

RESOLUTION NO. 2019 -

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLANNING CASE #PLN19-009, A MAJOR PUD MODIFICATION TO THE LODGE AT BRECKENRIDGE PUD TO BRING IN 3.31 TDRS IN ORDER TO INCREASE THE PERMITTED UNIT SIZE FOR 12 RESIDENCES; LOT 10, OVERLOOK RETREAT AT BRECKENRIDGE, 5.19 ACRES ZONED LODGE AT BRECKENRIDGE PUD; (APPLICANT: TIM CRANE)

WHEREAS, Tim Crane has applied to the Board of County Commissioners for a Major PUD Modification to the Lodge at Breckenridge PUD to bring in 3.31 TDRs in order to increase the permitted unit size for 12 residences; Lot 10, Overlook Retreat at Breckenridge, 5.19 acres zoned Lodge at Breckenridge PUD; and,

WHEREAS, the Planning Department has reviewed the application and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has held a public meeting, with public notice as required by law, on June 11, 2019, and has considered all relevant testimony and evidence; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The modification is consistent with the efficient development and preservation of the Lodge at Breckenridge PUD as it promotes the development of units already established within the PUD.
2. The modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest. Lot 10, Overlook at Breckenridge is bordered by commercial, multi-family, and single-family lots. The proposed development will be compatible with the adjacent structures and uses.
3. The modification is not granted solely to confer a special benefit upon any person. The PUD modification will allow for larger units on Lot 10. The two units already constructed on Lot 10, Overlook at Breckenridge will be able to obtain TDRs, modify the PUD, and increase their home size should they wish to.
4. The proposed PUD modification is in general conformance with the land use, infill development in urban areas, and TDR use goals, polices/actions and provisions of the Summit County Countywide Comprehensive Plan, the Upper Blue River Master Plan, and the Joint Upper Blue Master Plan.
5. The proposed PUD modification is consistent with the purpose and intent of the County's Zoning Regulations. The PUD modification meets the intent of the PUD density, use, and availability of utilities and services for the site.

6. The proposed PUD modification is consistent with the County's Rezoning Policies. The parcel does not contain any areas with development constraints, natural hazards, or extreme wildfire hazard areas. This application further complies with TDR and Public Use Areas Fee regulations.
7. The proposal furthers the policies constituting the purpose and intent allowing for the establishment of Planned Unit Development, as set forth in §12200.01 of this Code, as well as the policies supporting the purpose and intent of allowing a Major PUD Modification Zoning Amendment, per §12202.01 of this Code, as it promotes development in a logical pattern.
8. The proposal furthers the public health, safety, and general welfare, as well as efficiency and economy in the use of land and its resources, as it will increase the size of units allowed on Lot 10 without creating any additional lots or units.
9. The applicant has provided evidence of adequate water, sewer, access, utilities, and other required infrastructure for the site. All services are readily available to the site.
10. The Review Authority has reviewed and approved the PUD text and any revised exhibits, and, for the BOCC's review, the PUD is suitable for the Chairman's signature and recordation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT a Major PUD Modification to the Lodge at Breckenridge PUD to bring in 3.31 TDRs in order to increase the permitted unit size for 12 residences; Lot 10, Overlook Retreat at Breckenridge, 5.19 acres zoned Lodge at Breckenridge PUD, is approved subject to the following conditions:

1. The applicant shall purchase and designate 3.31 TDRs for the site prior to the recordation of the PUD.
2. The applicant shall pay the Public Use Area Fee commensurate with the required TDRs prior to recordation of the PUD.

ADOPTED THIS 11TH DAY OF JUNE 2019.

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Thomas C. Davidson, Chair

ATTEST:

Kathleen Neel, Clerk & Recorder