

AGENDA ITEM

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 99-23

TUESDAY, August 17, 1999

MINUTES

Mr. Kevin Bennett, City Council President, called Regular Meeting No. 99-23 of the Steamboat Springs City Council to order at 5:15 p.m., Tuesday, August 17, 1999, in the Public Safety Building, Steamboat Springs, Colorado.

City Council Members present: Kevin Bennett, Jim Engelken, Ken Brenner, Kathy Connell, Paula Cooper Black, and Arianthe´ C. Stettner. Steve Weinland was absent.

City Staff Members present: Paul W. Hughes, City Manager; Anthony B. Lettunich, City Attorney; Julie Jordan-Struble, City Clerk; Lynette Confer, Deputy City Clerk; Dan Foote, Staff Attorney; Karen Feeney, Director of Financial Services; Caroline Lamont, Director of Planning Services; Brain Feeney, Airport Manager; Scott Woodford, City Planner; Bob Litzau, Assistant Director of Financial Services; Chris Wilson, Director of Parks & Recreational Services and Linda Kakela, Director of Intergovernmental Services.

NOTE: All documents distributed at the City Council meeting are on file in the Office of the City Clerk.

1. **WORKSESSION TOPIC: None.**

CITY COUNCIL HOUR

COUNCIL MEMBERS' REPORTS

Kathy Connell: No report.

Paula Cooper Black: No report.

Jim Engelken: No report.

Arianthe´ Stettner:

1. Requested Council direction for National Trust of Historic Preservation national conference would like to attend. **CONSENSUS:** Okay for Ms. Stettner to attend.

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Ken Brenner:

1. Emerald Mountain update: would like staff assistance to set up a non-profit, five to seven member board to assist with the funding of the project. Council suggested other avenues of existing non-profit organizations, such as: Community Agriculture Alliance, Yampa Valley Land Trust, etc... be researched. However, they supported proceeding in this area. Also, sought support to explore obtaining Great Outdoors Colorado (GOCO) funding for the purchase of the Emerald Mountain parcel. **CONSENSUS:** Council support proceeding using caution to the amount of staff time it takes to explore.
2. First Impressions: Mr. Brenner was selected to speak on behalf of the Steamboat Springs' project.

Kevin Bennett:

1. Attended a Colorado Association of Ski Town meeting in Crested Butte last week.

CITY ATTORNEY'S REPORT No report.

CITY MANAGER'S REPORT

2. UPDATES:

a. Financial Services Report.

Mr. Hughes noted the City is operating within the allocated budget.

b. Steamboat Springs Airport grant request.

Mr. Feeney explained the need to replace the airport snowblower. It was noted that a State grant of \$76,000.00 funding source was available, leaving the need for \$19,000.00 from the year 2000 budget.

MOTION: Mr. Brenner moved and Ms. Connell seconded to support the submission of a grant to the State Aviation on August 25, 1999 for the purchase of a new snowblower for the Steamboat Springs Airport winter operations. The motion carried 6/0. Mr. Weinland was absent.

c. Manager's Report: Ongoing Projects.

Mr. Hughes reported that:

1. Swim Team: the Health & Recreation Association would not be assisting the swim team for the use of the pool.

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2. Noted a letter of resignation from Mr. Brian Grubb, Assistant Director of Planning Services. Discussion took place, relative but not limited to: the hiring of a consultant to provide for the completion of the Community Development Code; lack of staff/new staff and the number of development permits requested. **DIRECTION:** Council supported that Mr. Hughes research the above discussion areas of "slowdowns" in the planning department (with City Council support), focusing on the adoption of the new Community Development (CD) Code as the first priority, (keeping the integrity of the process).
3. Orton Family Foundation: a computer-simulated review of Centennial Hall was provided.

3. AGENDA REVIEW

a. Council agenda for September 14, 1999.

DIRECTION: Ms. Jordan-Struble to re-arrange the September 14 City Council agenda accommodating usual Council business first and the public hearing topic to begin at 7 p.m. and moving the location to Olympian Hall.

CONSENT CALENDAR - GENERAL BUSINESS

4. **RESOLUTION: A resolution recommending a procedure for the administrative review and processing of a Municipal Bed & Breakfast liquor permit.**

This item was removed for further discussion.

5. **FIRST READING OF ORDINANCE: Affordable Housing Concessions Matrix.**

Mr. Bennett read the first reading ordinance title into the record.

6. **FIRST READING OF ORDINANCE: An ordinance reviewing the Yampa Valley Electric franchise agreement.**

Mr. Bennett read the first reading ordinance title into the record.

Mr. Bennett thanked all the Yampa Valley Electric Association (YVEA) directors, City staff and City negotiating team for their hardwork on making the YVEA franchise agreement a success.

MOTION: Ms. Cooper Black moved and Ms. Connell seconded to approve the consent calendar: items #5 and 6, first reading of ordinance accepting the Affordable Housing Concessions Matrix and the first reading of ordinance

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accepting the Yampa Valley Electric franchise agreement as presented. The motion carried 6/0. Mr. Weinland was absent.

DISCUSSION COMMENCED ON ITEM 4

- 4. RESOLUTION: A resolution recommending a procedure for the administrative review and processing of a Municipal Bed & Breakfast liquor permit.**

Ms. Stettner requested that the Bed & Breakfast permit holders take the TIPS training class. Ms. Jordan-Struble stated she could make this suggestion to potential permit holders.

MOTION: Ms. Connell moved and Ms. Stettner seconded to support the resolution recommending an administrative review procedure to process a Bed & Breakfast liquor permit as presented. The motion carried 5/1. Mr. Bennett opposed. Mr. Weinland was absent.

Mr. Bennett presented Ms. Lamont with a plaque of her two years of service for the City and wished her success in her future endeavors.

PUBLIC COMMENT No one appeared for public comment.

PUBLIC HEARINGS - PLANNING COMMISSION REFERRALS

- 7. PROJECT: Schrock Helm Building.**

Ms. Lamont noted a revised condition #5: "Final engineering plans including drainage, grading, driveway/parking design, utility plans, construction details, floor plans, building elevations and landscaping shall be submitted for review and approval by the Director of Planning Services and the Public Works Manager at least three weeks prior to issuance of a building or grading permit."

Mr. Eric Smith, applicant architect, provided an overview of the project.

PUBLIC COMMENT

Mr. Bill Moser, representing the adjacent property, requested and received clarification relative to the finished grades of the proposed building and the parking lot. Mr. Smith provided the clarification.

Ms. Cooper Black explained that Planning Commission concerns were: the mirrored architectural look of the buildings; concern with the building backing to the stream, rather than using the natural amenity.

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Mr. Bennett shared the lack of use of the stream within the site plan. Mr. Smith noted that item #3 trail is concrete and the trail in the wooded areas not be paved. He requested the elimination of condition #13. Detailed discussion took place relative to the color variation desires of the proposed mirrored buildings.

RECOMMENDED MOTION: To approve the Schrock/Helm major development permit for construction of two office buildings each containing approximately 8,000 square feet for a total of 16,544 square feet leasable area for office use, and approval of a variance to parking space size from 10'x20' to 9'x20' with the following conditions:

1. Additional ten feet right-of-way will be dedicated for Rollingstone Road to accommodate the existing roadway alignment. This dedication will be exempt from setback or density calculations. Dedication shall occur prior to issuance of a certificate of occupancy for the property. A letter agreeing to this dedication shall be provided prior to City Council meeting on this application.
2. Silt fencing shall be installed to delineate and protect the area to remain undisturbed including; the average high-water setback area, wetlands, and existing vegetation. This fencing shall be in place prior to initiation of grading activities on the site and shall be depicted on the construction site management plan submitted with the building permit application.
3. The six foot wide asphalt path along the Fish Creek corridor shall be installed prior to issuance of a certificate of occupancy for Phase I building or surety posted and the realigned trail easement shall be granted to the City prior to issuance of certificate of occupancy for Phase I.
4. Development shall comply with all building, fire and life safety codes.
5. Final engineered plans including drainage, grading, driveway/parking design, utility plans, construction details, ~~final traffic level of service analysis for the Rollingstone/Pine Grove Road and US 40/Anglers Drive intersections (and if required, appropriate improvements)~~, floor plans, building elevations, and landscaping shall be submitted for review and approval by the Director of Planning Services and the Public Works Manager at least three weeks prior to issuance of a building or grading permit.
6. Site lighting shall comply with the City lighting ordinance. Proof of compliance with the ordinance shall be done prior to issuance of a Certificate of Occupancy.
7. Demonstration of compliance with the requested energy conservation density bonus shall be provided at building permit.
8. The trash/recycling enclosure shall be designed so that it is compatible with the proposed architecture and so that it provides sufficient room for recycling bins.
9. As a condition precedent to the City authorizing the issuance of a building permit or approval of grading on the property, the developer must receive an approved Construction Site Management Plan ("CSMP") from the Director of Planning Services. The developer shall submit to the Director a proposed CSMP, which shall include, at a minimum, the following (when applicable):
 - a. External Traffic Control Plan which shall stipulate: truck schedule (*movements per day/activity); points of ingress and egress to public and

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- private right-of-ways; route and source for importing materials on-site; route and destination of exporting materials off-site; pedestrian conflicts and mitigation; traffic conflicts and mitigation; construction within the public right-of-way and traveled way; use of public right-of-way (staging, parking, load); crane use details r-o-w encroachment, swing, and loading locations); and right-of-way cleaning program.
- b. Internal Traffic Control Plan which shall stipulate: access surfacing; internal routes; emergency access; and crane details (construction/dismantling technique, swing, loading).
 - c. Construction Site Plan which shall stipulate; the location of staging areas, storage areas, stockpiling, dumpsters, sanitary facilities, loading, parking (including #employee parking stalls), fencing, field offices, trailers, and tree protection areas; the number of employees (per construction phase) and extent of site disruption caused by the construction activities.
 - d. Drainage Plan which shall stipulate: location of all on-site or adjacent water channels; treatment of all adjacent water channels on-site and plans of interruption and diversion; construction details; and the location and description of any dams, or other erosion control measures. Provide supporting design calculations for pipe size and flows.
 - e. Erosion and Sediment Control Plan for both construction and post construction phases (as well as winter mitigation).
 - f. Grading Plan which shall stipulate the location of disruption and change of grades, considering existing drainage situations.
 - g. Sign Plan which shall indicate any directional signs to assist in the construction site management.
 - h. Special Events which shall indicate any conflicts with any special community and resort events, and mitigation proposed.
10. A Master Sign Plan for the property shall be provided prior to approval of Certificate of Occupancy.
 11. Final landscape plans submitted at the time of building permit shall include additional landscaping along Angler's Drive and the west property line where this can be coordinated with grading, drainage, and snow storage issues. Details shall be provided that address how the existing pine trees will be protected from grade changes. Efforts will be made to relocate existing healthy trees required to be removed to elsewhere within the project.
 12. Phasing shall be indicated at the time of building permit for definition of phase I for project vesting purposes. This shall include installation of the Fish Creek trail and pedestrian connection to Sundance Plaza, all improvements associated with Phase I building, parking, sidewalks, associated landscaping, and relocation/preservation of existing landscaping as applicable.
 13. The applicant will submit an alternative color scheme for one of the buildings for approval of the Director of Planning Services, prior to Building Permit.

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MOTION: Ms. Stettner moved and Mr. Brenner seconded to approve a major development permit for the Schrock/Helm building, two 2-story office buildings each containing approximately 8,000 leasable square feet for a total of approximately 16,544 square feet. Petition includes request for a variance to required parking space size from 10 feet x 20 feet to 9 feet x 20 feet, with conditions 1-12 (#13 was removed), **FRIENDLY AMENDMENT:** Ms. Connell amended #3—concrete trail, not asphalt; #5—this was accepted by Ms. Stettner as presented. The motion carried 6/0. Mr. Weinland was absent.

DIRECTION: Ms. Cooper Black suggested that in the future development along the river corridor be reviewed.

8. PROJECT: Flat Top Townhomes.

Ms. Lamont noted that the item is conceptual, therefore no vote was necessary. She also reported that the Planning Commission discussion items were distributed under separate cover.

Mr. Scott Myller, project representative, provided an overview of the conceptual review for 25 townhome units of which two are live/work units on Village Drive.

Council concerns included, but were not limited to: the proposed deck rooftop; the road “thumb-areas” portrayed; interior courtyard having garage scape; concern with the style of architecture in this particular area; concern with the diverse architectural style in the mountain area; concern with open space and proposed snow melt system; concern with no snow storage space; concern with the building mass, use of copper lead; feeling the driveway configuration is odd; okay with density; okay with land use; likes the innovative use of different materials; concern with the “boxy” look; concern with the urban look; need for more pedestrian friendly and softer interior corridor.

9. PROJECT: Routt Memorial Hospital Extended Care Center.

Council members Stettner and Brenner stepped down. Ms. Cooper Black felt she should step down since she served on the Hospital Ethics Committee. Mr. Foote felt the need for Ms. Cooper Black to step down was not of conflict. It was noted that if Ms. Cooper Black stepped down, a quorum would not be present and the petition would need to be tabled. Council supported Ms. Cooper Black remain seated to participate in the review, she obliged.

Mr. Engelken voiced concern with potential loss of parking for the Grandkids ChildCare Center.

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RECOMMENDED MOTION: To approve the minor development permit for a parking variance request to change the required parking for the Extended Care Center from one and one-half spaces per bed to one space per bed.

MOTION: Ms. Connell moved and Mr. Engelken seconded to approve the Routt Memorial Hospital Extended Care Center minor development permit for a parking variance request to change the required parking for the Extended Care Center from 1.5 spaces per bed to 1 space per bed. The motion carried 4/0. Mr. Brenner and Ms. Stettner stepped down. Mr. Weinland was absent.

PUBLIC HEARING - GENERAL BUSINESS:

- 10. SECOND READING OF ORDINANCE: An ordinance accepting a trail and recreational easement from Clarissa Fetcher, for trails and recreational purposes; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

Mr. Bennett read the ordinance title into the record.

A modified agreement was provided.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Cooper Black moved and Ms. Stettner seconded to approve the second and final ordinance relative to a trail and recreational easement from Clarissa Fetcher. The motion carried 6/0. Mr. Weinland was absent.

- 11. SECOND READING OF ORDINANCE: An ordinance accepting the assignment of the rights and obligations of Routt County to a long term lease between Routt County and Ty Lockhart for soccer field lands at Heritage Park; authorizing the City Council President or President Pro Tem to execute the assignment; repealing all conflicting ordinances; and providing an effective date.**

Mr. Bennett read the ordinance title into the record.

A modified ordinance was provided.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Cooper Black moved and Ms. Stettner seconded to approve the second and final ordinance relative to a long term lease between Routt County

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and Ty Lockhart for Heritage Park as presented. The motion carried 6/0. Mr. Weinland was absent.

- 12. SECOND READING OF ORDINANCE: An ordinance for the purpose of submitting to a vote of the electors of the City of Steamboat Springs, Colorado the question of whether the City should be allowed to extend the one half cent sales and use tax approved in 1996, through December 31, 2009, to continue to generate funds to be used exclusively for educational purpose.**

Mr. Bennett read the ordinance title into the record.

It was clarified that the cost of the election would be passed onto the School District for reimbursement.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Cooper Black moved and Ms. Connell seconded to approve the second and final ordinance relative to submitting to a vote of the electors extending the one half cent sales and use tax through December 31, 2009 as presented. The motion carried 6/0. Mr. Weinland was absent.

- 13. SECOND READING OF ORDINANCE: An ordinance further amending the powers of the Downtown Development Authority contained in Ordinance No. 1568, which amended Ordinance No. 1551 creating the Downtown Development Authority pursuant to § 31-25-801 et. Seq.; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

Mr. Bennett read the ordinance title into the record.

A modified ordinance was provided. Mr. Lettunich explained that the ordinance title was amended.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Mr. Engelken moved and Ms. Connell seconded to approve the second and final ordinance relative to amending the powers of the DDA as presented. The motion carried 6/0. Mr. Weinland was absent.

- 14. RESOLUTION: A resolution that adopts the Downtown Development Authority (DDA) Plan of Development and establishes a tax increment financing (TIF) mechanism.**

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Mr. Bennett read the resolution title into the record.

Several handouts were provided: review of the Plan of Development from Planning Services; the resolution; information on the sales tax TIF; a letter of concern from Routt County Commissioners and a modified Section 7 and Section 8 of the resolution from Mr. Tom Sharp, local attorney.

PUBLIC COMMENT:

Mr. Joe Brennan, DDA chairperson, provided an overview of the various areas within the community that are inadequate and could potentially be considered "blighted areas." Several areas shown by slide included, but were not limited to: transit bus stops, signage; sidewalks in disrepair; pedestrian access; barren US 40 medians; business climate at mountain base area and many other areas.

Discussion took place relative, but not limited to: the services the County may provide within the City limits; County participation with the proposed park-n-ride; share in the Animal Shelter; open space monies for the entrance area to the community; concern that DDA could spend TIF funds without going to a vote of the people; adding affordable housing to the Mountain Town plan.

Mr. Rob Dick supported the review of affordable housing via the DDA process.

Ms. Dee Richards requested clarification of the actual adoption of the plan of development. She felt the process that has occurred to adopt the plan has a negative impact in the public eye.

COUNCIL COMMENT:

Staff recommends the TIF be 25 percent of the excess of 105 percent of prior year revenue. Ms. Feeney provided a detailed explanation of the scenarios projected.

Ms. Stettner wondered if a cap could be placed on the DDA funding and if the TIF formula can be revisited? Mr. Lettunich clarified that a cap could be accommodated and that the TIF base could not be revisited.

Discussion took place relative to the TIF mechanism is construed as a TABOR issue. Mr. Engelken suggested a conservative approach be taken at 106 percent.

MOTION: Mr. Brenner moved and Ms. Connell seconded to approve the resolution that adopts the DDA Plan of Development and establishes a TIF mechanism to be 25 percent of the excess of 105 percent of prior year revenue as presented. The motion carried 5/1. Mr. Engelken opposed. Mr. Weinland was absent.

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Mr. Lettunich reported that the resolution provided had an amended Section 7 and Section 8 for the resolution of the plan of development.

Mr. Brenner suggested the DDA present a mill levy within their district to provide for operating expenses. He felt the plan of development did not meet all the needs he felt required addressing.

MOTION: Ms. Connell moved and Ms. Stettner seconded to approve the resolution for the plan of development as presented, including the amended section 7 and section 8. The motion carried 5/1. Mr. Brenner opposed. Mr. Weinland was absent.

15. SECOND READING OF ORDINANCE: An ordinance for the purpose of submitting to a vote of the electors of the City of Steamboat Springs, Colorado the question of whether the citizens should, by voting yes, ratify and affirm the action of the City Council in adopting the Downtown Development Authority's Plan of Development, effective August 17, 1999, or should, by voting no, reject the Plan of Development, in which case the Plan of Development shall be immediately deemed null and void and of no further effect.

Mr. Bennett read the ordinance title into the record.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Cooper Black moved and Ms. Connell seconded to approve the second and final reading of an ordinance submitting to a vote of the electors the question of ratifying the Plan of Development as presented by the DDA. The motion carried 6/0. Mr. Weinland was absent.

Ms. Stettner empowered the DDA to gain community "buy-in" via the public education process and provide the community with approximately 5 projects that could be completed with DDA monies. Mr. Brennan assured the DDA would work diligently on public education.

MISCELLANEOUS ITEMS

MOTION: Ms. Connell moved and Ms. Stettner seconded to support the Perry-Mansfield wastewater line be private and a forced main. The motion carried 6/0. Mr. Weinland was absent.

ADJOURNMENT

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MOTION: Ms. Connell moved and Mr. Brenner seconded to adjourn Regular Meeting No. 99-23 at approximately 9:34 p.m. The motion carried 6/0. Mr. Weinland was absent.

MINUTES PREPARED AND RESPECTFULLY SUBMITTED BY:

Lynette Confer
Deputy City Clerk

REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Jordan-Struble, CMC/AE
City Clerk

APPROVED THIS __ DAY OF _____, 1999.