



BRECKENRIDGE TOWN COUNCIL REGULAR MEETING

Tuesday, October 11, 2016; 7:00 PM

Town Hall Auditorium

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*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:00 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.

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:00 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 Mamula called the meeting of September 27, 2016 to order at 7:00 pm. The following members answered roll call: Mr. Dudick, Mr. Bergeron, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Mamula.

APPROVAL OF MINUTES - SEPTEMBER 13, 2016

With no changes or corrections to the meeting minutes of September 13, 2016, Mayor Mamula declared they would stand approved as submitted.

APPROVAL OF AGENDA

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

COMMUNICATIONS TO COUNCIL

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

Mayor Mamula opened Citizen's Comment.

Ms. Sanam Mehrnia, a candidate for District Attorney, introduced herself. She stated she decided to run for DA in order to speak for what is right and to try to correct the issues she sees in this community.

Ms. Carol Rockne, a Breckenridge resident, asked Council to clarify an earlier conversation about lights going down the path from F-Lot. Mr. Daugherty stated the lights will go to the road, and Ms. Rockne suggested the lighting go where the dumpsters are and around the lake. Mayor Mamula stated staff will look into adding a few more light in that area.

Ms. Norma Stokes, a Breckenridge resident, thanked the Town and the Council for the trolley on Main Street. She further stated she has heard from many people how helpful the Trolley is to get from one side of Town to another. She also spoke about a parking fee increase in the Tiger Dredge Lot, stating she has lived here since about 1980, and she thinks raising the parking fee to \$100 is not fair. She further stated the Riverwalk Center often takes up parking in that lot, as well as the Boy Scouts Christmas Tree sale, the Snow Sculptures, and the Village employees who park cars there. Ms. Shannon Haynes stated we haven't resolved the parking issue with the Village yet. Mr. Holman suggested staff reach out to Ms. Stokes to address her concerns.

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

CONTINUED BUSINESS

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

1. COUNCIL BILL NO. 27, SERIES 2016 - AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF STREET PARKING ORDINANCE," BY AUTHORIZING A CONDITIONAL WAIVER OF THE OFF STREET PARKING REQUIREMENT FOR CERTAIN DEED RESTRICTED RESIDENTIAL DEVELOPMENT

Mayor Mamula read the title into the minutes. Mr. Peter Grosshuesch stated this ordinance would provide an incentive to property owners to convert existing commercial units to residential workforce housing units. He further stated there were changes to this ordinance from first reading, including making the covenants revocable at the owner's discretion, and

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added a provision specifying the owner loses the exemption from the parking requirement if they fall out of compliance with the covenant. He stated staff recommends approval.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 27, SERIES 2016 - AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF STREET PARKING ORDINANCE," BY AUTHORIZING A CONDITIONAL WAIVER OF THE OFF STREET PARKING REQUIREMENT FOR CERTAIN DEED RESTRICTED RESIDENTIAL DEVELOPMENT. Ms. Gigliello seconded the motion.

The motion passed 5 - 2. Mr. Burke and Ms. Lawrence dissented.

NEW BUSINESS

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

1. COUNCIL BILL NO. 28, SERIES 2016 - AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING IMMUNITY FOR PERSONS WHO SUFFER OR REPORT AN EMERGENCY DRUG OR ALCOHOL EVENT

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would update our Town Code to more closely match State law, which was recently updated for immunity.

Mayor Mamula opened a public hearing on first reading.

Ms. JB Katz stated she would encourage the Council to vote yes on this ordinance to encourage people to report drug and alcohol overdoses. Mr. Bergeron asked if our Police staff have Narcan, and Chief McLaughlin stated no, we do not carry it.

Mayor Mamula closed the public hearing.

Mr. Bergeron moved to approve COUNCIL BILL NO. 28, SERIES 2016 - AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING IMMUNITY FOR PERSONS WHO SUFFER OR REPORT AN EMERGENCY DRUG OR ALCOHOL EVENT. Ms. Gigliello seconded the motion.

The motion passed 7 - 0.

B. Resolutions, Series 2016

1. RESOLUTION NO. 11, SERIES 2016 - A RESOLUTION IN SUPPORT OF BALLOT QUESTION 2A ON THE NOVEMBER 8, 2016 SPECIAL TOWN ELECTION BALLOT

Mayor Mamula read the title into the minutes. Mr. Holman stated the following three legislative items support questions that will appear on the November Ballot. He further stated the Fair Campaign Practices Act allows governing bodies to pass resolutions such as this in support of ballot measures.

Mr. Holman stated this ballot measure allows the Town to enter into agreements for wireless communications without first going to the voters.

Ms. Gigliello moved to approve RESOLUTION NO. 11, SERIES 2016 - A RESOLUTION IN SUPPORT OF BALLOT QUESTION 2A ON THE NOVEMBER 8, 2016 SPECIAL TOWN ELECTION BALLOT. Mr. Burke seconded the motion.

The motion passed 7 - 0.

2. RESOLUTION NO. 12, SERIES 2016 - A RESOLUTION IN SUPPORT OF SUMMIT

SCHOOL DISTRICT BALLOT INITIATIVES TO INCREASE FUNDING FOR LOCAL EDUCATION

Mayor Mamula read the title into the minutes. Mr. Holman stated this resolution deals with two School District ballot questions intended to raise funds for education.

Mr. Bergeron moved to approve RESOLUTION NO. 12, SERIES 2016 - A RESOLUTION IN SUPPORT OF SUMMIT SCHOOL DISTRICT BALLOT INITIATIVES TO INCREASE FUNDING FOR LOCAL EDUCATION. Ms. Wolfe seconded the motion.

The motion passed 7 - 0.

3. **RESOLUTION NO. 13, SERIES 2016 - A RESOLUTION IN SUPPORT OF SUMMIT COMBINED HOUSING AUTHORITY'S BALLOT QUESTION 5A**

Mayor Mamula read the title into the minutes. Mr. Holman stated this resolution supports a ballot question put forth by the SCHA, for a temporary increase in sales tax for the construction of affordable housing.

Mayor Mamula opened a public hearing.

Mr. Dylan O'Connell, a Breckenridge business owner, stated information on this measure was vague, and in looking at the housing crisis it's pretty obvious that the high property values are causing this crunch. He further stated that in Denver or Fort Collins, developers are asked to offset their developments with workforce or affordable housing, and he is concerned with small businesses having to absorb this sales tax. He stated he would ask Council to look at an all inclusive approach to solving this issue, and putting more back on the developers instead of taxing the community. Mr. O'Connell stated he is a small business owner in Breckenridge but lives in Park County because he has been "priced out" of Breckenridge.

Mayor Mamula closed the public hearing.

Mr. Dudick moved to approve RESOLUTION NO. 13, SERIES 2016 - A RESOLUTION IN SUPPORT OF SUMMIT COMBINED HOUSING AUTHORITY'S BALLOT QUESTION 5A. Ms. Lawrence seconded the motion.

The motion passed 7 - 0.

C. **Other**

Ms. Lawrence stated she would like to make a short statement regarding a recent story in the Summit Daily News and she thanked Mayor Mamula for giving her the opportunity to speak. She stated this is regarding what was discussed at the meeting of September 13th regarding marijuana and the inaccurate story in the Summit Daily that was published on September 22nd. Ms. Lawrence stated Council had tasked staff in the August meeting to look at all possible aspects if Council was going to consider converting a current medical marijuana license to a retail license. She stated staff did that and brought information back to Council on September 13th. At that time, she continued, Council had a rather lengthy discussion about it, and after the discussion she was pretty clear (once Council found out the information from staff) that she was against converting that medical to retail license once they had the full picture and the full story. Ms. Lawrence stated the Mayor then gave everyone an opportunity for further comment and Council never took a formal vote. She further stated her stand was that she had no further comment because she had made her opinion already known in the discussion and unfortunately in the Summit Daily News it said that everyone voted against allowing Gabe to convert his license except Ms. Lawrence, and she had received a lot of negative feedback from that inaccurate statement. Ms. Lawrence stated she didn't have any further comment because she had already said

that she was against it, and she believes Council was pretty unanimous that, with information from staff, it gave a clear picture of something Council just did not have an appetite for. Ms. Lawrence asked for this statement to be on record.

PLANNING MATTERS

A. Planning Commission Decisions

Mr. Dudick recused himself due to a conflict of interest.

Ms. Wolfe stated her questions are limited to the scope of the sprung structure on Peak 8, and this has nothing to do with other matters with this applicant.

She stated the previous Council discussed issues with sprung structures at Building 804 on Peak 8, and we decided that this is a matter between the Council and the ski area. Ms. Wolfe stated this is the fourth request for an extension on this sprung structure that went through Planning Commission, and she would like more information about this "temporary" structure that has been there for 15 years. She would like to ask staff to guide us to an answer about this application, as it is hard to imagine those structures will remain during construction on this property. Mr. Grosshuesch stated that once the spaces are created for the new building, that would be the trigger point for the removal of the sprung structure. Also, building 804 would be completed in approximately 2 years. Ms. Julia Puester clarified it may be 3 years. Ms. Lawrence asked about the meaning of the "monetary guarantee", and Mr. Berry clarified that we could use the bond money to take it down if necessary when the permit expires. Mr. Burke stated he would like to call up this project to get more information.

Mr. Burke moved to call up the 4th Extension of the Sprung Structure at Peak 8. Ms. Wolfe seconded the motion.

The motion passed 5-1. Mayor Mamula dissented. Mr. Dudick was recused.

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented with the call up of the 4th Extension of the Sprung Structure at Peak 8.

REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated he would like Council to respond to the invitation for the COO Breakfast on October 4. Ms. Wolfe, Mr. Holman and Mayor Mamula stated they would attend, and Ms. Lawrence and Ms. Gigliello will be attending with their businesses.

Mr. Holman further stated the flower baskets are coming down this week, the new Wellington bus route will begin soon, and in response to a conversation about annexing the Rivers Edge Subdivision, the Town doesn't feel it's worth it to pursue annexation at this time.

REPORT OF MAYOR AND COUNCILMEMBERS

A. Cast/MMC (Mayor Mamula)

Mayor Mamula stated there was no report.

B. Breckenridge Open Space Advisory Committee (Ms. Wolfe)

Ms. Wolfe stated the discussion around Reiling Dredge, about which was reported earlier.

C. Breckenridge Tourism Office (Ms. Gigliello)

Ms. Gigliello stated there was no report.

D. Breckenridge Heritage Alliance (Ms. Burke)
Mr. Burke stated there was no report.

E. Water Task Force (Mr. Dudick)
Mr. Dudick stated there was no report.

F. Breckenridge Creative Arts (Ms. Lawrence)
Ms. Lawrence stated the meeting covered the budget. She also stated the BCA has produced a comprehensive document about public art, which Mr. Holman stated is being circulated internally. Ms. Lawrence stated in addition to the budget discussion, they spoke about staff restructuring and Resident Company agreements, for which the language has been agreed upon and the final step is to drop in usage dates for each company over the coming years of the agreement. She further stated the BCA will be working with the Town Manager's Office on this with several priorities, and there will be requests that cannot be accommodated due to the sheer number of users in the facilities. Mr. Burke stated it's discouraging how long it has taken to get to this point, and Mr. Holman explained they have reached the point where decisions need to be made. Ms. Lawrence stated everyone needs to offer a compromise and come to the table. She also stated there is a balance that needs to be reached with many different priorities and the BCA needs to be empowered to make decisions on the best use of our facilities.

G. Breckenridge Events Committee (Mr. Bergeron)
Mr. Bergeron stated there was no meeting. Mr. Bergeron also stated he has gotten contacted from businesses on Ridge Street about a wine event that took place. He stated he believes we are events heavy and that impacts the selling opportunity of local businesses. Ms. Lawrence stated she was surprised by how much of the street was blocked for the wine event, and there were chain-linked fences around the perimeter. Mr. Bergeron will ask events committee about how much money was made, and what portion of that went to the NRO, also since it bumped up against the Film Festival that weekend. Mr. Burke pointed out that the event also took up a Town Street. Ms. Gigliello asked if we charge them for use of the street. Staff answered that no, the Town doesn't charge them for street use.

OTHER MATTERS

Ms. Gigliello stated the Warriors Mark sidewalks and lighting come up frequently. She stated there was an email about this issue, and she believes we should look into this. Mr. Holman stated he agrees with the concern, and we can look into what we can do in this high pedestrian area. He stated we should look first at the pedestrian route and the recommended distance to walk, and be reasonable about what we can do. Ms. Gigliello stated we need to add sidewalks to get to the bus stops. Mayor Mamula suggested reaching out to their HOA for this conversation.

Ms. Gigliello stated Breckenridge isn't part of NWCOG, and asked if Council is interested in becoming part of it. Mr. Holman stated in the past the Town didn't feel it was worth it to be part of this group. He also stated staff will look into it.

Ms. Wolfe stated she was asked about signage for the fire lanes in Warriors Mark. Mr. Tom Daugherty stated he has never heard of this concern, and typically when a development has a fire lane it is on private property and the developer is responsible for it. Mr. Daugherty stated he believes the property owner just painted the lanes in that area.

Mr. Bergeron stated regarding the Town grant process, there are entities that the Town supports that also apply for the grant process. For example, the NRO asks for Town's help to defray costs imposed by BCA. Mr. Burke stated there have been some increases in the requests due to increases in cost at the Riverwalk Center. Mr. Bergeron further asked if it was appropriate to say to some of these organizations under the Town's umbrella that they should not ask for more. Ms. Wolfe stated most organizations fundraise to make their money and fundraising is a hard thing to do. Mr. Burke asked if there was a process to figure out the amount of money that went to grants, which is around \$290K to be awarded this year. Ms. Gigliello asked about the applications from our resident companies, and others clarified that typically they ask for marketing dollars. Mr. Holman stated we fund a lot of money to these groups that are an extension of the Town. Mayor Mamula asked what would happen if we pulled the partner organizations out of the grants cycle? Mr. Holman suggested we would need to find an acceptable number that will support them through another process. Mr. Dudick stated he believes the grants should be for health and human services organizations, and we should segregate the activities from that. He further stated he doesn't feel good about taking away money from people in need so we can give some organizations more marketing money. Mayor Mamula asked how we calculate our true marketing budget and if there is a cleaner way to do this. Mr. Holman stated we have marketing fund that would be a good place to get some of this money for these groups. Ms. Wolfe agreed that marketing should be considered separately from health and human services.

Mayor Mamula asked why the Speakeasy is not open in the fall. Mr. Holman stated their contract is for 40 weeks a year. Mr. Holman stated he understands there has been some frustration on lack of advertising as well. He also stated we don't know if it is being underused. Ms. Lawrence stated we forced them give up some days for the film festival. Mr. Dudick suggested they be open on the weekends during the offseason to be open to residents and guests, and we look at changing the contract to have them be open more regularly throughout the year.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:20 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

Helen Cospolich, Town Clerk

Eric S. Mamula, Mayor

MEMO

TO: Town Council

FROM: Town Attorney

RE: Council Bill No. 28 (Immunity For Underage Persons In Drug and Alcohol Emergencies)

DATE: September 30, 2016 (for October 11th meeting)

The second reading of the ordinance that will update the Town's ordinances concerning immunity for underage persons who cooperate with law enforcement in a drug or alcohol emergency is scheduled for your meeting on October 11th. There are no changes proposed to ordinance from first reading.

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

1 **FOR WORKSESSION/SECOND READING – OCT. 11**

2
3 **NO CHANGE FROM FIRST READING**

4
5 Additions To The Current Breckenridge Town Code Are
6 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

7
8 COUNCIL BILL NO. 28

9
10 Series 2016

11
12 AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING
13 IMMUNITY FOR PERSONS WHO SUFFER OR REPORT AN EMERGENCY DRUG OR
14 ALCOHOL EVENT

15
16 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
17 COLORADO:

18
19 Section 1. Section 6-3F-2(D) of the Breckenridge Town Code is amended to read as
20 follows:

21
22 ~~D. An underage person and one or two (2) other persons shall be immune from~~
23 ~~eriminal prosecution under this section if they establish the following:~~

- 24 1. ~~One of the underage persons called 911 and reported that another underage~~
25 ~~person was in need of medical assistance due to alcohol consumption;~~
26 2. ~~The underage person who called 911 and, if applicable, one or two (2) other~~
27 ~~persons acting in concert with the underage person who called 911, provided each~~
28 ~~of their names to the 911 operator;~~
29 3. ~~The underage person was the first person to make the 911 report; and~~
30 4. ~~The underage person and, if applicable, one or two (2) other persons acting in~~
31 ~~concert with the underage person who made the 911 call, remained on the scene~~
32 ~~with the underage person in need of medical assistance until assistance arrived and~~
33 ~~cooperated with medical assistance and law enforcement personnel on the scene.~~

34 **D. An underage person is immune from arrest and prosecution under this**
35 **subsection D if he or she establishes the following:**

36
37 **1. The underage person called 911 and reported in good faith that another**
38 **underage person was in need of medical assistance due to alcohol**
39 **consumption;**

40
41 **2. The underage person who called 911 provided his or her name to the 911**
42 **operator;**

43
44 **3. The underage person was the first person to make the 911 report; and**
45

1 4. The underage person who made the 911 call remained on the scene with the
2 underage person in need of medical assistance until assistance arrived and
3 cooperated with medical assistance or law enforcement personnel on the scene.

4
5 The immunity described in this subsection D also extends to the underage
6 person who was in need of medical assistance due to alcohol consumption if
7 the conditions of said subsection D are satisfied.

8
9 Nothing in this subsection D shall be interpreted to prohibit the prosecution
10 of a person for an offense other than a violation of this section 6-3F-2, or to
11 limit the ability of the town attorney, municipal prosecutor, or a law
12 enforcement officer to obtain or use evidence obtained from a report,
13 recording, or any other statement provided pursuant to this subsection D to
14 investigate and prosecute an offense.

15
16 Section 2. Section 6-3F-3(B) of the Breckenridge Town Code is amended to read as
17 follows:

18
19 B. ~~An underage person and one or two (2) other persons shall be immune from~~
20 ~~eriminal prosecution under this section if they establish the following:~~
21 ~~1. One of the underage persons called 911 and reported that another underage~~
22 ~~person was in need of medical assistance due to alcohol consumption;~~
23 ~~2. The underage person who called 911 and, if applicable, one or two (2) other~~
24 ~~persons acting in concert with the underage person who called 911, provided each~~
25 ~~of their names to the 911 operator;~~
26 ~~3. The underage person was the first person to make the 911 report; and~~
27 ~~4. The underage person and, if applicable, one or two (2) other persons acting in~~
28 ~~concert with the underage person who made the 911 call, remained on the scene~~
29 ~~with the underage person in need of medical assistance until assistance arrived and~~
30 ~~cooperated with medical assistance and law enforcement personnel on the scene.~~

31 B. An underage person is immune from arrest and prosecution under this
32 subsection B if he or she establishes the following:

33
34 1. The underage person called 911 and reported in good faith that another
35 underage person was in need of medical assistance due to alcohol
36 consumption;

37
38 2. The underage person who called 911 provided his or her name to the 911
39 operator;

40
41 3. The underage person was the first person to make the 911 report; and

42
43 4. The underage person who made the 911 call remained on the scene with the
44 underage person in need of medical assistance until assistance arrived and
45 cooperated with medical assistance or law enforcement personnel on the scene.
46

1 The immunity described in this subsection B also extends to the underage
2 person who was in need of medical assistance due to alcohol consumption if
3 the conditions of said subsection B are satisfied.
4

5 Nothing in this subsection B shall be interpreted to prohibit the prosecution
6 of a person for an offense other than a violation of this section 6-3F-3, or to
7 limit the ability of the town attorney, municipal prosecutor, or a law
8 enforcement officer to obtain or use evidence obtained from a report,
9 recording, or any other statement provided pursuant to this subsection B to
10 investigate and prosecute an offense.
11

12 Section 3. Section 6-3F-16(E) of the Breckenridge Town Code is amended to read as
13 follows:
14

15 E. An underage person and one or two (2) other persons shall be immune from
16 criminal prosecution under this section if they establish the following:
17 1. One of the underage persons called 911 and reported that another underage
18 person was in need of medical assistance due to alcohol consumption;
19 2. The underage person who called 911 and, if applicable, one or two (2) other
20 persons acting in concert with the underage person who called 911, provided each
21 of their names to the 911 operator;
22 3. The underage person was the first person to make the 911 report; and
23 4. The underage person and, if applicable, one or two (2) other persons acting in
24 concert with the underage person who made the 911 call, remained on the scene
25 with the underage person in need of medical assistance until assistance arrived and
26 cooperated with medical assistance and law enforcement personnel on the scene.

27 E. An underage person is immune from arrest and prosecution under this
28 subsection E if he or she establishes the following:
29

30 1. The underage person called 911 and reported in good faith that another
31 underage person was in need of medical assistance due to alcohol
32 consumption;
33

34 2. The underage person who called 911 provided his or her name to the 911
35 operator;
36

37 3. The underage person was the first person to make the 911 report; and
38

39 4. The underage person who made the 911 call remained on the scene with the
40 underage person in need of medical assistance until assistance arrived and
41 cooperated with medical assistance or law enforcement personnel on the scene.
42

43 The immunity described in this subsection E also extends to the underage
44 person who was in need of medical assistance due to alcohol consumption if
45 the conditions of said Section E are satisfied.
46

1 Nothing in this subsection E shall be interpreted to prohibit the prosecution
2 of a person for an offense other than this section 6-3F-16, or to limit the
3 ability of the town attorney, municipal prosecutor, or a law enforcement
4 officer to obtain or use evidence obtained from a report, recording, or any
5 other statement provided pursuant to this subsection E to investigate and
6 prosecute an offense.
7

8 Section 4. Section 6-3I-10 of the Breckenridge Town Code is amended to read as
9 follows:

10
11 6-3I-10: IMMUNITY FOR PERSONS WHO SUFFER OR REPORT AN
12 EMERGENCY DRUG OVERDOSE EVENT:

13
14 A. ~~A person shall be immune from prosecution for an offense described in~~
15 ~~subsection C of this section if:~~

- 16 1. ~~The person reports in good faith an emergency drug overdose event to a law~~
17 ~~enforcement officer, to the 911 system, or to a medical provider;~~
18 2. ~~The person remains at the scene of the event until a law enforcement officer or~~
19 ~~an emergency medical responder arrives, or the person remains at the facilities of~~
20 ~~the medical provider until a law enforcement officer arrives;~~
21 3. ~~The person identifies himself or herself to, and cooperates with, the law~~
22 ~~enforcement officer, emergency medical responder, or medical provider; and~~
23 4. ~~The offense arises from the same course of events from which the emergency~~
24 ~~drug overdose event arose. An underage person is immune from arrest and~~
25 ~~prosecution for an offense described in subsection C of this section if he or~~
26 ~~she establishes the following:~~
27

28 1. The underage person called 911 and reported in good faith that another
29 underage person was in need of medical assistance due to marijuana
30 consumption;
31

32 2. The underage person who called 911 provided his or her name to the 911
33 operator;
34

35 3. The underage person was the first person to make the 911 report; and
36

37 4. The underage person who made the 911 call remained on the scene with the
38 underage person in need of medical assistance until assistance arrived and
39 cooperated with medical assistance or law enforcement personnel on the scene.
40

41 B. ~~The immunity described in subsection A of this section also extends to the~~
42 ~~person who suffered the emergency drug overdose event if all of the conditions of~~
43 ~~subsection A of this section are satisfied. The immunity described in subsection~~
44 ~~A of this section also extends to the underage person who was in need of~~
45 ~~medical assistance due to marijuana consumption if the conditions of said~~
46 ~~subsection A are satisfied.~~

1
2 C. The immunity described in subsection A of this section shall apply to any
3 offense described in this article.
4

5 D. Nothing in this section shall be interpreted to prohibit the prosecution of a
6 person for an offense **other than the offenses described in subsection C of this**
7 **section.** or to limit the ability of the town attorney, municipal prosecutor, or a law
8 enforcement officer to obtain or use evidence obtained from a report, recording,
9 or any other statement provided pursuant to subsection A of this section to
10 investigate and prosecute an offense.
11

12 Section 5. Except as specifically amended by this ordinance, the Breckenridge Town
13 Code, and the various secondary codes adopted by reference therein, shall continue in full force
14 and effect.
15

16 Section 6. The Town Council finds, determines, and declares that this ordinance is
17 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
18 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
19 thereof.
20

21 Section 7. The Town Council finds, determines, and declares that it has the power to
22 adopt this ordinance pursuant to: (i) Section 31-15-103, C.R.S. (concerning municipal police
23 powers); (ii) Section 31-15-401, C.R.S. (concerning municipal police powers); (iii) the authority
24 granted to home rule municipalities by Article XX of the Colorado Constitution; and (iv) the
25 powers contained in the Breckenridge Town Charter.
26

27 Section 8. This ordinance shall be published and become effective as provided by Section
28 5.9 of the Breckenridge Town Charter.
29

30 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
31 PUBLISHED IN FULL this ____ day of _____, 2016. A Public Hearing shall be held at the
32 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
33 _____, 2016, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
34 Town.
35

36 TOWN OF BRECKENRIDGE, a Colorado
37 municipal corporation
38
39

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41 By: _____
42 Eric S. Mamula, Mayor
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ATTEST:

Helen Cospolich
Town Clerk

MEMO

TO: Town Council

FROM: Town Attorney

RE: Ordinance Adding New Marijuana Offenses By Underage Persons

DATE: September 22, 2016 (for October 11th meeting)

Bob Gregory, the Town's Municipal Court Prosecutor, has requested that a couple of Town Code sections that currently apply only to alcoholic beverage ordinance violations be made applicable also to marijuana violations. He indicated that putting these provisions in place would make it easier for him to handle marijuana violations in the Municipal Court.

Attached is the proposed ordinance. If adopted, the ordinance would add new municipal ordinance provisions related to "Unlawful Solicitation of Marijuana By Underage Person," "Permitting Use of False Identification By Underage Person," and "Unlawful Purchasing of Marijuana For Underage Person." These new provisions are identical to the provisions that current exist in the Town Code with respect to alcoholic beverages.

Since 2013, the average fine imposed by the Municipal Judge for the current alcoholic beverage version of these offenses has been about \$85.00. If the defendant is under age 18, the minor is required to appear in court with his or her parents. I would expect the same treatment for underage violations related to marijuana.

I agree with Bob's request that these new section be included in the Town's list of marijuana offenses.

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

1 ***FOR WORKSESSION/FIRST READING – OCT. 11***

2
3 Additions To The Current Breckenridge Town Code Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 COUNCIL BILL NO. ____

7
8 Series 2016

9
10 AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 3 OF TITLE 6 OF THE
11 BRECKENRIDGE TOWN CODE CONCERNING MUNICIPAL OFFENSES RELATED TO
12 MARIJUANA

13
14 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
15 COLORADO:

16
17 Section 1. Article I of Chapter 3 of Title 6 of the Breckenridge Town Code is amended
18 by the addition of the following new Sections:

19
20 **6-3I-13: UNLAWFUL SOLICITATION OF MARIJUANA BY UNDERAGE**
21 **PERSON:**

22
23 **It shall be unlawful for any person under the age of twenty one (21) years to**
24 **engage or utilize the service of any other person, whether for remuneration**
25 **or not, to purchase, procure or obtain for such underage person marijuana**
26 **from any place where marijuana is sold. This offense is a strict liability**
27 **offense.**

28
29 **6-3I-14: PERMITTING USE OF FALSE IDENTIFICATION BY**
30 **UNDERAGE PERSON:**

31
32 **It shall be unlawful for any person to intentionally or knowingly permit, or**
33 **to fail to prevent, the use of such person's identification in connection with**
34 **the purchase, or attempted purchase, of marijuana by a person under the age**
35 **of twenty one (21) years.**

36
37 **6-3I-15: UNLAWFUL PURCHASING OF MARIJUANA FOR UNDERAGE**
38 **PERSON:**

39
40 **It shall be unlawful for any person to intentionally or knowingly purchase,**
41 **procure or obtain marijuana for any person who is under the age of twenty**
42 **one (21) years.**

43
44 Section 2. Except as specifically amended by this ordinance, the
45 BreckenridgeTownCode, and the various secondary codes adopted by reference therein, shall
46 continue in full force and effect.

Town Council Staff Report

Subject: Fourth Extension of Peak 8 Ski School and Peak 8 Ski Rental Shop Temporary Sprung and Variance Renewal
(PL-2016-0370; Class B Development, De Novo Hearing)

Project Manager: Michael Mosher, Planner III

Date: October 3, 2016 (For meeting of October 11, 2016)

Applicants: Vail Summit Resorts (VSR), Graham Frank, Director of Mountain Planning

Agents: Peak 8 Properties LLC and Stais Architects, Matt Stais

Proposal: The applicants are requesting a fourth 3-year extension of their existing Development Permit and Variance for the use and placement of a temporary Sprung buildings that house the Peak 8 Ski School and Peak 8 Ski Rental Shop. There have been three previous renewals since the original 2006 approval. The current Development Permit #2013103, which was approved on November 26, 2013, is set to expire on April 12, 2017. This three year permit extension will commence upon the April 12, 2017 expiration date for the current permit.

The use of both structures (ski rentals and ski school) has not changed since the original permit was executed in 2006 and the facilities are still an important aspect in fulfilling the guest service requirements of the ski resort. Their use within the Sprung Structures is anticipated until Grand Colorado on Peak 8 East Building can house these facilities.

With a separate approved Class D minor application (PL-2016-0358), the size of the rental shop sprung building is to be reduced to 5/8 of its current size (4,800 square feet to 3,000 square feet). This modification is in association with the Grand Colorado on Peak 8 - East Building, Development (PL-2015-0215). The sprung structures will be removed once these functions in the East Building are completed.

Address: 1595 Ski Hill Road

Legal Description: Tract C, and Lot 3, Peaks 7 & 8 Perimeter Subdivision

Site Area: 111.19 acres (4,843,436 sq. ft.)

Land Use District: Development is subject to the recently approved Sixth Amendment to the Amended Peak 7 & 8 Master Plan, previous amendments to this Master Plan, and the Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC.

LUD 39 Residential, Lodging—SFR, Duplex, Townhomes, Condominiums, Condo-hotels, Hotels and Lodges @ 4 UPA

Site Conditions: The Peak 8 Ski School Sprung building is located on the ski slopes behind the existing Kids Castle, which is void of significant vegetation. The Peak 8 Ski Rental Sprung building is in the existing parking lot at the base of Peak 8, adjacent to the gondola terminal building. This site is flat and has no development constraints.

Adjacent Uses: North: Public Open Space
 East: Four O’Clock Subdivision
 South: U.S.F.S
 West: Grand Colorado on Peak 8 and the Ski Watch Condos/U.S.F.S

Density: Allowed under Master Plan: 282.0 SFEs Residential
 14.5 SFEs Commercial
 48.0 SFEs Guest Services

Proposed density*: 30.0 SFEs (3,000 sq. ft.) Commercial Rental Shop
 2.2 SFEs (2,200 sq. ft.) Guest Services Ski School

(*Note: When these temporary buildings are removed, this density will become available for other uses and these functions will be housed and counted within the Grand Colorado on Peak 8 East Building.)

Mass: Allowed under Master Plan: 14,500 sq. ft. Commercial
 48,000 sq. ft. Guest Services
 Proposed: 7,000 sq. ft. Commercial and Guest Services

Height: Recommended*: 26’ (mean)
 Proposed: 21’-3” (overall) Rental Shop
 18’-10” (overall) Ski School

Parking: Required: 0 spaces
 Proposed: 0 spaces

(Note: Parking for guest services and commercial uses are provided by common spaces at the Ski Area’s existing parking lots. A minimum of 200 spaces that are available to Ski Area guests must be maintained within the Peak 7 & Peak 8 base areas.)

Item History

Under Section 9-1-17-11 Vested Property Rights (I) Extension Of Vested Property Rights:

... No extension of a vested property right may be approved unless the approved project complies with all town land use laws in effect at the time of the extension request. The planning commission may approve the requested extension, deny the requested extension, or approve the requested extension with conditions. If an extension is granted, the planning commission shall fix the period of extension which may be up to and including a period of three (3) years. (Ord. 8, Series 2013)

Since this application and variance were approved in 2006, there have been no significant changes to the Development Code that would affect this project. However, Staff notes that this renewal is being processed as a Class B review as the Code requires any Variance request. Per the Code:

C. Setting A Hearing: Upon receipt of a completed variance application, the director shall set a date for review before the planning commission and utilize the class A process and notice requirements for all class A developments and the class B process and notice requirements for all other classes of development.

The section below was taken from the original 2006 Staff report and approval (a renewal to this variance is also requested with this application):

The Breckenridge Ski Resort constructed two Sprung buildings at the base of Peak 8 during the fall of 2006. Each structure would be developed under separate building permits and are referred to as the Ski School Sprung and the Rental Sprung. While each structure is a stand-alone project, the basis of both requests are similar and twofold: to continue to provide good guest service during an interim period of significant construction and to address overcrowding of existing facilities. Vail Resorts commits that each structure is indeed temporary and every effort will be made to remove them from service at the earliest opportunity.

The Ski School Sprung is a 2,200 square foot facility located uphill of the existing Kids Castle. It has been used to stage lessons and provide shelter for the Children's Ski School. The Rental Sprung will replace their current 3,200 square foot ski shop with a 4,800 square foot structure housing ski rental and retail capabilities. The old 3,200 sq. ft. rental building will be remodeled into a locker room and first aid facility.

The granting of this variance will be in general harmony with the purpose of the Development Code, since it will help to ensure quality guest services during the transition from the existing facilities at Peak 8 to the new Peak 8 base. This interim period will result in a new world-class resort, which is beneficial to the community in general, and has been a goal of the Town and the Applicant for many years.

Staff Comments

The analysis of the policies below remain primarily unchanged from the 2013 development permit renewal which included the variance as no applicable changes have been made to the application. The timing of the removal of the Sprung structures is subject to the July 14, 2013 Development Agreement, REC#1095228, (in association with the Development permit for the Grand Colorado on Peak 8 East building). From the Development Agreement:

K. In order to accommodate the rental and sales of winter recreational equipment and ticket sales functions of Owner, which currently occur in Sprung Structure #1 and the Ullr building to be removed and demolished, the Town acknowledges and understands that temporary structures will need to be placed in acceptable locations at the base of Peak 8 and maintained in such locations until the proposed Guest Services and Commercial spaces in Buyer's proposed development on the Sale Parcel (the "Guest Services/Commercial Spaces") are completed and ready for occupancy by Owner and temporary permits similar to Development Permit No. 2013103 that permits the Sprung structure to be maintained in its current location will need to be issued. Further, the Town acknowledges and understands that Development Permit No. 2013103 will need to be extended to allow the Sprung structure that accommodates the Kids Kastle facilities ("Sprung Structure #2") to remain in place until the proposed Guest Services/Commercial Spaces are completed and ready for occupancy by Owner. The permits referenced in this paragraph must be reviewed and approved by the Town's Planning Commission and Town Council as provided for in subparagraphs 1 (a)(iv) and (v) below.

Temporary Structures (Policy 36/A): Per the definition of “*TEMPORARY STRUCTURE: A structure, other than a vendor cart, construction trailer, temporary tent, or seasonal noncommercial greenhouse, that is not designed as a permanent structure, but is instead designed to be utilized only for a specified and limited period of time of not more than two (2) years.*”

The applicants originally requested a variance from Policy 36 (Absolute) Temporary Structures, as the proposal does not meet all the criteria of the Policy. Breckenridge Ski Resort has installed a restroom in the Ski School Sprung building. Hence, there are underground utilities.

Additionally, per Policy 36/A, Temporary Structures:

C. Temporary Structures Or Uses: Temporary structures as defined in section 9-1-5 of this chapter are subject to the following conditions:

(1) Temporary structures shall only be utilized to replace an existing structure being demolished on site while a new, permanent structure on the same site is being constructed.

(2) The temporary structure shall have no greater floor area than the structure it is temporarily replacing.

(3) The temporary structure shall not be placed on site until a building permit has been issued for the new structure, and shall be removed once a certificate of occupancy for the new structure has been issued.

(4) The holder of the development permit for a temporary structure shall provide a monetary guarantee to the town, in a form acceptable to the town attorney, ensuring the complete removal of the structure, site cleanup, and site revegetation, once a certificate of occupancy for the new structure has been issued. In addition, the holder of the development permit shall enter into an agreement with the town authorizing the town to take possession of the temporary structure and to dispose of the structure, without the town being accountable for any damages for the loss or destruction of the structure, if the permit holder fails to remove the structure within a reasonable period of time after a certificate of occupancy for the new structure has been issued.

This proposal does not meet the definition of a temporary structure (not more than 2 years), and it does not meet the above criteria numbers 1, 2, and 3 of Policy 36/A. Per the Development Code the definition of a variance is: *“VARIANCE: A finding by the approving agency that, although a proposed development is not in strict compliance with an absolute policy, to deny the development permit would result in "undue hardship" as defined by law. No relief from compliance with an absolute policy shall be granted except upon findings that:*

A. The failure to implement the absolute policy is of insignificant proportions; and

B. The failure to implement the absolute policy will not result in substantial detriment to the public good or substantially impair the intent and purposes of the absolute policy; and

C. There are exceptional circumstances applicable to the specific development which do not apply generally to other properties in the same district or neighborhood.”

Staff Comments:

A. The applicant will remove the temporary structures within three-years of the effective date of this application which would be April 2017 with a removal date no later than April, 2020, or when a new replacement building is completed (future Grand Lodge on Peak 8 East Building of which construction is scheduled for Spring 2018), whichever comes first. Three years is the vested property rights for a Class B development permit associated with the variance application.

B. These temporary structures could be a substantial benefit to the public and not a detriment. The intent of Policy 36A is that, within the Town, there not be temporary structures without building permits for new permanent structures to replace these temporary structures. The intent of Policy 36A can still be followed as

the Town has an approved Master Plan for Peak 7 & 8. Furthermore, Vail Resorts has provided a monetary guarantee, ensuring the complete removal of the structures, site cleanup, and site re-vegetation, once the permit for the temporary structure has expired. In addition, the applicants have entered into an Agreement with the Town, authorizing the Town to take possession of the structures and dispose of them upon failure of the applicants to remove the structure by the agreed to date.

C. The growth of the skiing and snowboarding sports, as well as the rapid population growth in both Summit County and Colorado has led to an ever-increasing demand for skier services, including rentals and lessons. Furthermore, the opening of the gondola has led to many more guests beginning their day on Peak 8, which has been in need of more skier service square footage for some time. The Peak 7&8 Master Plan anticipates the creation of a permanent structure to house these needs which will be located in Grand Lodge East Building.

Land Use (Policies 2/A & 2/R): Per Land Use District 39: *“District 39 is located at the very base of the Breckenridge Peak 8 Ski Area. The primary function of District 39 is to provide an area for lodging, residential and commercial development that will furnish goods and services for the everyday needs of the users and employees of the Peak 8 ski facility, as well as the surrounding neighborhoods.”*

Also,

“The architectural style of this District should reflect the character of the mountain environment, while remaining compatible with existing developments in the area. It is important that all new development be integrated with the skier facilities and other existing developments. Some support commercial density may be incorporated into this District; however, it should be limited to goods and services that are directly related to accommodate the users and employees of the immediate development.”

The architectural style of the Sprung structures was found compatible with the existing development in 2006 and 2011. The proposed use of a ski rental shop and a ski school are directly for the support of the users of Peak 8.

Density/Intensity (3/A & 3/R)/Mass (4/R): The request for the 3,000 square foot commercial Peak 8 Ski Rental Sprung building and the 2,200 square foot Peak 8 Ski School Sprung building for guest services is less than what the 6th Amended Peak 7&8 Master Plan allows.

Architectural Compatibility (5/A & 5/R): Per this policy: *“All proposed new developments, alterations, or additions are strongly encouraged to be architecturally compatible with the general design criteria specified in the land use guidelines.”*

Per the Land Use Guidelines for District 39: *“Contemporary architecture utilizing natural finishing materials and ornamentation appropriate to the natural setting of the District is acceptable. All new development should be compatible with the existing neighborhood, as well as sensitive and harmonious to the immediate site. Development directly accommodating the users of the skiing facilities at the base of the area shall have structural, visual and architectural continuity.”*

Since the Peak 7 & 8 Master Plan is in effect, the Design Standards of the Master Plan supersede portions of the Town’s Land Use Guidelines. The following are the Design Standards from the Master Plan:

“The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, large sheltering roof forms, large shaded windows, simple but strong detailing and a sense of informality. Natural and natural appearing materials such as lap and shingle siding, board and batten siding and real stone faced foundations will enhance the character and blend with natural surroundings. Natural appearing synthetic materials may only be used as exterior building materials where fire retardant materials are required by building and/or fire codes, or for elements, where in the determination of the Planning Commission, the synthetic material is indistinguishable from pedestrian level. The use of synthetic exterior

building materials is subject to the Town of Breckenridge Development Code. No stucco will be used on any exterior building elevation. Wood elements will be stained, with muted colors chosen from a natural palate of weathered browns and grays. Brighter hues may be chosen for elements such as windows and window trim. Design diversity will be achieved with each type of building, or cluster of buildings, which may have their own style based on these qualities. This is one of the few places in Breckenridge, where larger buildings can comfortably be in scale with the mountain backdrop and clearly be dominated by the surrounding natural mountain setting.”

The existing temporary buildings use a white-coated PVC fabric. Due to these structures being temporary, Staff supports their use as skier services temporary buildings until the uses are incorporated into the East Building.

Site Suitability (7/R) And Site Design (8/R): Per Policy 7/R: *“The Town finds that it is in the public interest for all sites within the community to be designed, arranged, and developed in a safe and efficient manner. The overall design objectives shall be:*

- *To blend development into the natural terrain and character of the site*
- *To minimize the negative impacts of off-site views of grading and building massing*
- *To minimize site surface disruption; reduce the potential for erosion and other environmental degradation*
- *To generally develop in a visually cohesive manner while providing privacy for the occupants of the site and buffering to the neighboring properties as well.”*

The Ski School Sprung building will remain on the ski slope and blends in quite well when snow is on the ground. Staff and the applicants do not believe it is necessary to plant trees around the building, as it is temporary and when the building is removed, would not want new trees in the middle of the ski run.

The Peak 8 Ski Rental Shop Sprung building is currently located in the Peak 8 parking lot directly on the existing asphalt. A concrete curb has been built around the base of the building. The Peak 8 Ski Rental Shop Sprung building causes no site surface disruption or erosion.

Placement Of Structures (9/A & 9/R): These two structures are within all relative setbacks.

Snow Removal And Storage (13/R): The Peak 8 parking lot is cleared of snow every day, as needed, before use. The Peak 8 Ski Rental Shop Sprung structure does not interfere with snow removal or storage in the Peak 8 parking lot. Snow removal around the Ski School Sprung building is maintained in a similar manner as the property around the current Ski School Yurt.

Landscaping (22/A & 22/R): No permanent trees or other landscaping is proposed. The applicants will be placing movable planters for landscaping during the summer months around the Peak 8 Ski Rental Shop Sprung building in the Peak 8 parking lot to buffer the visual impact of the structure.

Utilities Infrastructure (26/R): All necessary utilities are located in the parking area of the base area. Vail Summit Resorts has added restroom facilities to the Ski School Sprung building. The current Ski School Yurt does not have restroom facilities. The proposed Rental Sprung building does not have a restroom.

Point Analysis (Section: 9-1-17-3): This application passed all absolute policies with the exception of Policy 36A, Temporary Structures. A variance was previously granted from this Policy. No additional points were incurred under any relative policies. No new policies affecting this development have been approved subsequent to the previous extension, nor have there been any changes to the variance criteria.

Planning Commission Recommendation

The Planning Commission approved the application (with a vote of 7-0) of the Fourth Extension of Peak 8 Ski School and Peak 8 Ski Rental Shop Temporary Sprung and Variance Renewal request in accordance with Section 9-1-11 Variances, (PL-2016-370) with a passing Point Analysis and Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Fourth Extension of Peak 8 Ski School and Peak 8 Ski Rental Shop Temporary Sprung and Variance Renewal De Novo Hearing		Positive Points	0
PC#	PL-2016-0370		Negative Points	0
Date:	10/3/2016			
Staff:	Michael Mosher, Planner III		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		
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		
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)		No permanent trees or other landscaping is proposed. The applicants will be placing movable planters for landscaping during the summer months around the Peak 8 Ski Rental Shop Sprung building in the Peak 8 parking lot to buffer the visual impact of the structure.
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	Complies		The applicants have requested a variance from Policy 36 (Absolute) Temporary Structures, as the proposal does not meet all the criteria of the Policy.
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		



Ski School Sprung

Breckenridge Ski Resort

Rental shop Sprung

Google earth

1999

Imagery Date: 9/23/2011 39°28'49.58" N 106°04'01.42" W elev 9967 ft eye alt 11514 ft







MEMORANDUM

To: Town Council

From: Peter Grosshuesch, Director of Community Development

Date: October 5, 2016

Re: Planning Commission Decisions of the October 4, 2016, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF October 4, 2016:

CLASS C APPLICATIONS:

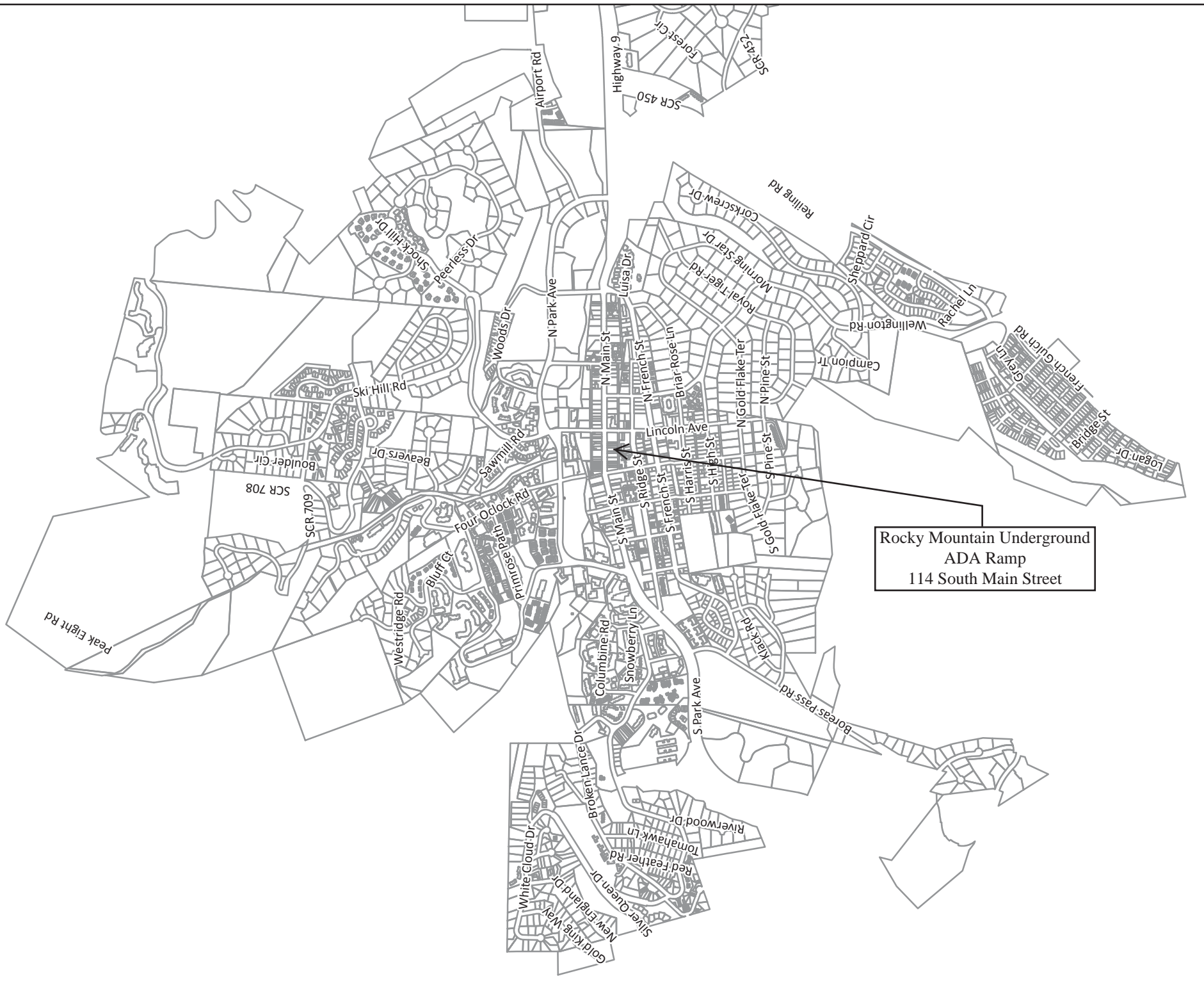
1) Rocky Mountain Underground ADA Ramp, PL-2016-0480, 114 South Main Street
Construct a wheel-accessible ramp that meets the design guidelines set forth by the Americans with Disabilities Act (ADA), refinish the existing concrete patio and remove the rock filled planter boxes.
Approved.

CLASS B APPLICATIONS: None.

CLASS A APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.



Rocky Mountain Underground
 ADA Ramp
 114 South Main Street



printed 3/25/2016
 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 South



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm by Chair Schuman.

ROLL CALL

Mike Giller Christie Leidal Ron Schuman
Dan Schroder Gretchen Dudney Jim Lamb
Dave Pringle (arrived at 7:06 pm)

APPROVAL OF MINUTES

With no changes, the September 20, 2016, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester added Other Matters to the end of the agenda. With no other changes, the October 4, 2016, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

1) Rocky Mountain Underground ADA Ramp (CK) PL-2016-0480, 114 South Main Street

Commissioner Questions / Comments:

Ms. Dudney: Would they have had to do this if it was not a change of use? (Mr. Kulick: They would not have had to.)

Mr. Schuman: What was the change of conditions? (Mr. Kulick: We had the expiration date in 2017; it was supposed to be 2018.)

With no requests for call up, the consent calendar was approved as presented.

WORKSESSIONS:

1) Housing Needs Assessment (LB)

Ms. Best presented. An update to the County-wide Housing Needs Assessment was finalized in August. A copy of the full report and an executive summary were included in your packet. Some of the key findings for the Upper Blue Basin are:

- The 2013 Needs Assessment projected that 175 to 280 additional ownership units and 200 to 370 additional rental units would be needed in the Upper Blue Basin by 2017. The new projection is 230 ownership and 270 rentals (total of 500 units) will be needed through 2020. This projection assumes that the projects currently underway are completed (Denison Placer 1 & 2, Huron Landing, and Lincoln Park).
- The 500 additional units would serve the needs of year round employees (seasonal employees are not included in this assessment) and includes 125 'catch up' units and 375 'keep up' units.
- The 125 catch up units are those units needed immediately to address current deficiencies. For the Upper Blue Basin this includes housing for about 10% of the in-commuters who are currently working in the Upper Blue, but living outside of Summit County. Approximately 10% of the in-commuters have indicated they would prefer to live in the Upper Blue where they are employed if housing were available and affordable. Catch up also includes additional rental units needed to address a very low rental capture rate (8.6%) which signifies an immediate need for additional units to house renters already in the community (either overcrowded or cost burdened).
- The 375 keep up units are the additional units that will be needed between 2016 and 2020 to replace retiring workers and to replace market units that are currently housing employees that will be converted to second home/vacation use, and to provide housing for approximately 80% of the new employees filing new jobs over the next 5 years. New jobs over the next 5 years are projected to increase at a modest rate of 1.7% per year.
- The demand for 500 units is based on the need to provide housing for approximately 900 employees in the Upper Blue. The conversion from employees to units is based on the Upper Blue current

occupancy rate and household size for employee occupied units (average 1.8 employees per employee occupied unit). Diversity in the type, size, and price of workforce housing is needed to reduce cross basin commuting and to provide housing for the different segments of the workforce, but overall the 500 unit projection assumes the 1.8 average occupancy rate will be maintained across the inventory of units. This can be rechecked when the assessment is updated on a 5 year cycle.

- The income/price targets for the 270 rental units are broken down by AMI brackets but most of the need is under 60% AMI and at the 80-100% AMI. The income targets for the 230 ownership units is also broken down by AMI and indicates need across all of the income brackets from under 60% AMI up to 150% AMI.
- The Town anticipates future workforce housing development on the Stan Miller Property (105 units), on Block 11 (250 units), on the McCain property (100 units) and possibly at Berlin Placer (20 units). This could address 475 of the 500 units that are needed by 2020.
- Beyond 2020 the Town should anticipate that additional units will be needed to ‘keep up’ with the ongoing loss of employee occupied market rate units, retirees in deed restricted units, and job growth. An update to this 2016 assessment will likely be scheduled in 2021 after the next census.

Staff is working with the Workforce Housing sub-committee and Town Council to address the need. It is anticipated that much of the housing that is needed in the Upper Blue could be accommodated on Town-owned sites that are already designated for workforce housing.

Commissioner Questions / Comments:

Ms. Dudney: What is Berlin Placer? (Ms. Best: It is a private project near Sally Barber, currently going through review with the county. There are some market rate units and some that will be deed restricted. We hope to find more private sector partnerships like this.) (Ms. Puester: 45-55 total units are proposed.) (Ms. Best: We hope to get 20 deed restricted units.) So what is needed in order to make a successful project? (Ms. Best: There are different ways to develop projects, for example, with Pinewood II, we used tax credit financing, but still put in 6 million that we will get back over time. With Valley Brook, we had some higher AMI units for sale that helped cover cost for the lower AMI units.) This still does not address below 60% AMI. If you take a service worker making \$10/hour, they are still only making \$20,000 a year. (Ms. Best: It’s difficult to make rental units pencil without subsidy.) So what gives? More density, reducing the quality of the project, or raising wages? They would have to be tripled. (Ms. Best: In Breckenridge, we do have land for almost 500 units, so we can structure projects where proceeds from for sale units could fund some rental.) It’s kind of drops in the bucket. (Ms. Best: We are seeing more workforce housing projects throughout the County and hopefully with the ballot in November, we’ll have more resources. We’ll have to evaluate the most cost effective way to create units; there is no silver bullet, but a variety of options, but we also must be aware of the strings that come with different approaches, for example for rental financing the LIHTC income testing is very challenging because it is difficult to calculate income in resort economy because of the nature of seasonal jobs. It is taking longer to fill units for Pinewood II because of the grant funding we got and the strings attached.)

Mr. Schuman: Have deed restrictions become more standardized or has there been tightening? (Ms. Best: When the town is developer, it is up to the town to determine the level of deed restrictions. When projects are in partnership with private developers, we have to work with them to determine what they need and what they can accept. Every deed restriction is different in that sense, and depends on the project.) What about enforcement, what does the Summit Housing Authority do? (Ms. Best: They perform the monitoring process which includes annual self affirmation affidavits and some inspections, but if a violation is confirmed they referred to the Town to enforce. The Summit Housing Authority has implemented an anonymous tip line and when they get these tips, they investigate and refer to the Town if a violation is confirmed.)

- Mr. Schroder: People are just going to keep coming here because of Breckenridge's reputation, so how is any future worker going to be able to move and live here beyond 2020? (Ms. Best: I think ultimately all workers are going to end up in deed restricted units, and so we just have to continue to try and deed restrict what we can. We can't build enough units so it will be a combination of preserving some of the market rate units and building new units.) So what will be the outlets in the future? Park County, Alma?
- Ms. Dudney: And prices of other commodities will go up: gas, food, etc. (Ms. Best: The best we can do is increase the amount of deed restricted units while we can now.)
- Mr. Pringle: What about the deed restricted units increasing in price to where they cannot be afforded still? (Ms. Best: Many of the restrictions include an appreciation cap and an income cap; for those that do not include an appreciation cap, the market will determine the value of the deed restricted units and hopefully there will always be some discount/gap between market rate units and deed restricted units because of the restrictions on use and occupancy.) What about the ones where there are caps? (Mr. Kulick: Some of the older ones, there are rules like no short-term rentals, even if they do not have caps. But we have not done anything like that recently; it has evolved to where there is some room for appreciation without it getting too high.) (Ms. Best: We commissioned a study on price creep to determine if our deed restricted units are staying affordable to their initial target-there are many other variables that impact affordability that are out of our control-such as interest rates.) One thing that has always bothered me is that if the Town is going to heavily subsidize for sale units, and we want to make sure that they're always affordable; we don't want people to take advantage of the Town subsidizing the unit. (Ms. Best: Well that is our goal, and I think we are still doing well providing some appreciation, but trying to maintain affordability. For example, since AMI has gone down, there is no appreciation in many of our local neighborhoods such as Gibson Heights.)
- Ms. Dudney: Do you see anything dramatic on the horizon like boarding houses or dormitories because this is not an answer long-term? (Ms. Best: I don't see any one answer, which is why we just try to have a wide range of affordable housing types and price points, and Breckenridge is doing well on that.)
- Mr. Pringle: People have talked about tiny homes and things like that. (Ms. Best: These are difficult because you just can't reach the density you need.) I'm not an advocate for them, but I think there could be a very well-maintained mobile home park and outside of resort areas, they are prevalent everywhere.
- Mr. Lamb: The problem is that people do not want mobile homes next to them.
- Mr. Pringle: Well we could hide them; they are prevalent in lots of communities, and maybe we should look into this because it brings the cost down substantially. (Ms. Best: ADUs have worked very well in some communities and maybe we do need to think about having these in second homes, because they can add up.) What we don't want to have happen is getting into issues with parking and such, but if we can accommodate that it could be a very good way to go.
- Mr. Schuman: It is tough after the fact, of course.

TOWN COUNCIL REPORT:

Ms. Puester presented. There was a call up on the Planning Commission decision on the sprung structures, so that will be at the Town Council meeting next week. There were questions asked at the work sessions regarding timing details. The residential parking ordinance passed at second reading. We also had a resolution in support of question 2A (municipalities being given more authority on their own wireless communication). There was a resolution to support Summit School District issues 3A and 3B, and another for the 5A renewal (housing fees). Budget will come before Council in October. There was a joint meeting with the Breckenridge Heritage Alliance. The Council talked about the town lighting plan, presented by public works, which will be improve lighting in high pedestrian areas also as identified by the Nelson Nygaard study. Three different types of light fixtures, and trying to get a cohesive blend of that as well as what will work best in different

areas. Different types of bulb, LEDs, will be used to get more light in key locations. (Mr. Grosshuesch: They figured out how to make Wellsbach dark sky compliant. They will be starting with Four O'Clock Road, Village Road, Watson Avenue, Park Avenue and they're experimenting on Airport Road. Eventually Main Street will get dark sky compliant lights.) (Mr. Kulick: They are also choosing LEDs that have less of the blue light and this is another reason why they are testing these out right now first before implementing them everywhere.) October 11th at 2 pm is the Town Council visit to Lincoln Park.

OTHER MATTERS:

1) Planning Commission Field Trip, November 3, 2016

Ms. Puester: We will be looking at various code related topics that we discussed last meeting from the Steering Committee updates as well as some recent housing developments and will come out with an agenda fairly soon.

Commissioner Questions / Comments:

Ms. Dudney: Can we include Maggie Placer? (Ms. Puester: Yes.)

2) State APA Conference (October 24-26, 2016) and Saving Places Conference (February 1-4, 2017)

Ms. Puester: Please sign up if you have not already and let me know if you have any questions. The CLG code also gives us a huge discount on the Saving Places Conference so let me know if you have any issues with using that.

3) Planning Commission Applications

Ms. Puester: Mr. Schroder, Mr. Lamb and Mr. Pringle are all up this year and have all reapplied. There are also five other applicants. Interviews will be at next week's Town Council Work Session and appointments at next week's Town Council Regular Meeting.

ADJOURNMENT:

The meeting was adjourned at 7:43 pm.

Ron Schuman, Chair



MEMORANDUM

TO: Town Council

FROM: Julia Puester, Planning Manager

DATE: October 4, 2016 for Meeting of October 11, 2016

SUBJECT: Planning Commission Applicants

Attached please find eight letters of interest for the Planning Commission. There are three seats available on the Commission for terms running from November 1, 2016 to October 31, 2020. The deadline for applications was 4:00 pm on Monday, October 3, 2016.

The applications are from the following people:

- Dan Schroder
- Jim Lamb
- Glenda Akers
- Michael Cavanaugh
- Stephen C. Gerard II
- Ian Hamilton
- Lee Edwards
- David Pringle

Staff has requested that the applicants prepare answers to the questions below to include in their five minute interview presentation to the Town Council.

1. Why are you interested in serving on the Commission?
2. Please tell us a little bit about your professional qualifications/experiences/strengths to serve on the Commission.
3. Do you have experience serving on other Boards?
4. Have you been to any Commission meetings, or any other Town meetings before?
5. Are you familiar with the Town's Development Code and Comprehensive Plan?
6. Do you have any experience with historic preservation?
7. The Commission meets the first and third Tuesday of each month, generally from 7:00 pm to 9:00 or 10:00 pm, with some site visits at 12:00 noon the day of the meeting. The meetings may be rescheduled to start at 5:30 pm in the future. There are also trainings that you are expected to attend which are typically a few full days per year. You are also expected to prepare for each meeting by reading up to 100 to 150 pages of staff reports. Do you have this much time to adequately serve on the Commission?

8. Do you have any ties to the development community that could be perceived as a “conflict of interest?” Other conflicts?
9. How do you think that planning efforts are generally going in Town? Are there any particular topics that you believe the Commission should be addressing over the next couple of years?

Staff has no concerns with the voter status of the eight Planning Commission candidates.

RECEIVED
SEP 20 2016

Dan Schroder
P.O. Box 2303, Breckenridge, CO 80424
14 Meadow Lark Green, Breckenridge, CO 80424
970-389-5756; danjschroder@yahoo.com

TOWN OF BRECKENRIDGE
PLANNING DEPT.

September 19, 2016

Community Development Director
Community Development Department
Town of Breckenridge
PO Box 168 - 150 Ski Hill Road, 2nd Floor
Breckenridge, CO 80424


Dear Peter,

I write to express my interest in continuing with the Town of Breckenridge Planning Commission for a third term.

In my two terms with the Town of Breckenridge Planning Commission I have come to identify myself as a partner in the development of our community. Since my appointment to the Planning Commission I have consistently applied the code through land use and development review. I have grown my historic preservation experience and am pleased to have done my part to support the historic character of Breckenridge. As a natural resource interpreter with Colorado State University Extension I often lead discussions exploring how we can protect the past while living in the present and engage in a sustainable future.

The skill set I bring as an applicant to the Town of Breckenridge Planning Commission is of high value. Please review my resume and consider me for a formal interview. I would enjoy the opportunity to speak with Town Council about my ongoing interest in this community appointment.

Sincerely,



Dan Schroder

Dan Schroder

P.O. Box 2303, Breckenridge, CO 80424
14 Meadow Lark Green, Breckenridge, CO 80424
970-389-5756; danjschroder@yahoo.com

OBJECTIVE: to serve a third term on Town of Breckenridge Planning Commission

EDUCATION

Master of Education

Regis University, Denver, Colorado; 2005

Bachelor of Science, Environmental Science

Humboldt State University, Arcata, California; 1996

PROFESSIONAL EXPERIENCE

Summit County CSU Extension Natural Resources Agent and Director

Colorado State University, Frisco, CO; January 1, 2010-present

- Coordinate Summit County Wildfire Council to ensure consistent messaging by all stakeholders
- Apply Community Wildfire Protection Plan goals and objectives to develop a cohesive strategy
- Administer the Summit County Hazardous Fuel Reduction Grant Programs
- Foster healthy collaborative partnerships to identify and address community natural resource issues
- Present natural resource information to multiple audience types through a variety of means
- Develop original programs and activities to promote Summit County natural resource initiatives
- Market, coordinate and deliver signature CSU Extension programs

Town of Breckenridge Planning Commissioner

Town of Breckenridge, Breckenridge, CO; 6/1/2008 – 2016 (serving 4th year of second 4 year term)

- Utilize code based approach to evaluate development applications
- Present at public meetings, participate in site inspections and review community development policies
- Served as Chair and Vice-Chair

Senior Associate, Key Issues Program Director

The Keystone Center & Keystone Science School, Keystone, CO; June 1, 2000-December 31, 2009

- Facilitate professional development institutes on sustainability, systems thinking, and consensus building
- Observe, interview, recruit, train, manage and evaluate up to 12 contract staff and multiple interns
- Plan, assign, and direct project work while administering ongoing program development
- Evaluate curricular goals and objectives to promote program evolution
- Maintain partnerships with government, corporate, foundation, and private audiences
- Fundraise program budgets execute fiscally responsible management
- Teach and explore various environmental science topics with Summit School District students

Program Director

*AmeriCorps*VISTA Member: Recycling to Build Community, Arcata, CA, Nov 1996 - Dec 1997*

- Co-established and managed overall operation of The Order of the Dragon Kids Recycling Club
- Targeted low socio-economic residents in three section 8 housing complexes and the Town of Samoa, CA
- Establish relationships with the community to develop volunteer recruitment strategies
- Implement after school programs serving students aged 4-16
- Recruited, Trained, and Supervised up to twenty volunteers
- Identified and acquired support from corporate and non-profit communities

ADDITIONAL PROFESSIONAL EXPERIENCE

Experiential Educator, Co-Program Director, Wilderness Trip Leader

Poulter Colorado Camps, Steamboat Springs, CO. Summer 1993-1996; 1998

Lead up to 18 youth on month long outdoor courses. Promote outdoor leadership and foster leadership development, analogue map and compass use, Leave No Trace ethics, historic preservation, and forest ecology. Facilitated intra/inter-personal activities, solos, backpacking, spelunking, horse packing, snow and ice applications, ropes techniques applied to climbing and Tyrolean traverse.

PROFESSIONAL AWARDS and PERSONAL ACCOMPLISHMENTS

2016 Wildfire Mitigation Innovation Award, National Association of State Foresters
2015 Community Engagement Distinguished Service Award, CSU Office of Engagement
2011 Outreach Educator of the Year, Friends of the Dillon Ranger District
2005 Outstanding Staff Award, The Keystone Center
Finisher, Ironman 70.3; Breckenridge Mountain Marathon; Chicago Marathon
Eagle Scout, Boy Scouts of America

September 27, 2016

Dear Mayor Mamula and the Breckenridge Town Council,

I would be honored to serve another term with the Breckenridge Planning Commission. It has been an interesting and educational ride, and would love to continue. I believe I have much to offer with my experience and time on the Commission. Breckenridge is the town I call my own and am so proud to live here with the many fine citizens I have met over the years.

I have restored a historic house on Harris Street and am very familiar with the process, as well as having constructed new construction in the historic district. The process can be difficult, but has served our town well.

I hope to be able to provide sound judgement, and help create a continued positive direction for our town.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Jim Lamb".

Jim Lamb

RECEIVED
SEP 27 2016
TOWN OF BRECKENRIDGE
PLANNING DEPT.

September 30, 2016

R E C E I V E D
SEP 30 2016

TOWN OF BRECKENRIDGE
PLANNING DEPT.

Peter Grosshuesch
Director Community Development
Town of Breckenridge

Dear Peter,

Thank you for this opportunity to explain how I believe I can make a very useful contribution as a member of the Breckenridge Planning Commission.

My husband and I have lived in Breckenridge for the past 10 years. We have enjoyed the culture and supported local enterprise as well as music, theater and art events that foster global tourism and spur our local economy.

Having over 35 years in the technology field, I have worked in large Fortune 500 corporations as well as software startups which resulted in successful acquisitions and IPOs. For the last 25 years, I have been an executive developing assets/products and creating marketing and sales programs to promote those assets globally. Through collaboration and decision making, I have been able to create value in large and small companies.

Since retiring in 2015, I would welcome an opportunity to "give back" to a town we have grown to love and respect.

I look forward to discussing how I could contribute to creating, preserving and promoting historic and cultural value to the Breckenridge town heritage.

Best,

Glenda Akers
45 Luisa Drive
P.O. Box 7471
Breckenridge, Co 80424

Mobile: 512 497 8023

Michael R. Cavanaugh
P.O.878
Breckenridge, Co. 80424
Oct . 3, 2016

Director of Community Development
P.O. 168
150 Ski Hill Rd.
Breckenridge, Co. 80424


R E C E I V E D
OCT 03 2016

TOWN OF BRECKENRIDGE
PLANNING DEPT.

To Whom it may Concern,

This Letter is to show my interest in the available vacancies on the Town of Breckenridge Planning Commission for terms from November 1, 2016 to Oct. 31 , 2020. Attached is my resume .

Sincerely,


Michael R. Cavanaugh

Synopsis of a resume of: Michael R. Cavanaugh
P.O. Box 878
Breckenridge, CO 80424

2010- 2016 Incubated concept of Remodel to Historic Brown Hotel and Restoration
Of Stable's to be completed 2016.

1989-1990 Worked with Blues Alley- Washington, DC
Helped coordinate and develop with John Bunion with Blues Alley Youth
Symphony Foundation- Dizzy Gillespie

Road Crew for Mission Mountain, MT bands

1985 Owner: Brown hotel and Restaurant Breckenridge, CO 80424
Numerous remodel projects to the interior. Owned and operated to present
day.

Director: Cavanaugh Resorts, Breckenridge, CO 80424

Duties include property management, guest services, marketing
expenditures and staff supervision for local/private owned rental
properties.

Police Commissioner: Town of Blue River, CO 80424

Responsible for lawful deliberation within the limits of the town,
participation in bi-monthly board meetings, community improvement
objectives and maintaining adequate performance of personnel that vacate
daily, active duty.

Ski Instructor: Summit County

Position encompassed scheduling and instruction of students under
provisions of the RMSIA code.

1984 General Contractor: Residential Project, Breckenridge, CO

Responsible for purchase of interior furnishings and internal finish work.
Total structure measuring 6000 sq. feet.

Director: Initiated formal explication of Cavanaugh Resorts Property
Management Company.

General Contractor: Residential Project, Breckenridge, CO

Responsible for structural planning, budgeting, completion and staff
management.

Ski Instructor: Summit County, CO.

Duties outlined above.

1983 General Partner: CDC Enterprises Breckenridge, CO.

Performed as partner and general contractor for construction of Warrior's
Mark project.

Ski Instructor: Summit County, CO.

Duties outlined above.

Public Official: Town of Blue River, CO

Appointed as Trustee for Town of Blue River.

1982 Negotiated with the S.B.A. (Raoul De Chante) and Breckenridge Lands

Investment regarding the purchase and lease of an established restaurant located

- in the Lincoln West Mall on Main St in Breckenridge. The contract was negated upon review of financial prospectus.
- 1979 Manager and Vice President: Spruce Creek Investments; dba Adams Street Café
 Was responsible for complete reorganization of business proceedings which facilitated a marked increase in profit and generated financial solvency which had been in deficit prior to my employment with the establishment. (Frank Wilson)
Assistant Marketing Director: Recreation Sports, Breckenridge, CO
 Responsible for all general advertising, specifically scheduling and directing of weekly destination ski tours for groups averaging 40 in number.
- 1977 Assistant Manager and Shareholder: Jar-Win Corporation dba; Mike's Pub, Breckenridge, CO
 Duties encompassed all those of restaurant management, including marketing, customer relations and staff supervision.
- 1976 Ski Instructor: Breckenridge Ski Area, Breckenridge, CO
 NASTAR program coordinator in addition to daily ski school responsibilities.
Head Carpenter: Armstrong Wall/Gore Range Construction.
 Various building projects within Summit County.
Project Involvement: Was involved in the building of Peak 9 Restaurant, Beck Building (Swiss Haven) and Bank of Breckenridge building (Kenosha Steakhouse.)
- 1972 Began permanent residence in Breckenridge, CO.
- 1968-1972 Mt St Mary's University-Emmetsburg, MD BS Education
- 1968-1972 Coached skiing: with Luis Sanchez at Carita Ski Area, Fairfield, PA
- 1966-1968 Tincum Art Festivals Bucks County, PA- Solo Music, Dance Choreography, Musical Theme Shows (Showboat, South Pacific)
 Worked under Tony Townsend- dance choreographer, stage production
 Worked for Cargill Productions- New York, NY
- 1966 First All American Alpine Training Camp- Cooke City, MT
- 1963-1965 Lenape Choral Choirs
- 1963-1966 MT Side Inn- Point Pleasant, Pa.- Ronald Dupree (prep cook, dessert, busser, wait staff)
- 1957-1959 Duet Vocal with James Coffin (pianist)
- 1955 Began vocal training with Ann Reagan Music School -Doylestown, PA

JUDGE STEPHEN C. GERARD II (Retired)
66 Long Ridge Drive
P.O. Box 6734
Breckenridge, Colorado 80424
(319) 430-1479
judgeg75@gmail.com

Town of Breckenridge
Community Development Department
P.O. Box 168
150 Ski Hill Road 2nd Floor
Breckenridge, CO 80424

R E C E I V E D
OCT 03 2016

TOWN OF BRECKENRIDGE
PLANNING DEPT.

In re: Planning Commission Vacancy

Mayor and members of the Breckenridge Town Council:

I am interested in being considered for appointment to the Town of Breckenridge Planning Commission pursuant to the published Notice of Vacancy.

I have been a property owner in the Town of Breckenridge for over ten years. After retiring from a 32 year judicial career, last summer I became a full-time resident of the Town along with my wife and daughter. I am a registered voter.

As an attorney I worked on the development of three large scale residential subdivisions from the inception to completion including design, platting, zoning, and drafting the subdivider's agreements with the appropriate governmental entities.

After being appointed to the bench I served on many commissions related to my work, including the preservation of and designation of the Johnson County Courthouse to the National Register of Historical places. We lived in a home built in 1900, one of the oldest remaining homes in the town where we resided.

I am strongly committed to historical preservation, yet, I clearly recognize the need for future development in a carefully planned manner which allows for the growth of our community and the benefits to our residents and visitors while maintaining the history, character and culture of our unique mountain town. I believe I can bring a valuable perspective to the Commission.

Thank you for considering my interest in this appointment.

Sincerely,



Stephen C. Gerard II

STEPHEN C. GERARD II

66 Long Ridge Drive, P.O. Box 6734, Breckenridge, CO 80424
(319) 430-1479
Judgeg75@gmail.com
LinkedIn URL: <https://www.linkedin.com/pub/steve-gerard/50/47a/b46>

SUMMARY

Recently retired from 32 year judicial career and relocated to Summit County, Colorado. Seeking people oriented, rewarding position which takes advantage of my interpersonal skills and legal background.

EXPERIENCE

- July 1995 - August 2015 **District Associate Judge**, Iowa Judicial Branch, Sixth Judicial District, Johnson County, Iowa.
- Presided over high-volume criminal docket and Juvenile Court, delinquency and children in need of assistance cases.
- January 1983 - July 1995 **Judicial Magistrate**, Iowa Judicial Branch, Sixth Judicial District, Johnson County, Iowa.
- Part-time judicial officer responsible for high-volume traffic court and misdemeanor dockets for county and city courts as well as active small claims and landlord/tenant civil dockets.
- January 1980 - July 1995 **Attorney**, Johnson County, Iowa.
- Engaged in private practice of law in the areas of criminal defense, domestic and juvenile law with emphasis on business, real estate and litigation.
- January 1976 - January 1980 **Judge Advocate, United States Air Force**
- Area Defense Counsel, Sheppard AFB, Texas, and Chief Circuit Trial Counsel, Boling AFB, DC. Responsible for criminal defense and felony prosecution of military personnel at regional and international Air Force bases.

COMMUNITY INVOLVEMENT

- Winter 2015-16: Vail Resorts – Ticket Sales and Greeter
Summer 2016: Town of Breckenridge Golf Club – Starter and Player Assistant

EDUCATION

- August 1972 – May 1975 **Juris Doctor**, with Distinction: *University of Iowa College of Law, Iowa City, Iowa*
- August 1968 – May 1972 **Bachelor of Business Administration, Accounting**: *Drake University, Des Moines, Iowa*

RECEIVED
OCT 03 2016

TOWN OF BRECKENRIDGE
PLANNING DEPT.

From: Ian Hamilton [iceman@downstairsaterics.com]
Sent: Monday, October 03, 2016 3:54 PM
To: WebsiteCommDev
Subject: Letter of interest in Town of Breckenridge Planning Commission Vacancy

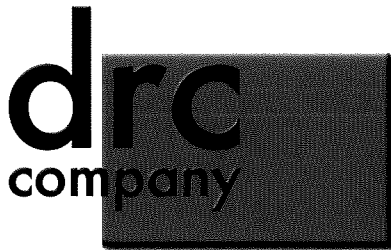
To Whom It May Concern,

My name is Ian Hamilton and I would like to apply for a seat on the Town of Breckenridge Planning Commission. I have lived in Breckenridge for 30 years and am a registered voter. I am a partner in Downstairs at Eric's here in Breckenridge. (You may have heard of it.)

While I have to admit that I do not have much, if any experience in the many fields listed in the Notice of Vacancy in the newspaper, I do have a lot of experience with Breckenridge, having lived within town limits or several decades. I can also claim a certain amount of knowledge with Planning and building in Breckenridge having been involved in building and opening several restaurants in the Historic district. Most recently I have learned some about the processes involved with the Planning Department, the Planning Commission and Town Council over the last year or two with the Master Plan approval for Lincoln Park at the Wellington Neighborhood. I found that experience to be very interesting.

I am very interested in becoming a Planning Commission member and, if selected, very motivated to learn all that I need to learn to be an effective, informed and quality member of the Commission.

Thank you for your consideration,
Ian Hamilton
970.389.3082
breckian@gmail.com



4:07PM
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OCT 03 2016
TOWN OF BRECKENRIDGE
PLANNING DEPT.

October 3, 2016

Mayor Eric Mamula
Town of Breckenridge
PO Box 168
Breckenridge, Colorado 804224

Dear Mayor Mamula:

I'd like to apply for one of the upcoming openings on the Planning Commission.

I've enjoyed a rather unique role in our community, starting as one of two town planners back in 1979 and having that experience serve as the foundation for both my professional life (land use planner, architectural designer and contractor) and my personal life (raising two children and sending them out into the real world); knowing a bit of Breckenridge's recent history can help plan and shape the future of our special little valley.

The hats I've worn, and continue to wear, are as diverse as the community; those related to the Planning Commission position include 35 years of historic rehabilitation projects (design, construction, federal and state preservation tax credit applications) in our Historic District, a wide range of commercial (restaurant, retail, office), residential and development projects both in Town limits and Summit County, as well as being a past member and Chairman of the Upper Blue Planning Commission. As a member of the American Institute of Certified Planners (AICP) for close to 30 years, I regularly attend the state and national conferences to help stay abreast of current planning trends and research.

I look forward to an informative, enlightening and probing interview.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Edwards', with a small dot to the right.

Lee Edwards
dry company, inc

american institute of certified planners
american institute of architects (associate)
licensed class a contractor, license 1596

October 1, 2016

David Pringle
P.O. Box 859
Breckenridge, CO 80424

RECEIVED
OCT 03 2016

TOWN OF BRECKENRIDGE
PLANNING DEPT.

Re: Planning Commission Appointment Letter

To The Honorable Mayor Eric Mamula & The Breckenridge Town Council,

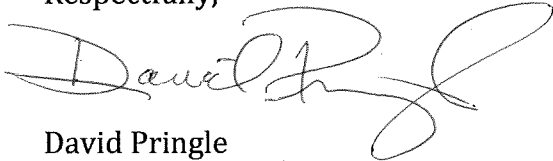
I would like to enter my name for consideration and re-appointment to the Breckenridge Planning Commission. I have been a member of the Planning Commission for thirty-nine and a half years, and have not lost the desire to serve the council and my community. I realize that at some point my time on this commission will come to an end, however, I am very excited about the future of Breckenridge and I would still like to be involved in shaping the development yet to come.

I believe that the town is beginning to go through a period of transition. There are just a few large parcels yet to be developed, but I feel that re-development will be a large part of future planning concerns. How we address this challenge may go a long way in determining our future viability as a major destination resort, both winter and summer. We need to remain true to our historical roots and yet be sensitive to pressures relative to current development trends.

Having been a member of many diverse commissions through out my tenure, I can honestly say that the current members of the commission are a collegial, cohesive and prepared group, that are now hitting their stride. The trust that we have in each other is exhibited by the lively discussions we have, stemming from the many issues regularly addressed.

Thank you in advance for your consideration of my re-appointment. I am committed to serving my community, and look forward to working for, and with you into the future.

Respectfully,



David Pringle



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.

OCTOBER 2016

- Tuesday, October 11, 2016; 2:00/7:00 pm (Site Visit at 2 pm) First Meeting of the Month
- Friday, October 14, 2016; 8:00-9:00 am; Cabin Coffee Coffee Talk
- Tuesday, October 25, 2016; 12:00/7:00 pm Town Council Budget Retreat/Second Meeting of the Month

NOVEMBER 2016

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

DECEMBER 2016

- Saturday, December 3, 2016 Lighting of Breckenridge/Race of the Santas
- Tuesday, December 13, 2016; 3:00/7:00 pm First Meeting of the Month
- Friday, December 16, 2016; 8:00-9:00 am; TBD Coffee Talk
- Tuesday, December 27, 2016 CANCELED - 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 |
| 1 st Wednesday of the Month; 3:00 p.m. | Childcare Advisory Committee; Town Hall |

Other Meetings: CAST, CML, NWCCOG, RRR, QQ, I-70 Coalition, BEC