



**TOWN OF  
BRECKENRIDGE**

**Town Council Regular Meeting**

Tuesday, September 12, 2023, 7:00 PM

Town Hall Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE IS HOLDING HYBRID MEETINGS. This meeting will be held in person at Breckenridge Town Hall and will also be broadcast live over Zoom. Login information is available in the calendar section of our website: [www.townofbreckenridge.com](http://www.townofbreckenridge.com). If you will need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 547-3127, at least 72 hours in advance of the meeting.

**I. CALL TO ORDER, ROLL CALL**

**II. APPROVAL OF MINUTES**

A. TOWN COUNCIL MINUTES - AUGUST 22, 2023

B. TOWN COUNCIL MINUTES - SEPTEMBER 1, 2023

**III. APPROVAL OF AGENDA**

**IV. COMMUNICATIONS TO COUNCIL**

A. PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

**V. HISPANIC HERITAGE MONTH PROCLAMATION**

A. PROCLAMATION

**VI. CONTINUED BUSINESS**

A. SECOND READING OF COUNCIL BILLS, SERIES 2023

1. *COUNCIL BILL NO. 30, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 106 SOUTH FRENCH STREET*

2. *COUNCIL BILL NO. 31, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 112 NORTH FRENCH STREET*

**VII. NEW BUSINESS**

A. FIRST READING OF COUNCIL BILLS, SERIES 2023

1. *COUNCIL BILL NO. 32, SERIES 2023 - A BILL FOR AN ORDINANCE AMENDING POLICY 3A PERTAINING TO DENSITY CALCULATIONS FOR NET ZERO ENERGY BUILDINGS*

B. RESOLUTIONS, SERIES 2023

C. OTHER

**VIII. PLANNING MATTERS**

A. PLANNING COMMISSION DECISIONS

**IX. REPORT OF TOWN MANAGER AND STAFF**

**X. REPORT OF MAYOR AND COUNCIL MEMBERS**

A. CAST/MMC (Mayor/Town Manager)

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (Bergeron)

C. BRECKENRIDGE TOURISM OFFICE (Carleton)

D. BRECKENRIDGE HISTORY (Saade)

E. BRECKENRIDGE CREATIVE ARTS (Rankin)

F. CML ADVISORY BOARD UPDATE (Saade)

G. CHILD CARE ADVISORY COMMITTEE (Beckerman)

H. SOCIAL EQUITY ADVISORY COMMISSION (Saade)

**XI. OTHER MATTERS**

**XII. SCHEDULED MEETINGS**

A. SCHEDULED MEETINGS FOR SEPTEMBER, OCTOBER AND NOVEMBER

**XIII. ADJOURNMENT**

**D) CALL TO ORDER, ROLL CALL**

Mayor Mamula called the meeting of August 22, 2023, to order at 7:00pm. The following members answered roll call: Todd Rankin, Carol Saade, Jeffrey Bergeron, Dick Carleton, Jay Beckerman, Kelly Owens and Mayor Eric Mamula.

**II) APPROVAL OF MINUTES**

**A) TOWN COUNCIL MINUTES – August 8, 2023**

With no changes or corrections to the meeting minutes of August 8, 2023, Mayor Mamula declared they would stand approved as presented.

**III) APPROVAL OF AGENDA**

Town Manager Rick Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved as presented.

**IV) COMMUNICATIONS TO COUNCIL**

**A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)**

Mayor Mamula opened Public Comment.

There were no comments and Mayor Mamula closed Public Comment.

**V) CONTINUED BUSINESS**

**A) SECOND READING OF COUNCIL BILLS, SERIES 2023 - PUBLIC HEARINGS**

**1) COUNCIL BILL NO. 28, SERIES 2023 - A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO DISPLAY MERCHANDISE OUTDOORS**

Mayor Mamula read the title into the minutes. Mark Truckey, Community Development Director, stated there were no changes to this ordinance from first reading.

Mayor Mamula opened the public hearing.

There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 24, SERIES 2023 - A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO DISPLAY MERCHANDISE OUTDOORS. Council Member Beckerman seconded the motion.

The motion passed 7-0.

**2) COUNCIL BILL NO. 29, SERIES 2023 - A BILL FOR AN ORDINANCE APPROVING A LEASE WITH THE BRECKENRIDGE TOURISM OFFICE, INC**

Mayor Mamula read the title into the minutes. Town Manager Rick Holman stated there were no changes to this ordinance from first reading.

Mayor Mamula opened the public hearing.

There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 29, SERIES 2023 - A BILL FOR AN ORDINANCE APPROVING A LEASE WITH THE BRECKENRIDGE TOURISM OFFICE, INC. Council Member Saade seconded the motion.

The motion passed 7-0.

**VI) NEW BUSINESS**

**A) FIRST READING OF COUNCIL BILLS, SERIES 2023**

**1) COUNCIL BILL NO. 30, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 106 SOUTH FRENCH STREET**

Mayor Mamula read the title into the minutes. Chris Kulick, Planning Manager, stated this ordinance would landmark a historic property located at 106 South French Street.

Mayor Mamula opened the public hearing.

There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 30, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 106 SOUTH FRENCH STREET. Council Member Owens seconded the motion.

The motion passed 7-0.

- 2) **COUNCIL BILL NO. 31, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 112 NORTH FRENCH STREET**

Mayor Mamula read the title into the minutes. Chris Kulick, Planning Manager, stated this ordinance would landmark a historic property located at 112 North French Street.

Mayor Mamula opened the public hearing.

There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve **COUNCIL BILL NO. 31, SERIES 2023 - A BILL FOR AN ORDINANCE TO LOCALLY LANDMARK A HISTORIC PROPERTY AT 112 NORTH FRENCH STREET**. Council Member Saade seconded the motion.

The motion passed 7-0.

- B) **RESOLUTIONS, SERIES 2023**

- C) **OTHER**

**VII) PLANNING MATTERS**

- A) **PLANNING COMMISSION DECISIONS**

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

**VIII) REPORT OF TOWN MANAGER AND STAFF**

Reports of Town Manager and Staff were covered in the afternoon work session.

**IX) REPORT OF MAYOR AND COUNCIL MEMBERS**

Reports of Mayor and Council Members were covered in the afternoon work session.

- A. **CAST/MMC**

- B. **BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE**

- C. **BRECKENRIDGE TOURISM OFFICE**

- D. **BRECKENRIDGE HISTORY**

- E. **BRECKENRIDGE CREATIVE ARTS**

- F. **BRECKENRIDGE EVENTS COMMITTEE (CML UPDATE moving forward)**

- G. **CHILD CARE ADVISORY COMMITTEE**

- H. **SOCIAL EQUITY ADVISORY COMMISSION**

**X) OTHER MATTERS**

There were no other matters discussed.

**XI) SCHEDULED MEETINGS**

- A) **SCHEDULED MEETINGS FOR AUGUST, SEPTEMBER AND OCTOBER**

**XII) ADJOURNMENT**

With no further business to discuss, the meeting adjourned at 7:09 pm. Submitted by Madeleine Norgard, Records and Municipal Court Coordinator.

ATTEST:

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Helen Cospolich, CMC, Town Clerk

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Eric S. Mamula, Mayor

**I) CALL TO ORDER, ROLL CALL**

Mayor Mamula called the special meeting of September 1, 2023, to order at 8:30am. The following members answered roll call: Todd Rankin, Carol Saade, Dick Carleton, Jay Beckerman, Kelly Owens and Mayor Eric Mamula. Jeffrey Bergeron was absent.

**II) APPROVAL OF AGENDA**

Town Manager Rick Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved as presented.

**III) DISCUSSION**

**Stables Housing Sewer Connection Discussion**

Laurie Best and Melanie Leas, Housing Division, reviewed two options for the sewer connection required for the Stables Village housing project. Council members discussed the options and preferred option 2, which would require Xcel Energy to grant easements to the Town for this work. Town Manager Rick Holman stated he would contact Xcel today to request the easements, as this option would be less disruptive, carry less risk, and cost less overall.

**IV) EXECUTIVE SESSION – Personnel Matter to Review Applicant for Town Manager Position**

Mayor Mamula made a motion to go into executive session under CRS 24-6-402 (4)(f)(I) for the purpose of personnel matters, specifically to evaluate the application for the position of Town Manager. Council Member Rankin seconded the motion.

A roll call vote was taken and the motion passed 6-0. Council Member Bergeron was absent.

Council adjourned from Executive Session. Council Member Beckerman moved to approve Shannon Haynes as the sole finalist for the Town Manager position for the Town of Breckenridge. Council Member Carleton seconded the motion.

Council member Carleton read a statement of support for Haynes from Lucy Kay of the Breckenridge Tourism Office.

A roll call vote was taken and the motion passed 6-0. Council Member Bergeron was absent.

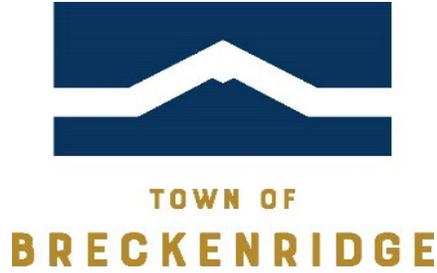
**V) ADJOURNMENT**

With no further business to discuss, the meeting adjourned at 8:47am. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

\_\_\_\_\_  
Eric S. Mamula, Mayor



**HISPANIC HERITAGE MONTH PROCLAMATION**

**WHEREAS**, the Town of Breckenridge takes pride in its diverse and vibrant community, recognizing the importance of honoring and celebrating the various cultures that contribute our community; and

**WHEREAS**, Hispanic Heritage Month is observed annually in the United States from September 15th to October 15th, celebrating the histories, cultures, and contributions of individuals and families with roots in Spain, Mexico, Central America, and South America; and

**WHEREAS**, Hispanic Heritage Month provides an invaluable opportunity to reflect upon and honor those traditions, languages, arts, cuisine, and achievements that have enriched our mountain community; and

**WHEREAS**, Breckenridge is home to many individuals of Hispanic and Latino descent who help shape our community through their hard work, creativity, leadership, and dedication; and

**WHEREAS**, the observance of Hispanic Heritage Month fosters understanding, inclusivity, and unity among all residents of Breckenridge, regardless of their cultural backgrounds; and

**WHEREAS**, the Town of Breckenridge seeks to promote an inclusive and welcoming environment that celebrates diversity and encourages understanding among all residents, regardless of their background or heritage; and;

**NOW, THEREFORE, BE IT RESOLVED THAT I**, Mayor Eric Mamula, do hereby proclaim September 15 through October 15 as Hispanic Heritage Month and call upon all Breckenridge residents to join me in celebrating the cultural achievements of the Hispanic and Latino community, fostering greater understanding and appreciation among our diverse population.

**Mayor, Town of Breckenridge**

\_\_\_\_\_/s/\_\_\_\_\_

Mayor Eric Mamula

Attest:

\_\_\_\_\_/s/\_\_\_\_\_

Town Clerk



# Memo

**To:** Breckenridge Town Council Members  
**From:** Chris Kulick, AICP, Planning Manager  
**Date:** September 6, 2023  
**Subject:** Second Reading: Local Landmarking the Howe Residence, 106 South French Street

The second reading of the Howe Residence Landmarking Ordinance is scheduled for your meeting on September 12th. There are no changes from first reading.

I will be happy to discuss this matter with you on Tuesday.

## Recommended Motion

I move that the Council approve the proposed Local Landmarking of the Howe Residence, located at 106 South French Street, Lots 7 & 8, Block 4, Abbett Addition at Second Reading.

1  
2 COUNCIL BILL NO. \_\_\_\_

3  
4 Series 2023

5  
6 **AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A**  
7 **LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE**  
8 **TOWN CODE**

9 (Howe Residence, 106 South French Street, Lots 7 & 8, Block 4, Abbett Addition)

10  
11 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
12 COLORADO:

13  
14 **Section 1.** Findings. The Town Council of the Town of Breckenridge finds and  
15 determines as follows:

16 A. Jonathan and Amanda Jones own the hereinafter described real property.  
17 Such real property is located within the corporate limits of the Town of Breckenridge,  
18 County of Summit and State of Colorado.

19 B. Jonathan and Amanda Jones filed an application pursuant to Chapter 11 of  
20 Title 9 of the Breckenridge Town Code seeking to have the hereinafter described real  
21 property designated as a landmark ("**Application**").

22 C. The Town followed all of procedural requirements of Chapter 11 of Title 9 of  
23 the Breckenridge Town Code in connection with the processing of the Application.

24 D. The improvements located on hereinafter described real property are more  
25 than fifty (50) years old.

26 E. The hereinafter described real property meets the "Architectural" designation  
27 criteria for a landmark as set forth in Section 9-11-4(A)(1)(b)(2) of the Breckenridge  
28 Town Code because:

- 29  
30 (i) the property exemplifies specific elements of architectural style or period  
31 and;  
32 (ii) the property is of a style particularly associated with the Breckenridge  
33 area.  
34

1 F. The hereinafter described real property meets the “Physical Integrity” criteria  
2 for a landmark as set forth in Section 9-11-4(A)(3) of the Breckenridge Town Code  
3 because the property retains original design features, materials and character.

4 G. In accordance with the requirements of Section 9-11-3(B)(3) of the  
5 Breckenridge Town Code, on April 6, 2021, 2018 the Application was reviewed by the  
6 Breckenridge Planning Commission. On such date the Planning Commission  
7 recommended to the Town Council that the Application be granted.

8 H. The Application meets the applicable requirements of Chapter 11 of Title 9 of  
9 the Breckenridge Town Code, and should be granted without conditions.

10 I. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final  
11 approval of an application for landmark designation under Chapter 11 of Title 9 of the  
12 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

13 **Section 2.** Designation of Property as Landmark. The real property described in  
14 Exhibit “A” which is incorporated into this ordinance by reference is designated as a  
15 landmark pursuant to Chapter 11 of Title 9 of the Breckenridge Town Code.

16 **Section 3.** Police Power Finding. The Town Council finds, determines and declares that  
17 this ordinance is necessary and proper to provide for the safety, preserve the health, promote  
18 the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge  
19 and the inhabitants thereof.

20 **Section 4.** Town Authority. The Town Council finds, determines and declares that it has  
21 the power to adopt this ordinance pursuant to the authority granted to home rule municipalities  
22 by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town  
23 Charter.

24 **Section 5.** Effective Date. This ordinance shall be published and become effective as  
25 provided by Section 5.9 of the Breckenridge Town Charter.

26  
27 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
28 PUBLISHED IN FULL this 22nd day of August, 2023. A Public Hearing shall be held at the  
29 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 12th day of  
30 September, 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
31 Town.

32  
33 TOWN OF BRECKENRIDGE, a Colorado  
34 municipal corporation

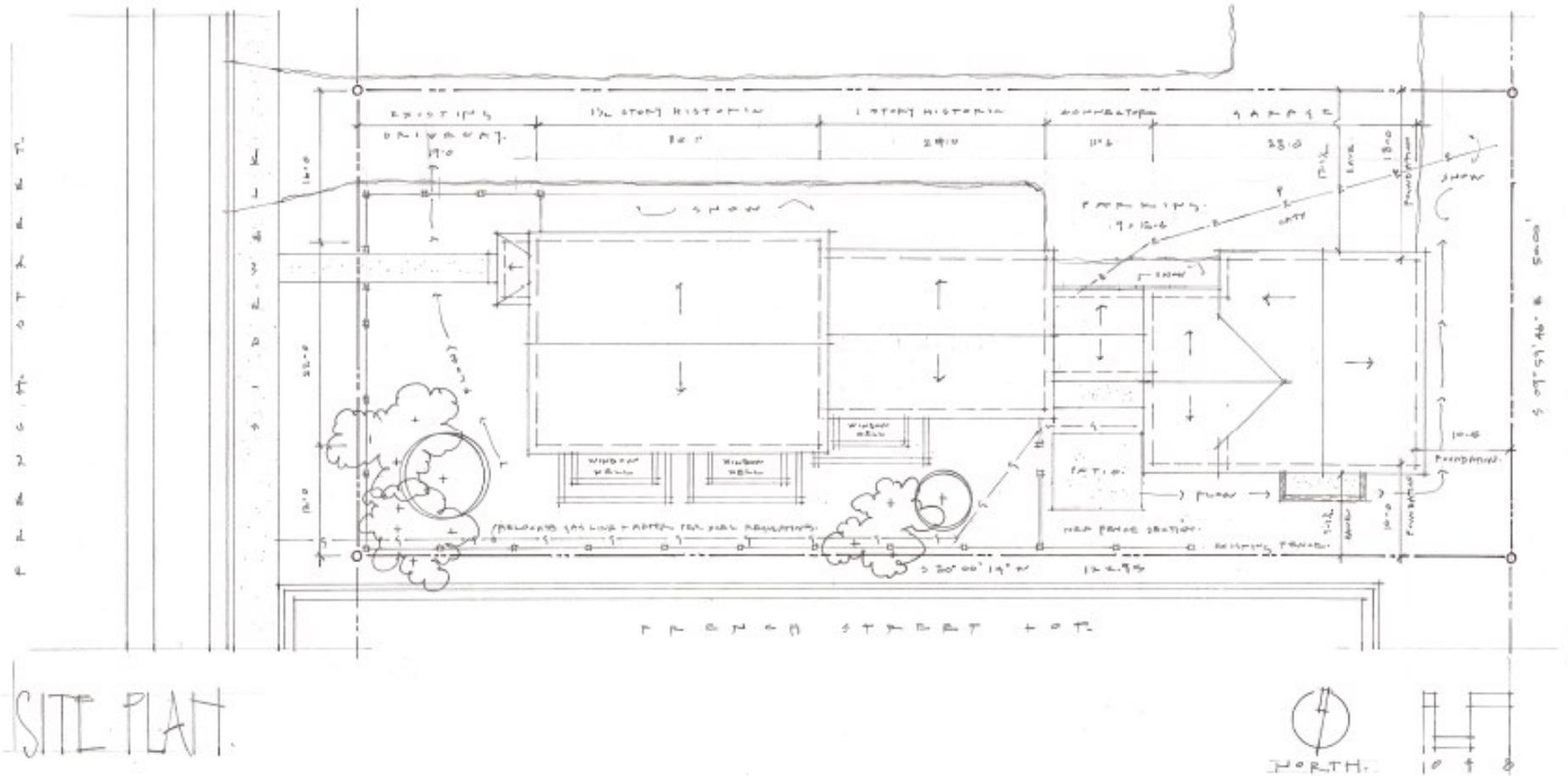
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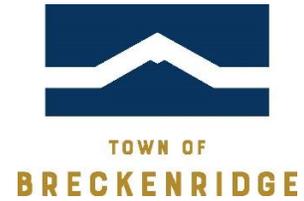
By \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk

# Exhibit "A"





# Memo

**To:** Breckenridge Town Council Members  
**From:** Chris Kulick, AICP, Planning Manager  
**Date:** September 6, 2023  
**Subject:** Second Reading: Landmarking the Casey Residence, 112 North French Street

The second reading of the Casey Residence Landmarking Ordinance is scheduled for your meeting on September 12th. There are no changes from first reading.

I will be happy to discuss this matter with you on Tuesday.

## Recommended Motion

I move that the Council approve the proposed Local Landmarking of the Casey Residence, located at 112 North French Street, Lots 3 & 4, Block 3, Abbett Addition at Second Reading.

1  
2 COUNCIL BILL NO. \_\_\_\_

3  
4 Series 2023

5  
6 **AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A**  
7 **LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE**  
8 **TOWN CODE**

9 (Casey Residence, 112 North French Street, Lots 3 & 4, Block 3, Abbett Addition)

10  
11 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
12 COLORADO:

13  
14 **Section 1.** Findings. The Town Council of the Town of Breckenridge finds and  
15 determines as follows:

16 A. Diane Monaghan owns the hereinafter described real property. Such real  
17 property is located within the corporate limits of the Town of Breckenridge, County of  
18 Summit and State of Colorado.

19 B. Diane Monaghan filed an application pursuant to Chapter 11 of Title 9 of the  
20 Breckenridge Town Code seeking to have the hereinafter described real property  
21 designated as a landmark ("**Application**").

22 C. The Town followed all of procedural requirements of Chapter 11 of Title 9 of  
23 the Breckenridge Town Code in connection with the processing of the Application.

24 D. The improvements located on hereinafter described real property are more  
25 than fifty (50) years old.

26 E. The hereinafter described real property meets the "Architectural" designation  
27 criteria for a landmark as set forth in Section 9-11-4(A)(1)(b)(2) of the Breckenridge  
28 Town Code because the property is of a style particularly associated with the  
29 Breckenridge area.

30 F. The hereinafter described real property meets the "Physical Integrity" criteria  
31 for a landmark as set forth in Section 9-11-4(A)(3) of the Breckenridge Town Code  
32 because the property retains original design features, materials and character.

33 G. In accordance with the requirements of Section 9-11-3(B)(3) of the  
34 Breckenridge Town Code, on November 6, 2018 the Application was reviewed by the  
35 Breckenridge Planning Commission. On such date the Planning Commission  
36 recommended to the Town Council that the Application be granted.

1 H. The Application meets the applicable requirements of Chapter 11 of Title 9 of  
2 the Breckenridge Town Code, and should be granted without conditions.

3 I. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final  
4 approval of an application for landmark designation under Chapter 11 of Title 9 of the  
5 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

6 **Section 2.** Designation of Property as Landmark. The real property described in  
7 Exhibit "A" which is incorporated into this ordinance by reference is designated as a  
8 landmark pursuant to Chapter 11 of Title 9 of the Breckenridge Town Code.

9 **Section 3.** Police Power Finding. The Town Council finds, determines and declares that  
10 this ordinance is necessary and proper to provide for the safety, preserve the health, promote  
11 the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge  
12 and the inhabitants thereof.

13 **Section 4.** Town Authority. The Town Council finds, determines and declares that it has  
14 the power to adopt this ordinance pursuant to the authority granted to home rule municipalities  
15 by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town  
16 Charter.

17 **Section 5.** Effective Date. This ordinance shall be published and become effective as  
18 provided by Section 5.9 of the Breckenridge Town Charter.

19  
20 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
21 PUBLISHED IN FULL this 22nd day of August, 2023. A Public Hearing shall be held at the  
22 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 12  
23 th day of September, 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal  
24 Building of the Town.

25  
26 TOWN OF BRECKENRIDGE, a Colorado  
27 municipal corporation

28  
29  
30  
31 By \_\_\_\_\_

32 Eric S. Mamula, Mayor

33  
34 ATTEST:

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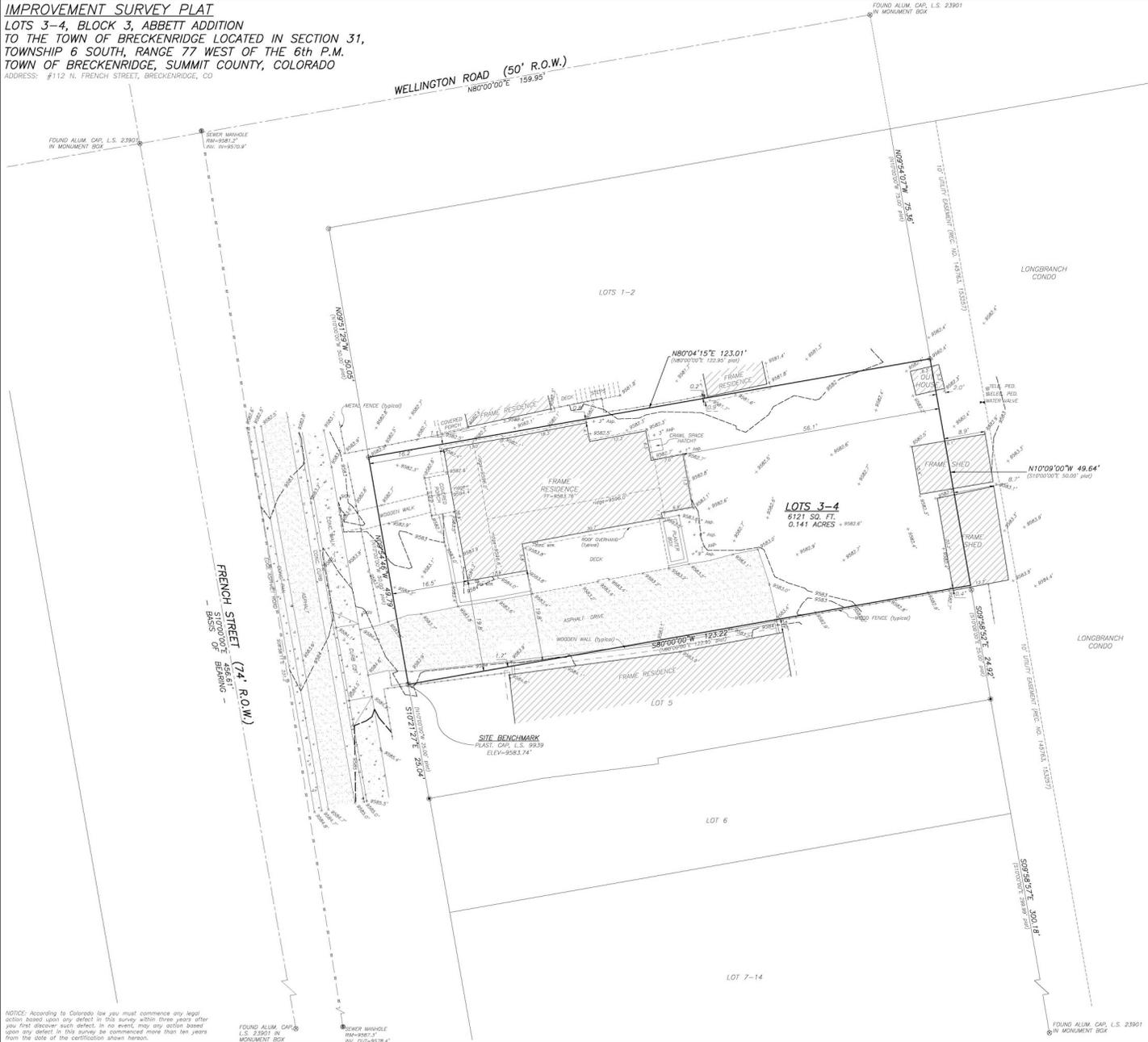
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Helen Cospolich, CMC,  
Town Clerk

# Exhibit "A"

## IMPROVEMENT SURVEY PLAT

LOTS 3-4, BLOCK 3, ABBETT ADDITION  
TO THE TOWN OF BRECKENRIDGE LOCATED IN SECTION 31,  
TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6th P.M.  
TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO  
ADDRESS: #112 N. FRENCH STREET, BRECKENRIDGE, CO



### SURVEYOR'S CERTIFICATE

I, MATTHEW J. WENZEL, A COLORADO REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY TO DAVID MONAGHAN, THAT THIS IMPROVEMENT SURVEY PLAT WAS PREPARED BY ME FROM A SURVEY MADE BY ME AND UNDER MY SUPERVISION, THAT BOTH THIS PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE MONUMENTS WERE SET IN ACCORDANCE WITH C.R.S. 38-51-105.  
THIS IMPROVEMENT SURVEY PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY SUMMIT LAND SURVEYING INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING OWNERSHIP AND EASEMENTS OF RECORD, SUMMIT LAND SURVEYING INC., RELIED UPON TITLE COMMITMENT ORDER NO. 1013872-C ISSUED BY TITLE CO. OF THE ROCKIES AS AN AGENT FOR WESTCOR LAND TITLE INSURANCE COMPANY.



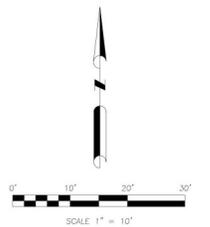
MATTHEW J. WENZEL

### NOTE:

—BEARINGS ARE BASED ON THE FOUND B.O.B. MONUMENTS (ALUMINUM CAPS IN MONUMENT BOXES) BASED ON THE RIGHT OF WAY MAP FOR THE ABBETT ADDITION BY BASELINE SURVEYS FILED AT THE CLERK AND RECORDERS OFFICE UNDER REC. NO. 1231-743.

### BASIS OF ELEVATION

—ELEVATIONS BASED ON THE FINISHED FLOOR OF WELLINGTON PLACE CONDOS IN ACCORDANCE WITH THE PLAT FILED AT THE CLERK AND RECORDERS OFFICE UNDER REC. NO. 233811. (U.S.G.S. BENCHMARK IN THE WEST SIDE OF THE SCI BUILDING, ELEV=9577.0')



### LEGEND

- ⊕ FOUND REBAR W/ PLAST. CAP, I.S. 26392
- ⊕ FOUND REBAR W/ PLAST. CAP, I.S. 9839
- ⊕ FOUND REBAR W/ PLAST. CAP, I.S. 27942
- ⊕ FOUND REBAR W/ ALUM. CAP, I.S. 37719
- STAMPED I.C. 1.0'

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 based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

FOUND ALUM. CAP, I.S. 23901 IN MONUMENT BOX

SEWER MANHOLE IRI=5087.2' IRI=5087.2' IRI=5087.2'

FOUND ALUM. CAP, I.S. 23901 IN MONUMENT BOX

**SUMMIT LAND SURVEYING, INC.** P.O. BOX 2336 BRECKENRIDGE, CO 80424 970-513-0156

**IMPROVEMENT SURVEY PLAT**

SCALE: 1" = 10' DATE: 12/07/17 DOW NO.: 171673  
DRAWN BY: M.J.W. CHECKED BY: M.J.W. DRAWING NO.: 171673

# Memo



To: Town Council  
From: Sarah Crump, AICP, Planner III  
Date: August 30, 2023 (for meeting of September 12, 2023)  
Subject: Policy 3R Amendments- Net Zero Density Calculations First Reading

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Staff recommends adopting the attached amendment to the Development Code, Policy 3 (Absolute Density/Intensity, 9-1-19-3A Section C. regarding density calculations for projects which achieve net zero.

The proposed amendment would add a new definition to the Development Code for “net zero energy building” and change the calculation of density for all projects, commercial and residential, which achieve net zero energy by allowing the floor area to be measured from a midpoint between the exterior and interior wall system. This calculation method will only be applied to projects which achieve net zero and utilize double wall construction techniques. This amendment would exempt a portion of the exterior wall from counting as density; however, it prevents the sacrifice of livable square footage in exchange for added energy efficient properties and therefore doesn’t penalize net zero projects. Staff does not anticipate this density calculation change will result in larger projects with noticeably greater massing. Projects would continue to be limited in size by disturbance envelopes or setbacks, height, and overall density constraints.

A work session was held with Town Council on August 22, 2023 regarding these proposed changes. Staff is available to answer any questions.

2  
3 Series 2023

4 **A BILL FOR AN ORDINANCE AMENDING POLICY 3A PERTAINING TO**  
5 **DENSITY CALCULATIONS FOR NET ZERO ENERGY BUILDINGS.**

6 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
7 BRECKENRIDGE, COLORADO:

8 **Section 1.** That a new definition be added to section 9-1-5, entitled “Definitions”, and  
9 placed in alphabetical order with the language underlined, to read as follows:

10 9-1-5: DEFINITIONS:

11 NET ZERO ENERGY BUILDING: A building that produces at least as much energy as it  
12 consumes on an annual basis.

13 **Section 2.** That a new subsection 7. be added to section C. of 9-1-19-3A: POLICY 3  
14 (ABSOLUTE) DENSITY/INTENSITY, with the language underlined to read as follows:

15 **9-1-19-3A: POLICY 3 (ABSOLUTE) DENSITY/INTENSITY:**

16 C. General Provisions:

17 7. For any building which achieves net zero energy use, a net zero energy building, and  
18 which uses a double exterior wall system, the computation of density shall be based on a fully  
19 enclosed space that is measured from the midpoint of the wall system, measuring from the area  
20 of the midpoint line between the interior wall and surrounding exterior wall that extends to a roof  
21 of a building or portion thereof including dwelling areas of the building, closets, bathrooms, living  
22 room, garage space of single-family, duplexes, and townhomes, interior hallways, interior  
23 common spaces, commercial storage and basement areas, and all areas of the building that are  
24 unfinished but have a floor to ceiling height of 5 feet or greater. Building areas that are not fully  
25 enclosed and feature portions of open or mesh wall that exceed 12 inches vertically and are  
26 entirely permeable across at least one façade such as trash dumpster enclosures, parking  
27 garages, porches and similar areas shall not be counted as density. An energy analysis  
28 prepared by a registered design professional, using an approved simulation tool, will be required

1 at the time of Development Permit application submittal demonstrating that the proposed design  
2 will achieve a net zero energy outcome.

3 **Section 3.** This ordinance shall be published and become effective as provided by  
4 Section 5.9 of the Breckenridge Town Charter.

5 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
6 PUBLISHED IN FULL this 12<sup>th</sup> day of September 2023. A Public Hearing shall be held at the  
7 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 26<sup>th</sup> day of  
8 September 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
9 Town.

10

11 TOWN OF BRECKENRIDGE, a Colorado

12 municipal corporation

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14

15

16 By: \_\_\_\_\_

17 Eric S. Mamula, Mayor

18

19 ATTEST:

20

21

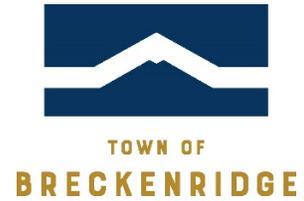
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23 \_\_\_\_\_

24 Helen Cospolich, CMC,

25 Town Clerk

26



# Memo

To: Breckenridge Town Council Members  
From: Mark Truckey, Director of Community Development  
Date: September 6, 2023  
Subject: Planning Commission Decisions of the September 5, 2023 Meeting

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***DECISIONS FROM THE PLANNING COMMISSION MEETING, September 5, 2023:***

**CLASS A APPLICATIONS:**

1. 114 S. Main Street Redevelopment, 114 S. Main Street, PL-2023-0077:  
A proposal to construct a new two-story building of 5,680 sq. ft., containing commercial retail and restaurant uses. *Approved, see second memo.*

**CLASS B APPLICATIONS:** None.

**CLASS C APPLICATIONS:** None.

**TOWN PROJECT HEARINGS:** None.

**OTHER:** None.

# Memo

To: Town Council  
From: Sarah Crump, AICP, Planner III  
Date: September 6, 2023, for meeting of September 12, 2023  
Subject: Redevelopment of 114 S Main Street - Class A Development Permit Application:  
Planning Commission Approval Summary

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The applicant proposes demolition of the existing commercial building at 114 S Main Street and construction of a new, two-story 5,680 sq. ft. commercial building with proposed retail, food and beverage, and exterior food and beverage uses. The existing structure is currently used as commercial retail and food and beverage space. The existing structure was determined to not be historic in 2016 by the Commission. The Planning Commission reviewed this proposal at Preliminary Hearings on May 16, 2023 and July 18, 2023, and at a Final Hearing on September 5, 2023. The Commission approved the application at the September 5th meeting with a vote of 7-0, with Findings and Conditions of Approval.

Additional detail on the application is available in the Planning Commission's online packet here:

[Planning Commission Packet 9-5-2023 Meeting](#)

Staff will be available at the meeting to answer any questions.



Image: Architect's rendering of proposed development, as viewed from Main Street looking southeast.



Romer Residence, 203 Briar Rose Ln.

114 S. Main Street Redevelopment, 114 S. Main Street



NOT TO SCALE

Breckenridge South



## PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 pm by Chair Frechter.

### ROLL CALL

Mike Giller	Mark Leas	Allen Frechter	Susan Propper
Ethan Guerra	Steve Gerard	Elaine Gort	

### APPROVAL OF MINUTES

With no changes, the August 15, 2023, Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the September 5, 2023, Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

Janet Sutterley, Architect: I've noticed a number of historic sheds in town that we're losing through demolition by neglect. We might lose two more this year with heavy snowfall. Not sure if we can do anything but I wanted to bring it up.

Mr. Frechter: In the historic district? (Ms. Sutterley: Yes.)

Mr. Gerard: I've noticed this as well, specifically the shed behind Starbucks. I recommend we do some research into this and start a project to work on this. (Ms. Sutterley: I agree, and I think sooner than later, as we're going to lose several more due to roofs caving in. At a minimum stabilize the structures, not necessarily a full restoration.)

Mr. Frechter: Are the property owners required to maintain them at all? (Mr. Truckey: No.)

Mr. Gerard: We should work on inventorying and stabilizing them.

### FINAL HEARINGS:

1. 114 S. Main Street Redevelopment (SVC), 114 S. Main Street, PL-2023-0077

Ms. Crump presented a proposal to construct a new two-story building of 5,680 sq. ft., containing commercial retail and restaurant uses.

#### *Commissioner Questions / Comments:*

Mr. Truckey: We need to add a finding indicating the approval of the development permit does not authorize any signs and a separate sign permit still needs to be applied for.

Mr. Giller: I noticed that as well, somewhere in the code it says that a sign shall not say "Ye Olde Shoppe."

Ms. Gort: I bet they added that to show a non-blank space.

Mr. Guerra: I forgot to add my disclosure, the architect is my ex-wife and business partner, but I have no financial interest in this project. (Commission agrees there is no conflict and Mr. Guerra continues to participate in the hearing.)

Mr. Frechter: Regarding employee mitigation, I assume that the existing square footage includes the beer garden? (Ms. Crump: Yes, it's counted as outdoor dining. It would be grandfathered in for employee mitigation calculations.) (Mr. Kulick: They did go through a development and building permit for that.) (Ms. Crump: But that approval was prior to the employee mitigation requirement.) I've noticed that by doing food and beverage and a small bar they're skirting the employee mitigation, how do we make sure they're not expanding into the retail area with food and beverage? I know in Frisco, Ein Prosit puts a rope up to prevent expansion. (Ms. Crump: That's why we included the finding to require recalculation at the time of Building Permit if there is a proposed change in floor area allocations by use.) (Mr. Kulick: We haven't done

anything like putting up a rope, but we required them to go out a certain amount of space from the bar and also include that area in the employee generation calculations.) Just to be direct I think that second floor's going to become a bar area, the numbers work out but it looks like they're trying to avoid the employee housing requirement. (Ms. Crump: I wanted to add that Staff did our own calculations of the space and included areas the applicant did not. We will continue to police this with the liquor license signoff passing through Planning.)

Ms. Gort: On the upper deck, is there a reason why there's step up stairs next to the ramp? Seems like a tripping hazard.

Yves Mariethoz, Architect: We have those because we're trying to increase headroom below, we are trying to give as much headroom in the retail space but in the rear the restrooms did not need extra headroom. With the height restriction and trying to fit the elevator we ended up with the risers on the rooftop.

Mr. Giller: A 4 ft by 4 ft elevator does not meet ADA requirements, it's too small. In the prior hearing it was stated that would be corrected. (Mr. Mariethoz: I'm going to have to double check that.) That drives your stair dimensions and surrounding details. (Mr. Mariethoz: I'll check, and we can adjust the elevator as needed.) Could we make a finding that says that has to be corrected? (Mr. Kulick: That will be checked and enforced with the building permit, but you're correct that it could affect other parts of the building design.) Could we add a finding for that because that will make it a foot wider in each direction.

Mr. Frechter: We'll add that finding.

Mr. Guerra: They need a 5' circle. (Mr. Giller: Yes.)

Mr. Frechter: No questions. I agree it meets the Handbook standards while not being too similar to other commercial buildings.

The hearing was opened for public comment and there was none. The public hearing was closed.

Mr. Gerard made a motion to approve the 114 S. Main Street Redevelopment with two additional conditions: the approval does not authorize the placement of signs, a separate sign permit must be authorized, and the elevator must comply with all ADA standards for size and placement, seconded by Mr. Frechter. The motion passed 7 to 0.

### **PRELIMINARY HEARINGS:**

1. Romer Residence (CC), 203 Briar Rose Ln., PL-2023-0354

Mr. Cross presented a proposal to construct a 3,229 sq. ft. single-family residence with five (5) bedrooms and a 506 sq. ft., two-car garage. This proposal is subject to a Development Agreement approved by the Town Council in 2020 for subdivision of the existing Lot 2 into equally sized Lot 2A and Lot 2B, and development of each lot. The development proposed with this application is for the northern lot, Lot 2A. The subdivision, which is a requirement prior to completion of the residence, has already been completed. The existing modular single-family residence on the property (Lot 2A) is proposed to be removed with this application. The following specific questions were asked of the Commission:

1. Does the Commission agree the proposed landscaping plan aligns with past precedent and provides public benefit of screening and enhancing the natural aesthetic of the property to award positive two (+2) points under 22R: Landscaping?
2. Does the Commission agree the orientation of the garage incurs negative three (-3) points under Design Standard 318?

3. Does the Commission agree the driveway does not meet the materials standards set forth by Design Standard 268 and should incur negative three (-3) points?
4. Does the Commission believe the proposed rectangular, metal accent siding/wainscot panels are an acceptable material to be used with the Transition Character Areas under Design Standard 272A?
5. Does the Commission agree the character of the windows are inconsistent with Design Standard 319 and warrants negative three (-3) points?
6. Does the Commission agree with the preliminary point analysis?

Mr. Giller recused himself because his current employer will likely be constructing the home. Commissioners had no objection.

*Commissioner Questions / Comments:*

- Mr. Gerard: I find the orientation of the primary ridge parallel to the street as opposed to Staff's interpretation that it is perpendicular. The building is wider to the edges of the property and would define the orientation to the street.
- Mr. Kulick: If you look at some of the example diagrams in the handbook, the new building shown is wider so it's meeting the intent of the diagrams. It seems consistent with some of the visuals presented, and in two other diagrams.
- Mr. Cross: With the development agreement the lot widths do not meet our standards today, but the project is still meeting the setbacks, they were crunched by their lot size.
- Mr. Leas: Are we setting a precedent for garages in the front yard? Typically, the garage is in the rear or the side yard. Now every builder puts the garage in the front yard, is that the precedent we want to set for Breckenridge, because it isn't a good precedent. I dislike both these projects because we went against subdivision requirements for perceived Town benefits and are now facing this issue, and I think it never should have happened.
- Mr. Kulick: Mr. Leas is talking about design standard 318 in reference to garage location, if you're reading it and it was a priority design standard then you could fail it but it's non-priority so you can only assign negative points.
- Mr. Gerard: I just want to hear the thinking behind it because I see it in a different way, Mr. Leas brought up the garage which is allowed but I don't believe the primary ridge is perpendicular and thus it's in conflict with the design standards.
- Mr. Kulick: Looking back at the diagram I brought up, the tallest house ridgeline runs perpendicular to the street while the house is wider.
- Ms. Gort: Primary being tallest?
- Mr. Kulick: Yes, looking at the diagram it looks to be the tallest, and I'm assuming that's the primary.
- Ms. Gort: The very top one is perpendicular to the street but I'm not sure that's being considered the primary. (Mr. Kulick: Looking at page 12 of the handbook it does call out the main ridge is the one that runs perpendicular to the street.) Well, what is the main ridge?
- Mr. Kulick: I think Ms. Sutterley intended that the perpendicular ridge was the primary.
- Mr. Guerra: No questions, but actually what defines primary or main ridge?
- Mr. Kulick: Ms. Sutterley may have some points to add, we can come back to it after Ms. Sutterley presents.
- Ms. Gort: Is it reasonable parking to have two cars parked in front of the garage but you have to move those cars to get out of the garage?
- Mr. Cross: Yes, it meets our standards, there's nothing specifying the orientation of spaces.
- Ms. Gort: How did you come up with the negative 3 for the garage facing the street? (Mr. Cross: Based on the point calculations specified in the handbook.) Could they just turn the garage so the doors did not face the road? (Mr. Cross: I'll let Ms. Sutterley answer but it may impact other aspects of the project such as setbacks.)

- Ms. Propper: On the metal siding, is 303 S High Street the only example of similar metal siding in the historic district? (Mr. Kulick: It's the only one we're aware of, and Ms. Sutterley supplied it and it's the only one she's aware of.) And was that built before the handbook? (Mr. Kulick: Yes, but it still mostly aligns with our code, having rusted metal is a variation but the handbook does allow variation in the conservation district. The design standard does say you can have greater flexibility of material.)
- Mr. Leas: If we allow corrugated metal, how much different is this? (Mr. Kulick: I think that's a question for the Commission in terms of what you're comfortable with.)
- Ms. Propper: My next question is, the example building at 303 S High has a quite dark exterior, so the contrast of materials is lower, as opposed to the Romer residence where the siding will be white with dark metal, does that have any impact on your thinking? (Mr. Cross: We took it into consideration but there's nothing in the code that addresses that.) (Mr. Kulick: The material metal is not really the concern, it's been used in the past and there's example of abrupt transition throughout Town, the question is more on the pattern of the material rather than the color. Rusted metal wainscoting is found throughout town.)
- Ms. Propper: I see, can you provide some clarification on the problems staff has with the windows? (Mr. Cross: The windows on the east elevation are not something we would see in the historic district.)
- Mr. Guerra: Those are awning windows. (Mr. Cross: Correct.)
- Ms. Gort: So if they were solid taller windows they wouldn't be a problem? It's just the transom that's a problem? (Mr. Kulick: It's more about the style and the placement.) (Mr. Cross: They're a little tall and throw off the human scale of the façade.)
- Ms. Propper: And the others on the west elevation? (Mr. Cross: Once again skewing the perception of human scale tucked way up in the gable and they are in the stairway.)
- Ms. Gort: What could you put there that would give light and be to scale? (Mr. Cross: Staff is comfortable with the other double hung windows here.)
- Mr. Frechter: Is the garage height and angle dictated by historical standards or by code? (Mr. Cross: Not to my knowledge, no.) And the unfinished space in the garage, if that attic space is finished will that be counted? (Mr. Cross: There is carve outs in the code for attic space not calculated into the density. Plus, livable density must have a head height of five feet and I do not believe it meets that.)
- Mr. Guerra: There's definitely room there to achieve livable space if you used different trusses.
- Mr. Frechter: Does the garage height have to be that high, with the windows it looks like it might become a livable space.
- Mr. Kulick: Looking at the steep roof pitch we wouldn't want that to be flattened out.
- Mr. Leas: And the pitch is facilitating the solar.
- Mr. Guerra: And there's no way to get there.

Janet Sutterley, Architect:

I feel like I'm immediately on the defensive and being held hostage by the lot split. I had nothing to do with the split and have been doing the best I can. I know that some of you disagree strongly with the split but there's nothing I can do about that. I have 3 design goals with this project: 1. Integrate comments on the Kuhn residence, especially with the roof orientation. My interpretation of the primary roof is the highest gable facing the street perpendicular. It's about a foot and a half down to the two sided ridge, which I'm considering dormers. Looking at the diagram from the guidelines, it matches what I have with the tallest ridgeline being perpendicular to the street. I felt I had satisfied the requirement of the primary ridge being perpendicular to the street. We need to define what is primary. 2. To avoid similarities to the Kuhn residence, to make this project different. This is tough because we have to have the garages in the front, I don't know where else you could put them without incurring negative points by extending the

driveway to a garage on the side. I looked at the Sheldon residence that has a tandem garage but was not able to make that work for this site. 3. To introduce minor elements to differentiate this from the historic district, which is encouraged by the code. Not a lot of differences but some minor things to make the transition area separated. We knew the garage would be facing the street, we wanted to differentiate from the Kuhns and we didn't want to have garage doors facing north. We decided it was worth the negative points to face the street, facing north would have required more snowmelt. Mitigated the garage facing Briar Rose Lane by having it set back 42' from the street and put landscaping in front of the garage, and we don't have the driveway enter right in front of the garage. Next is the driveway material, I did not realize that we didn't do that on the Kuhn residence, I'll speak with the owners about changing that; we plan to work with Staff to get rid of the negative 3 points for the driveway. For the windows, design standard 319 says it's not as critical to follow the windows and design standard 271 says historic imitations are to be avoided. Double hung windows would be integrating it too much. Looking at the Grad Duplex, a recent project, you can see similar windows. I felt like the code is encouraging minor differentiation in the transition area. I think Susan makes a good point with the metal siding being a large contrast to the white siding. The siding will not be visible from the street and will all be below grade. I didn't want to do corrugated because the Kuhn residence has corrugated, the owners didn't like stone, and I felt it needed a different material than wood.

*Commissioner Questions / Comments:*

- Mr. Gerard: I understand you're trying to fit a reasonable sized home on a small lot. In my mind the issue is what is the primary ridge? I like that the front door orientation has been fixed from the Kuhn residence. My issue is the turnaround in front of the front door made of permeable pavers, the first thing I'd want to do is park there. My suggestion would be to just consider the turnaround to the south and closer to the garage. (Ms. Sutterley: I thought it was necessary for the spots in front of the garage who would need that space to turn and I changed the material so it's not too much asphalt.)
- Mr. Gerard: Did you consider putting a cottonwood tree along the front streetside, to tie in the historic district cottonwoods. If the landscaping is paying for the sin of the garage and you want positive two points, I'd be more inclined with cottonwoods, otherwise I don't really see the public benefit.
- Mr. Guerra: The question of the ridgeline, I don't have an answer. To your point about the handbook I disagree, in your design I see more ridgeline because it dominates on either side of that ridgeline. Moving on, I'm not in love with the split of this lot, that said I see your conundrum and think you did a good job. Putting the garage there and the screening solved a lot of your problems but for the driveway material I have an issue with the guideline because if you put concrete you have to heat it and you have to have asphalt at the entrance or the snowplows will trash it and it's harder to repair. I don't have a problem with the windows, but they seem busy. The stepping of three doesn't conform with what we've seen before. Seems out of proportion. On the metal siding, is it going to be square or rectangular? (Ms. Sutterley: Square, but we're flexible.) And it is on the western elevation and low grade, so you can't really see it. It has high contrast but because of the aforementioned I find it acceptable.
- Ms. Gort: I have concerns with the main ridgeline. Based on the definition of main being chief in size or proportion, the front one doesn't really seem main. I like that you're open to changing the color of the metal panels.
- Ms. Propper: Are you open to changing the color of the metal panels? (Ms. Sutterley: I'm open to anything. Rusted is what we typically see which is why I was thinking that but we're open to suggestions.)
- Ms. Propper: As far as the windows, the one on the east elevation does not seem that out of character and seem consistent based on the example. The windows on the west elevation, I see

the point and wonder if one would suffice. I'm not bothered by them per se, it's more of the grouping.

Mr. Leas: I regret that you felt on the defensive, as the one that was the most against it, it has nothing to do with you. Your work has been exceptional and this is just the project that was handed to you, so don't take it personally. The east window elevation is going to be something not a lot of people are going to see, standing in the backyard you're going to have a hard time seeing them so they don't bother me. The steel panels will be a nice change from the corrugated we usually see.

Mr. Frechter: I want to double down on what Mr. Leas said, the original owner and buyer were aware of the restrictions and your design is working well within those. Nice to see the garage setback from the Kuhn residence. If the garage is connected, why the side door?

Ms. Sutterly: They wanted a man door into the garage, so it served a dual purpose in also working to break up that façade. That metal is going to facing the south and west and is going to very hot to the touch at the end of the day, you might want landscaping or something there to keep people touching it.

Mr. Frechter: You didn't ask if we think this is ready for a final hearing.

Mr. Kulick: I think that's a good question to add.

Ms. Sutterly: Yes, but I have a question for you on the primary ridgeline and it potentially resulting in negative points.

Mr. Frechter: Let's add ridgeline as a question.

*Public Hearing:* No public comment.

*Commissioner Final Comments:*

Mr. Gerard: Ridgeline, does not meet design standard. 1. Feel like we're handing out points for landscaping too easily, hence the suggestion of adding cottonwood trees along the street, so I don't currently agree. 2. Agree. 3. Agree, driveway doesn't meet standard but it's frustrating that we have to answer that question considering Ethan's comments. 4. Agree. 5. I think the windows can be tuned up but not overly out of alignment. 6. No because of ridgeline and landscaping. I wouldn't go to a final because still sitting at negative 6 points and possibly negative 9.

Mr. Guerra: I concur with Steve on the ridgeline, terminology needs to be clarified. 1. There is no trees on the lot so anything adding provides public benefit, agree. 2. Agree. 3. Concur with Mr. Gerard, and agree. 4. Agree. 5. Think you can work on the windows and not get the three points, don't agree with the full 3 points. 6. Disagree because of windows. Don't think we're ready for final.

Ms. Gort: Disagree with ridgeline. 1. Agree 2. Agree. 3. Agree. 4. Unsure. 5. Would like to see some tweaks. 6. Not agree and not agreeing to final hearing.

Ms. Propper: The lot by being long and narrow makes it difficult to have a perpendicular ridgeline without a shotgun-style house, what you've done is what you can. 1. Agree, not opposed to cottonwoods. 2. Agree. 3. Agree. 4. Interested to see what some options might be for color, if darker material is what's available I'm willing to consider it. 5. Less concerned about the east side, if the west side could be reduced to one that would be better. 6. Tentatively okay with points but want to see what happens with windows. Not ready for final.

Mr. Leas: Issue of ridgeline, I support Janet's definition of the ridgeline being the highest ridgeline. 1. Agree. 2. Agree. 3. Mr. Guerra has raised a good point but agree. 4. Agree. 5. Disagree, I have no problem with the windows. 6. Disagree due to windows. Needs to go through a revision before final.

Mr. Frechter: In terms of ridgeline, primary ridgeline is what you see from the street. 1. Agree, cottonwoods would make it even better. 2. Agree. 3. Agree, we might want to change

- that standard. 4. Agree. 5. I think the windows are consistent with the standard. 6. Don't agree because of windows. Would be best to go for another preliminary hearing. Second preliminary hearing might be best if other things come up that need changes.
- Mr. Kulick: To assist Ms. Sutterly as she considers plan modifications, how many points would the commission assign for the ridgeline related to Design Standard 269?
- Mr. Gerard: Negative three, based on precedent. Metal panels are under a deck or overhang making them harder to see and further shaded making them acceptable.
- Mr. Frechter: Agrees with negative three.
- Ms. Gort: I don't have anything to base it on.
- Mr. Leas: Doesn't necessarily concur, but if that's what staff decides.
- Mr. Guerra: I don't know if it complies.
- Mr. Kulick: Based on the majority of the commission it most likely doesn't comply.
- Mr. Guerra: I understand, and I don't know if it complies, there's no precedent, as it stands I don't agree with Ms. Sutterley's assumption that the primary ridge is perpendicular to the street.
- Mr. Truckey: The code allows us to go up to negative fifteen, but I don't think we've ever gone past minus three for a single design standard point assignment.
- Mr. Leas: On any historic issue or just this issue.
- Mr. Truckey: Any issue, but I don't think we've gone higher.
- Mr. Guerra: I agree with the negative three point analysis.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 8:00 pm.

---

Allen Frechter, Chair



**TOWN OF BRECKENRIDGE**  
**TOWN COUNCIL**

**Scheduled Meetings**

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

**September 2023**

September 7th, 2023		Wine in the Mine Event	5:30pm - 9:00pm
<b>Tuesday, Sept. 12th, 2023</b>	<b>Council Chambers</b>	<b>First Meeting of the Month</b>	<b>3:00 pm / 7:00 pm</b>
September 14th, 2023	Colorado Mtn College	CMC Ribbon Cutting	3:00pm - 4pm
September 14th, 2023	Silverthorne Pavilion	CML Fall District Meeting	4pm - 7:30pm
Sept. 15th - 17th, 2023		Oktoberfest	All Day
September 19th, 2023	Ice Arena	USPS Stamp Reveal	10am - Noon
September 20th, 2023	New Offices	BTO Open House	4:00pm - 6:00pm
Sept. 21st - 24th, 2023		Breckenridge Film Festival	All Day
<b>Tuesday, Sept. 26th, 2023</b>	<b>Council Chambers</b>	<b>Second Meeting of the Month</b>	<b>3:00 pm / 7:00 pm</b>

**October 2023**

October 4th, 2023	Keystone Policy Center	Recycling Policy Forum	9:30am - Noon
<b>Tuesday, Oct. 10th, 2023</b>	<b>Council Chambers</b>	<b>First Meeting of the Month</b>	<b>3:00 pm / 7:00 pm</b>
October 11th, 2023	Hearthstone Restaurant	FIRC Wine Dinner	5:00pm - 9:00pm
October 13th, 2023	Beaver Run Resort	COO Summit by Summit Chamber	8:00am - 11:00am
Oct. 18th - 19th, 2023	Vail	MT2030 Summit	All Day
October 19th, 2023	Council Chambers	BTO Winter Preview	9:00am - 11:00am
Oct. 19th - 20th, 2023	Vail	CAST Meeting	All Day
<b>Tuesday, Oct. 24th, 2023</b>	<b>Council Chambers</b>	<b>Budget Retreat</b>	<b>TBD</b>
<b>Tuesday, Oct. 24th, 2023</b>	<b>Council Chambers</b>	<b>Second Meeting of the Month</b>	<b>3:00 pm / 7:00 pm</b>

**Other Meetings**

September 12th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
September 13th, 2023	Breckenridge Heritage Alliance	Noon
September 14th, 2023	Upper Blue Sanitation District	5:30pm
September 18th, 2023	Social Equity Advisory Commission	7:30am
	Summit Combined Housing Authority	9:00am
September 19th, 2023	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
September 25th, 2023	Open Space & Trails Meeting	5:30pm
September 26th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
September 28th, 2023	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	RW&B Board Meeting	3:00pm
September 29th, 2023	Breckenridge Creative Arts	Noon



## Scheduled Meetings

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

October 3rd, 2023	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
October 4th, 2023	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	3:00pm
October 10th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
October 11th, 2023	Breckenridge Heritage Alliance	Noon
October 12th, 2023	I-70 Coalition	1:00pm
	Upper Blue Sanitation District	5:30pm
October 16th, 2023	Social Equity Advisory Commission	7:30am
	Summit Combined Housing Authority	9:00am
October 17th, 2023	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
October 23rd, 2023	Open Space & Trails Meeting	5:30pm
October 24th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
October 26th, 2023	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	RW&B Board Meeting	3:00pm
November 1st, 2023	Police Advisory Committee	7:30am
	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	10:00am
November 7th, 2023	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
TBD	Tourism Overlay District Advisory Committee Meeting	10:30am
	Transit Advisory Council Meeting	8:00am
	QQ - Quality and Quantity - Water District	10:00am
	Water Task Force Meeting	9:30am