

AGENDA ITEM #

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 99-32

TUESDAY, December 14, 1999

MINUTES

Mr. Kevin Bennett, City Council President, called Regular Meeting No. 99-32 of the Steamboat Springs City Council to order at 5:07 p.m., Tuesday, December 14, 1999, in the Public Safety Building, Steamboat Springs, Colorado.

City Council Members present: Kevin Bennett, Kathy Connell, Ken Brenner, Jim Engelken, G.H. "Bud" Romberg (arrived at 5:08 p.m.), Arianthé Stettner and Paul Strong.

City Staff Members present: Paul W. Hughes, City Manager; Anthony B. Lettunich, City Attorney; Julie Jordan-Struble, City Clerk; Amy Appel, City Clerk Staff Assistant; Wendy DuBord, Deputy City Manager; JD Hays, Director of Public Safety Services; Scott Woodford, Interim Assistant Director of Planning Services; Tracey Hughes, City Planner; Jim Weber, Public Works Manager and Chris Wilson, Director of Parks, Recreation and Open Space.

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

1. PUBLIC HEARING TOPIC: Vacation Home Rentals and Bed & Breakfasts.

PUBLIC COMMENT:

Mr. Richard Filer, 3050 Ridge Road resident, felt that special interest groups were pressuring the City Council to provide for their particular needs. He felt that the average citizen depended upon City Council to provide for representation. Mr. Filer felt that people depended upon zoning to protect their property rights. He felt neighborhood zoning should not be changed. Mr. Filer suggested that this could be a question to be placed on a ballot and voted on by the electors.

Mr. John Thrasher, 2692 Burgess Creek Road, voiced concern with being placed in an overlay zone that defined his neighborhood as commercial. He felt neighborhood comment should be a "big factor" for consideration of what happened in those areas. Mr. Thrasher suggested that people who live in low density residential neighborhoods need to be asked if they'd like to be included in

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an overlay zone. He felt the overlay zone was a “change of use” and residential low-density needed to be excluded from this area.

Mr. Robin Craigen, 2774 Burgess Creek Road, noted the draft needed to accommodate “workable rules.” He felt rules with a purpose, which have an objective and is enforceable, should be considered. Mr. Craigen also questioned potential loopholes of short-term rentals.

Ms. Barbara Hughes, Hunters Ridge resident, noted she and her husband had researched their neighborhood to ensure that the zoning they chose to live in would provide for a neighborhood.

Mr. Jim Funk, resort lodging manager, supported that short term rentals be required to pay taxes, similar to the vacation home rental properties.

Mr. Steve Ivancie, 342 Sky View Lane, felt that putting residential homes into the nightly rental arena removes the homes from the affordable housing ability.

Ms. Heather Craigen, 2774 Burgess Creek Road, suggested that Council look at what they hope to achieve with reviewing the criteria. She also referred to the City’s Comprehensive Plan that accommodates resort uses within her neighborhood.

Ms. Elaine Love, Mountain Castles, felt the large ski homes that she rents for vacations is not affordable housing. She noted her vacation/ski home rentals are close to the ski area. Ms. Love noted that owners purchased vacation homes understanding that they would be able to use them as rental property.

Mr. Trent Dietrick, Mr. Rick Bettger’s cousin and representative, spoke in support of providing for old town vacation home rentals. It was noted that Mr. Bettger owns a nightly rental home in old town. Mr. Dietrick suggested that existing nightly rentals be grandfathered in.

Ms. Connell stated a potential conflict of interest since she is in the profession of resort management. Ms. Stettner asked if she has any vacation home rentals at this time. Ms. Connell stated she is “taking reservations for a home” in the resort area. Mr. Lettunich noted this is a question of citywide legislative act.
DECISION: Council felt comfortable with Ms. Connell remaining seated.

Mr. Romberg felt the issue is property rights. He explained that the property rights include those who own nightly rental property and those who own property adjacent to the rental property. He felt that clarification of what Council wants to do prior to reviewing the issue. Mr. Romberg felt that “no more impact, long term or short term” should be felt in a neighborhood than would be felt with a resident-owner occupant.

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Ms. Stettner voiced concern of the commercializing of residential areas. Ms. Connell confirmed that short-term rentals would be responsible to pay sales tax. She also felt registration and criteria should be accommodated for short-term rental.

Mr. Romberg noted a scenario of a 30-day rental being a "loophole."
DIRECTION: Staff to research and provide a clarification.

Mr. Bennett proceeded with the review of each of the 19 questions.

Question #1: Does City Council want to specifically state that for a vacation home rental the owner does not live on site? This could better define the difference between a vacation home rental and a bed & breakfast. Staff would propose the following definition: Vacation Home Rental. A commercial use of a single family or duplex dwelling unit for tourist accommodation where the owner does not live on site and where:

1. The unit is rented...

Mr. Romberg questioned if an owner must move out of house to rent one room in their home. **DIRECTION:** Legal to review and return to City Council with an answer.

Add the words "in the primary dwelling unit" in front of "on site." **UNANIMOUS CONSENT:** Okay with added language of "in the primary dwelling units."

Question #2: Does City Council feel that registration criteria for any and all vacation home rentals should be added for clarification? The issue of registration has arisen at several meetings but has yet to be formally added to the criteria list. Staff would propose that a registration be required and that the following information be included as part of that registration:

- ***A site plan which addresses parking and snow storage***
- ***A photograph to demonstrate landscaping and architectural compliance***
- ***A statement that the vacation home rental owner or property manager would sign to state that such vacation home rental complies with the other criteria such as number of guests, food service, prohibitions, traffic and required licenses.***

Discussion focused on, but was not limited to: potential bureaucracy added to short term rentals; short term rentals being included in the vacation home definition; requiring short term rentals to be responsible to register; not

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advertising this meeting as providing for a short-term rental and addressing short-term rentals at a later date.

MOTION: Mr. Engelken moved and Ms. Stettner seconded that criteria to be defined only for vacation home rentals and revisit short-term rentals at a later date. The motion failed 3/4. Mr. Bennett, Ms. Connell, Mr. Brenner and Mr. Romberg opposed.

MOTION: Mr. Brenner moved and Mr. Romberg seconded to direct staff to prepare a list of criteria similar to pages 1-6 and 1-7 in the City Council information packet, for short-term rentals in the community to be discussed at a later time. The motion failed 3/4. Mr. Bennett, Mr. Strong, Ms. Connell and Mr. Engelken opposed.

MOTION: Mr. Bennett moved and Ms. Stettner seconded that vacation home rentals criteria to be established as provided on page 1-4 (and noted as question #2 in italics above). The motion carried 5/2. Mr. Brenner and Ms. Connell opposed.

Question #3: As staff was preparing the Vacation Home Rental Overlay Map, it came to staff's attention that the properties located to the west of U.S. 40 are not particularly suited to the vacation home rental use. Staff proposes that the overlay boundary be amended to state that the overlay covers properties and subdivisions where the majority of land is located to the south of the Fish Creek waterbody and to the east of U.S. 40. This proposal is shown on Attachment E –Vacation Home Rental Overlay Map. Does Council agree with staff's proposal?

MOTION: Mr. Brenner moved and Ms. Stettner seconded to support staff's proposal noted above in question #3. The motion carried 7/0.

Question #4: Is Council comfortable with simply including all subdivisions located South of Fish Creek in the VHRO or would Council like staff to individually contact the above listed subdivisions and filings?

It was noted that City Council has the ability to exclude neighborhoods from The Overlay zone. **DIRECTION:** Legal staff to research this situation...need the definition of neighborhood; need to provide a way that neighborhoods opt out and what does it take to opt out, 75 percent, 100 percent, what?

MOTION: Mr. Brenner moved and Mr. Engelken seconded to include all subdivisions south of Fish Creek and east of Hwy. 40 with criteria from staff on identifying specific neighborhoods and voting/facilitation to include or exclude neighborhoods. The motion carried 6/1. Mr. Bennett opposed, due

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to the initial inclusion of the noted subdivisions. He felt they should want to be initially included.

Question #5 - regarding Criterion #2: In the September 14, 1999 Council meeting, the question arose if a vacation home rental should be able to have a shared driveway access. Staff believes that a shared driveway access should not necessarily mean that a home cannot be a vacation rental home, but that certain criteria can be incorporated so that it does not become a nuisance to either party on the shared drive. The proposed criteria could be already contained in Criterion #2 by requiring that all parking must be provided on the same lot as the vacation home rental unit (so no parking on the shared driveway property owner's land) and arranged in such a manner that it does not obstruct access to neighboring properties (so the shared driveway would not be obstructed). Does City Council feel this criterion is sufficient to address potential conflicts between property owners with a shared driveway or does Council feel that the criterion should be expanded to require a signed agreement between the users of the shared driveway before a vacation home rental can operate?

MOTION: Mr. Brenner moved and Ms. Connell seconded that language in question #5 is sufficient as staff presented. The motion carried 7/0.

Question #6 - regarding Criterion #9: A point has been made that the lighting and signage associated with a vacation home rental may be an appropriate inclusion in Criterion #9. Does Council support a revision of Criterion #9 with the following language: "The scale, building materials, exterior lighting and colors of the building shall be consistent with the neighborhood and shall not be used to draw attention to the structure. Additionally, exterior signage for the vacation home rental shall be limited to the signage allowed for residential lots which is one attached or detached sign not to exceed one and one -half (1 ½) square feet and shall not be illuminated from the interior or back."

MOTION: Ms. Connell moved and Mr. Engelken seconded to provide Council support for question #6 as presented. The motion carried 7/0.

Question #7 - regarding Criterion #10: Does City Council support a revision to this criterion that would state that any applicable licenses required by the Municipal Code must be obtained? This could include, but is not limited to, a liquor license and sales tax license.

MOTION: Ms. Connell moved and Mr. Strong seconded to approve question #7 with a minor change to use the words "applicable licenses" and remove the specified types of licenses, i.e.; liquor license, sales tax license. The

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motion carried 7/0.

Question #8: In the September 14, 1999 Council meeting, Council decided that when criteria could not be met, the Vacation Home Rental applicant could come forward to Council for possible relief from the criteria. Does Council support the following criterion to address this situation? “If criteria cannot be met by a new or existing Vacation Home Rental, City Council shall have the authority to vary such criteria following a public hearing. Consideration and findings of the following are required prior to varying criteria: 1) The variance will not substantially or permanently injure the use of the adjoining properties, 2) The variance will not weaken the general purposes of the Vacation Home Rental Overlay, 3) There are historical considerations, topographical constraints, or financial hardships relating to the structure or property.

MOTION: Ms. Connell moved and Ms. Stettner seconded to change language to include City Council or “its appointed body” (i.e. Board of Adjustment) to review the variation request. The motion carried 6/1. Mr. Brenner opposed.

Question #9: Does Council feel that staff’s recommendations for compliance timelines are reasonable and fair?

MOTION: Ms. Connell moved and Ms. Stettner seconded to “ok” question #9 as presented. The motion carried 7/0.

Question #10: Does City Council feel that June 22, 1999 or September 14, 1999 should be the date certain when a sales tax license for vacation home rentals would have to have been obtained?

Noted two question #10’s (this is the first #10 listed in the City Council information packet).

MOTION: Mr. Brenner moved and Ms. Connell seconded that June 22, 1999 is the date when a sales tax license for a vacation home rental was needed in order to be grandfathered in. The motion carried 7/0.

Question #10: Which method best satisfies the intent of City Council that existing Vacation Home Rentals outside of the Overlay should not be allowed to continue in perpetuity/cease with the current owner – grandfather the vacation home rental use or select a sunset date?

Discussion focused on, but was not limited to: a sunset clause; inheritance clause; grandfathering to quit when a change in use occurs and research change

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of use; look at the property rights of the owner and the adjacent properties; provide a conditional use with a review process.

MOTION: Ms. Stettner moved and Mr. Strong seconded to support the change in ownership or sunset dates whichever came first. The motion failed 2/5. Mr. Bennett, Mr. Brenner, Ms. Connell, Mr. Engelken and Mr. Romberg opposed.

Question #11: If grandfathering is chosen, does Council agree with staff's proposed time for compliance with the criteria?

Question #12: If a sunset date is chosen as the most appropriate method, what is that date i.e. 5 years, 7 years, 10 years?

MOTION: Mr. Romberg moved and Ms. Connell seconded to table this item to a future date in February 2000 for further discussion. The motion failed 3 /4. Mr. Bennett, Mr. Engelken, Mr. Strong and Ms. Stettner opposed.

MOTION: Mr. Engelken moved and Ms. Stettner seconded to establish the sunset at 10 years. The motion failed 3 /4. Mr. Strong, Mr. Bennett, Ms. Connell and Mr. Romberg opposed.

MOTION: Ms. Connell moved and Mr. Romberg seconded to establish a 20 year amortization. The motion failed 2/5. Mr. Brenner, Mr. Bennett, Mr. Engelken, Mr. Strong and Ms. Stettner opposed.

MOTION: Mr. Brenner moved and Ms. Stettner seconded to establish a 15 year sunset. The motion carried 5/2. Mr. Romberg and Ms. Connell opposed.

DIRECTION: Staff to return with the criteria method.

At this time, City Council President Bennett entertained a motion to postpone the discussion relative to Bed & Breakfasts due to the previous 2-hour discussion.

MOTION: Mr. Brenner moved and Ms. Stettner seconded to postpone the Bed & Breakfast discussion to the January 4, 2000 City Council Meeting. The motion carried 7/0.

CITY COUNCIL HOUR

COUNCIL MEMBERS' REPORTS

Kathy Connell: No report.

Paul Strong: No report.

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Bud Romberg: No report.

Kevin Bennett: No report.

Ken Brenner: No report.

Jim Engelken:

1. Voiced concern relative to the snow maintenance that needs to occur on City sidewalks and trails. **DIRECTION:** Staff to research who is responsible for snow maintenance on which City trails and sidewalks.

Arianthé Stettner:

1. Humble Ranch is seeking a letter of support from City Council to assist in obtaining a grant for therapeutic riding program. **DIRECTION/UNANIMOUS CONSENT:** Staff to prepare such a letter for the City Council President's signature.
2. Mountain Search & Rescue: a request to provide this group of volunteers with some City perks, specifically Howelsen Hill Ski Passes and Ice Skate Punch cards. **UNANIMOUS CONSENT:** City Council supported this request, staff to accommodate.

CITY ATTORNEY'S REPORT

Mr. Lettunich reported on two items:

1. A new contract was provided on the sale of the old City Hall.
2. A water rights issue to be discussed at the end of the meeting and if desired by City Council in an executive session.

CITY MANAGER'S REPORT

2. UPDATES:

a. Routt County Regional Planning Commission Report.

Mr. Troy Brookshire, City representative on the Routt County Regional Planning Commission, had been at the meeting, but due to the meeting's timing delays had already left. Therefore, no report was provided.

b. Manager's Report: Ongoing Projects.

Mr. Hughes noted:

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1. A response from Commissioner Dan Ellison relative to a Spring Creek area hard dollar commitment.
2. The application for expanded local calling areas has a January 24 & 25 hearing. He noted that Routt County will take the lead in this area and he will keep Council apprised.
3. Land Preservation Subdivision (LPS) in the County Lighting Ridge: Mr. Woodford provided a written overview of the project and requested Council input by Tuesday, January 4, 2000.
4. Noted the listing of upcoming City Council worksessions. **DIRECTION:** Ms. Jordan-Struble to add Bed & Breakfast's to the January 4 meeting to be heard at 7 p.m., and confirm the joint meeting with the Board of Education.

3. AGENDA REVIEW

- a. **Council agendas for January 4 and January 11, 2000.**

DIRECTION: Ms. Jordan-Struble to close the January 11 City Council Agenda.

CONSENT CALENDAR - GENERAL BUSINESS

4. **RESOLUTION: A resolution accepting the December 1999 Final Draft of the Wastewater Facilities Plan, prepared by McLaughlin Water Engineers.**

Mr. Bennett read this title into the record.

5. **RESOLUTION: A resolution adopting the Howelsen Hill Master Plan.**

Ms. Stettner requested this item be removed to accommodate further discussion.

6. **RESOLUTION: A resolution by the City Council of the City of Steamboat Springs endorsing federal legislation requiring the collection of State and Local sales and use tax on remote sales.**

Mr. Bennett read this title into the record.

Mr. Strong provided a document that discussed Internet sales. He also noted a Colorado consumer use tax that requires such transactions to remit a State Sales Tax, but noted it is not enforced.

MOTION: Mr. Engelken moved and Ms. Stettner seconded to approve the Consent Calendar, items 4, and 6 (item 5 was removed): a resolution accepting

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the Wastewater Facilities Plan and a resolution relative to e-commerce, all as presented. The motion carried 7/0.

DISCUSSION COMMENCED ON ITEM 5, WHICH HAD BEEN REMOVED FROM THE CONSENT CALENDAR

5. RESOLUTION: A resolution adopting the Howelsen Hill Master Plan.

Ms. Stettner noted that the Historic Preservation Commission had not yet had an opportunity to review the Howelsen Hill Master Plan. She also provided further clarification on Howelsen Hill being “eligible to be listed on the State Historical Register” versus actually being listed at this time. Ms. Stettner further explained the ability to receive National Historic listing.

MOTION: Ms. Stettner moved and Ms. Connell seconded to accommodate review of the Master Plan by the Historic Preservation Commission; **FRIENDLY AMENDMENT:** To also send the document to Planning Commission for their review. The motion carried 7/0.

DIRECTION: Staff to provide this document to Historic Preservation and Planning Commission for further review.

Mr. Romberg felt the lighting at Howelsen Hill needed to be upgraded to meet City standards at this time.

PUBLIC COMMENT

Mr. Dean Vogelaar, Chamber Resort Association, provided an explanation of the Chamber Resort Association donation to the Downtown Development Authority’s municipal issue. He assured City Council that no City funds were used in this donation.

Ms. Karolyn Lestrud, Historic Preservation Commission member and concerned citizen, spoke relative to the ability to provide for three story buildings on Lincoln Avenue. She felt that discrepancies in the various City codes and plans are of concern, feeling three stories in the downtown area would be a substantial change.

Ms. Renee Donahue, First Impressions of Routt County, briefly explained their focus on early childhood care and education. She noted the various grants provided to the community. Ms. Donahue thanked Council Member Brenner as

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the First Impression's co-chair, and presented a framed picture to City Council with sincere gratitude.

Mr. Doug Beaty, Steamboat Springs Postmaster, noted his resignation of his position effective Friday, December 17, 1999. He introduced his replacement "interim Postmaster" Mr. Bill Butler. Mr. Beaty explained that he had briefed Mr. Butler on the existing intergovernmental services already accommodated between the City and the Post Office, and Mr. Butler had indicated he would continue operations with that same community spirit and cooperation. Mr. Butler spoke and re-iterated his desire to continue with community efforts.

PUBLIC HEARINGS - PLANNING COMMISSION REFERRALS

No Planning Commission representative was present.

7. PROJECT: Sheraton Golf Course Maintenance Facility.

Mr. Woodford provided a response letter from the applicant's representative relative to landscaping and that the facility would be wood, not stucco.

Mr. Eric Smith, applicant representative, was present and provided photographs.

PUBLIC COMMENT:

Mr. Don Grueser, adjacent neighbor, requested this item be tabled to accommodate the residents of The Sanctuary the ability to review the proposals. He voiced areas of concern to be traffic, structure size, site location, building architecture (not similar to other buildings in the area) and proposed noise.

Mr. Dan Hanna, resident of The Sanctuary, voiced concern with the funding of the facility and questioned who would be responsible to maintain the facility. He was also concerned with the u-shaped configuration of the building, feeling it would accommodate more density in the area than appears. Mr. Hanna suggested this item be tabled for further neighborhood review.

Discussion took place relative to delaying the project to accommodate additional public review. It was noted that due process and proper neighborhood notification had been accommodated.

Mr. Engelken clarified that a traffic study and the proposed road cuts had been reviewed. Staff affirmed that proper review and procedure took place.

Mr. Romberg noted that on planning conditions 4 & 5, a "d" needed to be placed at the end of "san" to spell the word "sand."

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RECOMMENDED MOTION: To approve the Major Development Permit for construction of 11,280 square foot golf maintenance facility at the Sheraton Golf Course, subject to the following conditions:

1. The following shall be submitted for review and approval three weeks prior to building permit or grading permit:
 - a. Final engineered plans and specifications for utilities, grading, drainage and incorporation of Best Management Practices and water quality management.
 - b. Final landscape plan with statement regarding the type of maintenance of the landscaping and the entity responsible for the maintenance.
 - c. Final site plan and building elevations. The site plan should be revised to show trimming of existing vegetation along Steamboat Boulevard per recommendations of the Traffic Impact Study.
 - d. An outdoor lighting plan showing locations of lights, fixture type, and pole height.
2. All site work, including but not limited to utilities, trails, paving, and landscaping shall be completed prior to Certificate of Occupancy or surety shall be required. All disturbed/sloped areas shall be adequately revegetated or surety posted prior to C.O.
3. The building shall provide a fire sprinkler system as mitigation for the lack of adequate fire turnaround in the yard area.
4. No outdoor storage will be allowed on the property without an approved development permit from the City. This provision excludes those areas noted on the site plan as dumpster, soil, and san, which are to be covered.
5. If vehicle or equipment maintenance or washing is to be conducted on-site, then the wastewater is required to be routed through a san/oil interceptor prior to introduction to the sewer.
6. On-site light shall comply with the lighting ordinance and shall be shielded from adjacent properties. Proof of compliance with the ordinance shall be demonstrated prior to the issuance of a Certificate of Occupancy.
7. As a condition precedent to the City authorizing the issuance of a building permit or approval of the construction plans, 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 private right of ways; route and source for importing materials on-site; route and destination of exporting materials off-site; pedestrian right of way (staging, parking, loading); crane use details (row encroachment, swing, and loading locations); and right of way cleaning program.

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- 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 trees 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 all on-site or adjacent water channels; treatment of all on-site or adjacent water channels on site and plans of interruption and diversion; and the location and description of any dams, or other erosion control measures.
 - 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.
8. Prior to issuance of a building permit, a revised landscape plan shall be submitted showing four additional spruce or evergreens of 8' or larger located roughly along the northwest building elevation; and one additional evergreen in the northeast corner of the site near the New East Drive (Condition added by Planning Commission at the 11/18/99 hearing).

MOTION: Mr. Romberg moved and Ms. Connell seconded to approve the Sheraton Golf Course Maintenance Facility; a major development permit for construction of 11,280 square foot golf Maintenance facility at the Sheraton Golf Course, located in a portion of the NW ¼ of Section 22, T6N, R84W, of the 6th P.M.; adjacent to the Sheraton Golf Course on Steamboat Boulevard, with planning conditions of approval 1-8 as presented. The motion carried 7/0.

8. APPEAL: Eagles View Lot 1.

It was noted the applicant had again requested this item be postponed. Staff clarified this was an appeal that had been initiated in September 1999.

MOTION: Mr. Bennett moved and Ms. Stettner seconded to postpone the Eagles View Lot 1 minor development permit appeal to the January 18, 2000 City Council Agenda. The motion carried 7/0.

DIRECTION: Ms. Jordan-Struble to write a letter to the applicant stating this is the last time Council would accommodate a postponement request.

9. PROJECT: Sprint PC Tower.

Mr. Lettunich explained that additional legal research needed to be accommodated prior to the review of this proposal.

MOTION: Ms. Stettner moved and Mr. Brenner seconded to postpone the Sprint PC Tower indefinitely. The motion carried 7/0.

PUBLIC HEARING - GENERAL BUSINESS

10. SECOND READING OF ORDINANCE: An ordinance approving a Commercial Space Lease Agreement between the City of Steamboat Springs and Les A. Liman; authorizing the City Council President to sign lease documents; repealing all conflicting ordinances; providing for severability; and providing an effective date.

Mr. Bennett read the ordinance title relative to the Les Liman and City lease agreement into the record.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Connell moved and Ms. Stettner seconded to approve the second and final reading of the ordinance approving a commercial space lease agreement between the City and Les Liman as presented. The motion carried 7/0.

11. SECOND READING OF ORDINANCE: An ordinance identifying the types of site specific development plan approvals which may result in a vested property right pursuant to Colorado Revised Statutes Section 24-68-101 et seq. and providing for the procedure for creating such vested rights; repealing all conflicting ordinances; providing for severability; and providing an effective date.

Mr. Bennett read the ordinance title relative to vested property rights into the record.

PUBLIC COMMENT: No one appeared for public hearing.

MOTION: Ms. Connell moved and Ms. Stettner seconded to approve the second and final reading of the ordinance approving and identifying the types of site specific development plan approvals which may result in a vested property right as presented. The motion carried 7/0.

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MISCELLANEOUS DISCUSSION

Mr. Lettunich explained the suggestion that the City file for water rights on the Elk River. He provided and referred to a proposed resolution for City Council review and consideration

MOTION: Ms. Connell moved and Mr. Brenner seconded to approve the resolution concerning the appropriation of water from the Elk River. The motion carried 7/0.

Mr. Hughes noted an additional water rights item. The option to purchase water rights on the enlargement of the Fish Creek Reservoir. He explained that staff is researching this area to determine the best method in which to proceed.

ADJOURNMENT

MOTION: Ms. Connell moved and Mr. Strong seconded to adjourn Regular Meeting No. 99-32 at approximately 8:56 p.m. The motion carried 7/0.

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 _____, 2000.