

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 2006-18

TUESDAY, JUNE 27, 2006

MINUTES

Mr. Ken Brenner, City Council President, called Regular Meeting No. 2006-18 of the Steamboat Springs City Council to order at 6:08pm, Tuesday, June 27, 2006, in Centennial Hall, Steamboat Springs, Colorado.

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

City Staff Members present: Wendy DuBord, Interim City Manager; Anthony B. Lettunich, City Attorney; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Brian Berndt, Assistant Director of Planning Services; Tom Leeson, Director of Planning Services; Suzanne Bott, Senior Planner; Don Taylor, Director of Financial Services; Chris Wilson, Director of Parks, Recreation and Open Space; Sid Rivers, City Planner; Bob Struble, Assistant Fire Chief; George Krawzoff, Director of Transportation Services/Interim Deputy City Manager; JD Hays, Director of Public Safety; Janet Hruby, Assistant City Engineer; Ben Beall, Public Works Engineer; and Linda Kakela, Director of Intergovernmental Services.

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

**CITY COUNCIL UPDATE (6:00pm)**

City Council President Brenner recognized Ms. DuBord for her work as Interim City Manager. He stated that Ms. DuBord has exceeded Council's expectations and was a joy to work with. He presented her with a bouquet of flowers and a RC Dieckhoff print. Ms. DuBord thanked Council and stated that it has been honor to serve as Interim City Manager.

- 1. COUNCIL MEMBERS' REPORTS**
  - a. Preliminary discussion of Ballot questions for 2006.**

City Council President Brenner would like to add to the July 6 agenda a brief item to discuss ballot questions. Council Member Strong voiced concern with having

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meetings during the day when much of the public can't attend. City Council President Brenner stated that this would just be a preliminary discussion.

**UNANIMOUS CONSENT:** Add this item to the July 6, 2006 agenda.

City Council President Pro-Tem Dellinger:

1. Attended a Yampa Valley Airport Commission meeting and provided the agenda.
2. Attended a Yampa Valley Economic Development Council meeting yesterday where they discussed how to have better regional communication.

Council Member Antonucci:

1. Participated in the conference call with RRC Associates to discuss the joint City/Yampa Valley Housing Authority facilitated worksession regarding common goals. He would like a letter to the Housing Authority inviting them to participate in the facilitation. City Council President Brenner would like Council to meet with the facilitator first and then have a joint facilitated meeting. **UNANIMOUS CONSENT:** City Council to invite the Housing Authority to participate in a joint facilitated meeting.

Council Member Anderson:

1. Questioned the status of a letter from Mr. Peter VanDeCarr regarding the Recreational In Channel Diversion. Ms. DuBord noted that staff has responded to this letter.
2. Met with the executor for Ms. Helen Rehder's estate regarding the Rehder building. Mr. Lettunich will provide an update via memo.

Council Member Strong:

1. Attended the opening night for the Rodeo and noted that the Arena looks great.
2. Attended the Colorado Municipal League Conference and noted that City Council President Brenner was re-elected to the Executive Board.

City Council President Brenner:

1. Spoke to the delegation from the Northwest Colorado Council on Governments that is in Washington DC regarding the bark beetle problem. He would like a letter of support for this delegation. **UNANIMOUS CONSENT.**

**2. AGENDA REVIEW**

- a. **Council agendas for Special Meeting July 6, 2006 and Regular Meetings July 18, and 25, 2006.**

**DIRECTION:** Ms. Jordan to close the July 6, 18, 2005 City Council agendas and keep the July 25, 2006 agenda open for consent items only.

**b. Liquor Authority agenda for July 6, 2006.**

**DIRECTION:** Ms. Jordan to close the July 6, 2006 Liquor Authority agenda.

**CITY SERVICES UPDATE**

**INTERIM CITY MANAGER'S REPORT**

**3. UPDATES:**

**a. Area Plan Coordinating Committee.**

Council Member Strong provided an update noting that at the last meeting they discussed the West Steamboat Springs Area Plan update.

**b. Yampa Valley Airport Commission.**

City Council President Pro-Tem Dellinger provided the June 8, 2006 meeting information and noted that at the June 29, 2006 meeting they will discuss setting up the Steering Committee.

**c. Intergovernmental Services Report.**

**MOTION:** Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to approve developing and submitting a grant application to the SAFER grant program within the United States Department of Homeland Security to create 6 new firefighter positions and will subsidize the salary costs for three positions over a five year period, in the amount of \$621,000 with a City match of \$1,176,087 over a five year period. The motion carried 7/0.

Discussion during the motion:

City Council President Brenner feels this is an opportunity to move to the next level of fire protection service.

Ms. Kakela spoke to resubmitting the Energy Impact Fund grant for the Community Center as a "placeholder" for the next round of grants if the Community Center location changes. **UNANIMOUS CONSENT:** Staff to move forward with resubmitting for the next round if necessary.

Ms. Kakela further noted that the acquisition of Fournier property closed today and there will be a joint media announcement June 29, 2006 with the

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Commissioners and the Routt County Purchase of Development Rights Committee. **DIRECTION:** City Clerk to post this media announcement.

She also noted that the Ski Jump dedication this July 1, 2006 at Howelsen Hill.

**d. Financial Services Report.**

Mr. Taylor provided the Sales, Use and Accommodation Tax Report, and the Year to Date Activity Report. Mr. Taylor pointed out that the sales report for April 2006 is up 12¼ percent.

**e. Interim Manager's Report: Ongoing Projects.**

**1.) GID formation discussion.**

This item was discussed under the Steamboat Springs Redevelopment Authority (SSRA) agenda.

Mr. Taylor stated that he has had extensive discussions with property owners regarding a General Improvement District, after which they wanted to set up a meeting June 30, 2006 to push forward with a resolution.

**2.) Urban Renewal Authority Advisory Committee mill levy recommendations.**

This item was discussed under the SSRA agenda.

Ms. DuBord further reported on the following:

1. Provided a written report.
2. Attended the Colorado Municipal League conference last week.
  
3. Provided an update on fire hazards and the 4<sup>th</sup> of July fireworks show: staff feels that it is probably okay to move forward with the show but will watch the situation carefully. Staff has reduced the scope to three shooting locations instead of four, and if conditions worsen, the show will be canceled.
4. Noted that the City has received a letter from the Heritage Park Homeowners Association regarding the Parcel C project. Council Member Anderson confirmed that it does not include a baseball field. **DIRECTION:** Staff to provide a memo regarding the timeline.
5. Stated that the City Clerk would like to request approval of street closures in a memo via email, and if there is no Council response, staff will move forward. **UNANIMOUS CONSENT.**

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6. Received a thank you from the Town of Yampa to the Police Department, Public Works, Parks and Recreation, and Intergovernmental Services regarding "Trooper on the Train" event.

Council Member Anderson spoke to the July 27, 2006 Northwest Colorado Transportation meeting and questioned introducing the US Highway 40 corridor. Ms. DuBord noted that it has already been introduced and they are continuing to move forward. **DIRECTION:** City Clerk to post this meeting.

City Council President Brenner would also like the City to partner again if there is another train event in the future.

**CITY ATTORNEY'S REPORT**

Mr. Lettunich reported his work on the following:

1. Reported that the City has closed on the Fournier property.

**CONSENT CALENDAR - GENERAL BUSINESS**

4. **RESOLUTION: A resolution to name the Howelsen Hill K-68 Ski Jump "The Senator Jack Taylor K-68 Ski Jump" also to be known as "The Senator."**

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

Mr. John Adams and Mr. Kevin Bennett, Co-chairs of the Ski Heritage Project, were present and thanked City Council for their contribution to the jump project. Mr. Adams stated that Senator Taylor was also very instrumental in this project and wanted to recognize him with the naming of the jump.

Council Member Anderson questioned if the procedures for "naming things" were followed. Mr. Bennett stated that they did go through the Parks and Recreation Commission, but there was not proper public notice due to the timeframe, otherwise, all criteria was met. Mr. Wilson stated that there was consensus on the Parks and Recreation Commission. Council Member Anderson questioned if there were letters of support. Mr. Wilson stated that there were no letters of support, however there was a large group of supporters present at the meeting. Council Member Anderson suggested adding a waiver of City procedures to the motion for this resolution. Council felt that the criteria were sufficiently met and this was not necessary.

Council Member Antonucci recognized Mr. Bennett and Mr. Adams for their efforts.

**MOTION:** Council Member Kaminski moved and Council Member Ivancie seconded to approve resolution to name the Howelsen Hill K-68 Ski Jump "The

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Senator Jack Taylor K-68 Ski Jump” also to be known as "The Senator." The motion carried 7/0.

- 5. RESOLUTION: A resolution expressing intent to provide matching funds and assurances for 2006 Congestion Management/Air Quality (CMAQ) Grant Funds.**

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

**MOTION:** Council Member Kaminski moved and City Council President Pro-Tem Dellinger seconded to approve the resolution expressing intent to provide matching funds and assurances for 2006 Congestion Management/Air Quality (CMAQ) Grant Funds. The motion carried 7/0.

- 6. FIRST READING OF ORDINANCE: An ordinance vacating a portion of Yampa Street, Third Street, and Fourth Street adjacent to the real property owned by Riverwalk Steamboat, LLC, more particularly described below; providing an effective date and setting a hearing date.**

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

Mr. Lettunich stated that staff is still working on the legal description, and there will also be a grant for existing utilities and for passage over existing roads.

**MOTION:** Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to approve the first reading of an ordinance vacating a portion of Yampa Street, Third Street, and Fourth Street adjacent to the real property owned by Riverwalk Steamboat, LLC, more particularly described below; providing an effective date and setting a hearing date. The motion carried 7/0.

**GENERAL PUBLIC COMMENT**

No one appeared for general public comment.

- 7. RECONSIDERED RESOLUTION: A resolution approving the Stockbridge site for the location of the new Community Center.**

*This item was reconsidered at the June 13, 2006 City Council meeting and postponed to June 27, 2006.*

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

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**PUBLIC COMMENT:**

Ms. Nancy Stahoviak, County Commissioner, read a letter into the record from the Commissioners voicing concern and disappointment with the reconsideration of the resolution supporting the Stockbridge site for the Community Center. (*This letter is on file in the City Clerk's Office.*) She spoke to the perception that the City's granting ability could be in danger if grant funds are not used for what they were originally applied for. She stated that the Commissioners feel this perception is unfounded. The Commissioners feel that a Community Center on Tract II will not diminish or replace the Transit Center on Tract I, but that it may enhance the use of the Transit Center. She further spoke to commitments to the Library District, the Council on Aging, and the American Legion

Ms. Shelly Orrell, Routt County Council on Aging, stated that they supported the library expansion and asked for a permanent Community Center, and they were promised a new, permanent center before the current one is demolished. They feel this promise will be broken and they will not have a permanent center to move into.

Ms. Lila Henry feels that the City's granting ability will not be impaired. She feels that future parking at the Stockbridge site can only be expanded by 44 spaces, which will not "make or break" parking downtown. She stated that not everything can be downtown and the community is better served by improving downtown, rather than by trying to accommodate everything there. As far as alternative sites, she stated that negotiating with the School Board and the Post Office will not be a quick process and will not work with the timeline. She stated that the Stockbridge site fits the timeline and if there is not another alternative, she urged Council to support the Stockbridge site.

Mr. Bob Pritty stated that in other communities, few Community Centers are located in the very center of town. He stated that there are other users of the Community Center besides the senior citizens and urged City Council to stick by their decisions. He further stated that there is not adequate parking with the suggested School District site.

Mr. Tom Hopp confirmed that he is present not speaking as a representative of the Library District. He feels that the reconsideration of the Stockbridge site is a "shameful exhibition of indecision." He feels that Council is not listening to the users of the Community Center, and that nothing will diminish the prosperity of downtown. He feels that Council Members have been subjected to mistaken ideas about why the Stockbridge site will not work. He encouraged Council to

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move on, support the seniors and the American Legion, and modify the plan to build at the second funding level.

Ms. Maggie Smith feels that if Council moves forward with the Stockbridge site, it should only replace the existing space, and consider in design a space that could be moved eventually. She feels that senior citizens of the future may be more active and be more interested in a Community Center in conjunction with a recreation center. She voiced concern with the proposed School District site because it would displace current youth programs. She feels there are existing sites like Fox Run, Loggers Lane, and the Steamboat Grand that could be built out to accommodate a Community Center.

Ms. Margaret Berglund stated that she has used the current Community Center, and feels that it is well utilized by one group, but underutilized by the whole community. She feels a Community Center should be within walking distance of downtown and encouraged Council to look for a long-term site.

Ms. Susan DeWardt voiced concern that the reconsideration is based on a perceived personal agenda of a few City Council members. She questioned that the decision to reconsider was not on an agenda and feels that the Stockbridge site is the best option.

Mr. George Lund, Chair of several Committees that looked at the Community Center issue, feels that this indecision is deplorable and encouraged Council to look at the facts objectively.

Mr. John Long stated that if this issue is not resolved this evening, he will start recall procedures.

Ms. Susan Teuton feels that as West Steamboat Springs grows, the Transit Center will be needed. She feels the seniors are an important part of the community, but there are other site options.

**COUNCIL COMMENT:**

Council Member Strong questioned the legal ramifications of defaulting on the American Legion lease. Mr. Lettunich stated that there will be a gap between the closing demolition and moving into a new Community Center, and he is not sure the American Legion's position regarding a change in location. There will be an interim location and they may want their money back and deem this a breach.

Council Member Antonucci noted that he voted to reconsider the resolution because there was new information concerning regranting, but since then there

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has been more information to show that there isn't a concern with regranting. He stated that he has always had concern that this is not the right site, but doesn't know where the right site is, and other sites may never come to fruition. If there is no other viable site, he would like to move forward with the Stockbridge site.

Council Member Ivancie is not in favor of holding up this process any longer. He stated that Council made a commitment to the voters, the American Legion, the Council on Aging, and the Commissioners. He stated that this site is not perfect, but is the best site at this time. He is still in favor of the Stockbridge site and Option 2.

City Council President Pro-Tem Dellinger does not think there has been enough in-depth discussion and the City has not looked at all the uses and sites. She does not want to rush in and misspend community dollars.

Council Member Kaminski feels that Stockbridge is not the perfect site, but is acceptable, and it is not the only place to park in Steamboat Springs. He would like to make a decision and move on, and supports Option 2.

Council Member Strong stated that the Steering Committee looked all the sites, and there was also a community meeting held to look at uses. He supports building a bigger, and better center. As far as location goes, the need is short term and in the future the School District site may be needed as the need for meeting space grows. He supports moving forward with Option 2 at Stockbridge, because if the City builds a bigger building it will allow for more uses. He also noted that the School District site couldn't accommodate events like weddings; and the American Legion can't move there if it is still school property because guns aren't allowed in the building. Also, the youth gymnastics program would be displaced. He feels the City needs to look at the holistic parking picture and feels that the City needs to look at parking regulations downtown and fee in lieu needs to be increased. He also agrees with the Commissioners regarding there being no concern with the granting process.

Council Member Anderson feels that the question is whether to uphold the vision of the Multi-modal Center, or uphold the decision of a prior Council and a promise that was made to the seniors. He stated that the Multi-modal Center was a regional effort and we haven't given it enough time to fulfill its potential. He stated that there is a local businessman that has proposed a site that could offer the seniors continuity, and other potential sites have been offered and identified. He feels that the bigger the Community Center is at the Stockbridge site, the more the parking will be jeopardized. He stated that if a Community Center is built for the seniors and American Legion, there is a "time crunch," but if the Center is more community oriented there is less of a concern with time. He would like a combined facility with the recreation center, and believes in the vision of the Multi-modal Center.

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City Council President Brenner clarified that there was not a consensus on the Steering Committee.

**MOTION:** Council Member Strong moved and Council Member Ivancie seconded to reaffirm the resolution supporting the Stockbridge site for the Community Center.

Discussion during the motion:

Council Member Antonucci would like to table this item in order to get the site information Council Member Anderson referred to.

*The tabling motion below supersedes the above motion.*

**MOTION:** Council Member Antonucci moved and Council Member Anderson seconded to table to this item to the July 18, 2006 agenda.

Discussion during the motion:

Council Members Strong and Ivancie feel that this information should have been given to Council prior to this evening.

Council Member Anderson stated that he wanted to give Ms. Orrell an opportunity to tour the undisclosed site before making a public statement.

Council Member Kaminski stated that other options will always come up, but nothing ever comes to fruition. He supports moving forward.

Council Member Antonucci stated that this is still taxpayer money, and there are many people who don't support the Stockbridge site.

*The above tabling motion was pulled in order to go into Executive Session.*

**EXECUTIVE SESSION:** 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); 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 Anderson moved and Council Member Antonucci seconded to adjourn Regular Meeting 2006-18 at approximately 8:20pm for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators,

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under C.R.S. Section 24-6-402(4)(e), 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 7/0.

**MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Ivancie seconded to come out of executive session and reconvene Regular Meeting 2006-18 at approximately 8:36pm. 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.

**MOTION:** Council Member Antonucci moved and Council Member Anderson seconded to table this item to the July 6, 2006 agenda (evening) in order to allow Ms. Orrell to tour the undisclosed potential site. The motion failed 2/5. Council Members Brenner, Kaminski, Strong, Ivancie and Dellinger opposed.

Discussion during the motion:

Council Member Anderson clarified that to this point, no communication regarding this undisclosed site has taken place with Ms. Orrell.

**MOTION:** Council Member Strong moved and Council Member Kaminski seconded to re-approve the resolution supporting the Stockbridge site for the Community Center.

*The tabling motion below supersedes the above motion.*

**MOTION:** Council Member Antonucci moved Council Member Anderson seconded to table this item to July 18, 2006. The motion failed 2/5. Council Members Brenner, Kaminski, Strong, Ivancie and Dellinger opposed.

Vote on the above re-approving **MOTION:** The motion carried 4/3. Council Members Anderson, Dellinger, and Brenner opposed.

Option B: \$2,371,566 (7,300 square feet, larger but with same programming as existing facility)

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**MOTION:** Council Member Ivancie moved and Council Member Strong seconded to approve moving forward with funding Option B. The motion carried 4/3. Council Members Anderson, Dellinger, and Brenner opposed.

Discussion during the motion:

Council Members Dellinger and Brenner noted the need to be careful with taxpayer money.

Council Member Kaminski feels the additional funding will make a quality Center and is money well spent.

Council Member Anderson feels that it is irresponsible to duplicate services with a recreation center.

*The above motion was upheld.*

**DIRECTION:** Staff to move forward with the existing grant round.

Council Member Kaminski left the meeting at 8:55pm.

**PLANNING COMMISSION**

**8. Planning Commission Report.**

Mr. Scott Myller, 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 (7:30pm)**

**9. PROJECT: Original Town of Steamboat Springs, Block 29, Lots 1-4 and 10-12 (Howelsen Place) (2 hours)**

**PETITION:** Development and final development plan to replace the existing Harbor Hotel and adjacent surface parking lot with a mixed use project of approximately 84,657 square feet including 23,621 square feet of commercial space, 49, 848 square feet of residential (42 units, 7 affordable) and 48 spaces of underground parking.

City Council President Brenner read the project into the record.

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Mr. Spence, City Planner, was present and noted that the applicant has proposed to have 49 underground parking spaces and 12 covered parking spaces. The Planning Commission recommended approval of Development Plan and Final Development Plan, however the Historic Preservation Advisory Commission (HPAC) recommended denial.

Mr. Myller, Planning Commission representative, noted that the Planning Commission approved the project 5/2. The opposing votes were due to Code requirements for Yampa Street with one and two story buildings, the feeling that affluent buyers would want two cars, and because there are only seven affordable units.

Mr. Cook, applicant, was present and gave a PowerPoint presentation highlighting the following: project overview; proposed project; architectural features; public benefits; affordable housing contribution; requested variances; parking; building height; and design review.

Mr. Joe Antunovich, Antunovich Associates, continued with: contextual images; the existing Harbor Hotel; the view from the corner of 7<sup>th</sup> Street and Lincoln Avenue; the aerial view from Lincoln and 7<sup>th</sup>; the view of the 7<sup>th</sup> Street Promenade; streetscapes; elevations; and ground floor/site plans.

Discussion took place relative, but not limited to: the transfer fee; the eleven foot sidewalk compared to the existing sidewalk on Lincoln Avenue; and the lack of guest parking.

**PUBLIC COMMENT:**

Ms. Irene Nelson voiced concern with the height of the proposed building obstructing the views of Howelsen Hill. She questioned the affordable housing units being priced at \$3-400,000 and feels that one parking space is unrealistic for the affordable units. She feels the project is too large and urban and we would be losing the feeling of Steamboat.

Ms. Tracy Barnett, Mainstreet Steamboat Springs, read a letter from the Board of Directors into the record endorsing the project.

Ms. Bobbi Hodge feels that there is no public benefit, the affordable housing is not affordable and that the project does not revitalize downtown. She feels that many people want to preserve the Harbor Hotel because it contributes to the character of town.

Ms. DJ Chotvacs, HPAC representative, spoke to the Historical Assessment, and stated that historically, this is the most prominent corner of downtown. She stated that Steamboat Springs has an "in tact Main Street" and the proposed

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building will change that. She is concerned with the mass and scale, feeling that the proposed building is more suited for a City, not a small town. She suggested that Council table or deny the project until the issues can be addressed.

Mr. Spence explained that the Commercial Yampa (CY) Zone District has different requirements for the water-side and for the Lincoln-side of Yampa Street. The Lincoln-side requirements are the same in height and Floor Area Ratio (FAR) as Lincoln Avenue. The design standards intersect well with the water-side dimensional standards, however staff is looking at changing the dimensional standards on the Lincoln-side to reflect Lincoln Avenue as it is now. Mr. Leeson stated that there is currently a Request for Proposal out to address the inconsistencies in design standards.

Mr. Spence spoke to the affordable housing stating that there are seven units at 120% of Area Median Income (AMI), and under the inclusionary housing ordinance, five at 90% of AMI would be required. Mr. Cook stated that they expect the affordable housing units to be between \$150-175,000. He stated that they paid for the Historical Assessment report, and it was deficient.

Mr. Myller, Planning Commission representative, stated that they felt that the parking variance was appropriate, because the project is downtown and one car is appropriate.

**CONDITIONS:**

1. 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.
2. 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 CO; they cannot be bonded:
  - a. Public drainage improvements
  - b. Driveway access improvements
  - c. Public sidewalk improvements
  
  - d. Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)
3. Add a fee in lieu of \$10,000 per space for six parking spaces.

**MOTION:** Council Member Anderson moved and City Council President Pro-Tem Dellinger seconded to approve Howelsen Place development plan with conditions

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1-2; **FRIENDLY AMENDMENT:** Council Member Strong offered the following friendly amendment: add a fee in lieu of \$10,000 per space for six parking spaces. The motion carried 5/1. Council Member Ivancie opposed. Council Member Kaminski had previously left the meeting.

Discussion during the motion:

Council Member Antonucci stated that he had concerns with mass, scale, height and parking, but there can be either density, or more parking. He supports the project.

Council Member Anderson supports the project and feels that the public benefit under the Planned Unit Development (PUD) gives the opportunity to address parking. He clarified that the affordable housing units are deed restricted and asked the developer to work with the Housing Authority. He feels that the only tool that was available to save the Harbor Hotel was persuasion, and it would have required public monies to save the building. He feels the proposed building is well articulated, but would prefer to see a more contemporary design. He would like to see the pergolas stepped down and suggested that since the sidewalk on 7<sup>th</sup> Street will be 11 feet, the developer open up the walls of the parking garage so that there are pillars.

Council Member Ivancie agrees with the affordable housing and the variances, except for the parking. He would like to consider a fee in lieu for the parking variances.

It was clarified that the current fee in lieu for parking is \$10,000 per space.

City Council President Pro-Tem Dellinger feels that the developer did a great job and is okay with the setbacks. She would also support a fee in lieu and noted that Council needs to require more benefit in the PUD process.

Council Member Strong likes the architecture but has concerns with mass, scale, and parking.

City Council President Brenner encouraged Council to address the fee in lieu issue this evening. His overall concern is losing a hotel downtown and is disappointed in the scale and the effect on the view corridor. However, he feels that overall, developer did a good job and the unit sizes are appropriate.

Council Member Anderson suggested a fee in lieu for nine parking spaces.

Council Member Strong is not comfortable with nine spaces and supports the 1.5 spaces per resident formula, which would be a deficit of six. For the record, Mr. Cook agrees with this amendment.

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*The above motion was upheld.*

**CONDITIONS:**

1. 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.
2. 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 CO; they cannot be bonded:
  - a. Public drainage improvements
  - b. Driveway access improvements
  - c. Public sidewalk improvements
  - d. Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)
3. Pre-cast masonry cornices will be used on masonry walls.
4. Stepped back pergola on the 3rd floor of Lincoln Avenue, the 4th floor of 7th Street, and the 4th floor of Yampa Street, stepped back five feet.

**MOTION:** Council Member Anderson moved and Council Member Antonucci seconded to approve the Howelsen Place final development plan with conditions 1-3; with the addition of the stepped back pergola on the 3<sup>rd</sup> floor of Lincoln Avenue, the 4<sup>th</sup> floor of 7<sup>th</sup> Street, and the 4<sup>th</sup> floor of Yampa Street, stepped back five feet. The motion carried 6/0. Council Member Kaminski had previously left the meeting.

**MOTION:** Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to direct staff to look at the parking fee in lieu and get an estimate on a parking garage. The motion carried 6/0. Council Member Kaminski had previously left the meeting.

10. **SECOND READING OF ORDINANCE: An ordinance rezoning Graystone Park, an unplatted parcel legally referred to as: consisting of 11.32 acres located in the West ½ NW ¼ and NE ¼ NW ¼ of section 22, Township 6 North, Range 84 West of the 6<sup>TH</sup> P.M. in Routt County; from Residential estate-1 (re-1) zone District to Residential Neighborhood-1 (RN-1) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

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Ms. Rivers, City Planner, was present and clarified that the issues identified in the letter from the Davenportes have either been addressed or relate to the prior Graystone project, not the zoning map amendment.

PUBLIC COMMENT: No one appeared for public hearing.

**MOTION**: Council Member Strong moved and Council Member Ivancie seconded to approve the second reading of an ordinance rezoning Graystone Park, an unplatted parcel legally referred to as: consisting of 11.32 acres located in the West ½ NW ¼ and NE ¼ NW ¼ of section 22, Township 6 North, Range 84 West of the 6<sup>TH</sup> P.M. in Routt County; from Residential estate-1 (re-1) zone District to Residential Neighborhood-1 (RN-1) Zone District; repealing all conflicting ordinances; providing for severability; and providing an effective date. The motion carried 6/0. Council Member Kaminski had previously left the meeting.

- 11. SECOND READING OF ORDINANCE: An ordinance amending Article VII, Subdivision Regulations, of the Community Development Code to add provisions relating to extraterritorial major street planning; providing for severability; repealing all conflicting ordinances; and providing an effective date.**

*Staff requests this item be postponed to the July 18, 2006 City Council agenda.*

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

**MOTION**: City Council President Pro-Tem Dellinger moved and Council Member Antonucci seconded to approve postponing the second reading of an ordinance amending Article VII, Subdivision Regulations, of the Community Development Code to add provisions relating to extraterritorial major street planning; to the July 18, 2006 City Council agenda. The motion carried 6/0. Council Member Kaminski had previously left the meeting.

- 12. SECOND READING OF ORDINANCE: An ordinance of the City of Steamboat Springs, Colorado amending ordinance No. 1802, amending the Steamboat Springs Community Development Code, relative to temporary events and vacation home rentals and repealing all conflicting ordinances; providing for severability; and providing an effective date.**

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

Mr. Leeson stated that staff has proposed this ordinance at the request of Mainstreet and it addresses temporary events like sunglasses sales booths, rug sales, and other random vendors. The feeling is that allowing these temporary

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vendors is unfair to other merchants who pay rent, etc. He spoke to the letter from Mr. Ty Lockhart, and noted that some of his store's events may not be allowed as a result of this ordinance, for example tent sales, music concerts, and free hotdog/hamburger lunches (unless they were apart of a Mainstreet event).

Council Member Antonucci supports preventing the type of vending booths that have no overhead.

Council Member Anderson suggested tabling this item and requesting that Mainstreet review the ordinance and the letters of concern.

City Council President Pro-Tem Dellinger cautioned that the City needs to be fair; she also questioned the ability to enforce this ordinance.

Ms. Barnett stated that Mainstreet requested this ordinance, but have not yet reviewed it. They would also like to prohibit temporary vendors from renting space from someone else. She would like Council to pass the ordinance and amend it later to address some of the downtown merchant's concerns.

PUBLIC COMMENT: No one appeared for public hearing.

Mr. Myller, Planning Commission representative, voiced concern that this ordinance does not allow enough diversity and suggested eliminating sections e, g and i of the ordinance.

**MOTION**: Council Member Strong moved and City Council President Pro-Tem Dellinger seconded to approve the second reading of an ordinance of the City of Steamboat Springs, Colorado amending ordinance No. 1802, amending the Steamboat Springs Community Development Code, relative to temporary events and vacation home rentals and repealing all conflicting ordinances; providing for severability; and providing an effective date. The motion carried 6/0. Council Member Kaminski had previously left the meeting.

Discussion during the motion:

Mr. Lettunich suggested rather than "amending on the run," Council approve the ordinance as written and then go back and amend it as experience dictates.

Council Member Ivancie voiced concern with the vacation home portion of the ordinance, noting that is has only been in place for five years. He suggested tabling the vacation home portion. Mr. Leeson stated that this issue is "an administrative nightmare" to do every two years and it is difficult to get management companies to submit the applications. He stated that the vacation home concerns are not as

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great as the community thought they would be, and Mr. Leeson feels that they can be dealt with on a complaint basis.

*The above motion was upheld.*

**PUBLIC HEARING - GENERAL BUSINESS**

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

**POLICY REVIEW**

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

**ADJOURNMENT**

**MOTION:** Council Member Strong moved and Council Member Ivancie seconded to adjourn Regular Meeting 2006-18 at approximately 11:00pm.

The motion carried 6/0. Council Member Kaminski had previously left the meeting.

**MINUTES PREPARED AND RESPECTFULLY SUBMITTED BY:**

*Julie Franklin*

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Julie Franklin, CMC  
Deputy City Clerk

**REVIEWED AND RESPECTFULLY SUBMITTED BY:**

*Julie Jordan*

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Julie Jordan, MMC  
City Clerk

**APPROVED THIS 18th DAY OF July, 2006.**