

I) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of February 27, 2018 to order at 7:00 pm. The following members answered roll call: Mr. Bergeron, Ms. Lawrence, Mr. Dudick, Ms. Wolfe, Ms. Gigliello and Mayor Mamula. Mr. Burke was absent.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES - FEBRUARY 6, 2018

With no changes or corrections to the meeting minutes of February 6, 2018, Mayor Mamula declared they would stand approved as submitted.

III) APPROVAL OF AGENDA

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

IV) COMMUNICATIONS TO COUNCIL

A) CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

Mayor Mamula opened Citizen's Comment.
There were no comments and Citizen's Comment was closed.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2018 - PUBLIC HEARINGS

1) COUNCIL BILL NO. 8, SERIES 2018 - AN ORDINANCE AMENDING TITLE 12 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE PLANT INVESTMENT FEE FOR MAJOR AND MINOR RETAIL FOOD AND BEVERAGE ESTABLISHMENTS

Mayor Mamula read the title into the minutes. Mr. Tim Berry stated there was one change to this ordinance from the first reading, which is mentioned in the memo and appears on the second page of the ordinance.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 8, SERIES 2018 - AN ORDINANCE AMENDING TITLE 12 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE PLANT INVESTMENT FEE FOR MAJOR AND MINOR RETAIL FOOD AND BEVERAGE ESTABLISHMENTS. Ms. Gigliello seconded the motion.

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

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2018

1) COUNCIL BILL NO. 6, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY

Mayor Mamula read the title into the minutes. Mr. Dudick was recused due to conflict of interest on this project.

Mr. Berry stated there was no change to this ordinance from first reading, and the changes to the development agreement are reflected in the memo.

Mayor Mamula opened the public hearing.

Mr. Larry Crispell, a local resident, stated he believes the alternatives presented in the work session by BGV are false, and if they were possibilities, development would be going in that direction instead of what is requested. He further stated we have to focus on "Door 1" and let it stand and fail on its own. Mr. Crispell stated he takes issue with the purchase of the required density as a community benefit, and the community benefit is that the money going to Cucumber Gulch, which is a relatively small amount. Mr. Crispell stated the density transfer is tied to FTEs and those people will need to be employed there, and their families will need to live in the community. He further stated we do a good job in this community of taking care of our workers, and he questioned if this project would be like the Ski Resort's Breckenridge Terrace apartments. He stated the burden is on our community, including early childhood education. For every person employed, there is going to be a family and we are going to make that investment. Mr. Crispell also stated the density is in the current master plan, and that is subject to a 25% sunset. Additionally, regarding the traffic study, every extra car that is on that road adds to the congestion so it is not a negligible impact. Mr. Crispell stated we should be proud of what's been created in our community, we don't need a four-star hotel, and that glamour comes with a cost. Also, Peak 8 is already over-programmed and you are being asked to facilitate this change at a high price for the community.

Ms. Jane Hamilton, a resident of Four O'Clock Run Subdivision, thanked the developer for meeting with the neighbors, and spoke regarding her concerns for the neighborhood, including maintaining the ski-in, ski-out access to the neighborhood for which it was created. She further stated she would like to see the ski-in and ski-out access platted and recorded with the development.

Mr. Dave Hartman, a local resident, stated he started coming to Breckenridge in the 1970's and now owns a home in the area. He stated he is concerned about what happened with the Residence Inn development and since we have a known entity with BGV, that would be his choice of a developer at this time. He also stated there was a plan in the 1980s where Sawmill Run Road was going to have 50 townhomes, and a master plan was later developed that planned a continuation of that road. Mr. Hartman stated he would like to see the impacts of the development mitigated, and ski-in and ski-out access continued. He further stated Four O'Clock Subdivision has never been part of the Town, and the County doesn't want it either. He stated the subdivision doesn't get good plowing, has poor drainage, and needs road maintenance. Mr. Hartman stated the easement from the 1960s is now the road to the Administration building, and he has written letters to the Ski Resort about the road. He further requested an easement from the ski area through the neighborhood for ski access and to not have the road be the service entrance to the hotel.

Mr. Dave Pringle, a local resident, stated he agrees with Mr. Crispell about the lack of community benefit from this project. He further stated there are other community benefits the Town could get from a development of this size that would have a bigger impact than what is offered, and we don't need to incentivize development anymore because people are already coming here. Mr. Pringle stated we need to think more about the impacts and the human cost of this kind of development, and he believes it is a good faith gesture to work with the neighborhood about the impacts on Sawmill Run Road.

Mr. Dick Carleton, a local resident, stated there are a lot of assumptions with the "Door 2" and "Door 3" scenarios and cautioned Council to not be scared into a decision we will regret. He stated his major concern is about upzoning, and an 84% upzone is unprecedented and frightening. Mr. Carleton further stated we hear every day about the challenges of the crowds, and we can't build our way out of it, and it's not our responsibility as a Town to support this kind of development. Also, he stated the spirit of past deals was that there was a pool of density for these sites to use, and we need to stick with that to avoid upzoning.

Mr. Holman noted there were letters submitted into record from five other citizens regarding this project.

Ms. Wolfe stated she appreciated the work that Lionheart BGV has put into this project, and the role BGV takes in development. She also stated it is an unprecedented ask for the density transfer, and it deserves scrutiny from our community. She stated we are concerned about the long-term impacts of this development, and the increase in traffic on Ski Hill Road and parking issues in Town. The addition of cars would put a lot of traffic on Ski Hill Road, which is not acceptable. She stated the workforce housing issue is also a concern, and it would bring so many jobs to a community that doesn't have enough housing as it is. She also stated parking the employees may be a problem. Ms. Wolfe stated that if it takes that much density to make the economics work, maybe Vail Resorts needs to make the land less expensive, or maybe it's a good idea on a lesser scale with cheaper property. She stated she can't approve the project as it stands.

Ms. Lawrence stated that regarding the Development Agreement, she believes it does make sense for Sawmill Run Road be the delivery access road for the building, and it should be fewer trips on that road than what it is used for currently. She also stated that she believes the parking for building guests is adequate. Ms. Lawrence stated she likes the idea of a four-star hotel in Breckenridge, but has concerns about employee housing and employee parking, and Vail Resorts handles employee housing and parking in a different way than BGV. She further stated that this project could create additional burden on the Town to support these employees, and since the seller and operator has available density to transfer, how can we provide more density when that's the case? She concluded that she hopes the project comes back in a different way.

Ms. Gigliello stated she thinks highly of BGV, and the company has a good history with the Town, and is an entity she believes in. She further stated the Town is already full for workforce housing, and we wouldn't be voting for the situations in Door 2 or Door 3 to have an impact in that development. She stated she may entertain a smaller density exchange. Ms. Gigliello added there have been no comments from the community stating we need this project.

Mr. Bergeron stated he would like the money dedicated to Open Space, but we don't have enough housing, parking or employees right now, and adding that many more would throw fuel on the fire. He added that the Vail Resorts operational model for housing employees

needs to be changed, and he can speak against additional density as well. Mr. Bergeron stated he might feel differently if BGV would be operating it.

Mayor Mamula stated Mr. Dudick is a peer and a friend in the community so that makes this decision really difficult. He further stated this can't change the fact that Council has a job to do and we need to do the right thing. Mayor Mamula stated he doesn't like the fact that staff didn't have time to look at the information presented here first. Mayor Mamula added that in the end, this is Vail Resorts' land that BGV is developing for Vail Resorts to use. He also stated that over the course of this community, we have worked to craft the density for where these properties are located and he can't support this new technique by Vail Resorts of selling property and asking a developer to buy the additional density on their behalf. Mayor Mamula stated that it seems "back door" by Vail Resorts to have BGV ask for the density transfer, and this issue of density drives the housing, parking, and other questions about this project. Mayor Mamula thanked BGV for what they do for this community and recognized that Council agrees they do a great job and it's a shame they couldn't come to an agreement.

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

There was no motion to approve COUNCIL BILL NO. 6, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY. The item died due to lack of a motion.

Mr. Dudick did not return to the meeting.

- B) RESOLUTIONS, SERIES 2018
- C) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS
Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated the Snow Melter demo will take place on March 8th, and the CML conference is in June in Vail. He also stated Council should note the upcoming Open House, the Summit County Olympians parade, and the new Silver Sneakers program offered at the Recreation Center. In addition, a Public Safety Forum will take place on Thursday night regarding School Safety. Ms. Wolfe stated she appreciated the progress made on Social Media, and enjoys the communications reports in the packet.

Mr. Holman also stated the Building Hope organization is looking at funding opportunities and is asking the Town to contribute to a research study that would involve all communities. Ms. Lawrence stated she believes we should split the amount requested between the towns. Mr. Holman clarified the survey would look at developing possible ballot language, and the information gathered would inform how funds are spent in the future. Mayor Mamula stated he believes funding mental health should be its own ballot question due to importance, and he hopes the County doesn't try to wrap it into other issues.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

CMC/MMC

Mayor Mamula stated there was no update.

Open Space Advisory Committee

Mr. Bergeron stated the committee endorsed the Hidden Gems initiative and looked at the policy concerning concessionaires using Town trails. He further stated they are looking at an application fee for permits. Also, the County sent out a survey about e-bikes on the paved recreation path and he believes there will be more pressure to allow them on the path now that other communities are allowing them, even on single track trails.

Breckenridge Tourism Office

Ms. Gigliello stated there was no report.

Breckenridge Heritage Alliance

Ms. Wolfe stated there was no report. Ms. Lawrence asked about an update on the Welcome Center remodel, and Ms. Wolfe stated she would look into that.

Water Task Force

Mr. Dudick was not present for an update.

Breckenridge Creative Arts

Ms. Lawrence stated the BCA is working with the Breckenridge Music Festival on a pop music market assessment. She further stated Vail is getting the acts from Red Rocks due to an agreement, and there will also be a competing venue in Frisco. Ms. Lawrence stated they are receiving some negative feedback about tickets for the John Prine concert due to price and availability, and we don't require producers to use our ticketing system. She stated Ticketmaster is ticketing that concert and using "surge pricing". Also, Stub Hub is selling tickets.

Breckenridge Events Committee

Ms. Lawrence stated the committee is still working on Snow Sculpture plans for 2019 and figuring out where that will be during the construction in the parking area. She stated community forums will take place on April 2nd in Council Chambers for this purpose.

X) OTHER MATTERS

Ms. Lawrence asked about the banners north of Valley Brook Road on Highway 9. Mr. Holman clarified the poles had been removed at Council's request.

Mayor Mamula stated people are asking about a bag ban in the community because that is a trend in many other communities now. Council generally agreed to look at this topic in the future. Ms. Gigliello stated she'd like to revisit the policy on thicker plastic bags as well.

XI) SCHEDULED MEETINGS

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:13pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor