



TOWN OF
BRECKENRIDGE

Planning Commission Meeting Agenda

Tuesday, October 1, 2024, 5:30 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

5:30pm - Call to Order of the October 1, 2024 Planning Commission Meeting; 5:30pm Roll Call

<i>Location Map</i>	2
<i>Approval of Minutes</i>	3
<i>Approval of Agenda</i>	

5:35pm - Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Minute Limit Please)

5:40pm - Combined Hearings

1. Village at Breckenridge Large Vendor Cart Renewal (CC) 655 S Park Ave., PL-2024-0363	8
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6:15pm - Work Sessions

1. Development Code Work Session	23
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6:45pm - Other Matters

1. Town Council Summary	
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7:00pm - Adjournment

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

The indicated times are intended only to be used as guides. The order of the 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.



NOT TO SCALE

Breckenridge South

Village at Breckenridge
 Large Vendor Cart
 Renewal, 655 S. Park
 Avenue



PLANNING COMMISSION MEETING

The regular meeting was called to order at 5:33 pm by Chair Leas.

ROLL CALL

Mike Giller – **absent** Mark Leas Allen Frechter – **absent** Keely Ambrose – **absent**
Ethan Guerra Elaine Gort Susan Propper

APPROVAL OF MINUTES

With no changes, the September 3, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the September 17, 2024 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

PRELIMINARY HEARINGS:

1. Frith Residence New Single Family (SVC), 110 S. High Street, PL-2024-0274

Ms. Crump presented a proposal to construct a new two-story, 1,546 sq. ft. single-family residence with 1 bedroom, 1 bathroom, and a 2-car garage on a currently vacant lot. The following specific questions were asked of the Commission:

1. Does the design fail Priority Design Standard 86 regarding roof massing and scale of building height?
2. Does the design comply with Design Standards 91, 92, 93, and 130 regarding architectural details and ornamentation?
3. Does the front façade design fail Priority Design Standards 95 and 96 regarding window glazing?
4. Do the other facades substantially comply with Priority Design Standards 95 and 96 regarding window glazing?
5. Does the design fail Priority Design Standard 121 regarding excessive dormers?
6. Does the design comply with Design Standard 122 regarding the height of the primary façade, recommended at 1 to 1 ½ stories?
7. Does the design comply with Design Standard 129 regarding the proposed second level deck?
8. What other comments does the Commission have for the project?

Commissioner Comments / Questions:

Ms. Gort: Would the home and the rear French doors be visible from the public trail? (Ms. Crump stated that she did not think so due to the slope of the property and the higher grade of the trail.) Ms. Gort reiterated that she thought the applicant should consider the visibility of the French doors from the public trail right-of-way. Ms. Gort asked if the bay window counted toward square footage. (Ms. Crump replied that they did not.) Ms. Gort suggested the applicant consider the design of historic houses with roofs that cover bay windows and to reduce the overall glazing. She continued that the Code talks about the railing defining the primary entrance and she did not think the railing related to the primary entrance in this instance. (Mr. Kulick noted that a primary entrance from an architectural perspective was not necessarily the same as the functional primary entrance, and the lower door was the architectural primary entrance. He noted other examples where staff had evaluated the primary entrance that way.) Staff and Ms. Gort discussed whether the garage was highly visible from the street. Ms. Gort summarized that she recommended that the applicant propose a more architecturally compatible historic-looking garage door. (Ms. Crump showed an example on Ridge Street of a

similar layout with a home with a garage in the same location and of similar height behind a historic home.)

Mr. Leas: Is the utility easement electric and gas? (Ms. Crump replied that she did not know if the utilities had been located, but there was a 10-foot utility easement. Xcel had indicated that they did not think they would need the entire easement and were most likely on board with the 1' 6" encroachment of the structure.) Mr. Leas stated that he thought the driveway served three properties. (Ms. Crump stated that it was an access across Lot 7A but there is no right for Lot 7A to park on the access easement.)

Applicant, Dave Frith – We feel like a small, single-family home meets our current family needs. He stated that they owned both lots 7A and 7B, but the grade change was tricky to combine the lots and lends itself to a smaller separate structure. He noted that the access easement served two lots and described working with his neighbors on the EV charging location. He stated that they wanted to be respectful of the standards and the Town and described that there were challenges for rear access and the 10-foot plate for the project. He described the rear elevation as more like the front elevation, and they had designed the house that way since it was not at street level. He agreed with staff that there was a slope going up to the trail behind the house which would obscure this façade from view. He stated that the massing studies in the application were somewhat misleading because they did not show the context of the house and how the views would be obscured by the historic home in the front and the other surroundings. The steeper roof pitches were supported by other buildings in the neighborhood and the dormers invited natural light, and the steeper roof pitches and dormers made the home feel larger. He described the proposed mechanical system for managing groundwater. He finished by stating that this house was not a street-level, street-facing home.

Ms. Gort: How far above on the slope is the trail from the French doors?

Mr. Frith: The garage is 9620' USGS, the first floor is at 9629' USGS, and the walking trail is at 9633' USGS for about 4-5' of grade change.

Mr. Guerra: Where would the discharge go to for groundwater management?

Mr. Frith: We are waiting to see what happens with the house on 106 S French Street currently under construction. With the new foundation we could store the water and then dissipate it back into the ground instead of a traditional sump pump.

Mr. Leas: Have you engaged a geotechnical engineer?

Ms. Crump: Engineering is requiring a geotechnical report for the building permit application.

Mr. Leas: Drainage is potentially a big issue here for the front property.

The hearing was opened to the public for comment.

Patrica Woollett, 108 South High Street A & B – Has lived in Breckenridge for 40 years and tried to buy the lot where the proposed house is going. She stated that they spend six months a year here during the summer. She stated that she had personal questions about the proposed building. The height would affect their gardens and the sunshine. She described opposition to the amount of glass proposed on the front of the home which would be visible from her property's main living area. She was confident that they would be able to come up with some plans that would take everyone's needs into consideration in this tight area. She stated that she and her husband would not be able to be in the back house during construction in the few years that she and her husband have left. She stated that she was sure the Code would all be met, but this was a crowded neighborhood, and she was hopeful that there would be accommodations. They had a chance to speak with the applicants and everyone wanted to be good neighbors.

There were no other public comments and the comment period portion of the hearing was closed.

- Mr. Kulick: In terms of the actual building height, this proposal was less than two stories. The specific question for the Commission was regarding the perceived bulkiness in Design Standard 86, which was more about how the height and bulk felt, rather than whether the structure met the actual height standard, which it does comply with at 23'. Staff, Mr. Frith, and the Commissioners discussed how height is measured per the Development Code.
- Ms. Gort: Why did you show the height the way you did on the plans?
- Mr. Frith: There was also a story requirement, so there were two different guidelines that he was showing compliance with. He noted that from the rear elevation you could have a 23' height, but the grade softened the height limit by following the natural grade.
- Ms. Gort: Looks like a great house. There is lots of glass in the front, so try to make it more historic looking. She was not convinced that the view from the trail is not visible and she stated that the French doors were not compatible with historic precedent in the area. The garage will be visible and the applicant should do anything to make the garage look more compatible with the district.
1. Does not comply.
 2. Does comply.
 3. Does not comply.
 4. Does not comply due to the French doors.
 5. Does not comply.
 6. Does not comply.
 7. Does not comply. It needs to have some type of roof over it and it does not define a primary entrance.
- Mr. Guerra:
1. The project does not comply.
 2. Does comply.
 3. Does not comply.
 4. Due to the site, this does comply.
 5. Does not comply.
 6. Does comply.
 7. Does comply.
- Ms. Propper:
1. The project does not comply.
 2. Does comply.
 3. Does not comply.
 4. Does comply.
 5. Does not comply. If the roof massing is addressed, maybe this problem is resolved.
 6. Does comply.
 7. Does comply.
- Mr. Leas:
1. The project does not comply.
 2. Does comply.
 3. Does not comply.
 4. Does comply.
 5. We did not define what constitutes excessive dormers; is it the size, or the number? The quantity of dormers is not excessive, but the mass of the dormers could be construed as excessive.
 6. Does comply.

7. Does comply. The entire Commission would probably be happier if you could make a portion of the deck a covered porch.

Mr. Truckey: The duration of a development permit is three years to make substantial improvements, including infrastructure such as utility installation and foundation. If you do not meet that deadline you may be subject to any code changes and you would need to go back through the permit process at that time.

WORK SESSIONS:

1. Workforce Housing Building Heights

Mr. Truckey presented a proposal to update the Development Code in relation to the heights for workforce housing. The proposed changes include assessing zero negative points if the design is no more than one story over the land use guidelines recommendation.

Commissioner Comments / Questions:

Ms. Propper: The workforce housing should be big enough to accommodate a family. Encouraging 500-square foot units and allowing the developer to have much larger market-rate units was unfair and was not consistent with the goal of encouraging workforce housing. She recommended going to square footage. (Mr. Truckey noted that there was a minimum square footage for the workforce units.)

Mr. Leas: You can have a hybrid where you had a majority of the units, but the units had to have some equity between them, to where you get to a majority of like units across the different types.

Ms. Gort: What are we gaining with this height if they are going to sell all the upper-floor units at market rate? (Mr. Truckey stated that we have a very limited amount of land and this is an option for private developers to incentivize some additional workforce housing construction.)

Ms. Gort: You're bribing the development to bring more units that may sit empty. She wanted to see something in the code about encouraging garages under the units and stated that there should be no short-term rental of market rate units. (Mr. Kulick stated that the current short-term rental regulations would likely prohibit that anyway. He added that the market rate units created an incentive to add more affordable units. Similarly, having all underground parking would be difficult cost-wise. Mr. Truckey added that the Town's projects are mostly workforce housing, but we can't expect that from a private developer. There needs to be some incentive, such as having that additional floor with the market-rate units. Getting private developers to build affordable housing would be a big win.)

Mr. Leas: The point is that we have a limited resource of real estate and we need to house people, particularly in the middle income, with young families and working in service industries, who did not have any place to go that was affordable. We need to have incentives to develop those units. The more units you can put in a project diminishes the cost.

Mr. Truckey: We're still worried about community character, so it was a balancing act. Going one story makes perfect sense, and going beyond that it was probably still worth assigning negative points, but staff wanted commissioner feedback on that.

Mr. Guerra: I agree with what's been said about square footage. This was an important incentive, but it makes sense to assign buildings negative points that were too high, and this was a way to get a little bit more without compromising our ideals. He stated he was in full support and wanted to make sure it was equitable between market-rate and workforce housing.

Ms. Gort: I like the square footage measurement versus unit count. She was concerned that the ceilings would be lower for the workforce units and higher for the market-rate units.

Mr. Kulick noted that the housing type could be more diverse than just apartment units.

Mr. Leas: We need to broaden this to include mixed-use commercial projects and gave examples of flexibility for evaluating mixed-use developments.

Mr. Guerra agreed.

Mr. Leas: It would be a win/win to build a several-layer parking facility and put a solar farm on top of that.

OTHER MATTERS:

1. Town Attorney Hiring Process
2. Site Visit to Denver for Affordable Housing Units
3. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 7:23 pm.

Mark Leas, Chair

Planning Commission Staff Report

- Subject:** Village at Breckenridge Large Vendor Cart Renewal
(Class B Minor, Combined Hearing; PL-2024-0363)
- Proposal:** The continuation of a large vendor cart’s operation, Gyros Delish, on the Village at Breckenridge Plaza. No changes are proposed for this permit renewal.
- Date:** September 27, 2024 (For meeting of October 1, 2024)
- Project Manager:** Clif Cross, Planner II
- Applicant:** Michael Halouvas (Gyros Delish)
- Property Owner:** Village at Breckenridge HOA
- Address:** 655 S. Park Ave.
- Legal Description:** Village at Breckenridge Condo Common Area
- Land Use District:** 23
Residential at 20 Units per Acre (20 UPA), Commercial at 1:3 Floor to Area Ratio (FAR)
- Site Conditions:** The Village at Breckenridge HOA completed a major renovation to the plaza space in 2016, including new water-proofing, snow-melting system, pavers, planters, lamp posts, and outdoor fireplaces. There is a 55.5 ft. radius Utility and Access Easement in the center of the plaza (approximate location of former gazebo), with a 20 ft. Utility and Access Easement extending from the Maggie Building to South Park Ave. Several property lines divide the plaza, however all parcels that contain the plaza are currently owned by the Village at Breckenridge HOA as common space.
- Adjacent Uses:** Commercial (Retail, office, medical, and restaurant) and residential condominium uses surround the plaza in all directions.

Item History

The existing vendor cart has been in this location since it was originally approved in 2018. Nothing is proposed to change from what was approved with the original permit.

In March 2012, the Town Council adopted a revised Vendor Cart policy in the Development Code to address new and existing vendor carts in town. The new Vendor Cart Policy 49 (Absolute) sets design standards for both large and small vendor carts. This proposal is reviewed as a large vendor cart since it is 98 square feet. The existing vendor cart permit was originally approved on November 27, 2018 and renewed on November 2, 2021.

Staff Comments

Policy 49 (Absolute) Vendor Carts: The proposed vendor cart is 98 sq. ft. in area, so it is classified as a large vendor cart per Section 9-1-5 Definitions because it is over 40 square feet in area.

*A. Vendor Cart Locations: Large vendor carts and small vendor carts are permitted only in those land use districts where commercial uses are an allowed or recommended land use. **Land Use District 23 allows commercial use.***

B. Vendor Cart General Design Standards: Large vendor carts and small vendor carts are subject to the following general design standards:

(2) General Design Standards Outside The Conservation District: The following general design standards apply as indicated to large vendor carts and small vendor carts located outside of the conservation district:

a. All large vendor carts and small vendor carts must be constructed of professional quality for use as a food vending cart.

b. All large vendor carts and small vendor carts must be in good working condition, with no broken or rusty parts. All exterior materials must be kept clean and in neat appearance. No rusty or broken metal or chipped or broken wood is allowed. Metal and wood may be used as exterior finishes. The gauge, detailing and finish of all metal surfaces shall be suitable for long term use in an exterior location. All exposed edges must be finished. All metal used in carts shall have concealed seams and overlapping joints. All wood details and finishes must be suitable for long wear in an exterior location. All detailing, construction and finishing shall be done in a craftsman like manner. No rough cut, unfinished or distressed woods will be considered as finish materials.

The proposed vendor cart is manufactured specifically for the purpose of vending food. Staff does not have any concerns regarding the professional quality or the condition of the proposed cart.

(3) Additional Requirements For All Vendor Carts:

a. Large Vendor Carts: The following additional design and operational standards apply to large vendor carts:

*1. Large vendor carts must be located on private property. **The large vendor cart is proposed entirely on private property owned by the Village at Breckenridge HOA.***

*2. Large vendor carts may only sell food and beverages in forms suited for immediate consumption. This shall include hot or cold prepared foods and beverages, and prepackaged food and snacks, whether eaten at the site of sale, or "carry out/to go". Fresh fruits and vegetables may be sold from a large vendor cart in limited amounts if they are normally and customarily eaten in a raw form, but a large vendor cart shall not be used primarily to sell fresh fruits and vegetables. **The applicant proposes to sell gyros for immediate consumption. Staff does not have any concerns.***

3. *The area of a large vendor cart counts as density. The density shall be assessed against the real property on which the vendor cart is located. **The cart is located in the plaza in front of the Shavano Building (formerly known as “Plaza II”) building on the parcel with a legal description of Village at Breckenridge Condo Common Area. Staff previously researched the available density for Lot 2 (Plaza II, Shavano Building). With the Village at Breckenridge Master Plan Amendment (PL-2017-0680), the HOA transferred 0.2 SFEs from Lots 3&4 (Lifside/Peak 9 building) to Lot 2 (Plaza II/Shavano building) specifically for the purpose of providing density for two future 100 sq. ft. vendor carts. The large vendor cart proposed with this application uses 0.1 SFE (or 100 square feet), leaving 0.1 SFE for a future large vendor cart on Lot 2 (Plaza II/Shavano building). Staff does not have any concerns.***

4. *Large vendor cart owners shall improve the immediate area around their business through the installation of pavers, landscaping, awnings, and/or small decks to help the vendor carts to look less temporary, and to blend into the surrounding character. Where the surrounding area is already improved with such finishes as listed above, this requirement may be waived by the planning commission. **The Village at Breckenridge HOA completed a major renovation to the plaza space in 2016, including new water-proofing, snow-melting system, pavers, planters, lamp posts, and outdoor fireplaces. In addition the applicant has maintained the planters surrounding the vendor cart.***

5. *The maximum size of a large vendor cart is one hundred (100) square feet. **The applicant proposes a 98 sq. ft. cart. Staff does not have any concerns.***

6. *The maximum height of a large vendor cart is ten feet (10'). The height of the cart shall be measured vertically from the ground to the highest point of the cart including signage or other equipment, if any. **The cart is 10' tall, including the cart's chimney. Staff does not have any concerns.***

7. *If a large vendor cart is connected to the town's municipal water system, the owner must pay water plant investment fees for the vendor cart. If a large vendor cart is connected to the town's municipal water system, it must also be connected to the public sanitation system. **Water Plant Investment Fees were previously paid for the Large Vendor Cart.***

8. *If a large vendor cart uses a commissary kitchen, the commissary kitchen must be identified on the vendor cart permit application, and any applicable water plant investment fees must be paid by the owner of the commissary kitchen. If the commissary kitchen changes during the term of the permit, the large vendor cart permit holder must notify the director within ten (10) days of the date of the change. **The application states he is not utilizing a commissary kitchen. All food is prepared within the vendor cart's kitchen which has been approved by the local Health and Safety Department.***

9. *Siding and other compatible materials used on a large vendor cart must wrap all sides of the vendor cart. **The exterior of the pre-manufactured cart is made***

of aluminum panels, which wrap all sides of the proposed cart. This is the same material used for the other two previously approved large vendor carts in the plaza. Staff does not have any concerns.

10. Exterior colors used on a large vendor cart must meet the town's color chroma palette. The color of all large vending carts shall be selected from the "Munsell Book Of Color" on file with the community development department. The maximum chroma for the exterior of a large vending cart shall be 4 (unless red or yellow are used, then a maximum chroma of 6) and a maximum value of 6. **The vendor cart's colors are black and white and unchanged from the previous approval. Staff does not have any concerns.**

11. All signs for a large vendor cart shall be subject to the Breckenridge sign code. One permanent freestanding sign is allowed for a large vendor cart, unless otherwise prohibited by the Breckenridge sign code. **The existing signage was permitted with a separate Sign Permit application.**

12. Generators are prohibited for large vendor carts, except for use as an emergency source of power when the permanent source of power to the large vendor cart is temporarily unavailable. **Electrical power is available to the cart through an existing outlet in a light post in the plaza. The applicants do not propose any generators.**

13. If a large vendor cart has wheels, the wheels shall be permanently screened with a skirting design architecturally compatible with the exterior of the cart.

14. Any trailer hitch on a large vendor cart must be removed or completely covered from view. **The wheels and trailer hitch are covered with white painted horizontal redwood board siding. Staff does not have any concerns.**

15. Owners of large vendor carts must obtain and maintain in full force and effect throughout the permit a valid Town of Breckenridge business license. **A Condition of Approval has been added that the applicant obtain a business license.**

16. Large vendor carts must be windproof, waterproof and locked when not in operation. **The cart is manufactured specifically for the vending of food and is windproof, and waterproof. The cart has a window that can open for serving food and locked when the business is closed.**

17. Outdoor seating for a large vendor cart is limited to a maximum of twelve (12) seats and three (3) tables. **The applicant does not propose any seats or tables, but there are tables and chairs within the Village at Breckenridge Plaza for guests to utilize.**

18. The operator of a large vendor cart shall comply with all applicable health regulations with respect to the operation of the large vendor cart. **A Condition of Approval has been added that the applicant obtain all required permits and inspections from Summit County Environmental Health.**

Policy 18 (Absolute) Parking:

Off Street Parking: All developments within the town shall comply with chapter 3, "Off Street Parking Regulations", of this title.

The Liftside Condominium building (535 S. Park Ave.) currently has 42 public parking spaces to satisfy the 35 spaces required for commercial “brick-and-mortar” uses at the Village of Breckenridge. The Village Master Plan requires 1 parking space per 1,000 sq. ft. of commercial space. Commercial space, per the Master Plan, includes restaurant, bar, retail, office and conference uses. This is different from Town Code section 9-3-8 “Off Street Parking Requirement,” which requires “1 per 4 persons capacity” outside of the Parking District Service Area.

The combined total area of the two previously approved large vendor carts and the large vendor cart proposed with this application is 230 sq. ft. As the maximum size permitted for a large vendor cart is 100 sq. ft., staff has calculated the required parking for the three large vendor carts as follows: Required parking = $(3 \times 100)/1,000$ sq. ft. = 0.3×1 space = 0.3 spaces. Per Town Code Section 9-3-9B, the required number of parking spaces shall be rounded up to the nearest whole number. Therefore, one parking space is required. 35 spaces (required for brick and mortar commercial uses) + 1 (required for two previously approved large vendor carts and the proposed third vendor cart) = 36 spaces total required for commercial uses. With 42 available, there is a remaining surplus of 6 spaces.

Other Issues

Staff has advised the applicant that approval from the Town of Breckenridge Building Division, Summit County Environmental Health Department, and Red, White and Blue Fire District is required, separate from this Development Permit.

Point Analysis

The proposal meets the requirements of Policy 49 (Absolute) Vendor Carts and all other Absolute Policies. Staff has not found any reason to assign positive or negative points under any Relative Policies.

Staff Recommendation

The Community Development Department recommends approval of the Village at Breckenridge Large Vendor Cart Renewal (PL-2024-0363) located at 655 S. Park Ave. with a passing point analysis of zero (0) points, along with the attached Findings and Conditions of Approval.

Final Hearing Impact Analysis				
Project:	Village at Breckenridge Large Vendor Cart Renewal	Positive	Points	0
PC#	PL-2024-0363			
Date:	10/1/2024	Negative	Points	0
Staff:	Clif Cross, Planner II			
		Total	Allocation:	0
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		The cart utilizes 98 sq. ft. of the Shavano Building's Density
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
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)		
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)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		

18/A	Parking	Complies	35 spaces (required for brick and mortar commercial uses) + 1 (required for two previously approved large vendor carts and the proposed third vendor cart) = 36 spaces total required for commercial uses. With 42 available, there is a remaining surplus of 6 spaces.
18/R	Parking - General Requirements	1x(-2/+2)	
18/R	Parking-Public View/Usage	2x(-2/+2)	
18/R	Parking - Joint Parking Facilities	1x(+1)	
18/R	Parking - Common Driveways	1x(+1)	
18/R	Parking - Downtown Service Area	2x(-2/+2)	
19/A	Loading	Complies	
20/R	Recreation Facilities	3x(-2/+2)	
21/R	Open Space - Private Open Space	3x(-2/+2)	
21/R	Open Space - Public Open Space	3x(0/+2)	
22/A	Landscaping	Complies	
22/R	Landscaping	2x(-1/+3)	
24/A	Social Community	Complies	
24/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	
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	Waived by Development Agreement		
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		The application complies with Policy 49/A. See staff report for more details.

TOWN OF BRECKENRIDGE

Village at Breckenridge Large Vendor Cart Renewal
Village at Breckenridge Condo Common Area
655 S. Park Ave.
PL-2024-0363

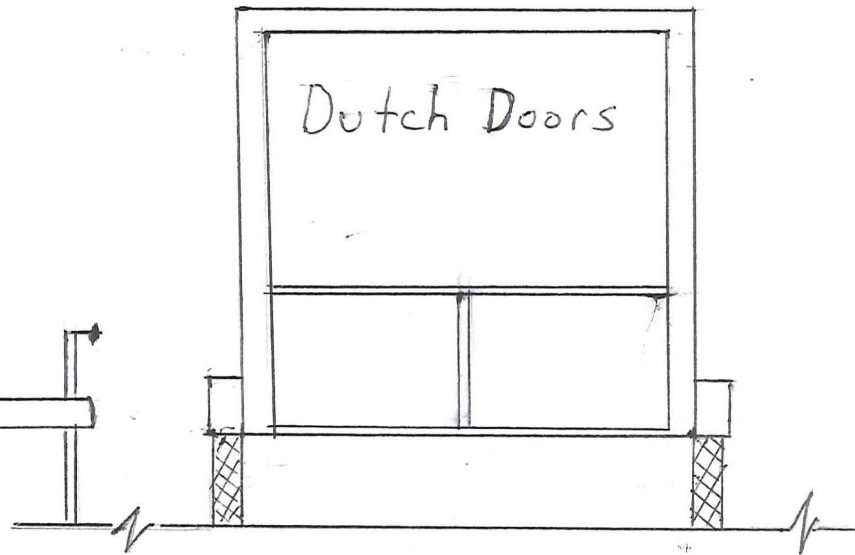
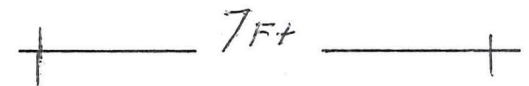
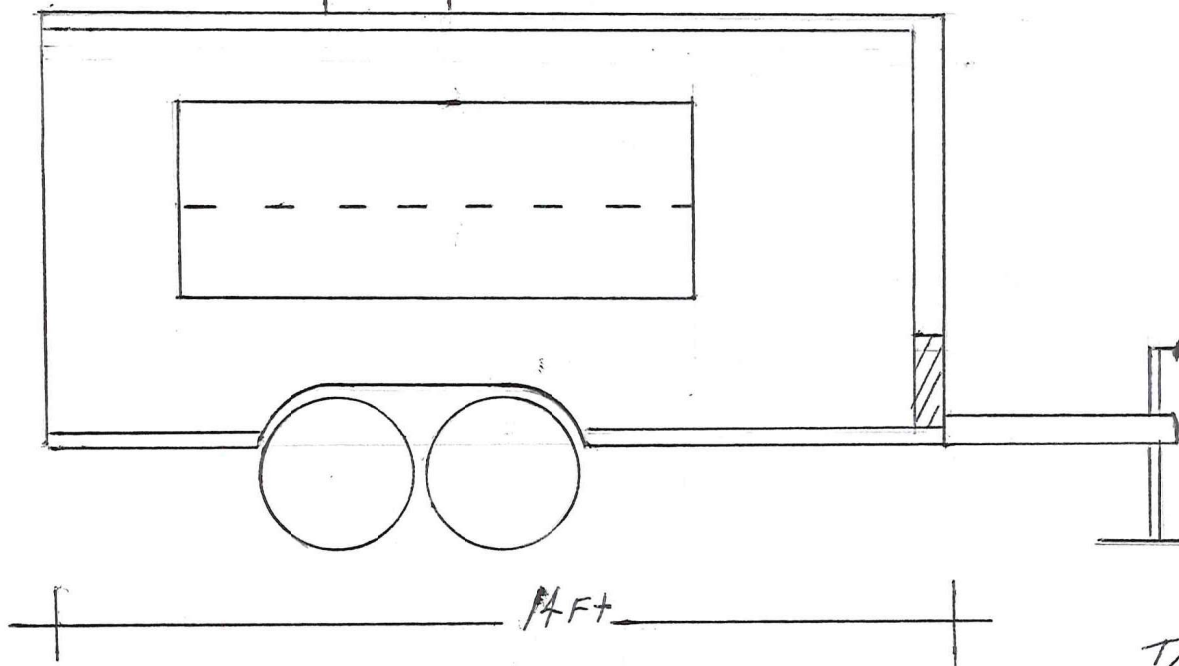
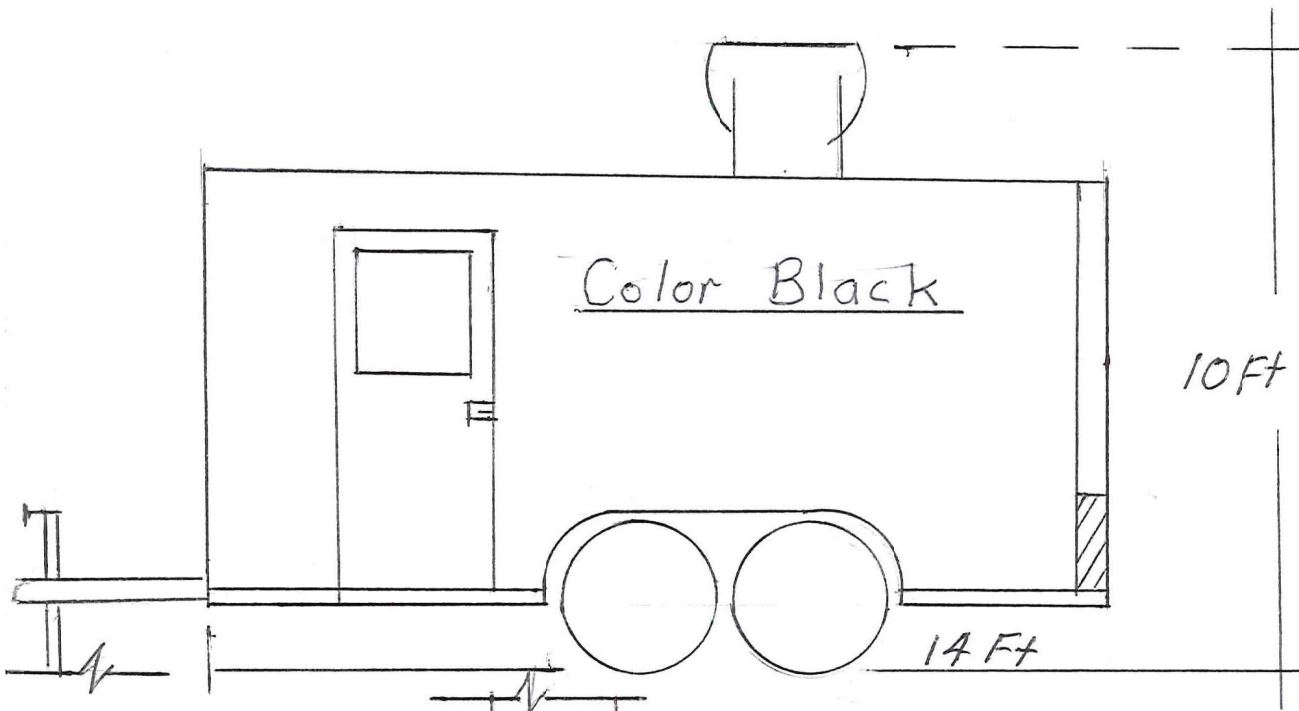
FINDINGS

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 **September 27, 2024**, 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 **October 1, 2024**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

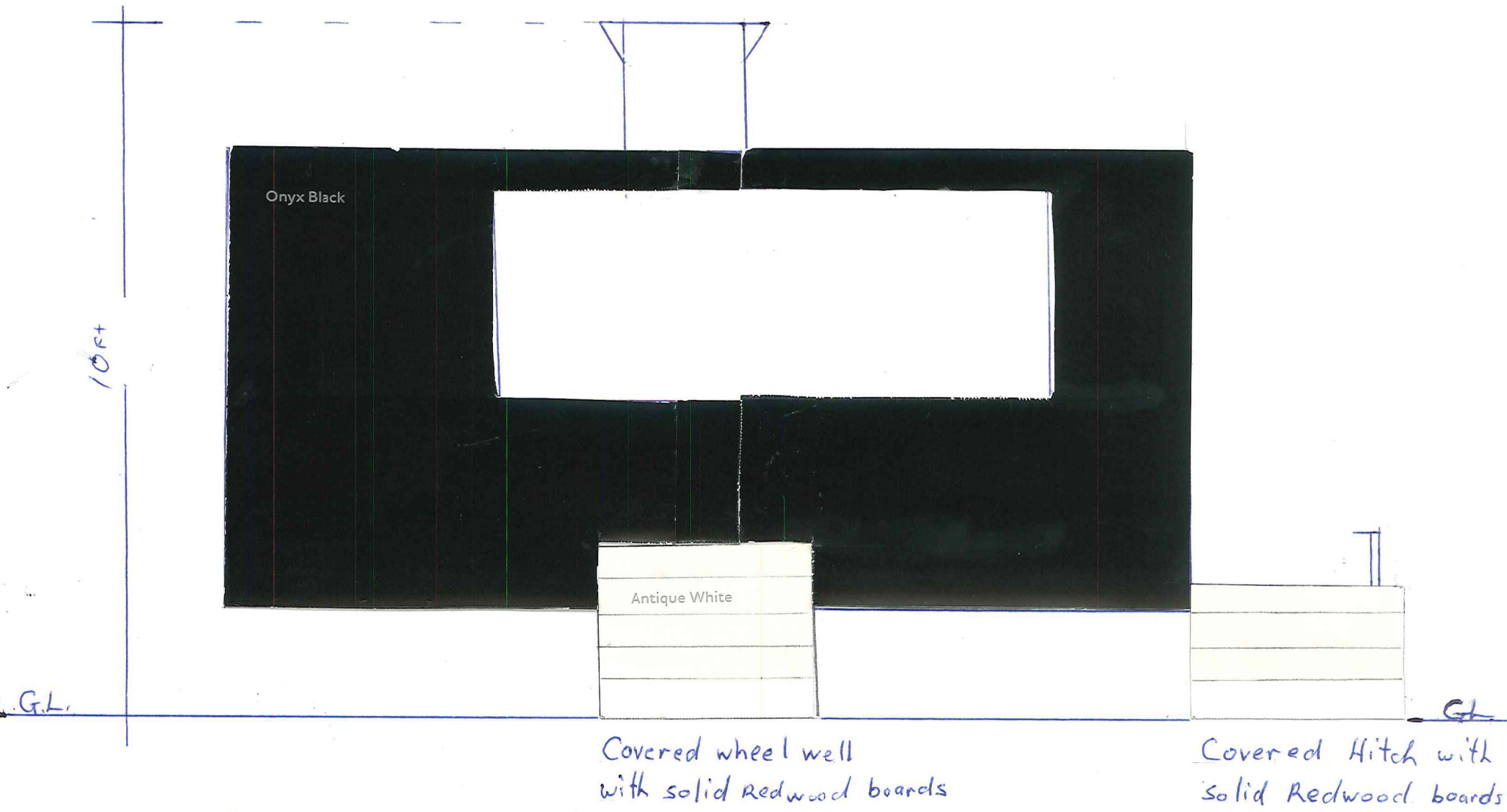
1. **A development permit for a large vendor cart issued pursuant to this policy shall be valid for three (3) years, October 1, 2027 as provided in Section 9-1-17-8 of the Town's Development Code, and may be renewed.**
2. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
3. 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.
4. 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 operational or material deviation from the approved plans and specifications without Town approval as a modification may result in the Town legal action under the Town's development regulations.
5. 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.
6. Applicant shall meet Policy 9-1-5 49/A (A) Large Vendor Carts.

7. **The applicant shall obtain and maintain in full force and effect throughout the permit a valid Town of Breckenridge business license.**
8. **The applicant shall obtain all required permits and inspections from Summit County Environmental Health.**
9. A separate Sign Permit is required for any signage to be displayed by this Large Vendor Cart.
10. Applicant shall screen any propane tank in a manner approved by the Town per the Development Code.
11. Applicant shall remove the Vendor Cart and all associated improvements once the Vendor Cart stops operating for a period of 6 months or the permit expires, whichever is sooner.

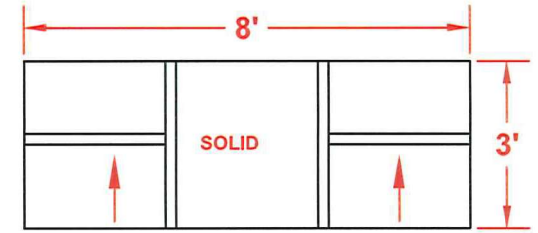
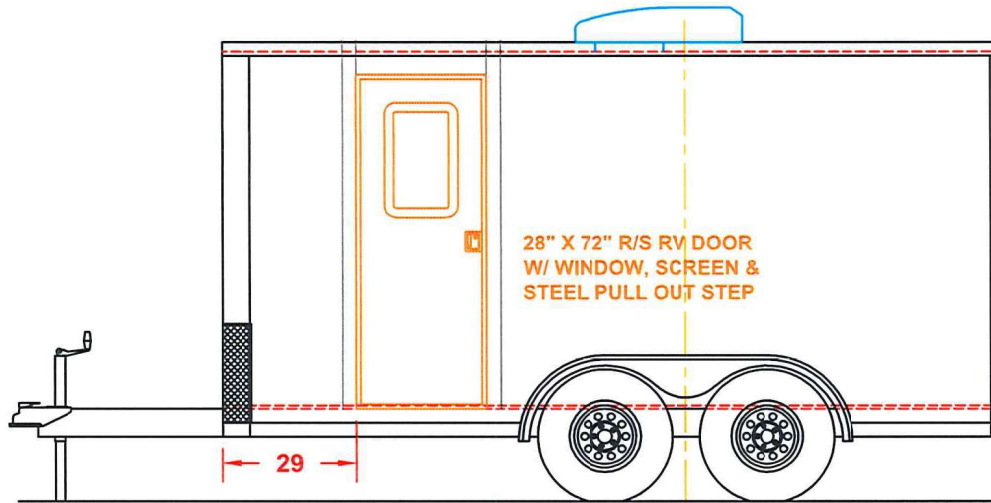


Michael Halouvas
T/A Gyros Delish

Scale = 1:30

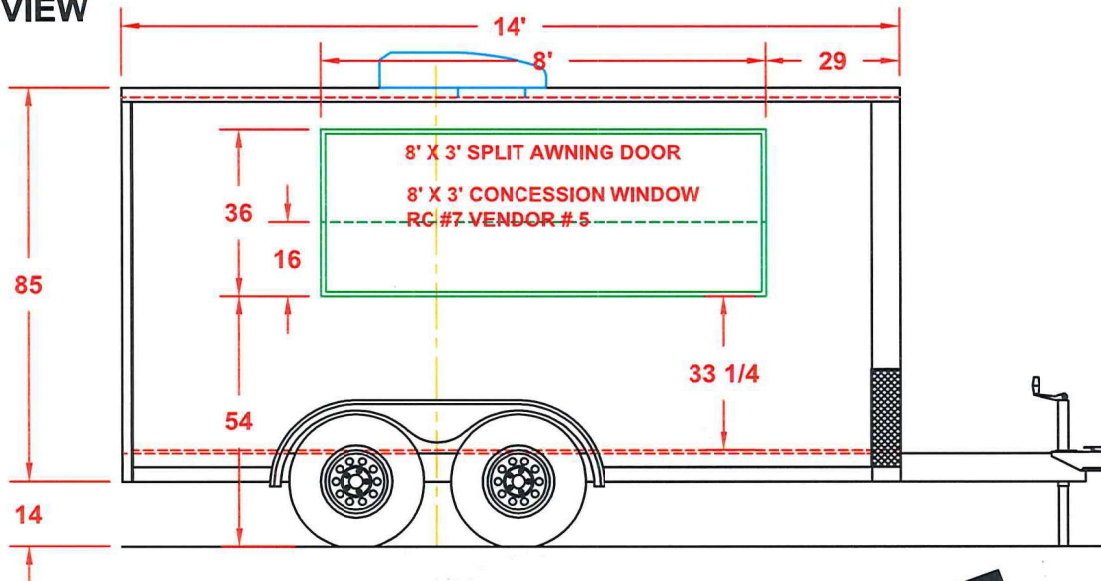


RS VIEW

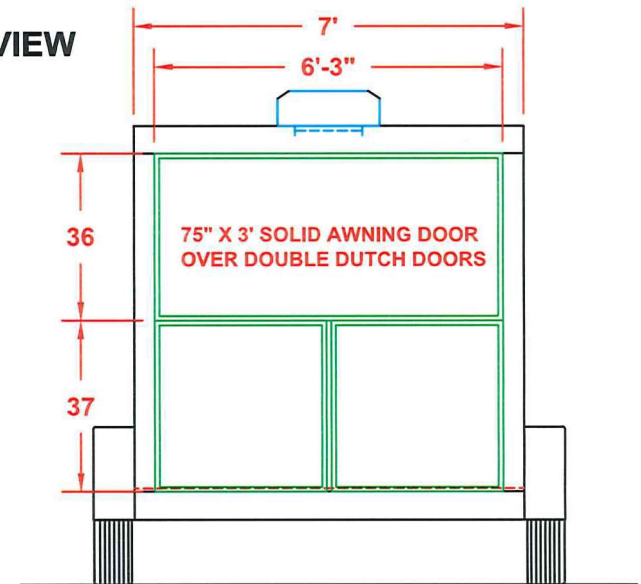


RC #7 - VENDOR #5

CS VIEW



REAR VIEW



DRAFT

CUSTOMER APPROVAL

- APPROVED

- REVISE & RESUBMIT

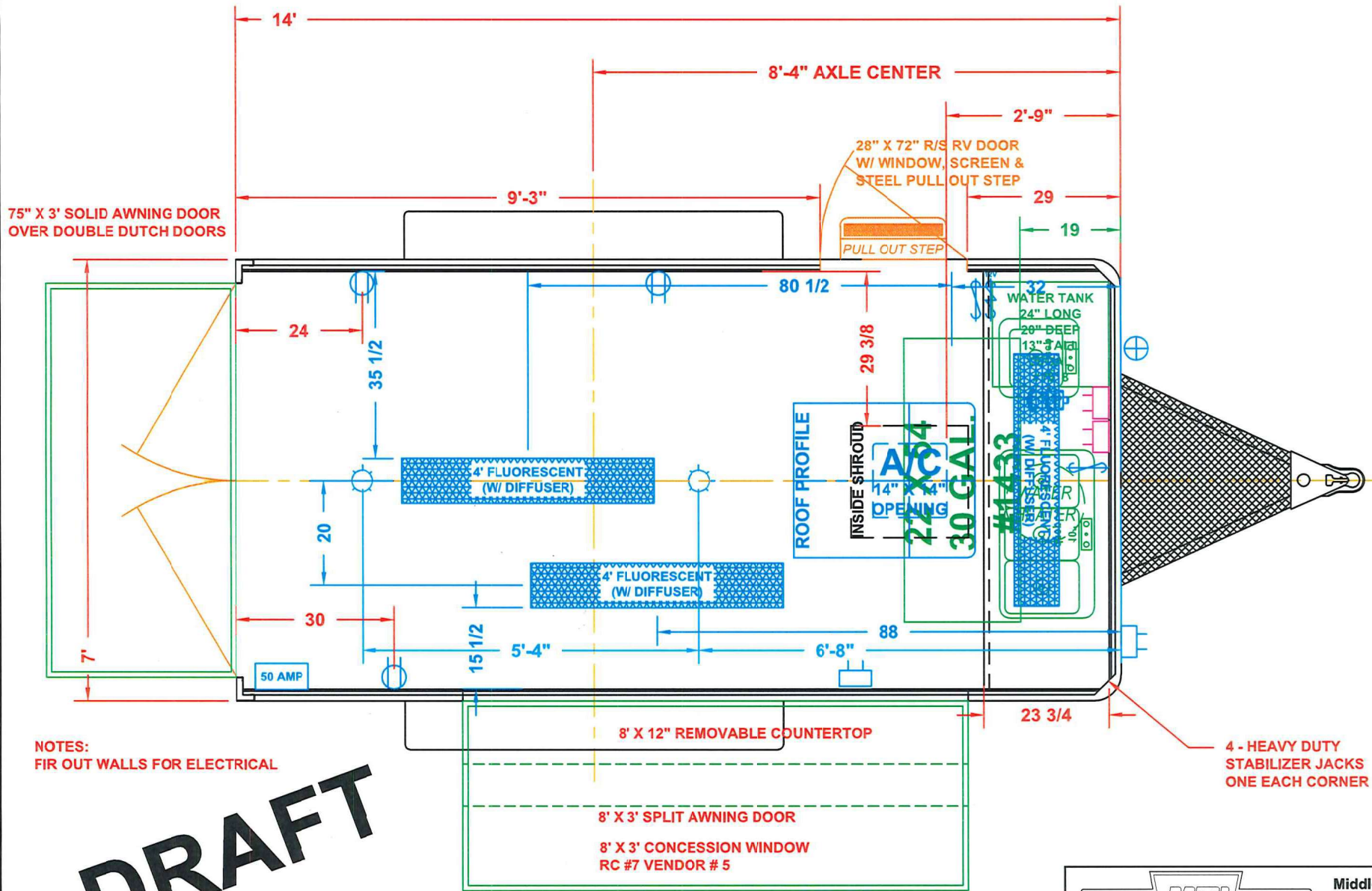
INITIALS: _____ DATE: _____



Middlebury, IN 46540
Phone: 574-825-1505
Fax: 574-825-1506
Toll Free: 1-866-314-2465

DATE: 8/1/2018	SERIAL: 649079
DRAWN BY: Carl Shinabarger	SHEET: 2 of 2
MODEL: MTB 7 x 14 TA2	REV DATE: 8/7/18
DEALER: Complete Trailers LLC	REV C

PLAN VIEW



NOTES:
FIR OUT WALLS FOR ELECTRICAL

DRAFT

CUSTOMER APPROVAL

- APPROVED
- REVISE & RESUBMIT

INITIALS: _____ DATE: _____



Middlebury, IN 46540
Phone: 574-825-1505
Fax: 574-825-1506
Toll Free: 1-866-314-2465

DATE: **8/1/2018**

SERIAL: **649079A**

DRAWN BY: Carl Shinabarger

SHEET: 1 of 2

MODEL: MTB 7 x 14 TA2

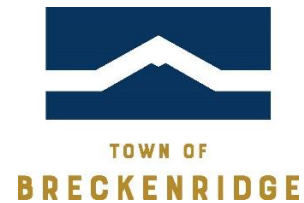
REV DATE: 8/10/18

DEALER:

Complete Trailers LLC

REV
D

110V SWITCH (42" AFF unless noted)	110V RECEPT (18" AFF unless noted)	4 FOOT 110V FLUORESCENT LIGHT
12V DOME LIGHT	12V SWITCH (42" AFF unless noted)	50 AMP PANEL (18" AFF unless noted)
MOTOR BASE PLUG		



Memo

To: Planning Commission
From: Chris Kulick, AICP, Planning Manager
Date: September 25, 2024 for October 1, 2024
Subject: Comprehensive Planning/ Development Code Worksession

Planning Staff will be providing an overview (approximately 30 minutes in length) of the Town's long-range plans and Development Code for the Town Council at an upcoming worksession. In preparation for that Council worksession, Staff will run through the key concepts of the presentation with the Planning Commission at the October 1st meeting. We are seeking feedback from the Commission related to the presentation content in an effort to refine the material for the Council presentation as well as answer any questions the Planning Commission may have on the material.

The worksession will include high level information related to:

- **Long-Range Plans**
 - **Town Comprehensive Plan (2008)** - Provides guidance to Town leaders for decisions related to land use, growth, and related issues that affect the future of the Town. The Comprehensive Plan provides the basis for the adoption of regulatory documents.
 - **Joint Upper Blue Master Plan (1997, updated in 2011)** - Provides overarching guidance for land use and development decisions in the Upper Blue Basin and was jointly developed by the Town of Breckenridge, Summit County and the Town of Blue River. This joint plan provides general policy guidance but does not address specific issues, such as mapping of appropriate land uses.
 - **Sustainable Breck Plan – (2012, updated in 2022)** - Provides advisory guidance and suggested prioritization of actions for the Town government to undertake to further its sustainability efforts. The Plan is not a binding document but is intended to provide a clear intent and direction on the Town's behalf to move towards sustainability. The Plan is also intended to establish baseline information that can be monitored over time to track progress on specific sustainability topics.
 - **Open Space and Trails Master Plan (2007, updated in 2009 & 2023)** – Provides a strategic framework for future decision-making about various open space and trails-related projects and topics.
 - **5 Year Housing Blue Print (2022)** - The Town's 5 year strategy to address the workforce housing gap in the community with a goal of 47% of employees working in the Upper Blue Basing living in the Basin. The Plan outlines strategies consisting of housing programs including housing helps, buy downs, construction of new units through town controlled and public/private partnerships funding.
- **Land Use Guidelines** - Establishes the geographic pattern of development desired by the Town. The Town has 52 Land Use Districts to direct desired uses and character. For each individual district, the Land Use Guidelines establish general recommendations for land uses, desired architectural character, building heights, etc. The Land Use Guidelines are regulated under Policy 2 of the Development Code.

- **Development Code**
 - **Absolute Policies** - Policies that must be met.
 - **Relative Policies** - Relative policies are assigned points, and unless provided differently in a particular policy, a negative score indicates that the policy will have a negative impact on the community on the basis of that particular policy. A score of zero indicates either that the particular policy is irrelevant to the proposed development or that a negative impact on the basis of that particular policy is completely mitigated. A positive score indicates that the proposed development implements a policy in such a way that there will be a positive impact on the community (i.e., the community will benefit) on the basis of that particular policy.
 - **Point Assignment Precedent** – Some relative policies have explicitly prescribed point assignments for certain situations (e.g. building height in excess of the land use regulations). Other relative policies require staff and the Planning Commission to interpret a point assignment based on past precedent of similar projects (e.g. quality of landscaping or amount of site disturbance).
 - **Cornerstone Policies** - These policies have the most direct influence over the scale and design of a project.
 - Policy 2: Land Use Guidelines
 - Policy 3: Density
 - Policy 6: Building Height
 - Policy 7: Site and Environmental Design
 - Policy 9: Placement of Structures
 - Policy 18: Parking
 - Policy 24: Social Community (Regulates the Conservation District)
 - **Handbook of Design Standards** – Provides additional design standards for properties within the Conservation District beyond the Development Code.
 - **Development Agreements** – Allows the Town Council to provide relief from regulations of the Town Code in exchange for public commitments that could not be legally obtained under the Code. Approving a development agreement is at the complete discretion of the Council and can be utilized for large- or small-scale development projects.

Staff will give a brief overview of the above to the Commission and answer any questions. We are also seeking input related to this presentation in an effort to refine the material prior to the Town Council worksession.