



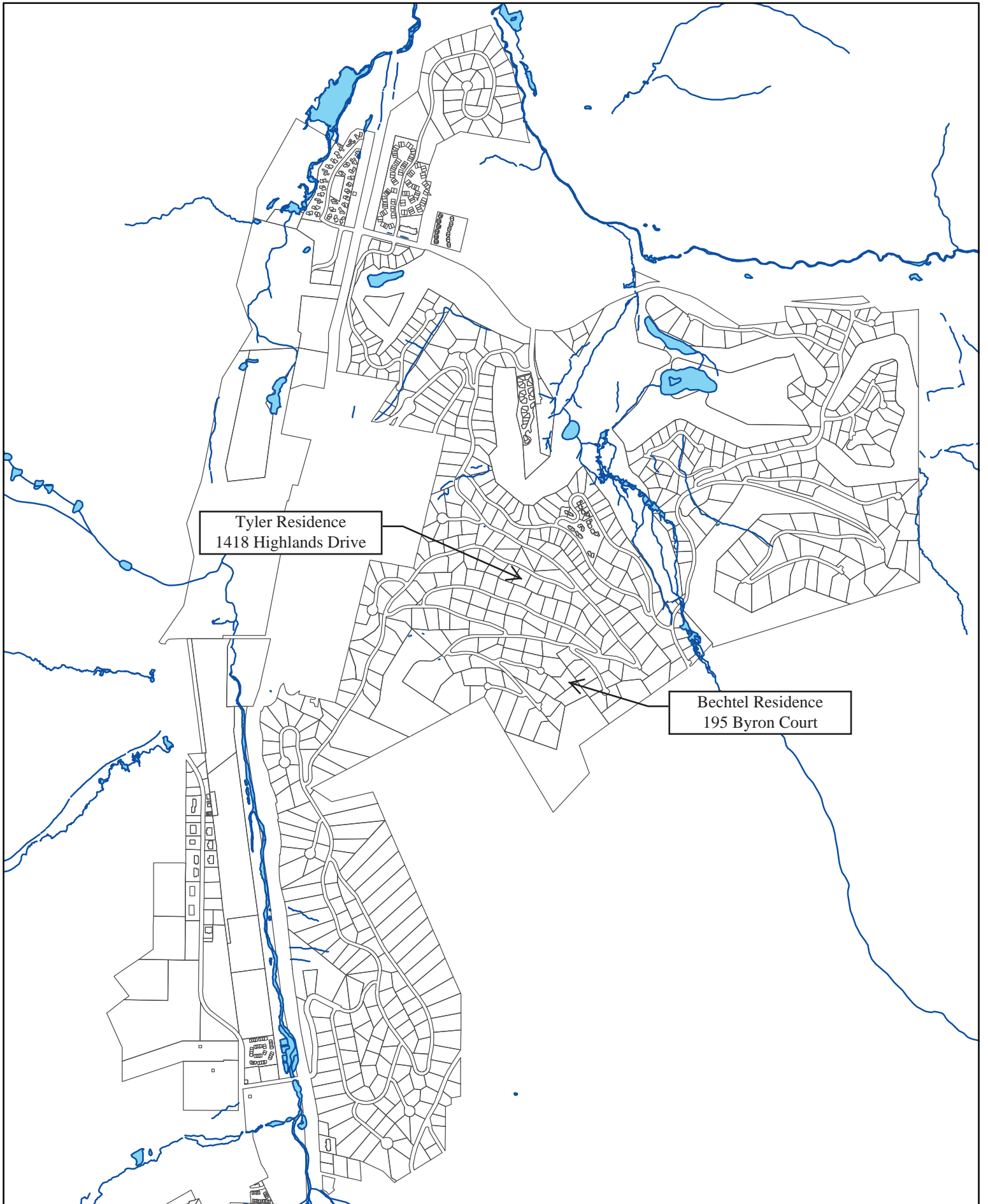
PLANNING COMMISSION AGENDA

Tuesday, March 05, 2013
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The March 5 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. Bechtel Residence (MGT) PC#2013015; 195 Byron Court	12
	2. Hughes Residence (MGT) PC#2013013; 106 Stillson Placer Terrace	23
	3. Tyler Residence (MGT) PC#2013014; 1418 Highlands Drive	34
7:15pm	<i>Worksessions</i>	
	1. Breckenridge Arts District Architecture Update (JC); 127 South Ridge Street	43
7:30pm	<i>Town Council Report</i>	
7:45pm	<i>Final Hearings</i>	
	1. Breckenridge Grand Vacations Lodge at Peak 8 (MM) PC#2012075; 1593 Ski Hill Road	44
9:00pm	<i>Other Matters</i>	
9:15pm	<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.**



Tyler Residence
1418 Highlands Drive

Bechtel Residence
195 Byron Court

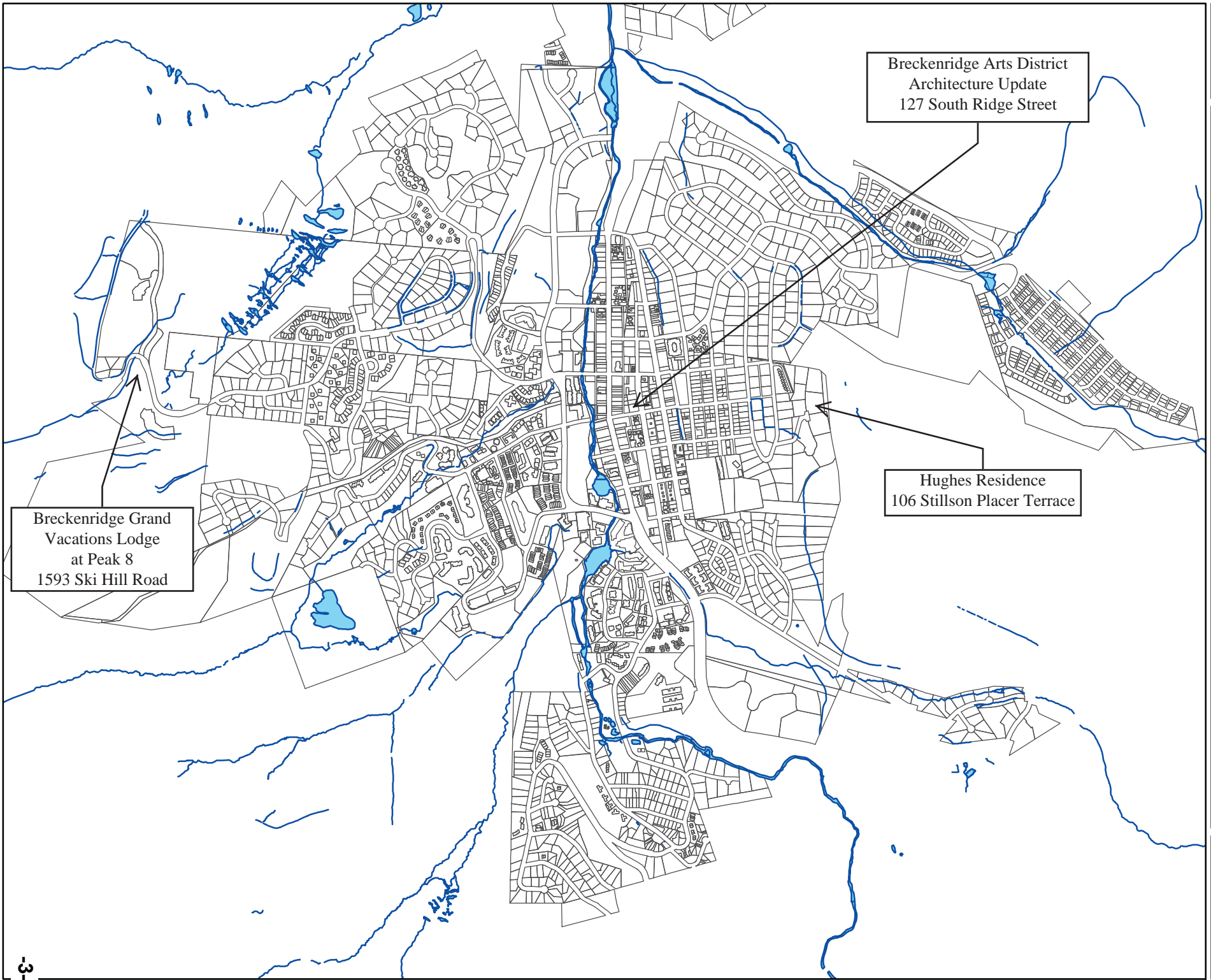


Breckenridge North

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

printed 4/12/2011

Breckenridge South

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



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Trip Butler Dan Schroder
Gretchen Dudney Jim Lamb Eric Mamula
Dave Pringle arrived at 7:05pm.
Gary Gallagher, Town Council Liaison

APPROVAL OF MINUTES

With no changes, the February 5, 2013 Planning Commission meeting minutes were approved unanimously (7-0).

APPROVAL OF AGENDA

With no changes, the February 19, 2013 Planning Commission meeting agenda was approved unanimously (7-0).

CONSENT CALENDAR:

1. Swanson Homestead (MGT) PC#2013010; 678 Tiger Road
2. Rocky Mountain Lodge (MGT) PC#2013011; 152 North Woods Drive

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

WORKSESSIONS:

1. Moving Historic Structures (CN)

Mr. Neubecker presented. Staff last presented on the topic of moving historic structures during the Planning Commission meeting of January 2, 2013. At that time, Staff heard support for the following changes:

- Moving historic structures to another lot should be allowed by variance only.
- Moving historic structures should require restoration and preservation of the structure.
- Points for primary and secondary structures should be allocated separately, but no more than +15 points should be possible for restoration of a primary and secondary structure combined.

There was no consensus on requiring both a variance and assigning negative points for moving a historic structure to another lot. A modified policy on moving historic structures was presented. The key changes to the policy from January 2nd included:

- Require restoration / preservation for any structure that is moved.
- Reducing the negative point allocations for moving historic secondary structures (on-site) to a maximum of negative three (-3) points. (Previously negative five (-5) points were possible.)
- Separating the positive points for restoring historic primary and secondary structures (on-site).
- Reducing the positive point increments for restoring primary structures, with a maximum of +12 points.
- Positive points for restoring secondary structures allowed up to +3 points.
- Clarifying that the points are allocated per Development Permit. (Example: If there are 2 primary structures on site, and both are approved under the same permit, the points are assigned only once. Similarly, negative points are allocated only once.)
- Changing the word “site” to “lot” to clarify that structures should remain on their existing legal parcel.

Staff believed that these changes meet the goals of the Commission; however, Staff welcomed Commission input and questions. After this meeting, Staff would like to take this item to Town Council and begin the

ordinance process.

Commissioner Questions / Comments:

- Mr. Mamula: Are we thinking now that if you don't have a secondary structure that you are probably only going to get +9 points now, since +12 points seem to be... Are we limiting people who don't have a secondary structure? Under B1 of the proposed policy we have language about moving structures being prohibited, but in Moving Historic Structures, it is ok. (Mr. Neubecker: The intent was that we prohibit it with an absolute policy, and if it gets approved with a variance they would still get the negative 15 points.) What keeps somebody from demolishing? (Mr. Neubecker: It would violate historic code and lower the rating of the structures, which violates and Absolute policy ; there is a possibility for demolition if there is no other option for saving it, or moving it, or restoring it.)
- Mr. Pringle: I have to agree with Mr. Mamula; it seems like there is a big difference in getting the +6 points and the +9 points; I wasn't quite sure what had changed there. I also agreed with Mr. Mamula about the fuzzy language about demolishing and wondered whether someone could get a limited number of points if they don't have a secondary structure. (Mr. Neubecker: Most of the properties that we have seen have secondary structures on them; most of these are restoring both primary and secondary structures. In order to make this more flexible, it might make sense to separate them out.) I can understand the concern.
- Ms. Dudney: As I remember it, we had applications come in where there were no positive points for the secondary structure and there were for the primary, and we gave you advice to separate them out. But you raised rightly the possibility of incorrectly assessing points. At the last meeting, Mr. Pringle recognized that and you said maybe it should just be more subjective.
- Mr. Pringle: If you're going to move it, preserve it. But it's so complicated now, I can hardly recognize it.
- Ms. Dudney: The Staff felt like there were too many positive points for the primary; the max you can get is +6 points now.
- Mr. Pringle: What if you preserved the project as it was originally, and you got +15 points for the primary and there was a secondary structure restored as well perfectly, all you would get is a pat on the back. (Mr. Neubecker: There are ways that you can get negative points even though you are doing a perfect restoration on a property; change of use, etc.) But would changing the use be allowed? (Mr. Neubecker: Yes. It's a relative policy.) Do we feel that the Barney Ford Museum is a wonderful preservation effort? It's not the same use as it was when it was originally constructed. (Mr. Neubecker: You could potentially get some uses or see impacts that would negatively affect the point assessment.) You're right, but our code only addresses the exterior. The concern with too many positive points if it doesn't relate well to other policies in the code is that they can be used to offset other points. (Mr. Grosshuesch: If someone is going to get +12, it will be a museum; we maybe need to ratchet this back into something that we are more likely to see. If you get a lot of positive points we won't have the flexibility anymore in the other relative policies (like setbacks and building heights etc). We can score these however you want; we wanted to recognize the need for separate point analyses for secondary and primary structures. If you left it the way it is, you would be flooding the point analysis with more positive points. The assumption is that there will be a secondary structure on every project you see which we know is not the case.) With your first assertion, that's the beauty of the code. I think people have had to fight for every point that they received. I go back to my premise, if we left the code alone and if they want to move a secondary structure on the lot, there would be no negative points given and they have to preserve it.
- Mr. Mamula: My question was more about a precedent going forward; something we used to give +12 for, we now give +9.

- Ms. Dudney: I agree with you, Mr. Mamula. (Mr. Neubecker: We are taking out the requirement of the secondary structure for the positive points. It's no longer in the requirement for +12 points)
- Mr. Mamula: If you don't have a secondary structure it doesn't matter to you anyway. If you just want to fix up your house, and your capability is only +9 because you don't have one, that's my point. (Mr. Grosshuesch: We just added another way to get more points through the energy conservation policy.)
- Ms. Dudney: One other factor: in all of the applications that we have seen, people have moved that secondary structure which achieves negative points. I worry that there may be unintended consequences. I don't mind eliminating the +15, but I do mind only having +6; I'm afraid that our prior applications wouldn't have passed. (Mr. Neubecker: The quickest way to get a project approved is to not accumulate negative points.) (Mr. Grosshuesch: Keep in mind, you only have to get to zero to pass a point analysis; so far we haven't denied anyone; it isn't like there aren't enough ways to accumulate positive points. When you get into +12 and +15 points, that is a rich opportunity to earn positive points.)
- Mr. Schroder: Great discussion but it seems right to me; I like the way the whole lot would be looked at collectively. Ultimately I think that the Staff has done a good job of blending the two and they made it work. Now we have one policy for a lot in the Historic District, which was part of our prior discussion. If you don't have a secondary structure on your property, that's what you have to work with and this isn't relevant, so I think it works.
- Mr. Lamb: I think it works; my opinion is that we have over-rewarded for positive points in the past and we are never going to write an ordinance that will take everything into consideration.
- Mr. Butler: I can live with it too, I think that our prior applications were accumulating negative points for building on the property line, etc, and they renovated it to eliminate the negative points. We should still be discouraging changing the orientation; our intent should be to remind people of historically what was here in Breckenridge.
- Ms. Christopher: At first glance the points are a little confusing but we've talked about it and I've got a handle on it; I think that the applicants are not going to move without some sort of positive points; the way Staff has it, it encourages historic preservation.
- Ms. Dudney: Four of the commissioners like this as written; I would make the modification that you could get +9 points even with an addition.
- Mr. Mamula: I don't know that I would change anything. I'm on the fence. My concern is that it is not enough points to get someone to do a good job. If people are still going to renovate and make it livable and it is worth the money to buy it, put in a basement, then I'm okay with this. Once we start hearing that people can't make it work with this point system, then we should fine tune it, I'm fine with this and interested to see where we go.
- Mr. Pringle: I still think we should have left this with the original point analysis. It's too complicated now.
- Mr. Gallagher: On the one hand I can understand that not awarding enough points to encourage a great restoration and on the other hand it causes the Applicant to go back and forth with Staff. I'm okay with the points; it bothers me to penalize the addition. The Council wanted to encourage 'life' activity, and that would be the only place we are penalizing too much. But we shall see. The proof is in the pudding.

Ms. Dudney opened the worksession to public comment. There was no public comment and the worksession was closed.

The Commission was in agreement the policy was ready to move forward to Town Council for adoption of a formal ordinance.

TOWN COUNCIL REPORT:

Mr. Gallagher:

Firstly, next Tuesday at Council, we will have a public comment session regarding the McCain property. It will be at 6:00pm for people to make known their thoughts. Secondly, for over 10 months now, there has been a landfill task force meeting trying to get their hands around a funding discussion with respect to landfill/recycle. Right now the County has to subsidize it and the County is leaning towards a real estate tax on the ballot. Council was brought up to date and we discussed it and Council asked Wendy Wolf to go back to the Landfill Task Force to let them know the Council is not in favor of a real estate tax because the value of one's home has nothing to do with trash or recycling that you are going to generate. We would prefer a "pay as you throw", as opposed to laying it on real estate tax. More things are going to be driven down to the local level, and we will see more of this.

Regarding the rodeo, Council extended from 5 weekends to 11 weekends. The promoter requested if he could bring livestock on a Friday afternoon; Council agreed. Promoter asked for two additional bull riding events (in July and around Labor Day); Council agreed. Promoter asked for a Children's rodeo from 12-2pm on Saturdays. Council felt that having two events on same day wasn't fair to the people who live and work along Airport Road (due to the increased traffic). However, if he could do a children's program just prior to the adult program, we would be open minded to that scenario. Council also decided we really need another venue for the rodeo. In 2014 if the rodeo business model continues to be successful, we need to locate this somewhere on the McCain property.

COMBINED HEARINGS:

1. Peak 7 and 8 Master Plan 5th Amendment (MM) PC#2013006; Ski Hill Road

Mr. Neubecker presented on behalf of Mr. Mosher. Pursuant to the terms of the approved Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc. (VSRI) and Peak 8 Properties, LLC ("Properties") VSRI proposes to modify the Amended Peak 7 & 8 Master Plan with the following:

- Residential density at Peak 8 is to be increased by 11.5 SFEs
- Commercial density at Peak 8 is to be increase by 5.0 SFEs
- The definition of Guest Services Facilities is to be amended
- The amenities multiplier allowed in Section 9-1-19:24 of the Development Code is to be increased for the Master Plan from 200% to 600%
- The parking required for the residential units in the Peak 8 Properties development (PC#2012075) may be reduced from that required by the Town's Off-Street Parking Regulations and the Parking Study for Breckenridge Ski Resort Amended Peaks 7 & 8 Master Plan dated August 1, 2001

And for clarification to the Master Plan Notes:

- The description of the heights of buildings is to be revised to make it clearer that the LUD 39 heights are recommended and not absolute.

To date there have been four previous amendments to the Peak 7 & 8 Master Plan. In summary:

- 2000155 – The major amendment to the old 1984 original Breckenridge Ski Resort Master Plan (which was also amended in 1986).
- 2005105 – Modify the 2000155 amendment to transfer 48 Single Family Equivalent (SFEs) of density to Peak 7 (41.5 residential SFEs and 6.5 commercial SFEs). Also a reallocation of 9 SFEs of Skier Services density from Peak 7 to Peak 8.
- 2006131 – Modify to the 2005105 amendment to convert 2.0 SFEs of commercial density to 2.0 SFEs of residential density.
- 2008033 – Modify the 2006131 amendment to purchase 2.80 Single Family Equivalent (SFEs) from the TDR program and place them within the Peak 7 Master Plan area. The density was used at the Grand Lodge on Peak 7 to convert the existing employee housing units into market-rate units. (The required employee housing was relocated per the Code requirements.)

There have also been several Density Transfer Agreements and Development Agreements related to the Master Plan.

Portions of this proposal are related to the active development review for the Breckenridge Grand Vacations Lodge at Peak 8 (PC# 2012075). The last public hearing for that development was heard by the Planning Commission on December 4, 2012.

This master plan amendment is essentially a housekeeping matter to reflect changes already approved by the Development Agreement between the Town, VSRI, and Peak 8 Properties, LLC. There are no substantive changes to the master site plan, architectural character or circulation. This amendment will simply clarify on the plan the density transfers, amenity bonus and parking issues approved in the Development Agreement. As part of this amendment, a clarification is also proposed to the master plan language on height measurement.

Pursuant to the terms of the Development Agreement among the Town, Vail Summit Resorts, Inc. ("VSRI"), and Peak 8 Properties, LLC ("Properties") dated August 14, 2012 and recorded January 8, 2013 at Reception No. 1013548, Summit County, Colorado, VSRI proposes the following amendments to the Peaks 7 & 8 Master Plan:

1. Residential density is to be increased by 11.5 SFEs to accommodate the larger size units that are proposed with the Grand Vacations Lodge at Peak 8 (PC# 2012075).
2. Commercial density is to be increased by 5.0 SFEs to accommodate a small restaurant (approximately 1,500 square feet), a spa (approximately 3,000 square feet) and a sundries store (approximately 500 square feet) that are proposed with the Grand Vacations Lodge at Peak 8 (PC# 2012075).
 - a. The additional 16.5 SFEs (11.5 residential and 5 commercial) that are proposed to be added to the density may only be allowed after a development permit for a project including such density is approved and the density is provided from transferable development rights (TDR) pursuant to the Intergovernmental Agreement between the Town and Summit County.
3. The definition of Guest Services Facilities is to be amended, first, to delete lockers for employees, restrooms, storage areas not used for recreational equipment for sale or rent, and lift and lift personnel facilities and, second, to provide for those four categories of uses to be defined as "Support Facilities" and for Support Facilities not to be assessed against density or mass provided that the Support Facilities areas are legally guaranteed to be used only for those limited uses and do not exceed 17,594 square feet.
4. The amenities multiplier allowed in section 9-1-19:24 of the Development Code is to be increased for the Peak 8 portion of the Master Plan from 200% to 600%.
5. The parking required for each unit for the Grand Vacations Lodge at Peak 8 (PC# 2012075) may be reduced from the one space per unit to 0.77 spaces per unit. (This has been factually supported by a written analysis prepared by a qualified parking consultant (Felsburg, Holt, and Ullevig) as required by the Development Agreement.)
6. For clarification only, the description of the heights of buildings is to be revised to make it clearer that the LUD 39 heights are recommended and not absolute height limitations, grade is to be measured from proposed grade (with more detailed description) and that the provisions of the Development Code in effect in 2003 providing for negative points to be assessed for heights in excess of the heights provided for in the applicable LUD apply to the approval of buildings proposed within the Master Plan area.

Staff views this application as fulfilling the conditions of the 2012 Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC. It also provides an opportunity to add detail to the methods of review and point assessment for measuring building height in the Master Plan notes. Staff welcomed any additional comments.

Commissioner Questions / Comments:

- Ms. Dudney: On Page 48; do I understand correctly that there were Master Plans in 94, 96, 05, 06, 08 and 2012; this is going all of the way back to 1994? (Mr. Neubecker: The plans in 1994/96 were completely different than our current Master Plans. This was the plan prior to Vail Resorts owning the ski resorts. The town and Vail Resorts agreed that we didn't want to see that project built. Gross violation of new wetlands understandings, which was why from 2000-03, we redesigned the Master Plan. The 05, 06, 08 were virtually identical to those, with some changes to density.)
- Mr. Pringle: There are elements that are specific to Grand Vacation Lodge and then some to the whole Peak 8 base. (Mr. Neubecker: Only the Peak 8 base is what we are considering tonight, except for the transfer of the density going to that site.)

Applicant Presentation: Randy May, Vail Resorts Development Company (VRDC):

As Mr. Neubecker indicated, the changes to the Master Plan that we are looking at tonight are related to the Development Agreement approved by Town Council. While there is some overlap into the Grand Vacation Project, it is appropriate to keep my comments associated with the Amendment that you are looking at tonight. There are six items tonight including density increases, change in the amount of square footage per unit, guest services, clarifications of methodology in measuring heights, for those three buildings and going back to the 2003 Master Plan, which took 6 ½ years to accomplish. Very little else is being changed to the Master Plan. There is no change in the height requirements. The parking is strictly with the project being proposed and that's related to the parking study accomplished and submitted to the Town. There have been two or three fit tests associated with Master Plan Amendments in the past that showed proposed locations uses and heights of buildings. As time goes on, all of those items in the fit test need to be adjusted to market demands and Breckenridge Ski Area operations are changing with the guests wants and needs. During the time required to build out Peak 8, there will be changes and there will be Amendments. In 2003 there were some basic agreements that everyone bought into. There was going to be major development, there would be large buildings and we need to bring our ski facilities up to what the public was demanding. As we go along and develop, those are the types of things we are trying to accommodate. As demands change, those facilities are going to change; however, the basic agreements are still in place. There has been a lot of information out there about both the Master Plan Amendment and the proposed Grand Vacations Project. A lot of the information has some erroneous information being distributed. I think we are happy to answer questions associated with that information but the Master Plan that we are looking at this evening is pretty straightforward. We are trying to incorporate our prior agreements into the Master Plan.

Commissioner Questions / Comments:

- Ms. Dudney: In the transfer of the 11.5 SFEs to Grand Vacation, I didn't see anything in the language that it was just going to be larger units. Can you use these SFEs however you wish? (Mr. May: Those are specific to that site and that development typically looks at 1,350 square feet, which is more than what Vail Resorts have looked at in the past. That increase in density is associated with that development and associated with that project specifically. I will tell you, previous Master Plans fit test on that site had about the same number of units just less square footage than what is being proposed in that development. The last fit test that was done, there were some estimates of the height of those buildings. We've probably done 15 or 20 of those fit tests.)
- Mr. Pringle: Is this Development Agreement with Vail Resorts or Breckenridge Grand Vacations? (Mr. May: Both.) If Breckenridge Grand Vacations decides to not pursue this, does the development agreement go forward? (Mr. Stephen C. West, West, Brown, Huntley & Hunter, P.C.: I think that they would stay in place, but would be hard to use because the density transfer refers back to the development agreement and is contingent upon a building permit on a site being issued by the Planning Commission. Mr. May referred to some of the information out there; the changes to the height in here, looking back at the way we wrote

and the way we approved the height restriction left some room for confusion, so we came up with some clarification language. The buildings were always going to be taller than the 5 story height.)

Ms. Dudney opened the hearing to public comment.

Roger Koenig, One Ski Hill Place
Prepared statement:

Issues regarding Master Plan: I request that my written comments be included in the minutes of this meeting. This meeting is a public hearing called in compliance with the Breckenridge Town Code. “Prior to adoption of this plan, the Town Council shall hold a hearing.”

These comments are addressed to the Town Council: As we know, Town Council has the sole authority to adopt Master Plan Amendments. Please accept the letter attached to this written statement and the email correspondence between Chris Neubecker and myself. It is a plain English summary of the Peak 7 and Peak 8 Amendment. Clearly the building proposal counts 7 stories as shown on the December 4th east elevation view; unfortunately I could not find any such summary into tonight’s package. I respect that Town Council not accept these changes in this public hearing. It will far exceed our acceptable densities, parking, etc. This is against 2005 Master Plan; I see no reason for Council to vote against its citizens. The limits of 2005 Master Plan should not be violated.

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

Commissioner Questions / Comments:

Mr. Lamb: Is the Development Agreement a legally binding document? We are just cleaning up the language? (Mr. Neubecker: You could call it that; it still requires that the Master Plan be changed. When the Council reviews an agreement they do not do a point analysis. It is up to the Planning Commission to do point analysis. On March 5th, our meeting will deal with architectural standards for the Peak 8 Breckenridge Grand Vacations building. At that time this project needs to pass on its own merit for point analysis.)

Mr. Schroder: The code 6/R is building height; it is a relative policy. If we were to exceed 5 stories up to 7 stories and obtain negative 20 points which could be remedied with positive points from other elements in the project.

Mr. Mamula: I did not expect anyone to be here tonight; we assumed that this (development proposal) would happen. Council has made their decision on the density transfer, 600% amenities increase, so there is nothing in here that is shocking to me. The real discussion is at site specific permitting, which is when we decide if this stuff even fits. I don’t see that we have any leeway other than to vote yes, being a quasi-judicial body like we are.

Mr. Lamb: I agree with what Mr. Mamula said.

Mr. Pringle: Mr. May is right; this is where the Town intended to put large buildings. Hopefully no one is too surprised by this, there will be many flexible changes that will be approved or applied for over time through the Master Plan and other buildings coming along. Thank you very much for attending. The real meeting will be coming in the future. This is a housekeeping effort on our part.

Mr. Pringle made a motion to approve the Point Analysis for the Peak 7 & 8 5th Amended Master Plan, PC#2013006, Ski Hill Road. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Peak 7 & 8 5th Amended Master Plan, PC#2013006, Ski Hill Road. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

PRELIMINARY HEARINGS:

1. Maggie Point Homes (MM) PC#2013004; 9523 Highway 9 (*Withdrawn at the request of the Applicant.*)

OTHER MATTERS:

Mr. Mamula: A citizen asked me about a new home building across from Little Red Schoolhouse, and the dark sky policy and what the issue with the lighting. I haven't paid attention to it at night. (Mr. Neubecker: We believe the fixtures do meet the dark sky policy. There is a solid fixture containing the light source, and there is a glass element that is lower than the fixture; the light is contained within a solid piece and that is the element that needs to meet the code. The light has to be contained above in a horizontal plane through which the light passes, and it is.)

ADJOURNMENT:

The meeting was adjourned at 8:37 p.m.

Gretchen Dudney, Chair



Class C Development Review Check List

Project Name/PC#:	Bechtel Residence	PC#2013015
Project Manager:	Matt Thompson, AICP	
Date of Report:	February 25, 2013	For the 03/05/2013 Planning Commission Meeting
Applicant/Owner:	Leslee Bechtel	
Agent:	bhh Partners	
Proposed Use:	Single family residence	
Address:	195 Byron Court	
Legal Description:	Lot 47, Highlands at Breckenridge, Filing #10	
Site Area:	55,951 sq. ft.	1.28 acres
Land Use District (2A/2R):	1: Subject to the Delaware Flats Master Plan	
Proposal:	To build a 3,132 sq. ft. single family residence	
Existing Site Conditions:	<p>The property slopes downhill at 14% from the road towards the rear of the lot. The lot is covered in moderately sized lodgepole pine trees. There is 40' access, utility and drainage easement along southwestern property line. Also, there is a 25' utility and drainage easement crossing the southeastern portion of the property.</p>	
Density (3A/3R):	Allowed: unlimited	Proposed: 2,604 sq. ft.
Mass (4R):	Allowed: unlimited	Proposed: 3,132 sq. ft.
F.A.R.	1:17.86 FAR	
Areas:		
Lower Level:	1,130 sq. ft.	
Main Level:	1,474 sq. ft.	
Upper Level:		
Garage:	528 sq. ft.	
Total:	3,132 sq. ft.	
Bedrooms:	3	
Bathrooms:	2.5	
Height (6A/6R):	30 feet overall	
	(Max 35' for single family outside Historic District)	
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 2,737 sq. ft.	4.89%
	Hard Surface / non-Permeable: 2,677 sq. ft.	4.78%
	Open Space / Permeable: 50,537 sq. ft.	90.32%
Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 2 spaces	
Snowstack (13A/13R):		
	Required: 670 sq. ft.	(25% of paved surfaces)
	Proposed: 720 sq. ft.	(26.90% of paved surfaces)

Fireplaces (30A/30R): 1 gas

Accessory Apartment: N/A

Building/Disturbance Envelope? Disturbance envelope

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

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

Exterior Materials: 1x4 vertical wood siding, 1x8 horizontal wood siding, vertical metal base siding, and a natural stone veneer.

Roof: Asphalt shingles "Weathered wood"

Garage Doors: 2x4 trim with 1x4 vertical boards insulated garage doors with windows

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	3	(1) 6', (2) 10'
Aspen	12	(6) 2" - (6) 3" caliper, 50% multi-stem
Potentilla	10	5 gallon
Buffalo Juniper	10	5 gallon
Peking Cotoneaster	10	5 gallon

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

Driveway Slope: 8 %

Covenants:

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

Staff Action: Staff has approved the Bechtel Residence, PC#2013015, located at 195 Byron Court, Lot 47, Highlands at Breckenridge, Filing 10 with the attached Findings and Conditions.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Bechtel Residence
Lot 47, Highlands at Breckenridge, Filing 10
195 Byron Court
PC#2013015**

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 **February 25, 2013**, 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 **March 5, 2013**, 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 **September 12, 2014**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 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. 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.
7. Applicant shall field locate utility service lines to avoid existing trees.
8. 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.
9. 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.
10. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
11. 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

12. Applicant shall submit proof of ownership of the project site.
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 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. 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.***

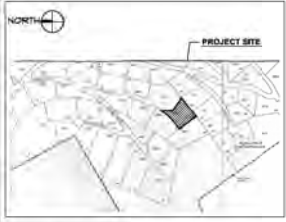
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BECHTEL RESIDENCE

GENERAL NOTES

- 1) COPYRIGHT:
All plans, designs, and documents shown in these drawings are the exclusive property of bhh Partners Planning/Architecture, A.L.P.A.C. and shall not be used, disclosed, or reproduced for any purpose whatsoever without the Architect's written permission.
- 2) CODES:
This project is governed by the International Residential Code, 2003 Edition as approved by 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 satisfying all applicable codes and obtaining all permits and required approvals. Building areas are shown for code purposes only and shall be recalculated for any other purposes.
- 3) FIELD VERIFICATION:
Verify all dimensions, conditions, and utility locations on the job site prior to beginning any work or ordering any materials. Notify Architect of any conflicts or discrepancies in the drawings immediately.
- 4) DIMENSIONS:
Utility dimensions always take precedence over scaled dimensions. DO NOT SCALE DIMENSIONS. Verify all dimensions shown prior to beginning any work and notify Architect of any conflicts or discrepancies for interpretation or clarification. Plan dimensions are to the face of framing members. Face of wood framing or face of concrete walls unless otherwise noted. Section or elevation dimensions are to top of apron, top of plywood, or top of wall plates or beams unless otherwise noted.
- 5) DISCREPANCIES:
The Owner has requested the Architect to provide limited architectural and engineering services. In the event additional details or guidance is needed by the Contractor for construction of any aspect of the project, he shall immediately notify the Architect. Failure to give ample notice shall relieve the Architect of any responsibility. Do not proceed in areas of discrepancy until all such discrepancies have been fully resolved with written direction from the Architect.
- 6) DUTY OF COOPERATION:
Release of these plans constitutes further cooperation among the Owner, his 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 perfection. Communication is perfect, and every contingency cannot be anticipated. Any existing or otherwise not specified by the use of these plans shall be reported immediately to the Architect. Failure to notify the Architect constitutes manufacturing and increases construction costs. A failure to cooperate by a simple notice to the Architect shall relieve the Architect from responsibility for all consequences.
- 7) CHANGES TO THE WORK:
Any items described herein that impact project budget or time shall be requested from the Contractor via a written change order request prior to such work. Performance of such work without approval by change order indicates General Contractor's acknowledgment of no increase in contract sum or time. Changes from the plans or specifications made without consent of the Architect are unauthorized and shall relieve the Architect of responsibility for any and all consequences resulting from such changes.
- 8) WORKMANSHIP:
It is the intent and meaning of these drawings that the Contractor and each subcontractor provide all labor, materials, transportation, supplies, equipment, etc. to obtain a complete job using the recognized standards of the industry.
- 9) SUBSTITUTIONS:
Substitution of "equal" products will be acceptable with Architect's written approval. See specifications.
- 10) CONSTRUCTION SAFETY:
These drawings do not include the necessary components for construction safety. The General Contractor shall provide for the safety, care of utilities and adjacent properties during construction, and shall comply with state and federal safety regulations.
- 11) EXCAVATION PROCEDURES:
Upon completion of any excavation, the Owner shall retain a soils engineer to inspect the subsurface conditions in order to determine the adequacy of foundation design. See specifications. CONTRACTOR SHALL NOT POUR ANY CONCRETE UNTIL APPROVAL IS OBTAINED FROM SOILS ENGINEER.
- 12) FIELD CUTTING OF STRUCTURAL MEMBERS:
The General Contractor and Subcontractors shall field coordinate and obtain approval from Engineer, Architect and Interior Designer. The work up shall be provided and signed off in writing prior to any exterior finish work. The sample shall include fascia, trim, window casing, and all other exterior finishes including 3/4" sample square of exterior stone work. This shall be retained on site until the final punch list is complete.
- 13) EXTERIOR MATERIAL PICK UP:
The General Contractor shall provide a mock-up of all exterior materials for review by the Owner, Architect and Interior Designer. The mock-up shall be provided and signed off in writing prior to any exterior finish work. The sample shall include fascia, trim, window casing, and all other exterior finishes including 3/4" sample square of exterior stone work. This shall be retained on site until the final punch list is complete.
- 14) WEATHER CONDITIONS:
The Owner has been advised that due to harsh winter conditions, roof and deck surfaces must be maintained reasonably free of ice and snow to ensure minimal problems with these surfaces. All roofing, roofing membrane, and waterproofing shall be approved in writing by product manufacturer (CR, Grace for structure, etc.) prior to proceeding with any work. Failure to provide these written approvals removes all responsibility for the work from the Architect.
- 15) BUILDING AREA:
Building areas are shown for code purposes only and shall be recalculated for any other use.
- 16) PROJECT STAKING:
The general contractor shall verify all existing grades and stake all building corners and driveway location for Owner/Architect and Design Services before approval prior to beginning any site clearing.
- 17) SITE DISTURBANCE:
It is the responsibility of the contractor to protect the existing trees to remain and adjacent properties (see drainage during construction). Provide protective fencing throughout construction.
- 18) PROJECT GRADES:
The general contractor shall check and verify all grades including paved area slopes prior to pouring any foundations. Survey work should be verified in detail. See numbers 3 and 4.

VICINITY MAP



BUILDING HEIGHT

ROOF HEIGHT: 8'6" AS U.S. LEGS
EXISTING GRADE: 5'15" U.S.G.S
PROPOSED GRADE: 5'15" U.S.G.S
BUILDING HEIGHT: 2'15" (75'-9")

NOTE: BUILDING HEIGHT IS MEASURED FROM THE RIDGE POINT ABOVE DETERMINED ON FINISHED GRADE (H-CH) ELEV IS GREATER DIRECTLY BELOW.

AREA CALCULATIONS

	UNFINISHED	FINISHED	TOTAL
LOWER	0 SF.	631 SF.	631 SF.
HAN	528 SF.	1474 SF.	2002 SF.
TOTAL	528 SF.	2105 SF.	2633 SF.

NOTE: SQUARE FOOTAGES ARE CALCULATED FOR CODE PURPOSES ONLY AND SHOULD BE RECALCULATED FOR ANY OTHER PURPOSES. 495 SQ.FT. IS UNFINISHED CRAWLSPACE IN ADDITIONAL SQ.FT.

LEGAL DESCRIPTION

LOT 47, FLING RD, THE HIGHLANDS AT BRECKENRIDGE, BRECKENRIDGE, COLORADO

USGS DATUMS

LOWER LEVEL: 100'-0" + 5748' U.S.G.S
GARAGE LEVEL: 106'-1 3/4" + 5766' U.S.G.S
MAIN LEVEL: 107'-1 3/4" + 5783' U.S.G.S

SHEET INDEX

- T-1.0 TITLE SHEET 4 NOTES
- SF-1.0 SITE PLAN
 - SF-1.0 LANDSCAPE PLAN
 - A-1.0 LOWER LEVEL PLAN
 - A-1.1 MAIN LEVEL PLAN
 - A-1.2 ROOF PLAN
 - A-2.0 BUILDING ELEVATIONS
 - A-2.1 BUILDING ELEVATIONS



SITE PLAN

SCALE: 1" = 20'-0"

OWNER: LESLIE BECHTEL 493 ALPINE CLARIANT, APT# 305 COLORADO SPRINGS, CO 80918 (303) 861-8263 (CELL) leles@bechtel.com	ARCHITECT: bhh PARTNERS PLANNING/ARCHITECTS 160 EAST ACADY STREET P.O. BOX 501 BRECKENRIDGE, CO 80424 (970) 493-4880 lg@bhhpartnersplanning.com	CONTRACTOR: PINNACLE MOUNTAIN HOMES, INC. 330 NORTH MAIN STREET P.O. BOX 1398 BRECKENRIDGE, CO 80424 (970) 493-0717 (O) 621.950.0665@pinnclemh.com	ENGINEER: ENGINEERING DESIGNWORKS, INC. 389 HILLTOP PARKWAY, UNIT 200A STRANDBERG SPRINGS, CO 80481 (970) 878-4850 (970) 878-4909 (FAX) eds@pdesigns.com	SOILS ENGINEER: THE COLBY ENGINEERING 808 THE COLBY 608 BLUE RIVER RD. BLUE RIVER, CO 80424	SURVEYOR: RANGE BEST ENGINEERS AND SURVEYORS P.O. BOX 585 SILVERTHORPE, CO 80488 (970) 448-8201
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REVISIONS:

JOB NO: 1331
DATE: 02/06/13
DRAWN BY: t.gerken
CHECKED BY: m.hogan

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HIGHLANDS DRB # 108
SUBSTITUTION: 02/06/13

bhh Partners
PLANNING/ARCHITECTURE/ENGINEERING
BRECKENRIDGE, CO 80424 (970) 493-4880

BECHTEL RESIDENCE
198 BYRON COURT, LOT 47 HIGHLANDS AT BRECKENRIDGE FLING RD, TOWN OF BRECKENRIDGE, COLORADO

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SHEET NUMBER:

T-1.0
TITLE SHEET

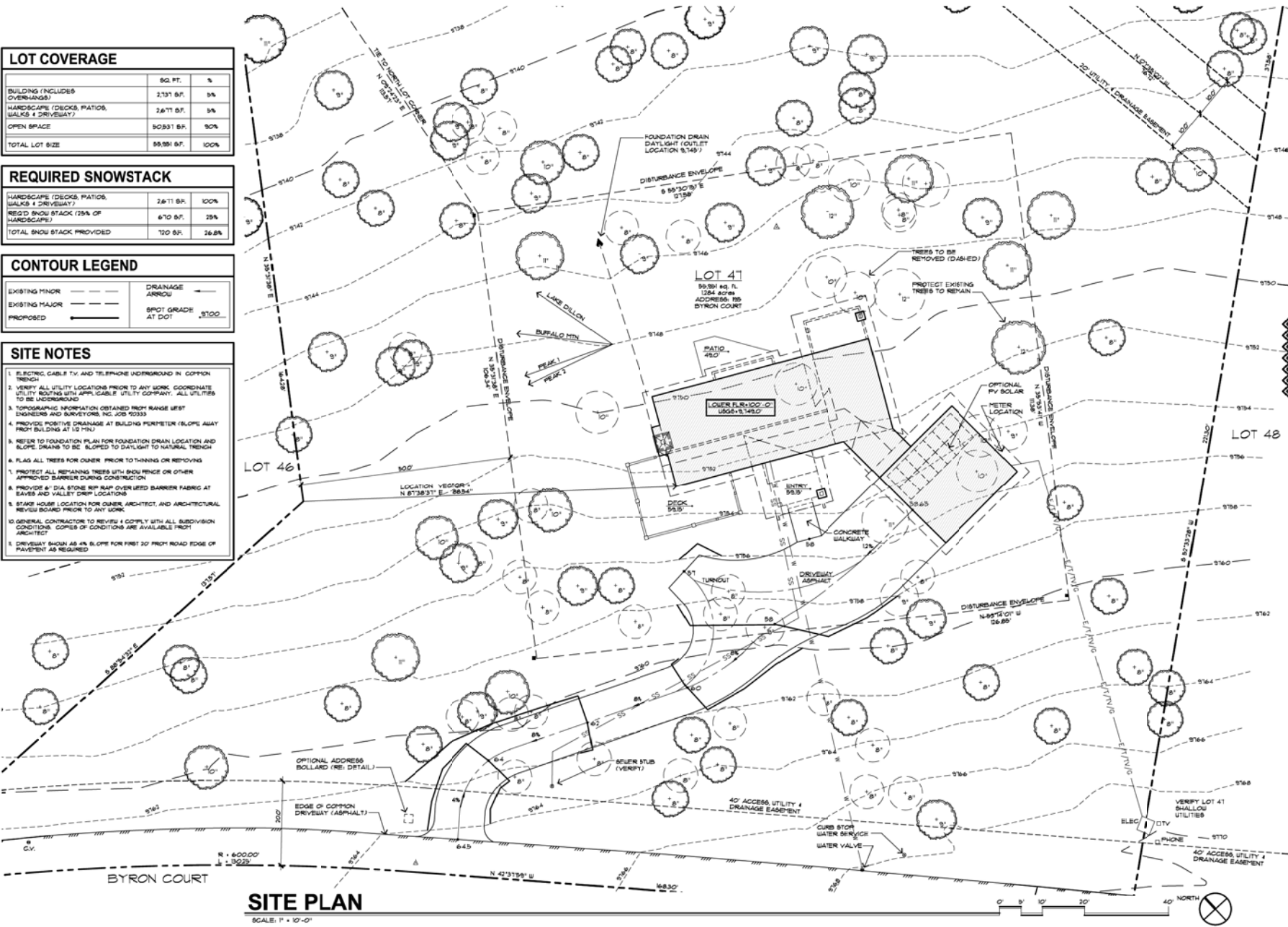
CP-1

LOT COVERAGE		
	SQ. FT.	%
BUILDING (INCLUDES OVERHANGS)	2,731 S.F.	9%
HARDSCAPE (DECKS, PATIOS, WALKS & DRIVEWAY)	2,677 S.F.	9%
OPEN SPACE	30,531 S.F.	90%
TOTAL LOT SIZE	35,939 S.F.	100%

REQUIRED SNOWSTACK		
HARDSCAPE (DECKS, PATIOS, WALKS & DRIVEWAY)	2,677 S.F.	100%
REQ'D SNOW STACK (25% OF HARDSCAPE)	670 S.F.	25%
TOTAL SNOW STACK PROVIDED	720 S.F.	26.8%

CONTOUR LEGEND		
EXISTING MINOR	---	DRAINAGE ARROW
EXISTING MAJOR	---	SPOT GRADE AT DOT
PROPOSED	---	3100

- SITE NOTES**
- ELECTRIC, CABLE TV, AND TELEPHONE UNDERGROUND IN COMMON TRENCH.
 - VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY WORK. COORDINATE UTILITY ROUTING WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE UNDERGROUND.
 - TOPOGRAPHIC INFORMATION OBTAINED FROM RANGE WEST ENGINEERS AND SURVEYORS, INC. JOB 92233.
 - PROVIDE POSITIVE DRAINAGE AT BUILDING PERIMETER (SLOPE AWAY FROM BUILDING AT 1% MIN).
 - REFER TO FOUNDATION PLAN FOR FOUNDATION DRAIN LOCATION AND SLOPE DRAINS TO BE SLOPED TO DAYLIGHT TO NATURAL TRENCH.
 - FLAG ALL TREES FOR OWNER PRIOR TO THINNING OR REMOVING.
 - PROTECT ALL REMAINING TREES WITH SNOW FENCE OR OTHER APPROVED BARRIER DURING CONSTRUCTION.
 - PROVIDE 6" DIA. STONE RIP RAP OVER LEED BARRIER FABRIC AT LEAVES AND VALLEY DRAIN LOCATIONS.
 - STAKE HOLE LOCATION FOR OWNER, ARCHITECT, AND ARCHITECTURAL REVIEW BOARD PRIOR TO ANY WORK.
 - GENERAL CONTRACTOR TO REVIEW & COMPLY WITH ALL SUBDIVISION CONDITIONS. COPIES OF CONDITIONS ARE AVAILABLE FROM ARCHITECT.
 - DRIVEWAY SHOWN AS 4% SLOPE FOR FIRST 20' FROM ROAD EDGE OF PAVEMENT AS REQUIRED.



SITE PLAN
SCALE: 1" = 10'-0"

REVISIONS:

JOB NO: 1331
DATE: 02/06/13
DRAWN BY: t.gerken
CHECKED BY: m.hogan

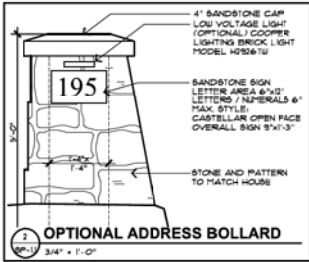
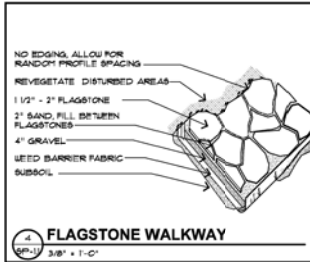
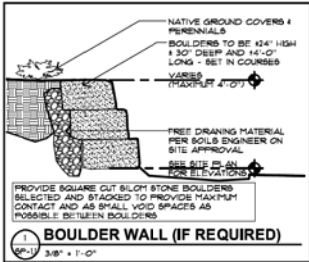
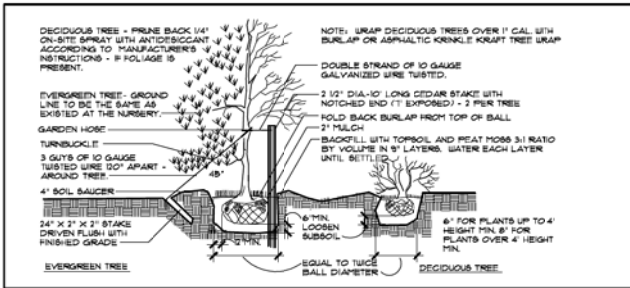
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HIGHLANDS DRB # 103
SUBSTITUTION: 02/06/13

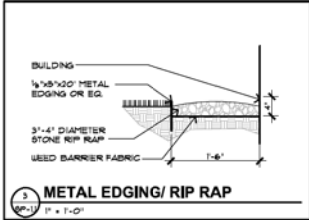
bhh Partners
CORPORATE ARCHITECTS & PLANNERS
BRECKENRIDGE, CO 80424 (303) 465-0400

BECHTEL RESIDENCE
198 BYRON COURT, LOT 47 HIGHLANDS AT BRECKENRIDGE FILING 19, TOWN OF BRECKENRIDGE, COLORADO

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SHEET NUMBER:
SP-1.0
SITE PLAN
CP.2



- ### LANDSCAPE NOTES
- PROVIDE 3'-3" MIN. CLAY FREE TOPSOIL AND REED ALL DISTURBED AREAS WITH SUPPLY CO. BURET SERVO 50% STEEP AND FLOODABLE EXISTING TOPSOIL. IN CONSTRUCTION AREA, SCREEN TOPSOIL PRIOR TO INSTALLATION.
 - REMOVE ALL EXISTING TREES WITHIN 8'-0" OF ALL ROOF OVERHANGS AND DECK FOR OVERHANGS. REMOVE EXISTING TREES WHERE POSSIBLE, TAKING INTO CONSIDERATION DRAIN LINES AND ROOT STRUCTURE. PROTECT EXISTING TREES WITH PRUNING LOCATED AT OR OUTSIDE DRAIN LINE OF TREE. STUDDOLE AND REUSE EXISTING TREES WHERE POSSIBLE.
 - GENERAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS PER SPECIFICATIONS AND CODE REQUIREMENTS.
 - PRIOR TO ANY LANDSCAPE WORK, REMOVE ALL DEBRIS, PAINT, CONCRETE, STUMP, SLASH, ETC. FROM LANDSCAPE AREA.
 - LOCATE ALL PLANTINGS TO AVOID SNOW STACKS & SNOW BLADE AREAS. FROM ABOVE, LOCATE ALL NEW TREES 8'-0" MIN. OF ALL ROOF OVERHANGS AND DECK FOR DISTURBED SPACE.
 - SHRUBS ARE TO BE FIELD LOCATED AS APPROVED BY OWNER AND ARCHITECT:
- ALL NEW LANDSCAPING TO BE IRRIGATED WITH DRIP IRRIGATION SYSTEM. PROVIDE SUBMITTAL.
 - ALL NEW PLANTINGS SHOULD BE HIGH ALTITUDE GROUND OR COLLECTED TO ENHANCE BETTER SURVIVAL.
 - NATURALISE GROUPING OF TREES BY VARYING HEIGHT & LOCATION WHEREVER POSSIBLE.
 - SCREEN ALL UTILITY PEDESTALS WITH LANDSCAPE MATERIAL.
 - PROVIDE 3" TO 4" DIAMETER STONE RIPRAP OVER WEED BARRIER FABRIC AT BUILDING DRAIN LINE UNLATE EDGES AND PROVIDE LANDSCAPE EDGING AT RIPRAP TO TOPSOIL JUNCTURE.
 - INSTALL & BACKFILL ALL PLANTINGS WITH SOIL MIX INCLUDING ORGANIC SOIL AMENDMENTS PER SPECIFICATIONS AND LANDSCAPE DETAILS.
 - ROOT FEED ALL NEWLY PLANTED TREES DURING INSTALLATION. PROVIDE LIQUID GROWTH TREE STIMULATOR AND SOLUBLE FERTILIZER AT RECOMMENDED RATE FOR EACH TREE SPECIES.
 - PROVIDE 3" OF SHREDDED BARK MULCH AT ALL SHRUB AND TREE BELLS.
 - LANDSCAPE BOULDERS OF 3' OR LARGER SHALL BE RETAINED ON SITE FOR USE IN LANDSCAPE WORK. BURY DECORATIVE BOULDERS ONE-HALF OF DIAMETER.
 - ADDITIONAL CONSULTATION WITH A QUALIFIED LANDSCAPE PROFESSIONAL AT OWNER OPTION IS RECOMMENDED.



PLANTING LIST

KEY	COMMON	BOTANICAL	NO.	SIZE
EXISTING TREES				
○	EXISTING	VARIETIES -	SEE SITE PLAN	
EXISTING TREES TO BE REMOVED				
○	VARIETIES -	VARIETIES -	SEE SITE PLAN	
PROPOSED TREES/SHRUBS TO BE ADDED				
●	COLORADO SPRUCE	PICEA PARSONSII	3	10 1/2" TALL / 27 1/2" TALL
●	ASPEN	POTENTILLA FRUTICOSA	12	6 1/2" TALL / 20 1/2" TALL - START
●	POTENTILLA	POTENTILLA FRUTICOSA	10	5 GAL.
●	BUFFALO JUNIPER	JUNIPERUS SABINA	10	5 GAL.
●	PEKING GYOKONIASTER	GYOKONIASTER DE JESSAYANUS	10	5 GAL.
●	NATIVE GROUND COVERS AND PERENNIALS	PROVIDE SUBMITTAL	10	1 PLANT

- ### REVEGETATION NOTES
- REVEGETATE ALL DISTURBED AREAS ON THE SITE WITH:
- SHORT DRY GRASS MIX #2 1LB/1000 SQ. FT.
 BIRD FESCUE 30%
 CREEPING RED FESCUE 30%
 SHEEP FESCUE 25%
 CANADA BLUEGRASS 10%
 CANBY BLUEGRASS 5%
- MOUNTAIN MAGIC WILDFLOWER MIX #1 1LB/1000 SQ. FT.
 BLUEGRASS 15%
 CALIFORNIA POPPY 15%
 BLUE FLAX 15%
 WILDFLOWER 15%
 PENSTEMON, ROCKY MOUNTAIN WILD THYME 15%
 BLOOMS OVER 3' SHALL BE HAY TACKLED OR NETTED.

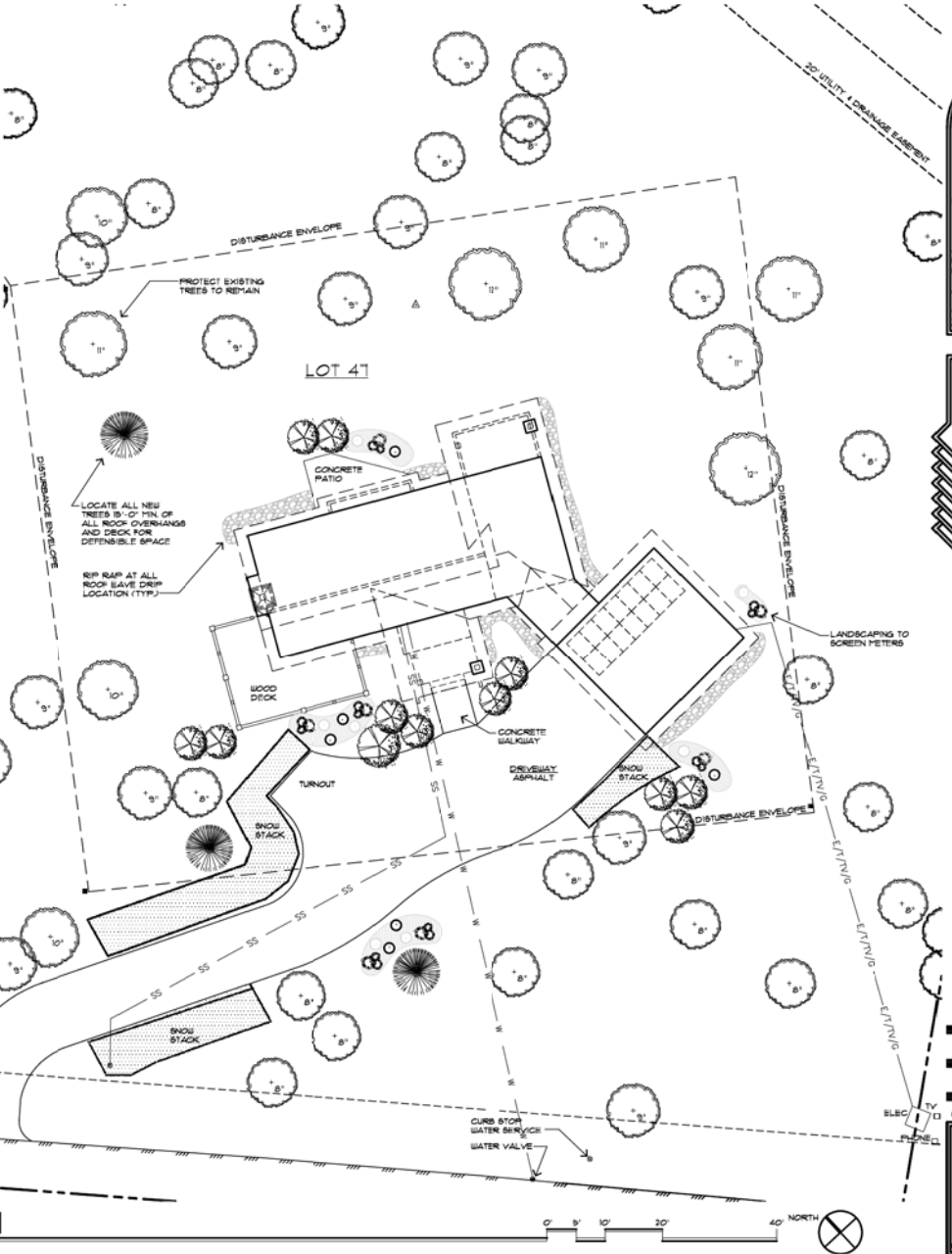
LANDSCAPE LEGEND

KEY	DESCRIPTION
[Pattern]	COBBLE RIP RAP, 3 - 4"
[Pattern]	PROPOSED REVEGETATION AREA
[Pattern]	PROPOSED SNOW STORAGE AREA
[Pattern]	BOULDERS
[Pattern]	RETAINING WALL/ LANDSCAPING BOULDERS, SIZES VARY

- ### DEFENSIBLE SPACE NOTE
- THIS PLAN TO SATISFY TOWN OF BRECKENRIDGE SUBDIVISION STANDARDS FOR ROADSIDE AND HILLSIDE DRIVE OFFSET AND BRECKENRIDGE TOWN CODE DEVELOPMENT CODE STANDARDS FOR DEFENSIBLE SPACE.
- 1'0" ZONE 1 - ALL TREES TO BE REMOVED WITH EXCEPTION OF SPECIEN TREES (B) TO BE APPROVED BY T.O.B. (ONLY HEALTHY TREES TO BE PRESERVED). FRESH PLANTING MATERIAL TO BE ACCORD TO SCREEN THE HOUSE PROXY BELOW.**
- 2'0" ZONE 2 - TREES TO BE REMOVED TO ALLOW 10' BETWEEN CANOPIES WITH EXCEPTION OF CLUSTERS TO BE APPROVED BY T.O.B. (ONLY HEALTHY TREES TO BE PRESERVED).**
- 3'0" ZONE 3 - TREES TO BE REMOVED TO ALLOW 10' BETWEEN CANOPIES WITH EXCEPTION OF CLUSTERS TO BE APPROVED BY T.O.B. (ONLY HEALTHY TREES TO BE PRESERVED).**
- NOTE: NEW LANDSCAPING HAS BEEN ADDED TO PROVIDE ADDITIONAL SCREENING ENCOURAGED BY THE ROADSIDE ORDINANCE WHICH MITIGATES LOSS OF SCREENING DUE TO DEFENSIBLE SPACE ORDINANCE.**

LANDSCAPE PLAN

SCALE: 1" = 10'-0"



REVISIONS:

JOB NO: 1331
 DATE: 02/06/13
 DRAWN BY: t.garhan
 CHECKED BY: m.hogan

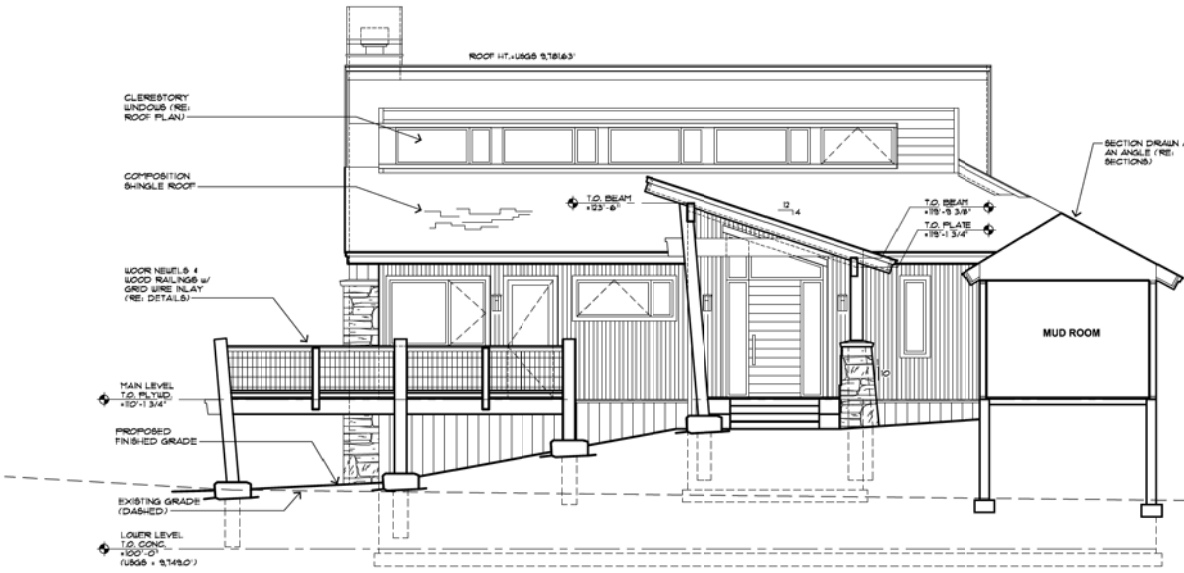
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HIGHLANDS DRB # 103
 SUBMITTAL# 02/06/13

bhh Partners
 198 BYRON COURT, LOT 47 HIGHLANDS AT BRECKENRIDGE, COLORADO

BECHTEL RESIDENCE

© 2013
 SHEET NUMBER:
SP-1.1
 LANDSCAPE PLAN
 CP.2

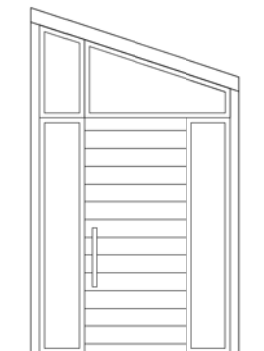


SOUTH ELEVATION

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

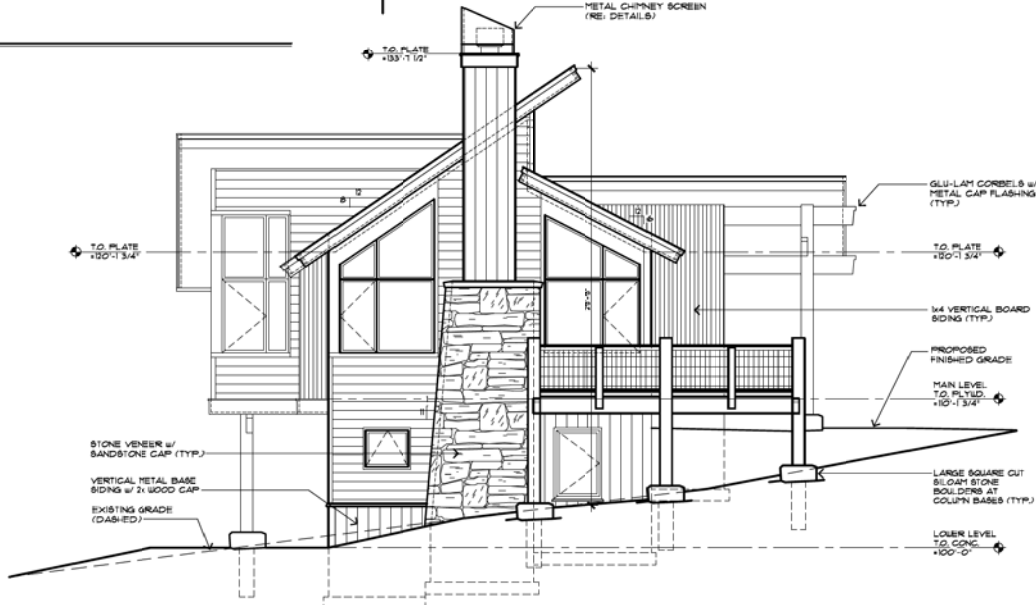
COLOR LEGEND		
1	ROOFING	'GAP' - WEATHERED WOOD
2	1/4 VERTICAL SIDING	BENJAMIN MOORE 'CEDAR MTN' SEMI-TRANSPARENT STAIN
3	1/8 HORIZ SIDING	BENJAMIN MOORE 'NORFANDY' SEMI-SOLID STAIN
4	VERTICAL METAL BASE SIDING	METAL SALES 'SLATE GRAY'
5	FASCIA, WINDOW TRIM, BEAMS & COLUMNS	BENJAMIN MOORE 'BLACK' SEMI-SOLID STAIN
6	WINDOW CLADDING	'BERRIA-PACIFIC' BRONZE
7	STONE VENEER	TELLURIDE STONE 'HIGHLANDS STACKED'

NOTE: COLORS ARE TYPICAL FOR ALL ELEVATIONS



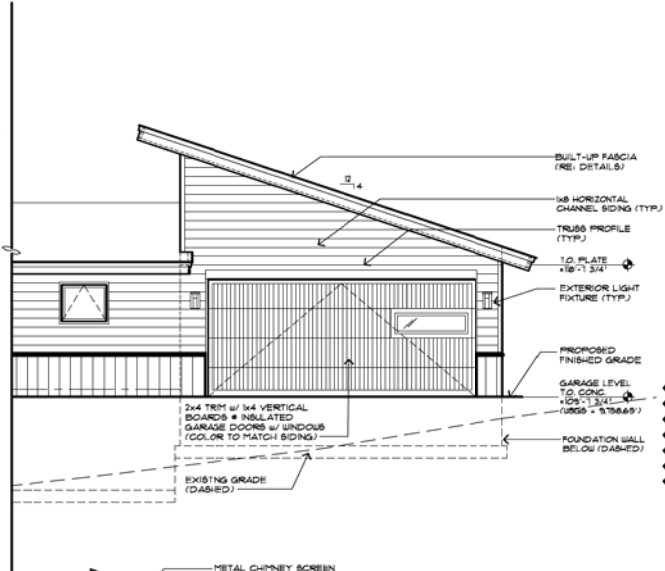
ENTRY ELEVATION

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



WEST ELEVATION

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

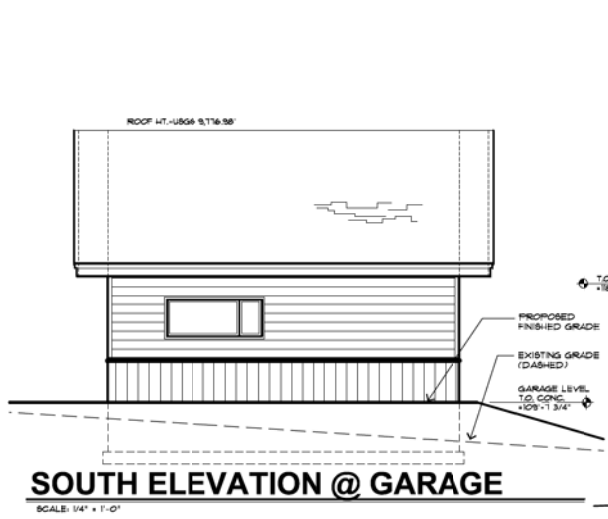


REVISIONS:
 JOB NO: 1331
 DATE: 02/06/13
 DRAWN BY: t garner
 CHECKED BY: m hogan
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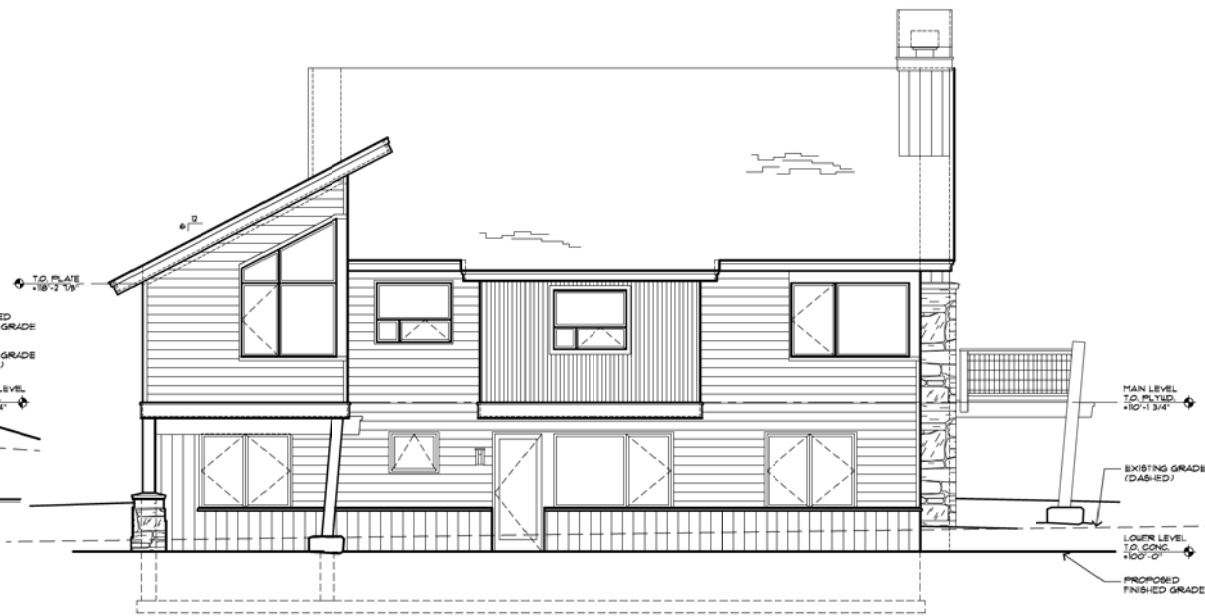
bhh Partners
 ARCHITECTS
 198 BYRON COURT, LOT 47 HIGHLANDS AT BRECKENRIDGE FILING 10, TOWN OF BRECKENRIDGE, COLORADO

© 2013
 SHEET NUMBER:
A-2.0
 BUILDING ELEVATIONS
 CP.5



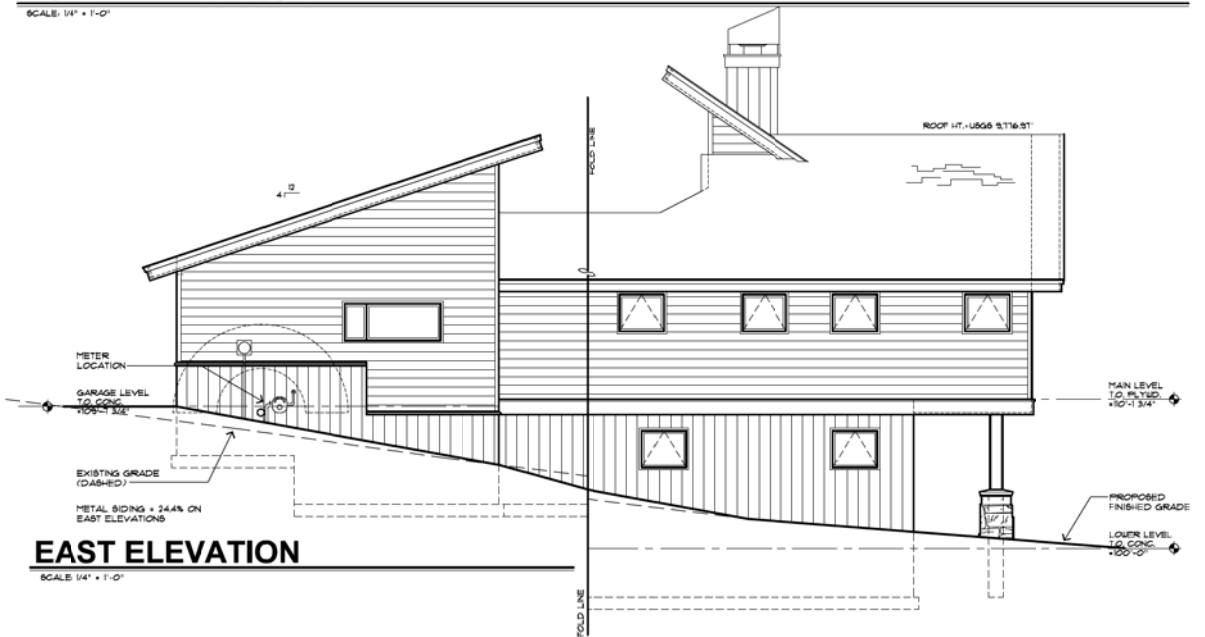
SOUTH ELEVATION @ GARAGE

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



NORTH ELEVATION

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



EAST ELEVATION

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

REVISIONS:

JOB NO:	131
DATE:	02/06/13
DRAWN BY:	t garban
CHECKED BY:	m hogan

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HIGHLANDS DRB # 108
SUBSTITAL# 02/06/13

bhh Partners
ARCHITECTS

BECHTEL RESIDENCE
198 BYRON COURT, LOT 47 HIGHLANDS AT BRECKENRIDGE FILING 19, TOWN OF BRECKENRIDGE, COLORADO

© 2013
SHEET NUMBER

A-2.1
BUILDING
ELEVATIONS

CP.5



Class C Development Review Check List

Project Name/PC#: Hughes Residence PC#2013013
Project Manager: Matt Thompson, AICP
Date of Report: February 26, 2013 For the 03/05/2013 Planning Commission Meeting
Applicant/Owner: David and Jill Hughes
Agent: Allen-Guerra Design-Build (Ben Henson)
Proposed Use: Single family residence
Address: 106 Stillson Placer Terrace
Legal Description: Lot 7, Gold Flake Subdivision Filing No. 3A
Site Area: 60,215 sq. ft. 1.38 acres
Land Use District (2A/2R): 1: Residential
Proposal: To build a 7,706 sq. ft. single family residence
Existing Site Conditions:

The property slopes uphill steeply at 17% from the road towards the rear portion of the lot. The lot is heavily covered in small to medium diameter lodgepole pine trees. There is a 10' snowstack easement in the southwest corner of the lot. Also, there is a 30' access, utility and drainage easement along the western property line.

Density (3A/3R):	Allowed: 7,500 sq. ft.	Proposed: 6,502 sq. ft.
Mass (4R):	Allowed: unlimited	Proposed: 7,706 sq. ft.
F.A.R.	1:7.81 FAR	
Areas:	<u>Finished</u>	<u>Unfinished</u>
Lower Level:	2,469 sq. ft.	295 sq. ft. (Mechanical room and yard storage)
Main Level:	3,176 sq. ft.	
Upper Level:	857 sq. ft.	
Garage:	909 sq. ft.	
Total:	7,411 sq. ft.	Total = 7,706 sq. ft.

Bedrooms: 4
Bathrooms: 4.5
Height (6A/6R): 34 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable:	6,746 sq. ft.	11.20%
Hard Surface / non-Permeable:	3,900 sq. ft.	6.48%
Open Space / Permeable:	49,569 sq. ft.	82.32%

Parking (18A/18/R):

Required:	2 spaces
Proposed:	3 spaces

Snowstack (13A/13R):

Required:	975 sq. ft.	(25% of paved surfaces)
Proposed:	975 sq. ft.	(25.00% of paved surfaces)

Fireplaces (30A/30R): 3 gas, 1 EPA Phase II wood burning

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 residence will be architecturally compatible with the neighborhood.

Exterior Materials:

Fascia rough sawn 2x cedar, soffit rough sawn 1x6 tongue and groove cedar, horizontal siding 2x12 hand hewn cedar with tan colored chinking, vertical siding 1x6 and 1x10 rough sawn board on board, windows aluminum clad dark chocolate in color, wood decks 2x oak to match interior wood flooring, and a natural stone veneer.

Roof:

50-year asphalt shingle "weathered wood"

Garage Doors:

Cedar sided with small windows to match residence

Landscaping (22A/22R):

Planting Type	Quantity	Size
Quaking Aspen	54	(27) 1.5", (27) 2" minimum caliper
Colorado Spruce	16	(4) 8', (4) 10', (4) 12', (4) 14'
Alpine currant and rose wood	23	5 gallon

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

Driveway Slope: 8 %

Covenants:

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

Staff Action:

Staff has approved the Hughes Residence, PC#2013013, located at 106 Stillson Placer, Lot 7, Gold Flake Subdivision Filing No. 3A, with the attached Findings and Conditions.

Comments:

Staff does believe the property qualifies at ridgeline or hillside development, hence applicant is required to meet Ordinance No. 40, Series 2006, concerning Ridgeline and Hillside Development. New landscaping has been added to the downhill side of the proposed house to effectively screen the visibility of the proposed development.

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Hughes Residence
Lot 7, Gold Flake Subdivision, Filing No. 3A
106 Stillson Placer Terrace
PC#2013013**

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 **February 26, 2013**, 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 **March 5, 2013**, 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 **September 12, 2014**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 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 site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
11. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
12. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

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

Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

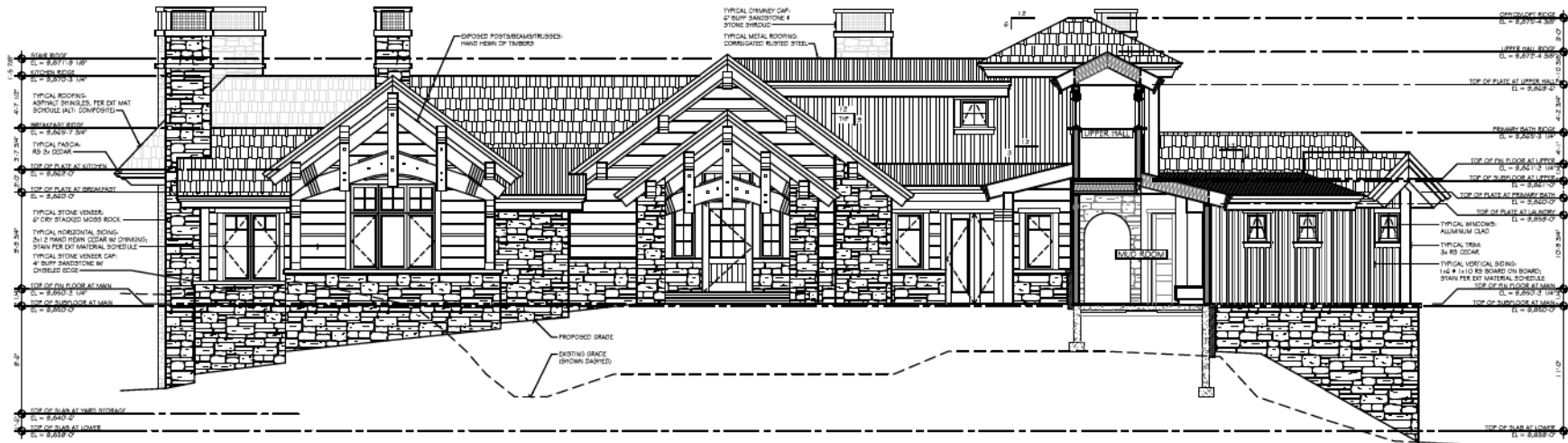
20. Applicant shall install construction fencing along the disturbance envelope in a manner acceptable to the Town Planning Department.
21. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
22. 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

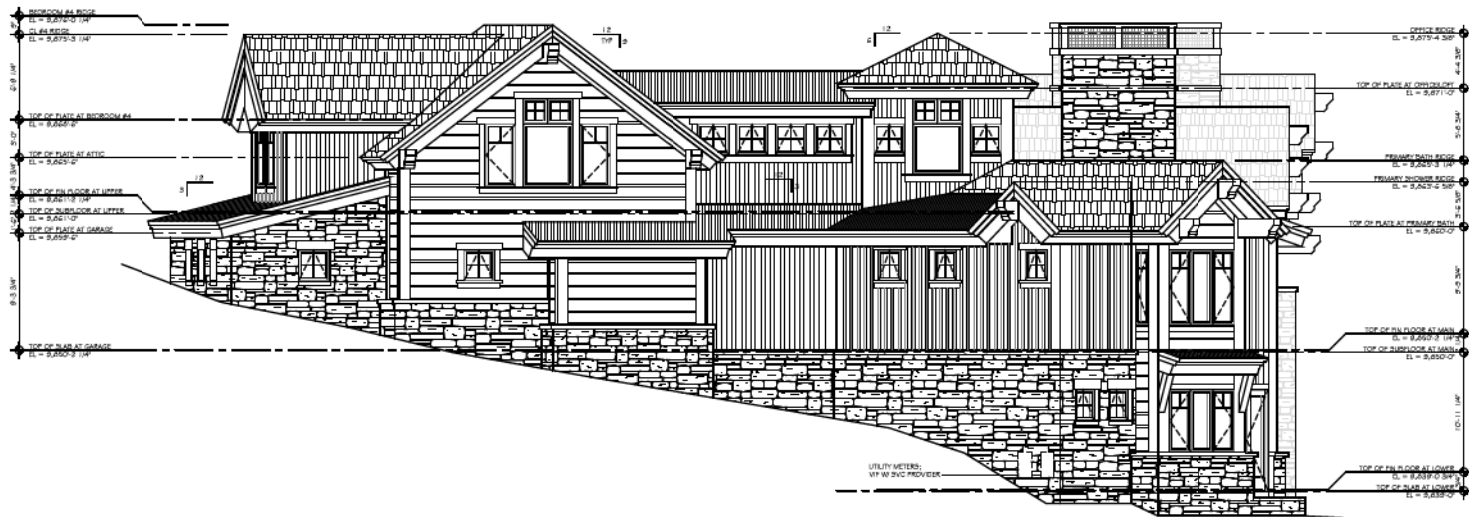
23. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
25. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
26. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
27. 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.
28. Applicant shall screen all utilities.
29. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
30. 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.
31. 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.

32. 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.**
33. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
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)



1 EAST ELEVATION & BUILDING SECTION



2 NORTH ELEVATION

HUGHES RESIDENCE
LOT 7, GOLDLAKES SUBDIVISION, PHASE IIIA, 106 STILLSON PLACER TERRACE
PRECONCRETE, COLORADO

TITLE: EXTERIOR ELEVATIONS

ISSUE	DATE
PRELIM RCM # PLAN	16 FEB 2013

A3.2



Class C Development Review Check List

Project Name/PC#:	Tyler Residence	PC#2013014
Project Manager:	Matt Thompson, AICP	
Date of Report:	February 22, 2013	For the 03/05/2013 Planning Commission Meeting
Applicant/Owner:	Valerie Tyler and Roger Damle	
Agent:	Frederico Valdez, III - Valdez Architects	
Proposed Use:	Single Family Residence	
Address:	1418 Highlands Drive, Breckenridge, CO 80424	
Legal Description:	Lot 213 - Filing 8, Highlands at Breckenridge	
Site Area:	45,302 sq. ft.	1.04 acres
Land Use District (2A/2R):	Portion of lot in LUD 6 and a portion in LUD 1: Subject to the Delaware Flats Master Plan	
Proposal:	To build a 3,955 sq. ft. single family residence	
Existing Site Conditions:	The property slopes uphill at 10% from the road towards the rear of the lot. The lot has a healthy forest of lodgepole pine, spruce and aspen trees. The Middle Flume Trail straddles the southern property line, within a 30' trail easement.	
Density (3A/3R):	Allowed: unlimited	Proposed: 3,022 sq. ft.
Mass (4R):	Allowed: unlimited	Proposed: 3,955 sq. ft.
F.A.R.	1:11.45 FAR	
Areas:		
Lower Level:	1,347 sq. ft.	
Main Level:	1,603 sq. ft.	
Mechanical:	72 sq. ft.	
Garage:	933 sq. ft.	
Total:	3,955 sq. ft.	
Bedrooms:	3	
Bathrooms:	2.5	
Height (6A/6R):	28	
	(Max 35' for single family outside Historic District)	
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 3,763 sq. ft.	8.31%
	Hard Surface / non-Permeable: 2,389 sq. ft.	5.27%
	Open Space / Permeable: 39,150 sq. ft.	86.42%
Parking (18A/18/R):	Required: 2 spaces Proposed: 3 spaces	
Snowstack (13A/13R):	Required: 597 sq. ft.	(25% of paved surfaces)

Proposed: 634 sq. ft. (26.54% of paved surfaces)

Fireplaces (30A/30R): 2 gas

Accessory Apartment: N/A

Building/Disturbance Envelope? Building envelope

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

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

Exterior Materials: 1x6 horizontal cedar channel lap siding, vertical 2x6 spruce siding, 4x8 sheet metal siding, stucco, exposed heavy timber beams and support elements, and natural Castle Rock ledge stone.

Roof: Heavy cut, thick butt composition asphalt shingles

Garage Doors: Custom doors to match vertical siding

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Blue Spruce	4	8'
Aspen	4	2 1/2" caliper
Potentilla	8	5 gallon
Cistena Plum	3	5 gallon
Twinberry Honeysuckle	8	5 gallon

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

Driveway Slope: 8 %

Covenants:

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

Staff Action: Staff has approved the Tyler Residence, PC#2013014, located at 1418 Highlands Drive, Lot 213 Highlands Filing 8, with the attached Findings and Conditions.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

**Tyler Residence
Lot 213, Highlands at Breckenridge, Filing 8
1418 Highlands Drive
PC#2013014**

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 **February 22, 2013**, 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 **March 5, 2013**, 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 **September 12, 2014**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 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 proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
16. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
17. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
18. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the

Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

20. Applicant shall install construction fencing along the building envelope in a manner acceptable to the Town Planning Department.
21. 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.
22. 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.

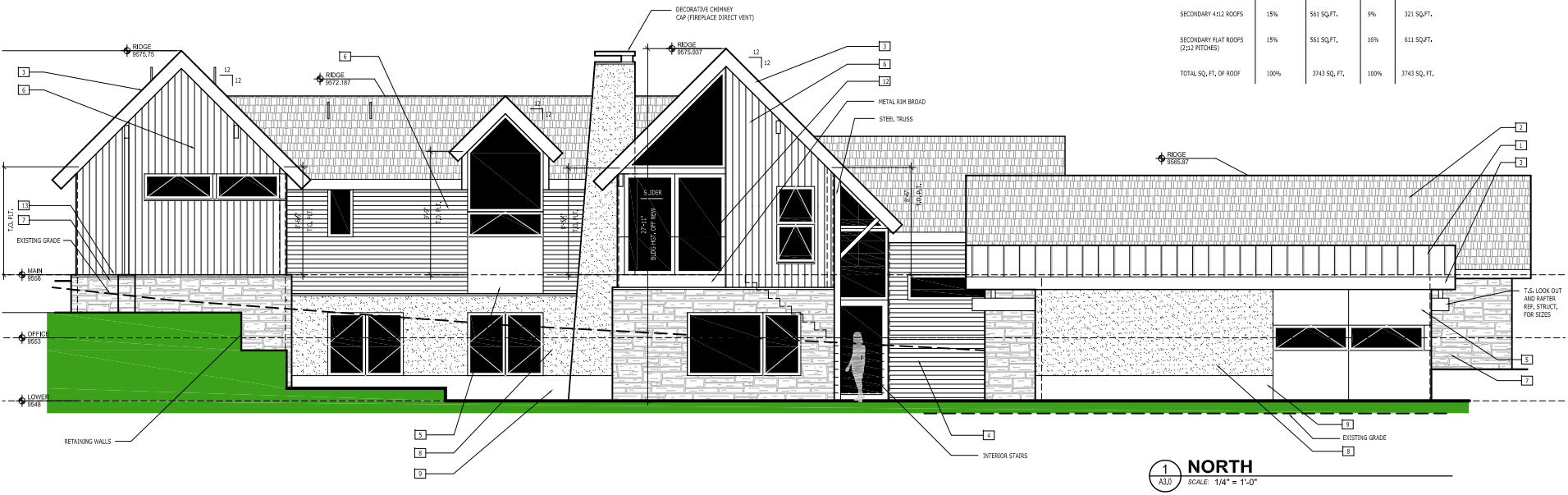
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

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

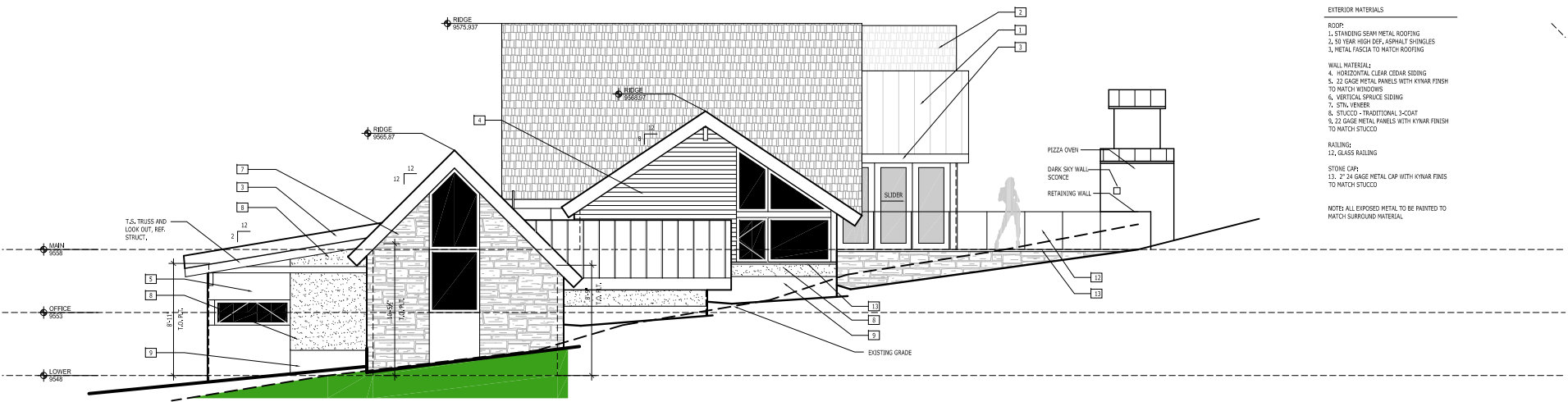
32. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (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.**
33. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
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)

ROOFS	% REQUIRED	REQUIRED SQ. FT.	% TYLER	SQ. FT. TYLER
MAJOR ROOFS W/ PITCHES BETWEEN R112 AND L2112	70%	2620 SQ. FT.	75%	2811 SQ. FT.
SECONDARY 4:12 ROOFS	15%	561 SQ. FT.	9%	321 SQ. FT.
SECONDARY FLAT ROOFS (2:12 PITCHES)	15%	561 SQ. FT.	16%	611 SQ. FT.
TOTAL SQ. FT. OF ROOF	100%	3743 SQ. FT.	100%	3743 SQ. FT.

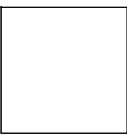


1 NORTH
SCALE: 1/4" = 1'-0"



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

- EXTERIOR MATERIALS**
- ROOF:**
 1, STANDING SEAM METAL ROOFING
 2, 50 YEAR HIGH DEF. ASPHALT SHINGLES
 3, METAL FASCIA TO MATCH ROOFING
- WALL MATERIAL:**
 4, HORIZONTAL CLEAR CEDAR SIDING
 5, 2:12 GAUGE METAL PANELS WITH KYNAR FINISH TO MATCH WINDOWS
 6, VERTICAL SPRUCE SIDING
 7, STU. VENEER
 8, STUCCO - TRADITIONAL 3-COAT
 9, 2:12 GAUGE METAL PANELS WITH KYNAR FINISH TO MATCH STUCCO
- RAILING:**
 12, GLASS RAILING
- STONE CAP:**
 13, 2" X 24" GAUGE METAL CAP WITH KYNAR FINISH TO MATCH STUCCO
- NOTE: ALL EXPOSED METAL TO BE PAINTED TO MATCH SURROUND MATERIAL



VALDEZ ARCHITECTS
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TYLER RESIDENCE
 1418 HIGHLANDS DR. BRECKENRIDGE, CO. 80424
 D E S I G N D O C U M E N T

ISSUED FOR: DATE:
 PRELIM REVIEW 01.03.13
 PRELIM REVIEW/CLASS C 01.03.13

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

PROJECT #: TYLER
 SHEET TITLE: ELEVATIONS

A3.0

PRELIMINARY
 NOT FOR CONSTRUCTION

PRELIMINARY
NOT FOR CONSTRUCTION

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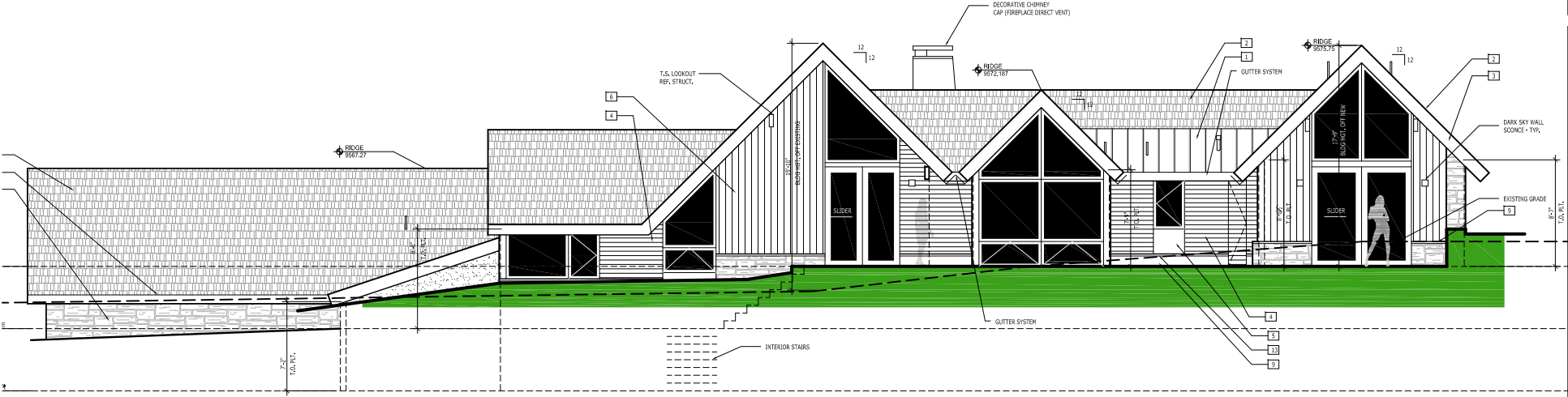
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ISSUED FOR: DATE:
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PRELIM REVIEW/CLASS C 01.03.13

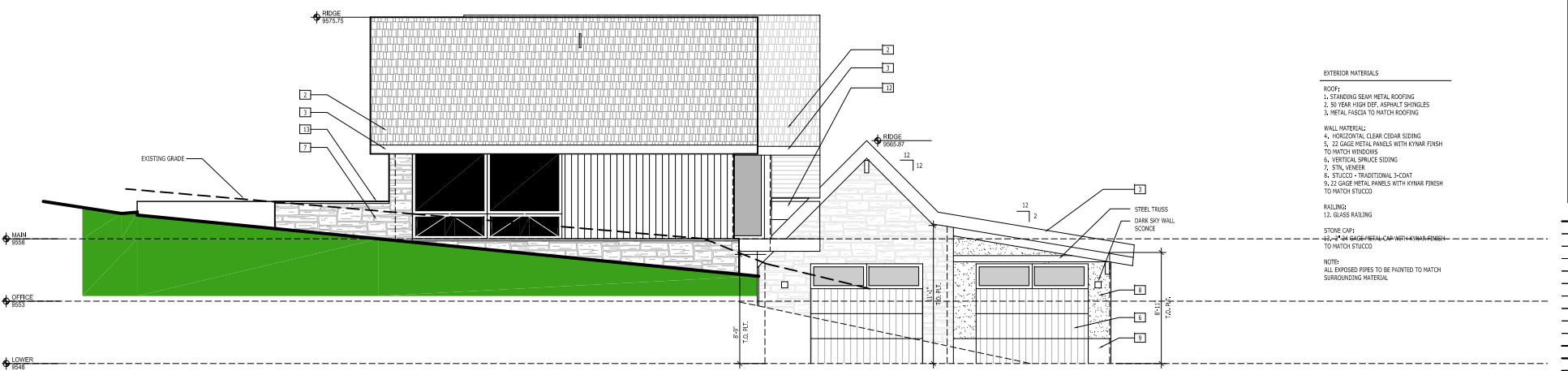
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DRAWN: FREDERICO

PROJECT #: TYLER
SHEET TITLE: ELEVATIONS

A3.1



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



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

- EXTERIOR MATERIALS**
- ROOF:**
- 1. STANDING SEAM METAL ROOFING
 - 2. 50 YEAR HIGH DEF. ASPHALT SHINGLES
 - 3. METAL FLASHING TO MATCH ROOFING
- WALL MATERIAL:**
- 4. HORIZONTAL CLEAR CEDAR SIDING
 - 5. 22 GAGE METAL PANELS WITH KYNAR FINISH TO MATCH SIDING
 - 6. VERTICAL SPRUCE SIDING
 - 7. 5/8" VENEER
 - 8. STUCCO - TRADITIONAL 3-COAT
 - 9. 22 GAGE METAL PANELS WITH KYNAR FINISH TO MATCH STUCCO
- RAILING:**
- 12. GLASS RAILING
- STONE CAP:**
- 48-24 GAGE METAL CAP WITH KYNAR FINISH TO MATCH STUCCO
- NOTE:**
- ALL EXPOSED PIPES TO BE PAINTED TO MATCH SURROUNDING MATERIAL.

Memorandum

To: Planning Commission
From: Jennifer Cram, Planner III
Date: February 27, 2013
Re: Breckenridge Arts District Preliminary Architectural Sketches

Staff brought the conceptual site plan for the Breckenridge Arts District to the Commission on January 15, 2013. The Commission's comments were very helpful and the site plan is continuing to move forward.

During the worksession on March 5th staff would like to present some preliminary architectural sketches for some of the new structures proposed. Since the sketches are not available at the time publishing this packet, we will present hard copies for your review during the meeting on Tuesday. If plans are available earlier, we will provide them to the Commission by email. Sketches are currently in process and are at a stage that can be modified with Commission input.

Our current philosophy for new structures within the Arts District is to be creative with materials while being harmonious with the recommended module size, building height, roof forms and window and door openings for the Historic and Conservation Districts and specifically the South End Residential Character Area. Priority Policy 90 states that "*new materials that appear to be the same in scale, texture and finish as those used historically may be considered*".

We want to create a unique character for the Arts District campus while still respecting our Historic District Guidelines. We understand that this is a challenge and we look forward to the Commission's comments to help us achieve this.

Planning Commission Staff Report

- Subject:** Breckenridge Grand Vacations Lodge at Peak 8
(Class A, Final Hearing; PC# 2012075)
- Proposal:** To construct a 75 (each a 2-bedroom lock-off) unit interval ownership resort condo-hotel at the base of Peak 8 ski area with associated amenities and underground parking.
- Date:** February 21, 2013 (For meeting of March 5, 2013)
- Project Manager:** Michael Mosher, Planner III
- Applicants/Owners:** Peak 8 Properties, LLC, Rob and Michael Millisor
Vail Resorts Development Company (VRDC), Randy May
- Agent:** Mathew Stais; Mathew Stais Architects
- Address:** 1593 Ski Hill Road
- Legal Description:** A portion of Tract C, Peak 8 Subdivision #1 (pending re-subdivision)
- Site Area:** 2.467 acres (107,481 sq. ft.) pending re-subdivision
- Land Use District:** Development is subject to the recently approved Fifth Amendment to the Amended Peak 7 & 8 Master Plan, PC#2013006, previous amendments to this Master Plan and the Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC.
- LUD 39 Residential, Lodging—SFR, Duplex, Townhomes, Condominiums, Condo-hotels, Hotels and Lodges @ 4 UPA*
- Site Conditions:** The building is to be located roughly where the existing Bergenhof building and the access drive are currently. The Cucumber Gulch Preventative Management Area (PMA) is to the north and east of the development site. None of this site is within the PMA or the Cucumber Gulch Overlay Protection District. A six-foot wide trail easement for skier and snowboard access runs along the southwest property line.
- Adjacent Uses:**
- North: Ski Hill Road, Skiwatch Road, Cucumber Gulch Preventative Management Area
 - East: Cucumber Gulch Preventative Management Area, Future Building 804 (VRDC) and One Ski Hill Place
 - South: Peak 8 Ski Area
 - West: Skiwatch Condos and Peak Eight Place Subdivision
- Density:** Allowed per the Fifth Amendment to the Amended Peak 7 & 8 Master Plan and Development Agreement with Town of Breckenridge:
Residential (Condo-hotel):
Per agreement with VRDC: 80.0 SFE residential (96,000 SF)

<u>Transfer of Development Rights</u>	
(TDR) up to:	11.5 SFE residential (13,800 SF)
Total:	91.5 SFE residential (109,800 SF)

Commercial with TDR up to: 5.0 SFE commercial (5,000 SF)

Note: Per the Master Plan, the Guest Services of First Aid and Employee Lockers do not count as density or mass.

Proposed:

Residential (Condo-hotel) with 5.0 TDR:	85.000 SFE residential (101,995 SF)
Commercial with 4.986 TDR:	4.986 SFE commercial (4,986 SF)
Total	89.986 SFEs (106,981 SF)

(5.6 SFEs residential (6,720 SF not used))

Amenities Required

(1/35 of proposed Residential):	2,913 SF
(Density beyond the 1/35 is not counted)	
Proposed Amenities:	21,826 SF

Mass:

Allowed:

Residential (Condo-hotel):	109,800 SF
25% mass bonus:	27,450 SF
Commercial mass with TDR:	5,000 SF
Total:	142,250 SF

Allowed amenity 600% mass bonus:

Amenities (6/35):	17,478 SF
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Total allowed overall mass: 159,728 SF

Proposed overall mass:

Residential (Condo-hotel):	100,921 SF
Commercial:	2,394 SF
Guest Services:	0 SF
Amenities:	0 SF
<i>(the 6,889 SF shown above ground is exempt)</i>	
Common Area	48,713 SF
Proposed total mass:	152,028 SF

Height:

Per LUD 39 and Master Plan:	62'-0" (Five stories)
Proposed Height:	65'-7" (Negative points)

Parking:

Required:	
<i>Per Parking Study and Master Plan - 0.85 spaces per 1-Bedroom or lock-off</i>	
Residential (Condo-hotel):	128 spaces
Commercial =1/400 SF:	13 spaces
Total required:	141 spaces

	Proposed:	167 spaces (26 over)
Snow stack:	All areas snow-melted	
Setbacks:	Per Code:	
	Front:	10 feet absolute; 15 feet relative
	Sides (West and East):	3 feet absolute; 5 feet relative
	Rear:	10 feet absolute; 15 feet relative
	Proposed:	
	Front:	18 feet
	West side:	5 feet
	East side:	15 feet
	Rear:	15 feet
Employee Housing:	3.51 percent of the residential density, 3,755 SF, is to be deed restricted off site.	
Refuse:	Trash/recycling enclosure is proposed within the lower level of the building off the future Peak 8 Bus Loading area.	
Loading Areas:	Loading docks and receiving areas are included at north entry to lower parking garage.	
Emergency Access:	Emergency vehicle parking area is proposed adjacent to the southeast-most edge of the building at the end of the surface-parking aisle, per Red White and Blue Fire District request. The mass and density of this area is exempt from Development Code Policies as a Quasi-governmental agency.	

Changes since the December 4, 2012 Second Preliminary Hearing:

1. Project team met several times with Skiwatch and Peak 8 Place neighbors to hear their concerns.
2. Moved both buildings an additional 6 feet from Skiwatch/Peak 8 Place property line.
3. Worked with Breckenridge Sanitation District to locate Skiwatch sewer main on BGV property in order to fully preserve existing trees along Skiwatch property line.
4. Worked with neighbors to enhance year round trail access through BGV property to BSR skiway.
5. Created grade change between ski trail and outdoor aquatics to provide sound buffer in response to Skiwatch concerns.
6. Added landscaping adjacent to Skiwatch garden level units in response to neighbors concerns.
7. Worked with BSR to finalize skiway regarding to enhance skier safety.
8. Redesigned outdoor areas along BSR skiway to create more stepping and pedestrian interest.
9. Redesigned South Building service elevator and adjacent stair core in response to neighbors concerns.
10. Added more detail at first floor lobby, including stone veneer and timber trim to break up length of glazing in response to staff concerns.
11. Added more detail within outdoor aquatics and landscaping plans for final hearing.
12. Relocated trash collection area to BSR bus turnaround (plaza level) due to TOB engineering concerns with interim access to terrace level.

13. Redesigned North Building upper floors to flip larger 4BR units to east side, away from Peak 8 Place, increasing setback from 16 to 24 feet from property line and lowering roof ridge by an additional 6 feet vertically, in response to neighbors concerns.
14. Lowered north building upper floors by 3.5 feet, in response to neighbors concerns.
15. Lowered south building upper floors by 1.5 feet, in response to neighbors concerns.
16. Redesigned North Building 'C' unit and relocated deck to face south, away from Peak 8 Place, in response to neighbors concerns.
17. Redesigned North Building 'K' unit and relocated deck to face northwest, away from Peak 8 Place, in response to neighbors concerns.
18. Redesigned South Building 'C1' unit and relocated deck to face southwest, away from Peak 8 Place, in response to neighbors concerns.
19. Relocated South Building 5th floor 'C1' unit, away from Peak 8 Place, in response to neighbors concerns. This unit was relocated to South Building 4th floor and changed to type B unit.
20. Redesigned plaza & terrace level units to incorporate sloped roofs, porch roofs and timber brackets to create a more pedestrian scale.
21. Redesigned entry and stair elements at skier plaza; eliminated pavilion roof structure, simplified stairs, created a more linear café patio in the spirit of a 'sidewalk café' along the skiway.
22. Redesigned South Building roof forms at 5th floor 'attic units' (east elevation) to create major and minor hierarchies of roof forms.
23. Simplified and consolidated window types; enlarged windows and patio doors to add more glass on exterior walls or upper floors.
24. Revised wall siding material changes to echo the varying forms of the wall planes, varying the siding in vertical layers rather than horizontally per previous submissions.

Item History

The Planning Commission approved the Amendment to the Peaks 7 and 8 Master Plan (PC#2005105) on December 6, 2005. There have been some modifications to the allowed density since 2005 including density transfers (PC#2008033) and conversions of density from commercial to residential (PC#2006131).

The Fifth Amendment to the Amended Peak 7 & 8 Master Plan, PC#2013006 was approved by the Planning Commission on February 19, 2013 and the Town Council on February 26, 2013. This amendment modified the density as shown below:

	PLANNING AREA	APPROX. AREA ACRES	RESIDENTIAL SFES	COMMERCIAL SFES	GUEST SERVICES FACILITIES SFES	TOTAL SFS
A	PEAK 7 BASE	19.6	171.3	5.0	9.0	185.3
B	PEAK 8 BASE	22.7	282 293.5	14.5 19.5	48	344 361
C	PEAK 8 SKI TERRAIN	121.5	0	0	0	0
D	TIMBER TRAIL	16.3	22	0	0	22
E	MAINTENANCE CTR	15	0	0	0	
F	CUCUMBER	56.3	0	0	0	

	GULCH					
	TOTAL	251.4	475.3 486.8	19.5 24.5	57	551.8 568.3

	PLANNING AREA	ALLOWED USES
A	PEAK 7 BASE	MULTI-UNIT RESIDENTIAL, DUPLEX, COMMERCIAL, GUEST SERVICES FACILITIES, GONDOLA, PARKING
B	PEAK 8 BASE	MULTI-UNIT RESIDENTIAL, DUPLEX, COMMERCIAL, GUEST SERVICES FACILITIES, GONDOLA, PARKING
C	PEAK 8 SKI TERRAIN	GUEST SERVICES FACILITIES AND SKI RUNS
D	TIMBER TRAIL	SINGLE FAMILY RESIDENTIAL
E	MAINTENANCE CTR	MAINTENANCE FACILITY
F	CUCUMBER GULCH	OPEN SPACE, TRAILS, GONDOLA AND WATER QUALITY AND DRAINAGE FACILITIES
	TOTAL	

Staff reminds the Commission that, as with any Master Plan, the density numbers represent a maximum allowed. Any development is still subject to all of the policies in the Development Code and, for approval, must pass a Point Analysis with a score of zero (0) or greater. Also, as one ‘unit of density’ or Single Family Equivalent (SFE) for condo-hotel use equals 1,200 square feet, the actual number of dwelling units may differ from the number of SFEs being used.

Per the applicant: *The Residential density is to be increased by 11.5 SFEs to accommodate the larger size units that are proposed for inclusion in the project proposed at the Peak 8 Base (1,350 square feet approximately for each 2 bedroom unit as opposed to the 1,200 square feet provided for each SFE under the Town Code).*

Policy 39/A Master Plan: Besides identifying density and uses, another purpose of a Master Plan is to *“allow the Town and the developer to further define and clarify the land use and development policies which will govern the development of the property beyond those express policies provided in the applicable Town development policies, including, but not limited to, the land use district guidelines”.*

The Master Plan has identified, in addition to other criteria:

- The minimum parking requirements and that all residential parking is to be located underground.
- Building Height. Besides identifying that the suggested building height is established per Land Use District 39, building height shall be measured to finished grade (not natural grade). Also, negative points may be incurred from Policy 6, Building Height (Relative) from the Development Code for any height overages beyond those identified in the Land Use Guidelines.
- Specific design concepts like:
 - *“premium lodging units, expanded Guest Services Facilities and limited retail and restaurant uses”*,
 - *“Developing in a manner that protects and preserves critical natural features, including Cucumber Gulch wetlands, wildlife corridors and significant wildlife habitat”, and Hydrogeologic and other forms of mitigation will be provided if necessary to ensure that*

- groundwater resources now feeding Cucumber Gulch will be uninterrupted and substantial degradation of wildlife resources will be prevented.”*
- *“The focal point of Peak 8 is the “Grand Lodge”, a new Breckenridge landmark that establishes a high standard of quality for the new development. Adjacent lodging designed in a mountain-resort style will cradle the mountain-front plazas. Toward the ends of the Peak 8 Base area the buildings will be lesser in height and density as compared to the center or core of the Peak 8 Base. Visual impacts adjacent to Four O’Clock Subdivision and Skiwatch Condos will be minimized by utilizing roof forms that step down at the edges, while still maintaining steeply pitched roofs, which are characteristic of mountain architecture.”*
 - *“The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, large sheltering roof forms, large shaded windows, simple but strong detailing and a sense of informality. Natural and natural appearing materials such as lap and shingle siding, board and batten siding and real stone faced foundations will enhance the character and blend with natural surroundings. Natural appearing synthetic materials may only be used as exterior building materials where fire retardant materials are required by building and/or fire codes, or for elements, where in the determination of the Planning Commission, the synthetic material is indistinguishable from pedestrian level. The use of synthetic exterior building materials is subject to the Town of Breckenridge Development Code. No stucco will be used on any exterior building elevation. Wood elements will be stained, with muted colors chosen from a natural palette of weathered browns and grays. Brighter hues may be chosen for elements such as windows and window trim. Design diversity will be achieved with each type of building, or cluster of buildings, which may have their own style based on these qualities. This is one of the few places in Breckenridge, where larger buildings can comfortably be in scale with the mountain backdrop and clearly be dominated by the surrounding natural mountain setting.”*

All applicable Master Plan Notes that affect this application will be referenced in this Staff report along with any related Development Code policies.

The Master Plan also contains illustrative conceptual drawings to explain how the development might look. We refer to these as “Fit Test” drawings. These drawings were submitted at initial review to convey a general (not exact) concept of how the density and circulation might be placed on the property. These drawings do not represent a binding part of the master plan, just a general guideline. Noted on these drawings is *“Note: Building heights noted on this ‘Fit Test’ represent general heights needed to accommodate assigned densities for the purpose of establishing development character. Actual building heights will be determined at the time of Development Permit submissions.”*

The placement of the proposed building with this application respects the “Fit Test” drawings indicated on the Master Plan illustrative conceptual drawings.

Per the latest Master Plan Modification:

- *11.5 of the Residential SFEs and 5 of the Commercial SFEs at the Peak 8 Base are subject to and may be developed only upon the transfer of 16.5 transferable development rights pursuant to the Intergovernmental Agreement concerning transfer of development rights between the Town and Summit County, which transfer may occur only after a development permit providing for the additional Residential and Commercial SFEs has been approved.”*

- “The provisions of subsection 9-1-19:24 (Relative):D of the Breckenridge Town Code, in effect on the date of approval of this Amendment, notwithstanding, in connection with the future development of the Property pursuant to the Master Plan, meeting and conference facilities or recreation and leisure amenities over and above that required in subsection 9-1-19:24 (Absolute) of the Breckenridge Town Code, in effect on the date of approval of this Amendment, shall not be assessed against the density and mass of a project when the facilities or amenities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities and they do not equal more than 600% of the area required under said subsection 9-1-19:24 (Absolute).”
- “Guest Services Facilities will not include lockers for employees, public restrooms, storage areas (not including storage areas for recreational equipment for sale or rental) and lift and lift personnel facilities (“Support Facilities”) already constructed at the time of approval of this Amendment or to be constructed.”
- “Residential: 1 space/unit, except single-family and lock-off units, which shall comply with the Town’s Off-Street Parking Regulations provided that the parking required for lock-off units may be reduced from the requirements of such Regulations if the Town finds that a written analysis provided at no cost to the Town and prepared by a qualified parking consultant supports a decrease from the 2 off-street parking spaces otherwise required to be provided for each 2 bedroom unit with a lock-off or divisible room.”

Building Height (6/A & 6/R): As specified in the Master Plan, and per Land Use District 39, building heights are recommended at 5-stories. Per the Development Code, the first two stories are counted as 13-foot tall each and subsequent stories are counted at 12-foot tall each. Hence, a 5-story multi-family building will have a height of 62 feet, measured from the mean (mid-point between ridge and eave) of the roof to the proposed grade below. In addition, the relative portion of this policy allows this height to be exceeded with negative points being incurred:

(2) Outside The Historic District:

a. For all structures except single-family and duplex units outside the historic district: Negative points under this subsection shall be assessed based upon a project's relative compliance with the building height recommendations contained in the land use guidelines, as follows:

-5 points	Buildings that exceed the building height recommended in the land use guidelines, but are no more than one-half (1/2) story over the land use guidelines recommendation.*
-10 points	<i>Buildings that are more than one-half (1/2) story over the land use guidelines recommendation, but are no more than one story over the land use guidelines recommendation.</i>
-15 points	<i>Buildings that are more than one story over the land use guidelines recommendation, but are no more than one and one-half (1 1/2) stories over the land use guidelines recommendation.</i>
-20 points	<i>Buildings that are more than one and one-half (1 1/2) stories over the land use guidelines recommendation, but are no more than two (2) stories over the land use guidelines recommendation.</i>
	<i>Any structure exceeding two (2) stories over the land use guidelines recommendation will be deemed to have failed absolute policy 6, building height.</i>
	<i>b. For all structures except single-family and duplex units outside the historic district:</i>

		<i>Additional negative or positive points may be assessed or awarded based upon the planning commission's findings of compliance with the following:</i>
1 x (-1/+1)		1. It is encouraged that buildings incorporate the uppermost story density into the roof of the structure, where no additional height impacts are created. *
1 x (-1/+1)		2. Buildings are encouraged to provide broken, interesting roof forms that step down at the edges. Long, unbroken ridgelines, fifty feet (50') or longer, are discouraged.

**Highlight added*

The finished grade as described in the Master Plan is shown on Sheet A109. The original Peak 7&8 Master Plan (and this provision is still part of the Master Plan) allowed for the applicant to establish natural grade at the base of Peak 8 since Ski Hill Road, the parking lots, driveways and the Berghof were placed into the natural hillside destroying the natural slope with new cut and fill.

Once finished grade is established (Sheet A109) then building height is measured the same way as described in the Development Code. The height of a building as measured from any point from within a building's foundation or around a building's foundation perimeter to a point *directly below*. In the case of multi-family buildings (including this building), measurement is taken from points around the outside edge of the building's perimeter to proposed grade and from within the building's foundation perimeter to the established finished grade.

The height of the tallest portion of this building (each side counts as one building since it is connected underground) is 65'-7", measured to the mean to finished grade below. This is no more than 1/2 story, or 6-feet, over the recommended height of 62-feet. (68-feet is the upper limit for -5 points.) As a result, negative five (-5) points are shown on the attached Point Analysis.

As noted above, positive points may be awarded to buildings that show broken, interesting roof forms that step down at the edges and for providing density in the roof forms. Staff believes that the revised drawings meet these two criteria (see composite elevations) and we have shown positive two (+2) points on the Point Analysis. Does the Commission concur?

As noted in the Master Plan, *"Toward the ends of the Peak 8 Base area the buildings will be lesser in height and density as compared to the center or core of the Peak 8 Base."*

For reference:

One Ski Hill Place:

Height - 76'-0" ~ 100' at cupola (-15 points)

Density - 129,333 square feet

This Proposal:

Height - 65'-7" (-5 points)

Density - 106,981 square feet

(So. Bldg 66,406 SF + No. Bldg. 40,575 SF)

Land Use (Policies 2/A & 2/R): Per the Land Use Guidelines for District 39 and the Amendment to the Peaks 7 and 8 Master Plan, residential and lodging uses are recommended. The proposed multi-family use and associated amenities, commercial and support uses are allowed. Staff believes the proposal meets the intent of this policy and the Master Plan. We have no concerns.

Density/Intensity (3/A & 3/R)/Mass (4/R): As described in the Master Plan and also in the Land Use Guidelines, the bases of the Peak 7 & 8 ski areas are encouraged to have high intensity development. As submitted and with the pending density transfer and the amenity mass bonus identified in the approved Master Plan, the proposal is under the allowed density and mass. Staff has no concerns.

Architectural Compatibility (5/A & 5/R): Along with this policy the Master Plan requires that the architecture presents “a rustic mountain lodge” with “natural stone foundations, large sheltering roofs, large shaded windows and simple, but strong detailing, and steeply pitched roofs”.

All the proposed materials are natural, with the exception of those above 30-feet. As required by the Building Code, above 30-feet the exterior materials must be fire retardant. Hence, fiber-cement siding, trim and fascias, are proposed with the appearance of natural wood.

The foundation “base” is natural stone, as described in the Master Plan. The wood siding is stained with muted colors with weathered browns and grays. The primary roof is an asphaltic composition shingle of a dark color and the secondary roofs are bronze standing seam metal. All trim is cedar except at eaves above 30-feet. The building is sided with horizontal lap siding and vertical shiplap siding. There will be a color material board presented at the evening meeting. Staff believes the submitted plans abide with intent of Policy 5 and the Master Plan. Does the Commission Agree?

Site and Environmental Design (7/R): Utilizing the slope of the hill, significant portions of the building have been buried below grade to reduce the overall massing. On the uphill (west) side abutting the public rights of way, the north building appears as a 2 to 3-story building. The south building appears as a 3-story building along the west edge. The east side faces the ski area base plaza and walkways. There are a series of terraced plazas stepping up with the slope of the hill west towards the larger building mass. These plazas incorporate planters and pockets of planting areas. The full height of the building is visible from this elevation.

Since the last review, and responding to neighbors’ concerns, the entire building has been shifted further east, away from the west property line by 6-feet creating a setback of 20-feet. As a result of this shift, there is additional land area along the west property line for landscaping in and more distance from the existing mature pines adjacent to Skiwatch Drive. (Please refer to Sheet L1, Planting Plan.) Staff believes that given the intensity of the development suggested in the Land Use Guidelines and the Master Plan, the buffering is adequate. We welcome any Commissioner comments.

Placement of Structures (9/A & 9/R): As noted above the placement of the building exceeds the recommended setbacks for this policy. Staff has no concerns.

Snow Removal and Storage (13/R): All exterior hardscape and paving for the project is proposed to be snow melted. As a result, negative three (-3) points are shown on the Point Analysis under Policy 33 (Relative) Energy Conservation below.

Refuse (15/R): Per this section of the Code: *All developments are encouraged to provide for the safe, functional and aesthetic management of refuse beyond that required by title 5, chapter 6, "Trash Dumpsters And Compactors", of this code.*

A. The following trash dumpster enclosure design features are encouraged to be incorporated in the enclosure design: 1 x (+1) Incorporation of trash dumpster enclosure into a principal structure.

The drawings show the refuse and recycling located within the building mass. We are showing positive one (+1) point for this design on the Point Analysis.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Residential vehicular access and service access to the property is taken off Ski Hill Road adjacent to the existing Skier Bus drop-off for the base of Peak 8.

After entering the property, guests may leave their vehicle with the bellman at the Porte de Cochere or park it themselves after checking in. The driveway then loops back and allows access to the underground parking garage or allows return to Ski Hill Road. Service vehicles also use the same access off Ski Hill Road, but turn into the underground parking garage at a door furthest from the guest access away from the Porte de Cochere. Once the guest has parked their car in the underground parking garage, four elevators (in groups of two) located at walk-able midpoints in the garage provide access to all upper levels. The service elevators shown are not accessible by the guests.

Refuse: The refuse access is shown to be taken from the existing east driveway of the adjacent Skier Bus drop-off area. Staff has concerns about the location of this use. The access drive to the refuse door is located at the end of a public crosswalk and it crosses a future sidewalk that will be used by skiers from the Bus Drop-off area (see site plan). Per this policy: “(3) *Delivery Areas: Delivery areas and refuse pickup should be located away from public spaces.*” For this design, we are showing negative three (-3) points in the Point Analysis under this policy.

First Aid/Emergency Access: A First Aid Station for the Ski Area is located at the southeast portion of the Plaza Level. This allows Ski Patrol easy access off the slopes and access to their emergency vehicle, via direct connection to the underground parking garage. Emergency vehicle access to the slope is being provided from Ski Hill Drive through the plaza to access to the first aid station near the slopes. The Red White and Blue Fire District endorses this design. Staff has no concerns.

Access Easement: The applicants have been working with the Skiwatch Condominium owners and the Peak Eight Place Subdivision owners to realign the existing 6-foot wide skier and snowboard access easement with this design. The plans show the new alignment along the west edge of the south building from Skiwatch Drive south towards the Skiwatch Condominiums. The path splits allowing skier access to and from the ski area. There is also group of picnic benches shown for public use. This easement shall be shown on the subdivision application for this site that is currently under separate review.

Parking (18/A & 18/R): Per this section of the Code:

1 x (-2/+2) A. General Parking Requirements: It is encouraged that each development design their parking in a manner that exceeds the minimum requirements of the off street parking regulations. The town will evaluate the implementation of this policy based on how well the applicants meet the following criteria:

2 x (-2/+2) (1) Public View: The placement and screening of all off street parking areas from public view is encouraged.

As part of the amended Master Plan 0.85 parking spaces per unit (or 1.7 per 2-bedroom lock-off) are required with this application. As a result, for the 75, 2-bedroom lock-offs 128 parking spaces are required. Commercial parking is counted at 1 space per 400 square feet (per Code). For the commercial uses, 13 parking spaces are required. Therefore, total required is 141 spaces. The plans are showing 168 spaces (26 spaces more than required).

100% of the parking, including the commercial parking, is being provided underground. Similar to the other developments at Peaks 7 and 8, Staff is showing positive four (+4) points on the Point Analysis.

Open Space (21/R): As a residential use 32,244 square feet (30%) of the site area should remain as open space. The plans show that 32,861 square feet (30.6%) is being provided. Staff has no concerns.

Landscaping (22/A & 22/R): The landscaping plan (Sheet L1) shows:

- 39 Spruce (8-10 feet tall)
- 164 Aspen (2-3 inch caliper with 50% multi-stemmed)
- 27 Montgomery Spruce (4 feet tall)
- 249 Dogwood and Mountain Snowberry Shrubs (5-Gal.)
- Native grass and sod

At Staff's suggestion, three additional 10-foot tall spruce trees will be added long Skiwatch Drive for additional buffering. We have reviewed this plan with our landscape architect and are recommending positive two (+2) points under this policy.

Social Community / Employee Housing (24/A &24/R): The applicants are proposing to provide 3.51% of the residential density, or 3,755 square feet, in off-site employee housing. Negative two (-2) points are incurred as a result.

Amenities: The proposed plan is intending to provide an outstanding amenities package for the guests beyond what is required by the Development Code and beyond what typical condo-hotels are providing in Breckenridge. These are to include:

- Library/board room
- The market (sundries)
- Food service (The Bergy Café)
- Ski valet
- Indoor aquatics
- Locker rooms
- Grotto (hot tubs, sauna, steam)
- Full service spa
- Fitness area
- Kids club
- Multi-purpose space
- Public restrooms
- Private theatres
- Arcade/game area
- Long-term owner storage

3 x (0/+2)

D. Meeting And Conference Rooms or Recreation and Leisure Amenities: The provision of meeting and conference facilities or recreation and leisure amenities, over and above that required in subsection A of this policy is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this policy, shall not be assessed against the density and mass of a project when the facilities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities, and they do not equal more than 200 percent of the area required under subsection A of this policy.) (Ord. No. 9, Series 2006)

Per the Master Plan:

5) **AMENITIES:**

The provisions of subsection 9-1-19:24 (Relative):D of the Breckenridge Town Code, in effect on the date of approval of this Amendment, notwithstanding, in connection with the future development of the Property pursuant to the Master Plan, meeting and conference facilities or recreation and leisure amenities over and above that required in subsection 9-1-19:24 (Absolute) of the Breckenridge Town Code, in effect on the date of approval of this Amendment, shall not be assessed against the density and mass of a project when

the facilities or amenities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities and they do not equal more than 600% of the area required under said subsection 9-1-19:24 (Absolute).

The drawings indicate that there is to be 21,826 square feet in added amenities. With a minimum of 2,913 square feet required, the plans show over six times the required amount. The planned amenities will be similar to those on the other properties developed by the applicants. Past projects that have exceeded the requirements by larger amounts and received positive six points at final review. As a Condition of Approval, the applicants would also record a covenant securing this space as amenities in perpetuity for the project. We heard Commission support awarding positive six (+6) points for the added amenities and have added this to the Point Analysis.

Staff notes that all but 6,889 square feet of the amenities have been buried below the building into the hillside. The Master Plan allowed a mass bonus of 600% for this use and is not counted as density or mass. As submitted, only 32% of the allowed mass is actually above ground and is not counted.

Transit (25/R): Per the Development Code:

Nonauto Transit System: The inclusion of or the contribution to a permanent nonauto transit system, designed to facilitate the movement of persons to and from Breckenridge or within the town, is strongly encouraged. Nonauto transit system elements include buses and bus stops, both public and private, air service, trains, lifts, and lift access that have the primary purpose of providing access from high density residential areas or major parking lots of the town to the mountain, etc. Any development which interferes with the community's ability to provide nonauto oriented transportation elements is discouraged. Positive points shall be awarded under this policy only for the inclusion of or the contribution to nonauto transit system elements which are located on the applicant's property. (Ord. 37, Series 2002)

Similar to the Grand Lodge at Peak 7, the applicants are providing a shuttle van service (with covenant) for the guests at the Breckenridge Grand Vacations Lodge at Peak 8. As in the past applications, Staff is showing positive four (+4) points for this provision.

Utilities Infrastructure (26/A & 26/R; 28/A): All public utilities are available in the Ski Hill Road right of way. Some existing utilities cross the development parcel and will be relocated. The existing sewer lines for Skiwatch Condos and Peak 8 Place currently cross the project site, and will be relocated to the new Skiwatch Drive right of way. Staff has no concerns.

As part of this application and part of the Phase 3 portion of construction the applicants will be re-constructing Skiwatch Drive to comply with the Master Plan, flattening the grade at the intersection of Ski Hill Road. The road grades and drainage are being reviewed by the Engineering Department and will be presented as part of the Subdivision Application review.

Drainage (27/A & 27/R): A preliminary Grading and Drainage Plan has been reviewed by the Engineering Department.

Per the 2005 Master Plan: *“Hydrogeologic and other forms of mitigation will be provided if necessary to ensure that groundwater resources now feeding Cucumber Gulch will be uninterrupted and substantial degradation of wildlife resources will be prevented.”*

Surface and Ground Water: It is anticipated that there may be excavation deep enough to potentially affect ground water with this building. The project is not within the PMA, however, its detention facilities and water quality treatment facilities will be designed to integrate with those of the Subdivision improvements. The end result will be that the detention facilities and water quality treatment facilities will exceed the Town's Water Quality and Sediment Control Standards of 90% trap efficiency for all sediments of 0.005 mm or larger.

The applicant has retained Ganser Lujan & Associates to prepare a report summarizing projected impacts on groundwater that may impact Cucumber Gulch, along with potential mitigation measures. The draft report summarizes that the impacts of this development can be successfully mitigated by recharging the groundwater downhill of the project site across Ski Hill Road.

Prior to issuance of the Building Permit, the applicant will need to submit to and obtain approval from the Town Engineer of a final hydro-geological report, mitigation plan and drawings identifying all impacts to the Cucumber Gulch PMA as a result of this development. Final details of the Stormwater Management Plan/Best Management Practices (BMPs) plan shall be submitted to and approved by the Town Engineer. In addition, the applicant shall submit to the Town Engineer a drainage design memo updating any proposed revisions to previous accepted drainage concepts for Peak 8 prior to any construction.

Also, the applicant shall obtain written approval of the proposed "Future" vertical and horizontal alignment of Ski Hill Road, along with proposed storm sewer improvements, from Vail Resorts prior to any construction. The applicant has agreed to implement these measures as a Condition of Approval.

Energy Conservation (33/R): *The goal of this policy is to incentivize energy conservation and renewable energy systems in new and existing development at a site plan level. This policy is not applicable to an application for a master plan. This policy seeks to reduce the community's carbon footprint and energy usage and to help protect the public health, safety and welfare of its citizens.*

C. Excessive Energy Usage: Developments with excessive energy components are discouraged. However, if the planning commission determines that any of the following design features are required for the health, safety and welfare of the general public, then no negative points shall be assessed. To encourage energy conservation, the following point schedule shall be utilized to evaluate how well a proposal meets this policy:

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

The driveway access to the building, the circular drop off area, and all of the plazas are proposed to be snow-melted. We are showing negative three (-3) points for extent of the snow melt for the project.

Project Signage: Locations for the monument sign and signs on the building have been roughly located on the plans. Any finished signage will be handled under a separate permit application. Additionally, the applicant has not yet submitted a formal name for this development. A Condition of Approval has been added requiring that prior to selecting a name for this development, the applicant shall obtain Town Staff and County approval.

Point Analysis (Section: 9-1-17-3): At this final review, we have found the following:
Negative points are incurred for:

- Policy 6/R, Building Height (-5) for exceeding the recommended height by less than one-half story.
- Policy 16/R, Refuse (-3) Refuse pick-up conflicts with Public crossing and sidewalk.
- Policy 24/R, Employee Housing (-2) 3.51% of the residential density, or 3,579 square feet, in off-site employee housing.
- Policy 33/R, Energy Conservation (-3) for heating all outdoor drives and plazas.
- Policy 33/R, Energy Conservation (-1) One exterior Gas-fired pit.
- Total (-14)

Positive points are awarded for:

- Policy 6/R, Building Height (+2) for showing broken, interesting roof forms that step down at the edges and for providing density within the roof forms.
- Policy 15/R, Refuse (+1) for having the refuse and recycling located inside primary building.
- Policy 18/R, Parking (+4) for locating 100% of the parking out of public view.
- Policy 22/R, Landscaping (+2) meeting the requirements for positive points.
- Policy 24/R, Social Community (+6) for greatly exceeding the required amenities.
- Policy 25/R, Transit (+4) for providing a shuttle van service (with covenant) for the guests.
- Total (+19)

The proposal is showing a passing score of positive five (+5) points.

Staff Recommendation

The applicants and agent have been working extensively with Town Staff and the neighbors to reach this point in the design of this application. The list of changes above is a good example of the response to the many concerns. We have the following questions for the Commission:

1. Does the Commission support awarding positive two (+2) points for the roof plans showing broken, interesting roof forms that step down at the edges and for providing density in the roof?
2. Does the Commission agree that the proposed architecture abide with intent of Policy 5 and the Master Plan?

These are a series of conditions to be met prior to the applicant obtaining a building permit. These are standard for final detailed review by Town Staff and are typically needed in a building set:

- Final drainage, grading, utility, and erosion control plans.
- Final hydrogeological report, mitigation plan
- Final details of the Stormwater Management Plan/Best Management Practices (BMPs) plan
- Final construction plans
- Final plan approval of the proposed sanitary sewer system from the Upper Blue Sanitation District
- Final plan approval of the proposed domestic water system from the Town of Breckenridge Water Division
- Approval of the proposed "Future" vertical and horizontal alignment of Ski Hill Road, along with proposed storm sewer improvements, from Vail Resorts
- Submit to the Town Engineer a drainage design memo updating any proposed revisions to previous accepted drainage concepts for Peak 8

- Submit to the Town Engineer Final construction plans and related report detailing the proposed subsurface drainage system and related new discharge of the under-drain system back to Cucumber Gulch
- Record with the Summit County Clerk and Recorder the Notice of Approval for the Master Plan pursuant to paragraph (n) of Policy 39 (Absolute) of section 9-1-19- of the Breckenridge Town Code for the recently approved Fifth Amendment to the Amended Peak 7 & 8 Master Plan, PC#2013006
- Approval of the Subdivision Application for Lot 2, A Resubdivision of the Remainder of Tract C, Peak 8 Subdivision
- Obtain a Certificate of Density Transfer from the Summit County Planning Department for the transfer of no more than 11.5 Single Family Equivalents (SFEs) of residential density and no more than 5.0 SFEs of commercial density

We welcome any additional comments or questions.

Staff is recommending the Planning Commission approve the final Point Analysis for the Breckenridge Grand Vacations Lodge at Peak 8, PC# 2012075.

Staff also recommends the Planning Commission approve the Breckenridge Grand Vacations Lodge at Peak 8, PC# 2012075 along with the attached Findings and Conditions.

Commissioner Questions / Comments from the December 4, 2012 Meeting

- Mr. Pringle: The development of the Master Plan has been an ongoing process and I believe that we are as close as we are going to get. The developer listened to us, and I think that they made it a subordinate development to One Ski Hill Place and that is key. They have achieved that and are well within their density. The agreement that they made with Council extends their density and mass and I think that they are working in the best interests of the Town that although will not be satisfactory to everyone, that in the long run everyone will be able to live with it. From day one I have always said that these were going to be big buildings. We are seeing that; I have great empathy for the people at Ski Watch and Peak 8; we tried to make sure that Ski Watch has views. I believe that the neighbors have views to the mountain and to Baldy. I don't know if we will ever make it so that all views will be not be interrupted. I think that the Applicants show view corridors that are commensurate with what the Master Plan depicted. The roof lines of the building more represent a broken roof line that is interesting to look at from many angles. It's no longer a blank wall. The glass storefront; Mr. Stais is very good with providing what the Town wants; I think he'll do a great job to softening that look and it will be satisfactory. Do they deserve +6 points for amenities? I don't know; I'd like to wait and see on that. We need to discuss the appropriate amount of amenities; I would take a look at past precedent and if it matches history, then it might warrant +6 points. Do they adequately buffer the site? Yes, I think that they do. I'm sure if you're close to them, you'd like them set back farther, but they are exceed in some places required by the town. I don't know what to do about the shadows. I don't think that there is anything devious in the shadow projections. The Staff does an adequate and professional job of reviewing these projects and I hope everyone knows how lucky we are to have them. I think you take a look at the 'only negative 2 points' and say that the Applicant is doing a good job. I think that we can move forward with comfort knowing we are going to get a good project up there. I am so proud of the way that this base area has been developed up until this point; it just pops. It isn't cluttered up and garbage; it's very clean, majestic that has stood the test of time. I think that the developer can massage it a little to give people a better comfort level, but we are well on the road. Thank all of you for coming. Your input here is valuable.
- Mr. Schroder: Everyone's input is taken down for the Staff and Applicant. We are preliminary; it is hard for some of the neighbors who were enjoying open space prior. View corridors; we gain a view corridor in this rendition from the last presentation. Also, I looked up the definition of Master Plan, and it is " a universally a guiding document" Our job is to use the development code; the code has been met, and there is a positive score. The building forms are broken and are interesting, step down at the edges, and that is what we were looking for. The glass door front; I'm sure we will see a nice product. The added amenities; I wonder, most of these are for the consumer of the product. Site buffering; the Applicant is buffering the property and setbacks are met. The shadow projection plans; there are a lot of shadowing from the current trees but I spent time looking around Breckenridge and where aren't there going to be shadows? Regarding point assessment, I am in support of the majority of the points as presented by Staff.
- Ms. Dudney: I agree with Mr. Pringle and Mr. Schroder.
- Mr. Butler: I think that it's worth saying, that this follows the intent of the Master Plan; I can see why some folks don't think that it does, because of the compact nature of the Master Plan. I do think that the developer has done a good job of adhering to the intent of the Master Plan. I do see 6 points for the amenities.
- Ms. Christopher: It's nice to have community feedback to help us to create a better community; I agree with Mr. Schroder and Mr. Pringle. My biggest concern with the shadow on the road that it is a Town issue now, and we will have to take care of it more.
- Mr. Mamula: I still don't think that it meets the intent of the Master Plan. I still think it is too large; it is too close to the buildings, the buffer isn't adequate at all. Now it's a piece of property that we are trying to put a couple of buildings on; I appreciate the differences between the original submittal and tonight's. The biggest difference right now is that the south building was labeled Phase one and Phase two. A 30 foot move of a building this size, I don't feel like it meets the intent of the Master Plan. I would like the buildings to step more on the edges, the roof is way more complex and the edges are not as square, but really, it doesn't live up to what I think. I think in the next presentation you have to do a very basic job of how you are measuring the building. It looks big to everyone in the audience and you need to explain it so that everyone explains. These are definitely bigger than what is in my recollection. We have 5 votes for going forward on the points, but I have an issue for giving positive points for an increase in amenities for the consumer. I

would like to discuss that in the future. To me, it seems like double dipping, in particular because it is private amenity space. Everything else, if Mr. Mosher supports it, it will be difficult to undo anything in the point analysis. This is not about money for us; if there is one place that there is no money involved, this is it. This is based solely on code. On both sides, we can never think about this as if it is about money.



February 27, 2013

Tom Daugherty
Public Works Director
P.O. Box 168
Breckenridge, CO 80424

Dear Mr. Daugherty:

The purpose of this letter report is to provide URS' opinion regarding the developer's proposed solution to the foundation drainage issue and wetlands recharge, which is described in the attached email from Don Ganser to the Town dated February 22, 2013 (Attachment 1).

Introduction

URS finished a lengthy telephone call with Don Ganser during which we discussed the report entitled "Draft Assessment of Groundwater Conditions and Evaluation of Impacts, Numerical Modeling Analysis, Grand Lodge at Peak 8 Base Area Development" which was prepared by Ganser Lujan & Associates (GLA) November 16, 2012". Before our call, URS reviewed the draft report and other relevant reports provided by the Town's office, and then we sent Mr. Ganser a list of questions about the modeling (Attachment 2). During the call, Mr. Ganser was able to answer many of my questions, but he deferred addressing URS questions relative to the model setup and calibration details until his partner Mr. Lujan could provide input. Nonetheless this teleconference provided a clearer understanding of the developer's proposal and the modeling analysis conducted by GLA. URS obtained the necessary responses to our questions to complete this letter report.

Proposed Concept of Building Foundation Drainage and Alternative Wetland Recharge Plan

As Mr. Ganser described it, the developer's current concept is to install drains surrounding the foundations of all the proposed new buildings known as the Ground Lodge at Peak 8. Each of the building foundations (Phase 1, Phase 2 and Phase 3) will be excavated to an elevation of 9954 feet, which will be the lowest elevation of these drains. This is the drain elevation specified in the numerical groundwater model for Scenario 1 reported by GLA. The results of this modeling indicated that the drains would induce a relatively small amount of drawdown in shallow groundwater levels, about 0.5 to 1.0 foot, in wetland areas located to the north of the of the proposed buildings. The model results also indicated that drawdown would not extend significantly into the Cucumber Gulch Wetlands down-gradient of the proposed building.



Tom Daugherty
Public Works Director
February 27, 2013
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Evaluation of Alternative Concept for Groundwater Recharge

To mitigate the small drawdown effect on the wetlands to the north of the buildings, the developer had previously considered pumping the drain water uphill for discharge into the existing wetland mitigation ponds constructed in the vacated county road to the north of the proposed Phase 3 building. Now however, the developer is proposing the following alternative concept: Convey the foundation drain water by gravity flow through a pipe installed below Ski Hill Road into the recently rehabilitated ponds in upper Cucumber Gulch.

Conclusion and Recommendation

Conceptually URS agrees with the recharge alternative now being proposed by the developer. URS favors this new alternative because it does not involve pumping the foundation drain water uphill to recharge the groundwater system further west of where it now enters Cucumber Gulch. It is URS' opinion that the available information indicates that the new proposed alternative would minimize the disruption of the natural groundwater flow caused by the building foundation drains because the drain water would be replaced into the Cucumber Gulch wetlands immediately downhill of the proposed buildings. URS suggested to Mr. Ganser that the mechanism for groundwater recharge most likely to be effective here involve conveying the drain water into a perforated pipe (i.e. spreader pipe) installed in a shallow sand-filled trench constructed parallel to and downhill from Ski Hill Road. The length of the perforated pipe may vary from 20 feet to more than 100 feet, depending on the actual flow rate of the drains. In summary, the proposed concept is viable and will not have a significant impact on the ground water feeding the Cucumber Gulch.

Yours truly,

URS CORPORATION

John W. Thackston
Principal Hydrogeologist

cc: File

Final Hearing Impact Analysis				
Project:	Breckenridge Grand Vacations Lodge at Peak 8	Positive Points	+19	
PC#	2012075			
Date:	2/24/2013	Negative Points	- 14	
Staff:	Michael Mosher, Planner III			
		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		Project complies with the Land Use District 39 Guidelines and the approved Amended Peak 7&8 Master Plan.
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	RESIDENTIAL 91.5 SFE (109,800 SF) Allowed; 85.00 SFE (101,955 SF) Proposed -- - COMMERCIAL 5.0 SFE (4986 SF) Allowed; 5.0 SFE (5,000 SF) Proposed.
4/R	Mass	5x (-2>-20)	0	Allowed overall mass: 159,728 SF --- Proposed total mass: 152,028 SF
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		Subject to Land Use District 39 Guidelines and the approved Amended Peak 7&8 Master Plan.
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)	- 5	Per LUD 39 and Master Plan: 62'-0" (Five stories) --- Proposed Height: 65'-7"
6/R	Density in roof structure	1x(+1/-1)	+1	
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-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)	0	Building shifted east adding area along the west property line for enhanced landscaping in addition to added distance room the existing mature pines adjacent to Skiwatch Condominiums and Skiwatch Drive.
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		Some retaining walls terraced and planted, others are tall and not terraced.
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	0	Snow Melt System proposed for 100% of paved areas.

9/R	Placement of Structures - Setbacks	3x(0/-3)	0	The placement of the building exceeds the recommended setbacks for this policy.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Snow Melt System proposed.
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)	+1	The applicants propose to have the refuse and recycling located inside the parking garage.
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)	- 3	Refuse pick-up conflicts with public crosswalk and sidewalk
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)	+4	100% of the parking, including the commercial parking, is being provided underground.
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)	0	32,861 SF of open space provided or 30.6%
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)	+2	39-Spruce (8'-10' tall); 164 Aspen (2"-3" caliper 50% multi-stem); 27 4-foot tall Montgomery Spruce; 249 shrubs (5-gal.)
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	- 2	3.51% of Density (3,755 SF) to be provided off site in Employee restricted 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)	+6	Outstanding amenities package provided well in excess of Town requirements. 600% of required amenities provided.
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)	+4	Guest shuttle service and covenant provided
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)	0	Preliminary drainage reviewed by Engineering and Public Works Departments.
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		All fireplaces are gas fired.
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		

	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	- 3	Heating of all outdoor paved spaces.
33/R	Outdoor commercial or common space residential gas fireplace	1X(-1/0)	- 1	One gas fired exterior fire pit proposed.
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

Breckenridge Grand Vacations at Peak 8
A portion of Tract C, Peak 8 Subdivision #1 (pending re-subdivision)
1593 Ski Hill Road
Permit #2012075

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 **February 21, 2013** 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 **March 5, 2013** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. Subject to the Town's Department of Community Department receiving adequate assurances of or security for completion of the authorized infrastructure improvements or return of the Sale Parcel generally to the condition it was in before the commencement of any work, the Town's Department of Community Development is hereby authorized to permit the excavation for and construction of infrastructure improvements, including, but not limited to, demolition of the Bergenhof building located on the Sale Parcel (subject to obtaining a demolition permit from the Town), construction of storm water management facilities, and relocation of utilities, and site excavation after issuance of the Permit but before issuance of a building permit.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **March 12, 2016**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed

and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.

4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18 inch heavy duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. 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 snow plow equipment from damaging the new driveway pavement.
9. Applicant shall field locate utility service lines to avoid existing trees.
10. Per the approved Development Agreement Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC; Upon: (a) final approval of (i) the transfer of TDRs consisting of up to 16.5 SFEs (11.5 for residential use and 5 for commercial use) to the Sale Parcel, (ii) a Class A Development Permit amending the Master Plan to allow for such additional density (the "Master Plan Amendment"), and (iii) a Class A Development Permit for the Sale Parcel acceptable to Buyer and Owner allowing for the development of the Sale Parcel utilizing up to 91.5 SFEs for a Condo-Hotel (as provided for in the Town Code) at 1,200 square feet of density per SFE and up to 5 SFEs for commercial use at 1,000 square feet of density per SFE (the "Permit"); and (b) the passage of any time periods within which any referendums, appeals or other challenges to such approvals must be brought, without any such referendums, appeals or other challenges having been filed, commenced or asserted, Buyer shall: (A) pay \$25,000 to the Town to be applied to the Town's ongoing Cucumber Gulch preservation activities, and (B) pursuant to the terms of the IGA, pay the then-current price per TDR for each TDR required to support the total residential density authorized by the Permit minus the total residential density of 80 SFEs to be assigned to the Sale Parcel by Seller under the Master Plan..

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. Applicant shall submit to and obtain approval from the Town Engineer of a final hydrogeological report, mitigation plan and drawings identifying all impacts to the Cucumber Gulch PMA as a result of this development. Final details of the Stormwater Management Plan/Best Management Practices (BMPs) plan shall be submitted to and approved by the Town Engineer.
13. The applicant shall submit to the Town Engineer Final construction plans for approval prior to beginning any site, grading, utility or roadway improvements on the project.
14. The applicant shall obtain Final plan approval of the proposed sanitary sewer system from the Upper Blue Sanitation District prior to any construction.

15. The applicant shall obtain Final plan approval of the proposed domestic water system from the Town of Breckenridge Water Division prior to any construction.
16. Prior to issuance of a building permit, applicant shall submit to the Town of Breckenridge a letter of agreement from Vail Resorts Development Company indicating that Vail Resorts Development Company approves the final design for Ski Hill Road and proposed storm sewer improvements, and that the final road design will integrate with any future development.
17. The applicant shall submit to the Town Engineer a drainage design memo updating any proposed revisions to previous accepted drainage concepts for Peak 8 prior to any construction.
18. The applicant shall submit to the Town Engineer Final construction plans and related report, for approval prior to any construction, detailing the proposed subsurface drainage system and related new discharge of the under-drain system back to Cucumber Gulch.
19. The access drive to the proposed building is considered temporary and will need to be realigned to match future Ski Hill Road geometry when Vail Resorts develops the site to the east.
20. Applicant shall record with the Summit County Clerk and Recorder the Notice of Approval for the Master Plan pursuant to paragraph (n) of Policy 39 (Absolute) of section 9-1-19- of the Breckenridge Town Code for the recently approved Fifth Amendment to the Amended Peak 7 & 8 Master Plan, PC#2013006.
21. The Subdivision Application for Lot 2, A Resubdivision of the Remainder of Tract C, Peak 8 Subdivision shall be approved by the Town of Breckenridge and the final subdivision plat shall be recorded with the Summit County Clerk and Recorder. In addition, the Subdivision Application for A Resubdivision Plat of the Remainers of Tract B-2, Peak 7 Subdivision, shall be approved by the Town of Breckenridge and the final subdivision plat shall be recorded with the Summit County Clerk and Recorder. All expenses for the creation of the subdivision plats and recording fees shall be paid by others and not the Town of Breckenridge.
22. Applicant shall obtain a Certificate of Density Transfer from the Summit County Planning Department for the transfer of no more than 11.5 Single Family Equivalents (SFEs) of residential density and no more than 5.0 SFEs of commercial density, or a lesser amount if otherwise approved by the Town Council through the final development permit review process. The Certificate of Density Transfer shall be recorded with the Summit County Clerk and Recorder to run with the land on Lot 2, A Resubdivision of the Remainder of Tract C, Peak 8 Subdivision.
23. 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.
24. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
25. 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.
26. 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 permission from the Town of Breckenridge Public Works Department. 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.

27. The road 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.
28. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
29. 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.
30. 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.
31. Applicant shall reimburse the Town for the costs incurred for the services of the Town Attorney and other consultants hired by the Town in connection with the review of this application.
32. Applicant shall revise the final Landscaping Plan to show three (3) additional spruce trees, each a minimum of ten feet (10') tall, on the western side of the north building.
33. Applicant shall submit to and obtain approval from the Town of Breckenridge and Summit County Emergency Service for the final name of the proposed development. This name shall not conflict with the name of existing or approved condominiums, hotels or other projects in such a manner that may cause problems or delays for the provision of emergency services.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

34. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement, in a form acceptable to the Town Attorney, an employee housing covenant permanently restricting 3,755 square feet of employee housing within the project, or elsewhere in the Upper Blue Planning Basin, but outside the Town of Blue River.
35. 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 that the "Guest Shuttle" transit system as proposed remains in operation in perpetuity.
36. 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 that the driveway and hardscape snowmelt system be maintained in perpetuity.
37. Applicant shall record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, a covenant for the proposed Meeting Rooms/Amenities/Conference Rooms restricting the proposed 21,826 square foot of amenities and conference space in perpetuity of the project for use as amenities and to be owned as general common space.
38. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2-inches topsoil, seed and mulch.

39. 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.
40. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
41. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
42. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
43. Applicant shall screen all utilities.
44. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
45. 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.**
46. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
47. 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)

TOWN OF BRECKENRIDGE

Breckenridge Grand Vacations Lodge at Peak 8
A Portion of Tract C, Peak 8 Subdivision #1
1593 Ski Hill Road
PC#2012075

DECISION

1. This application (“**Application**”) was submitted by Peak 8 Properties, LLC (the “**Applicant**”) and Vail Resorts Development Company. The Applicants seek a Class A Development Permit to construct a 75 (each a 2-bedroom lock-off) unit interval ownership resort condo-hotel at the base of the Peak 8 ski area with associated amenities and underground parking, all as more specifically described in the Application and supporting documentation. The real property upon which the proposed improvements are to be constructed is hereafter referred to as the “**Property**.”

2. The Planning Commission has jurisdiction over the Application pursuant to the Town of Breckenridge Development Code¹ and the power and authority granted to the Planning Commission by the Town of Breckenridge Charter and the Breckenridge Town Code.

3. The final hearing on the Application (“**Hearing**”) was held on March 5, 2013. The Planning Commission had previously held preliminary hearings on the Application on September 18, 2013 and December 4, 2012.

4. At the Hearing the Applicant, through its representatives, appeared and gave testimony and presented evidence in support of the Application. At the Hearing other interested parties were given the opportunity to appear and gave testimony concerning the Application. Such testimony and evidence is contained in the record of the proceedings pertaining to the Application.

5. All of the members of the Planning Commission are familiar with the property that is the subject of the Application.

6. All members of the Planning Commission have carefully considered all of the evidence submitted pertaining to the Application, both oral and written, and the applicable requirements of the Development Code.

7. To the extent that any legally irrelevant evidence was presented at the Hearing such evidence has been ignored by the Planning Commission in making its decision on the Application.

8. The Property is subject to the Amended Peak 7 & 8 Master Plan (“**Master**

¹ Chapter 1 of Title 9 of the Breckenridge Town Code.

Plan”). The Master Plan was originally adopted August 1, 2001, but has been amended five times since then. The most recent amendment to the Master Plan (the “**Fifth Amendment to the Master Plan**”) was approved by the Town Council on February 26, 2013. Although the Fifth Amendment to the Master Plan was approved after the Application was filed, the Applicant has elected to have the Application reviewed under the Fifth Amendment to the Master Plan as authorized by Section 9-1-24 of the Development Code.

9. Pursuant to Section 9-1-17-6 of the Development Code, the Applicant has the burden to prove that the Application complies with all applicable provisions of the Development Code, including implementing all relevant policies, by a preponderance of the evidence.

10. An “absolute policy” is defined in Section 9-1-5 of the Development Code as “a policy which, unless irrelevant to the development, must be implemented for a (development) permit to be issued. The policies are described in Section 9-1-19 of this Chapter.” More simply stated, in order to be approved an application for a development permit must comply with all applicable absolute policies set forth in the Development Code.

11. A “relative policy” is defined in Section 9-1-5 of the Development Code as “a policy which need not be implemented by a development, but for which positive, negative, or zero points are allocated based on the features of the proposed development.” This means that a development permit application need not score zero or higher on each individual relative policy, so long as the total points awarded (or assessed) under all relevant relative policies total zero or higher.

12. The Town’s land use system as reflected in the Development Code measures the impacts of a proposed development against both “absolute” development policies and “relative” development policies.

13. Section 9-1-17-3 of the Development Code provides as follows:

9-1-17-3: ASSIGNMENT OF POINTS:

All policies are applied to all developments: Classes A, B, C, and D, unless otherwise expressly provided in a particular policy. Relative policies are assigned points, and unless provided differently in a particular policy, a negative score indicates that the policy is implemented but the proposed development will have a negative impact on the community on the basis of that particular policy. A score of zero indicates either that the particular policy is irrelevant to the proposed development or that a negative impact on the basis of that particular policy is completely mitigated. A positive score indicates that the proposed development implements a policy in such a way that there will be a positive impact on

the community (i.e., the community will benefit) on the basis of that particular policy.

A point analysis shall be conducted for all policies relevant to an application, and shall be completed prior to the final hearing on the application.

Unless otherwise expressly provided in a particular policy, each relative policy is assigned points for the applicant's performance, as follows:

- + 2 (or greater) - Awarded for providing a significant public benefit with no substantial public detriment, or for an excellent job of implementation. The more the public benefit without substantial public detriment, or the better the job of implementation, the more the award of positive points.
- + 1 - Awarded for providing some public benefits, mitigating a minor public detriment, or for doing a good job of implementation.
- 0 - Awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.
- 1 - Assessed for an inadequate job of implementation, or for producing some public detriment.
- 2/-3 (or greater) - Assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.

Where a different range of points or standards for the award of positive points or the assessment of negative points are provided in a particular policy, such range of points or standards for the award or assessment of points shall apply.

14. Section 9-1-17-3 of the Development Code provides as follows:

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

Multipliers established by the Town Council are used to determine the

relative importance of the policy vis-à-vis the other policies. The meaning of each multiplier is as follows:

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

15. The “point analysis” required to be conducted by Section 9-1-17-3 of the Development Code is the Planning Commission’s final determination of whether an application implements all applicable absolute policies of the Development Code, and is also the final allocation of positive or negative “points” reflecting the extent to which the application complies or does not comply with the relevant relative policies of the Development Code.

16. Prior to the Hearing the Department of Community Development prepared a proposed point analysis on the Application in accordance with Sections 9-1-17-3 of the Development Code. The proposed point analysis reflects the Department’s best professional judgment of the manner and degree to which the Application implements all of the relevant relative policies of the Development Code, as well as the Department’s best professional judgment as to whether the Application complies with all of the relevant absolute policies of the Development Code.

17. The proposed final point analysis for the Application reflects that the Application implements or has no effect on all relevant absolute polices.

18. The proposed final point analysis for the Application reflects a total score of +5 points. The Department’s rationale for assessing or awarding points is set forth in the record of the Hearing.

19. The Department’s analysis of the Application’s compliance with the relevant absolute policies, as well as its relative point assignments for each of the applicable relative policies of the Development Code, as set forth in the proposed point analysis, are correct.

20. The Department’s proposed point analysis for the Application is approved and adopted as the final point analysis for the Application.

21. The approved final point analysis reflects that the Application implements or has no effect on all relevant absolute polices.

22. The approved final point analysis reflects a net award/assessment of +5 points under the relevant relative policies.

23. Section 9-1-18-1(E)(5) of the Development Code provides, in pertinent part, as follows:

If the proposed development implements or has no effect on all relevant absolute policies and is allocated zero or [a] net positive number of points for the relative policies, the Planning Commission shall approve the proposed development.

24. The Development Code, as reflected in Section 9-1-17-6(C), requires that the Planning Commission consider the Town's past precedent when considering an application for a development permit. This section creates a rebuttable presumption that a proposed development that is substantially the same factually in relation to a particular development policy as a previous development and implements the policy in substantially the same manner and degree will be treated the same as the previous development. Here, the rebuttable presumption provided in Section 9-1-17-6(C) has not been rebutted by sufficient competent evidence to allow the Planning Commission to vary from the requirement of Section 9-1-17-6(C) that past precedent be followed in deciding the Application. To the extent that the Planning Commission found past precedent to be relevant to its consideration of the Application (as reflected in the record of proceedings with respect to the Application), the Planning Commission has considered such past precedent in its evaluation of the Application. Further, the Planning Commission finds and determines that its decision on the Application is consistent with the Town's past precedent with respect to all development policies that are relevant to the Application, and that the decision complies with the requirements of Section 9-1-17-6(C) of the Development Code.

25. Section 9-1-17-7 of the Development Code authorizes the Planning Commission to impose conditions of approval on a Class A development permit application.

26. The conditions of approval hereinafter set forth are reasonably necessary in order to adequately protect the public health, safety and welfare, and to ensure that a particular development policy will be implemented in the manner indicated in the Application, and this Decision.

27. After carefully considering the record in this matter, the Planning Commission finds and determines that:

- A. the Applicant has met its burden of proof and sufficiently demonstrated that the Application satisfies the applicable requirements of the Development Code; and
- B. the Applicant is entitled to conditional approval of the Application.

IT IS THEREFORE ORDERED that the application of Peak 8 Properties, LLC, and Vail Resorts Development Company for a Class A Development Permit to develop the property located at 1593 Ski Hill Road, Breckenridge, Colorado, as more specifically described in and as limited by the Application, is hereby GRANTED, with the additional findings and subject to the conditions set forth on the attached **Exhibit "A"**, which is incorporated herein by reference.

This Decision is the final decision of the Planning Commission on the Application for all purposes.

A copy of this Decision shall be mailed by the Secretary to the Applicant at its address as shown on the Application.

ADOPTED this 5th day of March, 2013.

TOWN OF BRECKENRIDGE PLANNING
COMMISSION

By: _____
Chair

ATTEST:

Secretary

Exhibit "A"

Additional Findings/Conditions of Approval

TOWN OF BRECKENRIDGE

ADDITIONAL 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 **February 21, 2013** 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 **March 5, 2013** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. Subject to the Town's Department of Community Department receiving adequate assurances of or security for completion of the authorized infrastructure improvements or return of the Sale Parcel generally to the condition it was in before the commencement of any work, the Town's Department of Community Development is hereby authorized to permit the excavation for and construction of infrastructure improvements, including, but not limited to, demolition of the Bergenhof building located on the Sale Parcel (subject to obtaining a demolition permit from the Town), construction of storm water management facilities, and relocation of utilities, and site excavation after issuance of the Permit but before issuance of a building permit.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.

2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **March 12, 2016**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18 inch heavy duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. 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 snow plow equipment from damaging the new driveway pavement.
9. Applicant shall field locate utility service lines to avoid existing trees.
10. Per the approved Development Agreement Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC; Upon: (a) final approval of (i) the transfer of TDRs consisting of up to 16.5 SFEs (11.5 for residential use and 5 for commercial use) to the Sale Parcel, (ii) a Class A Development Permit amending the Master Plan to allow for such additional density (the "Master Plan Amendment"), and (iii) a Class A Development Permit for the Sale Parcel acceptable to Buyer and Owner allowing for the development of the Sale Parcel utilizing up to 91.5 SFEs for a Condo-Hotel (as provided for in the Town Code) at 1,200 square feet of density per SFE and up to 5 SFEs for commercial use at 1,000 square feet of density per SFE (the "Permit"); and (b) the passage of any time periods within which any referendums, appeals or other challenges to such approvals must be brought, without any such referendums, appeals or other challenges having been filed, commenced or asserted, Buyer shall: (A) pay \$25,000 to the Town to be applied to the Town's ongoing Cucumber Gulch preservation activities, and (B) pursuant to the terms of the IGA,

pay the then-current price per TDR for each TDR required to support the total residential density authorized by the Permit minus the total residential density of 80 SFEs to be assigned to the Sale Parcel by Seller under the Master Plan..

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. Applicant shall submit to and obtain approval from the Town Engineer of a final hydrogeological report, mitigation plan and drawings identifying all impacts to the Cucumber Gulch PMA as a result of this development. Final details of the Stormwater Management Plan/Best Management Practices (BMPs) plan shall be submitted to and approved by the Town Engineer.
13. The applicant shall submit to the Town Engineer Final construction plans for approval prior to beginning any site, grading, utility or roadway improvements on the project.
14. The applicant shall obtain Final plan approval of the proposed sanitary sewer system from the Upper Blue Sanitation District prior to any construction.
15. The applicant shall obtain Final plan approval of the proposed domestic water system from the Town of Breckenridge Water Division prior to any construction.
16. Prior to issuance of a building permit, applicant shall submit to the Town of Breckenridge a letter of agreement from Vail Resorts Development Company indicating that Vail Resorts Development Company approves the final design for Ski Hill Road and proposed storm sewer improvements, and that the final road design will integrate with any future development.
17. The applicant shall submit to the Town Engineer a drainage design memo updating any proposed revisions to previous accepted drainage concepts for Peak 8 prior to any construction.
18. The applicant shall submit to the Town Engineer Final construction plans and related report, for approval prior to any construction, detailing the proposed subsurface drainage system and related new discharge of the under-drain system back to Cucumber Gulch.
19. The access drive to the proposed building is considered temporary and will need to be realigned to match future Ski Hill Road geometry when Vail Resorts develops the site to the east.
20. Applicant shall record with the Summit County Clerk and Recorder the Notice of Approval for the Master Plan pursuant to paragraph (n) of Policy 39 (Absolute) of section 9-1-19- of the Breckenridge Town Code for the recently approved Fifth Amendment to the Amended Peak 7 & 8 Master Plan, PC#2013006.
21. The Subdivision Application for Lot 2, A Resubdivision of the Remainder of Tract C, Peak 8 Subdivision shall be approved by the Town of Breckenridge and the final subdivision plat

- shall be recorded with the Summit County Clerk and Recorder. In addition, the Subdivision Application for A Resubdivision Plat of the Remainders of Tract B-2, Peak 7 Subdivision, shall be approved by the Town of Breckenridge and the final subdivision plat shall be recorded with the Summit County Clerk and Recorder. All expenses for the creation of the subdivision plats and recording fees shall be paid by others and not the Town of Breckenridge.
22. Applicant shall obtain a Certificate of Density Transfer from the Summit County Planning Department for the transfer of no more than 11.5 Single Family Equivalents (SFEs) of residential density and no more than 5.0 SFEs of commercial density, or a lesser amount if otherwise approved by the Town Council through the final development permit review process. The Certificate of Density Transfer shall be recorded with the Summit County Clerk and Recorder to run with the land on Lot 2, A Resubdivision of the Remainder of Tract C, Peak 8 Subdivision.
 23. 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.
 24. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
 25. 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.
 26. 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 permission from the Town of Breckenridge Public Works Department. 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.
 27. The road 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.
 28. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.

29. 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.
30. 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.
31. Applicant shall reimburse the Town for the costs incurred for the services of the Town Attorney and other consultants hired by the Town in connection with the review of this application.
32. Applicant shall revise the final Landscaping Plan to show three (3) additional spruce trees, each a minimum of ten feet (10') tall, on the western side of the north building.
33. Applicant shall submit to and obtain approval from the Town of Breckenridge and Summit County Emergency Service for the final name of the proposed development. This name shall not conflict with the name of existing or approved condominiums, hotels or other projects in such a manner that may cause problems or delays for the provision of emergency services.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

34. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement, in a form acceptable to the Town Attorney, an employee housing covenant permanently restricting 3,755 square feet of employee housing within the project, or elsewhere in the Upper Blue Planning Basin, but outside the Town of Blue River.
35. 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 that the "Guest Shuttle" transit system as proposed remains in operation in perpetuity.
36. 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 that the driveway and hardscape snowmelt system be maintained in perpetuity.
37. Applicant shall record with the Summit County Clerk and Recorder, in a form acceptable to the Town Attorney, a covenant for the proposed Meeting Rooms/Amenities/Conference Rooms restricting the proposed 21,826 square foot of amenities and conference space in perpetuity of the project for use as amenities and to be owned as general common space.
38. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2-inches topsoil, seed and mulch.
39. 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.

40. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
41. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
42. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
43. Applicant shall screen all utilities.
44. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
45. 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.**
46. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
47. 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.

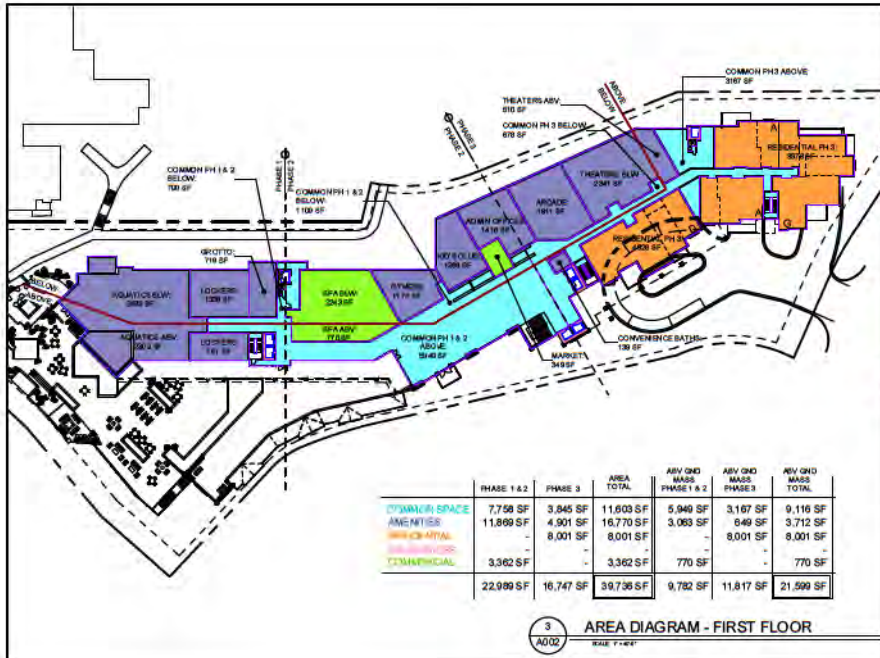
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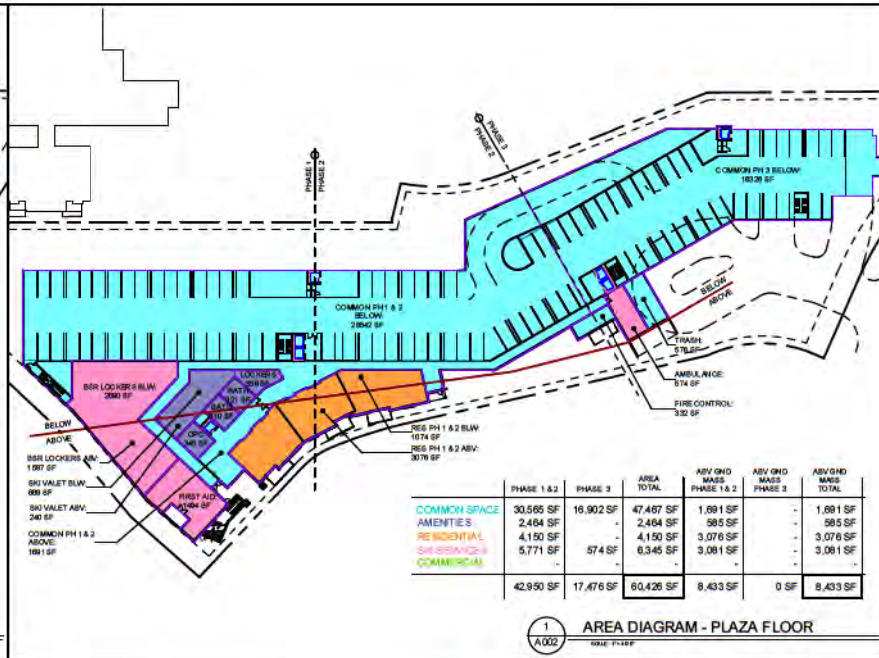
[RENDERING NOT FOR CONSTRUCTION]

BRECKENRIDGE GRAND VACATIONS PEAK 8

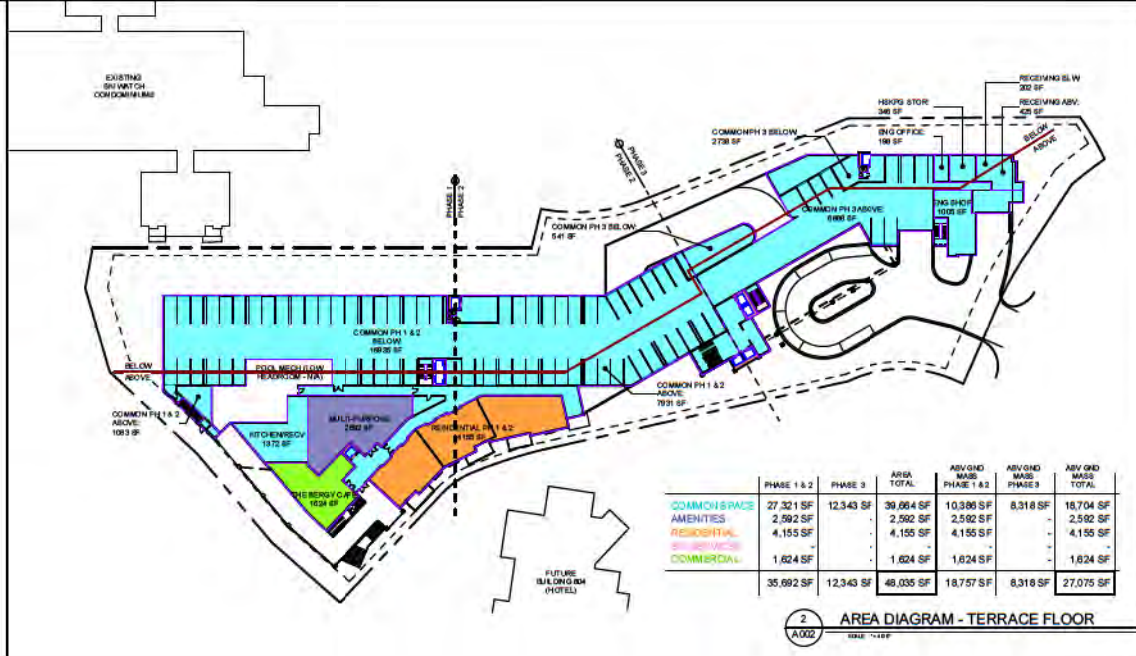
BRECKENRIDGE, COLORADO



3 AREA DIAGRAM - FIRST FLOOR
SCALE 1"=40'



1 AREA DIAGRAM - PLAZA FLOOR
SCALE 1"=40'



2 AREA DIAGRAM - TERRACE FLOOR
SCALE 1"=40'

matchless architects
101 north ridge street
p o box 135
breckenridge
colorado 80424
970 453 0444

AREA LEGEND

- COMMON
- AMENITIES
- RESIDENTIAL
- SKI SERVICES
- COMMERCIAL

www.mcsdesign.com

breckenridge grand vacations
peak 8
1650 north road
breckenridge colorado
PROJECT # 1111

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ISSUE:

ISSUE	DATE
Issue	1 Jun 2012
TOR verification	8 Jun 2012
TOR pre bid	7 Jul 2012
Internal	17 Jul 2012
TOR planning	6 Sep 2012
TOR planning	15 Oct 2012
TOR planning	5 Nov 2012
TOR planning	14 Jan 2013
revised	20 Feb 2013

AREA DIAGRAMS
draft
A002



matchew stals architecta
101 north ridge street
p o box 135
breckenridge
colorado 80424
970 463 0444

AREA LEGEND

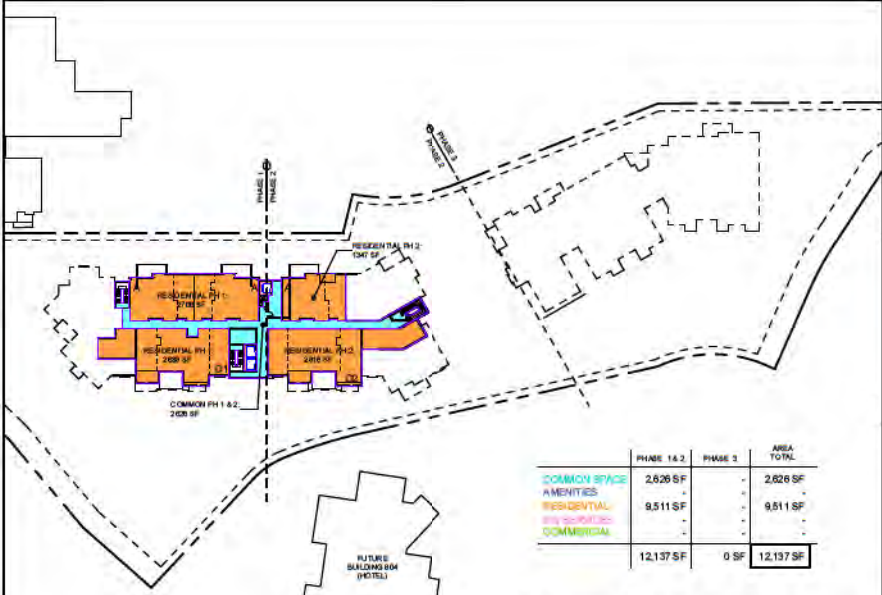
COMMON
AMENITIES
RESIDENTIAL
SKI SERVICES
COMMERCIAL



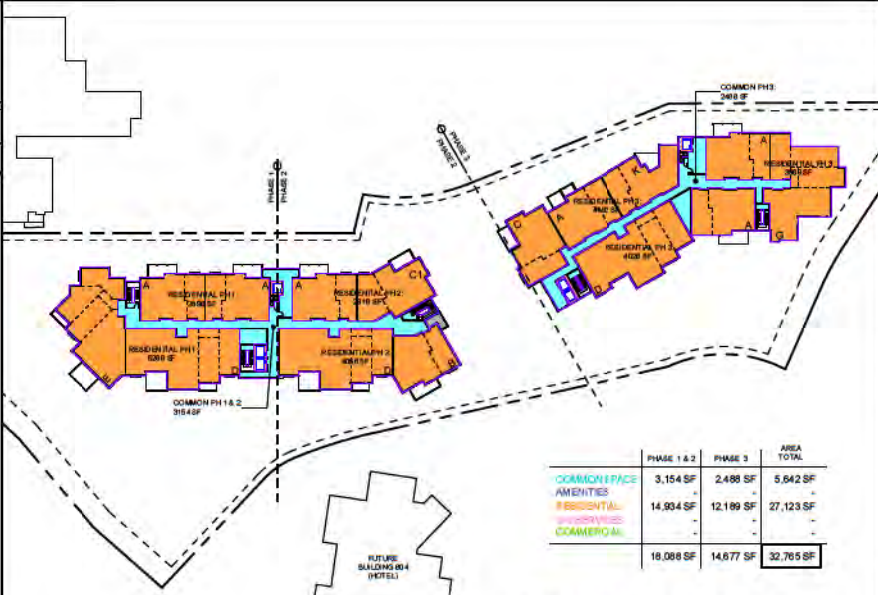
3 AREA DIAGRAM - FOURTH FLOOR
SCALE: 1/4"=1'-0"



1 AREA DIAGRAM - SECOND FLOOR
SCALE: 1/4"=1'-0"



4 AREA DIAGRAM - FIFTH FLOOR
SCALE: 1/4"=1'-0"



2 AREA DIAGRAM - THIRD FLOOR
SCALE: 1/4"=1'-0"

www.matchewstals.com

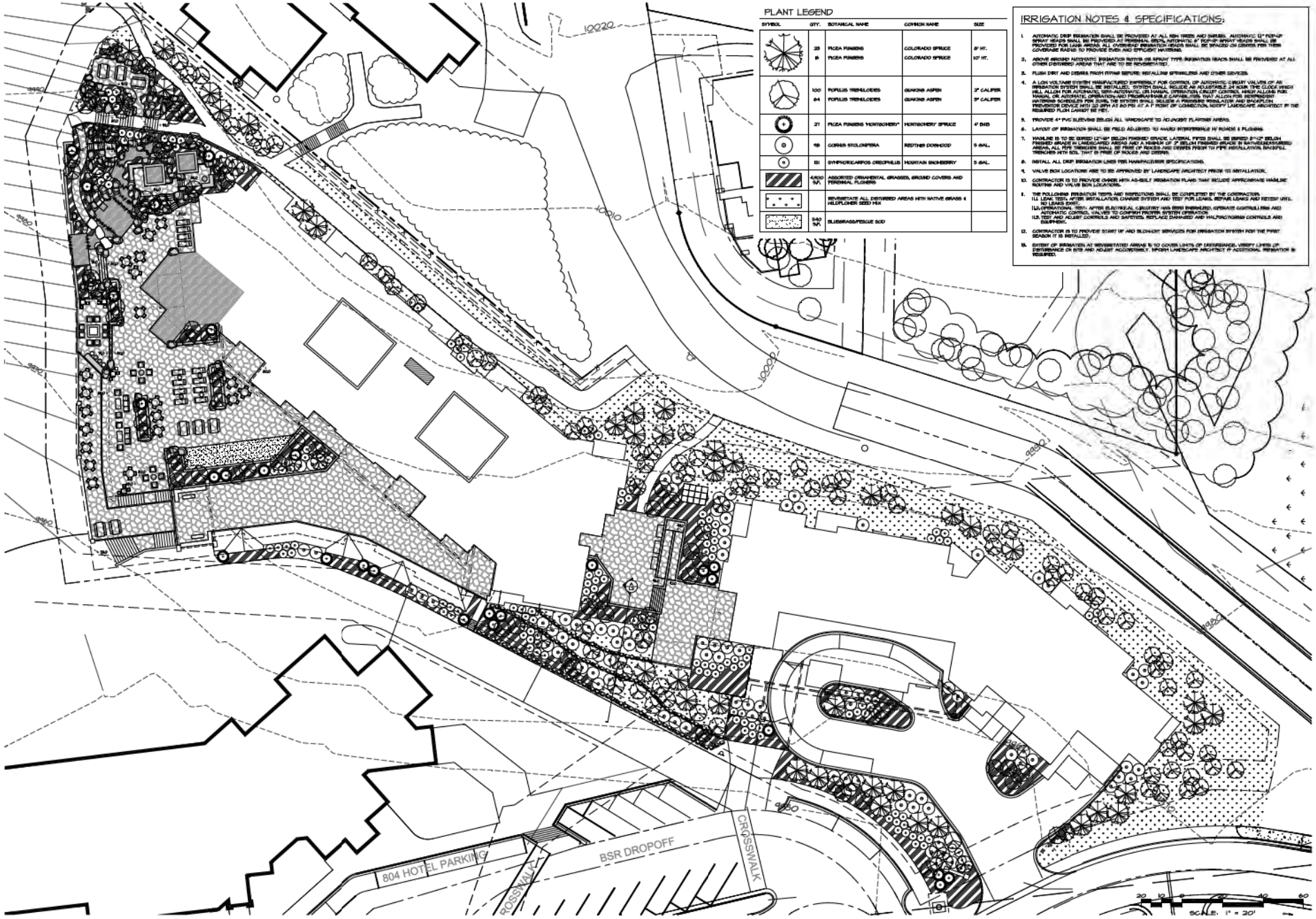
breckenridge grand vacations
peak 8
1650 north road
breckenridge colorado
PROJECT # 1111

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ISSUE:

Issue	5 Jun 2012
TOB revision	8 Jun 2012
TOB pre bid	7 Jul 2012
Internal	17 Jul 2012
TOB planning	6 Sep 2012
TOB planning	15 Oct 2012
TOB planning	5 Nov 2012
TOB planning	14 Jan 2013
revised	20 Feb 2013

AREA DIAGRAMS
draft
A003



PLANT LEGEND

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	28	PICEA PINES	COLORADO SPRUCE	8' HT.
	8	PICEA PINES	COLORADO SPRUCE	10' HT.
	100	POPULUS TREHALIDES	QUAKING ASPEN	2" CALIPER
	84	POPULUS TREHALIDES	QUAKING ASPEN	5" CALIPER
	21	PICEA PINES HORTICENSIS	HORTICENSIS SPRUCE	4" DBH
	16	CORNUS STOLONIFERA	REDTID DOGWOOD	5" DIA.
	81	SYMPLOCARPOS OREGANOLIS	MOUNTAIN SAGEBRUSH	5" DIA.
	4500 SQ. FT.	ASSORTED ORNAMENTAL GRASSES, GRASS COVERS AND PERENNIAL FLOWERS		
	540 SQ. FT.	REVEGETATE ALL DISTURBED AREAS WITH NATIVE GRASS & MULTIFLORAL SEED MIX		
	540 SQ. FT.	SLEEBRASS/PEDGLE SOG		

IRRIGATION NOTES & SPECIFICATIONS:

1. AUTOMATIC DEEP IRRIGATION SHALL BE PROVIDED AT ALL NEW TREES AND SHRUBS. AUTOMATIC 1/2" POP-UP IRRIGATION SHALL BE PROVIDED TO PERENNIALS, BULB PLANTINGS, & PERENNIAL BEDS. IRRIGATION SHALL BE PROVIDED FOR LANDSCAPE AREAS. ALL OUTSIDE IRRIGATION HEADS SHALL BE SPACED ON 50' CENTER. COVERAGE SHALL BE PROVIDED ASIDE AND OPPOSITE HEADS.
2. ABOVE GROUND AUTOMATIC IRRIGATION TUBING OR SPRAY TYPE IRRIGATION HEADS SHALL BE PROVIDED AT ALL OTHER DISTURBED AREAS THAT ARE TO BE REVEGETATED.
3. FLOW DIRTY AND OTHER FLOW DIRTY DEVICES, BACKFLOW PREVENTERS AND OTHER DEVICES.
4. A LOW VOLTAGE SYSTEM MANUFACTURED SPECIFICALLY FOR CONTROL OF AUTOMATIC GREAT VALVES OF AN IRRIGATION SYSTEM SHALL BE INSTALLED. SYSTEM SHALL INCLUDE AN ADJUSTABLE 24 HOUR TIME CLOCK WHICH SHALL ALLOW PERMANENT, NON-AUTOMATIC, OR MANUAL OPERATION. IRRIGATION CONTROL SHALL ALLOW FOR WATERSHED SCHEDULING FOR EACH THE SYSTEM SHALL INCLUDE A PRESSURE MAIN ALARM AND SHUTDOWN PROTECTION WHICH WILL SHUT OFF ALL 80 PSI AT A 7' POINT OF CONNECTION. NOTIFY LANDSCAPE ARCHITECT IF THE REQUIRED PLAN CANNOT BE MET.
5. PROVIDE 4" PVC SLEEVING BELOW ALL WALKWAYS TO ADJACENT PLANTING AREAS.
6. LAYOUT OF IRRIGATION SHALL BE FIELD ADJUSTED TO MATCH INTERFERING H/ STRUCTURE & PLUMBING.
7. MAIN LINE IS TO BE BURIED 18" MIN. BELOW FINISHED GRADE. A 2" DIA. 1" WALL 2" THICK 8" X 12" BELCH FINISHED GRADE IN LANDSCAPED AREAS AND A MINIMUM OF 2" BELCH FINISHED GRADE IN NATURAL/UNDISTURBED AREAS. ALL PPE INSTALLATION SHALL BE FREE OF HOLES AND DEFECTS FROM TOP TO PPE INSTALLATION. BRACKET INDICATED WITH SOIL THAT IS FREE OF HOLES AND DEFECTS.
8. INSTALL ALL DEEP IRRIGATION LINES PER MANUFACTURER SPECIFICATIONS.
9. VALVE BOX LOCATIONS ARE TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
10. CONTRACTOR IS TO PROVIDE OWNER WITH AS-BUILT IRRIGATION PLANS THAT INCLUDE APPROPRIATE HEADLINE ROUTING AND VALVE BOX LOCATIONS.
11. THE FOLLOWING IRRIGATION TESTS AND INSPECTIONS SHALL BE COMPLETED BY THE CONTRACTOR:
 - 11A. LEAK TEST: AFTER INSTALLATION, CONTRACTOR SHALL BE RESPONSIBLE FOR LEAKS, REPAIR LEAKS AND REPEAT UNTIL NO LEAKS EXIST.
 - 11B. OPERATIONAL TEST: AFTER ELECTRICAL CHECKOUT HAS BEEN COMPLETED, OPERATE CONTROLLER AND MONITOR CONTROLLER VALVES TO VERIFY PROPER SYSTEM OPERATION.
 - 11C. TEST AND ADJUST CONTROLS AND SCHEDULES, REPLACE DAMAGED AND MALFUNCTIONING CONTROLS AND EQUIPMENT.
12. CONTRACTOR IS TO PROVIDE START UP AND SCHEDULES FOR IRRIGATION SYSTEM FOR THE FIRST SEASON IT IS INSTALLED.
13. ENTRY OF OPERATOR AT UNDISTURBED AREAS IS TO COVER LIGHTS OR DAMAGED/VALVE LINE OF INTERFERENCE ON SITE AND ADJUST ACCORDINGLY. NOTIFY LANDSCAPE ARCHITECT IF ADDITIONAL REPAIRS ARE REQUIRED.



Breckenridge Grand Vacations - Peak 8
Breckenridge, Colorado

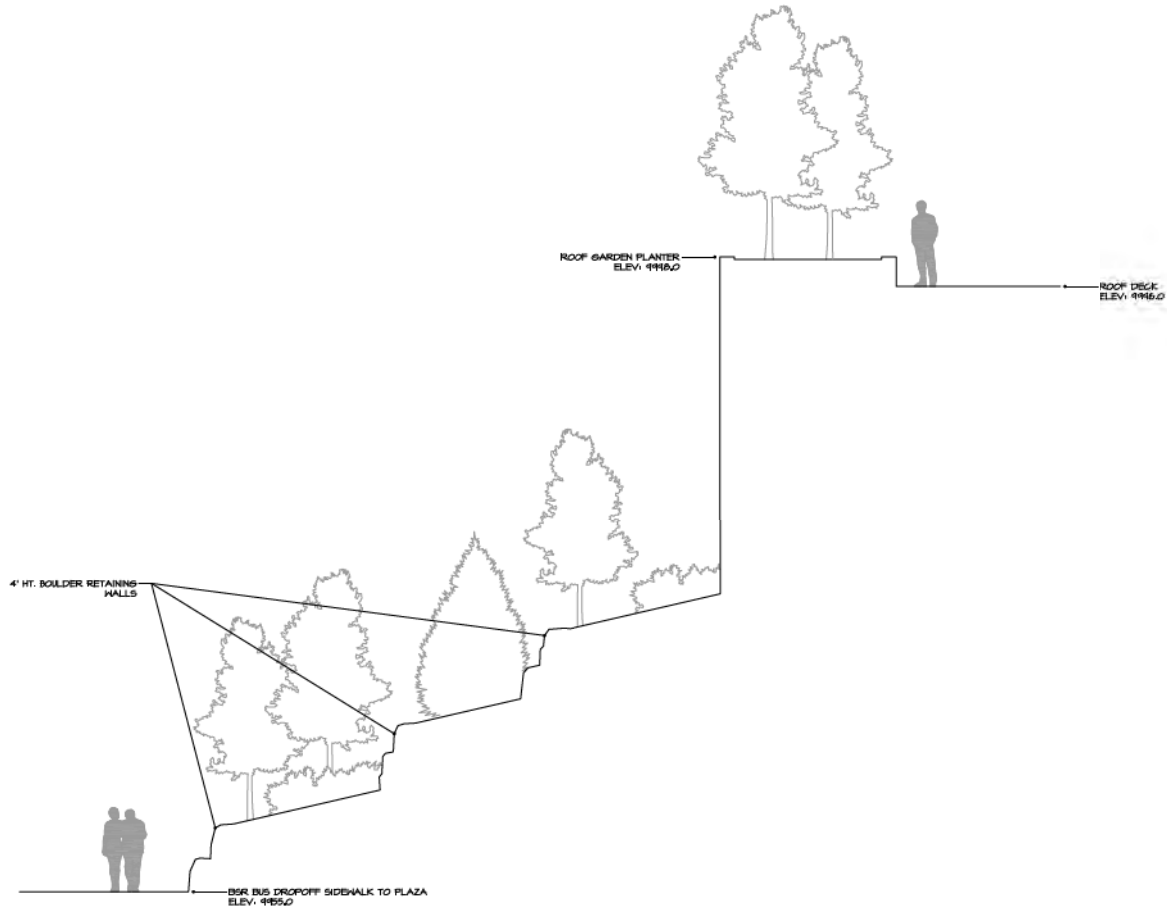
TOR Meeting #3 Oct. 2021
TOR Meeting #4 Nov. 2021
TOR Final #4 Jan. 2022
Revised #4 Feb. 2022

TITLE:
PLANTING PLAN



Scale: 1" = 20'

Sheet:
L1
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A SITE SECTION
1/4" = 1'-0"

Breckenridge Grand Vacations - Peak 8
Breckenridge, Colorado

TOB Meeting #3 Oct. 2012

TOB Meeting #4 Nov. 2012

TOB Final #4 Jan. 2013

Title:

SITE SECTION

Scale:

1/4" = 1'-0"

Sheet:

L2

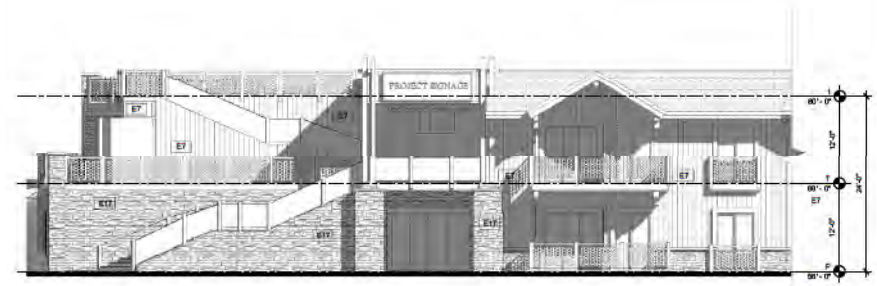
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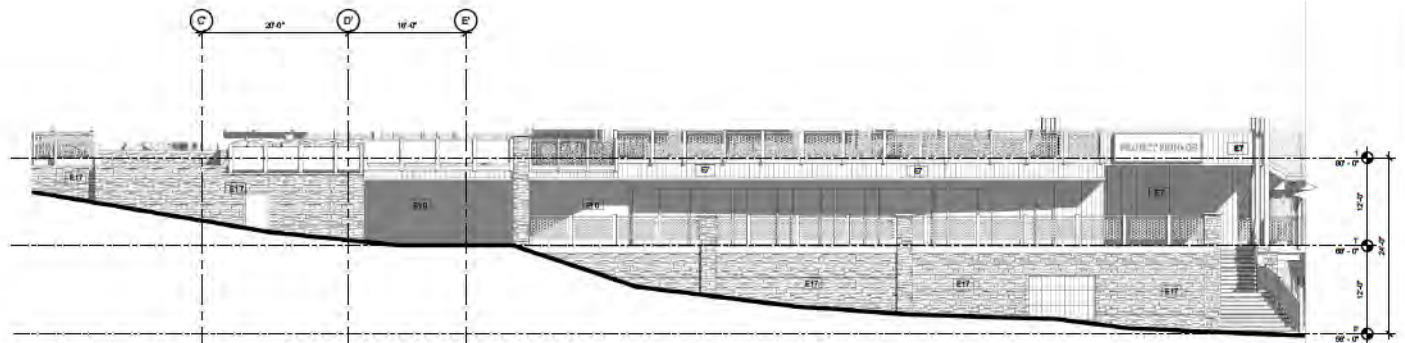
3 LOWER ELEVATION 2 (S BLDG)
SCALE: 1/8" = 1'-0"



2 LOWER ELEVATION 1 (S BLDG)
SCALE: 1/8" = 1'-0"



1 ENTRANCE PAVILION EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 LOWER ELEVATION 3 (S BLDG)
SCALE: 1/8" = 1'-0"



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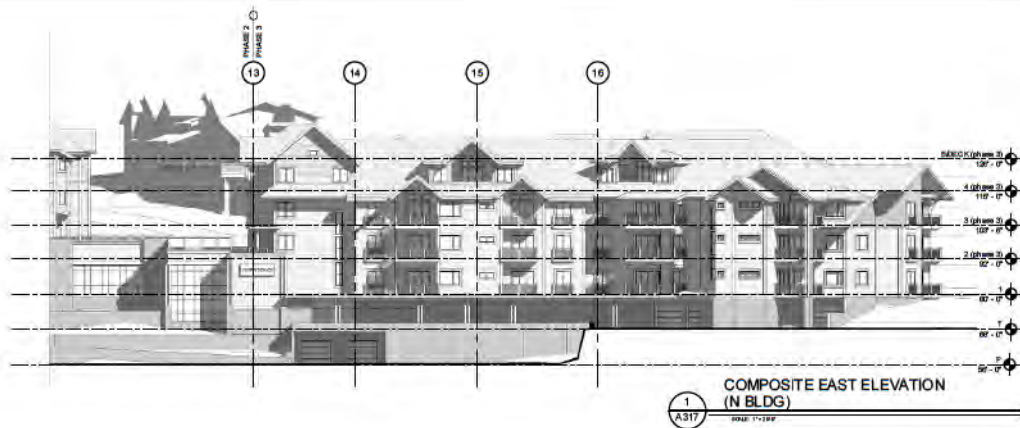
breckenridge
grand vacations
peak 8
1050 north road
breckenridge colorado
PROJECT # 1111

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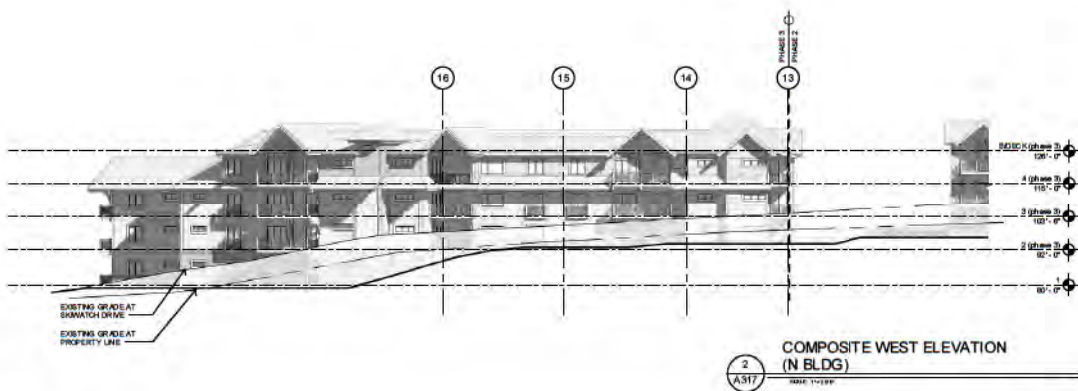
ISSUE:

IE scheme	23 aug 2012
VDCG review	30 aug 2012
TGS planning	6 sep 2012
TGS planning	18 oct 2012
TGS planning	9 nov 2012
TGS planning	14 jan 2013
revised	20 feb 2013

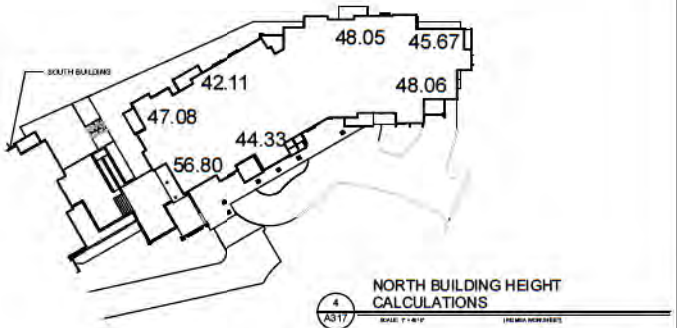
SOUTH BUILDING
ELEVATIONS
draft
A316



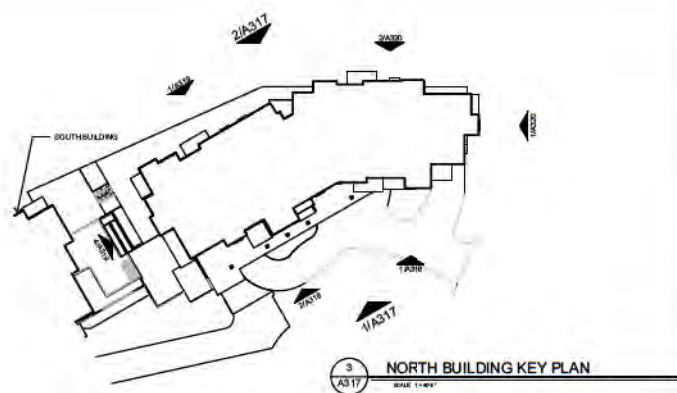
1
AS17
COMPOSITE EAST ELEVATION
(N BLDG)
SCALE 1/8"=1'-0"



2
AS17
COMPOSITE WEST ELEVATION
(N BLDG)
SCALE 1/8"=1'-0"



4
AS17
NORTH BUILDING HEIGHT
CALCULATIONS
SCALE 1/8"=1'-0" (PERMANENT)



3
AS17
NORTH BUILDING KEY PLAN
SCALE 1/8"=1'-0"



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ISSUE:

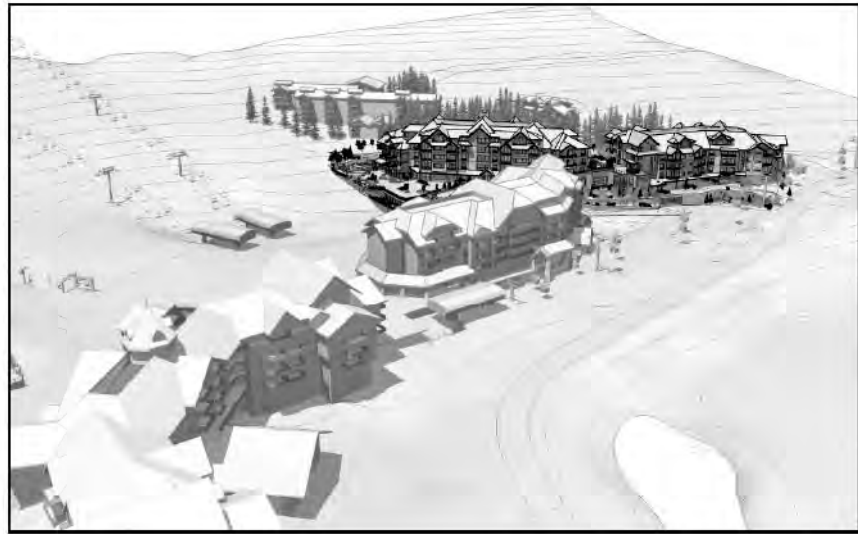
review	5 june 2012
TOB pre-let	2 july 2012
VADC review	30 aug 2012
TOB planning	6 sep 2012
TOB planning	15 oct 2012
TOB planning	5 nov 2012
TOB planning	14 jan 2013
revised	20 feb 2013

NORTH BUILDING
COMPOSITE
ELEVATIONS
Draft

AS17



3
A351 VIEW #3 - FROM SOUTHEAST
skate
(ski hill road)



1
A351 VIEW #1 - AERIAL FROM SOUTHEAST
road
(amended view study)



4
A351 VIEW #4 - FROM NORTH
skate
(ski hill road)



2
A351 VIEW #2 - PEAK 8 BASE FROM EAST
skate



matthew stals architects
108 north ridge street
p o box 135
breckenridge
colorado 80424
970 453 0444



breckenridge
grand vacations
peak 8

1080 north road
breckenridge colorado

PROJECT # 1111

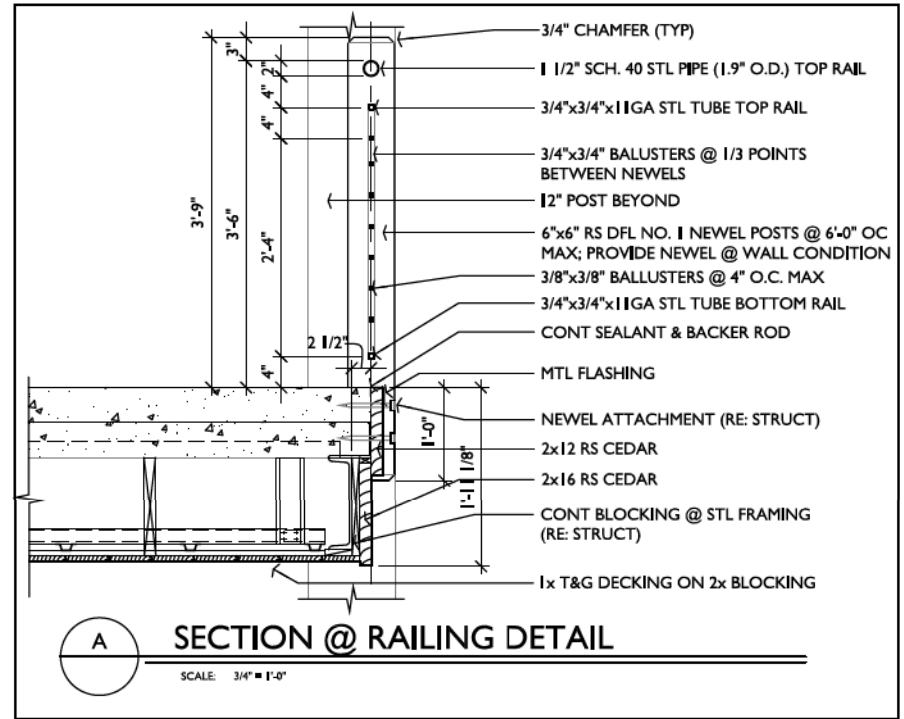
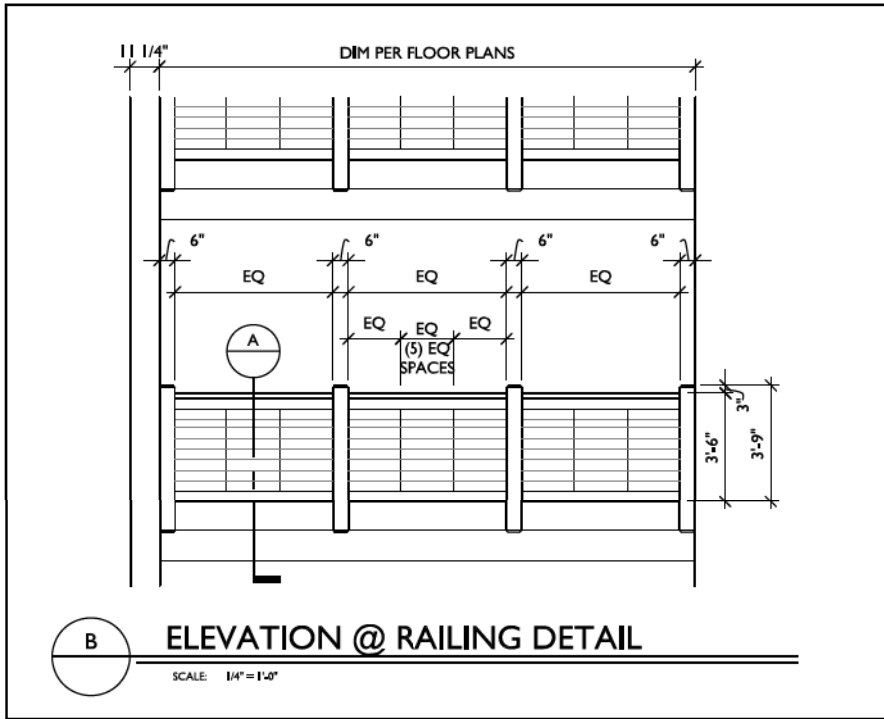
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drawing: railing details		scale: