



PLANNING COMMISSION AGENDA

Tuesday, September 01, 2015
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The September 1 Planning Commission Meeting; 7:00 P.M. Roll Call</i>	
	<i>Location Map</i>	2
	<i>Approval Of Minutes</i>	3
	<i>Approval Of Agenda</i>	
7:05pm	<i>Town Council Report</i>	
7:15pm	<i>Worksessions</i>	7
	1. Huron Landing (CK) PL-2015-0384; 0143 Huron Road	
8:15pm	<i>Final Hearings</i>	16
	1. Nauman Residence Historic Renovation and Landmarking (MM) PL-2015-0152; 211 East Washington Avenue	
9:00pm	<i>Adjournment</i>	

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

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



Huron Landing
0143 Huron Road

Nauman Residence
Variance & Landmarking
211 East Washington Avenue



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

Breckenridge South

Not to Scale

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Jim Lamb Ron Schuman
Gretchen Dudney Dan Schroder Dave Pringle
Wendy Wolfe, Town Council Liaison
Mr. Mamula was absent.

APPROVAL OF MINUTES

With no changes, the August 4, 2015, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

With no changes, the August 18, 2015, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

1) First Breckenridge Group Master Sign Plan (MGT) PL-2015-0341, 1795 & 1805 Airport Road
With no requests for call up, the Consent Calendar was approved as presented.

WORKSESSIONS:

1) Temporary Tents (JP)

Mr. Truckey presented on behalf of Ms. Puester. The last update to the Temporary Structures ordinance was approved by the Town Council on April 8, 2014. That modification did not address temporary tents which were to be discussed further at a later time.

Recently, staff saw a request from Breckenridge Grand Vacations for a private function with a tent for thirty (30) plus days in duration which could not be approved under the current policy. There is a lack of detail in the Temporary Structures Policy as well as the Town Code Special Events Chapter (Chapter 13, Title 4-attached) for such private events, not allowing such tents. Currently, tents are not allowed either inside or outside of the Conservation District unless a permit has been issued per the Special Events Chapter (which applies only to public events).

The Planning Commission held work sessions on June 16 and July 21 and most recently, the Planning Commission discussed this topic at their July 28th annual joint work session with the Town Council. At those meetings, the following changes to the policy have been discussed with consensus:

- *In the Conservation District:* A 5 day limit for private event tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year.
- *Outside of the Conservation District:* The Commission was not as concerned with the area outside the Conservation District as properties tend to be larger and do not have the historic character of the commercial core, which is protected by strong design standards. For the majority of properties, a 5 day limit for tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year, was supported.
- *Permit reclassification clause:* To address concerns that may be property location specific, staff has included subsection (G) which allows the director to reclassify applications when deemed appropriate, and requires them to come before the Planning Commission with public notice required.

The following changes proposed to the policy which require Planning Commission input include:

- *Arts District and non-profit/Barney Ford Museum (In the Conservation District):* The Commission and Council seemed to generally support allowing more than three annual private events on public property,

such as weddings (based on past Council discussion during the design and planning phase of the Arts District and Old Masonic Hall). Staff would like confirmation from the Commission on this.

- *Seasonal Tents Outside of the Conservation District:* For large lots with a large number of lodging units (residential SFEs) outside of the District, such as Beaver Run, Breckenridge Grand Vacations, Vail Resorts, etc. support was voiced to allow for private events for up to 4 months between the end of ski season and the start of ski season, 1 per year with a Class C permit *or* up to 2 times per year for 45 days during between the end of ski season and the start of ski season with a Class C permit. (Note: The previously proposed grandfather clause was removed and replaced with this methodology). Staff has provided a chart below with larger lodging properties outside of the District. Staff had proposed the allowance for properties with a minimum of 50 residential SFEs and 4-acres minimum in size. The acreage limitation was added to allow properties which have more land area for tents which would not be adjacent to neighboring properties, or on required parking or landscaping. After reviewing further, staff suggests a minimum of 50 SFEs or 4 acres in size. Some properties, such as One Ski Hill Place, meet one but not both criteria. Staff would like the Planning Commission to weigh in on this.
- *Shade Tents:* A question was raised at the work sessions regarding shade tents for people at the Peak 8 Fun Park and Main Street Station. Staff has added a definition of shade tent and clarified under (1)(D) that shade tents will remain as an allowed use not to exceed 400 square feet.

Staff would like to hear any comments or concerns, specifically on the Arts District, Seasonal Tents and Shade Tents.

Commissioner Questions / Comments:

- Mr. Schroder: One Ski Hill Place owns the plaza also? (Mr. Truckey: Vail Resorts owns all of the plaza too, but their site acreage, because of the way it is platted, is smaller than four acres. We suggest either having four acres or 50 SFEs as a criteria. , The Planning Commission will see any of these tents that are proposed because they are Class C applications.)
- Mr. Schuman: Agrees with staff, using 50 units or 4 acres is a better solution to the wording than using “and”. This is a good re-work, but more will come along requiring a change. Barney Ford/Arts District tents could occur more often. (Mr. Truckey: We are working with BreckCreate and the Breckenridge Heritage Alliance to work out these details.)
- Mr. Pringle: Perhaps we should take a big event tent like the ski area and Beaver Run add as a minor modification to their development permit. Don’t grant a variance, but make part of application. Make sure the tent is not associated with specific part; say the bar at the facility, but the whole facility. (Mr. Truckey: The proposed Class C process for these larger tents will essentially accomplish the same thing. The proposed tents will need to demonstrate that they aren’t blocking circulation or impacting parking or landscaping.) Let’s showcase the Historic District.
- Mr. Lamb: We have not thought of everything, but this is a good start. Want to preserve the concept and quality of the Arts District. Any tent that stays up for a long time gets pretty beat up too.
- Ms. Christopher: Is the Main Street Station Band tent using the “Shade Tent” acceptable? (Mr. Truckey: Yes, provided there are no commercial transactions occurring in the tent.) The Historic District is a “bright shiny apple” and the tents should be used sparingly to preserve the district.
- Ms. Wolfe: Remember the evolution of the Barney Ford tent. The lawn is important to the Theobalds, and the length of the tent being up is a function of preserving the lawn. It is an important lawn. If the lawn is not green you don’t want to be there.
- Ms. Dudney: There is no limitation for Town tents. Let’s wait and see if the Arts District needs any limitation before we define some. It could distract from the District if a tent is up all the time.
- Mr. Pringle: The Arts District tent may stand all summer long and would impact the look of the Arts District. (Mr. Truckey: It is exempt from a time limit. We will be discussing this further with Robb Woulfe at the Arts District.) (Mr. Thompson: A small tent is up now for the Arts

Festival.) (Mr. Grosshuesch: Leaving a tent up costs money. The plaza in the Arts District was planned as an event plaza and a tent was expected. The intent was to animate the space with bands and other outside events. This may impact the ability to book events there. The Town can still control the scheduling.)

Ms. Christopher: If these events in the plaza run back to back with private events, the tent may stand up in the space for a longer duration.

Mr. Pringle: I agree with Ms. Christopher's concerns. The events may run together to leave the tent up. Be careful of how this goes forward.

Ms. Dudney: Let's wait and see what happens.

Ms. Wolfe: An empty tent is a problem. It needs to be animated if it is up.

Ms. Christopher opened the worksession to public comment.

Mr. Jeff Zimmerman, Breckenridge Ski Resort: There are lots of different tents you will have to deal with! The fun park operation has a shade tent that is part of the master plan. Plus, "cool-a-roos" or smaller tents to simply cool people off from the sun. Is a Class C permit required annually for any tent? (Mr. Truckey: No, just for the larger tents. Smaller shade tents are exempt.) (Ms. Dudney: The large tents have a time limitation. [Explained the different tents to Mr. Zimmerman.]

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

TOWN COUNCIL REPORT:

Ms. Wolfe:

- Camping ordinance was discussed. There is even camping around the Riverwalk. We are adding definitions to give police more leeway. Ballot issue about the admissions tax. The community rumors that this tax would go to a plethora of other activities. The Council is restricting this to Ski Area activities. This will be a "Ski Area Admissions Tax" for all events associated with summer and winter activities. The Metro District is already in place for the Ski Area. 4.5% is the decided amount, mirroring the Town's. This will go forward as a Resolution requiring only one hearing. The use is for Parking, Transit, and incidental associated with transit and parking, like management, bus shelters, etc. (Mr. Pringle: The non-town survey indicates that the funds will be use for other things beside parking and transit.) This is incorrect. We are disappointed in the survey.
- Tim Gagen announced his retirement and will work until May of 2016. Rick Holman is next Town Manager as of January 1st. The Town is fortunate that the Town has solid "succession planning", which allows Rick to move into the role with solid experience. (Mr. Pringle: Was there discussion about hiring from outside?) This was discussed. Having someone familiar with the community and the environment is a big factor. We felt, at this time, this was the best choice. (Mr. Lamb: I agree. Finding a "Rock Star" can be very difficult and expensive.)

OTHER:

1) Wakefield Sawmill Landmarking (CK) PL-2015-0351; 775 Boreas Pass Road

Mr. Kulick presented an application to locally landmark the Wakefield Sawmill Historic Site. The site is an interpretive park, which is owned by the Town of Breckenridge and operated by the Breckenridge Heritage Alliance. The property is at least 50 years old; it exemplifies cultural, political, economic or social heritage of the community; it shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation; and, the structure has been accurately reconstructed or restored based on documentation.

The Planning Department suggested the Planning Commission recommend that the Town Council adopt an ordinance to locally landmark the Wakefield Sawmill Historic Site located at 775 Boreas Pass Road, PL-2015-0351, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated

in Section 9-11-4 of the Landmarking Ordinance.

Commissioner Questions / Comments:

Mr. Schroder: Good job identifying the issues.

Ms. Christopher opened the matter to public comment. There was no public comment, and the matter was closed.

Mr. Pringle made a motion to recommend the Town Council adopt an ordinance to locally landmark the Wakefield Sawmill Historic Site located, PL-2015-0351, 775 Boreas Pass Road, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance. Mr. Schuman seconded, and the motion was carried unanimously (7-0).

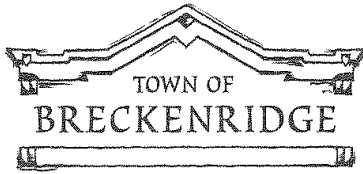
2) Sign Code Update:

Mr. Truckey updated the Commission on the recent Sign Code changes and the plans for implementation of enforcement methods, including tickets. Starting in September with a letter, a warning, and then issuing tickets. (Ms. Christopher: Is the Welcome Center signage exempt?) No. (Ms. Dudney: When are the Employee Parking changes taking place?) (Mr. Grosshuesch: Sometime in October.) (Mr. Schuman: Does Staff have time for this enforcement?) The tasks are divided among staff members, but yes it will be a challenge.

ADJOURNMENT:

The meeting was adjourned at 8:00 pm.

Kate Christopher, Vice Chair



MEMORANDUM

To: Planning Commission

From: Chris Kulick, AICP

Date: August 20, 2015 (for the September 1, 2015 Planning Commission Meeting)

Re: Work Session on Huron Landing Workforce Housing Project
(0143 Huron Road; PL-2015-0348, Class A)

BACKGROUND

Summit County Government and the Town of Breckenridge are in the process of designing the Huron Landing workforce housing development at 0143 Huron Road. Town and County staff were directed to begin pursuing the project in December 2014 based on an identified need for rental housing in the 2013 Summit County Housing Needs Assessment. The study suggests that between 200 and 370 additional rental units are needed in the Upper Blue Basin by 2017. Since the time of the study, Breckenridge has been proactively working on developing rental housing, including Pinewood II (45 units by end of 2016) and Denison Placer (60 units by end of 2017). With the completion of these projects, the estimated housing need in the Upper Blue Basin will be cut to approximately 95-220 rental units,

The proposed project site is the 1.708 acre parcel which formerly contained the Summit County Ambulance station, a Road and Bridge facility and the current recycling center which is being relocated to Coyne Valley Road. The proposal is for two buildings containing 26 two bedroom, deed restricted rental housing units. Recommended density is 10 units per acre, the site is 1.708 acres with an SFE multiplier of 1,200 square feet allowing for 20,496 Square feet. Additionally there is a 10% bonus for workforce housing, 2,050 square feet, for a total allowed square footage of 22,546 square feet. The proposed density is 21,192, 6% below the permitted density.

The purpose of the work session is to see if the Planning Commission is satisfied with general direction of the project and is comfortable with Staff's initial interpretation of points. To facilitate the discussion, staff has identified key components of the proposal and Policies where points may be warranted.

POLICY DISCUSSION:

POLICY 2 (RELATIVE) LAND USE GUIDELINES: (-3) The property will be annexed into the recommended Land Use District 5 (LUD 5). LUD 5 recommends residential uses at a density of 10 units per acre. Service commercial uses are the preferred uses for this district but hotel and motel uses are also recommended. The Land Use Guidelines state "*although lodging is acceptable, other types of residential development in this District are strongly discouraged. One possible exception is the construction of employee housing within individual developments*". Based on past precedent from other workforce developments in other districts where residential development is discouraged staff is recommending negative three (-3) points under Policy 2R. With Kennington Place (townhomes) to

the east and self storage to the west, staff believes that this is an appropriate use for the area. Does the Commission concur?

POLICY 6 (RELATIVE) BUILDING HEIGHT: (-10) (+1) The proposed project includes two buildings. The west building is 2 stories and the east building is 3 stories, stepping down to 2 stories adjacent to Kennington Townhomes. LUD 5, recommends building heights of 2 stories, therefore negative ten (-10) points is warranted for the east building being a full story above the land use guidelines recommendation (for a total of x feet). As mentioned above, the east building is designed to step down to two stories adjacent to Kennington Townhomes, Policy 6R encourages buildings to step down along the edges. Staff is recommending ten negative (-10), and one (+1) positive point under this policy. Does the Commission concur?

POLICY 9 (RELATIVE) PLACEMENT OF STRUCTURES: (-3) The proposal meets all absolute setbacks and the relative setbacks on three sides but is less than the recommended 15 feet to the rear property line. Designing the structure to encroach on the rear relative setback was done to provide greater separation from the front parking area without having any significant impact to the adjacent backdrop of the undeveloped hillside. Staff recommends negative three (-3) points under Policy 9R. Does the Commission concur?

POLICY 16 (RELATIVE) INTERNAL CIRCULATION: (+3) The plan proposes constructing a section of recreation path fronting Huron Road. Huron Road has been regularly identified as weak spot in our bicycling and pedestrian network. Completing this section of recreation path will benefit the residents of this development and provide a safer means of non-auto travel between the heavily populated areas in French Creek and French Gulch and Town. Most recently Pinewood Village II was awarded three positive (+3) points under Policy 16R for providing a sidewalk connection. Staff recommends positive three (+3) points under Policy 16R. Does the Commission concur?

POLICY 18 (RELATIVE) PARKING: (+2) The code encourages each development to design their parking in a manner that exceeds the minimum requirements of the off street parking regulations. The proposed development provides 2 parking spaces per unit, 33% great than the code required 1.5 spaces per unit. As a development which will house full time residents, staff is encouraged to see more parking provided than required. Recent precedent from the Breckenridge Mountain Lodge redevelopment awarded positive two (+2) points for providing parking that was 24% greater than required. Staff would like the Commission's input about awarding two positive points under Policy 18R for this application.

POLICY 20 (RELATIVE) RECREATION FACILITIES: (+3) Recreational facilities, both public and private, are strongly encouraged. Each residential project should provide for the basic needs of its own occupants, while at the same time strive to provide additional facilities that will not only be used for their own project, but the community as a whole. A formal trail easement from Huron Road to the Upper/Lower Flume Trail is proposed as part of this application. The existing, heavily utilized trail connection is located on the adjacent Kennington Townhomes property and crosses the eastern portion of the Huron Landing site and does not have a formalized trail easement. Recent precedent from the Pinewood II project awarded three positive (+3) points for a single track trail easement. Staff recommends positive three (+3) under Policy 20R for this important formalized trail easement.

POLICY 24 (RELATIVE) SOCIAL COMMUNITY: (+16) All of the proposed units of this project will be deed restricted workforce housing; therefore the project is eligible for ten positive (+10) points. Additionally workforce housing is listed as a Town Council goal which makes the project eligible for an additional three positive (+3) points. Most recently Pinewood Village II was awarded six positive (+3) points under Policy 24R for meeting one of the Town Council's yearly goals. In total, Staff recommends thirteen positive (+13) points under Policy 24R.

POLICY 33 (RELATIVE) ENERGY CONSERVATION: (+2) To align this project with the community’s broader energy conservation goals and reduce utility costs for tenants, the development is proposed to obtain a HERS rating of 80 or lower. Based on this proposed score, two positive (+2) points are warranted.

Staff Recommended Point Totals

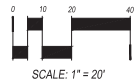
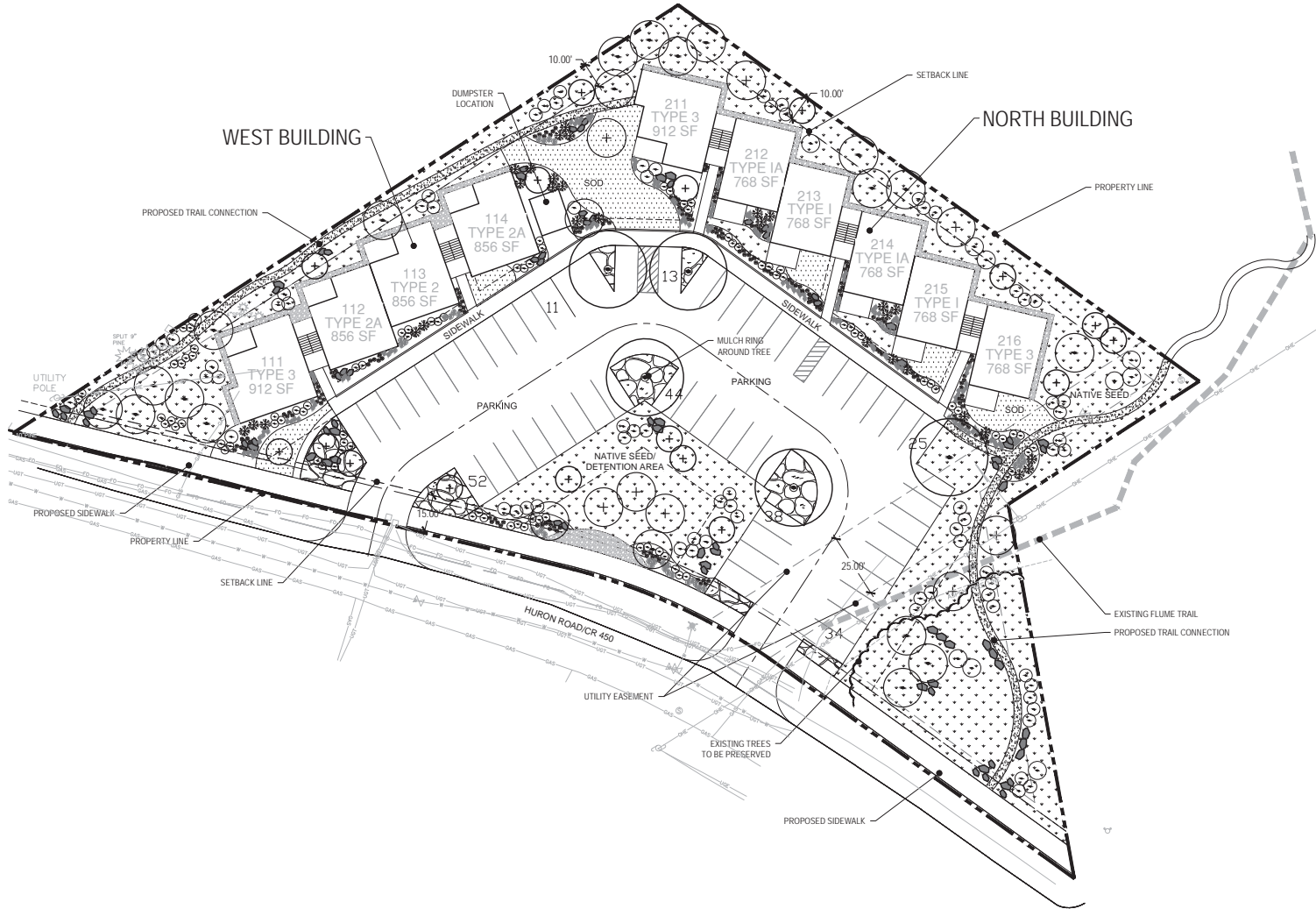
Policy	Points
Policy 2R Land Use	-3
Policy 6R Building Height	-9
Policy 9R Placement of Structures	-3
Policy 16R Internal Circulation	+3
Policy 18R Parking	+2
Policy 20R Recreation Facilities	+3
Policy 24R Social Community	+13
Policy 33R Energy Consumption	+2
Point Total	+8

STAFF QUESTIONS

Staff would like Planning Commission input on the draft point analysis and would also look for any additional comments or concerns before this project moves forward to a preliminary hearing.

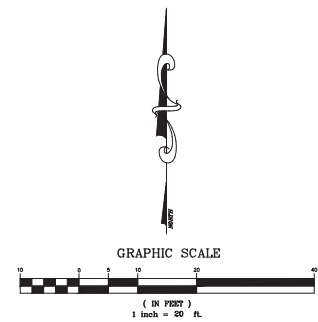
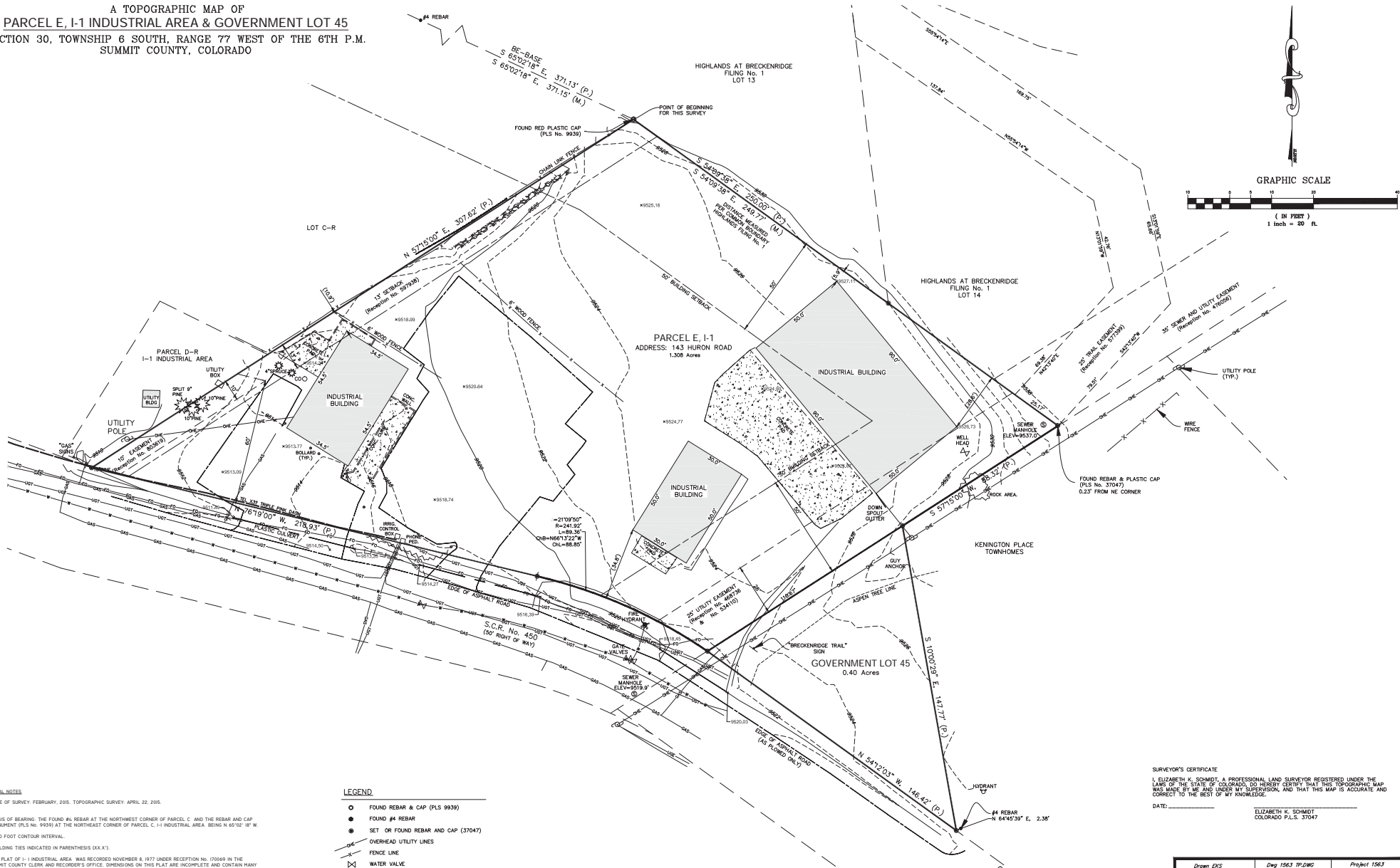
LEGEND

	PROPERTY LINE
	SIDEWALK
	SNOW STORAGE LINE
	STEEL EDGER
	PROPERTY EASEMENT
	EXISTING FLUME TRAIL
	SOD
	NATIVE HIGH COUNTRY SEED MIX
	LANDSCAPE BED
	RIVER ROCK COBBLE MULCH
	FLAGSTONE IN BEDDING AREAS
	CRUSHER FINES TRAIL
	DECIDUOUS TREES
	EVERGREEN TREES
	DECIDUOUS SHRUBS
	ORNAMENTAL GRASSES
	PERENNIALS
	LANDSCAPE BOULDERS (FREE-STANDING)



CHECKED BY: DROWN BT
 DATE: 08/11/15

A TOPOGRAPHIC MAP OF
PARCEL E, I-1 INDUSTRIAL AREA & GOVERNMENT LOT 45
 SECTION 30, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6TH P.M.
 SUMMIT COUNTY, COLORADO




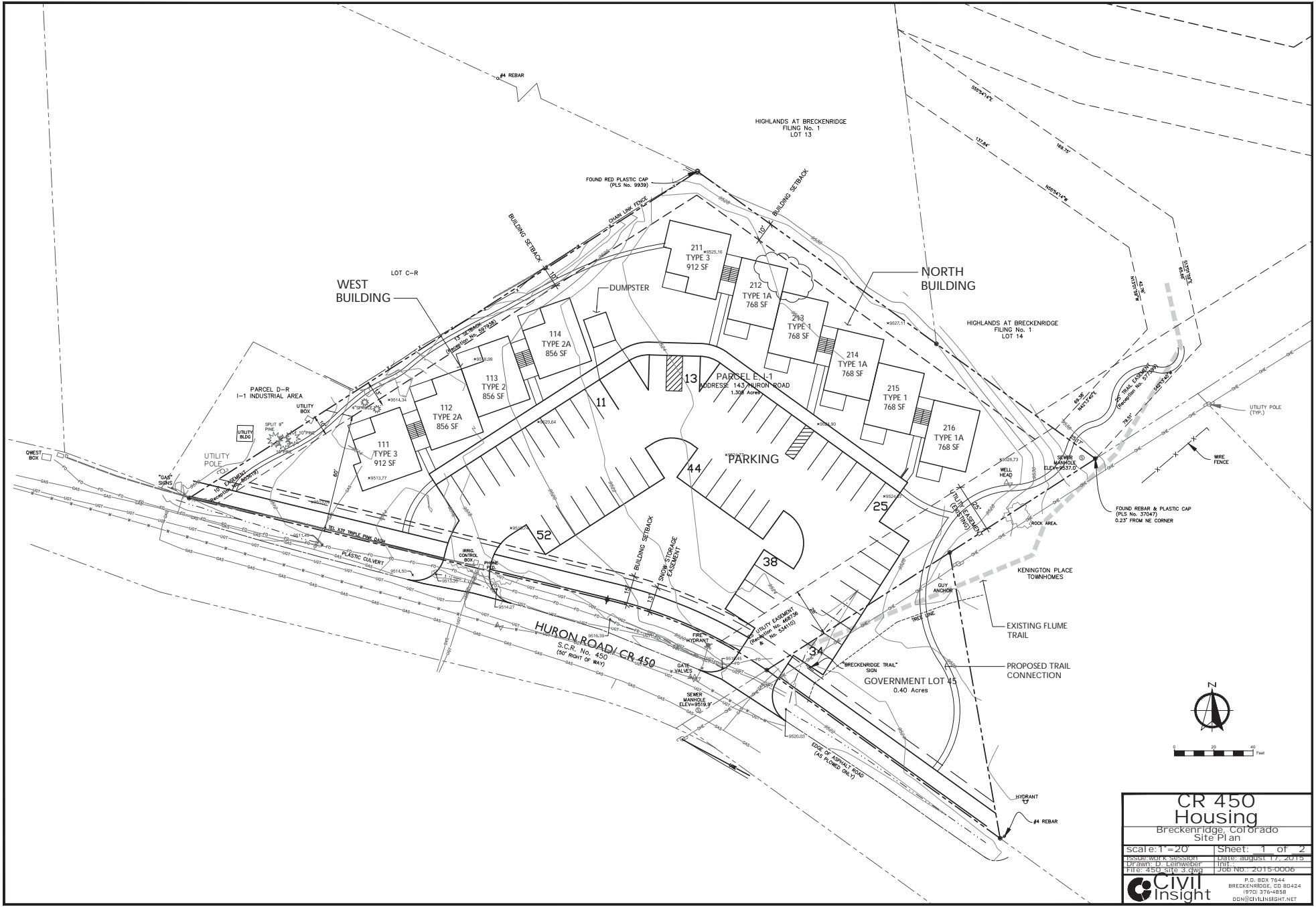
- GENERAL NOTES**
- DATE OF SURVEY: FEBRUARY, 2015; TOPOGRAPHIC SURVEY: APRIL, 22, 2015.
 - BASES OF BEARING: THE FOUND #4 REBAR AT THE NORTHWEST CORNER OF PARCEL C, AND THE REBAR AND CAP MONUMENT (PLS No. 9939) AT THE NORTHEAST CORNER OF PARCEL C, I-1 INDUSTRIAL AREA, BEING N 65°02' 18" W.
 - TWO FOOT CONTOUR INTERVAL.
 - BUILDING TIES INDICATED IN PARENTHESIS (D.X.#).
 - THE PLAT OF I-1 INDUSTRIAL AREA WAS RECORDED NOVEMBER 9, 1977 UNDER RECEPTION NO. 170049 IN THE SUMMIT COUNTY CLERK AND RECORDER'S OFFICE. DIMENSIONS ON THIS PLAT ARE INCOMPLETE AND CONTAIN MANY ERRORS.
 - SCHMIDT LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS USED IN THIS SURVEY WERE PROVIDED BY LAND TITLE GUARANTEE OF SUMMIT COUNTY (ORDER NUMBER J05001), DATED JANUARY 22, 2015 AT 5:00 P.M.

- LEGEND**
- FOUND REBAR & CAP (PLS 9939)
 - FOUND #4 REBAR
 - SET OR FOUND REBAR AND CAP (37047)
 - OVERHEAD UTILITY LINES
 - - - FENCE LINE
 - ⊗ WATER VALVE
 - ⊕ FIRE HYDRANT
 - ⊙ SEWER MANHOLE
 - (P.) DENOTES PLATTED BEARING AND DISTANCE
 - (M.) DENOTES MEASURED BEARING AND DISTANCE

NOTICE:
 ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SURVEYOR'S CERTIFICATE
 I, ELIZABETH K. SCHMIDT, A PROFESSIONAL LAND SURVEYOR REGISTERED UNDER THE LAWS OF THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS TOPOGRAPHIC MAP WAS MADE BY ME AND UNDER MY SUPERVISION, AND THAT THIS MAP IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
 DATE: _____ ELIZABETH K. SCHMIDT
 COLORADO P.L.S. 37047

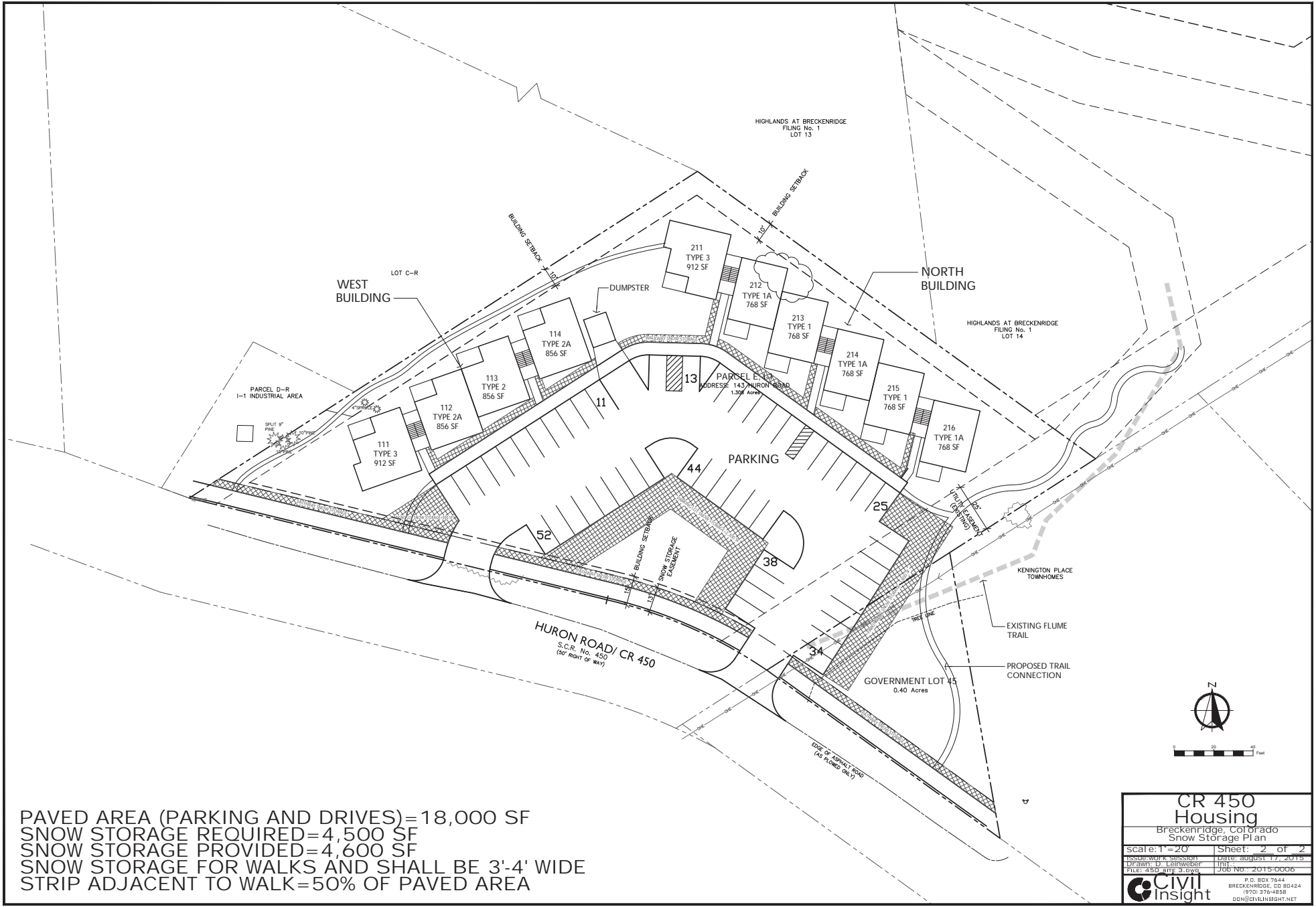
Drawn EKS	Dwg 1563 TPLDWG	Project 1563
Date 4/28/15	Scale 1" = 20'	Sheet 1 of 1
 SCHMIDT LAND SURVEYING, INC. P.O. Box 5761 FRISCO, CO 80443 970-409-9963		



**CR 450
Housing**
Breckenridge, Colorado
Site Plan

Scale: 1"=20'	Sheet: 1 of 2
Issue/Work Session:	Date: August 17, 2015
Drawn: D. Leinweber	Int:
File: CR 450 Site CR 450	Job No: 2015-0006

P.O. BOX 7644
BRECKENRIDGE, CO 80424
(970) 376-4558
DD@CIVILINSIGHT.NET



PAVED AREA (PARKING AND DRIVES)= 18,000 SF
 SNOW STORAGE REQUIRED=4,500 SF
 SNOW STORAGE PROVIDED=4,600 SF
 SNOW STORAGE FOR WALKS AND SHALL BE 3'-4' WIDE
 STRIP ADJACENT TO WALK=50% OF PAVED AREA

CR 450 Housing
 Breckenridge, Colorado
 Snow Storage Plan

Scale: 1"=20'	Sheet: 2 of 2
Issue/Work Session:	Date: August 17, 2015
Drawn: D. Leinweber	Intl:
File: CR 450 SITE 3.DWG	Job No.: 2015-0006

P.O. BOX 7644
 BRECKENRIDGE, CO 80424
 (970) 376-4558
 DD@CIVILINSIGHT.NET

Planning Commission Staff Report

Subject: Nauman Residence Historic Renovation and Landmarking
(Class B-Minor, Final Hearing, PL-2015-0152)

Date: August 25, 2015 (For meeting of September 1, 2015)

Project Manager: Michael Mosher, Planner III

Applicants/Owners: Dennis and Karen Nauman

Agent: Shell Hodgson, P.E.

Proposal: To perform an extensive exterior restoration of the historic house and remodel of the non-compliant addition. The reconstruction of the historic house will include a full basement beneath the historic portion of the footprint and a shelf, less than 5-foot tall, below the window well along the west edge of the site. Local landmarking of the property is also requested.

Address: 211 East Washington Avenue

Legal Description: Lot 2A, Ritinger Subdivision

Site Area: 0.050 acres (2,174 sq. ft.)

Land Use District: 17, Residential, 11 UPA, Single Family or Duplex

Historic District: #1, East Side Residential Character Area

Site Conditions: The property now contains a historic residence with a larger, historically non-compliant addition towards the back of the site. The remaining property is unimproved and heavily weeded. Parking occurs on the Town Right of Way (ROW). The house encroaches into ROW at the north and west property lines. There are platted utility easements for the neighboring Lot 1A.

Adjacent Uses: East, South and West - Single-family residential properties.
North - Hearthstone Restaurant and St. Mary's Church Rectory

Density: Existing Density: (Per the recorded plat, the existing density is the allowed maximum)

Main Level:	1,057 sq. ft.
Upper Level:	355 sq. ft.
Total	1,412 sq. ft.

Proposed Density:

Lower Level:	547 square feet of density (exempt, with Landmarking)
Main Level:	1,057 sq. ft.
Upper Level:	349 sq. ft.
Total:	1,406 sq. ft. (6 sq. ft. reduction)

Above Ground

Density:	Recommended (9 UPA):	734 sq. ft.
	Allowed (10 UPA, with negative points):	816 sq. ft.
	Existing:	1,412 sq. ft.
	Proposed:	1,406 sq. ft. (6 sq. ft. reduction)
Building Height:	Allowed:	23'-0" (30-feet with negative points)
	Existing and proposed:	20'-7"
Mass:	Per the recorded plat, the existing mass is the allowed maximum:	1,412 sq. ft.
	Proposed mass:	1,406 sq. ft. (6 sq. ft. reduction)
Parking:	Required:	2 spaces
	Existing:	2 spaces (partially in ROW)
	Proposed:	2 spaces (see discussion below)
Setbacks:	The historic portion of the house is over the north and west property lines and will be replaced in this historic location after the basement is added. The non-compliant addition was also built partially over the west property line. No change is proposed to the setbacks.	

Item History

The original historic portion of the house, historically called the Newcomb House, was constructed in 1882 for B.M. Newcomb. He operated an assay and real estate office on Ridge Street and was the developer of the Deadwood Lode mining claim. The Cultural Survey for this property has designated the house as a contributing structure to the Historic District. It is still located in its original position with the porch to the north over the property line and the west edges of the house over the west property line (into the Town alley right of way). Sometime during the Town's period of significance, a large shed addition was added to the south to house a kitchen and bathroom. A separate free standing shed in the backyard was likely removed in the 1980's as part of the non-compliant addition (as it looks today).

The more recent, non-compliant addition was constructed in the 1980's. This addition was partially constructed over the west property line like the historic house. It encapsulates the shed addition that was added to the south to house a kitchen and bathroom. Portions of that exterior wall and roof edges are visible today. Because of the setbacks, these additions are now classified as a legal nonconforming structure. As legal a nonconforming structure, no changes or increase in nonconformity are proposed. These additions are illustrated on Sheet A2, Elevations, of the attached plans.

Staff has found that based on the minor alterations to the nonconforming structure (pulling the 1980's roof form off of the roof of the historic structure) there are no Priority Policies or Design Standards of the Handbook of Design Standards for the Historic and Conservation Districts that would trigger the assignment of negative points or require any need for a variance.

The current submittal is seeking approval of the same design as Staff presented on the July 7th preliminary hearing with the exception of the reduction in the basement density. Most of the changes are internal leaving much of the existing floor plans unchanged.

Staff Comments

Density/Intensity (3/A & 3/R)/Mass (4/R): With this proposal, the overall density and above ground density is being reduced from the original size by 6-square feet. However, the 1980's roof over-framing (used as storage over the historic house roof) is being reduced/removed from the historic house and will give a greater appearance of a reduction in massing and separation between the historic and non-historic portions of the house.

As part of this application, the applicants are seeking a local landmark designation which would allow a basement beneath the historic house without adding density under this policy. As a Condition of Approval, the applicants shall pursue an ordinance from the Breckenridge Town Council for local landmark status for the property. The Commission will recommend this to the Council as part of staff's recommendations (below).

Site and Environmental Design (7/R): The only on-site impact associated with this policy is the creation of a new three foot six inch (3'6") tall Siloam stone retaining wall to accommodate the required on-site parking. The proposed wooden retaining wall will be no taller than three (3) feet. Staff has no concerns.

Placement of Structures (9/A & 9/R): There is no proposed change in the location of the footprint of the house. As it exists today, the front porch encroaches into the Washington Avenue ROW and the historic bay window encroaches into the west alley ROW. Also, a small portion of the non-compliant addition encroaches into the west alley ROW. An encroachment license agreement will be processed prior to issuance of a building permit for the existing encroachments of the historic house, and has been made a Condition of Approval.

At the preliminary hearing staff heard support from the Commission to allow (with an encroachment license agreement) the window well outside of the west property line. This window well will be below grade and encroach no further into the west alley than the existing encroachment of the existing bay window along this property line. Since this window well is behind the bay window and about seven (7) feet above and thirty (30) feet away from the Washington Avenue ROW, any visual impacts are negligible.

Snow Removal and Storage (13/R): On this difficult site, snow removal will need to be done by hand or snow thrower into the yard south of the parking spaces. There is ample space for this snow storage.

Parking (18/A & 18/R): At the last review, the Commissioners had no concerns with the planned encroachment of the required two parking spaces into the ROW. At the request of the Public Works Streets Department, the parking spaces have been held back from the snowplow windrow along the ROW. As a preexisting non-conforming situation, Public Works did not need to process a variance for the encroachment. No public parking is impacted along this ROW. We have no concerns.

Landscaping (22/A & 22/R): The proposed landscaping is modest for this tiny lot. One - 6-foot tall Spruce, one - 1.5-2 inch caliper Spring/Snow Crabapple, four - 1.5 inch caliper Aspen and, since the last hearing, one - Balm of Giliad or Balsam Poplar is proposed. These, along with six - 5-gallon shrubs, should complement the site nicely. No negative or positive points are suggested. We have no concerns.

Fence (47/A) and Policies 60, 61 and 62 of the Handbook of Design Standards: Per Policy 47, fences are allowed in the Historic District and the Handbook of Design Standards for the Historic and Conservation Districts which suggest 3-foot tall metal fences to define yards. The site plans show a 3-foot tall wrought iron fence. This is the style the applicant has selected:





The applicants are proposing a historic restoration of the original structure as follows:

1. Remove a portion of the 1980's roof over historic main ridge of the historic house and cut the roof addition back approximately 12 feet and add a cricket (for drainage) behind and below the original historic ridge. This will provide an improved separation between the historic structure and the 1980's addition..
2. Remove the west non-historic bay window in the kitchen area (keeping the west facing bay window) on the historic structure, per plan.
3. Restore the original roof form to the greatest degree possible on the historic structure.
4. Restore all original window openings and replace front (north) door with historically compliant door.
5. Full restoration of the front porch with correct post detailing (existing posts to be replaced based on photographs).
6. After locally Landmarking, add full basement under historic footprint (zero lot line on west).
7. On the non-historic addition, correct all windows to historically compliant wooden vertically orientated double hung windows.
8. Correct roof form in non-compliant addition. Notes:
 - a. There will be no changes in the historic floor elevation.
 - b. There will be no increase in rear roofline height.
 - c. The building is to remain in its current location.
 - d. There will be a slight reduction in existing density.

Under this policy there is a section regarding Historic Preservation. Per this section of the Code:

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

Examples: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details, plus structural stabilization and installation of a new foundation.

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

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

At the last review we heard support for awarding positive six (+6) points under this policy. This is reflected in the attached Point analysis.

Landmarking of Structure:

With the historic house "isolated" the agent believes that the house could be locally landmarked under the following criteria:

To be designated as a landmark the property must: (1) satisfy the sole requirement of Column A; (2) satisfy at least one of the requirements of Column B; and (3) also satisfy at least one of the requirements of Column C. These items have been **bolded** for the Commissioners' review.

COLUMN "A"	COLUMN "B"	COLUMN "C"
<p>The property must be at least 50 years old.</p>	<p>The proposed landmark must meet at least ONE of the following 13 criteria:</p> <p>ARCHITECTURAL IMPORTANCE</p> <ol style="list-style-type: none"> The property exemplifies specific elements of architectural style or period. The property is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally. The property demonstrates superior craftsmanship or high artistic value The property represents an innovation in construction, materials or design. The property is of a style particularly associated with the Breckenridge area. The property represents a built environment of a group of people in an era of history. The property includes a pattern or grouping of elements representing at least one of the above criteria. The property is a significant historic remodel. <p>SOCIAL IMPORTANCE</p> <ol style="list-style-type: none"> The property is a site of an historic event that had an effect upon society. The property exemplifies cultural, political, economic or social heritage of the community. The property is associated with a notable person or the work of a notable person. <p>GEOGRAPHIC/ENVIRONMENTAL IMPORTANCE</p> <ol style="list-style-type: none"> The property enhances sense of identity of the community. The property is an established and familiar natural setting or visual feature of the community 	<p>The proposed landmark must meet at least ONE of the following 4 criteria:</p> <ol style="list-style-type: none"> The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation. The property retains original design features, materials and/or character. The structure is on its original location or is in the same historic context after having been moved. The structure has been accurately reconstructed or restored based on documentation.

At a previous meeting we heard Commissioner support for the following:

Column A: The property is at least 50 years old (1882 per cultural survey).

Column B: 1. The proposed landmark exemplifies specific elements of architectural style or period.

5. The proposed landmark is of a style particularly associated with the Breckenridge area.

7. The property includes a pattern or grouping of elements representing at least one of the above criteria.

Column C: All four criteria.

At final review, staff suggests that the Planning Commission recommend that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

Point Analysis (Section: 9-11-7-3): At this final review we are finding the application passes all Absolute We are suggesting positive six (+6) points for the restoration and renovation efforts under Polity 24/R Social Community.

Staff Recommendation

The applicants have presented plans that are very similar to the previously approved plans in 2010. The key restoration items are being matched from the last submittal. The main changes are internal to the structure. We welcome any questions.

Staff has two motions recommended for the approval of this application:

1. Planning Commission recommends that the Town Council adopt an ordinance to Landmark the historic structure for the Nauman Residence Historic Renovation and Landmarking, PL-2015-0152, based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.
2. Planning Commission approves the attached Point analysis for the Nauman Residence Historic Renovation and Landmarking, PL-2015-0152, showing a passing score of positive six (+6) points.

Final Hearing Impact Analysis				
Project:	Nauman Residence Historic Renovation and Landmarking	Positive	Points	+6
PC#	PL-2015-0152			
Date:	8/25/2015	Negative	Points	0
Staff:	Michael Mosher, Planner III			
		Total Allocation:		+6
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		The proposal conforms to the suggested uses for this Land use District.
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)		With this proposal, the overall density is being reduced from the original size by 6 square feet. The above ground density is also being reduced by 6 square feet.
4/R	Mass	5x (-2>-20)		With this proposal, the overall density is being reduced from the original size by 6 square feet.
5/A	Architectural Compatibility	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
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)		The overall building height will remain at 20'-7" above grade.
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/Multi-family Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		The only on-site impact associated with this policy is the creation of a new retaining wall to accommodate the required on-site parking. The proposed retaining wall will be no taller than three (3) feet.
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)		As it exists today, the front porch encroaches into the Washington Avenue ROW and the historic bay window encroaches into the west alley ROW. Also, a small portion of the non-compliant addition encroaches into the west alley ROW. An encroachment license agreement will be processed prior to issuance of a building permit for the existing encroachments of the historic house. The new window well will be below grade and encroach no further than the existing encroachment of the historic bay window along this property line.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		On this difficult site, snow removal will need to be done by hand or snow thrower into the yard south of the parking spaces. There is ample space for this snow storage.
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)		The parking has been held back from the wind row of snow removal along the ROW and no public parking is impacted. As discussed at the last meeting, an encroachment license agreement will be processed.
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	2x(-1/+3)		One - 6-foot tall Spruce, one - 1.5-2 inch caliper Spring/Snow Crabapple, four - 1.5 inch caliper Aspen and, since the last hearing, one Balm of Giliad or Balsam Poplar are proposed. These, along with six - 5-gallon shrubs, should complement the site nicely.
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	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Conservation District	3x(-5/0)		
24/R	Social Community - Historic Preservation	3x(0/+5)		

24/R	Social Community - Primary Structures - Historic Preservation/Restoration - Benefit	+1/3/6/9/12	+6	<p>house (below) prior to the non-compliant addition, for reference. (Staff believes that the west facing bay window was added to the historic house, as the windows do not match those on the north elevation.) Based on this information, the applicants are proposing a historic restoration of the original structure as follows:</p> <ol style="list-style-type: none"> 1. Remove a portion of the 1980's roof over historic main ridge of the historic house and cut the roof addition back approximately 12 feet and add a cricket (for drainage) behind and below the original historic ridge. This will provide the appearance of a "connector", as defined in the Historic Standards. 2. Remove the west non-historic bay window in the kitchen area (keeping the west facing bay window) on the historic structure, per plan. 3. Restore the original roof form to the greatest degree possible on the historic structure. 4. Restore all original window openings and replace front (north) door with historically compliant door. 5. Full restoration of the front porch with correct post detailing (existing posts to be replaced based on photographs). 6. After locally Landmarking, add full basement under historic footprint (zero lot line on west). 7. On the non-historic addition, correct all windows to historically compliant wooden
24/R	Social Community - Secondary Structures - Historic Preservation/Restoration - Benefit	+1/2/3		
24/R	Social Community - Moving Primary Structures	-3/10/15		
24/R	Social Community - Moving Secondary Structures	-3/10/15		
24/R	Social Community - Changing Orientation Primary Structures	-10		
24/R	Social Community - Changing Orientation Secondary Structures	-2		
24/R	Social Community - Returning Structures To Their Historic Location	+2 or +5		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		

33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Special Areas - Community Entrance	4x(-2/0)		
37/R	Special Areas - Individual Sites	3x(-2/+2)		
37/R	Special Areas - Blue River	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Special Areas - Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
38.5/A	Home Childcare Businesses	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

**Nauman Residence Historic Renovation and Landmarking
211 East Washington Avenue
Lot 2A, Rittinger Subdivision
PERMIT PL-2015-0152**

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 **August 25, 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 **September 1, 2015** as to the nature of the project. In addition to Commission minutes, audio of the meetings of the Commission are recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The determination that the Application complies with Policy 9 (Absolute)(Placement of Structures) and the award of zero points under Policy 9(D) (Relative)(Placement of Structures – Residential Setbacks) is based on the following unique circumstances concerning the real property that is the subject of the Application: (i) the front porch of the structure located on the property currently encroaches into the Town's Washington Avenue right-of-way by approximately one and one-half (1.5) feet; (ii) the historic bay window of the structure located on the west edge of the property currently encroaches into the public alley adjoining the property by approximately four (4) feet; (iii) a small portion of the non-compliance addition to the structure currently encroaches by approximately one (1) foot into the alley adjoining the property; (iv) the encroachments described in items (i), (ii) and (iii) have existed for many years without demonstrable negative effects on the community; (v) those new improvements to be constructed pursuant to the Application that encroach into the Washington Avenue right-of-way and the alley adjacent to the Applicant's property have been designed by the Applicant to line-up exactly with the existing encroachments, and therefore will result in no greater encroachment into the Washington Avenue right-of-way and the alley adjacent to the Applicant's property than existed prior to the construction of the new improvements; (vi) those new improvements that are to be constructed pursuant to the Application that encroach into the Washington Avenue right-of-way and the alley adjacent to the Applicant's property will result in no greater restriction on the ability of the Town to use the Washington Avenue right-of-way and the alley adjacent to the Applicant's property than existed prior to

the submission of the Application; (vii) for the reasons set forth above, the community will experience a minimum of negative impacts with respect to Policy 9 (Absolute)(Placement of Structures) and Policy 9(D) (Relative) (Placement of Structures – Residential Setbacks). Because the existing location is historic and circumstance makes this property undesirable to relocate within the Applicant’s property and the Town desires to encourage investment into historic properties, the Town Engineer has agreed to grant a license for the encroachments.

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 **September 8, 2018**, unless a building permit has been issued for Nauman Residence Historic Renovation Variance and Landmarking (PI-2015-0152) and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. If the Town Council should **not** adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance the approval of this Development Permit (PL-2015-0152) would be void and the applicants would need to submit a revision to the Development Permit with the application conforming to 9-1-19-3A: Policy 3 (Absolute) Density/Intensity and 9-1-19-3R: Policy 3 (Relative) Compliance With Density/Intensity Guidelines.
8. Applicant shall notify the Town of Breckenridge Community Development Department (970-453-3160) prior to the removal of any building materials from the historic building. Applicant shall allow the Community Development Department to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property, which may jeopardize the status of the property as a local landmark and/or its historic rating, and thereby the allowed basement density. Any such action could result in the revocation and withdrawal of this permit.

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.

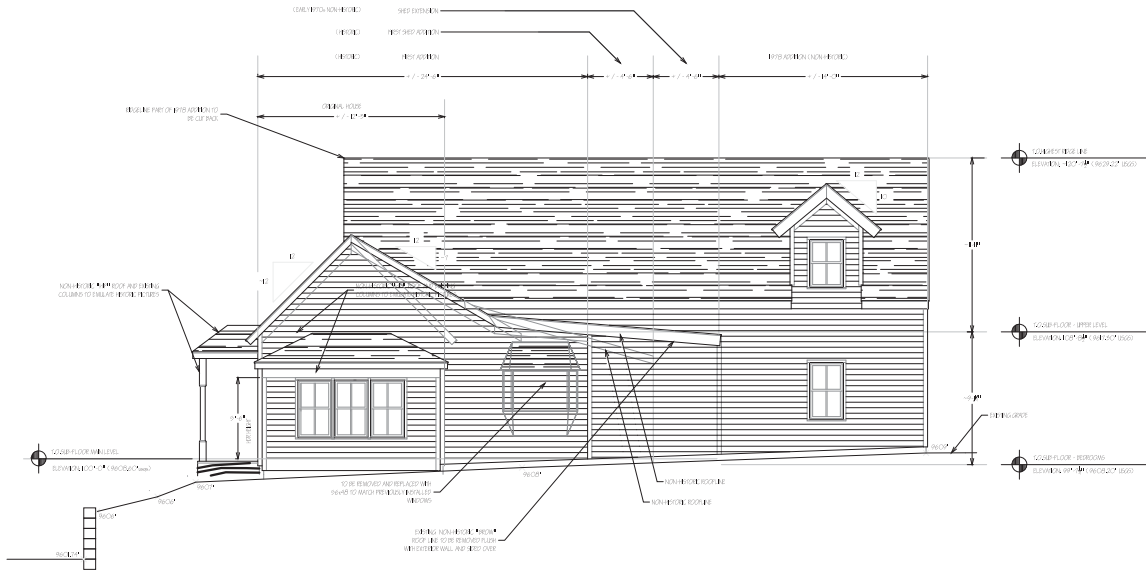
PRIOR TO ISSUANCE OF BUILDING PERMIT

10. Applicant shall submit proof of ownership of the project site.
11. **Applicant shall execute and record with the Summit County Clerk and Recorder an Encroachment License Agreement, running with the land, in a form acceptable to the Town Attorney, identifying the parking spaces, retaining walls, front porch, and portions of the west side of the house encroachments into the Washington Avenue and Alley right of ways.**

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

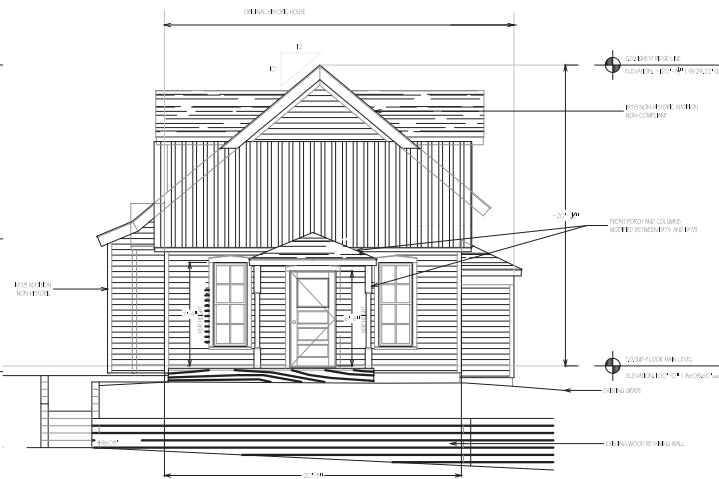
12. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a 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.
13. 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 cannot 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.**
14. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
15. 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)



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

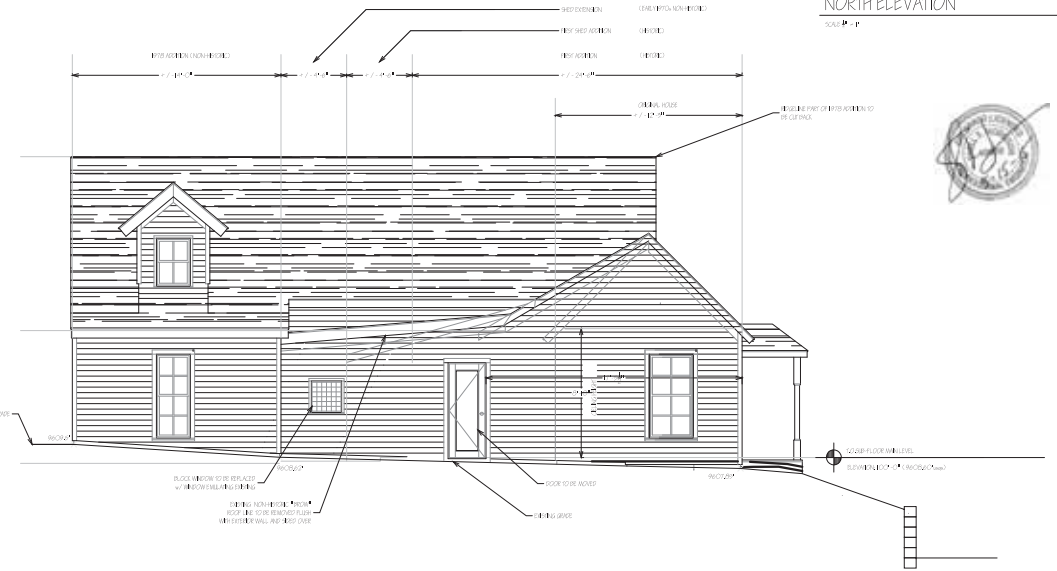
NOTE: THESE PLANS HAVE BEEN DEVELOPED FROM PLANS OBTAINED BY OWNER. ORIGINAL DESIGN BY J.L. SUPERLEY, ARCHITECT, P.A., AND USED WITH ALL RIGHTS RESERVED. ALL ATTEMPTS HAVE BEEN MADE TO RE-CREATE THE ORIGINAL PLANS, WHILE MAINTAINING A REASONABLE BUDGET FOR THE PROJECT FOR THE OWNER. THE OWNER WISHES TO SUBMIT THE ORIGINAL LANDSCAPE PLAN ORIGINALLY SUBMITTED DUE TO NOW CHANGES.



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



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



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

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NAUMAN RESIDENCE
LOT 2A, BLOCK 10 ABBETT ADDITION
BRECKENRIDGE, COLORADO

ISSUE	DATE
CONCEPT	09/05/2015
CONCEPT (R)	04/16/2015
PLANNING SUBMITTAL	05/15/2015
PROJECT #	
EXISTING ELEVATIONS	

