



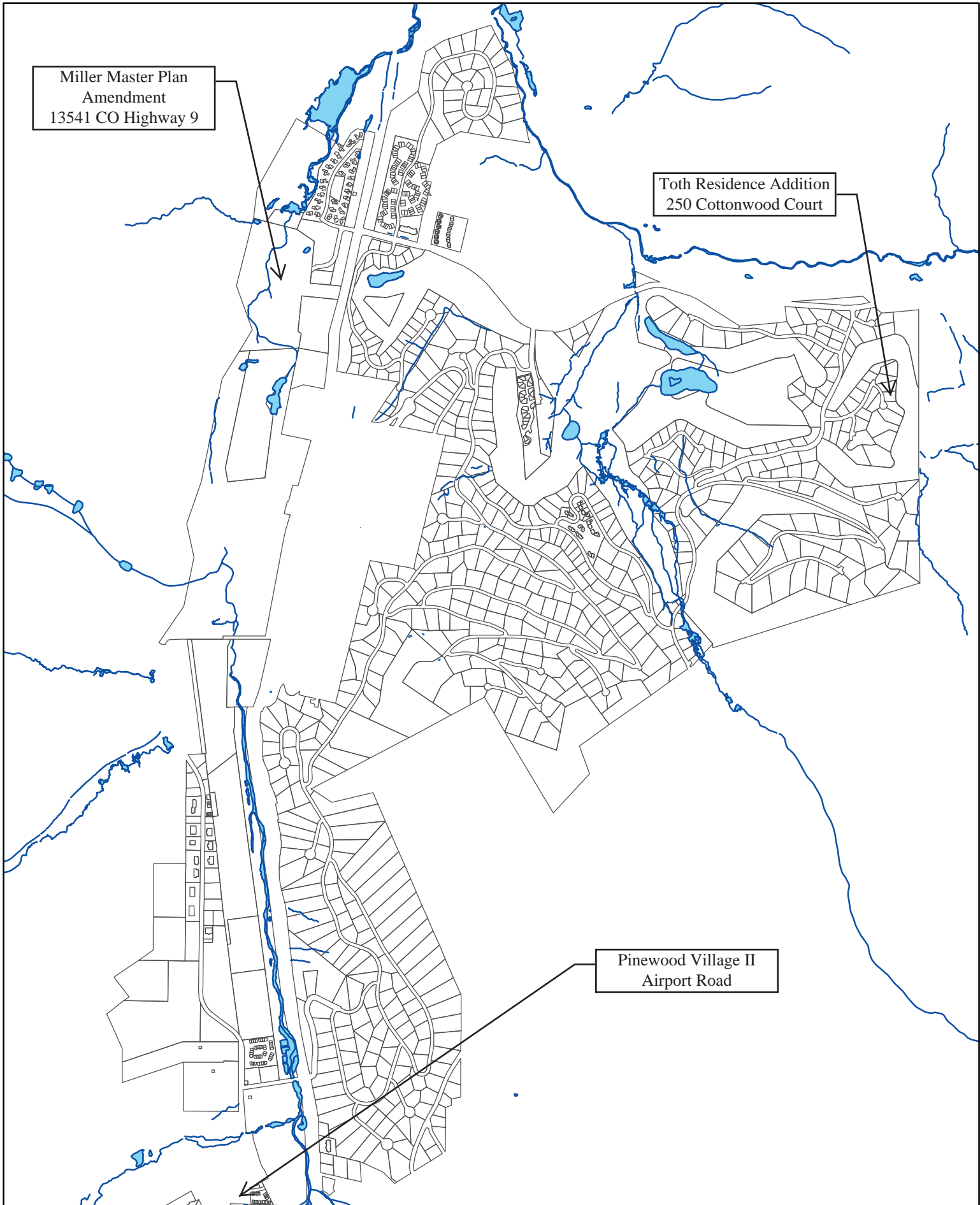
PLANNING COMMISSION AGENDA

Tuesday, October 16, 2012
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The October 16 Planning Commission Meeting; 7:00 P.M. Roll Call</i>	
	<i>Location Map</i>	2
	<i>Approval Of Minutes</i>	4
	<i>Approval Of Agenda</i>	
7:05pm	<i>Consent Calendar</i>	
	1. Wellington Block 9, Lot 12 (MM) PC#2012081; 6 Logan Road	10
	2. Wellington Block 9, Lot 13 (MM) PC#2012082; 18 Logan Road	18
	3. Wellington Block 9, Lot 19 (MM) PC#2012083; 15 Logan Road	26
	4. Wellington Block 9, Lot 21 (MM) PC#2012085; 21 Paradise Green	34
	5. Lot 20, Corkscrew Flats (MGT) PC#2012089; 339 Corkscrew Drive	42
	6. Toth Residence Addition (MGT) PC#2012088; 250 Cottonwood Circle	52
	7. Flat Bread Pizza Company (CN), PC#2012087; 500 South Main Street	63
7:15pm	<i>Town Council Report</i>	
7:30pm	<i>Worksessions</i>	
	1. Moving Historic Structures (CN)	68
	2. Pinewood Village II (MGT); Airport Road	77
9:30pm	<i>Final Hearings</i>	
	1. Miller Master Plan Amendment (MM) PC#2012012; 13541 Colorado Highway 9	85
10:15pm	<i>Other Matters</i>	
10:30pm	<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.**



Miller Master Plan
Amendment
13541 CO Highway 9

Toth Residence Addition
250 Cottonwood Court

Pinewood Village II
Airport Road



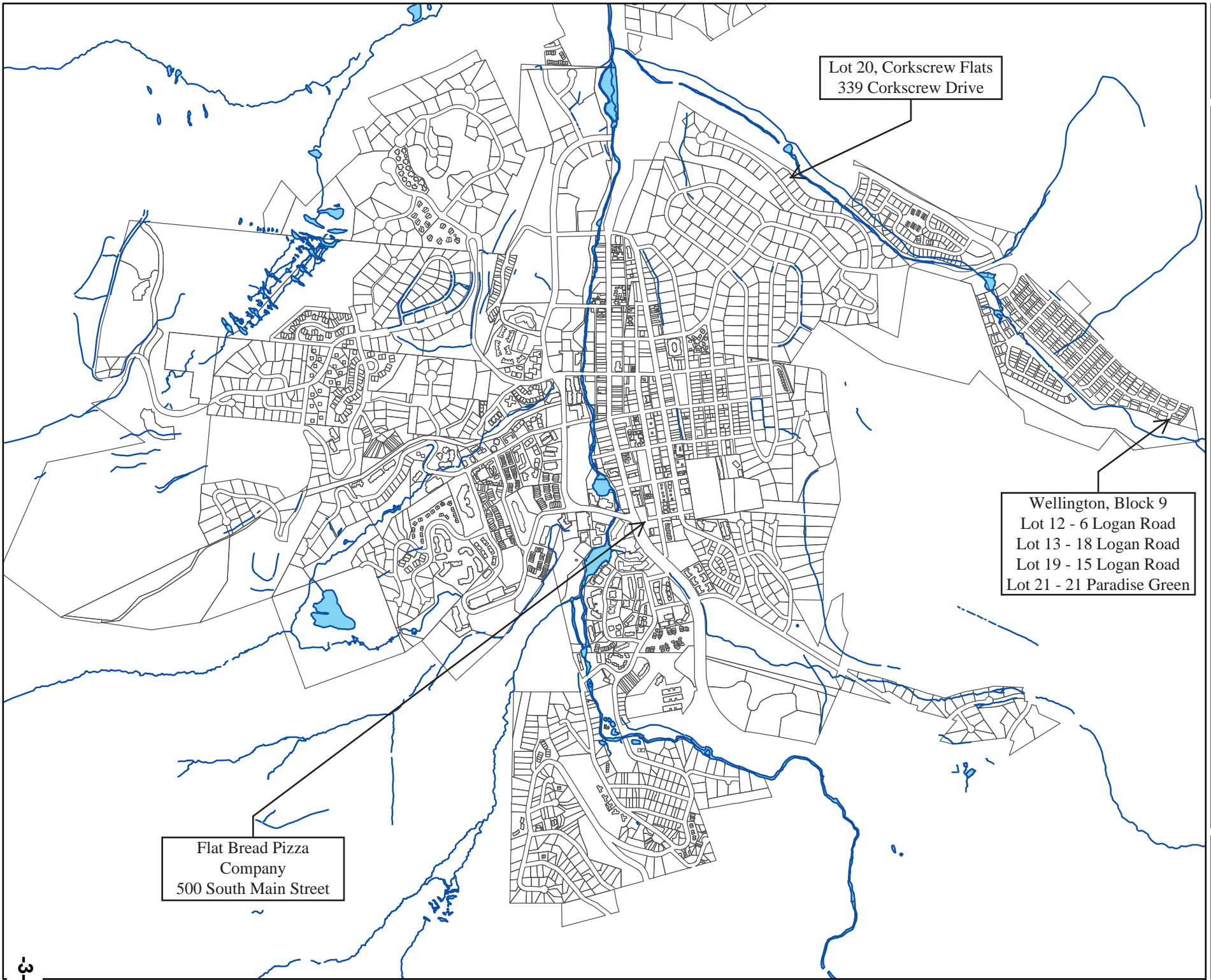
Breckenridge North

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

printed 4/12/2011



NOT TO SCALE



Flat Bread Pizza
Company
500 South Main Street

Lot 20, Corkscrew Flats
339 Corkscrew Drive

Wellington, Block 9
Lot 12 - 6 Logan Road
Lot 13 - 18 Logan Road
Lot 19 - 15 Logan Road
Lot 21 - 21 Paradise Green



NOT TO SCALE

Breckenridge South

printed 4/12/2011

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PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Gretchen Dudney Jim Lamb
Dan Schroder Trip Butler Eric Mamula
David Pringle
Gary Gallagher, Town Council Liaison, was absent

APPROVAL OF AGENDA

With no changes, the October 2, 2012 Planning Commission meeting agenda was approved unanimously (7-0).

APPROVAL OF MINUTES

Ms. Dudney:

Page 4: Please change “can it be approved upon?” to “can it be improved upon?”

Mr. Pringle:

Page 5: Please change “32-36 feet” to “32-36 inches”.

Ms. Dudney:

Page 6: Please change “with other projects before us” to “with other projects that have come before us”.

With no other changes, the September 18, 2012 Planning Commission meeting minutes were approved unanimously (7-0).

Ms. Dudney: Wondered if the Applicant for the solar panels at Lincoln West Mall misunderstood the Planning Commission concerns. Why was the application withdrawn? (Mr. Neubecker: I didn't go into a detailed conversation with the Applicant about why the application was withdrawn.)

Mr. Schroder: Reiterated to the audience that the Lincoln West Mall Solar Panel application has been withdrawn from the meeting, and will not be discussed tonight.

CONSENT CALENDAR:

1. Wellington Block 9, Lot 11 (MM) PC#2012080; 4 Logan Road
2. Wellington Block 9, Lot 20 (MM) PC#2012084; 19 Paradise Green
3. Wellington Block 9, Lot 22 (MM) PC#2012086; 23 Paradise Green

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

CONTINUED HEARINGS:

1. Lincoln West Mall Unit 3A Solar PV System (CN) PC#2012076; 100 South Main Street

Mr. Neubecker presented a memo from the Applicants indicating their request to continue the hearing until further notice.

COMBINED HEARINGS:

1. Verizon Wireless Temporary Communications Facility and Height Variance (CN) PC#2012079; 600 South Ridge Street

Mr. Schroder: Asked that public be considerate when making public comments. Citizens should address the Planning Commission, not the Applicant. We will give everyone one opportunity each and everyone is welcome to speak.

Mr. Neubecker presented an application to install a temporary wireless communications tower to supplement existing wireless infrastructure. The tower is anticipated to be in place for 9 – 12 months, at which time a permanent location is expected to be in service. The temporary tower is needed to provide additional bandwidth at the south end of Breckenridge.

Staff finds no applicable Relative policies under which positive or negative points should be assigned and that the application meets all Absolute policies, with the exception of Policy 6/Building Height, for which a variance is requested. Staff finds that many of the policies in the Development Code do not apply to a temporary structure, but welcomes feedback from the Commission on these policies. If the Planning Commission believes that any points should be assigned under Relative policies, or that the variance does not apply in this situation, please let staff know.

This application has been advertised as a combined preliminary and final hearing and may be approved or denied tonight. However, staff understands that there may be questions raised by the Commission or the public concerning this application, and that additional information, or plan changes, may be requested. In this case, staff would request feedback from the Commission on what additional information is needed, and in that event this application should be continued to a later date.

If the Commission is comfortable that the application and variance can be approved as submitted, Staff presented a set of approval Findings and Conditions.

Commission Questions / Comments:

- Mr. Schroder: A number of policies are addressed, and Staff says that they aren't sure that they apply to temporary structures; should we be focusing on policies or should we be focused on variance?
- Mr. Neubecker: We believe the primary question relates to the variance from the height policy—comments have been about height.
- Mr. Mamula: There is an issue before that, which is whether or not the temporary structure is allowable, period. Code says temporary structures “may be approved” instead of “shall be approved”; there is an earlier question of allowing a temporary structure.
- Mr. Lamb: Some of the wording in the code seems to counter this proposal
- Ms. Dudney: What about the noise complaint? (Mr. Neubecker: We did hear a noise complaint from a neighbor near another tower (temporary AT&T tower). But that neighbor was only 20 feet away; I haven't been at a tower listening to it from 150ft away, so I don't know what it would sound like. Nearest neighbors are about 150 feet away with this application.) Is that right that there are houses whose decks back right up to this building? (Mr. Neubecker: They are 100-150 feet away; you can see the setbacks in the report; to the east property line is 115 feet, to the south is 95 feet; add those to the setbacks of the neighboring homes and that will tell the distance to this tower.)
- Mr. Schroder: All Summit Accommodations (Mark Roberts) called me today and intended to represent his owners tonight; Mark was going to attend to represent his owners but he had a bike crash, so on the record: 113 Powder Ridge, 115 Powder Ridge, and 130 Powder Ridge owners would like to object. (Mr. Neubecker: This is an ex-parte contact. Did you feel like this swayed you in anyway?) What he is coming to the table with did not sway me; should I participate in this discussion? (Ms. Dudney, Mr. Lamb, Mr. Mamula: No problem.) (Mr. Neubecker: We should ask the Applicant if they see this as a conflict.) (Mr. Jeff Sherer, Applicant: No concerns. We can move forward.)
- Mr. Pringle: This is going to be a contentious issue, I understand that you weren't able to avoid the ambush from your friends or neighbors; hopefully everyone understands that public isn't supposed to lobby us; best to get comments to town staff. I'm sure that Mr. Schroder made every effort to avoid public contact. I don't have a problem with it.
- Mr. Schroder: For tonight...should I stay? (A poll was taken and 100% of the remainder of the Commission said to stay.)

Applicant Presentation:

Mr. Jeff Sherer, Black and Beach Corp, agents for Verizon Wireless: Introduced himself as well as other agents for the Applicant, David Kennard (Radio Frequency Engineer) and Peter Hoops.

We heard the neighbors' concerns and have read the letters. We didn't know that there would be as much feedback as there has been. We went out there today and realized that we could drop 20 feet off that tower and lose some coverage. We felt that with that 20 foot drop, it would be basically screened from the neighborhood area. The last plan had the antenna spread away from the tower; the revised plans show that they will be flush mounted. If you look at these antennas, they are only 37 inches across. With respect to the noise that the other site generated, this site only has air conditioners that equate to the noise of household air conditioners; additionally we have buildings that buffer the noise. We do not foresee any noise pollution at all. We appreciate Staff's recommendations and appreciate feedback.

Commissioner Questions / Comments:

Mr. Mamula: With the AT&T tower, the couple that lived next door (here-say), thought that radiation and noise was a disturbance. The couple had to keep replacing microwaves, etc. (Mr. Sherer: These are federally regulated and meet all standards. We run a dedicated line to the site and there should not be a problem with interference.) AT&T made some settlement with the couple at the end and it was a big deal. (Mr. Sherer: We looked at 4 sites; we looked at the AT&T site, and it is surrounded with homes; also that COW sits out in the open, not screened, don't know how the power was run; we are sitting behind 2 vacant buildings, with an 8 foot screen.)

Ms. Dudney: Why do you need this? (Mr. David Kennard, Senior Manager for Verizon Wireless: During the ski season, the existing site for the area has reached its capacity limits. We have every licensed channel turned on and it will not be adequate for this coming winter.) What do you mean by "not adequate"; not as many bars on your phone? (Mr. Kennard: Same bars, but more blocked calls, and slower data rates.)

Mr. Pringle: How come you can't upgrade existing current equipment? (Mr. Kennard: Every licensed frequency is in use at his current site, so that when we build this temporary site, it will pull some traffic from existing site.)

Ms. Dudney: Couldn't we have 2 towers at existing site? (Mr. Kennard: No; proximity is too close.) (Mr. Sherer: This is going to be up for 6-9 months; we are building another site in the spring. This is just a temporary site.) Since you don't have a permanent tower, what can you tell the residents that you won't come back at the end of this permit and say you can't build in another location? (Mr. Sherer: Your approval is only for a year; this will expire, and we can't come back for a renewal.) Well there is concern that you will put it up in this location, your service improves, but you don't have another (permanent) location. (Mr. Sherer: There will be a contract (permit) if you approve this. After that year, you have the right to pull the plug on it. Also, in terms of our site, we don't need two sites. This is not speculative; we aren't making any additional money; if we had known that there would be this kind of opposition, we would have gone somewhere else.)

Mr. Butler: What is holding up the permanent site? (Mr. Sherer: We have been negotiating with the owners and HOA and have worked through all of the major problems, and we are looking to redline a contract. There is a construction period, and we can't build until the spring. We can't build the permanent tower in the winter.)

Mr. Schroder opened the hearing to public comment.

Tom W. Klaus:

I am manager of our family LLC at JAJ Breckenridge at 107 Shadow Mountain Drive. Are you aware of where Breckenridge Village is? (He distributed a plat for location reference.) The site for this project is right in front of the building on the left. I would like to refer you to Staff comments. On page 40, it says that the placement of temporary

structures is strongly discouraged. Section 8 says that temporary structures should only be used to replace a structure on same site. This proposed temporary site and any subsequent site will be different. I see no relevance to the structures at Peak 8; those structures were at the same site. My reading of Section 8 is that it does not apply either. It relates to temporary structures like air structures or tents not designed for commercial use. The tower is obviously a commercial use and does not fall within Section B. The building heights on page 41; Staff states its main issue is with the height. Your prior experience with AT&T at CMC was only a 35ft tower which is significantly smaller than the proposed 65ft. Section D on page 41, states that the Applicant must prove physical hardship. The Applicant can place this tower at any location on the south side of town. Additionally, the Commission must find that it be in general harmony and not in detriment to the neighborhood. Staff says that it is not detrimental. The cell tower will materially hurt property values, block our views and hurt us with physical issues. On behalf of my family, we do not want to look at this tower every day with its magnetic radiation beaming down on us. On Page 2, code recommends residential use not exceeding 2 stories; this is 2 times that height. Staff admits it is not compatible with surrounding neighborhood and cannot be made so. Page 14A states that the Applicant has had slow negotiations with owners and locations. Admittedly more preferable locations and it is not our fault that they are not going as they would have them. Customers are not the appropriate party for hardship; Section 14B Staff acknowledges that the tower is taller than allowed but will not have impact on view. I strongly disagree with this. Section 15c, I disagree that the temporary use will not be detrimental to neighborhood. I have pointed out several areas in our code where this is in violation and respectfully request that you do not approve this. I have several letters from other owners in the neighborhood and will give you a copy. (Ms. Dudney: How many letters do you have?) At least 12 plus 7; well over half the neighborhood. (Mr. Schroder: Clarification. The original application was 60ft, but this submittal is 42 or so feet.) (Mr. Neubecker: They changed it to 60 feet, and now the application is for 42.6’.)

Eben Clark, Attorney representing Placer Ridge HOA in the 500 block directly adjacent to proposed site:
The real issue for the Commission is the variance; this application doesn’t meet a single one of the criteria. Another aspect is that the fact that the code doesn’t contemplate this type of development. Doesn’t really fit into the code of temporary structures; in a more character related. This is not complimentary to historical assets. My final broader point is the slippery slope point; many other counties have a full deck of regulations that deal with these issues; if this is done half way now, the next applicant will be able to slide in as well. Coming back to temporary structure, it is strongly discouraged. The code doesn’t address it at all, you can’t allow it. For the present application, the Satellite Earth Station Policy 41 is more applicable. No antenna should exceed 20 feet in height, visual impacts fully screened, and even though now Verizon is receding the antenna it really can’t be done flush. A variance is undue hardship based on aspects of that specific lot. On these subject properties, everything around this tower is very low. They have not shown undue hardship. Cost or inconvenience shall not be the reason for the variance. Economic negotiation is not a criterion in which to vary your code. I’ve been told by my clients with Verizon that their service is fine. This is not undue hardship. They can improve when they can meet standards of code. Height is still 3.5 times what is permitted in this area. I would ask if there is going to be a backup generator on this site. When that kicks on it is like a jackhammer. This will have security lights, will this be lit up high, it will generate noise pollution, red lights for airlines; the electromagnetic radiation have everyone concerned. This is on a site adjacent to my client. Staff acknowledges that there are other sites. Lower sites in multiple locations. If there is an alternative, a variance is not appropriate and economics are not a reason to grant a variance. What other alternatives has the Applicant tried? Stealthing? Monopine? If the Commission is predisposed to granting this, conditions could change to fit well into approval. Harmony with the neighborhood; this is industrial looking close to historic transition zone. There are flag pole configurations that can do the same thing for stealthing and less like a tower. Consider the visitors to this resort area and you should be mindful of that. The satellite earth station policies would require a much higher level of stealthing. If the Commission is going to consider this, we would request strict language about removal with no extensions. In addition, the policy regarding temporary structures; a bond is stated as a requirement for approval and additionally that there be no generations on site. (Mr. Neubecker: It seems like we are going to get most of the public saying the same thing; let’s do a show of hands to see if anyone would approve it, or etc. Would rather not spend another hour taking comment that is all the same. I can see where this is heading.)

Monique Melhauser, 81 Deep Powder Circle:

My husband and I along with our neighbors oppose this tower. Here are 8 additional letters from neighbors. Some may have been sent already, and here are some more sent today. We have the same concerns: the height variance; the existing building is currently 25 feet and the 42.6 feet is much higher and clearly visible. There are homes directly behind it. We ask you to think about the place you call home in Summit; would you allow such in your neighborhood? Would you be concerned with the precedent set with this decision? I am a Verizon customer and have never had any service issues.

Michael Rob, Larkin Management for owners at 517 and 515 South French street and for myself:

My client's lots look directly down on that old lodge and onto that tower. We rent these out to short term renters who come back every year and that they would be very disappointed. If we do this for Verizon, AT&T and all of the other phone companies will be able to do it. It is not acceptable in this area.

Shawna Weinstein, 111 Shadow Mountain:

We are directly behind proposed site; as it is now at 26 feet, you can see the roof line of the lodge; we could obviously see the tower. We have 2 small children who would pass that tower on a daily basis without any set information on what the exposure would be to that. Our deck looks at that mountain and the tower site and we do rent it out, and this would affect that. It would affect our selling our home in the future if it stays there; it puts a cloud on why we bought this home.

Dennis Kraft, 84 Powder Circle:

There is a variance issue; undue hardship is not met; no other viable economic alternatives; I don't believe that. I believe that there are other options; no negative aesthetic affects, this is surrounded by three subdivisions.

Jeff Klaus, 107 Shadow Mountain:

I am President of Ski Village Resorts; we manage 105 properties in town. I have letters from two owners, which are within the 100-200 feet zone around this proposed tower: Kirk Mallense at 512 South Ridge Street, and Doctor James Hauer. My bedroom window will be within 150 feet range from this tower along with my 15 month daughter. I don't want to expose her to this tower.

Jeanie Gurten 132 Powder Ridge:

I agree with the opposition; we really think that there are alternative sites to this.

Linda Kraft, 84 Deep Powder Circle:

People say to me, why do you want to live in Breckenridge where the Town codes are so strict? That's why. You do a great job of upholding the code. I would hate for you to start a precedent of not upholding the code.

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

Commissioner Final Comments:

Mr. Pringle: There were no negative points associated the height; why? (Mr. Neubecker: I think the code is not written for this, and does not work well for temporary uses. Many policies are not applicable.)

Mr. Schroder: Page 43 under Staff recommendation; we have been asked to consider what information could we give to the Applicant to make it work? (Mr. Neubecker: If it's the height, Applicant can try to address it; they could consider multiple locations, if we can get feedback, please give it. This gives the Applicant a chance to go one way or another.)

Mr. Mamula: Historically I was on Council when the COW (Cell on Wheels) came through; people came and supported it were AT&T customers; in the end the people that were affected, it was detrimental to the people around that site. I don't think that there has been enough proof that this site is better than another site. This one is taller; no proof that it will be quieter; the Council was strong armed

into an extension so it is what we are worried about. I would deny this based on the language ‘may’ rather than ‘shall’; it says in the code that the word shall is mandatory and may is permissive. If we have to move onto the various criteria, this doesn’t meet any of the four points of the criteria. Anybody should be able to build anything at any time because no one caused the problems with their lots, etc. You can bring more information or find a better location not so near residential. I know that there are too many people that this will affect. I don’t hear an outcry that this will do anything for our community.

Ms. Christopher: I’m going to echo that; if it were a 3 ½ stories in a 3 ½ story neighborhood, but you still have the noise and danger that neighbors are concerned about. We need to try and cater to people here and place industrial type structures out of site.

Mr. Butler: If this had been a few other places in mind, I would have felt better. I keep going back to the negotiation part; it’s not going to make a lot of people happy. The answer is a permanent tower, and it’s going to cause a lot of trouble. Not much undue hardship. I am against it.

Mr. Schroder: Temporary structure are not designed for commercial and height; variance criteria, and general harmony, and on that note I will not be able to support a variance.

Mr. Lamb: This is clearly commercial; it doesn’t qualify for A or for B; I don’t know what would work but there are way too many people affected; we don’t know the affects of radio frequency. I would be hesitant to live there. The Harris Street tower for AT&T was put in my neighborhood; the people that I spoke with said that it was a disaster; it was loud, ugly, there too long, and I thought that that was the last one we would see. This might work somewhere else, but this is clearly not the place for it.

Mr. Pringle: I don’t believe that the temporary structure policy is good to use for this application; you can’t use any of the bulleted items with it. The other criteria within the code talks about replacing a permanent structure with a temporary one which doesn’t fit, it’s a stretch of use. I am less driven by the ‘not in my neighborhood’ but we have to look at this as code. I have the question as to whether or not this is utility or business. I am coming down to the fact that this is a business. We shouldn’t be granting variances to improve their business. It’s not an undue hardship. I don’t think it meets any variance criteria and the best thing would be to work somewhere else. I am not in favor of the variance. And maybe we need a code change.

Ms. Dudney: I agree with all of my fellow Commissioners. I don’t think anyone has a right to a variance. The people have a right to depend on consistent adherence to the code. If anyone requests a variance, I am going to place heavy weight on that.

Mr. Mamula made a motion to deny the Verizon Wireless Temporary Communications Facility, PC#2012079, 600 South Ridge Street, for failing to meet the variance criteria. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

Commissioners stated that the Applicants could come back with a different location with same design. The Applicants said that this is what they would like to do. Mr. Neubecker clarified that they need to submit a new application on a new location.

OTHER MATTERS:

The Field trip to Steamboat Springs is scheduled for October 17, 2012. We aim to depart at 7am from Breckenridge. Meet with Planning Staff, and Steamboat Springs Ski and Resort Corporation staff.

ADJOURNMENT:

The meeting was adjourned at 8:30 p.m.

Dan Schroder, Chair



Project Name/PC#:	Lot 12, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage	Class C Major - PC#2012081
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Project Manager: Michael Mosher
Date: October 8, 2012 For the October 16, 2012 Planning Commission Meeting
Applicant/Owner: Poplar Wellington Inc.
Agent: Traditional Neighborhood Builders, Inc.
Proposed Use: Small Lot Single Family Home with Garage
Model: Aspen
Address: 6 Logan Road
Legal Description: Lot 12, Block 9, Wellington Neighborhood 2, Filing 5
Site Area: 3,510 sq. ft. 0.08 acres
Land Use District (2A/2R): 16 - Residential/Commercial per Wellington Neighborhood Master Plan
Existing Site Conditions: The site is relatively flat, with a slope down from east to west of about 6%. The lot has been previously graded, with no significant vegetation.

Density and Mass (3A/3R and 4R):

Density (3A/3R): Allowed: 2,250 sq. ft. Proposed: 1,180 sq. ft.
Mass (4R): Allowed: 2,700 sq. ft. Proposed: 1,664 sq. ft.
F.A.R.: 1:2.11 FAR

Areas:

Main Level SF: 650 sq. ft.
Upper Level SF: 530 sq. ft.
Bonus Room SF:
Carriage House SF: (Market Rate Only)
Garage SF: 484 sq. ft.

Counts:

Bedrooms: 2
Bathrooms: 1.5
1 BR Carriage House: NO (Market Rate Only)

Height (6A/6R):

35-Foot Max 26.5 feet overall

Lot Coverage/Open Space (21R):

Building / non-Permeable: 1,699 sq. ft. 48.40%
Hard Surface / non-Permeable: 186 sq. ft. 5.30%
Open Space / Permeable: 1,625 sq. ft. 46.30%

Parking (18A/18/R):

Required: 2 spaces
Proposed: 2 spaces

Snowstack (13A/13R):

Required: 30 sq. ft. (25% of paved surfaces)
Proposed: 54 sq. ft. (29.03% of paved surfaces)

Setbacks (9A/9R):

Front: 6 ft.
Side: 4 ft.
Side: 10 ft.
Rear: 7 ft.

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

The proposed home is the same as other Aspen models approved in this subdivision. The design of the home is compatible with other homes in this subdivision, and meets the requirements of the Wellington Neighborhood Master Plan.

Exterior Materials:	Hardboard siding with 5" reveal in "Woodlet" and "Briney Deep", hardboard window trim in "Burbury beige", 2x6 cedar window header trim.
Roof:	Asphalt "Heather Blend" shingles
Garage Doors:	Textured Metal - Painted to match house

Landscaping (22A/22R):

No landscaping is proposed with this application. The landscaping was reviewed with the subdivision.

Drainage (27A/27R):

Positive drainage is proposed away from the home.

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

All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Action:

Staff has approved the Single Family Home and Garage located at 6 Logan Road, Lot 12, Block 9, Wellington Phase 2, Filing 5 with standard findings and conditions.

Comments: None

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

Lot 12, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage
Lot 12, Block 9, Wellington Neighborhood 2, Filing 5
6 Logan Road
PC#2012081

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 **October 8, 2012**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2012** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **April 22, 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 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

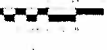
9. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
10. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
11. Applicant shall 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. 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.
13. 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.
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 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

16. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
17. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
18. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
19. 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.
20. Applicant shall screen all utilities.

21. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
22. 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.
23. 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.
24. 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.**
25. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
26. 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.***

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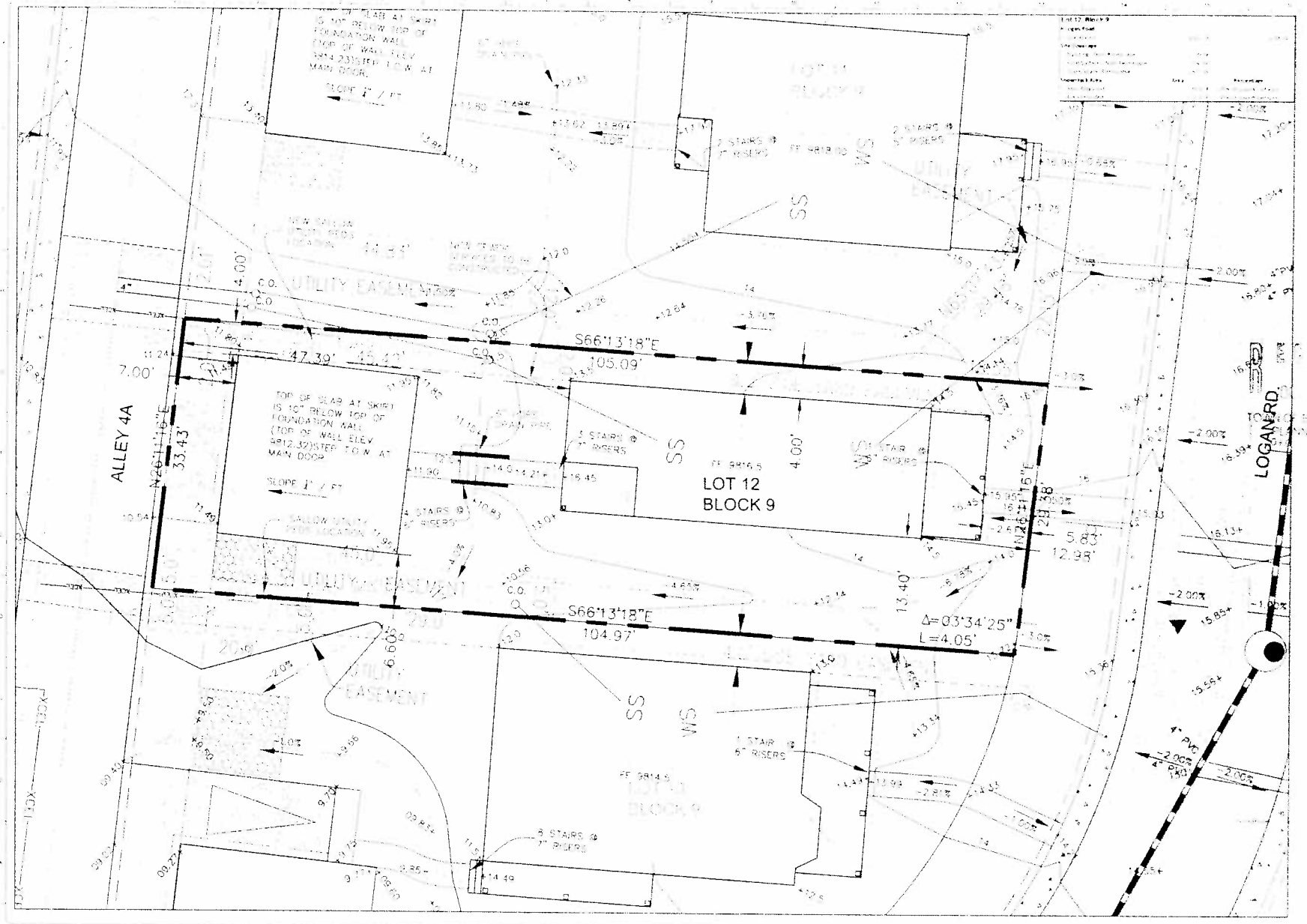
11/20/17

11/13/2017

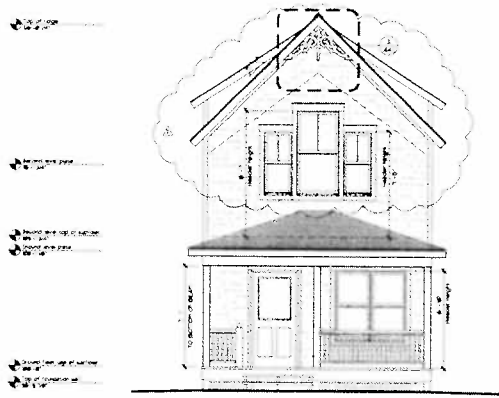
WELLINGTON 2, FILING 5
LOT 12, BLOCK 9 CLASS C PLAN

WELLINGTON 2, FILING 5
LOT 12, BLOCK 9 CLASS C PLAN

L12-B9-1

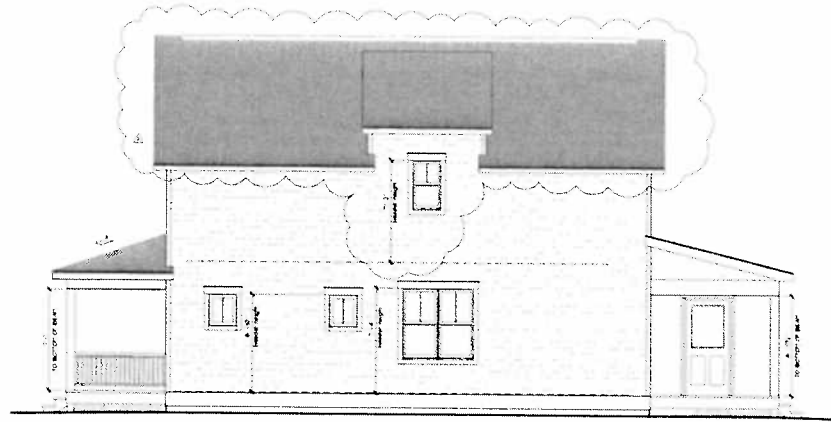


Lot 12, Block 9, 6 Logan, Aspen



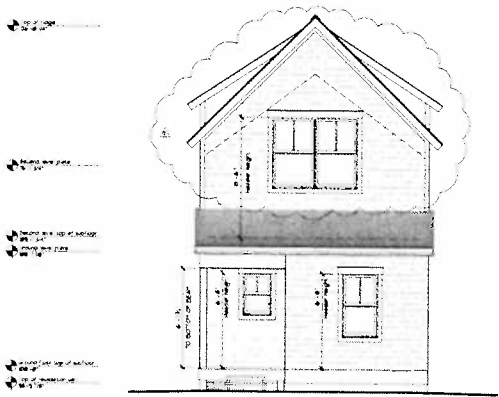
FRONT ELEVATION

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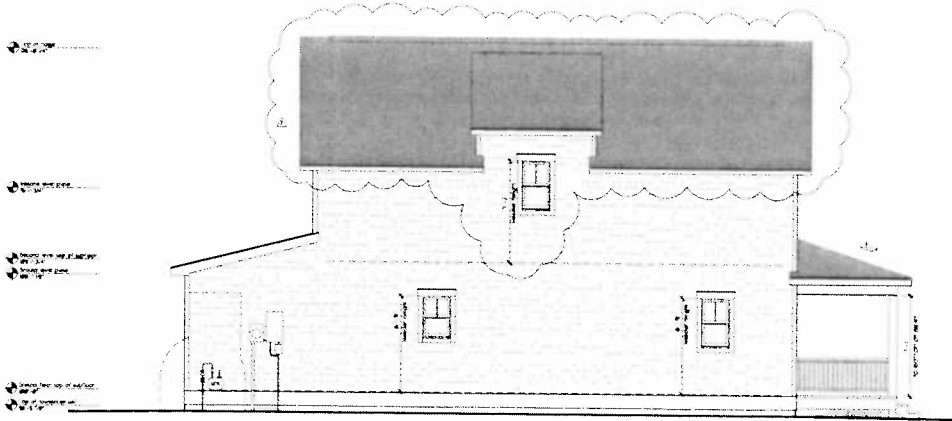
RIGHT SIDE ELEVATION

Scale: 1/4"=1' (24"x 36" sheet) or 1/8"=1' (11"x 17" sheet)



REAR ELEVATION

Scale: 1/4"=1' (24"x 36" sheet) or 1/8"=1' (11"x 17" sheet)



LEFT SIDE ELEVATION

Scale: 1/4"=1' (24"x 36" sheet) or 1/8"=1' (11"x 17" sheet)

**WOLFF • LYON
ARCHITECTS**

• WELLINGTON •
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

CLIENT:
CONTRACTING FIRM:
PROJECT NO. 10000
ARCHITECT:
WOLFF • LYON ARCHITECTS
1000 1ST ST. N.
BRECKENRIDGE, CO 80424
TEL: 970.463.1000
FAX: 970.463.1001
RESULTS: REAL ENGINEER
WOLFF & LYON ARCHITECTS
1000 1ST ST. N. SUITE 100
BRECKENRIDGE, CO 80424
TEL: 970.463.1000
FAX: 970.463.1001



ASPEN
♦ WELLINGTON ♦
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

DATE	DESCRIPTION
03.07.11	CONSTRUCTION SET
04.07.11	REVISED CONST SET
05.22.11	REVISED CONST SET

DATE	REVISIONS
09.16.11	REVISIONS

DRAWN BY:
PROJECT NO:
ELEVATIONS
A2.1

Lot 12, Block 9, G Logan, Aspen



Project Name/PC#:	Lot 13, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage	Class C Major - PC#2012082
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Project Manager: Michael Mosher
Date: October 8, 2012 For the October 16, 2012 Planning Commission Meeting
Applicant/Owner: Poplar Wellington Inc.
Agent: Traditional Neighborhood Builders, Inc.
Proposed Use: Small Lot Single Family Home with Garage
Model: Hawthorne
Address: 18 Logan Road
Legal Description: Lot 13, Block 9, Wellington Neighborhood 2, Filing 5
Site Area: 5,262 sq. ft. 0.12 acres
Land Use District (2A/2R): 16 - Residential/Commercial per Wellington Neighborhood Master Plan
Existing Site Conditions: The site is relatively flat, with a slope down from east to west of about 6%. The lot has been previously graded, with no significant vegetation.

Density and Mass (3A/3R and 4R):

Density (3A/3R): Allowed: 2,250 sq. ft. Proposed: 1,665 sq. ft.
Mass (4R): Allowed: 2,700 sq. ft. Proposed: 2,149 sq. ft.
F.A.R.: 1:2.45 FAR

Areas:

Main Level SF: 1,012 sq. ft.
Upper Level SF: 653 sq. ft.
Bonus Room SF:
Carriage House SF: (Market Rate Only)
Garage SF: 484 sq. ft.

Counts:

Bedrooms: 3
Bathrooms: 2
1 BR Carriage House: NO (Market Rate Only)

Height (6A/6R):

35-Foot Max 25.0 feet overall

Lot Coverage/Open Space (21R):

Building / non-Permeable: 2,064 sq. ft. 39.22%
Hard Surface / non-Permeable: 446 sq. ft. 8.48%
Open Space / Permeable: 2,752 sq. ft. 52.30%

Parking (18A/18/R):

Required: 2 spaces
Proposed: 2 spaces

Snowstack (13A/13R):

Required: 92 sq. ft. (25% of paved surfaces)
Proposed: 124 sq. ft. (27.80% of paved surfaces)

Setbacks (9A/9R):

Front: 5 ft.
Side: 4 ft.
Side: 2 ft.
Rear: 7 ft.

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

The proposed home is the same as other Hawthorne models approved in this subdivision. The design of the home is compatible with other homes in this subdivision, and meets the requirements of the Wellington Neighborhood Master Plan.

Exterior Materials:

Hardboard siding with 5" reveal in "Stucco Greige" and "Elm Court", hardboard window trim in "Burbury beige", 2x6 cedar window header trim.

Roof:

Asphalt "Driftwood" shingles

Garage Doors:

Textured Metal - Painted to match house

Landscaping (22A/22R):

No landscaping is proposed with this application. The landscaping was reviewed with the subdivision.

Drainage (27A/27R):

Positive drainage is proposed away from the home.

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

All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Action:

Staff has approved the Single Family Home and Garage located at 18 Logan Road, Lot 13, Block 9, Wellington Phase 2, Filing 5 with standard findings and conditions.

Comments: None

Additional Conditions of Approval: None

TOWN OF BRECKENRIDGE

Lot 13, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage
Lot 13, Block 9, Wellington Neighborhood 2, Filing 5
18 Logan Road
PC#2012082

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 **October 8, 2012**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2012** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **April 23, 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 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

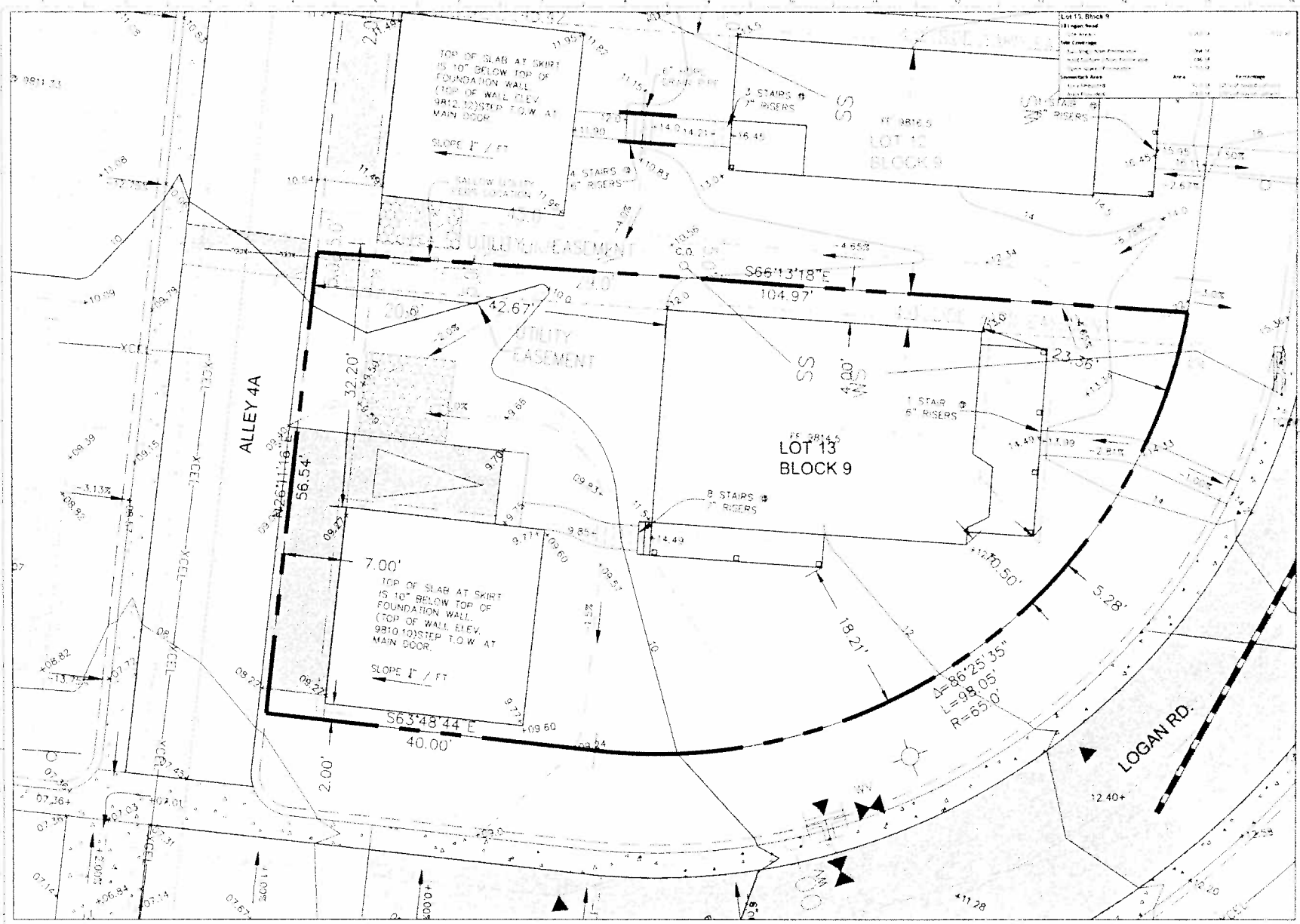
9. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
10. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
11. Applicant shall 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. 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.
13. 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.
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 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

16. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
17. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
18. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
19. 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.
20. Applicant shall screen all utilities.

21. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
22. 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.
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24. 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.**
25. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
26. 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.***

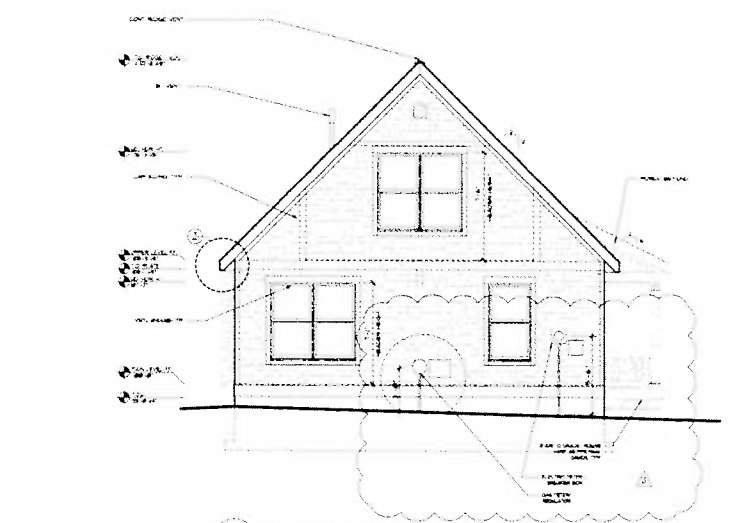
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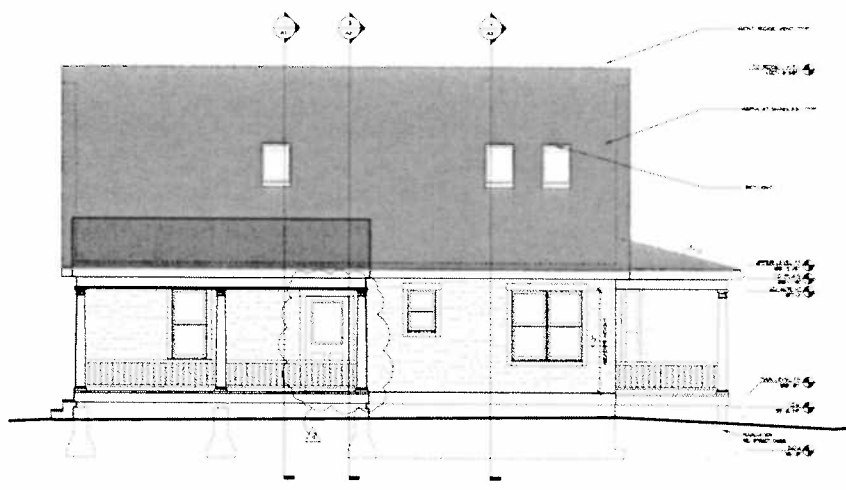
WELLINGTON 2, FILING 5
 LOT 13, BLOCK 9 CLASS C PLAN

L13-B9-1

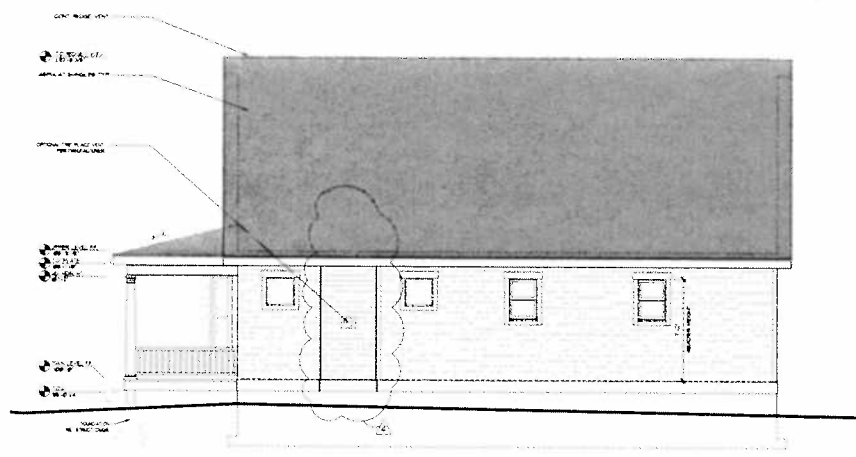
Lot 13, Block 9, 18 Logan, Hawthorne



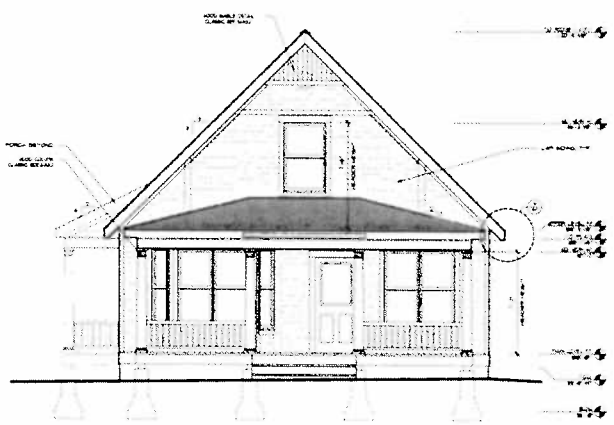
4 REAR ELEVATION (CLASSIC)
SCALE: 1/4" = 1'-0" (XIT 5/8" B. & 1/2")



3 LEFT SIDE ELEVATION (CLASSIC)
SCALE: 1/4" = 1'-0" (XIT 5/8" B. & 1/2")



2 RIGHT SIDE ELEVATION (CLASSIC)
SCALE: 1/4" = 1'-0" (XIT 5/8" B. & 1/2")



1 FRONT ELEVATION (CLASSIC)
SCALE: 1/4" = 1'-0" (XIT 5/8" B. & 1/2")

WOLFF • LYON
ARCHITECTS

• WELLINGTON •
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

CLIENT:
ARCHITECT:
DATE:



HAWTHORNE
• WELLINGTON •
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

DATE	DESCRIPTION
08.01.08	PROJECT SET
08.02.08	CONSTRUCTION SET
08.09.08	REVISION
08.09.08	REVISION
11.11.08	REVISION
08.28.11	REVISION

DRAWN BY:
PROJECT BY:

BUILDING ELEVATIONS

A2.1

Lot 13, Block 9, 18 Logan, Hawthorne

WOLFF • LYON
ARCHITECTS

WELLINGTON
NEIGHBORHOOD
(DICK KENNEDY COURTYARD)

CLIENT
 1001 BROADWAY
 10TH FLOOR
 NEW YORK, NY 10018

ARCHITECT
 1001 BROADWAY
 10TH FLOOR
 NEW YORK, NY 10018

DATE
 10/18/18

SCALE
 1/8" = 1'-0"

WELLINGTON NEIGHBORHOOD
Two Car Garage

DATE
 10/18/18

SCALE
 1/8" = 1'-0"

PROJECT NO.
 1001 BROADWAY

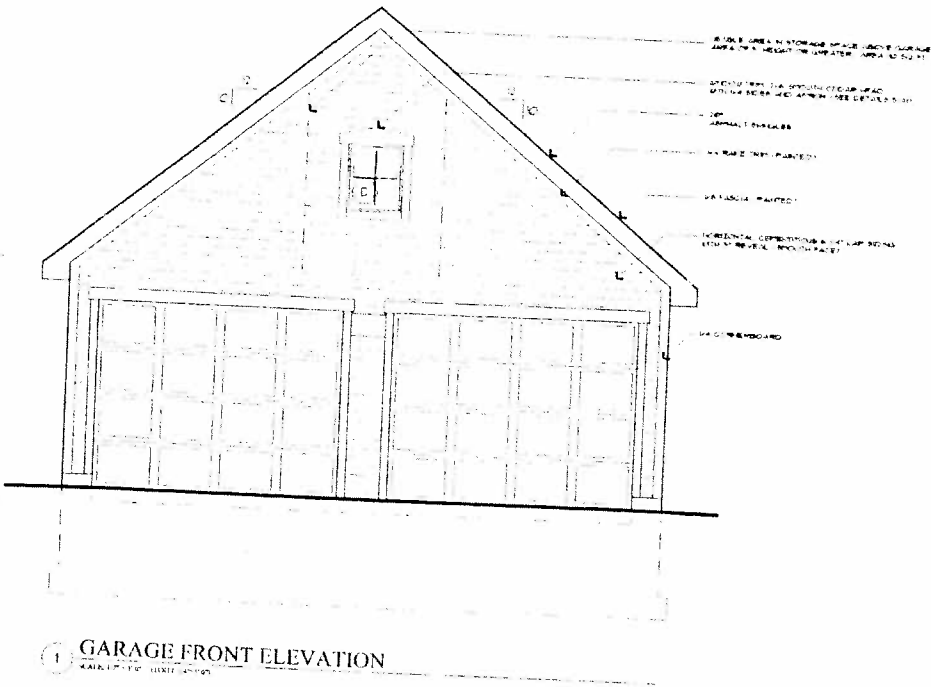
ELEVATIONS
A2

FLUTE NO. 15441
1001 BROADWAY

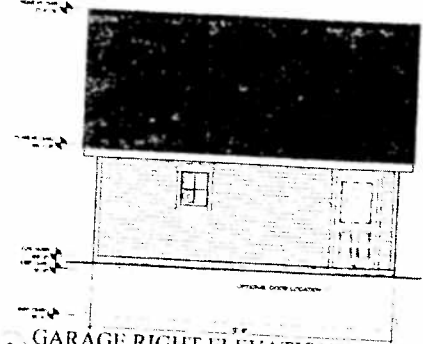
FLUTE NO. 15441
1001 BROADWAY

FLUTE NO. 15441
1001 BROADWAY

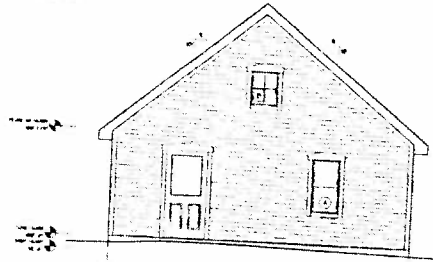
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1001 BROADWAY



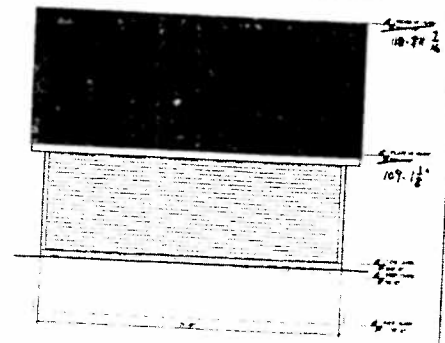
1 GARAGE FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 GARAGE RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



3 GARAGE REAR ELEVATION
SCALE: 1/8" = 1'-0"



4 GARAGE LEFT ELEVATION
SCALE: 1/8" = 1'-0"

Lot 13, Block 9, 18 Logan, Hawthorne



Project Name/PC#:	Lot 19, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage	Class C Major - PC#2012083
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Project Manager: Michael Mosher
Date: October 8, 2012 For the October 16, 2012 Planning Commission Meeting
Applicant/Owner: Poplar Wellington Inc.
Agent: Traditional Neighborhood Builders, Inc.
Proposed Use: Small Lot Single Family Home with Garage
Model: Ponderosa
Address: 15 Logan Road
Legal Description: Lot 19, Block 9, Wellington Neighborhood 2, Filing 5
Site Area: 5,018 sq. ft. 0.12 acres
Land Use District (2A/2R): 16 - Residential/Commercial per Wellington Neighborhood Master Plan
Existing Site Conditions: The site is relatively flat, with a slope down from east to west of about 6%. The lot has been previously graded, with no significant vegetation.

Density and Mass (3A/3R and 4R):

Density (3A/3R): Allowed: 2,250 sq. ft. Proposed: 1,968 sq. ft.
Mass (4R): Allowed: 2,700 sq. ft. Proposed: 2,452 sq. ft.
F.A.R.: 1:2.05 FAR

Areas:

Main Level SF: 1,310 sq. ft.
Upper Level SF: 658 sq. ft.
Bonus Room SF:
Carriage House SF: (Market Rate Only)
Garage SF: 484 sq. ft.

Counts:

Bedrooms: 3
Bathrooms: 3
1 BR Carriage House: NO (Market Rate Only)

Height (6A/6R):

35-Foot Max 24.0 feet overall

Lot Coverage/Open Space (21R):

Building / non-Permeable: 2,579 sq. ft. 51.39%
Hard Surface / non-Permeable: 479 sq. ft. 9.55%
Open Space / Permeable: 1,960 sq. ft. 39.06%

Parking (18A/18/R):

Required: 2 spaces
Proposed: 2 spaces

Snowstack (13A/13R):

Required: 92 sq. ft. (25% of paved surfaces)
Proposed: 125 sq. ft. (26.10% of paved surfaces)

Setbacks (9A/9R):

Front: 6 ft.
Side: 4 ft.
Side: 7 ft.
Rear: 7 ft.

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

The proposed home is the same as other Ponderosa models approved in this subdivision. The design of the home is compatible with other homes in this subdivision, and meets the requirements of the Wellington Neighborhood Master Plan.

Exterior Materials:	Hardboard siding with 5" reveal in "Stucco Greige" and "Thunder Grey", hardboard window trim in "Burbury beige", 2x6 cedar window header trim.
Roof:	Asphalt "Estate Grey" shingles
Garage Doors:	Textured Metal - Painted to match house

Landscaping (22A/22R):

No landscaping is proposed with this application. The landscaping was reviewed with the subdivision.

Drainage (27A/27R):

Positive drainage is proposed away from the home.

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

All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Action:

Staff has approved the Single Family Home and Garage located at 15 Logan Road, Lot 19, Block 9, Wellington Phase 2, Filing 5 with standard findings and conditions.

Comments: None

Additional Conditions of Approval: None

TOWN OF BRECKENRIDGE

Lot 19, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage
Lot 19, Block 9, Wellington Neighborhood 2, Filing 5
15 Logan Road
PC#2012083

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 **October 8, 2012**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2012** 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.
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6. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.

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

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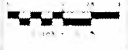
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17. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
18. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
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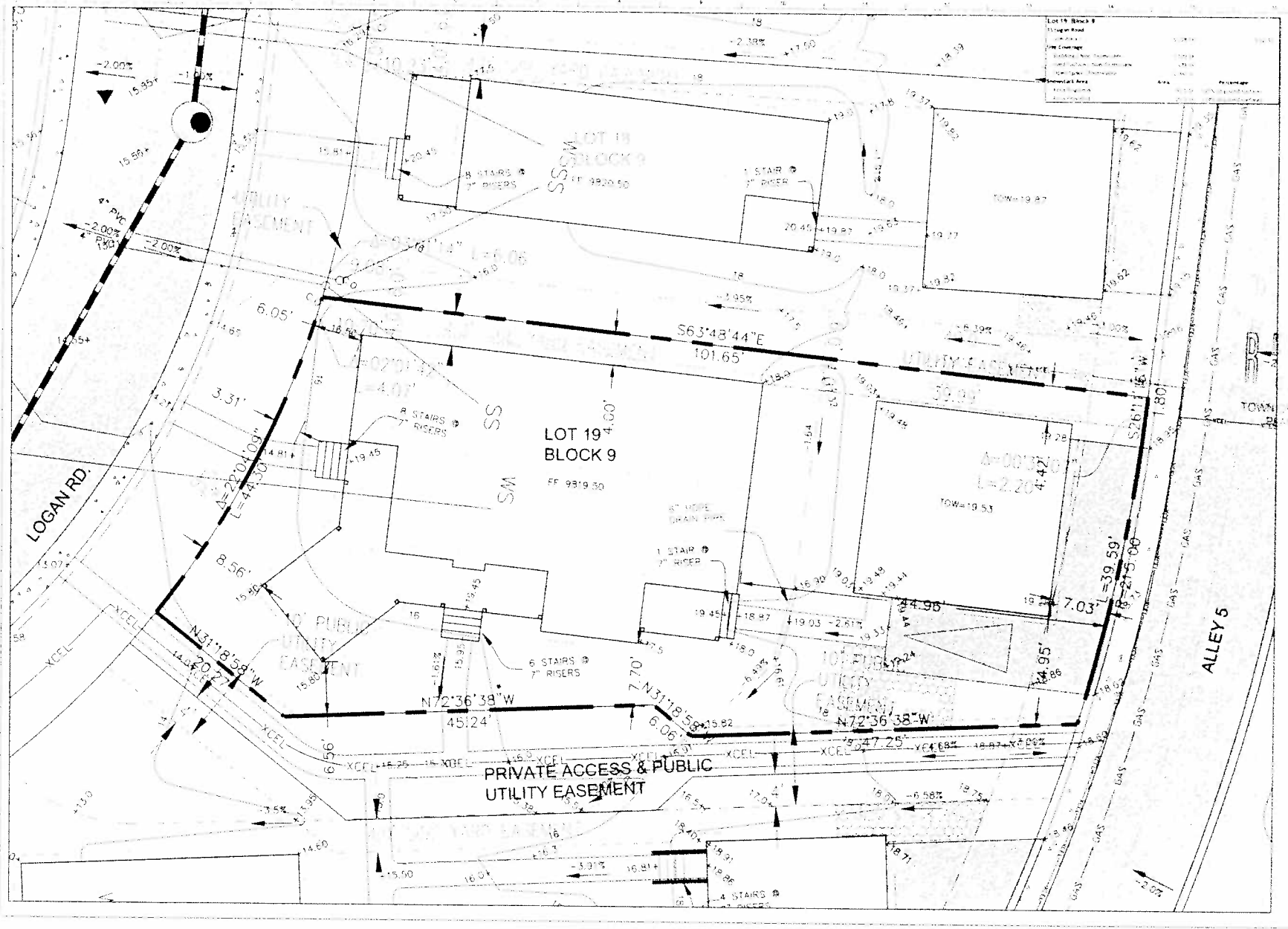
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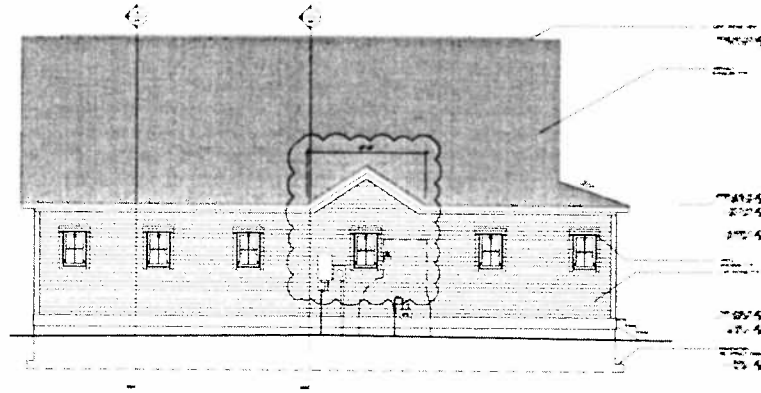
DATE: 08/11/2015
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 PROJECT: WELLINGTON 2, FILING 5
 SHEET: LOT 19, BLOCK 9 CLASS C PLAN

WELLINGTON 2, FILING 5
 LOT 19, BLOCK 9 CLASS C PLAN

L19-B9-1



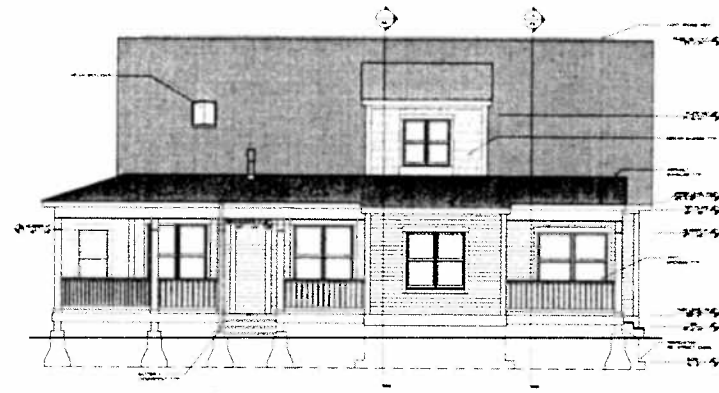
Lot 19, Block 9, 15 Logan, Ponderosa



1 SIDE ELEVATION
SCALE 1/4" = 1'-0" (NOT SHOWN)



3 FRONT ELEVATION
SCALE 1/4" = 1'-0" (NOT SHOWN)



2 SIDE ELEVATION
SCALE 1/4" = 1'-0" (NOT SHOWN)



4 REAR ELEVATION
SCALE 1/4" = 1'-0" (NOT SHOWN)

WOLFF + LYON
ARCHITECTS

WELLINGTON
NEIGHBORHOOD



PONDEROSA

WELLINGTON
NEIGHBORHOOD

ELEVATIONS

A2.1

Lot 19, Block 9, 15 Logan, Ponderosa

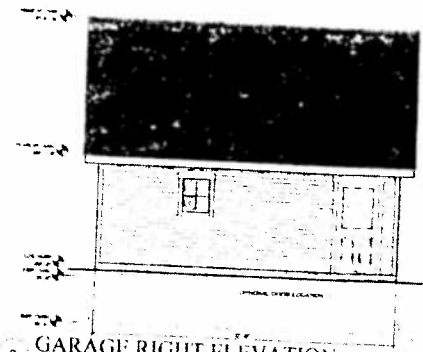
WOLFF • LYON
ARCHITECTS

WELLINGTON
NEIGHBORHOOD

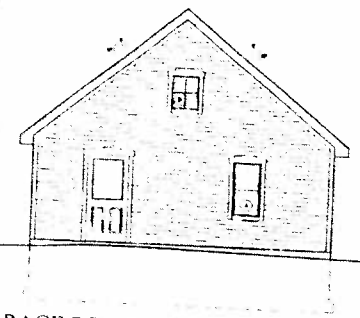
DATE: REVISIONS: (DATE) (BY)
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PROJECT CITY/STATE/ZIP:
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PROJECT FAX:
PROJECT EMAIL:
ARCHITECT:
DATE: (DATE) (BY)

WELLINGTON NEIGHBORHOOD
Two Car Garage

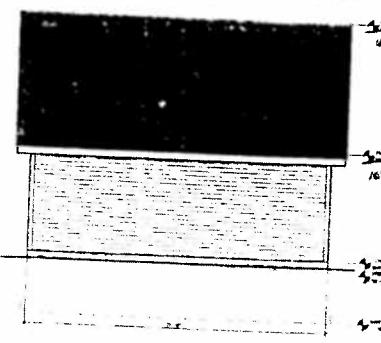
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PROJECT CITY/STATE/ZIP:
PROJECT PHONE:
PROJECT FAX:
PROJECT EMAIL:
ARCHITECT:
DATE: (DATE) (BY)
ELEVATIONS
A2



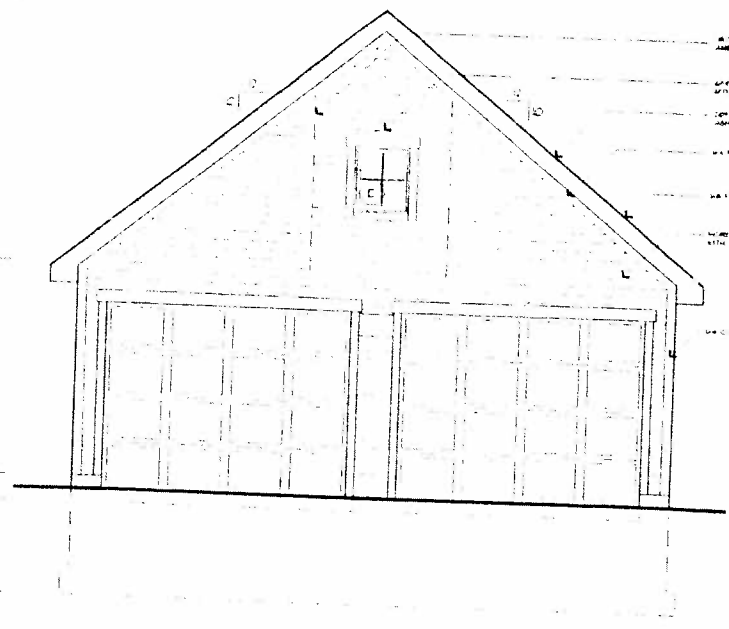
2 GARAGE RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



3 GARAGE REAR ELEVATION
SCALE: 1/8" = 1'-0"



4 GARAGE LEFT ELEVATION
SCALE: 1/8" = 1'-0"



1 GARAGE FRONT ELEVATION
SCALE: 1/8" = 1'-0"

1. DOUBLE AREA FOR STORAGE SPACE UNDER GARAGE
AREA TO BE REMOVED TO CLEAR AREA AS SHOWN
2. GUTTERING TO BE INSTALLED AT ROOF LINE
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4. DOWN
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Lot 19, Block 9, 15 Logan, Ponderosa



Project Name/PC#:	Lot 21, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage	Class C Major - PC#2012085
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Project Manager: Michael Mosher
Date: October 8, 2012 For the October 16, 2012 Planning Commission Meeting
Applicant/Owner: Poplar Wellington Inc.
Agent: Traditional Neighborhood Builders, Inc.
Proposed Use: Small Lot Single Family Home with Garage
Model: Aspen
Address: 12 Paradise Green
Legal Description: Lot 21, Block 9, Wellington Neighborhood 2, Filing 5
Site Area: 3,500 sq. ft. 0.08 acres
Land Use District (2A/2R): 16 - Residential/Commercial per Wellington Neighborhood Master Plan
Existing Site Conditions: The site is relatively flat, with a slope down from east to west of about 6%. The lot has been previously graded, with no significant vegetation.

Density and Mass (3A/3R and 4R):

Density (3A/3R): Allowed: 2,250 sq. ft. Proposed: 1,180 sq. ft.
Mass (4R): Allowed: 2,700 sq. ft. Proposed: 1,664 sq. ft.
F.A.R.: 1:2.10 FAR

Areas:

Main Level SF: 650 sq. ft.
Upper Level SF: 530 sq. ft.
Bonus Room SF:
Carriage House SF: (Market Rate Only)
Garage SF: 484 sq. ft.

Counts:

Bedrooms: 2
Bathrooms: 1.5
1 BR Carriage House: NO (Market Rate Only)

Height (6A/6R):

35-Foot Max 26.5 feet overall

Lot Coverage/Open Space (21R):

Building / non-Permeable: 1,699 sq. ft. 48.54%
Hard Surface / non-Permeable: 186 sq. ft. 5.31%
Open Space / Permeable: 1,615 sq. ft. 46.14%

Parking (18A/18/R):

Required: 2 spaces
Proposed: 2 spaces

Snowstack (13A/13R):

Required: 30 sq. ft. (25% of paved surfaces)
Proposed: 54 sq. ft. (29.03% of paved surfaces)

Setbacks (9A/9R):

Front: 6 ft.
Side: 4 ft.
Side: 10 ft.
Rear: 7 ft.

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

The proposed home is the same as other Aspen models approved in this subdivision. The design of the home is compatible with other homes in this subdivision, and meets the requirements of the Wellington Neighborhood Master Plan.

Exterior Materials:	Hardboard siding with 5" reveal in "Woodlet" and "Briney Deep", hardboard window trim in "Burbury beige", 2x6 cedar window header trim.
Roof:	Asphalt "Heather Blend" shingles
Garage Doors:	Textured Metal - Painted to match house

Landscaping (22A/22R):

No landscaping is proposed with this application. The landscaping was reviewed with the subdivision.

Drainage (27A/27R):

Positive drainage is proposed away from the home.

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

All applicable Master Plan policies have been met with this application. Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Action:

Staff has approved the Single Family Home and Garage located at 12 Paradise Green, Lot 21, Block 9, Wellington Phase 2, Filing 5 with standard findings and conditions.

Comments: None

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

Lot 21, Block 9, Wellington Neighborhood, Filing 2, Single Family Home with Garage
Lot 21, Block 9, Wellington Neighborhood 2, Filing 5
21 Paradise Green
PC#2012085

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.
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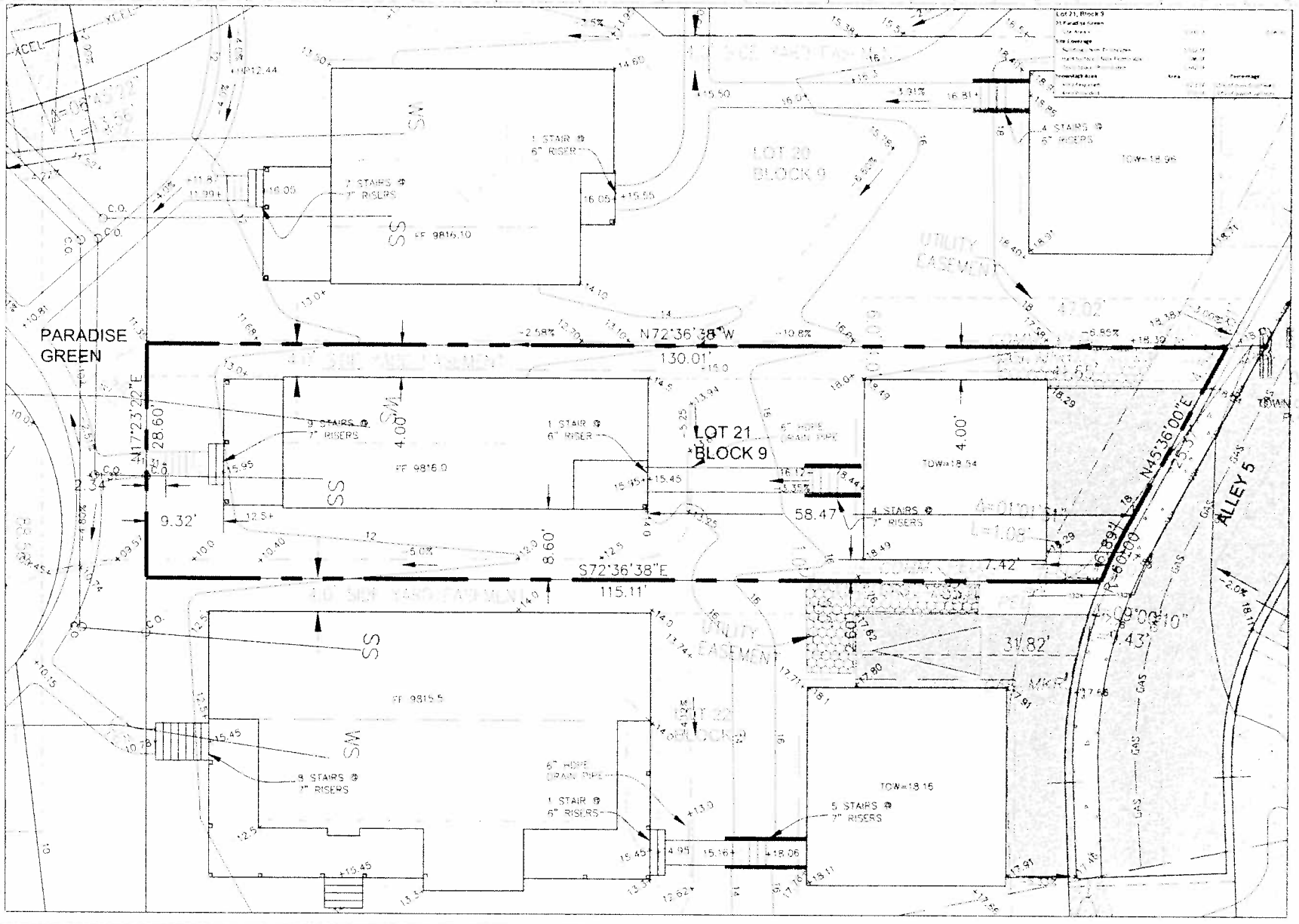
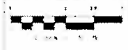
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WELLINGTON 2, FILING 5
 LOT 21, BLOCK 9 CLASS C PLAN

L21-B9-1

Lot 21, Block 9, 21 Paradise, Aspen

• WELLINGTON •
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

DATE: 03.07.11
PROJECT: 21 PARADISE
SHEET: 40-
SCALE: 1/4"=1' (24" x 36" sheet) or 1/8"=1' (11" x 17" sheet)
DRAWN BY: J. WOLFF
CHECKED BY: M. LYON
PROJECT NO.: 21 PARADISE
SHEET NO.: 40-
DATE: 03.07.11

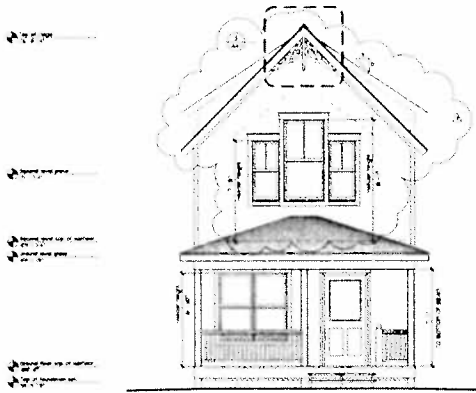


ASPEN
• WELLINGTON •
NEIGHBORHOOD
BRECKENRIDGE, COLORADO

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DRAWN BY: J. WOLFF
CHECKED BY: M. LYON
PROJECT NO.: 21 PARADISE
SHEET NO.: 40-
DATE: 03.07.11

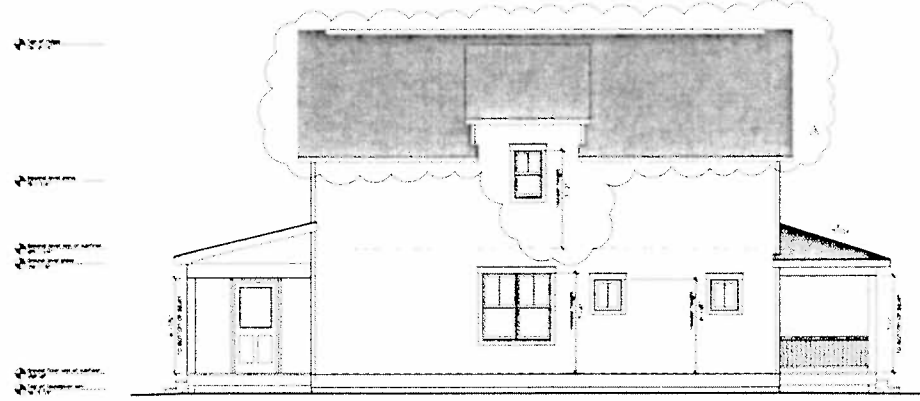
DATE: 09.16.11
PROJECT: 21 PARADISE
SHEET: 40-
SCALE: 1/4"=1' (24" x 36" sheet) or 1/8"=1' (11" x 17" sheet)
DRAWN BY: J. WOLFF
CHECKED BY: M. LYON
PROJECT NO.: 21 PARADISE
SHEET NO.: 40-
DATE: 09.16.11

ELEVATIONS
A2.1M



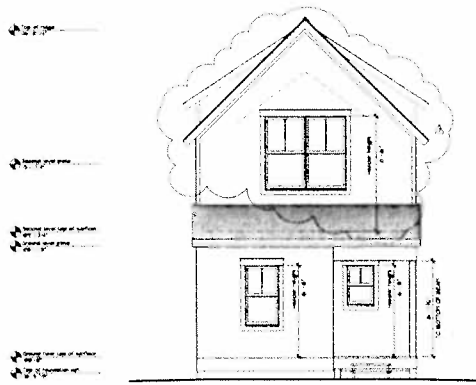
FRONT ELEVATION

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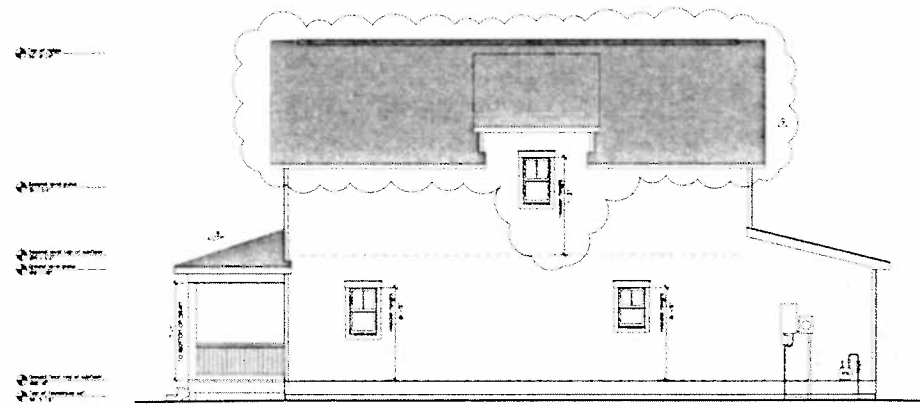
RIGHT SIDE ELEVATION

Scale: 1/4"=1' (24" x 36" sheet) or 1/8"=1' (11" x 17" sheet)



REAR ELEVATION

Scale: 1/4"=1' (24" x 36" sheet) or 1/8"=1' (11" x 17" sheet)



LEFT SIDE ELEVATION

Scale: 1/4"=1' (24" x 36" sheet) or 1/8"=1' (11" x 17" sheet)

Lot 21, Block 9, 21 Paradise, Aspen

WOLFF • LYON
ARCHITECTS

WELLINGTON
NEIGHBORHOOD
1071 KENNEDY, COLUMBUS

CLIENT
WELLINGTON NEIGHBORHOOD
1071 KENNEDY, COLUMBUS
ARCHITECT
WOLFF • LYON ARCHITECTS
1071 KENNEDY, COLUMBUS
STATE REGISTERED ENGINEER
WOLFF • LYON ARCHITECTS
1071 KENNEDY, COLUMBUS

WELLINGTON NEIGHBORHOOD
Two Car Garage

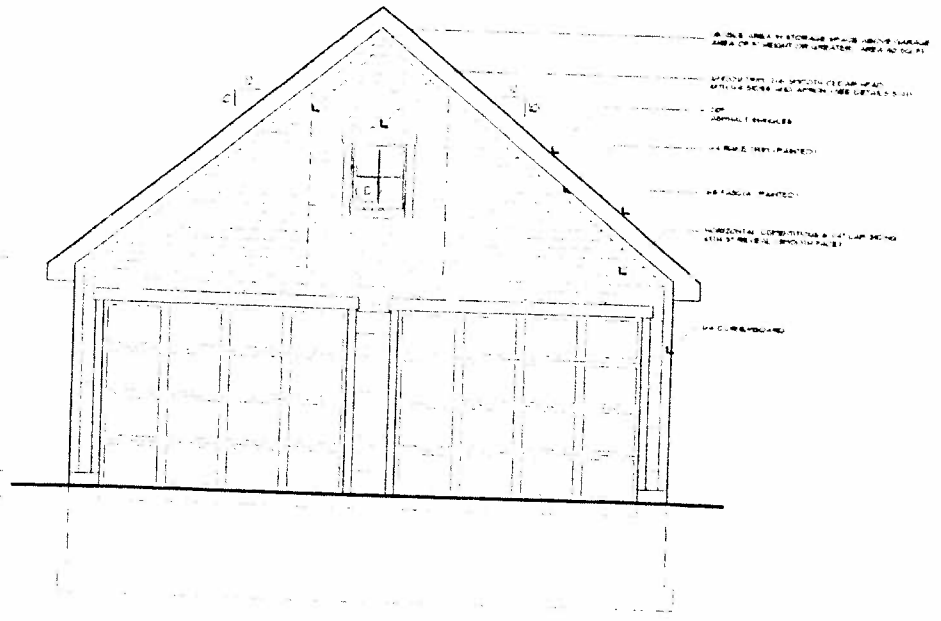
DATE DATED
DATE
REVISIONS
DATE
DRAWN BY
PROJECT NO.
ELEVATIONS
A2

HEIGHT 12'-0"
STEP 12'-0"

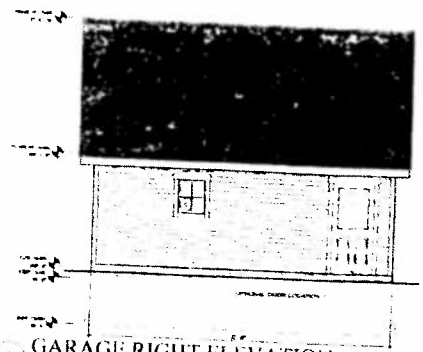
PLATE HEIGHT 12'-0"

TOP GARAGE DOOR STEP 12'-0"

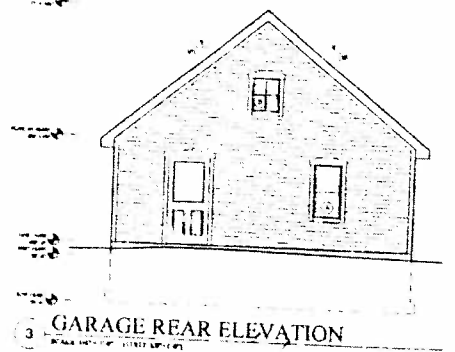
PLATE HEIGHT 12'-0"



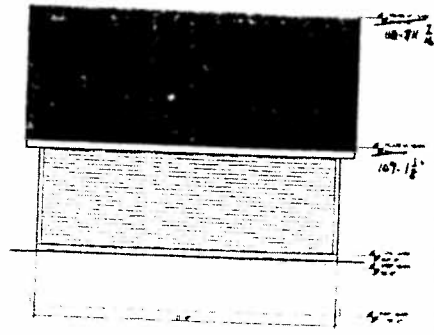
1 GARAGE FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 GARAGE RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



3 GARAGE REAR ELEVATION
SCALE: 1/8" = 1'-0"



4 GARAGE LEFT ELEVATION
SCALE: 1/8" = 1'-0"

Lot 21, Block 9, 21 Paradise, Aspen



Class C Development Review Check List

Project Name/PC#:	Corkscrew Lot 20	PC#2012089
Project Manager:	Matt Thompson, AICP	
Date of Report:	October 9, 2012	For the 10/16/2012 Planning Commission Meeting
Applicant/Owner:	Tom Begley	
Agent:	bhh Partners	
Proposed Use:	Single family residence	
Address:	339 Corkscrew Drive	
Legal Description:	Lot 20, Corkscrew Flats	
Site Area:	14,859 sq. ft.	0.34 acres
Land Use District (2A/2R):	14.2: Residential	
 Existing Site Conditions:	 The lot slopes gently downhill at 5% from the south towards the north. The site is covered in dredge rock with only a few trees. There are two 15' x 30' utility and drainage easements in the corners of the lot along Corkscrew Drive. A 25' trail easement crosses the northern corner of the lot, outside of the building envelope.	
 Density (3A/3R):	Allowed: 4,500 sq. ft.	Proposed: 3,589 sq. ft.
Mass (4R):	Allowed: 4,500 sq. ft.	Proposed: 4,495 sq. ft.
F.A.R.	1:3.30 FAR	
Areas:		
Lower Level:	1,474 sq. ft.	
Main Level:	1,731 sq. ft.	
Upper Level:	384 sq. ft.	
Garage:	906 sq. ft.	
Total:	4,495 sq. ft.	
 Bedrooms:	4	
Bathrooms:	4.5	
Height (6A/6R):	30 feet overall	
	(Max 35' for single family outside Historic District)	
 Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 3,527 sq. ft.	23.74%
	Hard Surface / non-Permeable: 2,176 sq. ft.	14.64%
	Open Space / Permeable: 9,156 sq. ft.	61.62%
 Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 3 spaces	
 Snowstack (13A/13R):		
	Required: 544 sq. ft.	(25% of paved surfaces)
	Proposed: 563 sq. ft.	(25.87% of paved surfaces)
 Fireplaces (30A/30R):	3 gas	
 Accessory Apartment:	N/A	
 Building/Disturbance Envelope?	Building envelope	

Setbacks (9A/9R):

Front: within building envelope
Side: within building envelope
Side: within building envelope
Rear: within building envelope

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

The residence will be architecturally compatible with the neighborhood.
Cedar shake siding, built up fascia, horizontal corrugated metal base siding, and a natural stone veneer.

Roof:

Composition shingle roof

Garage Doors:

2x trim with 1x vertical v-groove inlay (color to match siding)

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	5	(3) 6', (2) 10'
Aspen	11	(6) 2", (5) 3" caliper 50% multi-stem
Potentilla	6	5 gallon
Alpine Currant	6	5 gallon
Peking Cotoneaster	6	5 gallon

Drainage (27A/27R):

Positive away from residence

Driveway Slope:

5 %

Covenants:

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

Staff conducted an informal point analysis and found no reason to warrant positive or negative points. The proposal meets all Absolute and Relative Policies of the Development Code.

Staff Action:

Staff has approved Corkscrew Lot 20, PC#2012089, located at 339 Corkscrew Drive, with the standard Findings and Conditions.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Corkscrew Lot 20
Lot 20, Corkscrew Flats Subdivision Filing No. 3
339 Corkscrew Drive
PC#2012089**

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 **October 9, 2012**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2012**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **April 23, 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 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 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 and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
15. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
16. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
17. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
18. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

19. Applicant shall install construction fencing along the building envelope in a manner acceptable to the Town Planning Department.
20. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
21. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

22. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
23. 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.
24. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
25. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
26. Applicant shall paint all 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.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and

specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

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

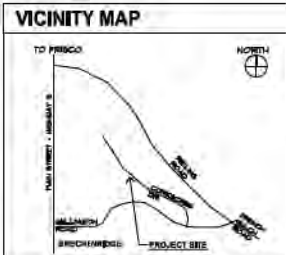
(Initial Here)

CORKSCREW FLATS

LOT 20

GENERAL NOTES

- 1) **CONTRACT**
All plans, drawings, and documents show in these drawings are the exclusive property of BHN Partners Planning & Architecture and shall not be used, modified, or reproduced for any purpose without the Architect's written permission.
- 2) **SCOPE**
This project is governed by the International Building Code (IBC) 2006 Edition as adopted by the Town of Breckenridge, Colorado. Code compliance is mandatory. The drawings and specifications shall not permit work that does not conform to these codes. The General Contractor and Subcontractors shall be responsible for verifying all applicable codes and obtaining all permits and required approvals. Building areas are shown for code purposes only and shall be maintained for any other purposes.
- 3) **FIELD VERIFICATION**
Verify all dimensions, conditions, and utility locations in the field prior to beginning any work or ordering any materials. Notify Architect of any conflicts or discrepancies in the drawing immediately.
- 4) **DIMENSIONS**
In those dimensions usage, take precedence over scaled dimensions. **DO NOT SCALE DIMENSIONS.** Verify all dimensions shown prior to beginning any work and verify accuracy of any utilities or obstructions for interpretation or confirmation. Prior dimensions shall be the basis of pricing, materials, time of onset, and/or any other project or work items otherwise noted. Section or elevation drawings are the base of dimensioning, not plan or site plan or other views of drawings noted.
- 5) **DISCREPANCIES**
The Owner has requested one architect to provide listed professional and engineering services. In the event additional work or drawings are needed by the Contractor for construction of any aspect of this project, he shall immediately notify the Architect. Failure to give timely notice shall relieve the Contractor of any responsibility. Do not proceed in areas of discrepancy until all such discrepancies have been fully resolved with the Architect prior to any work.
- 6) **DUTY OF COOPERATION**
Release of these plans constitutes further cooperation among the Owner, the Contractor, and the Architect. Design and construction are complete. Although the Architect and his Consultants have performed their services with due care and diligence, they cannot guarantee performance. Construction is imperfect, and every contractor cannot be anticipated. Any deficiency or discrepancy observed by the Owner in these plans shall be reported immediately to the Architect. Failure to notify the Architect compounds understanding and increases construction costs. A failure to cooperate by a contractor results in the Architect shall release the Architect from responsibility for all consequences.
- 7) **CHANGES TO THE WORK**
Any items described herein that appear project budget or that will be requested from the Contractor via a written change order must be requested prior to such work. Performance of such work without approval by change order includes General Contractor's acknowledgment of his increase in project cost or time. Changes from the plans or specifications include without consent of the Architect and Subcontractors and shall relieve the Architect of responsibility for any and all consequences resulting therefrom.
- 8) **NOTIFICATION**
If in the event and timing of these drawings that the Contractor and each Subcontractor should be notified, notify the Contractor, applicable equipment, etc. to obtain a complete job with the required schedule of the building.
- 9) **SUBSTITUTION**
Substitution of "equal" products will be acceptable with Architect's written approval. See specifications.
- 10) **CONSTRUCTION SAFETY**
These drawings do not include the necessary conditions for construction safety. The General Contractor shall provide for the safety, care of traffic and adjacent properties during construction, and shall comply with state and federal safety regulations.
- 11) **INDICATION PROCEDURES**
Use common sense in any situation, the Owner shall retain a utility engineer to inspect the subsurface conditions in order to determine the accuracy of foundation design. See specifications. CONTRACTOR SHALL NOT REMOVE OR COVER UP ANY APPROVED OR OBTAINED FROM SOILS ENGINEER.
- 12) **FIELD CUTTING OF STRUCTURAL MEMBERS**
The General Contractor and Subcontractors shall field conditions and obtain approval from the Engineer before any cutting, grinding or drilling of any structural concrete, steel, piping, or any other structural elements which may affect the structural integrity of the building. Notify the appropriate Code Enforcement, Building Department or other's jurisdiction, and structural changes for additional requirements.
- 13) **WEATHER CONDITIONS**
The Owner has been advised that due to harsh winter conditions, heat and each surface has not satisfied necessary heat set and time to ensure proper bonding with these materials. All roofing, flooring materials, and waterproofing shall be approved in writing by the Architect, manufacturer, and/or for installation and prior to proceeding with any work. Make sure to provide these materials with the necessary materials for the work from the Architect.
- 14) **BUILDING AREA**
Building areas are shown for code purposes only and shall be maintained for any other use.
- 15) **PROJECT STAKING**
The general contractor shall verify all existing grades and nature of building corners and utility location for Owner/Architect and the Town of Breckenridge approval prior to beginning any site clearing.
- 16) **SETBACKS**
It is the responsibility of the contractor to maintain the existing lines to maintain and adjust property line changes during construction. Provide protective fencing throughout construction.
- 17) **PROJECT GRADES**
The general contractor shall check and verify all grades including paved areas before prior to pouring any foundations. Survey lines should be verified in situ. See notes 8 and 9.
- 18) **EXTERNAL MATERIAL STOCK UP**
The General Contractor shall provide a stock up of all materials needed for the project by the General Contractor and the Architect. The stock up shall be provided and signed off in writing prior to any work start or erection from work. The work shall include stock up of all materials and all other items or items including a 30-day stock up of all materials and all other items. The stock up shall be maintained on site until the final date.



LEGAL DESCRIPTION

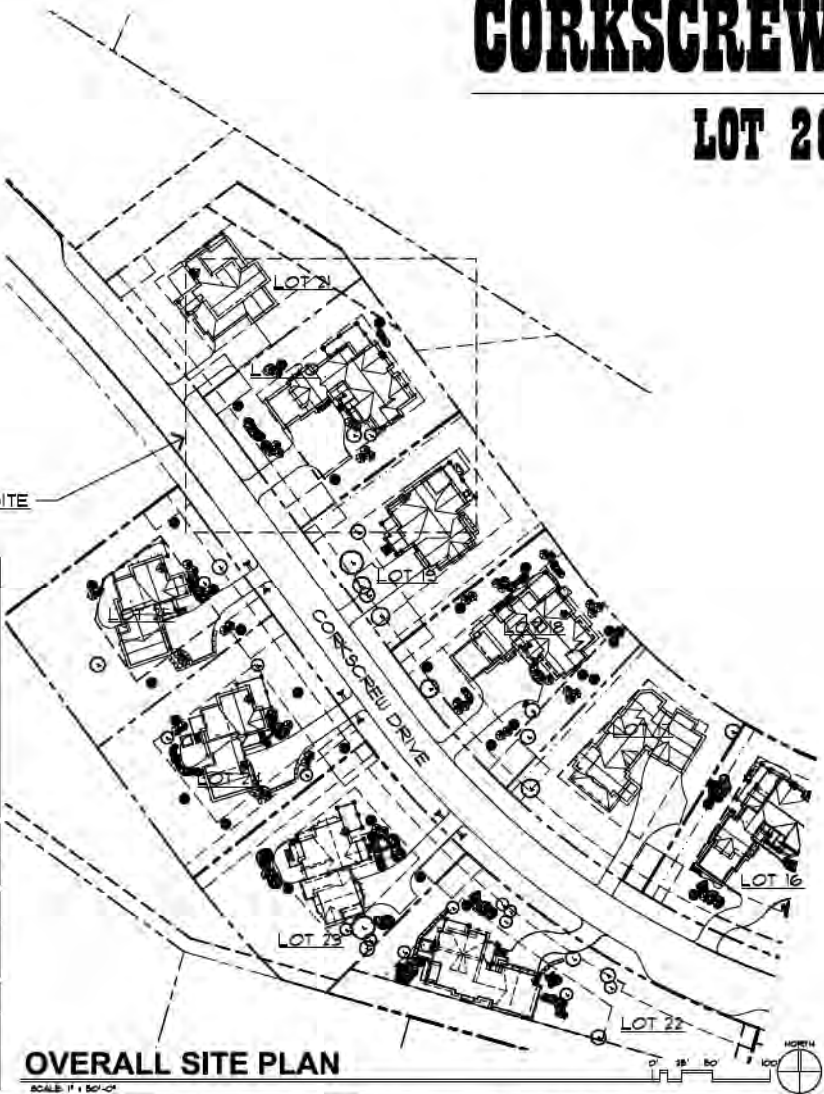
CORKSCREW FLATS SUBDIVISION PLANS NO. 1, TOWN OF BRECKENRIDGE, SANTI SPIRITO, COLORADO

LOWER LEVEL: 10'-0" x 10'-0" x 10'-0" x 10'-0"
MAIN LEVEL: 10'-0" x 10'-0" x 10'-0" x 10'-0"
UPPER LEVEL: 10'-0" x 10'-0" x 10'-0" x 10'-0"

BUILDING HEIGHT

ROOF HEIGHT: 10'-0" x 10'-0" x 10'-0" x 10'-0"
BUILDING HEIGHT: 10'-0" x 10'-0" x 10'-0" x 10'-0"

OWNER: BLUE RIVER CONCRETE LLC 37 SOUTH MAIN STREET P.O. BOX 1 BRECKENRIDGE, CO 80424 (703) 484-2525 (703) 484-2525 FAX	ARCHITECT: BHN PARTNERS PLANNING & ARCHITECTURE 40 EAST ADAMS STREET P.O. BOX 80 BRECKENRIDGE, CO 80424 (703) 484-2525 (FAX) (703) 484-2525 (FAX)	CONTRACTOR: BLUE RIVER CONCRETE LLC 37 SOUTH MAIN STREET P.O. BOX 1 BRECKENRIDGE, CO 80424 (703) 484-2525 (703) 484-2525 FAX	ENGINEER: ENGINEERING DESIGN GROUP, INC. 1005 MILLTOP PARKWAY, UNIT 300-A BRECKENRIDGE, CO 80421 (703) 484-2525 (703) 484-2525 (FAX) info@tdgpa.com	SURVEYOR: TRAVIS WITT PARTNERS AND SURVEYORS P.O. BOX 809 BRECKENRIDGE, CO 80424 (703) 484-2525
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AREA CALCULATIONS

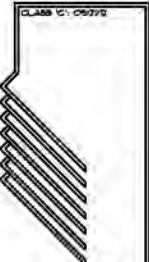
	UNFINISHED	FINISHED	TOTAL
LOWER	0 SF	1474 SF	1474 SF
MAIN	306 SF	1201 SF	2607 SF
UPPER	0 SF	364 SF	364 SF
TOTAL	306 SF	2639 SF	4445 SF

NOTE: SQUARE FOOTAGES ARE CALCULATED FOR CONSTRUCTION ONLY AND SHOULD BE RECALCULATED FOR ANY OTHER PURPOSES.

SHEET INDEX

A-00	OVERALL SITE PLAN & NOTES
A-01	PLANNED SITE PLAN
A-02	LOWER LEVEL FLOOR PLAN
A-03	MAIN LEVEL FLOOR PLAN
A-04	ROOF PLAN
A-05	BUILDING ELEVATIONS
A-06	BUILDING ELEVATIONS

PROJECT NO: 1041820
DATE: 05/20/22
DRAWN BY: TRG
CHECKED BY: TPHL
BHN PARTNERS PLANNING & ARCHITECTURE
1005 MILLTOP PARKWAY, UNIT 300-A
BRECKENRIDGE, CO 80421



bhn Partners
40 EAST ADAMS STREET, BRECKENRIDGE, CO 80424
CORKSCREW FLATS - LOT 20
CORKSCREW FLATS - PHASE B BRECKENRIDGE, COLORADO

SHEET NUMBER:
LOT 20
A-1.0
OVERALL SITE PLAN AND NOTES

REQUIRED SNOWSTACK

HARDSCAPE (DECKS, PATIO, WALKS & DRIVEWAY)	2776 SF	100%
REQ'D SNOW STACK (25% OF HARDSCAPE)	344 SF	38%
TOTAL SNOW STACK PROVIDED	344 SF	38%

LOT COVERAGE

BUILDING (INCLUDES OVERHAUL)	3807 SF	34%
HARDSCAPE (DECKS, PATIO, WALKS & DRIVEWAY)	2776 SF	5%
OPEN SPACE	8.06 AC	81%
TOTAL LOT SIZE	14889 SF	100%

SITE NOTES

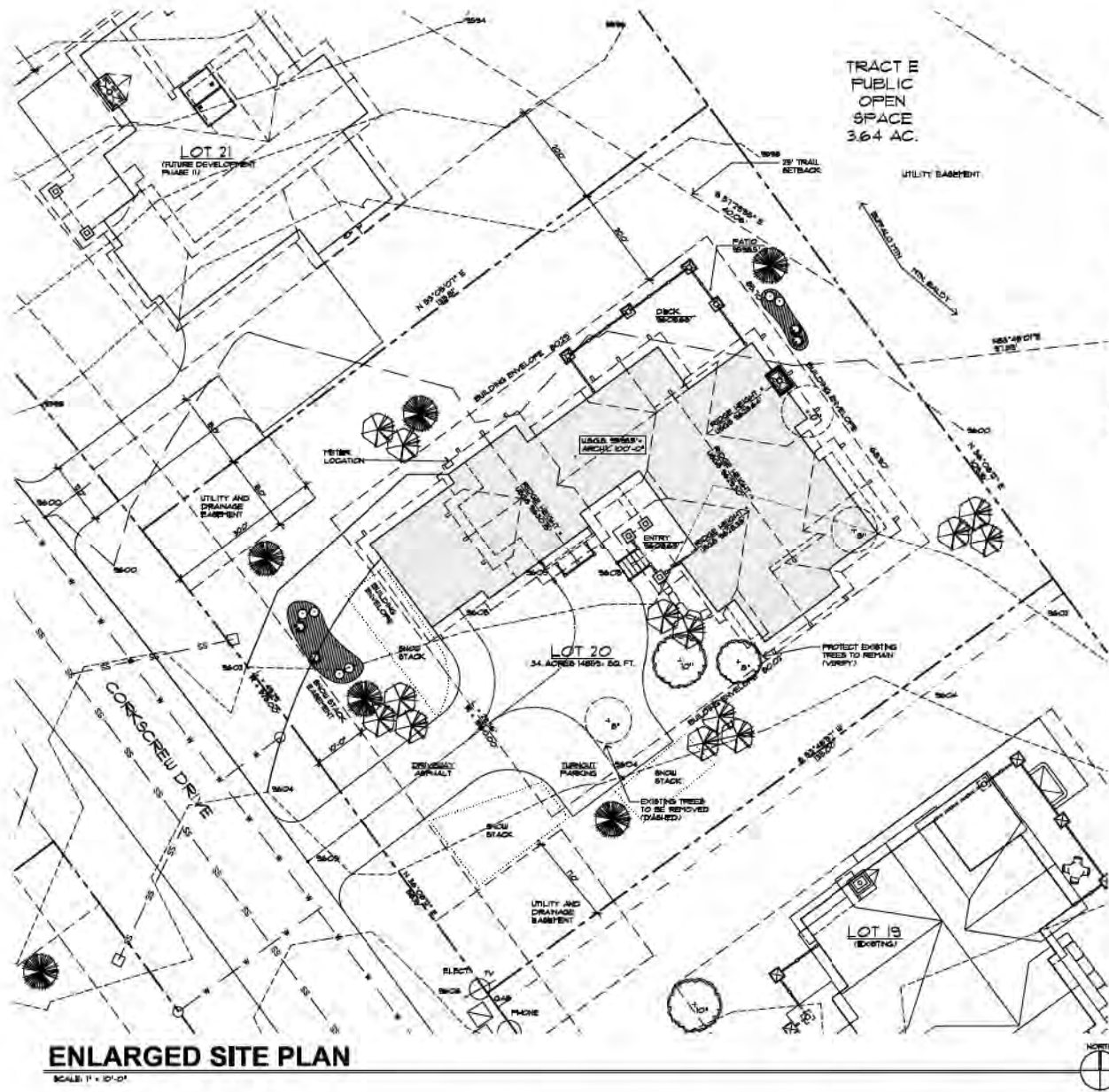
- ELECTRIC CABLE TV & TELEPHONE (UNDERGROUND IN CORKSCREW DRIVE)
- VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY EXCAVATION. COORDINATE UTILITY REPAIRS WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE READDRESSING.
- TOPOGRAPHIC INFORMATION OBTAINED FROM BASELINE SURVEY, LLC, JOB 1518.
- PROVIDE POSITIVE DRAINAGE AT BUILDING FOOTPRINT (SLOPE AWAY FROM BUILDING AT 1% MIN).
- REFER TO FOUNDATION PLAN FOR FOUNDATION, DRAIN LOCATION AND SLOPE. DRAINS TO BE SLOPED TO DRAINAGE TO NATURE'S WELLS.
- FLAG ALL TREES FOR CARE PRIOR TO DRAINING OPERATIONS.
- PROTECT ALL REMAINING TREES WITH BARRIER OR OTHER APPROVED BARRIER DURING CONSTRUCTION.
- PROVIDE 2" TO 4" DIAMETER STONE REPAIR OVER USED BARRIER MARKED AT BARRIER AND HEALTHY TREE LOCATIONS.
- IF ANY TREE LOCATION FOR CARE, ARCHITECT AND ARCHITECTURAL REVIEW BOARD PRIOR TO ANY WORK.
- SUBMITTAL CONTRACTOR TO REVIEW & COMPLY WITH ALL SUBDIVISION CONDITIONS. COPIES OF CONDITIONS ARE AVAILABLE FROM ARCHITECT.

PLANTING LIST

KEY	COMMON	BOTANICAL	ID	SIZE
EXISTING TREES				
(Symbol)	EXISTING	VARIABLE	(Symbol)	SEE SITE PLAN
EXISTING TREES TO BE REMOVED				
(Symbol)	VARIABLE	VARIABLE	(Symbol)	SEE SITE PLAN
PROPOSED TREES/PLANTS TO BE ADDED				
(Symbol)	COLORADO SPRUCE	PICEA PICEA OR PICEA ENGELMANNI	(Symbol)	8" BIRTHAL 77" TALL
(Symbol)	MAPLE	ACER RUBRUM	(Symbol)	1" BUCKLE CAL 10.5" CAL. 1.5" DIA.
(Symbol)	POTENTILLA	POTENTILLA FRUTICOSA	(Symbol)	# 3 GAL.
(Symbol)	ALPINE CURRANT	RIBES ALPINA	(Symbol)	# 3 GAL.
(Symbol)	POPPY	ROSE HYDR.	(Symbol)	# 3 GAL.
(Symbol)	POPPY	ROSE HYDR.	(Symbol)	# 3 GAL.
(Symbol)	NATIVE GRASS	PRUNELLA	(Symbol)	1" PLANT
(Symbol)	NATIVE GRASS	PRUNELLA	(Symbol)	1" PLANT

LANDSCAPE NOTES

- PROVIDE 2"-3" PEEL-CLAY TREE TOPSOIL AND SPREAD ALL DEFERRED AREAS WITH NUTRIENT SOIL. BARRIERS MUST BE STRIP AND STROUPE EXISTING TOPSOIL IN CONSTRUCTION AREA. SCREEN TOPSOIL PRIOR TO INSTALLATION.
- KEEP EXISTING TREES AND WHERE POSSIBLE, TAKE INTO CONSIDERATION DRAIN LINES AND ROOT STRUCTURE. PROTECT EXISTING TREES WITH BARRIERS LOCATED AT OR OUTSIDE DRAIN LINE OF TREE. STROUPE AND BARRIERS EXISTING TREES WHERE POSSIBLE.
- SUBMITTAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS PER SPECIFICATIONS AND CODE REQUIREMENTS.
- REFER TO ANY LANDSCAPE WORK, REMOVE ALL EXISTING PAINT, CONCRETE STRIPS, BLANKETS FROM LANDSCAPE AREA.
- LOCATE ALL PLANTINGS TO AVOID SNOW WINDS & BLOW SLICE AREAS FROM ABOVE.
- PLANTINGS ARE TO BE FIELD LOCATED AS APPROVED BY OWNER AND ARCHITECT.
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRAIN IRRIGATION SYSTEM, PROVIDE SUFFICIENT.
- ALL NEW PLANTINGS SHOULD BE HIGH ALTIMETER GROWN AND CAP COLLECTED TO DRAIN BOTTLE NUTRIAL.
- NATURALIZED GROWING OF TREES BY VARIING HEIGHT & LOCATION WHEREVER POSSIBLE.
- SCREEN ALL UTILITY PENETRATION WITH LANDSCAPE MATERIAL.
- PROVIDE 2" TO 4" DIAMETER STONE REPAIR OVER USED BARRIER MARKED AT BUILDING DRAIN LINE. HEALTHY TREES AND PROVIDE LANDSCAPE EDGEING AT REPAIR TO TOPSOIL JUNCTURE.
- INSTALL & BACKFILL ALL PLANTINGS WITH MULCH INCLUDING DRAINAGE SLOPE. PROVIDE PER SPECIFICATIONS AND LANDSCAPE DETAILS.
- ROOT TEST ALL RECENTLY PLANTED TREES DURING INSTALLATION. PROVIDE LIQUID NUTRIENT TREE FERTILIZER AND SOLUBLE FERTILIZER AT RECOMMENDED RATE FOR EACH TREE SPECIES.
- PROVIDE 1" OF UNBROKEN BANK SLUSH AT ALL WALKS AND TREE WELLS.
- LANDSCAPE BOLLARDS OF 7" OR LARGER SHALL BE RETURNED ON SITE FOR USE IN LANDSCAPE WORK. BURY DECORATIVE BOLLARDS ONE HALF OF DIAMETER.
- ADDITIONAL CONSULTATION WITH A QUALIFIED LANDSCAPE PROFESSIONAL AT OWNER OPTION IS RECOMMENDED.



ENLARGED SITE PLAN

SCALE: 1" = 10'-0"

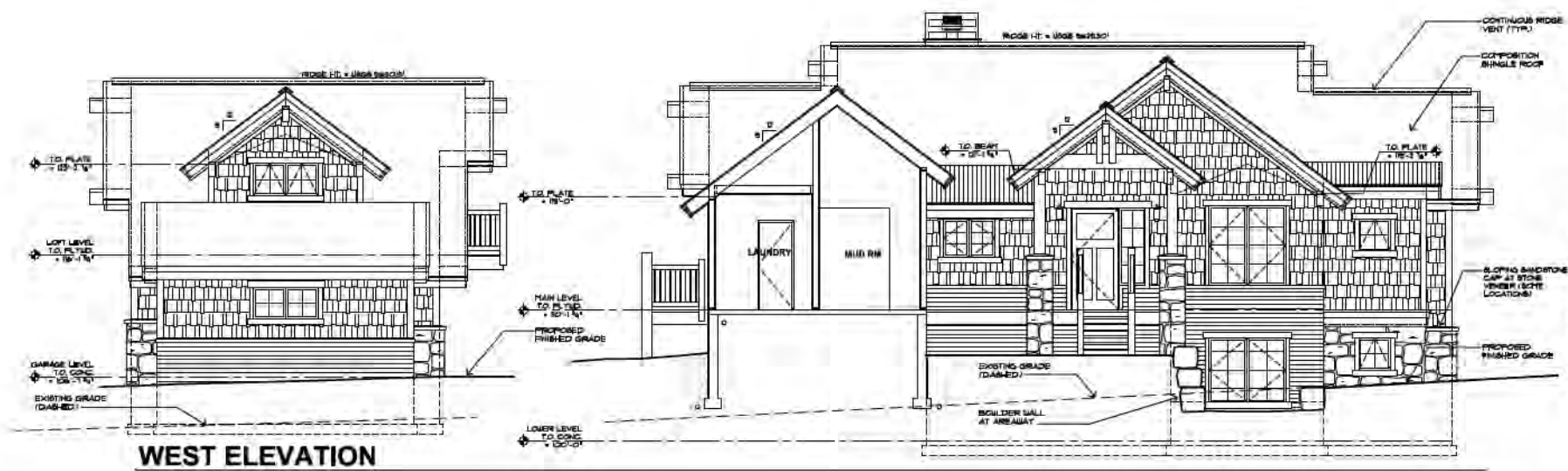
TRACT E
PUBLIC
OPEN
SPACE
364 AC.

REVISED:
JOB NO: 1504320
DATE: 08/21/20
DRAWN BY: TRG
CHECKED BY: TRH
DATE: 08/21/20
DATE: 08/21/20

CLASS 10, 09/20

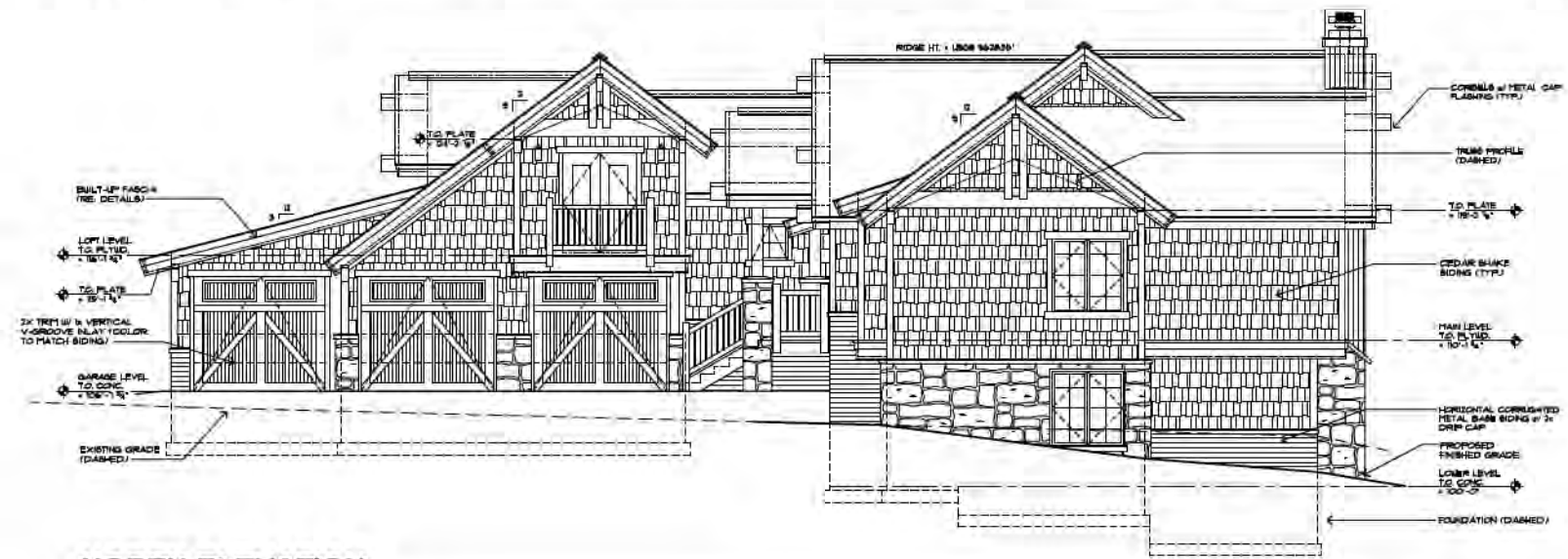
bhh Partners
ARCHITECTS • INTERIORS • LANDSCAPE ARCHITECTS
CORKSCREW FLATS - LOT 20
CONDOMINIUM FLATS - PHASE II, BRECKENRIDGE, COLORADO

© 2020
SHEET NUMBER:
SITE 20
A-1.1
SITE PLAN



WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

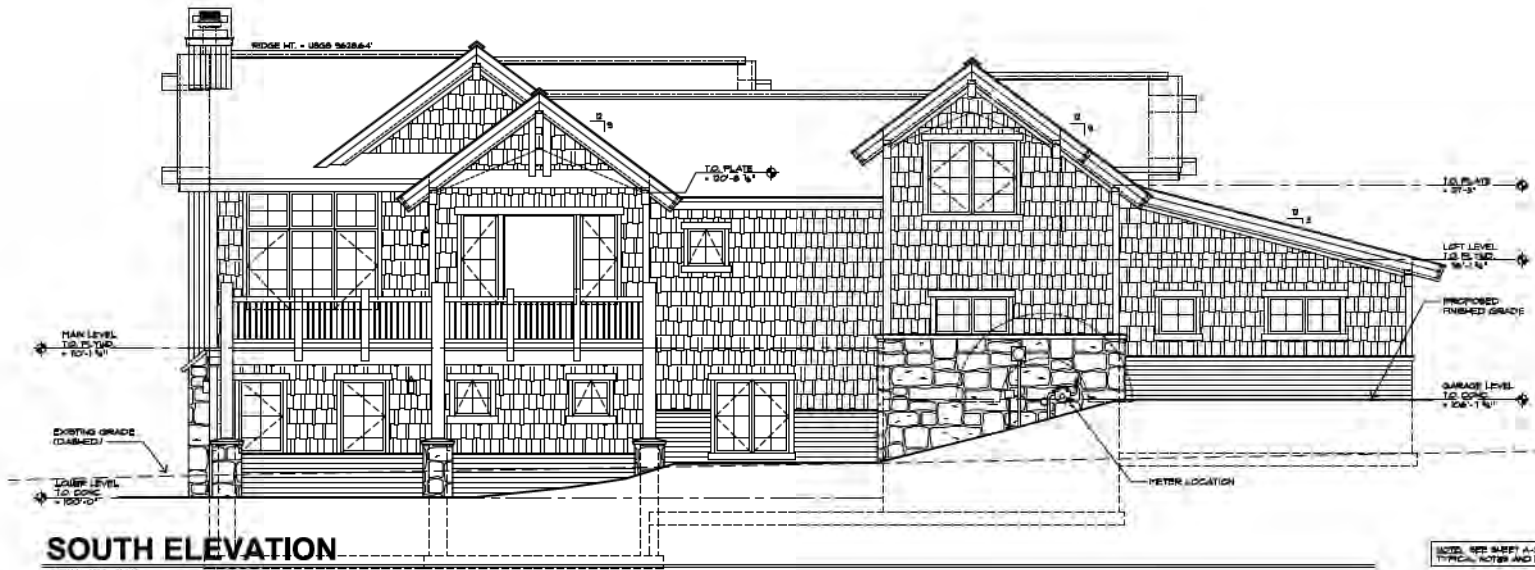
SCALE: 1/4" = 1'-0"

PROJECT:
 JOB #2: NO.14520
 DATE: 05/21/22
 DRAWING: TRS
 CHECKED BY: MFL
 I HAVE REVIEWED & CONFIRMED THE WORK AND AM RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

CLASS: 05/22
 CLASS C: 05/22

bhh Partners
 1200 13TH AVENUE, BROOMFIELD, COLORADO 80020
CORKSCREW FLATS - LOT 20
 CORKSCREW FLATS - PHASE B, BROOMFIELD, COLORADO

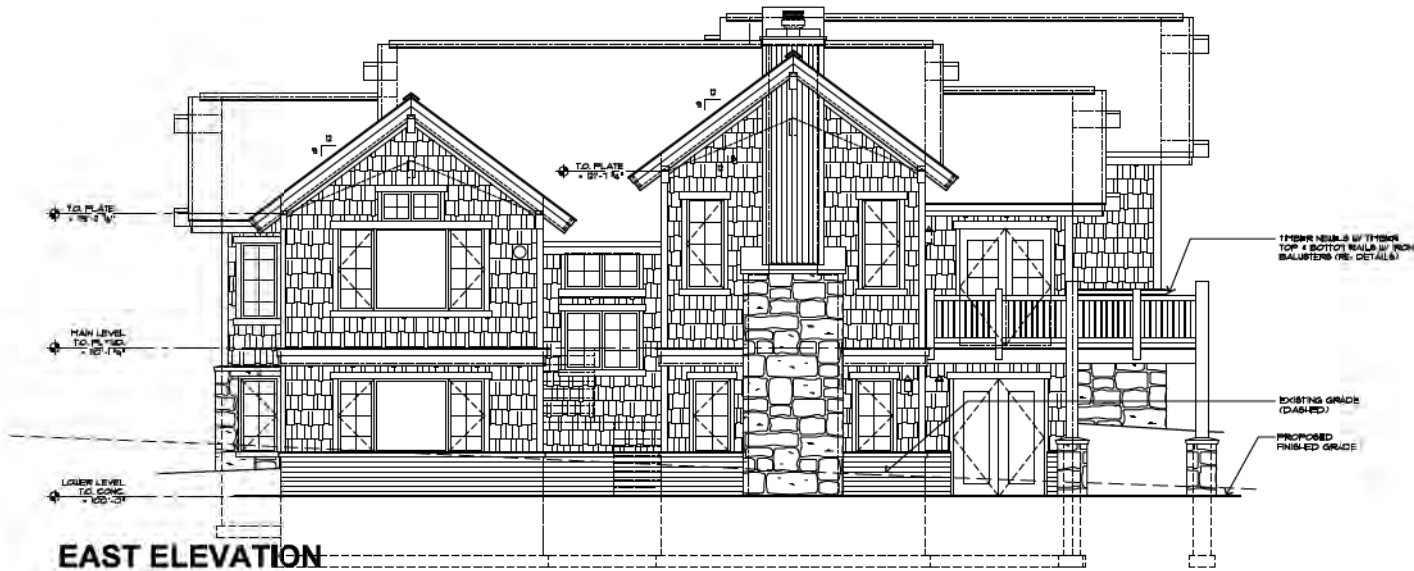
© 2022
 SHEET NUMBER:
SITE 20
A-3.0
 BUILDING ELEVATIONS
 OF 1



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

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



EAST ELEVATION

SCALE: 1/8" = 1'-0"

PROJECT:	
DATE:	NOV/20
DRAWN BY:	OS/21/2
CHECKED BY:	TRG
<small>OWNER: BROWNE & COMPANY 1000 14TH AVENUE, DENVER, CO 80202 303-733-1111</small>	



bhh Partners
 ARCHITECTS
 1200 14TH AVENUE, DENVER, CO 80202
 303-733-1111
CORKSCREW FLATS - LOT 20
CORKSCREW FLATS - PHASE B - BRECKENRIDGE, COLORADO

© 2019
 SHEET NUMBER:
SITE 20
A-3.1
 BUILDING ELEVATIONS
 OF 1



Class C Development Review Check List

Project Name/PC#:	Toth Addition	PC#2012088
Project Manager:	Matt Thompson, AICP	
Date of Report:	October 11, 2012	For the 10/16/2012 Planning Commission Meeting
Applicant/Owner:	Bob Toth	
Agent:	bhh Partners	
Proposed Use:	Existing single family residence	
Address:	250 Cottonwood Circle	
Legal Description:	Lot 51, Highlands Park Subdivision	
Site Area:	27,097 sq. ft.	0.62 acres
Land Use District (2A/2R):	6: Residential; Subject to the Delaware Flats Master Plan	
Existing Site Conditions:	<p>The site is relatively flat throughout the platted disturbance envelope, averaging about 5% slope, downhill from the south to the north, making this a cross slope condition. There are willows and trees at the rear of the lot, which creates a buffer to the golf course. There is a platted 15' x 30' utility and drainage easement in the northwest and southwest corners of the lot, a platted 10' snow stacking easement along the front of the lot, and a portion of a 30' utility and drainage easement crossing the northeast corner of the lot.</p>	
Density (3A/3R):	Allowed: 5,419 (Above ground)	Proposed: 4,810 sq. ft.
Mass (4R):	Allowed: 5,419 (Above ground)	Proposed: 5,314 sq. ft.
F.A.R. Areas:	1:5.09 FAR	
Lower Level:	<u>Existing</u>	<u>Proposed</u>
Main Level:	2,207 sq. ft.	
Upper Level:	1,623 sq. ft.	414 sq. ft.
Garage:	566 sq. ft.	504 sq. ft.
Total:	4,396 sq. ft.	5,314 sq. ft. (final total after addition)
Bedrooms:	4	
Bathrooms:	5.5	
Height (6A/6R):	26 feet overall	
(Max 35' for single family outside Historic District)		
Lot Coverage/Open Space (21R):		
Building / non-Permeable:	4,205 sq. ft.	15.52%
Hard Surface / non-Permeable:	1,267 sq. ft.	4.68%
Open Space / Permeable:	21,625 sq. ft.	79.81%
Parking (18A/18/R):	Required: 2 spaces	
	Proposed: 3 spaces	

Snowstack (13A/13R):

Required: 317 sq. ft. (25% of paved surfaces)
Proposed: 343 sq. ft. (27.07% of paved surfaces)

Fireplaces (30A/30R): 2 gas-burning fireplaces (existing)

Accessory Apartment: N/A

Building/Disturbance Envelope? Disturbance envelope

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

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

Exterior Materials: Natural exterior materials include 12" horizontal cedar siding, 2x4 over 1x10 vertical board and batten siding, 2x cedar fascia, 2x cedar door and window trim, aluminum clad windows, yellow cedar deck, and a natural moss rock base.

Roof: Asphalt shingles to match existing roof

Garage Doors: New wood clad garage doors to match existing

Landscaping (22A/22R):

Planting Type	Quantity	Size
No new landscaping. Existing landscaping and trees will buffer the addition.		

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

Driveway Slope: 4 %

Covenants:

Point Analysis (Sec. 9-1-17-3): Staff conducted an informal point analysis and found no reason to warrant negative or positive points. The proposed addition meets all Absolute and Relative Policies of the Development Code.

Staff Action: Staff has approved the Toth Addition, PC#2012088, located at 250 Cottonwood Circle, Lot 51, Highland Park Subdivision, with the Standard Findings and Conditions.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Toth Addition
Lot 51, Highlands Park Subdivision
250 Cottonwood Circle
PC#2012088**

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 **October 11, 2012**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2012**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **April 23, 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 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 30' at any location.
7. **At no time shall site disturbance extend beyond the limits of the platted site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.**
8. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
9. 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

10. Applicant shall submit proof of ownership of the project site.
11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.

18. **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.**
19. **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.**
20. 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.

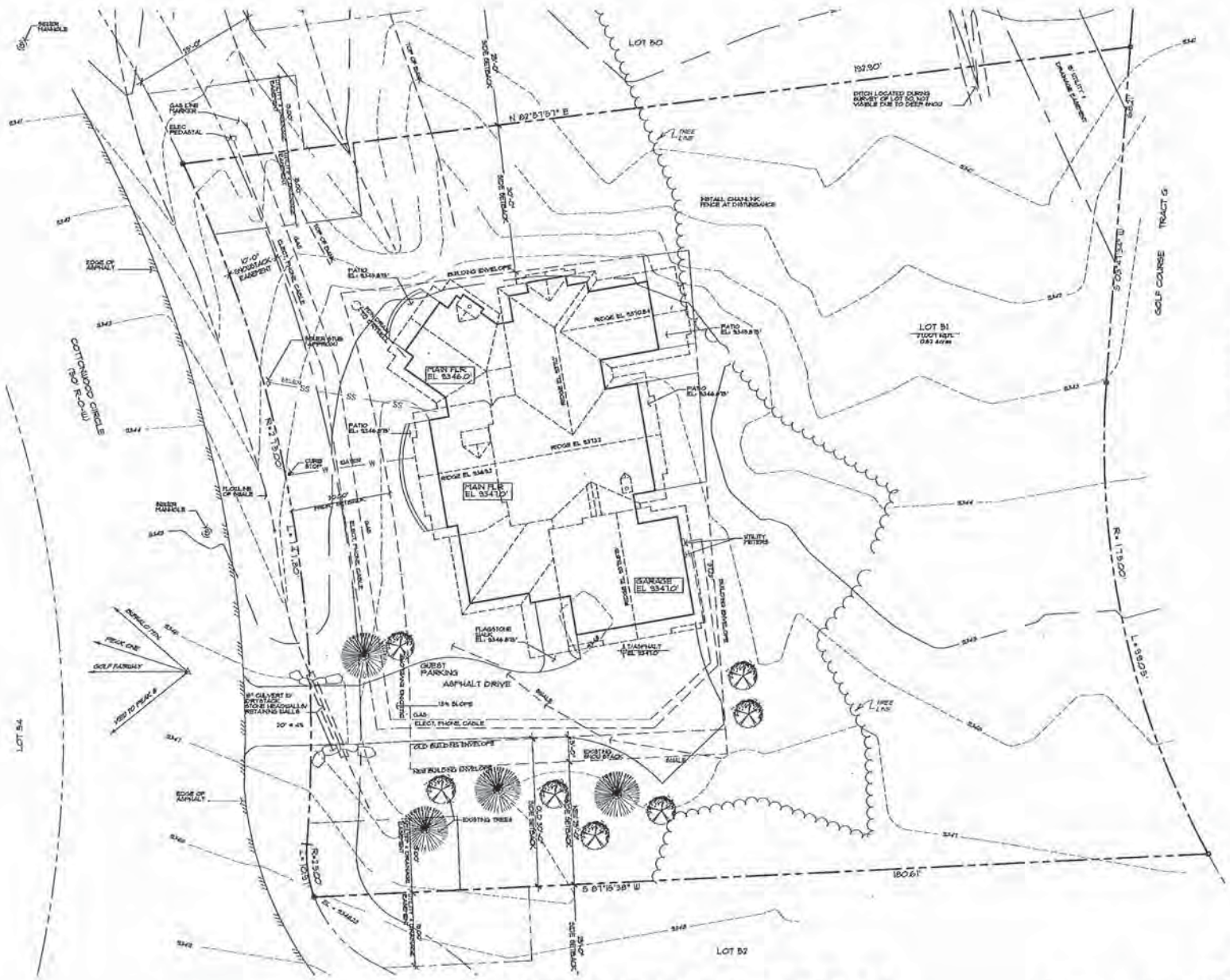
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

21. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
22. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
23. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
24. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
25. 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.
26. 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.
27. Applicant shall screen all utilities.
28. **All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.**
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town 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.

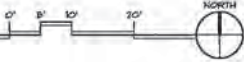
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. 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)



EXISTING CONDITIONS SITE PLAN

SCALE: 1" = 10'-0"



REVISIONS:

JOB NO:	157A
DATE:	08-01-12
DRAWN BY:	Jaswanter
CHECKED BY:	pkk

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ISSUED FOR:
CLASS C SUBMITTAL
08-25-12
CLASS D SUBMITTAL
08-01-12

bhh Partners
P.O. BOX 81, 160 EAST JAME
BRECKENRIDGE, CO 80424 (303) 453-8880

TOTUS ADDITION
LOT 51, HIGHLANDS PARK SUBDIVISION, BRECKENRIDGE, COLORADO

© 2012
SHEET NUMBER
SP1.0
OF 1

REVEGETATION NOTES

REVEGETATE ALL DISTURBED AREAS ON THE SITE WITH:

- SHORT DIRT GRASS MIX #2 LB/10,000 SF:**
 HARD FESCUE 30%
 CREEPING RED FESCUE 30%
 SHEEP FESCUE 30%
 CANADA BLUEGRASS 10%
 CANDY BLUEGRASS 0%

SLOPES OVER 3:1 SHALL BE HAY TACKLED OR NETTED.

- MOUNTAIN PRIC WILDFLOWER MIX #1 LB/10,000 SF:**
 BABY'S BREATH BLANKETFLOWER
 CALIFORNIA POPPY SHIRLEY POPPY
 BLUE FLOWY LUPINE MIX
 BULLFLOWER MAIDEN PINKS
 PENSTEMON, ROCKY MOUNTAIN
 WILD THYME

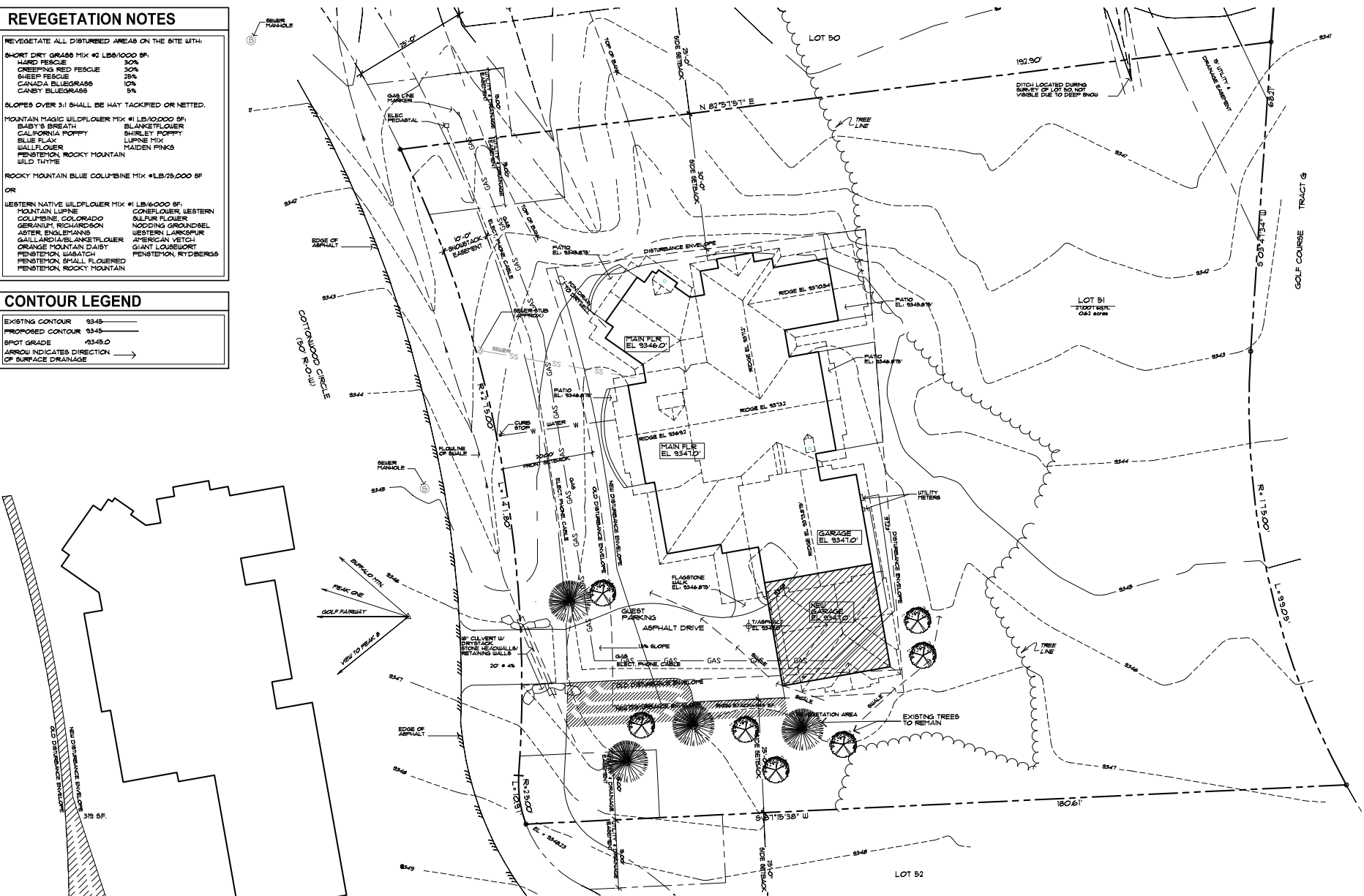
ROCKY MOUNTAIN BLUE COLUMBINE MIX #LB/75,000 SF

OR

- WESTERN NATIVE WILDFLOWER MIX # LB/6,000 SF:**
 MOUNTAIN LUPINE CONEFLOWER, WESTERN
 COLUMBINE, COLORADO SULFUR FLOWER
 GERANIUM, RICHARDSON NODDING GROUNDSEL
 ASTER, ENGLISHMAN WESTERN LARKSPUR
 GALLIARDIA/BLANKETFLOWER AMERICAN VETCH
 ORANGE MOUNTAIN DAIBY GIANT LOUSEWORT
 PENSTEMON, HUMBATCH PENSTEMON, KITSBERGSS
 PENSTEMON, SMALL FLOWERED
 PENSTEMON, ROCKY MOUNTAIN

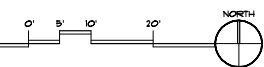
CONTOUR LEGEND

- EXISTING CONTOUR 9345
 PROPOSED CONTOUR 9345
 SPOT GRADE 9345.0
 ARROW INDICATES DIRECTION OF SURFACE DRAINAGE



PROPOSED SITE PLAN

SCALE: 1" = 10'-0"



REVISIONS:

JOB NO:	1026
DATE:	08-07-12
DRAWN BY:	Jbrukemper
CHECKED BY:	rhoux

ISSUED FOR:
 CLASS C SUBMITTAL
 06-29-12
 CLASS D SUBMITTAL
 09-01-12

bhh Partners
 P.O. BOX 831 160 GAS AVE. BRECKENRIDGE, CO 80424 (970)4536880

TOTH ADDITION
 LOT 51, HIGHLANDS PARK SUBDIVISION, BRECKENRIDGE, COLORADO

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 SHEET NUMBER:
SP1.1
 OF:

GENERAL PLAN NOTES

1. ALL ITEMS TO BE REMOVED TO BE STORED AND PROTECTED.
2. ALL NEW EXTERIOR FINISHES TO MATCH EXISTING.



EXISTING NORTH ELEVATION NOTE: NO CHANGE TO THE ELEVATIONS



EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION



EXISTING EAST ELEVATION

EXISTING CONDITIONS ELEVATIONS

SCALE: 1/8"=1'-0"



REVISIONS:

JOB NO. 1026
 DATE: 09-01-12
 DRAWN BY: Jbookkeeper
 CHECKED BY: PHUCK
 NOTE: THIS DRAWING IS CONSIDERED VALID UNLESS NOTED OTHERWISE BY THE ARCHITECT OR THE PROFESSIONAL ENGINEER.

APPROVED FOR:
 CLASS C SUBSTITUTAL
 06-29-12
 CLASS D SUBSTITUTAL
 09-01-12

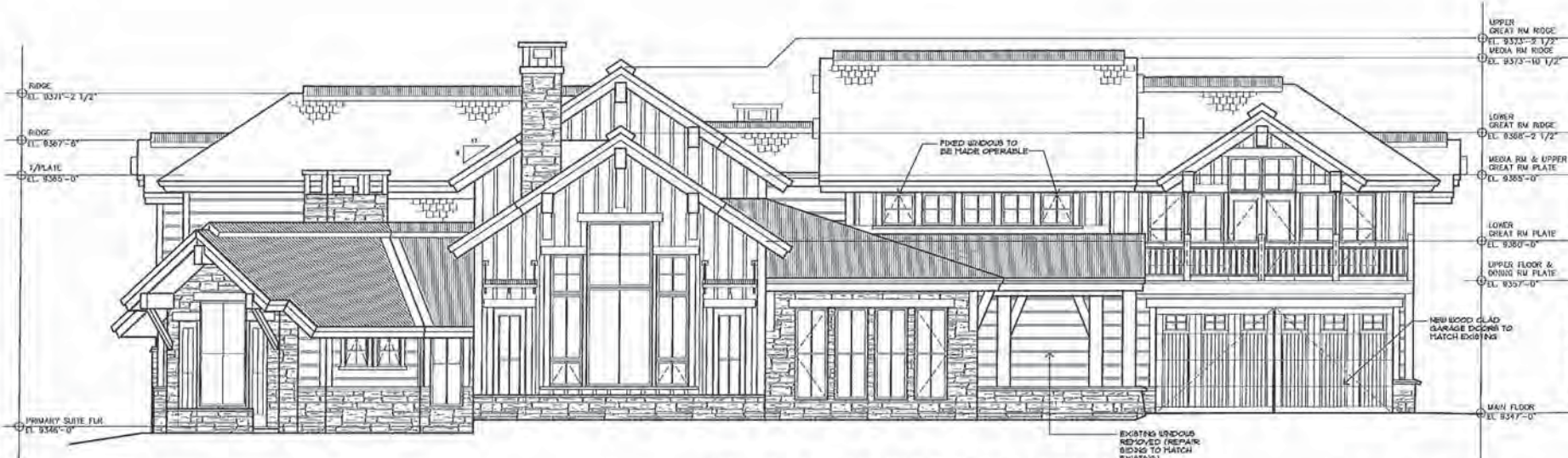
bhh Partners
 P.O. BOX 101, 103 EIGHT AVENUE
 BRECKENRIDGE, CO 80424 877-443-8888

TOTUS ADDITION
 LOT 61, HIGHLANDS PARK SUBDIVISION, BRECKENRIDGE, COLORADO

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SHEET MARKING

A2.0

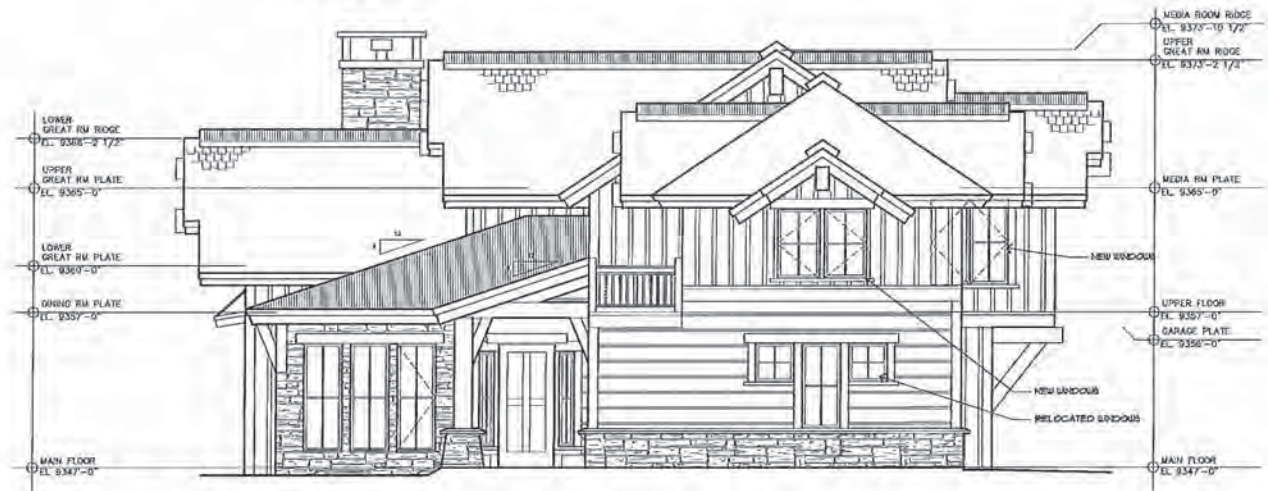


PROPOSED WEST ELEVATION

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

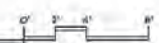


NOTE: NEW MATERIALS AND COLORS TO MATCH EXISTING (TYP)



PROPOSED SOUTH ELEVATION

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



REVISIONS:

JOB NO.	1926
DATE	09-01-12
DRAWN BY:	Junkemper
CHECKED BY:	hhohr
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ISSUED FOR:
CLASS C RESIDENTIAL
06-29-12
CLASS D RESIDENTIAL
09-01-12

bhh Partners
P.O. BOX 811, 100 EAST HANCOCK
BRECKENRIDGE, CO 80424 878-653488

TOTX ADDITION
LOT 51, HIGHLANDS PARK SUBDIVISION, BRECKENRIDGE, COLORADO

© 2012
SHEET NUMBER
A2.1



PROPOSED EAST ELEVATION

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

REVISIONS:

NO. 12
DATE: 09-07-12
DRAWN BY: Joubert
CHECKED BY: shock

THIS SET DRAWING IS COMPILED FROM THE ORIGINAL DRAWINGS AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE ORIGINAL DRAWINGS.

ISSUED FOR:
CLASS C SUBMITTAL
09-28-12
CLASS D SUBMITTAL
09-07-12

bhh Partners
P.O. BOX 2113, 550 ADAMS AVENUE, GLENTHORPE, CO 80188 (303) 510-1088

TOTH ADDITION
LOT 61, HIGHLANDS PARK SUBDIVISION, BRECKENRIDGE, COLORADO

© 2009
SHELY HAMMILL

A2.2

Planning Commission Staff Report

- Subject:** Flatbread Pizza Company
Snack Bar/ Deli Change of Use (Class C Minor; PC# 2012087)
- Date:** October 10, 2012 (for the October 16, 2012 meeting)
- Project Manager:** Chris Neubecker, AICP
- Applicant:** Flatbread Pizza Co., LLC (Daniel Lewis)
- Proposal:** The applicant is proposing to change the use of the property/suite from general commercial (retail/office) use to a snack bar/deli with on-site seating. No changes are proposed to the exterior of the building.
- The property is proposed to be used for a wood fired pizzeria.
- Address:** 500 S. Main Street
- Legal Description:** Suite 3M, La Cima Mall (Lot 1, Block 2, Park Addition)
- Land Use District:** 19, Commercial; 1:1 FAR
- Site Conditions:** La Cima Mall contains many different uses, including restaurants, retail shops and offices. The tenant space where The Flatbread Pizza Company is proposed was most recently used as an office (Pinnacle Mountain Homes).
- Adjacent Uses:** North: Commercial
East: Main Street
South: Commercial
West: Residential
- Density:** Existing: 868 sq. ft. (commercial)
Proposed: 868 sq. ft. (Snack Bar / Deli)*
*Change of use will impact parking requirements and water Plant Investment Fees.
- Parking:** Existing required (based on office use): 1.22 spaces
*Required based on snack bar/deli use: 3.04 spaces
Number of spaces deficient: 1.82 spaces
*(*Note: The parking requirement for a sit down snack bar/deli is the same as for restaurant.)*

No change is proposed to the height, lot coverage, parking, snow stacking, setbacks, architecture or landscaping.

Item History

The Town Council approved La Cima Mall in 1989. The original building was approved as general commercial use. Over time, there have been restaurant uses of various types, and water Plant Investment Fees (PIFs) and parking service area fees have been transferred from one unit to another within La Cima Mall, which are not condominiums. (Transfers of water tap fees or parking service area “in lieu” fees from one property to another property are not allowed, since these fees, once paid, “run with the land.” La Cima

Mall is all one property, with one owner.) However, there is no surplus of water tap fees or parking service area fee “credits” remaining on this property that can be transferred to this unit. As a result, the water tap and parking service area fees will need to be paid for the proposed higher impact use, based on the size of the space.

Staff Comments

Land Use (Policies 2/A & 2/R): The applicant proposes to change the use of the space from an office use to a sit down snack bar/deli. Commercial uses are allowed in this Land Use District. Staff has no concerns with the proposed use.

Water Plant Investment Fees: The primary difference between snack bar/deli relates to the water tap fees. Fees are higher for restaurants, which require washing dishes, glasses and flatware that is used by the customer. Snack bars and delis have lower water tap fees, since all dishes, cups and flatware used by the customer are disposable. As a result, there is less on-site was use.

This application is proposed as a snack bar/deli, and thus will be limited to the use of only disposable plates, cups and flatware used by the customers. If the applicant elects to upgrade to a “restaurant” in the future, additional water plant investment fees will be due at that time, above and beyond the fees for snack bar/deli.

Site Plan/Parking: No changes are proposed to the site plan. However, due to the change in use from retail to a restaurant, 1.82 additional parking spaces are required per Section 9-3-8 of the Town’s Off-Street Parking Regulations.

There is an existing parking lot behind the building, but these parking spaces have already been allocated to the existing commercial uses. Also, there is not sufficient land to provide any additional on-site parking. As a result, the applicant will need to pay a fee in lieu of on-site parking, per Section 9-3-12 of the Town’s Off Street Parking Regulations.

The current rate for “in-lieu” parking fees is currently \$13,000 per deficient space. With 1.82 spaces needed a parking service area fee of \$23,660.00 will be required. This fee will need to be paid to the Town of Breckenridge upon issuance of a building permit. This has been added as a Condition of Approval.

Air Quality (Policy 30/A & 30/R): On July 10, 2012 the Town Council adopted Ordinance 22, Series 2012. This ordinance changed the point allocation for wood fired pizza ovens. As a result of the change, wood fired pizza ovens, which cook at very high temperatures (over 500 degrees) and produce relatively little smoke compared to lower temperature wood smokers or fireplaces, do not receive negative points.

Point Analysis (Section: 9-1-17-3): Staff conducted an informal point analysis and found all the Absolute Policies of the Development Code to be met, and no reason to assign positive or negative points to this project under any Relative policies.

Staff Decision

The Planning Department has approved the Flatbread Pizza Company Change of Use at 500 S. Main Street (PC#2012087), and we recommend the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

**Flatbread Pizza Change of Use
500 S. Main Street
La Cima Mall, Suites 3M
PERMIT #2012087**

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

FINDINGS

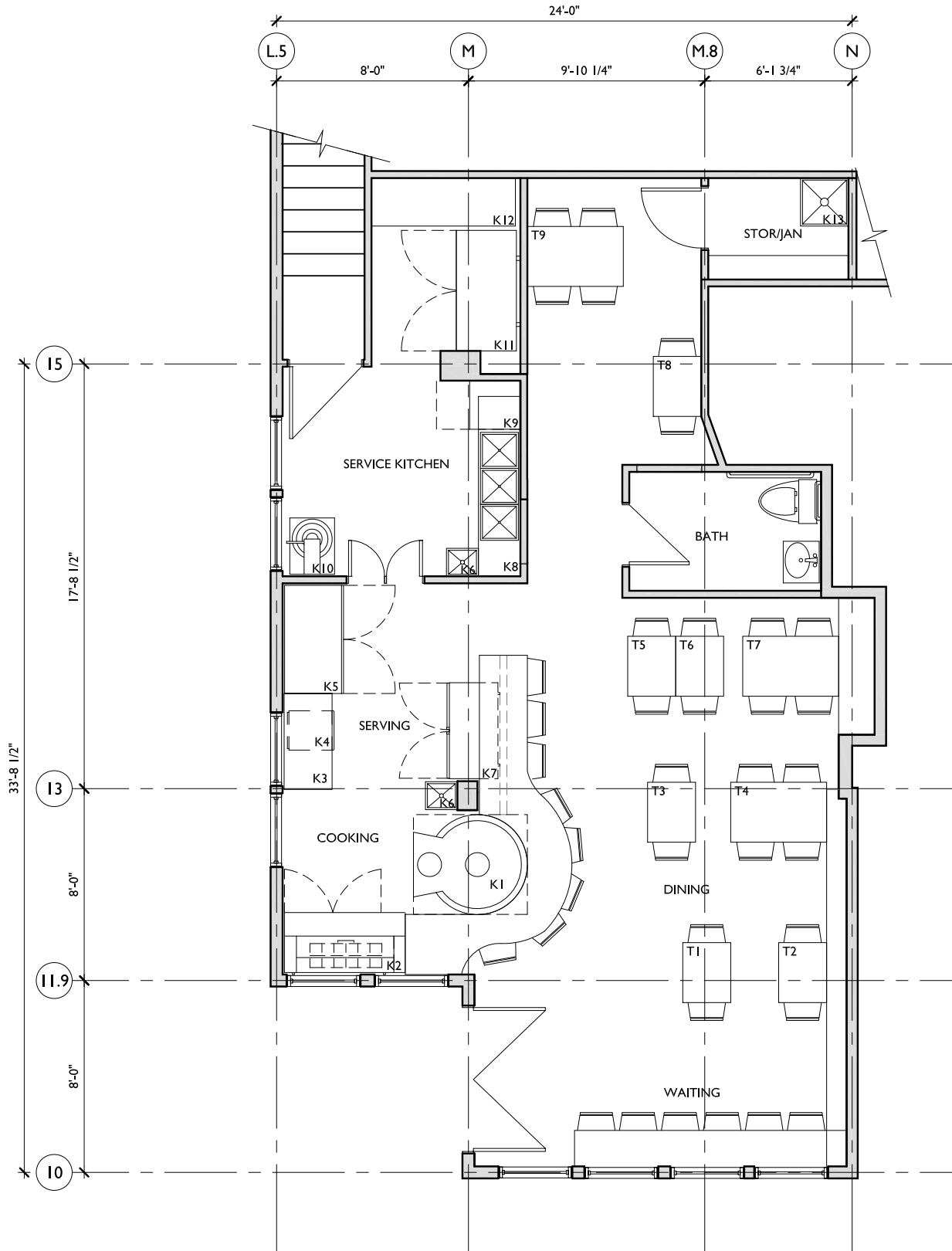
1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated October 10, 2012 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on October 16, 2012 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. Complies with the statements of the staff and applicant made on the evidentiary forms and policy analysis form.
4. The approved use of “Flatbread Pizza Company”, Suite 3M, La Cima Mall is for a 868 square foot “Snack Bar / Deli” for the purpose of Water Plant Investment Fees. **All dishes, plates, cups and flatware used by customers of this business must be disposable. The on-site washing of dishes, plates, cups, glasses and flatware used by customers is prohibited unless additional water Plant Investment Fees are paid at the higher restaurant rate.**
5. No signs are approved with this application. All signs visible from the exterior of the building shall be approved by the Town of Breckenridge under a separate sign permit application.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

6. Town of Breckenridge water tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property. The incremental water Plant Investment Fee shall be equal to 0.434 Single Family Equivalents (SFEs). If paid on or prior to December 31, 2012, this fee shall be \$2,278.07. If paid after December 31, 2012, then the fee shall be determined based on the new water Plant Investment Fee schedule in effect at the time of the payment.
7. Applicant shall pay a fee in lieu of providing 1.82 additional parking spaces parking per Section 9-3-12 of the Breckenridge Town Code (Off-Street Parking Regulations). The fee shall be **\$23,660.00** which is equal to \$13,000 per deficient parking space. If the Parking Service Area “in lieu” per space fee is increased prior to receipt of payment, the fee shall be adjusted and paid based on the new rate.
8. Upper Blue Sanitation District sewer tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property.
9. 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.
10. 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.
11. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

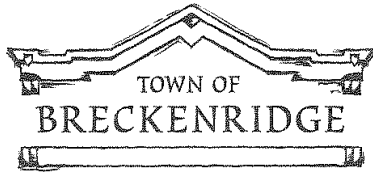


draft

matthew stais architects
 108 north ridge street
 p o box 135
 breckenridge
 colorado 80424
 p: 970 453 0444
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project: the flatbread pizza company	number: 1203	date: 10 oct 2012
drawing: proposed floor plan		scale: 1/4"=1'-0"

plan



MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker, Current Planning Manager

DATE: October 11, 2012 (For Meeting October 16, 2012)

SUBJECT: Moving Historic Buildings

On September 4, 2012 staff presented a memo to the Commission on moving historic structures. The intent of the memo was to discuss possible changes to the Development Code concerning historic structures, and the negative points allocated. At that meeting, the Commission generally agreed that there should be more flexibility on moving historic secondary structures, end the “double dinging” in the point allocation, and lower the negative points for moving secondary structures. The Commission supported a reduction in the allocation of negative points in cases when the context of the historic structure does not change significantly.

Since that meeting, we have also received feedback from the Town Council on this issue. The Town Council shares some of the opinions of the Planning Commission. The Town Council particularly wanted to allow for flexibility in those cases where there is not a negative impact on the rating of the historic structure, or a negative impact on the Town’s Historic District designation.

We have drafted some possible revisions to both Policy 5 (Architectural Compatibility) and Policy 24 (Social Community) relating to the historic district. We believe that by consolidating some of the existing language out of Policy 5 and into Policy 24, it will be easier for applicants to find the relevant information. We have also suggested adding definitions of “Primary Structure” and “Secondary Structure” which are not currently defined in the Development Code.

We welcome feedback on the proposed code amendments.

Moving Historic Structures

(Proposed new or moved language in **bold**. Proposed language to be removed shown in ~~strikethrough~~.)

5. (ABSOLUTE) ARCHITECTURAL COMPATIBILITY (5/A):

~~B. Conservation District: Within the conservation district, which area contains the historic district (see special areas map¹) substantial compliance with both the design standards contained in the "Handbook Of Design Standards" and all specific individual standards for the transition or character area within which the project is located is required to promote the educational, cultural, economic and general welfare of the community through the protection, enhancement and use of the district structures, sites and objects significant to its history, architectural and cultural values. (Ord. 7, Series 1992) *(Moved to Policy 24/Absolute)*~~

~~(1) Within the conservation district, no historic structure shall be altered, moved or demolished without first obtaining a class A or class B development permit from the town. Accompanying such approval shall be an application for a class A or class B development permit as required by code to authorize any proposed new development which will take the place of a moved or demolished historic structure. The issuance of building permits for a moved or demolished historic structure and the construction of a replacement structure shall be issued concurrently and may not be issued separately. (Ord. 24, Series 2001) *(Moved to Policy 24/Absolute)*~~

~~(2) In addition to the procedural requirements of this code, an application for alteration, demolition, or moving of an historic structure shall be accompanied by a cultural survey prepared by a qualified person when required by the town. (Ord. 7, Series 1992) *(Moved to Policy 24/Absolute)*~~

5. (RELATIVE) ARCHITECTURAL COMPATIBILITY (5/R): 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 therefore. 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)

3x(-2/+2) A. General Architectural And Aesthetic Compatibility: All proposed new developments, alterations, or additions are strongly encouraged to be architecturally

¹ See section 9-1-20 of this chapter.

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)

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

~~5-x (5/0) B. Conservation District: Within the conservation district, which area contains the historic district, compatibility of a proposed project with the surrounding area and the district as a whole is of the highest priority. Within this district, the preservation and rehabilitation of any historic structure or any town designated landmark or federally designated landmark on the site (as defined in chapter 11 of this title) is the primary goal. 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. (Ord. 24, Series 2001)~~
Moved to Policy 24/Relative

C. Historic District:

- (1) Within the Main Street Residential/Commercial, South End Residential, and South Main Street character areas, a maximum of nine (9) units per acre of aboveground density is recommended. In connection with projects that exceed the recommended nine (9) units per acre and meet all of the design criteria outlined in the character area design standards, points shall be assessed based on the following table:

<u>Aboveground Density (UPA)</u>	<u>Point Deductions</u>
9.01-9.50	-3
9.51-10.00	-6
10.01-10.50	-9
10.51-11.00	-12
11.01-11.50	-15
11.51-12.00	-18
12.01 or more	See policy 5 (absolute) of this section

(Ord. 4, Series 1997)

- (2) In connection with permit applications for projects within those character areas of the historic district specified below which involve "preserving", "restoring", or "rehabilitating" a "landmark structure", "contributing building", or "contributing building with qualifications" (as those terms are defined in the "Handbook of Design Standards for the Historic and Conservation Districts"), or "historic structure" or "landmark" as defined in this code, and in connection with permit applications for projects within the North Main Residential, North End Residential, and the East Side Residential character areas that exceed the recommended nine (9) units per acre of aboveground density, points shall be assessed based on the following table:

<u>Aboveground Density (UPA)</u>	<u>Point Deductions</u>
9.01-9.50	-3
9.51-10.00	-6
10.01 or more	See Policy 5 (absolute) of this section

(Ord. 24, Series 2001)

24. (ABSOLUTE) THE SOCIAL COMMUNITY (24/A):

Historic Preservation (*Cut and Paste from Policy 5/Absolute*)

- B. Historic and Conservation District:** Within the conservation district, which area contains the historic district (see special areas map²) substantial compliance with both the design standards contained in the "Handbook Of Design Standards" and all specific individual standards for the transition or character area within which the project is located is required to promote the educational, cultural, economic and general welfare of the community through the protection, enhancement and use of the district structures, sites and objects significant to its history, architectural and cultural values. (Ord. 7, Series 1992)

- (1) Within the conservation district, no historic structure shall be altered, moved or demolished without first obtaining a class A or class B development permit from the town. Accompanying such approval shall be an application for a class

² See section 9-1-20 of this chapter.

A or class B development permit as required by code to authorize any proposed new development which will take the place of a moved or demolished historic structure. The issuance of building permits for a moved or demolished historic structure and the construction of a replacement structure shall be issued concurrently and ~~may~~ **shall** not be issued separately. (Ord. 24, Series 2001)

- (2) In addition to the procedural requirements of this code, an application for alteration, demolition, or moving of an historic structure shall be accompanied by a cultural survey prepared by a qualified person when required by the town. (Ord. 7, Series 1992)

24. (RELATIVE) SOCIAL COMMUNITY (24/R):

3 x (0/+5)

E. Historic Preservation And Restoration:

~~5~~ **3** x (-5/~~0~~+5) ~~F.~~ **Conservation District:** Within the conservation district, which area contains the historic district, compatibility of a proposed project with the surrounding area and the district as a whole is of the highest priority. Within this district, the preservation and rehabilitation of any historic structure or any town designated landmark or federally designated landmark on the site (as defined in chapter 11 of this title) is the primary goal. 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. (Ord. 24, Series 2001) *Moved from Policy 5/Relative*

~~The preservation and restoration of historic structures, town designated landmark, federally designated landmark, landmark sites, or cultural landscape districts within the town is a priority. Additional on site preservation and restoration efforts beyond the requirements of the historic district guidelines for historic structures and sites as defined in chapter 11 of this title are strongly encouraged.~~

Positive points will be awarded according to the following point schedule for on site historic preservation, or restoration efforts, in direct relation to the scope of the project, subject to approval by the planning commission.

The construction of a structure or addition, or the failure to remove noncontributing features of a historic structure may result in the allocation of fewer positive points:

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

Examples³: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details.

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

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

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

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

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

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

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

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

Moving Historic Structures: *(New Language)*

A structure derives part of its historic significance from its setting, which includes the property itself, associated landscaping and other buildings. The manner in

³ Examples set forth in this policy are for purpose of illustration only, and are not binding upon the planning commission. The ultimate allocation of points shall be made by the planning commission pursuant to section 9-1-17-3 of this title.

which a building relates to its site, how it is oriented on the property and its view orientation are all aspects of the building context that enrich our ability to understand the life ways that the historic district conveys. Removing a building from its historic setting diminishes our ability to interpret the history of the district and its historic structures to the fullest extent possible and therefore should be avoided. Instead, the preferred method is to preserve historic buildings in their existing locations.

The degree to which historic structures are moved on their site, or moved to another site, will be considered in the allocation of negative points. Structures that are moved off the property to another site will receive the greatest number of negative points. These moves change the interpretation of the history of a site and the historic structure. Every effort shall be made to preserve historic structures in their historic locations. When moving of structures is necessary, they shall be relocated in a manner which preserves the original context of the site and structure as much as possible.

The following is a guideline for the assignment of points for moving historic structures:

Primary Structures: *(New Language)*

0 points: Relocating of historic primary structures in order to bring them into compliance with required codes and/or setbacks and for correcting property encroachments, but keeping the structure on its original site, and maintaining the historic context of the structure and site.

-3 points: Relocating of historic primary structures less than five (5) feet from its current or original location, keeping the structure on its original site, and maintaining the historic context of the structure and site.

-5 points: Relocating a historic primary structure more than five (5) feet from its current or original location, but keeping the structure on its original site and maintaining the historic context.

-15 points: Relocating a primary structure off its current or original site.

Secondary Structures: *(New Language)*

0 points: Relocating of historic secondary structures in order to bring it into compliance with required codes and/or setbacks and for correcting property encroachments, but keeping the structure on its original site, and maintaining the historic context of the structure and site.

-1 point: Relocating of historic secondary structures less than five (5) feet from its current or original location, keeping the structure on its original site, and maintaining the historic context of the structure and site.

-3 points: Relocating a historic secondary structure more than five (5) feet but no more than ten (10) feet from its current or original location, but keeping the structure on its original site and maintaining the historic context.

-5 points: Relocating a historic secondary structure more than ten (10) feet from its current or original location, but keeping the structure on its original site.

-10 points: Relocating a historic secondary structure to a site off the original property.

Structures Not in Historic Location: *(New Language)*

On occasion, historic structures have been moved to new locations within the town. The moving of these structures (which were previously moved to new locations after the Town's Period of Significance, after 1942) are not subject to the allocation of negative points if the final location and configuration of the building is consistent with the policies and intent of the "Handbook of Design Standards for the Historic and Conservation Districts", and so long as the building is structurally stabilized and placed on a permanent foundation at the receiving site. Also, the receiving site shall be an appropriate context for the structure, as determined by the structure's original use and site.

Structures that were previously moved during the Town's Period of Significance (in 1942 or earlier) may have achieved historical significance in their new or current location. In these cases, moving these structures again is discouraged and negative points shall be allocated by the Planning Commission in direct relation to the scope of the change in location and context, pursuant to the provisions of this chapter.

Returning Structures to their Historic Location: *(New Language)*

It is the goal of the Town to encourage the return of historic structures back to their original, historic locations, in those cases where historic structures were previously moved off their historic location. Positive points will be assigned according to the following point schedule:

+2 points: Relocation of a historic structure back to its historic location.

+5 points: Relocation of a historic structure back to its historic location and returning the site to its appearance at a particular moment in time within the Town's Period of Significance.

DEFINITIONS: *(New Language)*

Primary Structure: The main building or structure on a lot which gives the site its unique character, and was historically the most important building on the site. In most cases, the primary structure will be the largest structure on the property, and generally were located near the front portion of the lot, closer to the street. Primary structures are generally more

ornate with more architectural detail. Examples of primary structures include the main residence, or main commercial building, as opposed to sheds, outhouses, and barns which are secondary structures in most instances.

Secondary Structure: Buildings whose uses were historically ancillary to the primary use of the site. These include storage buildings such as sheds, outhouses and barns, which were typically smaller than the primary structure and located at the rear of the lot. These buildings were usually simpler in design than primary structures, were often not painted and were clad in lower quality materials.

MEMORANDUM

To: Planning Commission

From: Matt Thompson, AICP

Date: October 10, 2012

Re: Second work session on Pinewood Village Phase II (actual name to be determined)

As you may recall from the first work session on Pinewood Village Phase II, Corum Real Estate Group has approached the Town regarding a second phase of Pinewood Village, name to be determined. The proposal is for two buildings that would be 100% affordable rental housing. Corum has proposed a project similar to the original Pinewood Village, but with larger buildings and underground garage parking for residents.

The property is currently in Land Use District 9.2, which recommends building heights of two stories, with three stories acceptable if situated in such a way that the hill to the west provides an appropriate backdrop and sufficient trees to the east to provide screening. However, because this property is going through the annexation process, the Land Use District designation needs to be formally adopted by the Town. This gives us the opportunity to reconsider the Land Use District provisions in LUD 9.2, and custom design those provisions to accommodate this development. The purpose of the work session is to see if the Planning Commission is comfortable with the increased height over the recommended height in current Land Use District 9.2.

Changes from the last meeting

- The front building closest to Airport Road has been lowered by 10’ – 7 ¾” or a half story.
- The applicants have tried to bury the garage at the first floor as much as possible to minimize the massing of the building above grade. The Applicants believes they can bury one end of the building (south side) and leave a minimal exposure for the garage entry on the other end (north).
- Building 2 (further away from Airport Road) has been moved farther away from Claimjumper Condos and pushed up the hill away from Airport Road. At the last work session Building 2 was 31’-10” off of the property line to the north. The building is now proposed at 54’ – 4 ¾” off the property line to the north.
- The total density of both buildings has been reduced from 96,000 sq. ft. to 91,868 sq. ft.
- The applicants have eliminated the 3 bedroom units from the project and went to only 2 bedroom/2 bath, 1 bed/1bath, and studio units. This had an overall effect of lowering the gross area of each building while staying at the same unit count (96 units). In addition, this shortened the buildings slightly since there are no longer 3 bedroom units on the ends of the building.

Land Use District 9.2 allows residential uses at a density of 10 units per acre. Corum has proposed:

Building 1 –

Garage level = 13,448 sq. ft.
Level 1 = 13,925 sq. ft.
Level 2 = 13,788 sq. ft.
Level 3 = 9,561 sq. ft.
Level 4 = 7,759 sq. ft.

Density = 45,033 sq. ft.
Mass = 58,481 sq. ft.

Building 2 –

Garage level = 13,448 sq. ft.
Level 1 = 13,925 sq. ft.
Level 2 = 13,788 sq. ft.
Level 3 = 9,561 sq. ft.
Level 4 = 9,561 sq. ft.

Density = 46,835 sq. ft.
Mass = 60,283 sq. ft.

Project Totals

Density = 91,868 sq. ft.

Mass = 118,764 sq. ft. (As currently designed this project complies with 10 Units Per Acre)

Building Height

The back building is four stories on the downhill side, the bottom level being the garage partially below grade. The front building would have the garage mostly buried except for at the garage entry. Therefore the front building should look like a three story building with stepped down ends which will be two stories.

For comparison purposes, Land Use District 9.2 discourages buildings in excess of two stories. Per LUD 9.2: *“Buildings of three stories may be acceptable only if situated in such a way that the hill to the west provides an appropriate backdrop, and sufficient trees are left to the east to provide adequate screening.”* If it is determined that the proposed buildings meet the above criteria, then the front building complies with the three story height allowance and the rear building exceeds this allowance by one story.

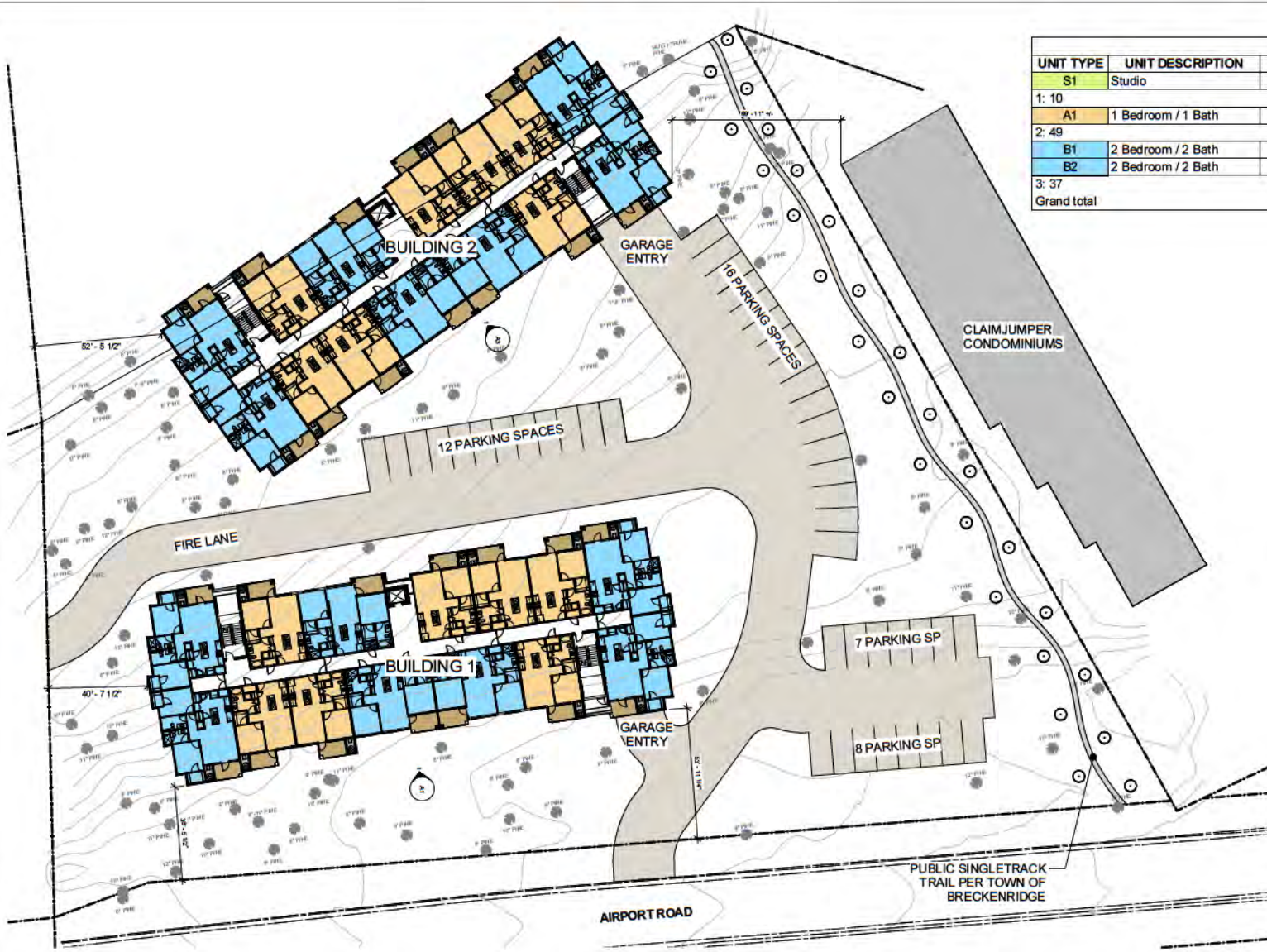
The taller structure is Building 2, located at the back of the site, measured at 53’- 4” to the mean elevation of the roof, which makes it slightly under 4.5 stories as defined by the Code. Please keep in mind that a Land Use District still needs to be assigned for this recently annexed property. The zoning could be assigned as District 9.2, or it could be a different district with a different recommended height. The question for the Planning Commission then is “Is this height acceptable?”

Staff conducted an informal point analysis and believes the project may be eligible for some positive points:

- Parking mostly in garage: +2
- Employee housing: +10
- Transit if a bus stop was added possible +4 (this is an ongoing discussion with Transit Division)
- Strong landscaping plan could incur positive points
- Dumpster kept inside of building could incur positive points
- HERS report and energy upgrades could incur positive points

Depending upon the interpretation of the appropriate height, it appears possible the proposal could pass a point analysis. However, there are several unknowns in the proposal at this time. Provision of affordable rental housing is a priority goal of the Town Council and the Town is looking at higher densities on its affordable housing sites, provided the housing meets a fit test and achieves good design. Staff is looking at drafting a new Land Use District if the Commission is not comfortable with how the proposal works in Land Use District 9.2. At this point, we are looking for general feedback on the proposal. We also have the following specific questions:

- Does the Commission find that the applicant addressed their concerns from the first work session?
- Does the Commission find that the proposed buildings would comply with Land Use District 9.2?
- Should a new Land Use District (different from LUD 9.2) be created for this site?
- What other feedback do you have at this time?



OVERALL UNIT MIX					
UNIT TYPE	UNIT DESCRIPTION	UNIT AREA	OCCURENCES	TOTAL AREA	MIX
S1	Studio	551 SF	10	5,510 SF	10%
1: 10			10	5,510 SF	10%
A1	1 Bedroom / 1 Bath	680 SF	49	33,320 SF	51%
2: 49			49	33,320 SF	51%
B1	2 Bedroom / 2 Bath	958 SF	21	20,118 SF	22%
B2	2 Bedroom / 2 Bath	997 SF	16	15,952 SF	17%
3: 37			37	36,070 SF	39%
Grand total			96	74,900 SF	100%

PBA
PAUL T. BERCHER / AIA / ARCHITECT / PC

Corum Real Estate Group
1000 S. Cherry Street
Suite 608
Denver, CO 80246

Pinewood Village II
1000 S. Cherry Street
Suite 608
Denver, CO 80246



SITE PLAN
1" = 20'

C:\Users\pberch\Documents\Pinewood Village II - Central_pba.rvt 10/20/2013 2:40:10 PM 10/20/2013 2:40:10 PM



**BUILDING 1
ELEVATION**
1/8" = 1'-0"

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100812

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



BUILDING 1
PERSPECTIVE VIEW

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Pinewood Village II
10/30/19

BUILDING 1 PERSPECTIVE

1533 York Street
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620 S. Cherry Street
Suite 625
Denver, CO 80246

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- R4 T.O. SURFLOOR
131'-11.56"
- R3 T.O. SURFLOOR
121'-3.34"
4'-10.14" ROOT LINE
- R2 T.O. SURFLOOR
110'-7.76"
- R1 T.O. SURFLOOR
100'-0"
- 10'-0" F
- B1 T.O. SLAB
89'-4.16"
- Unit Plans
80'-11.14"

1 BUILDING 2 ELEVATION
A3 1/8" = 1'-0"

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1008/12
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BUILDING 2 FRONT ELEVATION
1/8" = 1'-0"



BUILDING 2 PERSPECTIVE

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BUILDING 2 PERSPECTIVE

From: Carol Rockne
Sent: Wednesday, October 10, 2012 9:19 PM
To: Thompson, Matt
Cc: barbara shaffer; rob r
Subject: RE: Pinewood Village II front building closest to Airport Road

Dear Matt; These buildings are the same size as River Mountain Lodge. All of Airport Rd. is primarily 2 stories with a small 3 story structure appearing here and there. Across the street from this project are all one and two stories. Claim Jumper is 3 stories on the outside sloping to 2 stories towards the inside of the development. This Pinewood should be no higher on the front and no higher on the back than the first Pinewood which had pushed the height limits beyond the 2 story covenant. This project has 43 outside parking spaces.....the rest(90) under the buildings? No sidewalk on Airport Rd. is shown or bus stop. This project is just too dense, too massive and 2 stories too high. Where will the storage be for these long term renters? The dumpster? Bike storage? W/D is every unit? If this is the size they think they need to make economical sense for them to build then they should walk away, and wait for rental rates to be higher and we can all enjoy a town pocket park in the meantime.

Carol Rockne

Planning Commission Staff Report

- Date:** October 8, 2012 (For meeting of October 16, 2012)
- Subject:** Stan Miller Master Plan Third Modification, Class A Final Hearing, (PC# 2012012)
- Proposal:** To modify the existing Amended Miller Master Plan with a change in previously allowed uses and density allocations. (Note: the portion of the property owned by Braddock Holdings, Parcels F and D-2, will be reviewed as a separate modification to the Master Plan for their property.)
- Address:** 13541 Colorado State Highway 9
- Legal Description:** Parcels A, B, E, H, and I of the Miller Subdivision
- Project Manager:** Michael Mosher, Planner III
- Applicants/Owners:** Kermit Miller, SMI LAND, LLC and Tom Begley, Braddock Holdings, LLC
- Agent:** Bill Campie and Dave Williams, dtj design
- Site Area:** 40.41 acres (1,760,259.6 sq. ft.) Miller Property
2.29 acres (99,752.4 sq. ft.) Tract D-2
- Land Use Districts:** LUD 1 and 33-North. Tract D-2 is located in LUD 6, which is part of the Delaware Flats/Highlands Master Plan. The acreages in each district are as follows:
- | | |
|--------------|----------|
| LUD 1 | 6.12 AC |
| LUD 33-North | 34.29 AC |
| LUD 6 | 2.29 AC |
- Site Conditions:** The property was dredge-mined in the early 1900's, leaving very little vegetation, undulating dredge tailings and the Blue River in an unnatural state. Stan Miller Inc. operations have occupied the property for the past 35+ years. Currently, the Blue River bisects this property from south to north along the westerly edge of the dredged mined area. The area to the west of the current river was not dredged but still lacks any notable vegetation. The property to the east of the current river is used for SMI Land, LLC (formally Stan Miller Inc.) operations including equipment storage, gravel storage, material storage, an equipment shop and office building. There is a small area near the center of the property where the only natural trees on the property exist; this area is proposed to be private open space to preserve the trees. There are no platted easements on the property.
- The applicants have completed the restoration of the section of Blue River that runs along the west edge of the property. The Miller Subdivision (tracts only) has been recorded and the dedication of the river parcel has been transferred as Public Open Space. No further development has occurred on the property.

Adjacent Uses: North: The Shores at the Highlands Tract C and D-2, Multi-family Residential (undeveloped), Red, White and Blue Fire District, North station
 East: Highway 9, Highlands Golf Course Subdivision Filing 1, and Breckenridge Building Center
 South: Alpine Rock batch plant, Town of Breckenridge/McCain property
 West: U.S. Forest Service property/Blue River

Density Allowed: Per the Annexation Agreement - 155 units (not SFEs) over the entire development.

LUD 33-North - 34.29 Acres @ 4.5 UPA	154.30 SFEs	
LUD 6 - 2.29 Acres	22.00 SFEs	
<u>Density from LUDs 1 @ 0.1 UPA</u>	<u>0.61 SFEs</u>	
TOTAL	176.91 SFEs	(Uses/units vary)

Note that Parcel F and Tract D-2 (grayed out) are not included in this proposal.
 (See Land Use Summaries next page)

Existing Miller Master Plan (2nd Modification)		
Parcel	Area	SFEs / USE
A	3.63 AC	8 SFEs Duplex; 3 SFEs Single Family
B	2.54 AC	15 SFEs Town homes (Deed Restricted)
C	2.89 AC	8 SFEs Duplex (Deed Restricted); 12 SFEs Single Family (Deed Restricted)
D	9.27 AC	3 SFEs Single Family (Deed Restricted) 6 SFEs Duplex; 16 SFEs Single Family
E	1.84 AC	40 SFEs Condominium/Apartment (Deed Restricted)
F	11.86 AC	<i>38 SFEs Duplex (20 SFEs Deed Restricted); 8 SFEs Single Family (@ SFEs Deed Restricted) 46 Total SFEs</i>
G	6.12 AC	Public Open Space
H	0.03 AC	0 SFEs (portion next to Miller Drive)
I	0.70 AC	Public Open Space
Right of Way	1.53 AC	Stan Miller Drive
<i>Tract D-2</i>	<i>2.29 AC</i>	<i>Existing Parcel F Density</i>
TOTALS	42.70 AC	157 Total SFEs

Proposed Miller Master Plan (3rd Modification)		
Parcel	Area	SFEs / USE
A	11.27 AC	Residential (<i>Share 111 SFES</i>)
B	7.06 AC	Mixed Use (<i>Share 111 SFES</i>)
C	0.00 AC	Eliminated
D	0.00 AC	Eliminated
E	1.84 AC	Mixed Use (<i>Share 111 SFES</i>)
		78 SFEs Deed Restricted & 33 SFEs
F	11.86 AC	<i>38 SFEs Duplex (20 SFEs Deed Restricted); 8 SFEs Single Family (@ SFEs Deed Restricted) - 46 Total SFEs</i>
G	6.12 AC	Public Open Space
H	0.03 AC	0 SFEs (portion next to Miller Drive)
I	0.70 AC	Public Open Space
Right of Way	1.53 AC	Stan Miller Drive
<i>Tract D-2</i>	<i>2.29 AC</i>	<i>Existing Parcel F Density</i>
TOTALS	42.70 AC	157 Total SFEs

Item History

Council approved the Miller Annexation Ordinance, annexing the property and placing the property in LUDs 1 and 33 on January 8, 2008. An Annexation Agreement establishing the terms for the annexation was adopted by resolution and approved on January 22, 2008. A Development Agreement establishing an 18-year extended vesting period for the project was approved on February 12, 2008. The ordinance amending the Land Use Guidelines for District 33 was approved on March 11, 2008.

As part of the Annexation Agreement, modifications to the agreement are allowed with Council Review:

PERIODIC REVIEW OF AGREEMENT. Miller, Braddock, and Town agree that for so long as either Miller or Braddock owns any of the Master Planned Property, they will meet and confer at least each five years to determine if changed conditions suggest that modifications to either this Agreement or to the Restrictive Covenants are appropriate. The parties agree to meet and confer sooner than each five years if the prevailing interest rate on a 30 year fixed rate mortgage increases above 7.5 per cent (7.5%) per annum, or thereafter by more than two percentage points at any time.

Changes from the April 17, 2012 Preliminary Hearing

As reviewed at the last meeting, the purpose of this Master Plan Modification is to provide more flexibility for the placement and type of uses and to specifically include some commercial uses. There is no change to the overall density from the original master Plan.

The applicants have met with the Town Council and obtained approval for and have executed *A Resolution Approving A Second Amended And Restated Annexation Agreement With SMI Land, LLC, A Colorado Limited Liability Company, And Braddock Holdings, LLC, A Colorado Limited Liability Company.*

This change modified the Annexation Agreement to address:

- a. A modification to the distribution of density to provide more flexibility regarding the placement and location of all uses (deed restricted units, market units, commercial uses).
- b. A provision to allow up to 20 commercial SFEs - inclusive in the existing density, not additional).

After further review amongst Staff, we believe that rather than include the note: "Other commercial uses as may be approved by the Town under special review" that having the applicant modify the Master Plan to include a specific use instead would better follow the intent of Absolute Policy 39, Master Plan.

Staff Comments

With the exception of the proposed additions to the previous uses and their site location on the Master Plan, all other provisions of the original Master Plan remain unchanged. As noted above, the applicants are seeking modifications to all parcels except F and D-2.

This Master Plan amendment will eliminate the previous Parcels C and D, combining those areas into redefined Parcels A and B. The proposed design criteria and uses are as follows Changes and additions are in **BOLD**:

Master Plan Notes:

1. For those approved lots that are less than 5,000 square feet, the maximum square footage shall be 1,800 square feet (not including garage).

2. Design Guidelines

The architecture of the buildings will be inspired by the historic vernacular of the outskirts of Breckenridge, including a variety of different, yet related, styles. Building massing, roof forms, detailing, and materials will be typical of mining, ranching and fishing lodge architecture. Building colors will be subdued, taking cues from natural tones in the landscape.

Residential buildings will be designed to create an interesting facade using a variety of massing forms. The roof forms will be predominantly gabled roofs. Elements to break up the roof will be used, including dormers, large overhangs, and small shed roofs.

Mixed Use and Commercial buildings will be designed to relate to both the residential uses and the large commercial buildings adjacent to the property. A larger variety in roof forms and materials will be allowed than in the residential parcels to accommodate the specific needs of the planned uses.

Site design will be reflective of the dynamic location of the property. The site design will reflect the adjacent commercial uses, juxtaposed against the natural open space areas. The design will incorporate access and views to the Blue River, as well as walk-able streets to incorporate a strong pedestrian feel.

The landscape design will utilize hardy plant material appropriate to the mountains in a way that connects the natural landscape with a refined touch of the developed land. The landscape will be the connecting element between the different land uses and neighborhoods.

Separation between all residential buildings shall have a minimum of 20-feet between structures, measured eave to eave.

Allowed uses on Residential only parcels:

1. Detached dwelling units
2. Duplexes
3. Multi-family (apartments and condominiums)
4. Townhouses

Allowed uses on Residential and Commercial Mixed Use parcels:

Residential Uses

1. Detached dwelling units
2. Duplexes
3. Multi-family (apartments and condominiums)
4. Townhouses
5. Live-work
6. Independent Living
7. Cooperative Housing units

Commercial Uses - (Subject to negative points under Policy 2, Land Use Guidelines, of the Town's Development Code, as commercial uses are not recommended in this Land Use District.)

1. **Continuum of Care for Elderly People consisting of:**
 - a. **Dependant Living**
 - b. **Assisted Living for elderly people, housing for the frail elderly, people with disabilities.**
 - c. **Alzheimer's and Elderly Patient related dementia care - Secured facilities to provide close supervision of people in need of protective oversight and personal services in a residential setting.**
 - d. **Nursing Home Care for the frail elderly and people with chronic illness who need routine or skilled nursing care in a residential facility.**
2. Art or craft studios
3. Commercial Kitchens and catering, which open no earlier than 7:00 a.m. and close no later than 10:00 p.m.
4. Indoor Amusement establishments which close no later than 10:00 pm.
5. Restaurants, cafés, and coffee shops no larger than 2,000 square feet, all operations must occur between 7:00 AM and 10:00 PM
6. Small theater or rehearsal space that close no later than 10:00 p.m.
7. Child Daycare
8. Government or Municipal facilities
9. Non-profit membership clubs that close no later than 10:00 p.m.
10. Private schools or colleges
11. Religious Assemblies
12. Adult educational facility
13. Vocational or trade school
14. Office
15. Animal clinic or hospital (all operations indoors)
16. Broadcast and recording facilities
17. Business support services
18. Non-vehicular and equipment repair and rental services without outdoor storage
19. Retail sales, no larger than 2,000 square feet
20. Building material sales, no larger than 2,000 square feet

Prohibited Uses:

1. Fraternities, sororities and dormitories
2. Boarding Houses
3. Transitional Housing
4. Hotels, Bed and Breakfasts, Hostels
5. Day or overnight shelters
6. Outdoor animal kennels
7. Drive through facilities
8. Outdoor entertainment
9. Commercial Car washes
10. Fuel service stations
11. Sales, service, or rental of vehicles
12. Storage facilities as a primary use
13. Warehouse or distribution facilities

* All uses will be in compliance with the Town Nuisance Policies.

Public Benefits (no change)

As inducement to the Town to annex the property, the applicant will provide the following public benefits at no cost to the Town:

Applicant will restore the Blue River (in accordance with the Town's Blue River Restoration Master Plan and the Stan Miller Master Plan as approved by the Town) by relocating the river along the westerly boundary of the property. The reclaimed river will be vegetated with natural landscaping and a soft surface public trail will be created for the length of the corridor. The river and trail will be located within a 6.14-acre corridor to be dedicated to the Town as public open space. Timing of the river reclamation and land dedication is scheduled for 2008 and 2009. (This has been completed.)

Applicant will dedicate to the Town a new 60' wide right of way and will construct "Stan Miller Drive" within the new ROW. This road connects Tiger Road to Fairview Boulevard. (Not completed yet.)

Applicant will construct a public trail network throughout the project located on approximately 3 acres of private open space including four separate pocket parks. The trail easements will allow public access to the Blue River for residents of the project and the general public. A 10 space public parking lot and bus stops with shelters (pending approval by the Transportation Agencies) will be provided adjacent to Stan Miller Drive near the existing Red White and Blue North Station. (Not yet completed.)

Staff Review

Since this is a Master Plan, it is subject to a Development Code based point analysis. However, this application seeks only to modify the density allocation and uses for a portion of the plan that should have no impact on the previously approved point analysis. As the property is developed, each development application will be subject to its own point analysis.

Land Use (Policies 2/A & 2/R): This property is located within Land Use Districts (LUDs) 1, and 33/North. The proposed Blue River corridor within the 6.12-acre Public Open Space parcel (Parcel G) has been placed in LUD 1 and is for recreational uses. The proposed uses of single family, duplex, townhome and condo/apartment are consistent with the proposed Land Use Guidelines (LUGs) for 33/North and are compatible with surrounding developed areas.

The introduction of commercial uses in this LUD will be reviewed at the time of development and will then be subject to a point analysis. Negative points may be incurred for commercial uses at that time.

Commercial Uses:

The general idea on the list of allowed and prohibited commercial uses is to provide the type of uses that would complement the Miller Master Plan residential community and adjoining commercial uses on the BBC property while not competing with commercial uses in downtown Breckenridge. The size and hour limitations proposed are intended to minimize the impacts of the commercial uses.

The proposed commercial uses are comprehensive and detailed. All commercial activities are planned to be kept indoors and have limited hours to reduce the impacts on neighboring residential uses.

Residential Uses:

Many of the residential uses will be similar to what has already been approved on the original Master Plan; Detached dwelling units, Duplexes, Multi-family (apartments and condominiums), Townhouses, Detached dwelling units, Duplexes, Multi-family (apartments and condominiums), Townhouses. Staff has no concerns.

The proposed residential uses unfamiliar to this Master Plan and not specifically defined in the Development Code are “Assisted Living” and “Cooperative Housing units”. See attached memo for dtj Design describing these uses.

Assisted Living would also include: private pay, alternative care facilities (assisted living residences that are Medicaid certified) and residential treatment facilities for persons with severe and persistent mental illness. The uses would also have medication management, bathing and dressing assistance, and the need for protective oversight and supervision.

Per the Colorado Department of Public Health and Environment:

“Assisted living residences provide room, board and at least the following: personal services, protective oversight, social care and regular supervision available on a 24-hour basis.

Personal services include a physically safe environment, supervision, assistance with activities of daily living such as medication administration, bathing, dressing, eating, laundry, recreational activities and arrangements for transportation. Protective oversight includes monitoring the needs to ensure the residents receive the services and care necessary to protect their health, safety and well-being.

The Dept. ensures that assisted living residences meet established standards for health and safety which include resident rights, protection from abuse, quality of residents' lives and quality of residents' care through unannounced annual surveys and complaint inspections.”

Staff believes this use as being beyond simple residential use in that there will be on-site employed staff working to provide the services needed to the residents. The closest use, based on intensity and uses would be a hotel (under Residential uses) as defined by the Development Code:

Hotel/Lodging/Inn: A multi-unit structure which provides a centralized management structure incorporating the following features or standards: no kitchens of any kind in the units, a twenty four (24) hour front desk check in operation, a central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities.

Density/Intensity (3/A & 3/R) / Mass (4/R): LUD 33/North recommends a maximum of 4.5 UPA. The existing overall density is 4.43 UPA. The overall development still falls below the recommended 4.5 UPA. Staff has no concerns.

Architectural Compatibility (5/A & 5/R): There is no proposed change to the Master Plan notes regarding architectural character. Only all-natural materials are to be allowed (no stucco, cultured stone veneer, fiber-cement siding, etc.) with earth-tone colors and simple “fishing-lodge” style architecture.

Building Height (6/A and 6/R): LUD 33-North suggests building height as two-story. The Master Plan does not propose any change to this. Staff has no concerns.

Site and Environmental Design (7/R): All of the developed area is to occur on the portions of the site disturbed by previous dredging. Except for the partial reclamation of the Blue River, those portions that are in a natural state shall remain. Additionally, all of the developed area (development sites, ROW, and associated common space) is to be reclaimed and restored to a more natural appearing state during construction. For the restoration of the Blue River, positive four (+4) points were awarded with the original Master Plan. None are sought with this modification.

Placement Of Structures (9/A & 9/R): As we have seen with some other deed restricted housing projects, portions of the proposed development plan do not meet Town minimum lot size and residential setbacks in all cases. The concept for this project is to create an integrated deed restricted and market-rate mixed residential neighborhood with a unified architectural theme. The intent is to provide active green spaces and trails throughout the project and create visual harmony where restricted units are undistinguishable from the market units. This concept coupled with a 75% deed restricted, 25% market-rate unit mix, as required by the Annexation Agreement, generate the need for smaller lot sizes in some cases (similar to the Wellington Neighborhood). This also helps reduce infrastructure costs.

Per Section 9-2-4-5 of the Subdivision Code:

C. Lots for residential uses and all lots located within residential neighborhoods shall be a minimum of five thousand (5,000) square feet in size, except lots created through the subdivision of townhouses, duplexes, or building footprint lots created as part of a single-family or duplex master plan or planned unit development, which are exempt when the lot and project as a whole is in general compliance with the Town comprehensive planning program and have little or no adverse impacts on the neighborhood.

Inherent with smaller lot sizes, the suggested building setbacks, as described in the Development Code, became an issue with the initial review. During the final review of the Master Plan, the applicant was approved with an exception from both the relative and absolute setback requirements as provided for in sections 9-1-19-9 (Absolute) C.2.c.3 and 9-1-19-9 (Relative) D.2.c.3., both read as follows:

c. Exceptions: The provisions of this subsection C(2) shall not apply to the development of: 1) any lot with an existing platted building or site disturbance envelope, 2) any lot having building locations previously established by a development permit, and 3) any lot created pursuant to a master plan for a single-family residential subdivision in which seventy five percent (75%) or more of the units or lots within the subdivision are encumbered by an employee housing restrictive covenant which is in compliance with the provisions of section 9-1-19-24R, "Policy 24 (Relative) Social Community", of this chapter, and all other relevant town employee housing standards and requirements. (Ord. 14, Series 2003)

Similar to other Master Plans with multi-family units (Shores Duplexes and the Highland Greens developments), the applicant and Commission agreed to a minimum of 20-feet between structures, eave to eave. There is no proposed change to this portion of the Master Plan. We note that negative nine (-9) points were incurred on the original Master Plan for not meeting the relative setback requirements. We have no concerns.

Social Community (24/R): As with the previous approval, over 10% of the proposal consists of deed/equity restricted permanently affordable housing. Positive ten (+10) points were awarded on the point analysis.

Point Analysis (Section: 9-11-7-3): At this time, Staff has found that there are no point changes to the Master Plan application. As currently proposed, the proposal passes all Absolute Policies (with the exception of lot sizes and setbacks) in the Development Code and had incurred positive points under Policies 7 (+4) and 24/R (+10) and negative points under Policy 9/R (-9). The point analysis shows a passing score of positive five (+5) points.

Staff Recommendation

With the modification to the Annexation Agreement in place and the Master Plan notes modified to reflect the Planning Commissioner comments. We would welcome any discussion regarding the proposed elderly living uses in the Master Plan Notes. Is the Commission comfortable with the definition of Dementia Care: *“Dementia Care - Secured facilities to provide close supervision of people with mental illness in need of protective oversight and personal services in a residential setting.”*

We recommend the Planning Commission approve the Point Analysis for the Stan Miller Master Plan Third Modification, (PC# 2012012). We also recommend the Planning Commission approve the Development Application for the Stan Miller Master Plan Third Modification, (PC# 2012012) with the attached Findings and Conditions.

Commissioner Questions / Comments from the April 17, 2012 Meeting:

- Ms. Dudney: Is that plan and the color rendering; is that the proposal? (Mr. Mosher: The map is the Master Plan subject to approval. The color rendering is a sample illustrative plan and not binding.) It is very confusing in the report. Nowhere in the report does it say where it is going to go. (Mr. Mosher pointed out that the staff report and the included maps do show the location.) The key doesn't show commercial, it only shows mixed use. (Mr. Mosher: The commercial are included in "mixed uses", i.e.: parcel B and E are noted as Mixed Use on the map. The rendering is not part of the approved master plan; just the map.) You are asking us to consider "Assisted Living"? The rendering doesn't look anything like it. (Mr. Mosher: The rendering is not specific in showing every possible use. The illustrative plan addresses the required public access, public parking, pocket parks, that all were required from the previous approved Master Plan.) I want you to look at page 102 of what you gave to us. I need you to clarify. Look at the categories. If you look at the headings you have 3 different categories. You are telling me there are only two categories; this is really confusing. So there really are only two categories? So if we approve 1-9 and 1-21? (Mr. Mosher: Perhaps the Master Plan Map included in your packet would help. The heading is in bold and underlined titled Allowed and Prohibited Uses in Mixed Use Parcels and shows Residential Uses and Commercial Uses beneath it. This is Mixed Use. Perhaps I could have used underlining and bold to match it better.) (Mr. Bill Campie, Agent for the Applicant: The idea is that mixed use could have commercial and/or residential.)
- Mr. Pringle: At one time we thought that incorporating workforce housing this far out of Town wouldn't be the best. (Mr. Mosher: There would be a planned bus stop located here.) We are now not considering that consideration.
- Ms. Dudney: Have you thought of how you would work a deed restriction with assisted living? (Mr. Mosher: They are separated. We are discussing the impacts of the proposed uses, Residential and Mixed Use. We need to reflect on what the possible impacts could be and relay that back to the Town Council.) The new uses; what the Applicant would like would be to come back later and incorporate any of the uses on B, H and E? (Mr. Mosher: Yes.) (Mr. Grosshuesch: The Town Council housing committee has been pretty clear about not allowing assisted living to substitute for the affordable housing requirement. Assisted living would be in addition to the affordable housing units.)
- Mr. Campie: The way this was structured is that there was a very restrictive requirement of affordable housing. All of this is coupled with trying to meet some type of market demand. We are trying to get to the point where we can develop it based on the type of market. We are not changing the ratios of the affordable housing, the AMI requirements within that; anything we can do to promote development. Commercial, conflict of uses; concern how that with residential and how that affects ability to rent. The Town is trying to help service area, not a lot going on. Thinking that it will compete with downtown is pretty far-fetched; don't see that becoming a real conflict. Required to preserve trees, pocket park within project and open space corridors to river access. With regard to assisted living, etc: age-targeted housing; great idea since there isn't much in Town. Would create a sense of community. With regards to assisted living, big question with living at altitude. Is there really demand within that? Would the Town see it as public benefit? Not much certainty around it but a lot of questions around it as well; a lot of flexibility with that as well; placed here to create a sense of options. Independent living: basically independent with a few options, anyone can live there; can be rental, owned, etc. Assisted living: typically more staff on-site to support folks; inside of units would have small kitchenette, wheel chairs, where you need enough help but you are getting to that point where you can't deal with day-to-day stuff on your own. Dementia: memory impairment, specific arrangement for design; vary state-by-state; full medical help state.
- Ms. Dudney: What would be the minimum size of assisted living? (Mr. Campie: 20 units, 16 units, I have built some small ones. The trick is the density required for that since the units are small and there are a lot of common areas. Tough to say at this point.)

- Mr. Rath: Altitude for anyone who is unwell is not much of a reality, wouldn't build one here. Don't really see the market for it.
- Ms. Christopher: Did the report mention that we wouldn't do any of the sites where people aren't well? (Mr. Campie: It was more of a demand study. We don't want to rule it out. Usually a net win for the community; from a development standpoint it is totally up in the air.) (Mr. Mosher: I remind the Commission that we need to discuss the proposed uses of the site based on the Development Code.) (Mr. Grosshuesch: Want to steer Commission to discuss whether these uses are compatible together? Is this change going to introduce incompatibility?)
- Mr. Rath: Unless we actually see the design how could we actually make a decision? (Ms. Dudney: Mr. Rath is right; you might not feel ok with a huge assisted living place as you drive into Breckenridge.) (Mr. Campie: There can be no commercial uses larger than the maximum 20 SFEs for the commercial.)

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

Staff welcomed any Commissioner comments on the following:

1. Did the Commission have any Code related concerns with the proposed uses listed on the Master Plan notes?
 - a. Ms. Dudney: On Page 102; 30 uses, non-obnoxious uses and uses that would be entirely inside. Child Daycare might be something that would be different since there has to be outside play area; if they are limited to 20 SFEs for commercial, I am ok with all of it because it is just small projects that are market based
 - b. Mr. Pringle: No, all would be compatible with Town; I don't feel that all listed would be compatible together; not opposed to introducing some of the commercial uses into this area.
 - c. Mr. Lamb: Like the mix of commercial and residential; support.
 - d. Ms. Christopher: No code issues, liked the mixed use.
 - e. Mr. Rath: No code issue, don't like master plan; it has been here since 2008 and it might be needing another review.
 - f. Mr. Schroder: No code issues.
2. Did the Commission support adding a Master Plan note be added similar to that on the Select 10, Snowflake Blocks 1 and 2 Master Plan (Reception #530269) stating "*Other commercial uses as may be approved by the Town under special review*"?
 - a. Ms. Dudney: Yes.
 - b. Mr. Pringle: Yes.
 - c. Mr. Lamb: Yes.
 - d. Ms. Christopher: Yes.
 - e. Mr. Rath: Yes.
 - f. Mr. Schroder: Yes.
3. Did the Commission have any comment on the sizes and hours of operations of the proposed commercial uses?
 - a. Ms. Dudney: No comment unless could hear specific use of proposals is.
 - b. Mr. Pringle: The sizes probably work; not so sure I want to be tied to hours of operation if I don't know what the uses are going to be (i.e.: coffee shop).
 - c. Mr. Lamb: Sizes are good; hours of operation are limited. Hours could keep it in check; if someone wanted to argue hours that could fit into # 2 as a special review for an argument.
 - d. Ms. Christopher: Like hours and square footage; would be nice if they needed different hours to submit and support their case.
 - e. Mr. Rath: Agree with keeping the hours open; I see that there is enough density where there might be a satellite village where people don't have to drive all the way to town to get something; all of this could be integrated.
 - f. Mr. Schroder: Hours will sort itself out; we will see all these things in the application.
4. Did the Commission have any special comments regarding the proposed residential uses that are not identified in the Development Code; "*Assisted Living*", "*Cooperative Housing units*", "*Dementia Care (as*

defined by the Colorado Department for Public Health and Environment)” and “*Nursing Care (as defined by the Colorado Department for Public Health and Environment)*”?

- a. Ms. Dudney: As long as there is a square footage limitation, I am in favor of giving the developer flexibility in this regard. Changing market forces will always happen; wouldn't presume to tell them what they could or couldn't put in there, as long as it isn't a nuisance to the surrounding areas and uses.
- b. Mr. Pringle: Assisted Living/Senior Living; state of CO has specific requirements. Don't want to weigh in with the Town of Breckenridge and the potential of these facilities; agree.
- c. Mr. Lamb: Good we are accommodating uses that may be difficult to sell up here; nice to know there might be a need.
- d. Ms. Christopher: Market will handle this; independent living might be the only thing to squeeze in; if it were to happen, parking like Wellington Neighborhood by spreading it out might be a better look instead of a huge parking lot.
- e. Mr. Rath: We need to have some green and reestablish the trees to start to get rid of the rubble; example: Buena Vista; community feel; if assisted living worked up here I know it could be done well. No concerns, it is all about size and massing. The gateway to Town is important. The Town it creates an impression and I want it to be a good impression.

Mr. Schroder: Do these fall into hotels where they have X amount of parking spaces? How many of these would we want? Do we anticipate writing new code to address these facilities or is the Master Plan going to be the baseline? (Mr. Mosher: Yes, the master plan would be the baseline.) I would say maybe the assisted living could be here; would like to see no more than the one.

Final Hearing Impact Analysis

Project: Stan Miller Master Plan Third Modification
 PC#: 2012012
 Date: 10/08/2012
 Staff: Michael Mosher

Positive Points +14

Negative Points - 9

Total Allocation: +5

Items left blank are either not applicable or have no comment

Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Complies with the amended Guidelines for LUD 33 - North
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		Complies with the amended Guidelines for LUD 33 - North
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		All natural materials proposed in earth tone colors.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		No development proposed with this Master Plan
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)	+4	River Restoration
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
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)	- 9	Some of the lots do not meet minimum setback requirements.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		

18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	+10	More than 10% of the project is to have permanently affordable employee housing.
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		All utility lines are to be placed underground.
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		

TOWN OF BRECKENRIDGE

**Stan Miller Master Plan Third Modification
13541 Colorado State Highway 9
Parcels A, B, E, H, and I of the Miller Subdivision
PERMIT # 2012012**

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 October 8, 2012 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on October 16, 2012 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.

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. The final Master Plan Mylar shall include, these notes in their entirety :

Master Plan Notes:

1. *For those approved lots that are less than 5,000 square feet, the maximum square footage shall be 1,800 square feet (not including garage).*
2. *Design Guidelines*

The architecture of the buildings will be inspired by the historic vernacular of the outskirts of Breckenridge, including a variety of different, yet related, styles. Building massing, roof forms, detailing, and materials will be typical of mining, ranching and fishing lodge architecture. Building colors will be subdued, taking cues from natural tones in the landscape.

Residential buildings will be designed to create an interesting facade using a variety of massing forms. The roof forms will be predominantly gabled roofs. Elements to break up the roof will be used, including dormers, large overhangs, and small shed roofs.

Mixed Use and Commercial buildings will be designed to relate to both the residential uses and the large commercial buildings adjacent to the property. A larger variety in roof forms and materials will be allowed than in the residential parcels to accommodate the specific needs of the planned uses.

Site design will be reflective of the dynamic location of the property. The site design will reflect the adjacent commercial uses, juxtaposed against the natural open space areas. The design will incorporate access and views to the Blue River, as well as walk-able streets to incorporate a strong pedestrian feel.

The landscape design will utilize hardy plant material appropriate to the mountains in a way that connects the natural landscape with a refined touch of the developed land. The landscape will be the connecting element between the different land uses and neighborhoods.

Separation between all residential buildings shall have a minimum of 20-feet between structures, measured eave to eave.

Allowed uses on Residential only parcels:

- 1. Detached dwelling units*
- 2. Duplexes*
- 3. Multi-family (apartments and condominiums)*
- 4. Townhouses*

Allowed uses on Residential and Commercial Mixed Use parcels:

Residential Uses

- 1. Detached dwelling units*
- 2. Duplexes*
- 3. Multi-family (apartments and condominiums)*
- 4. Townhouses*
- 5. Live-work*
- 6. Independent Living*
- 7. Cooperative Housing units*

Commercial Uses - (Subject to negative points under Policy 2, Land Use Guidelines, of the Town's Development Code, as commercial uses are not recommended in this Land Use District.)

1. Continuum of Care for Elderly People consisting of:

- a. Dependant Living**
 - b. Assisted Living for elderly people, housing for the frail elderly, people with disabilities.**
 - c. Alzheimer's and Elderly Patient related dementia care - Secured facilities to provide close supervision of people in need of protective oversight and personal services in a residential setting.**
 - d. Nursing Home Care for the frail elderly and people with chronic illness who need routine or skilled nursing care in a residential facility.**
- 2. Art or craft studios*
 - 3. Commercial Kitchens and catering, which open no earlier than 7:00 a.m. and close no later than 10:00 p.m.*
 - 4. Indoor Amusement establishments which close no later than 10:00 pm.*

5. *Restaurants, cafés, and coffee shops no larger than 2,000 square feet, all operations must occur between 7:00 AM and 10:00 PM*
6. *Small theater or rehearsal space that close no later than 10:00 p.m.*
7. *Child Daycare*
8. *Government or Municipal facilities*
9. *Non-profit membership clubs that close no later than 10:00 p.m.*
10. *Private schools or colleges*
11. *Religious Assemblies*
12. *Adult educational facility*
13. *Vocational or trade school*
14. *Office*
15. *Animal clinic or hospital (all operations indoors)*
16. *Broadcast and recording facilities*
17. *Business support services*
18. *Non-vehicular and equipment repair and rental services without outdoor storage*
19. *Retail sales, no larger than 2,000 square feet*
20. *Building material sales, no larger than 2,000 square feet*

Prohibited Uses:

1. *Fraternities, sororities and dormitories*
2. *Boarding Houses*
3. *Transitional Housing*
4. *Hotels, Bed and Breakfasts, Hostels*
5. *Day or overnight shelters*
6. *Outdoor animal kennels*
7. *Drive through facilities*
8. *Outdoor entertainment*
9. *Commercial Car washes*
10. *Fuel service stations*
11. *Sales, service, or rental of vehicles*
12. *Storage facilities as a primary use*
13. *Warehouse or distribution facilities*

** All uses will be in compliance with the Town Nuisance Policies.*

2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. The vested period for this master plan expires eighteen (18) years from the date of the original Town Council approval, on **April 22, 2026**, in accordance with the vesting provisions identified in the Development Agreement as approved by Town Council on February 12, 2008. In addition, if this permit is not signed and returned to the Town within thirty (30) days of the permit mailing date, the permit shall only be valid for eighteen (18) months, rather than eighteen (18) years.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

5. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
6. This Master Plan is entered into pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan. The provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site specific development of the property subject to this Master Plan.
7. Approval of a Master Plan is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
8. Concurrently with the issuance of a Development Permit, applicant shall submit a 24"x36" mylar document of the final master plan, including all maps and text, as approved by Planning Commission at the final hearing, and reflecting any changes required. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the mylar.
9. Applicant shall record with the Summit County Clerk and Recorder a mylar document reflecting all information in the approved Master Plan. The mylar document shall be in a form and substance acceptable to the Town Attorney, and after recording shall constitute the approved Master Plan for the future development of the property. This mylar shall include notes identifying the architectural character as identified in the final staff report dated October 8, 2012 and a note identifying the Illustrative Plan as part of the Master Plan notice of recordation and that it will act as the document defining the development pattern for this phased project.
10. Prior to its recording, the mylar described in Condition 9 shall be revised to provide that the 157 SFEs of density required for the full development of the Master Planned Property shall be provided as follows: (i) 48 SFEs already exist on the Master Planned Property by virtue of its prior zoning; (ii) 100 SFEs shall be provided by the Town for development of the Restricted Units; and (iii), if required to complete the development of the 57 Unrestricted Units, 9 Transferable Development Rights shall be purchased by the Applicant and the density associated with such Transferrable Development Rights appropriately transferred to the Master Planned Property. The 100 SFEs of density to be provided by the Town shall be transferred to the Master Planned Property by the Town prior to the issuance of a development permit for the construction of the first of the Restricted Units. The 48 SFEs of existing density may be used by Applicant in connection with the issuance of development permits for the Unrestricted Units. Any Transferrable Development Right required for the construction of an Unrestricted Unit shall be purchased by the Applicant and the density associated with such Transferable Development Right transferred to the Master Planned Property prior to the issuance of a development permit for the construction of the Unrestricted Unit for which the density is required. All capitalized terms used in this Condition No. 10 that are defined in the "Amended and Restated Annexation Agreement" for the Master Planned Property shall have the meanings provided in the Amended and Restated Annexation Agreement.
11. Applicant shall pay a fee, established by the Town's Engineering department, to the Town in lieu of burying the existing overhead utility lines that lie to the east most portion of the property with the resubdivision of this property.
12. As part of the site improvements associated with this Master Plan and the associated Subdivision, the applicant shall to abide with all criteria of Policy 31 (Absolute and relative) Water Quality. In addition, a water quality report will be submitted and approved by Town staff with the resubdivision of this property.

THE MILLER MASTER PLAN AMENDMENT

Located in Section 18, Township 6 South, Range 77 West, 6th P.M. Town of Breckenridge, County of Summit, State of Colorado

April 3, 2012

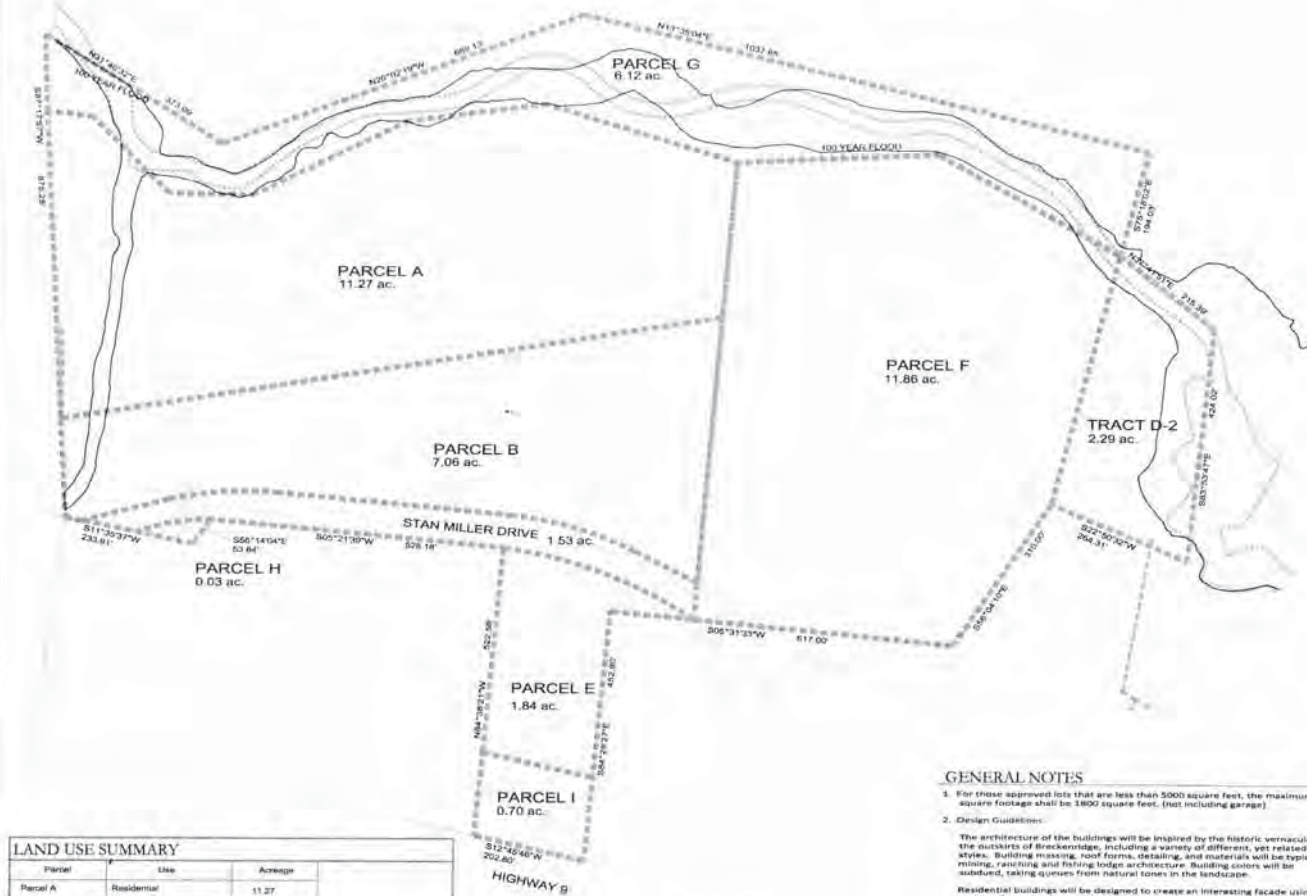
APPLICANT / OWNER:

Miller Property
13041 Highway 9
P.O. Box 854
Breckenridge, CO 80424
303-534-8374
Contact: Kymel Miller

LAND PLANNER/ARCHITECT:

DTJ DESIGN, Inc.
3101 9th Avenue, Suite 1301
Boulder, CO 80501
303-443-7533
Contact: Rick Campion, AIA
Dave Williams, AIA

MASTER PLAN CERTIFICATION



Parcel	Use	Acreage	
Parcel A	Residential	11.27	
Parcels B	Mixed Use	7.06	
Parcel D-2	Residential	2.29	111 SFE - Stan Miller
Parcel E	Mixed Use	1.84	19 SFE Restricted
Parcel F	Residential	11.86	53 SFE Market
Parcel G	Public Open Space	6.12	46 SFE - Breckenridge Holdings
Parcel H	Mixed Use	0.03	22 SFE Restricted
Parcel I	Public Open Space	0.70	24 SFE Market
Stan Miller Drive	R.O.W	1.53	
			157 SFE TOTAL
			100 SFE Restricted
			57 SFE Market

*Maximum of 35 SFE of commercial allowed between Parcels B and E

GENERAL NOTES

- For those approved lots that are less than 5000 square feet, the maximum square footage shall be 1800 square feet. (not including garage)
- Design Guidelines:

The architecture of the buildings will be inspired by the historic vernacular of the outskirts of Breckenridge, including a variety of different, yet related, styles. Building massing, roof forms, detailing, and materials will be typical of mining, ranching and fishing lodge architecture. Building colors will be subdued, taking queues from natural tones in the landscape.

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ALLOWED USES in RESIDENTIAL PARCELS

Detached dwelling units
Duplexes
Multi-family (apartments and condominiums)
Townhouses

ALLOWED and PROHIBITED USES in MIXED USE PARCELS

Residential Uses
Detached dwelling units
Duplexes
Multi-family (apartments and condominiums)
Live-work
Independent Living
Assisted Living
Cooperative Housing units

Commercial Uses
Dementia Care
Nursing Care
Art or craft studios
Commercial Kitchens and catering, which open no earlier than 7:00 a.m. and close no later than 10:00 p.m.
Indoor Amusement establishments which close no later than 10:00 p.m.
Restaurants, cafes, and coffee shops no larger than 2000 square feet, all operations must occur between 7:00 AM and 10:00 PM
Small theater or rehearsal space that close no later than 10:00 p.m.
Daycare
Government or Municipal facilities
Non-profit membership clubs that close no later than 10:00 p.m.
Private schools or colleges
Religious Assemblies
Adult educational facility
Vocational or trade school
Office
Animal clinic or hospital
Broadcast and recording facilities
Business support services
Non-vehicular and equipment repair and rental services without outdoor Storage
Retail sales, no larger than 2000 square feet
Building material sales, no larger than 2000 square feet
Warehouse or distribution facilities

*All deliveries for commercial uses must occur during operating hours

Prohibited Uses:

Fraternities, sororities and dormitories
Boarding Houses
Transitional Housing
Hotels, Bed and Breakfasts, Hostels
Day or overnight shelters
Outdoor animal kennels
Drive through facilities
Outdoor entertainment for commercial uses
Car washes
Fuel service stations
Sales, service, or rental of vehicles
Storage facilities as a primary use
Warehouse or distribution facilities

* All uses will be in compliance with the Town Nuisance Policies.

Submitted Date: 1.26.12

NO. BY: DATE: REVISIONS:

NO.	BY:	DATE:	REVISIONS:
1		4.3.12	Staff Revisions
2			
3			
4			
5			

Sheet 1 of 1



GENERAL NOTES

1. For those approved lots that are less than 5000 square feet, the maximum square footage shall be 1800 square feet. (not including garage)
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* All

Submi

NO:	E
1	
2	
3	
4	
5	

LAND USE SUMMARY

Parcel	Use	Acreage	
Parcel A	Residential	11.27	
Parcels B	Mixed Use	7.06	
Parcel D-2	Residential	2.29	111 SFE - Stan Miller
Parcels E	Mixed Use	1.84	78 SFE Restricted
Parcel F	Residential	11.86	33 SFE Market
Parcel G	Public Open Space	6.12	46 SFE - Braddock Holdings
Parcel H	Mixed Use	0.03	22 SFE Restricted
Parcel I	Public Open Space	0.70	24 SFE Market
Stan Miller Drive	R.O.W.	1.53	157 SFE TOTAL
			100 SFE Restricted
			57 SFE Market

*Maximum of 20 SFE of commercial allowed between Parcels B and E

MASTER PLAN CONCEPT

SITE PLAN



Stan Miller

Land Use	Size	Units	SFE
River Estates	90x 110	12	12
Small Lot	60 x 100	27	27
Alley Lot	40/50 x 90	0	0
Townhome	20 wide 1,600 sf	0	0
Duplex	-	15	15
Apartments	1,200 sf	44	40
MF over Commercial (1 story)	600 sf	10	5
Commercial	12,000 sf	-	12
Assisted Living	-	0	0
Total		108 units	111 SFE

Braddock Holdings

Land Use	Size	Units	SFE
River Estates	90x 110	12	12
Small Lot	60 x 100	12	12
Duplex	-	22	22
Total		46 units	46 SFE

Mosher, Mike

From: Williams, Dave [dwilliams@dtjdesign.com]
Sent: Tuesday, April 10, 2012 4:07 PM
To: Mosher, Mike
Cc: Campie, Bill
Subject: Miller Property - Senior Housing

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As we discussed, the following is a brief description of the four levels of Senior Housing proposed as Allowed Uses on the Miller Property as part of the Master Plan Amendment for Parcels, A, B, and E.

In the Residential Uses category, we have identified Independent Living and Assisted Living as potential Senior Housing uses. In the Commercial Uses category, we have identified Dementia Care and Nursing Care as potential Senior Housing uses.

Independent Living is oriented to senior citizens that live in a communal arrangement, but with individual living units that typically have a small kitchen so that the residents can prepare their own meals if desired. An Independent Living facility often also has a communal dining facility that allows residents to eat together if they desire. Residents in an Independent Living arrangement can generally take care of themselves, but may arrange for some help with housekeeping, laundry, monitoring medications, etc. The staff in an Independent Living facility is kept to a minimum.

Assisted Living facilities are for those seniors who need help with some of their activities of daily living (dressing, medications, bathing, etc), but do not need continued nursing care. Frequently this is because of some physical infirmity that prevents the resident from being totally independent. These residents take their meals in a communal setting, and participate in a variety of activities throughout the day. The staff in an Assisted Living facility is more than an Independent Living facility, but less than Nursing Care.

Dementia Care is for individuals who have Alzheimer's disease or other form of Dementia. These are residents who can't take care of themselves due to their mental state. It is not uncommon for these individuals to be physically able to perform their activities of daily living, but because of their decreased mental acuity, they need the continued care and support of a professional staff. These facilities are secure to ensure that the residents do not wander off the premises unsupervised.

Nursing Care is for the truly infirmed. There is 24-7 nursing care available for any need that the resident may have. These residents typically need help with most or all of their activities of daily living and are often medically more fragile. When the public thinks of a "nursing home", this is the kind of facility that is usually the prototype.

Let us know if you need any further information.

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