

*Town of Estes Park, Larimer County, Colorado, May 27, 2008*

Minutes of a Regular meeting of the Board of Trustees of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Town Hall in said Town of Estes Park on the 27<sup>th</sup> day of May, 2008. Meeting called to order by Mayor Pinkham.

Present: William C. Pinkham, Mayor  
Chuck Levine, Mayor Pro Tem  
Trustees Eric Blackhurst  
Dorla Eisenlauer  
Richard Homeier  
John Ericson  
Jerry Miller

Also Present: Town Attorney Greg White  
Lowell Richardson, Deputy Town Administrator  
Jackie Williamson, Town Clerk

Absent: Jacquie Halburnt, Town Administrator

Mayor Pinkham called the meeting to order at 7:00 p.m. and all desiring to do so, recited the Pledge of Allegiance.

**PUBLIC COMMENT.**

David Habecker/Town Citizen questioned the recitation of the Pledge of Allegiance at the beginning of Town Board meetings.

Tom Ewing/Town Citizen applauded the recent action taken by the Planning Commission to disapprove the proposed development on the Elkhorn Lodge properties. He questioned the need for a bypass road through the property and the density requested by the developer to make the project feasible. He suggested other alternative uses for the property including a sledding hill, ice skating pond, picnic grounds, etc.

Marie Steinbrecher/Town Citizen stated the proposed Elkhorn Lodge development would not be positive for the community. She too applauded the Planning Commission for recommending denial of the proposed plan.

**TOWN BOARD COMMENTS.**

Mayor Pinkham noted the Town Board and County Commissioners would hold the first of two public hearings on the proposed Estes Park Local Marketing District on June 5<sup>th</sup> at 3:00 p.m. in the Board Room.

**1. CONSENT AGENDA (Approval of):**

1. Town Board Minutes dated May 13, 2008.
2. Bills.
3. Committee Minutes:
  - A. Utilities - Special Meeting, May 15, 2008.
  - B. Public Safety, May 15, 2008:
    - a. Intergovernmental Agreement (IGA) with Larimer County Department of Human Services for HUB Juvenile Assessment Center.

- C. Public Works, May 22, 2008:
  - a. Drainage Master Plan, RC Consulting Engineering, \$50,000 – Budgeted.
- 4. Estes Valley Board of Adjustment, February 5, 2008 (acknowledgement only).
- 5. Estes Valley Planning Commission, April 15, 2008 (acknowledgement only).
- 6. Estes Valley Planning Commission Special Meeting, April 17, 2008 (acknowledgement only).
- 7. Intent to Annex Resolution #12-08 – Big Bear Estates Addition. Public Hearing scheduled June 24, 2008.

It was **moved and seconded** (Levine/Eisenlauer) **the Consent Agenda be approved**, and it passed unanimously.

**2. REPORTS AND DISCUSSION ITEMS:**

- 1. Meegan Flenniken/Larimer County Natural Resource Department provided an update on Hermit Park acquired by the County in 2007 through cooperative funding including the Town of Estes Park. A Master Plan has been developed in an effort to strike a balance between additional development and resource protection on the property. The Master Plan includes a series of trailheads and interconnecting trails, education amphitheatre, 5 new cabins, 19 new campsites, visitor center, non-commercialized and no motorized activities, removal of incompatible structures, stabilization of historic structures, establishment of a fee structure, bring roads and wells up to standards, wildlife management (hunting) and phasing of the new facilities over the next 25 years. Some forestry work has also been completed to create defensible spaces around structures and to address beetle management. The park will be open through October 1, 2008.

**3. PLANNING COMMISSION AGENDA (Approval of):**

**Mayor Pinkham: Open the Public Hearing for all Consent Agenda Items.** If the Applicant, Public or Town Board wish to speak to any of these consent items, they will be moved to the “Action Item” Section.

**1. CONSENT ITEMS:**

- A. SUPPLEMENTAL CONDOMINIUM MAP
  - 1. The Promontory at Kiowa Ridge Condominiums, Supplemental Condominium Map #4, Lot 6, Mary’s Lake Replat, The Promontory, LLC/Applicant.
- B. FINAL CONDOMINIUM MAP
  - 1. The Peaks at Mary’s Lake Lodge Condominiums, Lots 3A & 3B, Mary’s Lake Replat of Mary’s Lake Subdivision, Don DeBey/Applicant.
  - 2. The Timbers of Estes, Lot 3, Schroeder Resubdivision, Mark Theiss/Applicant.
- C. AMENDED CONDOMINIUM MAP
  - 1. The Promontory at Kiowa Ridge Condominiums, Lot 6, Mary’s Lake Replat, The Promontory, LLC, Ken & Cherie Martin, Jeff & Patricia Van Bogaert, & William & Sandra Cepica/Applicants.
  - 2. Rivers Pointe Downtown Condominiums, Units F, 2B, 2C, & 2D, James Haber & Sandra Petrie/Applicants.

D. SPECIAL REVIEW, REZONING, DEVELOPMENT PLAN 08-04, PRELIMINARY CONDOMINIUM MAP

1. Sapling Green Development, Lot 35, Grand Estates Subdivision; Basis Architecture/Applicant — Staff requests continuance to June 10, 2008.

As there were no comments, the Mayor closed the public hearing and it was **moved and seconded** (Homeier/Blackhurst) **the Consent Agenda be approved with Staff conditions of approval**, and it passed unanimously.

4. **ACTION ITEMS:**

1. **1<sup>ST</sup> QUARTER SALES TAX REPORT.**

Finance Officer McFarland presented the updated reclassification of the existing sales tax categories for 1,121 sales tax vendors doing business within Estes Park in 2007. 152 of the 1,121 vendors were reclassified and the result was a reclassification of 6% of the sales tax. Three major categories, Apparel, Arts & Crafts and Furniture, were merged with Retail resulting in five major categories, Food, Lodging, Retail, Utilities and Construction with an increase from 90% to 96% of the total sales tax revenue.

First quarter sales tax was 6.5% above 2007; however, it was below the budgeted 1<sup>st</sup> quarter. The winter economy as related to sales tax income is higher for Utilities and Construction and less for Lodging and Retail. Forecasting information suggests the Town should reach the approved budget of \$7.4 million.

2. **COMPREHENSIVE PLAN STATISTICAL UPDATE.**

Director Joseph stated a statistical update of Chapter Three and Appendix One of the Estes Valley Comprehensive Plan has been completed. No changes have been made to the original plan, policies or recommended actions; however, the updates provide trend lines. An overview of the updates was reviewed. Key points established from the update include the growth rate of rooftops is growing faster than the number of permanent residents due to the seasonality of the community and level of second homeownership, and the predicted build out with the current zoning is 12,019 building units including existing and future units. The Town Board's role would be to make a recommendation to the Estes Valley Planning Commission for the adoption of the revisions to the applicable chapters of the Estes Valley Comprehensive Plan.

Mayor Pinkham requested a revision date be added to the footer and the methodology used for the update be included in the document.

Trustee Blackhurst stated the Estes Valley Housing Authority's Housing Needs Assessment completed in 2007 and the 2006 Intercept Study/Conversion Study data should be incorporated within the document. Both documents contain current data not included by the consultants in the update. He requested Figure 4.1 – Existing Zoning Summary Within the Study Area include an additional column with a breakout of the existing dwelling units.

Trustee Miller questioned if the CVB staff has reviewed the updates in order to incorporate available statistical data.

It was **moved and seconded** (Homeier/Levine) **to recommend approval of the statistical updates to the Estes Valley Comprehensive Plan with the inclusion of the Housing Needs Assessment to the Estes Valley Planning Commission**, and the motion was denied with Trustee Homeier voting "Yes".

Discussion followed and the Board requested staff complete the updates as presented and incorporate current data from the Housing Needs Assessment and the Intercept Study for the Board's review.

3. **TOWN POLICY FOR USE OF TOWN FACILITIES.**

Deputy Town Administrator Richardson reviewed changes to the policy as requested at the previous Town Board meeting.

Trustee Homeier requested E.5. be modified with Town being replaced with "Estes Valley" and the removal of the wording "political change" from F.

Attorney White suggested the Board consider removal of the phrase "The Town of Estes Park reserves the right to refuse the use of any facility to any group without cause".

It was **moved and seconded** (Miller/Homeier) **to approve the Town Facility use policy as presented with the suggested changes**, and it passed unanimously.

4. **TOWN ADMINSTRATOR REPORT.**

- The Estes Park Local Marketing District public hearings would be conducted on June 5<sup>th</sup> at 3:00 p.m. and June 26<sup>th</sup> at 7:00 p.m. in the Town Board Room.
- 1,600 of the 10,000 Barn surveys distributed have been returned and results would be presented at the June 10<sup>th</sup> Board meeting.

Whereupon Mayor Pinkham adjourned the regular meeting at 8:35 p.m.

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William C. Pinkham, Mayor

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Jackie Williamson, Town Clerk