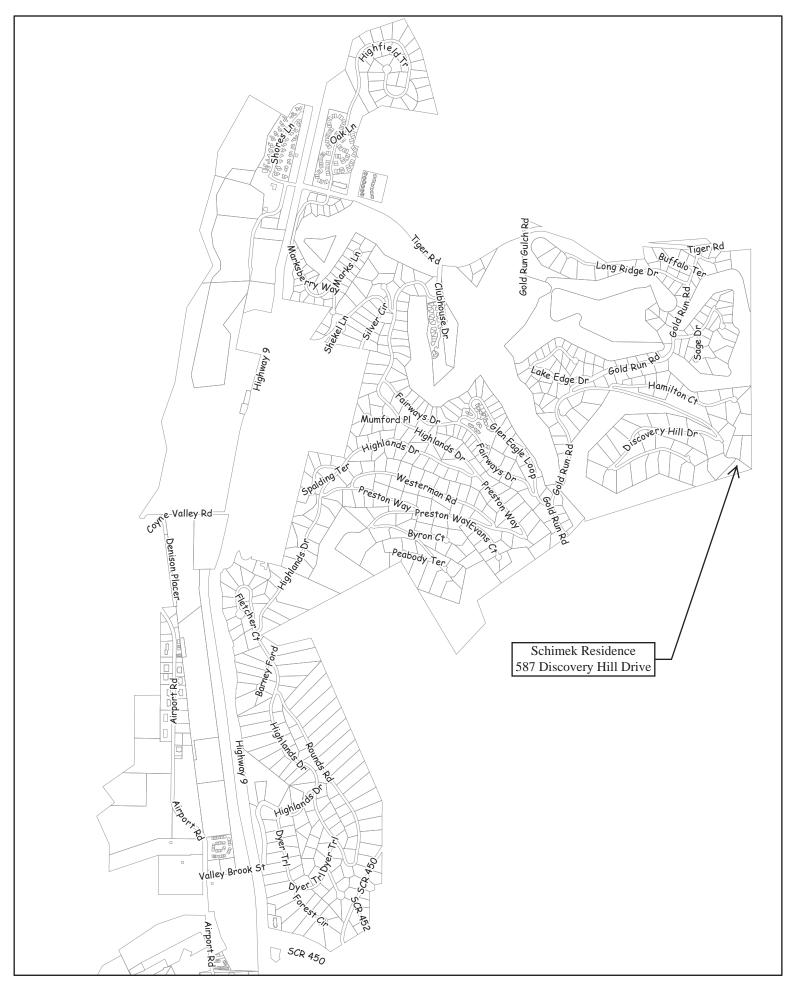


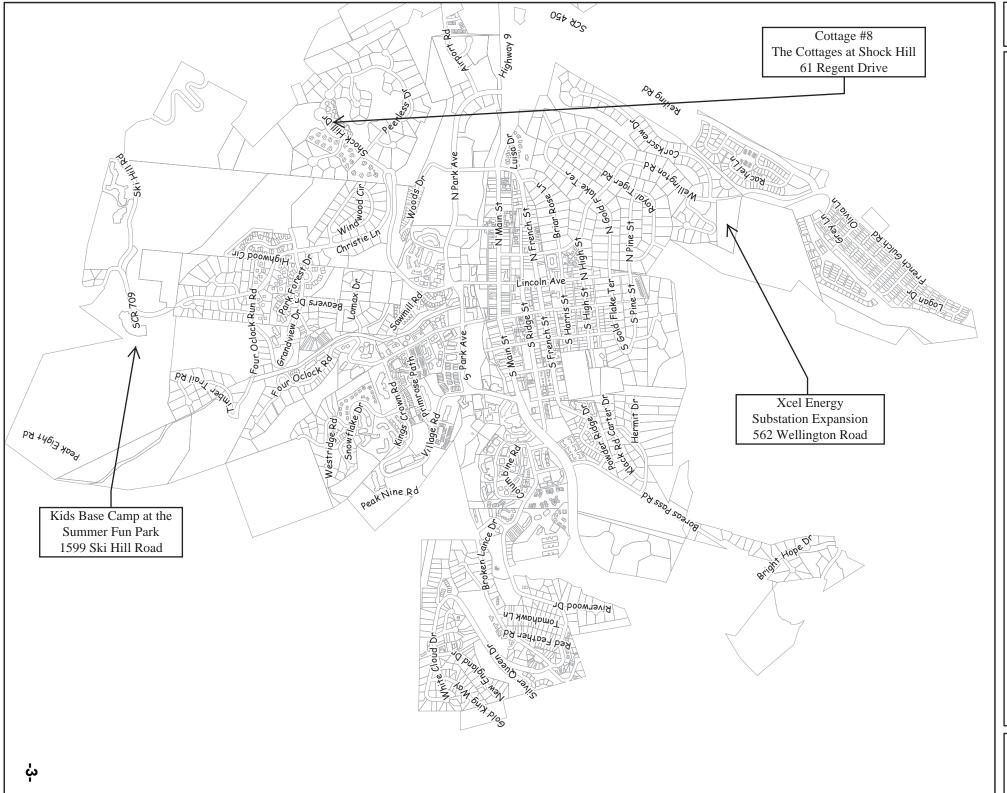
Tuesday, March 17, 2015 Breckenridge Council Chambers 150 Ski Hill Road

7:00pm	Call To Order Of The March 17 Planning Commission Meeting; 7:00 P.M. Roll Call					
	Location Map					
	Approval Of Minutes					
	Approval Of Agenda					
7:05pm	<ol> <li>Consent Calendar</li> <li>Kids Base Camp at the Summer Fun Park (JP) PL-2015-0020; 1599 Ski Hill Road</li> <li>Cottage #8, The Cottages at Shock Hill (SG) PL-2015-0031; 61 Regent Drive</li> <li>Schimek Residence (MM) PL-2015-0036; 587 Discovery Hill Drive</li> </ol>	10 21 34				
7:15pm	Town Council Report					
7:30pm	<ul> <li>Combined Hearings</li> <li>1. Xcel Energy Substation Expansion (JP) PL-2015-0024; 562 Wellington Road</li> </ul>	46				
8:15pm	Adjournment					

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

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







# PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

# ROLL CALL

Eric Mamula Gretchen Dudney Kate Christopher

Ron Schuman Dan Schroder Jim Lamb

Dave Pringle

Ben Brewer, Town Council Liaison

# **APPROVAL OF MINUTES**

With no changes, the February 17, 2015, Planning Commission Minutes were approved as presented.

## APPROVAL OF AGENDA

With no changes, the March 3, 2015, Planning Commission Agenda was approved as presented.

## **WORKSESSIONS:**

1) Transit / Shuttle Points (MGT)

Mr. Thompson presented. The Planning Commission has expressed some concern with how positive points have been awarded for non-auto transit systems (i.e., private shuttle service) proposed with new development. In the past, Staff and the Planning Commission have awarded positive points for the inclusion of non-auto transit systems under this policy.

The Planning Commission has recently expressed concerns that most of the larger lodges and condo-hotels include shuttle service as part of their business model and that there may be no need to incentivize this through awarding positive points. Staff suggests that positive points should still be considered for providing shuttle service, as it still could provide an incentive on certain projects. If the Planning Commission feels that four is too many positive points, one option could be to lower the multiplier to two (2) positive points.

# Precedent:

- 1. Breckenridge Mountain Lodge Redevelopment: positive four (+4) points for shuttle system with covenant.
- 2. Welk Riverfront Resort, Breckenridge Condo-Hotel: positive four (+4) points for shuttle service with covenant.
- 3. Breckenridge Grand Vacations Lodge at Peak 8: positive four (+4) points for guest shuttle service.
- 4. Grand Timber Lodge at Peak 7: positive four (+4) points for guest shuttle service.
- 5. Mountain Thunder Lodge: positive four (+4) points for guest shuttle service.
- 6. Highland Greens Lodge: positive four (+4) points for guest shuttle service.

Staff requested Planning Commission input on the amount of positive points that should be awarded for provision of non-auto transit systems.

## Commissioner Questions / Comments:

Mr. Schroder: The current four points, does that inhibit us from changing it for future applicants? (Mr.

Thompson: Other points have changed over time, so I don't think this is a problem.)

Mr. Mamula: Have we had any problems with lodging commitments being fulfilled? (Mr. Mosher: No, in

fact, a couple of cases they've bought extra vans.) (Mr. Thompson: Another point is that transit encourages economic benefits, providing jobs for residents. Beaver Run and Highlands Green run all the time and provide full time jobs. Also, in assignment of multipliers (9-1-17-4) a two multiplier is moderate importance, a three is average, four is

relative significant community importance.)

Mr. Schuman: As VR gets bigger is there a thought on their part if they will cut down on service? We have

good coverage between the Stage and the Town; if one of those pieces fall out that could be an issue? (Mr. Thompson: That is always a possibility if the Town falls on hard times.) Do you have any idea that 5 years from today there will be decrease in transit?

Mr. Brewer: I don't think that we as the Town could ever achieve perfection in transit. It can always be

better. The Breck Transit system is something that we committed to and may be even

enhanced over time.

Mr. Mamula: There currently isn't any duplication of service now.

Mr. Brewer: That is true, but there are a lot of complaints of the Vail run service because they are older

buses and they run routes that serve the ski area. We have to build a system for "Easter Sunday" but it can't run efficiently year round. So the ski area scales up with lots of people in town and scales back down easily. The Town's system has more routes, more fulltime employees so it is hard to scale back easily. Lots of smart people are working on this but we

have a long way to go.

Ms. Dudney: Which ones are the Vail buses?

Mr. Mamula: Vail runs to the free lots and to Peak 8 and Peak 9. The old school buses are the ski area

buses. There has been talk for a long time about consolidating all the bus systems.

Mr. Pringle: I have a problem when four positive points was awarded at the Breckenridge Mountain

Lodge because they were using the shuttle to mitigate their parking problem which was reduced requirement because of the Development Agreement. They shouldn't get points for something that they have to do because they don't have enough parking. (Ms. Puester: I think that type of concern is something that needs to be addressed in the Development Agreement phase and have a discussion with the Council at that time.) If you meet your absolute parking requirement and provide a shuttle then you should get the four positive points. If you don't meet the parking requirement, then you should get less than the four points. (Mr. Mosher: Parking is an absolute in the code; this is only waived or addressed in the development agreement.) I'm ok with the four positive points but I'm not in favor of the

double dipping when they get to reduce their parking.

Mr. Mamula: That is strictly in the Council realm, so we can't address it ourselves. It needs to be a broader

discussion with the Council for when they write a development agreement.

Mr. Brewer: That has been a very well discussed item at the Council. The current Council believes that

the development agreement is the development agreement. This is used as an end around to address situations like this. They are used to encourage specific things that the Council wants. Speaking for myself I do agree with you. I would approach it from the other end like putting requirements on service levels for the shuttle and put it in the covenants for the HOA. I would want to see them commit to some service level that is appropriate for some

service level of their guest occupancy.

Mr. Pringle: We can't make provisions for the future. (Ms. Puester: That can only be addressed by the

Development Agreement. You did put Development Agreements and double dipping of points as a future discussion to have on our Top Ten list. Tonight's discussion is just on Policy 25.) We are really talking about four positive points that providing a shuttle is not

mitigation to a prior agreement.

Mr. Mamula: But that ties the hands of Council for making a Development Agreement. Council has to

have a broader view of things than the Planning Commission; they are the elected legislative

officials we are not.

Mr. Pringle: I think we should have a loyalty to the fidelity of the code.

Mr. Mamula: This is strictly about is this worth two or four points.

Mr. Brewer: I think Mr. Pringle that you made this point that the Council will read this and take it into

consideration. With this Council we have had to address or make a Development

Agreement. We have not had time to discuss Breckenridge Mountain Lodge issues.

Ms. Dudney: I'm fine with the four points; my issue is with the double dipping in the Development

Agreement, as was the case with Breckenridge Mountain Lodge. The next time that an

Agreement comes up it can be addressed as Staff can raise it as a consideration.

Mr. Brewer: The Council reads the minutes on a Work Session discussion from the Planning

Commission.

Ms. Dudney: When you do give four points for a shuttle, do we actually ask them about specifics of when

and how it will run? (Mr. Mosher: It varies by development and as for Breckenridge Mountain Lodge; it is in their covenant.) It could be that the shuttle is set up correctly, at the

right frequency.

Mr. Mamula: I don't think that this has been a problem; it is part of their service level. So maybe the

question is if this is a service level, should they be getting four points for something they

would have done anyway.

Ms. Dudney: It doesn't sound like people haven't been doing it.

Mr. Pringle: It would be nice to see that we are getting value in return for getting these four positive

points. We need to identify the level of service or the value we are getting from that shuttle. Also, we should take bus stops, not at the next condo project that comes along, but put them where the transit department thinks it should go. I don't think we are looking for a lot of stops now but for strategic stops. (Mr. Thompson: We are doing that already, running bus stops through transit department when a project comes along. They have standards for distance between stops and density; hence we get them in the right locations.) This is an argument at Wellington Neighborhood. (Mr. Mosher: One thing that we would like to encourage is a bus shelter at a bus stop.) Could we standardize shelters? (Mr. Mosher: They

are expensive to build so we currently don't do this.)

Mr. Lamb: I am not concerned with service, I don't think anyone is abusing this; it is part of their

business model. I can live with dropping this down to two points, but also fine with four

positive points.

Ms. Christopher: I could go with two or four points, but I think double dipping is not good.

Mr. Schroder: Mr. Thompson's definition of the multipliers that he read from the Development Code of

why you give four points convinced me it should be left at four points. We put significance on reducing cars, so I believe that it does place significant importance, so I'm going with

four points.

Mr. Schuman: I think it is time to move to two positive points.

Mr. Mamula: I think we keep it like it is; this is a much bigger commitment to a developer in maintenance,

gas, and employees salaries. I think based on this discussion the majority of the Planning Commission is in favor of keeping this at four positive points, and the policy stands as is.

## **TOWN COUNCIL REPORT:**

Mr. Brewer:

- We passed an ordinance amending enforcement of the Town sign ordinance. We gave very clear direction that Town staff should approach this step by step. The outcome is that we didn't change the sign code but we are changing enforcement, which means the first and second offense will mean tickets and the third will be a summons to court. There are a lot of violations out there and we are going to ease them back to compliance. The first ticket is \$100, second is \$250, when they go to court it is up to a \$500 fine. The vast majority of business owners want to comply. The Town Council will be going on a Town field trip to look at signs and understand the code better. (Mr. Lamb: By the way, the Harris St. Building has two sandwich boards that say no parking.) (Mr. Mosher: They are temporary signs about parking; they've had problems with skiers using these lots and working on a better solution.) I got feedback that the sandwich boards about parking were very effective in reducing skier parking. So they are working on preparing permanent signs.
- New Business: We passed on first reading the unlawful extraction of marijuana concentrate that use flammable materials that cause horrific injuries and fires. There are still some methods that don't involve flammable materials and those caveats are in place to protect parents who are concentrating it for their kids who have seizures.

- We conveyed the Pinewood 2 Village parcel to the LLLP that will be handling the construction of that project.
- We had two resolutions for making supplemental appropriations to the 2014 budget and then a second supplemental appropriations resolution for the 2015 budget. Moving money around for all good reasons.
- We had a lengthy discussion concerning the deadline for comments for the USFS comment period for summer activities at the ski area. We had a letter prepared but the Town Council decided not to send a letter as a group but as private individuals. The BOCC drafted a letter that was forwarded to Council for review. The director of the White River National Forest did come and speak to us and listened to our questions. There was no consensus by the Council what the content the letter should have and by some people that there was not enough time to discuss and submit a letter. I personally wanted us to submit a letter, but we didn't. The proposal does include a fixed zip-line in Ore Bucket which would involve a lot of towers and Jeep tours above timber line and a very high zip-line crossing Sawmill Gulch. I think it is a very important community issue that I wish we had taken more time to comment on. I think that the comments that we made to the Forest Supervisor were heard.

# **TOWN PROJECT HEARINGS:**

1) Breckenridge Theater (MM) PL-2015-0025, 121 South Ridge Street

Mr. Mosher presented a proposal to remodel and add to the existing 4,102 square foot building. The proposed work includes a combined 2,231 square foot addition to the existing building and remodel of the performance stage and seating area. The additions will include a new lobby, dressing rooms, storage, and increased wing space for the performance stage. Related site work and landscaping will be included in the project.

The Town's 1972 property files show a building constructed in 1968 on Lots 5 and 6 changing from a plumbing shop to a restaurant (The Electric Pizza Company/Dan's Dairy Depot). Shamus O'Toole's occupied the building from 1976 until the Town purchased it in 2002. It was converted to a theater (with the principle tenant over the years being the Backstage Theater) and cultural arts exhibit space. A small addition was located off the west end in 2003. The needs of the theater and its adjacency to the Art's District warrant the proposed addition.

The recommended above ground density in this Character Area on this lot is 3,301 square feet or 9 Units per Acre (UPA). The existing building at 4,012 square feet is at 10.94 UPA and is non-conforming. The above ground density for the building with the addition is 6,333 square feet or 17.27 UPA and will increase the nonconformity. Staff believes that the Theater addition is compatible with the historic and current commercial uses along this portion of the block.

The proposed density increases the nonconforming density and fails the absolute limit of 10 UPA under Policy 24/A but, is a public use building along a block that was, and still is, primarily commercial use. With the exception of failing absolute Policy 24/A, the nonconforming above ground density, the proposal abides with all other absolute policies. Staff has not identified any negative points for the project.

This is a Town Project pursuant to the ordinance amending the Town Projects Process (Council Bill No. 1, Series 2013). As a result, the Planning Commission is asked to identify any concerns with this project, and any code issues. In addition, the Commission is asked to make a recommendation to the Town Council. The Planning Department recommended acceptance of the Point Analysis for the Breckenridge Theater Expansion (Town Project; PL-2015-0025). The Planning Department also recommended approval of the Breckenridge Theater Expansion (Town Project; PL-2015-0025).

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

Commissioner Questions / Comments:

Ms. Dudney: There appears to be a conflict in the report. South End character area or is it North End?

Isn't the UPA 12 instead of 19 for the South End? (Mr. Mosher: It is South End, but the

result is exactly the same for the above ground density overage.)

Mr. Pringle: Is it possible for Planning Commission to take a non-conforming building and increase the

non-conformity? (Mr. Mosher: As a public building and for the public need this is allowed under the Town Projects ordinance. There is definitely a public need for this building but the

Council can make these decisions, not the Planning Commission.)

Ms. Dudney: Can't we ask for rezoning ordinance to address the above ground density overage? For the

Town to grant an exception for itself is a conflicting message just like the heated sidewalks that should be getting negative points. These points should then be offset with landscaping or energy savings. (Mr. Mosher: Policy 33/R specifically allows heated surfaces for the

health, safety and welfare of the general public. This is a recent change to this policy.)

Mr. Pringle: I think if the Town wants to do this and turn its back on the code then it has the prerogative,

but it doesn't sit well that we can sit here and overlook the deficiencies in these projects and not award negative points. I think we need to have fidelity to the Code and analyze them the same way we would any other project and send it to Council. (Mr. Grosshuesch: The role Staff and the Commission have in this setting is to point out where the policies don't comply

with Code.) I think we should indicate which of the policies fail.

Mr. Lamb: I too believe it fails; and anyone in the private sector would fail. I know that it is a Town

project and a good project, but we need to hold ourselves accountable. It fails an absolute

policy for above ground density.

Mr. Schroder: When I read this, I shrugged because Town is going to do whatever it is going to do. I do

think that it fails.

Mr. Schuman: It fails Absolute policy 24/A and I believe there should be negative three (-3) points on

policy 33/R. It is contradictory for what is in the code. (Mr. Mosher: Again, remember that

negative points under Policy 33/R cannot be assigned as it is a public need.)

Ms. Dudney: It could get positive points for social community and could get positive points for an energy

audit. I also think the rezoning could work.

Mr. Mamula: Outside of the failed Absolute policy it is a really nice project. However, there is no way as a

Planning Commissioner that I can approve this. (Mr. Grosshuesch: The Council took a long and hard look at moving the Theater to another location in Town and it just didn't resonate to move this out of the Arts District. The consensus recommendation was to leave it in its current location. They are aware of the density issue and they are willing to move forward despite the increased nonconformity. The court house, the high school, and the fire station all are examples and precedents for increased density for public buildings in the Historic District. This is a public building. Nobody in the private sector is gaining an unfair advantage over their competition as a result of this approval.) I understand that there is a

reason for this but we need to maintain the integrity of the Planning Commission.

Mr. Mamula made a motion to approve the point analysis for the Breckenridge Theater, PL-2015-0025, 121 South Ridge Street, showing a passing point analysis of 0 points. Nobody seconded. Mr. Mamula rescinded the motion because it failed to receive a second.

Mr. Mamula recommended denial of the Breckenridge Theater, PL-2015-0025, 121 South Ridge Street due to a failing point analysis because it fails Policy 24/A Density. Mr. Schuman seconded, the motion carried unanimously (7-0).

## **ADJOURNMENT:**

The meeting was adjourned at 8:01 pm.

Town of Breckenridge	
Planning Commission Regular Meeting	3

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Eric Mamula, Chair

# **Planning Commission Staff Report**

**Subject:** Peak 8 Summer Fun Park Base Plan Expansion

(Class C Minor, PL #20150020)

**Proposal:** The applicant is proposing an expansion of the Fun Park plan geared toward

children, showing the connectivity and layout of new summer activities at the base

of Peak 8 including a kid's rope course, kid's zipline and tubing slide.

**Project Manager:** Julia Puester, AICP, Senior Planner

**Date:** March 10, 2015 (For meeting of March 17, 2015)

**Applicant:** Jeff Zimmerman, Breckenridge Ski Resort

**Address:** 1599 Ski Hill Road

**Legal Description:** Tract C, Peak 8 Subdivision

Owner: Vail Summit Resorts

**Land Use District:** 1 (1 unit per 10 acres, Low Density Residential and Recreation)

**Site Conditions:** The Summer Fun Park is located at the base of Peak 8 near the gondola station

and to the west of One Ski Hill Place.

Adjacent Uses: North: Breckenridge Ski Area South: Breckenridge Ski Area and

One Ski Hill Place

East: Gondola Station West: Breckenridge Ski Area

**Building Height:** Allowed: 25 feet

Proposed: 20 feet (kid's zipline platform)

# **Item History**

The Summer Fun Park is open generally from June 1 to mid September. It has been in operation in some form since the 1980s with the first Class D permit (of record) issued in 1996 for the maze. The uses have expanded over time and those uses or improvements have been processed as individual Class D permits. The primary existing uses include the bungee, bounce house, alpine slide, maze, kids' castle, mini golf, climbing feature, and sluice box activity.

In 2013, Staff had requested that the Ski Area submit an overall general plan to show how all the existing fun park uses tie together and how the circulation works. In 2014, the Planning Commission approved a plan that included the existing uses as well as a new dog walk, lawn area, paved and stone walkways, new maze platform, splash ponds and additional plantings and revegetation.

# **Staff Comments**

The applicant is requesting additional improvements to the Peak 8 Fun Park geared toward children including a kid's rope course, kid's zipline and tubing slide as well as the addition of Jeep parking and circulation. This area totals an additional 35,000 square feet (0.80 acres).

Land Use (Policies 2/A & 2/R): Land Use District 1 is designated for low density residential and recreational use. This use is consistent with recreation use, surrounding ski area base and the existing fun park. No negative impacts are anticipated as a result of this proposal.

Circulation (Policies 16/A & 16/R): The circulation shown provides good access throughout the Fun Park to the different attractions for pedestrians and bikes with Jeep tours separated from these other users. (Pedestrian walking areas are shown in green, bike circulation patterns are shown in red, and Jeep parking and circulation is shown in blue on the attached plan.) The plan shows an extension of the existing 12 foot recycled asphalt walkway to continue into the park expansion area to the south with a 12 foot wide crusher fine path. Signage requiring bike dismounting is located near the gondola station and the area west of One Ski Hill Place to reduce bike and pedestrian conflicts. This is similar to bike dismount signage at the Blue River Plaza in downtown and works well. Vehicular circulation for the Jeep tours start with the parking below (northwest) of the gondola station shown in blue. The Jeeps are proposed to access the mountain up Ski Hill Road. The vehicular circulation is separate from the bike and pedestrian circulation on surface areas and roadways that are already paved. Staff has no concerns.

**Drainage/Water Quality (Policy 27 & Policy 31):** This expansion of improvements is approximately 0.80 acres in size. The Engineering Department has some concerns regarding the associated drainage and water treatment of this expansion. This location is in close proximity to Cucumber Gulch and there are inlets which connect to the 60" pipe that drains into the large detention pond in Cucumber Gulch, on the east side of Ski Hill Road. The Town is not in favor of any the drainage from this expanded area to drain into the 60" pipe, which is intended to carry clean surface and ground water that is routed directly into the Gulch. The applicant has shown drainage directed into an existing detention pond on the east side of Ski Hill Road, separate from the 60" pipe outlet. Staff has added a condition of approval to require the applicant submit a drainage and erosion control plan to the Town Engineering Department prior to any work starting. With the condition of approval, staff has no remaining concerns.

**Temporary Structures (Policy 36/A):** The tent shown is classified as a temporary structure. The Temporary Structures Policy was rewritten in 2014 and does not allow for tents unless it is associated with a short term special event which this is not. Therefore, Staff does not support the temporary tent. In discussion with the applicant, they have decided to remove the tent from this application. Staff has included a condition of approval that the tent shown is removed. Staff has no concerns.

**Parking (Policy 18/A & 18/R):** Visitors park at the Gondola lots and ride the gondola to the Peak 8 Fun Park. Adequate parking is provided in the Gondola lots to accommodate existing and future Summer Park users.

**Density/Mass (Policy 3 & Policy 4):** The summer uses and structures proposed in the base plan expansion are not considered density or mass.

**Point Analysis (Section: 9-1-17-3):** Staff conducted an informal point analysis and found no reason to assign positive or negative points for this project.

# **Staff Decision**

The Planning Department has approved the Peak 8 Summer Fun Park Base Expansion Plan, 1599 Ski Hill Road, PL-20150020, with the attached Findings and Conditions. We recommend the Planning Commission uphold this decision.

#### TOWN OF BRECKENRIDGE

Peak 8 Fun Park Base Expansion Plan 1599 Ski Hill Road PERMIT PL-20150020

#### **FINDINGS**

- 1. The project is in accordance with the Development Code and does not propose a prohibited use.
- 2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **March 10, 2015**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
- 5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **March 17, 2015**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are recorded.

## **CONDITIONS**

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires on **September 24, 2016.** In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
- 5. Applicant shall submit and obtain approval from the Town Engineer of final drainage, water quality, grading, utility, and erosion control plans prior to any work being. All drainage shall be directed to a detention pond and may not enter the 60" pipe which drains only clean water into the Gulch.
- **6.** 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.
- 7. 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.

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

# PRIOR TO THE CONSTRUCTION OF IMPROVEMENTS

- 11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, water quality, grading, utility, and erosion control plans.
- 12. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
- 13. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
- 14. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
- 15. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
- 16. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
- 17. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

# PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLETION

- 18. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 19. Applicant shall screen all utilities.
- 20. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in

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



Jeff Zimmerman Sr. Director Mt Planning Breckenridge Ski Resort PO Box 1058 Intercompany Box; BK 1 Breckenridge, CO 80424 2/3/15

Julia Puester Town of Breckenridge Community Planning PO Box 168 Breckenridge, CO 80424

Re; Class C Minor Permit application, Kids Base Camp at the Summer Fun Park

Julia,

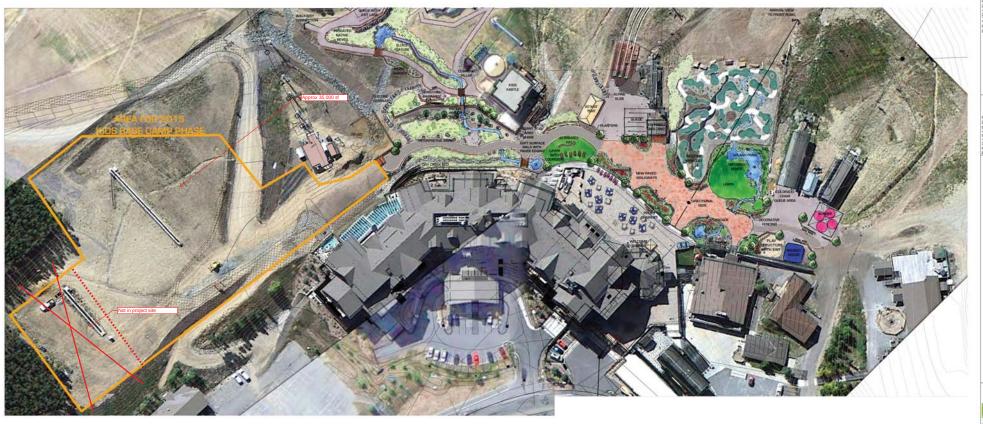
The Kids Base Camp project entails the development of new children attractions to the Summer Fun Park at Peak 8. These activities include a zip line, ropes course and tubing lane as well as site improvements and landscaping. The project was designed and programmed to augment existing activities at the Park as well as integrate with, and become a cohesive extension of, proposed onmountain activities under review by the US Forest Service. None of the activities will displace the primary function of the site as skiing terrain.

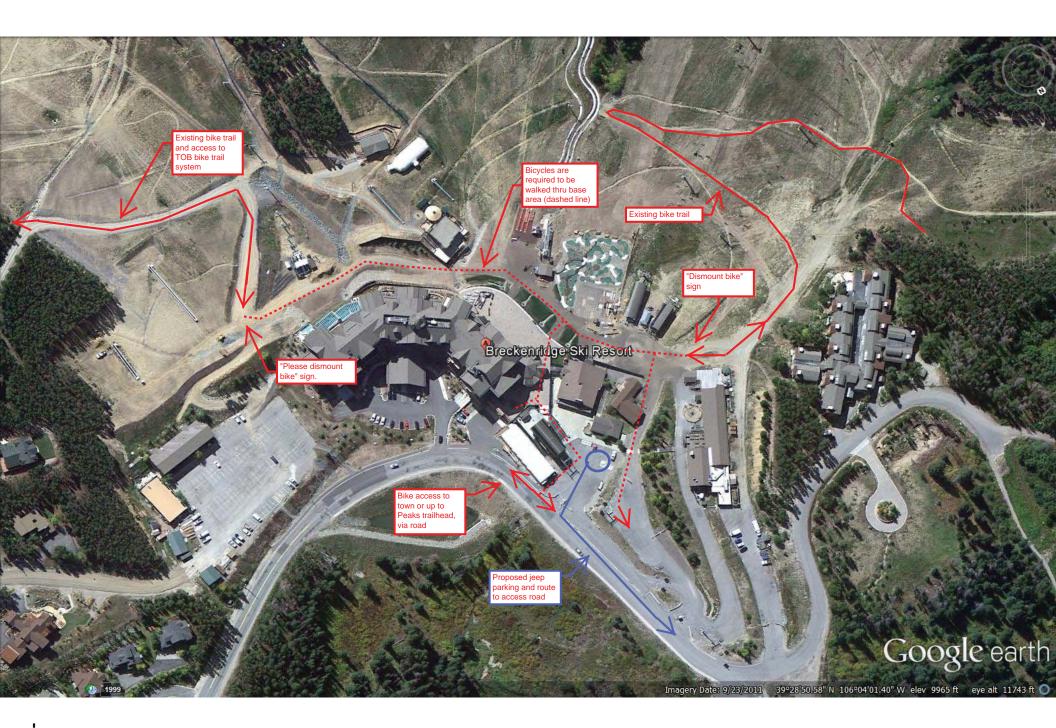
A small zip line is proposed and designed to fit the site in terms of length and slope and will remain in place on a year-round basis. While primarily a summer attraction, winter operations will be determined based on business needs. The tubing lane and ropes course will be a summer attraction only and removed during ski season. Specifications and photos of these proposed activities are attached. Of note is a small temporary tent intended for fitting guests with appropriate safety and operational equipment as well as for employee staging and operations. As mentioned the site's primary function is skiing terrain so the need for a temporary tent is important to not lose valuable ski school terrain with a permanent structure. All of these activities will be operated consistent with the schedule of the Summer Fun Park.

The proposed site improvements are intended to provide for appropriate guest services and circulation as well as operational needs such as maintenance access and surface drainage. Landscaping is designed to soften the hardscape and provide for improved site character and ambiance. There is no tree clearing involved and actually very little grading as the design primarily integrates with existing topography. Design elements such as planters, trail surfacing and re-vegetation standards are consistent with the fit and feel of the existing Park.

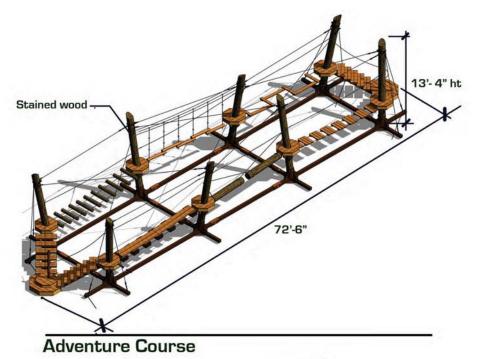
We are very excited about these improvements as they provide exciting new outdoor recreational attractions that focus on our younger guest to the Summer Fun Park. Please call and/or email with any questions.

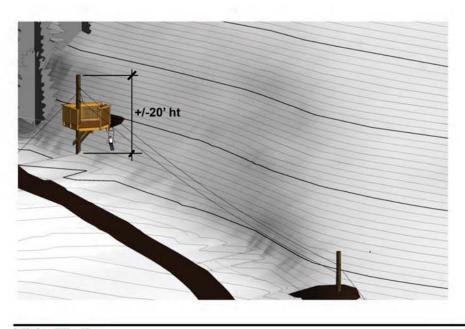
Cordially,







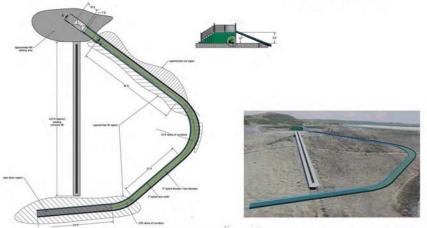




Kids Zipline



Harnassing Tent



**Tubing Hill** 



Fencing



Kids Base Camp Features

Peak 8 Fun Park





COMMUNITY DEVELOPMENT				
Class C <i>Maj</i>	or Single Family Devel	opment Review Check List		
Proposal:	Construct a new 4,084 square foot single-family residence			
Project Name/PC#:	Shock Hill Cottage #8 PL-2015-0023			
Project Manager:	Shane Greenburg, Planner I			
Date of Report:	March 5, 2015			
Date of Hearing:	March 17, 2015			
Property Owner:	Shock Hill Development, LLC			
Agent:	Breckenridge Lands, Tom Begl	ev		
Proposed Use:	Single-family residence			
Address:	61 Regent Drive			
Legal Description:	Shock Hill Cottages, Cottage #8 - (yet to platted)			
Area of Site:	Footprint Lot			
Area or one.		arealy vegetated with small to madium size ladgeneds		
Existing Site Conditions:	The site is relatively flat and sparsely vegetated with small to medium size lodgepole pine. The property is bordered by an existing residence to the east, and future residence building sites to the north and south. The west side of the property is bordered by Shock Hill Drive to the southwest.			
Areas of building:	Proposed			
Main Level:	1,624 sq. ft.			
Upper Level:	1,453 sq. ft.			
Loft Level:	416 sq. ft.			
Garage:	591 sq. ft.			
Total:	4,084 sq. ft.			
	Code Policies (Po	olicy #)		
Land Use District (2A/2R):		cre (subject to the Shock Hill Master Plan)		
Density (3A/3R):	Allowed: unlimited	Proposed: 3,493 sq. ft.		
Mass (4R):	Allowed: unlimited	Proposed: 4,084 sq. ft.		
F.A.R.	NA - Footprint Lot			
Bedrooms:	4 Bedrooms			
Bathrooms:	5.5 Baths			
Height (6A/6R):*	33 feet overall			
<u> </u>		nless otherwise stated on the recorded plat		
Lot Coverage/Open Space (21R)				
Building / Non-Permeable:				
Hard Surface/Non-Permeable:	-			
Open Space / Permeable:				
Snowstack (13A/13R):		l		
,	166 sq. ft.			
Proposed:	·	Portion snow melted (negative points)		
Outdoor Heated Space (33A/33R	' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	I. strate strate (tradiction bounts)		
(oorwoon	Yes	400 sq. ft. rear patio		
Parking (18A/18/R):	1.00	100 oq. it. four patio		
Required:	2 spaces			
Proposed:	·			
Fireplaces (30A/30R):	3 gas			
	Jo yas			
Building/Disturbance Envelope?	Footprint Lot			
Architectural Compatibility (5/A & 5/R):	This residence will be architect	urally compatible with the neighborhood.		

Exterior Materials:	Vertical - 8-inch board on board and Shake Shingle Siding - Cedar (Banyon Brown 3522); Fascia and Trim - Cedar (Charwood 3542); Natural Stone Wainscot and column bases w/ sandstone caps,		
Roof:	Asphalt Shingle - Elk Prestique	e Plus (Barkwood) with rusted metal steel accents	
Garage Doors:	1x wood siding and color to m	atch the home.	
Landscaping (22A/22R):			
Planting Type	Quantity	Size	
Colorado Spruce	11	(3)6-8', (5)10', (3)12'	
Quaking Aspen	6	(3)1" cal. (3)1.5" cal., 50% multi-stem	
Native Shrubs	25	5 Gal.	
Defensible Space (22A):	Complies		
Drainage (27A/27R):	Positive drainage away from the structure.		
Driveway Slope:	4 %		
Point Analysis (Sec. 9-1-17-3):	Staff conducted a point analysis and found the proposal meets all Absolute Policies of the Development Code and warrants the following points under the relative Policies: Negative one (-1) point under Policy 33 (Relative) Energy Conservation for 400 sq. ft. of heated patio; and positive one (+1) point under Policy 33 (Relative) Energy Conservation for obtaining a HERS Index, for a total passing point analysis of zero (0) points.		
Staff Action:	Staff has approved Cottage 8 at Shock Hill Cottages, PL-2015-0023, located at 61 Regent Drive, Cottage 13, Shock Hill Cottages, with the attached Findings and Conditions.		

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Duc!- '	Final Hearing Impact Analysis	B !!!	Daint-	1.4
Project:	Shock Hill Cottage #8	Positive	Points	+1
PC# Date:	PL-2015-0031 3/5/2015	Nam-4!	· Doints	4
		Negative	Points	-1
Staff:	Shane Greenburg	Total	Allocation:	0
	Total Allocation:   0			
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies	1 00	Commente
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 Architectural Compatibility H.D. / Above Ground Density 12	5x(-5/0)		
5/R	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)		
	For all Single Family and Duplex Units outside the Conservation			
6/R	District Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1) 1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(+1/-1) 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 13/A	Signs Snow Removal/Storage	Complies		
13/A 13/R	Snow Removal/Storage Snow Removal/Storage - Snow Storage Area	Complies 4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
		•		
15/R 15/R	Refuse - Dumpster enclosure incorporated in principal structure Refuse - Rehabilitated historic shed as trash enclosure	1x(+1) 1x(+2)		
		1x(+2)		
15/R 16/A	Refuse - Dumpster sharing with neighboring property (on site) 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)	<u> </u>	

18/18	18/R	Parking-Public View/Usage	2x(-2/+2)		
18/18					
Parking - Downtown Service Area   2x/ -2-z			· /		
19/A   Loading			· /		
Recreation Facilities		U U			
21/18					
21/12   Open Space - Public Open Space   3x(0+2)					
24/R   Social Community - Social Services					
24/R   Social Community - Historic Preservation/Restoration - Benefit   43/6/9/12/15					
			, ,		
	24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
Infrastructure			4x(-2/+2)		
Infrastructure - Capital Improvements					
Drainage - Municipal Drainage System   3x(0/+2)					
29/A     Construction Activities   Complies			- \-		
30/R					
30/R   Beyond the provisions of Policy 30/A   2x(0/+2)   31/A   Water Quality   Water Citeria   3x(0/+2)   31/A   Water Quality   Water Citeria   3x(0/+2)   33/R   Water Conservation   Complies   33/R   Energy Conservation - Renewable Energy Sources   3x(0/+2)   -1   Heated patio of approximately 400 sq ft   HERS index for Residential Buildings   33/R   Energy Conservation - Energy Conservation   3x(-2/+2)   -1   Heated patio of approximately 400 sq ft   HERS index for Residential Buildings   33/R   HERS rating = 61-80   +2   33/R   HERS rating = 61-80   +2   33/R   HERS rating = 19-40   +4   4   33/R   HERS rating = 10-40   +6   33/R   HERS rating = 0   -6   33/R   HERS rating = 0   -7   -7   -7   -7   -7   -7   -7					
Seyond the provisions of Policy 30/A   2x(0/+2)					
Mater Quality   Water Quality   Water Criteria   3x(0/+2)		Beyond the provisions of Policy 30/A			
33/R   Water Quality - Water Criteria   3x(0/+2)   Complies			/		
Signar					
33/R   Energy Conservation - Renewable Energy Sources   3x(0/+2)			. ,		
Say   Energy Conservation - Energy Conservation   Say   -1   Heated patio of approximately 400 sq ft					
HERS index for Residential Buildings				- 1	Heated patio of approximately 400 sq ft
33/R   Detaining a HERS index   +1			` ′		' ' '
33/R   HERS rating = 61-80			+1	+1	Applicant will obtain a HERS Index
33/R   HERS rating = 41-60			+2		
HERS rating = 19-40			+3		
33/R   HERS rating = 1-20					
HERS rating = 0			+5		
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/A         Public Art         1x(0/+1)           44/A         Radio Broadcasts         Complies           45/A         Special Commercial Events         Complies			+6		
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/A         Public Art         1x(0/+1)           44/A         Radio Broadcasts         Complies           45/A         Special Commercial Events         Complies           46/A         Exterior Lighting         Complies	34/A	Hazardous Conditions	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)           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	34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
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	35/A	Out at the term			
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		Subdivision	Complies		
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					
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	36/A 37/A	Temporary Structures Special Areas	Complies		
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	36/A 37/A 37/R	Temporary Structures Special Areas Community Entrance	Complies Complies		
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	36/A 37/A 37/R 37/R	Temporary Structures Special Areas Community Entrance	Complies Complies 4x(-2/0)		
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	36/A 37/A 37/R 37/R 37/R	Temporary Structures Special Areas Community Entrance Individual Sites	Complies Complies 4x(-2/0) 3x(-2/+2)		
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	36/A 37/A 37/R 37/R 37/R 37/R	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2)		
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	36/A 37/A 37/R 37/R 37/R 37/R 37/R	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2)		
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	36/A 37/A 37/R 37/R 37/R 37/R 37R 37R 37R	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) 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	36/A 37/A 37/R 37/R 37/R 37/R 37/R 37/R 38/A 39/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies 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	36/A 37/A 37/R 37/R 37/R 37/R 37/R 37/R 38/A 39/A 40/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies Complies Complies		
43/R         Public Art         1x(0/+1)           44/A         Radio Broadcasts         Complies           45/A         Special Commercial Events         Complies           46/A         Exterior Lighting         Complies	36/A 37/A 37/R 37/R 37/R 37/R 37/R 37/R 38/A 39/A 40/A 41/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies Complies Complies Complies		
44/A     Radio Broadcasts     Complies       45/A     Special Commercial Events     Complies       46/A     Exterior Lighting     Complies	36/A 37/A 37/R 37/R 37/R 37/R 37/R 37/R 38/A 40/A 41/A 42/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies Complies Complies Complies Complies		
45/A Special Commercial Events Complies 46/A Exterior Lighting Complies	36/A 37/A 37/R 37/R 37/R 37/R 37/R 37/R 38/A 40/A 41/A 42/A 43/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers Public Art	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies Complies Complies Complies Complies Complies		
46/A Exterior Lighting Complies	36/A 37/A 37/R 37/R 37/R 37/R 37/R 38/A 39/A 40/A 41/A 42/A 43/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers Public Art	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 2x(0/+2) 1x(0/-2) Complies Complies Complies Complies Complies Complies Complies 1x(0/+1)		
	36/A 37/A 37/R 37/R 37/R 37/R 37/R 38/A 38/A 39/A 40/A 41/A 42/A 43/A 43/R	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers Public Art Public Art Radio Broadcasts	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 1x(0/-2) Complies		
47/A Fences, Gates And Gateway Entrance Monuments Complies	36/A 37/A 37/R 37/R 37/R 37/R 37/R 38/A 39/A 40/A 41/A 41/A 42/A 43/A 43/R 44/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers Public Art Public Art Radio Broadcasts Special Commercial Events	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 1x(0/-2) Complies		
	36/A 37/A 37/R 37/R 37/R 37/R 37/R 38/A 39/A 40/A 41/A 42/A 43/A 43/R 44/A 45/A	Temporary Structures Special Areas Community Entrance Individual Sites Blue River Cucumber Gulch/Setbacks Cucumber Gulch/Impervious Surfaces Home Occupation Master Plan Chalet House Satellite Earth Station Antennas Exterior Loudspeakers Public Art Public Art Radio Broadcasts Special Commercial Events Exterior Lighting	Complies Complies 4x(-2/0) 3x(-2/+2) 2x(0/+2) 1x(0/-2) Complies		

#### TOWN OF BRECKENRIDGE

Shock Hill Cottage #8 Cottage 8, Shock Hill Cottages 61 Regent Drive PL-2015-0023

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

## **FINDINGS**

- 1. The project is in accord with the Development Code and does not propose a prohibited use.
- 2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **March 5, 2015**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
- 5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **March 17, 2015** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.

# **CONDITIONS**

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires eighteen (18) months from date of issuance, on **September 17, 2016**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
- 5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
- 6. Applicant shall field locate utility service lines to avoid existing trees.

- 7. An improvement location certificate of the height of the top of the foundation wall, and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
- 8. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
- 9. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

# PRIOR TO ISSUANCE OF BUILDING PERMIT

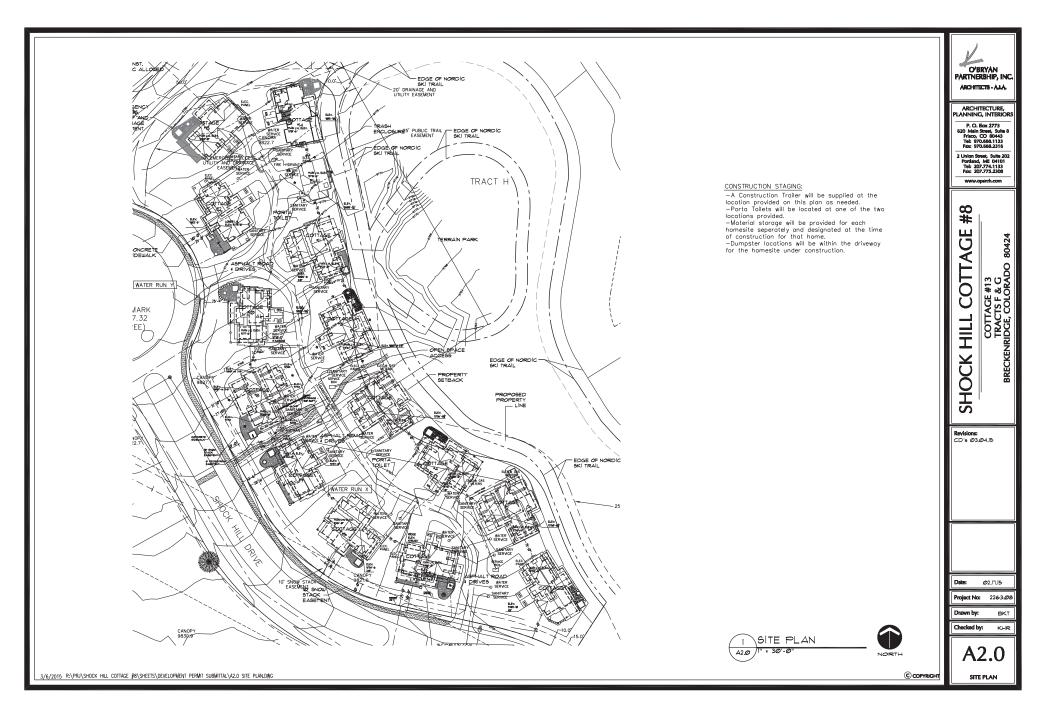
- 10. Applicant shall submit proof of ownership of the project site.
- 11. Applicant shall submit a preliminary HERS Confirmed Home Energy Rating Report prepared by a prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code, showing that the completed house has a HERS Index number.
- 12. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 13. 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.
- 14. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
- 15. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
- 16. Applicant shall 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. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.
- 17. 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.

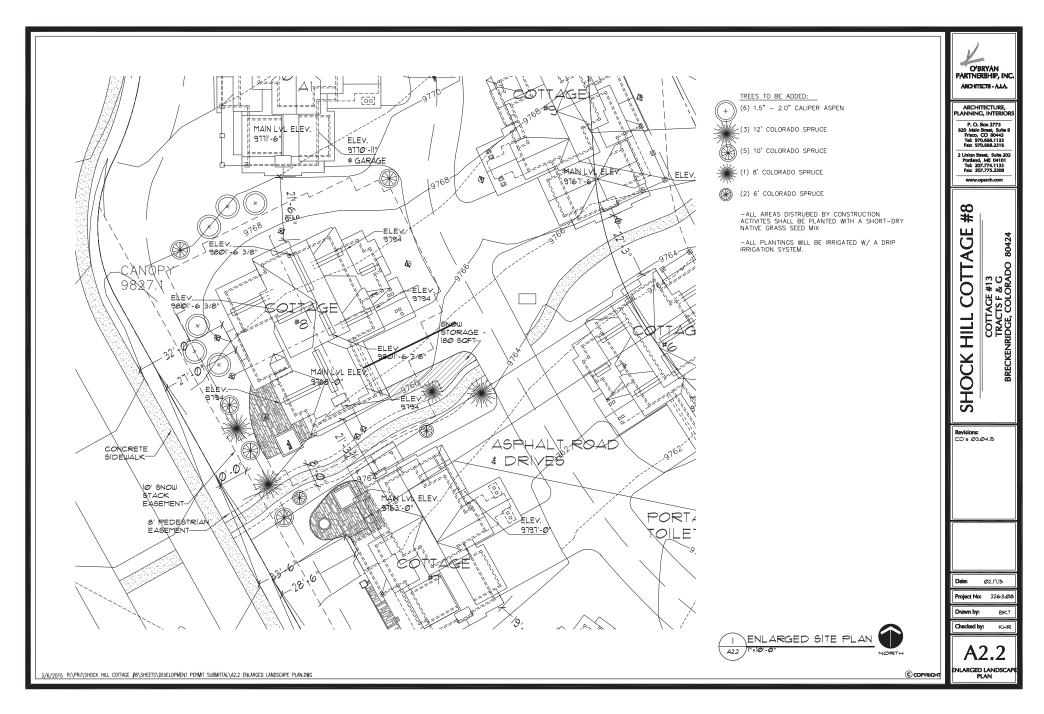
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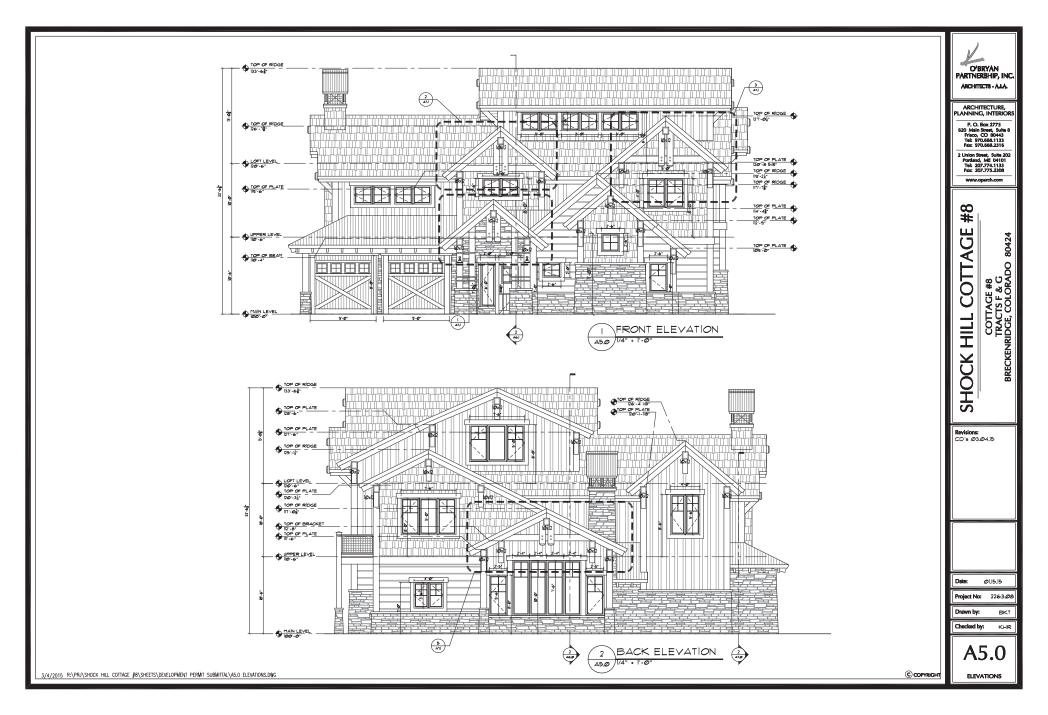
18. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.

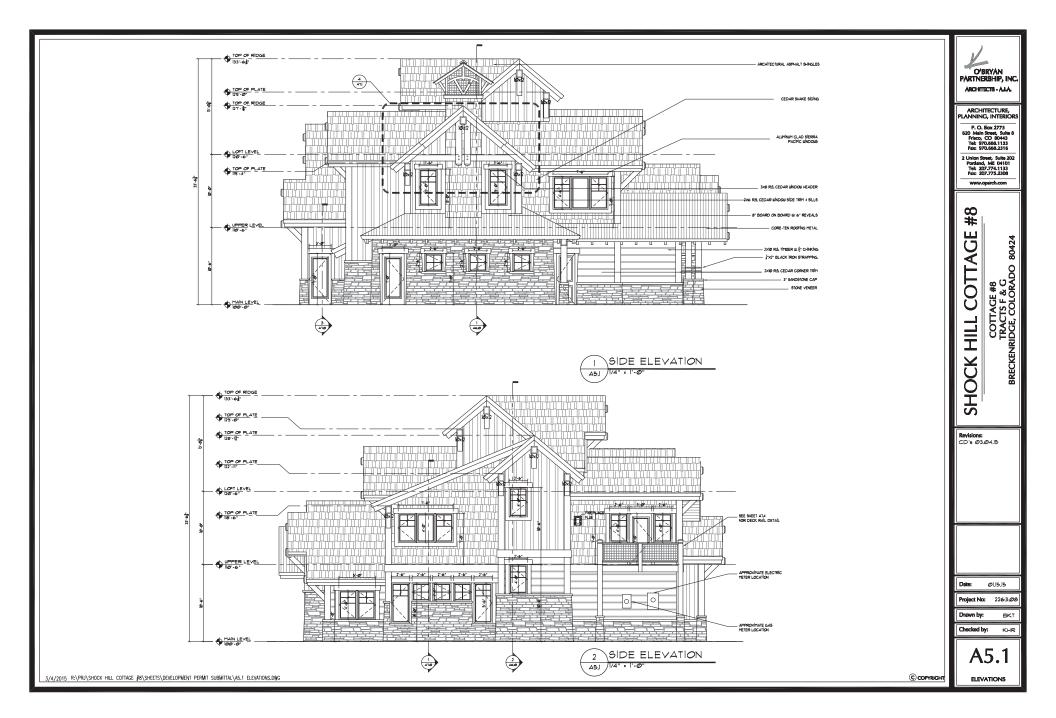
- 19. Applicant shall submit a final HERS Confirmed Home Energy Rating Report prepared by a prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code, showing that the completed house has a HERS Index number.
- 20. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
- 21. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 22. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
- 23. Applicant shall screen all utilities.
- 24. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 25. 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.
- 26. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
- 27. 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.
- 28. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

	The development authorized by this Development Permit may be subject to the development impact feet 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. <i>Applicant will pay</i>
	any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.
	(Initial Here)











<u>ASPHALT SHINGLES:</u> ELK PRESTIQUE PLUS - BARKWOOD



METAL ROOFING: COLD ROLLED STEEL (RUSTING)



<u>WINDOWS:</u> SIERRA PACIFIC ANTIQUE BRONZE Ø57

2/23/2015 R:\PRJ\SHOCK HILL COTTAGE #8\SHEETS\A1.0 COLOR BOARD.DWG



STONE



WOOD SIDING: VERTICAL SIDING SHAKE SIDING SHERWIN WILLIAMS BANYAN BROWN 3522



FASCIAS/TRIM: SHERWIN WILLIAMS CHARWOOD 3542

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ARCHITECTURE, PLANNING, INTERIORS

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www.oparch.com

rAGE #8

COTTAGE #8

TRACTS F & G

RIDGE COLORADO 9042

SHOCK HILL

 Date:
 Ø2.23.l5

 Project No:
 2263.8

 Drawn by:
 BKT

hecked by: KAO

A1.0



# **Class C Single Family Development Review Check List**

oject Title: Schimek Residence				
Proposal:	New 4,829 square foot single-family residence			
Project Name and PC#:	Schimek Residence	PL-2015-0036		
Project Manager:	Michael Mosher, Planner III			
PC Meeting Date:	March 17, 2015			
Date of Report:	March 9, 2015			
Property Owner:	Schimek Family Trust			
Agent:	Neely Architecture, Lee J. Neely			
Address:	587 Discovery Hill Drive (off a private drive extension of Discovery Hill Drive)			
Legal Description:	Third Amended Plat, The Highla	nds at Breckenridge, Discovery Hill, Filing No. 2, Lot 587		
Area of Site in Square Feet:	92,152 sq. ft.	2.12 acres		
Existing Site Conditions:	The property slopes downhill at 21% to the northeast with the disturbance envelope platted a the bottom near Discovery Hill Drive. The building envelope has few trees while the slope behind the envelope is heavily treed. A 20-foot Public Trail and Drainage Easement crosses the upper portion of the lot 170-feet behind the disturbance envelope. A large triangular Drainage Easement lies to the east of the disturbance envelope. A 22.50-foot access easement (for neighboring Lot 115) lies off the northwest end of the site.			
Areas of Building:	Proposed Square Footage			
Lower Level:	1,981 sq. ft.			
Main Level:	1,953 sq. ft.			
Garage and Mech'l:	895 sq. ft.			
Total Gross Square Footage:	4,829 sq. ft.			
	Code Poli	icies (Policy #)		
Land Use District (2A/2R):	16- Highlands at Breckenridge - Subject to the Discovery Hill Subdivision			
Density (3A/3R):	Unlimited	Proposed: 3,934 sq. ft.		
Mass (4R):	Unlimited	Proposed: 4,829 sq. ft.		
F.A.R.	1:23.42 FAR			
Height (6A/6R):*	29.75 feet overall			
*Max height of 35' for single family o	outside Conservation District <u>unless</u> otherwise stated on the recorded plat			
Lot Coverage/Open Space (21R):				
Drip line of Building / Non- Permeable Sq. Ft.:	3,913 sq. ft.	4.25%		
Hard Surface/Non-Permeable Sq. Ft.:	3,963 sq. ft.	4.30%		
Open Space / Permeable Sq. Ft.:	84,276 sq. ft.	91.45%		
Snowstack (13A/13R):				
Required Square Footage:	991 sq. ft.	25% of paved surfaces is required		
Proposed Square Footage:	1,025 sq. ft.	(25.86% of paved surfaces)		

Outdoor Heated Space (33A/33R):				
, , , , ,	NO			
Parking (18A/18/R):	-			
Required:	2 spaces			
Proposed:				
Fireplaces (30A/30R):				
Number of Gas Fired:	2 Gas Fired			
Building/Disturbance Envelope?	Disturbance Envelope			
Setbacks (9A/9R):	30' Front Yard Setback			
, ,	60' Side Yard Setback			
	95' Side Yard Setback			
	450' Rear Yard Setback			
Architectural Compatibility	TOU NEAL LAIN SELVACK			
(5/A & 5/R):	The design and materials are compatible with the surrounding neighborhood.			
Exterior Materials:	Horizontal Siding and fascia = "Messmer's Oxford Brown", Vertical Siding = "Messmer's Dark Walnut", Timber, Log accents and Soffits = "Messmer's Brown Oak", Base and columns = "Natural Moss Rock"			
Roof:	Tamko Rustic Slate asphaltic shingles w/ Berridge non-reflective Dark Bronze Metal			
Garage Doors:	Wood veneer to match vertical siding.			
Landscaping (22A/22R): Staff notes that the existing site is heavily treed with conifers, hence the increase in aspens in the tree counts.				
Planting Type	Quantity	Size		
Colorado Spruce	2	1@10-feet tall and 1@12-feet tall		
Bristlecone Pine	3	8-feet tall		
Aspen	24	12@2-inch caliper - 12@3-inch caliper		
Defensible Space (22A):	Complies			
Drainage (27A/27R):	Positive drainage away from project site.			
Driveway Slope:	8.0 %	Retaining walls at driveway are 6-feet tall when 4-feet is recommended. Negative four (-2) points incurred (Policy 7/R - Site and Environmental Design		
Point Analysis (Sec. 9-1-17-3):	This application has been awarded negative four (-2) points under Policy 7/R for the retaining walls. The applicant will obtain a HERS index rating between 61-80 for positive two (+2) points. This has been added as a Condition of Approval. The passing score is zero (0) points.			
Staff Action:	Staff has approved the Schimek Residence PL-2015-0036 with a passing score of zero points along with the attached Findings and Conditions.			
Additional Conditions of Approval:	14. & 25. Applicant shall obtain a Home Energy Rating System (HERS) Projected Home Energy rating certificate prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code. This Home Energy Rating Certificate must show an index that meets or exceeds a HERS Index of 80.			

#### TOWN OF BRECKENRIDGE

Schimek Residence Third Amended Plat, The Highlands at Breckenridge, Discovery Hill, Filing No. 2, Lot 587 587 Discovery Hill Drive PL-2015-0036

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

## **FINDINGS**

- 1. The project is in accord with the Development Code and does not propose a prohibited use.
- 2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **March 9, 2015**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
- 5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **March 17, 2015** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.

# **CONDITIONS**

- 1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
- 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
- 3. This permit expires eighteen (18) months from date of issuance, on **September 17, 2016**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
- 4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
- 5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

- 6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
- 7. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement. The driveway width (including flares) as it meets the private access off Discovery Hill Drive shall be no wider than 20-feet.
- 8. Applicant shall field locate utility service lines to avoid existing trees.
- 9. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
- 10. At no time shall site disturbance extend beyond the limits of the platted building/site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
- 11. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
- 12. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

## PRIOR TO ISSUANCE OF BUILDING PERMIT

- 13. Applicant shall submit proof of ownership of the project site.
- 14. Applicant shall obtain a Home Energy Rating System (HERS) Projected Home Energy rating certificate prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code. This Home Energy Rating Certificate must show an index that meets or exceeds a HERS Index of 80.
- 15. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 16. 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.
- 17. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
- 18. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
- 19. 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.

- 20. 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.
- 21. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
- 22. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.
- 23. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

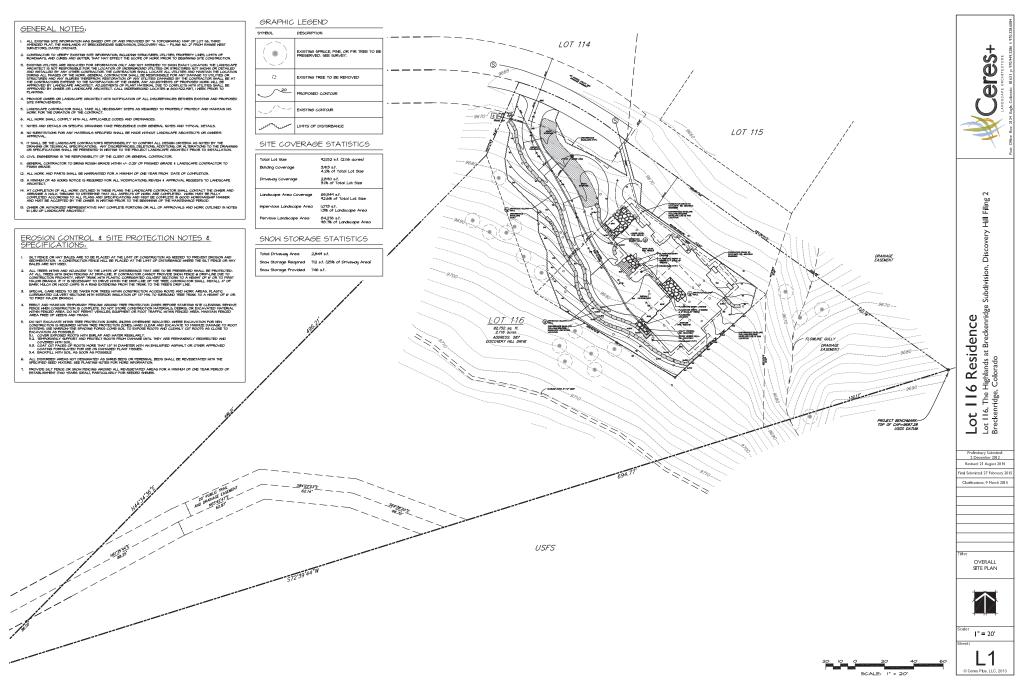
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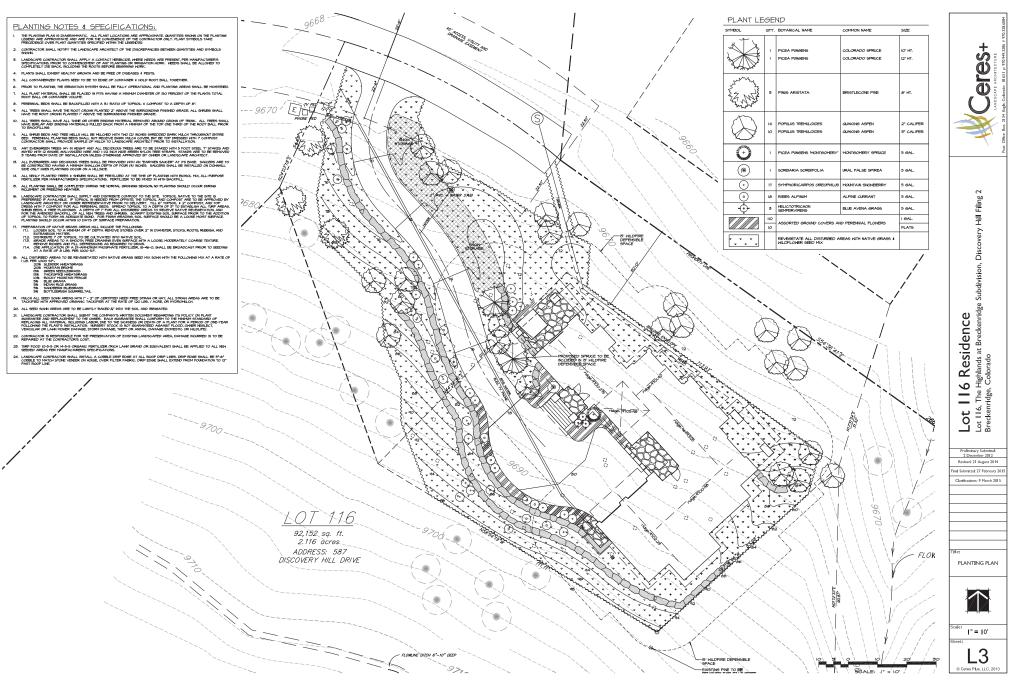
- 24. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 25. Applicant shall submit a final HERS Confirmed Home Energy Rating Certificate prepared by a prepared by a registered Residential Services Network (RESNET) design professional using an approved simulation tool in accordance with simulated performance alternative provisions of the towns adopted energy code, showing that the completed house meets or exceeds a HERS Index of 80.
- 26. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
- 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 garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
- 30. Applicant shall screen all utilities.
- 31. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
- 32. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material

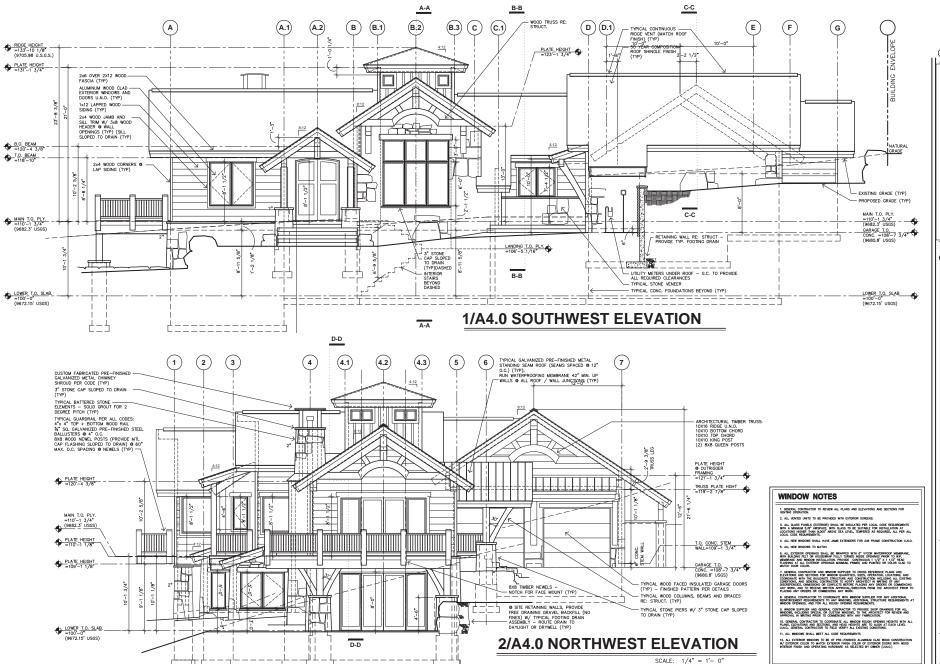
without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.

- 33. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
- 34. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.
- 35. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 36. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.

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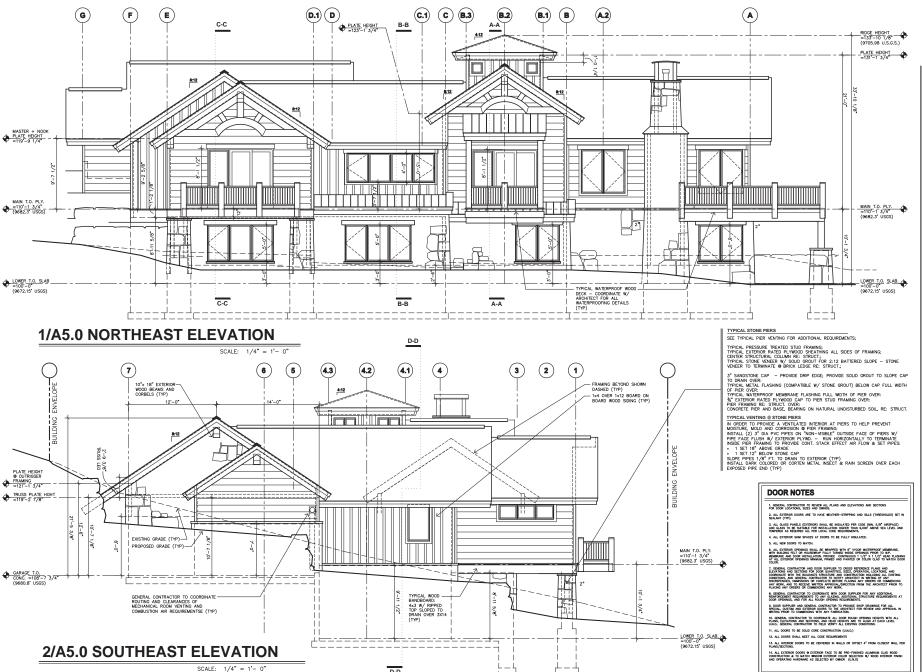
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Job # 2257

T.O.B. Submittal Discovery Hill DRC Submittal 2015 27th, Feb. Date:

A4.0 ELEVATIONS



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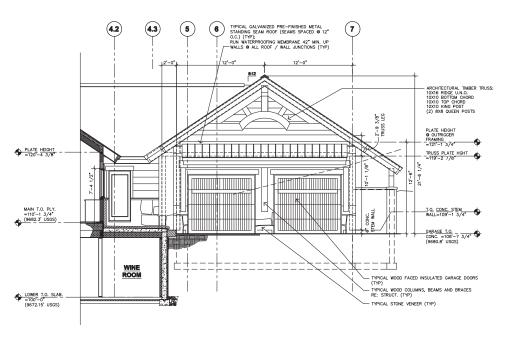
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> T.O.B. Submittal Discovery Hill DRC Submittal 2015 27th, Feb. Date:

Job # 2257

A5.0 ELEVATIONS



## 1/A8.0 - GARAGE ELEVATION

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



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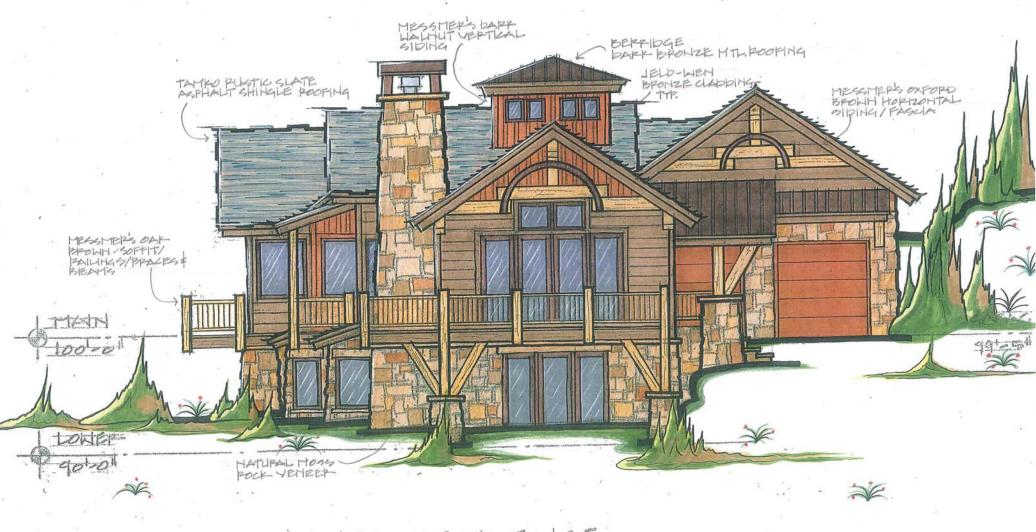
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LOT 116 THE HIGHLANDS AT BRECKENRIDGE SUBDIVISION, DISCOVERY HILL FILING 2, BRECKENRIDGE, COLORADO. 80424

T.O.B. Submittal Discovery Hill DRC Submittal Date: Feb. 27th, 2015

A8.0 SECTIONS

Job # 2257



HOPTHWEST ELEVATION

## **Planning Commission Staff Report**

**Subject:** Public Service/Xcel Substation Addition

(Class A, PL-20150024)

**Proposal:** Public Service Company of Colorado is proposing to expand the existing circuit

breaker equipment of the substation to the rear of the lot (south). A retaining wall 10'-18' in height is proposed be added behind the addition to retain the hillside. A

public trail dedication and additional landscape is proposed.

**Date:** March 9, 2015 (For meeting of March 17, 2015)

**Project Manager:** Julia Puester, Senior Planner

**Applicant/Owner:** Melinda Lee, Public Service of Colorado

**Address:** 562 Wellington Road

**Legal Description:** Metes and Bounds legal description

**Land Use District:** 13: Public Service Commercial or Residential

1:15 FAR for Service Commercial; 2 UPA for Residential

**Site Area:** 254,390 square feet (5.85 acres)

Approximately 8,000 square feet for the addition (0.17 acres)

**Site Conditions:** The substation site has existing electrical equipment with a gravel drive isle

around the equipment, fenced within a 7' tall chain link fence and a 1,150 square foot concrete masonry block (CMU) structure which houses the breaker banks for the substation. A majority of the site is screened from the public right of way in part by topography, existing mature trees and landscaped berms on either side of

the driveway access.

**Adjacent Uses:** North: Wellington Road, French Creek, Residential (Vista Point)

East: Governmental Uses (Stillson Patch Placer-solar gardens, horse

stables, Public Works storage)

South: Governmental Uses (Stillson Patch Placer), Residential (Breckenridge

Heights)

West: Residential (Revetts Landing)

**Density:** Allowed: 15.972 sq. ft.

Existing: 1,150 sq. ft. (No change)

Mass: Allowed: 15,972 sq. ft.

Existing: 1,150 sq. ft. (No change)

**Height:** Recommended: 35 feet (overall)

Existing (structure): 19 feet Existing and Proposed Breaker Equipment: 18 feet

**Parking:** No change

**Snowstack:** No change

**Setbacks:** Front: 130 feet (from breaker house building-no change)

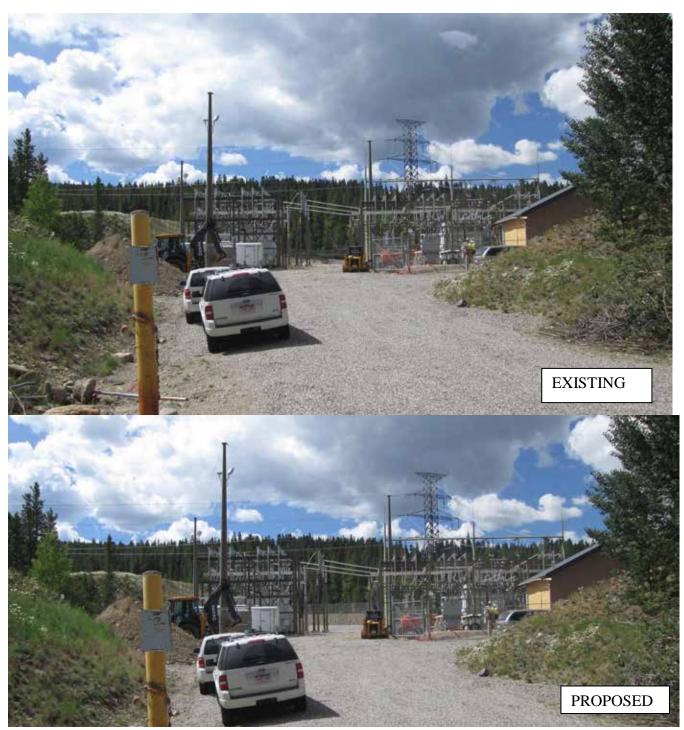
West Side: 40 feet (from retaining wall)
East Side: 115 feet (from retaining wall)
Rear: 445 feet (from retaining wall)

## **Item History**

On December 3, 2013, the Planning Commission approved development permit for a 530 square foot addition to the breaker house on site, which was constructed in 2014.

## **Staff Comments**

Public Service Company of Colorado (PSCo) sees a need to increase the capacity of the substation as there is now more demand on power within Town and the surrounding area. PSCo explains, "The installation of the 230kV circuit breakers at the Breckenridge Substation is to keep the Town of Breckenridge and the ski area in service in the event of a fault on the transmission lines feeding the substation. With the existing substation configuration, a fault on either of the two lines feeding the Breckenridge Substation will result in a total substation power outage. By installing the circuit breakers at the Breckenridge Substation, we considerably reduce the possibility of losing both incoming lines in the event of a fault on one of the lines. This will increase the reliability to customers served by the Breckenridge Substation."



**Site and Environmental Design (7/R):** Staff finds that this addition is adequately buffered by locating the additional circuit breakers behind the existing ones. There is also existing and proposed landscaping for further screening. The view corridor to the addition is shown in its existing condition in the photo simulation above before the landscape berm expansion. The berms on either side of the access which are proposed to be expanded by 5 feet and 9 feet in width respectively, further narrow the visibility into the site.

Per Policy 7/R, Section C. 2X(-2/+2): Retaining Walls: Retaining wall systems with integrated landscape areas are encouraged to be provided to retain slopes and make up changes in grade rather

than cut/fill areas for slope retention. Retaining wall systems made of, or faced with, natural materials such as rock or timbers are preferred. Other materials that are similar in the nature of the finishes may be considered on a case by case basis, but are not recommended for use in highly visible locations. Smaller retaining wall systems, up to four feet (4') tall that incorporate vegetation between walls without creating excessive site disturbance are preferred. It is understood that, depending on the slope of the site, the height of retaining walls may vary to minimize site disruption. If an alternative site layout that causes less site grading and complies with all other relevant development code policies is viable, then it should be strongly considered.

Staff believes that there are two issues to consider regarding the retaining wall. First, this policy encourages the wall to be broken up into 4' tall retaining walls.

The applicant has proposed the substation expansion to the rear (or south) of the existing equipment and developed site. To minimize the site disturbance and maintain the treed hillside backdrop of the site, the applicant has shown a retaining wall with varied height reaching a maximum of 18 feet at the tallest point. This policy encourages retaining walls with integrated landscape areas rather than a tall wall. However, being a high voltage electrical substation, flammable and live landscaping within the fenced area of the substation equipment such as what is encouraged in the policy (between shorter split retaining walls) is a fire hazard. Stepping the wall would require the removal of many hillside trees as the walls would step up the hillside and place the wall and fence in a more visible location rather than at the base of the addition behind the equipment. There are also distance clearance regulations for safety that Xcel must follow which require a drive isle around the entirety of the equipment, including at the

rear of the addition in front of the retaining wall. For safety purposes, the retaining wall must also be located within the fenced area.

The policy also encourages natural materials for retaining walls. Partly because of the height and the hillside it is retaining, this wall is made of non-natural material, meant to mimic natural stone (pictured). Staff has no concerns with the material shown as it does appear similar to natural stone.



Staff believes that design of the retaining wall, which exceeds the 4 foot recommended height, and is not faced with natural materials warrants negative four (-4) points under this policy. Does the Planning Commission concur? Should the Commission find that this application requires special consideration as the use and site is specific to this application, staff will be prepared with a special finding at the meeting.

Recreation Facilities (20/A & 20/R): The proposed connection is part of the Town Trails Master Plan (Wellington and B&B Trail Connection). The applicant has worked with the Open Space and Trails Department to locate a trail easement through the property which provides an important connection to the Town's trail system as well as to the expanding Wellington Neighborhood trail connections. The planning for the trail connection started several years ago as part of the original Wellington Neighborhood and is one of the last phases to bypass French Gulch Road once the pedestrian bridge connection in Lincoln Park (last phase of the Wellington Neighborhood) is installed. There is no vehicular trailhead parking on site. Staff is supportive of the trail connection proposed.

## **Precedent:**

Pinewood Village II- Positive three (+3) points for a single track trail and outdoor patio space; approved February 3, 2015.

Recreation Center Turf Field- Positive three (+3) points to improve existing public field for year round use; approved June 3, 2014.

Skateboard Park Renovation- Positive three (+3) points to enhance existing skateboard park; approved May 20, 2014.

Summit County Justice Center- Positive three (+3) points for providing an at grade path that connects to Rec Path; approved September 2, 2003.

Breckenridge Nordic Center- Positive three (+3) points to enhance Nordic center; approved April 3, 2012.

Freeway Superpipe Expansion: Positive three (+3) points for larger pipe feature which is new industry standard; approved August 17, 2010.

Wellington Neighborhood Master Plan (Phase I)- Positive three (+3) points for public trail access; approved June 6, 2006.

The points under Policy 20R vary drastically on types of improvements for positive three (+3) points. Due to the trail connection being called out in the Trails Master Plan, this is an important connection for the Town's trail network and staff recommends positive three (+3) points.

**Landscaping** (22/A & 22/R): There are substantial existing mature aspen and evergreen trees buffering the site as well as six evergreen trees planted by the applicant last year. With the addition approved in 2013, the applicant worked with Town Public Works staff to provide water to the site for irrigation of the existing and proposed plantings, as there is no water on site. This irrigation can be extended to the new planting area.

The plan shows the addition of seven (7) additional Colorado blue spruce trees three (3)-eight (8') feet tall and four (4)- ten (10') feet tall, ten (10) Aspen trees a minimum of two and a half (2 ½') caliper, and sixteen shrubs (western sage). Staff has walked the site with the applicant and identified the best approximate location for additional trees to be planted to further screen the proposed addition while still providing adequate access for the Xcel vehicles. To accomplish this, the driveway width will be shortened 5 feet and 9 feet respectively on the sides by expanding the existing berms to reduce to amount of visibility into the site from Wellington Road and provide the additional area needed for landscape screening. (Note that this is not depicted on the photo simulation).

The proposal exceeds minimum requirements for landscaping as described in Policy 22 Absolute. The landscaping proposal warrants positive two (+2) points under this policy. The language for positive two points is:

+2: Proposals that provide some public benefit. Examples include: the preservation of specimen trees as a result of a new building footprint configuration to preserve the trees; preservation of groupings

of existing healthy trees that provide wildlife habitat; preservation of native ground covers and shrubs significant to the size of the site; xeriscape planting beds; the planting of trees that are of larger sizes (a minimum of 2.5 inch caliper for deciduous trees and 8 feet for evergreen trees); utilizing a variety of species; and the layering of ground covers, shrubs, and trees that enhances screening and assists in breaking up use areas and creating privacy. In general, plantings are located within zone one.

Staff believes the proposed landscaping plan which includes adding square footage to the existing berms to reduce visibility into the site meets the requirements of some public benefit for landscaping and warrants positive two (+2) points. Does the Commission concur?

**Parking (18/A & 18/R):** The existing driveway into the site is gravel. Section 9-3-11 (L) *Paving* requires all applications Class C Major or higher to be paved. The applicant has committed to paving the driveway to meet Town Standards. This has been added as a condition of approval. No new parking spaces are proposed or required. Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Due to the nature of the site, there is little to no public use within the site. The existing unimproved drive isle is shown to be extended around the addition within the chain link fence for routine maintenance and emergency service access. A public trail is proposed running from the south to the west through the site. No change other than paving the vehicular access point from Wellington Road is proposed. Staff has no concerns.

Fences, Gates, and Gateway Monuments (47/A & 47/R): Fences are permitted for the purpose of utilities. Utility fences per code are limited to a maximum of six (6) feet tall, constructed of chain link, metal, or wood.

The National Electric Safety Code (NESC) regulations for substations state, "Metal fences, when used to enclose electric supply stations having energized electric conductors or equipment, shall have a height not less than 2.13 m (7 ft) overall and shall be grounded in accordance with Section 9."

Substations are a high voltage utility facility. For the safety and security of the community, the NESC requires certain fence height requirements around such a use. Due to the NESC requirement for fence heights around a substation use, we have found the six foot height requirement of this policy to be not applicable.

The existing fence around the substation facility is seven (7) feet with one foot barbed wire on top. This fence will match the existing fence. Staff has no concerns and has added a special finding, deeming this policy not applicable for the substation fence height.

For fencing material, the brushed metal chain link fence proposed meets the design standards of Policy 47A. Staff had requested that the fence be coated with a color such as black or brown to blend in better with the back drop however, as this is a substation, the fence is grounded to reduce the risk of it being energized in the event of a fault. Adding a coating or paint to the fence was not an option as it would reduce the electrical connectivity of the fence which makes it more difficult to ensure the fence is properly grounded. Staff has no concerns with the type of fence proposed.

Utilities Infrastructure (26/A & 26/R; 28/A): Utilities are generally required to be placed below grade. This is not feasible for substation facilities, which are required to be above grade to be effective. The expansion of the utility is to the rear of the site behind existing substation equipment. The visual impact

of the additional equipment is minimized by both the site location and existing facilities. Staff has no concerns.

**Building Height (6/A & 6/R):** The substation circuit breakers proposed (17 feet in height) are not considered a building per the Development Code. Staff finds this policy not applicable.

**Point Analysis (Section: 9-1-17-3):** Staff conducted a point analysis and found all the Absolute Policies of the Development Code to be met. Policy 47/A Fences is found to be not applicable in this case. Staff recommends negative four (-4) points under Policy 7/R for the unbroken retaining wall, positive three (+3) points under Policy 20/R for the public trail dedication and positive two (+2) points under Policy 22/R Landscaping, for a passing point analysis of positive (+1) point.

## **Staff Recommendation**

Staff recommends the Planning Commission approve the Public Service Substation Expansion, PL-20150024, with a passing point analysis of positive one (+1) point and the attached Findings and Conditions.

				T
Dec!- '	Combined Hearing Impact Analysis	B	Daint-	1.5
Project: PC#	Xcel/Public Service Co. Sustation Expansion PL-2015-0024	Positive	Points	+5
Date:	3/10/2015	Monotivo	Pointo	- 4
Staff:	Julia Puester, AICP	Negative	Points	-4
Otan.	Julia Fuester, Aron	Total	Allocation:	+1
	Items left blank are either not			
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 Above Ground Density)	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
07.1	Architectural Compatibility H.D. / Above Ground Density 12	` '		
5/R	UPA	(-3>-18)		
	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)		
5/R	UPA	(-3>-0)		
	Building Height	Not		
6/A	· · ·	Applicable		Not applicable-not a building
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside			
6/R	the Historic District	( 1> 2)		
6/R	Building Height Inside H.D 23 feet Building Height Inside H.D 25 feet	(-1>-3) (-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 7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
//K	Site and Environmental Design / Site Buffering	4X(-2/+2)		Design of the retaining wall (18' in height at
	Site and Environmental Design / Retaining Walls	2X(-2/+2)	- 4	tallest point) and not faced with natural
7/R	one and Environmental Design / Netaining Walls	27(-2/12)		materials.
7711	Site and Environmental Design / Driveways and Site Circulation			materials.
7/R	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)		
	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
7/R	ů ů	` ,		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures Public Sofety	Complies		
9/R 9/R	Placement of Structures - Public Safety Placement of Structures - Adverse Effects	2x(-2/+2) 3x(-2/0)		
9/R 9/R	Placement of Structures - Adverse Effects  Placement of Structures - Public Snow Storage	3x(-2/0) 4x(-2/0)	1	
9/R 9/R	Placement of Structures - Public Show Storage  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		
00/5	Recreation Facilities	3x(-2/+2)	+3	Proposed trail dedication identified in the
20/R 21/R	Ones Chase Drivate Ones Chase	` ,		Town Trails Master Plan
21/R 21/R	Open Space - Private Open Space Open Space - Public Open Space	3x(-2/+2) 3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)	+2	Expanded landscape berm area and additional 7 evergreen trees 8-10 feet in height, 10 aspen trees 2 1/2 inch caliper and 16 shrubs
24/A	Social Community	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		
24/R 24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R 24/R	Social Community - Community Need Social Community - Social Services	3x(0/+2) 4x(-2/+2)		
24/R 24/R	Social Community - Social Services Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Meeting and Conference Rooms  Social Community - Conservation District	3x(0/+2) 3x(-5/0)		
24/R	Social Community - Conservation District	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)		
	Water Quality Water Quality - Water Criteria	Complies 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	J. ( = , = )		
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
	HERS rating = 19-40	+4		
	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
	Savings of 10%-19%	+1		
	Savings of 20%-29%	+3		
33/R	Savings of 30%-39% Savings of 40%-49%	+4		
	Savings of 40%-49% Savings of 50%-59%	+5 +6		
	Savings of 60%-69%	+7		
3.3/10	On the second 700/	+8		
33/R 33/R	ISavings of 70%-79%			<del> </del>
33/R	Savings of 70%-79% Savings of 80% +			
33/R 33/R	Savings of 80% +	+9		
33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace	+9 1X(-3/0)		
33/R 33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace)	+9 1X(-3/0) 1X(-1/0)		
33/R 33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature	+9 1X(-3/0) 1X(-1/0) 1X(-1/0)		
33/R 33/R 33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature	+9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2)		
33/R 33/R 33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature  Hazardous Conditions	+9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies		
33/R 33/R 33/R 33/R 33/R 34/A 34/A	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature  Hazardous Conditions Hazardous Conditions - Floodway Improvements	+9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) Complies 3x(0/+2)		
33/R 33/R 33/R 33/R 33/R	Savings of 80% + Heated driveway, sidewalk, plaza, etc. Outdoor commercial or common space residential gas fireplace (per fireplace) Large Outdoor Water Feature Other Design Feature  Hazardous Conditions	+9 1X(-3/0) 1X(-1/0) 1X(-1/0) 1X(-2/+2) 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	Expansion of existing chain link fence around high voltage utility
48/A	Voluntary Defensible Space	Complies	
49/A	Vendor Carts	Complies	

## TOWN OF BRECKENRIDGE

Public Service/Xcel Substation Addition Metes and Bounds Description 526 Wellington Road PL-20150024

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with

the following findings and conditions.

#### **FINDINGS**

- 1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
- 2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
- 3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
- 4. This approval is based on the staff report dated **March 9, 2015,** and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
- 5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **March 17, 2015**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
- 6. The approved seven (7) foot tall chain link fence with one (1) foot barbed wire on top is the minimum height required by the National Electric Safety Code (NESC) for security and safety fencing around substation equipment. Due to the NESC requirement for fencing around the specific use of a substation, the Community Development Director finds that Policy 47A Fences, Gates and Gateway Monuments is not applicable.
- 7. 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 **March 24, 2018**, 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 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 submit proof of ownership of the project site.
- 13. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
- 14. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
- 15. 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.
- 16. Applicant shall submit a plan to pave the driveway in accordance with Development Code Section 9-3-9 in a form acceptable by the Town Engineer.
- 17. 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.
- 18. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.

- 19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
- 20. Applicant shall 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 dedication of a public, non-motorized trail easement to the Town substantially in the form provided on the plan documents or amended with staff approval in a form acceptable by the Town Attorney.
- 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 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.
- 26. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
- 27. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
- 28. 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.
- 29. 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.

- 30. 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.
- 31. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
- 32. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
- 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)		

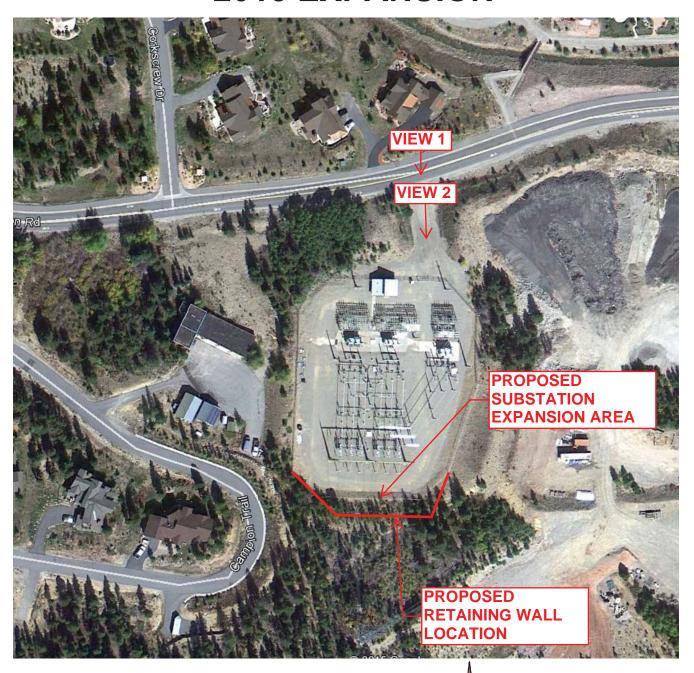


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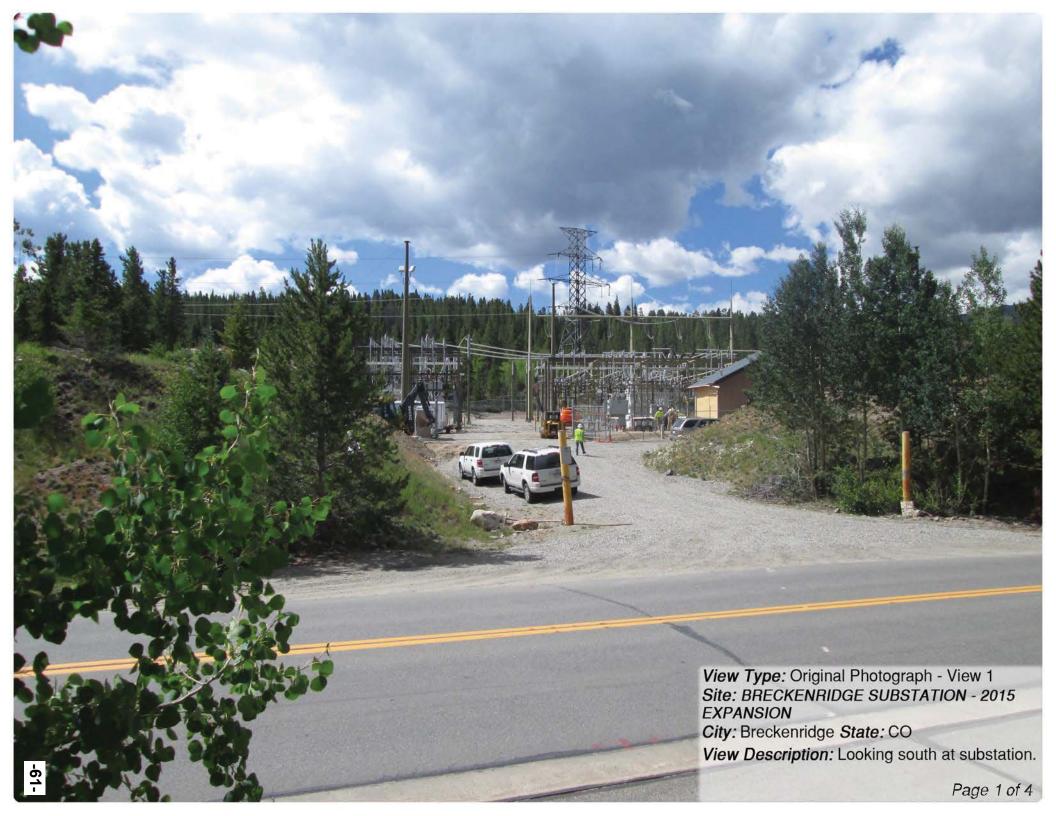
## PHOTO SIMULATION SITE: BRECKENRIDGE SUBSTATION **2015 EXPANSION**

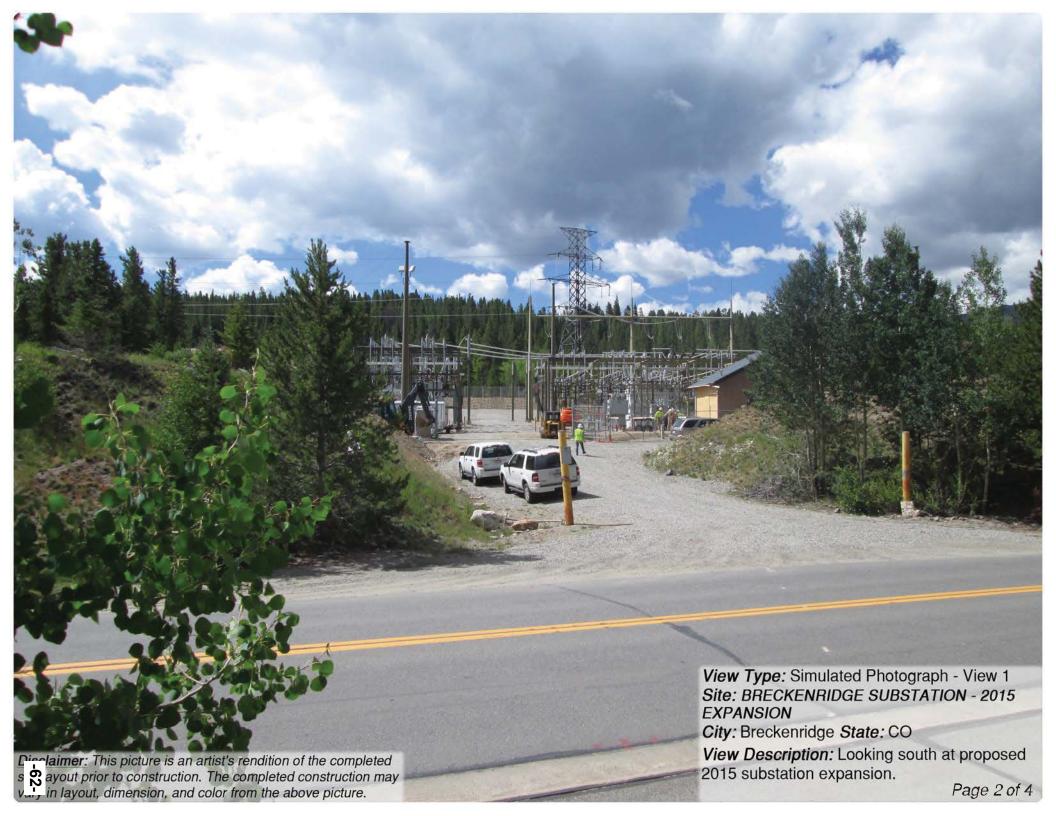


**SITE LOCATION MAP** 

**NOT TO SCALE** 

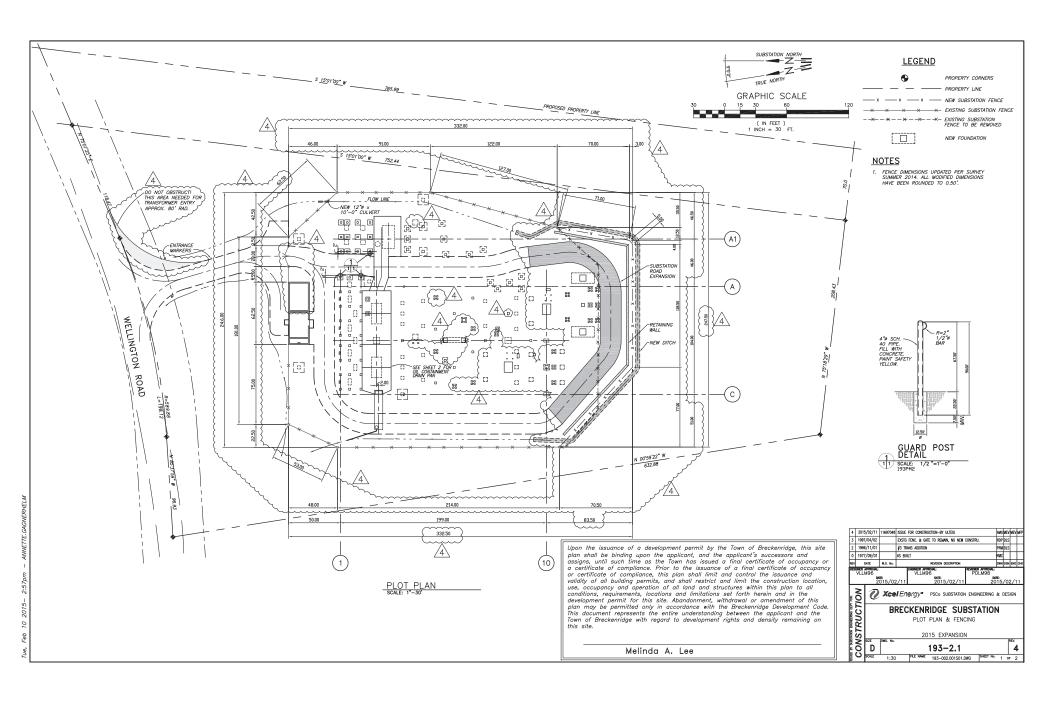
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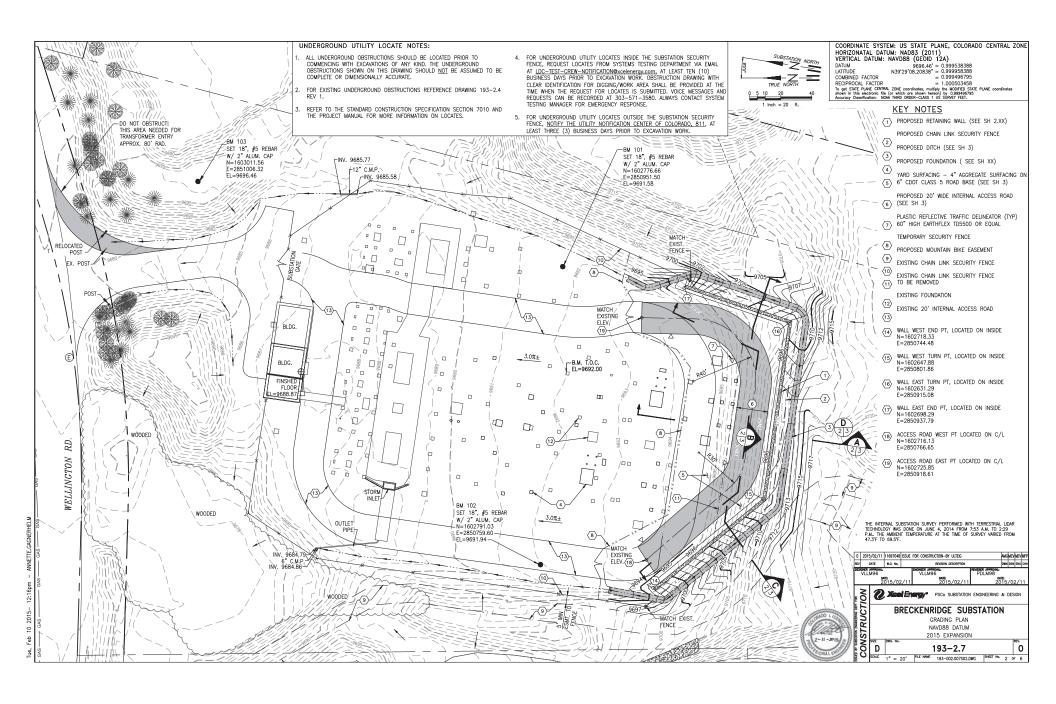


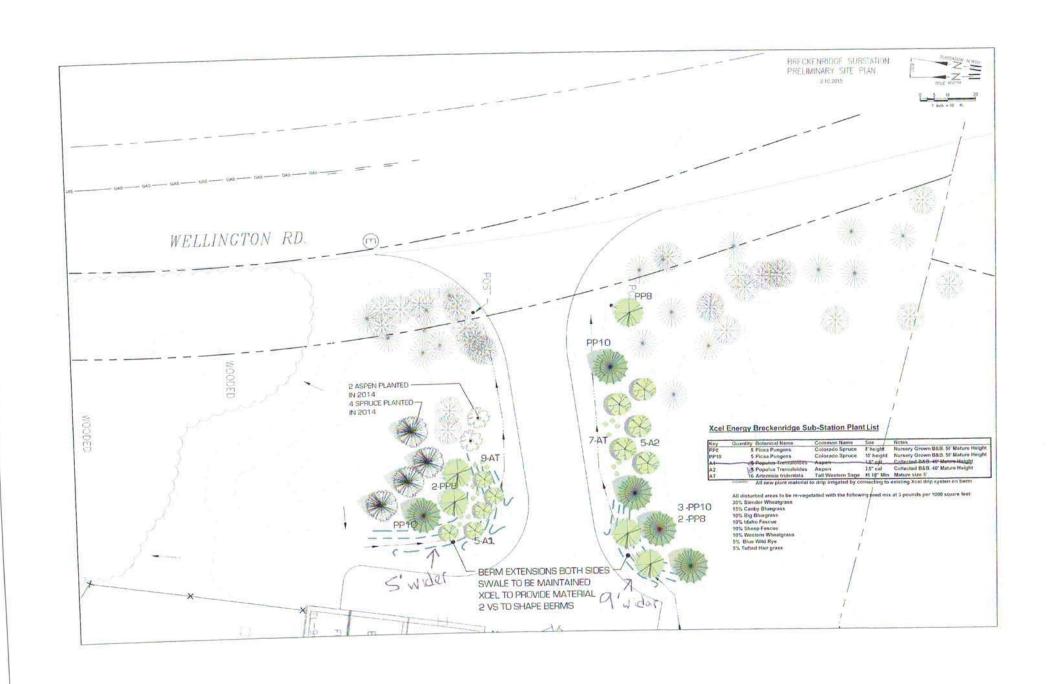














A New Look: Redi-Rock Ledgestone face gives retaining walls an unparalleled natural look. From the innovators at Redi-Rock comes an entirely new face for the massive Redi-Rock blocks you've come to know and trust. Please call your local manufacturer for regional colors

# LEDGESTONE THE NEWEST TEXTURE IN THE REDI-ROCK FAMILY OF PRODUCTS

## The Challenge

You need a structural retaining wall, but you also need a wall that looks good. For the past ten years, Redi-Rock's Limestone and Cobblestone faces have led the industry in "The Essence of Natural Rock" look. Now, we're taking it one step further with the game-changing Redi-Rock Ledgestone face.

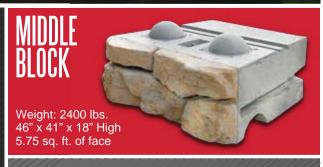
## The Solution

The Ledgestone face creates texture and gives walls a random, natural look. The texture on each block makes individual blocks nearly indistinguishable, giving the impression of a natural, random stone wall. Featuring integral, rich coloring, Ledgestone is like nothing else available on the market today.

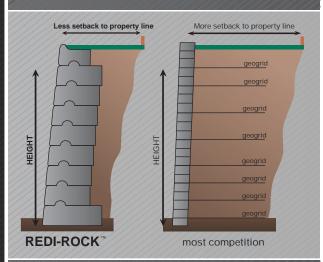
Redi-Rock Ledgestone is the perfect solution for projects that need to look good. Structurally, Redi-Rock Ledgestone blocks are the same as Redi-Rock blocks you have worked with in the past-the same massive dimensions, quality and ease of installation you've come to expect. At one ton each, you can build tall gravity walls using Ledgestone, and even taller walls with reinforcement.

Contact your local Redi-Rock manufacturer or visit www.redi-rock.com to learn more about the Redi-Rock Ledgestone face today!

## WWW.REDI-ROCK.COM



## NO GEOGRID OR TIE-BACKS IN MANY APPLICATIONS



Redi-Rock blocks harness the power of gravity. Smaller block systems require time-consuming and costly reinforcement to reach the same heights.

# CITY CHOOSES REDI-ROCK LEDGESTONE FOR AESTHETIC GRAVITY SOLUTION







## The Challenge

When a sharp turn in a stream began eroding homeowners' yards, this city needed a solution, and fast.

The proposed storm channel required 13-14 ft. high walls, so minimizing excavation in residents' yards was important. Aesthetics and cost also played a role in the city's search for a solution.

## **The Solution**

"The ability to construct the wall without geogrid reinforcement was critically important to

this project," explained the P.E. who designed the project. The city manager added, "We chose Redi-Rock because we had more finish options, including the new Ledgestone face. Plus, it was very economical."

Redi-Rock's massive, one-ton blocks stacked like giant Legos to harness the power of **gravity** in this project. The 13.5 ft. high walls did not require any reinforcement, which cut down on excavation time and costs considerably.

Each Ledgestone block has a random pattern which made individual blocks in the wall nearly indistinguishable. The Ledgestone texture also blended in with the native rock in the area, and the precast concrete was colored to give the walls an incredibly **natural finish**.

In total, the 4,800 sq. ft. walls took less than two weeks to install, and the community couldn't be happier with the new storm channel.

Contact your local Redi-Rock manufacturer or visit **www.redi-rock.com** to learn more about the Redi-Rock Ledgestone face today!

## **MORE TEXTURES** FROM REDI-ROCK





Call your sales representative for more information on available products and regional colors.