



BRECKENRIDGE TOWN COUNCIL REGULAR MEETING

Tuesday, February 09, 2016; 7:30 PM
Town Hall Auditorium

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V	CONTINUED BUSINESS	
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	C. BRECKENRIDGE TOURISM OFFICE (MS. WOLFE)	
	D. BRECKENRIDGE HERITAGE ALLIANCE (MS. LAWRENCE)	
	E. WATER TASK FORCE (MR. GALLAGHER)	
	F. CULTURAL ARTS ADVISORY COMMITTEE (MR. BURKE)	
X	OTHER MATTERS	

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

XI SCHEDULED MEETINGS

36

XII ADJOURNMENT

37

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

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CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of January 26, 2016 to order at 7:30 pm. The following members answered roll call: Mr. Gallagher, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Warner. Mr. Brewer was absent.

APPROVAL OF MINUTES - JANUARY 12, 2016

Mr. Gallagher noted two changes to the meeting minutes of January 12, 2016: On page 6, under the Water Task Force, the reference to financing mechanisms is for new users, and the Council unanimously supports the use of Audience View for ticket sales across all cultural entities. With no additional changes or corrections to the meeting minutes of January 12, 2016, Mayor Warner declared they would stand approved as corrected with the noted changes.

APPROVAL OF AGENDA

Mr. Holman stated there were no changes to the agenda.

COMMUNICATIONS TO COUNCIL

Mayor Warner opened with moment of silence for the loss of community member Patti Casey.

A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)

Mayor Warner opened Citizen's Comment.

Ms. Jenni Bonenberger, a community member, stated she is representing a group of community members that would like to bring to Council the idea of covering two additional tennis courts or more for the purpose of creating a winter sports training facility. She further stated this facility could house offices for clubs and teams, weight training, and other things that aren't currently happening in the Recreation Center. Ms. Bonenberger then stated a lot of local teams could use the facility to take the pressure off busy spaces in there, and the amenity would keep local athletes here and provide a space for visiting athletes.

Mayor Warner stated the right thing is to talk to Mr. Barney, and we are only in the beginning stages of the Recreation Center renovation, and our community could use a winter sports club. He stated he would also like to hear from other sports clubs about the need, and we have lost our racing facilities at Breckenridge, and we need a commitment from Breckenridge Ski Resort for use of their facilities as well. Ms. Wolfe stated it will be interesting to see how covering the tennis courts would change things in other areas, and she sees the opportunity to use it for other purposes. She further stated she hopes some of the things we are doing now might help relieve the congestion at the Recreation Center, and our interest in a field house needs to be supported by Summit School District and the County. Mr. Burke stated he would encourage this group to go to the School District to present this idea.

Mr. Chris Hawks, of Team Breck, stated he is looking for trampolines and freestyle training resources for youth and adults. Ms. Gigliello asked about what groups it would be accommodating and what the needs are. Mr. Barney stated the discussion started with a conversation about converting the indoor tennis courts. Mayor Warner stated Council will be new in April, and he would encourage this group to come back with specifics of a plan

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that would balance all users.

Mr. Clint Bryant stated there are teams from all over the world who could use the facility, and Ms. Andrea Giratano, stated she would like to get the skaters represented for this project as well.

Ms. Lawrence stated she believes it makes sense to have a Woodward-like training facility for guests and locals, and she likes the idea.

Ms. Tricia Hyon, of Breckenridge, stated she would like to present some ideas about what has been successful for this kind of facility. Mr. Burke stated the best idea would be to present this to Council in April, and Mayor Warner thanked the group for their interest and passion.

Mr. Mike Dudick, owner of Breckenridge Grand Vacations, stated they said they would try to tie in the story of the Berghof to the new restaurant, and would like to name the restaurant after Mr. Rob Millisor. Ms. Wolfe stated she would like to see homage paid to the Berghof, but it can be up to Mr. Dudick to decide the name. Mr. Dudick stated the restaurant will be open for business for 2016-2017 winter season. Mr. Burke stated he supports it to honor Mr. Millisor. Mayor Warner stated it is a nice tribute to Mr. Millisor, and he likes the idea. Mr. Gallagher, Ms. Lawrence and Ms. Gigliello all stated they supported the tribute.

There were no additional comments and Citizen's Comments was closed.

B. Red, White and Blue Fire District Update

Mr. Jim Keating of Red, White and Blue Fire District stated the district had received 1,967 total calls in 2015 for a new record, mostly for EMS, fire alarms and sprinkler systems. He further stated RWB is operating with Summit County to continue to do transports, including out-of-county transports from two Breckenridge facilities. Mr. Keating stated September of 2016 staff will undergo training that will allow higher level transports out of Denver, and within the agency RWB is supplementing schooling for those who want to become paramedics. He stated 2016 priorities are to hire 3 new people, and to take possession of the station at Grand Lodge in November of 2016. Ms. Lawrence asked about getting that station open in time for Christmas, and Mr. Keating stated they will make every effort to do that. Mr. Keating also stated they are working on reaccreditation this year, which is done every 5 years, and RWB purchased a new fire engine and recently hired an engineer to outfit all three fire stations with emergency power. He also stated RWB will be conducting voluntary inspections of homes for wildfire risk, and he thanked Breck PD for their assistance on Highway 9 in Blue River with several recent severe accidents, and for the use of Town facilities for special projects.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2016 - Public Hearings

- 1. COUNCIL BILL NO. 1, SERIES 2016 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 5 OF TITLE 2 OF THE BRECKENRIDGE TOWN CODE; ESTABLISHING THE TOWN OF BRECKENRIDGE LIQUOR AND MARIJUANA LICENSING AUTHORITY; DEFINING THE POWERS AND DUTIES OF SUCH AUTHORITY; PROVIDING OTHER RULES CONCERNING THE OPERATION OF SUCH AUTHORITY; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE**

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance would transfer the licensing duties from the Town Manager to a newly created Liquor and Marijuana Licensing Board. Mr. Tim Berry stated there were no changes to the ordinance from the first reading.

Mayor Warner opened the public hearing on first reading. There were no comments and the hearing was closed.

Ms. Gigliello moved to approve COUNCIL BILL NO. 1, SERIES 2016 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 5 OF TITLE 2 OF THE BRECKENRIDGE TOWN CODE; ESTABLISHING THE TOWN OF BRECKENRIDGE LIQUOR AND MARIJUANA LICENSING AUTHORITY; DEFINING THE POWERS AND DUTIES OF SUCH AUTHORITY; PROVIDING OTHER RULES CONCERNING THE OPERATION OF SUCH AUTHORITY; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE. Mr. Gallagher seconded the motion.
The motion passed 6 - 0. Mr. Brewer was absent.

NEW BUSINESS

A. First Reading of Council Bills, Series 2016 - Public Hearings

1. COUNCIL BILL NO. 2, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lot 7, Block 7, Yingling and Mickles Subdivision)
Mayor Warner read the title into the minutes. Mr. Tim Berry stated this landmarking ordinance is a condition of the development permit issued to this property, and staff and Planning Commission recommend adoption.

Mayor Warner opened the public hearing on first reading. There were no comments and the hearing was closed.

Ms. Lawrence moved to approve COUNCIL BILL NO. 2, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lot 7, Block 7, Yingling and Mickles Subdivision). Mr. Burke seconded the motion.
The motion passed 6 - 0. Mr. Brewer was absent.

2. COUNCIL BILL NO. 3, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lot 8A, Block 7, Yingling and Mickles Subdivision)
Mayor Warner read the title into the minutes. Mr. Tim Berry stated this landmarking ordinance is a condition of the development permit issued to this property, and staff and Planning Commission recommend adoption.

Mayor Warner opened the public hearing on first reading. There were no comments and the hearing was closed.

Mr. Gallagher moved to approve COUNCIL BILL NO. 3, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lot 8A, Block 7, Yingling and Mickles Subdivision). Ms. Wolfe seconded the motion.
The motion passed 6 - 0. Mr. Brewer was absent.

3. COUNCIL BILL NO. 4, SERIES 2016 - AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN TOWN PROPERTY AND THE EXECUTION AND DELIVERY BY THE TOWN OF A SITE LEASE, A LEASE PURCHASE AGREEMENT, AN ESCROW AGREEMENT AND OTHER FINANCING DOCUMENTS IN CONNECTION THEREWITH; SETTING FORTH PARAMETERS AND RESTRICTIONS WITH RESPECT TO THE FINANCING; AUTHORIZING THE CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS AND THE REFUNDING OF CERTAIN CERTIFICATES OF PARTICIPATION; RATIFYING ACTION PREVIOUSLY TAKEN CONCERNING THE REFERENCED TRANSACTIONS; AND PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY

Mayor Warner read the title into the minutes. Mr. Brian Waldes stated this is an emergency ordinance that would allow staff to issue the Certificates of Participation to fund the Huron Landing project with the County. Mr. Berry clarified the use of an emergency ordinance for this purpose is allowed, and it would be effective immediately in order to lock in the rate for financing. He further stated staff recognizes the reluctance of Council to do an emergency ordinance, and it doesn't happen very often. He also stated it requires passage by a super majority of the Council.

Mayor Warner opened the public hearing. There were no comments and the hearing was closed.

Mr. Gallagher moved to approve COUNCIL BILL NO. 4, SERIES 2016 - AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN TOWN PROPERTY AND THE EXECUTION AND DELIVERY BY THE TOWN OF A SITE LEASE, A LEASE PURCHASE AGREEMENT, AN ESCROW AGREEMENT AND OTHER FINANCING DOCUMENTS IN CONNECTION THEREWITH; SETTING FORTH PARAMETERS AND RESTRICTIONS WITH RESPECT TO THE FINANCING; AUTHORIZING THE CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS AND THE REFUNDING OF CERTAIN CERTIFICATES OF PARTICIPATION; RATIFYING ACTION PREVIOUSLY TAKEN CONCERNING THE REFERENCED TRANSACTIONS; AND PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY. Mr. Burke seconded the motion.

The motion passed 6 - 0. Mr. Brewer was absent.

B. Resolutions, Series 2016

1. RESOLUTION NO. 3, SERIES 2016 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2015 TOWN BUDGET

Mayor Warner read the title into the minutes. Mr. Waldes stated this resolution will approve changes to 2015 budget, which include funds to retire the B&B debt and for the Breckenridge Theatre, among other things.

Ms. Wolfe moved to approve RESOLUTION NO. 3, SERIES 2016 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2015 TOWN BUDGET. Ms. Gigliello seconded the motion.

The motion passed 6 - 0. Mr. Brewer was absent.

2. RESOLUTION NO. 4, SERIES 2016 - A RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2016 TOWN BUDGET

Mayor Warner read the title into the minutes. Mr. Waldes stated this resolution will make changes to the 2016 budget since the budget was approved last fall, the largest of which are funds for FIRC, the Welcome Center study, the COPs, and the Wave project, among

others.

Ms. Lawrence moved to approve RESOLUTION NO. 4, SERIES 2016 - A RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2016 TOWN BUDGET.

Mr. Gallagher seconded the motion.

The motion passed 6 - 0. Mr. Brewer was absent.

C. Other

1. Breckenridge Tourism Office Board of Director Appointments

Mr. Holman stated this will be a motion to accept or reject the motion made by the BTO to appoint Jay Beckerman and Travis Beck to the BTO Board of Directors. Mr. Burke stated his concern is not about the individuals nominated but about longevity on the board, and Ms. Gigliello stated she agreed with Mr. Burke. Ms. Wolfe stated there is something to be said about respecting the process, and while there are problems with it, the bylaws have been followed. She further stated she is inclined to accept the nomination here, and then argue with the board at that level on Thursday at their meeting. Ms. Lawrence stated she believes the problems reflect that this process should no longer be with us, and that the BTO needs to operate more like BCA. Mr. Gallagher stated he is going to support the nominated individuals, and he realizes his vote is going to hurt other people in this process, and he hopes these other people can move on and still be involved in the community. Mr. Gallagher further stated that Council's role is to support or reject the recommendations of the nominating committee. Ms. Gigliello stated the transparency of the process is her concern.

Mr. Dick Sosville, member of the BTO Board, stated the board thought this was going to be a problem, but their attorney advised them not to change the bylaws so soon after they were created. He further stated the BTO can look to change the bylaws moving forward.

Mr. Gallagher moved to approve the Breckenridge Tourism Office Board of Director Appointments. Ms. Wolfe seconded the motion. The motion passed 4 - 2. Mr. Burke and Ms. Gigliello dissented. Mr. Brewer was absent.

PLANNING MATTERS

A. Planning Commission Decisions

With no request to call an item off the consent calendar, Mayor Warner declared the Planning Commission Decisions would stand approved as presented.

B. Planning Commission Report (Ms. Wolfe)

Ms. Wolfe stated she had no update.

REPORT OF TOWN MANAGER AND STAFF

Mayor Warner stated he will moderate the State of the Town presentation, and each Council member will respond as subject matter experts for their areas. He further stated the audience will be invited to ask questions and childcare will be provided.

Mr. Holman stated he will bring a resolution to council at the next meeting to amend the Council procedures and rules of order to allow for the change of the first meeting in April. He also stated the Ski Area reception for Mr. Gagen and Council will take place on Monday afternoon, and the service for Patti Casey will take place on Sunday at Father Dyer Church and at the Breckenridge Nordic Center.

REPORT OF MAYOR AND COUNCILMEMBERS

- A. Cast/MMC (Mayor Warner)
Mayor Warner stated he visited Whistler and would like to look at the relationship between the Town and the Ski Resort in looking for examples of how to approach current town issues such as housing and transportation.
- B. Breckenridge Open Space Advisory Committee (Ms. Gigliello)
Ms. Gigliello stated the group did a fat bike tour at Gold Run Nordic Center to see the impact of the bikes on the ski trails. She also stated she brought up the idea of rogue events on Town trails, and was told that the events aren't considered "events" with less than 50 people, and the Forest Service currently has a moratorium on new events in the area. Mr. Holman stated he has asked staff to look at rogue events that may bring reckless behavior on our trails, and how do we address this internally and communicate with users with additional signage and messaging. Ms. Wolfe stated she read the notes from the meeting and that's all we can be doing right now, and we need to keep looking at a situation that is constantly changing. She further stated that an idea would be to have bikes yield to all other users. Ms. Gigliello mentioned there was also talk about etiquette on ski trails for fat bikes. Mayor Warner stated he had a conversation recently about bike-friendly Breckenridge in the winter to include a fleet of bikes available for use around town that would be similar to B-Cycle in Boulder. Ms. Gigliello also stated they spoke about the 2016 open space expenditure breakout, and the Wellington Road bus turnaround.
- C. Breckenridge Tourism Office (Ms. Wolfe)
Ms. Lucy Kay thanked Council for coming to the snow sculpture event, and stated she wanted Council to know that 16 properties stepped up to assist with snow sculpture lodging this year.
- D. Breckenridge Heritage Alliance (Ms. Lawrence)
Ms. Lawrence stated the meeting is tomorrow, and they will be talking about Reiling Dredge hydrology studies and possible next steps.
- E. Water Task Force (Mr. Gallagher)
Mr. Gallagher stated the task force met yesterday, and a full detailed presentation will be brought to Council in Feb or March. He also stated Mr. Daugherty he has been charged with how much it will cost to add water main lines to new areas, and the financing of the plant is mutually exclusive for timing and the event of expansion of service. Mr. Gallagher stated they are looking at what point is the critical mass to start to extend the main lines, and how much is the government willing to subsidize them. Also, there are other areas where main lines are extended already and there might be an opportunity to bring them into our water service. He further stated will be looking to get a sense from the County about how much they would like to assist in this project as well.
- F. Cultural Arts Advisory Committee (Mr. Burke)
Mr. Burke stated he had nothing more to add. Mr. Holman stated there was a public art donation of the "Sack Race" piece and as this is a Town asset, Council must agree to accept it. Council agreed to accept the piece unanimously.

OTHER MATTERS

Ms. Wolfe asked about the Arts events in the BCA brochure, and when it would become more inclusive. Ms. Lawrence asked about events that were excluded, and stated she thinks it's fair that when the other companies start to use the ticketing software they will be included. Mayor Warner stated he would like to see everyone included in the marketing. Mr. Burke stated he will bring this topic back to the BCA board. Mayor Warner stated he

believes the goal is a master calendar for all arts offered in Breckenridge.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:30 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

Helen Cospolich, Town Clerk

John Warner, Mayor

DRAFT



MEMORANDUM

TO: Town Council
FROM: Michael Mosher, Planner III
DATE: February 2, 2016 (for February 9th meeting)
SUBJECT: Second Reading- Landmarking the Old Enyeart Place - 112 South Harris Street

Enclosed with this memo is a landmarking ordinance at second reading for the Old Enyeart Place located at 112 South Harris Street. There were no changes from the first reading on January 26, 2015. The property that is the subject of the ordinance is:

An Ordinance Designating Certain Real Property
As A Landmark Under Chapter 11 Of Title 9 Of The Breckenridge Town Code
(Lot 7, Block 7, Yingling and Mickles Subdivision)

The Town Council approved the Old Enyeart Place (PL-2015-0361) on December 8, 2015. Landmarking the structures was a condition of Development Permit approval which included the restoration of the historic building. The Planning Commission approved this project on December 1, 2015 and recommended that the Town Council adopt the structure as a local landmark. This ordinance will fulfill the landmarking condition of approval for the Development Permit.

Staff will be available at the meeting for questions.



1 COUNCIL BILL NO. 2

2
3 Series 2016

4
5 AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK
6 UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE
7 (Lot 7, Block 7, Yingling & Mickles Addition)
8

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

11
12 Section 1. Findings. The Town Council of the Town of Breckenridge hereby finds and
13 determines as follows:

14
15 A. Michael F. Gallagher owns the hereinafter described real property. Such real
16 property is located within the corporate limits of the Town of Breckenridge, County of
17 Summit and State of Colorado.

18
19 B. Michael F. Gallagher filed an application with the Town pursuant to Chapter
20 11 of Title 9 of the Breckenridge Town Code seeking to have the Town designate the
21 hereinafter described real property as a landmark (“Application”).

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

25
26 D. The improvements on the hereinafter described real property are more than
27 fifty (50) years old and meet the “social” designation criteria for a landmark as set forth
28 in Section 9-11-4(A)(1)(b) of the Breckenridge Town Code because it is associated with
29 a notable person or the work of a notable person.

30
31 E. The improvements on the hereinafter described real property meet the
32 “physical integrity” criteria for a landmark as set forth in Section 9-11-4(A)(3) of the
33 Breckenridge Town Code because: (i) the property shows character, interest or value as
34 part of the development, heritage or cultural characteristics of the community, region,
35 state or nation; (ii) the property retains original design features, materials and/or colors;
36 (iii) the structure on the property is in its original location or is in the same historical
37 context after having been moved; and (iv) the structure has been accurately reconstructed
38 or restored based on documentation.

39
40 F. In accordance with the requirements of Section 9-11-3(B)(3) of the
41 Breckenridge Town Code, on December 1, 2015 the Application was reviewed by the
42 Breckenridge Planning Commission. On such date the Planning Commission
43 recommended to the Town Council that the Application be granted.

44
45 G. The Application meets the applicable requirements of Chapter 11 of Title 9 of
46 the Breckenridge Town Code, and should be granted without conditions.

1
2 H. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final
3 approval of an application for landmark designation under Chapter 11 of Title 9 of the
4 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

5
6 Section 2. Designation of Property as Landmark. The following described real
7 property located in the Town of Breckenridge, Summit County, Colorado:

8
9 Lot 7, Block 7, Yingling and Mickles Addition to the Town of Breckenridge;
10 commonly known and described as 112 South Harris Street, Breckenridge,
11 Colorado 80424

12
13 is hereby designated as a landmark pursuant to Chapter 11 of Title 9 of the Breckenridge
14 Town Code.

15
16 Section 3. Police Power Finding. The Town Council hereby finds, determines and
17 declares that this Ordinance is necessary and proper to provide for the safety, preserve the health,
18 promote the prosperity, and improve the order, comfort and convenience of the Town of
19 Breckenridge and the inhabitants thereof.

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

25
26 Section 5. Effective Date. This Ordinance shall be published and become effective as
27 provided by Section 5.9 of the Breckenridge Town Charter.

28
29 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
30 PUBLISHED IN FULL this 26th day of January, 2016.

31
32 This ordinance was published in full on the Town of Breckenridge website on January 28,
33 January 29, January 30, January 31 and February 1, 2016.

34
35 A public hearing on this ordinance was held on February 9, 2016.

36
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE
TOWN'S WEBSITE this 9th day of February, 2016. A copy of this Ordinance is available for
inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

_____/s/_____
Helen Cospolich, Town Clerk

_____/s/_____
John G. Warner, Mayor

APPROVED IN FORM

_____/s/_____
Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on February 10, February 11, February 12, February 13 and February 14, 2016. This ordinance shall become effective on March 15, 2016.



MEMORANDUM

TO: Town Council

FROM: Michael Mosher, Planner III

DATE: February 2, 2016 (for February 9th meeting)

SUBJECT: Second Reading- Landmarking the Gallagher Residence - 114 South Harris Street

Enclosed with this memo is a landmarking ordinance at second reading for the Gallagher Residence located at 114 South Harris Street. There were no changes from the first reading on January 26, 2015. The property that is the subject of the ordinance is:

An Ordinance Designating Certain Real Property
As A Landmark Under Chapter 11 Of Title 9 Of The Breckenridge Town Code
(Lot 8A, Block 7, Yingling and Mickles Subdivision)

The Town Council approved the Gallagher Residence (PL-2015-0362) on December 8, 2015. Landmarking the structures was a condition of Development Permit approval which included the restoration of the historic building. The Planning Commission approved this project on December 1, 2015 and recommended that the Town Council adopt the structure as a local landmark. This ordinance will fulfill the landmarking condition of approval for the Development Permit.

Staff will be available at the meeting for questions.



1 COUNCIL BILL NO. 3

2
3 Series 2016

4
5 AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK
6 UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE
7 (Lot 8A, Block 7, Yingling & Mickles Addition)
8

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

11
12 Section 1. Findings. The Town Council of the Town of Breckenridge hereby finds and
13 determines as follows:

14
15 A. Michael F. Gallagher owns the hereinafter described real property. Such real
16 property is located within the corporate limits of the Town of Breckenridge, County of
17 Summit and State of Colorado.

18
19 B. Michael F. Gallagher filed an application with the Town pursuant to Chapter
20 11 of Title 9 of the Breckenridge Town Code seeking to have the Town designate the
21 hereinafter described real property as a landmark (“Application”).

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

25
26 D. The improvements on the hereinafter described real property are more than
27 fifty (50) years old and meet the “architectural” designation criteria for a landmark as set
28 forth in Section 9-11-4(A)(1)(a) of the Breckenridge Town Code because it is of a style
29 particularly associated with the Breckenridge area.

30
31 E. The improvements on the hereinafter described real property meet the
32 “physical integrity” criteria for a landmark as set forth in Section 9-11-4(A)(3) of the
33 Breckenridge Town Code because the structure on the property is in its original location
34 or is in the same historical context after having been moved.

35
36 F. In accordance with the requirements of Section 9-11-3(B)(3) of the
37 Breckenridge Town Code, on December 1, 2015 the Application was reviewed by the
38 Breckenridge Planning Commission. On such date the Planning Commission
39 recommended to the Town Council that the Application be granted.

40
41 G. The Application meets the applicable requirements of Chapter 11 of Title 9 of
42 the Breckenridge Town Code, and should be granted without conditions.

43
44 H. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final
45 approval of an application for landmark designation under Chapter 11 of Title 9 of the
46 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

1
2 Section 2. Designation of Property as Landmark. The following described real
3 property located in the Town of Breckenridge, Summit County, Colorado:

4
5 Lot 8A, Block 7, Yingling and Mickles Addition to the Town of Breckenridge;
6 commonly known and described as 114 South Harris Street, Breckenridge,
7 Colorado 80424

8
9 is hereby designated as a landmark pursuant to Chapter 11 of Title 9 of the Breckenridge
10 Town Code.

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

16
17 Section 4. Town Authority. The Town Council hereby finds, determines and declares
18 that it has the power to adopt this Ordinance pursuant to the authority granted to home rule
19 municipalities by Article XX of the Colorado Constitution and the powers contained in the
20 Breckenridge Town Charter.

21
22 Section 5. Effective Date. This Ordinance shall be published and become effective as
23 provided by Section 5.9 of the Breckenridge Town Charter.

24
25 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
26 PUBLISHED IN FULL this 26th day of January, 2016.

27
28 This ordinance was published in full on the Town of Breckenridge website on January 28,
29 January 29, January 30, January 31 and February 1, 2016.

30
31 A public hearing on this ordinance was held on February 9, 2016.

32
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE
TOWN'S WEBSITE this 9th day of February, 2016. A copy of this Ordinance is available for
inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

_____/s/_____
Helen Cospolich, Town Clerk

_____/s/_____
John G. Warner, Mayor

APPROVED IN FORM

_____/s/_____

Town Attorney

Date

This Ordinance was published on the Town of Breckenridge website on February 10, February 11, February 12, February 13 and February 14, 2016. This ordinance shall become effective on March 15, 2016.

Memo



To: Breckenridge Town Council Members
From: Helen Cospolich, Municipal Services Manager
CC: Rick Holman, Town Manager
Date: 2/4/2016
Subject: Council Procedures and Rules of Order Amendment

As a result of recent changes to the municipal election law to accommodate overseas (UOCAVA) voters, we recognize the need for flexibility in the scheduling of the first Town Council meeting in April on municipal election years. If maintained, the current Council Procedures and Rules of Order (Section 3.1) states that the first meeting in April following an election is the organizational meeting of the Council. However, the new election timeframe won't allow for ballot certification until LATER THAN eight (8) days after the election. That puts the new Council officially in office later than the first meeting in April.

This resolution will amend the Council Procedures and Rules of Order to allow for the first Town Council meeting in April to occur on any date chosen by Council. Staff believes this change will correct the organizational meeting discrepancy, and will allow for flexibility in the transition to a new Council after the municipal election.

Staff will be present to answer any questions you may have about this resolution.

1 ***FOR WORKSESSION/ADOPTION – FEB. 9***

2
3 Additions To The Current Town Council Procedures and Rules of Order Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 A RESOLUTION

7
8 SERIES 2016

9
10 A RESOLUTION AMENDING THE TOWN COUNCIL “PROCEDURES AND RULES OF
11 ORDER” CONCERNING THE DATE OF THE ORGANIZATIONAL MEETING OF A
12 NEWLY ELECTED TOWN COUNCIL

13
14 WHEREAS, Section 5.1 of the Breckenridge Town Charter provides that the Town
15 Council shall determine the rules of procedures governing its meetings; and

16
17 WHEREAS, the Town Council has previously adopted the “Council Procedures and
18 Rules of Order” (“**Rules**”) to establish written procedures for conducting Town Council
19 meetings; and

20
21 WHEREAS, pursuant to Section 3.1 of the Town Charter and Section 1-12-1 of the
22 Breckenridge Town Code, Town elections are generally governed by the “Colorado Municipal
23 Election Code of 1965, Article 10 of Title 31, C.R.S.; and

24
25 WHEREAS, the Colorado Municipal Election Code of 1965 was recently amended by
26 the addition of Section 31-10-102.8, C.R.S., entitled “Active Military or Overseas Voters –
27 Timely Mailing, Casting and Receipt of Ballot;” and

28
29 WHEREAS, Section 31-10-102.8(4), C.R.S., provides that with respect to a ballot cast by
30 a Town elector living abroad, the Town’s designated election official must count a valid ballot
31 received by the close of business on the eighth day after a Town election; and

32
33 WHEREAS, Section 5.1 of the Town Charter provides that the day and time of Council
34 meetings shall “be fixed by the rules of the Council;” and

35
36 WHEREAS, Section 4.1 of the Rules provides the Town Council’s regular meetings are
37 to be held on the second and fourth Tuesday of each month; and

38
39 WHEREAS, the Town Council normally holds its organizational meeting for a newly
40 elected Town Council on the next Tuesday following the Town’s regular election, which is the
41 second Tuesday in April; and

42
43 WHEREAS, the new requirements of Section 31-10-102.8(4), C.R.S., preclude the
44 holding of an organizational meeting of a newly elected Town Council on the next Tuesday
45 following the Town’s regular election; and
46

1
2 WHEREAS, the Town Council finds and determines that the Rules should be amended to
3 allow the organizational meeting of a newly elected Town Council to be held on a day that is not
4 necessarily the second Tuesday of April following a regular Town election; and

5
6 WHEREAS, Section 12.1 of the Rules provides that the Rules may be amended by the
7 vote of two thirds of the Town Council; and

8
9 WHEREAS, Section 12.1 of the Rules further provides that all amendments to the Rules
10 shall be made by resolution; and

11
12 WHEREAS, this resolution was submitted to each member of the Council at least two
13 weeks in advance of the Council meeting at which the adoption of this resolution was to be
14 considered.

15
16 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
17 BRECKENRIDGE, COLORADO, as follows:

18
19 Section 1. Rule 3.1 of the Council Procedures and Rules of Order is amended so as to
20 read in its entirety as follows:

21
22 3.1 Town Council

23
24 a. The Town Council (“Council”) is the legislative and governing body of the Town.

25
26 b. ~~The first regular meeting of the Council following each regular municipal election~~
27 ~~shall be the organizational meeting at which oaths of office will be administered and a Mayor~~
28 ~~Pro Tem elected.~~ **The organizational meeting of a newly elected Town Council may be held**
29 **at any time after the Town Clerk has completed the canvas of the votes cast at the regular**
30 **Town Election, and has certified the election results. The date and time of an**
31 **organizational meeting of a newly elected Town Council shall be fixed by motion duly**
32 **adopted by the previous Town Council, and such meeting need not occur on a second or**
33 **fourth Tuesday of a month. Notice of the organizational meeting shall be given in the**
34 **manner normally given for regular meetings of the Town Council. At the organizational**
35 **meeting the oaths of office will be administered and a Mayor Pro Tem elected. The**
36 **organizational meeting shall be deemed to be a regular meeting of the Town Council for all**
37 **purposes.**

38
39 Section 2. Rule 4.1 of the Council Procedures and Rules of Order is amended so as to
40 read in its entirety as follows:

41
42 4.1 Regular Meetings

43
44 **Except as provided in Rule 3.1(b) concerning the holding of the organizational**
45 **meeting of a newly elected Town Council,** ¶the Town Council shall meet in regular session
46 each second and fourth Tuesday of each month at 7:30 P.M. in the Council Chamber at the Town

1 Hall. When a regular meeting date falls on a holiday or on a day of special observance which is
2 officially recognized by the Town, such regular meeting shall be held on the following day at the
3 same hour and place. The Council, by majority consent, may dispense with the holding of any
4 regular meeting.

5
6 Section 3. This resolution is effective upon adoption.

7
8 RESOLUTION APPROVED AND ADOPTED this ___ day of ___, 2016.

9
10 TOWN OF BRECKENRIDGE

11
12
13
14 By: _____
15 John G. Warner, Mayor

16
17 ATTEST:

18
19
20
21 _____
22 Helen Cospolich
23 Town Clerk

24
25 APPROVED IN FORM

26
27
28
29 _____
30 Town Attorney Date

MEMORANDUM

To: Town Council

From: Peter Grosshuesch, Director of Community Development

Date: February 3, 2016

Re: Planning Commission Decisions of the February 2, 2016, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF February 2, 2016:

CLASS C APPLICATIONS: None.

CLASS B APPLICATIONS:

1) Marvel House Restoration, Addition and Landmarking (MM) PL-2015-0014

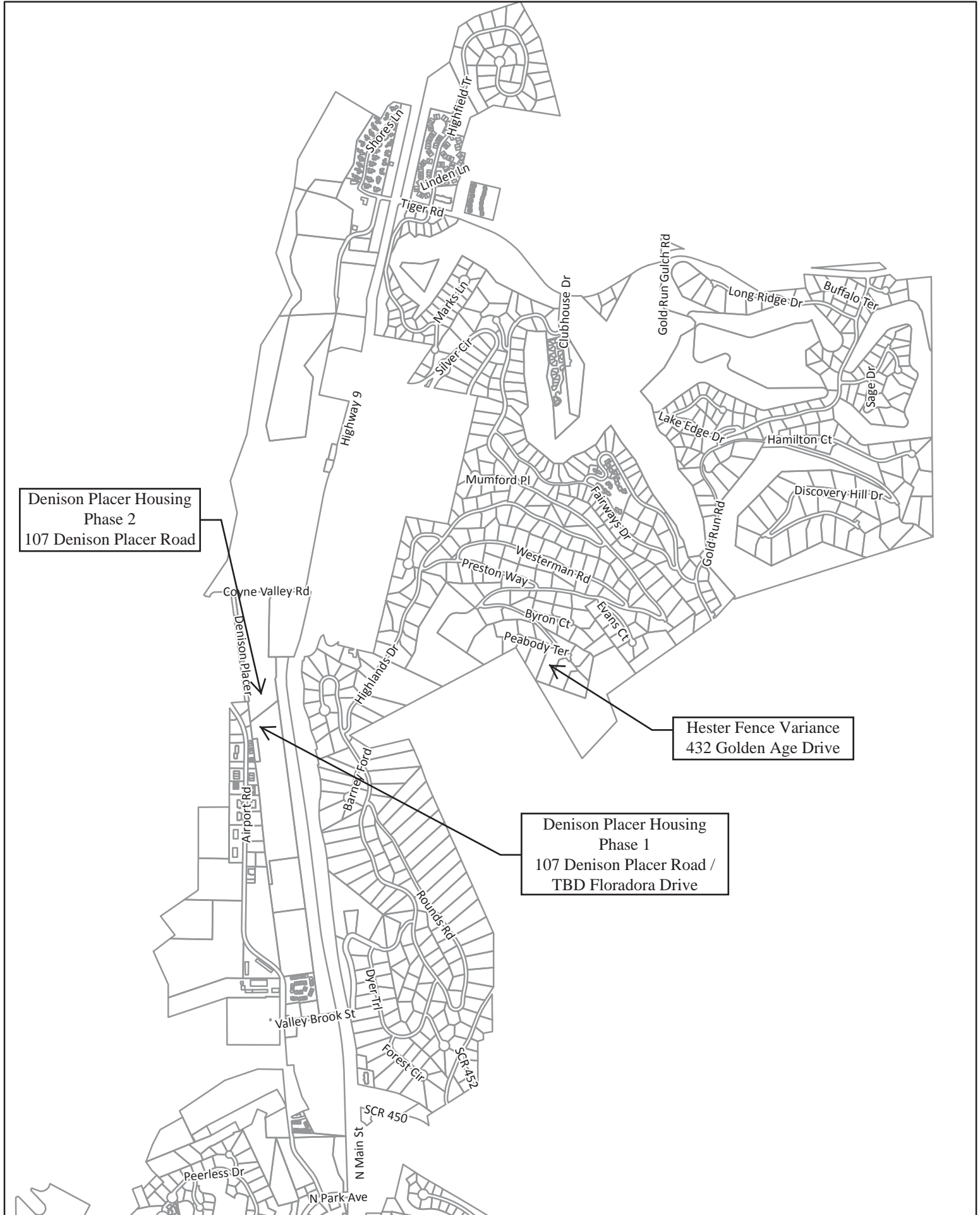
Restore portions of the historic Marvel House (remove some non-compliant additions and restore the remaining portions), add a full basement with a separate living unit, connect a new residence to the back of the historic house and build a new separate garage (with an accessory apartment above) along the alley.

Approved. Recommendation the Town Council adopt an Ordinance to locally landmark the property.

CLASS A APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.



Denison Placer Housing
Phase 2
107 Denison Placer Road

Hester Fence Variance
432 Golden Age Drive

Denison Placer Housing
Phase 1
107 Denison Placer Road /
TBD Floradora Drive



printed 1/13/2016
Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
use of the product for any purpose is at user's sole risk.

Breckenridge North



Marvel House Restoration,
Addition and Landmarking
318 North Main Street



Breckenridge South

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Ron Schuman Dan Schroder
Jim Lamb Gretchen Dudney Christie Mathews-Leidal
Dave Pringle
Wendy Wolfe, Town Council Liaison

APPROVAL OF MINUTES

With no changes, the January 19, 2016, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Mr. Kulick announced that the Hester Fence Variance, PL-2016-0014, 432 Golden Age Drive, had been continued to the February 16, 2016, Planning Commission Meeting.

With no other changes, the February 2, 2016, Planning Commission Agenda was approved as presented.

TOWN COUNCIL REPORT:

Ms. Wolfe:

- Important upcoming meetings, Town is having a Housing Summit, February 11 with a gathering of business leaders. Workforce housing has been crunched especially this season so the purpose is to meet with business leaders to better understand the characteristics of the crunch and brainstorm ideas. We've invited business leaders to come and participate. This meeting is open to everybody, there will be participants (business leaders) and then its open to observation by the public.
- On February 18, will be the first opportunity for DTJ Design and Nelson Niegard to report their observations on parking and transit over the holidays, between Christmas and New Years. They had boots on the ground during this time and it will be really interesting to have them engage the Council, and task force. There will be 2 meetings at the Community Center one at 7:30-9:30 am and another around 5-7 pm.
- We solidified our Town Council 2016 Goals and Objectives, 1. parking and transit comprehensive development plan 2. Workforce Housing 3. Expansion of Rec facilities and amenities (roof over second sheet of ice at Ice Rink), 4. Childcare and Early Learning Centers, 5. Riverwalk Guest Experience (improving the lobby), 6. Water Sustainability and treatment plant, 7. On-going sustainability and environment, 8. Public engagement (recent Town Hall meeting at which the hottest topic was transit), 9. Redevelopment of City Market (talking to City Market expansion and Parkway Center), 10. Human Resources and Talent Management of staff (continue to recognize and reward employees).
- Mr. Schroder asked about a conversation overheard at the Ice Rink in which the plan to put the roof on the ice rink was perhaps something more like a second story with workout room. Ms. Wolfe said that during public comment there was some banter back and forth but it was all just ideas. There was a roomful of young folks during public comment regarding covering at the ice rink, covering the outdoor tennis courts and repurposing the current covered tennis courts, possibly covering the outdoor courts and connect it to the Rec Center to use for sports training. Those items are not in the plans right now and I'm sure you may hear some additional public comment. We plan on installing the roof over the outdoor rink and having this constructed this summer. We plan for this to be simple roofing so that this rink is a lot more dependable. Mr. Schuman asked if the potential dryland training would compete with private enterprise facilities like Woodward. Ms. Wolfe replied that the community was asking for this, but we are not planning on this now. This is still way too early to make any decisions, this will be discussed a lot more at future Town Council meetings. Mr. Pringle suggested initiating

conversations with other Town Councils and County entities to become part of the conversation and brainstorm how to address these types of facilities. Ms. Wolfe says that John Warner has addressed with the Mayors and Commissioners meeting. Also, a field house has been discussed but we decided it wasn't time to do this yet. Breckenridge does have a fabulous Rec Center and we know we can do some fabulous things to improve it.

- Ms. Christopher announced that she has put in her two week notice as she has accepted a position in Kansas and that she will be resigning from the Planning Commission.

FINAL HEARINGS:

1) Marvel House Restoration, Addition and Landmarking (MM) PL-2015-0328, 318 North Main Street
Mr. Mosher presented the final hearing proposal to restore portions of the historic Marvel House (renovate some non-compliant additions and restore the remaining portions), add a full basement with separate living unit, connect a new residence to the back of the historic house and build a new separate garage (with an accessory apartment above along the alley and to seek local landmark designation from the Town Council. The property will be re-subdivided under a separate application.

Changes since the November 17, 2015 Planning Commission Meeting

1. The Engineering Department has included a waiver allowing more than one driveway cut for this property.
2. A color material board was included in the report for this meeting.

The parking strip off the alley exceeds the number of driveways cuts that are allowed per the Section of the Code above. Staff has consulted the Streets and Engineering Department and they have no concerns with the additional curb cut. A waiver from this provision has been granted by the Engineering Department and is included with this report.

Staff found that:

1. The granting of the variance, exception or waiver of condition will not be detrimental to the public health, safety, or welfare or injurious to other property as the property is accessed from two rights of way, Main Street and the Main Street Alley.
2. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property as the property will have both commercial uses accessed from Main Street and residential use accessed from the alley. The Town supports keeping traffic of the two uses separated.
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, distinguished from a mere inconvenience, if the strict letter of these regulations is carried out as the multiple driveway cuts help facilitate the restoration of a historic structure.
4. The relief sought will not in any manner vary the provisions of the development code, town master plan or other town law, except that those documents may be amended in the manner prescribed by law the second driveway cut does not create an additional burden for current snow removal operations.

A special finding has been added. Staff asked for Commission support for this waiver.

Point Analysis (Section: 9-1-17-3): Staff showed that all absolute policies have been met and the final point analysis as:

Relative Policy 24, The Social Community: Negative ten (-10) points for moving the Marvel House 10-foot west and 3-feet south; Positive six (+6) points for the restoration plans.

Relative Policy 22, Landscaping: Positive two (+2) points for the proposed landscaping.

Relative Policy 33, Energy Conservation: Positive two (+2) points for the two HERS index scores.

The result is a passing score of positive zero (0) points.

The applicant and agent have worked closely with Staff and responded well to Commission direction to bring this final review to you. We have only one question for the Commission:

1. Did the Commission support granting a waiver under Section 9-3-16: Relief Procedures of the Town Code for this application to allow 2 driveway cuts for the property located at 218 N. Main Street, Lot 16 Snider Addition?

Staff recommended the Planning Commission endorse the attached Point Analysis for the Marvel House Addition, Restoration, and Landmarking, PL-2015-0328, 318 North Main Street, showing a passing score of zero (0) points.

Staff recommended the Planning Commission approve the Marvel House Addition, Restoration, and Landmarking, PL-2015-0328, 318 North Main Street with the attached Findings and Conditions.

We suggest the Planning Commission recommend that the Town Council adopt an ordinance to Landmark the Marvel House based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

Commissioner Questions / Comments:

Mr. Pringle: With respect to the waiver, it is really two accesses off Main Street and the alley?

Mr. Mosher: It is identifying the two access points off the alley. The Code limits properties to one access per lot. There is an existing access on to Main Street. The waiver is for the two driveway cuts and that they are less than 30-feet apart on the alley.

Applicant Presentation: Ms. Janet Sutterley, Architect:

Just want to clarify the paint colors are less pink and more “tan-ish”. Nothing more to add further.

Ms. Christopher opened the hearing to public comment.

Mr. Sam Riggs, 320 North Main:

I live on the lot to the north. I have concerns about the historic shed that is up front and the only access we have to that is through a gate facing south to the applicant’s property. Someone repaired the gate and screwed it shut. Also, there is playground material with gravel that blocks the door and it is hard to get to this storage. Also, drainage is an issue here. In addition, Comcast will need to relocate a buried cable. Then the water line goes around the south side of our cabin as well as this property and I just want to make sure they are aware of this as they proceed with construction.

There was no further public comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Schuman: Has the owner agreed to allow access to the shed?

Mr. Moser: The shed covers both property lines and town right of way. So maybe we can clean this up separately.

Mr. Schroder: I think we should allow the neighbors to have access to this.

Mr. Mosher: This would be a whole separate application.

Mr. Lamb: I agree that moving the building is -10- points is punitive, but I support this.

Mr. Pringle: I concur, I appreciate all the work with staff and this is a good project. Please work with Sam to address his concerns. I don’t think the waiver is necessary, but it is what it is.

Ms. Dudney: I support the waiver and I support the project

- Ms. Leidal: I reviewed the two previous hearings and reviewed the project notes. I support the project and the waiver
- Mr. Schuman: I also support the waiver and the project and I thank the applicant for your patience with this process.
- Mr. Schroder: I support what is presented to us with all the findings and conditions.
- Ms. Christopher: I concur with all of the other Commissioners and approve this project.

Mr. Pringle made a motion to approve the point analysis for the Marvel House Addition, Restoration and Landmarking, PL-2015-0328, 318 North Main Street, showing a passing point analysis of zero (0) points. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Marvel House Addition, Restoration and Landmarking, PL-2015-0328, 318 North Main Street, with the presented findings and conditions. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to recommend the Town Council adopt an ordinance to Landmark the Marvel House based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

PRELIMINARY HEARINGS:

1) Denison Placer Housing Phase 1 (JP) PL-2016-0011, 107 Denison Placer Road/TBD Floradora Drive
Ms. Puester presented a Class A preliminary hearing proposal to construct 66 workforce rental townhome and apartment units (43 single family equivalents) in fifteen buildings, a neighborhood community center, including lease office and associated parking, on approximately 4.5 acres of the northernmost section of the Block 11 parcel with access from Denison Placer Road and Floradora Drive. In addition, Floradora Drive is proposed to be extended through the development from Airport Road. A material and color sample board was also presented.

Point Analysis (Section: 9-1-17-3): Staff has prepared a preliminary point analysis with a recommended passing score of positive fifteen (+15) points.

Negative Points recommended:

- Policy 6/R, Building Height: (-1) for an unbroken roof ridge exceeding 50' in length on Building C.
- Policy 9/R, Placement of Structures: (-6) for the front and rear relative setbacks not being met.

Positive Points recommended:

- Policy 16/R, Internal Circulation: (+6) for providing sidewalks which connect to the existing sidewalk along Airport Road, sidewalk and Rec path which connects the residential to the proposed bus stops and future development on Block 11.
- Policy 24/R, Social Community: (+10) for 100% workforce housing.
- Policy 24/R, Social Community: (+6) for meeting a Council goal of providing workforce housing.

Preliminary Point Analysis recommended:

- Total (+15)

Staff Recommendation

1. Did the Planning Commission agree with Staff's preliminary point analysis?
2. Did the Planning Commission have any concerns regarding the function of the snow storage?
3. Did the Commission like the landscape plan proposed?
4. Were there any Commissioner comments regarding the architecture?

5. Did the Commission support the positive six (+6) points for the sidewalks and recreational path under Internal Circulation, Policy 16/R?
6. Did the Planning Commission have other concerns or comments on the proposal?

The Planning Department believes that Denison Placer Phase 1, PL-2016-0011, located at 107 Denison Placer Road, Lot A-1, Runway Subdivision, with a preliminary passing point analysis of positive fifteen (+15) points and addressing remaining staff and any Planning Commission concerns, is ready to be scheduled for a Final Hearing.

Commissioner Questions / Comments:

- Ms. Dudney: How many apartment units are in the apartment building? Is there one storage unit per apartment?
- Ms. Puester: There is one storage unit for all 66 units.
- Mr. Schuman: Is the community room open to public?
- Ms. Puester: I'll let the applicants address this.
- Ms. Dudney: The unbroken roof line is where?
- Ms. Puester: There is not a 50' roof line in this phase, correction, Building C which there are three of has a 52 foot long ridge.
- Ms. Dudney: On page 50 of staff report, correction under on the of precedent cases for Huron that had 3 positive points not 6, on page 24 of the Huron report. You didn't explain why the design changed so much from the last time we saw it at work session in October.
- Ms. Puester: The first design had tuck under parking and created some awkward surface parking and flow through the site. (Mr. Grosshuesch: The design was also too expensive and would not be competitive for the LIHTEC application which could be up to 9 million for the project).
- Ms. Dudney: Did you want the townhomes to have a frontage on FloraDora?
- Ms. Puester: That was still the concept, row home look similar to one of the developments we saw on the Planning Commission field trip.
- Ms. Dudney: Where is the rec path? Where are the fences for the townhouses?
- Ms. Puester: Rec path run along the west side of Flora Dora. The fences are on the back of the houses along Flora Dora and on the front side if the homes are internal facing (west sides of homes). There is the paved road section, then the 10' rec path in the right of way, and then private property with a 5' for snow storage in the front yard of the townhomes.
- Ms. Dudney: Does this work? won't the snow be pushed right up into the houses with 5' spacing?
- Mr. Schuman: Landscape will help buffer.
- Ms. Puester: There is 10' from the steps to the Rec Path. This has been reviewed by public works regarding snow removal, rec path, sidewalk and proposed road and they were comfortable with this proposal.
- Ms. Dudney: You are asking for 6 points for the sidewalk and the rec path?
- Ms. Puester: The 6 points are recommended for the 5' sidewalk on the east of Flora Dora and the connection to the existing Airport Road sidewalk which ends before this project, the 10' asphalt rec path and the meandering sidewalks that are running throughout the project between buildings and connecting the parking lots and the residences. Also the sidewalk will be connected to Airport Road. There will be sidewalks connecting this neighborhood to CMC on the north and Upper Blue Elementary to the south as well as along Airport.
- Ms. Dudney: What about Wellington for precedence for 6 points?
- Mr. Mosher: There aren't any sidewalks in Wellington. The master plan from Lincoln Park got 3 points for sidewalk along the ROW.
- Ms. Leidal: Which is rec path versus sidewalk?
- Ms. Puester: The rec path runs on the western side of Floradora and the sidewalk is on the eastern side of Floradora. We think the rec path will continue all the way down in Block 11 to connect all the neighborhoods within Block 11. This will be an important connection for kids to the elementary school. Project that many kids will live here as well as people attending CMC.

- Mr. Pringle: I thought we would have a few more hearings rather than to go straight to final. This seems a little overwhelming for a one hearing project.
- Ms. Puester: This is a preliminary hearing and this is not final, you will see it at another hearing for final. Also, this is not being taken as a Town project since it is so large. We also took it as a work session in October, so three times.
- Mr. Pringle: Not sold on the architecture. Its too similar concerned we will see this all down Block 11 when it was supposed to be more split. It was a completely different design in October and now we have a point analysis already.
- Ms. Puester: We wanted to get your opinion on the point analysis and any other concerns that the project team can address before going to a final. This is a class A and it has still a final hearing to go.

Applicant Presentation:

Pete Weber, Coburn Architects, Project architect:

As we got into the process, it became clear that this was the beginning of Block 11 and not a stand alone project and also, it is more dense. We want to maintain variety but also have some repetition in models to keep costs down. The floor plans have a huge amount of repetition in the interior but the buildings look different on the exterior and different colors. With setbacks and fences we wanted to include some private space for everyone and this is further defined by the fences. In some cases this is front yards and sometimes back yards for the townhome units. The setbacks were closer to Floradora so that they could have more space to the back as well as street presence. The big changes from last October's work session, the tuck under parking was not affordable and caused an issue for the grant application. We have one storage space per unit that is not within your unit plus there is a good amount of internal storage in each person's unit. The Community Building has storage units for all the townhome projects. One building of the apartments has the storage for all both of the two apartment buildings.

Mr. Pringle: Have you tried this before for other projects (storage outside of building)?

Mr. Weber: Yes, we have done this and find that people are using this storage for their seasonal storage and their internal unit spaces such as closets etc for your typical storage that you use often. Community Room Use? I don't know if we know how this will be used, primarily for the residents I expect. But it is possible that it could be used for the outside community.

Mr. Schuman: I think good meeting room space being available to the community as a whole is helpful.

Eric Komppa, Corum Real Estate:

Parcel 1 and Parcel 2 will be managed out of the Community Building. That way both projects could use the Community Room. We have seen this space as being good to use for the residents for birthday parties, etc at no fee except for a deposit, meetings, classes.

Ms. Dudney: I need a little more rationale for 6 points for the sidewalks and the Rec path. It seems like a lot. This is a big project so it should be a lot of sidewalks and Rec paths. Why is this different from other projects that received 3 points?

Elena Scott, Norris Design:

One of the main drivers is to set up Floradora Drive to be set up as a great pedestrian area that would take residents from park, rec centers, community room. We wanted to look at the width of the sidewalks, a lot of people have strollers and more than one dog. In the Town of Breckenridge, Wellington Road has a 10' sidewalk up from Town, which is great for people. So we wanted the same here but we wanted circulation on both sides of the road. We also wanted to think about the internal walkways and connections for the residents. We wanted it to be a great walkable area that connects to the other parks and river system nearby. We wanted a solid pedestrian area in Block 11.

Ms. Dudney: You think it is more circulation that Wellington and Lincoln Park?

Ms. Puester: I think it will keep kids on the Rec paths riding bikes whereas we've heard many Wellington

have to bike on the streets, their sidewalks are only in the greens internal to the site, not on the road. Two major pedestrian connection on both sides of the road, one a 10' rec path. Floradora will be a really important connection to get kids to the elementary school and the park.

Ms. Dudney: I don't want to give people points for something they have to do anyway.

Ms. Puester: Paths are not a code requirement. You don't have to agree with the 6 points, they have plenty of points here to pass, but precedent-wise, when I looked at Huron Landing and other precedent this seems so much more of an extensive system. To me this was such a more massive effort compared to Huron and Pinewood projects that received 3 points.

Mr. Schuman: There are a lot of operational costs of this building, will it run as a profit, this is a question for Eric?

Mr. Kompa: Our initial financial analysis based on what we have at Pinewood Village now, there are two aspects rent and operational and the rents will be based on rent tax credits. We are fully intending on making this project be cash flow positive and not just break even.

Mr. Schuman: There is a lot more going on here for plowing and management.

Mr. Komppa: You are correct, the internal lots will have plowing expense.

Mr. Pringle: It seems that the architecture, it looks rather stark on the doorways to the entrances for examples. These aren't formalized entryways. Are we cutting corners so much to cut costs that we are sacrificing architecture? It reminds me when you drive into Alma or Fairplay and I thought we work very hard with our affordable housing projects so that there won't be a stark change between them and the other projects we see. Is there something more we can do?

Ms. Dudney: Page 69- 70 of the project, I agree that it does seem so minimalist. Maybe it is the doors.

Mr. Pringle: The windows on the side elevations, don't seem appropriate.

Mr. Weber: On the side windows, these buildings are close together so for privacy we are trying to keep the windows small and just provide light.

Mr. Pringle: We would require a lot more from other applicants than we are now.

Ms. Christopher opened the hearing to public comment.

Mr. David Axelrod, 52 Snowstorm Circle, owner of the Broken Compass Brewery: We are interested in parcel right next to parcel 3. I have a question, are you going to move FloraDora will take away access to the lot we are looking into? We believe that there is an easement that CMC owns that runs parallel to the lot that blocks access to this parcel.

Mr. Grossheusch: The parcel has frontage on Airport Road for access.

There was no further public comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Schuman: I agree with point analysis right now. I like the idea of snow storage, I think it will work. There is an awful lot here to absorb. The architecture, I like this a lot better this time than we saw the first time. I think it looks much better now. I'm ok with 3 points with the sidewalks/rec but down the road I might be open to more. I think the storage for every unit will work. I think this a huge improvement from the work session.

Mr. Schroder: I think it is very pleasing and is obviously a multifamily project. I support the preliminary point analysis and I support the 6 points for the circulation. I support the 6 points because they are completing all the sidewalks and not waiting for the next guy to finish the sidewalks. I do wonder if we are going to be asked to approve 6 points again and again. Is this the new standard now? Especially with high density and cars and bikes and people is why I would support 6 points. Snow storage does seem a bit tight, even though I don't know

- a lot about snow storage. I like the architecture and the number of different looks. This makes it look like it has vitality. I don't have any concerns.
- Ms. Leidal: Snow storage, it looks tight and labor intensive but as long as management company can make it work I'm fine with it. Positive 6 points for sidewalks and rec paths, I'm struggling with this. If we award 6 points, I want to make sure it is for both the rec path and the internal circulation, I don't want to double dip for internal circulation, maybe we separate it out like 3 for circulation and 3 for recreation so not to set precedent. Architecture, I like the variety of building. I hear the other Commissioner concerns with the architecture, it might be the size of the overhangs and the trim relative to the building size.
- Ms. Dudney: I like the design and I like Christy's idea of splitting it out for circulation and recreation. I'm ok with the snow storage. The Huron precedent needs to be fixed unless I'm missing something. I like the plan, the change in architecture, varying building types but like B1 and B2 more than C and D, parking, the change to Flora Dora. The less expansive roof forms are more appealing to me (not C and D). I think it is much better than the one we saw in October.
- Mr. Pringle: I'm not sure if I agree with the point analysis. I think the 6 points for circulation are too much, I think 3 points is the precedent, I don't want to give 6 points for internal circulation. The snow storage is a formula, if it doesn't snow it works, if it does snow you have to deal with that. I think the architecture looks a little stark. Beef up the entries. I don't want one of the primary developments that people see when they come to town to be disappointing. There is a whole lot of density here. I don't want to sacrifice project architecture and density to satisfy AMI need. The idea of the community center sounds good, but is every one of the parcels going to have its own. It is pretty much half storage, half management company, could this be incorporated more in a whole Block 11 Community Center? I'm not persuaded that having a storage unit on the other side of the development is something that people want. I think the storage should be within the unit only.
- Mr. Lamb: I like the fact that it is under density, adequate parking and over landscaped. I am worried about 6 points for the circulation, I'm more in favor of 3 right now. I think the architecture is well broken up and looks more like Valley Brook. I think it is going in a good direction.
- Ms. Christopher: I too support this project. I am concerned with the 6 points, I support just 3 or could have them split up. I am ok with Snow Storage. The architecture could use some massaging, but generally really like it.
- Ms. Leidal: Wanted to note for the record that I did review the October 20th work session before this meeting so that's why I'm able to comment on this.
- Ms. Dudney: To the community center, I am assuming that there is some market study that you need this, but if there is some way to have storage in the units, that is far better. But if the community center is not really used, they take money to keep up and looking good.

2) Denison Placer Housing Phase 2 (JP) PL-2016-0012, 107 Denison Placer Road

Ms. Puester presented a proposal to construct 30 workforce rental apartments (13 Single Family Equivalents) in three buildings on approximately 1.05 acres in the southern section of Tract D with access from Denison Placer Road. A material and color sample board was also presented.

The 1.05 acres which is the subject of this report is a portion of the 16 acres of the Colorado Mountain College (CMC) property known as Tract D. The Town is currently working with CMC on a land trade, which would allocated this 1.05 acre piece of property to the south of Tract D to the Town. The town-owned 1.05 acre (Tract C, to the northeast of Tract D) would be conveyed to CMC.

Point Analysis (Section 9-1-17-3): Staff has prepared a preliminary point analysis with a recommended positive fifteen (+15) points.

Negative Points recommended:

- Policy 9/R, Placement of Structures: (-3) for the front relative setback not being met.
- Policy 6/R, Building Height: (-1) for the roofline of both buildings exceeding fifty feet (50').

Positive Points recommended:

- Policy 16/R, Internal Circulation: (+3) for providing sidewalk which connect to the Phase 1 sidewalk.
- Policy 24/R, Social Community: (+10) for 100% workforce housing.
- Policy 24/R, Social Community: (+6) for meeting a Council goal of providing workforce housing.

Preliminary Point Analysis recommended:

- Total (+15)

Staff Recommendation

1. Did the Planning Commission agree with Staff's preliminary point analysis?
2. Did the Commission have concerns with the first floor storage area on the left elevation of Building F2 not being broken up?
3. Did the Planning Commission have other concerns or comments on the proposal?

The Planning Department believes that Denison Placer Phase 2, PL-2016-0012, located at 107 Denison Placer Road, Tract D, Runway Subdivision, with a preliminary passing point analysis of positive fifteen (+15) points and addressing remaining staff concerns, is ready to be scheduled for a Final Hearing.

Commissioner Questions / Comments:

- Mr. Lamb: The landscaping seems pretty generous why no positive points?
Ms. Puester: The landscaping code says to get positive points, the sizes need to be increased.
Ms. Dudney: What is the unit breakdown?
Ms. Puester: There are 20 studios and 10 one bedroom in three buildings. Also, this is not part of the LIHTEC application which phase 1 is part of the LIHTEC application and hence the community room with that application.

Eric Weber, Coburn Architects, Applicant:

We designed and thought about this as a single project with Phase 1 and reads as one continuous project when you are on the ground even though there are different parcels. We want to make sure people still can get to Oxbow Park for example.

- Ms. Leidal: Is this trash enclosure to the east?
Mr. Kommpa: Yes
Mr. Schuman: Will the path be soft path?
Ms. Elena Scott: We think it will be soft.
Mr. Schuman: Again, if this is subject to snow removal this will be a maintenance issue.
Ms. Puester: The sidewalk along Denson and Flora Dora is concrete.

Ms. Christopher opened the hearing to public comment.

There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

- Ms. Dudney: Because of the unit mix, the parking seems to work. I think you succeeded in integrating it with phase I. I am supportive.
Mr. Pringle: It seems that building 3 is very vertical, I'm wondering if that ok. I have the same concerns with the architecture that I had with phase I. I thought that the Block 11 master plan was to build in a lot of diversity, but now it seems that both of these parcels will be matching. I

didn't think the monolithic look was the game plan. I thought it would be more organic. The overflow parking lot, we building these things in satisfying the parking requirement, however, there isn't enough parking. If it is a studio unit, there is likely to have 2 people and not enough parking. Maybe we aren't really satisfying the parking requirement. I think this dribbles out throughout all of these projects in town that we do. I'm happy to have the storage in the F2 building and I'm not sure if this is helpful to all not being integrated into their unit.

Mr. Lamb: I agree with the staff's preliminary point analysis. I agree with Dave's comments about not having enough parking even though it meets code. I'd like to see more parking. I'm ok with the architecture.

Mr. Schroder: I agree with the point analysis. I don't have any problem with the pedestrian arcade and the look.

Mr. Schuman: I don't know if I agree with the point analysis with the internal circulation, I'm not sure if the soft path internally meet with the sidewalks. I don't know if that warrants 3 positive points.

Ms. Dudney: There are more paths than just internal there area sidewalks too.

Mr. Schuman: I don't know if I agree with it right now on getting the positive points. I like the idea of the first floor storage area. I like the west elevation with the arcade. I want to echo the comments on the diversity in the look on Block 11. I would assume that we will see some diversity down the road. I think the parking works here, but with Wellington Neighborhood being the big example of a project that wasn't built with enough parking. I think you have enough parking here, but as we continue to build this out, I think there might be creative ways for people parking here and getting on a bus to go skiing. We need to look at it as we continue to build out.

Ms. Leidal: I agree with preliminary point analysis. In regard with the first floor storage area, I think that the roof breaks it up. I echo the concerns with the parking, we have technically met code but I don't think. I reviewed the October 20th work session, minutes, etc.

Ms. Christopher: The phase 1 had a lot more internal circulation, if we were leaning on positive 3 on that one then maybe this one doesn't get any points. I am fine with the first floor storage area. I also echo concerns with not enough parking.

COMBINED HEARINGS:

1) Hester Fence Variance (CK) PL-2016-0014, 432 Golden Age Drive (*Continued to the February 16, 2016, Planning Commission Meeting.*)

OTHER BUSINESS:

Ms. Puester brought up the Saving Places Conference which starts tomorrow, I think most everyone is coming for at least a day. I emailed out dinner reservations and my cell phone. Jim is coming down on Thursday, staff presents on Wednesday, but if anyone else is coming Thursday he can carpool.

Mr. Pringle: We looked at two projects that had 18 buildings and felt we didn't spend enough time reviewing these and the plans for each building.

Mr. Grossheuch: The camera is broken so didn't roll out physical plans but had the overhead presentation.

Mr. Pringle: I think we need to spend a little bit more time on this big project.

Mr. Grossheusch: We are trying to work with a tight deadline on this LIHTEC project. We are giving you 3 looks, but we are trying to stay competitive and we have to get this project with the CHAFA deadlines, we got an estimate for \$19 million with a \$13 million tax credit opportunity.

ADJOURNMENT:

The meeting was adjourned at 9:37pm.

Kate Christopher, Chair



Scheduled Meetings, Important Dates and Events

Shading indicates Council 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. All Council Meetings are held in the Council Chambers, 150 Ski Hill Road, Breckenridge, unless otherwise noted.

FEBRUARY 2016

Tuesday, February 9, 2016; 3:00/7:30 pm	First Meeting of the Month
Thursday, February 11, 2016; 12-3 pm; TBD	Breckenridge Housing Summit
Thursday, February 18, 2016; BGVCC	Parking and Transit Forums
Friday, February 19, 2016; 8-9 am; Cabin Coffee	Coffee Talk
Tuesday, February 23, 2016; 3:00/7:30 pm	Second Meeting of the Month

MARCH 2016

Tuesday, March 8, 2016; 3:00/7:30 pm	First Meeting of the Month
Friday, March 11, 2016; 8-9 am; TBD	Coffee Talk
Tuesday, March 22, 2016; 3:00/7:30 pm	Second Meeting of the Month

APRIL 2016

Tuesday, April 5, 2016	Municipal Election Day
Tuesday, April 12, 2016; 3:00/7:30 pm (May Be Rescheduled)	First Meeting of the Month
Friday, April 15, 2016; 8-9 am; TBD	Coffee Talk
Tuesday, April 26, 2016; 3:00/7:30 pm	Second Meeting of the Month

OTHER MEETINGS

4 th Monday of the Month; 4:00 p.m.	Cultural Arts Advisory Committee; Riverwalk Center
1 st & 3 rd Tuesday of the Month; 7:00 p.m.	Planning Commission; Council Chambers
1 st Wednesday of the Month; 4:00 p.m.	Public Art Commission; 3 rd floor Conf Room
2 nd & 4 th Tuesday of the Month; 1:30 p.m.	Board of County Commissioners; County
2 nd Wednesday of the Month; 12:00 noon	Breckenridge Heritage Alliance
2 nd & 4 th Tuesday of the month; 2:00 p.m.	Housing/Childcare Committee
2 nd Thursday of the Month; 5:30 p.m.	Sanitation District
3 rd Monday of the Month; 5:30 p.m.	BOSAC; 3 rd floor Conf Room
3 rd Tuesday of the Month; 9:00 a.m.	Liquor Licensing Authority; Council Chambers
4 th Wednesday of the Month; 9:00 a.m.	Summit Combined Housing Authority
4 th Wednesday of the Month; 8:30 a.m.	Breckenridge Tourism Office; BTO Offices
4 th Thursday of the Month; 7:00 a.m.	Red White and Blue; Main Fire Station
4 th Monday of the Month; 3:00 p.m.	Childcare Advisory Committee; Town Hall



Town of Breckenridge Housing Authority
Council Chambers, 150 Ski Hill Road, Breckenridge, CO 80424
Tuesday, February 9, 2016 7:30PM

AGENDA

1. Call to Order, Roll Call
2. New Business
3. Other
4. Adjournment