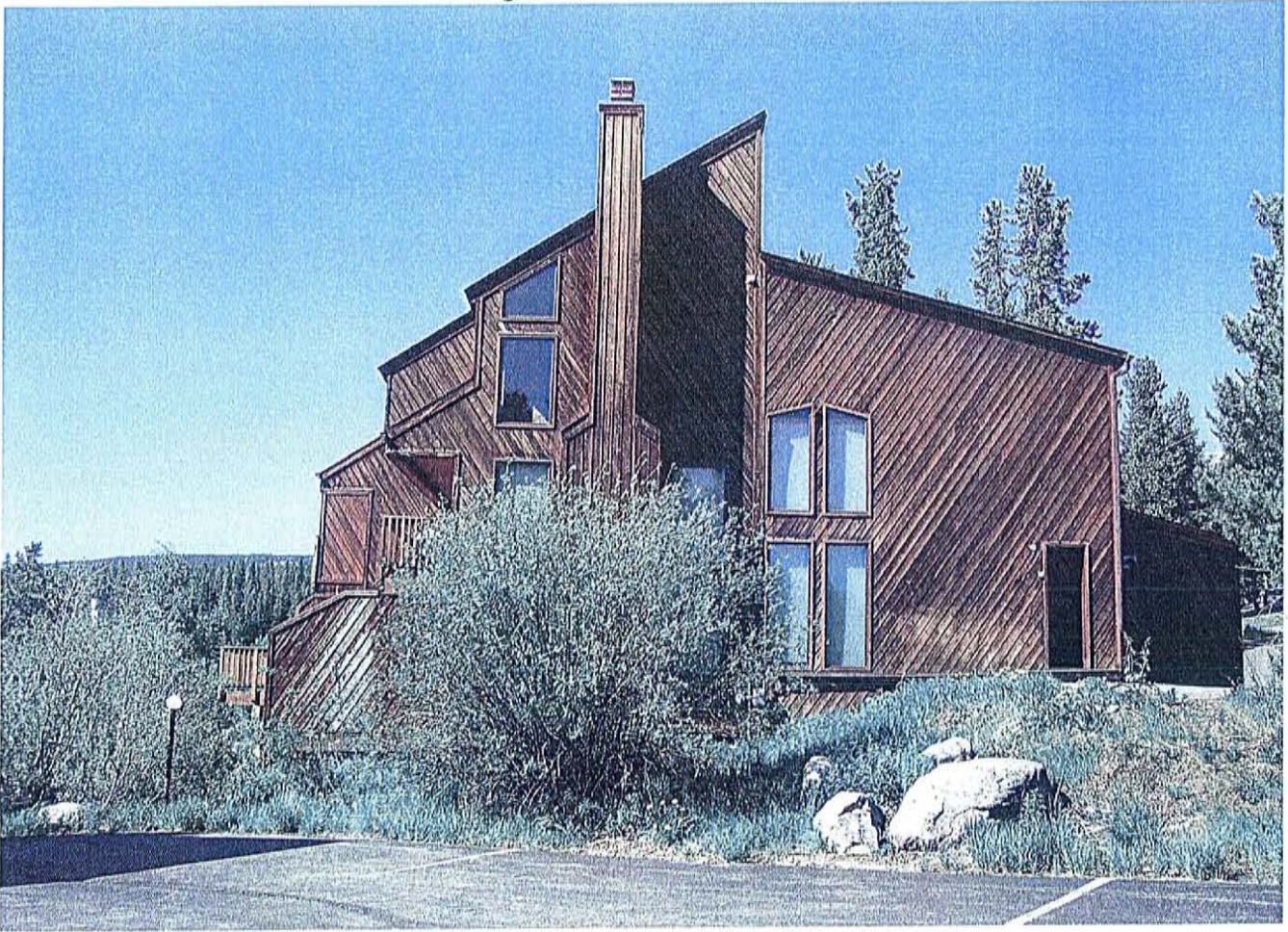
SKIPPER



SKIPPER



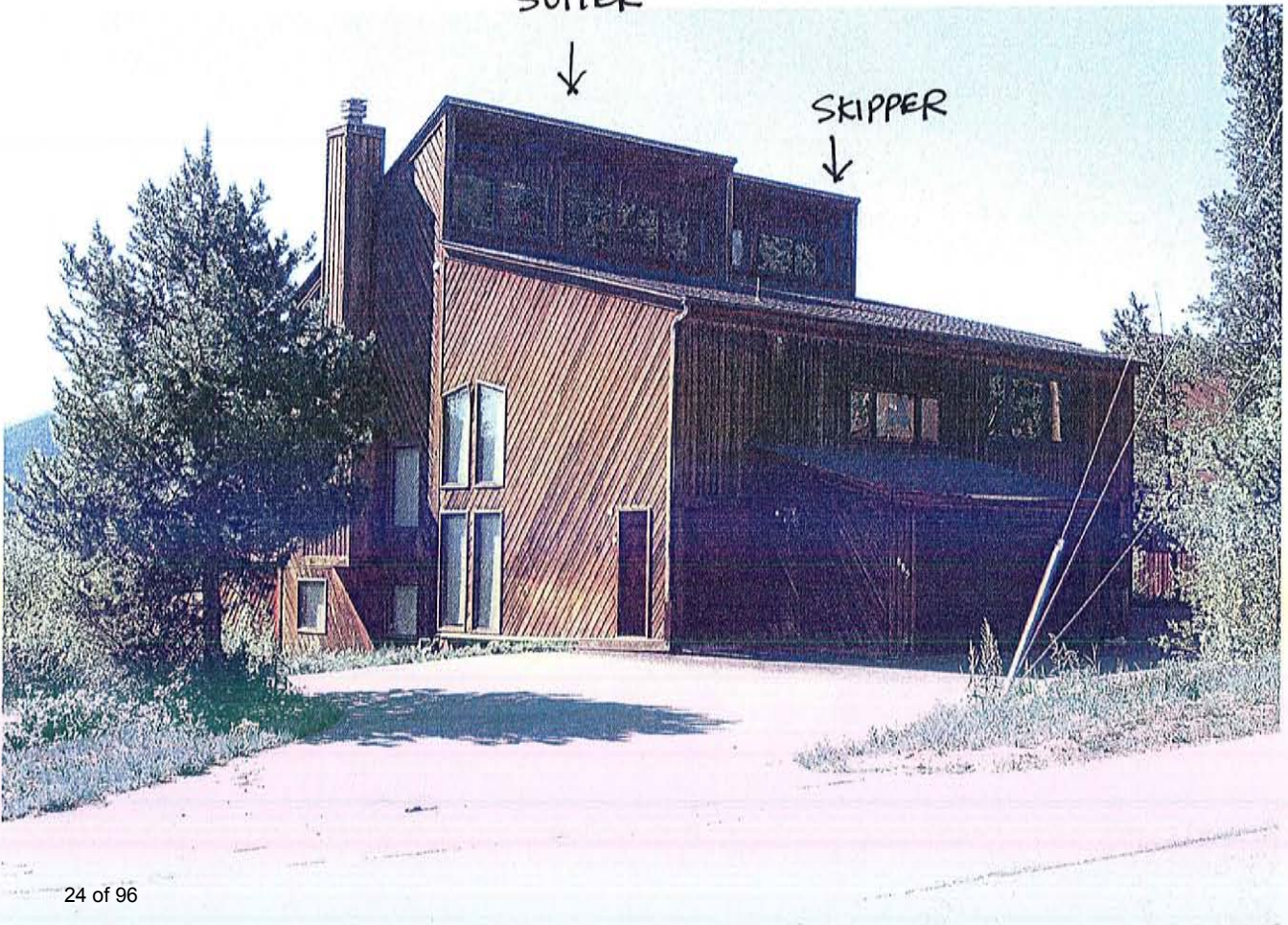
SUTTER



SUTTER



SKIPPER





Class C Develop

Project Name/PC#: Sie Residence Addition PC#2011048
Project Manager: Matt Thompson, AICP
Date of Report: July 26, 2011 For the 08/02/2011 Planning Commission Meeting
Applicant/Owner: John Sie
Agent: John Mink Architectural Partnership
Proposed Use: Single family residence
Address: 260 Gold Flake Court
Legal Description: Lot 19, Gold Flake Subdivision, Filing 2
Site Area: 47,044 sq. ft. 1.08 acres
Land Use District (2A/2R): 12: Residential
Existing Site Conditions: There is an existing 7,116 square foot residence built in 1998 on the property. The lot slopes steeply uphill from the street at 28%. The lot is heavily covered in lodgepole pine trees. The project will add one new bedroom with a private bath and enlarge a living space bringing the house to five bedrooms and five baths.

Density (3A/3R): Allowed: unlimited Proposed: 7,580 sq. ft.
Mass (4R): Allowed: 9,000 sq. ft. Propsoed: 8,516 sq. ft.
F.A.R. 1:5.50 FAR
Areas: Existing Proposed
Lower Level: 1,418 sq. ft. 703 sq. ft.
Main Level: 3,479 sq. ft. 541 sq. ft.
Upper Level: 1,283 sq. ft. 156 sq. ft.
Garage: 936 sq. ft.
Total: 7,116 sq. ft. 1,400 sq. ft. for a new total of 8,516 sq. ft.

Bedrooms: 5
Bathrooms: 5
Height (6A/6R): Addition 25'
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 4,528 sq. ft. 9.63%
Hard Surface / non-Permeable: 4,528 sq. ft. 9.63%
Open Space / Permeable: 37,988 sq. ft. 80.75%

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

Snowstack (13A/13R):
Required: 1,132 sq. ft. (25% of paved surfaces)
Proposed: 1,150 sq. ft. (25.40% of paved surfaces)

Fireplaces (30A/30R): All new fireplaces to be gas

Accessory Apartment: N/A

Building/Disturbance Envelope? N/A

Setbacks (9A/9R):
Front: 55 ft.
Side: 22 ft.
Side: 29 ft.
Rear: 85 ft.

Architectural Compatibility (5/A & 5/R): The proposed residence will be architecturally compatible with the Land Use District.
Exterior Materials: Natural stone veneer, wood siding and trim to match existing residence.

Roof: Semi-dark brown standing seam metal roof to match existing residence.
Garage Doors: Replace existing doors with custom wood doors to match existing siding.

Landscaping (22A/22R):

Planting Type	Quantity	Size
No new landscaping is proposed		

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

Driveway Slope: 0 %

Covenants:

Point Analysis (Sec. 9-1-17-3): Staff conducted an informal point analysis and found to reason to warrant negative or positive points for this proposal. The application meets all absolute policies of the Development Code.

Staff Action:

Staff has approved the Sie Residence Addition, PC#2011048, located at 260 Gold Flake Court, Lot 19, Gold Flake Subdivision, Filing #2, with the Standard Findings and Conditions.

Comments:

No new landscaping is proposed with this application. The property is heavily wooded and well landscaped already. There is a 15' - 20' buffer of grass and driveway around most of the residence, a full metal roof, trees are well spaced, and the property is above Carter Park. There is no need to remove trees for Defensible Space, but not really enough room to add new landscaping.

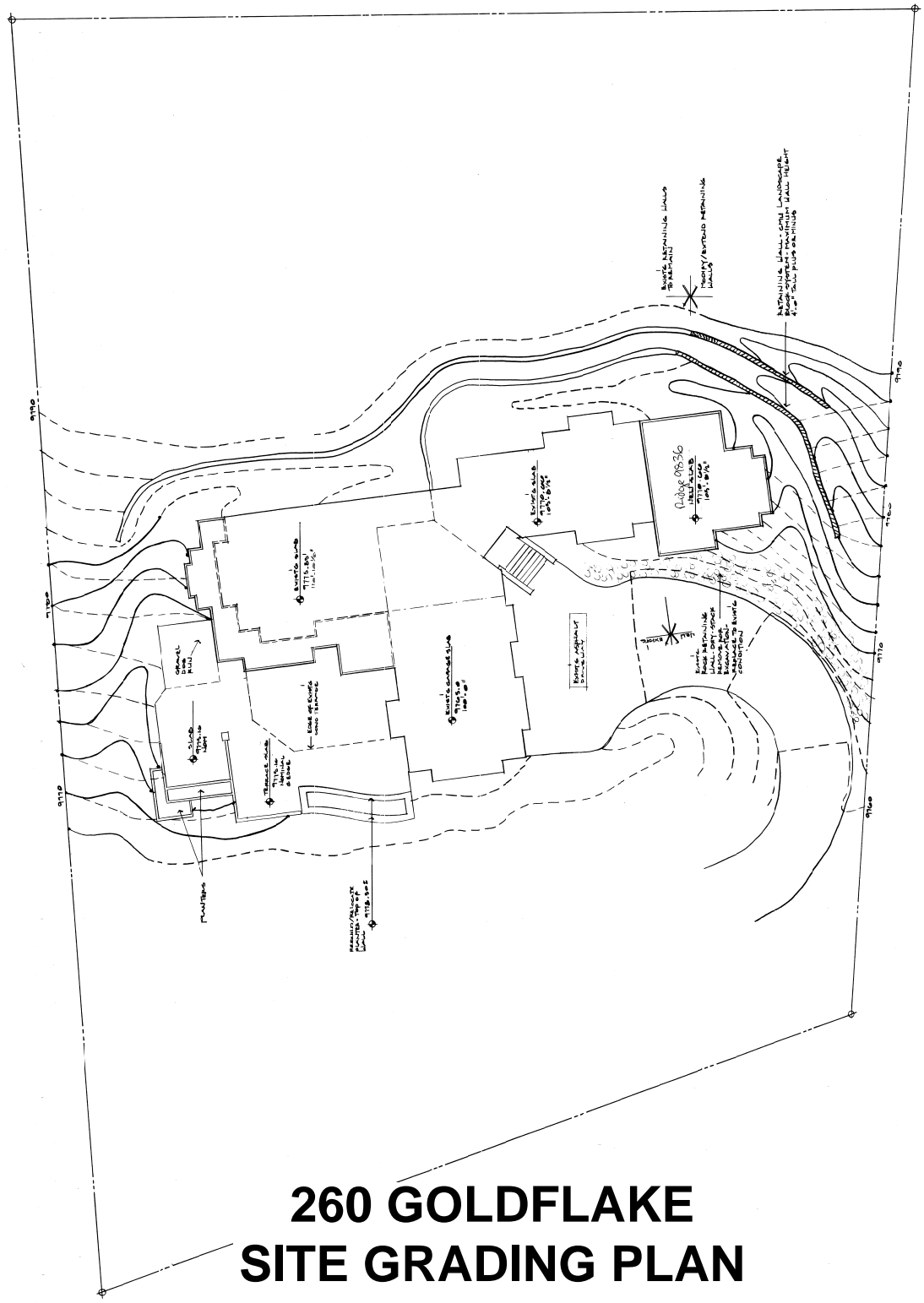
Additional Conditions of Approval:

10/24/20
 10/24/20
 10/24/20
 10/24/20

1:4.5 or 9,000

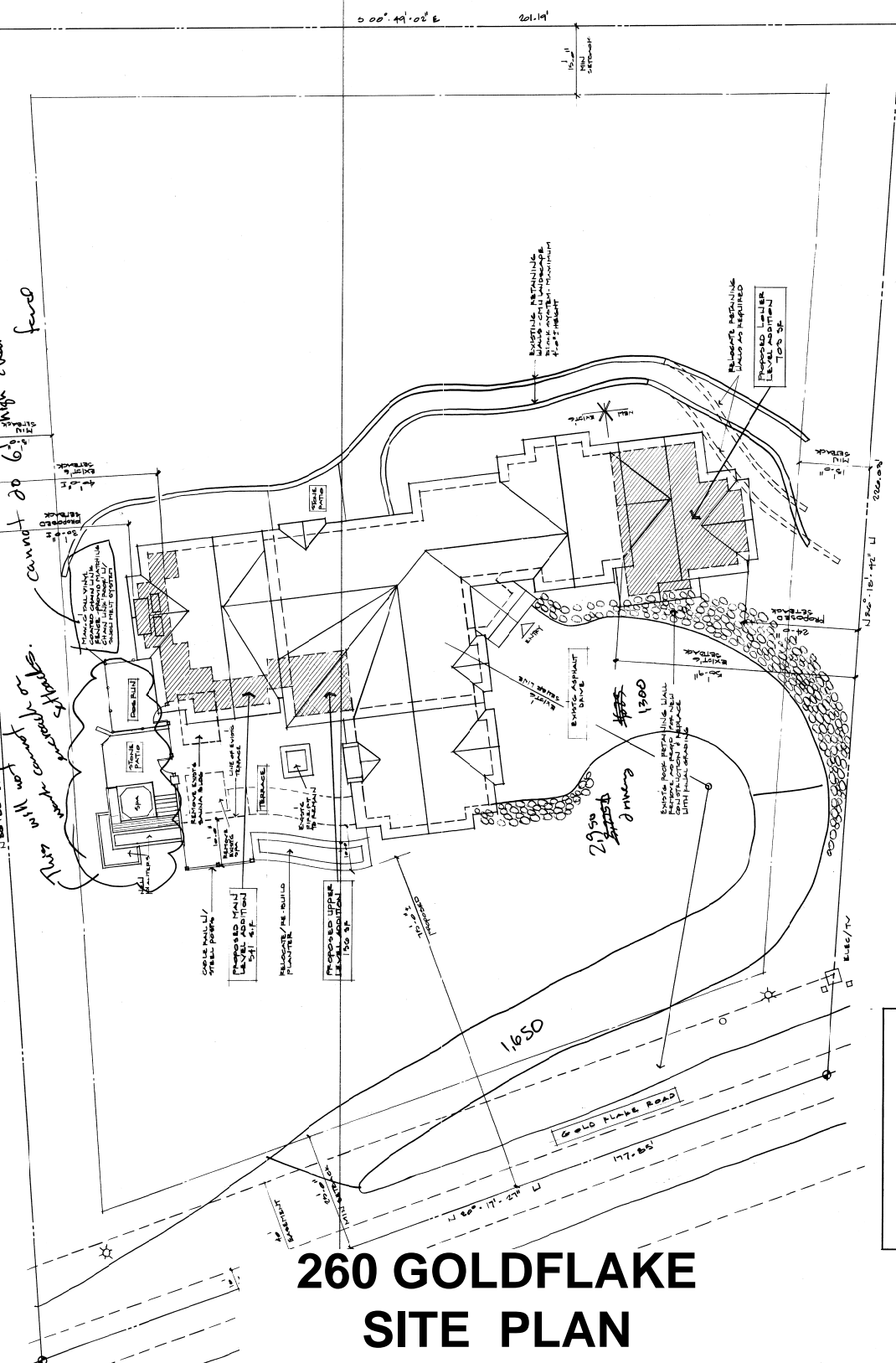
17,044 ÷ 4.5 = 10,454.44

20.2



S I T E G R A D I N G P L A N
 1" = 10'-0"

260 GOLDFLAKE SITE GRADING PLAN



Drawing Index	
A-1	Site Development Plan
A-2	Existing Lower Level Floor Plan
A-3	Existing Main Level Floor Plan
A-4	Existing Upper Level Floor Plan
A-5	Existing Roof Plan
A-6	Existing West Elevation - Front
A-7	Existing North Elevation - Left Side
A-8	Existing East Elevation - Rear
A-9	Existing South Elevation - Right Side
A-10	Proposed Lower Level Floor Plan
A-11	Proposed Main Level Floor Plan
A-12	Proposed Upper Level Floor Plan
A-13	Proposed Roof Plan
A-14	Proposed West Elevation - Front
A-15	Proposed North Elevation - Left Side
A-16	Proposed East Elevation - Rear
A-17	Proposed South Elevation - Right Side
C-1	Affected Area Drainage Plan

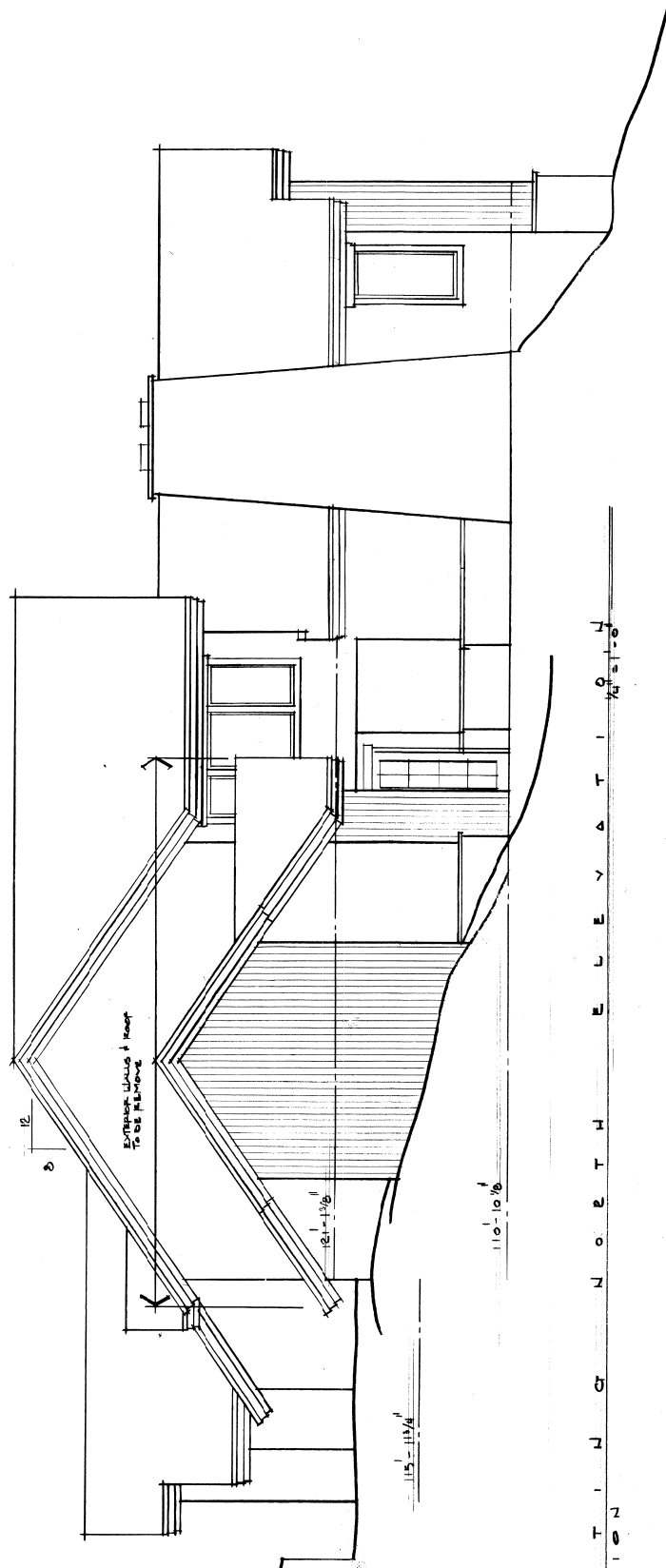
LEGAL DESCRIPTION	
Lot 86 amended and corrected plat of 04-08-27	
Gold Flake Subdivision #2	
Santitas County, California	
State of California	
Address: 260 Gold Flake Road	
PROJECT DIRECTOR	
Owner: Mr and Mrs John Sei	
Architect: John Mink	
Architectural Partnership	
2000 International Building Code	
Boiler, Co. 8003	
Structural Engineer: J.A. Engineers	
Boiler, Co. 8002	
DEVELOPMENT DATA	
Requested setbacks: Front - 20'-0"	
Side - 15'-0" minimum, 60' if setback	
Rear - 15'-0"	
Existing area: 10,341 sq. ft.	
Total existing area - 7186sf	
Total proposed additional area - 1408sf	
Grand Total Floor Area - 8596sf	

CORE INFORMATION	
Occupancy Group - R-3	
Construction Type - V, Wood	
Floor Load - 80 psf (no reduction for roof pitch)	
APPLICABLE CODES	
2000 International Building Code	
2006 International Residential Code	

260 GOLDFLAKE SITE PLAN

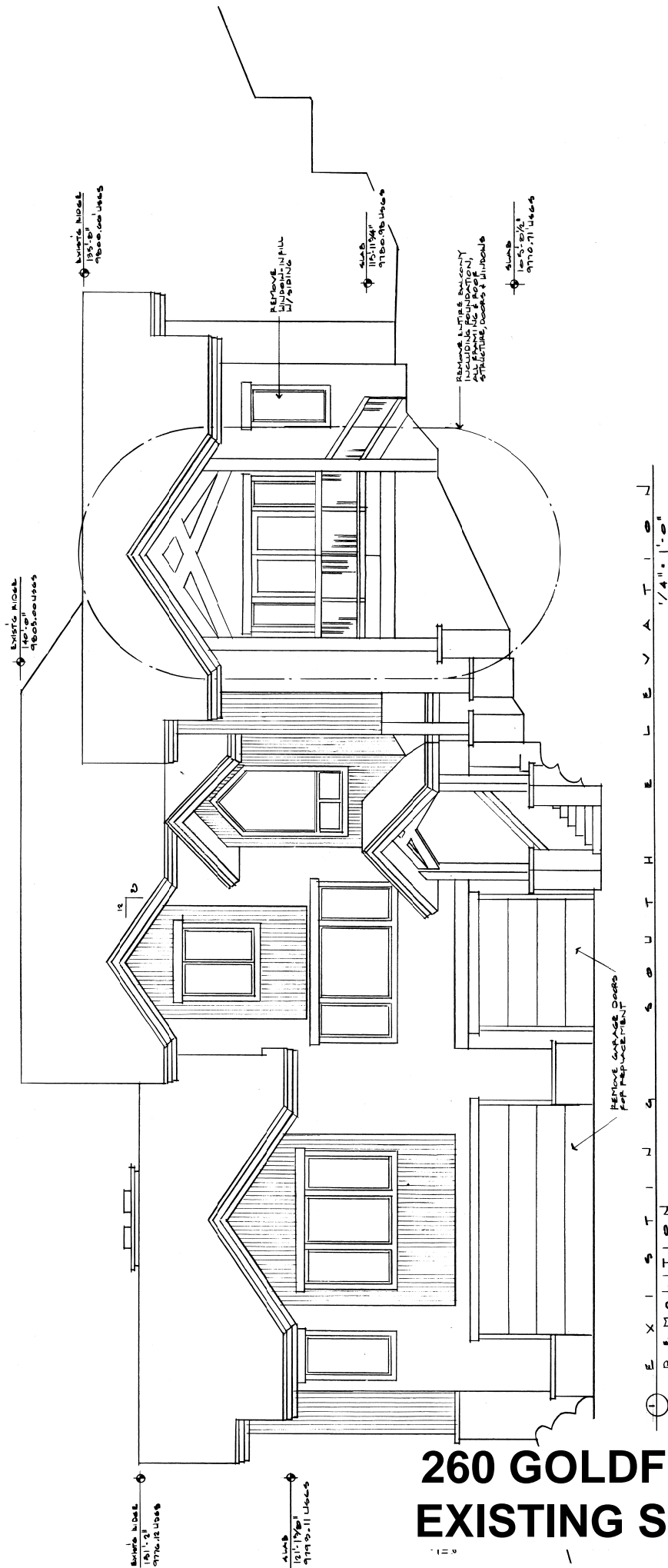
GENERAL PROJECT NOTES

1. Final grading shall provide positive drainage away from all foundation walls.
2. Foundation walls shall be constructed in accordance with the plans, or if the plan need clarification, contact the architect.
3. All information obtained from drawings or surveys provided by Owner shall be verified by the contractor.
4. The contractor shall be responsible for obtaining all necessary permits.



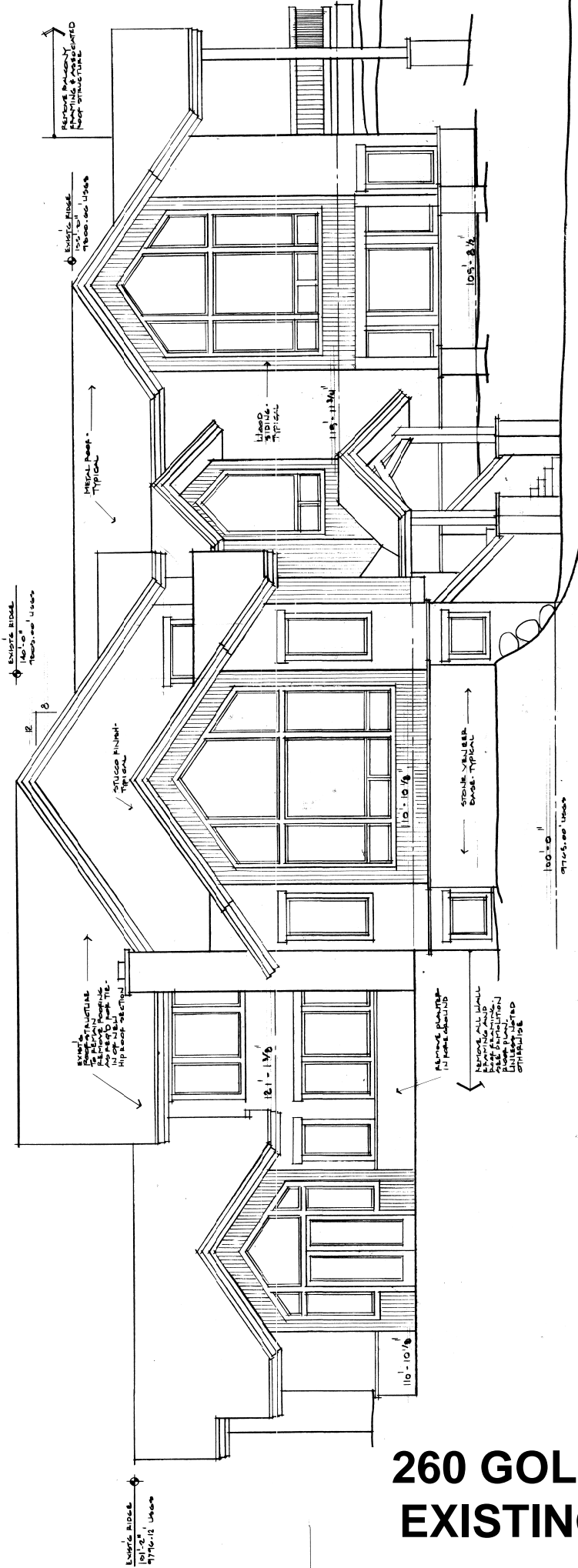
**260 GOLDFLAKE
EXISTING NORTH**

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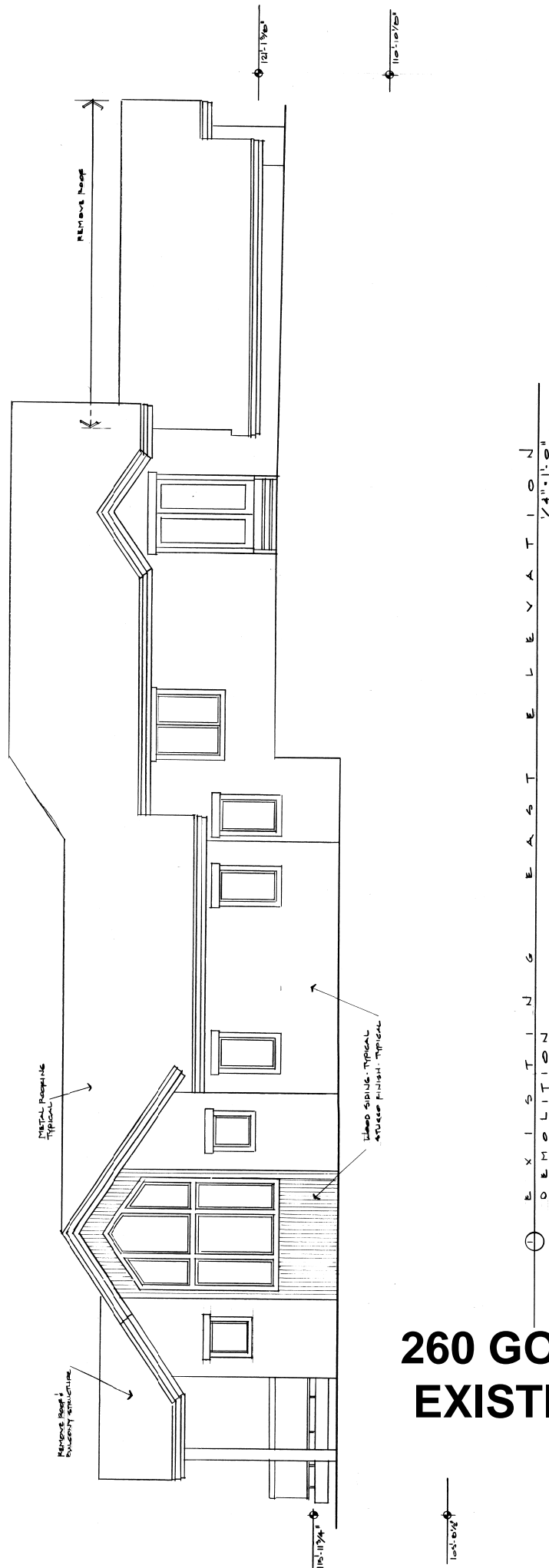
260 GOLDFLAKE EXISTING SOUTH

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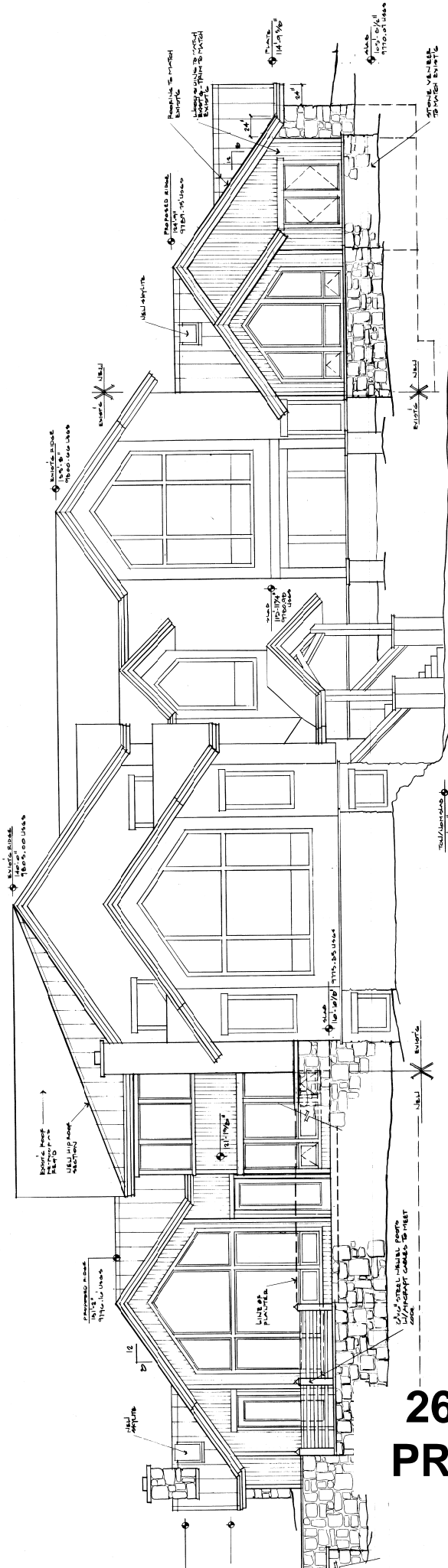
260 GOLDFLAKE EXISTING WEST

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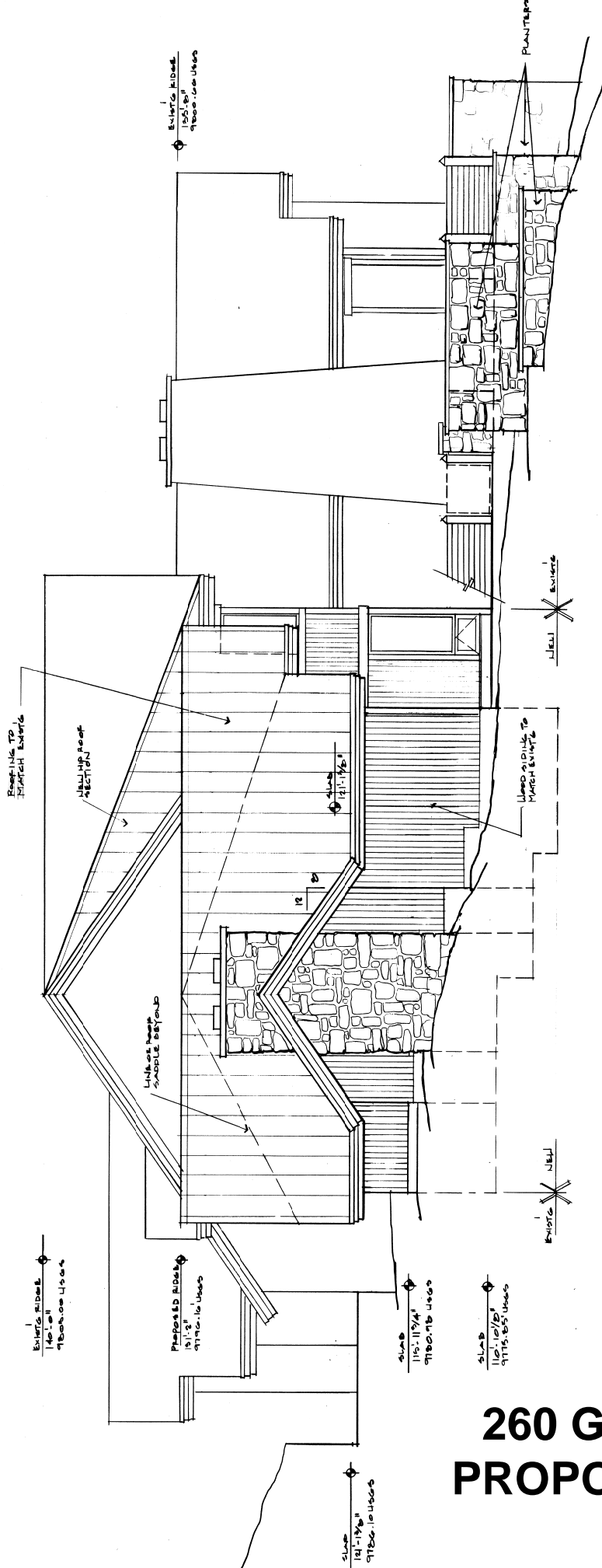


260 GOLDFLAKE EXISTING EAST



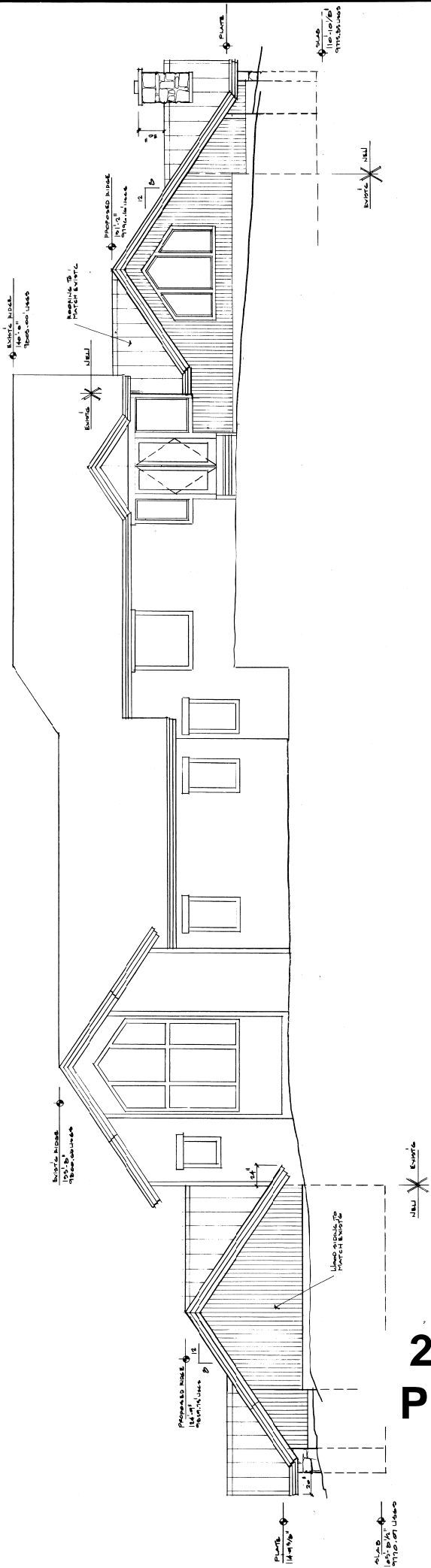


260 GOLDFLAKE PROPOSED WEST



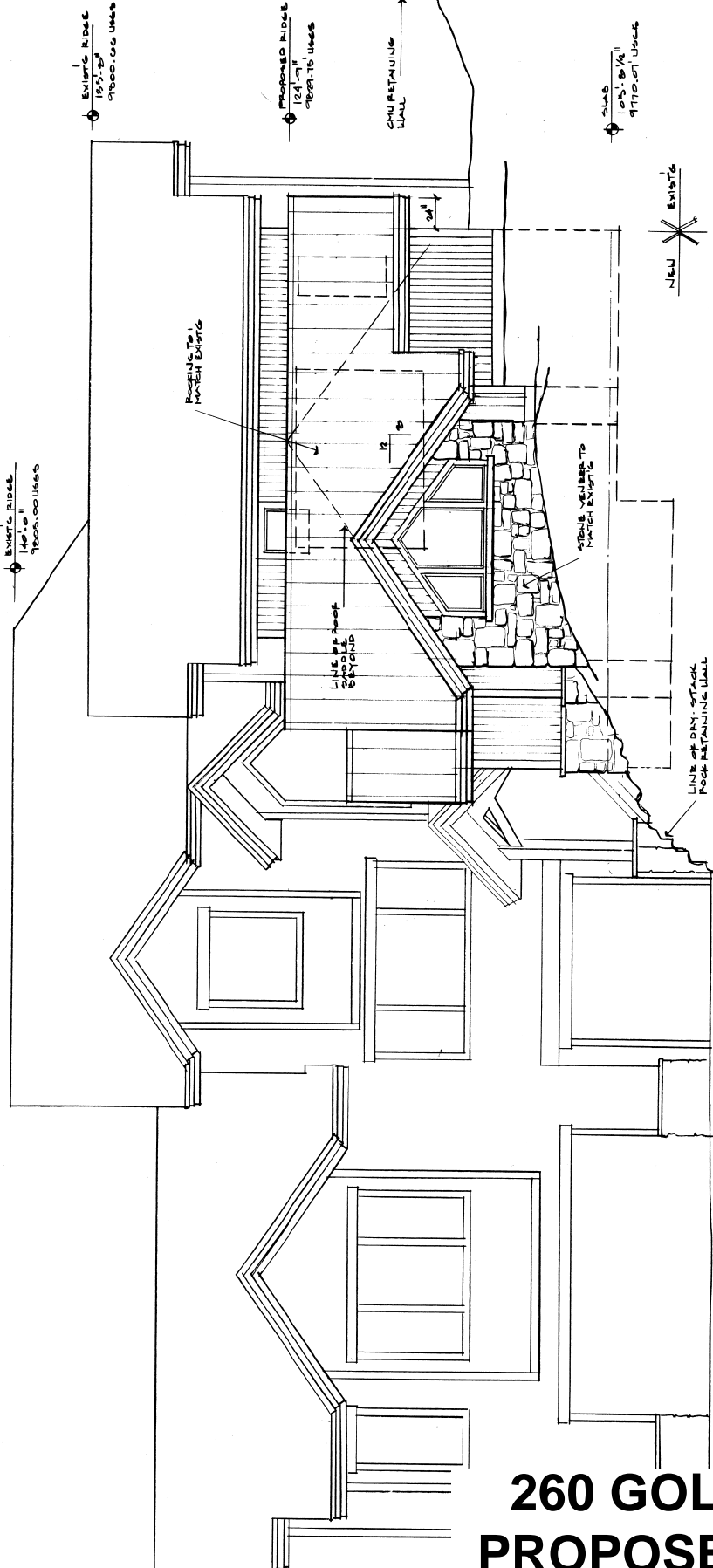
260 GOLDFLAKE PROPOSED NORTH

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L E F T S I D E
1/4" = 1'-0"



P R O P O S E D E A S T
 1/4" = 1'-0"

260 GOLDFLAKE PROPOSED EAST



EXISTING NEW

NEW EXISTING

P R O J E C T S I D E S O U T H E L E V A T I O N 1/4" = 1'-0"

260 GOLDFLAKE PROPOSED SOUTH



Class C Develop

Project Name/PC#: Bennett Residence PC#2011049
Project Manager: Matt Thompson, AICP
Date of Report: July 27, 2011 For the 08/02/2011 Planning Commission Meeting
Applicant/Owner: Ryan T. Bennett
Agent: Michael Gallagher, Architect
Proposed Use: Single family residence
Address: 576 Peerless Drive
Legal Description: Lot 38, Shock Hill
Site Area: 49,658 sq. ft. 1.14 acres
Land Use District (2A/2R): 10: Residential
Existing Site Conditions: The lot slopes uphill to the disturbance envelope from the private drive at 18%, has a relatively flat area in the building envelope and then begins to slope downhill steeply at 25% towards the rear of the envelope. The lot is accessed from a private drive off of Peerless Drive.

Density (3A/3R): Allowed: Unlimited Proposed: 14,226 sq. ft.
Mass (4R): Allowed: Unlimited Proposed: 15,237 sq. ft.
F.A.R.: 1:3.25 FAR
Areas:
Lower Level: 6,779 sq. ft.
Main Level: 5,128 sq. ft.
Upper Level: 2,319 sq. ft.
Garage: 1,011 sq. ft.
Total: 15,237 sq. ft.

Bedrooms: 5
Bathrooms: 8
Height (6A/6R): 34 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 7,893 sq. ft. 15.89%
Hard Surface / non-Permeable: 3,390 sq. ft. 6.83%
Open Space / Permeable: 38,375 sq. ft. 77.28%

Parking (18A/18/R):
Required: 2 spaces
Proposed: 3 spaces

Snowstack (13A/13R):
Required: 848 sq. ft. (25% of paved surfaces)
Proposed: 850 sq. ft. (25.07% of paved surfaces)

Fireplaces (30A/30R): 4 gas
Accessory Apartment: N/A
Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):
Front: Within disturbance envelope
Side: Within disturbance envelope
Side: Within disturbance envelope
Rear: Within disturbance envelope

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

Exterior Materials: 2x12 chinked-plank shiplap cedar siding, copper-clad 2x10 fascia with 4x8 exposed rafter tails with 1x8 tongue and groove decking above, and a natural stone veneer Telluride "Beaver Creek Blend."

Roof: Simulated slate roofing by Davinci: mixed gray blend; and copper metal roofing

Garage Doors: Custom cedar doors with windows

Landscaping (22A/22R):

Planting Type	Quantity	Size
Spruce/Fir	16	6' - 8'
Bristlecone Pines	4	6' - 8'
Aspen	38	1.5" - 2"
Native shrubs	17	5 gallon minimum

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

Driveway Slope: 8 %

Covenants:

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 Bennett Residence, PC#2011049, located at 576 Peerless Drive, Lot 38, Shock Hill, Filing 2, with the Standard Findings and Conditions.

Comments: The proposed residence is on a ridgeline, hence is required to meet the requirements of the Policy 8: Ridgeline and Hillside Development. The Policy requires the use of natural materials that mimic, rather than contrast, with the site's background. Per Policy 8: "E. Exterior Building Colors: Buildings and roofs shall be dark natural color to effectively blend the building with the background. Colors that mimic the forest or hillside, when viewed from an area of concern, are required to reduce the visibility of structures on hillsides and ridges. Light colors that contrast with the forest or background are prohibited unless the applicant can sufficiently show that the proposed colors will help the building to more effectively blend in with its natural surroundings."

Furthermore, per section F. Existing and Proposed Vegetation: Trees on the downhill side of a proposed development which help to screen the development when viewed from an area of concern are of the utmost importance for preservation. Where insufficient natural screening exists on a site, an applicant may be required to plant additional trees to effectively screen the visibility of the proposed development."

Questions for the Planning Commission If the Planning Commission finds that the proposed materials, colors and vegetation meet the intent of this Policy, then there is no reason for action on this application. However, if the Commission finds that the application does not meet this Policy, or if the Commission believes this application warrants further review, Staff suggest the Commission call up this application for further review."

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Meredith J. Barrett, Architect
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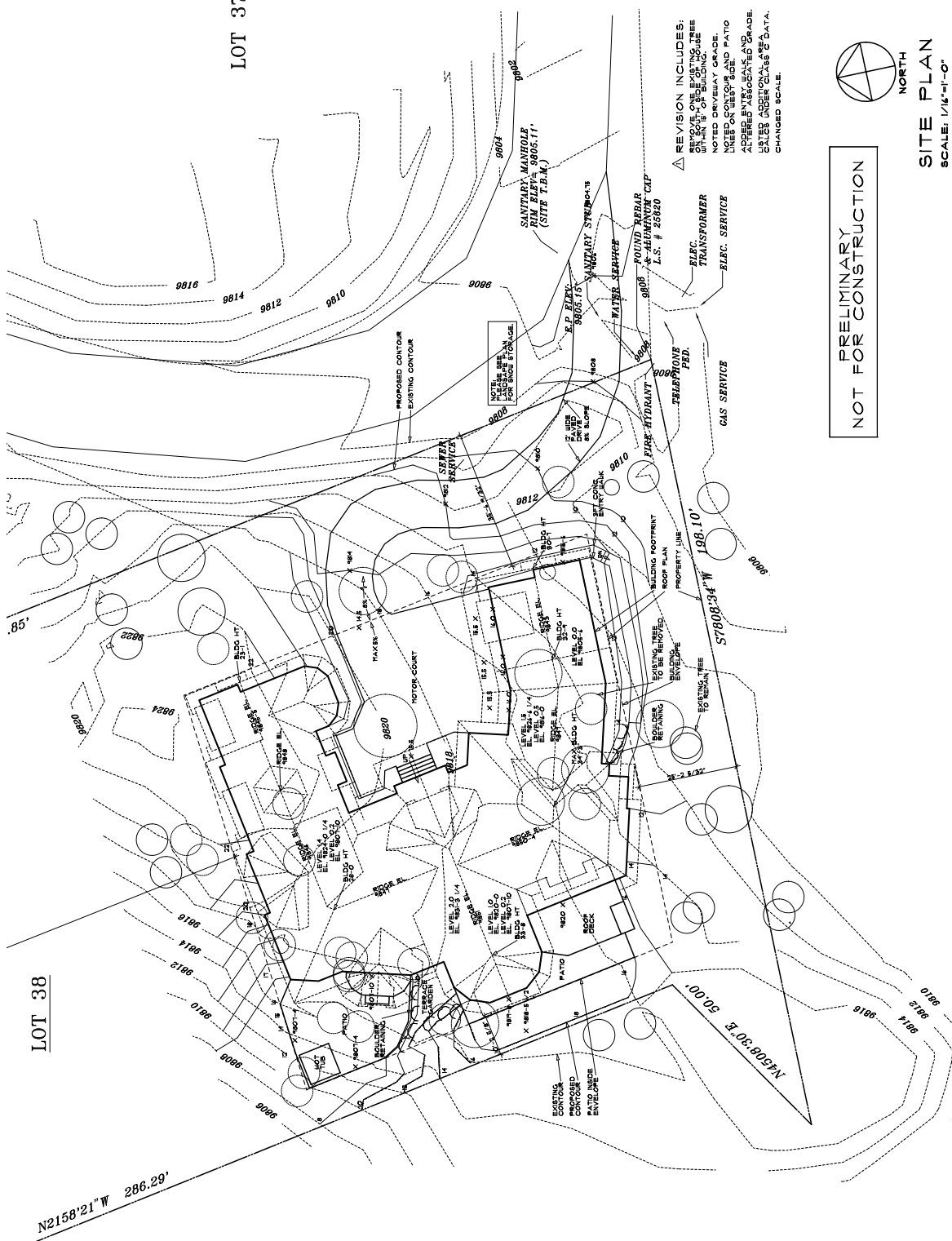
Issue Date:
JULY 12, 2011
DRB-2, PLANNING-1

Revisions
JULY 24, 2001

Job Code:
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File Name:
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LOT 38

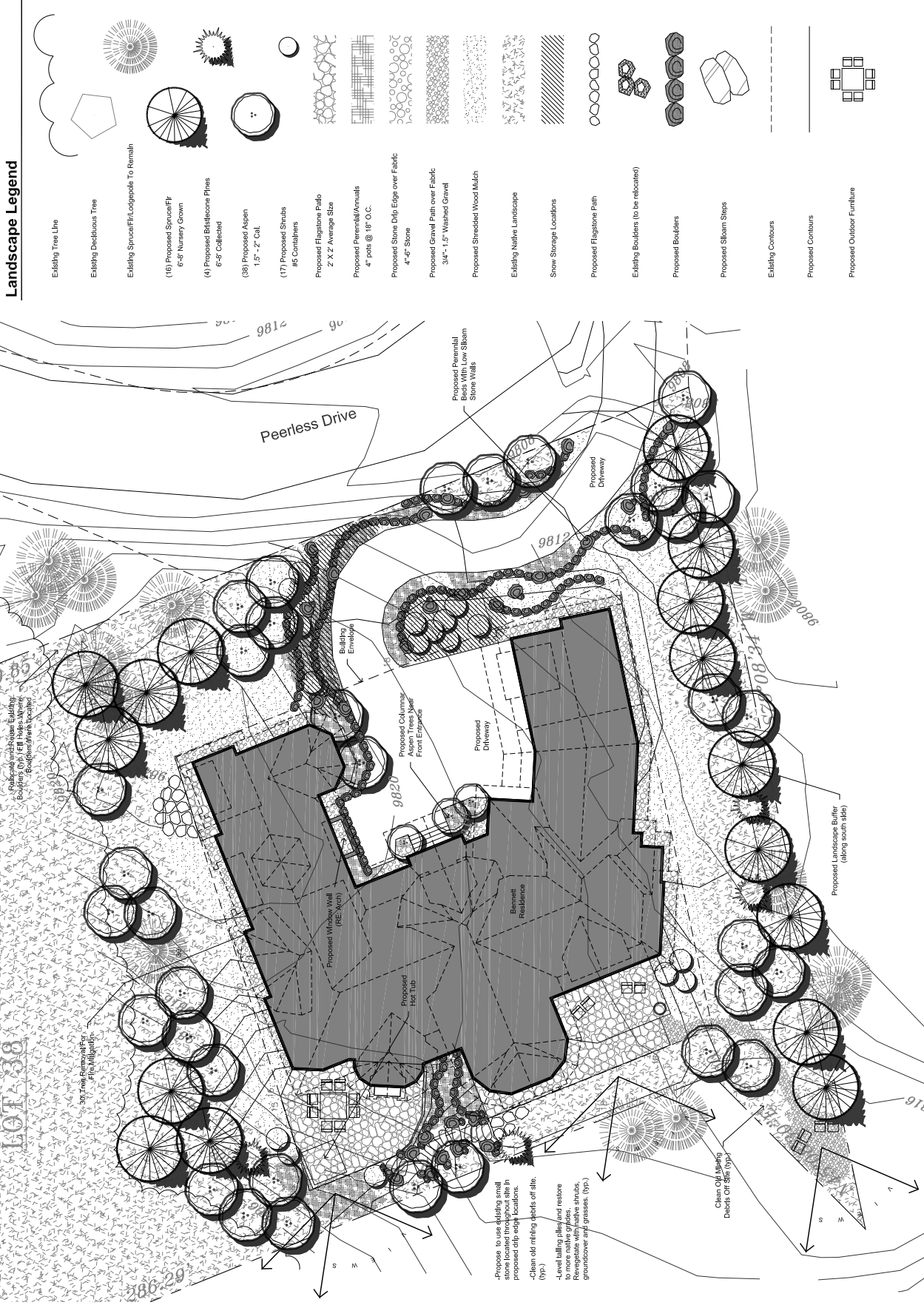
ILLINOIS LODGE
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REVISION INCLUDES:
REVISION OF THE BUILDING ENVELOPE TO ACCOMMODATE THE TRANSFORMER PAD.
NOTES ON UTILITY SIZES AND PATIO ADDED TO RELEVANT GRADE. LISTED ADDITIONAL AREAS ADDED TO RELEVANT GRADE. CHANGED SCALE.

NOT FOR CONSTRUCTION



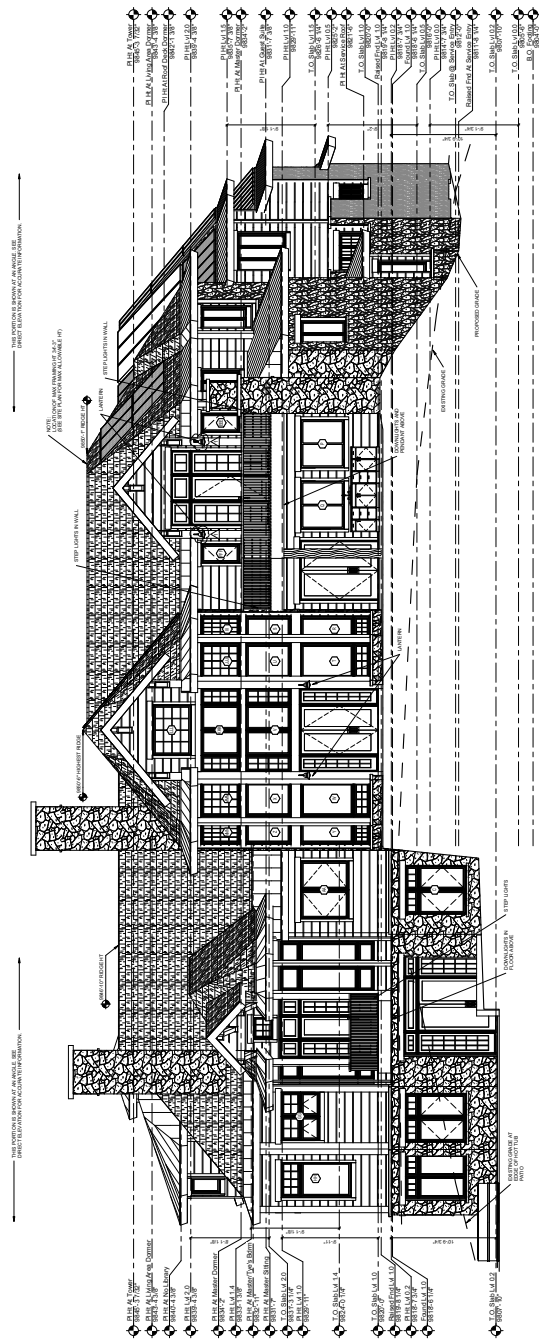
SITE PLAN
SCALE: 1/4"=1'-0"



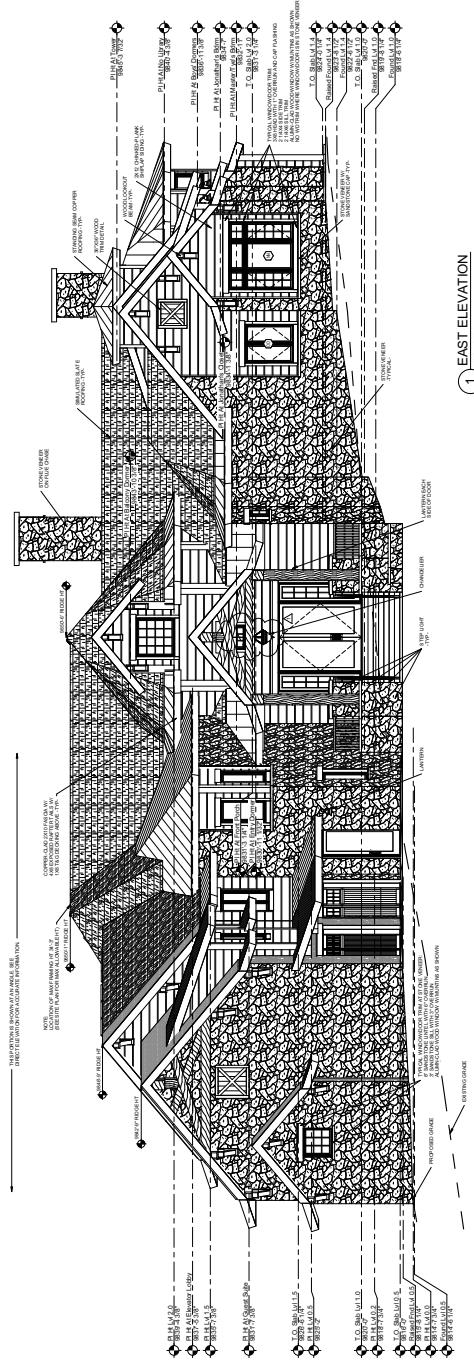
Landscape Legend

- Existing Tree Line
- Existing Deciduous Tree
- Existing Spruce/Fir/Logpole To Remain
- (16) Proposed Spruce/Fir 6-8' Nursery Grown
- (4) Proposed Bristlecone Pines 6-8' Collection
- (38) Proposed Aspen 1.5' - 2' Cal.
- (17) Proposed Shrubs #5 Containers
- Proposed Flagstone Patio 2' X 2' Average Size
- Proposed Perennial/Annuals 4' pots @ 18" O.C.
- Proposed Stone Chip Edge over Fabric 4" Stone
- Proposed Gravel Path over Fabric 3/4" - 1.5" Washed Gravel
- Proposed Stripped Wood Mulch
- Existing Native Landscape
- Snow Storage Locations
- Proposed Flagstone Path
- Existing Boulders (to be relocated)
- Proposed Boulders
- Proposed Silliam Steps
- Existing Contours
- Proposed Contours
- Proposed Outdoor Furniture

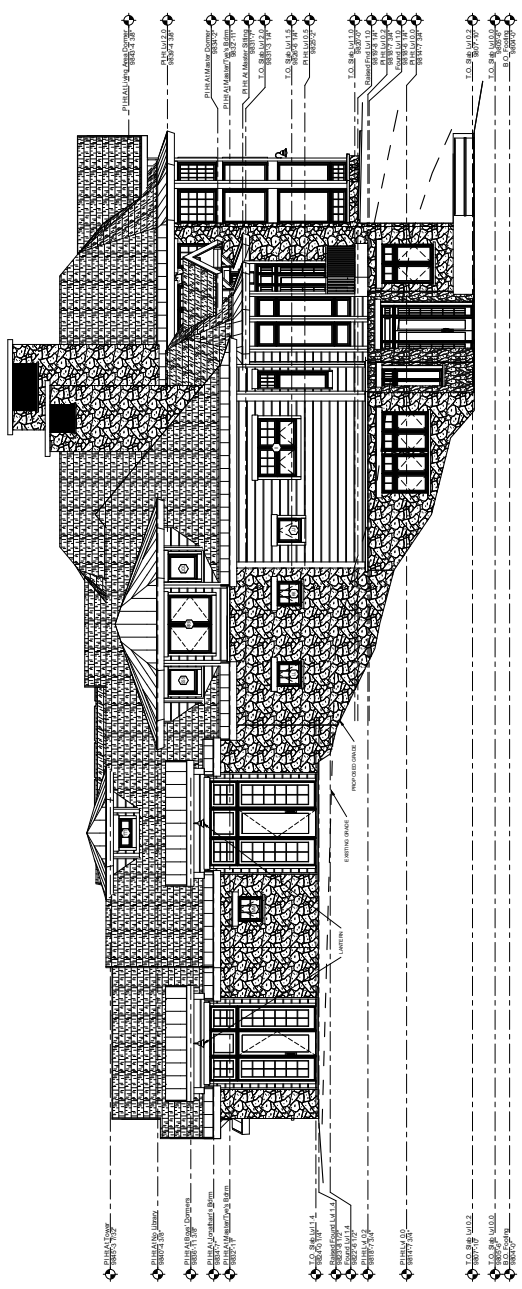
PRELIMINARY
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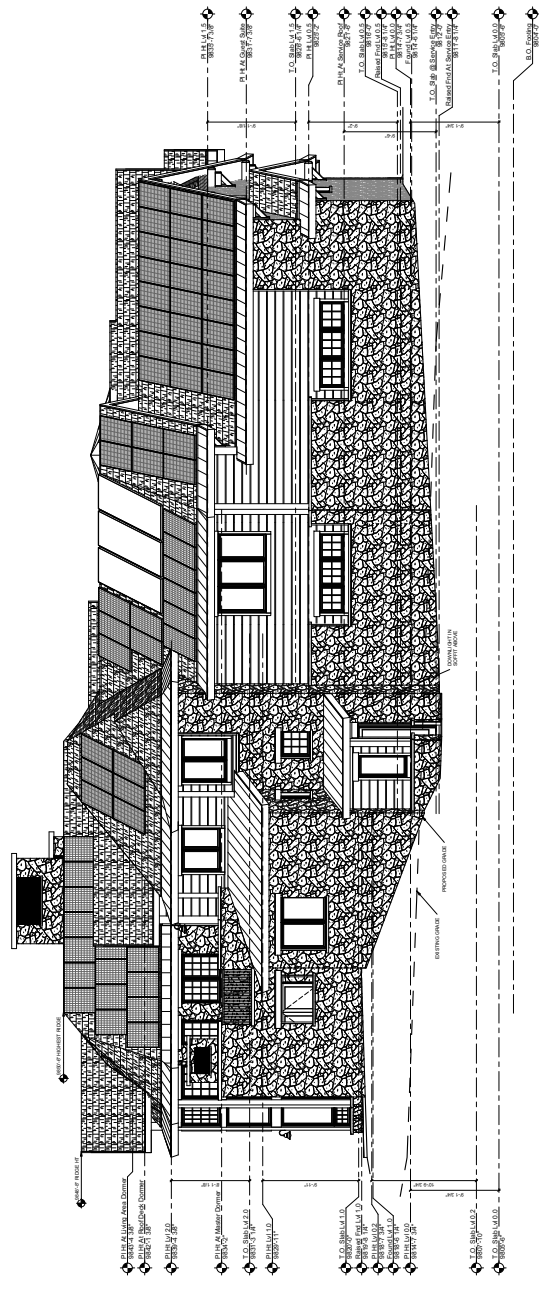
2 WEST ELEVATION
 1/8" = 1'-0"



1 EAST ELEVATION
 1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



1 SOUTH ELEVATION
1/8" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

PRELIMINARY
NOT FOR CONSTRUCTION

Planning Commission Staff Report

Project Manager: Julia Puester, AICP

Date: July 26, 2011 (For meeting of August 2, 2011)

Subject: Haney Building aka 117 S. Main Street (Class A, Final Hearing; PC#2011035)

Applicant/Owner: Tom Begely/117 S. Main Street, LLC

Agent: Marc Hogan/Tim Gerken, bhh Partners

Proposal: To construct a 2,960 square foot mixed use building with retail/office and one market rate one bedroom apartment on the vacant portion of the lot adjacent to the Peak A Boo Toy Store building. The building is primarily composed of painted 4” wood lap siding. 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 lot.

Address: 117 South Main Street

Legal Description: Lot 8, Bartlett and Shock Subdivision

Site Area: 0.25 acres (11,127 sq. ft.) entire site

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

Historic District: Character Area #6, Core Commercial Character

Site Conditions: The property currently has an existing 7,314 square foot building (Slifer Smith and Frampton and Peek A Boo Toy Store aka Old Town Hall) on the south side of the lot. The building is historic, however it is noncontributing due to the vast number of modifications to the exterior over the years. There is a rear parking area as well as existing landscaping in the front and rear of the building. The northern portion of the lot is vacant gravel surface. Currently, the area is being used as parking by the office tenants of the existing building.

Adjacent Uses:

North:	Billabong, Modis second story deck (historic)
East:	Main Street, Struve Building
South:	Bullion Jewelers (historic)
West:	Alley, Ice House parking lot, Blue River

Density (mixed use): Allowed under LUGs: 1:1 FAR/20 UPA

Commercial:	9,561 sq. ft.
Residential:	719 sq. ft.
Total density:	10,280 sq. ft.

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

Existing Density:

Commercial:	7,314 sq. ft. (76%)
Residential:	0 sq. ft.
Total density:	7,314 sq. ft.

Proposed Additional Density:
 Commercial: 2,247 sq. ft.
 Residential: 713 sq. ft.
 Total new density: 2,960 sq. ft.
 (Note: Meets the criteria for the Downtown Overlay District)

Total density (existing and new): 10,274 sq. ft.

Above Ground Density: Recommended: no limit
 Proposed: 10,274 sq. ft. (2,960 sq. ft. new)

Mass: Allowed under LUGs: 11,127 sq. ft.
 Proposed mass: 10,274 sq. ft. (No concerns)

Height: Recommended: 30'-0" (mean)
 Proposed: 24'-6" (mean); 29'-0" (overall)
 (No concerns)

Lot Coverage: Building / non-Permeable: 8,942 sq. ft. (80.3% of site)
 Hard Surface / non-Permeable: 1,042 sq. ft. (9.3% of site)
 Permeable Area: 1,143 sq. ft. (10.3 % of site)

Parking: Required: 5.15 spaces (for new building only)
 Proposed: 2 spaces (required for onsite residential)
 [the remainder (3.15 spaces) are being purchased in the Parking Service Area]

Snowstack: Required: 102 sq. ft. (for new building only)
 Proposed: 112 sq. ft.

Setbacks:

Allowed:
 Front: Commercial 0 ft.
 Sides: Commercial 0 ft.
 Rear: Residential 10 ft.

Proposed:
 Front: Commercial 4 ft.
 Sides: Commercial 0 ft., Residential 0 ft. (*see discussion below*)
 Rear: Residential 24 ft.

Item History

According to the Cultural Resource Survey for the existing building on the property: *Constructed at the end of the Great Depression, in 1941 as the Breckenridge Town Hall, this building is historically significant under National Register of Historic Places Criterion A for its association with the Roosevelt Administration's New Deal, Works Progress Administration (WPA) program. Because the building's façade was modified when the building was converted to commercial use in the 1970s and 1980s, the building has not retained a sufficient share of its historical integrity to convey a sense of historic significance, expressing its original use as the Breckenridge Town Hall, As a result, the building is not*

eligible for individual listing in the National Register of Historic Places, and it should be considered ineligible for local landmark designation, and as a non-contributing resource within the Breckenridge Historic District.

Nothing is proposed with this application to modify the existing building on site.

The preliminary hearing on this project was held June 21, 2011. At that meeting we heard the following from the Commission:

- Full support for the zero setback interpretation of the Handbook of Design Standards.
- Full support of stone wainscoat kick plate at storefront (Policy 220).
- Majority of support for change to south second story windows to have historic profile vertical windows.
- Majority of support for proposed building height of two stories in relation to one story buildings on either side.
- Majority of support for the introduction of steel brackets and banding on the front façade.
- Full support for preliminary point analysis, including -5 points under 5/R architectural compatibility for the large rear deck.

Changes Since the June 21, 2011 Preliminary Hearing

- Rear deck size reduced;
- Rear building elevation (west) with lower level shed roof and deck reconfiguration;
- Rear doors relocated to middle of structure to address pedestrians;
- Half wall on north rear elevation added;
- Flush mounted photovoltaic (solar) panels on south roof elevation;
- New steel bracket and channeling details;
- Vertically oriented windows on south elevation;
- Primary body color paint change; and
- Employee housing for positive points.

Staff Comments

Placement of Structures (9/A & 9/R): At the June 21 hearing, staff raised a question regarding whether the residential side setback in Policy 9A of 3 feet should apply. The issue was that there is conflict in the Handbook of Design Standards below.

Supporting Standards for a zero (0) side setback include:

Design goal for the Core Commercial Character Area: The design goals for the Core Commercial Character Area are to preserve the historic resources found there, establish a visual context that is compatible with these older buildings, and to enhance the pedestrian friendly atmosphere found there.

Priority Policy 211: Use building forms similar to those found historically in the area.

-Use simple building forms, especially rectangular ones oriented with the narrow side parallel to the street.

-Keep components of the individual building elements in scale with those found historically.

In the spirit of consistency throughout the character area, the Planning Commission agreed at the June 21st meeting that the zero lot line setback should be maintained rather than an unnatural side setback of the rear portion of the building for a secondary residential use. Staff has drafted a special finding (#7) to address this case.

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.

Only 3% of the site counts toward open space on site. As the location of this site is in a zero (0) setback commercial pedestrian retail area, a large amount of open space would detract from the current settlement pattern of buildings close together. Therefore, the Planning Commission was supportive of assigning negative three (-3) points for this policy rather than negative six (-6) points as a result of being within the commercial core where open space is not as desirable a use based on past precedent below.

Struve Building, 122 South Main St. (-3 points):

Within the Core Commercial Character Area; provided 282 square feet of qualifying open space or 4.1% (15% recommended).

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

Policy 5, *Architectural Compatibility*, addresses all the Design Standards and Priority Policies found in the *Handbook of Design Standards for the Historic and Conservation Districts* and the associated Standards for each Character Area. In this report, staff will identify all policies applicable to this application. Priority Policies in the Design Standards function as Absolute Policies and must be followed. Non-priority Design Standards are subject to negative points as a Relative Policy. A project must be in substantial compliance with all applicable policies to meet Absolute Policy 5. The remaining issues to be addressed include:

Policy 91: Use building components that are similar in size and shape to those found historically along the street

- *These include windows, doors and porches.*

The preliminary application included a large 14'x14' upper level rear deck. Staff was concerned with the appearance of the non-historic character of the deck proposed and visibility of the deck along a prominent pedestrian alleyway. A majority of the Commissioners agreed with staff's interpretation of Policy 91 at the preliminary hearing and the applicant has since reduced the size of the deck to 10'x14' and has hidden the rear deck within the structure and added a corrugated metal shed roof. The deck is now incorporated into a shed roof structure. Staff has no concerns.

Upper Story Windows:

Priority Policy 222: Maintain the alignment of upper story windows.

-This is one of the strongest devices for establishing visual unity to a block and should be followed wherever feasible.

Note: New buildings should reinforce the patterns found within the block in which they are proposed, and should specifically respond to those patterns established by historic buildings. A particularly

significant pattern that should be enhanced is the rhythm of upper story windows found among some buildings on Main Street.

The east elevation (facing Main St.) has a typical retail commercial storefront with large windows on the ground level and a more residential appearance on the second story with vertically hung windows and larger solid to void ratio.

The south elevation windows have been modified since the preliminary application to be vertically oriented historic profile windows. Staff has no concerns.

Color:

Policy 226: Use muted colors, commonly found during the period of historical significance, for dominant building surfaces, as defined by the town's color ordinance.

The applicant has changed the primary building façade color to 'Audubon Russet' to meet the chroma level of 6 per code. A color board will be provided at the meeting. Staff has no concerns.

Solar Devices:

Twenty two solar panels (5 kilowatt system) are proposed on the south facing roofline toward the rear alleyway. These panels will be visible from the street and alleyway as the building to the south is a one story building. However, as the panels are near the rear of the building and not prominently visible from the front (Main Street) façade, staff is supportive of the location proposed. The panels will not exceed the roof ridgeline.

The panels are proposed to be black and mounted flush to the rusted corrugated metal roof. Section (b) below looks at roof color in associated with the panels. The panels would not be similar to the roof color proposed but because of the location in the rear of the building, staff does not have major concerns that the panels as proposed would be detrimental to the character of the District. However, should the Planning Commission disagree, a different type of roof material such as black or gray asphalt shingle could be used.

Applicable portions of Policy 5/R (solar devices):

Within the Conservation District a solar device shall be located based upon the following order of preference. Preference 1 is the highest and most preferred; preference 6 is the lowest and least preferred. A solar device shall be located in the highest preference possible. The order of preference for the location of a solar device within the Conservation District is as follows: (1) as a building-integrated photo-voltaic device; (2) as a detached solar device in the rear or side yard away from view from a public right of way; (3) on non-historic structures or additions; (4) on an accessory structure; (5) on the primary structure; and (6) highly visible from the public right-of-way.

Solar devices are encouraged to be installed on a non-historic building or building addition and integrated into the building design. To ensure that the character of the Conservation District and its historic structures and sites are protected, an application for a development permit to install a solar device within the Conservation District will be reviewed under the following requirements:

a. Solar devices on roofs shall be placed on a non-character defining roofline of a non-primary elevation (not highly visible from a public right-of-way). Roof mounted solar devices shall not break the existing ridgeline of the roof to which the solar device is mounted. All solar devices shall run parallel the original roofline and shall not exceed nine inches (9") above the roofline.

b. Applications for new structures within the Conservation District are encouraged to include building integrated solar devices into the initial design, including a similar roof color, rather than as a later addition. Solar devices which contrast with the color of the roof of new or historic structures are inappropriate if found to be detrimental to the character of the Conservation District.

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.

The applicant has proposed steel corbels on the parapet of the Main Street façade. Staff voiced concerns regarding the introduction of steel brackets/corbels and exposed steel rim banding in the Core Commercial character area since this material has not generally been used on historic buildings in Breckenridge. However, a majority of the Commission found the use of steel acceptable. The applicant has submitted a detail of the steel brackets and banding which have been attached to this report for review.

Parking (18/A & 18/R): As proposed, 5.15 parking spaces are required for the new construction. Two spaces for the residential use and 3.15 spaces for the commercial uses. The 2 new residential spaces are proposed on site. Signage designating the two parking spaces for “residential use only” is required as a condition of approval (#20). As this property is located within the Parking Service Area, the 3.15 spaces may be fulfilled off site by paying a fee-in-lieu in the Parking Service Area. This has been added as a condition of approval (#18).

Social Community (Employee Housing) (24/R): The applicant proposes to deed restrict a unit within the Upper Blue Basin (with the exclusion of the Town of Blue River) for positive points. The unit must be a minimum of 250 square feet per Policy 24/R. The building is proposed at 2,960 square feet, therefore, 250 square feet would warrant eight (+8) positive points under this policy. This has been added as a condition of approval prior to a Certificate of Occupancy.

Point Analysis (Section: 9-1-17-3): Running a final point analysis, Staff has identified negative points being incurred under Policy 21/R Open Space (-3 points) and positive points warranted under Policy 24/R Social Community (+8 points) warranted for employee housing for a total of positive five (+5) points.

Positive points may be sought under Policy 33/R Energy Conservation in place of those currently proposed under Policy 24/R, prior to the issuance of a building permit. Staff would analyze any application change to the development permit to ensure that there was a passing point analysis in conformance with the Development Code.

Staff Recommendation

This application has been advertised as a final hearing. We have the following questions for the Commission:

1. Does the Commission agree that the steel banding and bracket details are appropriate in this character area?
2. Does the Commission find that the proposed deck and rear roof structure meet the intent of Policy 5/R and that no negative points are warranted based on this change?
3. Does the Commission find that the solar panels are in conformance with Policy 5/R?

We welcome any Commissioner comment.

We recommend the Commission support the Haney Building, 117 S. Main Street, PC#2011035 by endorsing the Point Analysis which shows a passing point score of positive five (+5) points along with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

**Haney Building
117 S. Main Street
Lot 8, Bartlett & Shock Sub.
PERMIT #2011035**

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 26, 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 **August 2, 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. For consistency of building form throughout the Core Commercial character area, a zero lot line setback has been maintained in accordance with the Handbook of Design Standards goals for the Core Commercial Character Area and Priority Policy 211. The enforcement of Policy 9/A in the Development Code would result in an unnatural side setback of the rear portion of the building for a secondary residential use.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **August 9, 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. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.
7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
8. 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 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.
12. 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.
13. 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.
14. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
15. Applicant shall submit payment of \$40,950 to the Town of Breckenridge in lieu of 3.15 spaces deficient parking spaces.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

16. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for a minimum of 250 square feet of employee housing within the Upper Blue Basin, with the exclusion of properties within the Town of Blue River.

17. Applicant shall provide 'Residential Only Parking' signage for the two on-site parking spaces to be provided for the sole use of the apartment.
18. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
19. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
20. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
21. 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.
22. Applicant shall screen all utilities.
23. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
24. 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.
25. 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.
26. 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.**

27. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
28. 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)

Final Hearing Impact Analysis				
Project:	117 S. Main Street (Haney Building)	Positive Points		+8
PC#:	2011035	Negative Points		- 3
Date:	07/26/2011			
Staff:	Julia Puester			
		Total Allocation:		+5
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
	Codes, Correlative Documents & Plat Notes	Complies		
1/A				
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
		(-5>-20)		
6/R	Building Height Outside H.D. / Stories			
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)		
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)		

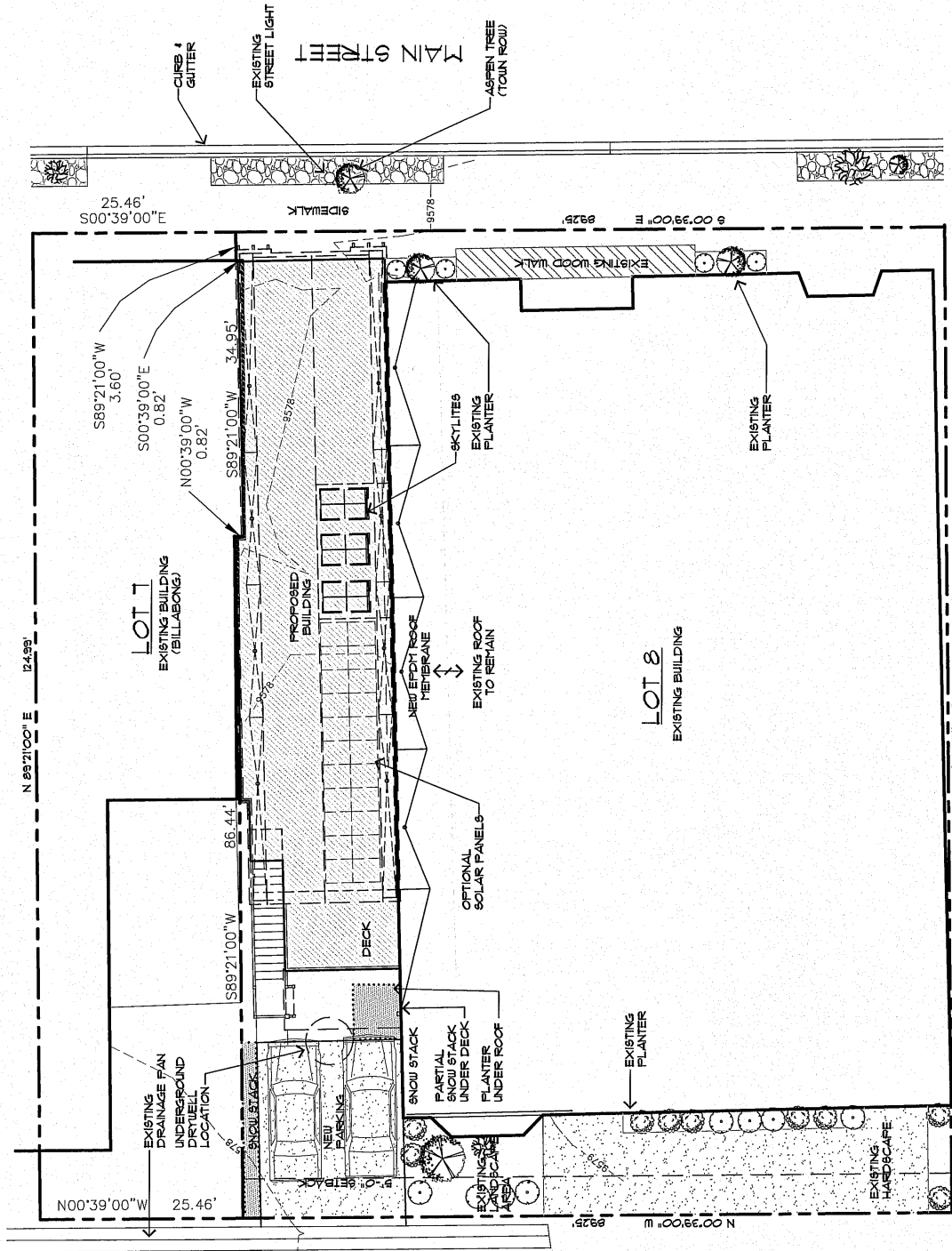
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
		3x(-2/+2)	- 3	3% of the site counts toward open space. Because of the location of this site in a zero (0) setback commercial pedestrian retail area, a large amount of open space would detract from the current settlement pattern of buildings close together. Therefore, staff and Planning Commission were supportive of assigning negative three (-3) points for this policy rather than negative six (-6) points as a result of being within the commercial core where open space is not as desirable a use based on past precedent.
21/R	Open Space - Private Open Space			
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		
24/R	Social Community - Employee Housing	1x(-10/+10)	+8	The application would receive +8 points for employee housing within the Upper Blue Basin. 2,960 square foot building to provide 8.51% or 250 square foot minimum unit per Policy 24R.
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)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		

0	SEE SITE PLAN
0	SEE SITE PLAN
0	1-1/2" CAL.
0	50% 1/2" TI-STEP
3	5 GAL.
3	5 GAL.
3	5 GAL.
0	1 FLAT
0	TO REMAIN FIELD

6Q. FT.	%
1629 SF.	15%
1314 SF.	65.5%
409 SF.	3.5%
633 SF.	5.5%
1145 SF.	10%
351 SF.	
1121 SF.	100%

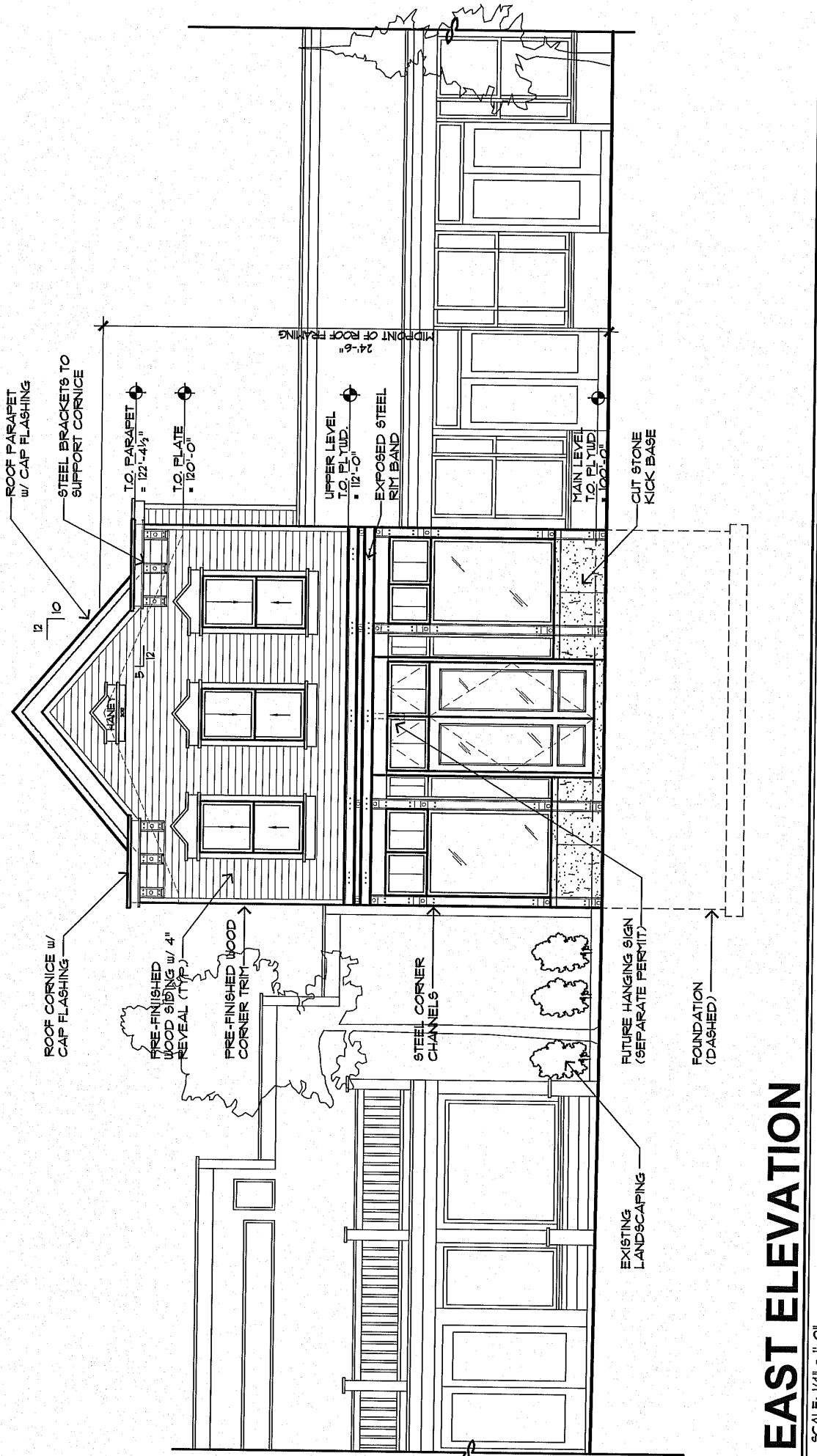
409 SF.	100%
102 SF.	25%
112 SF.	21%

ANS & DETAILS



SITE PLAN

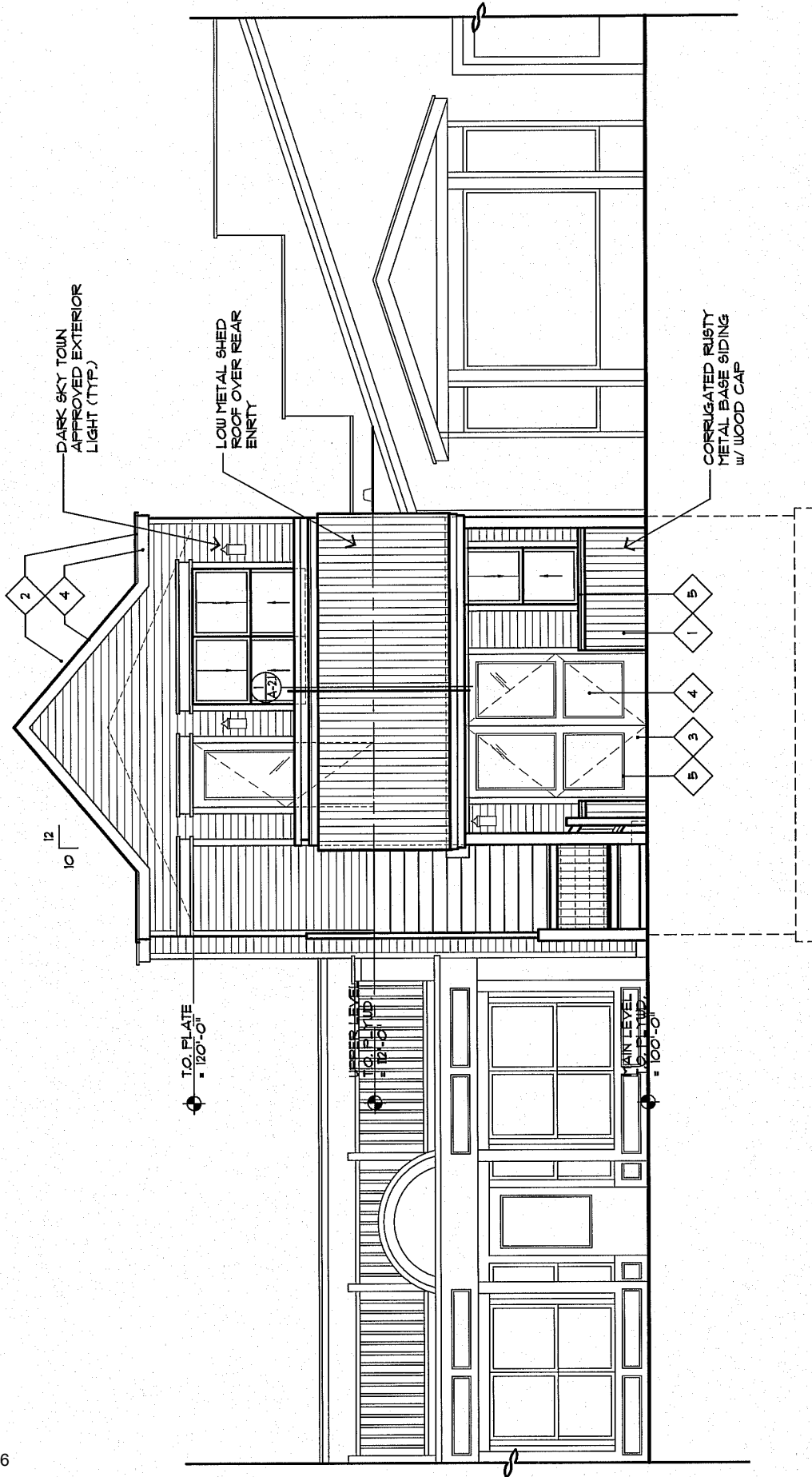
SCALE: 1" = 10'-0"



- 3
- 4
- 2
- 6
- 1

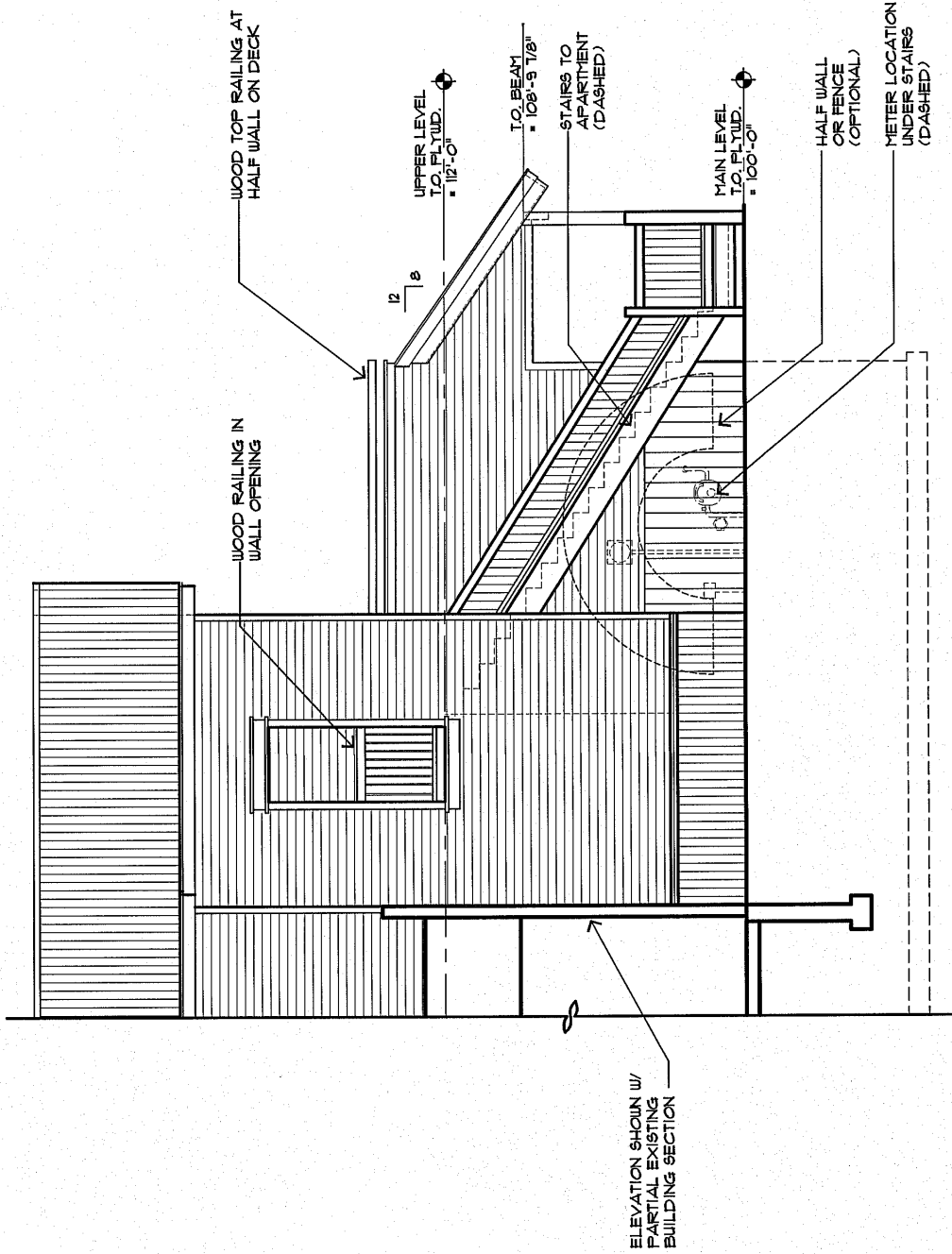
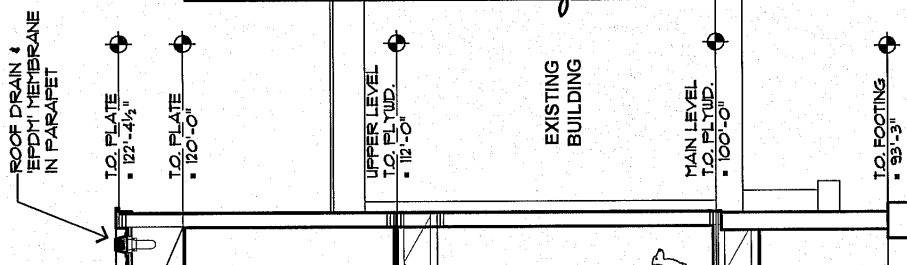
EAST ELEVATION

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



WEST ELEVATION

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



NORTH ELEVATION

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

HANEY BUILDING
117 SOUTH MAIN STREET, LOT 8 BARTLETT & SHOCK ADDITION
BRECKENRIDGE, COLORADO 80424

P.O. BOX 931 160 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 453-6880

bhh Partners

© 2011

SHEET NUMBER:

A-2.1
BUILDING
ELEVATIONS

OF: 4.

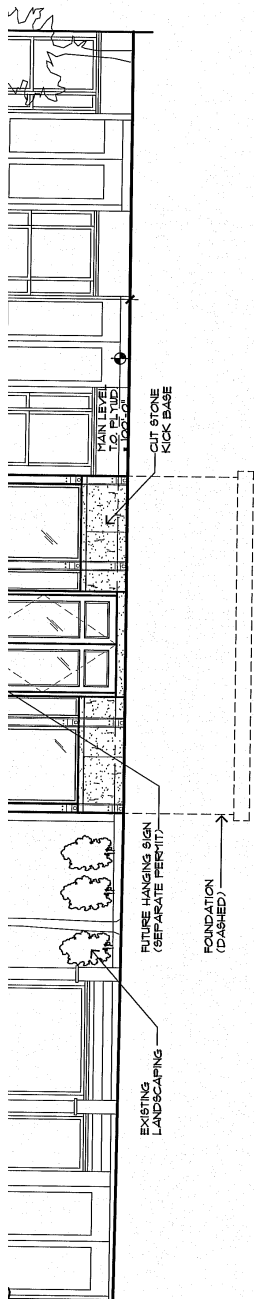
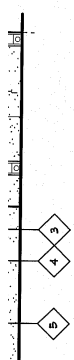
UPPER COLORS

LOWER COLORS

OR LEGEND

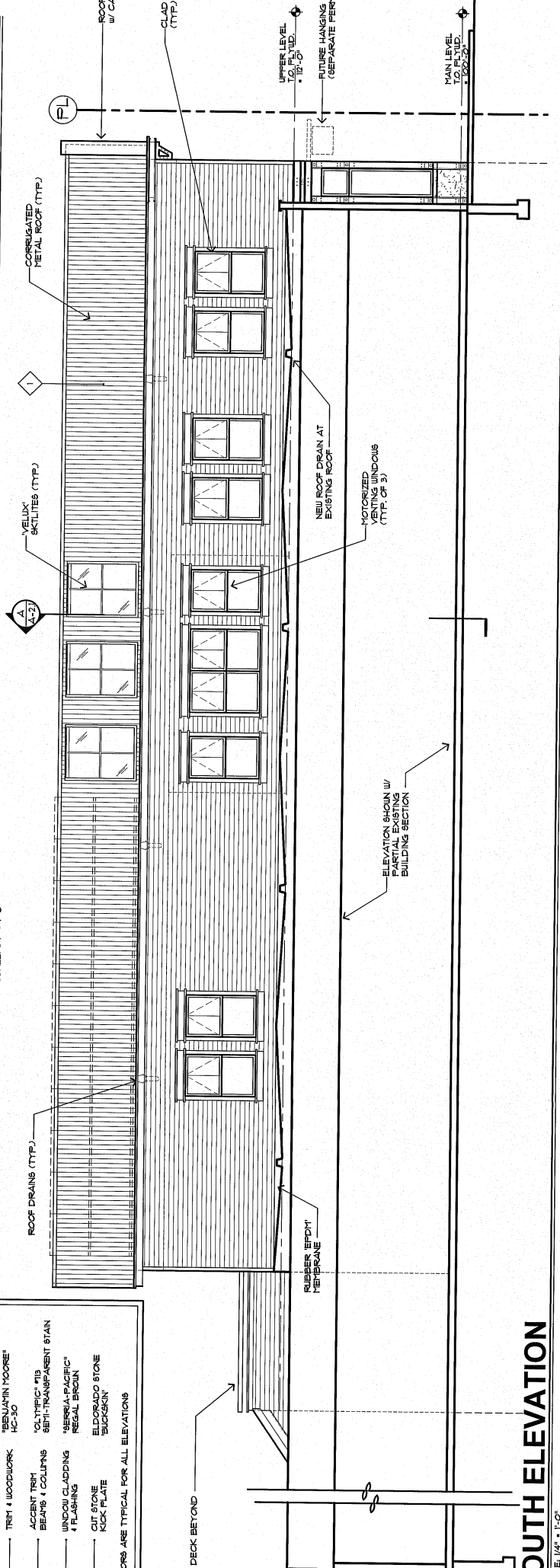
ROOFING & REAR BASE SIDING	RUSTY CORRUGATED METAL
STEEL C-CHANNELS	"BENJAMIN MOORE" HC-63
HORIZONTAL SIDING	"BENJAMIN MOORE" HC-51
TRIM & WOODWORK	"BENJAMIN MOORE" HC-30
ACCENT TRIM	POLYURETHANE SEMI-TRANSPARENT STAIN
BEAMS & COLLARS	"BERKEA-PACIFIC" REGAL BROWN
WINDOW CLADDING & FLASHING	ELDORADO STONE
CUT STONE KICK PLATE	"BLACKSKIN"

COLORS ARE TYPICAL FOR ALL ELEVATIONS



EAST ELEVATION

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



SOUTH ELEVATION

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

REVISIONS:

DATE: 09/24/11
 DRAWN BY: T. GERSEN
 CHECKED BY: M. HOGAN
 (NOTE: THIS DRAWING IS CONSIDERED VALID ONLY IF ALL THE INFORMATION IS PROVIDED.)

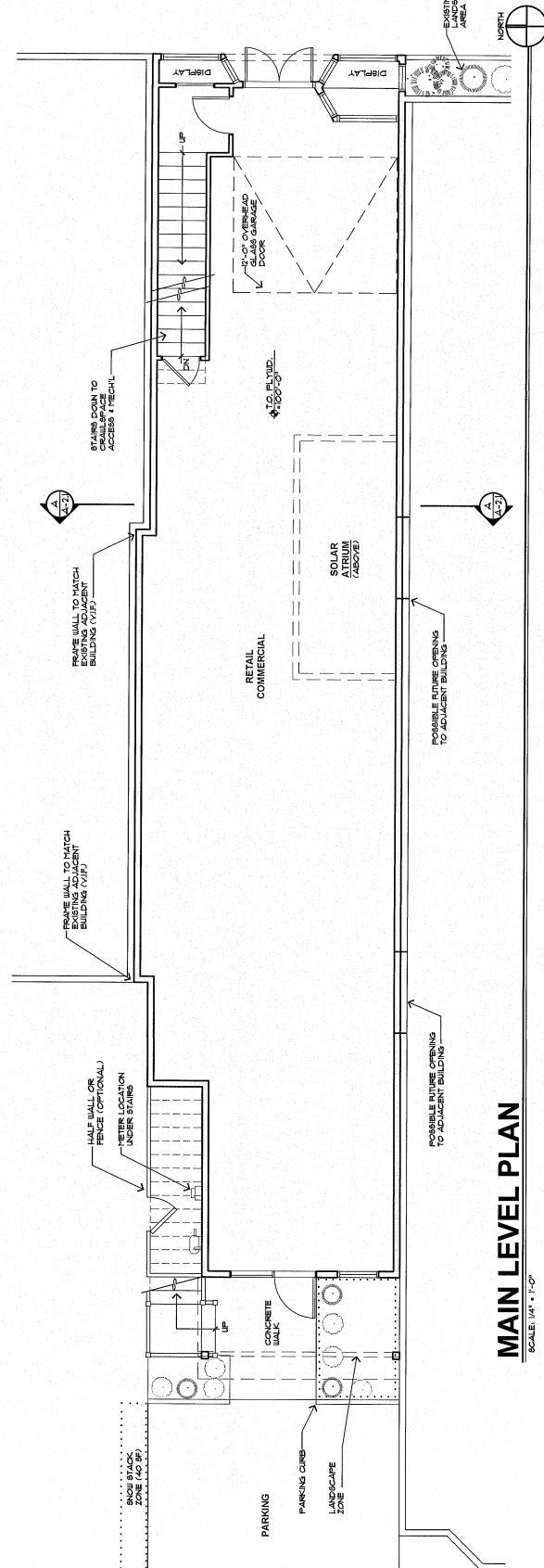
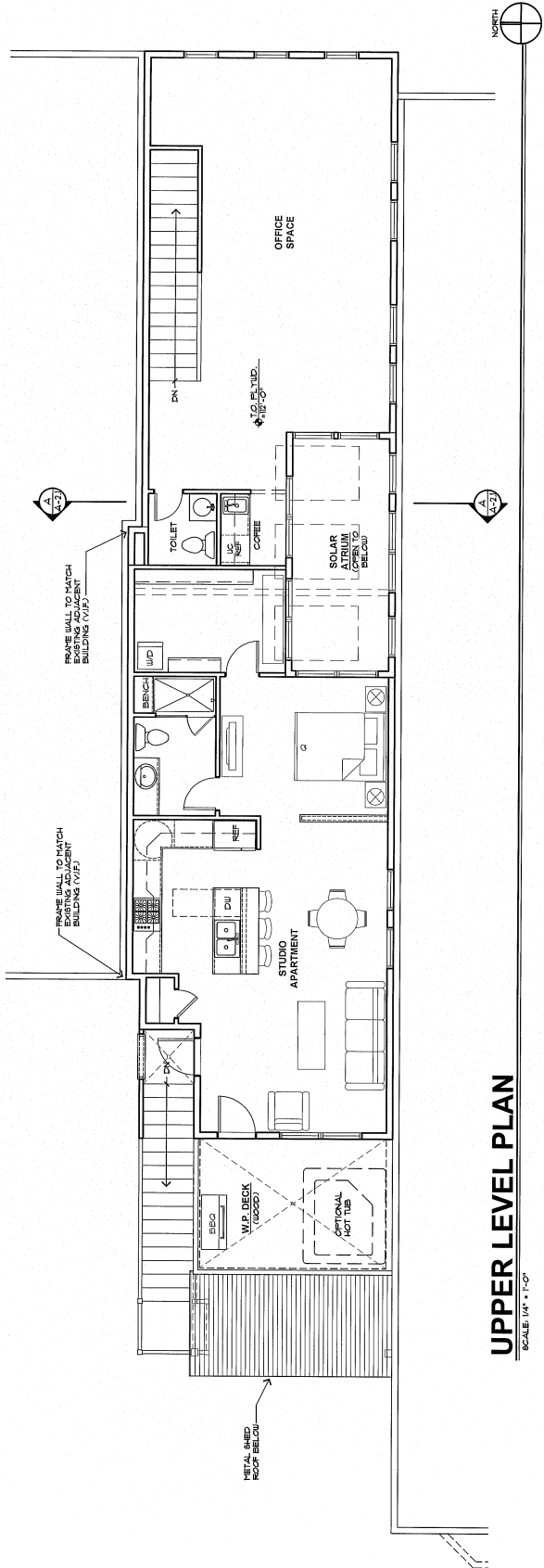
FOR FINAL CLASS "A" APARTMENT CONSTRUCTION

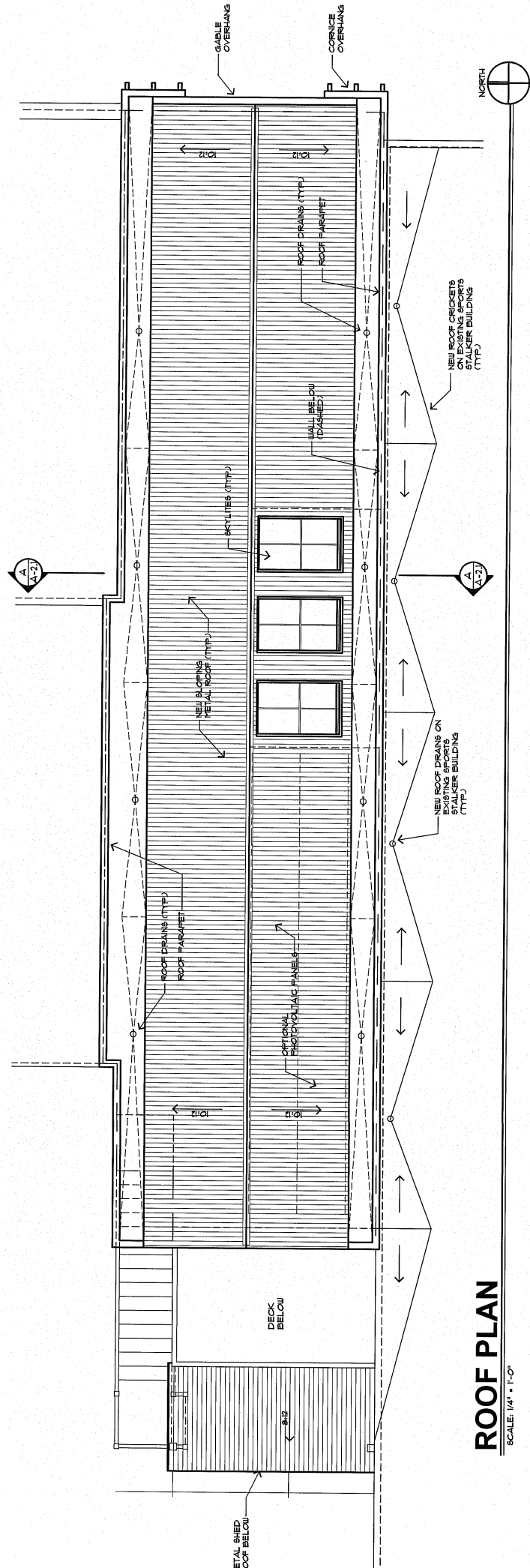
bhh Partners

P.O. BOX 931 160 EAST MAINS BRECKENRIDGE, CO 80424 (970) 453-8888

HANEY BUILDING
 17 SOUTH MAIN STREET, LOT 8 BARILETT & SHOCK ADDITION
 BRECKENRIDGE, COLORADO 80424

SHEET NUMBER: A-1.0
 FLOOR PLANS
 OF: 4

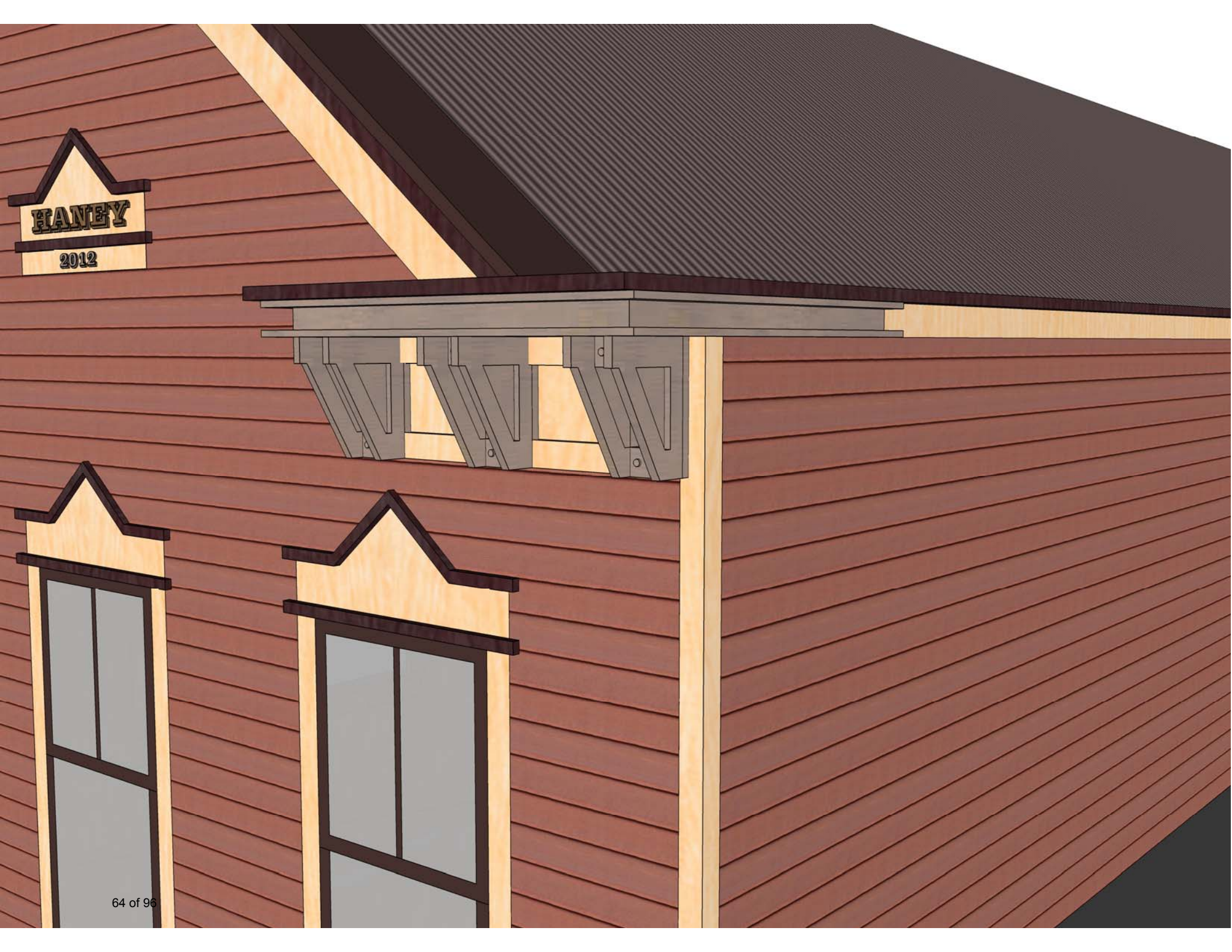




ROOF PLAN

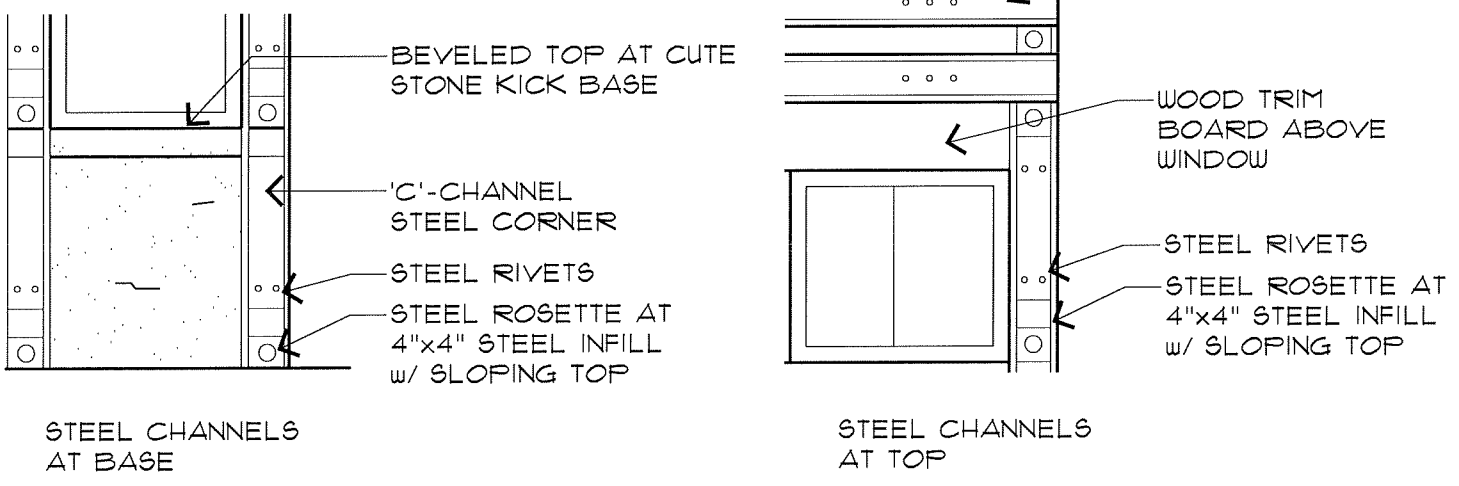
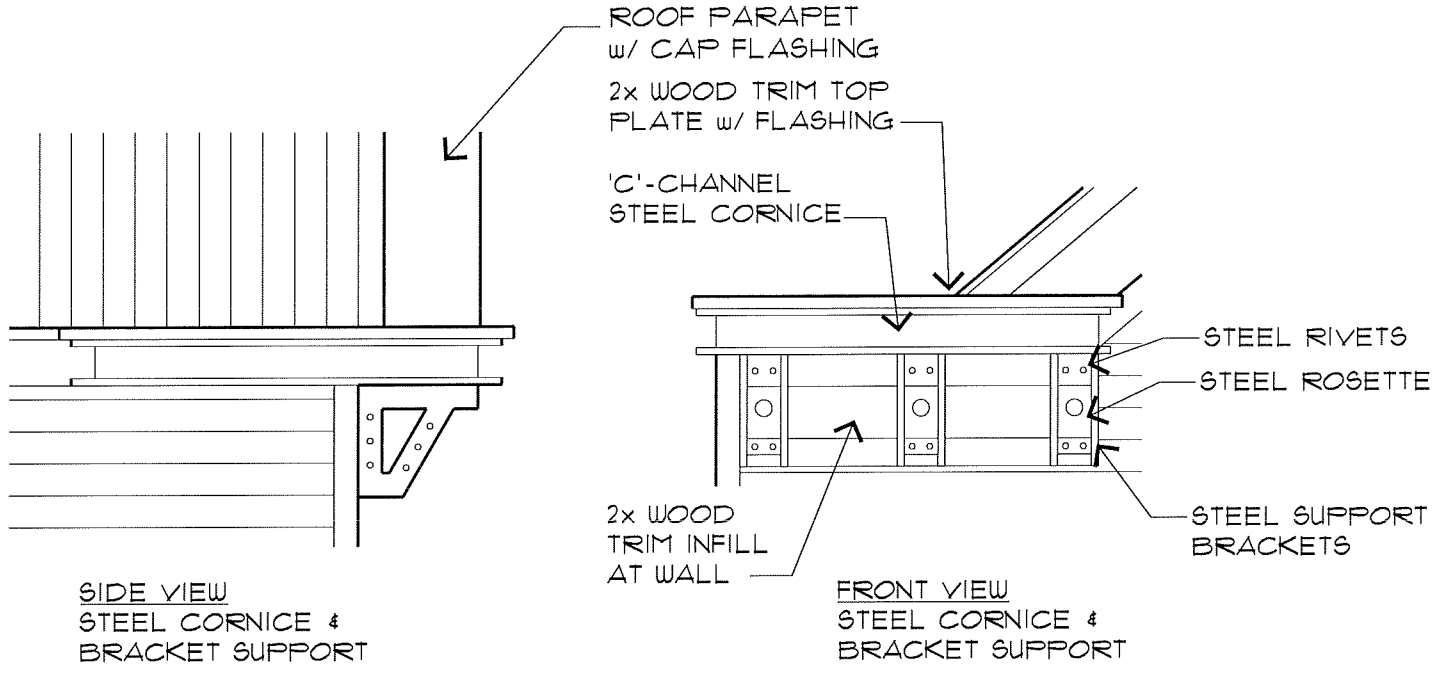
SCALE: 1/4" = 1'-0"





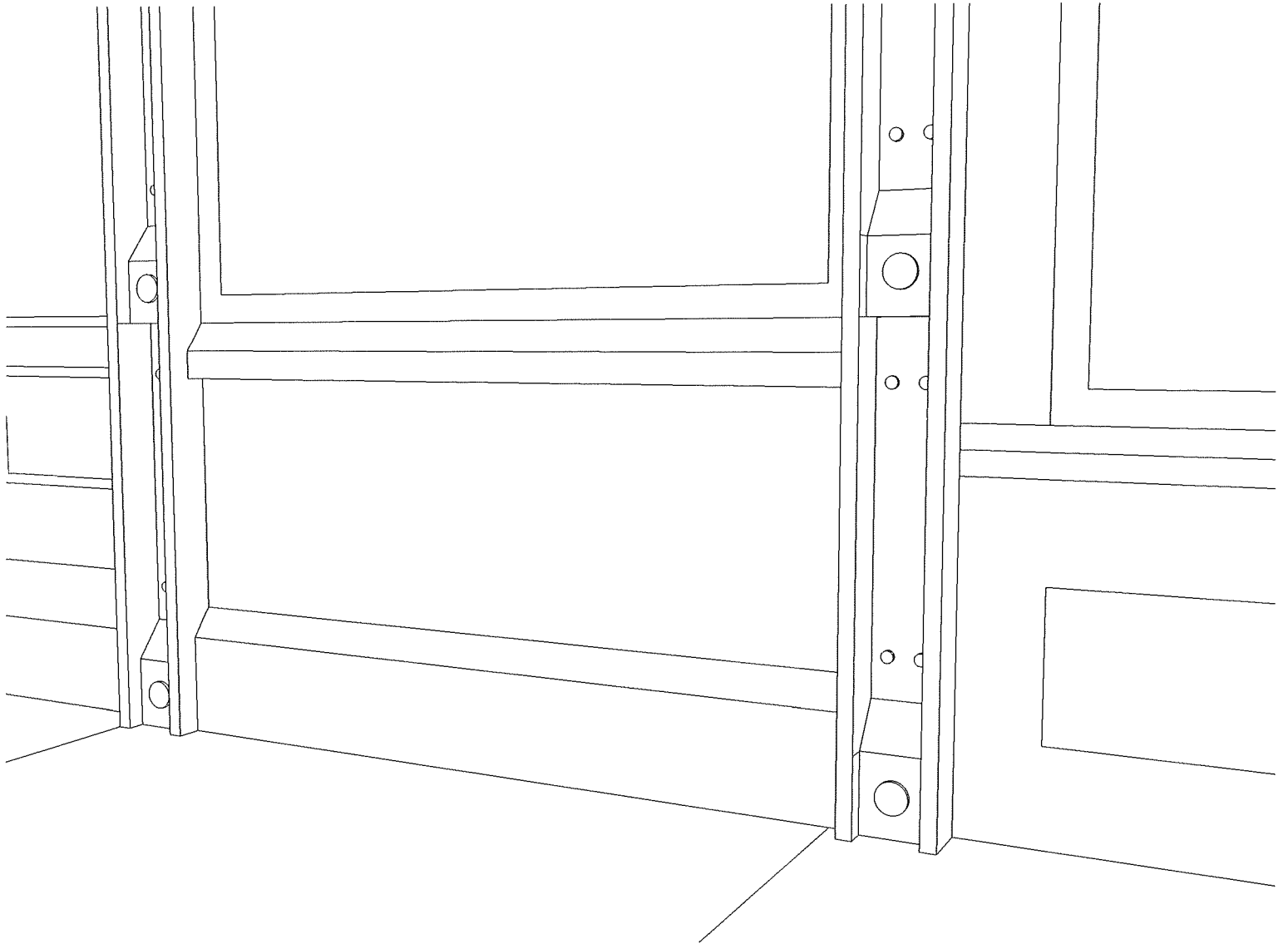
FANEY

2012



STEEL DETAILS
SCALE: 1/2" = 1'-0"

#18969.3
6/30/11 bhh

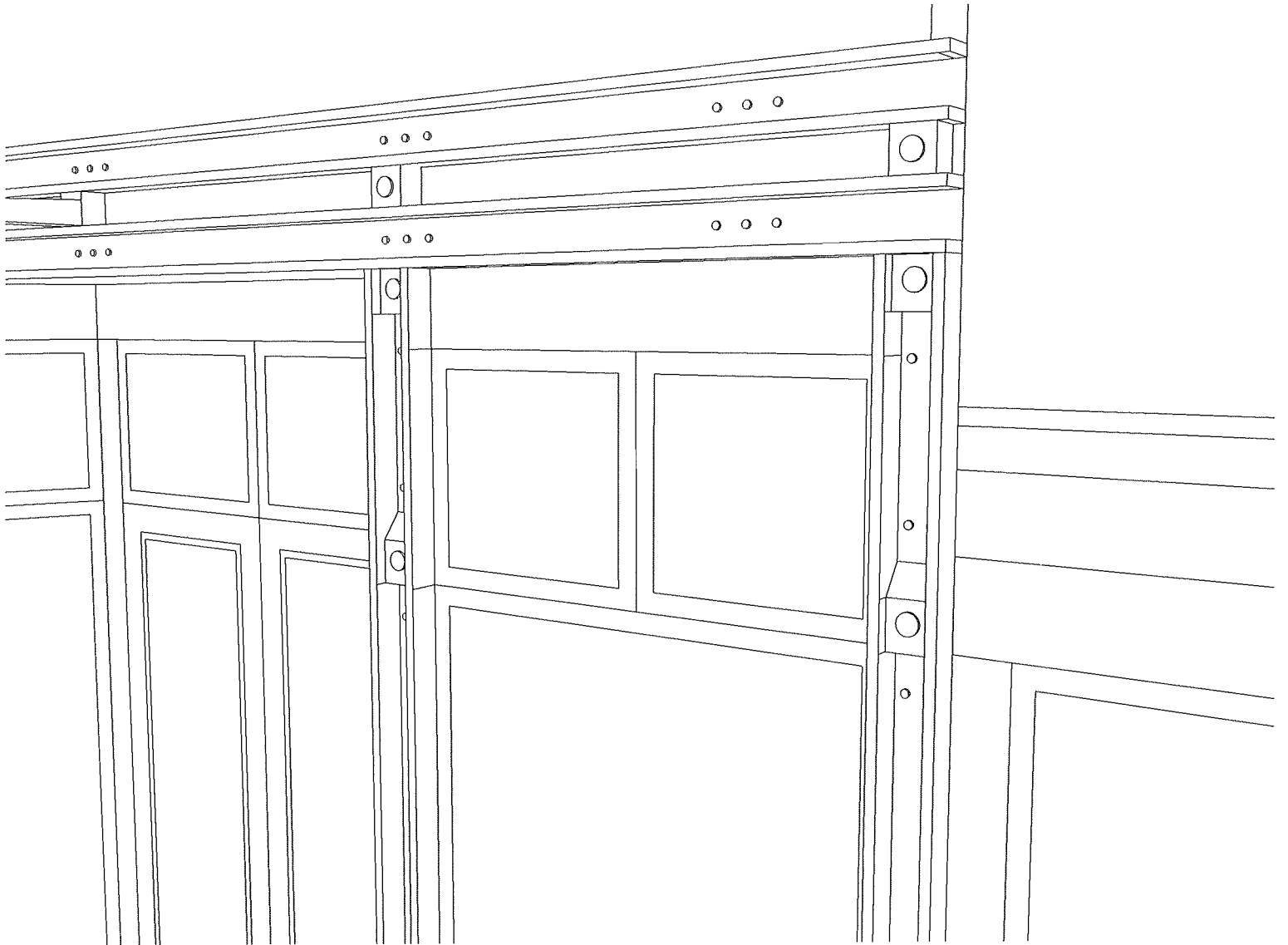


'C'-CHANNEL STEEL CORNERS

#18969.3

N.T.S

6/30/11 bhh



'C'-CHANNEL STEEL BANDS

N.T.S

#18969.3

6/30/11 bhh



MAIN STREET - STREET SCAPE

N.T.S.

#18969.3

6-2-11 bhw





**1. ROOF & REAR BASE SIDING:
RUSTY METAL SIDING**

**6. WINDOW CLADDING & FLASHING:
SIERRA PACIFIC "REGAL BROWN"**

**3. HORIZONTAL SIDING:
BENJAMIN MOORE HC-51**

**5. ACCENT TRIM BEAMS &
COLUMNS: "OLYMPIC" #713
SEMI-TRANSPARENT STAIN**

**4. TRIM & WOODWORK:
BENJAMIN MOORE HC-30**

**2. STEEL 'C' CHANNELS:
BENJAMIN MOORE HC-69**

**7. CUT STONE KICK PLATE:
ELDORADO STONE - BUCKSKIN**



P.O. BOX 931, 160 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 453-6880
P.O. BOX 2113, 560 ADAMS AVENUE SILVERTHORNE, CO 80498 (970) 513-1000

#18969.3
rev. 07/1/2011

119 South Main Street

119 S. MAIN STREET, BRECKENRIDGE, COLORADO

Planning Commission Staff Report - Worksession

- Project Manager:** Michael Mosher, Planner III
- Date:** July 25, 2011 (For meeting of August 2, 2011)
- Subject:** Giller Residence Rehabilitation, Addition and Landmarking (Worksession)
- Applicant/Owner:** Michael and Jennifer Giller
- Agent:** Janet Sutterley, Architect
- Proposal:** Discuss two key issues related to a pending future application: 1.) Removal of historic fabric in conjunction with restoration and rehabilitation in order to rehabilitate the character and architectural integrity to a specific period in time, and to 2.) obtain vehicular access to the property and 3.) to review the massing of the proposed addition.
- (Pending Application: To restore the exterior of the historic house to an earlier period, landmark the historic house, add a full basement beneath the historic house, demolition of non-historic shed addition at the back of the site, rehabilitate the interior, add a two-car garage with attached living space to the back of the 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 non-historic 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 (ROW) exists along the east property line, extending from East Adams Avenue to East Jefferson Avenue. A portion of this alley ROW is not accessible (see below).
- Adjacent Uses:**
- | | |
|--------|---|
| North: | Residential |
| East: | Alley and Residential |
| 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 (aka Fatty’s Pizzeria) at 106 S. Ridge Street.) The side-gabled south wing and porch section were built some years later, circa 1907-1908. The last 10-feet of this wing were built decades after but within the Town’s period of significance.

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. This house has remained essentially unchanged since the 70’s. To date, Staff has not found any historic photos or evidence on Sanborn Maps of this property at an earlier date.

In 1991 the Lois G. Theobald Company obtained from the Town of Breckenridge a 6.9-foot wide strip of land in the public alley (1/2 the alley width) behind the property at Lots 6, 7, 8, 9, and 10, Block 9 Abbetts Addition. Today, this property within the alley belongs to the Theobald Family Limited Partnership, LLC. The applicant approached the Theobald Family Limited Partnership regarding a possible easement and the use of a portion of this strip of land in order to obtain vehicular access to the back of the property from the alley. This request was denied. So, the applicant is seeking vehicular access to the site from the front yard.

Staff Discussion

From the *Handbook of Design Standards for the Conservation Districts*

1.4 The concept of the historic district

When we refer to the concept of the historic district, it is important to note that the technically there are three different districts, each designated by a different level of government:

Level 1. The National Register District

In 1980, the National Park Service designated Breckenridge as a National Register Historic District because of its major historical contribution to America's culture, and because significant evidence of

mining-era history is preserved here. The National Register of Historic Places is a listing of properties identified as having cultural significance at a national, state, or local level and that have met criteria for listing as defined by the Secretary of the Interior. Construction projects that involve federal funds must consider the impact on historic (and pre-historic) resources. In addition, federal income tax credits are available for the certified rehabilitation of qualifying historic buildings. In order to do so, the construction work must meet the Standards of the Secretary of the Interior for the Rehabilitation of Historic Buildings. (Note that the Breckenridge design standards are written to conform with these standards such that a property owner will not intentionally be caught in a contradictory situation between the two sets of standards.)

The applicant is seeking input from the Commission regarding potentially removing a newer historic portion of the historic house in order to reduce the massing of the house to a period earlier in time (1907-1908), to restore the character and the architectural integrity to a specific period in time, and to obtain vehicular access to the rear of the property for parking. Secondly, the agent is seeking Commissioner input on the proposed massing of the planned addition to the rear of the house.

Removing a portion of the historic building

As noted, the applicant has consulted the help of a Historical Architect from the National Park Service to help inspect the property. The architect has identified, and staff has verified on site, a distinct difference in the south most portion of the addition from the portion of addition attached to the original house. It would appear that this portion of the addition occurred within the Town's "period of significance" (1860-1942) and would, as a result, be considered historic. We anticipate visiting the site again to gather additional information that should help identify a more definitive construction date.

According to the applicant and his consultant (Staff comments are in regular type, all reproduced information is in *italics*):

I believe the Architectural Inventory Form does not completely reflect the physical condition of the home; there is another south-most addition. An inspection was performed with a licensed Historical Architect and Civil Engineer and myself and to verify the form. The form states that the 1881 home is just the 14 foot wide east-west gable. In 1908, the form reports a south wing was added. However the form is silent on the south-most ten feet. Inspection reveals that this came later. There is a seam of butt joints at the siding along the south edge of the porch. The south most foundation is much more substantial and includes a cellar. Very likely the two tall double-hung windows from the 1881 and 1908 portions were relocated to the south-most addition; newer short single sash windows replaced the original windows in the 1881 and 1908 portions. The siding has ghosting below the short windows to support this. Though clearly historic, this south-most addition came decades after the 1881 construction and after the 1908 construction.

Policies

Staff notes: Within the *Handbook of Design Standards for the Conservation Districts* and the *Design Standards for the Historic District Character Area #3, South End Residential* a Priority Policy must be met in order to be in substantial compliance under Policy 5/A, Architectural Compatibility, (Absolute) of the Development Code. Design Standards that are not Priority Policies may be awarded negative points under Policy 5/R (Relative). The Handbook of Design Standards falls under the section of this

policy titled - B., *Conservation District*. The multiplier for this section is 5x(-5/0). Per the Development Code:

9-1-17-4: ASSIGNMENT OF MULTIPLIERS:

Multipliers established by the Town Council are used to determine the relative importance of the policy vis-à-vis the other policies. The meaning of each multiplier is as follows:

- x1 - Indicates a policy of minimal importance.*
- x2 - Indicates a policy of moderate importance.*
- x3 - Indicates a policy of average importance.*
- x4 - Indicates a policy of relatively significant community importance.*
- x5 - Indicates a policy of significant community importance.*

Additionally:

- 0 - awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.*
- 1 assessed for an inadequate job of implementation, or for producing some public detriment.*
- 2/-3 (or greater) - assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.*

From Policy 5/R of the Development Code:

Any action which is in conflict with this primary goal or the "Handbook Of Design Standards" is strongly discouraged, while the preservation of the town's historic fiber and compliance with the historic district design standards is strongly encouraged. Applications concerning development adjacent to Main Street are the most critical under this policy.

Per the *Handbook of Design Standards for the Historic and Conservation Districts*:

Restoration

To "restore," one reproduces the appearance of a building exactly as it looked at a particular moment in time; to reproduce a pure style - either interior or exterior. This process may include the removal of later work or the replacement of missing historic features. Use a restoration approach for missing details or features of an historic building when the features are determined to be particularly significant to the character of the structure and when the original configuration is accurately documented.

Rehabilitation

Rehabilitation is the process of returning a property to a state which makes a contemporary use possible while still preserving those portions or features of the property which are significant to its historic, architectural and cultural values. Rehabilitation may include the adaptive reuse of the building and major or minor

additions may also occur. Most good preservation projects in Breckenridge may be considered a rehabilitation project.

Period of Significance

*Most of the historic buildings in town date from a span of eight decades during which a series of important events and social patterns occurred related to mining activity. This "period of significance" for Breckenridge spans from its settlement in 1860 to the shutdown of the last dredge boat mining operation in 1942. During those more than eighty years, the town saw a progression of mining activity and a range of populations which were associated with the resource extraction culture of the town. The physical evidence of this period, including houses, store fronts, barns, sheds and other site features, are valuable resources that should be preserved. **Buildings that survive in their original condition are historically significant, as are alterations to buildings that occurred during this time span.***
(Highlight added.)

Staff comments - Here, the applicant is proposing to remove the south most 10-foot (+/-) addition of the house along with other restoration plans to reproduce “*the appearance of a building exactly as it looked at a particular moment in time*”. In this case, the house (from the primary façade only) would appear as it would have looked in 1908, before the newer historic addition. The loss of the addition’s historic fabric is to be mitigated by the restoration of the windows to their original locations, and the reuse of the south wall by shifting it to the north. The side yard would now be about 12-foot wide instead of 3-foot and would have paving strips for the new vehicular access to the back yard.

After the removal, the south building edge would be roughly 12-foot off the property line rather than the current 3-foot. This would allow a narrow driveway to pass the house to access the rear yard. The driveway would be permeable paving strips (with lawn planted between) to help recreate the sense of a side yard. Also, the front and side yards would be planted and fenced according to the Handbook of Design Standards. (See the attached Site Plan.)

Preservation of Significant Original Qualities

Policy:

Original materials and details, as well as distinctive form and scale that contribute to the historic significance of the structure should be preserved whenever feasible. Rehabilitation work should not destroy the distinguishing quality or character of the property or its environment.

Except for the non-historic shed addition at the northeast portion of the house, all of the structure is historic by the definition of the Code. The three modules, 1881, 1908, and the newer south most addition each have some historic importance and contribute to the historic district.

Staff comments – The older portion of the house (1881 and 1908) has windows that have been replaced with newer windows that do not match the historic openings. The south most 10-foot addition has windows that appear older than the addition and likely belonged to the original house. There is also a gable-end diamond shaped window (matching that on the gable end of the original 1881 historic house) placed on the main level on the newer addition. Staff believes these windows came from the original house and were moved to the newer addition when it was added. As part of the rehabilitation, the applicant intends to restore and replace the original windows in the older portions of the house.

Design Standards:

Priority Policy 20 - Respect the historic design character of the building.

Any alteration that would cause a reduction in a building's rating is not allowed. See pages 5 and 6 for rating categories. Refer to the historic/ architectural survey on file for specific ratings.

From the *Handbook of Design Standards for the Conservation Districts*:

Contributing with qualifications category

These buildings also retain enough of their historic integrity to still help interpret the earlier history of Breckenridge, but they have experienced more substantial alterations. The original character is still retrievable for most of these structures, however. Removal of non-contributing alterations and restoration of earlier design features is generally the most appropriate approach for these structures.

Supporting category

These are typically buildings that are newer than the period of historic significance and therefore do not contribute to our ability to interpret the history of Breckenridge. They do, however, express certain characteristics that are compatible with the architectural character of the district. They are "good neighbors" to older buildings in the vicinity and therefore support the visual character of the district. New building designs that represent the current period in the town's development are permitted and would be classified in this category.

Other structures within this category are in fact "old" structures, but they have been altered to such an extent that their historic integrity is lost. Because of their generally compatible scale, materials, and overall character, however, they still support the visual character of the district even though they no longer help us to the town's genuine history.

The building is currently rated as “*contributing with qualifications*”. Because of the smaller windows on the west elevation , false non-historic shutters , and a non-historic shed attached to house (circa 1970s).

Though the older historic portion of the house will be fully restored after the removal of the south most 10-feet, and non-compliant additions removed, the plans are to add a new connector link and addition at the back of the house. Since there is a planned rear addition to the structure, we anticipate the rating of the house to remain at “*contributing with qualifications*”.

This is the only Priority Policy associated with the proposed removal of historic fabric that staff could find in the Handbooks of Design Standards. All other design standards are relative.

Existing Alterations on Historic Buildings

Policy:

Many properties change over time; those changes that have acquired historic significance should be preserved. Others may be removed.

Design Standards:

33. Early alterations may be significant and merit preservation.

- *Many additions to buildings that have taken place in the course of time are themselves evidence of the history of the building and its neighborhood.*
- *These additions may have developed significance in their own right, and this significance should be recognized and respected.*

Staff understands that the portion of the historic house that is proposed to be removed was constructed during the *Stabilization Phase* of the Town’s period of significance. It has historic value as part of development phases in Town as small additions to structures were a common part of Breckenridge’s history.

34. Preserve older alterations that have achieved historic significance in their own right.

- *An example of such an alteration may be a porch or a kitchen wing that was added to the original building early in its history.*
- *Generally these alterations in Breckenridge were similar in character to the original building in terms of materials, finishes, and design.*
- *Most alterations prior to 1921 have achieved historical significance.*
- *Some alterations between 1921 and 1942 also may have achieved historical significance.*

Staff notes that the last two bullet-items state “**Most** alterations” and “**Some** alterations” have achieved historical significance. The agent has supplied several photographs of several historic homes in Breckenridge that exhibit a very similar size and style to this historic house - except none have the added massing of the south-most addition that this house has.

35. More recent alterations that are not historically significant may be removed.

- *For example, asphalt siding has not achieved historic significance and obscures the original clapboard siding. In this case, removal of this alteration, and restoration of the original material would be encouraged.*
- *Most alterations after 1942 do not have historical significance because they fall outside the defined period of significance for the historic district.*

There are two primary impacts associated with removing the newer portion of the house:

1. The loss of historic fabric that may be protected by the Code.
2. Rehabilitation and restoration of the structure to “*exactly as it looked at a particular moment in time*”.

To Staff’s knowledge, the only approved removal of historic fabric was the removal of the historic clapboard siding at 100 South Harris (Sutterley House) to expose the original logs beneath and the numerous minimal removals associated with the construction of a compliant connector for newer additions. This is the first request to remove fabric not associated with the examples above.

Parking

Parking has been allowed in the side yards of some historic homes. The applicant is seeking a driveway to access the back yard. The proposed driveway is to be constructed of permeable pavers with grass

planted between the paver strips. We are not supportive of any parking in the front of this house for the following reasons:

Parking in the front of the house 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*.

Excerpts from the Development Code (in *italics*), staff comments in regular type:

- 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 front yard parking space cannot meet the minimum size of 9'-0"X18'-0" as defined in the *Off Street Parking Regulations*.
- 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)*
- 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.*
 - 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.)*

Staff is concerned that, if allowed, any parking in the front would abut the historic house and the non-functional snow storage cause water/ice damage to the historic structure.

The Handbook of Design Standards for the Historic and Conservation Districts

- *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.*
- *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.*

Design Standards for the Historic District Character Area #3, South End Residential

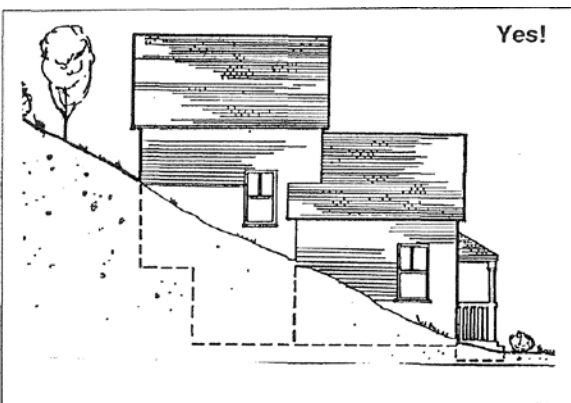
- *As much as is possible, the visual impact of cars in the South End should be minimized, particularly with respect to parking provided on individual building lots. It is difficult to provide parking in this area in a manner compatible with the historic image. Individual creative design solutions for parking will be carefully reviewed by the Planning Commission.*

Proposed Addition Massing

Several Design Standards from the Historic Handbooks address concerns with addition to historic structures:

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.



The perceived height of buildings on slopes can be reduced by stepping the building into the slope.

- 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

84. When viewing the town as a whole, building heights should reflect the land contours of the upper Blue River valley.

- Taller buildings may be located on the mountain slopes; shorter (one-and-two story) buildings should be in the lower valley areas.
- The hillsides form a backdrop for the taller buildings, minimizing their perceived height, and therefore it may be appropriate for taller buildings to be located on steeper slopes; their facades should still express a human scale.
- The concept is that taller buildings are less obvious in the context of taller mountain slopes. This concept is especially relevant in transitional areas of the Conservation District, such as Highlands Terrace.

And most recently, this change to Policy 80:

Policy:

New buildings should be similar in scale with the historic context of the respective character area.

Design Standard:

80. Respect the perceived building scale established by historic structures within the relevant character area.

- An abrupt change in scale within the historic district is inappropriate, especially where a new, larger structure would directly abut smaller historic buildings.

- *Locating some space below grade is encouraged to minimize the scale of new buildings.*
- *Historically, secondary structures at the rear of the property were generally subordinate in scale to the primary building façade. This relationship should be continued with new development.* (Highlight Added.)

The Applicant has submitted a civil survey of the property, alley and neighboring lots. Pending a formal application, the applicant is planning on adding to the back of the house with a garage and additional living space. There are a series of retaining walls behind the property as the grade is steep as it rises towards the east. (Staff notes: The non-historic shed addition (verified by staff) to the north-east side of the house is proposed to be removed.)

The elevation of grade at Ridge Street in front of the historic house is 9610 feet.

The elevation of the alley behind is 9619 feet.

The elevation of the back yard of the neighboring lot above the alley (Theobald) is 9624 feet.

So, the alley is about 9 feet above the front yard of the house and the neighboring property is about 14 feet above. The greatest height measurement of the proposed would meet the recommendations in Policy 6/R at 23-feet measured to the mean.

The proposed addition, when measured from the alley grade, would match that of the historic house at 18-feet tall (to the ridge). When measured from the side below the alley, in the back yard, it is 9-feet taller than the historic house. The proposed addition (at this time) is separated from the historic house with a connector link by 17-feet. To the neighboring property to the east, the ridgeline of the addition is 12-feet above the back yard grade of the neighboring two-story historic house.

Staff believes that, given the site constraints, the intent of the above height and massing policies have been met. Does the Commission concur?

Staff Recommendation

The only Priority Policy (Absolute) that is associated with the removal of the historic fabric is Priority Policy 20:

Respect the historic design character of the building.

Any alteration that would cause a reduction in a building's rating is not allowed. See pages 5 and 6 for rating categories. Refer to the historic/ architectural survey on file for specific ratings.

Priority Policy 20 of the *Handbook of Historic Standards* falls under the **absolute** portion of Policy 5 of the Development Code. The other Design Standards of the *Handbook of Historic Standards* may be addressed in the **relative** portion of Policy 5.

Hence, if the Commission believes that the rating of the building will be reduced as a result of the removal, then the request would fail. If the rating is to remain, negative points may be incurred under any of the design standards discussed above and listed below.

Design Standards:

33. Early alterations may be significant and merit preservation.

34. Preserve older alterations that have achieved historic significance in their own right.

35. More recent alterations that are not historically significant may be removed.

To date, we have no precedent associated with the partial removal of a historic structure other than fabric associated with the construction of connectors. Staff is cautious about having this request going forward unless specific Findings regarding the unique and special circumstances on this property can be made. Staff is very concerned about any precedent that allows the removal of historic fabric.

1. Does the Commission believe the removal of the newer addition and the full restoration of the 1881 and 1908 structures will lower the rating of the building?
2. If the Commission supports this proposal as maintaining the historic rating, would you award negative points under Policy 5/R? If so, how many?
3. Does the Commission believe the general massing and height of the proposed addition at the back of the lot meets the intent of the Code?

July 29, 2011

Michael Giller
28266 Meadowlark Drive
Golden, Colorado 80401

Michael Mosher, Planner III
Community Development Department
Town of Breckenridge
150 Ski Hill Road
Breckenridge, Colorado 80424

Dear Mr. Mosher,

Following up on our discussions and my letter of July 13, 2011, I have done additional research with NPS preservation colleagues and offer more justification for Treatment to take the home back to an early 1900s appearance through a project that includes a partial demolition of the last, south-most addition.

I'm proposing a rehabilitation of the home's 1881 and 1908 portions that complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards). The home is a contributing structure to the National Historic District, though it does not qualify for individual listing on the National Register. It has integrity, but suffers from neglect. Changes as part of the last addition compromised the character defining windows and the massing and proportions.

The Secretary's Standards are the basis for the Town of Breckenridge Historic Standards (Development Code), the Colorado State Historic Preservation Officer's work (SHPO) and the National Park Service projects, among others. The Secretary's Standards "promote responsible preservation practices" however "they cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can be changed." They provide "philosophical consistency", and "are not meant to give case-specific advice or address exceptions or rare instances".

Of the Secretary's Standards four Treatments; Preservation, Rehabilitation, Restoration, and Reconstruction, most buildings not individually listed in the National Historic Register undergo Rehabilitation. Elements of each Treatment can be found on many projects. For historic homes there is a tendency to faithfully rehabilitate, almost restore, the public front elevation, with more latitude at the rear and in the interior. All this work is done with a careful eye to the homes character defining features and architectural integrity.

It is also important to understand that The National Historic District is as much about the collection of historic buildings and landscape as an individual building or addition. Overall the restoration of the home's 1881 & 1908 portions, and landscape, would positively contribute to the integrity of the district. Returning the home to its earlier configuration would take the home back to the early 1900s in the heart of the Town Phase of development.

The later south-most addition doesn't merit preservation as much as the earlier home from the prime period of significance; the Town Phase of 1881 to 1920. The Town of Breckenridge Design Standards for

the Historic District Character Area #3, South End Residential, state that the initial construction generally spanned from 1892 to 1915 in the area; consistent with the 1881 & 1908 portions of the home. Removing the latest addition would not result in a house that is incompatible, out of scale, in great contrast, or out of character with the surrounding area and the aesthetics or character of the historic district. The alteration would neither affect views of the house nor the location, feeling, setting, and association of the property. The characteristics that qualify the property for inclusion in the historic district would be undiminished.

Historic preservation often must strike a balance. Just as some buildings are more significant, some portions of buildings are more significant. Generally these are the earlier portions with architectural integrity (Or in some cases the portions associated with an historic figure or event). Part of the challenge here is the rather lengthy historic periods of significance all the way through the Stabilization Phase to 1942. In Breckenridge, later informal miner Victorian additions often compromised the original design proportions and architectural integrity, even though the additions may now qualify as historic by virtue of time passing.

The term “partial demolition” understandably causes concern. There are relatively few examples and the Secretary’s Standards only conceptually address it. The definition is emerging on what constitutes this; Boulder, Colorado, states 50% demolition of floor area or exterior walls, other jurisdictions have identified 25% or more as the threshold. The proposed demolition here is 20% of the floor area and 13% of the wall area. To some this would be classified as significant alteration or removal of a later addition, where historic fabric is lost but the character defining features of the original 1881 and 1908 portions are retained and the architectural integrity strengthened.

Those character defining features are the home’s location, setback, massing, proportions, scale, front door & porch, siding, windows, and landscaping. The latest, south-most addition compromised the character defining features of the massing and proportions, and the windows. The removal of the addition also facilitates the rehabilitation and construction of the project on the constrained lot. It removes parking from the historic front yard to screens it in the back yard. The small partial demolition solves many problems and makes the project feasible.

A plan would be developed to detail the Secretary’s Standards treatment approach, though preservation work proposed to the home includes:

- Restore siding and paint in appropriate colors. Remove non-historic shutters
- Install cut wood shingles
- Correct and restore the windows (the character defining windows in the south-most addition were likely taken from the 1881 & 1908 structures).
 - Move tall double hung windows back to 1881 & 1908 structure openings on front elevation
 - Move diamond window from east corner of south elevation to the gable peak of the south elevation, similar to the front elevation
- Full restoration of front porch, porch floor and walk, and front door restoration

- Shift existing south wall north to be the 1908 location, retaining fabric in the same configuration.
- Care that modern details are period appropriate; light fixture, hardware, street numbers, porch furniture, landscaping, etc.

There is also historic fabric in the interior I plan to rehabilitate. Existing doors and millwork will be preserved and re-used. The original builder, Whitney Newton, started as a banker, though moved to the lumber business about the time the home was built and may have had a higher level of millwork. The investigation and plan remain to be determined, but part of the solution is retaining the fabric, the character, and the story of the simpler mining Victorian vernacular.

It is in the public interest to save this home from demolition by neglect. The plan proposed here is sound, viable, and follows the Secretary of the Interior's Standards for Treatment of Historic Properties. The project's goals are very consistent with the Town of Breckenridge's design goal for the South End Residential Character Area. This is a complex historic preservation project and I believe the worksession request solves the preservation issues in compliance with the Secretary's Standards.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael Giller".

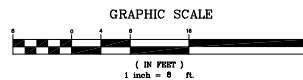
Michael Giller

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

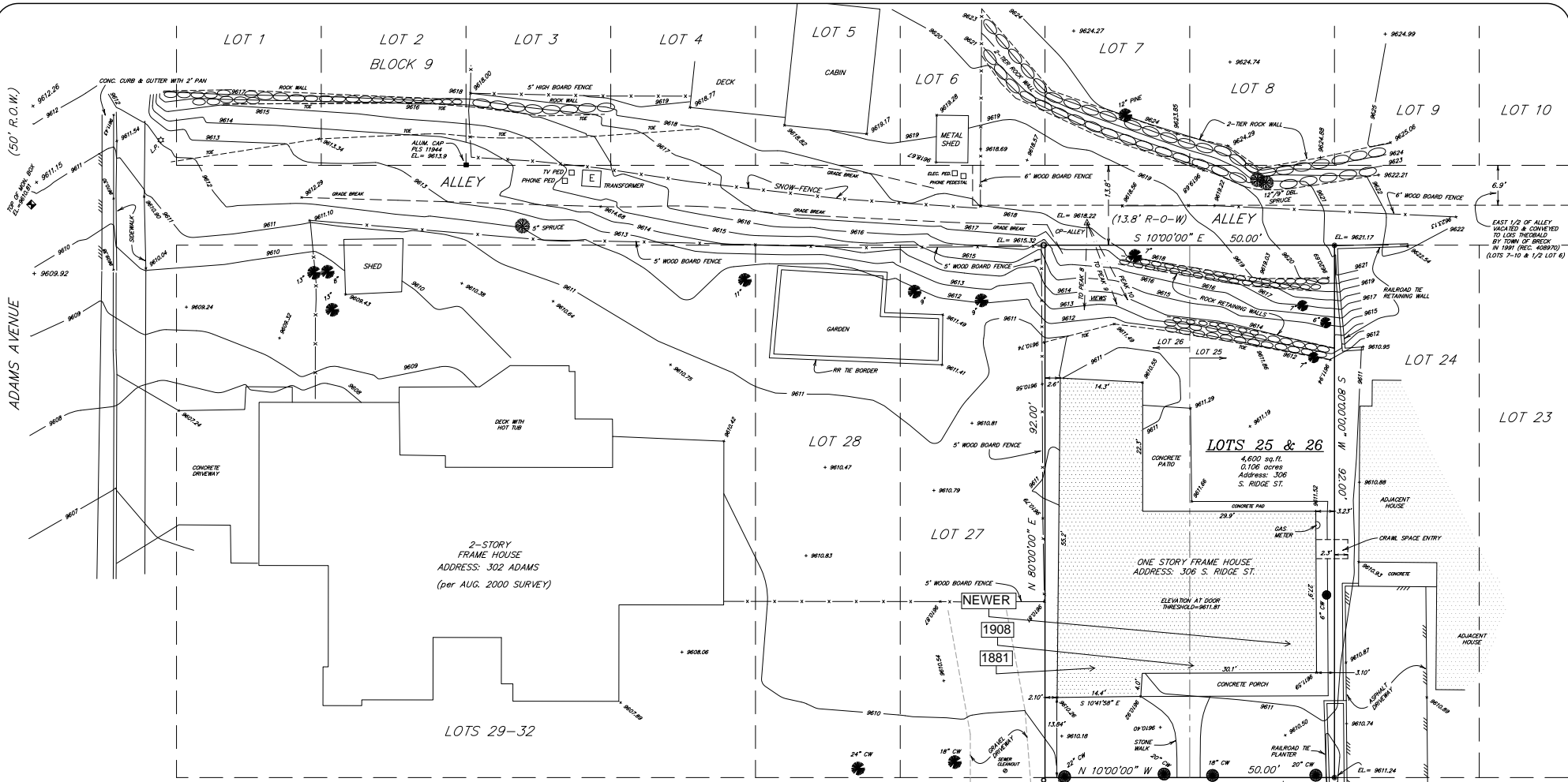
ELEVATIONS BASED ON U.S.G.S. SEA LEVEL DATUM (1929)
 DATE OF TOPO. FIELD SURVEY: 06/08/11 & 07/07/11
 CONTOUR INTERVAL = ONE FOOT

LEGEND

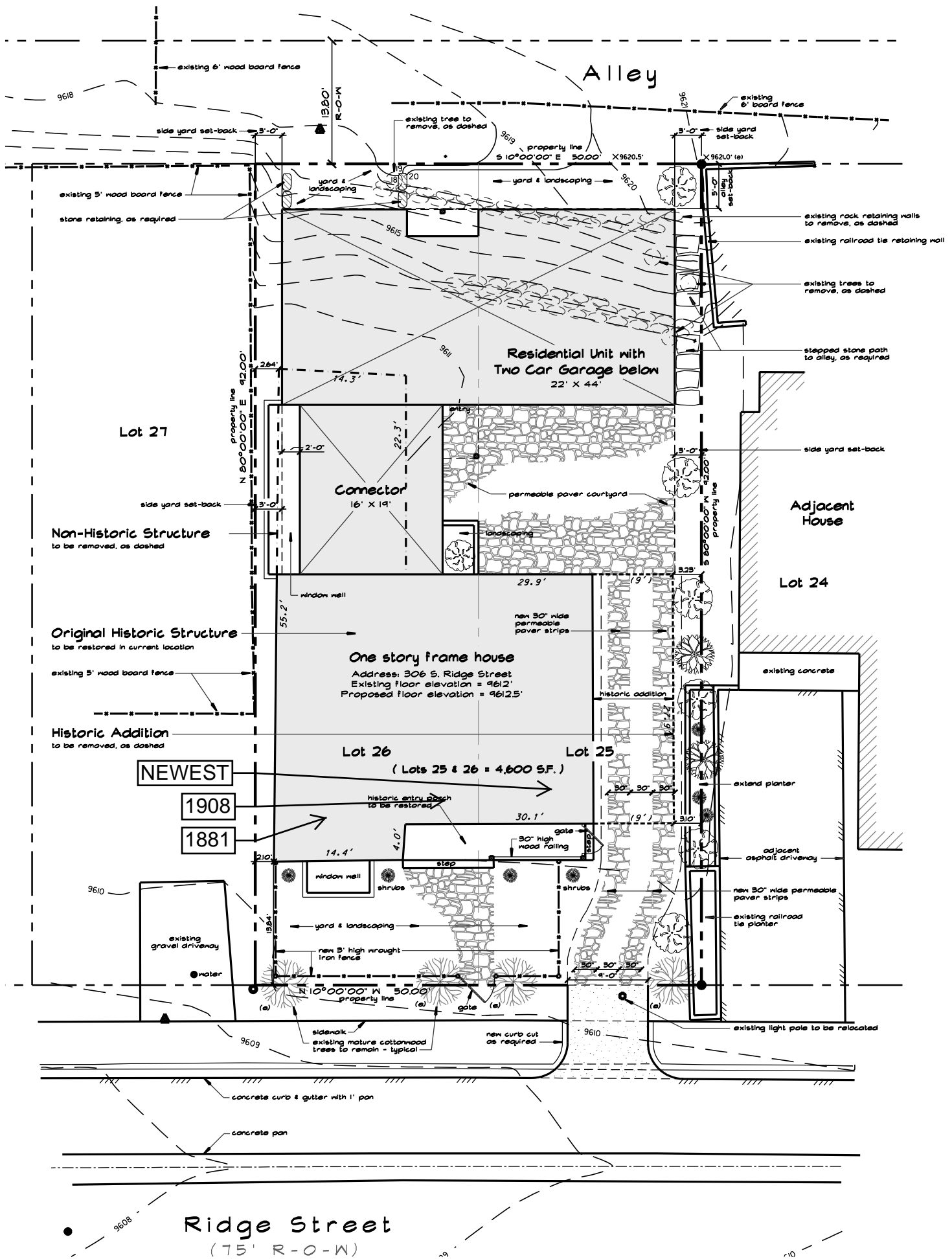
- FOUND REBAR & PLASTIC CAP (PLS 27924)
- FOUND REBAR & PLASTIC CAP (PLS 15242)
- CLEANDOUT
- UTILITY PEDESTAL
- LIGHT POLE
- △ RANDOM SURVEY CONTROL POINT
- [E] TRANSFORMER
- 1" PINE TREE WITH TRUNK DIAMETER
- 20" CW COTTONWOOD TREE WITH TRUNK DIAMETER
- 4" SPRUCE TREE WITH TRUNK DIAMETER
- SPOT ELEVATION

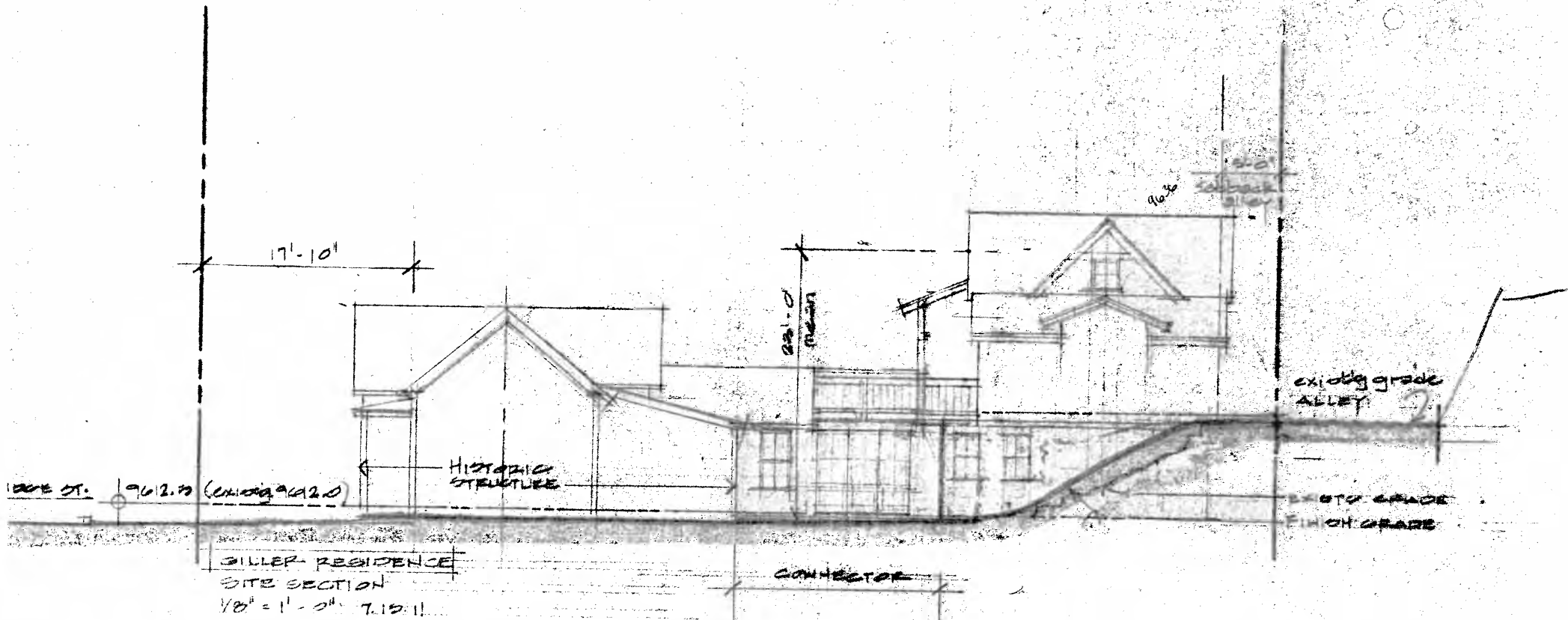


Drawn DCS/TOB Dwg 11785TP Project 11785
 Checked RRJ Date 07/17/11 Sheet 1 of 1
R-A-N-G-E-W-E-S-T
 ENGINEERS & SURVEYORS
 P.O. Box 589
 Silverthorne, CO 80498 970-468-6281



NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, & NO PARTY MAY BRING ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

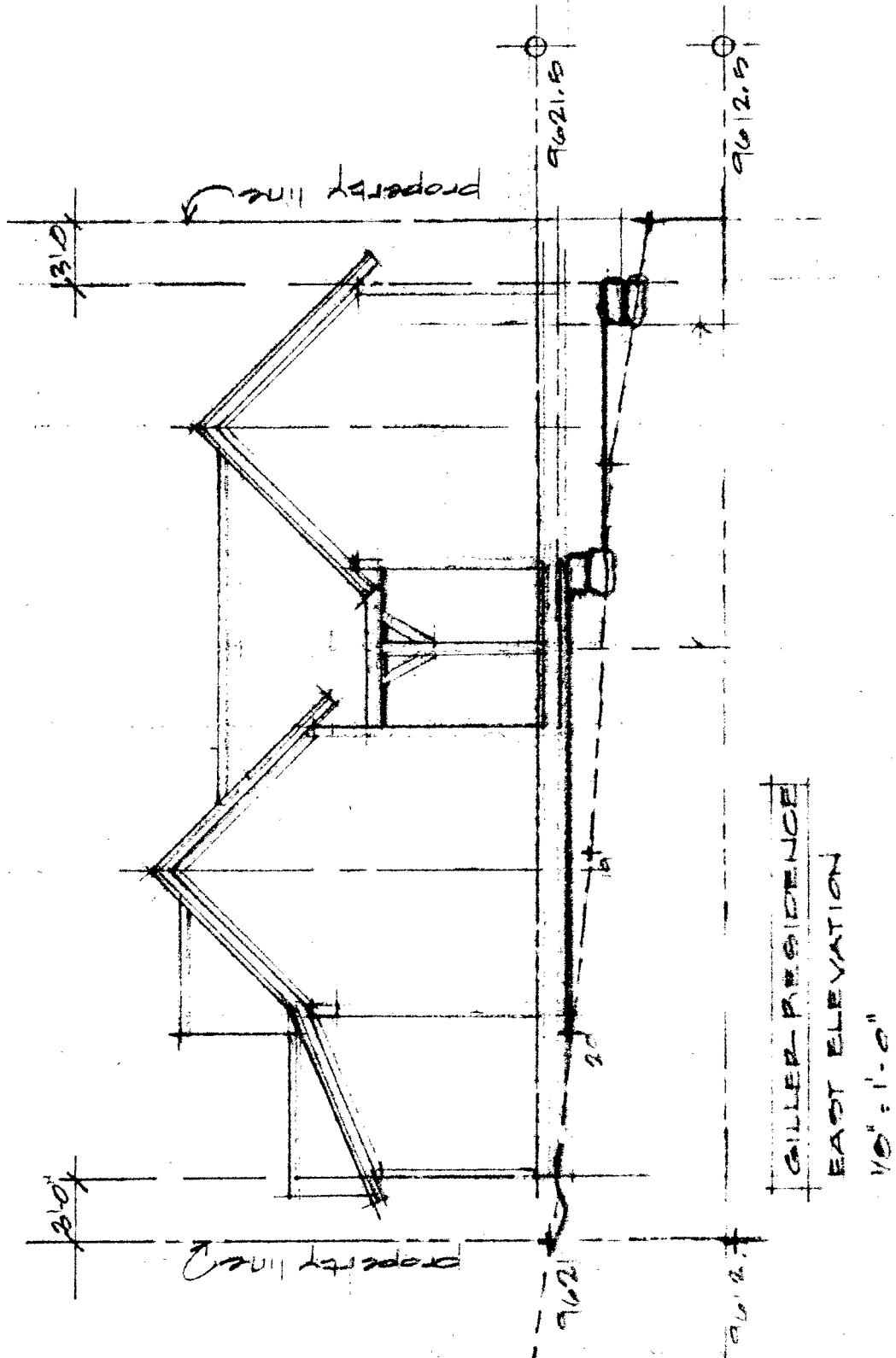




SOUTH ELEVATION - MASSING ONLY

RECEIVED
JUL 25 2011
TOWN OF BRECKENRIDGE
PLANNING DEPT

SOUTH ELEVATION - MASSING ONLY





EXISTING SOUTH ELEVATION



SAMPLES OF SIMILAR HOUSES

Architectural Inventory Form

**Official Eligibility Determination
(OAHF use only)**

OAHF1403

Rev. 9/98

Date _____ Initials _____

- Determined Eligible – National Register
- Determined Not Eligible – National Register
- Determined Eligible – State Register
- Determine Not Eligible – State Register
- Need Data
- Contributes to eligible National Register District
- Noncontributing to eligible National Register District

I. IDENTIFICATION

- | | | |
|-------------------------------|-------------------------------------|-------------------|
| 1. Resource number: | 5ST.130.141 | Parcel number(s): |
| 2. Temporary resource number: | N/A | |
| 3. County: | Summit | |
| 4. City: | Breckenridge | |
| 5. Historic Building Name: | A.C. Howard House | |
| 6. Current Building Name: | Jane Shetterly House | |
| 7. Building Address: | 306 S. Ridge Street | |
| 8. Owner Name: | Carolyn Kavana | |
| Owner Organization: | | |
| Owner Address: | 205 S. Sunset Drive, No. 100 | |
| | Sedona, AZ 86336 | |



44. National Register eligibility field assessment:	Not Eligible
Local landmark eligibility field assessment:	Eligible

MEMO

TO: Breckenridge Planning Commission

FROM: Laurie Best-Community Development Department

RE: Employee Housing Code Amendments-MEMO ONLY

DATE: July 20, 2011

In 2008 the Town adopted a Housing Workplan which outlines projects and tasks related to Affordable Workforce Housing. Most of the tasks have been pursued and some have been completed. The exceptions are several recommendations in the Plan for code amendments that would increase the amount of employee housing constructed by the private sector. The code revisions that were suggested would:

1. *Increase the % of housing required under Policy 24 and insure that the % required is proportional to the employee generation.* Under the current policy, the amount of housing that a developer needs to provide in order to achieve zero points is small compared to the number of employees generated by the development. For example a building that creates jobs for approximately 26 employees (10,000 square foot retail building) can score zero points by providing only 451 square feet of housing. In addition, the current policy addresses all uses the same, despite different employee generation rates. For example, a Townhome development creates significantly fewer jobs than a Hotel or Condo/hotel, but both uses can score zero points by providing the same amount of employee housing.
2. *Create a relative policy to encourage the construction of Accessory Dwelling Units (ADUs) in new homes over 3,500 square feet.* Currently the code allows, but does not incentivize, Accessory Dwelling Units. In some communities ADUs offer an affordable option for employee rental housing and they are encouraged.

Staff recently discussed both amendments with the Council sub-committee on Housing and Childcare. It was the consensus of the committee that neither amendment should be pursued at this time. Regarding Policy 24, there are concerns about the accuracy of the employee generation assumptions and the difficulty addressing changes of use within a building. Given that the Town is close to buildout, the committee did not see this as an effective strategy to be pursued at this time. This could be reconsidered when the Housing Impact Fee expires or when development conditions or the housing market changes. The Committee did suggest that staff explore a possible “fee in lieu” component for Policy 24 so it is likely the Commission will see that type of amendment brought forth.

Regarding ADUs, the committee felt that the Town should not penalize developers for building homes without ADUs, particularly since this could reduce their permissible home size. Furthermore most single family homes do not need positive points so there is little opportunity to add a viable incentive.

Since the Planning Commission has had some discussion about both of these policies in the past, staff wanted to make sure that you were aware of the current status.

MEMO

TO: Breckenridge Planning Commission
FROM: Laurie Best-Community Development Department
RE: Valley Brook Neighborhood Development Permit (PC2009030)
DATE: July 20, 2011

The purpose of this memo is to advise the Planning Commission of a change to the reference development permit. The original permit approved by the Planning Commission on 8/4/2009 and the Town Council on 8/11/2009 allowed 42 townhome units in eleven buildings. The plan has been modified from 42 townhomes to 41 townhomes. Building 7, which was approved as a 5-plex, has been replaced with a 4-plex. . This change was made in order to loosen up the site and because of construction challenges associated with that Building type. The elimination of the end carriage house unit (#26) was processed as a Class D permit (11-178) and staff felt it would be important to make the Planning Commission aware of the change. This change decreases the project density by .71 SFE, increases the building separation between Building 7 and Building 9 by 12 feet, increases the open space by 1,167 sf., and reduces the length of the Building 7 façade that faces Hwy 9 from 135'-8" to 116'-10".

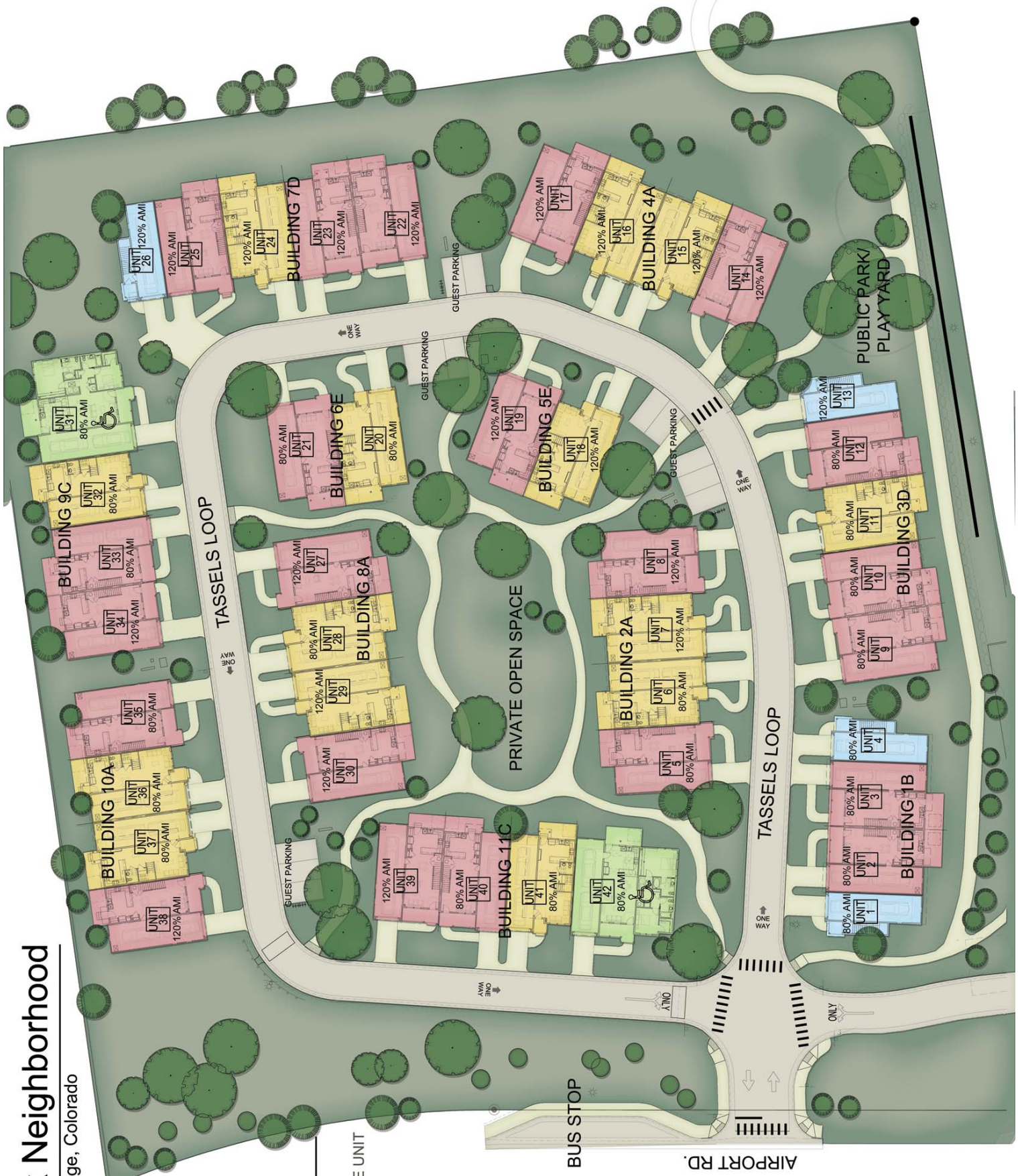
As you may recall the project was approved by Council on Town-owned land and the Town manages the construction and budget. The project also includes a financial subsidy by the Town to insure affordable price points for local employees. The phased construction began in the fall of 2009. The third (and final) phase which includes Building 7 will begin in September 2011 and the project should be complete in the spring of 2012.

Valley Brook Neighborhood

Breckenridge, Colorado

KEY

- 2 BEDROOM UNIT
- 2 BEDROOM CARRIAGE UNIT
- 2 BEDROOM ADA UNIT
- 3 BEDROOM UNIT



Valley Brook Neighborhood

Breckenridge, Colorado

July 7, 2011



KEY

- 2 BEDROOM UNIT
- 2 BEDROOM CARRIAGE UNIT
- 2 BEDROOM ADA UNIT
- 3 BEDROOM UNIT



The information depicted in this drawing is for graphic representation only and is subject to change



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