

## RECORD OF PROCEEDINGS

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*Town of Estes Park, Larimer County, Colorado, March 1, 2007*

Minutes of a Regular meeting of the **COMMUNITY DEVELOPMENT COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in Town Hall in said Town of Estes Park on the 1<sup>st</sup> day of March 2007.

Committee: Chairman Pinkham, Trustees Eisenlauer and Levine

Attending: All

Also Attending: Town Administrator Repola, Deputy Town Administrator Halburnt, Directors Pickering, Kilsdonk, Mitchell, and Joseph, Deputy Town Clerk Deats

Absent: None

Chairman Pinkham called the meeting to order at 8:00 a.m.

### **PUBLIC COMMENT.**

Chairman Pinkham welcomed Deputy Town Administrator Jacquie Halburnt and stated that the agenda order for the meeting would change to accommodate members of the community who had come to participate in the vacation home policy discussion.

Paul Fishman/14ers Café/116 E. Elkhorn Avenue #16, addressed the Committee regarding business licensing of vendors who participate in special events held at Bond Park, the Fairgrounds, and Stanley Park. He stated these events don't benefit the local merchants and actually pull people from the downtown area. He voiced a concern that non-local vendors are allowed to operate under the business license of the sponsoring group during the event and questioned whether appropriate taxes are being collected and paid by these vendors. Chairman Pinkham suggested compiling facts and data and to continue discussion at the April 5, 2007 Committee meeting.

Patrick Cipolla/632 Aspen Avenue, requested land use codes and zoning laws be reviewed including residential and commercial development in the A-zoning designation and the creation of larger buffer zones between residential and commercial developments. He voiced a concern regarding building permit fees charged to developers and the styles of buildings that are being built in residential neighborhoods. Administrator Repola clarified the building permit process and charges, stated that impact fees are being considered, and that the Town's Comprehensive Plan is scheduled for review.

### **CONVENTION & VISITORS BUREAU.**

#### **Conference Center Renovation Drywall Bids – Request Approval.**

In February, an RFP was sent to three local drywall companies to request bids for drywall repairs at the Conference Center in conjunction with the renovation of the facilities. Only one bid was received from Ed's Drywall at a cost of \$3,750.00 for repairs and patching with an additional \$550.00 allowance for drywall replacement if it is unable to be repaired.

**The Committee recommends approval of the bid from Ed's Drywall at a cost not to exceed \$4,300.00 as budgeted. (222-5800-458-25-02).**

#### **Conference Center Renovation Paint Bids – Request Approval.**

In January, an RFP was sent to six local painting firms to request bids on work to be done at the Conference Center in conjunction with the renovation/rejuvenation of the facilities. Two companies submitted bids and indicated they could perform the work in

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the time allotted. The bids are as follows:

Village Maintenance Painting Service	\$29,723.00
Quigley's Painting, Inc.	\$23,000.00

**The Committee recommends approval of the low bid from Quigley Painting, Inc. at a cost not to exceed \$23,000.00 as budgeted. (222-5800-458-25-02).**

**Conference Center Renovation Furniture Bids – Request Approval.**

Furniture for the public areas/lobby of the Estes Park Conference Center is budgeted to be replaced at the completion of carpet laying, drywall repairs, and painting at the end of April 2007. Couches and matching chairs were selected from five furniture manufacturers for their style, quality, and durability. Also considered were warranties, customer service and shipping costs. Three companies met all standards and requirements and their prices for ten couches and ten chairs are as follows:

Marshfield Furniture	\$13,000.00 plus shipping @ \$900.00
Keswick-Cross	\$17,000.00 plus shipping @ \$750.00
Lazy Boy Furniture	\$15,000.00 plus shipping @ \$200.00

All of the bids came in below the budget of \$20,000.00 and staff requests that they be allowed to choose the final product after consulting with the designer and seeing finalized paint colors, carpet patterns/colors, and lighting. **The Committee recommends approval of the purchase of ten couches and ten chairs for public areas of the Estes Park Conference Center at a cost not to exceed \$20,000.00 as budgeted. (222-5800-458-33-31).**

**Rooftop Rodeo Corporate Sponsorship Proposal – Request Approval.**

The Rooftop Rodeo Committee has entered into negotiations with Estes Valley Resorts to be the primary sponsor for the Rooftop Rodeo for the next three years. The sponsorship will help slow the growth in increased budgetary requests from the Rodeo Committee and will assist in providing additional funds for capital improvements for the Rodeo. The Committee suggested that the Town of Estes Park be dropped from the proposed name of the Rodeo and complimented the Rodeo Committee for their efforts in securing funding for the Rodeo. **The Committee recommends approval of the sponsorship agreement between Estes Valley Resorts and the Rooftop Rodeo Committee with the name change** as outlined in the Corporate Sponsorship Proposal.

**Stanley Park Fairgrounds Phase II Construction Bids – Request Approval.**

Projects for site improvements at the Stanley Park Fairgrounds facility for 2007 include an overall upgrade of the bull pens and enhancements to the drainage system which requires the under grounding of existing surface drain water. The 2007 Budget contains \$50,000 for engineering costs and \$100,000 for construction costs. Design/Build project requirements were sent to five engineering firms, with four responses:

Van Horn/Kitchen	\$60,267.00
Cornerstone Engineering/ Cornerstone Construction Concepts	\$67,500.00
JR Engineering/Lefever	\$95,404.00
Van Horn/Jansma	\$99,812.00

The Committee discussed the time frame of the project and suggested a 10% contingency amount be included with the request. Staff stated that the project will be completed by May 25, 2007, and that they have had positive feedback from users at the fairgrounds regarding site improvements. **The Committee recommends approval of the low bid from Van Horn/Kitchen for \$60,267.00 with the addition of \$6,026.00, a 10% contingency, for a total of \$66,293.00. Engineering costs @ \$8,351.00 (204-**

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**5400-544-22-02) and Construction costs @ \$57,942.00 (204-5400-544-32-22).**

**Reports.**

Reports provided for informational purposes and made a part of the proceedings.

- Marketing
- Media/Public Relations
- Visitors Services and Center

**2006 Year End Reports.**

- Marketing
- Media/Public Relations
- Groups Sales and Marketing
- Conference Center
- Stakeholder and Membership Sales
- Visitors Services and Center
- Events and Fairgrounds

**MUSEUM/SENIOR CENTER SERVICES DEPARTMENT.**

**Reports.**

Reports provided for informational purposes and made a part of the proceedings.

- Museum Monthly Report
  - Museum Annual List of Acquisitions
- Senior Center Monthly Report
  - Meals on Wheels Brochure

**COMMUNITY DEVELOPMENT.**

**Vacation Homes – Policy Discussion.**

Dir. Joseph began the discussion commenting that the original code regulating vacation homes was adopted in the late nineties with changes made in 2004 to clarify and address limits on the number of people in vacation homes at one time and the number of cars allowed to be parked on the property. He stated that, with the exception of The Celtic Lady, there are relatively few complaints on the issue, but that some consideration might be given to establishing time limits on vacation rentals or relegating this to an accessory status, subordinate to the principle use of the property. Administrator Repola added that the Municipal Code does not make a distinction between vacation homes and Bed and Breakfasts, that vacation homes are allowed in all zoning districts and that the land development code also allows vacation homes in all districts, but prohibits Bed and Breakfasts in some residential areas. He added that a remedy is needed to correct the disconnect in these two codes. The Committee viewed a website for a local vacation home property that advertises weddings and executive retreats as part of their business offerings. It was noted that these types of activities have a much different impact on a residential neighborhood and questioned whether or not these offerings are considered to be in character with the neighborhood.

Chairman Pinkham stated that the purpose of the discussion is to gather facts and information in order to resolve The Celtic Lady issue and to determine the extent of problems rising from vacation homes.

Comments were heard from Jeanine Drahota/1140 Fall River Court, Don and Margery Gooldy/1071 Fall River Court, Lyle Jensen/357 Virginia Drive, and George Hockman/1625 Prospect Estates Drive, all of whom expressed general dissatisfaction with vacation homes in residential areas, the disruption caused to neighborhoods by the extra number of people and cars vacation homes generate, zoning issues related to vacation homes, the lack of monitoring and enforcement of the regulations by the Town,

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and the ill will that is created between neighbors and Homeowners' Associations when commercial enterprise is allowed to occur in residential areas. All agreed that vacation home regulations need to be more restrictive and that nightly rentals are detrimental to residential neighborhoods. Specific situations were cited regarding the business practices of The Celtic Lady including large numbers of guests and cars at the home; inappropriate use of the property; and weddings, seminars, and retreats being advertised on their website.

Judy Anderson/Anderson Realty and Management, stated that as a property manager she rents vacation homes and advises her clients of all regulations related to this type of rental and that she, and other property managers in town, have three night minimums in order to cut down on disruption to residential areas. She stated that when complaints are received, the Town has an obligation to send a police officer to the property and enforce the town ordinance.

David Richards/820 West Lane, stated the property adjacent to his is being rented by no fewer than 12 people and that the previous residents kept five dogs on the property. He inquired as to how to obtain information regarding county regulations related to rentals and vacation homes.

Chairman Pinkham stated that property owners can adopt private covenants to disallow vacation homes in their neighborhoods at which point these regulations become the responsibility of the HOA to enforce. Administrator Repola added that the Town is not shirking responsibility, but codes and land use regulations need to be written to allow varying levels of tolerance and comply with service levels that the Town can maintain. He stated that when violations occur, the first point of contact should be the code enforcement officer, that the Police Department's zone officers will be asked to patrol areas containing vacation homes on a regular basis, and that noise disturbances should be reported directly to the Police Department. The Town has the authority to revoke business licenses and in the case of The Celtic Lady, there is enough information to warrant notifying the property owner in writing about the perceived problem and ask for immediate compliance.

Trustee Levine commented that zoning and codes need to be regulated and enforced by the Town, although a very restrictive code is not in anyone's best interest, and that the information received during the meeting will help identify the next steps to take to improve the code. Rather than to overly restrict vacation homes, the Town should address the properties with violations.

The Committee requested staff review definitions in the code and make distinctions between bed and breakfasts, vacation homes, and home businesses.

#### **Reports.**

Reports provided for informational purposes and made a part of the proceedings.

- Activity and Budget Summaries

There being no further business, Chairman Pinkham adjourned the meeting at 11:00 a.m.

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Cynthia Deats, Deputy Town Clerk