

SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

Tuesday, June 28, 2016, 1:30 p.m.

SUMMARY MINUTES

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Tuesday, June 28, 2016 was called to order by Chair, Thomas C. Davidson, at 1:54 p.m. (due to the Board of Health Special Meeting) in the Buffalo Mountain Room, Summit County Commons, 0037 Peak One Drive, Frisco, 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; Don Reimer, Planning Director; Lindsay Hirsh, Senior Planner; Sid Rivers, Planner; Sarah Meggison, Planner; Julie Sutor, Public Affairs Coordinator; and Suzanne Pugsley, Deputy Clerk.

Additional Attendees: Kevin Fixler, Danny Teodoru, Steven Henson, Joe Kelsner, Holly Fliniau, Frank Schmitz, Janice Wagner, Joanne Hopkins, Seth Danner, PJ Seel, Todd Anderson, Karen Cameron, Zane Levin, Darin Rohlf, Kristin Schuette, Steve Weitt, Mike Goar, Kara Bowyer and Tom Begley.

III. APPROVAL OF AGENDA

Jeff Huntley noted that the agenda items will be opened out of order, but the Agenda was approved, as presented.

IV. CITIZEN COMMENT

Darin Rohlf spoke and requested further information regarding the recent appointment of the Summit County Sheriff.

Commissioner Davidson stated that he could request further information pertaining to the Special Meeting on May 27, 2016 that appointed the Summit County Sheriff, and directed staff to assist Mr. Rohlf with obtaining the minutes and recording from the May 27, 2016 meeting.

V. CONSENT AGENDA

A. Warrant List of 6-1-2016 to 6-15-2016 (Finance). Approved as presented by the Finance Department; and

- B. Approval of Minutes from the 6-14-16 Regular Meeting. **Approved as presented; and**
- C. Liquor License Renewal for Powdr-Copper Mountain LLC dba COPPER MOUNTAIN RESORT; Resort Complex Liquor License with Related Facility Permit; Laura Brubaker; located at 209 Ten Mile Circle, Copper Mountain, 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. Lot line adjustment between Lots 10 & 11, Breckenridge Heights #3, zoned R-2. Lots 10 & 11, Block 11, Breckenridge Heights #3 (PLN16-047/Bobby Craig) Upper Blue Basin (Planning). **Approved Resolution 2016-47**
- E. Petition for Abatement or Refund of Taxes; Abatement No. 16AR-069; Schedule No. 303632; Legal Description: Parcel B Block 10 Yingling & Mickles Addition Sub; Owner: David G. Tyler (Assessor). **Approved as presented; and**
- F. Petition for Abatement or Refund of Taxes; Abatement No. 16AP-023; Schedule No. 9952341; Legal Description: Business Equipment at Lot 18A Block F Silverthorne Town Sub; Owner: Caliber Bodyworks of Colorado Inc (Assessor). **Approved as presented; and**
- G. Approval to exercise the option agreement to purchase the Lancaster and Surprise Lodes (Snake River Basin) (Open Space & Trails). **Approved as presented; and**
- H. Approval to exercise the option agreement to purchase the Brian Avenue parcels (Lower Blue) (Open Space & Trails). **Approved as presented; and**
- I. Approval of the 2016 Summit County Wildfire Council Hazardous Fuels Reduction Program and Community Wildfire Protection Plan Grant Program Funding (CSU Ext.). **Approved as presented; and**

MOTION: a motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to approve the Consent Agenda, items A-I including Resolution 2016-47, Lot line adjustment between Lots 10 & 11, Breckenridge Heights #3, zoned R-2. Lots 10 & 11, Block 11, Breckenridge Heights #3 (PLN16-047/Bobby Craig) Upper Blue Basin (Planning) including the 5 findings.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

The Commissioners opened up Public Hearing C.

VI. PUBLIC HEARING

- C. 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). **Continued from the June 14, 2016 Regular Meeting.**

Lindsay Hirsh reviewed the staff report and gave an overview of the 7 criteria as listed in the report.

Staff recommended approval of the proposed Resolution including the 7 findings and 2 conditions.

The Commissioners discussed the site visit of the existing Tenderfoot Employee Housing buildings and noted their impressions of the conditions.

Mike Goar, COO of Keystone Ski Resort, thanked staff and gave further details regarding the allowance of additional beds. He also spoke in favor of the approval of the minor PUD amendment.

Kara Bowyer, Senior Land Use Planner for Keystone Ski Resort, gave further clarification on the technical details and reviewed the following:

- Number of beds
- Availability to other Vail Resorts employees in the County
- Parking Management Plan.

The Commissioners requested further information and expressed concerns regarding the following:

- Parking enforcement
- AMI clarification
- Health, safety and welfare of the residents
- Cost of rent
- Temporary vs. permanent solution to housing crisis

Mr. Goar and Ms. Bowyer addressed the concerns and provided further information.

Mr. Hirsh also addressed some concerns and suggested modifying the conditions on the proposed Resolution.

Commissioner Davidson opened and closed the hearing with no public comment.

Commissioner Davidson requested that Public Hearing C be tabled to a later time during today's meeting to allow more time for discussion between staff and the applicant.

The Commissioners opened up Public Hearing A.

- A. Minor PUD Amendment to correct the legal description, density, and development plan: Parcel A, River's Edge PUD, zoned River's Edge PUD (PLN16-056/Tom Begley) Upper Blue Basin (Planning).

Sid Rivers reviewed the staff report and stated that the River's Edge Planned Unit Development (PUD) minor amendment will resolve the issue of the "excess" density and eliminate from the PUD the four units that were annexed into the Town of Breckenridge. This PUD amendment will reflect the River's Edge preliminary plat (PLN16-004) approval of 13 lots resulting in a total of 25

units. The development of the River's Edge subdivision (PLN16-004: Preliminary Plat, and PLN16-054: Final Plat) necessitates that this PUD be updated and amended to reflect the correct legal description, density and layout.

Staff recommended approval of the proposed Resolution including the 7 findings.

Commissioner Davidson opened and closed the hearing with no public comment.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve Resolution 2016-48, a Minor PUD Amendment to correct the legal description, density, and development plan: Parcel A, River's Edge PUD, zoned River's Edge PUD (PLN16-056/Tom Begley) Upper Blue Basin (Planning) including the 7 findings.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

The Commissioners opened up New Business A.

VII. NEW BUSINESS

A. Final Plat for 13 lots (12 duplex lots & and 1 SFR lot, for a total of 25 units), and 3 open space tracts; Parcel A, Rivers Edge PUD, zoned Rivers Edge PUD (PLN16-054/Rivers Edge Development, LLC) Upper Blue Basin (Planning).

Sid Rivers gave a brief overview of the staff report and recommended approval of the proposed Resolution including the 7 findings and 5 conditions.

Tom Begley, applicant, and his attorney, Steve West, also spoke in favor of an approval and noted that they would like to voluntarily modify the conditions to add a 1% housing transfer fee on all transfers of the properties subsequent to the initial sale.

Mr. Huntley noted that this transfer fee would be modeled on the County's existing voluntary endowment covenant for the housing impact fee (and would be in lieu of that impact fee).

The applicant also agreed that a plat note would be appropriate to reflect this voluntary covenant/transfer fee so that all purchasers and others would be on notice of its existence. The applicant suggested the following be condition 6:

- Transfer fee would be modeled on the County's existing voluntary endowment covenant for the housing impact fee (and would be in lieu of that impact fee).
- A plat note would be appropriate to reflect this voluntary covenant/transfer fee so that all purchasers and others would be on notice of its existence.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to approve Resolution 2016-49, a Final Plat for 13 lots (12 duplex lots & and 1 SFR lot, for a total of 25 units), and 3 open space tracts; Parcel A, Rivers Edge PUD, zoned Rivers Edge PUD (PLN16-054/Rivers Edge Development, LLC) Upper

Blue Basin (Planning), including the 7 findings and 6 conditions in substantially the same form as presented at the hearing.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

The Commissioners re-opened Public Hearing C and the recording was paused at 3:24 p.m. to allow time for the applicant and staff to reconvene. The meeting resumed at 3:30 p.m.

VI. PUBLIC HEARING

C. 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). Continued from the June 14, 2016 Regular Meeting.

Staff presented the revised conditions which the Commissioners discussed with staff and applicant. The Commissioners and applicant agreed to the modified language as presented in the hearing, and set forth below:

1. The applicant shall provide sufficient parking for the additional occupants of the Tenderfoot Housing Project through the implementation of the approved Parking Management Plan and by providing additional parking spaces elsewhere in the Resort. By December 25, 2016, applicant shall provide one of the following: cleared space on the upper storage lot, sufficient parking at the Powerline Lot (H Lot), or sufficient parking elsewhere in the PUD.
2. Prior to installation of any additional beds as permitted by this amendment, the applicant shall pay such amounts as are determined to be due for tap fees or EQRs to the Snake River Water District and the Snake River Wastewater Utility under their respective rules and regulations in connection with the beds actually added.
3. Staff and the applicant shall add language to the PUD, Section 6(A), providing for comprehensive review and approval of the changes associated with this PUD amendment by the BOCC prior to utilization of the additional beds for the 2017-2018 season.
4. Prior to the commencement of the 2016-2017 season, the applicant shall provide information regarding the license fees charged to employees for Tenderfoot beds and indicating that such fees are a substantial reduction from the rates charged for single occupancy rooms.

MOTION: A motion was made by Commissioner Stiegelmeier and seconded by Commissioner Gibbs to approve Resolution 2016-50, 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), including the 7 findings and 4 conditions as presented at the hearing.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

Commissioner Davidson had to leave the meeting. Commissioner Stiegelmeier stepped in as Vice-Chair to run the remainder of the meeting.

The Commissioners open up Public Hearing B.

- B. Major amendment to the Skiers Edge PUD to clearly identify and update existing/proposed uses including up to 18 commercial condominium/hotel lodging units, 2,300 square feet of restaurant and bar area, accessory uses and 2 employee housing units on a 4.140 acre parcel, Lot 1 Skiers Edge, LKA Part of Lot 1, T7S, R78W, Sec 36; zoned Skiers Edge PUD (PLN16-031/Danny Teodoru) Upper Blue Basin (Planning).

Lindsay Hirsh gave an overview of the staff report and recommended approval of the proposed Resolution including the 9 findings and 2 conditions.

Danny Teodoru, representative and attorney for applicant, provided information regarding the clean-up of the zoning document and to recognize the subject property as a condo/hotel, consistent with the uses allowed in the existing zoning document.

Commissioner Stiegelmeier and Commissioner Gibbs discussed in detail and requested further information on parcel ownership.

Mr. Teodoru and Mr. Hirsh gave detailed responses.

Commissioner Stiegelmeier opened and closed the hearing with no public comment.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve Resolution 2016-51, a major amendment to the Skiers Edge PUD to clearly identify and update existing/proposed uses including up to 18 commercial condominium/hotel lodging units, 2,300 square feet of restaurant and bar area, accessory uses and 2 employee housing units on a 4.140 acre parcel, Lot 1 Skiers Edge, LKA Part of Lot 1, T7S, R78W, Sec 36; zoned Skiers Edge PUD (PLN16-031/Danny Teodoru) Upper Blue Basin (Planning) including the 9 findings and 2 conditions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

The Commissioners opened up New Business B

VII. NEW BUSINESS

B. A Class 6 General Subdivision Exemption application to amend the access easement lines on Parcel B, Block 2, Woodmoor at Breckenridge Sub Resub Lot 6 & 7; 0036 Colorado Way (CR 546), zoned R-4 with Plan; 0.37 acres. Lot size will not change. (PLN16-049/Darci Hughes) Upper Blue Basin (Planning).

Sarah Meggison reviewed the staff report and noted that the applicant requested a significant reduction in the fee.

Staff recommended approval of the 7 findings and 1 condition, but did not recommend the reduction in the fee.

Darci Hughes, architect for applicant, also spoke in favor of the approval and noted a discrepancy in the fee calculation as the basis for the applicant's request for a fee reduction.

Commissioner Stiegelmeier and Commissioner Gibbs discussed in detail and agreed upon a slightly reduced fee for the applicant.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve Resolution 2016-52, a Class 6 General Subdivision Exemption application to amend the access easement lines on Parcel B, Block 2, Woodmoor at Breckenridge Sub Resub Lot 6 & 7; 0036 Colorado Way (CR 546), zoned R-4 with Plan; 0.37 acres. Lot size will not change (PLN16-049/Darci Hughes) Upper Blue Basin (Planning), including the 7 findings and 1 condition.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VIII. ADJOURNMENT

The meeting was adjourned at 4:07 p.m.

Respectfully submitted,

Approved by:


Suzanne Pugsley, Deputy Clerk





Kam Stiegelmeier, Vice-Chair

NOTE: These minutes are a summary of the proceedings and motions of the June 28, 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.