



BOARD OF COUNTY COMMISSIONERS

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SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

Tuesday, May 24, 2016, 1:30 p.m.

SUMMARY MINUTES

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Tuesday, May 24, 2016 was called to order by Chair, Thomas C. Davidson, at 1:31 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Thomas C. Davidson, Chair
Dan Gibbs, Commissioner
Karn Stiegelmeier, Commissioner

Staff Present were as follows: Gary Martinez, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Thad Noll, Assistant County Manager; Scott Vargo, Assistant County Manager; Beverly Breakstone, County Assessor; Don Reimer, Planning Director; Sid Rivers, Planner II; Jessica Potter, Planner I; Lindsay Hirsh, Senior Planner; Julie Sutor, Public Affairs Coordinator; Eva Henson, Administrative Manager and Suzanne Pugsley, Deputy Clerk.

Additional Attendees: Tim Crane, Danny Teodoru, Kevin Fixler, Mark Mathews, Todd Rankin, Joe Maglicic, Bobby Craig, Kevin Hopkins and Kevin Burns.

III. APPROVAL OF AGENDA

Mr. Huntley requested moving Consent item G, a request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. (PLN16-035/Mary Hart) Upper Blue Basin (Planning) to New Business item B, to allow for discussion.

MOTION: a motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to move Consent item G to be New Business item B, a request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. This request will increase the permitted structure size on the Tailor Lode from 1,166.5 square feet to 2,268 square feet. All parcels are located in the Upper Blue Basin. The affected parcels are as follows: Tailor Lode MS#19959, 10.33 acres, Qtr. 1, Sec. 34, Township 6 S, Range 78 W; Josephine Lode MS#4420, 4.66 acres, Qtr. 4, Sec. 27, Township 7 South, Range 77 W; Guich Lode MS#11889, 4.6 acres, Qtr. 2, Sec. 22, Township 6 S, Range 77 W; Gem of the Sand Rock Lode MS#4419, 5.16 acres; Lookout Lode MS#11933, 4.242 acres;

Empire Lode MS#3543, 3.368 acres, Qtr. 4, Sec. 27, Township 7 S, Range 77 W. (PLN16-035/Mary Hart) Upper Blue Basin (Planning) and; Consent item H has been moved to Consent item G, Approval of Appointments to the Snake River Planning Commission (Planning).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

IV. CITIZEN COMMENT

V. PROCLAMATIONS & ANNOUNCEMENTS

- A. Resolution honoring Amy Mastin, Lower Blue Planning Commission Approved Resolution 2016-28; and**
- B. Resolution honoring John Crone, Snake River Planning Commission Approved Resolution 2016-29; and**
- C. Resolution honoring Jeanne Oltman, Snake River Planning Commission Approved Resolution 2016-30; and**
- D. Resolution honoring Steve Smith, Snake River Planning Commission Approved Resolution 2016-31; and**
- E. Resolution honoring Louis Skowyra, Snake River Planning Commission Approved Resolution 2016-32; and**
- F. Resolution honoring Deborah Shaner, Ten Mile Planning Commission Approved Resolution 2016-33; and**

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to approve Resolutions 2016-28 through 33, honoring individuals for their contributions on various Planning Commissions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. CONSENT AGENDA

- A. Warrant List of 5-1-2016 to 5-15-2016 (Finance). Approved as presented by the Finance Department; and**
- B. Approval of Minutes from the 5-3-16 Special Meeting and the 5-10-16 Regular Meeting. Approved as presented; and**
- C. Liquor License Renewal for American Liquors LLC dba AMERICAN LIQUORS; Liquor Store; Craig Rubis; located at 76 Huron Road, Breckenridge, CO (Clerk). The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- D. Request for Public Hearing and Designation of Neighborhood for a New Liquor License for On the Rockies LLC dba ON THE ROCKIES; Hotel & Restaurant; Darrell Walsh; located at 260 Ten Mile Circle, Copper Mountain, CO (Clerk). Approved as presented and scheduled for Public Hearing on June 14, 2016; and**
- E. Approval of a Resolution authorizing the Clerk & Recorder and Motor Vehicle offices to close to the public the day of the Primary Election, June 28, 2016 and the General Election, November 8, 2016 (Clerk). Approved Resolution 2016-34; and**

- F. Approval of a Resolution authorizing the execution of contracts by the County Manager on behalf of Summit County (Attorney). **Approved Resolution 2016-35; and**
- G. Approval of Appointments to the Snake River Planning Commission (Planning). **Approved as presented; and**

MOTION: a motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve the Consent Agenda, items A-G, including Resolution 2016-34, Approval of a Resolution authorizing the Clerk & Recorder and Motor Vehicle offices to close to the public the day of the Primary Election, June 28, 2016 and the General Election, November 8, 2016 (Clerk); and Resolution 2016-35, Approval of a Resolution authorizing the execution of contracts by the County Manager on behalf of Summit County (Attorney).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VII. PUBLIC HEARING

- A. Petition for Abatement or Refund of Taxes; Schedule No. 101099; Lot 582 Golden Crown Sub; Owners: Robert W. Rust and Theresa N. Rust; Agent: Travis Stuard, Duff & Phelps (Assessor). **Continued from the March 22, 2016 Regular Meeting**

Beverly Breakstone noted that Travis Stuard, Tax Agent, had requested prior to the meeting that this Abatement be administratively denied.

Commissioner Davidson opened and closed the hearing for public comment.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to administratively deny the Petition for Abatement or Refund of Taxes for the Petition for Abatement or Refund of Taxes; Schedule No. 101099; Lot 582 Golden Crown Sub; Owners: Robert W. Rust and Theresa N. Rust; Agent: Travis Stuard, Duff & Phelps (Assessor).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- B. Minor PUD amendment to the Keystone PUD to modify certain definitions and number of credits associated with the annual employee housing report in Section 6 of the Keystone PUD to facilitate the allowance of additional beds in the existing Tenderfoot Employee Housing buildings; Lots 1-3, Tenderfoot Subdivision #4, three parcels comprising 5.5 acres, zoned Keystone Resort PUD (PLN16-029/Kara Bowyer) Snake River Basin (Planning).

Lindsay Hirsh gave a brief overview of the staff report and noted that the applicant requested continuing this item to the June 14, 2016 Regular Meeting.

Commissioner Davidson opened and closed the hearing for public comment.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to continue Public Hearing B, a Minor PUD amendment to the Keystone PUD to modify certain definitions and number of credits associated with the annual employee housing report in Section 6 of the Keystone PUD to facilitate the allowance of additional beds in the existing Tenderfoot Employee Housing buildings; Lots 1-3, Tenderfoot Subdivision #4, three parcels comprising 5.5 acres, zoned Keystone Resort PUD (PLN16-029/Kara Bowyer) Snake River Basin (Planning), to the Regular Meeting on June 14, 2016.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- C. Major PUD amendment to the Keystone PUD to add multi-family residential as a permitted use in River Run Parcel C; transfer 33 actual multi-family units from Ski Tip Neighborhood Parcel C to River Run Parcel C; reduce the setback from Independence Road in Ski Tip Parcel C; create a density bank for unused density from Ski Tip Parcel C; and other amendments related to employee housing and public benefit to accomplish the above; Base 1 at Keystone, Filing No. 2, Lot 1 (4.348 acres) and Estates at the Alders #1 Resub Remainder Parcel 2 (18.026 acres) (PLN16-005/Summit Homes Construction LLC) Snake River Basin (Planning). **Continued in part from the May 9, 2016 Special Meeting.**

Keely Ambrose requested that Public Hearing C be tabled to a later time during today's meeting to allow more time for discussion.

A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to table Public Hearing C to a later time during today's meeting.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- D. Preliminary plat to re-establish a lot line between Lots 2 & 3, Block 13, Summit Cove Filing #2, 0.674 acres, zoned R-4 (PLN16-024/Charles Taylor) Snake River Basin (Planning).

Sid Rivers reviewed the staff report and noted that in 1988 the BOCC approved a Resolution approving a lot line vacation on the subject property and that no covenant prohibiting the restoration of the lot lines was recorded with the Resolution.

Ms. Rivers recommended approval of the proposed Resolution including the 7 findings listed in the staff report.

The Commissioners discussed in detail and requested further information regarding the Land Use and Development code and legal issues related thereto.

Jeff Huntley and Ms. Rivers provided further clarification and noted that this is unique case.

Commissioner Davidson opened and closed the hearing for public comment.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Davidson to approve Resolution 2016-36, Preliminary plat to re-establish a lot line between Lots 2 & 3, Block 13, Summit Cove Filing #2, 0.674 acres, zoned R-4 (PLN16-024/Charles Taylor) Snake River Basin (Planning), including the 7 findings.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VIII. NEW BUSINESS

- A. Final plat to re-establish a lot line between Lots 2 & 3, Block 13, Summit Cove Filing #2, .674 acres, zoned R-4 (PLN16-025/Charles Taylor) Snake River Basin (Planning).

Sid Rivers gave a brief overview of the staff report and recommended approval of the proposed Resolution including the 7 findings listed in the staff report.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve Resolution 2016-37, Final plat to re-establish a lot line between Lots 2 & 3, Block 13, Summit Cove Filing #2, .674 acres, zoned R-4 (PLN16-025/Charles Taylor) Snake River Basin (Planning), including the 7 findings.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- B. A request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. This request will increase the permitted structure size on the Tailor Lode from 1,166.5 square feet to 2,268 square feet. All parcels are located in the Upper Blue Basin. The affected parcels are as follows: Tailor Lode MS#19959, 10.33 acres, Qtr. 1, Sec. 34, Township 6 S, Range 78 W; Josephine Lode MS#4420, 4.66 acres, Qtr. 4, Sec. 27, Township 7 South, Range 77 W; Gulch Lode MS#11889, 4.6 acres, Qtr. 2, Sec. 22, Township 6 S, Range 77 W; Gem of the Sand Rock Lode MS#4419, 5.16 acres; Lookout Lode MS#11933, 4.242 acres; Empire Lode MS#3543, 3.368 acres, Qtr. 4, Sec. 27, Township 7 S, Range 77 W. (PLN16-035/Mary Hart) Upper Blue Basin (Planning).

Jessica Potter reviewed the staff report and recommended approval of the proposed Resolution including the 8 findings and 2 conditions.

The Commissioners discussed in detail and requested further information regarding:

- Short-term rental
- Access to property
- Visibility
- Parking

Ms. Potter provided further information and clarification.

Danny Teodoru, Attorney for applicant, spoke regarding short-term rental and addressed concerns and comments.

The Commissioners requested adding a condition to the proposed Resolution that would restrict short-term rentals.

Mr. Teodoru stated that he would need time to discuss the condition with the applicant and requested continuing the discussion to the June 14, 2016 Regular Meeting.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to continue New Business B, A request for a Class 6 Parcel Assemblage to transfer the structure-size-square-footage allowance from five Backcountry-zoned parcels, to the Tailor Lode, another Backcountry-zoned parcel. This request will increase the permitted structure size on the Tailor Lode from 1,166.5 square feet to 2,268 square feet. All parcels are located in the Upper Blue Basin. The affected parcels are as follows: Tailor Lode MS#19959, 10.33 acres, Qtr. 1, Sec. 34, Township 6 S, Range 78 W; Josephine Lode MS#4420, 4.66 acres, Qtr. 4, Sec. 27, Township 7 South, Range 77 W; Gulch Lode MS#11889, 4.6 acres, Qtr. 2, Sec. 22, Township 6 S, Range 77 W; Gem of the Sand Rock Lode MS#4419, 5.16 acres; Lookout Lode MS#11933, 4.242 acres; Empire Lode MS#3543, 3.368 acres, Qtr. 4, Sec. 27, Township 7 S, Range 77 W. (PLN16-035/Mary Hart) Upper Blue Basin (Planning), to the Regular Meeting on June 14, 2016.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

A brief recess was taken at 2:27 p.m.

The meeting resumed at 3:15 p.m.

IX. PUBLIC HEARING

C. Major PUD amendment to the Keystone PUD to add multi-family residential as a permitted use in River Run Parcel C; transfer 33 actual multi-family units from Ski Tip Neighborhood Parcel C to River Run Parcel C; reduce the setback from Independence Road in Ski Tip Parcel C; create a density bank for unused density from Ski Tip Parcel C; and other amendments related to employee housing and public benefit to accomplish the above; Base 1 at Keystone, Filing No. 2, Lot 1 (4.348 acres) and Estates at the Alders #1 Resub Remainder Parcel 2 (18.026 acres) (PLN16-005/Summit Homes Construction LLC) Snake River Basin (Planning). Continued in part from the May 9, 2016 Special Meeting.

Mr. Huntley and Ms. Ambrose discussed the proposed Development Agreement and gave an overview of the framework to move forward.

Tim Crane, applicant, and his attorney, Mr. Teodoru, also provided information regarding the proposed Development Agreement.

The Commissioners discussed in detail and requested further clarification regarding the Development Agreement.

Mr Crane and staff suggested to continue the hearing to a Special Meeting on May 27, 2016 to finalize the Development Agreement.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to continue in part PLN16-005, a Major PUD amendment to the Keystone PUD to add multi-family residential as a permitted use in River Run Parcel C; transfer 33 actual multi-family units from Ski Tip Neighborhood Parcel C to River Run Parcel C; reduce the setback from Independence Road in Ski Tip Parcel C; create a density bank for unused density from Ski Tip Parcel C; and other amendments related to employee housing and public benefit to accomplish the above; Base 1 at Keystone, Filing No. 2, Lot 1 (4.348 acres) and Estates at the Alders #1 Resub Remainder Parcel 2 (18.026 acres) (PLN16-005/Summit Homes Construction LLC) Snake River Basin (Planning), to a Special Meeting on May 27, 2016.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

CI. ADJOURNMENT

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Approved by:


Suzanne Pugsley, Deputy Clerk





Thomas C. Davidson, Chair

NOTE: These minutes are a summary of the proceedings and motions of the May 24, 2016 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.