

CITY OF STEAMBOAT SPRINGS  
SPECIAL MEETING NO. SP-2006-07

TUESDAY, MARCH 28, 2006

MINUTES

Ms. Susan Dellinger, City Council President Pro-Tem, called Special Meeting No. SP-2006-07 of the Steamboat Springs City Council to order at 5:00pm, Tuesday, March 28, 2006, in Centennial Hall, Steamboat Springs, Colorado.

City Council Members present: Susan Dellinger, Towny Anderson, Loui Antonucci, Steve Ivancie, Kevin Kaminski, and Paul Strong. Ken Brenner arrived at 5:01pm.

City Staff Members present: Wendy DuBord, Interim City Manager; Anthony B. Lettunich, City Attorney; Dan Foote, Staff Attorney; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Don Taylor, Director of Financial Services; Tom Leeson, Director of Planning Services; Brian Berndt, Assistant Director of Planning Services; JD Hays, Director of Public Safety; and Jonathan Spence, City Planner.

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

**EXECUTIVE SESSION: For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and 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).**

**MOTION:** Council Member Ivancie moved and Council Member Strong seconded to adjourn Special Meeting SP-2006-07 at approximately 5:00pm for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and 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). The motion carried 6/0. City Council President Brenner had not yet arrived.

City Council President Brenner arrived at 5:01pm.

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Antonucci seconded to come out of executive session and reconvene Special Meeting SP-2006-07 at approximately 6:07pm. 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

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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.

**CONSENT CALENDAR - GENERAL BUSINESS**

- 1. FIRST READING OF ORDINANCE: An ordinance extending the term of the moratorium imposed by Ordinance No. 2006 on accepting applications for building permits for development of any lots in the Miller-Frazer Addition and the Fairview Addition encumbered by a deed restriction contained in a deed from the City of Steamboat Springs to the current owner or to a prior owner; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

Council Member Kaminski disclosed that he owns commercial property in the Fairview area. Council felt it appropriate for Council Member Kaminski to remain seated, since the property he owns is commercial, not residential.

**PUBLIC COMMENT:**

Mr. Scott Drybread, Fairview resident, noted that the moratorium has been in place for more than a year, and feels that it is too excessive and damaging to personal property rights. His property plans have been held off in good faith for a resolution to the issue. The group has been willing to negotiate and have been fair, but their patience is running out and they may take legal action.

Mr. Brad Kindred, Fairview resident, stated that people's fortunes are tied up in these properties, and the owners want their constitutional private property rights preserved. He suggested allowing the Planning Department to design a cohesive community template for further development so this problem does not happen again. He also encouraged Council to lift the deed restriction and replat the neighborhood.

Mr. Michael Sidinger, Fairview resident, supports extending the moratorium until there is a resolution, and would like Council to fulfill the previous City Council's intent of the annexation agreement.

Council Member Antonucci supports extending the moratorium, for no more than 60 days, to allow time to review the proposal that he and Council Member Anderson came up with.

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**MOTION:** Council Member Antonucci moved and Council Member Anderson seconded to approve the first reading of an ordinance extending the term of the moratorium imposed by Ordinance No. 2006, for 30 days, on accepting applications for building permits for development of any lots in the Miller-Frazer Addition and the Fairview Addition encumbered by a deed restriction contained in a deed from the City of Steamboat Springs to the current owner or to a prior owner; repealing all conflicting ordinances; providing for severability Council Member; and providing an effective date. The motion failed 3/4. Council Members Brenner, Kaminski, Ivancie and Dellinger opposed.

Discussion during the motion:

Council Member Strong feels that there is a mistake in how the deed restriction is worded and the City could buy the property at fair market price and then sell back to the owners. He supports extending the moratorium to discuss this option.

City Council President Pro-Tem Dellinger noted that there are original owners and owners who paid fair market value, and some lots have been built on and some not, she doesn't see how a specific proposal can address this. She does not support extending the moratorium.

Council Member Kaminski feels that there hasn't been any resolution in the matter and 30 more days may not accomplish anything. He feels that Council Members Antonucci and Anderson's proposal is too restrictive, and does not support extending the moratorium.

Council Member Ivancie feels that City Council needs to make a decision, and does not support extending the moratorium.

Council Member Anderson feels that the evidence clearly supports upholding the original intent of the annexation agreement, but that is in conflict with what the legal documents say. He supports extending the moratorium to allow one last opportunity to reconcile the situation.

City Council President Brenner has trouble supporting the proposal, feeling that it is far from what either group is willing to accept. He supports upholding the Community Plan and the need for infill and density, and does not support extending the moratorium.

Council Member Anderson stated that in the future the City should not tolerate the level of legal work in the future, which took place during this period.

The above motion was upheld.

**PUBLIC HEARINGS - PLANNING COMMISSION REFERRALS**

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**2. PROJECT: Original Town of Steamboat Springs, Blocks 24-26 (Riverwalk)**

PETITION: Development plan for an 8 building multi-use project to be developed over 3 years in 3 phases. Preliminary plat to create six building lots.

*This item was postponed from the March 21, 2006 City Council meeting.*

City Council President Brenner read the project into the record.

Mr. Jim Cook, applicant, Mr. Brandt Vanderbosch, of Vertical Arts (applicant consultant), and Ms. Jill Brabec, attorney for the applicant, were present.

City Council President Brenner clarified that the distribution of the relocation monies would not be discussed at this meeting. Mr. Lettunich stated that the amount of the payment for the Riverwalk public benefit will be discussed. He spoke to the timeline, noting that if approved, the Final Development Plan (FDP) will come back to Council, then the vacation ordinance, and then the funds agreed upon would be paid or guaranteed to the City prior to second reading of the vacation ordinance.

Mr. Spence requested that Council focus on the variances and the right of way (ROW) vacation. He stated that there have been no changes to the variances requested. There was concern that the lack of roadway between 4<sup>th</sup> and 5<sup>th</sup> Streets could preclude a future street in the area. The applicant worked with staff to investigate alternatives, and it is believed that a second option has come forward to provide a road in that area.

**COUNCIL COMMENTS AND QUESTIONS:**

Council Member Antonucci stated that he is concerned with the parking, and questioned where the tenants of buildings A, B, C, D, and E will park. Mr. Cook stated that all owner parking will be in the parking structure under building H, and retail parking will be on the street. Council Member Antonucci voiced concern that there will not be enough parking for the owners who will have two cars. Mr. Cook clarified that all buyers will be informed that they will have only one parking space per unit, similar to other residential units in the downtown area.

Mr. Cook spoke to the \$250,000 amount he will be providing for the relocation of the Westland residents. He stated there will be deductions from this amount for resident's back rent, unpaid taxes, and liens if he has to take title. As of this point, there is \$3,800 in back taxes, and \$6,200 in unpaid rent.

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Ms. Brabec stated that it is difficult to obtain information on which Westland residents have liens, because it is not a public record.

Mr. Cook gave a PowerPoint presentation highlighting the following: the existing site and ROW; existing aerial site with proposed site plan overlay; rendered site plan; former proposal; one way or two way road connection; one way or two way road connection with parking; rendering at east end of Yampa Avenue; pedestrian plaza at 4<sup>th</sup> Street; 5<sup>th</sup> Street and Yampa River Plaza; Yampa River and Spring Creek intersection; 3<sup>rd</sup> Street day lighting of Spring Creek; Lincoln alley and pedestrian alley; 4<sup>th</sup> Street elevations; and the revised site plan.

Discussion on the vacated ROW:

Mr. Cook clarified that the ROW is 529,257 square feet for \$136,587. He suggested setting this money aside for a future connection to Snake Island, or other projects that may benefit the downtown waterfront area.

Discussion took place relative, but not limited to: height; proceeding with the FDP and the vacation ordinance simultaneously; timing of the eviction notice and the distribution of the funds; maintaining the ROW all the way to 5<sup>th</sup> Street; the snowmelt system; maintenance of the roadways; pull-outs and loading zones; and the one-way or two-way street.

It was clarified that the developer will allow the Westland residents to continue to live there until the FDP is complete, and the eviction cannot be initiated until the conversion is approved.

It was suggested to add language that if there were unforeseen problems and the FDP did not move forward, the developer will continue to allow the residents to live in the park. Ms. Brabec stated that clarification is needed on if the delays are the result of City process.

Mr. Spence stated that staff agrees with the applicant that the proposed road connection is positive and beneficial.

Mr. Weber stated that Public Works staff does not have enough information to comment on this issue. He did state that the connection will provide benefits and change the impacts on Highway 40, which will need approval from the Colorado Department of Transportation.

Council Member Strong supports the road and feels that one-way will be conducive to reduced speeds.

Council Member Anderson supports the one-way road, feeling that it will be the most beneficial to the residents and business owners.

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Council Member Antonucci feels there should not be a road, and suggested maybe concrete walks without obstacles so emergency services could access the area.

City Council President Pro-Tem Dellinger feels that if access is needed, she would prefer a road and will defer to Public Works staff on whether it should be one-way or two-way.

Council Member Kaminski supports the one-way road with the 12-foot travel lane.

Council Member Ivancie supports the one-way road with the parking, and the 12-foot travel lane.

City Council President Brenner would like more information from Public Works, but supports the one-way road with the 12-foot travel lane.

**PUBLIC COMMENT:**

Mr. Stuart Lynn stated that timing of resident eviction is critical, noting that the six month eviction notice will have the residents out in October, however if there are delays it could get into the holidays and winter. He also voiced concern that the project will obstruct views of Howelsen Hill.

Ms. Christina Allevato spoke to the deductions from the \$250,000, stating that she is not willing to pay for other residents rent, lien or other problems, this should be deducted from the individuals that owe. She suggested that Council hold off on the Change of Use until the FDP is complete. She questioned the financial contribution to the Yampa Valley Housing Authority and when the money will be paid and when the residents will be paid.

Mr. Raymond Uhl feels there needs to be wording in the Use Permit that states that it is contingent upon approval of the FDP. He noted that almost everyone is benefiting from this project, except the residents of the Westland Mobile Home Park.

Mr. Daniel Woycio, Westland resident, does not support the destruction of affordable housing in the community. He feels that more commercial development does not outweigh the needs of the 135 locals who are losing their homes.

Mr. Paul Christian, Westland resident, feels that the homeowners should have the first right to buy the condominiums in the project. He also stated that currently the park is a mess, and the developer needs to clean it up.

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Mr. Joe Frisch, Westland resident, feels that the timing issue is critical for the residents to relocate. He also feels that parking is an issue, the units are not affordable, and has concerns with traffic flow.

Mr. Brett Reynolds, Westland resident, voiced concern with parking, high density, safety issues with the closeness of the buildings, and snow storage.

Ms. Kathy Connell, managing agent for The Residences (located in the downtown area), stated this project also proposed only one parking space per unit. She was originally very concerned with this, but stated that it has worked well for The Residences. With proper notification and enforcement, the situation can work. She also supports continuing to reeducate the public to be less car dependent.

Mr. Peter Lewis, Westland resident, voiced concern with the timing of the project and how it will affect the residents of the park. He questioned when the six-month eviction period begins. Mr. Lettunich stated that it would begin after the approval of the Conditional Use Permit, later on tonight's agenda. Mr. Lewis stated that many residents are nervous about timing, and requested assurances in writing.

Mr. Kent Vertrees requested that Council remember to consider the Yampa River. He feels this project provides improvements to the river; it enhances riparian habitat and access, as well as provides exposure of Spring Creek above the 5<sup>th</sup> Street Bridge. He noted that when the applicant builds the paths he will allow Vertrees to examine what they are doing and assure it is correct.

Ms. Bobbi Hodge, Steamboat Springs resident, feels that the project has reached its greatest public benefit, she supports moving forward.

Mr. Greg Kohler, Rabbit Ears Motel, feels that this is a well-designed project. He does have concern with the elevation and how it will back up to his property.

Mr. Lettunich suggested adding the following condition (#23): Developer agrees that if the City issues the Conditional Use Permit to change the use of the Westland Mobile Home Park, the Developer shall extend the eviction date of any tenancy to a date 60 days following (a) the passage at second reading of the right-of-way vacation ordinance and (b) receipt of the "public benefit" money described in condition #1 set forth above; provided, however, in no event shall an eviction occur between October 15, 2006 and March 15, 2007.

4-Mr. Lettunich suggested the following amendment to condition 1: The applicant will make a financial contribution to the City of Steamboat Springs in the amount of \$1,500,000.00 to be allocated by the City Council as the "public benefit" for the vacation of the City's right-of-way, which vacation is necessary for the construction of the Development. This amount must be either placed in

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escrow delivered to the City, or an irrevocable letter of credit provided to the City prior to the ~~first~~ second reading of the vacation ordinance. If, for any reason, the ordinance does not pass at second reading, or is overturned by a referendum, the money or letter of credit will be returned to the applicant. It is the intent that this financial contribution be used for the preservation and production of affordable housing within the community. The City acknowledges that the \$1,500,000 set forth in this condition shall be reduced by (a) unpaid rents; (b) unpaid taxes assessed against any mobile home; and (c) any other encumbrances of record against any mobile home; provided, however, the sum of (a), (b), and (c) shall not exceed the assessed valuation of the mobile home to which they apply.

**CONDITIONS:**

1. The applicant will make a financial contribution to the City of Steamboat Springs in the amount of \$1,500,000.00 to be allocated by the City Council as the "public benefit" for the vacation of the City's right-of-way, which vacation is necessary for the construction of the Development. This amount must be either delivered to the City, or an irrevocable letter of credit provided to the City prior to the second reading of the vacation ordinance. If, for any reason, the ordinance does not pass at second reading, or is overturned by a referendum, the money or letter of credit will be returned to the applicant. It is the intent that this financial contribution be used for the preservation and production of affordable housing within the community. The City acknowledges that the \$1,500,000 set forth in this condition shall be reduced by (a) unpaid rents; (b) unpaid taxes assessed against any mobile home; and (c) any other encumbrances of record against any mobile home; provided, however, the sum of (a), (b), and (c) shall not exceed the assessed valuation of the mobile home to which they apply.
2. An ordinance will be prepared and heard before the City Council on two reading for the vacation of certain City right-of-way (ROW). This ROW is limited to portions shown on the accompanying map. The first reading will be heard after the financial contribution has been placed in escrow. In lieu of the ROW the applicant shall dedicate a public access easement across all roads and the adjacent sidewalks to maintain public access thru the site. Coincident with the ROW vacation, temporary utility easements will need to be provided for existing utility lines (public and private) within the ROW to be vacated.

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3. Prior to recordation of Final Plat, the applicant shall execute a Development Agreement to specify the extended approval period for the project.
4. Prior to the approval of any grading permit for this project, the applicant will record a Final Plat reviewed and approved by the City of Steamboat Springs. This Final Plat will provide necessary public easements including pedestrian, vehicular, utility (public and private) and emergency access easements.
5. All necessary additional permits including but not limited to a Floodplain Development Permit, an Army Corp Permit for Bank Stabilization, a Colorado Department of Transportation Highway Access Permit are required prior to recordation of final plat or issuance of any building/grading permit, whichever occurs first.
6. The applicant is required to construct a privately maintained road between Fifth and Fourth Streets along the Yampa Street alignment in Phase One. Prior to the first public hearing for any Final Development Plan for this project, the design shall be reviewed and approved by the Public Works Department. The applicant is required to submit all materials determined by Public Works Department as necessary for such a review including but not limited to engineering design, traffic study updates, and drainage study updates. The design and construction of this road may require modification to the proposed building layout.
7. The applicant will enter into a development agreement, prior to recordation of Final Plat whereby the project will self-impose a ¼% transfer fee on all sales of all properties within the project. This transfer fee shall be on all sales, including initial sales and all resales in perpetuity. Funds are to be administered by Main Street Steamboat or its successors, specifically for public art and art education in the downtown area.
8. The applicant will provide a detailed program outlining how any contaminated subsurface material, if found, are to be removed and disposed of as defined by State Regulations, prior to recordation of Final Plat. Confirmation to be provided to the City by a licensed Colorado Engineer that the site is in full compliance with all applicable state regulations concerning contaminated soils prior to the issuance of any building permit.
9. Applicant agrees to provide seven units as “affordable” under the inclusionary zoning guidelines. In conjunction with the recordation of any

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- condominium plat for any building containing affordable units, the applicant shall record a deed restriction approved by the Yampa Valley Housing Authority. In addition the Applicant agrees to provide four employee housing units.
10. Prior to the issuance of any grading permit, a restoration and enhancement plan for the riverbank shall be prepared by a qualified consultant for review by the Public Works and Planning Services Department.
  11. Prior to the issuance of any grading permit, grading plans reviewed and approved by Public Works that effectively provide for the protection of neighboring properties due to grade changes and the possible need for retaining mechanisms.
  12. The applicant will supply a written notice of acceptance from the Postmaster concerning the method of postal delivery prior to the issuance of a building permit.
  13. Civil construction plans must be submitted for review and approved prior to approval of any building permit. We recommend submitting the construction plans a minimum of five weeks prior to building permit application to allow time for review, comment response, and approval.
  14. The following items to be identified for each phase on the construction plans and /or building permit are considered critical improvements and must be constructed prior issuance of any Certificate of Occupancy (CO); they cannot be bonded:
    - Public drainage improvements
    - Driveway access improvements
    - Public sidewalk improvements
    - Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)
  15. All utility and road infrastructure including the first lift of asphalt shall be constructed prior to the first building permit.
  16. Sign and record an improvements agreement approved by the City outlining responsibilities for plowing and maintenance of the street prior to approval of civil construction drawings.
  17. Sign and record an improvements agreement approved by the City outlining responsibilities for the perpetual maintenance of all areas where public access is provided prior to approval of civil construction drawings.
  18. Sign and record a revocable permit/license for improvements in the right-of-way (ex. snowmelt in the alley, awnings, etc) approved by the City prior to approval of civil construction drawings.

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19. Sign and record an easement agreement approved by the City Utilities Division releasing the City from any liability or responsibility for any damage or interruption to private uses (snowmelt, etc) within the granted Utility easements due to City work in or use of the easements.
20. The construction plans for the proposed sanitary sewer line to be replaced/relocated will show a 15" line as required due to capacity issues resulting from the relocation
21. The internal private streets and public alley shall be snow melted. Snow storage areas may be required at the intersections of 3<sup>rd</sup> and 4<sup>th</sup> Streets and the alley to accommodate City snow removal on the public streets, locations to be confirmed.
22. Prior to the first public hearing for any Final Development Plan for this project, the applicant will submit a request to either remove the property from the floodplain through the upsizing of the full length of the Spring Creek culvert or the applicant will floodproof all buildings within the floodplain as required for a Floodplain Development Permit under Federal Emergency Management Agency (FEMA) regulations.
  - a. If removing the property from the floodplain through an upsizing of the culvert is proposed, the applicant shall provide evidence that FEMA has accepted the Conditional Letter of Map Revision (CLOMR) prior to the issuance of a building permit. Prior to the issuance of any Certificate of Occupancy, the applicant shall provide an approved Letter of Map Revision (LOMR). If the applicant will not fund the entire culvert replacement, the applicant shall propose a cost sharing agreement for staff review and City Council approval as part of the FDP application.
  - b. If flood proofing is proposed, a conceptual plan for how the facility will be flood proofed, who will maintain/operate the flood proofing, and how the occupants will be notified about the flood proofing shall be included in the Final Development Plan application. A pre-construction flood proofing certificate shall be submitted prior to the first building permit application, and as-builts with a flood-proofing certificate shall be submitted prior to issuance of any CO for buildings in the floodplain.

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23. Developer agrees that if the City issues the Conditional Use Permit to change the use of the Westland Mobile Home Park, the Developer shall extend the eviction date of any tenancy to a date 60 days following (a) the passage at second reading of the right-of-way vacation ordinance and (b) receipt of the "public benefit" money described in condition #1 set forth above; provided, however, in no event shall an eviction occur between October 15, 2006 and March 15, 2007.
24. Applicant agrees to grant a right of first refusal to current residents of the Westland Mobile Home Park for the seven affordable housing units set forth in paragraph 9, above.

**MOTION:** Council Member Strong moved and Council Member Anderson seconded to approve Riverwalk, a development plan for a 8 building multi-use project to be developed over 3 years in 3 phases, preliminary plat to create six building lots, with the recommended conditions and findings from staff and with the added condition 23 and amended condition 1 provided by Mr. Lettunich above; **FRIENDLY AMENDMENT:** Council Member Anderson provided the following friendly amendment: to use the term "eviction"; **FRIENDLY AMENDMENT:** Council Member Strong provided the following friendly amendment: the eviction may not occur between October 15 and March 15; **FRIENDLY AMENDMENT:** Council Member Strong provided the following friendly amendment: add to condition 9 that the applicant agrees to provide 7 units as "affordable" under the inclusionary zoning guidelines. In conjunction with the recordation of any condominium plat for any building containing affordable units, the applicant shall record a deed restriction approved by the Yampa Valley Housing Authority. In addition the Applicant agrees to provide four employee housing units. The motion carried 7/0.

**AMENDMENT TO THE MOTION:** City Council President Brenner moved and Council Member Ivancie seconded to amend the motion by adding a condition that states that the Westland residents will be allowed the first right of refusal on the affordable units. The motion carried 6/1. Council Member Strong opposed.

Discussion during the motion:

Council Member Antonucci noted the need to help the residents be proactive in finding other housing, by providing an approximate timeline. Mr. Cook spoke to the timing of the vacation ordinance, noting that he will not evict the residents in the middle of the winter. Council Member Anderson would like the City to start working on this as soon as possible, have things in place and decide ahead of time what do with the money, so that when the trigger date comes, it will be quicker process.

**3. PROJECT: Original Town of Steamboat Springs, Blocks 24-26 (Riverwalk)**

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PETITION: Development plan for a conditional use for a mobile home park conversion.

*This item was postponed from the March 21, 2006 City Council meeting.*

City Council President Brenner read the project into the record.

PUBLIC COMMENT:

Mr. Steve Lewis, Planning Commission representative, was present and noted that the Commission voted 4/1 in favor of accepting the Conversion Report. Mr. Lewis voted against it because he thought there were gaps in the report.

Mr. Cook stated that a complete Conversion Report was very hard to obtain because many residents were afraid of giving out their information.

PUBLIC COMMENT:

Ms. Christina Allevato requested that Council hold off on the Change of Use until the FDP is approved. She requested that the developer not raise rents in the meantime, and keep them at \$335. She feels that the reporting requirements of the Conversion Report are not complete, it may be outdated, and the compensation plan is not complete.

Mr. Peter Lewis also feels that the Conversion Report is incomplete; it includes information on the owners, but not information on all the park residents. The mobile home park availability information is incomplete and outdated. He also stressed the need for the residents to have time to make other housing arrangements, while at the same time needing to stay in their homes for as long as possible to get the most out of their investment.

Mr. Cook noted that at the time the Conversion Report was compiled, they did not know about all the rentals, the information given to them by the previous owner was not current.

Mr. Spence stated that staff felt that the information provided was what could reasonably be obtained, and staff deemed the information complete.

City Council President Pro-Tem Dellinger questioned the issue of raising the rents. Mr. Lettunich clarified that under the Colorado Mobile Home Act; rents can't be raised without 60 days notice.

Mr. Lettunich noted that it would be Council's prerogative to determine if the report is complete.

Mr. Cook stated that they had a staff person spend 40 hours collecting this information. He clarified that they collect rent from owners not tenants. Ms. Brabec stated that they are not welcome in the park and it was virtually

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impossible to get complete information, and they cannot control what information people are willing to give. Mr. Cook clarified that the report was deemed appropriate and complete by City staff.

Council Member Anderson voiced concern with the stabilization of rent. Mr. Cook stated that he will stabilize rent for the residents, as they are now, as long as they pay it. Council Member Kaminski challenged Mr. Cook to lower the rent. Mr. Cook replied he would not lower the rent.

**MOTION:** Council Member Ivancie moved and City Council President Pro-Tem Dellinger seconded to postpone this item until to the April 6, 2006 City Council meeting to allow the applicant to submit a complete report that is satisfactory to Council. The motion failed 2/5. Council Members Kaminski, Anderson, Brenner, Strong and Antonucci opposed.

Discussion during the motion:

Council Member Strong does not support postponing this item because staff represented to the applicant that the report was complete.

Council Member Anderson opposed postponing because it will only delay the situation. He feels it is more important to stabilize the rent.

Council Member Kaminski does not support postponing because staff accepted the report. He noted the need to change the Mobile Home Preservation ordinance.

**CONDITION:**

1. The mobile home park rents will be stabilized as they are currently for the duration of the tenancy, as long as payments are received on time.

**MOTION:** Council Member Anderson moved and Council Member Antonucci seconded to approve the Riverwalk Conditional Use because staff finds the applicant has met the requirements of the Mobile Home Preservation Ordinance, #1804 for approval of a Development Plan as a Conditional Use for the conversion of the Westland Mobile Home Park to another use; adding a condition that states that the rents will be stabilized as they are currently for the duration of the tenancy. The motion carried 7/0.

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City Council President Brenner suggested sending a letter with a staff contact name, to all the owners and asking them to notify the residents, and providing all the information that took place tonight. **DIRECTION:** Legal, Interim City Manager, and Planning staff to work on this letter and also provide informational door hangars at the Westland Mobile Home Park.

**DIRECTION:** Staff to place an item on an agenda as soon as possible to work out the details with the Yampa Valley Housing Authority regarding distribution of the relocation funds. Council Member Antonucci to spearhead coming up with the numbers for compensation, and report back to Council.

**CITY COUNCIL UPDATE**

**4. COUNCIL MEMBERS' REPORTS**

Council Member Kaminski:

1. Voiced concern with lack of affordable commercial space and questioned deed restrictions. **DIRECTION:** Staff to do a preliminary assessment, however this item is lower on the priority list.
2. Spoke to the offer from the owner of The Smokehouse to have informal Council meetings with the community in his establishment. Council Member Strong noted that Council has tried this in the past with the "Brown Bag Lunches," but stopped due to lack of interest. **DIRECTION:** City Clerk to put Council's contact information on The City Page to accommodate better communication.

Council Member Ivancie:

1. Attended the International Building Code/International Fire Code Forum.
2. Reminded Council that the Snowball is April 8, 2006.

Council Member Antonucci:

1. Was contacted by the Steamboat Parents for an Aquatic Recreation Center Soon (SPARCS) group to attend one of their meetings.
2. Participated in the Yampa Valley Housing Authority interviews.

Council Member Anderson:

1. Attended a Northwest Colorado Council of Governments meeting where there was discussion regarding the Bark Beetle problem.
2. Attended a Yampa Valley Partners orientation.

Council Member Strong:

1. Noted that the Colorado Association of Ski Towns also gave a presentation on the Bark Beetle issue.
2. Met with the Emerald Mountain Partnership regarding the land exchange.

City Council President Brenner:

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1. Spoke to the Housing Authority appointments and the need to include the building trades industry.
2. Distributed a retreat agenda and requested Council let him or Ms. Jordan know if there are any concerns.

Ms. DuBord reported on the following:

1. Yampa Valley Airport Commission re-appointments: **MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to re-appoint Mr. Tom Gilchrist to June 30, 2007, Mr. Chuck Grobe to August 4, 2009, Mr. Chris Diamond to August 4, 2009 and Mr. Dan Hill to August 4, 2009. The motion carried 7/0.
2. Community Center Steering Committee meeting with architect: March 30, 2006 and May 8, 2006. She requested City Council representatives attend these meetings. (It was noted that it is too late to post the March 30, 2006 meeting, so no more than two Council members can attend.)
3. Artificial turf fields: questioned if Council wanted to return the grant money provided for the Christian Heritage fields and re-apply for the High School fields. **DIRECTION:** Staff to research which is the best option.
4. Update on Inclusionary Zoning amendment process: noted that staff would like to form a working group to work on No Net Loss, Land Acquisition, and Sale of Eligible Lots. **DIRECTION:** Staff to add the Housing Matrix/Incentives discussion. **UNANIMOUS CONSENT:** Any item can come forward as it is completed. Mr. Leeson to provide regular updates. Council Member Anderson to participate.

**5. AGENDA REVIEW**

- a. **Council agendas for April 4, 6 and April 11, 2006.**
- b. **Liquor License Authority agendas for April 6 and May 4, 2006.**

Ms. Jordan noted a request from the Sierra Club to provide an update on Colorado roadless areas. **DIRECTION:** Ms. Jordan to offer Centennial Hall for the Sierra Club to hold a forum, which Council members can attend.

Ms. Jordan noted a request from Mr. Walter Scott to have an agenda item regarding General Improvement Districts in the west Steamboat Springs area.

**DIRECTION:** Ms. Jordan to offer a 15-minute report with the Slate Creek item on April 18, 2006.

**DIRECTION:** Ms. Jordan to work on a May 23, 2006 Special Meeting agenda regarding the Recreation Center; and a mobile home relocation meeting on either May 16 or 23, 2006.

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES  
SPECIAL MEETING SP-2006-07  
March 28, 2006**

**DIRECTION:** Ms. Jordan to close the April 4, 6, and 11, 2006 City Council meetings, and the April 6 and May 4, 2006 Liquor License Authority meetings.

**ADJOURNMENT**

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to adjourn Special Meeting SP-2006-07 at approximately 10:33pm. 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 2nd DAY OF May, 2006.**