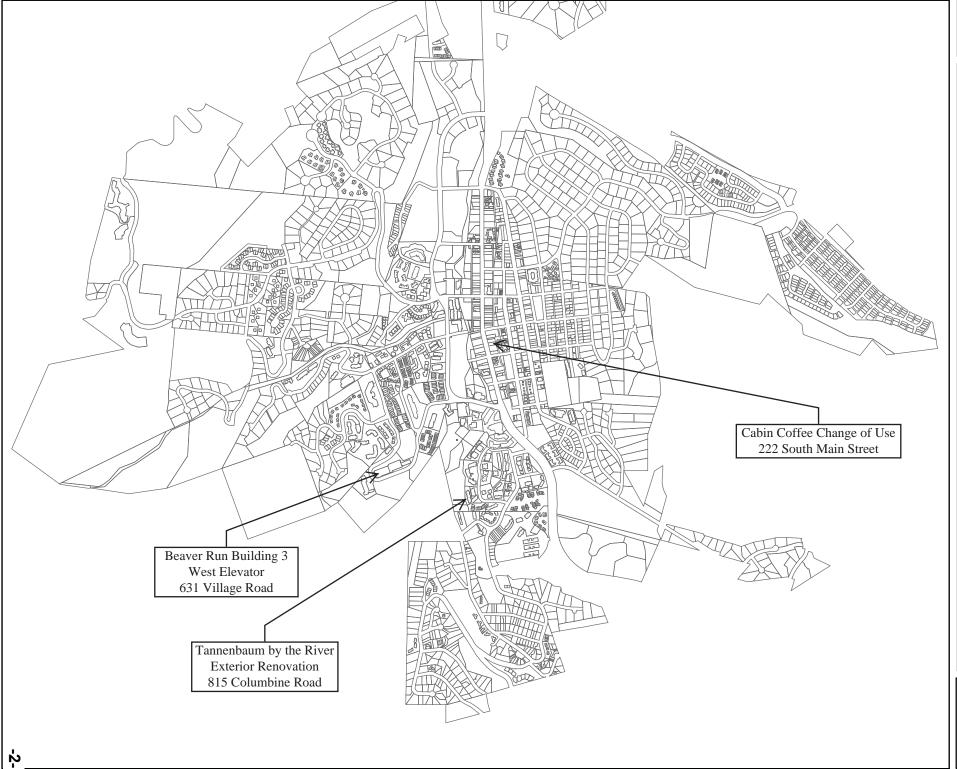


Monday, March 31, 2014 Breckenridge Council Chambers 150 Ski Hill Road

7:00pm	Call To Order Of The March 31 Planning Commission Meeting; 7:00 P.M. Roll Call (Note Change To Monday, March 31)			
	Location Map			
	Approval Of Minutes	3		
	Approval Of Agenda			
7:05pm	 Consent Calendar Cabin Coffee Change of Use (MGT) PC#2014018; 222 South Main Street Tannenbaum II Exterior Renovation (MM) PC#2014017; 815 Columbine Road 	8 17		
7:15pm	Town Council Report			
7:30pm	 Combined Hearings Beaver Run Building 3 West Elevator (MGT) PC#2014008; 631 Village Road 	33		
8:15pm	Other Matters			
8:30pm	Adjournment			

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.



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Eric Mamula Gretchen Dudney Dan Schroder Kate Christopher Jim Lamb Trip Butler

Dave Pringle

Jennifer McAtamney, Town Council Liaison

APPROVAL OF AGENDA

No changes, the agenda was approved as presented.

APPROVAL OF MINUTES

Mr. Pringle: Regarding the wall at the Ankenbauer Residence (page 4 of the minutes), please change "I'd rather have it stepped back and maintain precedent we have set and not built into disturbance envelope". This is wrong and I'd like it to be changed to "I'd rather maintain the precedent we have and build it into the disturbance area" and add "Mr. Thompson noted that there is a plat note that allows us to do that for driveways."

With no other changes, the March 4, 2014, Planning Commission Minutes were approved as presented.

Ms. Puester reminded the Commission that the next Planning Commission meeting is Monday, March 31.

CONSENT CALENDAR:

- 1) Weisshorn Filing 2, Block 10, Lot 11 Residence (SG) PC#2014012, 106 North Gold Flake Terrace
- 2) Beaver Run Summer Tent 2014-2015 (MGT) PC#2014013, 620 Village Road
- 3) Colorado Chair Replacement (JP) PC#2014014, 1599 Ski Hill Road
- 4) Peak 8 Summer Fun Park Base Plan and Summer Tent (JP) PC#2014015, 1599 Ski Hill Road

Mr. Mamula: On the Weisshorn, I'm assuming this came to us because it doesn't have a disturbance envelope. (Ms. Puester: Yes, there is a note on page 11 of the packet (under staff comments) and under Mass on page 10, it notes what was allowed and what was proposed. Staff noted what was allowed under the policy.)

Ms. Dudney: On the setbacks, is the negative points because you have to have 50' combined setback and they only have 45' setback, because staff report says side yards are 15' and 30'? Was going to ask Mr. Greenburg, but he's not here. I want to correct the staff report, I think there is a typo, its 25'. (Ms. Puester: Yes, its 25'; we will make that change.)

With no requests for call up, the consent calendar was approved as presented.

TOWN COUNCIL REPORT:

Ms. McAtamney:

• Legislative: Made it through the historic connector conversation. Mr. Dudick wanted to ask if we should take a harder look at this policy with regard to the two foot difference, specifically in the one story to one story module. Is two feet enough of a difference? There was agreement that the connector needs to be a less prominent element. Discussion included how new structures should look old but not as old. Ms. Wolfe has a concern about live-ability and function of a new structure if the connector is only one story. (Mr. Mamula: Mr. Dudick's comments were based on single story to single story; he

would like to see more of a distinction.)

- Temporary Structures did not make it to the agenda based on concern for unintended consequences, people trying to get around the code. We left it as it is for the most part, a few minor changes to come back to us.
- Public Projects: Skate Park: Team Pain will be advisor scheduled to be done by mid-August. Getting pitch field for rugby to be changed to artificial turf this spring. We saw new plans for the North Main pocket park, no name yet for this. Still deciding if this should be a quiet place or a loud place; the designers did a good job joining these. Working to finish up Main Street and the heated test sidewalk along Lincoln and then will look at other steep sidewalks to add this renovation. Renovating Town Hall. Riverwalk is also seeing upgrades. The Arts District continues to go along; the little throne is starting to take shape. The Breckenridge Grand Vacations Community Center is going well and is to get C.O. in October with opening in November.
- Housing / Childcare: Working on modification with agreement for Wellington Neighborhood in regards to Lincoln Park (used to be called the South 40), pricing of deed restricted houses. This will be discussed at Town Council next week. Looked at Ski Resort Master Plan Addendum for Summer Activities; our comments had to do with water quality, sensitive wildlife, like most of the other comments from the community. Talked about condo-hotels again, looking to revise the definition as to what is successful. (Ms. Puester said that staff pulled it off of First Reading and put it on to a work session based on Commission comments.)
- North Roundabout Public Art Recommendation: Four different artists gave different proposals and got a lot of public comment, the pieces most popular by the citizens was not the most appropriate for a roundabout. The Public Art Commission recommended the Paley piece which was the right scale but Council felt that people would still want to get up close and touch it. Eventually decided that none of the pieces were the right thing for the roundabout. Did decide that the Paley piece should be purchased and put somewhere else. Maybe the roundabout is not the best place for a piece of art; this will still be discussed and is evolving. Decided to lower the process for finding a roundabout piece as a priority for the Arts Council.
- GoBreck: BRC update which took us through the "Breck Because" campaign also known as the Chalkboard Campaign. They won a Governor's award and a national award and an important Social Media award. The Council is feeling very good about where the BRC is going with all of this.
- This Friday there will be a Council Forum with all 8 candidates here in Town Hall.
- The Planning Commission thanked Ms. McAtamney for her 8 years of service and her energy she has shown towards her duties with the Planning Commission.

Ms. Puester asked the Commission if they had any comments for Ms. McAtamney to take back to the Town Council regarding their questions or issues on the connector policy.

Commissioner Questions / Comments on Connector Policy:

Mr. Mamula:

You can only go so far with a one to one story structure. Most of the time when this issue comes up it is in regards to building a multiple story to a one story. No one will do a one story new module so it will work. With Ms. Rebecca Waugh's (former Town Historian) thought on looking different with additions, we have gone so far down the road enough that we have created our own fabric in town we don't want to connect ultra modern to historic like Aspen. To Ms. Wolfe's comment if you buy in town you understand that you are restricted with the historic guidelines and that you are foregoing the ability to build big, it's the character and coziness of the area, big is for Shock Hill or the Highlands. (Ms. McAtamney: I look at other communities and notice how historic houses are placed right next monolithic structures that remind me that we end up with a better product that keeps our Breckenridge charm by maintaining the historic look.)

Ms. Dudney: It is my experience that people feel very strongly about more modern versus historic

appearance of additions one way or another, I would recommend that Council take this very seriously and open it up to public debate so that everyone can give input if we are going to

drastically change Planning Commission recommendations.

Mr. Lamb: If you build in the historic district you need to stay in the historic district guidelines and it

should look historic.

Mr. Pringle: We may have a solution looking for a problem, the town has done well between making new

structures look historic. This was decided when Nore Winter (Winter & Company) wrote the

standards.

There were no other Commissioner comments.

TOWN PROJECT HEARINGS:

1) Old Masonic Hall Rehabilitation (MM) PC#2014011, 136 South Main Street

Mr. Mosher presented an application to stabilize, restore and rehabilitate the historic Arbogast Building (aka Masonic Lodge No. 47 or Abby Hall), replace a small addition at the back of the building, and improve the property for inclusion into the Town's Arts District.

This renovation, restoration and addition are compatible with the Core Commercial Character area. Staff had no concerns with the overall application. Staff noted that this application has met all Absolute Policies. For the restoration plans, Staff is suggesting positive six (+6) points be awarded under relative Policy 24, Social Community. Negative three (-3) points are suggested under relative Policy 24, Social Community for the removal of historic fabric on the north wall for the Handicap access. This brings the project to a passing score of positive three (+3) points.

Staff has the following question for the Planning Commission: Would the Commission support positive six (+6) points under Policy 24/R, The Social Community for restoration and preservation of the Old Masonic Hall?

Staff suggested the Planning Commission recommend approval of the Old Masonic Hall Restoration and Rehabilitation, PC#2014011, with the presented Point Analysis and Findings, to the Town Council.

Commissioner Questions / Comments:

Ms. Christopher: Would this sidewalk be considered for heating? (Mr. Mosher: I haven't heard if the budget

can include this. I will note.)

Ms. Dudney: Would you consider heating the plaza area? This is an incredible public area for gathering.

(Mr. Mosher: This area gets better sun than the sidewalk and may not need snow-melt. This could be brought up for the Council to decide. There is no reason why this couldn't be heated.) (Ms. Janet Sutterley, Architect: The proposed boiler room has ample space for a large enough boiler to heat the outdoor spaces. We are still budgeting some of these items.)

Mr. Mamula: Is the negative three (-3) points the amount we would give for removal of material to other

projects? Would it be appropriate add another three points, for covering the east window with the roof form? (Mr. Mosher: There is some precedent for preserving and covering existing windows. The Welcome Center restored two windows in the cabin on the south side that had been covered. Also, a restoration on a house on South Harris Street preserved the

window on the outside and blocked half of it on the inside.)

Ms. Dudney: The Jan Radosevich situation couldn't proceed with the renovation as she wanted because of

window restrictions. Is this comparable? (Mr. Mosher: No, she wanted to enlarge the historic

openings and alter the overall appearance of her historic structure.)

Mr. Lamb: We didn't give points; it violated an absolute and wasn't allowed.

Mr. Pringle: Is the little building on the south side of this building, was that the dentist office? Normally,

there would have been windows on the South side that would have been consistent with the

back of the property and it would be natural for there to be windows on the south side which may be more historically correct. I think it would help. (Mr. Mosher: This building stood alone far before the dentist office. If we explore this wall during the restoration and find covered windows we will restore them.) I would like to submit that we consider heating the ADA ramp because there is no sun on that side.

Ms. Janet Sutterley, Architect for the project:

- The Annex building (the small building attached to the south at one time) was built immediately after the Masonic Hall. (Ms. Sutterley showed a picture of the Annex building.) The Annex building was removed in 1959 due to drainage issues into the Masonic Hall to show the South side of the building.
- To address Mr. Mamula's concern, half of the east facing window is already gone, what remains is the top sash of what we think was a double hung window. It isn't like it is a full original double hung right now. The plan is to restore this opening to full height and have it visible inside the building.
- The colored site plan is from the conceptual design and we would like to now show the current site plan to show the retaining wall adjustments. The entry has shifted and the stairs offset the historic corner and allowed for a bigger perch at the southwest corner of the plaza for people to enjoy the view. The height of the retaining wall is 30". There will be planting in between the retaining walls. We won't take any additional room out of the existing sidewalk as this gets crowded now. There will be a fence on the North wall so the neighbors will not have access and there will be nice landscaping in front of the fence.
- The Town is planning to heat the sidewalks on both sides. This is already on the table for discussion, I agree that the ADA ramp would be good, and further study will be done on all of this, because there are big boilers planned for the mechanical room.

Mr. Pringle: Are you going to have to raise the building up? (Ms. Sutterley: The building will be raised to

have a solid foundation underneath it but it will be replaced at the same height roughly so also the floor will be lowered slightly for better access but the appearance from the exterior

is the same.

Mr. Mamula: If somebody else was doing this project knowing that the double hung that is really a single

hung that will be tampered with, would we award the same points? (Mr. Mosher: It is not a complete loss of fabric, there is restoration and it is reversible, maybe not. Ultimately, the Planning Commission would recommend a change.) (Ms. Sutterley: We will be exposing it on the inside.) I think we would be having an issue if this were a private builder. I want to treat it the same. (Mr. Mosher: The window can be brought back; it isn't being destroyed, just covered. I think the negative three (-3) points is fair. We would suggest the same for a private applicant too.) (Mr. Grosshuesch: There are certain circumstances here such as it

being half of the original window and in the back of the building.)

Mr. Butler: I am curious if you bring back other windows on the South side that this would be a fair

trade off for the potential covering of this.

Ms. Christopher: I would agree with the negative three (-3) points.

Mr. Schroder: I agree with staff.

Mr. Pringle: I want to make sure that we interpret the code fairly regardless of who the applicant is.

Ms. Dudney: I agree with staff.

Mr. Lamb: I would like to treat the Town the way we would treat anyone else.

Mr. Mamula: I'm satisfied with this as long as staff would treat anyone else like this. I'm ok with dropping

the suggestion for negative six (-6) points. Also, if we are going to provide seating at the area off Washington, I think we should do quaint nice Town benches not the boulder seating. (Mr. Mosher: This was only depicted in the early conceptual plan as a possible area.

So noted.)

Mr. Lamb opened the hearing to public comment. There was no public in the audience for comment, and the hearing was closed.

Mr. Schroder made a motion to recommend the Town Council approve the positive six (+6) points and the negative three (-3) points that the staff recommended. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

Mr. Schroder made a motion to recommend the Town Council approve the Old Masonic Hall Rehabilitation, PC#2014011, 136 South Main Street, with the presented Point Analysis and Findings. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

OTHER MATTERS:

Ms. Puester: Just a final reminder that the next Planning Commission meeting has been scheduled for 7:00pm on Monday, March 31, due to the Municipal Election on April 1.

ADJOURNMENT: The meeting was adjourned at 8:10pm.		
	Jim Lamb, Chair	

Planning Commission Staff Report

Subject: Cabin Coffee Change of Use from Retail to Deli Space

(Class C Minor; PC#2014018)

Date: March 25, 2014 (for the March 31, 2014 meeting)

Project Manager: Matt Thompson, AICP

Applicant: Peak Choice Builders (Marshall Hull)

Proposal: The applicant is proposing to change the use of the property/suite from general

commercial (retail/office) use to a deli/coffee shop. In addition to coffee drinks, the business will serve ready-made food items such as bagels and sandwiches. No cooking other than microwave heating will be done on the premises. The business will use paper/plastic utensils only. The business will also have a small coffee roaster on the premises. The coffee roaster is a natural gas fired device and will require either a 6" capped vent pipe run vertically through the roof of the building or a 5" capped vent pipe run horizontally out the back of the building (TBD). The vent pipe will not

be visible from Main Street.

Coffee roasting will be between the hours of 7am and 4pm. They would be roasting in a small batch roaster, only two (2) pounds at a time. According to the manufacturer, using this size of roaster and the amount of cubic feet per minute pulling smell out of

the exhaust will dissipate within 10 to 15 feet from the stack.

The expected hours of business operation are:

Sunday 7am to 8pm

Monday thru Thursday 6am to 9pm

Friday 6am to 10pm Saturday 7am to 10pm

Address: 222 S. Main Street, Unit 2

Legal Description: Lot 9 & 10, Block 2, Stiles Addition

Land Use District: 19, Commercial; 1:1 FAR

Site Conditions: The Long Commercial Building currently contains a retail clothing business called

Fun vs. Awesome in the lower level and a t-shirt shop above. The lower level unit

next to Fun vs. Awesome is currently vacant.

Adjacent Uses: North: Retail/Commercial South: Mixed-use

East: Office/Commercial West: Retail/Commercial

Density: Existing: 1,692 sq. ft. (commercial/retail)

Proposed: 1,692 sq. ft. (deli)*

*Change of use will impact the Water Plant Investment Fees.

Parking: *Required based on restaurant use: 7 spaces

Existing parking on-site in rear off of alley: 5 spaces Credit for parking in lieu fee paid in 1998: 13 spaces Number of spaces deficient: 0 spaces

(*Note: The parking requirement for a sit down snack bar/deli is the same as for

restaurant.)

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

Item History

The Town Council approved the Long Commercial Building on July 14, 1981. The building permit was approved in August of 1981. Over the years the building has had many commercial uses, however there has never been a deli use approved in Unit 2.

Staff Comments

Land Use (Policies 2/A & 2/R): The applicant proposes to change the use of the space from a retail use to a deli/coffee shop. This is a commercial Land Use District, hence the use is allowed. They would be roasting in a small batch roaster, only two (2) pounds at a time. Using this size of roaster and the amount of cubic feet of air per minute pulling smell out of the exhaust will dissipate within 10 to 15 feet from the stack. Staff has no concerns with the proposed use.

Water Plant Investment Fees: The fees due to the Town will be the difference between the retail rate paid and snack bar/deli relates to the water tap fees..

The difference between the rate paid per 1,000 sq. ft. for retail use and the deli use proposed is: deli rate of $0.90 - 0.50 = (\text{credit for retail rate paid in the past}) = 0.5 \times 1.69 \text{ SFE's } (1,692/1,000) \times \$5,787 = \$4,890.01$ total in water PIF's to convert Unit 2 from a retail space into a snack bar/deli use.

This fee will need to be paid to the Town of Breckenridge upon issuance of a building permit. This has been added as a Condition of Approval.

Site Plan/Parking: No changes are proposed to the site plan and parking. There is an existing parking lot behind the building with five spaces available. A snack bar/deli use requires more parking than retail, however there is no category for deli in the Off-Street Parking Ordinance; hence they are required to meet the full sit down restaurant category. Due to the change in use from retail to a restaurant, 7 parking spaces (1,692/1,000 = 1.69 SFE's x 4.0 (4.5 - 0.5 credit for retail) = 6.76, rounded up to a full parking space equals 7) are required per Section 9-3-8 of the Town's Off-Street Parking Regulations.

In 1998, Gerald and Patricia Long paid for thirteen (13) extra spaces in lieu of parking them on-site. The parking off the alley is reserved for the Long Commercial Building and is first come first served. Considering the five (5) existing parking spaces on-site and the thirteen (13) paid for in lieu of providing parking on site, this property is more than adequately parked for the proposed use. Staff has no concerns with the parking and no additional fees are required for parking.

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

Staff Decision

The Planning Department has approved the Cabin Coffee Change of Use located at 222 S. Main Street, Unit 2, Lot 9, Block 2, Stiles Addition (PC#2014018), and recommends the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

Cabin Coffee Change of Use 222 S. Main Street Lot 9, Block 2, Stiles Addition PERMIT #20140218

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

FINDINGS

- 1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
- 2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **March 25**, **2014**, 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 31, 2014**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.

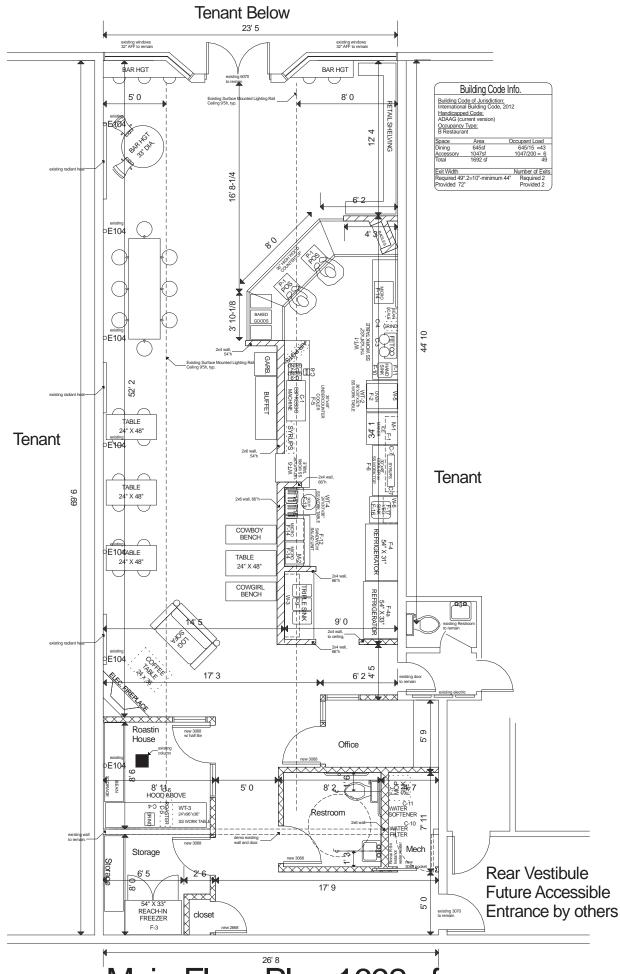
CONDITIONS

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. Complies with the statements of the staff and applicant made on the evidentiary forms and policy analysis form.
- 4. The approved use of "Cabin Coffee", Unit 2, The Long Commercial Building is for a 1,692 square foot "Snack Bar/Delicatessens" for the purpose of Water Plant Investment Fees.
- 5. No signs are approved with this application. All signs visible from the exterior of the building shall be approved by the Town of Breckenridge under a separate sign permit application.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

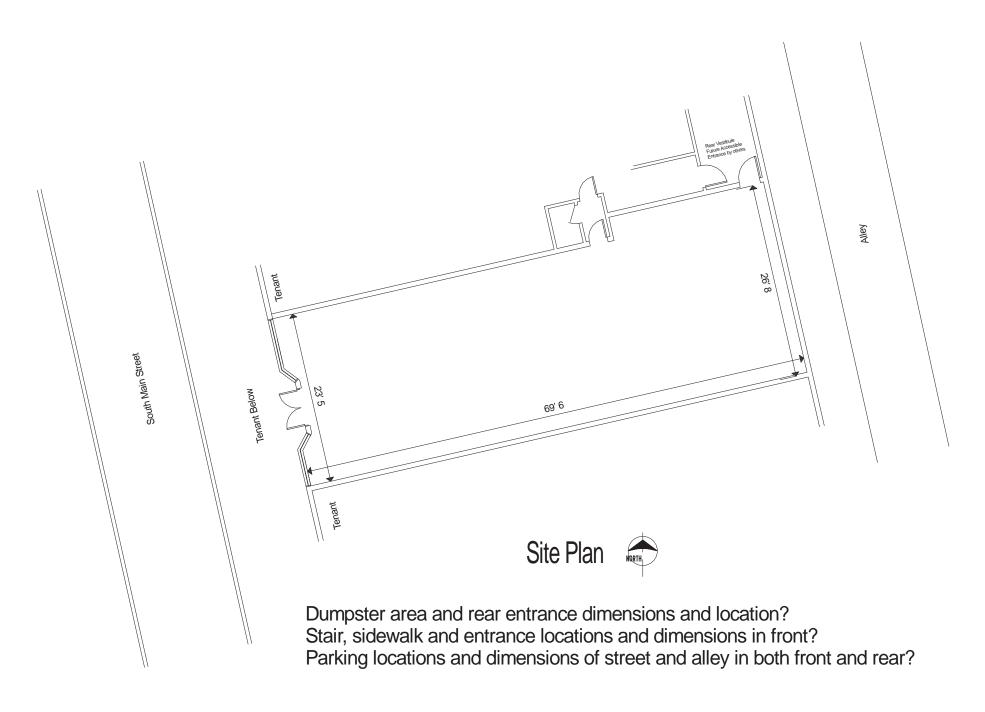
- 6. Town of Breckenridge water tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property. If paid on or prior to December 31, 2014, this fee shall be \$4,890.01. If paid after December 31, 2014, then the fee shall be determined based on the new Water Plant Investment Fee schedule in effect at the time of the payment.
- 8. Upper Blue Sanitation District sewer tap assessments shall be updated and paid prior to issuance of a building permit and prior to the new use of the property.
- 9. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
- 10. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied.
- 11. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.





Main Floor Plan 1692 sf







Planning Commission Staff Report

Subject: Tannenbaum by the River II Exterior Remodel

(Class C-Minor Hearing; PC#2014017)

Proposal: An exterior remodel to the building. The proposal includes new heavy glu-lam

accents and a redesigned entry element; new asphaltic roofing; new cementitious siding (shingles with board and batten) to replace existing cedar; natural wood accents and trim; natural stone veneer base and metal guardrails. A material and

color sample board is included in your packet.

Date: March 11, 2014 (For meeting of March 31, 2014)

Project Manager: Michael Mosher, Planner III

Applicant/Owner: Tannenbaum II HOA

Agent: Todd Webber Architect, P.C., Todd Webber

Address: 815 Columbine Road

Legal Description: Tannenbaum by the River II Condominiums (a resubdivision of Lot 2, Four

Seasons, Filing 1)

Site Area: 0.42 acres (18,264 sq. ft.)

Land Use District: 24, Residential 20 Units per Acre (UPA)

Site Conditions: The east portion of the property is entirely paved for access and parking. The

north and south ends of the property have small landscaped areas with mature conifers. The south edge of the existing building is slightly over the neighboring property line. The north end of the existing building encroaches into the existing Drainage and Access Easement. The west property line abuts the building edge. There is a 30-foot Utility, Drainage and Access easement (1/2 of the 60-foot

easement) on the north property line.

Adjacent Uses: Multi-family residential

Density: No changes

Mass: No changes

Height: No changes

Parking: No changes

Snowstack: No changes

Item History

From the property records, Tannenbaum II (36 units) received approval in 1978. There have been several minor improvements (re-roof, staining, etc.) to the exterior since.

This proposal, with a slightly different design, was presented to the Planning Commission on January 3, 2012 (PC#2011076). It was approved by the Town Council on January 10, 2012 but the Applicants never acted on the permit and it has since expired.

The previous submittal had proposed remodeling the exterior of only three elevations. This application is proposing to remodel all four elevations.

Staff Comments

The Tannenbaum II HOA is seeking approval with two variations to the roof designs over the stair wells. Depending in final pricing, the gable roof addition on sheet A202.1 may be removed and left as existing as depicted on sheet A202. Staff has reviewed this slight change and determined that it does not affect the review of this application under any of the absolute or relative policies of the Development Code.

Architectural Compatibility (5/A & 5/R): Per this policy:

...Fiber cement siding may be used without the assignment of negative points only if there are natural materials on each elevation of the structure (such as accents or a natural stone base) and the fiber cement siding is compatible with the general design criteria listed in the land use guidelines. ...(see section 9-1-19-5A, "Policy 5 (Absolute) Architectural Compatibility", subsection D, of this chapter). (Ord. 14, Series 2011)

As proposed, all of the siding and some of the trim boards are to be made of cementitious material. The base of the building will be wrapped in natural stone veneer and the entry is natural heavy glu-lam members. There are enough natural materials (heavy glu-lam, railings, trim, headers, and band-board to satisfy the policy above. We have no concerns.

The proposed colors are all dark earth tones. The stone base is natural stone, dry-stacked. The asphaltic shingle roof is a grey mix color.

Building Height (6/A & 6/R): No change is proposed to the overall building height.

Placement of Structures (9/A & 9/R): The existing north stair tower is located within the 30-foot Utility, Drainage and Access easement. As proposed, the new roof over this portion (if this is the option that is built) will encroach further into this easement (34-feet above). The HOA has supplied an approval letter from the Tannenbaum by the River HOA for this encroachment. We are adding a Condition of Approval asking for approval letters from the utility companies and/or districts associated with the easement for the roof overhang encroachment.

The existing south stair tower is located over the south property line. As proposed, the new roof (if this is the option that is built) will increase this encroachment over the neighboring parking area. The neighboring property has agreed to provide the required easement for the encroachment. As a Condition

of Approval and prior to issuance of a Building Permit, the applicants shall obtain an easement to allow this encroachment.

Landscaping (22/A & 22/R): None of the existing landscaping is being removed and none is being added.

Drainage (27/A & 27/R): None of the proposed improvements have any impact on the site drainage.

Point Analysis (Section: 9-1-17-3): As presented the application passes all absolute policies in the Development Code and has not incurred any positive or negative points.

Staff Decision

The Planning Department has approved the Tannenbaum by the River II Exterior Remodel, PC#2014017 with the attached Findings and Conditions and recommends the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

Tannenbaum by the River II Exterior Remodel Tannenbaum by the River II Condominiums (Lot 2, Four Seasons Filing 1) 815 Columbine Road PC#2014017

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 **March 11, 2014**, 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 31, 2014** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires eighteen (18) months from date of issuance, on **October 8, 2015**, 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. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.

7. 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

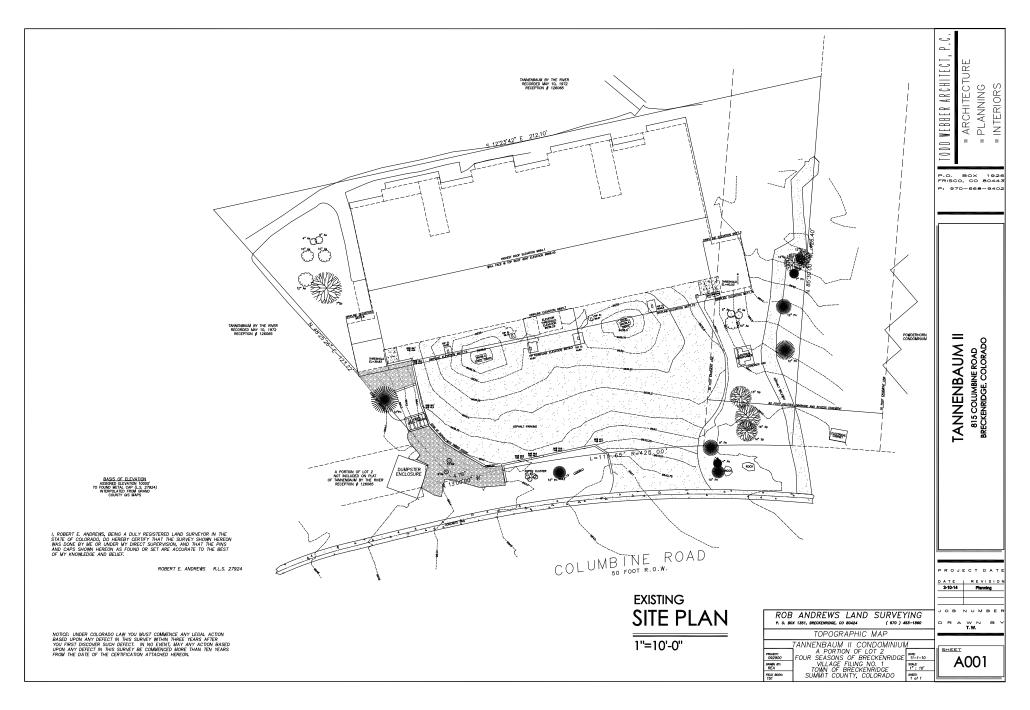
- 8. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
- 9. Applicant shall execute and record with the Summit County Clerk and Recorder an easement and agreement running with the land, in a form acceptable to the Town Attorney, allowing the south most portions of the building, and overhang of Tannenbaum by the River II, to encroach onto the neighboring property owned by Tannenbaum by the River.
- 10. Applicant shall obtain any necessary approval letters, and provide copy to the Town, from the utility companies or districts associated with the building encroachment into the north "Utilities Drainage and Access Easement" depicted on the plans.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

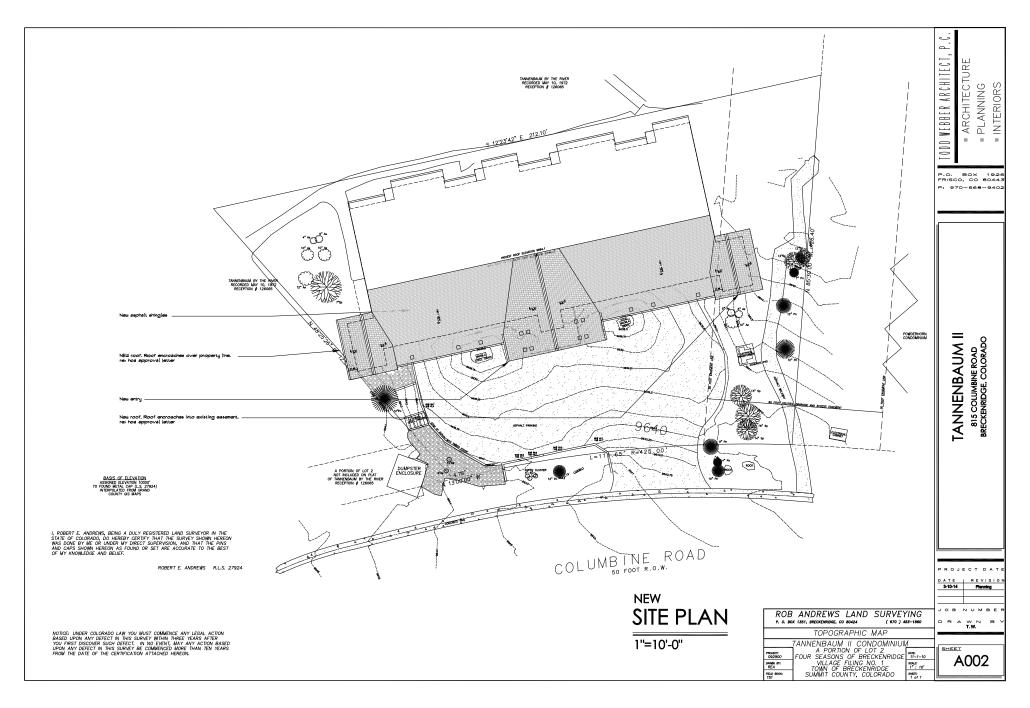
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

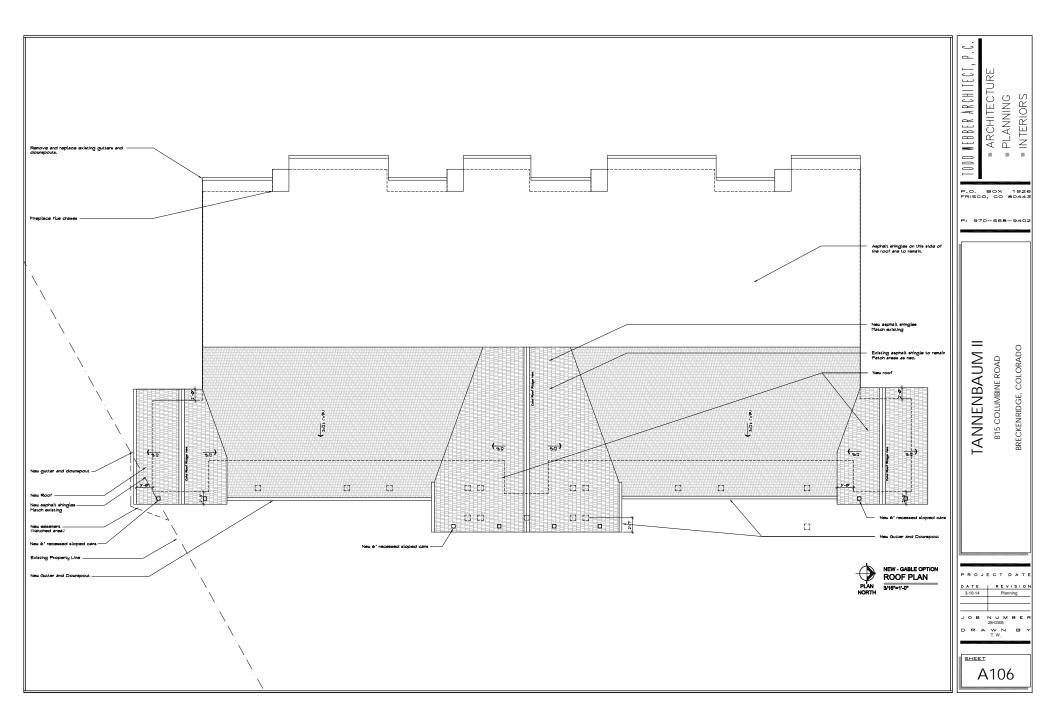
- 15. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 16. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
- 17. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 18. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 19. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.

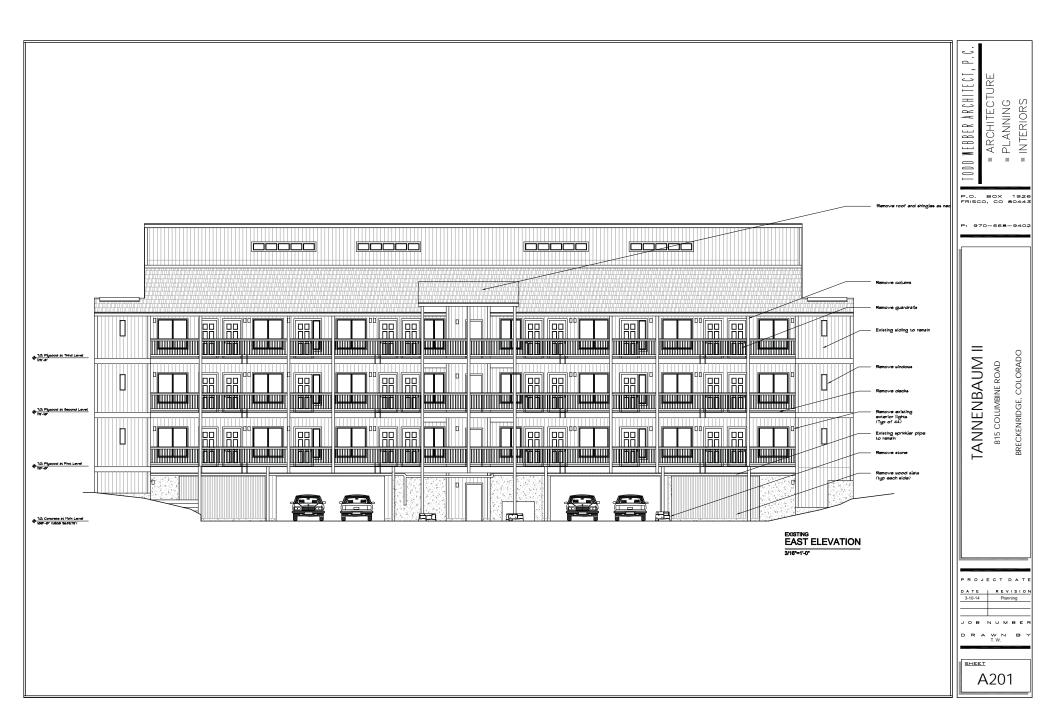
- 20. Applicant shall screen all utilities.
- 21. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.
- 22. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
- 23. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
- 24. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.
- 25. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 26. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.

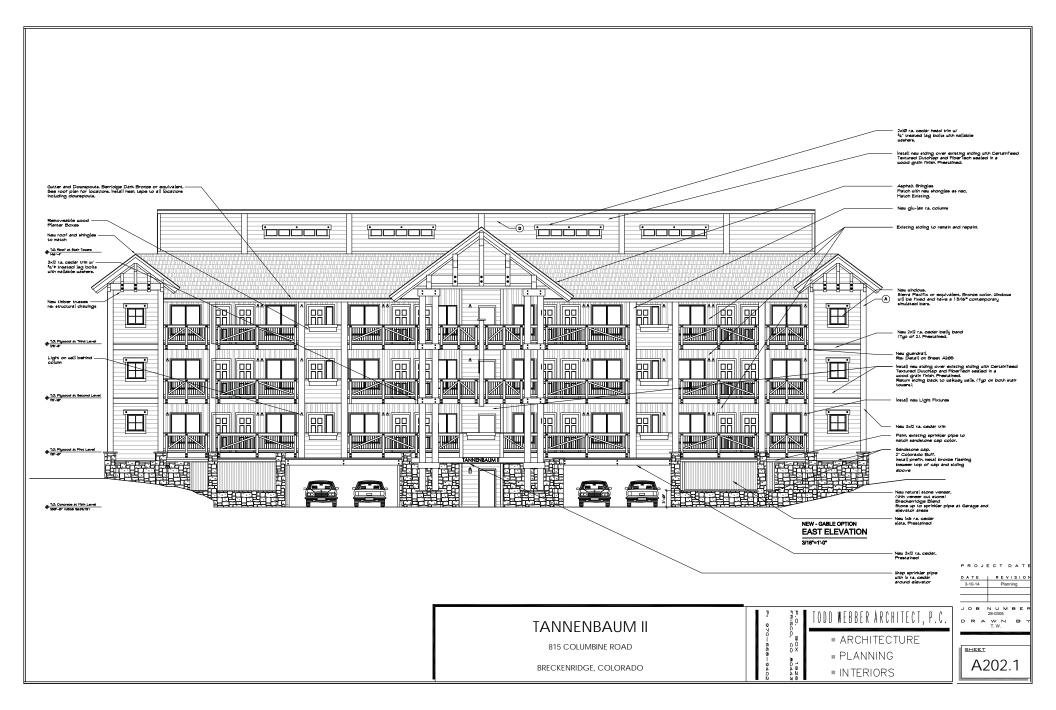
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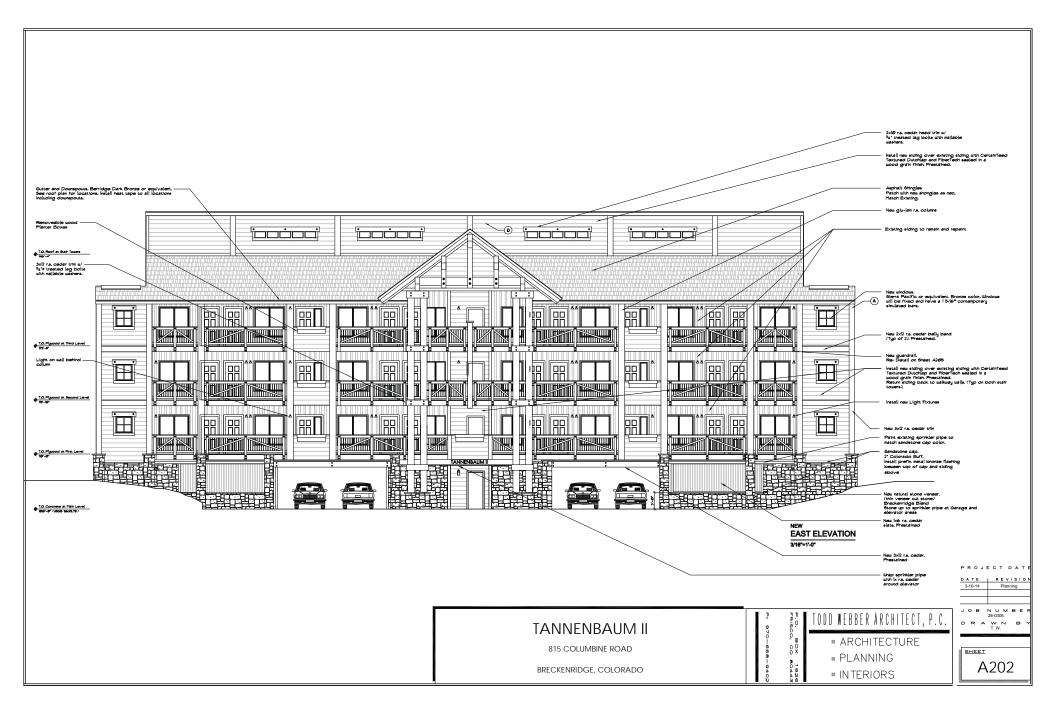


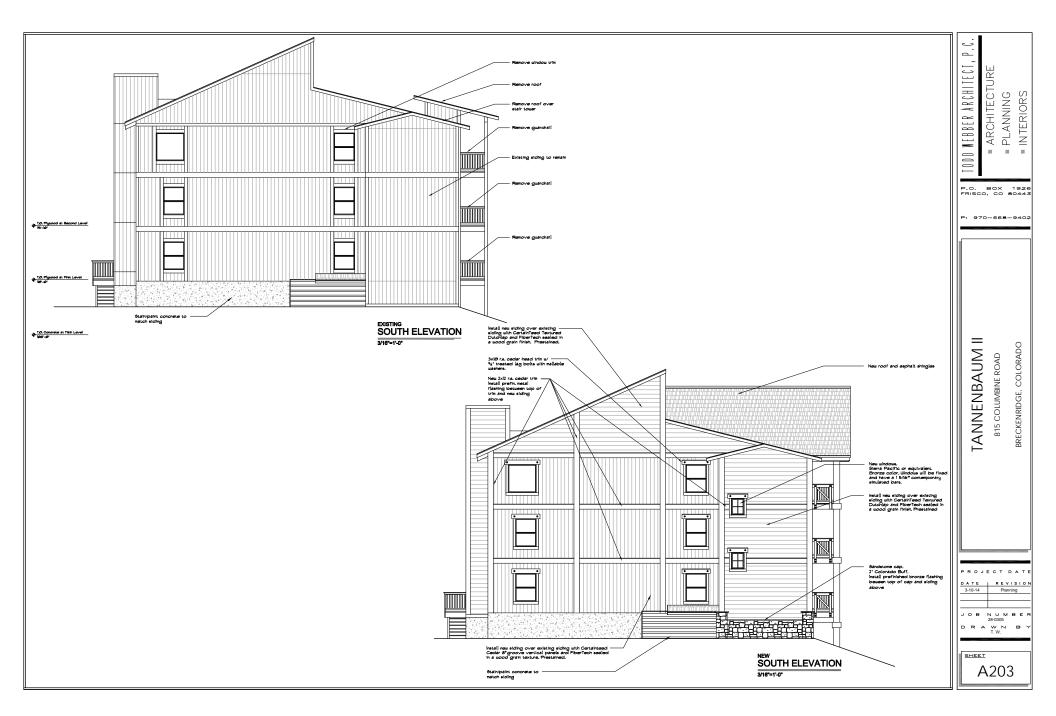


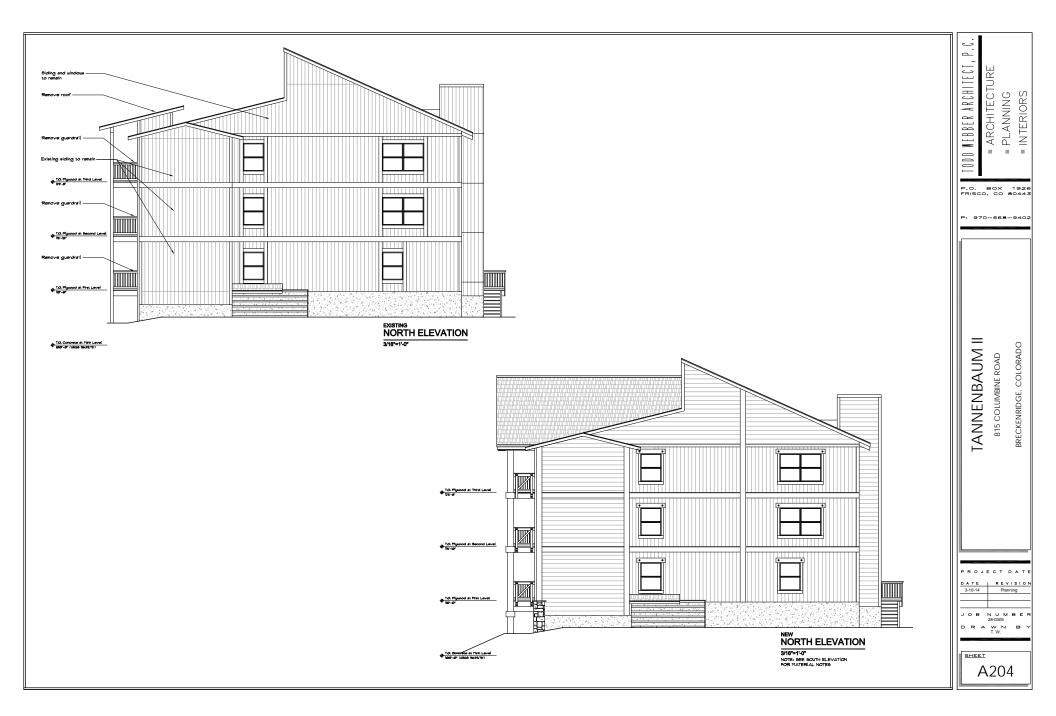














TANNENBAUM II COLOR BOARD

RAILING, FLASHING, WINDOW COLOR



STONE- NATURAL

TRIM COLOR

SIDING COLOR

SIDING COLOR

TIMBERS, COLUMNS

Planning Commission Staff Report

Subject: Beaver Run Elevator and Airlock Addition, and Master Plan Amendment

(Class B Major Combined Hearing; PC# 2014008)

Applicant/Owner: Beaver Run HOA

Project Manager: Matt Thompson, AICP

Date: March 21, 2014 (For Planning Commission meeting of March 31, 2014)

Agent: Kevin Schottleutner

Proposal: To add 245 sq. ft. to create a new elevator shaft and upper floor lobby on the west side

of the Beaver Run Building #3. Also, install an automatic door on the exterior entrance to the lobby between Building #2 and Building #3 to create an air lock of 220 sq. ft. to prevent cold air from entering the lobby. Building #4 has ADA compliant units in the building and is connected to Building #3 with a pedestrian bridge; however there is no elevator in Building #3 at the end of the pedestrian bridge. This elevator would result in all buildings at Beaver Run Resort to be connected with pedestrian bridges and elevators. There is not enough density remaining in the approved Master Plan for this proposal. Hence, the project will require a Major

Master Plan Amendment and density transfer.

Address: 611 & 631 Village Road

Legal Description: Beaver Run Condo

Land Use District: 23 (Commercial and Residential)

Site Conditions: The elevator shaft site is within Beaver Run Resort on the west side of building #3.

The proposed air lock is within an existing entrance to Building #2 and #3, which only

has one door facing north leading to the surface parking lot.

Adjacent Uses: East: Breckenridge Ski Resort/U.S.F.S.

South: Coppertop Building (commercial)

North: Kings Ridge (residential)

West: Beaver Run Resort

Density/Mass: Master Plan Approved Density: 678,179 sq. ft. (mixed use)

Existing Built Density: 678,179 sq. ft. Proposed New Density: 465 sq. ft.

Density needed to be transferred: 465 sq. ft. (.38 SFE's)

Height: Existing Master Plan: 5 to 9 stories

LUGs: 3 stories

Proposed: 3 stories, not to exceed existing height???

Item History

Beaver Run was constructed in the 1980's. Over time there have been many modifications to the original development permit and Master Plan. Most recently July 16, 2013, the Planning Commission approved an addition of 494 sq. ft. with an associated density transfer and Master Plan Amendment for the addition of an enclosed walkway between the porte-cochere and lobby.

Staff Comments

The intent of this proposal is to improve the access to the units which include ADA accessible units on the other side of the pedestrian bridge. Currently, Beaver Run guests must walk up the steps to the pedestrian bridge that leads to Building #4, with their luggage or in some cases be carried up the steps if physically disabled.

Land Use: The Master Plan allows for commercial and residential uses. This application is consistent with those uses.

Density/Mass: The elevator and air lock addition constitutes 465 square feet of density. There is no remaining density per the last Beaver Run Resort Master Plan Amendment therefore; the applicant would have to transfer new density to the property. Hence, the applicant will have to transfer 465 square feet of density to this property to allow this to happen. Beaver Run is a receiving site; hence the density can be transferred to this property. There is a proposed Condition of Approval that the density transfer must occur prior to receiving a Building Permit.

Placement of Structures (9/R): The new elevator shaft is proposed 4' from the side property line. The absolute side yard setback is 3', which is being met. The relative side yard setback is 5', hence the placement of the elevator shaft will incur negative three (-3) points for not meeting one relative setback.

Internal Circulation (16/R): This proposal will improve the circulation between Buildings #3 and #4. The proposal will allow guests to use an elevator instead of stairs making both buildings ADA compliant. The proposal will significantly improve the guest experience at Beaver Run. Three positive (+3) points have been assigned for improved pedestrian circulation.

Precedent for positive three points:

- Beaver Run Elevator, Stairs Addition, and Master Plan Amendment, PC# 2011023, was awarded positive three (+3) positive points under Policy 16R (Internal Circulation) for improving the efficiency, comfort and convenience of the pedestrian circulation.
- Village at Breckenridge-Peak 9 Ski School Elevator, PC#2002082, Addition of a new 120 square foot exterior elevator on the south side of the existing Maggie Building in the Village at Breckenridge to provide access between the upper plaza level and the lower pond level. Positive three (+3) points were awarded by the Planning Commission for for improving the safety, efficiency, and convenience of the pedestrian circulation

Architecture: Horizontal Certainteed wood grain cementatious panels with metal channels at butt joints, standing seam roof, gutter and downspouts, standing seam fascia, and vertical redwood siding to match existing exterior materials. Staff has no concerns with the exterior materials.

Point Analysis: Staff conducted a point analysis for this project and found it to comply with all absolute policies of the Development Code and passing the relative policies with an overall score of zero points (0). Staff suggests that three positive points (+3) be awarded under Policy 16/R (Internal Circulation) for improving the efficiency, comfort and convenience of the pedestrian circulation and creating an ADA compliant connection. The proposal warrants negative three (-3) points under Policy 9/R (Placement of Structures) for not meeting one relative setback requirement.

Staff Action

The Planning Department recommends approval of the Beaver Run Elevator and Air Lock Addition, and Master Plan Amendment (PC#2014008) with the attached Findings and Conditions.

	Final Hearing Impact Analysis			
Droigot:	Final Hearing Impact Analysis Beaver Run Elevator and Air Lock 2014	Positive	Dointe	+3
Project: PC#	2014008	Positive	Points	+3
Date:	3/21/2014	Namativa	Deinte	2
Staff:	Matt Thompson, AICP	Negative	Points	- 3
Stall.	Matt Thompson, Aice	Total	Allocation:	0
	Items left blank are either not			
Sect.	Policy		Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Range Complies	Politis	Comments
1/A 2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines Land Use Guidelines - Uses	4x(-3/+2)		
2/R 2/R	Land Use Guidelines - Uses Land Use Guidelines - Relationship To Other Districts			
2/R		2x(-2/0)		
3/A	Land Use Guidelines - Nuisances	3x(-2/0)		
3/R	Density/Intensity Density/ Intensity Guidelines	Complies 5x (-2>-20)		
4/R	Mass	5x (-2>-20) 5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility - Aestrictics Architectural Compatibility / Conservation District	5x(-2/+2) 5x(-5/0)		
3/K	Architectural Compatibility / Conservation District Architectural Compatibility H.D. / Above Ground Density 12	3X(-3/0)		
5/R	UPA	(-3>-18)		
F/D	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)		
5/R	UPA	` '	ļ	
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)	 	
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D 23 feet	(-1>-3)		
6/R	Building Height Inside H.D 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation	, ,		
	District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
	Site and Environmental Design / Driveways and Site Circulation	4X(-2/+2)		
7/R	Systems			
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/D	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
7/R 8/A	• •		-	
	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures Public Sofety	Complies	 	
9/R	Placement of Structures - Public Safety	2x(-2/+2)	1	
9/R	Placement of Structures - Adverse Effects	3x(-2/0)	 	
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)	 	One side yourd actions of Floret in the inner of
9/R	Placement of Structures - Setbacks	3x(0/-3)	- 3	One side yard setback of 5' not being met. Structure proposed at 4', hence meets the absolute setback requirement.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies	1	
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies	İ	
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies	İ	
	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R				
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		

	Internal Circulation / Accessibility	3x(-2/+2)	+3	Beaver Run is adding an elevator shaft and elevator to Building #3 to allow connection to pedestrian bridge to Building #4. This will
16/R		0 (0(0)		improve ADA compliance.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A 18/A	External Circulation	Complies Complies		
	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)		
24/A	Social Community	Complies		
	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
	Drainage - Municipal Drainage System	3x(0/+2)		
28/A 29/A	Utilities - Power lines Construction Activities	Complies Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
	Obtaining a HERS index	+1		
	HERS rating = 61-80	+2		
	HERS rating = 41-60	+3		
	HERS rating = 19-40	+4		
	HERS rating = 1-20	+5		
33/R	HERS rating = 0 Commercial Buildings - % energy saved beyond the IECC minimum	+6		
	standards			
33/R	Savings of 10%-19%	+1		
	Savings of 20%-29%	+3		
	Savings of 30%-39%	+4		
	Savings of 40%-49%	+5		
	Savings of 50%-59%	+6		
	Savings of 60%-69%	+7		
	Savings of 70%-79%	+8		
	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
	Large Outdoor Water Feature	1X(-1/0)		
33.11	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)		
01111		- \		

37/R	Blue River	0/0/10)	
		2x(0/+2)	
37R	Cucumber Gulch/Setbacks	2x(0/+2)	
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)	
38/A	Home Occupation	Complies	
39/A	Master Plan	Complies	
40/A	Chalet House	Complies	
41/A	Satellite Earth Station Antennas	Complies	
42/A	Exterior Loudspeakers	Complies	
43/A	Public Art	Complies	
43/R	Public Art	1x(0/+1)	
44/A	Radio Broadcasts	Complies	
45/A	Special Commercial Events	Complies	
46/A	Exterior Lighting	Complies	
47/A	Fences, Gates And Gateway Entrance Monuments	Complies	
48/A	Voluntary Defensible Space	Complies	
49/A	Vendor Carts	Complies	

TOWN OF BRECKENRIDGE

Beaver Run Elevator and Air Lock Addition, and Master Plan Amendment
Beaver Run Condominiums
611 and 631 Village Road
PERMIT #2014008

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 **March 21, 2014,** 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 31, 2014,** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
- 6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
- 7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires three years from date of issuance, on **April 8, 2017**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

- 5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
- 6. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.
- 7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
- 8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.
- 9. The vested period for this master plan amendment expires three (3) years from the date of Town Council approval, on April 8, 2014, in accordance with the vesting provisions of Policy 39 of the Development Code. In addition, if this permit is not signed and returned to the Town within thirty (30) days of the permit mailing date, the permit shall only be valid for eighteen (18) months, rather than three (3) years.
- 10. This Master Plan Amendment is entered into pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan Amendment shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan Amendment. The provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site specific development of the property subject to this Master Plan.
- 11. Approval of a Master Plan Amendment is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
- 12. Concurrently with the issuance of a Development Permit, applicant shall submit a 24"x36" mylar document of the final master plan amendment, including all maps and text, as approved by Planning Commission at the final hearing, and reflecting any changes required. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the mylar.
- 13. Applicant shall record with the Summit County Clerk and Recorder a mylar document reflecting all information in the approved Master Plan Amendment. The mylar document shall be in a form and substance acceptable to the Town Attorney, and after recording shall constitute the approved Master Plan for the future development of the property.

PRIOR TO ISSUANCE OF BUILDING PERMIT

14. 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.

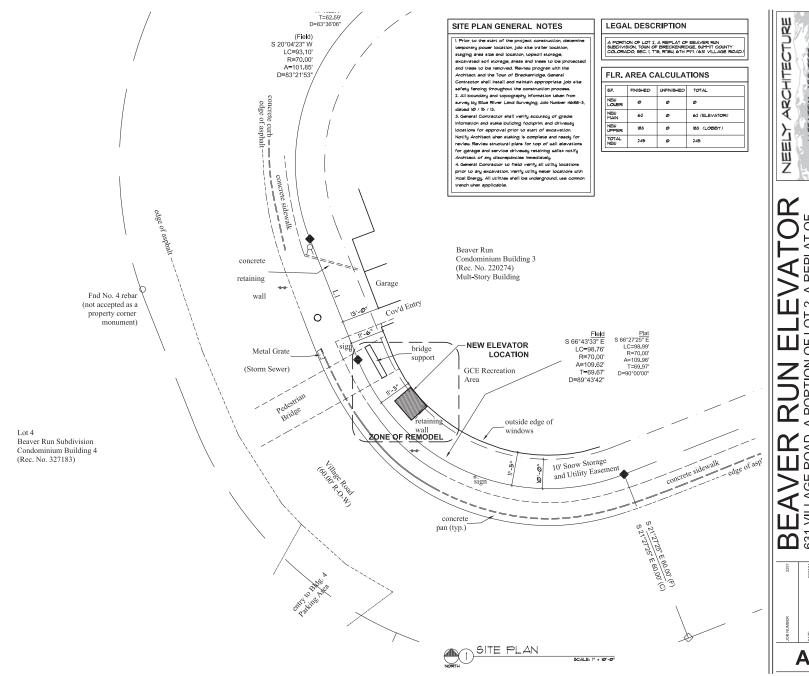
- 15. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 16. Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for 0.38 Single Family Equivalents (SFEs) of density. A copy of the certificate shall be provided to the Town of Breckenridge. This density transfer shall be completed prior to the recordation of the Master Plan Amendment, or recordation of notice of approval of a Master Plan Amendment.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

- 17. 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.
- 18. Applicant shall screen all utilities.
- 19. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 20. 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.
- 21. 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.
- 22. 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.

- 23. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 24. 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)



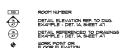
WINDOW GENERAL NOTES

- I. See building elevations for venting operation.
- 2. All vented units shall be provided with screens
- 3. All windows shall have jamb extenders as necessary, unless noted otherwise
- 4. All glazing shall be insulated glass (5/8" airepace minimum) suitable for installation above 9,000 (altitude) and tempered where required by code.
- 5. All exterior openings shall be urapped with 6" Vycor. Provide 1-1/2" x 1-1/2" head flashing at a
- 6. All windows shall be clad verify color and location.
- Boud Acres Road, Bend, Oregon 917@1. 8. General contractor and supplier to cross reference plans and elevat
- sizes and locations. 9. Window supplier to advise general contractor/architect if additiona
- and changes to R.O. framing.
- 10. Window supplier to provide shop drawings for all special/custom windows to be architect prior to fabrication.

 II. See elevations/sections for rough opening heights.
- 12. Window catalogue numbers on plans

SYMBOLS

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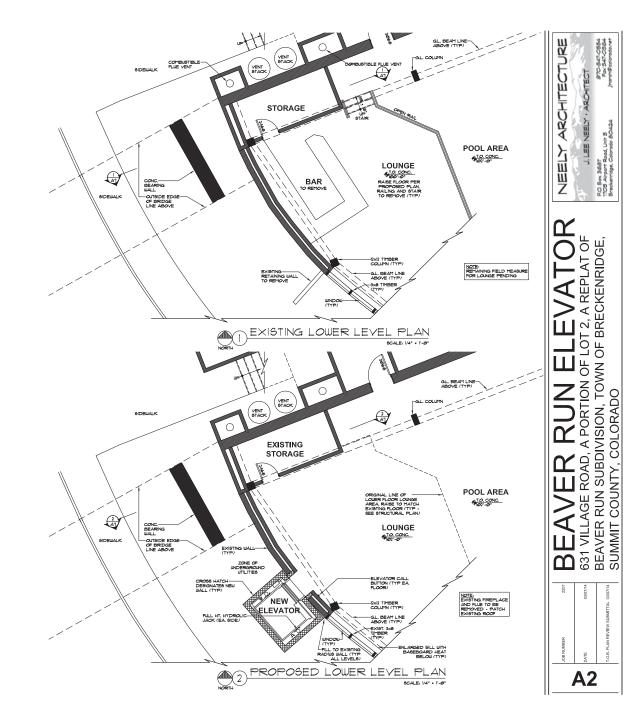
DOOR SIZE EXAMPLE : 2'-6" x 6'-8"

ABBREVIATIONS

1. 8 - 8wing	3. BP - Bipass	5. CPT . CARPET	7. WD = WOOD
2. OH - Overhead	4. BF - Bifold	6. TL • TILE	8 CONG # CONCRETE

PROJECT GENERAL NOTES

- shall be responsible for all existing conditions, project coordination, finishes and detailing to complete the project per "Construction industry Standards"
- 2. Due to the complexity of the Design and Construction process, omissions and discrepancies arise, notify the Project Architect immediately to resolve any issues prior to any construction. 3. All construction and construction methods shall be in compliance of all applicable codes in
- force at the time of construction.
- 4. All dimensions are to face of steel or co construction start (do not scale drawings) and notify architect of any discrepancies
- 5. All exterior walls are steel frame construction, unless noted otherwise.
- 6. All finish floor elevations (FFE) are to top of concrete slab or plusood.
- All interior walls to have 5/8" gyp. board finish walls.
- 8. Provide fiberglass batt insulation as follows: a. Exterior walls R-21 (6")
- b. Floors (to the exterior) R-3Ø (9")
- c. Roof/cellings (to the exterior) R-49 (12")
- 9. Verify with owner additional walls (interior) to receive sound attenuation batts
- lo. Comply with 2006 IBC regulations.



P

LOT; OF BF 0

E ROAD, A PORTION OF L N SUBDIVISION, TOWN C UNTY, COLORADO

RUN

VILLAGE

A2

COUNTY,

