

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 2006-03

TUESDAY, JANUARY 24, 2006

MINUTES

Mr. Ken Brenner, City Council President, called Regular Meeting No. 2006-03 of the Steamboat Springs City Council to order at 4:27pm, Tuesday, January 24, 2006, in Centennial Hall, Steamboat Springs, Colorado.

City Council Members present: Towny Anderson, Loui Antonucci, Susan Dellinger, Steve Ivancie, and Paul Strong. Kevin Kaminski arrived at 4:28pm, and Ken Brenner arrived at 4:29pm.

City Staff Members present: Wendy DuBord, Interim City Manager; Anthony B. Lettunich, City Attorney; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Tom Leeson, Director of Planning Services; Suzanne Bott, Senior Planner; George Krawzoff, Interim Deputy City Manager/Director of Transportation Services; Linda Kakela, Director of Intergovernmental Services; Jim Weber, Director of Public Works; JD Hays, Director of Public Safety; Doug Marsh, Street/Fleet Superintendent; Chris Wilson, Director of Parks, Recreation and Open Space; Joel Rae, Police Captain; and Don Taylor, Director of Financial Services.

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

EXECUTIVE SESSION: To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

MOTION: Council Member Antonucci moved and Council Member Strong seconded to adjourn Regular Meeting 2006-03 at approximately 4:27pm to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-

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402(4)(e). The motion carried 5/0. Council Members Kaminski and Brenner had not yet arrived. Council Member Kaminski arrived at 4:28pm and City Council President Brenner arrived at 4:29pm.

MOTION: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to come out of executive session and reconvene Regular Meeting 2006-03 at approximately 5:15pm. The motion carried 7/0.

City Council President Brenner noted for the record, that if any person who participated in the executive session believes that any substantial discussion of matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, that person should state his/her concerns for the record.

No concerns were indicated.

CITY SERVICES UPDATE

INTERIM CITY MANAGER'S REPORT

1. UPDATES:

a. Yampa Valley Airport Commission.

City Council President Pro-Tem Dellinger provided Airport Commission minutes and the current and proposed intergovernmental agreements (IGA). She reported that the Airport Commission adopted the proposed IGA today and it will be coming to Council at the February 7, 2006 meeting. City Council President Pro-Tem Dellinger voiced concern with the amount of United Express flight cancellations, 90 percent of booked flights, and feels that local ski towns need to get together to discuss this. Council Member Strong stated that he will bring this up at the next Colorado Association of Ski Towns meeting.

b. Intergovernmental Services Report.

MOTION: Council Member Antonucci moved and City Council President Pro-Tem Dellinger seconded to submit a grant application to the Colorado Liquor Enforcement Division for \$52,018 to be spent for alcohol awareness activities, training, and compliance activities. The motion carried 7/0.

MOTION: Council Member Strong moved and Council Member Antonucci seconded to submit a grant application to the El Pomar Youth in Action Program to request \$1,000 for scholarships for youth and teen programs. The motion carried 7/0.

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MOTION: City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to submit a grant application through First Impressions to the Colorado Department of Education for \$1,250 for support of the City's school age youth programs. The motion carried 7/0.

MOTION: Council Member Ivancie moved and Council Member Antonucci seconded to submit a police line officer grant application for up to \$2,000 in support of youth activities. The motion carried 7/0.

Ms. Kakela spoke to a Federal grant available through the Colorado Department of Transportation called "Safe Walk to Schools", which provides funding for signage, sidewalks paths, etc. This application is due February 15, 2006 and no match is required. She requested direction for staff to work on this application.

DIRECTION: Staff to move forward.

City Council President Brenner questioned a Communityviz model for the base area in the Urban Renewal Authority (URA). Ms. Kakela stated that the City's interest has been to build a model and get software that may be adapted for the base area. This would take staff time working with developers, and with Planning and Geographic Information Services staff. City Council President Pro-Tem Dellinger noted that this may take a lot of time, and may require an additional staff person. **DIRECTION:** Staff to come back with cost estimates. It was noted that there will be a demonstration at the January 26, 2006 Planning Commission meeting.

MISCELLANEOUS BUSINESS

City Council President Brenner acknowledged and thanked the Public Works staff for their efforts and work on snow removal this winter. **UNANIMOUS CONSENT:** He suggested buying lunch or something else appropriate for the Public Works staff.

c. Financial Services Report.

Mr. Taylor provided the Sales, Use and Accommodation Tax Report, and the Year to Date Activity Report. He pointed out that the report for November

was up 13 percent over 2004; accommodation tax was up almost 15 percent for November; and building use tax was up 44 percent.

d. Tennis Center financial request.

Mr. Jim Swiggart, Tennis Center concessionaire, was present and reported on the requested reimbursement of \$24,131.04 in lost revenue and on-going

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expenses to him, and a request for \$4,000 for business re-start. The proposed expenditure is for \$28,131.04 out of unappropriated reserves.

Mr. Swiggart spoke to the timeline of the Tennis Center remodel stating that the budget for the Center was approved in 2004, and the plan was to do construction in the summer when the center can continue operations on outdoor courts. However the re-opening did not take place until December 2005, which cut down a "tremendous amount of business." He concluded that the Parks and Recreation Commission approved the lost business/finances report.

Mr. Wilson clarified that the project is on track and there will not be anymore funding requests.

MOTION: Council Member Anderson moved and Council Member Kaminski seconded to approve the expenditure of \$28,131.04 out of unappropriated reserves. The motion carried 6/1. City Council President Brenner opposed.

Discussion during the motion:

Council Member Strong questioned the funding for a lost opportunity. Mr. Swiggart reported that the \$6,000 requested is for lost opportunity (event) that the Tennis Center has had every year for the last 16 years, and did not conduct the event at the direction of the City.

City Council President Brenner is not comfortable with this request because the City has provided a sufficient amount of funding to this project. He agrees to fund the \$6,000, but is not comfortable with the remainder.

Council Member Ivancie supports the \$6,000 because Mr. Swiggart did not hold the event at the direction of the City.

DIRECTION: City Council President Pro-Tem Dellinger would like more information about all the City's concessionaires in general.

e. Urban Redevelopment Authority Advisory Committee (URAAC) selection of members.

Ms. DuBord requested direction on the selection of URAAC members so staff can move forward.

City Council President Pro-Tem Dellinger suggested the following membership combination: three At-Large, one Steamboat Ski & Resort Corporation, one from the Mountain Business Association, one from base area lodging, and one base area property owner.

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Mr. Lettunich stated that the composition, per the Base Area Redevelopment Plan, is to be made up of residential and commercial property owners. Staff has canvassed 35 other URA's, most of which did not have advisory committees.

Council Member Ivancie questioned if At-Large members would need to live in City limits. Mr. Lettunich stated that this would be up to Council, who can make changes to the composition of stakeholders.

Council Member Strong stated that the City received ten applications for nine positions, three of which are At-Large. He suggested appointing all who applied.

City Council President Pro-Tem Dellinger noted that anyone can come to the meetings, and feels the group would be more manageable at seven members.

City Council President Brenner expressed his opposition due to the perceived conflict of interest of several of the applicants.

Council Member Ivancie voiced concern with conflict of interest and would like to see less members to keep it manageable.

Mr. Lettunich noted that the conflict of interest rules do apply to City Boards and Commissions. This would be an Advisory Committee and Mr. Malcolm Murray, the City's URA consultant, did not think that conflict of interest would be a problem.

Council Member Ivancie supports adding one more At-Large member and going with the 10-member make-up.

Council Member Anderson stated that the ethical question arises when a person has a vested interest, but since this group will not be making decisions, there is no conflict.

MOTION: Council Member Strong moved and Council Member Antonucci seconded to approve appointing all ten that applied. The motion carried 5/2. Council Members Brenner and Dellinger opposed.

f. Interim Manager's Report: Ongoing Projects.

Ms. DuBord provided a written update on various issues/meetings. She noted that a Council representative is needed to attend the upcoming Transportation meeting in Centennial Hall. **UNANIMOUS CONSENT:** City Council President Pro-Tem Dellinger to attend.

1. Solar Powered Radar Signs

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Ms. DuBord provided information on staff's recommendation to install two "RU2 Fast 350 Radar Signs" on Lincoln Avenue at both ends of the downtown area. One will replace the current 25 Miles Per Hour sign on westbound Lincoln east of Old Fist Creek Falls Road, and one on eastbound Lincoln Avenue east of the 13th Street intersection. The proposed expenditure is \$14,000 out of General Fund Reserves.

Ms. DuBord noted that the information provided is an estimate and staff will do a request for proposal (RFP). **DIRECTION:** Staff to provide a mock up of what a 12" sign looks like versus a 16" sign. Staff to get information on pedestrian signs. **MOTION:** Council Member Ivancie moved and City Council President Pro-Tem Dellinger seconded to approve staff moving forward with an RFP. The motion carried 7/0.

Ms. DuBord reported that she has requested the pedestrian signs from the Colorado Department of Transportation.

Ms. DuBord further reported on the following:

1. Announced new Planning staff members Mr. Dave Gardner and Mr. Brian Berndt.
2. Noted that staff is meeting with Mainstreet regarding downtown trash receptacles. Mainstreet feels that another receptacle at 9th Street may be needed. Staff is monitoring the situation.
3. Provided grooming information for Howelsen Hill regarding signage and revenues. She stated that there are four signs in place and \$3,810 has been collected for passes. If staff grooms everyday, it would be an additional \$2,200. There is no pass requirement for snowshoeing. **UNANIMOUS CONSENT:** Council agreed to leave grooming up to staff, to groom if it snows and Council can approve supplemental funds if necessary.

CITY ATTORNEY'S REPORT (5:30)

Mr. Lettunich had no report.

CONSENT CALENDAR - GENERAL BUSINESS

2. **RESOLUTION:** A resolution changing the name of the James Brown Soul Center of the Universe Bridge to the Stockbridge.

City Council President Brenner read the resolution title into the record.

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This item was pulled from the Consent Calendar for further discussion.

Ms. Jordan reported that last fall a petition was presented by community members to change the name to The Stockbridge. Council approved the current name after an informal election was conducted in 1993.

PUBLIC COMMENT:

Mr. Bill Montag, Soda Creek Western Mercantile, supports changing the name to preserve the community's heritage. The cattle industry was a thriving part of the community and the bridge was a big part of that. He presented a survey conducted by Colorado State University about what attracts people to Routt County, and the results rated as follows: natural environment, ranch and open space, western heritage, and skiing. He feels that renaming the bridge is appropriate.

Mr. Wayne Iacovetto, local ranch owner, does not feel that James Brown morally represents the community and supports changing the name. He also voiced concern that this bridge name is the attraction item depicted on a sign at the Denver International Airport and it does not accurately reflect the Steamboat Springs community.

Mr. Larry Monger, Routt County resident, stated that he has never referred to the bridge by the James Brown Soul Center name. He supports changing the name to Stockbridge to preserve western heritage.

Mr. Bill Schurman questioned if Council could legally supercede that vote and acceptance of the name. He further voiced concern that there was not adequate notice of tonight's resolution and supports either denial or postponement of the resolution.

Mr. George Krawzoff, speaking as a citizen, noted that his son is half black and half Korean, and living in Steamboat Springs was not easy for him. He feels that the current bridge name speaks to openness and tolerance in the community as well as sense of humor. He supports postponing and getting more community input.

Mr. Barry Smith stated that he is appalled that this was brought about so quickly. He thinks the current name is great and supports conducting another vote.

COUNCIL COMMENT:

Council Member Antonucci provided a little history, noting that the City received funding to build the bridge, and staff suggested allowing the High School to come

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up with name options, and that is where the list of names came from. He noted that the vote was informal, but it did go through a public process even though it may have been flawed. He is not in favor of moving forward without further input, and feels that the current name speaks to open-mindedness and tolerance in the community.

Council Member Ivancie agrees, and supports postponing the resolution. He noted that maybe the issue should go to a Special Election.

Council Member Kaminski feels that this is an "odd issue" that is bigger than what we realize. He noted that the sign at the Denver International Airport can be changed, and he supports postponing the issue.

MOTION: Council Member Ivancie moved and Council Member Antonucci seconded to postpone to the March 7, 2006 agenda the resolution changing the name of the James Brown Soul Center of the Universe Bridge to the Stockbridge. The motion carried 7/0.

Discussion during the motion:

City Council President Pro-Tem Dellinger stated that the City needs to ensure that it is a controlled ballot no matter how it proceeds. **DIRECTION:** Staff to put an informational item on The City Page before the March 7, 2006 City Council meeting.

3. **RESOLUTION: A resolution to approve a Memorandum of Cooperation ("MOC") between the City of Steamboat Springs and the Steamboat Springs RE-2 School District.**

City Council President Brenner read the resolution title into the record.

This item was pulled from the Consent Calendar for further discussion.

Ms. DuBord noted that the School Board did approve the Memorandum of Cooperation.

MOTION: Council Member Strong moved and Council Member Ivancie seconded to approve the resolution approving a Memorandum of Cooperation ("MOC") between the City of Steamboat Springs and the Steamboat Springs RE-2 School District. The motion carried 7/0.

4. **FIRST READING OF ORDINANCE: An ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code, through the adoption of affordable housing regulations**

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including inclusionary residential requirements.

This item was postponed from the December 13, 2005 agenda.

City Council President Brenner read the ordinance title into the record.

This item was pulled from the Consent Calendar for further discussion.

Mr. Leeson noted that staff did extensive research, did incorporate ordinances from other areas, but this is truly "Steamboat's ordinance". He presented an overview of the changes that were made in collaboration with the Yampa Valley Housing Authority (Housing Authority), the Planning Commission, legal staff, and members of the public. The following are issues for discussion: redevelopment exemptions; if vested projects should be exempted; clarify that deed restrictions are intended to be permanent; add the provided paragraph regarding compliance methods; payment in lieu and

methodology/addition of an administration fee; and the community housing plan and process by which that is approved.

Discussion took place relative, but not limited to: vested approvals; and off site development.

Council Member Anderson questioned if in the 4th whereas the residential linkage study should be cited. Mr. Leeson noted that this would be referring to something that doesn't exist yet. City Council President Brenner suggested adding these additional references between first and second reading. Council Member Anderson noted that in the definition of the housing authority fund it does not state that buying land is an authorized expenditure. He also questioned the square footage threshold. Mr. Leeson noted that this will be addressed as a part of linkage. **UNANIMOUS CONSENT.**

At this time, Council accommodated General Public Comment.

GENERAL PUBLIC COMMENT

Mr. Dan Wiseo, Westland trailer park resident, does not support the proposed Riverwalk project. He feels that the people that helped form this community are getting kicked out of their homes and they need to be fairly compensated for their trailers.

Mr. Bryan Phillips, Westland resident, feels that the developer's relocation plan is unacceptable.

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Mr. Orlando Moreno, Westland mobile home owner, noted that mobile homes are a viable source of affordable housing in the community. He also feels that the relocation plan is unacceptable and the owners need to be fairly compensated.

Mr. Stuart Lynn, Westland resident, voiced concern with the number of variances the developers has requested. This project, along with other current downtown projects, will completely change the downtown area. He stated that the mobile homeowners pay taxes on the market value of their homes and they need to be fairly compensated.

Mr. Bruce Clendt, Routt County resident, voiced concern with the affects of excavating on the river. He also voiced concern that the mobile homeowners did not have the opportunity to buy their lots.

Ms. Lisa Freese, Westland resident and new business owner, voiced concern with the cost of commercial square footage in the Riverwalk Project, feeling that it may prohibit any small businesses from affording the commercial space, thus only accommodating chain establishments.

Mr. Peter Lewis, Westland resident, voiced concern with the proposed Riverwalk project feeling that adequate weight was not given to the obvious flaws. He feels that the public voice is not being heard and requested that Council abide by the mobile home preservation ordinance. He encouraged Council to not grant the right-of-way requests.

Mr. Michael Freese, Westland resident, does not support the Riverwalk project. He feels that many people will make a lot of money, except those that are being displaced from their homes. He feels that compensation is needed, and the package offered is not satisfactory.

Mr. Raymond Uhl, Westland resident, feels that the relocation plan is unacceptable and most of the trailers in the park are too old and can't be moved. The resident are being forced to forfeit their nest eggs.

Ms. Annick Chappot, Westland owner, noted that her mobile home was a stepping-stone because it was affordable, and now she and other people will lose their homes and investments.

Ms. Christine Allevato, Westland resident, stated that the residents of the park are losing everything they have worked so hard for. She requested that Council deny the Change of Use permit until the Final Development Plans are approved. She stated that mobile homes are irreplaceable affordable housing for the community, and spoke to the funds the Housing Authority has to available to purchase a mobile home park.

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Ms. Elizabeth Black, Yampa Valley Housing Authority (YVHA), clarified that the Authority has an annual bonding capability of 10 million dollars a year.

At this time, Council returned to the first reading of the inclusionary zoning ordinance.

PUBLIC COMMENT:

Mr. Whitney Ward voiced concern with the 150 percent requirement for off site housing stating that there are developable sites that are valid for those affordable units. Affordable housing is for families and may not be appropriate at the base. He feels the balance should be one for one as to not disincentivize development at the base. He feels the fee in lieu should be a right, and allow the developer to develop a pro-forma. He stated that he supports the letter submitted by Mr. Weiss. *(This letter is on file in the City Clerk's Office)*

Mr. Bob Milne, local property manager, feels that incentives to get developers to move affordable housing off site will achieve more affordable housing. He stated the base area is not a good environment for families; it is not compatible. There are issues with noise, parking, storage and pets. He questioned Homeowners Association fees and linkage. He supports giving the developer incentives to pay a fee in lieu or move employee housing off site.

Mr. Jim Cook, Colorado Group Realty, agrees with what has been said, and supports setting a threshold and offering incentives over the top of that.

Ms. Jane Blackstone, Bare Area Redevelopment Coalition (BARC), noted that how the payment in lieu by right is calculated is important. She feels that exemption for employee housing that is voluntarily should not count against the market count. She feels there should be consideration for credits and contributions to date for affordable housing.

Mr. Jim Schneider, Steamboat Ski & Resort Corporation, supports the work that has been done so far on inclusionary zoning and affordable housing. He stated that he conducted an informal staff poll in which many employees thought housing would be best off site. He supports the letters submitted by BARC and Mr. Weiss.

Ms. Margaret Berglund, Community Alliance, supports offering incentives for developers to go beyond the 15 percent.

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Mr. Eric Smith, Eric Smith Associates, questioned the proportional mix of types and minimum size. For the off site fee in lieu he voiced concern that a developer may have spent in excess of \$100,000 trying to get there so he is concerned with negotiating at the "11th hour." He feels the fee needs to be discretionary on behalf of the petitioner. He further spoke to Homeowners Association dues, and off site housing being a more efficient use of dollars.

Mr. Bill Jameson encouraged Council to take a careful look at incentivizing over 15 percent.

Mr. Peter Patten, Patten Associates, supports the ordinance and having inclusionary zoning as a tool in the toolbox. He supports building projects with transit and amenities that are deed restricted, and supports having incentives for developers.

Mr. John Waite, 1577 Flattops Circle, stated that affordable housing can be approached on several fronts, via taxing for example. He feels that new development should not shoulder the whole burden for affordable housing in the community. Developers need incentives and the housing should be family friendly.

Mr. Rich Levy, Community Alliance, voiced concern with exemptions regarding redevelopment. He feels that a blanket exemption for redevelopment is too broad. He stated that the fee in lieu needs to be enough to build a unit somewhere, plus to cover the administrative fees. He would like to see guidelines for a mix of bedrooms.

Mr. Jim Wells, base area developer, urged Council to put together a good program that is fair to all.

Ms. Kathy Stokes, Postnet, encouraged Council to consider off site housing because the base area is a difficult place to mix tourists and local families.

Mr. Chuck Porter, Ski Time Square Enterprises, noted that he has been an employer at the base area for 25 years, and lived there for ten years. He noted that most of their employees who live in employee housing want to relocate as soon as possible. There is no storage and it is not a family environment.

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Mr. Bob Weiss stated that both sides of the issue agree that there needs to be a ordinance for affordable housing and there is no argument about the 15 percent or the deed restrictions. There are areas of disagreement, which are outlined in the letter submitted on green paper (this letter is available on file in the City Clerk's Office). He does not feel that the employee units should be subject to requirements; there should be no penalty for URA property; the fee in lieu should allow building affordable housing in suitable locations; unit size definition should be added, as well as developer compensatory incentives.

Mr. John Spezia feels that the discretionary suggestion is difficult, there needs to be criteria to give certainty. He supports the ordinance change regarding incentives beyond the 15 percent. The fee in lieu should be clarified that it is the difference between affordable cost and the construction costs. There should be language regarding how far away to go for the available and affordable land.

Mr. Scott Woodford, Patten Associates, agrees with Mr. Weiss, that the whole community supports affordable housing. He supports flexibility for a fee in lieu and noted that when fees are paid to the municipality it becomes their burden to entitle the property.

Mr. Wayne Ranieri, local realtor, feels that housing at the base area would be a mistake, because it is not compatible and is cost prohibitive.

Mr. Ed MacArthur believes that there are opportunities for affordable housing in west Steamboat Springs. He voiced concern that there will be a dramatic market rate jump that will create a "two tier" community.

Ms. Black, Housing Authority, spoke to the mechanics and the vision of the payment in lieu. She has consulted with other Authorities regarding their program and payment; the payment gives cash resources to the Housing Authority. The mechanism is to develop a systematic analysis so a developer can know in a couple of days what the payment/costs will be. There needs to be flexibility and options and the administrative relationship for carrying out program needs to be discussed, as well as an administrative fee.

Mr. Leeson stated that the Planning Commission felt that incentives shouldn't be a part of the base area 15 percent; it should just be a requirement. There should

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be incentives for above and beyond the 15 percent. He noted that incentives can be built into the Code and reminded Council that fee waivers come out of general fund. **UNANIMOUS CONSENT:** Staff to address incentives through a Code update or the Housing Matrix.

DIRECTION: The employee units should be exempt from the unit count.

Discussion commenced on forcing affordable housing in the base area. Mr. Leeson stated that there are numerous options in the ordinance for off site, for payment in lieu and also land dedication.

Council Member Anderson clarified that the fee in lieu would be based on community-wide construction costs. He prefers to have the developer build the units, but some may still opt to make the payment in lieu.

MOTION: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to approve the first reading of an ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code, through the adoption of affordable housing regulations including inclusionary residential requirements. The motion carried 7/0.

Direction and amendments to the ordinance:

Exemptions:

AMENDMENT TO THE MOTION: City Council President Pro-Tem Dellinger moved and Council Member Strong seconded to amend the motion by adding employee units in the exemptions. The motion carried 7/0.

AMENDMENT TO THE MOTION: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to amend the motion by adding item 2 from Leeson's memo regarding vested approvals as shown below. The motion carried 7/0.

Development permits with vested approvals. Development in accordance with development permits with vested approvals pursuant to Section 26-4(d)(1), development in substantial conformance with development permits with vested approvals pursuant to Section 26-4(d)(1), and development in accordance with revised vested approvals in accordance with Section 26-4(d)(2), shall all be exempt from this Section.

DIRECTION: Staff to research a no net loss ordinance.

Minimum requirements:

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Council Member Anderson questioned the purpose of the second sentence in number two. Mr. Leeson stated that it is a carry over from a previous clause and could be deleted. **DIRECTION:** Delete the second sentence in Section 26-148(e).

Location:

Council Member Strong voiced concerns with having different requirements for the base area and downtown since the URA boundaries were somewhat arbitrary. He would prefer having a standard citywide amount and treat the issue with off site percentages. **AMENDMENT TO THE MOTION:** Council Member Antonucci moved and Council Member Strong seconded to amend the motion by taking out the second bullet under Location: The number of Community Housing units to be built off site is at least 50 percent than the number required if the development that triggered the requirement for the units to be developed is within the boundaries of the Urban Renewal Authority. The motion failed 3/4. Council Members Brenner, Ivancie, Anderson, and Dellinger opposed.

Deed Restriction:

UNANIMOUS CONSENT: Clarify that deed restrictions are permanent in Section 26-148-(g).

City Council President Brenner thought the percentage was going to reflect the demand in the community. City Council President Pro-Tem Dellinger suggested tying it to a housing matrix or needs assessment to allow the flexibility to grow with changes in housing. Mr. Leeson noted that this can be changes based on the needs of community possibly through a Housing Authority Needs assessment.

Discussion commenced on if the ordinance supercedes the Base Area Housing Matrix. **DIRECTION: Mr.** Lettunich to get more information on this.

Compliance methods:

DIRECTION: City Council President Pro-Tem Dellinger would like more information on payment in lieu; staff to research.

AMENDMENT TO THE MOTION: Council Member Ivancie moved and Council Member Antonucci seconded to amend the motion by inserting #4 from Mr. Leeson's memo regarding developing off site units; "Develop Units Off-Site. In the case of single-family/duplex subdivisions, develop single-family detached or duplex units priced initially in targeted range off-site, but within the municipal boundaries of the City of Steamboat Springs. In the case of multi-family developments, develop the multi-family dwellings off-site, but within the municipal boundaries of the City of Steamboat Springs priced for sale to eligible households. The number of lots developed must equal 125 percent of the

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required number of Community Housing units, or 150 percent of the required number of Community Housing units if the development that triggered the requirement for the units to be developed is within the boundaries of the Urban Renewal Authority." The motion carried 7/0.

Council Member Strong feels that discretion with the fee is okay but the developer needs some certainty that they won't have to re-work their project.

AMENDMENT TO THE MOTION: Council Member Strong moved and Council Member Antonucci seconded to amend the motion by making the following items not discretionary: Dedication of Lots On-Site, Dedication of Lots Off-Site, Dedication of Land under the Compliance Methods Section 26-148(h). The motion carried 7/0.

DIRECTION: Staff to add language regarding the administrative fee.

Discussion commenced on number six Alternative Compliance Methods, suggesting a combination of language from Mr. Leeson's memo and Mr. Weiss' letter, or to leave it as is for now and look for new language from the Housing Authority. **DIRECTION:** Staff to clarify. **AMENDMENT TO THE MOTION:** Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to amend the motion by adding Section 5 from Mr. Leeson's memo regarding payment in lieu: "Payment-in-lieu fees are allowed at the discretion of City Council and are required when the calculation to determine the number of units to be produced to meet community housing requirements results in a partial unit. The fees are to be based on the financial gap of construction costs as prescribed by the Yampa Valley Housing Authority and in accordance with Routt County Area Median Income categories, the later of which are adjusted annually by the State Division of Housing, plus an administration fee of up to 15 percent. The payment-in-lieu shall include the additional percent stipulated in Sec. 26-148 (f). **FRIENDLY AMENDMENT:** City Council President Pro-Tem Dellinger provided a friendly amendment to insert language regarding construction cost and affordable categories. The motion carried 7/0.

UNANIMOUS CONSENT: Delete Section C under Payment in Lieu relative to the Director of Financial Services transferring funds to the Yampa Valley Housing Authority. **AMENDMENT TO THE MOTION:** Council Member Anderson moved and Council Member Strong seconded to amend the motion by having staff looking into an intergovernmental agreement with the Yampa Valley Housing Authority. The motion carried 7/0.

Unit types:

It was noted that the unit size specification was left out. Mr. Leeson stated that this can be addressed by the Housing Authority. **DIRECTION:** Staff to provide information on how this works in the review system.

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AMENDMENT TO THE MOTION: City Council President Brenner moved and City Council President Pro-Tem Dellinger seconded to amend the motion by inserting language that states that the goal of the Housing Authority is to develop a proportionate housing mix in the community. The motion carried 7/0.

Administration:

AMENDMENT TO THE MOTION: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to amend the motion by having the last sentence in 26-148(n) state: The **City** may also enter into contracts with other agencies, including the Yampa Valley Housing Authority, to administer this Section, subject to approval of the City Council. The motion carried 7/0.

No Taking of Property Without Just Compensation:

DIRECTION: Staff to look at number 3 in Section 26-148(o): Director of Planning Services Review.

Monitoring:

AMENDMENT TO THE MOTION: Council Member Ivancie moved and City Council President Pro-Tem Dellinger seconded to amend the motion by changing the language in Section 26-148(q) to state that **annually** rather than time to time, the Director of Planning Services will present sufficient.....; **FRIENDLY AMENDMENT:** City Council President Pro-Tem Dellinger made the friendly amendment to have the language to state **no less frequently than annually**. The motion carried 7/0.

The main motion was upheld.

UNANIMOUS CONSENT: On February 7, 2006 Council to postpone the second reading of this ordinance to the February 21, 2006 meeting.

***PUBLIC COMMENT (7:00)**

COMMUNITY REPORTS (7:00)

5. Public Arts Steering Committee Report. (Kakela)

Staff requests this item be postponed to the February 7, 2006 agenda.

MOTION: City Council President Pro-Tem Dellinger moved and Council Member Kaminski seconded to postpone this item to the February 7, 2006 meeting. The motion carried 7/0.

PLANNING COMMISSION (7:30)

6. Planning Commission Report.

Ms. Kathi Meyer, Planning Commission representative, was present and had no report.

CONSENT CALENDAR- PLANNING COMMISSION REFERRALS

There were no items scheduled for this portion of the agenda.

PUBLIC HEARINGS - PLANNING COMMISSION REFERRALS

**7. PROJECT: More Ranch and Crawford Subdivision, Lot 2
(Steamboat Barn Village)**

PETITION: Pre-application for a 70-lot subdivision with 115 residential units on approximately 46 acres.

City Council President Brenner read the project into the record.

Mr. Leeson, Director of Planning Services, noted that Planning Commission's principal discussion items were provided in the packet. He stated that the application is evolving based on comments received, and staff has not yet assessed the additional information provided today.

Mr. Bob Combs, applicant, was present and introduced Mr. Carl Gills, the Chief Executive Officer of the Yampa Valley Medical Center (YVMC).

Mr. Gills spoke to the applicant's request that their proposal for employee housing for the hospital be credited toward the applicant's affordable housing requirement. He stated that YVMC supports this request. He spoke to the problem with employee retention and tenant compatibility due to night shifts. He also noted that vacant employee units can be used for families of patients from out of the area, and clarified that no units will be sold to employees; it is intended for "transitional housing".

Ms. Black, Housing Authority, noted that she met with the applicant regarding the joint partnership between the hospital and the developer. She stated that this partnership could fall under the "alternative compliance options" portion of the inclusionary zoning ordinance.

Mr. Peter Patten, Patten Associates, gave a PowerPoint highlighting the following: the blueprint for the project; the Community Plan Future Land Use Map; neighborhood residential low; traditional neighborhoods planning principals; infill; and responses to comments received.

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Mr. Scott Woodford, Patten Associates, continued with: project goals; new urbanists; strong pedestrian orientation; More Barn location; homesteader barn restored; the park plan; the new City park; 23 percent open space; rezoning proposal; rezoning criteria; compatibility with surroundings; vegetation buffer; and preservation of the rocky knoll,

He requested feedback from Council regarding the following: rezoning, the barn, the City accepting the park, the hospital proposal, access/pedestrian; and if the vehicular circulation is appropriate.

PUBLIC COMMENT:

Ms. DJ Edwards was present and representing herself and the Renfro family. She voiced concern with the zoning change. She feels that Fish Creek is an amenity, not a buffer and also voiced concern with street congestion. She feels that the change in land use is in conflict with the City's long-range plans.

City Council President Brenner asked the audience for a show of hands of those that agree with this comment. There were approximately 20.

Mr. Don Grant read letter of opposition into the record feeling that this project offers no benefit to the community. There is no provision for improvements to roads and there is the loss of historic irrigation ditches and water rights. He questioned the maintenance of the path and does not support the zoning change. He also spoke to the flight path of Flight for Life Services at YVMC.

Ms. Jean Schneider voiced concern with the disturbance of Fish Creek, speaking to the environmental aspects and unique beauty of the creek. She requested Council consider how the wildlife that use the creek will be compromised. She feels the lots should be retained for single-family homes and supports retaining the present zoning.

Mr. Bill Jameson commended the applicant for not moving the barn. He voiced concern with the rezoning and the landing pad/flight path for YVMC. He does not support the hospital employee housing counting for the development's requirement.

Mr. Darren Zamzow, speaking on behalf of the People's Family Trust, feels that the proposal is not compatible with the lots on the other side. He does not support the rezoning and requests that the developer respect the homes that have been there for 30 years.

Ms. Karen Hughes, real estate broker for the project, feels that this is thoughtful smart growth and that it will be a first class project. There are opportunities for several levels of housing and the barn site will be improved.

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Mr. Terry Coghlan voiced concern with the view corridor, traffic on Central Park Drive and loss of open space.

Ms. Rosa Venitzia spoke to the wetlands and voiced concern with wildlife. She does not support the zoning change.

COUNCIL COMMENT:

Council Member Strong feels the applicant did a great job with the barn and the park. He is in favor of accepting and maintaining the park and supports working with the developer on the inclusionary zoning requirements. He supports the access but feels it is too bad it dead ends. He understates the concerns with Fish Creek but noted that the creek is an amenity for all the community, not just those who live near it. He supports the rezoning

because we want infill; and more housing in town means more of a community and less traffic through town.

City Council President Pro-Tem Dellinger feels that the barn is great, and supports accepting the park only and voiced concern about park maintenance. She is undecided on the zoning, likes the pedestrian access, and likes the hospital proposal.

Council Member Antonucci supports the barn, and the open space park. He feels the pedestrian access is good and that the employee housing does not meet the intent of the inclusionary zoning ordinance. He suggested that lots 34-45 be single family rather than duplex, or combined for a better transition. He voiced concern with snow removal and alleyways for the small lots. He supports the City accepting the park with no maintenance.

Council Member Ivancie feels that the park and the barn great. He supports accepting the park in its natural setting and not maintaining it. He feels that pedestrian access to Fish Creek is a community amenity and he supports the trail. On lots 34-46 he would like to see less density. He questioned if the narrow alleys are appropriate for snow removal. He supports the employee housing but not to count towards the affordable housing requirements. He would like to see building envelopes.

Council Member Kaminski likes the barn and the park but questioned the cost of the park. He does not support the rezoning, and feels that new urbanism will not work because of snow removal needs.

Council Member Anderson wants the developer to avoid the wetlands and the riparian areas. He feels that the parklands given to the City should include an

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endowment for maintenance. He encouraged the developer to ensure that the barn can't be entered. He supports new urbanism and feels that a traffic impact study is needed. He does not support the employee housing counting toward the developer requirement. Regarding the rezoning he supports upholding the Comprehensive Plan. He would like to see building envelopes, and feels the trails fine.

City Council President Brenner spoke to land use noting the need to create infill and density. He feels the barn is fine; and would like comments from staff on park maintenance. He supports the employee housing but does not feel that it should count toward the affordable housing requirements. He also spoke to the opportunity to expand the park into the adjacent parcel of land owned by YVMC.

PUBLIC HEARING - GENERAL BUSINESS

There were no items scheduled for this portion of the agenda.

APPROVAL OF MINUTES (9:00)

8. MINUTES

- a. **Regular Meeting 2005-31, December 6, 2005.**
- b. **Regular Meeting 2005-32, December 13, 2005.**
- c. **Special Meeting SP-2005-14, December 20, 2005.**
- d. **Special Meeting SP-2005-15, December 27, 2005.**
- e. **Special Meeting SP-2005-12, November 11, 2005.**

These minutes were postponed from the January 10, 2006 City Council meeting.

MOTION: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to postpone the above minutes to the February 7, 2006 City Council meeting. The motion carried 7/0.

CITY COUNCIL UPDATE (9:05)

9. COUNCIL MEMBERS' REPORTS

Due to the lateness of the meeting (midnight), no reports were given.

10. AGENDA REVIEW

- a. **Council agendas for February 7 and February 14, 2006.**

Due to the lateness of the meeting (midnight), agenda review did not take place.

ADJOURNMENT

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MOTION: Council Member Strong moved and Council Member Ivancie seconded to adjourn Regular Meeting 2006-03 at approximately 12:15am. The motion carried 7/0.

MINUTES PREPARED AND RESPECTFULLY SUBMITTED BY:

Julie Franklin
Julie Franklin, CMC
Deputy City Clerk

REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Jordan
Julie Jordan, MMC
City Clerk

APPROVED THIS 7th DAY OF February, 2006.