



BRECKENRIDGE TOWN COUNCIL WORK SESSION

Tuesday, July 28, 2015; 3:00 PM

Town Hall Auditorium

ESTIMATED TIMES: *The times indicated are intended only as a guide. They are at the discretion of the Mayor, depending on the length of the discussion, and are subject to change.*

3:00-3:15pm	I	<u>PLANNING COMMISSION DECISIONS</u>	2
3:15-3:45pm	II	<u>LEGISLATIVE REVIEW*</u>	
		Xcel Easement 4 O'Clock Roundabout	12
		Barney Ford House Landmarking	18
		Update to Harassment Ordinance	23
		Model Traffic Code Amendment Ordinance	26
3:45-4:15pm	III	<u>MANAGERS REPORT</u>	
		Public Projects Update	30
		Housing/Childcare Update	
		Committee Reports	35
		Financials	38
		5A Renewal Ballot Question	49
4:15-4:45pm	IV	<u>OTHER</u>	
		Administrative Regulations - Amended Open Records Act Regulations	51
		Parking Management Strategies	54
4:45-5:15pm	V	<u>PLANNING MATTERS</u>	
		Town Project: Barney Ford Dumpster Enclosure Addition	57
		Denison Placer Housing Project Review	67
5:15-5:50pm	VI	<u>EXECUTIVE SESSION - PERSONNEL AND ACQUISITIONS</u>	
6:00-7:15pm	VII	<u>JOINT MEETING - PLANNING COMMISSION</u>	75

Note: Public hearings are not held during Town Council Work Sessions. The public is invited to attend the Work Session and listen to the Council's discussion. However, the Council is not required to take public comments during Work Sessions. At the discretion of the Council, public comment may be allowed if time permits and, if allowed, public comment may be limited. 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. The public will be excluded from any portion of the Work Session during which an Executive Session is held. Report of the Town Manager; Report of Mayor and Council members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items.

MEMORANDUM

To: Town Council

From: Peter Grosshuesch, Director of Community Development

Date: July 22, 2015

Re: Planning Commission Decisions of the July 21, 2015, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF July 21, 2015:

CLASS C APPLICATIONS:

- 1) Watts Residence (MGT) PL-2015-0218, 191 Hamilton Court
Construct a new single family residence with 4 bedrooms, 5.5 bathrooms, 3,471 sq. ft. of density and 4,116 sq. ft. of mass for a F.A.R. of 1:11.92. *Approved (5-0).*
- 2) McDivitt Garage Addition (MGT) PL-2015-0247, 138 Windwood Circle
Addition to garage in an existing single family residence to create a total of 4 bedrooms, 5 bathrooms, 3,760 sq. ft. of density and 4,317 sq. ft. of mass for a F.A.R. of 1:3.57. *Approved (5-0).*

CLASS B APPLICATIONS: None.

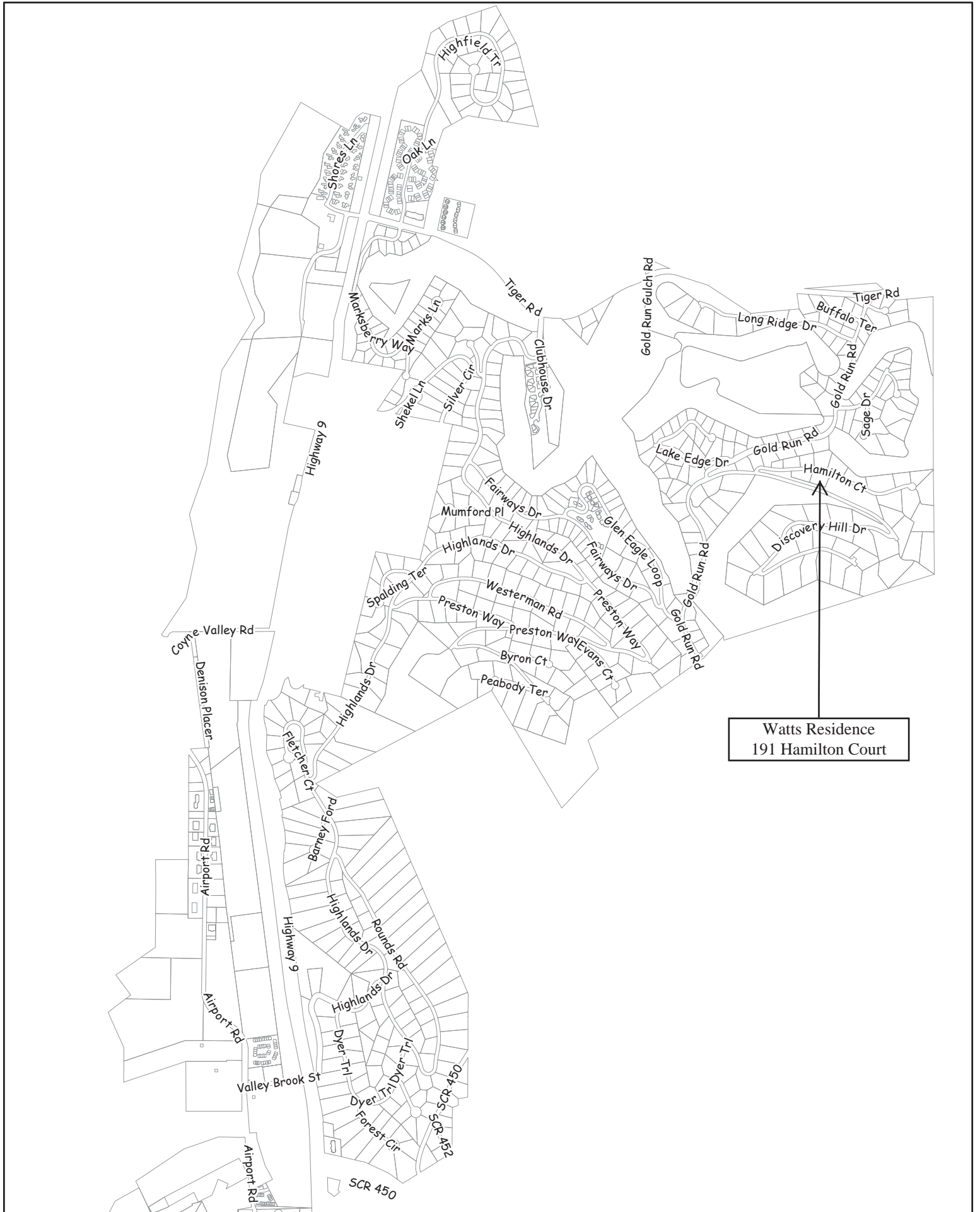
CLASS A APPLICATIONS:

- 1) Lincoln Park at the Wellington Neighborhood Phase I Subdivision (MM) PC#2014039, 710 Stables Road
Subdivision of a portion of Phase I of Lincoln Park at the Wellington Neighborhood into 15 saleable lots and private open space in accordance with the Lincoln Park at the Wellington Neighborhood 7th Master Plan Modification. *Approved (5-0).*

TOWN PROJECT HEARINGS:

- 1) Barney Ford Dumpster Enclosure Addition (MM) PL-2015-0226, 216.5 South Main Street
Remodel and add 259 sq. ft. to the existing 201 square foot dumpster and recycling enclosure. *Recommendation the Town Council approve the project (5-0).*

OTHER: None.



Watts Residence
191 Hamilton Court



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Breckenridge North

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Jim Lamb Ron Schuman
Eric Mamula Dave Pringle
Gretchen Dudney and Dan Schroder were absent
Wendy Wolfe, Town Council Liaison

APPROVAL OF MINUTES

With no changes, the July 7, 2015, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester added Town Council Joint Meeting Topics to the "Other" category at the end of the meeting this evening. With no other changes, the July 21, 2015, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

- 1) Watts Residence (MGT) PL-2015-0218, 191 Hamilton Court
- 2) McDivitt Garage Addition (MGT) PL-2015-0247, 138 Windwood Circle

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

WORKSESSIONS:

- 1) Temporary Structures Policy (Tents) (JP)

Ms. Puester presented. The last update to the Temporary Structures ordinance was approved by the Town Council on April 8, 2014. That modification did not address temporary tents which were to be discussed further at a later time.

Issues have arisen since the last update to the policy regarding temporary tents for events. Recently, staff saw a request for a private function with a tent for thirty (30) days in duration which was not approved under the current policy. There is a lack of detail in the Temporary Structures Policy as well as the Town Code Special Events Chapter (Chapter 13, Title 4-attached) for such private events, not allowing such tents. Currently, tents are not allowed either inside or outside of the Conservation District unless a permit has been issued per the Special Events Chapter (which applies only to public events). The proposed policy modification attempts to rectify this and make further clarifications regarding tents.

The Planning Commission held a work session June 16 and discussed the following changes to the policy:

- In the Conservation District: A 5 day limit for tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year.
- Arts District (In the Conservation District): The Commission voiced the desire to remove a proposed exemption for privately held events such as weddings so that the same rules apply across the board. The Commission was supportive of an exemption for public events in the Arts District. Although the Commission limited their recommendation to exempting public events, Staff's proposal includes language for exempting both public and private events on public property based on past Council discussion.
- Property owned by non-profit organizations in the Conservation District (Barney Ford Museum): An exemption was not supported by the Commission. The Commission voiced the desire to have privately held events (e.g. weddings) have the same rules as private property.
- Outside of the Conservation District: The Commission was not as concerned with the area outside the Conservation District. Support was voiced to allow for private events up to 30 days in duration with a Class D minor permit, 30 days in between permit issuance, 1 permit per year.

- Permit reclassification clause: To address concerns that may be property location specific, staff has included subsection (G) which allows the director to reclassify to the application per existing code, and would require it to come before the Planning Commission with public notice required.
- Grandfather clause: The Beaver Run summer seasonal tent has been approved by the Planning Commission and Town Council via a Class C permit for over 15 consecutive years. As there have been no issues with this permitted tent during this time, staff suggested a grandfather clause in this case. Some of the Commissioners voiced concern over the grandfather clause proposed and some were in support of it. An alternative approach would be to allow tents on a seasonal basis which are associated with a conference center. Staff has left the language in for additional discussion at this work session.

Mr. Mamula opened the work session to public comment.

Mr. Chris Pappas, Assistant General Manager, Beaver Run: We estimate that it has been 20-25 years that we've gotten a permit and done the process correctly. 60% of our groups use this tent and it would have very negative impacts if this changes. There are some events with Colorado Municipal League and others that couldn't use our facility without the tent.

Mr. Bruce Horii, Director of Sales and Marketing, Beaver Run: A lot of times we share the tent with Doubletree and it overflows into the Village and the town. These larger groups stretch our limits and benefit the community. All the people we host on the property aren't spending all their money at Beaver Run or Doubletree; a lot of the impact goes way beyond what we offer the groups. We can offer the leisure groups like Breck Epic to stage off of that work better with a tent as the host area. The impact goes way beyond what affects Beaver Run. (Mr. Schuman: What is the square footage?) I believe it is about 4,000 square feet. It goes up in May/June and is taken down in September. (Mr. Pringle: I don't think the effort on behalf of the Town is to take away; it is more to validate it but more to make sure tents do not proliferate around town.)

Mr. Gary Shimanowitz, Vail Resorts: My question is the differentiation between a shelter tent /shade tent where does that fall? (Ms. Puester: If there is no commercial activity or private event then it would remain allowed as a Class D. Currently would also require a Class D permit to make sure the tent isn't built over required parking, landscaping, circulation, etc.) (Mr. Schuman: Will the tent have any swag handed out in it?) No, it is just providing shade with just some tables and chairs for people watching their kids on the alpine slide. (Mr. Pringle: I see this as just a guest amenity not a place for special events or private events.)

There was no further public comment.

Commissioner Questions / Comments:

Mr. Mamula: What do you want from us? Just make comments on where we are at with this policy? (Ms. Puester: Yes if you see issues or have comments on the changes made, and think about if there are any questions for discussion with Council to prepare for joint session next week.)

Mr. Pringle: I am concerned with the establishments that cover tents on decks and places that make impacts to Town that weren't considered during overall planning process. I'm concerned with a lot of temporary structures around town. I don't have a problem with a tent in Arts District, but I don't think that a tent that goes up in May and stays until October and only services 2 or 3 private functions. (Ms. Puester: So making sure the tent comes down in some kind of a timeframe?) Just in case like at Barney Ford becomes the wedding center and the tent is up all summer for weddings.

Mr. Lamb: I don't want to mess with anyone's business model. I don't have the answer yet for Beaver Run, but I just want to make this fair for everyone in Town. I do think it brings people into town, I don't have the answer but I don't want to see a tent on every corner.

Ms. Christopher: I don't want to see certain businesses or non-profits have unfair advantage to have a tent and not others. Maybe restrict days it is up or be some certain square footage. (Ms. Puester: On Section 2C, proposes the end of the ski season until June 1 or Tuesday after Labor Day until

the beginning of the season of Breckenridge Ski Resort for the 30 day tents. Like that? We are looking at honing in on those time frames.) Maybe have a list of parameters that if you meet these criteria you get a seasonal tent.

Ms. Schuman: I like the idea of a size limit for the tent and a minimum property size so that it is a large property if the tent will be p for a long time.

Ms. Wolfe: I think this is an excellent discussion. It would be nice if you didn't have to grandfather Beaver Run but I'm not totally opposed to the grandfathering. It's hard to write a policy that will fit everyone. I think the proliferation comments are excellent; our town is small in scale. We want to be wedding friendly, but we have lost in the wedding business lately. We don't want to totally run it out of town, so balance needs to be struck here. It would be good to get some recommendations for Council.

Mr. Mamula: I would like to carve out an exception for any property over X that is big enough that they can do different things, they have completely different operations, like maybe they have over 150 rooms or something and they can have a large tent. I would rather that everyone of the same size be able to have a tent, like for the ski area. My issue with the Arts District and non-profits that the local businesses have a way to bid on the public space, the historic district and arts district only drives non-profits. I don't think this is fair to the wedding business in the private sector. My concern is fairness of business. (Mr. Grosshuesch: When we brought in a wedding planner to look at the design of the Arts District and Old Masonic Hall, we asked what do you think about the space as being a wedding reception, the reply was we can make it a go. The business model was that wedding planners could book the facility and so could restaurants.) As long as it isn't like the Riverwalk that has only one caterer, I think that is fair. It isn't fair if it only goes to one vendor. If we could craft it that way that would be good. (Mr. Grosshuesch: The issue we have is that the tents insulate space from weather, unlike outdoor seating, the tent can stay up with bad weather. Our issue is that there can be additional occupancy without paying additional PIFS for parking or water. The tents in Arts District / Barney Ford don't cause these problems for the planning staff. By the time you factor out parking, circulation and landscaping requirements there are hardly any areas that a tent can be set up at bars and restaurants.) (Ms. Katie LaStrange, Breckenridge Grand Vacations: Our main concern is the time limit of only 30 days because historically we use the tent longer than that.)

Mr. Pringle: In the situation like Peak 8, Breckenridge Grand Vacations or Beaver Run, I don't have a problem with that and the tents could be up all summer. Once we get in town I have concerns. I'd like to tie it more to the size of the property and I want to validate the use. (Ms. LaStrange: We bring people here during the shoulder seasons. For our business we bring a few hundred visitors that wouldn't be here normally.)

TOWN COUNCIL REPORT:

Ms. Wolfe:

- Passed on Second Reading Building 804 so you will see that come before you.
- We had a nice Workforce Housing project joint project between Town and County, 80% AMI and IGA is in the works. It will be a Town project process that will come through this group. It is a very nice project with parking in the front and a great location. We are very anxious to have this move along.
- We approved a couple of landmark structures Barney Ford, Fire Station House. We officially named the Sawmill Museum which is pretty cool. You can walk through that museum and see what a sawmill was like.
- We continue to work through the parking and congestion plan. The town made a proposal to Vail Resorts that went in last Wednesday and we are hoping to hear back by the deadline of this Friday.
- We are looking forward to the joint meeting with good topics on the agenda.

FINAL HEARINGS:

1) Lincoln Park at the Wellington Neighborhood Phase 1 Subdivision (MM) PC#2014039, 710 Stables Road
Mr. Mosher presented a proposal to subdivide a portion of Phase I of the Lincoln Park at the Wellington Neighborhood into 15 saleable lots and private open space in accordance with the Lincoln Park at the Wellington Neighborhood 7th Master Plan Modification.

At the time of this writing, the applicant has been working with staff to draft a Condition of Approval that would address the interim need to provide bus service to the existing Wellington Neighborhood. This service would be provided until Bridge Street is completed within Lincoln Park. We will have more information at the evening public hearing.

The proposed lot layout, green design and landscaping follows the patterns of the Lincoln Park at the Wellington Neighborhood Master Plan. Staff welcomed any comments from the Commission regarding the information presented. With the added Condition regarding the confirmation of the Army Corp Permit for Wetlands disturbance (or inclusion of this document in the EPA documentation) for this portion of the subdivision, along with a Condition related to bus service, Staff recommended approval of the Lincoln Park at the Wellington Neighborhood Phase 1 Subdivision, PC#2014039, with the attached Findings and Conditions.

Commissioner Questions / Comments:

- Mr. Schuman: I'm the board of director President for Wellington Neighborhood, which is not a paid position.
- Mr. Pringle: Do you have any negotiations with the developer?
- Mr. Schuman: To this date no, it hasn't come up and has been kept out of the board meeting.
- Mr. Pringle: I'm fine with it.
- Mr. Mamula: Fine with me.
- Ms. Christopher: Fine with me.
- Mr. Lamb: Fine with me. (Mr. Grosshuesch: This is totally up to you guys, the bar is lower that if you would benefit from it financially. The perception of a benefit is gone from the ordinance.)
- Mr. Pringle: We keep talking about a park dedicated to Vern Johnson, when do we talk about this? (Mr. Mosher: This will be discussed in Phase II.)

Mr. Mamula opened the hearing to public comment.

Ms. Mary Gervais, 67 Rodeo Drive: I'm right on the corner next to the creek at Rodeo Drive. The question I have is why is the open space / Vern Johnson Park put into open space now and this new subdivision? I thought it was under the Wellington Neighborhood not part of Lincoln Park. (Mr. Mosher: A portion was already dedicated as open space in the first phase of the Wellington Neighborhood, It is included now to allow the planned improvements and, in phase 2, the improvements for the park. We thought that the open space was completed as part of Wellington not Lincoln Park. (Mr. Mosher: The developer's ability to make this a permanent park, this needed to be platted again.) I'm concerned about illegal parking and a dumping ground, it had been the hope that this would stop with a park. Could it be possible to put up no parking and no dumping signs? (Mr. Mosher: This can be addressed with the developer with the subdivision improvements for this phase.) It is not pleasant to have to deal with it. (Mr. Mosher: Let's take care of it with the improvements.) What will impact area #1 be? (Mr. Mosher: East of the open space?) That is the Vern Johnson memorial park; why does it veer away from Rodeo Road? (Mr. Mosher: I can't answer.) Impact Area One was listed on the wetlands map; I don't know what this means. (Mr. Mosher: I imagine that we will address this in phase II. It is not in the first phase of Lincoln Park.) (Mr. Mamula: It is a 3,000 square foot wetlands area.) (Mr. Mosher showed on the map areas designated in Phase I and Phase II to help explain.)

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

Commissioner Questions / Comments:

- Mr. Schuman: What is the expectation of phase I timing? (Mr. David O'Neil, Applicant: We hope to get the final signoff on wetlands so that we can get going by August 1 and get the road down in July or August of next year for the first phase.)
- Mr. Schuman: I support the staff's findings.
- Ms. Christopher: Me too.
- Mr. Pringle: I'm concerned about the findings. Have they been changed? (Mr. Mosher: No changes.)
- Mr. Lamb: I support.
- Mr. Mamula: I support as well.

Mr. Pringle, with the addition of condition in the handout this evening on the condition of wetlands findings, made a motion to approve the Lincoln Park at the Wellington Neighborhood Phase I Subdivision, PC#2014039, 710 Stables Road. Ms. Christopher seconded and the motion was carried unanimously (5-0).

TOWN PROJECT HEARINGS:

- 1) Barney Ford Dumpster Enclosure Addition (MM) PL-2015-0226, 216.5 South Main Street
Mr. Mosher presented a proposal to remodel and add to the existing 201 square foot dumpster and recycling enclosure. The proposed work includes a 259 square foot addition to the existing building. The addition will include new cardboard and recycling totes for various recyclable materials. Related site work and landscaping will be included in the project. Mr. Mosher presented a material and color sample board for review.

This is a Town Project pursuant to the ordinance amending the Town Projects Process (Council Bill No. 1, Series 2013). As a result, the Planning Commission is asked to identify any concerns with this project, and any code issues. In addition, the Commission is asked to make recommendations to the Town Council, as follows: approval of the Point Analysis for the Barney Ford Dumpster Expansion (Town Project; PL-2015-0226) and approval of the Barney Ford Dumpster Expansion (Town Project; PL-2015-0226).

Commissioner Questions / Comments:

- Mr. Pringle: I think it is fine and about time we clean it up.
- Mr. Lamb: No issues.
- Ms. Christopher: It's fine with me.
- Mr. Schuman: Security, lock it up.
- Mr. Mamula: I agree also. How about you get them to change the code on all the Town dumpsters while you are at it?

Mr. Pringle made a motion to recommend the Town Council approve the point analysis for the Barney Ford Dumpster Enclosure Addition, PL-2015-0226, 216.5 South Main Street, showing a passing point analysis of positive two (+2) points for positive two (+2) points awarded under Policy 15/R, Refuse, for providing a shared dumpster and recycling facility for the businesses abutting the alley. Ms. Christopher seconded, and the motion was carried unanimously (5-0).

Mr. Pringle made a motion to recommend the Town Council approve the Barney Ford Dumpster Enclosure Addition, PL-2015-0226, 216.5 South Main Street. Ms. Christopher seconded, and the motion was carried unanimously (5-0).

OTHER:

- 1) Ms. Puester gave an update to the Joint Town Council – Planning Commission Meeting Agenda. That meeting will be held on Tuesday, July 28th.
The agenda isn't out yet. The meeting will start at 6pm there will be dinner and we will probably finish around 7:15pm. We wanted to have a third back up topic in case the other two go quickly. I printed out the memo from the June meeting and on the back side is the top 10 list that we could add from. Is there anything

that jumps out? I think our next most important issue is retaining walls with the steep lots, but we haven't had a lot of time to talk about that ourselves first as a Planning Commission. We talked about the positive points awarded to amenity bonuses.

- Mr. Lamb: How about residential parking in garages?
- Mr. Pringle: I would like to clarify that so that if people are getting positive two (+2) points for parking, how do you force someone to comply with that but I would like to see this enforced.
- Mr. Lamb: In the historic district, at the holidays you see the house full with 2 in the garage and 4 on the street.
- Mr. Pringle: In the Wellington Neighborhood where they put up a garage and then use it as storage. (Ms. Puester: They don't get positive two (+2) points in the Wellington.) (Mr. Grosshuesch: Do you think you can fill an hour with those two topics?)
- Mr. Mamula: Depending on how argumentative the Council is with our ideas. The big one is the development agreement. I'm afraid that the Council will just agree with us and just understand our point because nothing is in writing. (Ms. Puester: They haven't seen the temporary tents before.) The retaining walls are an issue as there is a loss of horizontal land. (Mr. Grosshuesch: There is a bigger issue that there are only steep lots left and you need to disturb the land to get the driveway in. Also, with pine beetle and defensible space, it is ok to cut trees now. This was brought up to me recently by Mr. Jon Gunson (Architect). (Ms. Puester: Retaining walls heights and whether to split them and create more site disturbance or have a taller single wall with perhaps more visual impact has also been a reoccurring application topic.)
- Mr. Pringle: Eventually the landscaping will take care of it, but the 8' wall will be there forever. (Mr. Grosshuesch: Ms. Gunson said "I can fix the length of the driveway with good landscaping." We have things in the code that allow you to earn positive points in single family homes.)
- Mr. Mamula: What is his point? (Mr. Grosshuesch: He said that staff is pretty tough on these issues and with these tough lots there is no other place to put the driveway. We are down to the most difficult lots in town and maybe it is time to look at the development codes that make these lots challenging. Maybe we could look at this and then decide if it is ok or not.) We could at least look at the driveway ordinance and retaining walls; since HERS we haven't denied a property yet. (Mr. Grosshuesch: With this one tonight we wrote a specific policy with zero (0) or negative four (-4) on driveway length.) I'm good with letting Council know that we will be examining this in more detail.
- Mr. Pringle: I'm ok with this but I don't want to make it easier to develop these lots just because they are more difficult to build on.
- Mr. Mamula: I agree we don't want people to then take advantage of this and redevelop a lot because it is lenient. (Ms. Puester: I think it would be good to look at the issue and go visit sites because architects are complaining constantly with difficult sites remaining out there. I'd also like to look at the broken up retaining walls and see the landscaping and see how it is working currently. Should at least take a look at it even if it results in no change.) Does anyone ever ask if they can move their building envelope? (Mr. Mosher: Some to ask to change it occasionally. The trees are now gone for better access but can be in neighbors views then.) Can we give the staff a little more leeway to move driveway and building envelope without changing the code?
- Mr. Lamb: When you buy a steep lot, you are likely going to compromise with design already.
- Mr. Schuman: And you are going to need a good architect. (Mr. Grosshuesch: If you look at the whole history, we responded to the mindset that we weren't going to let you cut trees then the pine beetle came through and then when you look at the lot, you know the building envelope location may not make sense anymore.)
- Mr. Pringle: That's why I think we take the situation as it exists today.
- Mr. Mamula: Building envelopes have limited the size of homes. (Mr. Grosshuesch: And they have

limited the irrigation limits. It is ok to move the envelopes but it is good to maintain the limited size of the envelope for the size of the structure and the amount that you are allowed to irrigate for landscape. Water conservation is a big deal.)

Mr. Pringle: I don't advocate giving more size, I just see moving around the building envelope. (Mr. Mosher: We need to be sensitive to other neighbors about moving the envelope that could block an existing neighbors' view.) I think that can all be taken into consideration when it comes before us. (Mr. Mosher: You can do a single plat.) (Ms. Puester: It would come through as a Class C but requires adjacent property owner notification.) That's good.

Mr. Mamula: We could just say as a third topic that we want to start looking at some codes for the steep lots that are left to be responsive to the current complaints. (Ms. Puester: So we will add the site disturbance/ retaining wall issue as our third issue.)

- 2) One more issue: The Boards and Commissions Reception is Wednesday, July 29. They are looking for RSVP's, so if you haven't responded, please do so.
- 3) Class C Subdivisions Approved for Q2, 2015 (JP) (Memo Only)
- 4) Class D Majors Approved for Q 2, 2015 (JP) (Memo Only). 21 new houses through as Class D majors, very busy.

ADJOURNMENT:

The meeting was adjourned at 8:25 pm.

Eric Mamula, Chair

MEMO

TO: Town Council
FROM: Town Attorney
RE: Council Bill No. 22 (Xcel Easement Ordinance)
DATE: July 21, 2015 (for July 28th meeting)

The second reading of the ordinance approving the granting of the new easement to Xcel Energy in connection with the construction of the Four O'clock Road roundabout is scheduled for your meeting on July 28th. You will recall the Town is acquiring a small parcel from Xcel in exchange for the new easement. 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 – JULY 28**

2
3 **NO CHANGE FROM FIRST READING**

4
5 COUNCIL BILL NO. 22

6
7 Series 2015

8
9 AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO PUBLIC
10 SERVICE COMPANY OF COLORADO
11 (Tract F, Amended Plat of Four Seasons of Breckenridge Village, Filing No. 2)

12
13 WHEREAS, Public Service Company of Colorado has requested the granting of an
14 easement over, across, and through certain Town property; and

15
16 WHEREAS, the Town Council of the Town of Breckenridge has determined that it
17 should grant the requested easement in return for the conveyance of a parcel owned by Public
18 Service Company located at the southeast corner of the intersection of South Park Avenue and
19 Four O'clock Road; and

20
21 WHEREAS, the Town Attorney has informed the Town Council that, in his opinion,
22 Section 15.3 of the Breckenridge Town Charter requires that granting of the easement be
23 authorized by ordinance.

24
25 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
26 BRECKENRIDGE, COLORADO:

27
28 Section 1. Upon his receipt of the deed described in Section 2 of this ordinance, in a
29 form and substance acceptable to the Town Attorney, the Town Manager is authorized,
30 empowered, and directed to execute, acknowledge, and deliver to Public Service Company of
31 Colorado an easement substantially in the form marked Exhibit "A", attached hereto, and
32 incorporated herein by reference.

33
34 Section 2. The consideration to be received by the Town for the easement described in
35 Section 1 of this ordinance is a deed, in form and substance acceptable to the Town Attorney,
36 conveying to the Town fee simple absolute title to the following real estate located in
37 Breckenridge, Summit County, Colorado:

38
39 A PORTION OF TRACT F, AMENDED PLAT OF FOUR SEASONS OF
40 BRECKENRIDGE VILLAGE FILING NO. 2 ACCORDING TO THE PLAT
41 FILED FEBRUARY 23, 1972 UNDER RECEPTION NO. 124904 AND
42 ACCORDING TO QUIT CLAIM DEED RECORDED JANUARY 31, 1978
43 UNDER RECEPTION NO. 172962, COUNTY OF SUMMIT, STATE OF
44 COLORADO,
45

1 or such other legal description of such parcel as shall be acceptable to the Town Attorney.
2
3

4 Section 3. The Town Council finds, determines, and declares that it has the power to
5 adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX
6 of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.
7

8 Section 4. This ordinance shall be published and become effective as provided by
9 Section 5.9 of the Breckenridge Town Charter.
10

11 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
12 PUBLISHED IN FULL this ____ day of _____, 2015. A Public Hearing shall be
13 held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the
14 ____ day of _____, 2015, at 7:30 P.M., or as soon thereafter as possible in the
15 Municipal Building of the Town.
16

17 TOWN OF BRECKENRIDGE, a Colorado
18 municipal corporation
19
20
21

22 By: _____
23 John G. Warner, Mayor
24

25 ATTEST:
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30 _____
31 Helen Cospolich
32 Town Clerk
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EXHIBIT "A"

PROPERTY DESCRIPTION

Public Service Company of Colorado Easement

An easement being a portion of Tract "F" of the Amended Plat of Four Seasons of Breckenridge Village Filing No. 2, a subdivision plat recorded February 23, 1972 as Reception No. 124904 of the Records of Summit County, situate in the Southwest Quarter (SW1/4) of Section Thirty-one (31), Township Six South (T.6S.), Range Seventy-seven West (R.77W.), Sixth Principal Meridian (6th P.M.), Town of Breckenridge, County of Summit, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest Corner of said Tract "F" and assuming the most Northerly portion of the Westerly line of said Tract "F" to bear South 02°04'46" East, being a grid bearing of the Colorado State Plane Coordinate System, Central Zone, North American Datum 1983/92, with all bearings herein relative thereto;

THENCE South 02°04'46" East along said Westerly line of said Tract "F" a distance of 200.08 feet to the **POINT OF BEGINNING**;

THENCE North 82°27'38" East a distance of 24.14 feet;

THENCE South 08°05'26" East a distance of 30.00 feet;

THENCE South 82°27'38" West a distance of 27.39 feet to the Westerly line of said Tract "F" and to the beginning point of a curve non-tangent to this course;

THENCE along the arc of a curve concave to the West a distance of 14.33 feet, said curve has a radius of 1035.00 feet, a Delta of 00°47'36" and is subtended by a Chord bearing North 01°40'58" West a distance of 14.33 feet to a Point of Tangency;

THENCE North 02°04'46" West continuing along said Westerly line of said Tract "F" a distance of 15.81 feet to the **POINT OF BEGINNING**.

Said parcel contains 772 sq. ft. sq. ft., more or less (±).

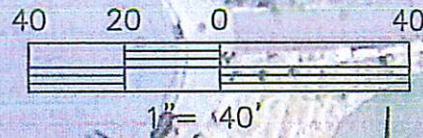
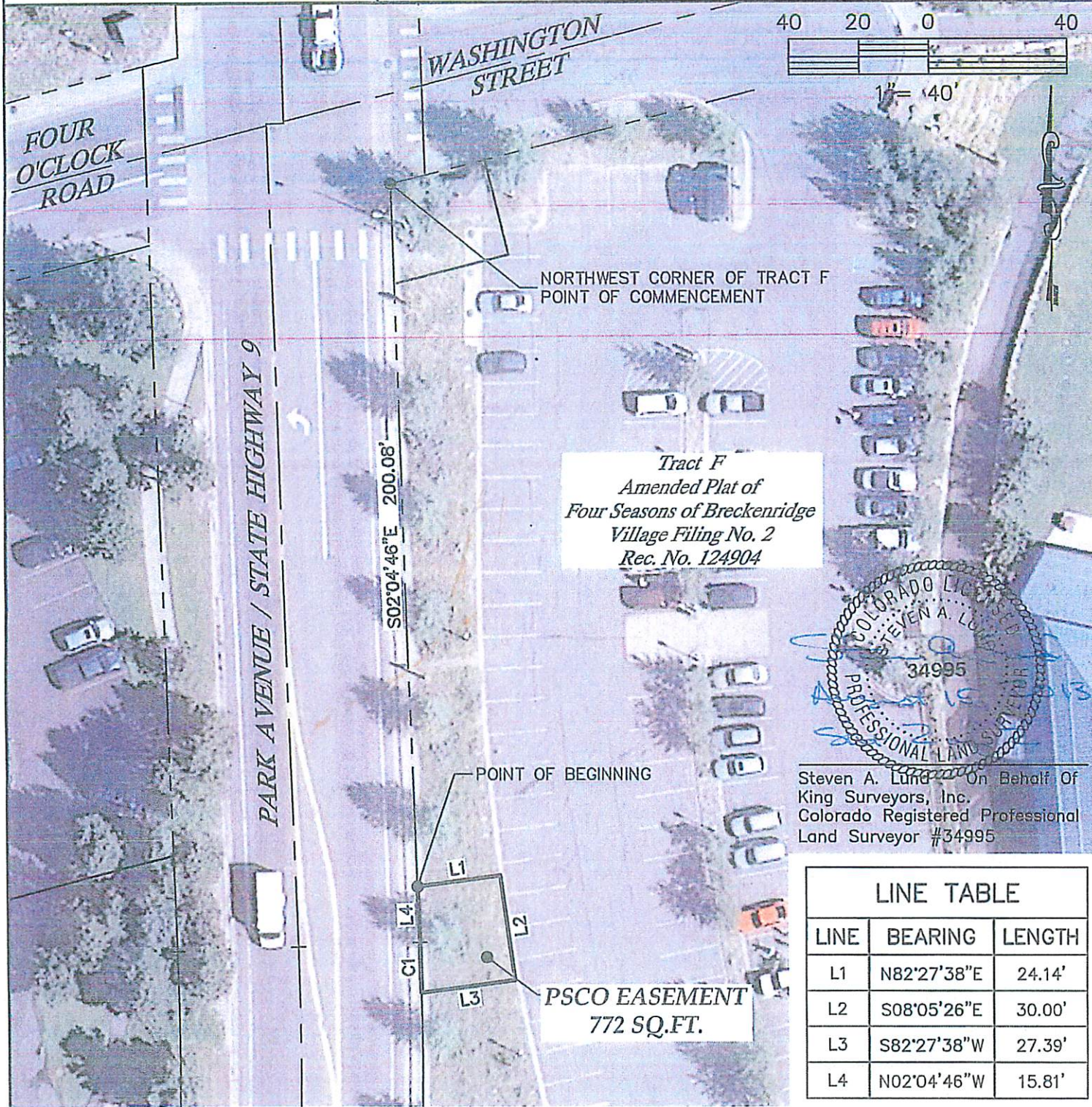
SURVEYOR'S CERTIFICATE

I, Steven A. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven A. Lund – on behalf of King Surveyors, Inc.
Colorado Registered Professional
Land Surveyor #34995

KING SURVEYORS, INC.
650 Garden Drive
Windsor, Colorado 80550
(970) 686-5011



LINE TABLE		
LINE	BEARING	LENGTH
L1	N82°27'38"E	24.14'
L2	S08°05'26"E	30.00'
L3	S82°27'38"W	27.39'
L4	N02°04'46"W	15.81'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	14.33'	1035.00'	0°47'36"	14.33'	N01°40'58"W

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



KING SURVEYORS, INC.

650 E. Garden Drive | Windsor, Colorado 80550

phone: (970) 686-5011 | fax: (970) 686-5821

www.kingsurveyors.com

PROJECT NO: 2012582

DATE: 8/14/2013

CLIENT: JUB ENGINEERS

DWG: 2012582EXH-XCEL PARCEL

DRAWN: CSK CHECKED: SAL

MEMO

TO: Town Council
FROM: Town Attorney
RE: Council Bill No. 23 (Barney Ford Landmarking Ordinance)
DATE: July 20, 2015 (for July 28th meeting)

The second reading of the Barney Ford Landmarking Ordinance is scheduled for your meeting on July 28th. 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 – JULY 28***

2
3 ***NO CHANGE FROM FIRST READING***

4
5 COUNCIL BILL NO. 23

6
7 Series 2015

8
9 AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK
10 UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE

11 (Lots 1, 2, and 3, Block 2, Stiles Addition)

12
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
14 COLORADO:

15
16 Section 1. Findings. The Town Council of the Town of Breckenridge finds and
17 determines as follows:

18
19 A. Saddle Rock Society, a Colorado non-profit corporation (“**Saddle Rock**”),
20 owns the hereinafter described real property. Such real property is located within the
21 corporate limits of the Town of Breckenridge, County of Summit and State of Colorado.

22
23 B. Saddle Rock filed an application with the Town pursuant to Chapter 11 of
24 Title 9 of the Breckenridge Town Code seeking to have the Town designate the
25 hereinafter described real property as a landmark (“**Application**”).

26
27 C. The Town followed all of procedural requirements of Chapter 11 of Title 9 of
28 the Breckenridge Town Code in connection with the processing of the Application.

29
30 D. The improvements located on hereinafter described real property are more
31 than fifty (50) years old.

32
33 E. The hereinafter described real property meets the “architectural” designation
34 criteria for a landmark as set forth in Section 9-11-4(A)(1)(a) of the Breckenridge Town
35 Code because the property:

- 36
37 (i) exemplifies specific elements of architectural style or period; and
38 (ii) demonstrates superior craftsmanship or high artistic value.

39
40 F. The hereinafter described real property meets the “social” designation criteria
41 for a landmark as set forth in Section 9-11-4(A)(1)(b) of the Breckenridge Town Code
42 because the property is associated with a notable person or the work of a notable person.

1 G. The hereinafter described real property meets the “physical integrity” criteria
2 for a landmark as set forth in Section 9-11-4(A)(3) of the Breckenridge Town Code
3 because the property and structure:
4

- 5 (i) shows character, interest or value as part of the development, heritage or
6 cultural characteristics of the community, region, state or nation;
- 7 (ii) the property retains original design features, materials or character; and
- 8 (iii) is on its original location.
9

10 H. In accordance with the requirements of Section 9-11-3(B)(3) of the
11 Breckenridge Town Code, on June 16, 2015 the Application was reviewed by the
12 Breckenridge Planning Commission. On such date the Planning Commission
13 recommended to the Town Council that the Application be granted.
14

15 I. The Application meets the applicable requirements of Chapter 11 of Title 9 of
16 the Breckenridge Town Code, and should be granted without conditions.
17

18 J. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final
19 approval of an application for landmark designation under Chapter 11 of Title 9 of the
20 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.
21

22 Section 2. Designation of Property as Landmark. The following described real
23 property:
24

25 Lots 1, 2, and 3, Block 2, Stiles Addition to the Town of Breckenridge; commonly
26 known and described as 200 S. Main Street, Breckenridge, Colorado 80424
27

28 is designated as a landmark pursuant to Chapter 11 of Title 9 of the Breckenridge Town
29 Code.
30

31 Section 3. Police Power Finding. The Town Council finds, determines and declares that
32 this ordinance is necessary and proper to provide for the safety, preserve the health, promote the
33 prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and
34 the inhabitants thereof.
35

36 Section 4. Town Authority. The Town Council finds, determines and declares that it has
37 the power to adopt this ordinance pursuant to the authority granted to home rule municipalities
38 by Article XX of the Colorado Constitution and the powers contained in the
39 BreckenridgeTownCharter.
40

41 Section 5. Effective Date. This ordinance shall be published and become effective as
42 provided by Section 5.9 of the BreckenridgeTownCharter.
43

44 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
45 PUBLISHED IN FULL this ____ day of _____, 2015. A Public Hearing shall be held at the
46 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of

1 _____, 2015, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
2 Town.

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TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By _____
John G. Warner, Mayor

ATTEST:

Helen Cospolich
Town Clerk



MEMORANDUM

To: Mayor and Town Council
From: Shannon Haynes, Chief of Police
Date: July 28, 2015
Subject: Update to Harassment Ordinance

The current Town of Breckenridge Harassment Ordinance is based on the Colorado State Harassment Statute. Recently, the legislature adopted and the Governor signed into law a House bill amending the state statute.

After a review of Town code and the newly amended State statute, staff recommends amending the town harassment ordinance to incorporate the statute modifications. The modifications include:

- Prohibiting the initiation of communication either directly and indirectly.
- Adding communication by telephone network, data network, text message, instant message or other interactive electronic medium as a means for harassing behavior.
- Specifying that the code is not intended to infringe on any first amendment rights or prevent “constitutionally protected expression of any religious, political, or philosophical views”.

I will be available on Tuesday, July 28th to answer questions.

1 **FOR WORKSESSION/FIRST READING – JULY 28**

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 2015

9
10 AN ORDINANCE AMENDING SECTION 6-3A-4 OF THE BRECKENRIDGE TOWN CODE
11 CONCERNING THE MUNICIPAL OFFENSE OF HARASSMENT

12
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
14 COLORADO:

15
16 Section 1. Section 6-3A-4(A)(4) of the Breckenridge Town Code is amended to read as
17 follows:

18
19 **Directly or indirectly** initiates communication with a person **or directs language**
20 **toward another person**, anonymously or otherwise, by telephone, **telephone**
21 **network, data network, text message, instant message**, computer, computer
22 network, ~~or~~ computer system, **or other interactive electronic medium** in a
23 manner intended to harass or threaten bodily injury or property damage, or makes
24 any comment, request, suggestion, or proposal by telephone, computer, computer
25 network, ~~or~~ computer system, **or other interactive electronic medium** that is
26 obscene; or

27
28 Section 2. Section 6-3A-4(D) of the Breckenridge Town Code is amended to read as
29 follows:

30
31 D. Any act prohibited by subsection A4 of this section may be deemed to have
32 occurred or to have been committed at the place at which the telephone call,
33 electronic mail, **data transmission, text message, instant message**, or other
34 ~~electronic~~ communication **by interactive electronic medium** was either made or
35 received.

36
37 Section 3. Section 6-3A-4 of the Breckenridge Town Code is amended by the addition of
38 a new Section E, which shall read as follows:

39
40 **E. This section is not intended to infringe upon any right guaranteed to any**
41 **person by the first amendment to the United States Constitution or to**
42 **prevent the constitutionally protected expression of any religious, political, or**
43 **philosophical views.**

44
45 Section 4. Except as specifically amended by this ordinance, the Breckenridge Town

1 Code, and the various secondary codes adopted by reference therein, shall continue in full force
2 and effect.

3
4 Section 5. The Town Council finds, determines, and declares that this ordinance is
5 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
6 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
7 thereof.

8
9 Section 6. The Town Council finds, determines, and declares that it has the power to
10 adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX
11 of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

12
13 Section 7. This ordinance shall be published and become effective as provided by Section
14 5.9 of the Breckenridge Town Charter. This ordinance shall apply to offenses commitment on or
15 after the effective date of the ordinance.

16
17 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
18 PUBLISHED IN FULL this ____ day of _____, 2015. A Public Hearing shall be held at the
19 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
20 _____, 2015, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
21 Town.

22
23 TOWN OF BRECKENRIDGE, a Colorado
24 municipal corporation

25
26
27
28 By: _____
29 John G. Warner, Mayor

30
31 ATTEST:

32
33
34
35 _____
36 Helen Cospolich
37 Town Clerk



MEMORANDUM

To: Mayor and Town Council
From: Shannon Haynes, Chief of Police
Date: July 28, 2015
Subject: Update to Model Traffic Code - Earphones

The Breckenridge Town Code includes key sections of the State Model Traffic Code. Recently, the legislature adopted and the Governor signed into law a House bill amending the Model Traffic Code to allow for the use of one earphone with a hands-free phone.

To keep the Town's traffic code in sync with the state's traffic laws, and to avoid motorist confusion over which traffic laws apply in Breckenridge, staff recommends incorporating the changes reflected in state law.

I will be available on Tuesday, July 28th to answer questions.

1 **FOR WORKSESSION/FIRST READING – JULY 28**

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 2015

9
10 AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010
11 EDITION, CONCERNING THE USE OF EARPHONES WHILE DRIVING

12
13 WHEREAS, the Colorado legislature recently adopted and the Governor signed into law
14 HB15-1207, entitled “An Act Concerning the Use of Earphones While Driving”; and

15
16 WHEREAS, the Town Council finds, determines, and declares that the Town’s Model
17 Traffic Code For Colorado, 2010 edition, should be amended to reflect the amendments to state
18 law made by HB15-1207.

19
20 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
21 BRECKENRIDGE, COLORADO:

22
23 Section 1. Section 7-1-2 of the Breckenridge Town Code is amended to include the
24 following amendments to Section 1411 of the Model Traffic Code For Colorado, 2010 edition:

25
26 1411. Use of earphones while driving

27
28 (1)(a) No person shall operate a motor vehicle while wearing earphones.

29
30 (b) For purposes of this subsection (1), “earphones” includes any headset, radio,
31 tape player, or other similar device which provides the listener with radio
32 programs, music, or other recorded information through a device attached to the
33 head and which covers all of or a portion of the ears. “Earphones” does not
34 include speakers or other listening devices ~~which~~ **that** are built into protective
35 headgear **or a device or portion of a device that only covers all or a portion of**
36 **one ear and that is connected to a wireless, hand-held telephone.**

37
38 ~~(2) Any person who violates this section commits a class B traffic infraction.~~

39
40 **(2) Nothing in this section authorizes the holder of a commercial driver's**
41 **license issued pursuant to part 4 of article 2 of this title to act in violation of**
42 **any federal law or regulation relating to driving a commercial vehicle.**

1 ATTEST:

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Helen Cospolich

Town Clerk

Memorandum

TO: TOWN COUNCIL
FROM: Dale Stein P.E., Assistant Town Engineer
DATE: July 22, 2015
RE: Public Projects Update

South Main Street Electric (Transformer)

The South Main Electric Transformer has been installed and the electric meter has been set, which means power is now running to all of the electrical outlets along Main Street. The outlets are now available for Town events occurring near Main Street.

Heated Sidewalks (Washington, Adams & Jefferson)

The design for the heated sidewalks along Adams and Jefferson has been completed by Town Staff. However, staff is currently waiting on Xcel to provide information on the gas and electric connections needed for the heated sidewalks. Once this information is received from Xcel, the design will be completed and the project will be advertised for bid. Construction is scheduled to begin in Fall of 2015.

Ice Arena Parking Lot Expansion

The Ice Arena Parking Expansion Project has already been bid and awarded to Columbine Hills Concrete. The project is scheduled to begin September 8th and be completed by late October. Approximately 35 parking spaces in the existing lot will be closed during construction.

Airport Road Pedestrian Lighting

Town staff is currently completing the design for the Airport Road Pedestrian Lighting Project. Utility easements for the lighting infrastructure are currently being negotiated with property owners along Airport Road. Construction is scheduled to begin in September 2015.

Breckenridge Theater

Demolition on the Breckenridge Theater is progressing on schedule. The portion of the building where the stage is located is being removed in order to increase the height over the stage with new construction. This will allow for an improved grid system over the stage where lighting and scenery can be tracked back-and-forth to the southern side stage.



Above: Razing the roof to raise the roof.

Right: A temporary wall was constructed to support the existing building while the section around the stage is removed.



Fairview Roundabout Landscaping

Town Staff has reviewed reasonable options for landscaping and beautifying the existing roundabout interior circle recently constructed by CDOT at the Fairview intersection.

As part of the SH 9 lane additions and improvements, CDOT constructed the roundabout at Fairview including the installation of the asphalt roadway, curb & gutter interior circle, interior concrete truck apron, curb & gutter exterior circle, exterior circle sidewalk, splitter islands and painted crosswalks. The interior of the circle was filled by CDOT with a gravel type material to an elevation approximately 5 foot above the travel way around the circle. This fill was placed as a visual background for vehicles approaching the roundabout, which is required for safety. CDOT did not install irrigation or power provisions to the roundabout.

Staff reviewed alternatives for beautification to the roundabout with the goal of constructing the improvement under a \$100,000 budget. The alternatives include: 1. A native type non-irrigated landscaping grass. 2. Colored and scored concrete with no landscaping (similar to Median A), 3. Native landscaping with no additional concrete, and 4. A mix of colored concrete and native landscaping.

Alternative 1. Native Grass estimated cost items include:

- \$6000 Concept Design (Completed)
- \$3000 Construction Drawings
- \$2500 Mobilization
- \$7500 Traffic Control
- \$7500 Removal of a portion of the existing gravel mound
- \$8000 Placement of Topsoil
- \$3000 Placement of seeding
- \$2500 Contingency
- \$40,000 Estimated Total

Alternative 1 achieves the budget, may not meet the beautification expectations of the Council, and has some relatively high mowing and weeding maintenance costs.

Alternative 2. Colored Concrete estimated cost items include:

- \$6000 Concept Design (Completed)
- \$5000 Construction Drawings
- \$4500 Mobilization
- \$20000 Traffic Control
- \$11250 Removal of a portion of the existing gravel mound
- \$69000 Placement of Concrete & Base Course
- \$5000 Contingency
- \$120,750 Estimated Total

Alternative 2 does not achieve the budget, is similar to improvements in Median A, and has relatively low maintenance costs.

Alternative 3. 100% Irrigated Landscaping:

- \$6000 Concept Design (Completed)
- \$6000 Construction Drawings
- \$5000 Mobilization
- \$25000 Traffic Control
- \$17500 Removal of a the existing gravel mound
- \$27500 Installation of Irrigation System and related electric service
- \$31000 Landscaping (+/- 50 Trees and shrubs)
- \$7500 Contingency
- \$125,500 Estimated Total

Alternative 3 does not achieve the budget, will provide reasonable landscaping features, and has relatively high maintenance costs due to the decreased concrete areas and increase in mulch maintenance.

Alternative 4. 70% Irrigated Landscaping with 30% concrete:

- \$6000 Concept Design (Completed)
 - \$6000 Construction Drawings
 - \$5000 Mobilization
 - \$25000 Traffic Control
 - \$17500 Removal of a the existing gravel mound
 - \$12000 Placement of Concrete & Base Course
 - \$27500 Installation of Irrigation System and related electric service
 - \$25000 Landscaping (+/- 50 Trees and shrubs)
 - \$7500 Contingency
- \$131,500 Estimated Total

Alternative 4 does not achieve the budget, will provide reasonable landscaping features, and has relatively low maintenance costs. Alternate 4 is the preferred option of Staff, as it provides reasonable landscape features, small concrete areas for worker staging, and relatively lower maintenance cost.

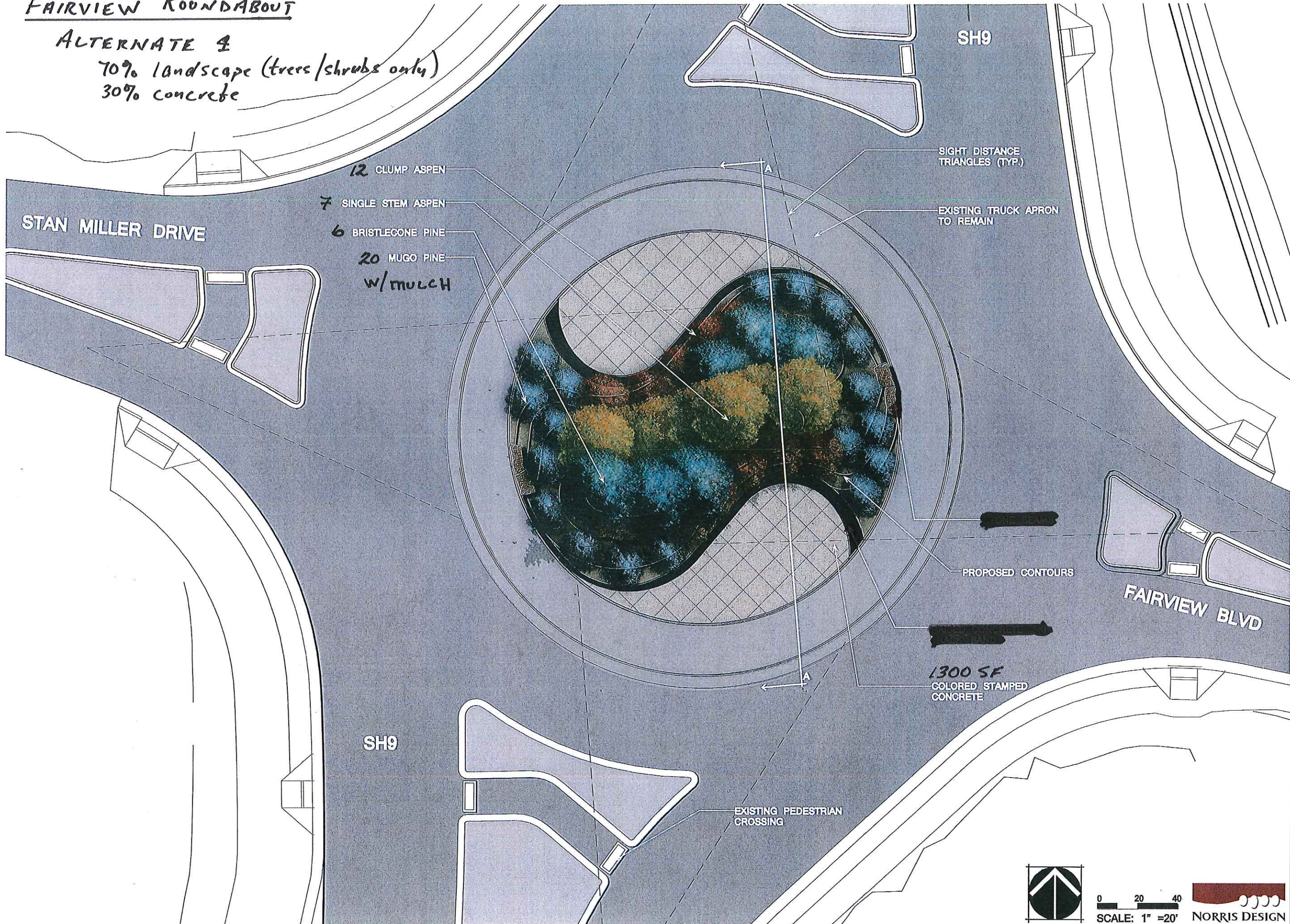
The cost of gravel mound removal, traffic control, and the need for irrigation and power installation to the median circle drive the project budget beyond \$100,000 for Alternatives 3 & 4. These are base costs that would be required for any landscape improvements beyond non-irrigated native grass.

Staff is requesting direction from Council on how best to proceed with the design for the Fairview Roundabout landscaping.

FAIRVIEW ROUNDABOUT

ALTERNATE 4

70% landscape (trees/shrubs only)
30% concrete



FAIRVIEW ROUNDABOUT
CONCEPTUAL DESIGN
MAY 11, 2015



0 20 40
SCALE: 1" = 20'



MEMO

TO: Mayor & Town Council
FROM: Tim Gagen, Town Manager
DATE: July 23, 2015
SUBJECT: Committee Reports for 7-28-2015 Council Packet

I-70 Coalition **June 3, 2015** **Tim Gagen**

I. Approval of 2015 Board Meeting Summary, Dan Gibbs
Approved.

II. Budget Discussion

- **2016 Budget** – CDOT has indicated that we are approved for the 2016-2019 TDM Contract at the amount of \$100,000 for 2016-2019. We do not have an executed contract yet. The TDM Partnerships line item is increasing as the cost of our integration into the CDOT mobile app will increase in 2016. The 2016 budget shows a \$3000 raise for the Program Coordinator and a \$3000 increase in the Marketing line item.
- **2016 Membership Dues** – The board will recommend to the membership that dues remain at the same level as 2015. Lynette Hailey motioned to approve both the 2016 Budget and 2016 Membership Dues as submitted, contingent on receiving the CDOT TDM contract dollars. Bill Efting seconded. All were in favor and the motion carried.

III. Old Business

- **urHub TDM Contract** – This contract expires in August of this year, and urHub has indicated they will request a rate increase. Margaret reported that urHub has significantly over-delivered on the current contract, and have been willing to entertain all requests. They have been good partners. urHub indicated they see the value of what they are providing at \$6000-\$7000 per month. Margaret told them that was far outside our budget, and she and John then discussed an amount closer to \$1000/mo. The board directed Margaret to propose \$600/mo, but the 2016 budget will allow for up to \$1000/mo.
- **IRS Criteria for Staff vs Contractor**- Margaret researched IRS criteria to help determine if a title change would indicate an employee relationship, rather than a contractor relationship. There is no mention in the IRS literature of job titles having any bearing on this issue. Dan Gibbs stated that having a staff person with the title of Executive Director would add some credibility to the organization. Margaret noted that she does not have a 2015 Personal Contract in place. There is some wording changes that could be made in the personnel contract to further clarify the contractor relationship. It was suggested that the agreement should be called an Independent Contractor Agreement if it isn't already. Margaret will amend verbiage and run it by the Co-chairs for approval.

IV. New Business

- **New I-70 Coalition Website** – Margaret reviewed the organization's new website, I70solutions.org. The board offered positive comments. There was a request to add some non-traffic photos to the slideshow.
- **Floyd Hill to Empire PLT** – Tim M. has requested seats for Georgetown/Empire. Central City, Black Hawk, and Idaho Springs will also request seats. David Singer will be reaching out to Eagle and Summit Counties to determine who will represent them. Margaret will ask David who is invited to the PLT. Contact David Singer if your jurisdiction wants a seat. The board determined that Brendan McGuire will represent the Coalition with Margaret as the alternate.
- **Collaborative Effort** – Dan and Tim M. sat down with Ron Papsdorf to discuss the next CE meeting. Watch for a Doodle poll from Ron Papsdorf to look at July meeting dates.
- The **TDM Committee** met in May and had a great meeting. urHub, creator of the CDOT mobile app, gave some good stats. CDOT presented on winter ops results. CME and Front Range Ski Bus gave a recap on their winter business and future plans. Winter Park Resort said there are discussions around reviving the Winter Park ski train. CMCA also reviewed their winter operations.

- **Bustang** – CDOT will host a launch party for the new I-70 bus service on June 11 in Vail. Bill and Margaret will attend.

V. Next Steps

July 9 Quarterly Meeting Focus – Shailen Bhatt is scheduled to attend. Margaret proposed asking Andy Karsian to give a legislative update. We will invite all corridor legislators including Mitsch Bush, Grantham, Hamner, Baumgardner, Becker, Rankin, Donovan to attend. We will ask these legislators for their perspective on the last session and for their thoughts on what is next. We will invite them to join the Board of Directors for lunch at Beau Jo’s before the meeting.

Dan Gibbs talked to Mike Dudick, Grand Vacations about our organization. Dan proposes getting Grand Vacation involved as a Private Sector Tier 3 member. Margaret will follow up with him.

Transportation Legislation Review Committee (TLRC) – Margaret will reach out to Max Tyler on when the Coalition might present to Transportation Legislative Review Committee.

Margaret will add Sen. Cory Gardner’s staffer to the Friends of the Coalition list so he gets meeting announcements. Meeting adjourned at 11:30 a.m.

Breckenridge Events Committee

July 1, 2015

Kim Dykstra

Future Strategies for Events at Main Street

Jack Wolfe introduced himself and his partners attending as the new owners of Main Street Station. They desire to understand the event process, how to collaborate with BEC and move forward in the right direction as they are stepping into this arena.

Events and Activities

- Gavin gave a 4th of July overview reporting the celebration kicks off with a 10K trail run followed by the Firecraker 50 bike race, 4th of July parade, arts festival, live music, kid’s activities and concerts.
- Saam noted the first Friday night Latenight at the District was a great success.
- BreckCreate introduces the Street Arts Festival on July 3rd – 5th, with chalk artists, graffiti art, chalk art contest, open studios and live music.

General Updates and Discussions

A. Intercept Survey Update:

- BTO has hired Intercept Survey to do a study on the Mountain Arts Festival (July 24th – 26th), to provide factual information to help quantify impact to the community.
- Sandy indicated Intercept Survey will do a study on Oktoberfest for economic impact in terms of gathering information which could be utilized for reaching out for sponsorships.

B. Retail Sales Philosophy

- Sydney reviewed the suggested guidelines for retail and food. BTO will look at existing guidelines from Park City, Telluride, Vail and Aspen that have previously evaluated these standards/policies.

C. Temporary Structures

- The Temporary Structure ordinance is a work in process and Kim continues to meet with the planning commission on this issue. TC is having a joint meeting with the Planning Commission and will be addressing proposed ordinance.

D. BTO/BCA Updates – Dick Carleton

- A small group of BTO/BCA board members met on June 26th, discussing intended results each entity would like to develop from partnership and how to work collectively in getting there. The Boards will work together to define roles and guidelines, providing an agreed upon process, both entities can follow for maximum efficiency.

E. Formalize Procedure for 3rd Party Event Producer Funding

- This topic was spoken to in terms of seeking new or additional funding that could empower or enhance existing events. A quantitative analysis would need to be created for funding.
- Lucy recommends building out existing events such as ISSC, expanding from two weeks to a possible three week period, etc.

- A film, food and wine event has been suggested, more discussion to follow.
- It was recommended to move forward with this process in a slow and thoughtful manner.

SEPA Consent Items – Sydney Schwab

- Sydney reviewed the updated SEPA list.
- Heather reviewed the new “Quack event”; a public arts project recruiting local artists to paint ducks in 6 locations around town. These fiberglass 4 x 4 ducks to be auctioned off by Summit Foundation as a fundraiser. The ducks will be in place on August 10th – September 13th.
- Rave reviews for Latenight at the District were received. The 10pm movie time was discussed and may be moved up to an earlier time period next year.
- Sandy noted the Summer Beer Fest and Oktoberfest are scheduled close together and it may be worthwhile to look at different scheduling for next year, more discussion to come.

Agenda Items for Next BEC Meeting:

- BTO is in the process of developing a Master Calendar, indicating events vs. activities, working to achieve the right balance of information.

Committees	Representative	Report Status
CAST	Mayor Warner	Verbal Report
CDOT	Tim Gagen	No Meeting/Report
CML	Tim Gagen	No Meeting/Report
I-70 Coalition	Tim Gagen	Included
Mayors, Managers & Commissioners Meeting	Mayor Warner	Verbal Report
Liquor Licensing Authority*	Helen Cospolich	No Meeting/Report
Wildfire Council	Matt Thompson	No Meeting/Report
Breckenridge Creative Arts	Robb Woulfe	No Meeting/Report
Summit Stage Advisory Board*	James Phelps	No Meeting/Report
Police Advisory Committee	Chief Haynes	No Meeting/Report
CMC Advisory Committee	Tim Gagen	No Meeting/Report
Recreation Advisory Committee	Mike Barney	No Meeting/Report
Housing and Childcare Committee	Laurie Best	No Meeting/Report
Childcare Advisory Committee	Laurie Best	No Meeting/Report
Breckenridge Events Committee	Kim Dykstra	Included
Sustainability Task Force	Mark Truckey	No Meeting/Report

***Note:** Reports provided by the Mayor and Council Members are listed in the council agenda.*

**Minutes to some meetings are provided in the Manager’s Newsletter.*



June 30, 2015 Financial Report

Finance & Municipal Services Division



Skate Park Grand Opening

Executive Summary

June 30, 2015

This report covers the first six months of 2015. We are currently at 110% of budgeted revenue in the Excise fund (\$1.1M over budget). May sales taxes (received in June) were up from 2014 in most categories. RETT ended June at 123% of the YTD budget and exceeded the prior year's YTD RETT revenue by \$190k.

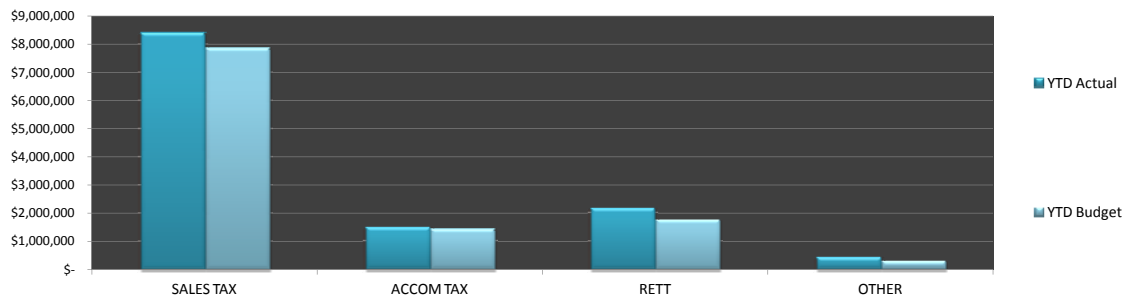
The General Fund 2015 YTD revenues are at 103% of budget and YTD expenses are under budget at 95%.

Other funds are performing according to budget with exceptions noted in the All Funds report narrative.

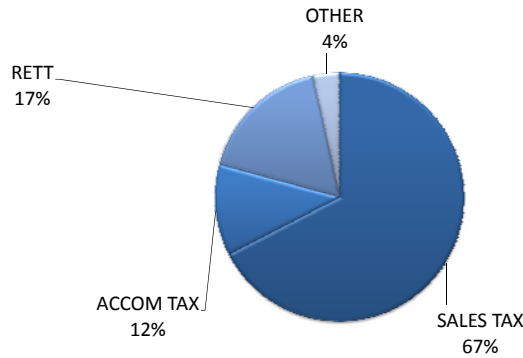
Sales Tax and Real Estate Transfer Tax are ahead of budget (see table below). For more information on tax revenues (by month and business sector), please see the Tax Basics section of the Financials.

Staff will be available at the July 28 work session to answer any questions you may have.

Excise YTD Actual vs. Budget - by Source



YTD Actual Revenues - Excise



	YTD Actual	YTD Budget	% of Budget	Annual Budget	Prior YTD Actual	Prior Annual Actual
SALES TAX	\$ 8,409,702	\$ 7,883,780	107%	\$ 16,991,999	\$ 7,724,301	\$ 16,233,023
ACCOMMODATIONS TAX	1,475,506	1,420,539	104%	2,457,799	1,315,568	2,294,537
REAL ESTATE TRANSFER	2,163,251	1,758,119	123%	4,000,000	1,973,351	4,604,914
OTHER*	429,560	303,351	142%	755,336	291,367	611,701
TOTAL	\$ 12,478,018	\$ 11,365,789	110%	\$ 24,205,134	\$ 11,304,587	\$ 23,744,174

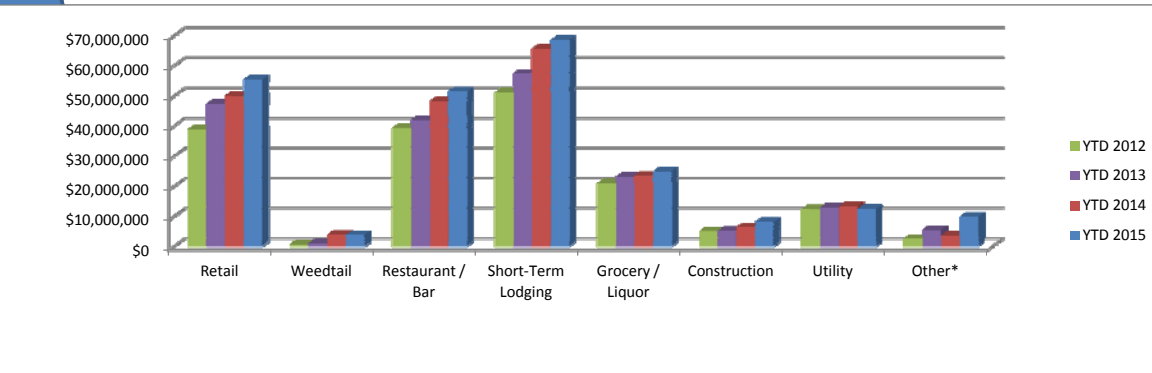
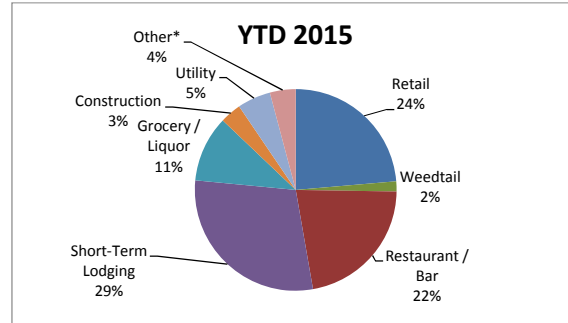
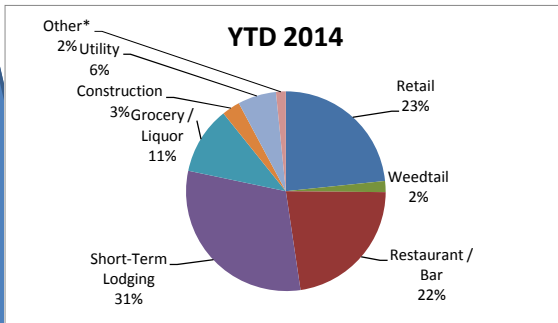
* Other includes Franchise Fees (Telephone, Public Service and Cable), Cigarette Tax, and Investment Income

The Tax Basics

Net Taxable Sales by Industry-YTD

Description	YTD 2012	YTD 2013	YTD 2014	2014		2014/2015		2015
				% of Total	YTD 2015	\$ Change	% Change	% of Total
Retail	\$38,785,212	\$47,241,727	\$49,875,643	23.35%	\$55,276,516	\$5,400,873	10.83%	23.66%
Weedtail	\$646,095	\$1,004,854	\$3,802,980	1.78%	\$3,709,910	(\$93,070)	-2.45%	1.59%
Restaurant / Bar	\$39,301,388	\$41,808,558	\$48,069,438	22.50%	\$51,411,681	\$3,342,243	6.95%	22.01%
Short-Term Lodging	\$50,979,254	\$57,275,024	\$65,501,633	30.66%	\$68,368,378	\$2,866,745	4.38%	29.26%
Grocery / Liquor	\$20,819,045	\$22,942,476	\$23,387,319	10.95%	\$24,753,604	\$1,366,285	5.84%	10.60%
Construction	\$4,878,045	\$5,079,828	\$6,262,274	2.93%	\$7,983,898	\$1,721,624	27.49%	3.42%
Utility	\$12,283,440	\$12,825,390	\$13,289,002	6.22%	\$12,389,626	(\$899,376)	-6.77%	5.30%
Other*	\$2,477,703	\$5,364,904	\$3,416,001	1.60%	\$9,725,929	\$6,309,928	184.72%	4.16%
Total	\$170,170,182	\$193,542,760	\$213,604,290	100.00%	\$233,619,542	\$20,015,252	9.37%	100.00%

* Other includes activities in Automobiles and Undefined Sales.



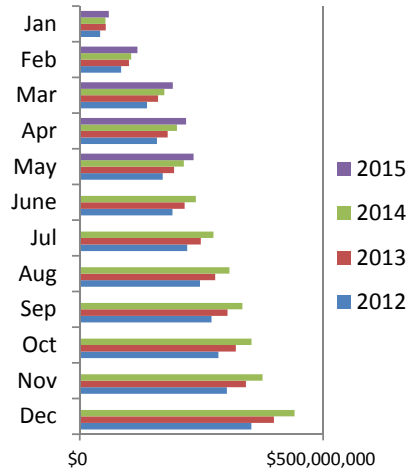
New Items of Note:

- May net taxable sales are currently ahead of 2014 by 8.88%.
- Retail, Restaurant/Bar, Grocery/Liquor, and Construction fared better than the aggregate of all sectors.
- Construction was ahead of prior year by 15.39% for May, yet remained behind 2006-2007 #'s that ranged from \$2,042,007-\$2,309,745.
- Weedtail experienced a decline of 10.04% in May, over prior year.
- Short-Term Lodging also experienced a decline (of 7.99%) in May, over prior year.
- Distribution of disposable bags experienced a slight increase over prior year.

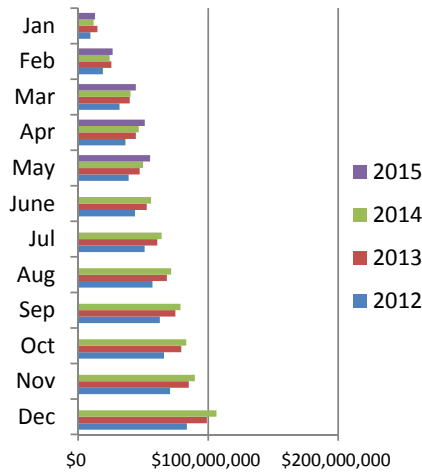
Continuing Items of Note:

- In 2014, a new category was added to the Sales by Sector pages for the Weedtail sector. The category encompasses all legal marijuana sales, regardless of medical or recreational designation. The Retail sector has been adjusted to remove the sales previously reported in this category. The jump in sales from 2013 to 2014 can be attributed to the legalization of sales of recreational marijuana.
- A section on Disposable Bag Fees was added in 2014.
- Taxes collected from the customer by the vendor are remitted to the Town on the 20th of the following month.
- Quarterly taxes are reported in the last month of the period. For example, taxes collected in the first quarter of the year (January – March), are include on the report for the period of March.
- Net Taxable Sales are continually updated as late tax returns are submitted to the Town of Breckenridge. Therefore, you may notice slight changes in prior months, in addition to the reporting for the current month.
- Undefined sales remain high due to returns that have yet to be classified. Staff is still awaiting clarification from the vendor.

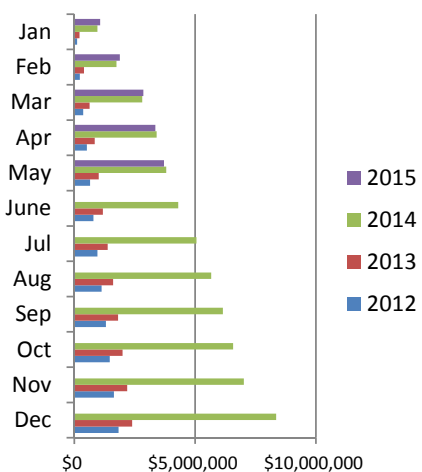
Net Taxable Sales by Sector - Town of Breckenridge Tax Base



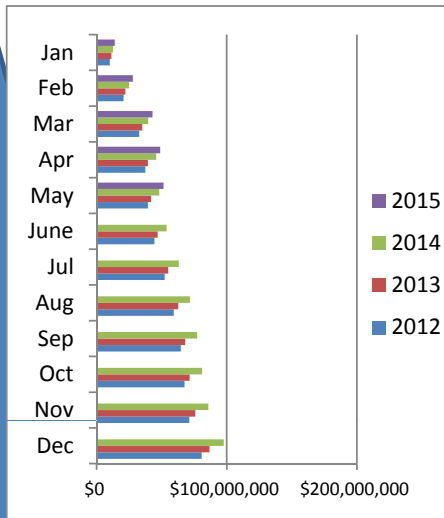
Total Net Taxable Sales					
	2012	2013	2014	2015	% change
					from PY
Jan	\$41,718,482	\$53,336,557	\$52,724,657	\$59,402,049	12.66%
Feb	\$43,279,998	\$47,661,413	\$52,939,129	\$58,819,638	11.11%
Mar	\$53,068,463	\$59,665,211	\$67,965,294	\$72,863,298	7.21%
Apr	\$20,550,689	\$19,835,788	\$25,846,590	\$27,150,860	5.05%
May	\$11,552,549	\$13,043,792	\$14,128,619	\$15,383,696	8.88%
Jun	\$20,161,932	\$21,824,324	\$24,926,036	\$0	n/a
Jul	\$30,306,091	\$33,233,133	\$36,007,304	\$0	n/a
Aug	\$26,378,253	\$29,614,066	\$32,751,065	\$0	n/a
Sep	\$23,534,713	\$25,136,536	\$26,812,435	\$0	n/a
Oct	\$14,052,583	\$17,154,744	\$18,848,441	\$0	n/a
Nov	\$17,500,298	\$20,680,131	\$22,696,886	\$0	n/a
Dec	\$50,233,000	\$57,510,396	\$65,646,830	\$0	n/a
Total	\$352,337,052	\$398,696,089	\$441,293,286	\$233,619,542	



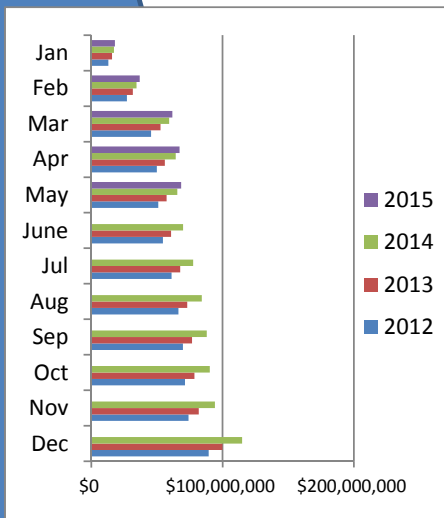
Retail					
	2012	2013	2014	2015	% change
					from PY
Jan	\$9,332,951	\$14,740,883	\$11,850,499	\$12,907,473	8.92%
Feb	\$9,561,486	\$10,714,990	\$12,310,424	\$13,566,407	10.20%
Mar	\$12,894,030	\$14,200,123	\$16,101,048	\$17,789,745	10.49%
Apr	\$4,535,877	\$4,640,272	\$6,188,967	\$6,965,662	12.55%
May	\$2,460,868	\$2,945,458	\$3,424,705	\$4,047,229	18.18%
Jun	\$4,935,052	\$5,421,774	\$6,132,569	\$0	n/a
Jul	\$7,291,230	\$8,155,359	\$8,098,518	\$0	n/a
Aug	\$6,103,157	\$7,322,388	\$7,367,221	\$0	n/a
Sep	\$5,600,950	\$6,540,887	\$7,118,054	\$0	n/a
Oct	\$3,253,812	\$4,563,566	\$4,476,941	\$0	n/a
Nov	\$4,647,092	\$5,843,691	\$6,609,157	\$0	n/a
Dec	\$12,981,465	\$13,828,152	\$16,658,333	\$0	n/a
Total	\$83,597,969	\$98,917,546	\$106,336,436	\$55,276,516	



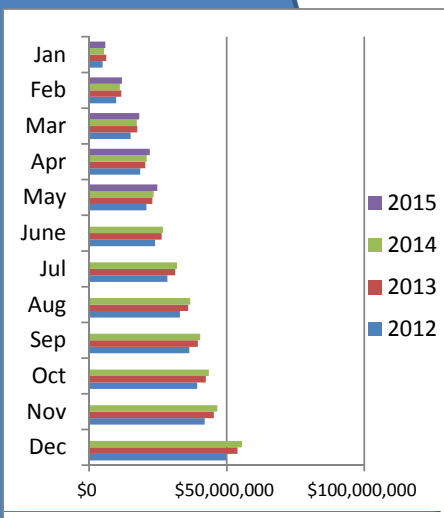
Weedtail					
	2012	2013	2014	2015	% change
					from PY
Jan	\$112,836	\$213,016	\$951,609	\$1,069,983	12.44%
Feb	\$112,024	\$182,322	\$787,796	\$809,146	2.71%
Mar	\$138,857	\$236,589	\$1,068,198	\$976,179	-8.61%
Apr	\$151,697	\$207,583	\$597,513	\$496,701	-16.87%
May	\$130,681	\$165,344	\$397,864	\$357,902	-10.04%
Jun	\$143,525	\$173,564	\$493,672	\$0	n/a
Jul	\$166,596	\$198,017	\$755,747	\$0	n/a
Aug	\$167,634	\$226,347	\$612,329	\$0	n/a
Sep	\$180,635	\$203,715	\$482,512	\$0	n/a
Oct	\$160,677	\$189,368	\$425,385	\$0	n/a
Nov	\$171,386	\$192,819	\$443,172	\$0	n/a
Dec	\$189,064	\$205,254	\$1,336,055	\$0	n/a
Total	\$1,825,612	\$2,393,937	\$8,351,852	\$3,709,910	



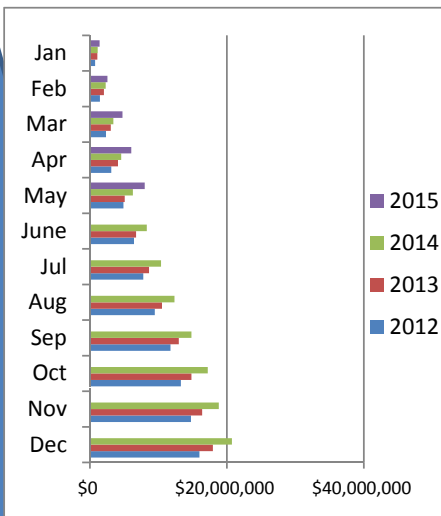
Restaurant / Bar					
	2012	2013	2014	2015	% change from PY
Jan	\$10,000,475	\$11,273,850	\$12,478,726	\$13,853,798	11.02%
Feb	\$10,576,852	\$10,704,428	\$12,289,846	\$13,859,943	12.78%
Mar	\$12,086,391	\$12,967,189	\$14,799,479	\$15,211,528	2.78%
Apr	\$4,662,012	\$4,310,574	\$6,133,751	\$5,824,072	-5.05%
May	\$1,975,658	\$2,552,517	\$2,367,636	\$2,662,339	12.45%
Jun	\$5,006,301	\$5,004,564	\$5,648,526	\$0	n/a
Jul	\$7,964,540	\$8,164,898	\$9,276,963	\$0	n/a
Aug	\$6,905,724	\$7,690,278	\$8,714,972	\$0	n/a
Sep	\$5,423,426	\$5,254,681	\$5,471,492	\$0	n/a
Oct	\$2,924,663	\$3,457,580	\$3,772,601	\$0	n/a
Nov	\$3,613,665	\$4,385,744	\$4,899,826	\$0	n/a
Dec	\$9,534,760	\$10,871,039	\$11,728,928	\$0	n/a
Total	\$80,674,467	\$86,637,342	\$97,582,746	\$51,411,681	



Short-Term Lodging					
	2012	2013	2014	2015	% change from PY
Jan	\$12,980,188	\$15,698,448	\$17,232,658	\$17,942,704	4.12%
Feb	\$14,098,863	\$15,860,278	\$17,188,560	\$18,866,376	9.76%
Mar	\$18,334,344	\$21,150,210	\$24,836,984	\$24,879,341	0.17%
Apr	\$4,477,551	\$3,303,068	\$4,958,420	\$5,497,660	10.88%
May	\$1,088,308	\$1,263,021	\$1,285,010	\$1,182,297	-7.99%
Jun	\$3,498,126	\$3,489,236	\$4,331,326	\$0	n/a
Jul	\$6,619,464	\$6,874,194	\$7,651,167	\$0	n/a
Aug	\$5,172,991	\$5,384,872	\$6,665,736	\$0	n/a
Sep	\$3,501,612	\$3,680,342	\$3,794,575	\$0	n/a
Oct	\$1,495,331	\$1,780,132	\$2,321,548	\$0	n/a
Nov	\$2,764,095	\$3,266,469	\$3,795,658	\$0	n/a
Dec	\$15,265,907	\$18,079,402	\$20,744,596	\$0	n/a
Total	\$89,296,780	\$99,829,670	\$114,806,240	\$68,368,378	



Grocery / Liquor					
	2012	2013	2014	2015	% change from PY
Jan	\$4,857,276	\$6,202,934	\$5,396,830	\$5,825,774	7.95%
Feb	\$4,962,402	\$5,467,845	\$5,757,737	\$6,069,625	5.42%
Mar	\$5,219,990	\$5,782,332	\$6,142,330	\$6,296,852	2.52%
Apr	\$3,469,430	\$2,961,839	\$3,595,478	\$3,836,912	6.71%
May	\$2,309,947	\$2,527,526	\$2,494,945	\$2,724,441	9.20%
Jun	\$3,097,820	\$3,378,083	\$3,390,191	\$0	n/a
Jul	\$4,489,506	\$4,954,547	\$5,095,848	\$0	n/a
Aug	\$4,540,829	\$4,724,946	\$4,876,297	\$0	n/a
Sep	\$3,404,220	\$3,465,662	\$3,605,574	\$0	n/a
Oct	\$2,855,324	\$2,930,066	\$3,098,294	\$0	n/a
Nov	\$2,778,270	\$2,869,441	\$3,093,792	\$0	n/a
Dec	\$7,705,640	\$8,615,254	\$8,968,840	\$0	n/a
Total	\$49,690,652	\$53,880,474	\$55,516,155	\$24,753,604	

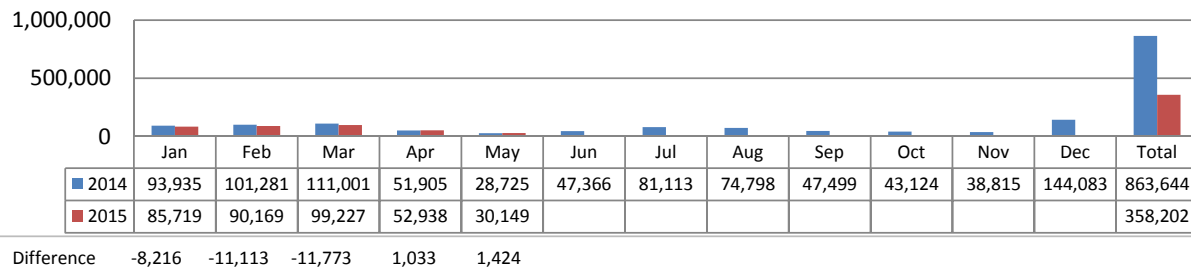


Construction					
	2012	2013	2014	2015 from PY	% change
Jan	\$752,255	\$1,072,239	\$1,129,003	\$1,414,518	25.29%
Feb	\$703,811	\$964,673	\$1,171,370	\$1,137,268	-2.91%
Mar	\$881,518	\$1,008,645	\$1,121,396	\$2,207,094	96.82%
Apr	\$779,206	\$1,055,938	\$1,140,743	\$1,263,678	10.78%
May	\$1,761,256	\$978,334	\$1,699,762	\$1,961,340	15.39%
Jun	\$1,540,822	\$1,653,588	\$2,027,078	\$0	n/a
Jul	\$1,366,520	\$1,903,161	\$2,084,178	\$0	n/a
Aug	\$1,670,785	\$1,870,078	\$1,969,423	\$0	n/a
Sep	\$2,297,356	\$2,454,362	\$2,474,159	\$0	n/a
Oct	\$1,521,388	\$1,858,158	\$2,372,139	\$0	n/a
Nov	\$1,482,393	\$1,555,679	\$1,623,898	\$0	n/a
Dec	\$1,226,412	\$1,568,060	\$1,905,449	\$0	n/a
Total	\$15,983,720	\$17,942,915	\$20,718,596	\$7,983,898	

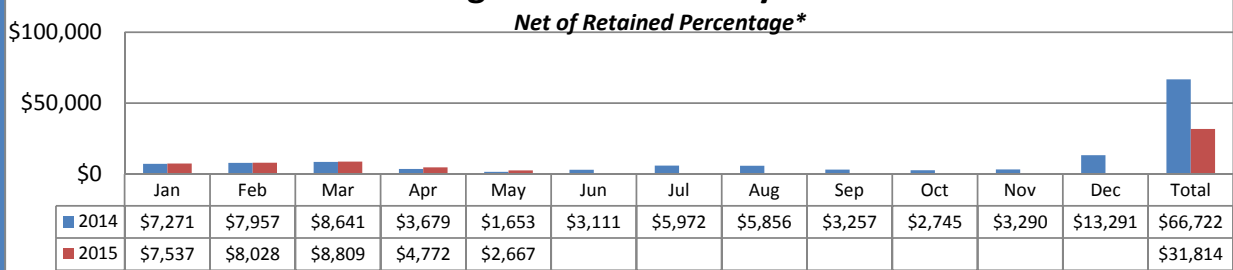
Disposable Bag Fees

The Town adopted an ordinance April 9, 2013 (effective October 15, 2013) to discourage the use of disposable bags and achieve a goal of the SustainableBreck Plan. The ten cent fee applies to most plastic and paper bags given out at retail and grocery stores in Breckenridge. The program is intended to encourage the use of reusable bags and discourage the use of disposable bags, thereby furthering the Town's sustainability efforts. Revenues from the fee are used to provide public information about the program and promote the use of reusable bags. Retailers are permitted to retain 50% of the fee (up to \$1000/month through October 31, 2014; \$100/month beginning November 1, 2014) in order to offset expenses incurred related to the program.

of Disposable Bags Reported by Month



Bag Fees Remitted by Month



*Retailers are permitted to retain 50% of the fee (up to \$1000/month through October 31, 2014; \$100/month beginning November 1, 2014) in order to offset expenses incurred related to the program. The retained percent may be used by the retail store to provide educational information to customers; provide required signage; train staff; alter infrastructure; fee administration; develop/display informational signage; encourage the use of reusable bags or promote recycling of disposable bags; and improve infrastructure to increase disposable bag recycling.

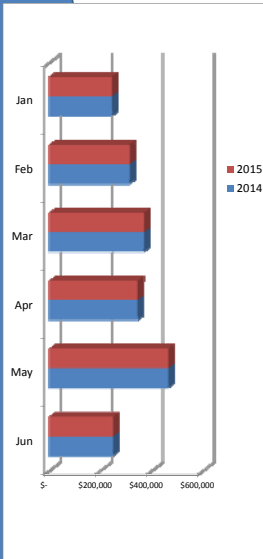
Real Estate Transfer Tax

New Items of Note:

- Revenue for the month of June was ahead of prior year by 60.50%, and surpassed the monthly budget by \$162,803.
- Year to date, revenue is ahead of prior year by 8.47%, and has surpassed budget by \$405,243 (as of 6/30/15).
- Single Family Home sales currently account for the majority of the sales (34.96%), with Condominiums representing the next highest sales (28.25%) subject to the tax.

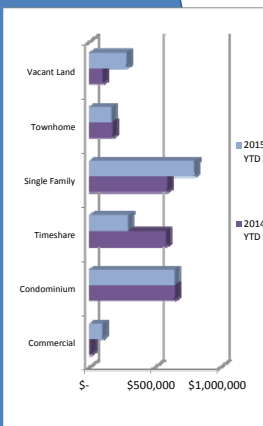
Continuing Items of Note:

- 2015 Real Estate Transfer Tax budget is based upon the monthly distribution for 2013.



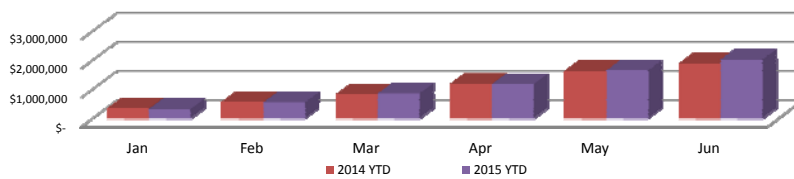
Total RETT						
	2013	2014	2015	% change	2015 Budget	+/- Budget
Jan	\$358,948	\$242,770	\$390,189	60.72%	\$321,765	\$68,424
Feb	\$234,357	\$311,353	\$239,023	-23.23%	\$210,080	\$28,943
Mar	\$281,202	\$367,107	\$320,123	-12.80%	\$252,073	\$68,050
Apr	\$380,279	\$343,886	\$352,876	2.61%	\$340,887	\$11,989
May	\$446,840	\$461,783	\$465,587	0.82%	\$400,553	\$65,034
Jun	\$259,659	\$246,452	\$395,564	60.50%	\$232,761	\$162,803
Jul	\$373,510	\$409,671	\$127,321	-68.92%	\$334,819	-\$207,498
Aug	\$504,694	\$436,174	\$0	n/a	\$452,414	n/a
Sep	\$509,838	\$463,305	\$0	n/a	\$457,025	n/a
Oct	\$381,475	\$495,973	\$0	n/a	\$341,959	n/a
Nov	\$403,015	\$387,739	\$0	n/a	\$361,268	n/a
Dec	\$328,416	\$438,700	\$0	n/a	\$294,396	n/a
Total	\$4,462,232	\$4,604,914	\$2,290,683		\$4,000,000	\$197,745

*July #s are as of 07/14/2015



by Category					
Description	2014 YTD	2015 YTD	\$ change	% change	% of Total
Commercial	\$ 9,775	\$ 96,375	86,600	885.93%	4.21%
Condominium	648,309	647,207	(1,102)	-0.17%	28.25%
Timeshare	583,908	297,114	(286,794)	-49.12%	12.97%
Single Family	590,267	800,901	210,634	35.68%	34.96%
Townhome	175,601	168,626	(6,976)	-3.97%	7.36%
Vacant Land	103,988	280,459	176,472	169.70%	12.24%
Total	\$ 2,111,848	\$ 2,290,683	178,834	8.47%	100.00%

YTD Churn Analysis



General Fund Revenues Summary

June 30, 2015

These next two pages report on 2015 year to date financials for the General Fund. This area contains most "Government Services," such as public works, police, planning, recreation facilities, and administrative function.

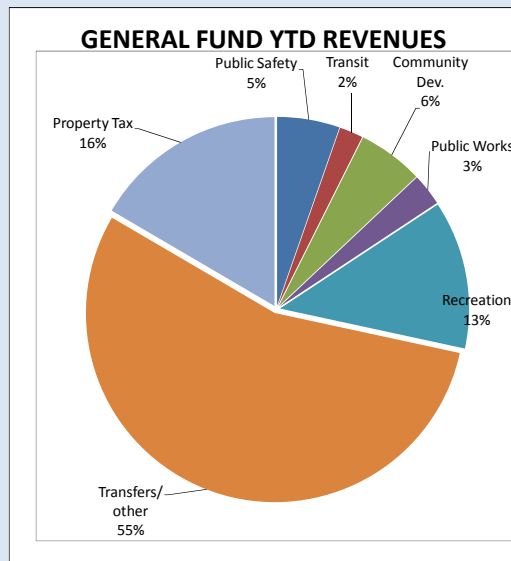
General Fund Revenue: At the end of June, the Town's General Fund was at 103% of YTD budget (\$11.9M actual vs. \$11.6M budgeted).

The variance is primarily due to the Community Development department which continues to be ahead of budget due to building permit and plan check fee revenues.

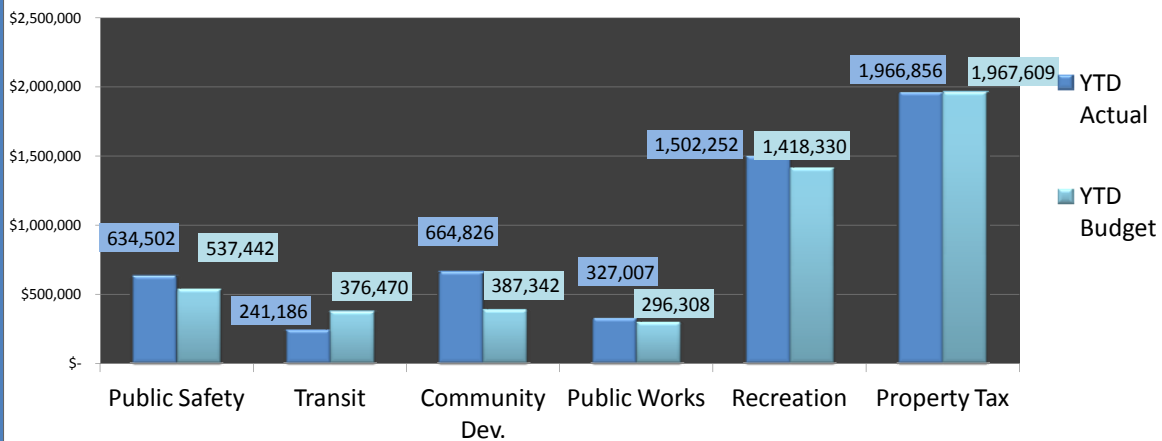
Parking revenues also ended the season ahead of budget.

Transit is under budgeted revenues due to a grant which has not yet been received.

Revenue is ahead of budget due primarily to resident pass sales.



Gen. Fund YTD Revenue Act vs. Bud - by Program



General Fund Expenditures Summary

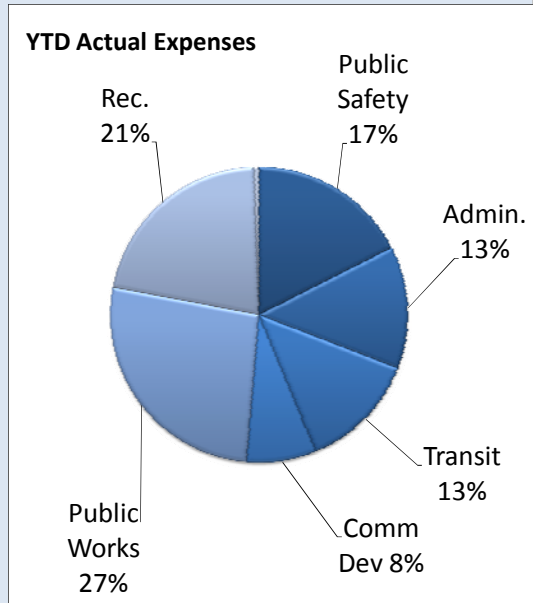
June 30, 2015

The General Fund at June 30, 2015 is at 95% of budgeted expense (\$9.8M actual vs. \$10.3M budgeted). The below graphs represent the cost of providing the services contained in this fund (Public Safety, Transit, Recreation, Public Works, Community Development, and Administration).

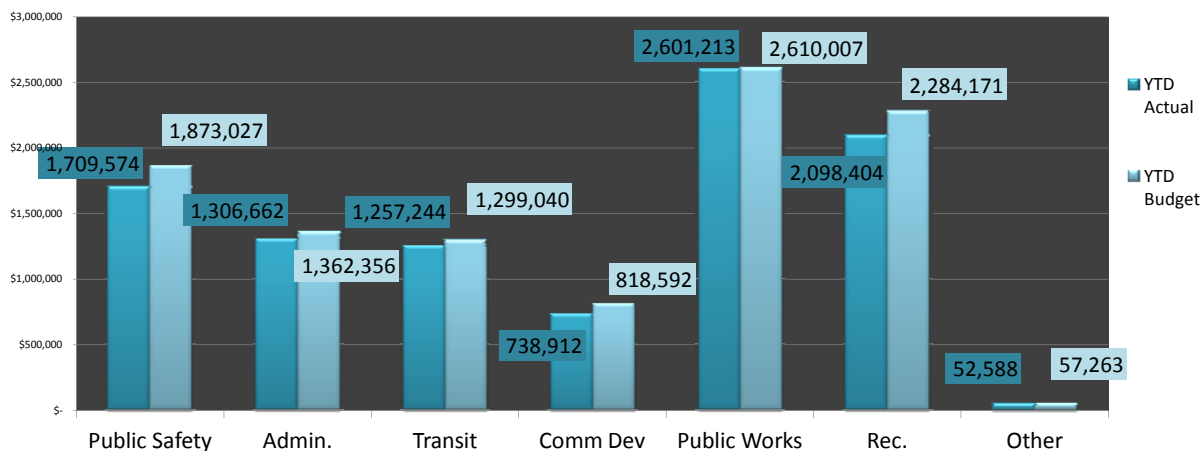
Variance Explanations:

Public Safety under budget primarily due to wages (open positions).

Recreation under budget due to wages (open positions) and contracted services (janitorial, etc.)



Gen. Fund YTD Expenditures Act. vs. Bud. - by Program



Combined Statement of Revenues and Expenditures

All Funds June 30, 2015

REVENUE	YTD Actual	YTD Budget	% of YTD Bud.	Annual Bud.
General Governmental				
1 Gen/Excise/MMJ/Child Cr/Spec Prj	\$ 18,238,655	\$ 16,790,543	109%	\$ 33,443,183
2 Special Revenue	3,513,005	4,713,529	75%	9,702,958
3 Internal Service	1,792,441	1,766,925	101%	3,553,915
4 Subtotal General Governmental	\$ 23,544,102	\$ 23,270,997	101%	\$ 46,700,056
5 Capital Projects	2,419,870	152,115	1591%	927,754
Enterprise Funds				
6 Utility Fund	1,971,505	1,986,800	99%	4,404,429
7 Golf	684,827	669,347	102%	2,205,624
8 Cemetery	9,550	12,558	76%	25,116
9 Subtotal Enterprise Funds	\$ 2,665,882	\$ 2,668,705	100%	\$ 6,635,169
10 TOTAL REVENUE	28,629,854	26,091,817	110%	54,262,979
11 Internal Transfers	15,526,476	15,489,746	100%	25,491,161
12 TOTAL REVENUE incl. x-fers	\$ 44,156,331	\$ 41,581,563	106%	\$ 79,754,140
EXPENDITURES				
	YTD Actual	YTD Budget	% of Bud.	Annual Bud.
General Governmental				
1 Gen/Excise/MMJ/Child Cr/Spec Prj	\$ 12,181,285	\$ 15,508,110	79%	\$ 25,888,707
2 Special Revenue	7,021,566	9,016,894	78%	17,763,339
3 Internal Service	1,599,998	1,870,738	86%	3,929,105
4 Subtotal General Governmental	\$ 20,802,848	\$ 26,395,742	79%	\$ 47,581,151
5 Capital Projects	3,069,784	5,253,452	58%	5,253,452
Enterprise Funds				
6 Utility Fund	1,199,164	2,182,451	55%	4,694,279
7 Golf	736,970	721,756	102%	1,845,490
8 Cemetery	0	45,547	0%	13,572
9 Subtotal Enterprise Funds	\$ 1,936,134	\$ 2,949,754	66%	\$ 6,553,341
10 TOTAL EXPENDITURES	25,808,766	34,598,948	75%	59,387,944
11 Internal Transfers	15,503,443	15,490,046	100%	25,491,461
12 TOTAL EXPENDITURES incl. x-fers	\$ 41,312,209	\$ 50,088,994	82%	\$ 84,879,405
13 TOTAL REVENUE less EXPEND.	\$ 2,844,122	\$ (8,507,431)	N/A	\$ (5,125,265)

General Governmental Funds - General, Excise, Child Care, Marijuana and Special Projects

Special Revenue Funds - Marketing, Affordable Housing, Open Space, and Conservation Trust

Internal Service Funds - Garage, Information Technology (IT), and Facilities

ALL FUNDS REPORT

June 30, 2015

The YTD breakdown of the revenue/expenses variances is as follows:

Governmental Funds:

General Fund:

- Revenue:
 - Ahead of budget by \$329k-see General Fund Revenue page for more detail.
- Expense:
 - Under budget by \$539k. See General Fund Expense page of this report for more details.

Excise Fund:

- Revenue:
 - Ahead of budget by \$1.1M-see Executive Summary or Tax Basics for more information.

Capital Fund:

- Revenue:
 - The Combined Statement does not include transfers (appx. \$5M) Appears to be ahead of budget, but is primarily a timing issue. Summit County contributions to the Breckenridge Grand Vacation Community Center were budgeted in 2014.
- Expense:
 - Under budget due to timing: expenditures budgeted at 100% but spending varies over the duration of the projects.

Special Revenue Funds:

- Revenue:
 - Marketing Fund ahead of budget due to business licenses.
 - Affordable Housing under budget due to timing: Pinewood 2 tax credit rebates budgeted but not yet received
- Expense:
 - Affordable Housing and Open Space under budget due to capital expenditures which have not yet taken place.

Enterprise Funds:

Utility:

- Expense:
 - Under budget due to capital expenditures which have not yet taken place.

Internal Service Funds:

- Revenue:
 - Ahead of budget due to insurance recoveries
- Expense:
 - Under budget due to timing of capital expenditures

Fund Descriptions:

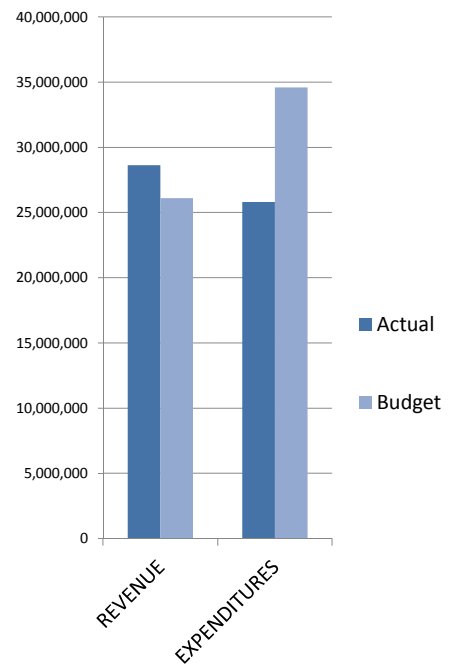
General Governmental - General, Excise, Capital, Special Projects, Child Care, Marijuana

Special Revenue Funds - Marketing, Affordable Housing, Open Space, and Conservation Trust

Enterprise Funds: Golf, Utility, Cemetery

Internal Service Funds - Garage, Information Technology (IT), and Facilities

YTD Actual Revenues and Expenditures vs. Budget



To: Mayor & Council
From: Tim Gagen, Town Manager
Date: July 20th, 2015
Re: *Manager's Report Item - 5A Renewal*

During my Manager's Report for the 7/28 Work Session, I will cover the proposed 5A Renewal ballot language which is attached. The County, working with the Summit Combined Housing Authority (SCHA), has drafted the proposed language. Procedurally, the SCHA Board must vote to approve the ballot question before the BOCC can act to put it on the November ballot. The SCHA Board has scheduled a meeting for August 10th to act. As your representative on the SCHA Board, I want to confirm your OK to cast my vote in support of the proposed ballot language on the 10th. Tim Berry has reviewed the County's draft of the ballot language and is OK with it.

2015 TAX EXTENSION DRAFT BALLOT MEASURE 7-7-15

SUMMIT COMBINED HOUSING AUTHORITY REFERRED MEASURE ___ -

WITHOUT RAISING ANY ADDITIONAL TAXES, SHALL THE EXISTING SUMMIT COMBINED HOUSING AUTHORITY LEVY BE EXTENDED TO IMPROVE THE AVAILABILITY OF RENTAL AND OWNER-OCCUPIED WORKFORCE AND AFFORDABLE HOUSING THROUGH AN ONGOING EXTENSION OF THE EXISTING ONE-EIGHTH OF ONE PERCENT (0.125%) SALES AND USE TAX, COMMENCING JANUARY 1, 2017, AND CONTINUING THEREAFTER AS A VOTER-APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Memo



To: Breckenridge Town Council Members
From: Helen Cospolich, Municipal Services Manager
CC: Tim Berry, Town Attorney
Date: 7/21/2015
Subject: New Colorado Open Records Act Administrative Rule

The Colorado Open Records Act (CORA) authorizes the Town's record custodian (the Town Clerk) to adopt and enforce administrative rules related to the Act. I am proposing to adopt the following new administrative rule as part of the Town's Open Records Act Rules and Regulations, as it pertains to the confidentiality of the Child Care Grant Program administered by the Town. This rule, if adopted, would be included in the CORA Rules and Regulations administered by the Town Clerk. The proposed new rule is attached for your review.

The purpose of this rule is to address the confidentiality concerns of the Town's Child Care Grant Program, which shall be treated as such under Section 24-72-204(3)(a)(IV), C.R.S. The rule includes references to the confidential personal and financial information protected by the C.R.S., as well as guidelines for the handling of such information by Town employees and contractors.

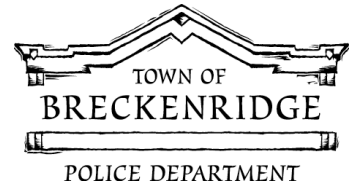
As this is an addition to the Town's CORA Administrative Rules and Regulations, no formal approval by Council is necessary. However, we welcome any Council comments on the new rule. Following the discussion on Tuesday I anticipate being able to issue the new rule.

Staff will be present at the meeting to answer any questions you may have.

CONFIDENTIALITY OF INFORMATION RELATED TO TOWN'S CHILD CARE GRANT PROGRAM:

- A. This rule applies to the Town's records with respect to its Child Care Grant Program.
- B. All personal and financial information concerning applicants for and recipients of child care grants from the Town's Child Care Grant Program shall be treated as confidential information under Section 24-72-204(3)(a)(IV), C.R.S., and the Records Custodian shall deny the right of inspection thereof.
- C. The information referred to in Section B of this rule includes, includes, but is not limited to, the following information concerning applicants for and recipients of child care grants from the Town's Child Care Grant Program:
 - 1. Names, addresses, telephone numbers, and e-mail addresses;
 - 2. Information related to the social and economic conditions or circumstances concerning any individual, including wage or income information, and correspondence related thereto obtained from any source including state or federal agencies;
 - 3. Evaluation of any personal or financial information by the persons who administer the Town's Child Care Grant Program; and
 - 4. Medical, psychological, or social evaluations, including diagnosis or past or present history of disease or disability of any kind.
- D. All confidential information shall be sorted, processed, and stored so that there are safeguards in place to ensure no unauthorized personnel can acquire or retrieve the confidential information.
- E. When the use of any and all records covered by this rule are no longer needed, they shall be destroyed in accordance with the Town's adopted Records Retention Policy.
- F. Nothing in this rule shall be interpreted to prohibit the publication of statistics related to the grants awarded by the Town in connection with its Child Care Grant program, so classified as to prevent the identification of the amounts awarded to individual grant recipients.
- G. Nothing in this rules prohibits the inspection and copying of information related to the administration of the Town's Child Care Grant program by those Town employees and retained independent contractors with a need to know such information in connection with the performance of their duties, or law enforcement personnel.
- H. Any person who has submitted an application for a child care grant or who has received a child care grant from the Town may waive the confidentiality of this rule and authorize the information related to such person's application or grant for any

purpose. Such waiver shall be in writing and signed by the person who filed the grant application or who received the child care grant.



MEMORANDUM

To: Mayor and Town Council
From: Shannon Haynes, Chief of Police
Date: July 28, 2015
Subject: Parking Plan Update & Recommendations

In the continued development of our comprehensive Parking & Transit plan staff continues to work with our community Parking & Transit Taskforce. As Council is aware, the Taskforce has recommended a number of strategies designed to meet our goal of “Close-in, convenient parking for our customers”. These broad recommendations included enhancements to our transit system, an increase in the number of parking spaces (via a structure), refined parking management tools, and improved employee parking options. As staff and the taskforce continue the development of a final plan we are refining components of these strategies. At this time we would like Council’s feedback on several recommendations designed to improve employee parking and have an immediate impact on a number of current parking and congestion issues.

Below staff has provided a detailed list of recommendations for both employee parking and parking management to be implemented prior to the start of ski season.

Ice Rink (Excluding Patron Parking)

Over the last several seasons the Ice Rink lot has been heavily utilized by a variety of users, including, but not limited to: overnight, skiers, and employees. Paid overnight use has increase to an average of 130 vehicles per night. With this in mind, staff recommends the following:

- Free employee parking permits. Employees must provide proof of employment in Breckenridge and proof of the location of their residence. Permits will be issued to employees working in Breckenridge and living south of Town or in-town.
- Additional pay parking machines will be moved to the lot to accommodate pay parking for day use at a rate of \$3/hour or \$15/day.
- The lot will be free after 3 (likely from 3pm to 2am. Staff is devising a workable technical configuration).
- Overnight parking will be allowed at a rate of \$15 for each 24 hour period. Staff is working on the technical aspects.

Satellite Lot

In keeping with the proposed changes to the Ice Rink lot, changes need to be made to parking at the Satellite lot. Staff recommends the following changes:

- Overnight and employee parking will be moved to the north end of the Satellite lot. This area is closest to the bus stop where new lighting is planned. The pay parking machine currently located in the Satellite lot will be moved.
- Free employee parking permits will be issued for parking at the Satellite lot. Permits will prevent employee vehicles from being included with skier counts and allow for better control of the lot. Employees must provide proof of employment in Breckenridge and proof

of the location of their residence. Permits will be issued to employees working in Breckenridge and living north of Town or in-town.

Free Employee Permits

Several years ago the police department began selling a limited number of parking permits to out of district employees for the Tiger Dredge Lot (2009) and the Klack Placer Lot (2011). The decision was made after analyzing utilization data and determining these lots were often under-utilized. This program has worked well for the past four years; however it has come to the attention of staff that there are more out of district employees interested in obtaining permits or utilizing free public parking spaces. There are several large employers outside the core of town with employees who utilize Town parking regularly or on peak days. For example, Beaver Run provides parking for employees except on the busiest days; and on those days employees often park at the Ice Rink. In addition, the police department has been notified that Main Street Station management will no longer allow employees to park in that parking structure. As a result over a hundred employees will be displaced.

Based on this information the taskforce does not believe the Ice Rink can accommodate the needs of so many employees, along with other users. For this reason the taskforce recommends providing free permits to employees for Ice Rink and Satellite lot based on their area of residence. Providing permits based on residence location will a) prevent all employees working on the south-end of town, outside of the parking district, from trying to park in the Ice Rink, b) prevent out of district employees coming from the north from crossing town and adding to traffic congestion, and c) alleviate the likelihood of over-utilization of the Ice Rink.

Employee Designated Parking

After reviewing options and discussing implementation strategies, staff recommends the following for designated employee parking:

- Convert the entire East Sawmill lot to employee only parking (89 spaces)
- The Wellington Lot should be open for pay parking (no employee)
- Convert the horseshoe area of the Tiger Dredge lot to employee only parking.
- Convert the Klack Placer from employee/3hr/residential parking to employee/residential parking with some spaces marked for short-term 30 minute parking.
- Convert the French Street lot from open, all day parking to employee/3hr/residential.
- Employee designated parking will be in effect until 3pm. At that time “Free after Three” will begin.
- Employee designated parking will be in effect during the winter season.

Standard Employee Parking

In addition to designated employee parking the current parking program will remain in effect for Tiger Dredge and other approved parking areas. The only excepted lot will be the Wellington lot.

Skier Parking prohibitions

Staff recommends prohibiting skier parking on Main Street, in the Klack Placer lot, and in the French Street lot.

The above recommended changes are a portion of the overall parking and transit plan. Staff will continue to work our community Parking & Transit Taskforce as we develop a comprehensive parking and transit plan.

Village at Breckenridge Request

Several years ago the Village at Breckenridge (VAB) approached the Town asking to utilize parking in the Tiger Dredge lot to valet vehicles for lodging guests. At the time the Tiger Dredge lot was underutilized so the request was approved. The last time the VAB leased space in the Tiger Dredge lot was in 2010/11 and at that time they leased 45 spaces for \$4.50/space/night for a total of \$24,705.

In 2011 the VAB began parking the valet vehicles in the parking lot for the unused Breckenridge Mountain Lodge (BML). However, with the sale of the BML the Village will no longer have access to parking for the valet vehicles. As a result they have contacted the Police Department requesting leased space for the 2015/16 season (30 spaces, 121 days). If Council approves parking for VAB valet vehicles in the Tiger Dredge lot, staff recommends the following:

- Spaces will not be located in the horseshoe area of the lot
- Spaces are not guaranteed
- Fee per space will be \$15/space/night (\$450/night) for a total fee of \$54,450 to be paid up front

Before moving forward staff would like Council feedback on this request.

Town Council Staff Report

Subject: The Barney Ford Dumpster Expansion
(Town Project; PL-2015-0226)

Proposal: To remodel and add to the existing 201 square foot dumpster and recycling enclosure. The proposed work includes a 259 square foot addition to the existing building. The addition will include a new cardboard dumpster and recycling totes for various recyclable materials. Related site work and landscaping will be included in the project. A material and color sample board will be available for review at the meeting.

Date: July 22, 2015 (For meeting of July 28, 2015)

Project Manager: Michael Mosher, Planner III

Applicant/Owner: Town of Breckenridge

Agent: Neely Architecture, Lee “Sonny” Neely

Address: 216.5 South Main Street

Legal Description: No existing legal description on file - property conveyed to the Town per special warranty deed #242772 dated 07/26/1982 from Great Western Land & Cattle Co.

Site Area: 0.286 acres (12,492 sq. ft.) a portion of the Adams Alley Parcel

Land Use District: 19 Commercial, 1:1 Floor Area Ratio (FAR); 20 Units per Acre (UPA)

Historic District: #2, South Main Residential Character Area max.

Site Conditions: The site contains the alley between Main Street/Ridge Streets and Adams/Washington Avenues. The existing enclosure is located at the northwest portion of the alley at the double curve (see attached).

Adjacent Uses: North: The Barney Ford Museum
East: Radosevich Residence
South: Adams Ridge Subdivision
West: Main Street various retail

Density: Allowed under LUGs: 12,492 sq. ft.
Proposed density: 460 sq. ft.

Above Ground Density: Allowed @ 9UPA: 4,130 sq. ft.
Proposed @ 1.0 UPA: 460 sq. ft.

Mass: Allowed under LUGs: 4,130 sq. ft.
Proposed mass: 460 sq. ft.

Height: Recommended: 26-foot Absolute and 23-foot Relative (mean)

	Proposed (Existing):	13-feet (mean); 16-feet (overall)
Setbacks:	North:	0.25 ft.
	Sides:	20.0 ft. (exist) and 28.0 ft.
	South:	25.0 ft.

Item History

The Town Council approved the Adams Ridge Subdivision on July 13, 1982. The Conditions of Approval included the provision of providing a land trade (to accommodate the shape of the alley) to the Town. The property was conveyed to the Town via a special warranty deed Rec#242772 dated 07/26/1982 from Great Western Land & Cattle Co. (the owners at the time). Staff is unable to find a legal description, but the Town assigned an address. Public Works calls this dumpster the “Barney Ford Dumpster”.

Commission Comments

Placement Of Structures (9/A & 9/R): As a commercial use, zero setbacks are allowed. The existing setback for the existing dumpster is 1-foot. To accommodate adequate circulation and snow stacking the a corner of the addition will be placed about 4-inches off the north property line.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The alley is posted as one-way with access from the north towards the south. However, the refuse/recycle vehicles access from the south to the north.

Refuse (15/A & 15/R): The proposed addition to the existing dumpster brings it into compliance with this policy and title 5, chapter 6, Trash Dumpsters And Compactors (Ord. 34, Series 1996) by providing a separate pedestrian access to the added recycle area, and improved ventilation.

Per the relative policy, Positive points may be awarded for: *Dumpster sharing with neighboring property owners; and having the shared dumpster on the applicant's site.* (Ord. 26, Series 2001). As this dumpster is currently shared with all of the adjacent business owners along this block of Main Street and Ridge Street, the Commission believes these improvements could be awarded positive points with this application.

The Social Community (24/A & 24/R): As this dumpster is located within the Historic District, the design standards of the Handbook of Design Standards for the Historic and Conservation Districts apply.

Per Section 5.0, Design Standards for New Construction: *New construction within the Historic District should be compatible with the character of the historic resources found there. New designs that respect the general characteristics of the historic buildings including their basic scale, form, and materials are likely to be compatible: this means that a historic style need not be copied. Although historic styles may often be compatible, new design "styles" and also respect the basic characteristics of the district and be compatible while expressing current concepts.*

The Commission believes the dumpster building and the proposed addition respect the historic scale, module size, building height, materials, and architectural details of other historic buildings within the district.

Point Analysis (Section: 9-1-17-3): The Commission has found that this application passes all absolute policies of the Development Code and has not incurred any negative points under any relative policies. The proposal has been awarded positive two (+2) points under Policy 15/R, Refuse for providing a shared dumpster and recycling facility for the businesses abutting this alley. The Point Analysis shows a passing score of positive two (+2) points.

Planning Commission Recommendation

This is a Town Project pursuant to the ordinance amending the Town Projects Process (Council Bill No. 1, Series 2013). The Planning Commission recommends (with a vote of 5-0) that the Council approve the Barney Ford Dumpster Expansion, PL-2015-0226, located at 216.5 South Main Street with the attached Findings.

TOWN OF BRECKENRIDGE

**The Barney Ford Dumpster Expansion
property conveyed to the Town per special warranty deed #242772
dated 07/26/1982 from Great Western Land & Cattle Co.
216.5 South Main Street
PERMIT PL-2015-0226**

FINDINGS

1. This project is “Town Project” as defined in Section 9-4-1 of the Breckenridge Town Code because it involves the planning and design of a public project.
2. The process for the review and approval of a Town Project as described in Section 9-14-4 of the Breckenridge Town Code was followed in connection with the approval of this Town Project.
3. The Planning Commission reviewed and considered this Town Project on July 21, 2015. In connection with its review of this Town Project, the Planning Commission scheduled and held a public hearing on July 21, 2015, notice of which was published on the Town’s website for at least five (5) days prior to the hearing as required by Section 9-14-4(2) of the Breckenridge Town Code. At the conclusion of its public hearing, the Planning Commission recommended approval of this Town Project to the Town Council.
4. The Town Council’s final decision with respect to this Town Project was made at the regular meeting of the Town Council that was held on July 28, 2015. This Town Project was listed on the Town Council’s agenda for the July 28, 2015 agenda that was posted in advance of the meeting on the Town’s website. Before making its final decision with respect to this Town Project, the Town Council accepted and considered any public comment that was offered.
5. Before approving this Town Project the Town Council received from the Director of the Department of Community Development, and gave due consideration to, a point analysis for the Town Project in the same manner as a point analysis is prepared for a final hearing on a Class A development permit application under the Town’s Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code).
6. The Town Council finds and determines that the Town Project is necessary or advisable for the public good, and that the Town Project shall be undertaken by the Town.

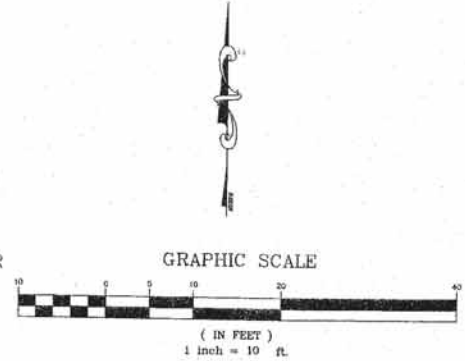
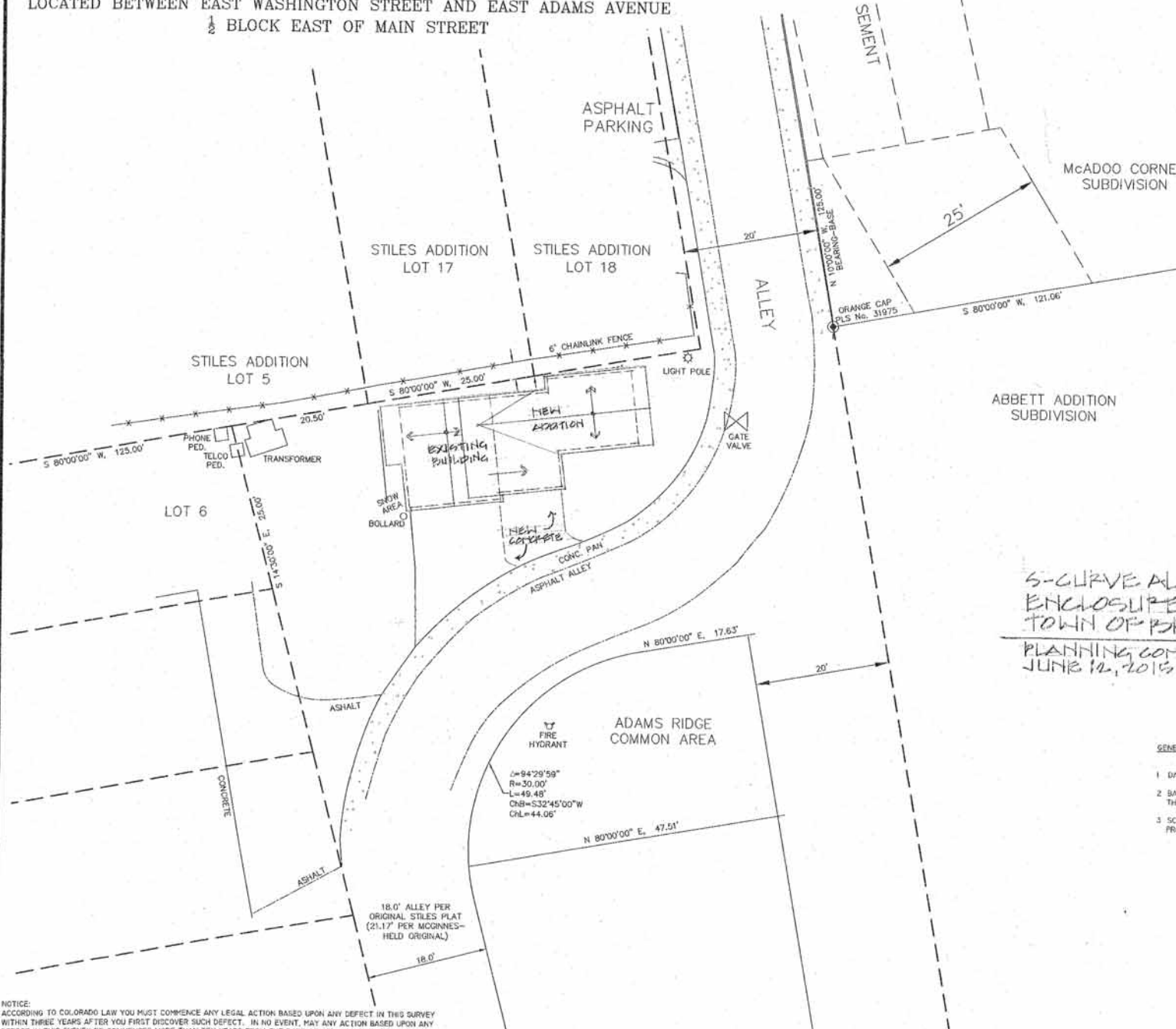
Final Hearing Impact Analysis				
Project:	The Barney Ford Dumpster Expansion	Positive Points	+2	
PL#	PL-2015-0226			
Date:	7/22/2015	Negative Points	0	
Staff:	Michael Mosher, Planner III			
		Total Allocation:	+2	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	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 / (Historic Above Ground Density)	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
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 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)	+2	This dumpster is shared with all of the adjacent business owners along this block of Main Street and Ridge Street.
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)	
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)	
24/R	Architectural Compatibility / Conservation District	5x(-5/0)	
24/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)	
24/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)	
24/R	Social Community - Historic Preservation	3x(0/+5)	
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	
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	
37/A	Special Areas	Complies	

37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	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		

EXHIBIT
ALLEY, TOWN OF BRECKENRIDGE

LOCATED BETWEEN EAST WASHINGTON STREET AND EAST ADAMS AVENUE
1/2 BLOCK EAST OF MAIN STREET



S-CURVE ALLEY DUMPSTER-
ENCLOSURE ADDITION
TOWN OF BRECKENRIDGE
PLANNING COMMISSION SUBMITTAL
JUNE 12, 2015

GENERAL NOTES

1. DATE OF SURVEY: MARCH 19, 2015.
2. BASIS OF BEARINGS: THE TWO REBAR & CAP MONUMENTS (PLS No. 31945) FOUND ALONG THE WESTERN BOUNDARY OF MCADOO SUBDIVISION BEING N 10°00'00" W.
3. SCHMIDT LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

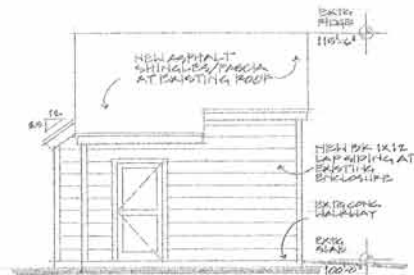
Drawn EKS	Dwg 1568 EXHIBIT.DWG	Project 1567
Date 3/25/15	Scale 1" = 10'	Sheet 1 of 1

SCHMIDT
LAND SURVEYING, INC.
P.O. Box 5761
FRISCO, CO 80443 970-409-9963



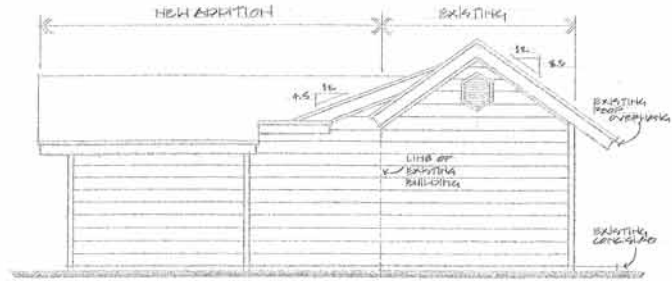
EAST ELEVATION

1/4" = 1'-0"



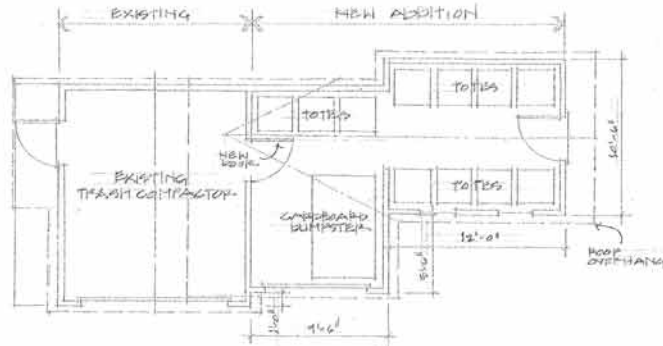
WEST ELEVATION

1/4" = 1'-0"



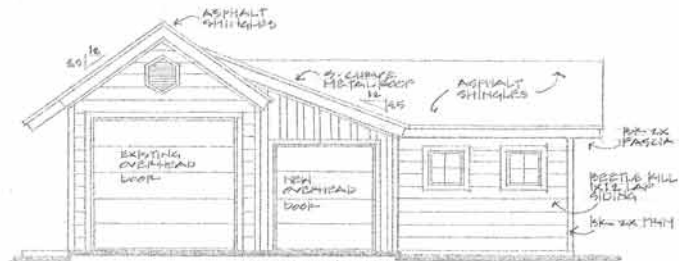
NORTH ELEVATION

1/4" = 1'-0"



FLOOR PLAN

1/4" = 1'-0"



SOUTH ELEVATION

1/4" = 1'-0"

© 2012

NEELY ARCHITECTURE

J. LEE NEELY ARCHITECT
 PO Box 3687
 1702 Airport Road, Unit 5
 Breckenridge, Colorado 80424
 970-547-0554
 Fax 970-547-0554
 jneely@neelyarch.com

S-CURVE ALLEY BUMPER-
 ENCLOSURE ADDITION
 TOWN OF BRECKENRIDGE

Job # 22171

Date 6/12/15

PLANNING
 DIVISION
 SUBMITTAL

A!



**S-Curve Alley Dumpster Enclosure
Breckenridge, Colorado**

**Siding – Horizontal
Messmer’s Oxford Brown**



**Fascia @ Horizontal Siding
Messmer’s Oak Brown**



**Asphalt Shingle Roofing
Timberline Hickory**



**Window Cladding
Brown**



**Siding - Vertical
Messmer’s Oak Brown**



**Fascia @ Vertical Siding
Messmer’s Oxford Brown**



**Metal Roofing
Rust Corrugated**



MEMO

TO: Breckenridge Town Council
FROM: Peter Grosshuesch, Director of Community Development
RE: Denison Placer Housing Project Update/Next Steps
Date: July 20, 2015 (for work session on July 28)

Town Council authorized Staff to begin exploring an affordable housing development on Block 11 with the staff of Colorado Mountain College. To that end, we have hired Coburn Architecture out of Boulder to assist us in defining the size, location, timing and nature of the project. Coburn Architecture is part of a larger firm that also develops housing projects. At this point in time, we are presenting a draft concept for 100 rental units on 6.3 acres that straddles the joint Town-CMC property line. The target construction start date would be in the spring of 2017.

CMC Campus Programming

The project study is broken down into three early components to help us understand the feasibility, cost and potential ramifications of constructing the development. One of the phases is to assist CMC with site programming for the build out of their Breckenridge campus. That task has been completed, with one of the findings being that CMC has identified the southern end of their site as a potential location for future student housing (a compatible adjacent use to the Denison Placer affordable housing development). CMC has now moved on to assess their needs for housing across their entire system of campuses. The results of that report will be discussed by their Board starting in October of this year. Given that development in the project planning, we have paused discussions of a potential business deal with CMC until such time as direction has been given by the CMC Board on how to proceed with a potential project in Breckenridge.

Land Exchange

During the review of the CMC Campus Programming exercise, it was determined that a parcel exchange would be beneficial to both parties. We have tentatively identified a land exchange consisting of two, small parcels. The parcel that we would offer in the exchange is adjacent to the far north end of the CMC property (1.0 acres), and is available due to the decision not to realign the Blue River to the west of its current alignment. The parcel that CMC would exchange (0.8 acres), is a triangular shaped parcel at the far south end of their campus, and is adjacent to the Denison Placer site. The exchange probably makes sense whether we partner with CMC on Denison Placer or not.

Block 11 Civil Plan

A second component of the planning is to develop a plan for the civil engineering needed on the balance of Block 11 in order to prepare for future housing on that site. Included in the plan will be a schedule for rock removal, a grading plan, a street lay out, and a plan for utilities. This plan will also allow us to know with confidence how the surrounding infrastructure should be configured and phased in order to efficiently accommodate Denison Placer.

Denison Placer Housing Development

The third component of the plan is the concept layout of the subject project, Denison Placer, which we are targeting for a 9% Low Income Housing Tax Credit (LIHTC) application. The development is intended to be compatible with the vision plan and design standards for the Block 11 Plan, and also takes into account the future needs and expansion potential of the CMC campus. Several discussions and design charrettes were undertaken to determine the best configuration for the parcel, and to provide compatibility and connections between the housing development, the campus, the river, and the planned river park.

The site follows the road layouts and organization of the Block 11 vision plan and is compatible with its design guidelines with rear loaded parking, stepped buildings, and a variety of forms to help the neighborhood feel more organic. Buildings are oriented to the streets with a focus on creating an inviting streetscape, and include a mix of two and three story buildings to help reduce the perceived density. Smaller clusters of townhomes are situated towards the southern end of the site to provide a smooth transition to the lower density portions of Block 11. Directly to the east of the neighborhood lies the river park.

The park provides a significant benefit to the families that will be living in the neighborhood, and also connects with the river trail and its connections to CMC, the remainder of Block 11, the Rec Center, and to downtown amenities. The river park, coupled with stepped clusters of predominately 2 story townhomes, will provide a positive entry view from the highway and buffers the larger, taller buildings from sight. The goal is to create a neighborhood that is compatible with the Breckenridge vernacular, including traditional materials, with a focus on pedestrian scaled homes that create a varied, and inviting streetscape.

Tax Credits

Tax credit awards for 9% projects result in significantly larger private equity infusions than do the 4% projects, (close to 90% of the project cost). Unlike the 4% program for LIHTC funding, the 9% applications are competitively awarded, and have bi-annual application cycles. In consultation with Sarah Batt, our LIHTC advisor on the Pinewood 2 project, we are proposing this development be restricted to households earning less than 30%, 40%, and 50% AMI (averaging 40%), and that it be designed to accommodate 65 units in a (town home) configuration. Projects incorporating both of these parameters (AMI targets and unit count) have been the most successful in attracting 9% tax credits in the recent past. Because of the six month delay between application cycles, we are wanting to give our proposal the best chance we can for favorable consideration by CHAFA in the first round we apply for. It should be noted that a market study will be required as part of the CHAFA application. We have been working with Melanie Rees, our market consultant, on the initial concept plan. Our 2012 Housing Needs Assessment indicated a significant need for rental units under 80% AMI and a significant lack of family rentals in the Upper Blue. Eighty percent of the rental units that are needed are for households earning under 60% AMI. There are another 35 units proposed in addition to the previously discussed 65, that would be in an apartment building design, bringing the total for the site to an even 100 units. The apartment building could be built at the same time as the town homes, or it could be constructed later depending on the outcome of CMC's determination of their level of participation. In either event, we think it would be valuable to retain our options regarding project size for LIHTC funding, and for accommodating a potential partnership with CMC. It's important to know that LIHTC funding carries with it some significant restrictions against reserving units for student housing. A copy of the schematic design is enclosed for your review and your feedback.

Compatibility with the Block 11 Plan

The parcel configuration for the project includes a .58 acre parcel on Airport Road that is owned by the Town, approximately 4.62 acres of the Towns' Block 11 property, approximately .3 acres of Town right

of way, and the .8 acre CMC parcel that is part of the land exchange. In all, the parcel is 6.3 acres which at 100 units represents 15.8 actual units per acres (or 11.1 UPA using the Towns multiplier).

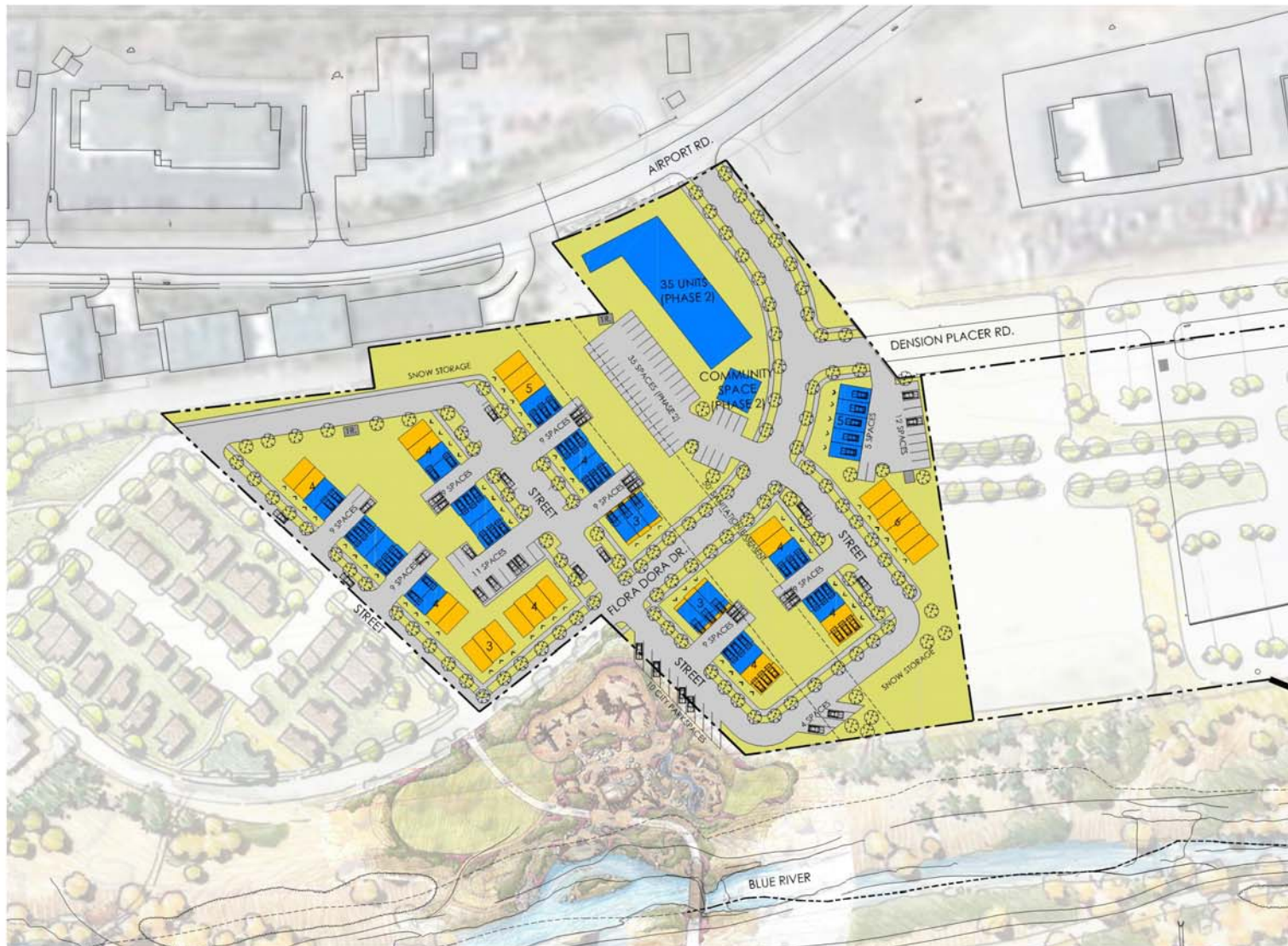
The design creates a good entry from Airport Road to Block 11 and provides a good transition from the college campus to housing neighborhoods.

As you may recall Block 11 is planned to accommodate a total of 180-350 units on 34.17 acres, which includes the Town's Block 11 parcel (25.47 acres) and the School District's 8.7 acre parcel. The Block 11 plan anticipates a variety of density and unit types with higher density multi-family at 9 to 12.5 UPA (based on the Town multiplier) down to low density, primarily single family and duplex units at 6.3-8.7 UPA. The variety of density and housing types is an important element of the plan. The proposed Dennison Placer project is at the high end of the range for the Block 11 Plan. If all of Block 11 was built at density similar to the Dennison Placer project, the Block 11 property could accommodate up to 430 units. So Dennison Placer is currently planned at a higher density than the rest of Block 11.

Very preliminary construction cost estimates are \$160-\$180 square foot (about \$14 million for the 65 Townhomes assuming \$180/sf; and \$4.4 million for the apartment building assuming \$180/sf). Pre-development, planning, design, and construction management are in addition. Additional design development is necessary to further refine these cost estimates.

Town Council Direction

The Council authorized staff to work with CMC on a plan to configure a housing site and to develop a schematic design for a project to address our rental shortages. CMC agreed to split the cost of this phase which is approximately \$10,000 each. Staff is seeking Council approval to move forward with schematic design, which will be necessary for a LIHTC application submittal in the Spring of 2016, as well as proceeding with other consulting and report preparation that we'll need to complete the LIHTC application. The cost for this next phase of design and project feasibility is projected at approximately \$98,000 for architectural fees. Costs for LIHTC consultants will be on a time and materials basis.



CONCEPTUAL SITE PLAN: LAND SWAP & EXISTING SANITARY EASEMENT

SUMMARY:

UNIT BREAKDOWN:
35 UNIT APARTMENT COMPLEX (STUDIO & 1BR)
65 TOWNHOME UNITS (2 OR 3 BR)

PARKING:
OFF-STREET PARKING:
MINIMUM: 132.5
PROVIDED: 137
ON-STREET: 15
TOWN PARK: 10

PARCEL SIZE: 6.3 ACRES

DENSITY:
65 Townhomes at 1,200 sf = 49 Units
35 Apartments at 700 sf = 21 Units
70 Units / 6.3 Acres = 11.1 UPA

SANITARY EASEMENT: EXISTING

DRAINAGE EASEMENT: RELOCATED

KEY:

- 1 STORY ACCESSORY STRUCTURE
- 2 STORY BUILDING
- 3 STORY BUILDING
- SANITATION EASEMENT
- PROPERTY LINE
- > UNIT ENTRY

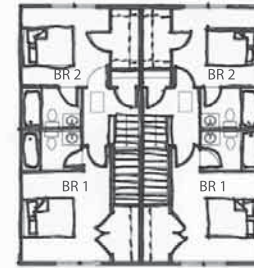
Site Plan
scale: 1" = 60'-0"

TOWNHOME HOME TYPE A:
 (4) 1,000 SF UNITS, 2BD, 2BA

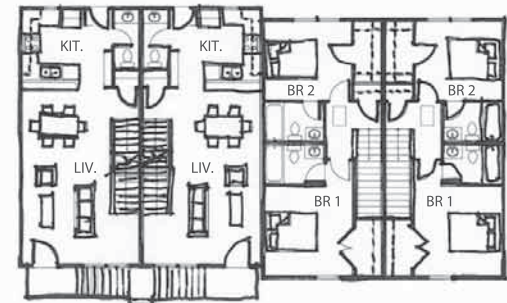


FRONT ELEVATION

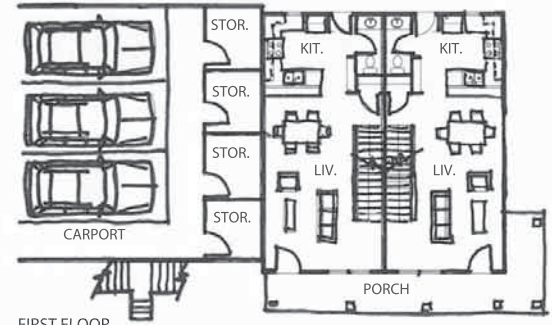
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THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

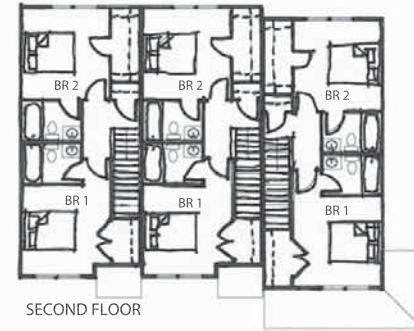
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TOWNHOME HOME TYPE B:
(3) 1,000 SF UNITS, 2BD, 2BA

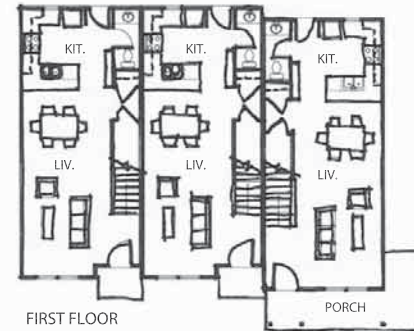


FRONT ELEVATION

SCALE: 1/8" = 1'-0"



SECOND FLOOR

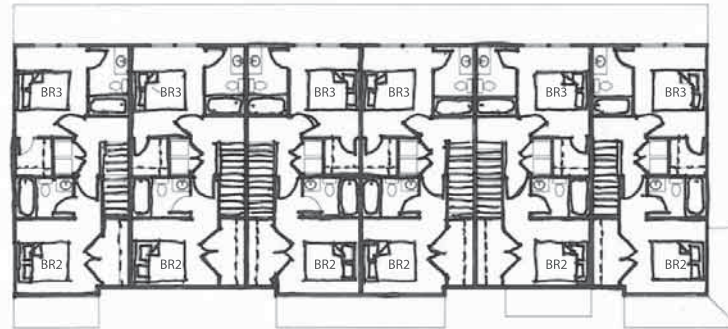


FIRST FLOOR

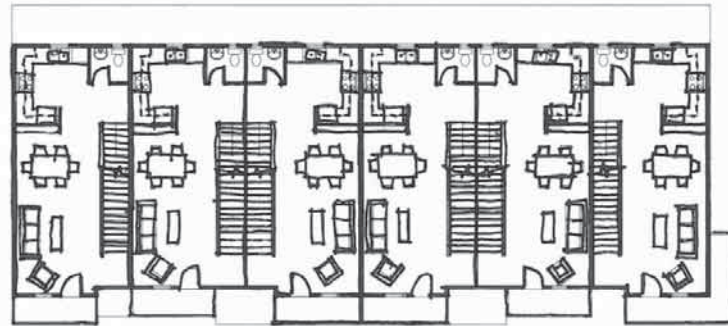
FLOOR PLANS

SCALE: 1/16" = 1'-0"

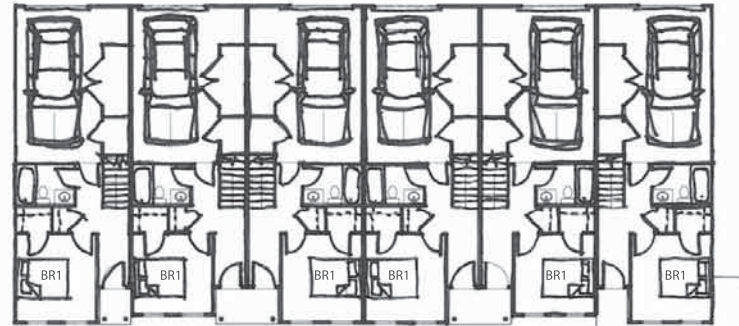
TOWNHOME HOME TYPE C:
(6) 1,200 SF UNITS, 3BD, 3BA



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

SCALE: 1/16" = 1'-0"

TOWNHOME HOME TYPE C:
(3) 1,200 SF UNITS, 3BD, 3BA



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

DENISON PLACER AFFORDABLE HOUSING: PHASE 1A

Town of Breckenridge, Colorado

07.10.15
ARCHITECTURAL CHARACTER



JOINT MEETING AGENDA

Planning Commission and the Breckenridge Town Council

Tuesday, July 28, 2015 6:00pm

Breckenridge Town Hall

1. Development Code Points within Development Agreements
2. Temporary Tents
3. Policy 7R regarding negative points for retaining wall heights and site disturbance.



MEMORANDUM

TO: Town Council

FROM: Julia Puester, AICP, Senior Planner

DATE: July 22, 2015 for meeting of July 28, 2015

SUBJECT: Joint Planning Commission/Town Council Meeting Topics

The purpose of this memo is to provide some background for the Town Council on Joint Planning Commission/Town Council meeting agenda topics. These topics, as recommended for discussion by the Planning Commission, include temporary tents, point assessments in Development Agreements, and negative points for retaining wall heights and excessive site disturbance. This memo is intended to provide the Council with some background for the joint meeting discussion.

1. Temporary tents.

The last update to the Temporary Structures ordinance was approved by the Town Council on April 8, 2014. That modification did not address temporary tents, which were deferred for discussion at a later time.

Recently, staff saw a request from Breckenridge Grand Vacations for a private function with a tent for thirty (30) plus days in duration which could not be approved under the current policy. There is a lack of detail in the Temporary Structures Policy as well as the Town Code Special Events Chapter (Chapter 13, Title 4-attached) for such private events, not allowing such tents. Currently, tents are not allowed either inside or outside of the Conservation District unless a permit has been issued per the Special Events Chapter (which applies only to public events).

The Planning Commission held a work session June 16 and on July 21 on the topic. At those meetings, the Planning Commission discussed the following changes to the policy:

- In the Conservation District: A 5 day limit for private event tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year.
- Arts District and non-profit/Barney Ford Museum (In the Conservation District): Staff had proposed language for exempting private events on public property based on past Council discussion during the design and planning phase of the Arts District and Old Masonic Hall. The Commission was generally not supportive of an exemption to the number of privately held events held on public property, such as weddings, unless such events were open to restaurants throughout Town to bid on catering the events.
- Outside of the Conservation District: The Commission was not as concerned with the area outside the Conservation District as properties tend to be larger and do not have the historic character of the commercial core, which is protected by strong design standards. For the majority of properties, a 5 day limit for tents with a Class D minor permit, 30 days in between permit

issuance, not to exceed 3 permits per year, was supported.

- **Seasonal Tents Outside of the Conservation District:** For large lots outside of the district, such as Beaver Run, Breckenridge Grand Vacations, Vail Resorts etc., support was voiced to allow for private events for up to the entirety of the summer season with a Class C permit, 1 permit per year.
- **Permit reclassification clause:** To address concerns that may be location specific, the director could reclassify applications per existing code, and could require it to come before the Planning Commission with public notice required to adjacent property owners.

2. Development Agreement provisions relationship with point generating Development Code policies.

This topic has been raised several times over the last year at Planning Commission. Commissioners' general consensus is that Development Agreements should address whether policies which are being waived are or are not eligible for being assessed negative points.

3. Policy 7R regarding negative points for retaining wall heights and site disturbance.

As the more developable lots have been built on, more complex steeper lots remain. With current development levels, applications for these difficult lots has increased and staff frequently hears complaints from architects regarding current point allocations for developing such lots. In the past year, the Commission has discussed applications with steep retaining walls with regard to points and design alternatives that may cause more visual impacts on hillsides (e.g. cutting slopes back up to half the lot to keep retaining walls at no greater than a four (4) foot height). The Commission plans to review some of these past projects in the field as to what has and has not been working once constructed.

The goal of this memo is to provide the Council with some background on discussions previously held by the Planning Commission in preparation for the joint work session.