



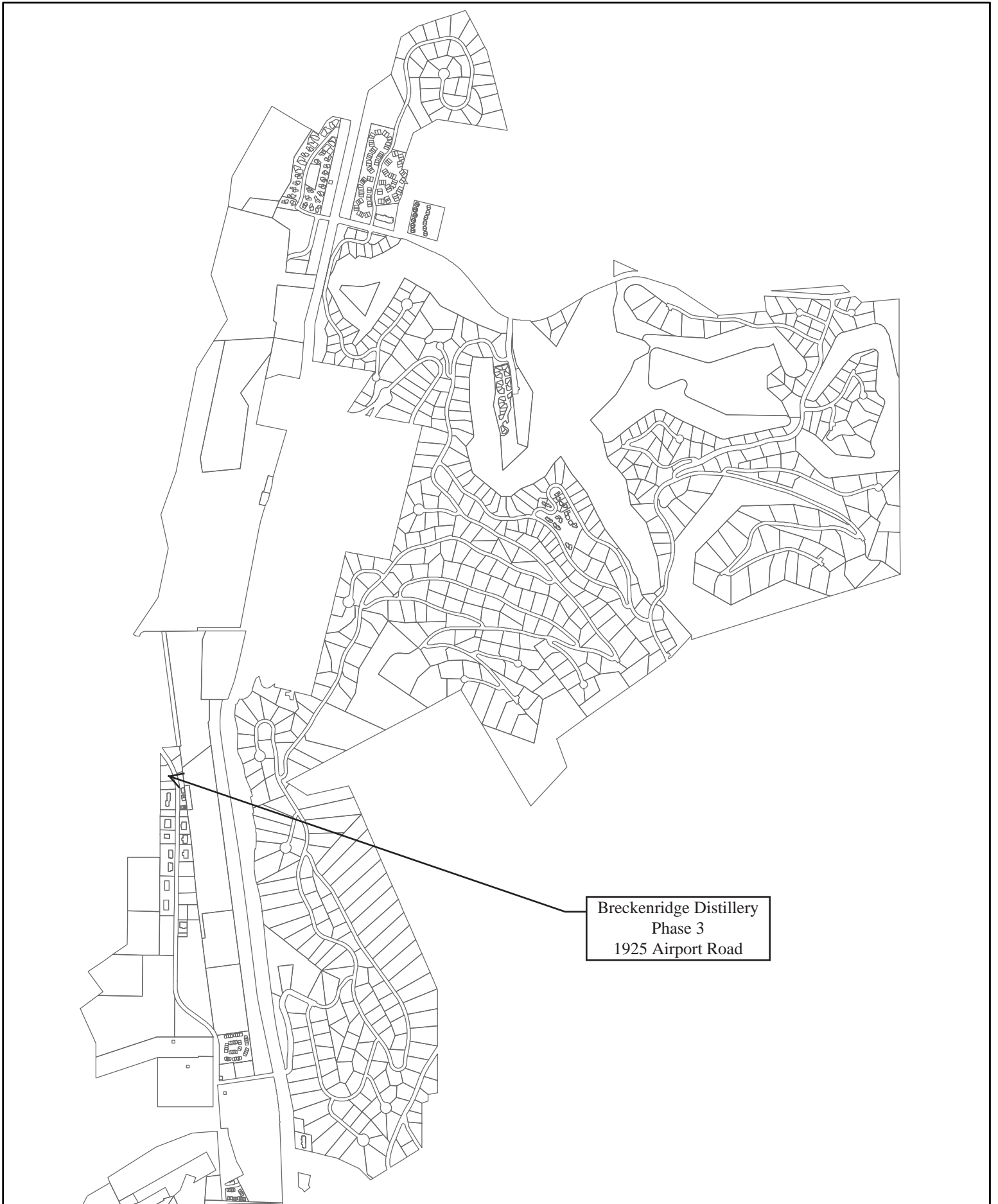
PLANNING COMMISSION AGENDA

Tuesday, July 15, 2014
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The July 15 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>Worksessions</i>	18
	1. Condo-Hotels (JP)	
7:45pm	<i>Town Council Report</i>	
8:00pm	<i>Final Hearings</i>	22
	1. Breckenridge Distillery Phase 3 (MGT) PC#2014036; 1925 Airport Road	
8:45pm	<i>Combined Hearings</i>	40
	1. The Elk Permit Renewal (MM) PC#2014041; 103.5 North Main Street	
9:30pm	<i>Other Matters</i>	72
	1. Class C Subdivisions Approved January 1, 2014 through June 30, 2014 (JP) (Memo Only)	
9:45pm	<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.**



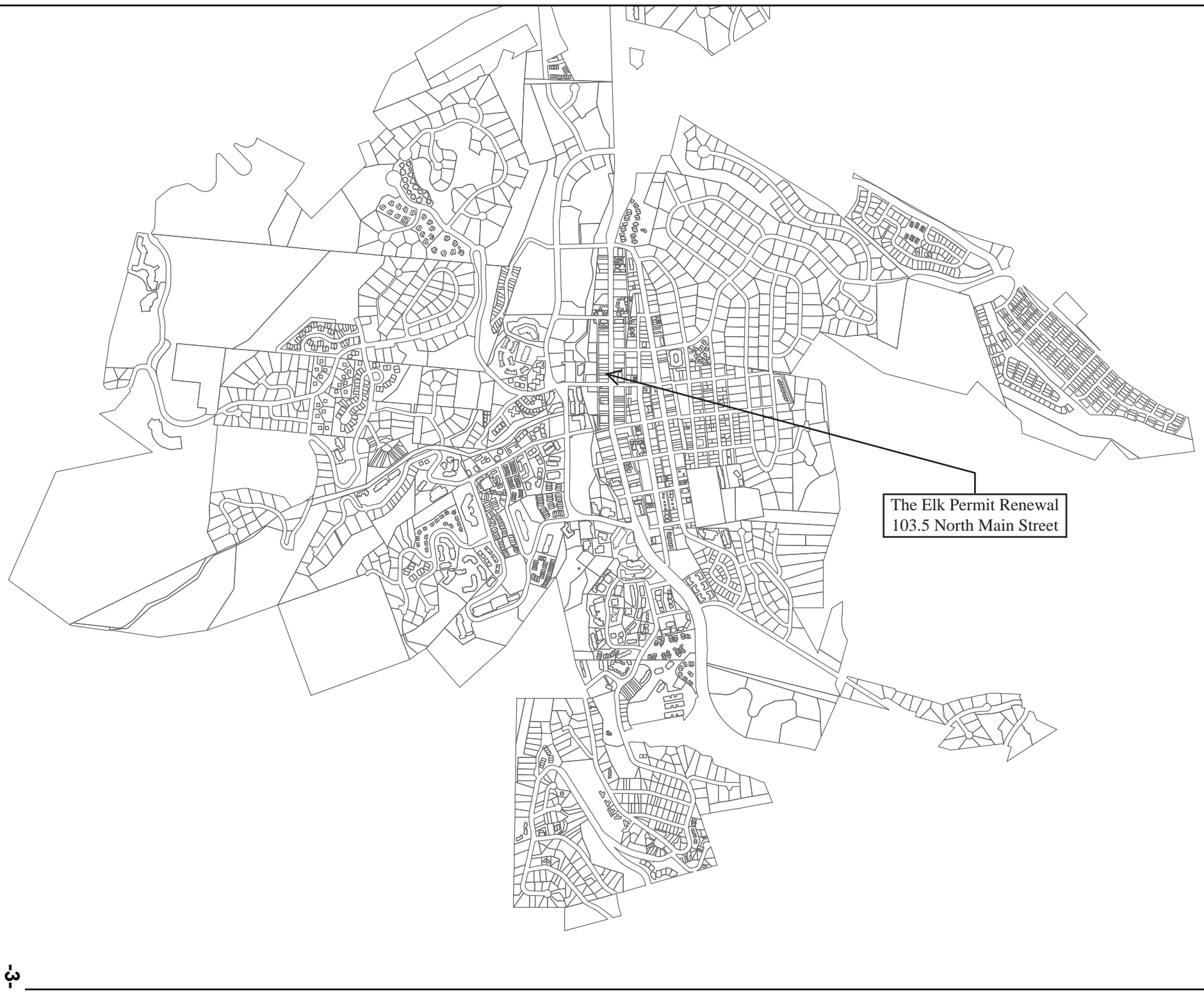
Breckenridge Distillery
Phase 3
1925 Airport Road



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.

Breckenridge North





The Elk Permit Renewal
103.5 North Main Street



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Breckenridge South



PLANNING COMMISSION MEETING

The meeting was called to order at 7:01pm

ROLL CALL

Jim Lamb Eric Mamula Kate Christopher
Gretchen Dudney Ron Schuman Dan Schroder arrived at 7:05pm
Dave Pringle arrived at 7:07pm
Eric Mamula was absent.
Ben Brewer, Town Council liaison arrived after the first preliminary hearing.

APPROVAL OF AGENDA

With no changes, the July 1, 2014, Planning Commission Agenda was approved as presented.

APPROVAL OF MINUTES

Mr. Pringle emailed Ms. Puester to request his correction: on page 5 of the minutes, under the Lincoln Park discussion, please change “the organic stepping bridge could be dangerous” to “the more formal bridge is necessary because the stepping stones add risk”.

With no other changes, the June 17, 2014, Planning Commission Minutes were approved as presented.

CONSENT CALENDAR:

- 1) Cottage 13, Shock Hill Cottages (SG) PC#2014046, 117 Regent Drive
- 2) Brownson Residence (MM) PC#2014052, 265 Southside Drive

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

TOWN COUNCIL REPORT:

(Heard after the first preliminary hearing.)

PRELIMINARY HEARINGS:

- 1) Kelly Residence (MM) PC#2013111, 210 North Ridge Street

Mr. Mosher presented a proposal to construct a new 2,242 square foot, 3-bedroom, 4.5-bathroom, single family home with an attached 2-car garage.

The Brown Hotel is being restored. The empty dirt lot to the north is going to be subdivided. This is the property furthest to the North, Lot 7B. This is a Preliminary Class B proposal. Staff had no concerns with colors. Those will be presented at the next hearing.

All traffic will be coming off of French Street. No issue with density. General talk about architecture. In historic district, pitches are steep, all natural materials. Proposed roof classically on historic buildings we will see shingle or metal. Rolled seam sheet metal is appropriate. This is not a historic structure. Staff would like to ask the Commission about the smooth sawn shingle rolled seam metal; Staff believes this qualifies as rolled seam metal. More or less a corrugated look. Would like comments on that. Looking at the garage. In the Historic District there is a module size. Average is 1,500; theirs is at 1,570. The house and garage meet this size and are separated by a connector link. The drawings show the house and garage is essentially the same material and painted the same colors. Applicants are adamant in that since they are abutting two different right of ways, the finishes of the house and garage should match. This has not yet been resolved. Per the Code, stain or paint in a color similar to natural wood is appropriate. Staff recommended switching body and accent colors on the garage to use a similar color scheme and differentiate between the house and garage. The proposed landscaping plan, with the addition of two trees, could be awarded positive two (+2) points; at this point they do not need them. Parking again is in the back, pedestrian access is on Ridge Street. Applicants

want to build a built-in barbeque; it will be wrapped in stone that matches the house. Staff felt since it is not located at the front facade, it would be acceptable. Staff saw no negative points incurred and felt they could get positive two for the landscaping.

Commissioner Questions / Comments:

- Mr. Lamb: Is the layout of the house and garage similar to the house catty corner to the post office? (Mr. Mosher: Yes.) That has a finish on the garage that is different than the house.
- Mr. Schroder: Garage and house being same materials? (Mr. Mosher: Not specifically; I don't have clear direction from the applicants yet. I think we are going to work to a compromise. Suggestion to swap accent and body colors to break up the modules more.)
- Mr. Lamb: We have that house across from the bed and breakfast on North French Street; they have two colors as well. (Mr. Mosher: I think it will make a difference on the general massing.)
- Ms. Dudney: To Mr. Lamb's point; there are two ROWs they didn't make an issue at this point. They designed it this way. But isn't it in conflict when we have two houses approved in the last two years that have followed this code?
- Mr. Schroder: There is a front and a back.
- Ms. Dudney: Yes. (Mr. Mosher: We would have them look at the two priority policies.)
- Mr. Lamb: So, you will bring this back? (Mr. Mosher: Yes.)
- Mr. Schroder: Landscaping; they are doing more to get the points when they don't need them? (Mr. Mosher: Yes; if the plans meet the criteria, positive points can be awarded whether the points are needed or not.)
- Ms. Dudney: You are saying they build the house on 7B and then whatever density is left is on 7A? (Mr. Mosher: All of the density on Lot 7 got put in one number. Lot 7B determines the remaining density for Lot 7A. Lot 7A has smaller building area. Physically you will see the difference.)

With this proposal falling within the recommendations of all associated Development Code policies, Staff finds the proposal meets all absolute policies and would qualify for positive two (+2) points under Policy 22R, Landscaping with the addition of two more spruce trees.

The applicant's agent has worked closely with Staff for this proposal. At this first review, we have no major concerns. Staff had the following questions for the Commission:

1. Did the Commission believe the planned front and side yards meet the intent of Design Standards for the Historic District?
2. Is the location for the enclosed BBQ area far enough back from the primary façade to not negatively impact the relationship of this house to others in the Historic District?
3. Staff believes that with the addition of two more spruce trees, the proposed sizes and quantities of the plantings warrant positive two (+2) points. Did the Commission concur?
4. Did the Commission believe the proposed metal roof conforms to Priority Policy 146?

Staff welcomed any additional comments. The Planning Department recommended this application return for final review.

Applicant Presentation:

Mark Provino Architect for the Applicant. The owner is the applicant and late today emailed me a statement they prepared pertaining to the application: "As owners of Lot 7B, Abbett Subdivision we have been informed of a water main through our property. This line was installed and exists without a legal easement and was not disclosed to anyone by the Town until two weeks ago. No legal easement for this line exists and therefore the responsibility & financial burden is not ours. Resolution for relocation of the line should move forward under the direction & cooperation of the Town Of Breckenridge and the Home Owners of Vista Ridge. John & Kelly Kelley." (Mr. Lamb does the water line go through the lot?) Smack dab through the middle of the lot. (Mr. Mosher: This is a unique situation. Applicant is cooperative with the town entities

needed to work this issue out.) The intent was to get their statement on the record. (Mr. Lamb: The Town and your clients will work this out.) I just had one other observation. This is a paragraph from the historic guidelines; it seems like this would fall under “supporting structure “so that could possibly have an impact on your decision on roofing if we make garage look like a barn or we don’t. It’s really not an outbuilding, that’s our perspective. Owners down the street chose to make theirs look old. This does not support and contribute historically. (Mr. Lamb: You heard this group; there is precedent to make this look like an outbuilding.) (Mr. Mosher: The Architect and the Staff will work on this.) Is this a good time to ask about points? (Mr. Mosher: Those will be presented as we work toward the final hearing.)

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

Commissioner Questions / Comments:

Mr. Schuman: 1) It does meet the intent. (All the Commissioners agreed on question 1.)

Mr. Lamb: The enclosed BBQ?

Mr. Schuman: 2) I support it.

Mr. Schroder: 2) I support it.

Ms. Christopher: 2) Yes.

Ms. Dudney: 2) Yes.

Mr. Pringle: 2) Yes.

Mr. Lamb: Positive two (+2) points for the landscaping? (All Commissioners agreed.)

Mr. Lamb: Metal roof? (Mr. Schuman, Ms. Christopher, Ms. Dudney said fine.)

Mr. Pringle: No, I don’t think it is appropriate for the Historic District. Basically a “pro-panel” roof; there is a difference.

Mr. Schroder: Coming into the meeting I don’t feel like I support it.

Mr. Pringle: If we have a different choice, I would prefer that.

Mr. Lamb: I am in agreement, but I can live with that.

Mr. Pringle: If we could look at a different material it’s not the end all. (Mr. Mosher: Per the code “rolled seam sheet metal” is called out separately than corrugated tin?) There’s a difference. (Mr. Mosher: This is not the standard profile.) If they have their roof materials that are rusted to a certain level, there’s just a grey painted metal roof, I’m not sure if that is appropriate.

Ms. Dudney: Code requires rolled seam sheet metal.

Ms. Christopher: I just Googled “rolled seam sheet metal”; it looked just like the proposal. (Mr. Mosher: This has a more complex profile.)

Mr. Pringle: There is a distinct difference between the standing seam and the rolled metal.

Ms. Dudney: What is the difference? (Mr. Mosher: Standing seam has a very sharp ridge and larger flat separation.) It does say outbuildings; this is not an outbuilding.

Ms. Christopher: It is the rolled wave.

Ms. Dudney: Are the roofing materials painted? (Mr. Mosher: They aren’t painted on site. They come pre-painted.)

Mr. Lamb: Sounds like the roof is an issue.

Mr. Pringle: Not a reason to deny.

Mr. Lamb: Any other comments?

Mr. Pringle: I appreciate the windows; this is a much more historic representation. I would insist the garage be any other color and material.

Mr. Lamb: Let’s see what they come up with.

Ms. Puester noted Mr. Brewer had arrived for the Town Council Report.

TOWN COUNCIL REPORT:

Mr. Brewer: Good meeting on Tuesday. We did pass the Triumph Development Agreement on second reading (6-1). We passed the Brown Hotel Landmarking.

Public Project Update: Harris Street, Arts District, Main Street improvements all on schedule. (Mr. Schroder: When are they finishing?) Harris Street late November, early December. Arts District is similar timing, soft opening late September early October. Main Street Improvements are all done; this was a 6 year, \$6 million project. Now it is fully completed. (Mr. Schroder: What about the park?) There is a little delay on the Main Street Park; the bid came back too high so we are still in negotiations. (Ms. Dudney: Can I ask about the development agreement for Triumph? Can you give me your thoughts as to why you went with this?) (Mr. Mosher: Actually will be better done through the application.) (Ms. Puester: Mr. Brewer, you can answer that since you will not be present for the presentation on the application.) I would say the benefits would be that a property that is pretty dilapidated will be rebuilt. It will be a Residence Inn and they are part of the Marriott marketing system, so presumably there will be a lot of new people coming to Town. (Ms. Dudney: Is that a hotel? Not a timeshare?) Yes, it is a hotel. I was the one person to vote against the proposal. I might not be the best to explain the merits; however, I stand behind every decision the council makes. I personally had 5-6 positive points and 7-8 concerns. The agreement transferred density to the site; they will be purchasing TDRs. Public benefit was \$20,000 total plus TDRs which come to the Town and are shared with the County. (Mr. Stais, Architect for the Triumph Development project: Roughly \$1.2 million.) (Mr. Lamb: What's a TDR running right now?) (Ms. Puester: Close to \$52,000.) Discussion of density at Main Street Junction.

Ms. Puester: One more item I would like Mr. Brewer to take back to Town Council. Planning Commissioners, a few months back we discussed revising LUDs 17 and 18 to remove duplex zoning. It is actually an extensive process, would have to notice all residents in those districts. Does the Commission feel like the removal of duplex structures is important to continue? There are only a few lots left out there. (Mr. Lamb: How many?) 3-4. (Mr. Pringle: I think we need to proceed cautiously.) (Mr. Schroder: Seems like a heck of a lot of effort for a very small return.) (Ms. Dudney: This came up in relation to a project that came to us in the past year? I don't remember asking the Staff to get rid of duplexes.) (Mr. Lamb: Did it have good massing, did it have appropriate module size?) (Ms. Dudney: I don't have an opinion.) (Ms. Christopher: I agree with Mr. Schroder; seems like large effort.) (Mr. Schuman: I agree.) (Mr. Schroder: It can be single families?) Yes, it can be single family or duplex. (Mr. Lamb: I agree a lot of effort.) (Mr. Pringle: We need to apply code clearly.)

Mr. Brewer: Pinewood II project (it was called Pence Miller): We have been looking at how to make that project work, how to fund it, what it would look like. We are leaning towards not only being the general, but the bank as well, because it saves a lot of money. We did target a lower income population. (Ms. Dudney: Rentals?) These would be rental units, yes. About 32-36 units. (Mr. Pringle: Are you contemplating any more Pinewood units?) Yes. (Ms. Dudney: Are you maximizing the density?) (Mr. Pringle: Well we gave them the density.) The subsidy was more than \$3 million; benefit of being the bank is we would have income coming back into the housing fund.

We discussed BOSAC helping to fund a project restoration of Blue River from Coyne Valley Road north. \$4 million project would restore the river near CMC where it goes under ground. Hopefully more meandering path and above ground. (Mr. Lamb: When would that start?) As early as the end of this year. Three year, three phase project. An awful lot of excavation and preparation. (Ms. Dudney: Between Coyne Valley and the Shores?) Exactly. Stan Miller did about a \$1 million restoration; it would bring up to that. BOSAC would pay 30%; the rest would come out of the general fund, since McCain was purchased with 30% open space funds. Expense that over longer period.

Recreation Department Annual Report: Amazing how many people use recreation. Cost recovery for the recreation center is looking better and better. We still subsidize, but it's looking better and better every year. (Mr. Lamb: What is the percentage?) Now you put me on the spot; we subsidize to the tune of \$2 million. We did not get to town naming policy, we were here until 11pm. (Mr. Schroder: I thought the names were in a bag somewhere, we just pull them out. But we don't!) Right, we reinvent the wheel every time something needs to be named.

(The Commission took a five minute break.)

PRELIMINARY HEARINGS (CONTINUED):

2) Breckenridge Mountain Lodge Redevelopment (MM) PC#2014034, 600 South Ridge Street

3) Breckenridge Mountain Lodge Master Plan Modification (MM) PC#2014033, 600 South Ridge Street

This will be quite detailed as there are a lot of the public here; there is a complex application and a complex development agreement. These two applications are entwined. This is a Class A Preliminary Hearing.

(Master Plan) Mr. Mosher presented a proposal to modify the existing 1998 Breckenridge Mountain Lodge Area Master Plan (PC#1998-059) for Parcel B in association with an application to redevelop the property for a hotel with a small portion of commercial use (PC#2014034).

Mr. Mosher introduced the Applicants: Michael O'Connor with Triumph Development, Mathew Jalazo with Urgo Hotels, Mary Hart with Mary Hart Design and Matt Stais, with Matt Stais Architect. (To the audience and Commission) - Everybody here is familiar with where this property is.

Development Agreement sets limits, and like a Master Plan, does not guarantee the Applicant will be able to get all these things. It is up to Planning Commission to review height, density, etc.

The applicants are seeking to modify the existing Breckenridge Mountain Lodge Area Master Plan in order to accommodate the design of a proposed hotel.

This is a proposal to redevelop Lot 3 of the Breckenridge Mountain Lodge Area for a hotel with a small portion of commercial use. Through an approved Development Agreement (June 24, 2014) with Town Council the applicants will be allowed to:

1. (Policy 2, Land Use Guidelines) Increase the allowed density on this parcel by up to a maximum of 25 Single family Equivalents (SFEs) via Transferred Development Rights (TDRs) through the Town/County TDR Program, with no negative points incurred for doing so.
2. (Policy 3, Density/Intensity) The SFE multiplier associated with Hotel use (1,380/SFE) will be utilized for the proposed development even though the proposed rooms will have small kitchens instead of SFEs associated with a Condo-hotel (1,200/SFE). Marriott has this kind of quality. Kitchens will be small and have a small fridge, microwave to pop popcorn, ability to boil water for tea, etc. Agreement gives them density via this policy.
3. (Policy 24, Social Community) Allow an increase in the allowed mass for amenities from 200% to up to no more than 400%. Our Code allows 1 square foot for every 35 square feet to be put into amenities; mass is everything above ground on this property.
4. (Off Street Parking Regulations) Decrease the required residential parking, if a written analysis prepared by a qualified parking consultant is found to be acceptable, to 0.74 parking spaces per hotel room. They have provided a parking study with this. Also would provide shuttle and valet service so impacts of peak days won't affect the property as much.

Benefits: Landscaping along the path and in the CDOT ROW would be enhanced.. Improvements and maintenance to trail are proposed. Total monies towards art and landscaping (\$20,000) along with the funds for the TDRs.

The Applicant chose to look at underlying density for this property. This property had density taken off of it with the original Master Plan and placed on abutting properties. Based on the commercial use here, the Land Use Guidelines would allow 74,740 square feet of residential density. At this time, the application shows 64,690. (Mr. Pringle: When you say that is less then allowed, we understood that the properties, that the density was transferred off. The density is there, just not on this property.) Correct.

The back building sits much in the same location as the current Lodge. The new structure is meeting all

setbacks per Policy 9/R. Plenty of space for landscaping along the west side.

With this modification to the Breckenridge Mountain Lodge Area Master Plan, the total *allowed* density and mass are proposed to be defined. The development will be reviewed against these totals defined in the Master Plan and the related Policies in the Development Code. Staff will review the Parking Study at a future meeting with the development application. Staff welcomed any Commissioner comments.

The Planning Department recommended this application return for a final review.

Commissioner Questions / Comments:

- Mr. Lamb: They have done this traffic study? (Mr. Mosher: Correct. Staff has not reviewed what will happen at peak times and any proposal from the applicant on how this will be mitigated. Applicant has proposed possibly having a shuttle, remote parking for cars, etc.)
- Mr. Pringle: The Village came through with another scenario to achieve lower parking counts.
- Ms. Dudney: Our discussion on condo-hotels; what is to prevent conversion? (Mr. Mosher: A covenant running with the land added as a Condition of Approval. Staff will come back with this discussion.)
- Mr. Lamb: Do we all like the covenant idea? (The Commissioners stated yes.)
- Mr. Pringle: Whatever is the strictest means possible.
- Mr. Lamb: Addressing the current concerns with Condo-Hotels (to the audience: We look at condo-hotels as having meeting rooms) and are the coming back to convert this common area to a new private condo. Council saw that if that's a benefit, we would like to see that.
- Mr. Pringle: Also economic benefit to developer; 1,380 square feet from 1,200 square feet. We don't want that to get reversed. (Mr. Mosher: We did not assign any negative or positive points as of yet.) Is the wording strong enough? I am fine with 1,380 square feet, but is wording strong enough to ensure we get the correct amount of density? (Mr. Mosher: At this point it's well below what LUDs could be.) I think as far as the Master Plan goes, we are fine; it will be when we get down to the development. The 1,380 square feet is fine; the Master Plan is fine; but I don't know how many SFEs there will be; none of those are guaranteed.
- Mr. Lamb: Approving this part does not mean we approve all of it.
- Ms. Christopher: I agree with Mr. Pringle.
- Mr. Schuman: This does not compare to Peak 8 parking. At Main Street Station the parking is underground which is a huge benefit. I worry that we will have all this parking full at all times of the year. The number may not be adequate.
- Ms. Christopher: Is the parking only for the use of this lot? This is not public parking? (Mr. Mosher: Correct, this will be for the residential, employees and for commercial use.)
- Mr. Schroder: Everything is written in Cool Whip at this point; I support what Staff has presented.
- Ms. Dudney: I agree if the Town Council have made the business deal and given us the zoning code to apply to this parcel, then it has to apply to all other aspects. Key to the parking will be the credibility of the study.
- Mr. Lamb: I agree these are the guidelines and now we go to the next step. I share Mr. Schuman's concern about the parking. If I have to park off site after paying for this; it cheapens the experience.

(Redevelopment) Mr. Mosher presented a proposal to redevelop Lot 3 of the Breckenridge Mountain Lodge Area for a 3-story, 130 room hotel with a small portion of commercial use. Parking would be located to the north and internal to the development with 101 spaces. Again, Class A Preliminary. (Mr. Mosher showed the Transition Area and outside the Transition Area on the site plan.)

Staff has been working closely with the applicant and agent for this first review. With the overall scope of such a complex development, Staff focused on the policies associated with the architecture, height and general site issues. Engineering Staff is currently working with the applicant on the site drainage details. We

are planning a site visit with the Commission with the next hearing to review the proposed development on this property. Ms. Mary Hart with Mary Hart Design is present to discuss some of the landscaping. I believe they are looking for positive four (+4) points for landscaping at final review.

Policy 5 addresses portion outside the Transition Area; Policy 24 addresses portion within the Transition Area. The design goals serve a purpose to preserve our Historic District. Any future development should reemphasize the reestablishment of a grid. South Main transition is Transition Area 14.

Placer Ridge Townhomes are directly to the north of this property. They abut the Historic Dipping Station and some of the very outskirts of the Historic District. This area is very much residential uses; the forms are broken up. Discussion of materials and finishes are probably concerns the public has. Roof forms, massing. The site doesn't support standard a grid that is perfectly parallel at the intersection of South Ridge and South Main Streets. The site curves. There is 130-foot building separation between Placer Ridge Townhomes and the proposed building.

The ski shop is currently on the south portion of the structure. Mr. Mosher showed the massing portion located within the Transition Area as opposed to the massing located outside. With Staff's direction, since we're at the edge, the larger massing gets further away from the sidewalk as it curves away from the building. Building steps up to the rear. Front at the west is 1.5 stories; rear is 3 stories.

Would the Commission prefer the stepping of height to occur outside the Transition Area? (Ms. Dudney: You didn't tell us how the Staff felt on that.) Still being evaluated, but we would like Commission interpretation of this policy. Staff believes that this mass may be far enough away that sense of pedestrian scale is preserved. The glass area has been reduced as far as solid to void since earlier submittals; roof forms, gables and shed elements, The roof forms are more broken up in the Transition Area. The ski shop definitely abides by this to a tee.

Policy 34: Enhance pedestrian experience. There are pedestrian sidewalks from the parking area as well as from the ski shop west area. Code asks to "Create areas that encourage pedestrian use". Ms. Hart will cover this more in her presentation. Building steps in an out continually around the structure. More in some locations than others. All of the proposed roofing material will be asphalt shingle. Exterior material is cementitious siding with some wood trim. Soffits are natural cedar. Colors will also visually break up the building massing. Currently the applicant's plan would provide any employee housing off the property. The amenities are comparable to other projects that were awarded positive three (+3) points. We classically have awarded positive points when applications exceed the minimum requirement. At this time and based on the current density for residential use, this application is required to have 1,860 square feet; showing 6,000 +/- square feet. Ski lockers, storage facilities, meeting area

Negative points will be incurred for the building height. Just shy of 38 feet; negative ten (-10) points. The building is U-shaped and steps down at the ends. Comparable in design to Grand Lodge at Peak 8 (Colorado Grand) which received positive one (+1) point for stepping down. However, this does not step down at the corners. At the west elevation: the top ridge is about ten feet higher than the building that is there now. With direction from CDOT, Engineering staff, Planning Staff requested the applicant eliminate the Main Street Highway 9 access and take the access off of Ridge Street. As a result, this access is the only means service trucks and customers will use to access the property. There are concerns with regard to circulation. There were also public concerns about the proximity of parking to Placer Ridge. The parking for Placer Ridge is one way in, one way out. Staff suggested adding a berm between the Placer Ridge property and the parking lot for the proposed building. (Ms. Dudney: What is the height of the Placer Ridge property?) 26-feet to the mean.

Although this is a Preliminary Hearing, there are 9 questions. Staff had the following questions for the Commission:

1. Did the Commission believe the portions south of the ski shop, which are further away from the sidewalk, convey an adequate sense of pedestrian scale in the Transition Area?
2. Did the Commission believe the solid-to-void ratio of the portions of the building in the Transition Area has been satisfied?
3. Did the building adequately provide a variety of setbacks?
4. Did the Commission believe the variety of architectural detail east and south elevations are too similar?
5. Did the Commission believe the Amenities warrant positive three (+3) points?
6. Did the Commission support the transition to taller building heights (over 2-story) inside the Transition Area boundary rather than outside the boundary?
7. Did the Commission believe the roof forms step down at the edges and warrant one positive (+1) point?
8. Did the Commission agree with Staff regarding increasing the landscaping for positive four (+4) points?
9. Staff recommended positive two (+2) points for screening most of the parking. Did the Commission concur?

Staff welcomed any additional comments. The Planning Department recommended this application return for a second preliminary hearing.

(Ms. Dudney: (To the audience) - The issue regarding height. In the LUD guidelines anything above 2-stories is discouraged. But you are allowed to go higher than that with negative points.) Correct. (Ms. Dudney: In Transition guidelines, I don't see anything Absolute about height. There are some illustrations in the Transition guidelines that give some examples. Those are meant to be samples of what would be good?) Yes.

Applicant Presentation:

Mr. Matt Stais, Matt Stais Architects: Representing our project team. Working with Mr. Mosher for about six months. Mr. Stais introduced again Mr. Michael O'Connor with Triumph Development, Mr. Mathew Jalazo with Urgo Hotels, Ms. Mary Hart with Mary Hart Design.

Mr. O'Connor will discuss the merits of the site.

Mr. Michael O'Connor from Triumph Development and Mr. Mathew Jalazo from Urgo Hotels: We are the co-sponsors on the project. One of concerns we have heard is our background, we will go through some of hospitality projects we have done elsewhere. What we are talking about is a customized product specifically for Breckenridge. The Willows is a Vail boutique condominium hotel. Tivoli Hotel Vail, Sonnenalp Hotel Phase 2 Vail, we added 43 keys and 6,000 square feet of amenities in that phase.

Mr. Mathew Jalazo, Urgo Hotels: 32 hotel portfolio; every one custom designed for the location. Mont Tremblant Residence Inn; 127 guest suites, ski in ski out. Homewood Suites, Mont Tremblant feel like it is a piece of the village. Whiteface Lodge is a property we manage in Lake Placid NY; it's a lodge style.

Mr. O'Connor: This site is one of very few sites that a hotel can be put on in Breckenridge. 2.6 acres is not big enough for full service hotel; perfect size for select service. Land Use District allows for project of this size; critical variable is there is existing development on site, so current water and sewer fees are paid for. Existing lodge in Town even though shuttered. Walking distance to Main Street and to skiing. In one of those spots you can come and stay at this hotel, you don't need to rent a car. The magic is that it is so close to Breckenridge's key amenities, Main Street. There are restaurants nearby; so, we don't need to build restaurants. Not a time share project. Not a condominium project. Even though we could go to 4- stories, we are keeping it to under 3- stories. Let's improve the aesthetic as you come into town. The original Master Plan was done in 1998 to facilitate the development of Main Street Junction. 18.2 allows 1:1 FAR for residential project. They significantly up-zoned the Main Street Junction portion of the Master Plan. They got 40 SFES.

What we are trying to do here, we could do 52.4 SFEs; but, we are proposing 48.9. (Ms. Dudney: Are you the owner and operator of the hotel under the Marriott flag?) We will be the owner; Urgo hotels will operate the hotel. (Ms. Dudney: Why did you pick Marriott Residence Inn?) The Marriott flag; the reservation system is extremely influential. The Marriott flag is powerful. Once you get under the Marriott flag, you have more restrictions. Their select service brand is more flexible. This one doesn't have a restaurant. The rooms themselves, they cater to people who are staying for 3-4 nights. Three 2- bedroom suites in the whole project. The rest are basically large one-room hotel rooms.

Mr. Stais: Quick overview of site issues. In terms of Historic District Transition Area; there is no grid along Ridge Street. The reason there is one Master Plan from Boreas Pass to the dipping station, historically there was one building that went this entire length, the Tonopah Shops; there was a big building on this site 100 years ago. 1/3 of our project is in the Transition Area. The closest historic building is several properties away. The surrounding properties are not historic. The original proposal was for both curb cuts, a west facing porte-cochere; that did not meet with Staff approval. When we reached Version 9, we pushed the bulk of the building closer to the street to engage the pedestrian and create yards. Added ski shop, maintained setbacks. Location of existing pool is about 30 feet above the street.

Ms Mary Hart: Landscape Architect for the project. Three priorities: first was respecting the Conservation District Standards; screening parking. Second, provide strong pedestrian connections, not only connecting to neighbors but to outdoor space. Looking at several pedestrian connections, and continuing the trail that currently ends at the hardscape. Last priority is landscaping and how it connects the design. Incorporation of more water efficiency in planting materials. With the next version you will see less lawn. We will revegetate and work with CDOT to approve the improvements. Will continue to work with neighbors to address solutions. Buffers that don't block views. Intend to continue to work with Staff to get to positive four (+4) points. Have guide of previous projects, most recent being Grand Vacations at Peak 8.

Matt Stais: Build design: we are trying to respect the Conservation District; step massing down, break up building mass, capture west views through hearth room. Main level ski shop, few amenities, garage back of house as building goes lower in ground due to grade change. First level rooms except for ski shop. Second level rooms and amenities including pool to mimic what was there. Third floor, units on south and east side of property. Few if any impacts on shading due to orientation of the building. Cementitious siding for entire building. Stone on base, two cementitious sidings. (Ms. Dudney: How much stone?) We initially had much more stone on faces and along the base, we had the whole first floor with stone, but we talked about less stone more of a wainscot. Around the corner running back toward trail, lower level in stone. Basically stone wainscot on the base of the exterior. The one piece of public art is in the CDOT right of way. We want to keep as much of that existing landscaping as we can. Our mean roof measurement is below Main Street Junction. Preliminary point analysis: we realize we are going to get negative points for height. Offset with amenities, screened parking, trash, landscaping, roof forms step, shuttle. Feel we are within range. (Ms. Christopher: Roof forms stepping down are you calling that two links?) My take on that is at the conservation district that is closer to the street, and also at the door we are open to input.

Mr. O'Connor: We have shown how the grade works, this corner (southwest) steps down. Relation to neighbors steps down.

Commissioner Questions / Comments:

Ms Dudney: Talk to me about the access road, single road in and out. How did you get reconciled? (Mr. Mosher: It was what the Historic Standards describe and wanted to see that the parking is not in the front, porte-cocheres are not historically accurate.) What about another access a tunnel through some way? (Mr. Jalazo: Everyone is arriving in the concealed porte-cochere portion of the site. People will be turning in but going to the entry, not stopping. There is not a restaurant, minimal deliveries to this property. We can coordinate those for times avoiding

- congestion times.) What about beeping of backing up truck. (Mr. Jalazo: We will have trash for the commercial would but no restaurant so less impact.) (Mr. Stais: We looked at coming off of Highway 9; that was just not going to work. Staff and CDOT looked at many options.)
- Mr. Schuman: You are familiar with site, moving it as far to the north, cars backing up. The congestion is going to be on Highway 9; you'll have some traffic. (Mr. Stais: You have the congestion on our property and you have the congestion on Ridge Street.) Which has been increased with one access now. (Mr. Stais: Breckenridge Mountain Lodge is not operating, but there are commercial uses as well as parking used for others.) Have you thought about balconies? (Mr. Stais: We did give consideration to the four main level units with private patios; there are no other balconies.)
- Mr. Pringle: 28,000 square feet of common area; can that be compressed? Seems like a lot. (Mr. Stais: Includes the garage. Three types of parking indoor parking is around 11,000 square feet. Covered parking. Digging out area. Going to bury the parking under our three story building on the east side. Includes the garage, stairways, hallways.) (Mr. O'Connor: 10-11000 square feet of garage; a lot of corridors. Plus the lobby has some common areas and back of house areas.) I didn't understand what all the common areas were.

Mr. Lamb opened the hearing to public comment. Ms Puester directed the public to please feel free to comment on both presentations. Master Plan and the Development.

Ms. Becky Roberts: I am the HOA President for Placer Ridge Townhomes; We had a list of comments. I appreciate the design presentation tonight. Big concern right now is traffic congestion along the right of way. Big difference between a few snow plows and several hundred vehicles a day coming into the property next to ours. Summarize where our concerns are, congestion on Ridge Street, light and noise to the south of us. Noise: you do have food service because you have breakfast area and bar area, there will be traffic for that as well. Thank you.

Ms. Holly Hatcher: I am a resident at Placer Ridge Townhomes. We are excited about this development; we have known about the potential redevelopment since we purchased our property. Concern is 10-foot separation space between the parking area and our property; that is 10 feet from our home and our property. There wasn't a year I wasn't in your offices talking about the snow removal there. They have damaged our sprinklers, they have damaged our lawns. We also have had pet issues. Will there be pets allowed? (Mr. O Connor: There may be.) (Mr. Jalazo: It will be very rare for guests to bring pets.) Our lawn is the "Official Pet Walking Area" for Breckenridge. The entrance to the north is right next to our driveway. We are not a historic property but we are a residential property. The redevelopment of Ridge Street has been tremendous over the past ten years. We are residents; we live there; I don't think you would want the congestion in your driveway. You will be responsible for the SFEs FARs LUDs but where will the snow be going? I trust you to watch our backs. One more question, several times you mentioned working with the neighbors, we have not been contacted, we got no mailed notice about this or any other hearing. We would like to have open conversation with you. Thank you.

Ms. Lynn Crowell, 113 Powder Ridge Drive: We have owned in the area for over 20 years, we were in the area when there were paddocks. The density shift that went to Main Street Junction with the original Master Plan took away a lot of our view; we are concerned, with this modification, this will take away the rest of it. The density issue has been addressed, the point I want to make is the density shift left the density at Breckenridge Mountain Lodge the way it is today. They are now almost doubling the density that is there today. This is going to be a big project. What they are not showing you, is what it is going to look like from our perspective and from Main Street Junction. What we are going to see is not what Breckenridge Mountain Lodge is today, a long skinny building, we are going to have what looks like two large buildings. Would like to see southeast perspective presented. (Mr. Stais showed the perspective.) That's what it's going to look like, row and rows and rows of windows looking at us every day. I am glad there are not going to be balconies, so

we don't have people outside yelling on balconies the way we have with Breckenridge Mountain Lodge. We are concerned with the height. Per the Lands Use Guidelines, it should be 2-stories; it's going to be 3. Can we compromise, have three stories but maybe lower portions into the ground further, maybe make floor-to-floor heights 10-feet, use the upper volumes of the roof spaces too? We have to question whether this is the density Breckenridge wants in this area? Surrounded by three residential developments, Main Street Junction, Main Street Station and Placer Ridge Townhomes. This is one of the larger ones, room wise, these developers have done. I saw 104. This is now 130; it's a big hotel. (Mr. Lamb: Were you noticed on this meeting?) Yes, I was. I did see a visual presentation by the applicant from one of my neighbors and I know why I don't have one; it's because it's not going to look good. District 18.2 is a transition between commercial and residential. Zone and Master Plan was transition between the two. You are talking about plopping a large hotel in the middle of three residential locations. Our opinion is that it should be smaller residential development. If you believe hotel is best use, we would like you to consider a smaller property; that would help resolve some of the issues discussed tonight, including the parking. Lastly we would like to offer that you take the sidewalk off of our site and it would be beneficial to see our perspective. Like Placer Ridge owners, there has not been a great effort to deal with some of the neighbors. I have other issues, but will save for next meeting. This meeting is on architecture and density. Façade is better but you can still see that long straight edge. (Mr. Lamb: This is not the only meeting we are going to have.) The trail is important issue. (Mr. Schuman: did you present your concerns to Town Council?) Yes.

Ms. Hatcher: Does the trail go behind Placer Ridge? (Mr. Grosshuesch: There is an easement back there.)

Mr. Dick Richardson, Homeowner and President of the HOA for Breckenridge Mountain Village east of the project: We are 34 homes. This is a little bigger than we would have liked. One of our main concerns is the trail, the Main Street trail starts at French Street and Boreas Pass Road. Right where it turns down, we have stair step access. Unimproved dirt now, so people walk down to the existing parking area pavement. What we want to see is all weather, all season access for the trail; I see paved and soft surface here, (indicated on site plan). That means no maintenance in the winter. (Ms. Hart: Is the trail plowed behind Main Street Junction?) No, it's not; we shovel our steps. The other thing is making a statement about the parking and traffic. I avoid the intersection now. The traffic is going to increase. Our board has been lobbying about some kind of a crosswalk across Highway 9. There is a lot of pedestrian traffic across; people running for their lives across the highway. We need some kind of crosswalk here; I don't know if a traffic light is a possibility.

Mr. John Listek, Attorney for Gallaghers and Weinsteins, they own Lots 2 and 3 Powder Ridge Subdivision, which are higher up than Ms. Crowell's property is. Composite picture shown was taken at my client's lot, seeing that perspective they are generally ok. Much like Ms. Crowell, not thrilled they will be looking in hotel windows from their lot, but feel landscaping can help. Lots 2 and 3 don't have a concern with blocking of their views as they are higher up. Both have concerns about parking impacts and about parking going around and into the parking lot. In busy times, people already are trying to park in our neighborhood illegally.

Mr. Mike Hatcher: I am married to Holly Hatcher and also reside at 520 South Ridge in Placer Ridge. Affecting not only Placer Ridge but other residents of the city here. Why the entrance on Main Street got nixed, maybe they didn't want to go against CDOT. There is a lot of noise there now. The Brewery deliveries are there at 7, 11, to 2 in the afternoon. As citizens, we need to be concerned. During busy times, people cut through the existing parking, including Red White and Blue to avoid the congestion at the highway intersection. The owner talked about being a hotel where guests will book 4 nights. Where are folks from Denver going to do? They will bring their cars up here. Folks staying four nights will want their cars. Will all employee parking be off site? How are they going to get there? For pedestrians, you showed the walkways. There is no sidewalk on our side, if you put the sidewalk to the north, all the people will walk into our private property, there is no sidewalk. The city needs to deal with the congestion. Ridge Street was never designed as a traffic street. In the past ten years we have had a lot of development in the city. Highway 9 is designed for the traffic. That is where all the traffic needs to go. I would challenge the Commission to send it back to staff

to redesign the way the professional had it originally. Thank you very much, I appreciate your service.

Ms. Crowell: As you can see there's been a lot of attention paid to the congestion and Highway 9. The building goes up three stories and you're going up in elevation. Not sure why three stories wasn't on highway 9 and then to two stories in the back to keep the building the same level.

Ms. Linda Craft, 84 Deep Powder Circle, Breckenridge Mountain Village, the residential home property behind the project: Presentation has been wonderful. Looks different on paper compared to a resident's point of view; I've been a resident and taxpayer in the city for 20 years. Roof line after roofline after roof line that shows a density problem. Parking off site at ice rink; that property is already overflowing all ski season long. Ski season is long and we are grateful for it, but if you are negotiating from the ice rink to the brewery you are taking your life into your hands. It sounds like the Town Council has already approved the project and now it gets handed off to the Planning Commission to do the final review. I ask the Planning Commission to take into consideration there are three residential homeowner areas immediately around this project. Thank you for all the work that you do. (Mr. Lamb: I like the idea of a site visit.) (Ms. Puester: We can do one for the next meeting.)

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

Mr. Stais: I'd like to talk about the congestion problem. I have heard there are issues with deliveries to the Breckenridge Brewery; with all due respect, we are not going to respond to the Breckenridge Brewery issues. As far as Red White and Blue cutting through, CDOT, Town Planning Staff, Town Engineering Staff stated the Highway 9 access absolutely that needs to be closed. Der Steirmark, Mi Casa, Village at Breckenridge had similar issues a few years ago. All of these are valid points, but some are beyond scope of what we addressed so far. As far as the trail goes, the Town of Breckenridge dedicated easement for the soft surface trail, can certainly talk to BOSAC about it. No getting around that the proposed buildings are taller than current building. (Mr. O'Connor: I think Mr. Stais can echo this as we have studied the site. Building height there is a substantial amount of grade change, rather than pushing back into the setback and being able to go three stories from there, we have intentionally pulled the building up and tried to work with the existing topography as much as possible to minimize the impact. The building height I know is a sensitive issue. Making additional setbacks along south and east and have building comply with the requirements. Parking we are going to discuss, the last person who wants to deal with a parking issue on site is me; I live here I will have to deal with guests who can't find parking. Is every person going to show up with a car, are most people? Yes. Is everyone? No. We have studied it, we are confident in our studies. Do we have to convince you? Yes. Have we proposed something in line with other projects? Yes. We have had to do some underground. How do we, as a community, come up with a plan that deals with the parking at critical times. Build the church for Easter Sunday? Parking is what we do not want to build too little of. You've got tools in the toolbox to use. (Ms. Puester: We are getting pretty detailed into the parking when we have not address it in this portion of the application. Focus on the issues in the Staff reports)

Commissioner Questions / Comments (Continued):

Ms. Dudney: Where do you stand with traffic light at Ridge and Highway 9? (Mr. O'Connor: We have been relegated to the one access point.) How about CDOT, Town Engineering? (Mr. O'Connor: We have gotten preliminary review from Engineering and Staff; that is what we are working with.) (Ms. Puester: At next hearing we can address this concern.)

Mr. Lamb: Questions that were posted, do we need to proceed to those? (Ms. Puester: Please note if any of public comment has related back to the Master Plan.)

Mr. Schroder: Our job is to take the Town Code and apply the Code. Architectural compatibility; is it ok we go from ski shop which is appropriate height and then step up outside the transition area? Is that acceptable? Is that absolute or is that relative? Given a preliminary hearing, Staff and Applicant have gotten a lot of good comments. I would support building height transition

within the Transition District.

Ms. Christopher: On that note, adequate pedestrian scale, I don't feel that there is adequate pedestrian scale.

Mr. Schroder: 1) Ski shop; is that actually within the Conservation District? Do we ever say it's ok? That pedestrian scale is ok because the path pulls away from the building or is it always bigger no matter how tall a person is? Can't answer that. 2) Solid to void is satisfied. 3) Setbacks are all met. 4) Architectural detail, are they too similar? It's a hotel, how dissimilar should it be? I think its ok. 5) Still hanging out on 3-points for the amenities. 6) Yes, support. 7) Roof, no, not one positive point because of Ms. Christopher's comments. The inner corners still seem to be pretty abrupt. 8) Probably is. 9) Pretty much would support.

Mr. Schuman: 1) Yes, they are adequate. 2) Good. 3) Yes. 4) Details are fine. 5) Does warrant three positive (+3) points. 6) Do support the transition to taller buildings inside transition area. 7) Roof forms do step down. 8) Not convinced they should get positive four (+4) points for landscaping yet; we give four points too easily sometimes. 9) Do support positive two (+2) for screening.

Mr. Pringle 1) Yes, adequately addresses only one component that does not work for sense of pedestrian scale elsewhere. If there is a way you can finesse it this iteration. Has stepping right at only one corner. 2) Elevation A301 shows solid to void ratio with three banks of windows and transoms above. Does not adequately reflect residential type of architecture; still trying to get residential feel. Need to look at in greater detail. 3) On front side probably does, on south side does a disservice to the neighbors, sympathetic to them with view of a wall of rooms, not sure how to address that. 4) I don't think so necessarily. 5) I guess that we would treat this in a similar way but I am still not sure what those amenities are. 6) I don't support the total height transition inside the Transition boundary; I would like to see a blend between the inside outside Transition Area. It works fine at ski shop; should continue deeper. At southwest corner immediately off Highway 9 they are looking at 3-story building that is as close to Highway 9 as this building gets; need to come down from the sidewalks. 8) If Ms. Hart says she can get 4 positive points, I think she will. 9) Are we talking about two positive points for public parking or are we talking about two positive points for screening parking? Not quite sure about that. Northwest perspective; problem I have is that taken from the top floor of Main Street Station. I would like to see perspective from street level right next to the building. This hotel is supposed to be guaranteed as a hotel in perpetuity; don't know if that's a Master Plan issue, but this is tremendously important. I am a little bit uneasy about the fact that all of the original density from this Master Plan is still within the projects and because a significant portion of it was transferred off of this lot to support other properties in this Master Plan doesn't mean we should be able to transfer in even more density. Because the density did not go away it just got redistributed. When you don't like it on paper you're likely not going to like it when it's built. Town Council granted too much density in the Agreement; we need to look at halving that. I know we need to add more density, but the amount added to it is excessive to the degree that this project can't be built. The community is concerned as well. We need to look at a significantly reducing the project. (Members of the public applauded these comments)

Ms. Dudney: General comments: An individual could have problem with density and problem with this as a hotel; Town Council has already addressed that in the Agreement. My job is to review this project to see if project is in compliance with the Development Code. I have some personal things about this if I might like to change it, but I am going through these questions. 1) Yes. 2) Yes because those windows Mr. Pringle points out are back from where side is. 4) Ok. 5) No. 6) Amenable to positive three (+3) points, yes. 7) Adequate transition has been made; designers have done a tremendous job getting this project onto this site. 8) Yes, one positive point (+1) personally love to see step down at southwest and southeast corners, but still give one positive point (+1). 9) Landscape; don't know enough but agree.

Ms. Christopher: 1) Ski shop is a good pedestrian scale; whole section might not be pedestrian scale. 2) Not

residential feel with big windows, but adequate points away from street. 3) I don't think north or south side has adequate stepping setbacks especially with the traffic there. 4) Pretty similar. 5) Positive three (+3) for amenities? If Staff feels precedent I agree, but only see swimming pool as the one amenity. 6) Maybe if we can increase the residential identity and character. 7) More step downs need to occur on the U shaped sections. 8) Could warrant positive points if significant landscaping on north side. 9) Screening parking; there's a lot of parking but a lot is hidden, positive two (+2). My biggest concern on 3-stories being so close to neighbors.

Mr. Lamb: 1) Agree that ski shop does convey sense of pedestrian scale. 2) Fine. 3) Fine. 4) With Mr. Schroder; would look funny if it didn't look somewhat similar. 5) Clear precedent for positive three (+3) points. 6) Ties to 1; forms could step down more, should step down more to get the points. 7) This needs a bang up job to buffer it because in fairly dense area; needs really good plan for positive four (+4) points. 8) Good precedent for positive two (+2) points for parking. 9) Under Development Code this works with flexible zoning now it comes to us for the fit test. We don't have to go with maximum density if we feel this project is too dense; we have the ability to bring this down to the level. We need to be Code wise.

Ms. Christopher: General comment: I am concerned about Ridge Street access and pedestrian safety; maybe Town Staff can look at pedestrian safety as well as vehicular safety.

Mr. Lamb: Thank you to the public for showing up and making comments. (Mr. Stais: In terms of our next hearing we will work with Staff on next steps?) (Mr. Grosshuesch: Yes.)

Mr. Lamb staff will look into notice issue.

Mr. O Connor: Is next hearing next preliminary to address other issues we did not discuss tonight? (Mr. Mosher: We will address what was brought up and maybe ask for some changes to plans to address Commission concerns.) Ideal scenario is to go through another preliminary to address the issues. (Mr. Grosshuesch: We have a pretty good method on how to work with these larger projects.) Are we continuing the preliminary hearing? (Mr. Lamb: At the next meeting we will talk about other issues, but we have given you direction this evening on what to work on with Staff.) Parking ratio is something we can study. (Mr. Lamb: Our understanding was they have the study but have not been able to evaluate it yet.) (Mr. Pringle: We can discuss shuttle question, are you going to shuttle during peak periods to external lots, is there a way to capture that?) We feel we have gotten 65% approval; I would like to go to 100% in a meeting not too far away from this one. (Mr. Pringle: I agree with you.) I feel like we have not gotten complete approval; I'd like to continue that dialogue. (Mr. Grosshuesch: Typically we will carve out 3-4 issues for each meeting to go through them for the necessary meetings to get to final.) I feel like I haven't gotten a complete set of answers. (Mr. Lamb: And you won't. Typically we will have a meeting like tonight with the first set of issues. You will go to the next meeting with the next set of issues.) (Ms Puester this is a process issue, Staff can assist with the next steps in the process.)

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned at 10:57 pm.

Jim Lamb, Chair



MEMORANDUM

TO: Planning Commission

FROM: Julia Puester, AICP, Senior Planner

DATE: July 2, 2014 for meeting of July 15, 2014

SUBJECT: Condo-Hotel Code Amendment Work Session-Definition of Condo-Hotels

The Commission and Town Council have had numerous discussions on the topic since 2013. There have been discussions on two general issues with the existing policy.

The first issue relates to existing condo-hotel structures and requests received by the Planning Department to convert unused finished space to deed restricted employee housing rentals. This topic was supported by the majority of the Commission on January 21 and Town Council on February 11. This topic will not be discussed at this work session.

The second issue, which is the focus of this memo, relates to applications for new condo-hotels and their ongoing ability to comply with the current definition which entitles them to a density bonus and density multipliers.

The reason the Town created the condo-hotel land use category and density bonus was to provide an incentive for short term lodging. Short term lodging provides an opportunity for higher visitor spending per overnight guest. The condo-hotel definition includes required services such as a 24 hour front desk, food services, centralized phone system and meeting rooms, as opposed to pure residential condominiums without these services. Many of the requirements for a condo-hotel (per the definition) are seen as no longer needed, even outdated in many cases. There have been changes to how business is conducted since this definition was created such as cell phones and property management companies off site. Also, recently, we have been learning about the marketing power that enhanced leisure and recreational amenity packages have in making lodging properties more competitive, and may want to consider recognizing that trend in the industry with this policy reconsideration.

Many of the larger condo-hotels (but perhaps not all) operate in general conformance with the current definition, however, it is difficult for smaller condo hotels to maintain all of the required facilities per the current definition. These projects which were approved as condo-hotels and no longer provide the requirements in the existing definition are out of compliance with their development permits. Staff has not pursued any action against such properties, but rather has raised this issue in the context of reviewing the relevancy of the policy requirements.

The potential revision to the definition as identified by the Planning Commission at the June 3 meeting was to simplify the category which singles out condo-hotels (which allows a higher density multiplier in return for providing the amenities per the current definition) and combine it with condominiums, which appear to function

similarly. The Planning Commission asked staff to research what condo-hotels were achieving for hot bed numbers. Although this data is difficult to acquire due to the competitive nature of the properties, staff spoke with companies that manage both large and small projects. Generally, small projects tended toward a 40% occupancy rate and larger properties toward 45-60% year round due to the drastic change in the high and low seasons. Unfortunately, it is extremely difficult to gather occupancy rate information on residential condominiums managed by individuals and staff notes that a majority of what many may consider “condominiums” were actually approved as condo-hotels.

As brought up at the previous work session, pure residential condominiums may also be rented by individual property owners or off site property management companies. As both condominiums and condo-hotels are able to function in a similar capacity and not many condo projects have been permitted, the majority of the Commissioners voiced the desire to combine the two and also include hotels into one definition and common multiplier such as 1,200 square feet per unit, which is the current condo hotel multiplier. Staff agrees that a simple definition for condo-hotels and condominiums would solve many of the issues we see today with properties meeting the existing definition.

Staff, however, would like to raise the issue of maintaining hotels as a separate category as they tend to operate slightly differently than condos-hotels, providing single ownership over the development and a lodging option for a different type of guest. For example, a branded hotel such as a Hilton, Marriott, or Hyatt aggressively markets to a brand loyal clientele. With the existing density multiplier of 1,380 square feet, there remains an incentive for an alternative single ownership product from condo/condo-hotels which are sold off to pay for the development.

Staff has provided the current definitions and density conversion table below for condo, condo-hotels and hotels, as well as the following questions below, to assist the Planning Commission in their discussion.

- Does the Commission support a combined definition of condo and condo-hotel that eliminates the requirements for a 24 hour front desk, a central phone system to individual rental units, meeting rooms or recreation and leisure amenities, and food services? Should recreation and leisure amenities continue to be required?
- Should the 1,200 square foot density multiplier apply to both condominiums and condo-hotels?
- Would the Planning Commission support keeping the hotel/lodging/inn with the current definition, requiring no kitchens of any kind in the units, a twenty four (24) hour front desk check in operation, a central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities?
- If a separate definition, should hotels maintain the 1,380 square foot multiplier?

With the Planning Commission’s direction, staff would like to return with draft code language at another meeting.

Condo-Hotel Related Development Code Sections **(For Reference)**

9-1-5 Definitions:

Condominium/Hotel: A multi-unit structure in which units may be individually owned and which provides on the site of the development a centralized management structure incorporating the following features: a) a twenty four (24) hour front desk check in operation, b) a central phone system to individual rental units, c) meeting rooms or recreation and leisure amenities, and d) food services.

Condominium: A multi-unit structure in which units may be individually owned but which does not provide the features of a condominium/hotel structure. In a condominium there is outright ownership of a unit or airspace with a divided interest in the common element.

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

Policy 3(Absolute) Density:

CONVERSION TABLE - RESIDENTIAL USES

Within conservation district:		
	Single-family	1 unit = 1,600 square feet
	Duplexes and townhouses	1 unit = 1,600 square feet
	Condominiums or boarding houses	1 unit = 900 square feet
	All other residential (including bed and breakfast, apartment, and condo hotel)	1 unit = 1,200 square feet
Outside conservation district:		
	Single-family	1 unit = unlimited square footage*
	Duplex included within site plan level development permit with net density of less than 5 units per acre	1 unit = unlimited square footage*
	Duplex included within site plan level development permit with net density of 5 units per acre or more	1 unit = 1,600 square feet
	Townhouse	1 unit = 1,600 square feet
	Hotel, inn, motel, bed and breakfast	1 unit = 1,380 square feet
	Condominiums or boarding houses	1 unit = 900 square feet
	All other residential (including apartment and condo hotel)	1 unit = 1,200 square feet

Policy 24 (Absolute) Social Community:

- A. Meeting And Conference Rooms: All condominium/hotels, hotels, lodges, and inns shall provide meeting areas or recreation and leisure amenities, at a ratio of one square foot of meeting or recreation and leisure amenity area for every thirty five (35) square feet of gross dwelling area.

Policy 24 (Relative) Social Community:

3x(0/+2) 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 section is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this section, 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 section.)

Planning Commission Staff Report

Subject: Breckenridge Distillery Phase 3
(Class A, Final Hearing; PC#2014036)

Proposal: The proposed Breckenridge Distillery Phase 3 addition of 8,331 sq. ft. (requiring a portion of a TDR) includes storage, retail space, bar, tasting room, catering kitchen, outdoor seating with a “steel barrel” burning top half of gas fire pit, new restrooms, and an optional attached cigar shack. There is a covered loading dock proposed on the rear side of the building, the end of the loading dock will be open air for ease of trucks entering the area. A material and color sample board will be available for review at the meeting.

Date: July 10, 2014 (For meeting of July 15, 2014)

Project Manager: Matt Thompson, AICP

Applicant/Owner: Double Diamond Distillery, LLC (Bryan Nolt)

Agent: O’Bryan Partnership, Inc. (Dan Farber)

Address: 1925 Airport Road

Legal Description: Lot 1BC, Breckenridge Airport Subdivision

Site Area: 1.504 acres (65,535 sq. ft.)

Land Use District: 31; 1:4 Floor Area Ratio (FAR)

Site Conditions: Most of the property is relatively flat, sloping downhill at 6%; however the southwest corner of the property begins to slope steeply uphill. There is an existing 6,753 sq. ft. distillery building on the property. There is an existing 30’ drainage easement and a 10’ snow stack easement along the eastern property line. There is a 15’ power line easement and a 10’ snow stack easement along the western property line. There is a 15’ driveway easement along the south property line. A lot line vacation between lot 1C and lot 1B has previously been processed to create one larger lot (reception #996104). There are two existing greenhouses on the property, which will be removed.

Adjacent Uses: North: Landscaping storage
South: Skypark Business Center Condo
West: White River National Forest
East: Rock Pile Ranch Condo

Density:

Allowed under Density Agreement:	14,690 sq. ft.
Existing density:	6,753 sq. ft.
Proposed density:	8,331 sq. ft.
Total existing and proposed density:	15,084 sq. ft.
Density Overage:	394 sq. ft.

F.A.R.: 1:4.3

Height:	Recommended:	35'
	Proposed:	32' (mean); 34' – 6" (overall) (Cupola focal elements are 36' – 4", allowed no more than 10' over height limit)
Lot Coverage:	Building / non-Permeable:	15,804 sq. ft. (23% of site)
	Hard Surface / non-Permeable:	14,576 sq. ft. (22% of site)
	Open Space / Permeable Area:	39,673 sq. ft. (55% of site)
Parking:	Required for addition:	25 spaces
	Proposed for addition:	25 spaces
Snowstack:	Required:	3,644 sq. ft. (25%)
	Proposed:	3,684 sq. ft. (25%)
Setbacks:	Front:	30 ft.
	Side (new construction):	84 ft.
	Side (existing building):	46 ft.
	Rear (new construction):	63 ft.

Item History

On May 20, 2014 the Planning Commission heard a preliminary hearing on this application. There were four questions the Staff asked the Planning Commission at that meeting.

1. *Does the Planning Commission agree with negative three points (-3) points under Policy 33R for outdoor heated delivery dock and gas fire pit?* The consensus of the Planning Commission was that while it is a safety issue with heating the loading dock, the Code, and precedent dictates that negative two (-2) points are warranted for the heated outdoor space and negative one (-1) for the outdoor fire pit, for a total of negative three (-3) points.
2. *Does the Planning Commission agree that the chimney/cupola elements on the elevation do not break up the roofline that is over 50' (designed at 125' in length) per Policy 6R?* The Planning Commission consensus was the long unbroken roofline of over 50' in length warrants negative one (-1) point.
3. *Does the Planning Commission find the placement of the northern driveway right on the property line acceptable?* The consensus of the Planning Commission was to try and work with the neighbor to the north to come to an across property line agreement, if no agreement could be reached the Commission indicated they do not have a major issue with this driveway location. The applicant has contacted the property owner to the north, but at this time no agreement has been reached. Staff believes the existing location of the driveway is acceptable.
4. *Does the Planning Commission agree with positive points for parking out of public view behind the addition?* The Commission was split on the positive points for screening all parking from public view. The Commission asked Staff to research whether other properties on Airport Road were awarded positive points for parking out of public view. Staff has done this research and has not found positive points awarded for parking out of public view on Airport Road. Furthermore, some of the parking will still be visible when driving south on Airport Road. Hence, Staff does not support positive points for placing all parking out of public view.

Staff Comments

Density/Intensity (3/A & 3/R)/Mass (4/R): The Density Apportionment Agreement was approved February 25, 2010 (Reception #984484), for 3,900 sq. ft. on Lot 1C and 10,790 sq. ft. on Lot 1B, the two lots have been combined into one lot with a total density allowance of 14,690 sq. ft.. The proposed Phase 3 addition is 8,331 sq. ft. The existing distillery building totals 6,753 sq. ft. The total of the existing building and the proposed addition is 15,084 sq. ft. Hence, 394 sq. ft. of additional density would have to be transferred to the property. The applicant is working towards purchasing the extra density. This transfer of density (TDR) would be a condition of the Findings and Conditions, if approved. Per Section 9-1-19-3R, if a development does not exceed 5% of the density allowed and is transferred pursuant to 9-1-17-12B, no negative points are warranted.

**Excess density is exempt from a 2 point deduction if the density is transferred pursuant to subsection 9-1-17-12B of this chapter and if the total excess density for the project does not exceed 5 percent of the maximum density allowed. This exemption does not apply to any transfers of density into the historic district. (Ord. 20, Series 2000)*

Social Community / Employee Housing (24/A & 24/R): The proposal is for an 8,331 sq. ft. addition which exceeds the 5,000 sq. ft. threshold in Policy 24 that requires the provision of employee housing. The applicant has proposed to purchase employee housing over and above what is required in order to receive positive points. The minimum required amount of employee housing for zero points is 4.51-5.0% of the project density (376 sq. ft.). The distillery owner's goal is to find a employee housing unit of at least 6.51% of the project, which would be 542 sq. ft. in order to receive four positive (+4) points. A condition of approval has been added requiring the employee housing unit to be acquired prior to a certificate of occupancy being issued.

Energy Conservation (33/R): The proposal includes a heated outdoor area of 1,218 sq. ft. at the bottom of the loading dock. Also, there is an outdoor gas fire pit proposed in the courtyard area. This policy discourages excessive energy use components. The point range for the heated driveway is 1x(-3/0). Staff believes the past precedent on heated outdoor spaces warrants negative two (-2) points for this application. One outdoor commercial fire pit should receive negative one (-1) point based on precedent.

Thus, staff feels a total of negative three (-3) points are warranted under Policy 22 (Relative) (C.) Excessive Energy Usage.

Building Height (6/A & 6/R): The height of the addition is proposed at 32' to the mean of the roof. The overall ridge height of the addition is 34'-6" and 36'-4" to the top of the cupola. Per the Development Code definition of Building Height Measurement: *D. Exceptions: Building shaft extensions, chimneys, and focal elements such as church steeples, spires, clock towers or similar structures that have no density or mass (in no instance shall any of these structures extend over 10 feet above the specified maximum height limit), or the first five feet (5') of height within the first floor common area lobbies in multi-family structures.*" Land Use District 31 allows for structures to be 35' in height. Since the definition of building height measurement exempts this type of element up to 10' above the specified maximum height limit, the proposed height is allowed.

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. There is no breakup of the roofline proposed. Based on past precedence, staff has not considered the chimney-like elements such as those

shown on the plan elevations as being sufficient to break up the rooflines. Thus, this policy is not being met.

The proposal incurs negative one (-1) point under this policy as proposed.

Architectural Compatibility (5/A & 5/R): The building addition is designed with:

- wood board and batten siding rough sawn with top edge flashing to match the existing building
- horizontal 8” wide reclaimed Colorado barn board planks with 2” elastomeric chinking
- natural Telluride Stone desert tortoise or Alta smear
- corrugated metal wainscot to match existing building
- metal roof to match existing building in style and finish and flat roof cupola with metal siding to match the building wainscot.

The proposed addition will be architecturally compatible with the Land Use District and the neighborhood. Staff has no concerns with the proposed architecture.

Parking (18/A & 18/R): 25 parking spaces would be required for the proposed addition. The proposal is to place the added 25 parking spaces behind the addition.

Staff has completed the research into positive points for placing the new parking area behind the existing and proposed building. The precedent on Airport Road does not support positive points under this policy. Furthermore, Staff believes some of the parking will be visible from Airport Road from the north.

The proposed parking meets the requirement of the Development Code. However, Staff believes precedent does not support positive points for the proposed parking.

Site and Environmental Design (7/R): The plan is minimizing site surface disturbance by placing the addition in an area that has been previously used as a landscaping business with a dirt driveway to the north of the existing facility. The proposed location of the addition allows for privacy for the distillery and buffering to the neighboring properties as well. The property has two 3’ high berms along Airport Road and is well landscaped with existing and proposed trees and shrubs.

Driveways and site circulation systems are encouraged to work efficiently with the existing topography. The existing dirt driveway that comes in from the north will be paved as part of this proposal. This will be the access point for large vehicles using the loading dock and for customer parking behind the proposed addition. The existing driveway abuts the north property line.

The location of this driveway will require snow storage to be pushed to the south so that it stays on the Distillery private property. The applicant has been unable to work out an agreement with the property owner to the north. There is an access easement across Lot 1A, Block 9 for the benefit of the distillery lot. Lot 1A, Block 9, is very small so it may make sense for these two property owners to share this driveway and access point to Airport Road. Staff believes that the current driveway location has been working fine and will continue to function as it has in the past.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The site is accessed by two driveways from Airport Road. The existing access and circulation at the south end of the property appears to be working well. Staff has had no complaints from the neighboring property owner to the south, who shares a 30’

driveway easement with the distillery. Staff believes the access and circulation systems have been designed efficiently and will meet the uses and functions proposed at the distillery.

Placement Of Structures (9/A & 9/R): Phase 3 addition will be 30' from the front property line, 84' to the north side property line, 46' to the south property line (existing building), and 63' to the rear property line. The proposed addition is within the suggested setbacks. Staff has no concern with the placement of structures.

Snow Removal And Storage (13/R): The 14,576 sq. ft. of paved driveway area requires at least 25% or 3,644 sq. ft. of snow storage. The drawings show 3,684 sq. ft. of snow storage.

Staff believes the snow removal and storage is adequate for the development proposed.

Landscaping (22/A & 22/R): Two three-foot high heavily landscaped berms were constructed along Airport Road when the existing building was constructed. This property is one of the most heavily landscaped properties along Airport Road. Staff did find two dead evergreen trees along the berm which have been removed. The applicant has agreed to replace these two trees.

Staff believes that when the two dead evergreen trees are replaced the landscaping is more than adequate for this development.

Land Use (Policies 2/A & 2/R): The property is located in the Breckenridge Airport Subdivision of Land Use District 31, which calls for Commercial and Industrial uses. The distillery is a commercial use and hence is allowed. Staff has no concerns.

Point Analysis (Section: 9-1-17-3): Staff believes the application warrants negative three (-3) points under Policy 33/R for excessive energy use; negative one (-1) point under Policy 6/R for a long unbroken ridgeline over 50' in length; and positive four (+4) points under Policy 24/R for providing at least 6.51% of the project density in employee housing, for a passing point analysis of zero (0).

Staff Recommendation

Staff requests Planning Commission input on whether they agree with the point analysis as presented above.

Staff recommends the Planning Commission approve PC#2014036, Breckenridge Distillery Phase 3, located at 1925 Airport Road, Lot 1BC, Breckenridge Airport Subdivision, with the attached Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Breckenridge Distillery Phase 3	Positive Points	+4	
PC#:	2014036	Negative Points	- 4	
Date:	7/10/2014	Total Allocation:	0	
Staff:	Matt Thompson, AICP			
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
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)	- 1	125' roof unbroken roof line warrants -1 point.
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		

18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
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		
24/R	Social Community - Employee Housing	1x(-10/+10)	+4	Applicant purchasing a new employee housing unit of at least 542 sq. ft. warrants positive four (+4) points.
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	- 2	Negative two (-2) points warranted under this policy for heating 1,218 sq. ft. of the outdoor delivery dock driveway.
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)	- 1	Negative one (-1) point is warranted for an outdoor commercial gas fire pit.
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		

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

TOWN OF BRECKENRIDGE

Breckenridge Distillery Phase 3
Lot 1BC, Breckenridge Airport Subdivision
1925 Airport Road
PC#2014036

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 10, 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 **July 15, 2014**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **July 22, 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. Driveway culverts shall be 18 inch or larger where needed to convey road side drainage 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.
9. 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.
10. Applicant shall field locate utility service lines to avoid existing trees.
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 provide in writing permission from Xcel Energy to place asphalt parking spaces on their 15' power line easement reception number 397666.
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. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
16. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, 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.
17. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.

18. Applicant shall install construction fencing and erosion control measures in a manner acceptable to the Town Engineer. An on site inspection shall be conducted.
19. Applicant shall provide a copy of the ACOE permit, and the FEMA CLOMR to the Town.
20. 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. Final density numbers shall be listed on this mylar.
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.
23. Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for 0.39 Single Family Equivalents (SFE's) of density prior to receiving a building permit.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

24. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 542 square feet of employee housing to receive positive four (+4) points.
25. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
26. 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.
27. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
28. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
29. 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.
30. Applicant shall screen all utilities.
31. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
32. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in

cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.

33. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
34. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
35. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
36. 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)

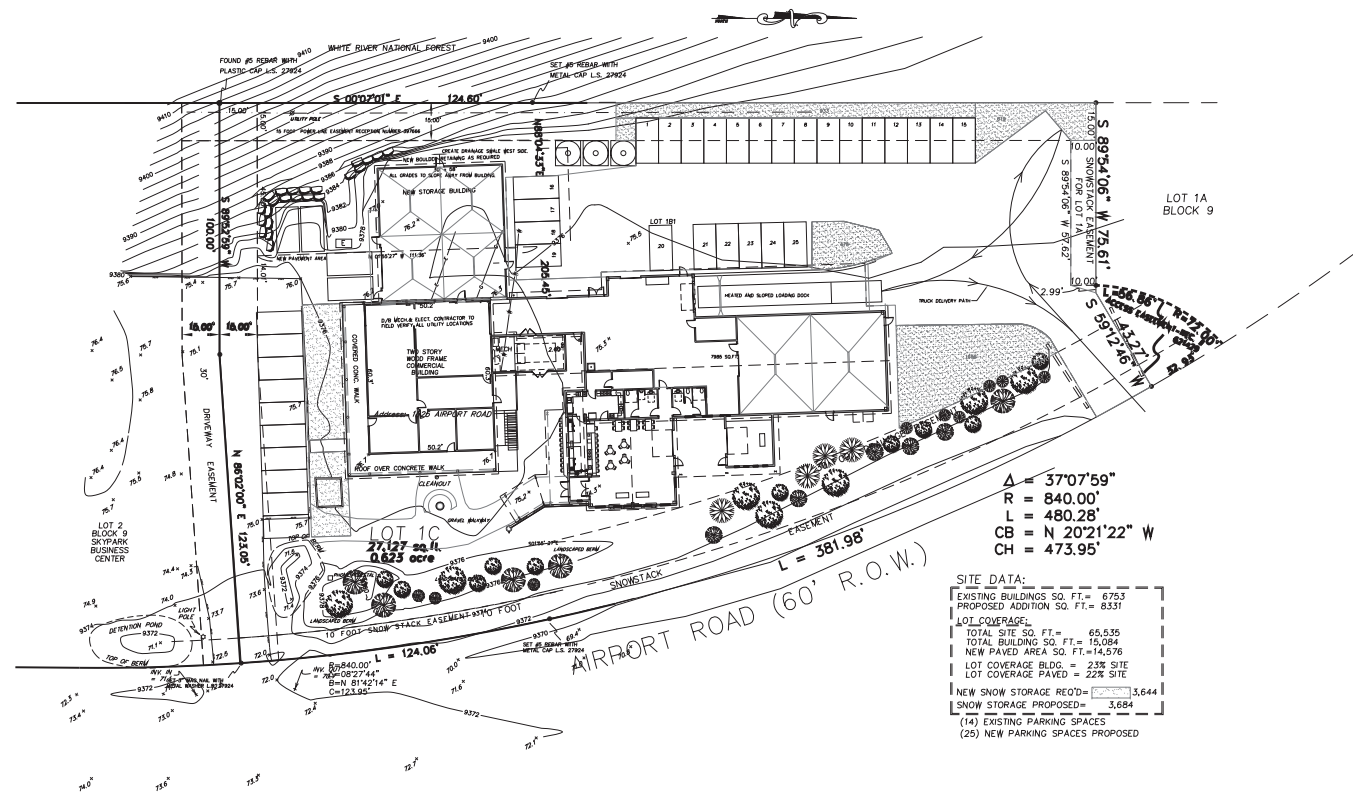
**BRECKENRIDGE DISTILLERY
PHASE 3**
1925 AIRPORT ROAD
BRECKENRIDGE, CO 80424

Revisions:
PLANNING: 3-20-2014
REVISED: 5-13-2014

Date: 11-1-2013
Project No: 2452.01
Drawn by: D.F.
Checked by: KAO
Sheet Of

A1.1

SITE PLAN



$\Delta = 37^{\circ}07'59''$
 $R = 840.00'$
 $L = 480.28'$
 $CB = N 20^{\circ}21'22'' W$
 $CH = 473.95'$

SITE DATA:

EXISTING BUILDINGS SQ. FT. =	6753
PROPOSED ADDITION SQ. FT. =	8331
LOT COVERAGE:	
TOTAL SITE SQ. FT. =	65,535
TOTAL BUILDING SQ. FT. =	15,084
NEW PAVED AREA SQ. FT. =	14,576
LOT COVERAGE BLDG. =	23% SITE
LOT COVERAGE PAVED =	22% SITE
NEW SNOW STORAGE REQ'D =	3,644
SNOW STORAGE PROPOSED =	3,684
(14) EXISTING PARKING SPACES	
(25) NEW PARKING SPACES PROPOSED	

1 BRECK DISTILLERY PH-3 SITE PLAN
SCALE: 1" = 20'-0"



ARCHITECTURE,
PLANNING, INTERIORS

P. O. Box 2773
630 Main Street, Suite 8
Ft. Collins, CO 80543
Tel: 970.668.1133
Fax: 970.668.2316

2 Linden Street, Suite 202
Portland, ME 04101
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www.obparch.com

**BRECKENRIDGE DISTILLERY
PHASE 3**

1925 AIRPORT ROAD
BRECKENRIDGE, CO 80424

Revisions:
PLANNING: 3-20-2014

Date: 11-1-2013
Project No: 2452.01
Drawn by: D.F.
Checked by: KAO

Sheet Of
A1.2
GOOGLE MAP

Google earth



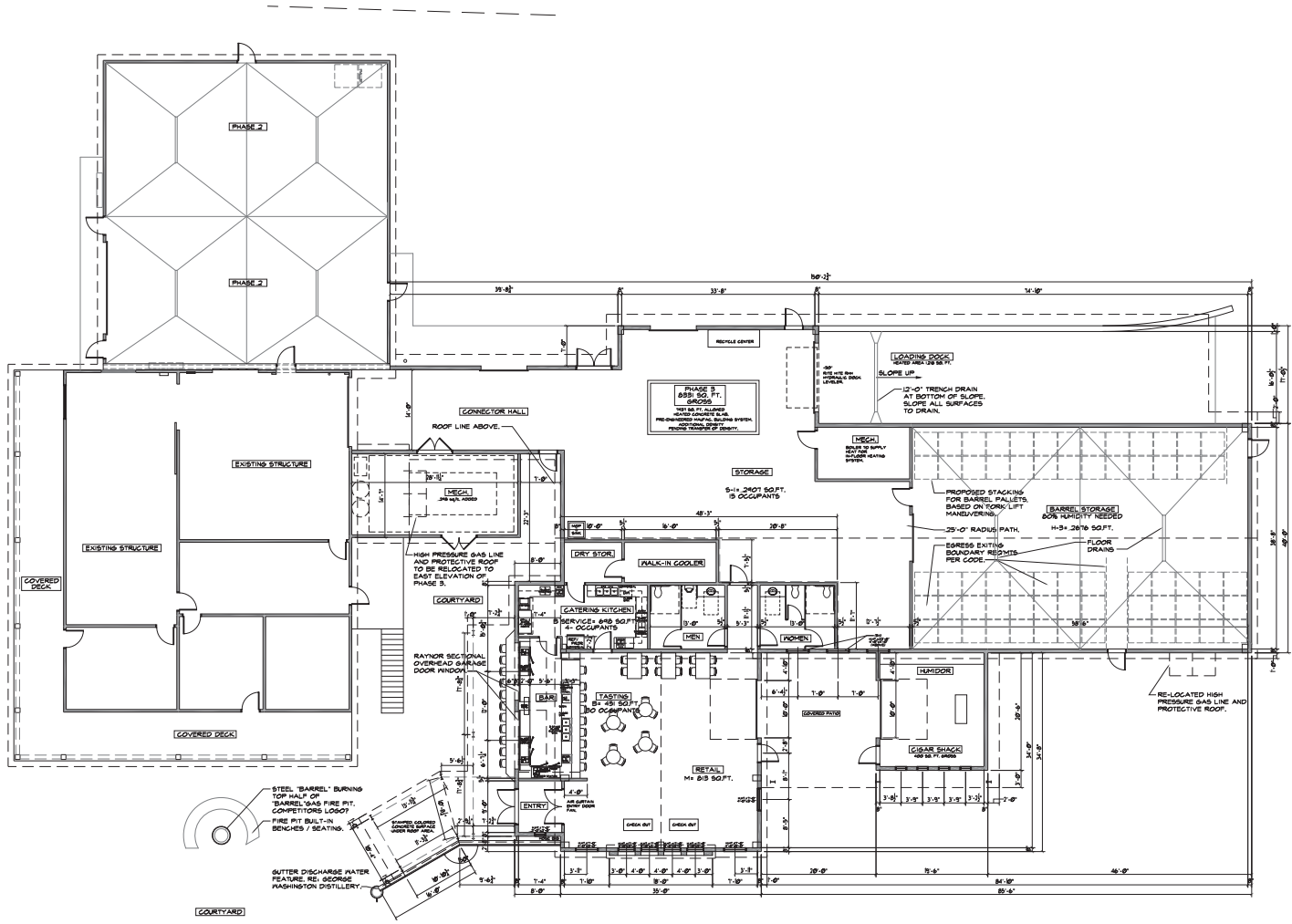
**BRECKENRIDGE DISTILLERY
PHASE 3**
1925 AIRPORT ROAD
BRECKENRIDGE, CO 80424

Revisions:
PLANNING: 3-20-2014

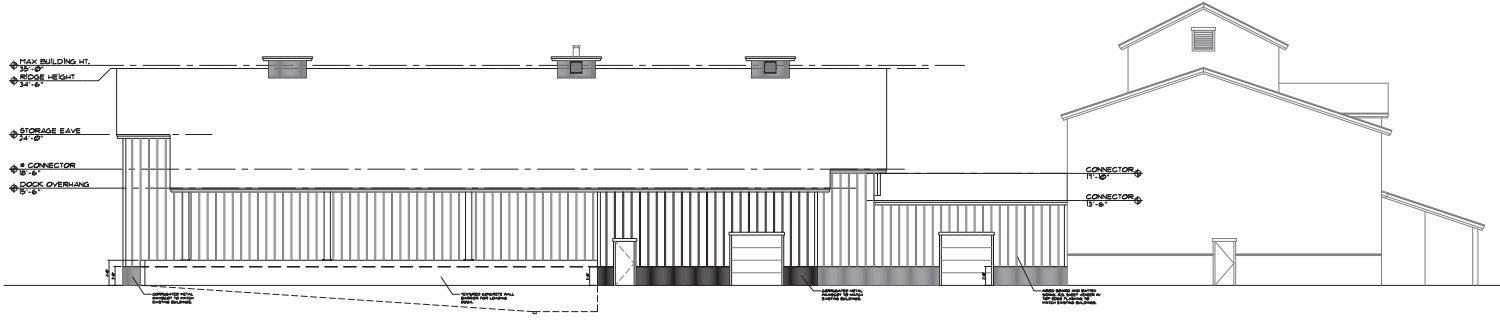
Date: 11-1-2013
Project No: 2452.01
Drawn by: D.F.
Checked by: KAO
Sheet Of

A2.0

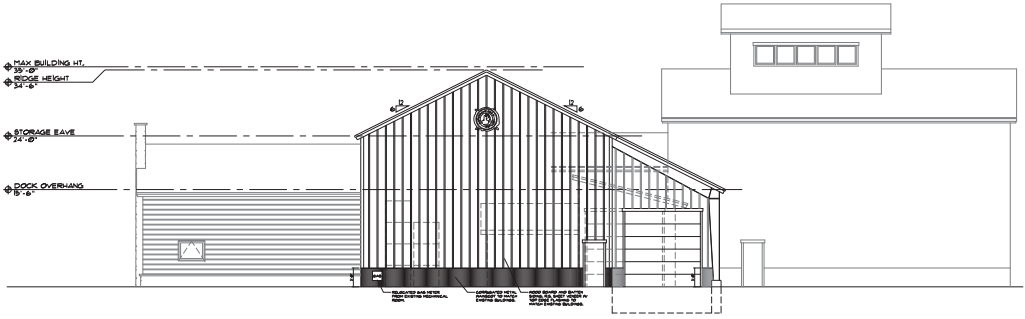
FLOOR PLAN



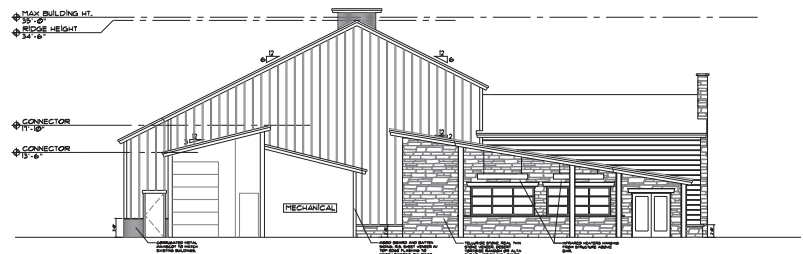
1 BRECK DISTILLERY PH-3 PLAN
A2.0 SCALE: 1/8" = 1'-0"



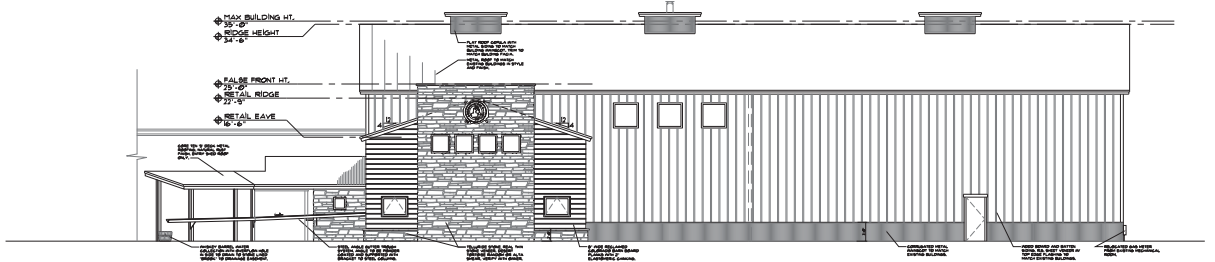
3 BRECK DISTILLERY PH-3 WEST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



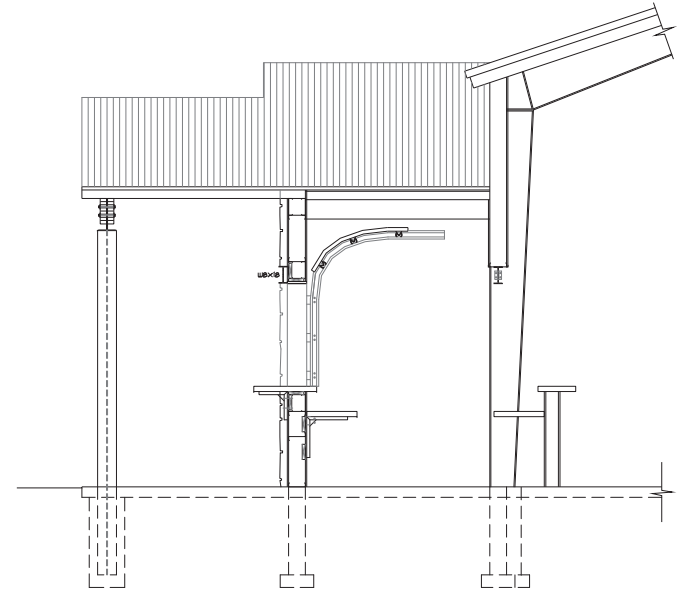
4 BRECK DISTILLERY PH-3 NORTH ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



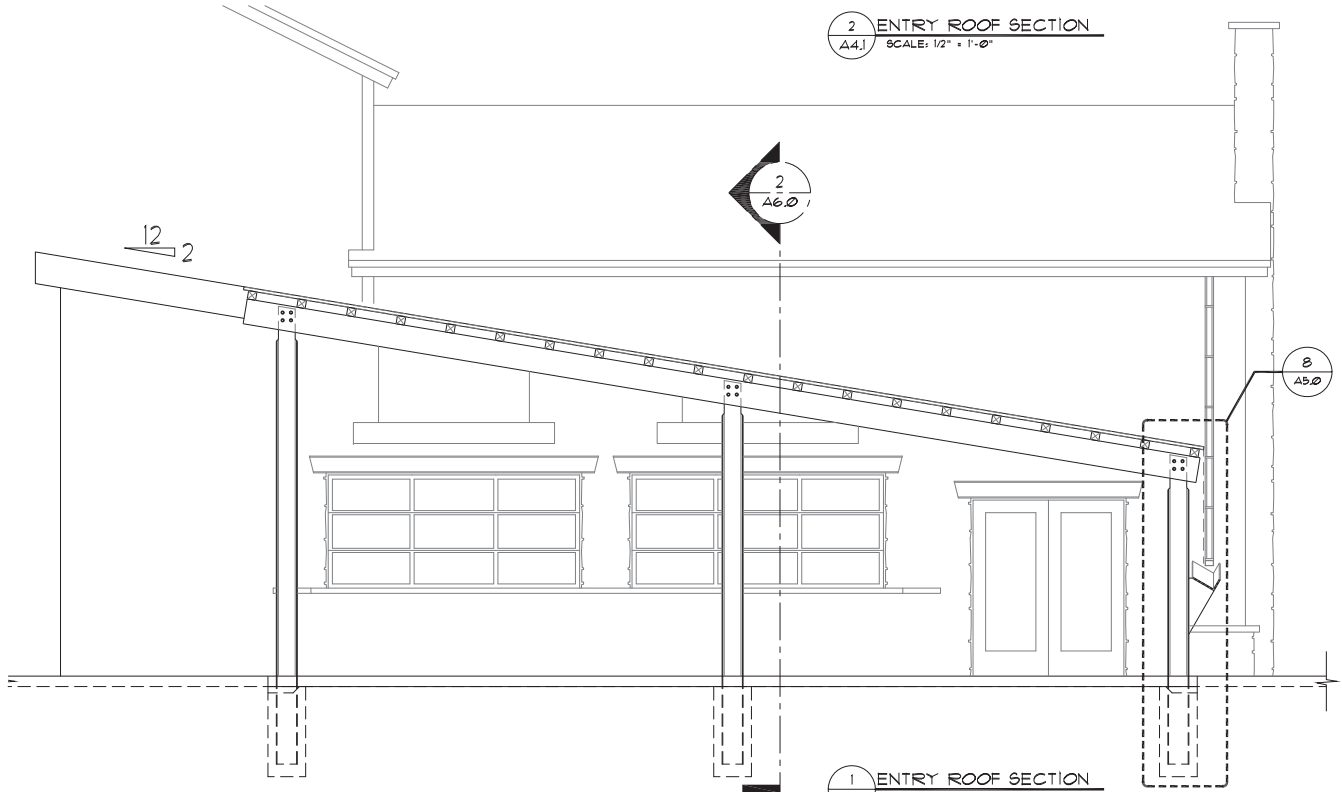
2 BRECK DISTILLERY PH-3 SOUTH ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



1 BRECK DISTILLERY PH-3 EAST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



2 ENTRY ROOF SECTION
A4.1 SCALE: 1/2" = 1'-0"



1 ENTRY ROOF SECTION
A4.1 SCALE: 1/2" = 1'-0"

Planning Commission Staff Report

Project Manager: Michael Mosher, Planner III
Date: July 1, 2014 (For meeting of July 15, 2014)
Subject: Renewal of The Elk, Mixed Use Building and Two Variance Requests (Class A, Final Hearing; PC#2014041 - originally PC#2011001)
Applicant/Owner: Craig Burson
Agent: Janet Sutterley, J. L. Sutterley, Architect
Proposal: To renew the approved Development Permit and Variance for another 3-years with a new request to include second Variance (expired July 12th - submitted for this review May 20th).

Original request: To construct a 1,902 square foot mixed use building with commercial/retail and workforce housing uses. A 495 square foot garage is located at the rear of the lot. The commercial/retail use occurs on the front portion of the site on three levels (one below grade). The residential, workforce housing, is below grade, beneath the garage, at the back portion of the site. A variance is also sought under Policy 24, The Social Community, of the Development Code, for non-compliance with Priority Policy 80A of the Handbook of Design Standards for the Historic and Conservation Districts; "Use connectors to link smaller modules and for new additions to historic structures".

In addition: A second variance is also sought under Policy 24, Absolute, The Social Community, of the Development Code, for non-compliance with Priority Policy 80A of the Handbook of Design Standards for the Historic and Conservation Districts; "A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form".

Address: 103.5 North Main Street
Legal Description: Lot 80, Bartlett and Shock Subdivision
Site Area: 0.085 acres (3,733 sq. ft.)
Land Use District: 19, Commercial at 1:1 FAR and Residential at 20 UPA (No concerns)
Historic District: Character Area #5, Main Street Residential/Commercial Character Area
Site Conditions: The property is currently vacant. This summer, with an agreement between the applicant and neighboring property owner to the north, it is being used for outdoor seating for "Oscar's of Breckenridge". A cluster of mature trees (spruce and aspen) exist at the northeast corner of the lot. A paved walkway meanders through the property connecting the sidewalk at Main Street to the alley to the west. There is a paved parking area at the rear of the property off the alley. A shared access, snow stacking and parking easement between Lots 79 and 80 exists off the alley at the back of the property. (See discussion below).
Adjacent Uses: North: Springmeyer/Palomo Building (Historic)
East: Main Street and the Breckenridge Towne Square Mall

South: Gold Pan Saloon (Historic)
 West: Sawmill Station Square parking lot, Schoonover Building

Density (mixed use - based on proposed commercial density):

Allowed under LUGs:
 Commercial: 2,354 sq. ft.
 Residential: 633 sq. ft.
 Total density: 2,987 sq. ft.
(Note: residential uses have a 1,000 sq. ft. SFE multiplier in this LUD)

Proposed Density:
 Commercial: 2,222 sq. ft. (79%)
 Residential: 680 sq. ft. (21%)
 Total density: 2,902 sq. ft.
(Note: Meets the criteria for the Downtown Overlay District)

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

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

Square Footages	Residential	Commercial	Total Density	Mass	Above Ground Density
Lower Level	670 SF	798 SF	1,468 SF	0 SF	0 SF
Main Level	10 SF	1,030 SF	1,040 SF	1,422 SF	1,040 SF
Upper Level	0 SF	394 SF	394 SF	394 SF	394 SF
TOTAL	680 SF	2,222 SF	2,902 SF	1,816 SF	1,434 SF

Height: Recommended: 23'-0" (mean)
 Proposed: 22'-3" (mean); 27'-6" (overall)

Lot Coverage: Building / non-Permeable: 1,560 sq. ft. (41.8% of site)
 Hard Surface / non-Permeable: 1,775 sq. ft. (47.5% of site)
 Permeable Area: 398 sq. ft. (10.7 % of site)

Parking: Required: Per Parking Agreement
 Proposed: Per Parking Agreement

Snowstack: Required: Per Parking Agreement
 Proposed: Per Parking Agreement

Setbacks: Front: commercial; 0 ft.
 residential; 49 ft
 Sides: commercial; 4 ft. & 0 ft.
 residential; 3 ft. & 5.5 ft.
 Rear: commercial; 74.5 ft.
 residential; 52 ft.

Item History

The Town Council approved this application, with the (original) variance, on July 12, 2011. No development action has been taken on the permit. The applicant is seeking a renewal of the permit for 3 additional years. The applicant met the required submittal deadline for a requested renewal 30 days prior to the expiration date of July 12, 2014. Per the Development Code:

Per 9-1-17-11: VESTED PROPERTY RIGHTS:

...No extension of a vested property right may be approved unless the approved project complies with all town land use laws in effect at the time of the extension request. The planning commission may approve the requested extension, deny the requested extension, or approve the requested extension with conditions. If an extension is granted, the planning commission shall fix the period of extension, which may be up to, and including a period of three (3) years. (Ord. 8, Series 2013).

Minutes from the Final Hearing on July 5, 2011

Commissioner Questions to Staff and Agent:

Ms. Dudney: Since the variance has been discussed at previous meetings, have there been any comments from the Town Council on this topic? (Mr. Mosher: Town Council only comments on projects that are presented before them. In this case, we will not hear their comments until this item appears on their Consent Calendar. If approved tonight, this will be heard at their next meeting.)

Mr. Pringle: Also, the Staff/Commission field trip we mentioned earlier, we will be looking at connector links in the Historic District.

Ms. Sutterley: For the record, part of the situation with a standard connector link was the public safety concerns. I think it is something we have to look at in context with each project, public safety is as important as the historic feel. Also, clarification on the railing: it is just for the railing, it won't be contemporary looking. I don't want plain vanilla, but I want some detail.

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

Commissioner Questions / Comments:

Mr. Pringle: I'm impressed with the progress of this project. I think we have to look at the buildings that have been completed. I am in support of the variance not only for the reasons stated but also because strict interpretation of the policy won't work in this particular case and it will help address future similar situations. Endorse point variance. Maybe in future applications we can find a different type or technique for the solid wainscoting at the primary facades.

Ms. Dudney: In support of the variance. Has never had a problem with the railing and support the staff's point analysis and Findings and Conditions.

Mr. Butler: In support of the variance and support the point analysis with the Findings and Conditions

Ms. Christopher: Appreciates all the changes. Support the connector variance, points and Findings and Conditions.

Mr. Rath: The variance seems like a common sense way to look at the project. Support all and agree with the other Commissioners.

Mr. Schroder: Agrees to each of the things stated. Thanks for having the condition on the re-design of the railing and that you will be working on it with Staff. In support of the application as presented to the Commission tonight.

Mr. Pringle made a motion to approve the point analysis for the Elk Building and Variance Request, PC#2011001, 103.5 North Main Street. Ms. Dudney seconded, and the motion was carried unanimously (6-0).

Mr. Pringle made a motion to approve the Elk Building and Variance Request, PC#2011001, 103.5 North Main Street, with the presented Findings and Conditions. Ms. Dudney seconded, and the motion was carried unanimously (6-0).

Staff Comments

Since the approval of this development, there has been a change to the Development Code that will affect this request. Staff notes that the architectural compatibility for the Historic and Conservation Districts is now referenced under Policy 24, The Social Community (the original report references Policy 5.) Staff has identified Priority Policy 80A. Policy 80A of the *Handbook of Design Standards for the Historic and Conservation Districts*, regarding connector links, now reads:

- 1. The connector and addition should be located at the rear of the building or in the event of a corner lot, shall be setback substantially from significant front facades.*
- 2. The width of the connector shall not exceed two-thirds the width of the facade of the smaller of the two modules that are to be linked.*
- 3. The wall planes of the connector should be set back from the corners of the modules to be linked by a minimum of two feet on any side.*
- 4. The larger the masses to be connected are, the greater the separation created by the link should be: a standard connector link of at least half the length of the principal (original) mass is preferred, a minimum of six feet length is required. (In addition, as the mass of the addition increases, the distance between the original building and addition should also increase. In general, for every foot in height that the larger mass would exceed that of the original building, the connector length should be increased by two feet.)*
- 5. The height of the connector should be clearly lower than that of the masses to be linked. The connector shall not exceed one story in height and be two feet lower than the ridgeline of the modules to be connected.*
- 6. A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form.** *A simple roof form (such as a gable) is allowed over a single door.*
- 7. When adding onto a historic building, a connector should be used when the addition would be greater than 50% of the floor area of the historic structure or when the ridge height of the roof of the addition would be higher than that of the historic building. (Ord. 8, Series 2014)*

The original variance addressed item #2 above, “The width of the connector shall not exceed two-thirds the width of the facade of the smaller of the two modules that are to be linked”. It addressed the numerous undesirable negative effects, including, but not limited to, jeopardizing the structural integrity of the neighboring historic structure by creating a drainage condition on Lot 80 that could result in ice and water damage to the neighboring historic structure on Lot 81.

The second variance request, associated with this report, addresses item #6, “A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form”. The original plans did not have a simple gable roof form. Based on the plan/footprint of the connector in association with the previous variance request, a gable roof form would result in a connector that would be taller than the smaller module to be connected and would create a drainage condition on Lot 80 that would result in ice and water damage to the neighboring historic structure on Lot 81.

Responding to these design criteria, the applicant and agent have designed a partial roof gable form along the north side of the connector that would appear as a gable roof from the north. (See attached.) The connector, as designed with the original variance, is too wide to cover with a simple gable roof form. Though not in compliance with the design standard, it would give the appearance from the side elevations of being a gable roof, better meeting the intent of this design standard. Staff is not supportive of the shed porch element over the upper level door accessing the deck as it confuses the purpose of the partial gable roof. We suggest this be removed on the Building set of plans. Does the Commission concur?

The applicant and agent would prefer to leave the flat roof as originally approved, but staff believes the shed element better describes the connector. The second variance is for not being able to provide a full gable roof form, just a partial gable.

The substantive difference from the original report and this renewal request is the discussion above and the conclusion at the end of this report.

Below is the report from the approved Final Hearing Staff Report of July 5, 2011:

Architectural Compatibility (5/A & 5/R): During the last review, Staff heard the Commission agree that the majority of the design standards from the *Handbook of Design Standards for the Historic and Conservation Districts* and those in the *Design Standards for the Historic District Character Area #5, Main Street Residential/Commercial* had been met with the proposed design. The exceptions are Priority Policy 80A, and Design Standard 91. A variance is being sought for Priority Policy 80A while staff is seeking a change in design for Design Standard 91.

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

The proposed drawings show a link that meets the intent of this policy on the north elevation. Though not meeting the exact criteria, the wall planes are set back two-feet, the height of the connector is clearly lower, and the separation of the larger masses is effectively accomplished by the length of the connector.

However, on the south elevation, the two-foot setback is not proposed. One reason, as described at the last hearing, was to protect the neighboring historic structure (The Gold Pan Saloon) from ice and water damage. The applicant contends that the off-set, besides not being visible from public areas, is on the north side of the taller historic structure and would allow moisture to collect in an area where the sun would never shine potentially causing damage to the neighboring historic building.

There are two previous projects that have been approved with variances for similar situations under Policy 80A; The Frank Brown House (currently Starbucks) and Fatty's Pizzeria. With each of those approvals, a variance was granted from Absolute Policy 5 as it relates to Priority Policy 80A.

Variance Request:

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

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

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

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

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

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

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

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

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

Design Standard 91:

Ornament and Detail: Per Design Standard 91, *Use building components that are similar in size and shape to those found historically along the street.*

** These include windows, doors and porches.*

Policy:

If ornamental details are to be used that are similar to those used historically, they should appear to be functional in the same manner in which they originally occurred. Ornamental details should appear to

perform an obvious function. Traditionally, decorative brackets were used to support overhanging cornices, for example. Today, when such details are applied, they should be used in similar ways.

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

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

Placement of Structures (9/A & 9/R): As a mixed use structure there are different setbacks required for each use. Commercial uses are allowed a zero (0) foot setback. Residential structures should have a relative setback of: Front Yard = 15-feet; Side Yard = 5-feet; and Rear Yard = 15-feet.

The current drawings show that the residential portion is not meeting the suggested 5-foot relative setback at the north property line. However, it is meeting the absolute 3-foot setback. As a result negative three (-3) points are being assigned.

Refuse (15/A and 15/R): Since the last review, the applicant has entered into an agreement with the owner of the neighboring Lots 81 and 82 (The Gold Pan Saloon) to share the existing dumpster located on Lot 81. A copy of this agreement will be required prior to issuance of a building permit as a Condition of Approval. Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Per Policy 16/R: *(1) Pedestrian Circulation: Whenever appropriate to the type and size of the development, the inclusion of a safe, efficient and convenient pedestrian circulation system is encouraged. The provision of pedestrian circulation areas adjacent to and at the same level as adjacent sidewalks is strongly encouraged.*

The drawings show a paved mid-block connection between Lots 79 and 80. Staff has discussed the plan and noted that part of the walkway is on Lot 79. The owner of Lot 79 is supportive of the shared access. Plus, the applicant is paying for and constructing the walkway and landscaping. A pedestrian access easement agreement will be required between the owners of Lot 79 and 80 prior to issuance of a building permit. This has been added as a Condition of Approval. We previously heard support from the Planning Commission for awarding positive three (+3) points for the construction of this public walkway.

Open Space (21/R): Commercial areas are encouraged to provide a minimum of 15% open space or incur negative points. Open space areas that can be counted must meet this definition:

Landscaping areas, strips, planters, etc., with a minimum dimension in all directions of five feet (5'), and with a minimum overall size of fifty (50) square feet.

The drawings show that 10.6% of the site area is permeable, but not all of the areas meet the 5-foot minimum size. At the last hearing, we heard support for assigning negative three (-3) points for this policy in lieu of -6, as a result of providing the landscaped public pedestrian connection between Lots 80 and 79.

Landscaping (22/A & 22/R): The applicant has elected to have this development permit reviewed under the recently adopted Landscaping Ordinance (Ord. 1, 2011) even though this application was submitted prior to the effective date of January 19, 2011.

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

The submitted plans show that the three existing mature trees (two spruce trees and one aspen) will be preserved and moved to a location further away from the sidewalk. There are three new Aspen (3” caliper) proposed along the south property line and a comprehensive Xeriscaping plan of only native and alpine plantings. All shrubs are in 5-gallon containers and all perennials are in 1-gallon containers. Staff’s landscape architect has reviewed the plans, supports the sizes and quantities for this small site and also recommends awarding the positive points.

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

Utilities Infrastructure (26/A & 26/R; 28/A): All needed utilities exist in the Main Street Right of Way and along the public alley. Staff has no concerns.

Drainage (27/A & 27/R): The site surfaces will shed water to the west portion of the property. A standard condition of approval is included stating that a final drainage plan will be submitted to the Engineering Department prior to issuance of a building permit.

Energy Conservation (33/R): The applicant has elected to have this development permit reviewed under the recently adopted Energy Conservation Ordinance (Ord. 2, 2011) as this application was submitted prior to the effective date of March 2, 2011.

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

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

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

Staff Recommendation

Priority Policy 80A, “Use connectors to link smaller modules and for new additions to historic structures” functions as an Absolute Policy under Policy 24. With the exception of the two separate issues regarding the connector that require variances, Staff had no concerns with the renewal application. We are supportive of the two variances as described in the Findings and Conditions.

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

1. Does the Commission support the request for a variance from Priority Policy 80A, “Use connectors to link smaller modules and for new additions to historic structures”?
2. Does the Commission support the request for a variance from Priority Policy 80A, “A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form”?
3. We are suggesting the shed porch on the upper level deck be removed to allow a clearer interpretation of the partial gable roof form for the connector. Does the Commission concur?

We welcome any additional Commission comment. We have advertised this as a Combined Preliminary and Final hearing as the issues related to the proposed project are such that no useful purpose would be served by requiring two separate hearings. If the Commission believes this proposal needs additional discussion, we request the proposal be continued to a future hearing date.

We recommend the Commission support The Elk, Mixed Use Building and Two Variance Requests, PC#2014041, by endorsing the Point Analysis which shows a passing score of zero along with the attached Findings and Conditions which include the variances requests.

Final Hearing Impact Analysis				
Project:	The Elk, Mixed Use Building and Variance Request	Positive	Points	+15
PC#:	2014041			
Date:	7/1/2014	Negative	Points	- 15
Staff:	Michael Mosher, Planner III			
		Total	Allocation:	0
Items left blank are either not applicable or have no comment				
 Sect.	 Policy	 Range	 Points	 Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		Under Suggested Density - Proposed Density: Commercial: 2,222 sq. ft. (79%); Residential: 680 sq. ft. (21%); Total density: 2,902 sq. ft.
4/R	Mass	5x (-2>-20)		Allowed under LUGs: 3,017 sq. ft. ; Proposed mass: 1,816 sq. ft. (No concerns)
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)	- 9	The above ground density is 1,434 square feet, or 10.46 UPA. This is over the suggested 9 UPA of 1,234 square feet.
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		Recommended: 23'-0" (mean); Proposed: 22'-3" (mean); 27'-6" (overall)
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)	- 3	Front: commercial; 0 ft., residential; 49 ft; Sides: commercial; 4 ft. & 0 ft., residential; 3 ft. & 5.5 ft.; Rear: commercial; 74.5 ft., residential; 52 ft.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		Per recorded Agreement
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	0	
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)	0	Applicant sharing with existing neighboring dumpster
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	The drawings show a paved mid-block connection between Lots 79 and 80
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		Per recorded Agreement
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		

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

TOWN OF BRECKENRIDGE

**The Elk, Mixed Use Building and Variance Request Renewal
103.5 North Main Street
Lot 80, Bartlett and Shock Subdivision
Class B Application
PERMIT #2014041**

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 1, 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 **July 15, 2014** as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are 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.

COMMON VARIANCE FINDINGS

7. The property which is the subject of the Application is located at 103.5 North Main Street. Such property is located in the Town's Main Street Residential Commercial Character Area. The Main Street Residential Commercial Character Area is part of the Town's Conservation District.
8. Policy 24 (Absolute) of Section 9-1-19 of the Town's Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code) ("**Development Code**") provides, in pertinent part, as follows:

B. Historic And Conservation District: Within the conservation district, which area contains the historic district (see special areas map10) substantial compliance with both the design standards contained in the "handbook of design standards" [the Town of Breckenridge "Handbook of Design Standards for the Historic and Conservation Districts"] ("**Design Standards**") and all specific individual standards for the transition or character area within which the project is located is required to promote the educational,

cultural, economic and general welfare of the community through the protection, enhancement and use of the district structures, sites and objects significant to its history, architectural and cultural values.

9. Pursuant to the Design Standards, a “priority policy” is a policy that must be met in order for an application to be found to be in “substantial compliance” with the Design Standards under Policy 24 (Absolute) of Section 9-1-19 of the Development Code. A Design Standard priority policy is treated by the Town as an absolute policy under the Development Code.
10. An absolute policy is defined by Section 9-1-5 of the as “a policy which, unless irrelevant to the development, must be implemented for a permit to be issued.”
11. Paragraph (A)(2) of Section 9-1-11 of the Development Code provides that “(a) variance may be granted with respect to any absolute policy contained in this chapter.” As a result, the Town may lawfully grant a variance with respect to Design Standard Priority Policy 80A as hereafter described if the Application meets the applicable requirements of the Development Code.
12. A variance is defined in Section 9-1-5 of the Development Code as follows:

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

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

13. Section 9-1-11 of the Development Code sets forth the Town’s rules for the granting of a variance from the provisions of the Development Code. Paragraph A of Section 9-1-11 of the Development Code provides as follows:

A. Purpose/Limitations:

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

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

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

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

1. There are special circumstances or conditions applying to the land, buildings, topography, vegetation or other matters on the subject lot which would substantially restrict the effectiveness of the development in question; provided, however, that such special circumstances or conditions are unique to the particular use of which the applicant desires a variance and do not apply generally to all uses.
 2. That such special circumstances were not created by the applicant.
 3. That the granting of the variance will be in general harmony with the purposes of this chapter, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.
 4. The variance applied for does not depart from the provisions of this chapter any more than is required.
15. The Applicant has filed the required application for two variances as hereafter described, and has paid the applicable fee.
16. All required notice with respect to the hearing on the Applicant's request for two variances has been given as required by the Development Code.

SPECIFIC FINDINGS RE; VARIANCE REQUEST NO. 1

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

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

18. The Application meets all of the requirements of Priority Policy 80A except that portion which provides that the width of the proposed connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked. Therefore, unless a variance is granted with respect to the requirements of Priority Policy 80A, the Application will have to be denied pursuant to Section 9-1-18-2(E)(5) of the Development Code. (“If the proposed development does not implement all affected absolute policies (subject to variance) the Planning Commission shall deny the permit.”)
19. The Applicant seek a variance from the portion of Priority Policy 80A that provides that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked.
20. The Planning Commission has received and considered the evidence submitted in connection with the Applicant's request for a variance; and based upon such evidence makes the following findings with respect to the Applicant's first variance request as required by the definition of a “variance” in Section 9-1-5 of the Development Code:

- A. Although the development proposed by the Application is not in strict compliance with the portion of Priority Policy 80A which provides that the width of the connector should not exceed two-thirds of the facade of the smaller of the two modules that are to be linked, to deny the development permit would result in “undue hardship” as defined by law.

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

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

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

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

Reason/Factual Basis for Finding: The failure to implement the referenced portion of Priority Policy 80A will have no public detriment as the referenced portion is not visible from any public right-of-way. In addition, the appearance of the historic building module areas are maintained from all public rights-of-ways. See the Reason/Factual Basis for Finding under Findings A and B of this Finding No. 20.

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

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

21. The Planning Commission makes the following additional findings with respect to the Applicant’s first variance request as required by Section 9-1-11 of the Development Code:

- A. The are practical difficulties and unnecessary physical hardships associated with the Application. Such difficulties and hardships are inconsistent with the objectives of Chapter 1 of Title 9 of the Breckenridge Town Code, known as the Breckenridge Development Code.

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

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

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Finding A of this Finding No. 21.

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

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

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

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Findings A, B, C and D of this Finding No. 21.

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

Reason/Factual Basis for Finding: *Reason/Factual Basis for Finding:* See the Reason/Factual Basis for Finding under Findings A, B, C, D, and E of this Finding No. 21.

Accordingly, the Applicant's request for a variance from the requirements of Priority Policy 80A providing that the width of the connector should not exceed two-thirds of the facade of the smaller of

the two modules that are to be linked, all as described in the Application and supporting documentation, is GRANTED.

SPECIFIC FINDINGS RE: VARIANCE REQUEST NO. 2

22. Priority Policy 80A provides, in pertinent part, as follows:

“A connector shall be visible as a connector. It shall have a simple design with minimal features and a gable roof form. A simple roof form (such as a gable) is allowed over a single door.”

23. As a result of the granting of the Applicant’s first variance request as described above, the Application meets all of the requirements of Priority Policy 80A, except that portion which provides that the roof of the proposed connector must have a gable roof form. Therefore, unless a second variance is granted with respect to the requirements of Priority Policy 80A, the Application will have to be denied pursuant to Section 9-1-18-2(E)(5) of the Development Code. (“If the proposed development does not implement all affected absolute policies (subject to variance) . . . the Planning Commission shall deny the permit.”)

24. The Applicant seeks a second variance from the portion of Priority Policy 80A that requires provides that a connector have a gable roof form.

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

A. Although the development proposed by the Application is not in strict compliance with the portion of Priority Policy 80A which provides that the roof of the connector shall have a simple gable roof form, to deny the development permit would result in “undue hardship” as defined by law.

Reason/Factual Basis for Finding: Based on the plan/footprint of the connector in association with the previous variance request, a gable roof form would result in a connector that would be taller than the smaller module to be connected and would create a drainage condition on Lot 80 that would result in ice and water damage to the neighboring historic structure on Lot 81. The denial of the Application under the unique circumstances presented would prevent the construction of the proposed connector element. Such action would result in undue hardship to the Applicant as that term is known to the law.

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

Reason/Factual Basis for Finding: Requiring the Applicant to comply with the referenced portion of Priority Policy 80A would create roof drainage problems between the existing two-story historic building on Lot 81, Bartlett and Shock Addition to the Town of Breckenridge (“**Lot 81**”) and the new connector on Lot 80. A gable roof form would create numerous undesirable negative effects, including, but not limited to, jeopardizing the structural integrity of the neighboring historic structure by creating a drainage

condition on Lot 80 that could result in ice and water damage to the neighboring historic structure on Lot 81. Not implementing the referenced portion of Priority Policy 80A is therefore necessary to adequately protect the neighboring historic structure on Lot 81. All such factors lead to the conclusion that the failure to implement the requirements of Priority Policy 80A, providing a true gable roof form is of insignificant proportions.

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

Reason/Factual Basis for Finding: The failure to implement the referenced portion of Priority Policy 80A will have no public detriment as the referenced portion is not visible from any public right-of-way. In addition, the appearance of the historic building module areas is maintained from all public rights-of-ways. See the Reason/Factual Basis for Finding under Findings A and B of this Finding No. 25.

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

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

26. The Planning Commission makes the following additional findings with respect to the Applicant's second variance request as required by Section 9-1-11 of the Development Code:

- A. There are practical difficulties and unnecessary physical hardships associated with the Application. Such difficulties and hardships are inconsistent with the objectives of Chapter 1 of Title 9 of the Breckenridge Town Code, known as the Breckenridge Development Code.

Reason/Factual Basis for Finding: The existing two-story historic building on Lot 81 is located only about 1.5 feet from Lot 80's southerly property line. Currently, with Lot 80 vacant, water, snow and ice have enough permeable open ground and sunlight to disperse the moisture. With the development of Lot 80, this permeable space will be greatly reduced. Additionally, the design of a connector (as described in Priority Policy 80A), would concentrate this moisture, snow and ice surrounding the historic structure on Lot 81; and could thereby jeopardize the structural integrity of the historic structure on Lot 80. Further, requiring the Applicant to comply with the referenced portion of Priority Policy 80A would create would result in ice and water damage to the neighboring historic structure on Lot 81.

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

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Finding A of this Finding No. 26.

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

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

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

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

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

Reason/Factual Basis for Finding: See the Reason/Factual Basis for Finding under Findings A, B, C and D of this Finding No. 26.

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

Reason/Factual Basis for Finding: *Reason/Factual Basis for Finding:* See the Reason/Factual Basis for Finding under Findings A, B, C, D, and E of this Finding No. 26.

Accordingly, the Applicant's second request for a variance from the requirements of Priority Policy 80A requiring the Applicant's connector element to have a gabled roof form, all as described in the Application and supporting documentation, is GRANTED.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **July 22, 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. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18 inch heavy duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
11. Applicant shall submit and obtain approval from the Community Development Department for a detailed design for the upper railing on the connector upper level deck.
12. Applicant shall submit a copy of the agreement with the owner of Lot 81, (The Gold Pan Saloon) to share the existing dumpster on Lot 81 for the refuse needs of this development.
13. The applicant and the owner of Lot 79 shall provide copy of a recorded pedestrian access easement between lots 79 and 80.
14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
- 15. Applicant shall provide plans showing a partial gable roof element as depicted on the submitted plans and the elimination of the upper level porch over the door accessing the upper level deck.**
16. 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.

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.
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 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.
20. 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.
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 execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 680 square feet of employee housing within the project.
24. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch..
25. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
26. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. 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)

PLUMBING/MECHANICAL SERVICES
IN MONUMENT BOX (TYP)
N. MAIN & WELLINGTON

LOT 78

LOT 79

LOT 80
3,789 sqft
0.056 acres
Address: 1035
NORTH MAIN ST

LOTS 81 & 82

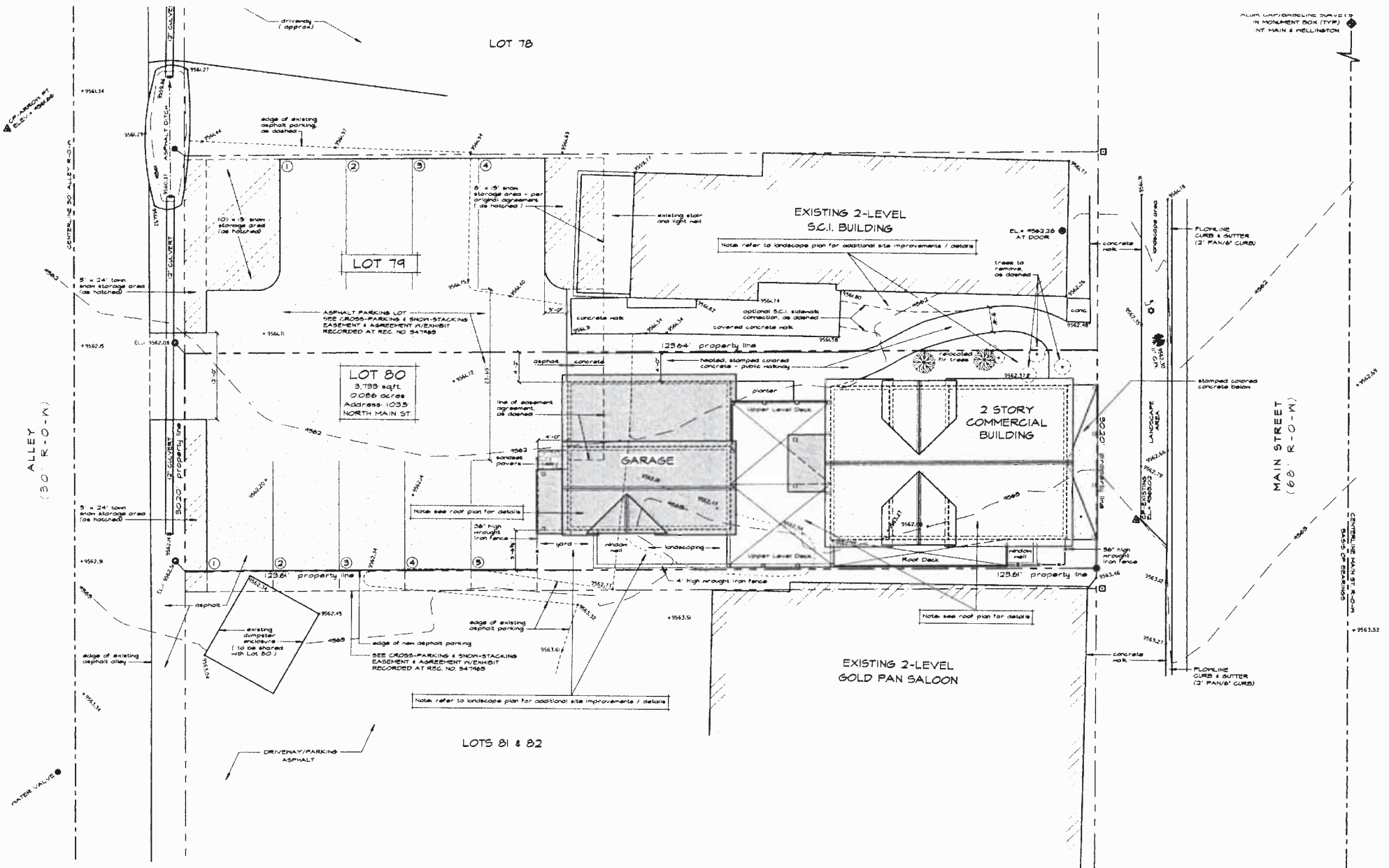
EXISTING 2-LEVEL
S.C.I. BUILDING

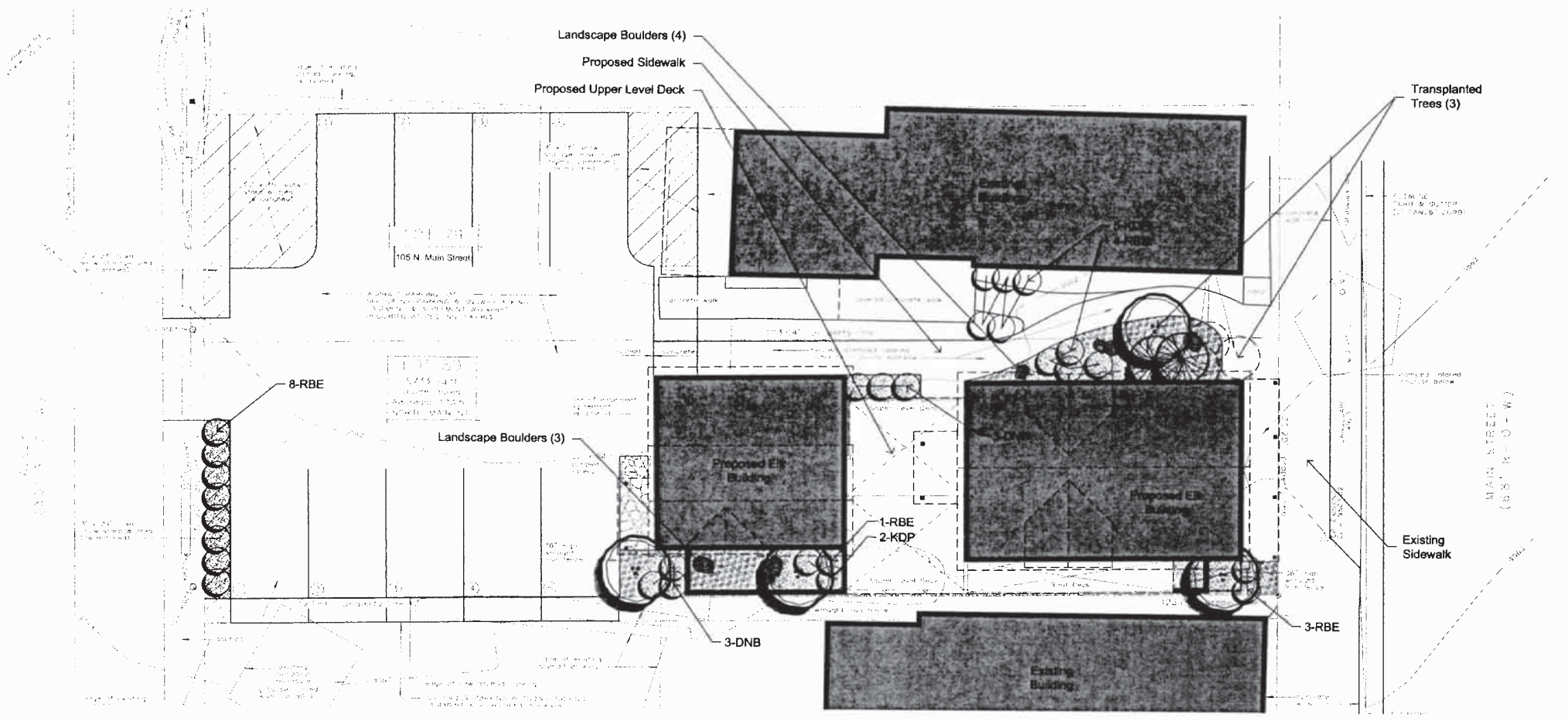
2 STORY
COMMERCIAL
BUILDING

GARAGE

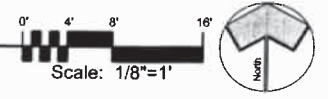
EXISTING 2-LEVEL
GOLD PAN SALOON

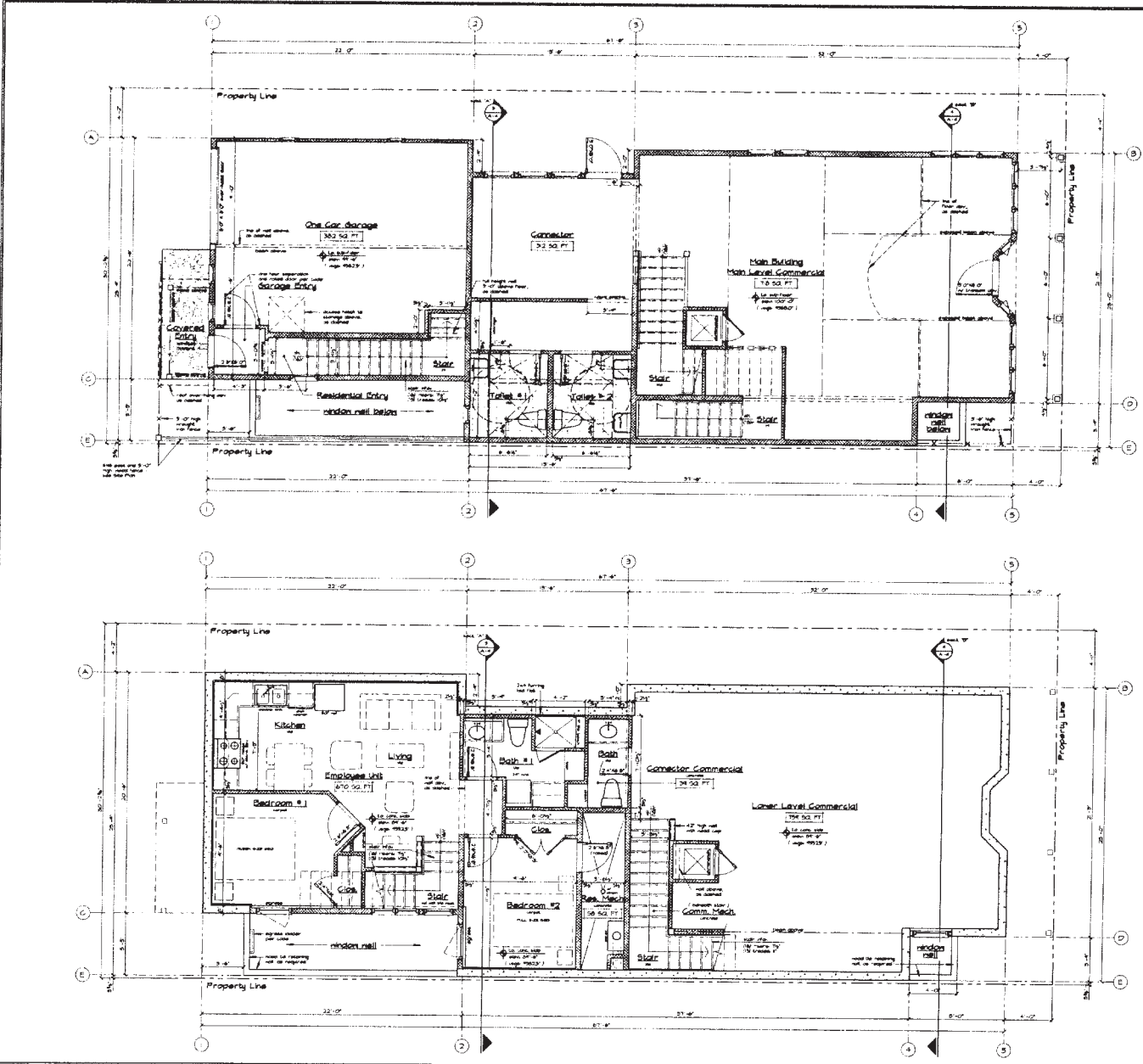
MAIN STREET
(60' R-O-W)





Landscape Concept





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

Main Level Floor Plan
Sq. Ft. Summary

Commercial	
Main Building	170 sq. ft. gross
Garage	302 sq. ft. gross
Connector	32 sq. ft.
Total Commercial Density = 1,030 sq. ft.	
Residential	
Employee Unit	470 sq. ft.
Total Residential Density = 470 sq. ft.	
Total Main Level (average ground density) = 1,500 sq. ft.	

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

Sq. Ft. Summary

Commercial	
Lower Level	154
Main Level	1,030
Upper Level	302
Total Commercial Density = 2,322	
Residential	
Lower Level	670
Main Level	10
Total Residential Density = 680	
Garage (mass only) = 302	

Lower Level Floor Plan
Sq. Ft. Summary

Commercial	
Main Building	154 sq. ft.
Connector (Bath)	34 sq. ft.
Total Commercial Density = 170 sq. ft.	
Residential	
Employee Unit	670 sq. ft.
Comm. Meas.	10 sq. ft. gross
Total Residential Density = 670 sq. ft.	

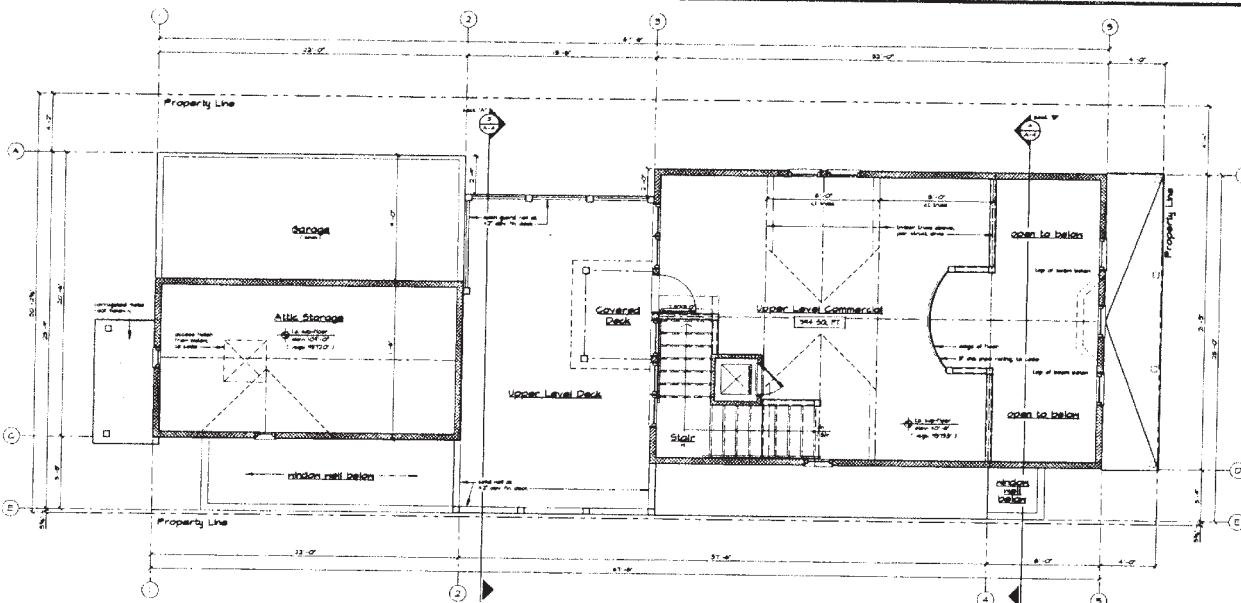
Lower Level Floor Plan
Scale: 1/4" = 1'-0"

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

Floor Plans:
Main Level Plan
Lower Level Plan
Scale: 1/4" = 1'-0"
Date: 08-07-2011
Revised Date: 08-22-2011 / revised Sq. Ft.

J.L. Bissinger, Architect, P.C.
Architectural Consultant
P.O. Box 3038 • Breckenridge, Colorado 80424 • 970-433-2734
Leonard R. Crawford, Inc.
computer aided design services
P.O. Box 3853 • Silverthorne, Colorado 80488 • 970-282-1443

A-2

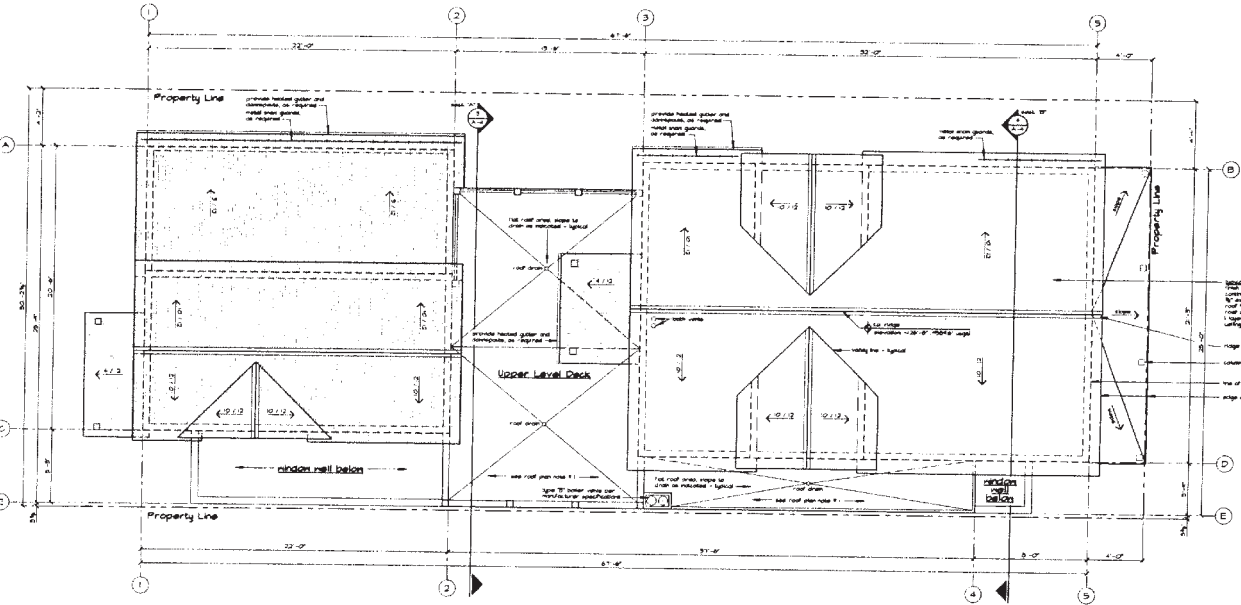


- General Notes - Floor Plans**
1. Commercial Building is required to be equipped throughout with an automatic sprinkler system as listed.
 2. Provide fire door separation in areas indicated on plan. Note doors with noted assemblies where required for shaft enclosures.
 3. All construction to be in compliance with the 2008 International Building and Plumbing Codes, the Americans with Disabilities Act (ADA) (Commercial Building) and the International Energy Conservation Code (IECC).
 4. All dimensions are to face of stud or concrete unless noted otherwise. Typical.
 5. Written dimensions precede over scaled dimensions. Verify all dimensions prior to starting work and notify architect if any discrepancies arise.
 6. All interior walls to receive sound dead treatment for full wall thickness. Typical.
 7. Verify fire sizes and requirements with mechanical contractor.
 8. Provide solid backing as required for all bathroom accessories and hardware.

Upper Level Floor Plan
 594 sq. ft. Summary

Commercial	
Main Building	594 sq. ft.
Total Commercial Density	594 sq. ft.

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



- General Notes - Roof Plan**
1. Single component, multi-layered pedestrian traffic grade membrane protection over waterproof membrane system. (Heavy duty application)
 2. Show gable design, location and restoration specifications per roofing contractor. **NOTE: PROVIDE SUMP DRAINS FOR APPROVAL PRIOR TO PRODUCTION.**
 3. Heated gutter and downspout design and restoration specifications per roofing contractor.
 4. Roof drain system design by mechanical engineer or qualified roofer contractor to be connected to proposed and existing storm sewer.
- Roof drains shown in flat roof areas are for general arrangement only. All roof drains are to be installed as required and routed through adjacent exterior walls. All roof drains to be installed and finished as required and collected in equipment level to terminate into storm drain system. Roof drains must be sized for the drainage area served and for local precipitation requirements.

- Roof edge details:
 - 1. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
 - 2. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
 - 3. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
 - 4. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
- Roof edge details:
 - 1. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
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 - 4. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
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 - 3. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.
 - 4. Provide parapet wall, exterior concrete masonry, exterior finish, and exterior waterproofing.

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

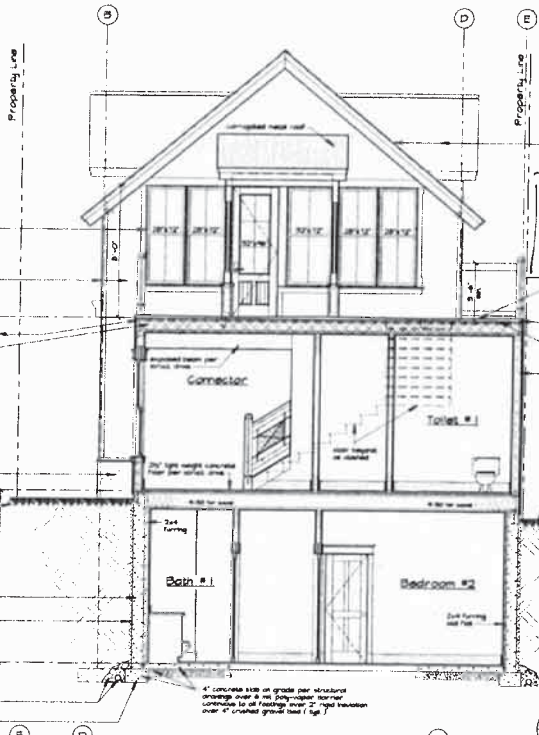
THE ELK
 LOT 80, BARTLETT & SHOCK ADDITION
 BRECKENRIDGE, COLORADO

Floor Plans
 Upper Level Floor Plan
 Roof Plan

Scale: 1/4" = 1'-0"
 Date: 04-10-2010
 Revised Date: 04-22-2010 (Revised 504)

J.L. Beckwith, Architect, P.C.
 Architectural Construction
 P.O. Box 3038 • Breckenridge, Colorado 80424 • 970-433-0718
 Leonard H. Christhead, Inc.
 Computer Aided Design Services
 P.O. Box 2853 • Silverthorne, Colorado 80490 • 970-562-1843

A-3



**WEST ELEVATION
OF UPPER LEVEL
CONNECTOR**

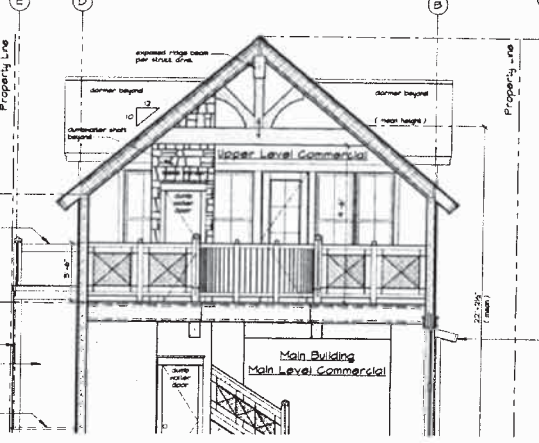
- 50 year heavy weight, asphalt composition shingles
- ridge component, multi-layered protection (traffic, grease or debris accumulation, UV oxidative material resistance system (dry lay application))
- 2" rigid weight concrete topping, install to finish as required
- (2) layers 1/2" poly phase sheathing over 1/2" 1" joists, per struct. draw
- interior exterior wall assembly exterior finish per architect elevation notes
- 1/2" exterior poly phase sheathing
- 2" x 8 stud wall @ 16" o.c.
- ceiling insulation per construction details
- 1/2" x 4" stud wall below
- interior finish per architect requirements
- existing 4" finish grade - verify

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



- LA highest ridge elevation +26'-0" (10848' aspl)
- 6" x 12 stone, staggered - typical
- 1" x 4 wrap porch beams
- garage roof beyond
- wood storefront reduce, to be painted
- columns per detail
- pilaster per detail
- 6" x 12 stone, staggered - typical
- LA sub-floor - High Level elevation 100'-0" (10800' aspl) existing and finish grade
- 1/2" of concrete foundation slab per struct. draw - as detailed
- LA conc. slab - Lower Level elevation 94'-0" (10920' aspl) 1/2" of concrete spread footing per struct. draw, 1" as detailed

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



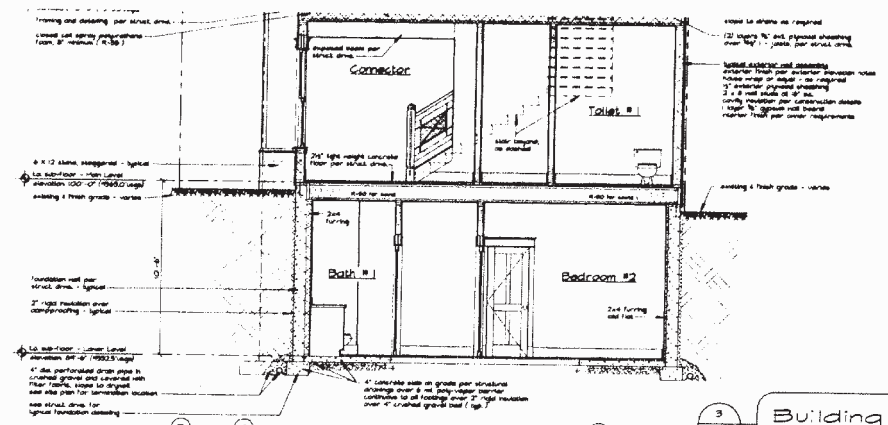
- LA highest ridge elevation +26'-0" (10848' aspl)
- 50 year heavy weight, asphalt composition shingles
- ridge component, multi-layered protection (traffic, grease or debris accumulation, UV oxidative material resistance system (dry lay application))
- 2" rigid weight concrete topping, install to finish as required
- (2) layers 1/2" poly phase sheathing over 1/2" 1" joists, per struct. draw
- interior exterior wall assembly exterior finish per architect elevation notes
- 1/2" exterior poly phase sheathing
- 2" x 8 stud wall @ 16" o.c.
- ceiling insulation per construction details
- 1/2" x 4" stud wall below
- interior finish per architect requirements
- existing 4" finish grade - verify

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

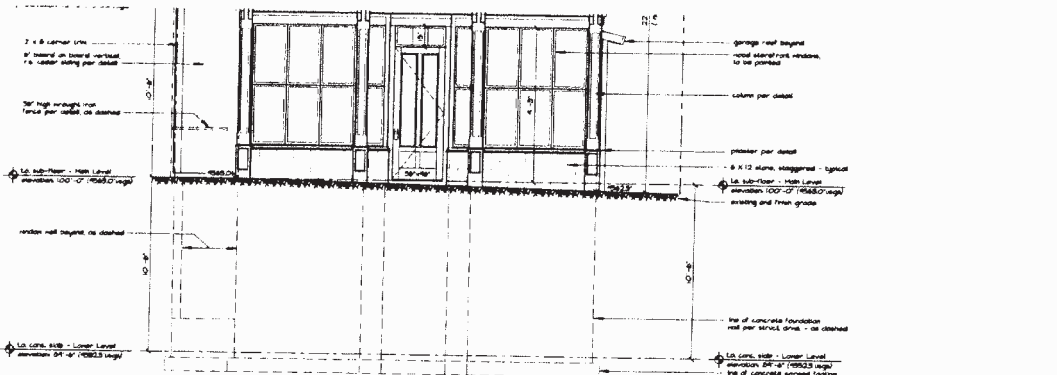


- LA highest ridge elevation +26'-0" (10848' aspl)
- 50 year heavy weight, asphalt composition shingles
- ridge component, multi-layered protection (traffic, grease or debris accumulation, UV oxidative material resistance system (dry lay application))
- 2" rigid weight concrete topping, install to finish as required
- (2) layers 1/2" poly phase sheathing over 1/2" 1" joists, per struct. draw
- interior exterior wall assembly exterior finish per architect elevation notes
- 1/2" exterior poly phase sheathing
- 2" x 8 stud wall @ 16" o.c.
- ceiling insulation per construction details
- 1/2" x 4" stud wall below
- interior finish per architect requirements
- existing 4" finish grade - verify

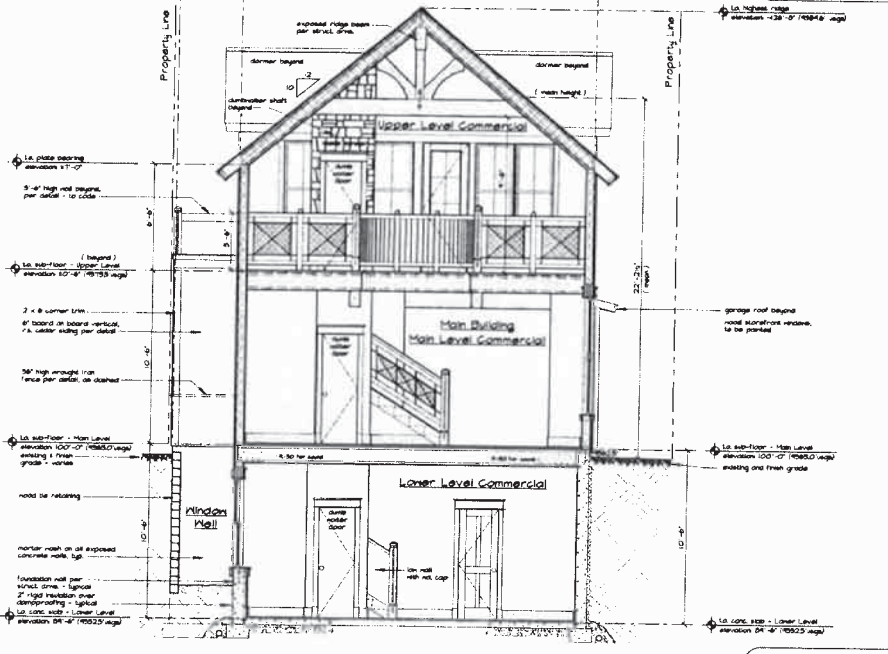
1 East Elevation
Scale: 1/4" = 1'-0"



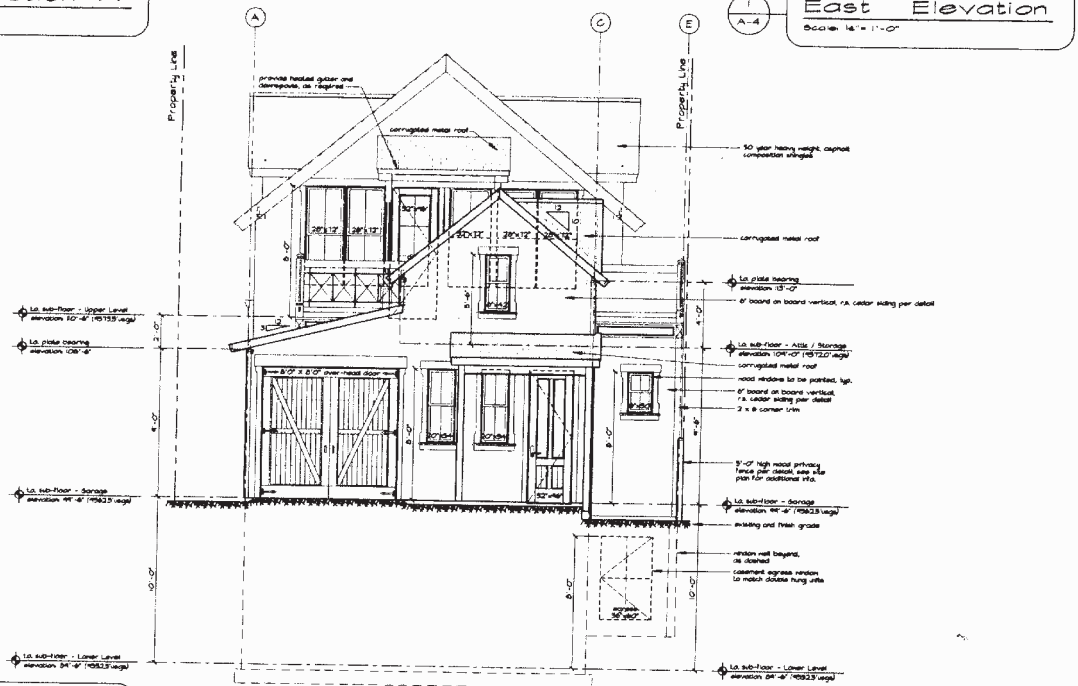
3 Building Section "A"
Scale: 1/4" = 1'-0"



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



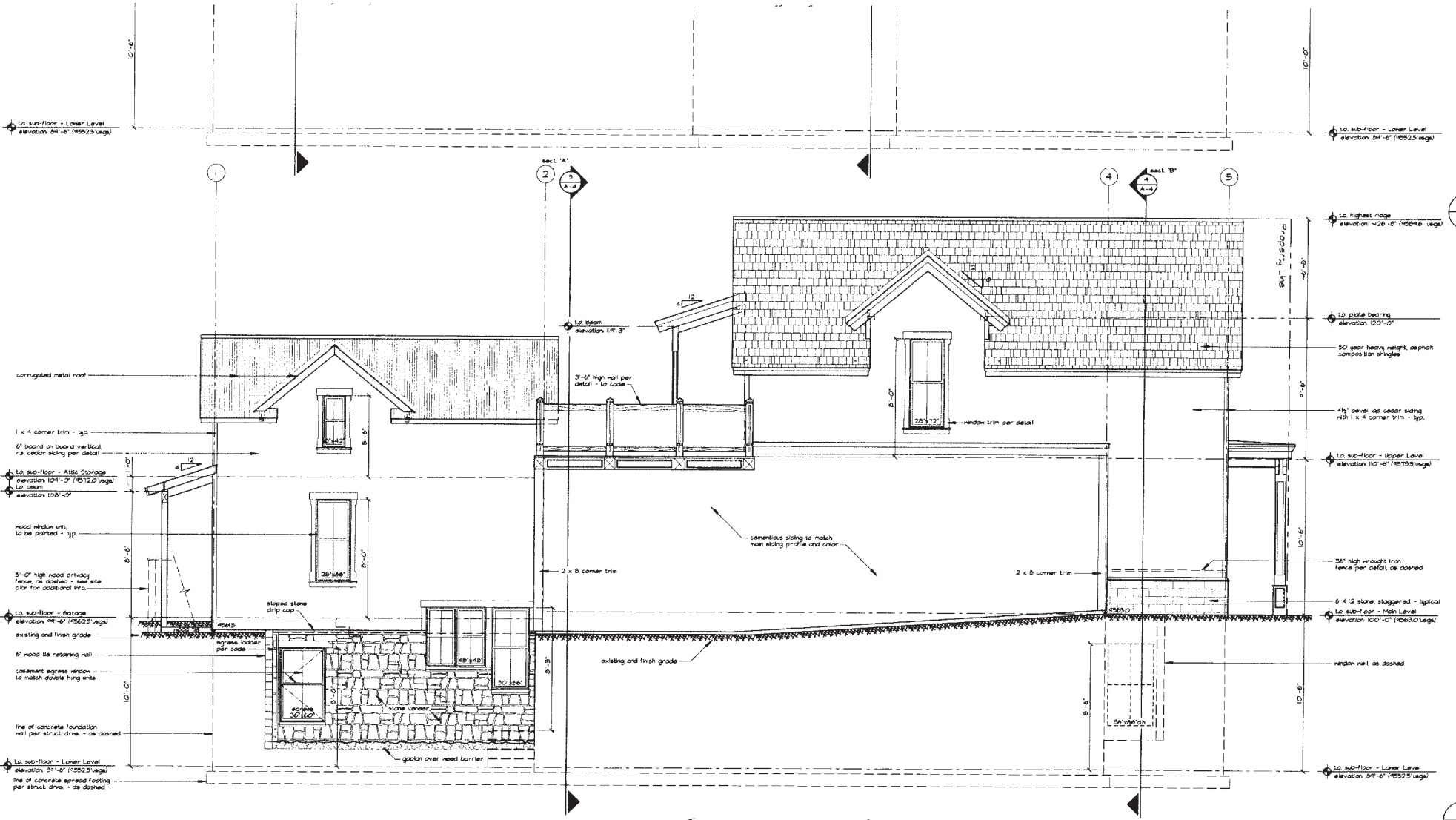
4 Building Section "B"
Scale: 1/4" = 1'-0"



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



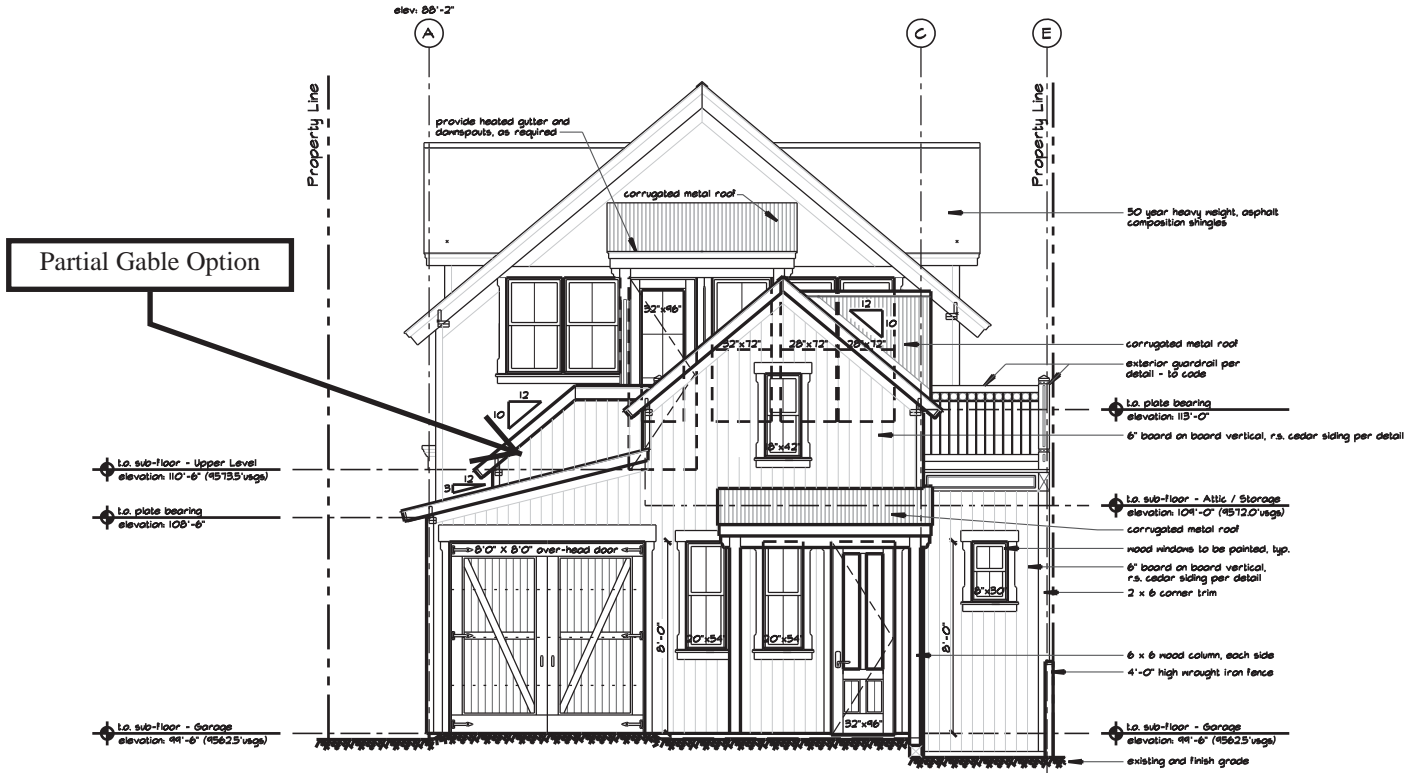
NORTH ELEVATION



SOUTH ELEVATION

1
A-B

2
A-B

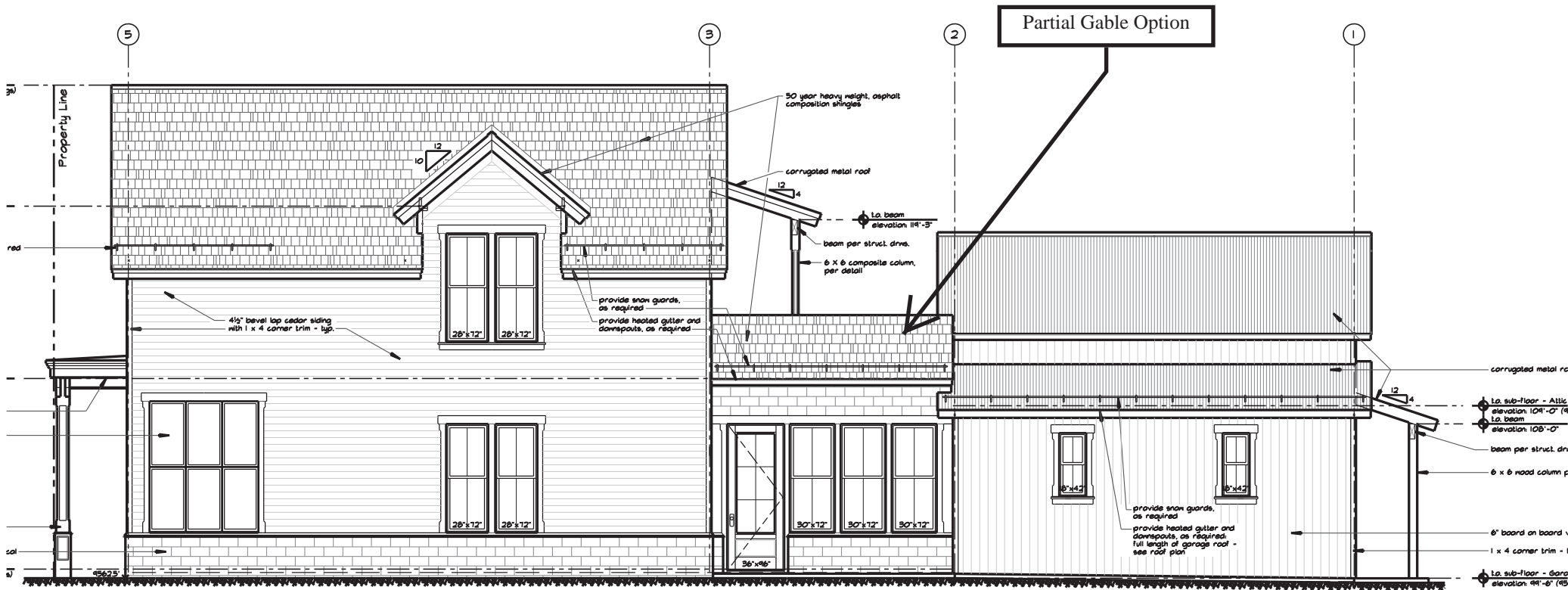


West Elevation
 Scale: 1/8" = 1'-0"

THE ELK

Connector roof code revision

Date: 07-09-2014



North Elevation
Scale: 1/8" = 1'-0"

THE ELK

Connector roof code revision

Date: 07-09-2014



MEMORANDUM

TO: Planning Commission
FROM: Julia Puester, Senior Planner
DATE: July 1, 2014 (for meeting of July 15, 2014)
SUBJECT: Approved Class C Subdivisions

Section 9-2-3-3 of the Breckenridge Subdivision Code authorizes the Director to review and approve Class C subdivisions administratively without Planning Commission review. *“Administrative Review: The processing of a class C subdivision application shall be an administrative review conducted by the director. No public hearing shall be required”.* (Section 9-2-3-3 B)

Class C Subdivisions are defined as follows:

“CLASS C SUBDIVISION: A subdivision of structure(s) into separate units of interest, including, but not limited to, condominiums, timeshare interests, cooperatives, townhouses, footprint lots in conjunction with an approved master plan, and duplexes when done in accordance with a previously approved subdivision plan, site plan, development permit or site specific development plan; the modification or deletion of existing property lines resulting in the creation of no additional lots (lot line adjustment); an amendment to a subdivision plat or plan which does not result in the creation of any new lots, tracts or parcels; or the platting or modification of easements, building envelopes or site disturbance envelopes. A class C subdivision application may be reclassified by the director as either a class A or class B subdivision application within five (5) days following the submission of the completed application if the director determines that the application involves issues which make it inappropriate for the application to be processed administratively as a class C application”.

The Subdivision Code indicates that the decision of the Director on Class C Subdivisions shall be forwarded to the Planning Commission:

“D4. Decision Forwarded to Planning Commission: All of the director's decisions on class C subdivision applications which are not appealed shall be forwarded to the planning commission for its information only”.

As a result, we have included a list of Class C Subdivisions that have been approved since you were last updated in January of 2014. If you have any questions about these applications, or the review process, we would be happy to answer. Otherwise, no discussion on this matter is required.



Permit #	Project Name	Address	Description	Approval Date	Planner
2014005	Lot 4, Block 2, Warrior's Mark West, Filing 3	20 and 42 New England Drive	Resubdivide into Lot 4A and Lot 4B to create duplex lots for individual sale	02/18/2014	Matt
2014021	Lot 5, Cottages at Shock Hill	35 Regent Drive	Create footprint lot	04/21/2014	Mosh
2014050	Unit C1, Rock Pile Ranch	1900 Airport Road, Unit C1	Subdivide existing Unit C1 into Units C1 and C2	06/30/2014	Mosh