

CITY OF STEAMBOAT SPRINGS

AGENDA

REGULAR MEETING NO. 2009-24
TUESDAY, SEPTEMBER 15, 2009

5:05 P.M.

MEETING LOCATION: Citizens' Meeting Room, Centennial Hall;
124 10th Street, Steamboat Springs, CO

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard **following** the presentation by Staff or the Petitioner. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 10:00 p.m.

A City Council meeting packet is available for public review in the lobby of City Hall, 137 10th Street, Steamboat Springs, CO.

PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first). CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

A. ROLL CALL

B. PROCLAMATIONS:

- 1. September 2009 National Preparedness Month.** (Franklin)
-

C. COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:

2. **McKinstry final performance contracting meeting.** (Hoots)
 3. **Summer Marketing Task Force update and input from Council.** (15 min.) (DuBord)
 4. **Discussion of draft ordinance regulating Medical Marijuana Dispensaries.** (Lettunich/Hays/Keenan/Foote)
 5. **New Victory Highway/West Acres Update.** (Foote)
-

D. CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS

LEGISLATION

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. ANY MEMBER OF THE COUNCIL OR THE PUBLIC MAY WITHDRAW ANY ITEM FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION AT ANY TIME PRIOR TO APPROVAL.

6. **MOTION:** Motion to submit a grant application to the State Historical Fund requesting \$150,000 in grant funds for replacement of the Rehder Building roof. (DelliQuadri)
7. **MOTION:** Motion to submit a grant application to the State Historical Fund requesting up to \$60,000 in grant funds for window restoration at the Mesa Schoolhouse. (DelliQuadri)
8. **MOTION:** Motion to partner with the Tread of Pioneers Museum and Historic Routt County! on a grant application to the Routt County Museum and Heritage Fund requesting up to \$10,000 in grant funds for restoration of the Mesa Schoolhouse windows. (DelliQuadri)
9. **MOTION:** Motion to submit a grant application to the National Trust for Historic Preservation requesting up to \$10,000 in grant funds for window restoration at the Mesa Schoolhouse. (DelliQuadri)
10. **MOTION:** Motion to submit a grant application to the Colorado State Forest Service requesting up to \$1 million in stimulus grant funds for a forest fuel mitigation project in partnership with local private property owners. (DelliQuadri)

- 11. RESOLUTION:** A resolution approving the Steamboat Springs Local Marketing District Operating Plan and the Steamboat Springs Local Marketing District Budget for the year 2010. (Evans Hall)
 - 12. RESOLUTION:** A resolution designating recent Enterprise Zone applicants as Industrial Enterprise Zone licensees. (Vale)
 - 13. FIRST READING OF ORDINANCE:** An ordinance approving a hangar lease to Jack Petrie at the Steamboat Springs Airport and authorizing City Council President to sign lease documents; repealing all conflicting ordinances; providing for severability; and providing an effective date. (Small)
 - 14. FIRST READING OF ORDINANCE:** An ordinance vacating a 10 foot wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10 feet of the 15 foot wide utility easement located west of the east lot line of lot 5 of Riverside Subdivision Filing 1, and providing an effective date and setting a hearing date. (Lorson)
-

E. PUBLIC HEARING: ORDINANCE SECOND READINGS

THE CITY COUNCIL PRESIDENT OR PRESIDENT PRO-TEM WILL READ EACH ORDINANCE TITLE INTO THE RECORD. PUBLIC COMMENT WILL BE PROVIDED FOR EVERY ORDINANCE.

- 15. SECOND READING OF ORDINANCE:** An ordinance amending Chapter 26, Article 148 of the Steamboat Springs Revised Municipal Code pertaining to Community Housing, with particular reference to compliance methods; and establishing an effective date.

This item was postponed from the August 4, the August 18, and the September 1, 2009 City Council meetings.

- F. PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).** CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**
-

G. CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE OR NO COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. A CITY COUNCIL MEMBER MAY REQUEST AN ITEM(S) BE REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION. **ALL ORDINANCES APPROVED BY CONSENT SHALL BE READ INTO THE RECORD BY TITLE.**

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

H. PUBLIC HEARING – PLANNING COMMISSION REFERRALS

PUBLIC HEARING FORMAT:

- **Presentation by the Petitioner (estimated at 15 minutes). Petitioner to state name and residence address/location.**
- **Presentation by the Opposition.** Same guidelines as above.
- **Public Comment by individuals (not to exceed 3 minutes). Individuals to state name and residence address/location.**
- **City staff to provide a response.**

16. PROJECT: Eagleridge Subdivision, Lot 1, Replat of Blocks 6 & 7 (The Pointe)

PETITION: Development Plan/Final Development Plan.

LOCATION: Eagle Ridge Subdivision, Lot 1, Blocks 6 & 7

APPLICANT: Eagle Ridge Resort Development, LLC c/o Eric Smith Associates, Tom Jarmon, 2241 17th Street, Boulder, CO 80302, 303-442-5458.

PLANNING COMMISSION VOTE: Approved 6-0 on August 13, 2009.

I. REPORTS

17. City Council

18. Reports

- a. Agenda Review (Franklin):
 - 1.) City Council agenda for September 29, 2009.
 - 2.) City Council agenda for October 6, 2009.
 - 3.) City Council agenda for October 13, 2009.
 - 4.) City Council agenda for October 20, 2009.
 - 5.) SSRA agenda for October 20, 2009.

19. Staff Reports

- a. Funding request in the amount of \$25,000 for Steamboat Springs Winter Sports Club. (Litzau)
 - b. City Attorney's Update/Report. (Lettunich)
 - c. Manager's Report. (Roberts)
-

J. ADJOURNMENT

BY: JULIE FRANKLIN, CMC
CITY CLERK

AGENDA ITEM # 1

CITY COUNCIL COMMUNICATION FORM

FROM: Julie Franklin, City Clerk (Ext. 248)

THROUGH: Jon B. Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

ITEM: A PROCLAMATION RECOGNIZING SEPTEMBER, 2009 AS NATIONAL PREPAREDNESS MONTH IN STEAMBOAT SPRINGS, COLORADO.

NEXT STEP: To support the proclamation recognizing September, 2009 as National Preparedness Month in Steamboat Springs, Colorado.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 PROCLAMATION

I. REQUEST OR ISSUE:

A proclamation recognizing September, 2009 as National Preparedness Month in Steamboat Springs, Colorado.

II. BACKGROUND INFORMATION:

The Routt County Office of Emergency Management would like Council to proclaim September, 2009 as National Preparedness Month. A representative will be present to accept the proclamation.

III. SUMMARY AND ALTERNATIVES:

Staff recommends City Council support the above noted proclamation.

*A PROCLAMATION RECOGNIZING SEPTEMBER, 2009 AS NATIONAL PREPAREDNESS MONTH IN
STEAMBOAT SPRINGS, COLORADO*

WHEREAS, National Preparedness Month is an opportunity to raise awareness about the importance of emergency preparedness and to encourage all Americans to better prepare their homes and communities for emergencies; and

WHEREAS, the President of the United States has declared September, 2009 as National Preparedness Month; and

WHEREAS, during any large scale natural or man-made disaster the potential exists for an incident to exceed an area's immediate resources and response capabilities; and

WHEREAS, individuals can prepare themselves and their families for emergencies by taking simple steps such as organizing an emergency supply kit containing items that will allow them to survive for at least three days (72 hours) and making a personal preparedness plan; and

WHEREAS, experience has demonstrated that a well-informed and prepared public can reduce the loss of life, and those with the capacity and wherewithal to help themselves must do so in advance, so that responders can first assist those who are unable to tend to themselves; and

WHEREAS, during the month of September, the Routt County Office of Emergency Management will urge residents to take measures to make themselves and their families better prepared for emergencies; and

WHEREAS, the City Council would like to officially recognize the Routt County Office of Emergency Management and its community partners that routinely offer their invaluable services to our community.

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Steamboat Springs, Colorado, that September, 2009 is National Preparedness Month in the City of Steamboat Springs, Colorado. As elected officials, we urge all Steamboat Springs residents to recognize the importance of preparing for all potential emergencies, develop a personal emergency preparedness plan that can be implemented during natural disasters and emergency incidents of all types, including H1N1 Influenza, and to review the www.ready.gov, www.readycolorado.com and www.citizencorps.gov websites for more information.

ADOPTED THIS 15th day of SEPTEMBER, 2009.

Attest:

Julie Franklin, CMC
City Clerk

Paul Antonucci, President
Steamboat Springs City Council

AGENDA ITEM # 2

CITY COUNCIL COMMUNICATION FORM

FROM: Wendy DuBord, Deputy City Manager (Ext.219)
Bob Robichaud, Facilities Manager (Ext. 264)
Steve Hoots, Sustainability Manager (Ext. 246)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 1, 2009

ITEM: Performance Contract, potential grant and RFP for energy efficiency upgrades financing through McKinstry (DuBord/Robichaud/Hoots)

NEXT STEP: Information and direction.

INFORMATION
 DIRECTION

I. REQUEST OR ISSUE:

City Staff recommends that the City of Steamboat Springs enter into a performance contract with McKinstry as well as move forward with an RFP for financing to fund energy efficiency upgrades to various city facilities with a payback of 9.4 years depending upon grant funding and the ability to include renewable projects. McKinstry and a representative of the Governor's Energy Office (GEO) will be available to answer questions about the project, financing, grant funding, etc.

Staff seeks a motion for Council approval to move forward with this project. A formal Council Ordinance will come back in the next 30-45 days to finalize the contract and financing.

II. FISCAL IMPACTS:

Construction costs for energy efficiency upgrades will not exceed \$1,050,000 with a 9.4 year payback. This will provide the city with an annual savings of \$112,000. If grant funding is awarded, \$120,000 of value will be added to the project at no additional costs. If grant funding is not awarded, the solar renewable projects will be eliminated reducing construction costs to \$950,000 with an annual savings of \$110,000 and an 8.6 year payback period.

The annual savings are generated through reduced utility and maintenance expenditures thus making it a budget-neutral project. The energy savings are guaranteed by McKinstry through the performance contract.

Entering into a performance contract and financing the improvements becomes a liability of the City for the term of the agreement. This type of agreement and financing is a benefit to the City and citizens as it provides funding for energy efficiency upgrades, building improvements and deferred maintenance. The energy savings, which are guaranteed by McKinstry, are "pledged" to make payments to the financing company.

The Finance Department has been involved in meetings with McKinstry and understands the fiscal liability of performance contracting. Finance Director Bob Litzau supports this project in concept and will be closely involved in the RFP and selection of the financing company.

III. BACKGROUND INFORMATION:

The City of Steamboat Springs Sustainability Management Plan (SMP), prepared in July 2006, identifies Performance Contracting as a Priority.

The City and Routt County selected McKinstry as their Energy Service Company (ESCO) through a competitive RFP process. McKinstry was one of 13 ESCO's pre-qualified by the GEO to perform such energy audits and enter into performance contracts with local governments.

At the June 2, 2009 City Council Meeting, Council gave approval to move forward with this project. Council had a few questions, particularly on the interest rates, terms and conditions of financing and project Scope. The interest rates will not be finalized until financing proposals are received. A rate of 5% is being used to calculate payment schedules. Bob Litzau is in agreement the rate is reasonable for this project proposal. The terms and conditions for financing will not have prepayment penalties and the contracts were prepared through the state Governor's office. Project scopes have been refined to include only the most beneficial projects for the city's interest.

Staff has been working with the Governor's Energy Office (GEO) and the Department of Local Affairs (DOLA) to develop plans and programs to provide more energy efficient government facilities and operations. The GEO and DOE have grant funds available to help with some capital costs in conjunction with performance contracting.

McKinstry has spent the past 7 months performing energy audits (visiting city facilities, inventorying equipment, reviewing and analyzing utility costs, monitoring energy performance). Through these audits, they developed the recommended facility improvement measures (FIM's) that will be paid for through the energy savings and potentially \$100,000 in grants. Some of the facility upgrades and proposed energy conservation measures include lighting upgrades, HVAC optimization, direct digital control systems, insulation, solar water heating, photocells, occupancy sensors, etc. Please see the attached list for more detail on the audit findings and proposed improvements.

We are asking for formal approval to move forward. If Council does not wish to move forward, we need to stop the process and will be responsible for paying the costs of the technical energy audit of \$23,235.12. The City entered into a contract for these services in Jan. 2009.

IV. LEGAL ISSUES:

All contracts, construction bidding, etc. have followed City and State procurement requirements. All contracts including the performance contract and financing documents will be reviewed and approved by the City legal and finance departments. Similar project contracts were recently signed by the City of Longmont.

V. CONFLICTS OR ENVIRONMENTAL ISSUES:

There are tremendous environmental, social and economic benefits to the energy efficiency improvements at City facilities including: reduced energy consumption, utility cost savings, CO2 reduction and improved physical comfort, productivity, etc. for the public and employees.

The negative impacts are this contract becomes a financial liability of the city with McKinstry guaranteeing the energy savings which is then available to make the debt service payments. There will also be impacts to city facilities while the installation of the improvements is underway (i.e. lighting upgrades at Ice Arena, Tennis Center, etc.), however contractor scheduling will minimize these operational impacts.

If McKinstry should go out of business over the life of the financing, we would still have the savings to apply to the debt service payments, but the savings would not be guaranteed.

VI. SUMMARY AND ALTERNATIVES:

Staff recommends entering into a performance contract with McKinstry to implement the energy efficiency upgrades outlined in the attached information. We also recommend moving forward with the RFP for financing the improvements. Staff and McKinstry may make some final revisions to specific upgrades prior to finalizing contracts.

Staff recommends this project for the following reasons:

1. Fulfills the City's leadership role in community sustainability
2. Provide long-term fiscal benefit
3. Improves the indoor quality of life for public and employees using facilities (i.e. light, HVAC, etc.)
4. Provides financing and hopefully grants to install renewable energy at key public facilities
5. Replaces old and less efficient systems in public facilities
6. Continues successful partnership with GEO and DOLA

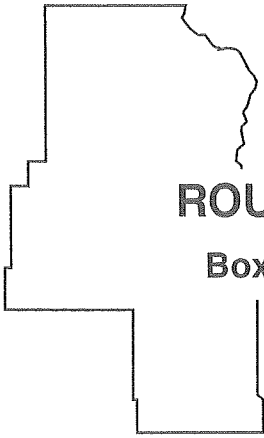
Cons:

1. Contract and financing becomes a liability of the City of Steamboat Springs
2. Negative impacts in disruption of facility users during construction of improvements
3. Additional administration work for City staff to document cost savings, contracts, etc. with McKinstry and other granting agencies (i.e. GEO, DOE, etc.)
4. Additional training, administration/monitoring of facility utilities, dept. utility budget review, digital controls, monitors, etc.

If there are any questions, please contact Wendy, Bob or Steve.

ATTACHMENTS:

- Attachment 1. Letter of Support from Routt County Commissioners.
Attachment 2. Presentation.



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Box 773598 • Steamboat Springs, Colorado 80477 • 970-879-0108
Fax: 970-879-3992

September 9, 2009

City Council
City of Steamboat Springs

Nancy J. Stahoviak
District 1

Doug Monger
District 2

Diane Mitsch Bush
District 3

Thomas A. Sullivan
County Manager

Dear Council Members,

The Routt County is pleased to write this letter of support regarding Steamboat Springs' plans to employ Performance Contracting to achieve energy efficiency savings in City buildings. Routt County worked with the City of Steamboat Springs in selecting McKinstry as the Energy Services Company (ESCO) to provide energy engineering and management services for both entities. Similar to Steamboat Springs, Routt County is currently working through the preliminary energy recommendations by McKinstry in order to move ahead with the implementation phase. The combined energy use reduction, cost benefits and green house gas reduction that our two government organizations can achieve will be a positive step for our community.

Sincerely,

A handwritten signature in cursive script that reads "Tim Winter". The signature is written in black ink and is positioned above the printed name.

Tim Winter

Routt County Building & Plant Director



City of Steamboat Springs

Governor's Energy Office

CITY OF STEAMBOAT SPRINGS
Phase I Energy Performance Contract
Presented to City of Steamboat Springs Council

McKinstry
For The Life Of Your Building

Leslie Larocque | McKinstry | September 15, 2009

ENERGY + INNOVATION
FOR THE LIFE OF YOUR BUILDING

McKinstry
For The Life Of Your Building

Copyright



City of Steamboat Springs' Sustainability Goals

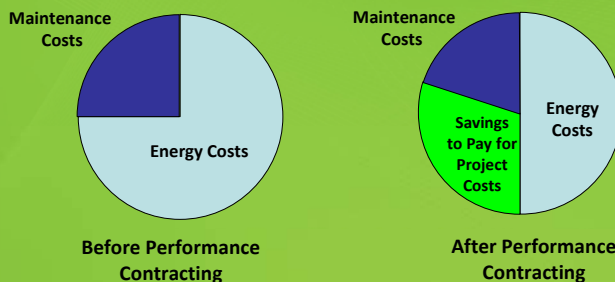
- **City of Steamboat Springs** – Leaders in environmental stewardship, sustainable practices and setting an example for other municipalities
 - Green Team
 - Development of Sustainability Management Plan (SMP)
 - Performance Contracting Identified in Plan in Priority C
 - Proposed Program Addresses 5 of 11 Priorities as identified in Sustainability Management Plan
- **ESPC Program Goals**
 - Reduce utility consumption/expenditure
 - Upgrade aging infrastructure
 - Incorporate renewable technology
 - Improve comfort, aesthetics, productivity



How Does Energy Performance Contracting Work?

▪ Energy Savings Performance Contracting (ESPC)

- Finance infrastructure improvements over longer terms (up to 15 years)
- Energy savings generated from improvements are used to make the lease payments



Project Background

» Technical Energy Audit

- » Competitive process working with Governor's Energy Office (GEO)
 - » Selected McKinstry – contract in February 2009 for City facility audits only
 - » Intent to implement recommendations through energy performance contract with 10-year payback
- » Auditing from February – July
 - » Preliminary Findings presented to Staff in April
 - » Presented to City Council on 6/2/09
- » Scope refinement with City Staff – July/August
- » GEO NEED Grant Application – 8/25/09
- » Presentation of Project Options to City Council
- » Financing & Contracts – September/October



FIM 1: Lighting & Lighting Control Measures

» Existing Conditions:

- » Older inefficient T-12 & incandescent technology
- » Longer than necessary run times

» Solutions:

- » T-8 lamps with premium efficiency ballasts & occupancy sensors
- » Lighting re-designs at Tennis Center and Ice Arena

» Buildings Included:

- | | | |
|---------------------|-------------------------------|------------------------|
| - Airport Terminal | - Airport Terminal/Smartwool | - Ambulance Barn |
| - Animal Control | - Centennial Hall | - City Hall |
| - Depot | - Fish Creek Filtration Plant | - Fire Barn |
| - Haymaker Mntnc. | - Howelsen Hill Lodge | - Ice Arena |
| - Mtn. Fire Station | - Public Safety | - Public Works |
| - Tennis Center | - Transit Center | - Wastewater Treatment |

» Benefits:

- » Reduced energy costs
- » Reduced material costs and standardized materials
- » Improved lighting quality

» Financials

- » Cost = \$350,293
- » First Year Cost Savings = \$37,847
- » Simple Payback = 9.3 years



FIM 2: HVAC Optimization, DDC & Scheduling

» Solutions:

- » Proper scheduling of equipment to reduce energy use
- » Programming of correct temperature set-points and night set-back to reduce energy use
- » New direct digital control systems at Howelsen Lodge and Ice Arena, Centennial Hall, Public Safety, Tennis Center and the Airport Terminal

» Buildings Included:

- | | | |
|--------------------|-----------------------------|-----------------------|
| - Airport Terminal | - Airport Firefighting Bldg | - Animal Shelter |
| - Centennial Hall | - Depot | - Howelsen Hill Lodge |
| - Ice Arena | - Mtn. Fire Station | - Public Safety |
| - Public Works | - Tennis Center | - Transit Center |

» Benefits:

- » Reduced energy costs
- » Improved comfort
- » New control systems

» Financials

- » Cost = \$425,309
- » First Year Cost Savings = \$52,225
- » Simple Payback = 8.1 years



Energy Savings Measures

» FIM 3 – Install Vending Misers

- » Install 6 vending misers on cold beverage machines to cycle compressor and shut down the light
- » Buildings include: Airport Terminal, City Hall, Howelsen Lodge, Ice Arena, Public Safety, Transit Center
- » Financials
 - » Cost = \$2,820
 - » First Year Cost Savings = \$816
 - » Simple Payback = 3.5 years

» FIM 4 – Insulate HW/DHW Lines

- » Much of the existing hot water and domestic hot water piping is not insulated causing heat losses
- » Buildings include: Ambulance Barn, Animal Shelter, Depot, Haymaker Maintenance & Howelsen Ice Arena
- » Financials
 - » Cost = \$7,835
 - » First Year Cost Savings = \$4,581
 - » Simple Payback = 1.7 years



Energy Savings Measures

» FIM 5 – Power Factor Correction

- » **Problem:** Inductive loads like motors and HID lighting can cause three phase power to show more power at the meter than what is actually performing work, resulting in higher utility charges.
- » **Solution:** Lagging power factor can be offset with a correctly sized bank of capacitors.
- » Buildings include: Howelsen Ice Arena and Wastewater Treatment Plant
- » Financials
 - » Cost = \$43,716
 - » First Year Cost Savings = \$5,340
 - » Simple Payback = 8.2 years

» FIM 6 – Public Works: Install Block Heater Controllers

- » Block heater controllers installed at each outlet control the amount of time the block heaters run based on outside air conditions.
- » Financials
 - » Cost = \$10,022
 - » First Year Cost Savings = \$3,499
 - » Simple Payback = 2.9 years



FIM 7: LED Streetscape Lighting

» Existing Situation:

- » City uses incandescent strand lights to illuminate trees along Lincoln Avenue, “spurs” across Lincoln Avenue, and the Romick Rodeo Arena sign. These lights are old, inefficient, and in disrepair.

» Proposed Solution:

- » Install LED lighting strands for tree lighting
- » Install LED pole mounted decorations to replace “spurs”
- » Provide new streetscape LED “canopy” lighting

» Financials

- » Cost = ~\$110,000 - \$125,000
- » First Year Cost Savings = \$4,914
- » Simple Payback = 22 years



FIMs 8 and 9 : Solar Thermal and Solar PV

» FIM 8: Solar Hot Water at Centennial Hall

- » Solar collectors installed to offset domestic hot water load
- » Financials
 - » Cost = \$24,864
 - » First Year Cost Savings = \$1,253
 - » Simple Payback = 19.8 years

» FIM 9: Solar Photovoltaics at Transit Center

- » 18 kW system installed on Transit Center roof to generate electricity
- » Financials
 - » Cost = \$195,546
 - » First Year Cost Savings = \$3,096
 - » Simple Payback = 63 years



Project Financials

- » **Total Project Cost = \$950,000 - \$1,050,000**

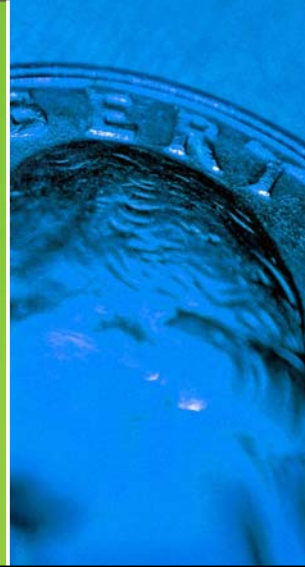
- » Depends on Financing Rate
- » Depends on GEO NEED Grant (Solar PV)

- » **Savings**

- » **First Year Savings = ~\$110,000 - \$112,000**
- » **CO2 Savings = ~908 tons/year**

- » **Financing**

- » District can finance Project Cost with savings over 10 year period
 - » Assumes 10-year term @ 5.0% rate
 - » Tax Exempt Municipal Lease Purchase



Project Benefits

- » **Triple Bottom Line Impact (Economic, Environmental, Social)**

- » **Economic**

- » Project that can be financed in 10 years by savings
- » With grants, project can include renewable technologies
- » Project saves 23% of affected utility spend
- » New equipment = future capital cost avoidance

- » **Environmental**

- » CO2 Reductions of 9080 tons over 10 years
 - » = Planting 4905 trees
 - » = Removing 122 cars from the road

- » **Social**

- » Community awareness of energy efficiency – LED Streetscape Lighting and Solar installations
- » Improved lighting quality in Tennis Center and Ice Arena
- » Improved comfort with better control systems



Next Steps

» **Secure Financing**

- » Upon City Council approval to move forward, City will release Financing RFP for tax-exempt lease purchase
- » Financing rates and terms to be reviewed
- » Choose financing company

» **Contracting**

- » Energy Performance Contract with McKinstry
- » Tax-exempt municipal lease purchase with financing company
- » Ordinance readings scheduled for October 13, 2009 and November 3, 2009
- » Contract signatures in November 2009

» **Construction**

- » Project construction from October – January
- » Mostly interior work
- » If GEO grant is awarded, solar installations will occur in Spring 2010



AGENDA ITEM # 3

CITY COUNCIL COMMUNICATION FORM

FROM: Wendy DuBord, Deputy City Manager (Ext.219)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

ITEM: Summer Marketing Task Force Report (DuBord/Summer Marketing)

NEXT STEP: Information and direction.

INFORMATION
 DIRECTION

I. REQUEST OR ISSUE:

In January 2009, City Council appointed a Summer Marketing Task Force. This group has been meeting for many months to make a recommendation to City Council about the Chamber's Summer Marketing budget, marketing efforts, possible dedicated funding sources for future marketing efforts, etc.

The members of the Task Force are Council Members Jon Quinn and Walter Magill, Louise Wu, Chairman; Scott Flower, Vice Chair; Blair McNamara, Rob Perlman (replaced with Andy Wirth); Michael Lomas, Mark Walker. Chamber Director Sandy Evans Hall and Marketing Director Lynna Broyles attended meetings representing the Chamber. Wendy DuBord attended as an ex-officio member and provided staff support for the meetings. The group met monthly between Feb.- Aug. and developed the attached recommendation memo at the August meeting.

II. FISCAL IMPACTS:

The City funded the Chamber in 2009 as follows:

Summer Marketing= \$564,200 + \$75,000 Special Events = \$639,200
Proposed for 2010= \$525,000 = \$75,000 Special Events= \$600,000 (7% decrease)

III. BACKGROUND INFORMATION:

City Council appointed this task force and identified their goals and objectives so the group could provide a recommendation for the 2010 budget. The goals and objectives are:

1. Find an amount of funding and source of funding for summer marketing and make recommendation to City Council during budget process
2. Develop types of measurement for tracking success (i.e. web hits, lodging programs, metrics, etc.)

3. Review of budget and spending of marketing dollars. Evaluate the return on the investment and how is the return to be measured.
4. Chamber as 100% agent vs. another agent. Evaluate existing website, visitor center, event funding and staffing
5. Contract specifications for a selected firm/chamber. Durations, overruns, budgets, changes, specifics for events
6. Evaluate Strategic Marketing Plan
7. Structure of oversight Marketing committee (i.e. Parks & Rec., Citizens, etc.)
8. Communication with citizens/public- greater transparency of marketing plan and funding

IV. LEGAL ISSUES:

The City has a contract with the Chamber for summer marketing which is reviewed and amended annually.

V. CONFLICTS OR ENVIRONMENTAL ISSUES:

The main conflict is the funding mechanism for summer marketing competing with all other City General Fund services and general contributions to non-profit agencies. With declining Sales Tax revenue this competition will be greater and these funds often are controversial.

VI. SUMMARY AND ALTERNATIVES:

Attached is a memo from the Summer Marketing Task Force which attempts to answer most of the questions and/or goals set out by City Council.

If there are questions, please contact Wendy, Jon Quinn or Walter.

To: Steamboat Springs City Council
From: Summer Marketing Task Force
Re: Results of the Summer Marketing Task Force

Below are our recommendations on the goals:

1. Find an amount of funding and source of funding for summer marketing.
Unfortunately there is no silver bullet for funding.

Funding in the past has been the vendor fee of 3.3% of sales tax except for 2009, which was a flat amount of \$564,200, including the costs of the visitor center + \$75,000 for special events. Due to budget problems at the state level the vendor fee has been reduced to 1.3%. Therefore the vendor fee will not be able to cover the cost in the future.

Funding by other communities was investigated. It should be noted that in the current economy all communities are having funding problems, though some have increased summer marketing spending, for example Aspen. Funding in other communities varies from 1% - 2.5% lodging tax, BOLT Tax, general revenue, and combinations of these. 2009 estimates of spending on summer marketing varies from \$2,000,000 in Vail to under \$400,000 at Gunnison/Crested Butte which does not include overhead.

The task force discussed other dedicated funding which all included tax increases –

- Tourist tax of 0.10% on restaurants, lodging and retail would generate around approx. 399,000 (Based on 2008). So to get closer to the optimum would need to be 0.2%.
- Equipment rentals, activities and lift tickets would generate \$45,000 based on 2001.
- Lodging taxes for Steamboat are 3% (1% general fund and 2% for LMD) in addition to local, county and state sales tax for a total of 11.4%. Other ski resorts total tax is from 9.6% for Aspen to 13% for Mt. Crested Butte.
- Real Estate transfer fees and professional/business fees were also discussed.
- In the end, there might need to be a mixture of public funding through taxes and private funding from the business community.

In the end no one tax was agreed on as any tax would have to be put on a ballot with 2010 the earliest it could be done; however the most “likely” possibility is a .1% tourist tax on the 2010 ballot. More work needs to be done to determine how much would be generated and how to structure a group to support such a tax.

2. Develop types of measurements for tracking success.

It was felt that the current measurements provided by the Chamber were adequate. However, the Chamber should investigate ways to improve the tracking of the effectiveness of the marketing dollars in the future.

3. Review of budget and spending of marketing dollars.

The budget was reviewed and found to be adequate, however, there was concern expressed about the amount of overhead. The group indicated the Chamber needs to trim overhead expenses like every other organization/business in town. With the current reduction in sales taxes this year, the budget for 2010 will have to be less.

Another way to look at the budget was at 6% of the sales taxes for the non-ski season (May through October). This would give you a budget of \$496,895 in 2008 and an estimate of \$412,898 in 2009 from the city.

At the August 11 Summer Marketing Task Force Meeting, Sandy Evans Hall stated that the Chamber would be requesting \$525,000 for marketing and overhead + \$75,000 for special events. That is about a 7% decrease from 2009. There was no formal action by the Task Force on this request.

An optimum budget would be closer to \$800,000 looking just at spending. This would allow more print media both national and front range, radio, TV, and more banner advertising on the internet.

There was some discussion that Special Event Funding should be increased; however, no formal action was taken.

Whichever method is used for funding, it is obvious that funding other than the city with out more taxes should be explored.

4 & 5. Chamber as 100% agent vs. another agent. Contract specifications for a selected firm/chamber.

An RFP was developed and sent out. We had 5 bids and after reviewing the bids decided the Chamber should be agent for the summer marketing program.

6. Evaluate Strategic Marketing Plan
This was done a part of the RFP process.

7. Structure of oversight Marketing committee.
At this time the Chamber has a committee to oversee the spending, materials and programs for the summer marketing. There does not appear any reason to change.

8. Communication with citizens/public
This would have to be developed. Though it might be easier to explain to the community the need for tourist with the decrease in sales taxes this year.

9. Recommendation for funding for the 2010 budget-
It was suggested that the committee look at 6% of May-Oct Sales Tax as an appropriate amount for summer marketing; however, there was no consensus on this amount. (estimated amount is attached from the City Finance Dept.)
The group acknowledged the Chamber's request for \$525,000 in summer marketing funds (including the visitor center) plus \$75,000 for special events. There was no consensus on this amount. Wendy indicated the City would be cutting expenses 10% compared to 2009 and that City Council may expect the Chamber also cut 10%.

Sales Tax Total's May through October (2006 - Current)

	2006	2007	2008	2009 ESTIMATE*
<i>May</i>	\$941,595.30	\$1,015,100.67	\$1,077,200.15	\$861,760.12
<i>June</i>	1,377,268.54	1,510,589.31	1,500,633.45	\$1,200,506.76
<i>July</i>	1,614,694.50	1,677,031.18	1,728,407.29	\$1,382,725.83
<i>August</i>	1,436,115.07	1,567,558.43	1,612,494.94	\$1,289,995.95
<i>September</i>	1,307,698.60	1,470,687.88	1,439,778.97	\$1,151,823.18
<i>October</i>	1,139,648.44	1,281,622.54	1,243,541.15	\$994,832.92
	\$7,817,020.45	\$8,522,590.01	\$8,602,055.95	\$6,881,644.76

	Sales Tax Collected	URA Portion	General Fund Total	6% of Total
2006	7,817,020.45	516,580.00	7,300,440.45	438,026.43
2007	8,522,590.01	637,611.00	7,884,979.01	473,098.74
2008	8,602,055.95	320,463.00	8,281,592.95	496,895.58
2009 ESTIMATE*	6,881,644.76	0.00	6,881,644.76	412,898.69

AGENDA ITEM # 4

CITY COUNCIL COMMUNICATION FORM

FROM: Dan Foote, Staff Attorney (Ext. 223)

THROUGH: Jon Roberts, City Manager
Tony Lettunich, City Attorney

DATE: September 15, 2009

ITEM: DIRECTION REGARDING PROPOSED REGULATIONS
OF MEDICAL MARIJUANA DISPENSARIES (Foote)

NEXT STEP: Introduce ordinance at first reading

ORDINANCE
 RESOLUTION
 MOTION
 DIRECTION
 INFORMATION

I. REQUEST OR ISSUE:

Direction regarding proposed regulation of medical marijuana dispensaries.

II. RECOMMENDED ACTION:

N/A.

III. BACKGROUND INFORMATION:

Article XVIII, Section 14 of the Colorado Constitution, adopted by the voters in 2000, permits the medical use of marijuana by persons in Colorado suffering from debilitating medical conditions. A number of communities, including Steamboat Springs, have received requests from persons wishing to operate medical marijuana dispensaries for the purpose of providing medical marijuana to patients pursuant to Article XVIII, Section 14.

Two medical marijuana dispensaries are now operating in Steamboat Springs. The City currently has no regulations governing locations, business hours, or any other aspect of medical marijuana dispensary operations.

The City Council on August 18 adopted a moratorium prohibiting additional medical marijuana dispensaries from operating pending adoption of regulations regarding this land use. Staff has prepared draft ordinance language to amend the Community Development Code to regulate medical marijuana dispensary operations. The draft ordinance language is attached. The following summarizes the provisions of the draft ordinance:

- permitted as a use with criteria in the CO, CY, CC, CS, and I zone districts and may be permitted as a conditional use in the CN zone district.
- shall not be located on pedestrian levels in the CO and CY zone districts
- may not be located within a mile of another medical marijuana dispensary
- shall operate from fixed locations and shall not be located within 1,000 feet of any school, park, playground, licensed child care facility, educational institution, or correctional facility
- shall not be permitted to operate as a home occupation
- shall not permit the use of medical marijuana or the possession of weapons on the premises
- offices shall meet certain minimum security requirements
- shall operate on an appointment only basis, shall provide certain information regarding the hazards of drug abuse and its treatment, and shall not dispense marijuana through vending machines, drive up windows, or other unsupervised transactions
- shall be subject to certain restrictions regarding advertising
- shall operate between the hours of 8:00 a.m. and 5:00 p.m.
- shall comply with the provisions of Article XVIII, Section 14

Most or all of the provisions of the draft ordinance language are taken from draft ordinances from other communities and/or from operational guidelines provided the City by the operators of one of the existing dispensaries.

IV. DISCUSSION ITEMS:

Whether the City should prohibit dispensaries being located within one mile of an existing dispensary?

This provision is intended to address concerns that a concentration of dispensaries may result in an increase in crime and other undesirable behavior. However, if applied in Steamboat Springs this provisions may result in no legal location being available for a new entrants into this business.

Whether the City should restrict advertising relating to medical marijuana dispensaries?

The draft ordinance would prohibit dispensaries from advertising the presence of marijuana on their premises. This restriction would apply to signs and other forms of advertising. It would specifically bar the use of the word “marijuana” or depictions of the marijuana plant. Staff believes that these restrictions do not present First Amendment

problems because the operation of medical marijuana dispensaries is illegal under federal law. The principal purpose of this provision would be to preserve community character.

Whether medical marijuana operators and/or employees should be subject to background checks/good moral character screening?

This provision is not included in the draft ordinance. If the Council wishes to screen dispensary operators and/or employees staff would draft additional language on this point. Staff anticipates that a background check provision would operate in much the same manner as the City currently employs with respect to liquor licensees.

V. SUMMARY AND ALTERNATIVES:

Staff is requesting direction from the City Council on these issues so that this ordinance may be revised and placed on an upcoming agenda for a first reading. The emergency moratorium expires on Monday, November 16, 2008. Therefore, to enact regulations in time to be in effect upon the expiration of the emergency moratorium, the City Council would have to adopt an ordinance at second reading no later than Tuesday, November 3, 2009. In keeping with that schedule, a first reading would have to be introduced and adopted no later than Tuesday, October 20, 2009. Since Tuesday, October 6, 2009 is an all day budget retreat with no regular City Council business scheduled, only September 29th, October 13th, and October 20, 2009 are available. Of those, September 29th is scheduled for first reading of the Steamboat 700 annexation and October 13th is scheduled for the second reading of the Steamboat 700 annexation.

End of Memo

DRAFT

ORDINANCE

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE BY ADDING A DEFINITION AND USE CRITERIA FOR MEDICAL MARIJUANA DISPENSARY USES; AMENDING THE USE TABLE TO PERMIT MEDICAL MARIJUANA USES AS A CONDITIONAL USE OR USE WITH CRITERIA IN COMMERCIAL AND INDUSTRIAL ZONE DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL CONFLICTING ORDINANCES; AND SETTING A HEARING DATE

WHEREAS, Article XVIII, Section 14 of the Colorado Constitution creates an affirmative defense for the medical use of marijuana to state criminal statutes prohibiting the cultivation, possession, and use of marijuana; and

WHEREAS, the passage of Article XVIII, Section 14 has led to the creation of businesses described as medical marijuana dispensaries, which seek to distribute marijuana for medical use to persons registered as patients pursuant to Article XVIII, Section 14; and

WHEREAS, the City Council finds that the operations of medical marijuana dispensaries in Colorado and in other states that permit the medical use of marijuana have in some cases had adverse impacts on their communities' character, increased the supply of recreational as opposed to medicinal marijuana, and generated increased crime rates, including armed robberies of dispensaries and their patients; and

WHEREAS, the City Council finds that it is necessary to the public health, safety, and welfare that the Community Development Code be adopted to regulate the location and operation of medical marijuana dispensaries in Steamboat Springs.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS THAT:

SECTION 1. Section 26-92 of the Steamboat Springs Community Development Code shall be amended to read as follows:

“Insert amended table showing MMD as a Use w Criteria in the CO, CY, CC, CS, I Districts and a Conditional Use in the CN District”

SECTION 2. Section 26-402 of the Steamboat Springs Community Development Code shall be amended by the addition of the following definitions and use criteria:

“Medical Marijuana Dispensary means any use of any property, structure, or vehicle to dispense marijuana in any form and in any manner to patients or primary care givers in

accordance with Article XVIII, Section 14 of the Colorado Constitution and with any statute or administrative regulations implementing Article XVIII, Section 14.

(1) Use criteria:

- (a) Medical marijuana dispensaries shall not be located within 1,000 feet of any school, park, playground, licensed child care facility, educational institution, or correctional facility. Distances described in this paragraph shall be calculated by measuring the distance from the nearest property line of the use described above to the building in which the medical marijuana dispensary is located.
- (b) Medical marijuana dispensaries shall operate from a permanent and fixed location. No medical marijuana dispensary shall operate from a vehicle or other moveable location. Nor shall any medical marijuana dispensary provide delivery services except that deliveries may be made to patients whose medical condition precludes their travel to the medical marijuana dispensary.
- (c) Medical marijuana dispensaries shall have staff members present during hours of operation. No vending machines, drive up windows, or unsupervised transactions shall be permitted.
- (d) Medical marijuana dispensaries shall provide clients contact information for local drug abuse treatment centers as well as educational materials regarding the hazards of substance abuse.
- (e) Medical marijuana dispensaries shall operate only during the hours of 8:00 a.m. to 5:00 p.m.
- (f) Medical marijuana dispensaries shall provide adequate security on the dispensary premises, which shall include the following:
 - i) Twenty-four hour security surveillance cameras to facilitate the investigation of crimes and to include video and audio capabilities, with a redundant power supply and circuitry to monitor entrances/exits and parking lot along with the interior and exterior of the premises. Fifteen days of security video and audio shall be preserved for 30 days and readily available to the Police Department during normal business hours. The resolution of these color cameras will be of sufficient quality to allow for the identification of the subject's facial features, in all lighting conditions, in the event of a crime.
 - ii) A burglar alarm system that is professionally monitored and maintained in good working order;
 - iii) A locking safe permanently affixed to the premises suitable for storage of the dispensaries' inventory and cash; all to be stored during non-business hours; live plants being cultivated shall not be deemed inventory requiring storage in a locked safe.
 - iv) Exterior lighting that illuminates the exterior walls of the dispensary and that complies with the lighting code set forth in this Community Development Code.
- (g) No firearms, knives, or other weapons shall be permitted in a marijuana dispensary except those carried by sworn peace officers.

- (h) Medical marijuana dispensaries shall operate on an appointment only basis.
 - (i) Medical marijuana dispensaries shall not display signs or otherwise advertise the presence of marijuana on the premises. This restriction shall include, but shall not be limited to, the use of signage or advertising using the word “marijuana” or depictions of any portion of the marijuana plant.
 - (j) Marijuana shall not be consumed or used on the premises of a medical marijuana dispensary. In the case of a medical marijuana dispensary located in a structure with a legal secondary unit or other legal dwelling unit, the dwelling unit shall not be considered part of the medical marijuana dispensary premises if access to the dwelling unit is prohibited to the medical marijuana dispensary patients.
 - (k) Medical marijuana dispensaries shall comply with the provisions of Article XVIII, Section 14 of the Colorado Constitution and with any other relevant Colorado statute or administrative regulation. The operator of a medical marijuana dispensary shall provide evidence of said compliance and shall permit the inspection of the premises upon request of any sworn peace officer in the employ of the City of Steamboat Springs Department of Public Safety. Evidence of compliance shall include an accounting of the quantity of marijuana on the premises at any given time along with written evidence of the operator’s status as a patient or primary care giver sufficient to establish the medical use of the marijuana.
 - (l) Medical marijuana dispensaries shall not be located on pedestrian levels of structures in the CY and CO zone districts.
 - (m) Medical marijuana dispensaries may not operate within a one mile radius of each other.
 - (n) Medical marijuana dispensaries shall sell or distribute only marijuana lawfully grown in compliance with Article XVIII, Section 14 of the Colorado Constitution and with any other relevant Colorado statute or administrative regulation.
- (2) Medical marijuana dispensaries shall not be permitted to operate as home occupations.”

AGENDA ITEM # 5

CITY COUNCIL COMMUNICATION FORM

FROM: Dan Foote, Staff Attorney (Ext. 223)
THROUGH: Tony Lettunich, City Attorney
DATE: September 15, 2009
ITEM: New Victory Highway Alignment - West Acres Mobile Home Park - Update (Foote)

ORDINANCE
 RESOLUTION
 MOTION
 DIRECTION
 INFORMATION

I. REQUEST OR ISSUE:

Discussion of the impact of the proposed New Victory Highway construction on the residents of the West Acres Mobile Home Park.

II. BACKGROUND INFORMATION:

The Steamboat Springs Area Community Plan, and the subsequent West of Steamboat Springs Area Plan ("WOSSAP"), showed the New Victory Highway running parallel to US Hwy 40 and connecting the Plan area to Elk River Road. Since 2005, at the specific direction of City Council to move this important road project forward, the staffs of the City's Public Works, Planning, and Legal departments have been working with land owners in the area to arrive at the best possible alignment with the least impacts.

Local topography and geology dictated an alignment of the New Victory Highway through Greenbelt A, a acre greenbelt area owned by the City and located to the north of the West Acres Mobile Home Park. A secondary access known as Abbey Road is planned through Greenbelt C, a second greenbelt located to the southwest of the West Acres Mobile Home Park.

The City Council adopted resolutions in 2005 and 2006 authorizing the City Attorney to acquire rights of way for the construction of Abbey Road and the New Victory Highway, including rights of way through Greenbelts A and C.

The City successfully negotiated the purchase of rights of way through the West Acres Ranch and through the greenbelts from the owners of the Mobile Home Park and the West Acres Ranch. Eight of the other nine owners of lots in the West Acres Park Subdivision chose not to object to the City's proposed use of the Greenbelts.

The City filed a condemnation action against the one non-consenting lot owner, Charles D. Johnson, to obtain the legal authority proceed with the proposed roadway use of the greenbelts.

In February of this year a group of tenants in the mobile home park attempted to intervene in the condemnation action between the City and Johnson, claiming that they had an interest in the greenbelts sufficient to entitle them to compensation. They claim compensation in the amount of \$440,000.

On March 17, 2009 the tenants' attorneys and some of the tenants participated in a mediation session to discuss their claims with the City's attorney and a City Council representative. On April 27, 2009, the City made an offer of settlement in the amount of \$44,000. The City received no response to its offer of settlement.

In the meantime, the City filed motions in the condemnation case asking the judge to dismiss the tenants' claims and to deny their request to intervene in the condemnation case. The District Court Judge granted the City's motion on May 10, 2009. The tenants have since filed a notice of their intent to appeal this decision to the Colorado Court of Appeals.

III. LEGAL ISSUES.

The principal legal issue is whether the tenants' have an interest in the greenbelts that is sufficient to support an award of compensation in the condemnation action.

The City successfully argued in the District Court that they do not, relying on Colorado appellate decisions and legal commentaries that very clearly state that month to month tenants are not entitled to compensation for the condemnation of their lease premises. The mobile home park tenants all have month to month leases that may be terminated on sixty days' notice.

The tenants disagree, arguing that their rights in the greenbelts exist independently of their leases. This issue will be resolved by the Court of Appeals.

IV. CONFLICTS OR PROBLEMS.

In addition to the purely legal issues discussed above, there have been some suggestions by the tenants and in the press that the tenants should have had notice of and an opportunity to participate in the City's negotiations with the mobile home park owners.

Staff acknowledges the importance of openness and transparency in government operations. However, in this case it would not have been appropriate to include the tenants in the City's negotiations with the mobile home park owners. Doing so would have interfered with the park owners' relationship with their tenants.

The Colorado Mobile Home Park Act, which governs relations between mobile home park owners and their tenants, entitles the tenants to notice regarding condemnation actions affecting the park. The statute specifies that this notice be given by the park owners, not the condemning authority.

In addition, per the Mobile Home Park Act, mobile home park leases are all month to month leases. In Colorado month to month tenancies are not sufficient to support a claim for compensation for the condemnation of the park premises. This rule benefits the park owners because payments to tenants would otherwise come from the payment made by the City to the park owners.

Bringing the tenants into the negotiations would have amounted to an endorsement of their claim to share in the condemnation payments due to the park owners despite the relevant Colorado law to the contrary and despite the fact that the Mobile Home Park Act gives the park owners the responsibility for giving their tenants notice of condemnation proceedings.

V. ATTEMPTS TO MITIGATE IMPACTS ON THE MOBILE HOME PARK TENANTS.

In the negotiations with the Owner of the West Acres Mobile Home Park, the City has agreed to construct a playground on Greenbelt C (which has already been constructed), plant 60 trees as a buffer along the northern boundary of the Mobile Home Park, and build a six-foot high cedar fence along the northern boundary to mitigate the impacts of the New Victory Highway. In addition, the City has agreed to irrigate the trees with City-metered water. The estimated cost of those mitigation efforts is approximately \$80,000.

END OF MEMO

AGENDA ITEM # 6

CITY COUNCIL COMMUNICATION FORM

FROM: Winnie DelliQuadri, Grants Analyst (Ext. 257)
Bob Litzau, Interim Director of Financial Services (Ext. 239)
Wendy DuBord, Deputy City Manager (Ext. 219)
Tom Leeson, Director of Planning & Community Development (Ext. 244)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: Direction to submit a grant application to the State Historical Fund requesting \$150,000 in grant funds for replacement of the Rehder Building Roof. Matching funds for the grant are proposed in the CIP budget in the Rehder fund.

NEXT STEP: MOTION: To submit a grant application to the State Historical Fund requesting \$150,000 in grant funds for replacement of the Rehder Building Roof.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

The City of Steamboat Springs has the opportunity to apply for funding from the State Historical Fund for historic preservation projects. This grant proposal requests grant funding for replacement of the roof supports and roof on the Rehder building.

II. RECOMMENDED ACTION:

Given the substantial benefit of the grant and project to the City, staff recommends that City Council proceed with submitting the grant application.

MOTION: To submit a grant application to the State Historical Fund requesting \$150,000 in grant funds for replacement of the Rehder Building Roof.

III. FISCAL IMPACTS:

Proposed Revenues:

Grant Request:	\$ 150,000	
Rehder Estate	75,000	
City Match:	<u>200,000</u>	Rehder Fund
Total Project:	\$ 425,000	

Proposed Expenditure:

Design/engineering	\$ 10,000
Roof replacement	<u>415,000</u>
Total Project	\$ 425,000

City Department: Internal Services
Project Manager: Bob Robichaud, Facilities Manager
Historic Preservation Oversight: Laureen Schaffer, HP Coordinator

IV. BACKGROUND INFORMATION:

The City received the Rehder building as a gift from the Estate of Helen Rehder, with the restriction that the building be preserved as a community monument and be utilized as a museum. The City undertook an historic structure assessment on the building and is in the process of carrying out the first phase of restoration. This second project will replace roof supports and the roof itself.

The State Historical Fund provides grant funding to historic preservation projects across the state. Acquisition and construction projects utilizing State Historical Fund grant dollars must follow the Secretary of the Interior’s Standards for all project work and use of grant funds on the project involves restrictions on future façade changes to the property. The City has already received grant funds for the Rehder Building and has already agreed to place a conservation easement on the building’s façade – grant funding for this project will not result in any additional restrictions.

V. LEGAL ISSUES:

The City has contractually committed to placing a conservation easement on the Rehder Building in conjunction with the current restoration project. The Intergovernmental Services Division continues to work closely with Legal Services on issues associated with grant-funded projects.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None at this report.

VII. SUMMARY AND ALTERNATIVES:

City Council may choose to:

- approve submittal of the grant application
- decide not to submit the grant application
- defer until a future round of funding.

AGENDA ITEM # 7

CITY COUNCIL COMMUNICATION FORM

FROM: Winnie DelliQuadri, Grants Analyst (Ext. 257)
Bob Litzau, Interim Director of Financial Services (Ext. 239)
Chris Wilson, Director of Parks, Open Space, and Recreation (Ext. 317)
Tom Leeson, Director of Planning & Community Development (Ext. 244)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: Direction to submit a grant application to the State Historical Fund requesting up to \$60,000 in grant funds for restoration of the Mesa schoolhouse windows. Matching funds will be provided through other grants.

NEXT STEP: MOTION: To submit a grant application to the State Historical Fund requesting up to \$60,000 in grant funds for restoration of the Mesa schoolhouse windows.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

The City of Steamboat Springs has the opportunity to apply for funding from the State Historical Fund for historic preservation projects. This grant proposal requests grant funding for restoration of the windows at the Mesa Schoolhouse. Matching funds are proposed from other grant sources.

II. RECOMMENDED ACTION:

Given the substantial benefit of the grant and project to the City, staff recommends that City Council proceed with submitting the grant application.

MOTION: To submit a grant application to the State Historical Fund requesting up to \$60,000 in grant funds for restoration of the Mesa schoolhouse windows.

III. FISCAL IMPACTS:

Proposed Revenues:

Grant Request:	up to \$60,000	
MAHFAB grant	10,000	proposed
National Trust grant:	<u>10,000</u>	proposed
Total Project:	\$ 80,000	

Proposed Expenditure:

Design	\$ 5,000
Window restoration	<u>75,000</u>
Total Project	\$ 80,000

City Department: Historic Preservation / Planning
Project Manager: Laureen Schaffer, HP Coordinator

IV. BACKGROUND INFORMATION:

The City worked with Historic Routt County! to acquire the Mesa School as a community meeting site. The City has carried out several restoration projects on the Mesa School and the property is protected in perpetuity by a conservation easement held by the Yampa Valley Land Trust. This project will restore the historic windows at the school, all of which are in extremely deteriorated condition. With grant funding, window restoration work will be required to follow the Secretary of the Interior's Standards for historic restoration.

V. LEGAL ISSUES:

The City has placed a conservation easement on the Mesa Schoolhouse and the City will need written approval from the Land Trust prior to commencing with the project. (Verbal approval has been given). The Intergovernmental Services Division continues to work closely with Legal Services on issues associated with grant-funded projects.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None at this report.

VII. SUMMARY AND ALTERNATIVES:

City Council may choose to:

- approve submittal of the grant application
- decide not to submit the grant application
- defer until a future round of funding.

AGENDA ITEM # 8

CITY COUNCIL COMMUNICATION FORM

FROM: Winnie DelliQuadri, Grants Analyst (Ext. 257)
Bob Litzau, Interim Director of Financial Services (Ext. 239)
Chris Wilson, Director of Parks, Open Space, and Recreation (Ext. 317)
Tom Leeson, Director of Planning & Community Development (Ext. 244)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: Direction to partner with the Tread of Pioneers Museum and Historic Routt County! on a grant application to the Routt County Museum and Heritage Fund requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows. Matching funds will be provided through other grants.

NEXT STEP: MOTION: To partner with the Tread of Pioneers Museum and Historic Routt County! on a grant application to the Routt County Museum and Heritage Fund requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

The Routt County Museum and Heritage fund provides grant funding to six eligible historic organizations in the County. The Tread of Pioneers Museum and Historic Routt County have agreed to sponsor a grant request for restoration of the windows at the Mesa School to the Museum and Heritage Fund. Matching funds are proposed from other grant sources.

II. RECOMMENDED ACTION:

Given the substantial benefit of the grant and project to the City, staff recommends that City Council proceed with submitting the grant application.

MOTION: To partner with the Tread of Pioneers Museum and Historic Routt County! on a grant application to the Routt County Museum and Heritage Fund requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows.

III. FISCAL IMPACTS:

Proposed Revenues:

MAHFAB grant	up to \$10,000	
SHF grant:	60,000	proposed
National Trust grant:	<u>10,000</u>	proposed
Total Project:	\$ 80,000	

Proposed Expenditure:

Design	\$ 5,000
Window restoration	<u>75,000</u>
Total Project	\$ 80,000

City Department: Historic Preservation / Planning
Project Manager: Laureen Schaffer, HP Coordinator

IV. BACKGROUND INFORMATION:

The City worked with Historic Routt County! to acquire the Mesa School as a community meeting site. The City has carried out several restoration projects on the Mesa School and the property is protected in perpetuity by a conservation easement held by the Yampa Valley Land Trust. This project will restore the historic windows at the school, all of which are in extremely deteriorated condition. With grant funding, window restoration work will be required to follow the Secretary of the Interior's Standards for historic restoration.

V. LEGAL ISSUES:

The City has placed a conservation easement on the Mesa Schoolhouse and the City will need written approval from the Land Trust prior to commencing with the project. (Verbal approval has been given). The Intergovernmental Services Division continues to work closely with Legal Services on issues associated with grant-funded projects.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None at this report.

VII. SUMMARY AND ALTERNATIVES:

City Council may choose to:

- approve submittal of the grant application
- decide not to submit the grant application
- defer until a future round of funding.

AGENDA ITEM # 9

CITY COUNCIL COMMUNICATION FORM

FROM: Winnie DelliQuadri, Grants Analyst (Ext. 257)
Bob Litzau, Interim Director of Financial Services (Ext. 239)
Chris Wilson, Director of Parks, Open Space, and Recreation (Ext. 317)
Tom Leeson, Director of Planning & Community Development (Ext. 244)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: Direction to submit a grant application to the National Trust for Historic Preservation requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows. Matching funds will be provided through other grants.

NEXT STEP: MOTION: To submit a grant application to the National Trust for Historic Preservation requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

The National Trust for Historic Preservation has a grant program which provides funding for historic preservation / restoration projects. The City proposes a grant request for restoration of the windows at the Mesa School. Matching funds are proposed from other grant sources.

II. RECOMMENDED ACTION:

Given the substantial benefit of the grant and project to the City, staff recommends that City Council proceed with submitting the grant application.

MOTION: To submit a grant application to the National Trust for Historic Preservation requesting up to \$10,000 in grant funds for restoration of the Mesa schoolhouse windows.

III. FISCAL IMPACTS:

Proposed Revenues:

National Trust	up to \$10,000	
SHF grant:	60,000	proposed
MAHFAB grant:	<u>10,000</u>	proposed
Total Project:	\$ 80,000	

Proposed Expenditure:

Design	\$ 5,000
Window restoration	<u>75,000</u>
Total Project	\$ 80,000

City Department: Historic Preservation / Planning
Project Manager: Laureen Schaffer, HP Coordinator

IV. BACKGROUND INFORMATION:

The City worked with Historic Routt County! to acquire the Mesa School as a community meeting site. The City has carried out several restoration projects on the Mesa School and the property is protected in perpetuity by a conservation easement held by the Yampa Valley Land Trust. This project will restore the historic windows at the school, all of which are in extremely deteriorated condition. With grant funding, window restoration work will be required to follow the Secretary of the Interior's Standards for historic restoration.

V. LEGAL ISSUES:

The City has placed a conservation easement on the Mesa Schoolhouse and the City will need written approval from the Land Trust prior to commencing with the project. (Verbal approval has been given). The Intergovernmental Services Division continues to work closely with Legal Services on issues associated with grant-funded projects.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None at this report.

VII. SUMMARY AND ALTERNATIVES:

City Council may choose to:

- approve submittal of the grant application
- decide not to submit the grant application
- defer until a future round of funding.

AGENDA ITEM # 10

CITY COUNCIL COMMUNICATION FORM

FROM: Winnie DelliQuadri, Grants Analyst (Ext. 257)
Bob Litzau, Interim Director of Financial Services (Ext. 239)
Chris Wilson, Director, Parks, Open Space, and Recreation (Ext. 317)
JD Hays, Director of Public Safety (Ext. 113)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: Direction to submit a grant application to the Colorado State Forest Service requesting up to \$1 million in stimulus grant funds for a forest fuel mitigation project in partnership with local private property owners. No matching funds are required.

NEXT STEP: MOTION: To submit a grant application to the Colorado State Forest Service requesting up to \$1 million in stimulus grant funds for a forest fuel mitigation project in partnership with local private property owners.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

The City of Steamboat Springs has the opportunity to apply for stimulus grant funding from the Colorado State Forest Service for a forest fuel mitigation project. The grant project and proposal are still under development. The project would include partnering with private property owners to remove dead trees in the urban interface. No matching funds are required.

II. RECOMMENDED ACTION:

Given the substantial benefit of the grant and project to the City, staff recommends that City Council proceed with submitting the grant application.

MOTION: To submit a grant application to the Colorado State Forest Service requesting up to \$1 million in stimulus grant funds for a forest fuel mitigation project in partnership with local private property owners.

III. FISCAL IMPACTS:

Proposed Revenues:

Grant Request: up to \$1,000,000 *no match is required

Proposed Expenditure:

Fuel Mitigation up to \$1,000,000

City Department: Fire Suppression / Parks Open Space and Recreation

Project Manager: Assistant Fire Chief

IV. BACKGROUND INFORMATION:

Colorado State Forest Service received stimulus grant funding from the federal government for forest restoration and fuels mitigations projects in Colorado. The State Forest Service is now seeking to utilize these funds within the state and is seeking proposals for forest fuels mitigation projects on state, local, and private lands. Total funding available is \$3.7 million and the State Forest Service anticipates awarding between one and six grants. Because the grant funds are stimulus funds, no matching funds are required.

The City, as well as several neighborhood associations have spent considerable time and effort on surveying trees in our community and on developing plans for removing dead beetle kill trees. This grant source would provide funding to implement actions within many of these discrete individual plans. City staff are in the process of developing a grant project and proposal that will include forest fuel mitigation (e.g. logging of dead beetle kill trees) on state, local, and private property in the Spring Creek to Ski Area sections of our community. Prior to submitting the grant, staff will develop a concrete scope of work and budget that will enable us to address dead trees in the target area of our community.

V. LEGAL ISSUES:

This project will include fuel mitigation on private property. City staff will work closely with the legal department to ensure that all legal concerns are identified and met prior to any project work being conducted on private property.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None at this report.

VII. SUMMARY AND ALTERNATIVES:

City Council may choose to:

- approve submittal of the grant application
- decide not to submit the grant application
- defer until a future round of funding.

AGENDA ITEM # 11

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. _____

A RESOLUTION APPROVING THE STEAMBOAT SPRINGS LOCAL MARKETING DISTRICT OPERATING PLAN AND THE STEAMBOAT SPRINGS LOCAL MARKETING DISTRICT BUDGET FOR THE YEAR 2010.

WHEREAS, pursuant to Colorado Revised State Statutes 29-25-110; an operating plan and budget is required to be submitted to the local government by September 30 of each year; and

WHEREAS, the local government is required to approve or disapprove the operating plan within thirty days after receipt of such submittal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THAT:

Section 1. The City hereby approves the Steamboat Springs Local Marketing District Operating Plan (Exhibit A) and Steamboat Springs Local Marketing District Budget for 2010 (Exhibit B) as presented.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2009.

ATTEST:

**Paul Antonucci, President
Steamboat Springs City Council**

**Julie Franklin, CMC
City Clerk**

Steamboat Springs Local Marketing District

2010 Operating Plan

Services

- Provide funding for winter air service and contract for marketing of winter air service in conjunction with agreed upon participation from the Steamboat Ski & Resort Corp. and participating businesses
- Provide funding for summer air service in cooperation with surrounding municipalities and counties as well as business contributions
- Provide funding for and contract for marketing summer air service
- Provide a portion of the funding for management of the summer/fall and winter air service
- Contract with air service carriers to encourage competitive air service to the marketplace, including funding appropriate guarantees
- Provide funding for visitor services at airport during peak winter season

Tax

- Tax to be levied would be 2%

Other Information

- All funds would be deposited in a segregated fund by the City Finance Director with a goal to achieve the highest possible interest
- An annual audit would be performed each year by the City to be submitted to City Council

Steamboat Springs Local Marketing District					
2010 Budget Planning - Updated 8/3/09					
		2008 Actual	2009 Budget	2009 Forecast	2010 Proposed Budget 8-27-09
Revenue				tax est. -22% off 2008 actual	tax est. -20% off 2008 actual
Projected carry over		\$686,833	\$755,371	\$755,371	\$372,672
2% Tax Jan - December		\$1,486,584	\$1,458,480	\$1,159,535	\$1,189,267
Interest		\$40,271	\$55,000	\$10,000	\$10,000
Subtotal		\$2,213,688	2,268,851	1,924,906	\$1,571,939
3.3% collection fee to state					
Contributions to summer from other communities			\$10,000	\$0	\$0
Total Revenue		\$2,213,688	\$2,278,851	\$1,924,906	\$1,571,939
Expenses					
Winter Air Service		\$653,981	\$995,000	\$787,034	\$1,135,000
Winter Cap			\$202,000	\$0	\$175,000
Winter Air Service Marketing		\$400,000	\$400,000	\$400,000	\$300,000
Summer Air Service		\$300,000	\$600,000	\$300,000	\$300,000
Fall Service					
Summer/Fall Air Service Marketing		\$49,182	\$50,000	\$0	\$15,000
Winter Air Service Mngmnt Fee		\$50,000	\$50,000	\$50,000	\$58,000
Summer Air Service Mngmnt Fee			\$10,000	\$10,000	\$10,000
Administration/Legal		\$3,154	\$4,000	\$4,000	\$6,000
Annual Accounting/Audit		\$2,000	\$1,200	\$1,200	\$1,200
Miscellaneous					
Total Expenses		\$1,458,317	\$2,312,200	\$1,552,234	\$2,000,200
Revenue less Expenses		\$755,371	-\$33,349	\$372,672	(\$428,261)
Winter Air Reserve Balance		\$1,000,000		\$1,000,000	\$1,000,000
Winter Air Reserve Activity		\$0		\$0	(\$428,261)
2011 Reserve Balance					\$571,739
Carry over to next FY		\$755,371		\$372,672	\$0

AGENDA ITEM # 12

CITY COUNCIL COMMUNICATION FORM

FROM: Sarah Vale, Sales and Use Tax Auditor (Ext. 251)
Bob Litzau, Interim Director of Financial Services (Ext. 239)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

RE: A Resolution Designating Recent Enterprise Zone Applicants as Industrial Enterprise Zone Licensees

NEXT STEP: Adopt the Resolution

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. **REQUEST OR ISSUE:**

Section 22-61 (Industrial Enterprise Zone) provides that Council is to designate businesses for Enterprise Zone status through the passage of a resolution:

Section 22-61. Designation of Businesses. The provisions of this division shall apply to such businesses located within industrial zoned areas within the City *as the City Council shall from time to time designate by resolution* (emphasis added).

This section points to the original intention of the legislation that each business receive its designation through the passage of a resolution, giving Council control over which businesses are given Enterprise Zone status.

The purpose of this resolution is for City Council to designate recent Enterprise Zone applicants as Industrial Enterprise Zone licensees, as listed in attachment A of the resolution.

II. **RECOMMENDED ACTION:**

Adopt the resolution, designating the attached list of businesses as Industrial Enterprise Zone licensees.

III. **FISCAL IMPACTS:**

None.

IV. **BACKGROUND INFORMATION:**

In 1989, the Steamboat Springs City Council enacted two ordinances (Ord. No's. 1091 and 1092) giving certain sales tax exemptions to businesses located in the newly annexed West side of town. These exemptions vary depending on whether the business has a Commercial Enterprise Zone license or an Industrial Enterprise Zone license. The purpose of the Ordinances was two-fold. The Ordinances were a negotiation tool used by City Council at that time so that the businesses located in the West end of town would agree to the annexation. The Ordinances also serve a greater purpose, to encourage commercial and industrial growth on the West end of town to reduce the community's dependence on the Ski industry. The Commercial Enterprise Zone provisions expired on January 1, 2005. The Industrial Enterprise Zone provisions are set to expire on January 1, 2010, unless the Council chooses to extend the deadline at that time.

V. **LEGAL ISSUES:**

None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:**

None.

VII. **SUMMARY AND ALTERNATIVES:**

Any alternatives would involve an amendment to the Municipal Code. The City Code provides that the Enterprise Zone provisions are non-repealable; thus, eliminating the exemption entirely is not possible.

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. _____

A RESOLUTION DESIGNATING RECENT ENTERPRISE ZONE APPLICANTS AS INDUSTRIAL ENTERPRISE ZONE LICENSEES.

WHEREAS, On the 7th of November, 1989, the Steamboat Springs City Council adopted Ordinance number 1092, creating the Steamboat Springs Industrial Enterprise Zone; and

WHEREAS, The intention of this ordinance was to create an incentive for businesses to locate on the West end of the City, to create jobs for the citizens of this town, and to reduce the community's dependency on the ski industry; and

WHEREAS, Ordinance 1092 requires that the City Council designate a business by resolution in order for that business to receive the benefits of operating in the Enterprise Zone; and

WHEREAS, The businesses in Attachment A have applied for an Industrial Enterprise Zone license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Steamboat Springs, Colorado, that:

Section 1. The businesses listed in Attachment A are hereby granted a City Industrial Enterprise Zone license and are entitled to all of the benefits provided thereby.

Section 2. The businesses listed in Attachment A are entitled to said benefits as provided in Ordinance 1092.

Section 3. Termination of said benefits shall be in accordance with the provisions of Ordinance 1092.

PASSED, ADOPTED, AND APPROVED this ____ day of _____, 2009.

ATTEST:

**Paul Antonucci, President
Steamboat Springs City Council**

**Julie Franklin, CMC
City Clerk**

Attachment A
Enterprise Zone Applicants September 2009

	Business Name	Physical Address	Type of Business	Business Products for Sale/Lease
Industrial	Advanced Auto Body	1885 Elk River Plaza	Auto Repair	Auto Parts
Industrial	Sweet Pea Tours SBS, INC	2673 Jacob Circle, Unit #600	Tours and Transportation	Tours and Transportation

AGENDA ITEM # 13

CITY COUNCIL COMMUNICATION FORM

FROM: Melvin Baker, Airport Manager (879-9042)
Philo Shelton, Public Works Director (Ext. 204)

DATE: September 8, 2009

ITEM: B-Hangar rental agreement between City of Steamboat Springs and Jack Petrie

NEXT STEP: Motion to approve: The first reading of an ordinance approving a lease agreement between the City of Steamboat Springs and Jack Petrie for Hangar B-10, authorizing the City Council President to sign lease documents; repealing all conflicting ordinances; providing for severability; and providing an effective date. (Baker/Shelton)

MOTION
 INFORMATION
 ORDINANCE

I. REQUEST OR ISSUE:

Approve the first reading of an ordinance authorizing a lease agreement between the City of Steamboat Springs and Jack Petrie for Hangar B-10 at the Steamboat Springs Airport.

II. RECOMMENDED ACTION / NEXT STEP

Motion to approve on first reading: An Ordinance approving a lease agreement between the City of Steamboat Springs and Jack Petrie for Hangar B-10, authorizing the City Council President to sign lease documents; repealing all conflicting ordinances; providing for severability; and providing an effective date.

III. FISCAL IMPACTS:

Monthly hangar rent: \$614.91 Annual revenue: \$7,378.92

The lease provides for a minimum annual increase of 3%.

IV. BACKGROUND INFORMATION:

The City currently owns one hangar with 10 bays at the airport. Each of these bays are rented on a monthly basis, generating anywhere between \$584 and \$614 per. The leases are structured to on a month to month basis and Hangar B-10 recently became available for lease.

V. LEGAL ISSUES:

The lease document has been reviewed and approved by the City's Legal department.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

There are no environmental issues associated with this communication.

VII. SUMMARY AND ALTERNATIVES:

1. Council can approve this ordinance on first reading.
2. Council can decline to approve this ordinance and give further direction to staff.

CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO. _____

AN ORDINANCE APPROVING A HANGAR LEASE TO JACK PETRIE AT THE STEAMBOAT SPRINGS AIRPORT AND AUTHORIZING CITY COUNCIL PRESIDENT TO SIGN LEASE DOCUMENTS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Steamboat Springs owns the Steamboat Springs Airport and hangars located at such airport; and

WHEREAS, Jack Petrie desires to lease hangar space located at the Steamboat Springs Airport; and

WHEREAS, the City Council desires to lease such hangar space to **Jack Petrie**; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THAT:

Section 1. The City Council of the City of Steamboat Springs hereby approves the lease of hangar space at the Steamboat Springs Airport to **Jack Petrie** for the term provided in the Hangar Lease Agreement, a copy of which is attached hereto as Exhibit 1 and by this reference made a part of.

Section 2. The City Council of the City of Steamboat Springs authorizes the City Council President or City Council President Pro-Tem to execute such Hangar Lease Agreement.

Section 3. In accordance with Section 13.6 of the Home Rule Charter of the City of Steamboat Springs, the effective date of the Hangar Lease Agreement shall be at least thirty (30) days after passage of this Ordinance, and the City Council President or the City Council President Pro-Tem shall not sign the Hangar Lease Agreement prior to this thirty (30) day period.

Section 4. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 5. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any

extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 6. The City Council hereby finds, determines, and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 7. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**

FINALLY READ, PASSED AND APPROVED this _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**

**HANGAR LEASE AGREEMENT
STEAMBOAT SPRINGS AIRPORT**

THIS HANGAR LEASE AGREEMENT, entered into this **1st day of September 2009**, by and between the City of Steamboat Springs, a Colorado Municipal Corporation, as owner of the Steamboat Springs Airport ("Lessor") and **Jack Petrie** ("Lessee").

In consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties hereto agree as follows:

1. **PREMISES.** Lessor agrees to lease to Lessee, and Lessee agrees to lease from Lessor, Hangar Space #**B-10**, located at the Steamboat Springs Airport. The Hangar Space shall be used and occupied by Lessee primarily for the storage of Lessee's aircraft, to wit, **N231JF** (the "Aircraft"), or any other similar aircraft owned or leased by Lessee (the "Substitute Aircraft"), provided Lessee has provided Lessor with written notification that a Substitute Aircraft will be stored in the Hangar Space and has provided to Lessor a complete description of the Substitute Aircraft. In the event Lessee stores a Substitute Aircraft in the Space, all provisions of this Agreement applicable to the Aircraft shall also be applicable to the Substitute Aircraft. Lessor at anytime may ask proof of Aircraft or Substitute Aircraft ownership of the Lessee.
2. **TERM.** This Agreement shall commence on **September 1, 2009** and shall remain in effect month to month until terminated according to the terms of this Agreement.
3. **RENT.**
 - a) For use of the Hangar Space, Lessee shall pay to Lessor, at the Steamboat Springs Finance Office, 137 10th Street, P.O. Box 775088, Steamboat Springs, Colorado, 80477, the amount of **Six Hundred and Fourteen Dollars and Ninety One Cents (\$614.91) per month**, such amount to be payable in advance. If the term of this lease agreement commences on a day other than the first day of a month, the first month's rent shall be pro rated on a daily basis. Such rent shall be due and payable without notice from Lessor on the first day of each and every month during the term hereof and Lessee shall be deemed to be in default if such rent has not been received by lessor when due.

Rent shall increase at the discretion of the Lessor; however, at a minimum there shall be a 3% increase, compounded annually, beginning January 1, 2010.

- b) If Lessor purchases less than 300 gallons of fuel in any calendar year from the Steamboat Springs Airport FBO, then Lessor will be charged an inactivity fee. Such fee shall be calculated by multiplying the shortfall in Lessor's fuel purchases by the applicable fuel price effective on December 31 of the year for which the fee is being calculated or, in the case of lease termination, the last day the lease is in effect. The 300-gallon requirement will be pro-rated for the first and last years of the lease.
4. **LESSEE'S USE OF THE PREMISES.**
 - a. The Hangar Space shall be used primarily for the storage of the Aircraft, along with any necessary aircraft groundhandling equipment associated with said Aircraft. The incidental storage of other items shall be permitted so long as that storage of other

items does not obstruct the use of the hangars by other tenants, does not constitute a fire hazard, and does not increase Lessor's insurance premiums.

- b. No commercial activity of any kind whatsoever shall be conducted by Lessee in, from or around the Hangar Space.
- c. Lessee shall not store gasoline, solvents, explosives, flammable paints or other flammables in the Hangar Space without the prior written approval of the Airport Manager. The parties agree that the Airport Manager is authorized by this provision to require safety containers or other safety measures to be followed by Lessee as a condition of such approval.
- d. No maintenance of the aircraft shall be performed within the Hangar Space without the prior written approval of the airport manager except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. For the purposes of this agreement, the Lessee shall be allowed to perform the following minor maintenance work on his or her Airplane: interior cleaning, waxing and polishing, changing of oil, tire and wheel replacement, servicing of landing gear shock struts and wheel bearings, replacement of defective safety wire and cotter keys, lubrication which does not require the disassembly of parts, servicing hydraulic fluid reservoirs, minor upholstery and decorative panel repairs, replacing side windows, seat belts and seat parts, troubleshooting electrical and avionics systems, replacing bulbs and lenses and replacing or cleaning spark plugs. It is understood by the parties hereto that the Airport Manager is authorized by this provision to require specific measures to protect the Hangar from damage as a condition of approval for owner maintenance other than that maintenance specifically permitted. All other aircraft maintenance must be conducted in a maintenance building or structure approved by Lessor.
- e. Lessee shall take such steps so as to ensure that the performance of maintenance work within the Hangar shall not damage the Hangar Space. Lessee is responsible for payment to Lessor of any damage to the pavement of the Hangar floor caused by fuel or oil spillage, maintenance tools, repair equipment, or associated causes.
- f. Lessee shall control the conduct and business demeanor of its employees and invitees and of those doing business with it, in and around the Hangar Space and shall take all steps necessary to remove persons whom Lessor may, for good and sufficient cause, deem objectionable.
- g. Lessee shall keep the Hangar Space clean and free of debris at all times, and Lessee shall not place any trash or debris on the airport grounds except in containers provided for trash by the Lessor.
- h. Lessee shall close the Hangar doors promptly after moving the Aircraft in or out of the Hangar and shall coordinate the operation of the door so as not to unduly or in an untimely fashion obstruct access to adjacent Hangars. **Lessee shall stand by the door switch at all times in which the door is being raised or lowered. In the event of a door malfunction, Lessee shall shut the switch off immediately and discontinue operation of the door, and immediately notify Lessor or its agent.**

Lessee shall be responsible for making sure the door center-locking pin is released prior to raising the door and that after the door is lowered that the center-locking pin is properly in position. Lessee shall not operate the door if wind conditions are in excess of twenty-five (25) knots. Any damages to the door caused by Lessee's failure to comply with the above may result in Lessee's liability for payment thereof.

- i. Lessee shall not lock the Hangar or permit the same to be locked with any lock other than the lock mechanism supplied by Lessor, unless Lessor is provided with the necessary keys.
- j. Lessee shall not use any high wattage electrical equipment, heat lamps, or machinery in or about the Hangar, or modify existing wiring or install additional outlets, fixtures or the like therein unless authorized in writing by the Lessor.
- k. Lessee shall not attach any hoisting or holding mechanism to any part of the Hangar or pass any mechanism over the struts or braces therein. For purposes of this Agreement, a hoisting or holding mechanism shall be deemed to include, but shall not be limited to, a chain-ball, block and tackle, or other hoisting or winching device.
- l. Lessee shall not paint, remove, deface, modify, bend, drill, cut or otherwise alter or modify any part of the Hangar without the prior written permission of the Lessor.
- m. Lessee shall not park or leave the Aircraft on the taxilane or on the ramp area adjacent to the Hangar door in a manner which unduly interferes with or obstructs access to adjacent Hangars.
- n. Lessee shall, within thirty (30) days of the execution of this lease purchase and maintain an ABC dry chemical or halon type fire extinguisher and install the same with a bracket to the wall of the Hangar on the wall immediately below the Hangar light switch.
- o. In utilizing the Hangar Space, Lessee agrees to and shall comply with all applicable statutes, ordinances, resolutions, rules and regulations established by any federal, state or local government agency, or by the City of Steamboat Springs.
- p. Upon termination of this Agreement Lessee shall immediately surrender possession of the Hangar Space and shall immediately remove the Aircraft and all other property therefrom, leaving the Hangar space in the same condition as when received, ordinary wear and tear accepted.
- q. Lessee shall comply with City of Steamboat Springs Airport Policies and Procedures as currently set forth in Exhibit A. The Steamboat Springs Airport Policies and Procedures set forth in Exhibit A may be modified from time to time and, as modified, shall be binding on the Lessee.

5. LESSOR'S USE OF PREMISES. Lessor shall be permitted to use the Hangar for airport FBO customers on a nightly basis, when unoccupied by Lessee. Lessor shall reimburse Lessee for the loss of the use of the Hangar on a per night basis of \$25 per night.

6. SUBLEASE OR ASSIGNMENT. With Airport Managers approval, Lessee may sublease the hangar space by paying a \$50 sublease fee per month, payable to Lessor with monthly rent payment. Without sublease fee, Lessee may not sublease or assign this lease. The parking of aircraft not owned by or leased by Lessee within the Hangar Space without approval of Airport Manager shall constitute a sublease. Lessee may not assign this Agreement.

7. INSURANCE. Lessor shall maintain insurance coverage on the Hangar structure. Lessee agrees to maintain, at its own expense, insurance of such types and in such amounts to insure against liability for damage or loss to the Aircraft or other property, and against liability for personal injury or death, arising from acts or omissions of Lessee or its agents and employees. Such policy or policies shall contain a provision whereby Lessee's insurer waives any right of subrogation against lessor, its agents and employees, and providing that lessor must receive at least ten (10) days prior written notice of any cancellation of Lessee's insurance coverage. Such policy shall name Lessor as additional insured. Prior to the commencement of this Agreement, Lessee shall deliver to Lessor certificates of insurance evidencing the required coverages.

8. RIGHT OF ENTRY. Lessor shall have the right to permit his officers, employees and authorized representatives to enter the Hangar for the purpose of inspecting or protecting such premises and for the purpose of doing any act, which Lessor may deem necessary or appropriate for the proper conduct and operation of the Airport. Lessor shall not, without prior approval from Lessee, touch, enter or move any aircraft stored in the Hangar except in an emergency situation where obtaining such approval is not practical.

9. INDEMNITY OR FORCE MAJEURE. Lessee agrees to release, indemnify and hold Lessor, its officers, agents and employees harmless from and against any and all liabilities, losses, claims, and judgments, of any kind whatsoever, including all costs, attorney's fees, and expenses incidental thereto, for any loss of or damage to any property or injury to or death of any person arising out of, or claimed to arise out of, Lessee's use of the premises, or any breach or violation or nonperformance by Lessee or its officers, employees or agents of any covenant or condition of this Agreement, or by any act or failure to act of those persons.

Lessor shall not be liable for failure to perform this Agreement or for any loss, injury or damage of any nature whatsoever resulting therefrom caused by any Act of God, fire, flood, accident, strike, labor dispute, riot, insurrection, war or any other cause beyond Lessor's control.

10. CONDITION OF PREMISES. Lessee shall accept the Hangar Space in its present condition without any liability of obligation on the part of Lessor (except for routine pavement maintenance) to make any alterations, improvements or repairs of any kind within or to the Hangar Space.

11. DEFAULT. Lessee shall be deemed in Default of this Agreement if:

- a. Lessee fails to make the timely payment of any rental payment hereunder. Said rental shall be due and payable without notice from Lessor on the first day of each

and every month during the term hereof and Lessee shall be deemed to be in default if such rent has not been received by Lessor when due;

- b. Lessee violates any covenant in this Lease, and such violation shall continue for fifteen (15) days after receipt by Lessee of notice thereof from Lessor without Lessee curing the violation;
- c. A petition is filed by or against Lessee under the Bankruptcy Act or any amendment thereto (including a petition for reorganization or an arrangement);
- d. Lessee assigns his or her property for the benefit of creditors; or
- e. Lessee ceases to do business as a going concern.

In the event of any default by Lessee, Lessor shall, at its option after thirty (30) days' written notice of the default, have the right to terminate this Agreement for cause and to remove the Aircraft and any other property of Lessee from the Hangar Space, using such force as may be necessary without being deemed guilty of trespass, breach of peace or forcible entry and detainer. Exercise by Lessor of any of the rights specified above shall not prejudice Lessor's right to pursue any other remedy available to Lessor in law or equity, including termination without cause as set forth in paragraph 12, below.

12. **TERMINATION.** Either party to this Agreement shall have the right to terminate this Agreement with or without cause by giving at least thirty (30) days' written notice to the other party. Such termination shall be effective as of the last day of the calendar month following the calendar month in which notice of termination or notice to quit is delivered to the Lessee.

13. **DISCLAIMER AND RELEASE.** Lessor hereby disclaims, and Lessee hereby releases Lessor from any and all liability whether in contract or tort (including strict liability and negligence) for any loss, damage or injury of any nature whatsoever sustained by Lessee, its employees, agents, or invitees during the term of this Agreement, including but not limited to loss, damage or injury to the Aircraft or other property of Lessee that may be located within the Hangar Space, unless such loss, damage or injury is caused by Lessor's gross negligence. The parties hereby agree that under no circumstances shall Lessor be liable for indirect, consequential, special or exemplary damages, whether in contract or tort (including strict liability and negligence), such as, but not limited to, loss of revenue or anticipated profits or other damage related to the leasing of the Hangar space under this Agreement.

14. **CHOICE OF LAW/VENUE.** This Agreement shall be construed in accordance with the laws of the State of Colorado and any legal action related to this Lease shall have as its sole and proper venue the Routt County Combined Courts.

15. **WAIVER.** The waiver by either party of any covenant or condition of this Agreement shall not thereafter preclude such party from demanding performance of said covenant or condition or of any other term of this Agreement.

16. **RELATIONSHIP OF PARTIES.** The relationship between Lessor and Lessee shall always and only be that of lessor and lessee. Lessee shall never at any time during the term of

this Agreement become the agent of Lessor, and Lessor shall not be responsible for the acts or omissions of Lessee or its agents.

17. REMEDIES CUMULATIVE. The rights and remedies with respect to any of the terms and conditions of this Agreement shall be cumulative and not exclusive and shall be in addition to all other rights and remedies.

18. INTEGRATION. This Agreement constitutes the entire agreement between the parties, and as of its effective date supersedes all prior independent agreements between the parties covering the Hangar Space. Any change or modification to this Agreement must be in writing and signed by both parties.

19. NOTICES. Any notice given by one party to the other in connection with this Agreement shall be in writing and shall be either (a) hand delivered, or (b) sent by certified or registered mail, return receipt requested. All notices required to be given to Lessor hereunder shall be in writing and shall be either (a) hand delivered, or (b) sent by certified or registered mail, return receipt requested to:

Airport Manager
Steamboat Springs Airport
P.O. Box 775088
Steamboat Springs, CO 80477

With a copy either (a) hand delivered, or (b) sent by certified or registered mail, return receipt requested to:

City Manager
City of Steamboat Springs
137 10th Street
P. O. Box 775088
Steamboat Springs, CO 80477

All notices required to be given to Lessee hereunder shall be in writing and either (a) hand delivered, or (b) sent by certified or registered mail, return receipt requested. To:

Jack Petrie
P.O. Box 776343
Steamboat Springs, CO 80477

Notices shall be deemed to have been given on the date of (a) hand delivery, or (b) receipt as shown on the return receipt.

20. SUCCESSORS BOUND. This Agreement shall be binding on and shall inure to the benefit of the heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

LESSOR: CITY OF STEAMBOAT SPRINGS,
a Colorado Municipal Corporation,

BY: _____
Paul Antonucci
City Council President

ATTEST:

Julie Franklin, City Clerk

LESSEE: JACK PETRIE

BY: _____

AGENDA ITEM # 14

CITY COUNCIL COMMUNICATION FORM

FROM: Seth Lorson, City Planner (Ext. 280)

THROUGH: Jon Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

ITEM: First reading of ordinance to vacate a 10' wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10' of the 15' wide utility easement located west of the east lot line of lot 5 of Riverside Subdivision Filing 1.

NEXT STEP: The approval of an ordinance requires two readings to City Council. This is the first reading. The second reading is scheduled for October 20, 2009.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

PROJECT NAME: Utility easement vacation at Lot 5 of Riverside Subdivision Filing 1.

PETITION: A request to vacate a 10' wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10' of the 15' wide utility easement located west of the east lot line of Lot 5 of Riverside Subdivision Filing 1.

LOCATION: Lot 5 of Riverside Subdivision Filing 1 at 2543 Riverside Drive

APPLICANT: Gerald Sack, PO Box 772413, Steamboat Springs, CO 80477, 928.486.2070

EXECUTIVE SUMMARY:

1. Background Information:

The applicant is requesting to vacate utility easements as described above for the purpose of building a detached garage up to the allowable building setback.

Utility providers have signed off on the vacation.

2. Recommended Motion:

Staff recommends **approval** to vacate a 10' wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10' of the 15' wide utility easement located west of the east lot line of Lot 5 of Riverside Subdivision Filing 1.

3. Project Location Map



CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING A 10 FOOT WIDE UTILITY EASEMENT LOCATED SOUTH OF THE NORTH LOT LINE AND NORTH OF THE SOUTH LOT LINE AND ALSO THE WESTERLY 10 FEET OF THE 15 FOOT WIDE UTILITY EASEMENT LOCATED WEST OF THE EAST LOT LINE OF LOT 5 OF RIVERSIDE SUBDIVISION FILING 1, AND PROVIDING AN EFFECTIVE DATE AND SETTING A HEARING DATE.

WHEREAS, in accordance with Chapter 20, Art. I, Div. 3 of the Steamboat Springs Revised Municipal Code, the owners of Lot 5 of Riverside Subdivision Filing 1 wish to vacate a 10 foot wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10 feet of the 15 foot wide utility easement located west of the east lot line, as depicted in Exhibit A; and

WHEREAS, the Public Utility providers having reviewed the request and determined that the subject drainage and utility easements are not a necessary part of the District's public utility system, as depicted in Exhibit B; and

WHEREAS, the City Council finds that vacating the subject utility easements will promote the public interest by clarifying the easement boundary.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:

Section 1. That the drainage and utility easements as depicted in the attached Exhibit A are hereby vacated.

Section 2. That pursuant to Section 7-11 of the Charter of the City of Steamboat Springs, Colorado, the second publication of this ordinance may be by reference, utilizing the ordinance title.

Section 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section 4. The City Council hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety.

Section 5. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6 (h) of the Steamboat Springs Home Rule Charter.

Section 6. A public hearing on this ordinance shall be held on _____, 2009 at 5:00 P.M. in the Citizens Hall meeting room, Centennial Hall, Steamboat Springs, Colorado.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the ____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**

FINALLY READ, PASSED AND APPROVED this ____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
City Clerk**



Emerald Mountain Surveys, Inc.
Professional Land Surveying
PO BOX 774812 · 2851 Riverside Plaza #7D
Steamboat Springs, Colorado 80477
(970) 879-8998 · Fax (970) 871-8009
<http://www.emeraldmtn.net>

EXHIBIT A
LEGAL DESCRIPTION
OF UTILITY EASEMENTS TO BE VACATED
Description on existing easement area a shown on the Lot 5,
RIVERSIDE FILING 1, as recorded at reception number 236262
and at file number 7214, of the Routt County Clerk and Recorders
Record's, and more particularly described as follows,

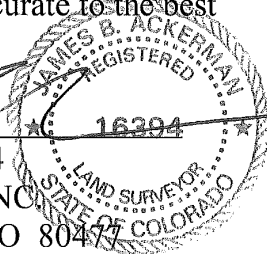
The 10 foot wide public utility easement which is shown on the said Lot 5, RIVERSIDE SUBDIVISION FILING 1, lying south of the north line of said Lot 5, and 10 foot wide public utility easement which is shown on the said Lot 5, RIVERSIDE SUBDIVISION FILING 1, lying north of the south line of said Lot 5. Also the westerly 10 feet of the 15 foot wide public utility easement which is shown on the said Lot 5, RIVERSIDE SUBDIVISION FILING 1, lying west of the east line of said Lot 5.

SURVEYOR'S CERTIFICATE

I, James B. Ackerman, being a Professional Land Surveyor licensed by the State of Colorado, certify that this Legal Description was prepared by me or under my direct supervision and that it is accurate to the best of my knowledge.

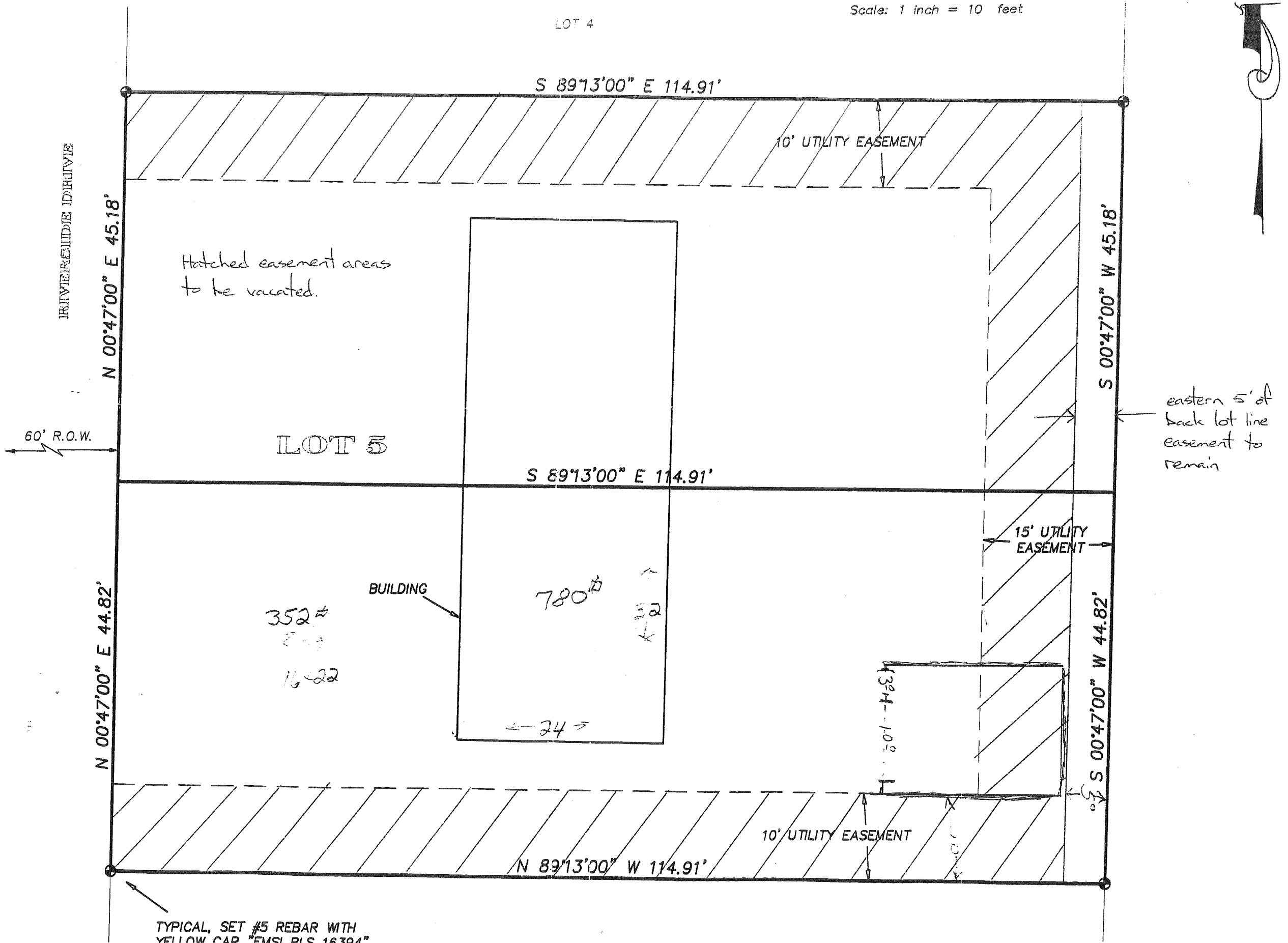
DATED: 9/9/2009

JAMES B. ACKERMAN, R.L.S. #16394
EMERALD MOUNTAIN SURVEYS, INC.
Box 774812 Steamboat Springs, CO 80477
970/879-8998 I:\DWG 2005\155-30\SACK.DOC



Scale: 1 inch = 10 feet

LOT 4



City of
Steamboat Springs 

EASEMENT VACATION/EASEMENT VERIFICATION SHEET
UTILITY COMPANY NOTIFICATION

Name of Appellant

Gerald Sack

Home Phone _____ ^{Cell} Work Phone 928-486-2070

Mailing Address PO Box 772413, Steamboat Springs, CO 80477

Physical Address 2543 Riverside Dr.

Legal Description of Property Riverside Subdivision Filing 1

Located in the SE 1/4 of Section 1, T6N, R85W

Nature of Request Vacate both side lot line easements
and the western 10 feet of the back lot line
easement.

Comcast

Dave Phillips

By: Comcast

Name Tony Achilli

Title: Tr. 4

Qwest

Communication Engineering Dept.

By: [Signature]

Name Craig Huxee

Title Sr. Engineer

Atmos Energy

Clay Russell

By: Atmos Energy

Name Clay Russell

Title Operations Supervisor

Steamboat Springs Water

Joe Zimmerman

By: [Signature]

Name Jon Snyder for Joe Zimmerman

Title Utilities Engineer

Yampa Valley Electric Assoc.

Chris Wypych

By: [Signature]

Name Larry Covillo

Title President

Mt. Werner Water

Jay Gallagher

By: _____

Name _____

Title _____

AGENDA ITEM # 15

Second reading of ordinance:
Community Housing/Payment In
Lieu

This item will be provided under
separate cover.

AGENDA ITEM # 16

CITY COUNCIL COMMUNICATION FORM

FROM: Bob Keenan, City Planner (Ext. 260)
Tom Leeson AICP, Planning Services Director (Ext. 244)

THROUGH: John Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

ITEM: Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe) DPF-07-07 & CHP-09-03

NEXT STEP: If City Council approves the application, the applicant may proceed to building permit application.

ORDINANCE
 RESOLUTION
 MOTION
 DIRECTION
 INFORMATION

PROJECT NAME: Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe) DPF-07-07 & CHP-09-03

PETITION: Development Plan / Final Development Plan / PUD / CHP for a 14,900 square-foot seven unit multi-family building with associated improvements.

LOCATION: 1462 Eagleridge Drive (between Mount Werner Circle and Eagleridge Lodge)

APPLICANT: Eagleridge Resort Development, LLC; PO Box 1829, Edwards, CO 80477

PC ACTION: Recommended Approval on August 27, 2009: 6-0 for both DPF and CHP

CITY COUNCIL COMMUNICATION FORM

September 15, 2009

Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe) DPF-07-07 & CHP-09-03

EXECUTIVE SUMMARY:

1. Background Information:

On June 5th of 2007 the Department of Planning and Community Development received an application to construct a 14,854 square-foot seven unit multi-family building and associated improvements on Lot 1, Block 6 & 7 of the Eagleridge Subdivision.

The subject lot is located between the Eagleridge Lodge and Mount Werner and is zoned Gondola One (G-1). The G-1 zone district allows for mutli-family dwelling units as a use with criteria. No other uses are proposed.

This lot was previously part of the Eagleridge PUD (approved July of 1997) and was to be the location of a retail / restaurant / office building. The commercial building was never constructed and the approvals for that PUD have since expired (9/19/04 expiration).

This project has two separate applications associated with it and will require two separate motions. They are as follows: Development Plan /Final Development Plan (DPF), and a Community Housing Plan (CHP).

Please see the attached staff report to Planning Commission for more information.

2. Planning Commission Discussion and Motion:

Motion

In a unanimous vote of 6-0, Planning Commission recommended approval of the Pointe proposal #DPF-07-07 & #CHP-09-03 with the findings that the proposal is consistent with the Development Plan/Final Development Plan/PUD and Community Housing Plan criteria for approval with the following conditions of approval:

1. The developer shall pay his proportionate share of potential future traffic signal improvements at Mt Werner/Steamboat Boulevard intersection, calculated at 0.06% of \$250,000 or \$1,500. Payment shall be submitted prior to recordation of Final Plat or issuance of building permit, whichever comes first.
2. Civil construction plans prepared by a licensed Colorado civil engineer must be submitted to Public Works for review by Public Works, Planning, and Mt. Werner for review and approval prior to approval of any improvements agreement, building permit, or final plat and prior to the start of any construction.
3. Provide a construction site management plan with the building permit application. (Note: There is limited room on-site and off-site arrangements may need to be made for worker parking and materials storage. These activities should not occur in the public ROW.)

CITY COUNCIL COMMUNICATION FORM

September 15, 2009

Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe) DPF-07-07 & CHP-09-03

4. The following items are considered critical improvements and must be constructed prior issuance of any TCO or CO; they cannot be bonded:
 - Public drainage improvements
 - Public sidewalk improvements
 - Installation of street and traffic control signs
 - Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)
5. Digital site plan is required prior to building permit. This shall be submitted to GIS services.
6. The developer and the home owners association for the Pointe at Eagleridge shall contract with a property management company to provide off-site check-in and departure facilities of at least 800 square-feet to satisfy a portion of the required amenities as specified in Section 26-143(d)(4)(b), Site Planning, of the Community Development Code.
7. Prior to Grading, Excavation, or Building Permit the applicant shall submit and receive approval for a Lot Line Adjustment to vacate a portion or the entire waterline easement in which the southeast corner of the proposed building will encroach.
8. Public improvements for community amenities as required by the Base Area Design Standards shall meet or exceed any applicable Redevelopment Authority design standards. Site elevations and grading to be coordinated with SSRA.
9. Prior to Building Permit approval the applicant is required to enter into a Development Agreement with the City that shall stipulate:
 - Allowance of interior reprogramming including alterations in unit count and private amenity space and floor to floor/overall height reduction. (Any alterations in private amenity space must maintain compliance with CDC requirements)
 - URA improvements construction and maintenance
 - Community Housing Plan requirements
 - Any other items identified by the Planning Commission and City Council

Discussion

Commissioner discussion pertained mostly in response to the public comment. Commissioners sought clarification on the access easement to the proposed project as well as the amenities to be provided by the developer. Staff responded by stating that all the amenity requirements set forth in the CDC were met by the applicant. Planning staff finds that, based upon the information provided by the applicant, there is adequate access to the site via a shared access easement.

Please see the attached Planning Commission meeting minutes for more information.

CITY COUNCIL COMMUNICATION FORM

September 15, 2009

Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe) DPF-07-07 & CHP-09-03

3. Public Comment:

Public comment was made by representatives of the Eagleridge Lodge and Townhome Associations regarding access to the site and private amenities.

Please see the attached Planning Commission meeting minutes for more information.

4. New Information:

Planning Staff has received no new information at this time.

5. List of Attachments:

- A. Planning Commission Staff Report
- B. Planning Commission Meeting Minutes



PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

PLANNING COMMISSION AGENDA ITEM # 3: DPF-07-07 & CHP-09-03	
Project Name:	Eagleridge Subdivision, Lot 1, Replat of Blk 6 & 7 (The Pointe)
Prepared By:	Bob Keenan, Senior Planner (Ext. 260)
Through:	John Eastman, AICP, Planning Services Manager (Ext. 275)
Planning Commission (PC):	August 27, 2009
City Council (CC):	September 15, 2009
Zoning:	Gondola One (G-1)
Applicant:	Eagleridge Resort Development, LLC; PO Box 1829, Edwards, CO 80477
Request:	Development Plan / Final Development Plan / PUD / CHP for a 14,900 square-foot seven unit multi-family building with associated improvements.

Development Statistics – Overview	
Lot Area:	35,206
Lot Coverage:	7,419 s.f. or (24%)
Floor Area Ratio:	38.4%
Residential Units:	7
Parking Spaces:	7 provided
Building Height	
Average Plate Height (APH):	28 feet
Overall Height (OH):	43.58 feet

Staff Report - Table of Contents		
Section		Pg
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II.	Introduction	3-3
III.	Background	3-3
IV.	Overview of Dimensional & Development Standards	3-3
V.	Project Analysis	3-5
VI.	PUD Analysis	3-14
VII.	Community Housing Plan	3-18
VIII.	Staff Findings & Conditions	3-18
IX.	Attachments	3-20

I. COMMUNITY DEVELOPMENT CODE (CDC) – STAFF ANALYSIS SUMMARY

CDC - SECTION 26-66 (D): No FINAL DEVELOPMENT PLAN SHALL BE APPROVED UNLESS THE PLANNING COMMISSION AND CITY COUNCIL FIND THAT THE PLAN MEETS ALL OF THE FOLLOWING CRITERIA [THESE CRITERIA ALSO COVER THE DEVELOPMENT PLAN CRITERIA IN SECTION 26-65 (D)]:

Subsection		Consistent			Notes
		Yes	No	NA	
1)	Conformity with Community Plan and other approved Master Plans	<input checked="" type="checkbox"/>			
2)	Consistency with Surrounding Uses	<input checked="" type="checkbox"/>			
3)	Conformity with Building and Architectural Standards	<input checked="" type="checkbox"/>			
4)	Minimize Adverse Impacts	<input checked="" type="checkbox"/>			
5)	Access	<input checked="" type="checkbox"/>			
6)	Minimize Environmental Impacts	<input checked="" type="checkbox"/>			
7)	Phasing			<input checked="" type="checkbox"/>	No phasing
8)	Compliance With Other Standards	<input checked="" type="checkbox"/>			
9)	Variance Criteria			<input checked="" type="checkbox"/>	No variances

Staff Finding:
 Staff finds the Development Plan, Final Development Plan, Community Housing Plan, and PUD for the Pointe building is **consistent** with the criteria for approval in Sections 26-65 (d), 26-82 (d), 26-66 (d), and 26-149.



II. INTRODUCTION

On June 5th of 2007 the Department of Planning and Community Development received an application to construct a 14,854 square-foot seven unit multi-family building and associated improvements on Lot 1, Block 6 & 7 of the Eagleridge Subdivision.

The subject lot is located between the Eagleridge Lodge and Mount Werner and is zoned Gondola One (G-1). The G-1 zone district allows for mutli-family dwelling units as a use with criteria. No other uses are proposed.

This development application was submitted in June of 2007 and, therefore, is subject to the code requirements in place at that time. The proposal requires review as a Planned Unit Development (PUD) because it is located within the G-1 zone district. At the time of application, all projects within the G-1 and G-2 zone districts were subject to review as a PUD.

This project has three separate applications associated with it and will require three separate motions. They are as follows: Development Plan (PUD), Final Development Plan, and a Community Housing Plan.

The proposed development is located within the Urban Renewal Authority boundaries and is subject to the Base Area Design Standards.

III. BACKGROUND

This lot was previously part of the Eagleridge PUD (approved July of 1997) and was to be the location of a retail / restaurant / office building. The commercial building was never constructed and the approvals for that PUD have since expired (9/19/04 expiration).

This application was significantly delayed for most of 2008 while the developer and neighboring property owners at the Eagleridge Lodge and Townhomes negotiated the possible sale of the subject property. The Lodge and Eagleridge owners requested to purchase the property so that it could be preserved as open space. The two parties were unable to reach an agreement and the developer has since continued with this development application.

IV. OVERVIEW OF DIMENSIONAL AND DEVELOPMENT STANDARDS – GONDOLA ONE (G-1) ZONE

The following list was compiled by the project planner to provide an overview of key standards applicable to the project. Items in **bold** do not comply with applicable standards; refer to Project Analysis section for additional information. Interested parties are encouraged to review the Community Development Code (CDC) or contact the project planner for a comprehensive list of all applicable standards.

DIMENSIONAL STANDARDS – CDC Section 26-132			
Standard	Maximum	Minimum	Proposed
<i>Lot Area</i>	No Max.	No Min.	35,206
<i>Lot Coverage</i>	0.60	No Min.	7,419 (24%)
<i>Units per Lot</i>	Determined by F.A.R.	No Min.	7 market rate
<i>Floor Area Ratio (FAR)</i>	No Max.	No Min.	N/A
<i>Building Height</i>	APH - 35 ft.	No Min.	28'
	OH - 57 ft. (63' w/underground parking)	No Min.	43.58'
Setbacks			
<i>Front</i>	No Max.	P(1 st /2 nd story) = 20' P (3 rd story) = 25'	20', 25' to 3 rd story
<i>Side (east)</i>	No Max.	15'	>100'
<i>Side (west)</i>	No Max.	15'	15'
<i>Rear</i>	No Max.	15'	15'

DEVELOPMENT STANDARDS		
Standard	Requirement	Proposed
<i>Parking and Loading Design Standards (Sec. 26-139).</i>	½ per dwelling unit or 4 spaces	7 spaces
<i>Sidewalks, Trails and Walkways (Sec. 26-140).</i>	Sidewalks per Public Works and CDC specifications.	Sidewalks provided along Mount Werner Circle and Eagleridge Drive. Easements are in place to accommodate these improvements.
<i>Amenities</i>	10% of net floor area or 1,375 sq. ft.	1,103 sq. ft. onsite 800 sq. ft. offsite (arrival/departure facility) Total Amenity area: 1,903

V. PROJECT ANALYSIS

A) CRITERIA FOR APPROVAL

CDC - Section 26-66 (d): No development plan/final development plan shall be approved unless the city council finds that the plan meets all of the following criteria:

CDC - Section 26-66 (d)(1): Complete Application

Staff Analysis: **Consistent;** Required plans and supporting application materials have been submitted.

CDC - Section 26-66(d)(2): Conformity with Community Plan

Staff Analysis: **Consistent;** The Pointe project complies with the listed policies from the Steamboat Springs Area Community Plan. Specifically, the Pointe project furthers the following goals and policies:

Goal LU-1: Our community will promote a functional, compact, and mixed-use pattern that integrates and balances residential and non-residential land uses.

LU-1.2: Future development will be in compact mixed-use neighborhoods.

LU-2.1: Infill and redevelopment will occur in appropriate locations, as designated by the city.

LU-2.2: Residential infill will be compatible in character and scale with the surrounding neighborhood.

LU-5.2: New neighborhoods will be well connected by streets, sidewalks, trails, walkways, and bicycle lanes.

Goal CD-1: Our community will preserve its small town character and the image of neighborhoods and the community.

CD-1.5: Infill and redevelopment projects shall be compatible with the context of existing neighborhoods and development.

Goal T-1: The community considers transportation to be a basic utility in all land use decisions.

T-1.1: New development, including infill, shall be designed to achieve walkable communities and limit trip generation.

T-1.4: New development shall incorporate transit friendly design.

Goal T-2: The community will support improvements to the local transportation system.

T-2.1: New development shall include an interconnected pedestrian and bicycle system.

Goal ED-1: Steamboat Springs will have a vital, sustainable, and diverse year-round economy.

ED-1.1: Continue to support tourism-related land uses, businesses, and marketing.

ED-3.1(b): Focus on Ski Base Area Improvements

Goal SPA-2: Our community will continue to promote the Mountain Area as the focal point for tourism activity.

SPA-2.4: Improve pedestrian and bicycle circulation patterns in the Mountain Area and reduce vehicular conflicts and the visual impact of parking.

CDC – Section 26-66 (d)(3): Consistency with Surrounding Uses

Staff Analysis: **Consistent;** The Pointe building is to be located on a lot that is surrounded by residential uses except for the ski parking lot across Mount Werner Circle to the north. Staff finds that the addition of another residential building in this area is compatible with the land use characteristics of this area.

CDC – Section 26-66 (d)(4) Conformity with the Building and Architectural Standards

Staff Analysis: **Consistent;** See detailed comments in Sections VI-b and VI-c

CDC – Section 26-66 (d)(5) Minimize Adverse Impacts

Staff Analysis: **Consistent;** It is not anticipated that the project will have any adverse impacts. Careful attention will be paid to the Construction Site Management Plan to ensure that adjacent properties are not adversely impacted during the construction period.

CDC – Section 26-66 (d)(6) Access

Staff Analysis: **Consistent;** Access is provided by Eagleridge Drive to a 24' wide access easement shared by the Pointe and Eagleridge Lodge. Along this driveway is the access to the underground parking garage that will provide parking for the building occupants.

CDC – Section 26-66 (d)(7) Minimize Environmental Impacts

Staff Analysis: **Consistent;** It does not appear that the project will have any significant environmental impacts. Careful attention will be paid to the Construction Site Management Plan to ensure that Burgess Creek is fully protected during the construction period.

CDC – Section 26-66 (d)(8) Phasing

Staff Analysis: **Not Applicable;** The project will be constructed in one phase.

CDC – Section 26-66 (d)(9) Compliance with other Standards:

Staff Analysis: **Consistent;** This application is consistent with the Community Plan and the approved Master Plans, including the sidewalk Master Plan and the Mobility and Circulation Plan. The proposal also complies with Base Area Design Standards as discussed in Section VI-C of this report.

B) DEVELOPMENT STANDARDS

CDC – Section 26-96 Zoning: Gondola One (G-1)

Purpose and intent: “The purpose of the Gondola one zone district is intended to provide residential accommodation for guests, second homeowners, and new residents looking for a

high-level of amenities as provided by a resort environment. New development shall be physically connected to the resort by an integral system of streets, sidewalks, and recreational paths. New development should have a resort-like character with higher development intensity and scale than development within the RR districts, but lower intensity than the G-2 district. All development in the G-1 zone district shall require approval of a PUD and shall be subject to the provisions of section 26-86.”

Staff Analysis: **Consistent;** This proposal has been designed to provide residential accommodations for guests, second homeowners, and new residents that are looking for a high-level of amenities that are provided within a resort environment. Access to base area is convenient via the newly constructed sidewalks and trails adjacent to this proposed development.

CDC Section 26-133(d)(1) Architectural Materials and Function

Staff Analysis: **Consistent;** The primary building materials include cut stone, fiber-cement vertical and horizontal siding, and exposed wood timber. Clad exterior deck and patio doors and clad windows are to be “Quaker Bronze”. The primary roofing material is asphalt shingle. All materials have been chosen for their conformance with the Base Area Design Standards as well as their durability.

CDC Section 26-133(d)(2) Context & Orientation

Staff Analysis: **Consistent;** The proposed multi-family building as been designed to be visually compatible with the existing buildings in the neighborhood. The proposed building uses building materials that compliment the materials used on exiting buildings in the area. The applicant has positioned the mass and scale of the building so that it does not overwhelm the Eagleridge Lodge building.

CDC Section 26-133(d)(3) Mass, Scale and Articulation/Modulation

Staff Analysis: **Consistent;** The proposed Pointe is relatively small in comparison to other multi-family buildings in the area and mitigation of the mass and scale for a building this size is not necessarily needed. However, the proposed building uses varying roof pitches, porches, dormers, windows, and other design elements to provide visual interest.

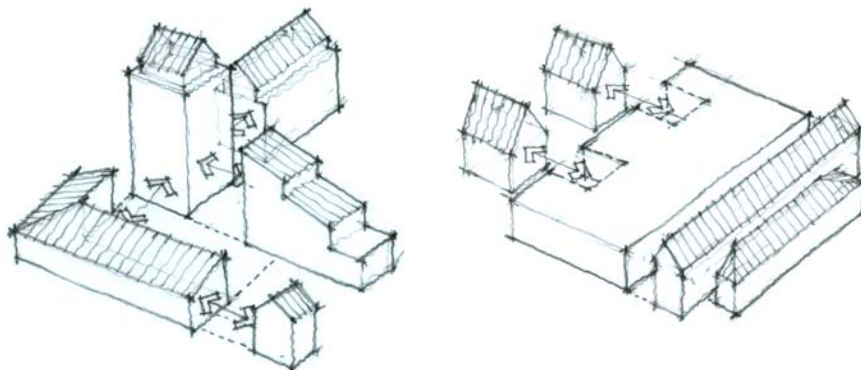
C) MOUNTAIN BASE AREA DESIGN STANDARDS

A. Building Design and Character

2 b) Building Massing and Form Design Standards

(1) Composition of Building Elements

- (a) The mass of a single building or group of buildings shall be organized so that it appears to be an arrangement of smaller-scale connected structures comprised of simple building forms.



Staff Analysis:

Staff finds that the relatively small size of this building does not warrant division of this building into modules.

(2) Stepping back of building mass

- (a) To the maximum extent feasible, above grade step backs in the building's form shall be provided to achieve at least one of the following objectives where such an objective is relevant:
 - (i) Frame or otherwise maintain important views or view corridors;
 - (ii) Relate to the surrounding development context; or
 - (iii) Provide human scale adjacent to streets, pedestrian walkways, plazas, or other public spaces.
 - (iv) Provide a transition in scale from pedestrian scale to large scale.

Staff Analysis: The massing of the proposed building is adequate for a building of its size and thus does not warrant any step-backs.

- (b) The above standard only applies where primary building walls that exceed 3 stories or 45 feet in un-broken height (as measured from finish grade to the underside of the eaves).
- (c) Step backs shall:
 - (i) Be at least 8 feet in depth;
 - (ii) Generally occur between 12 feet and 45 feet above the finish grade (dependant upon the height of the structure and the surrounding development context) to meet one or more of the objectives listed in Standard a above.
 - (iii) Where large variations in topography exist (e.g., a building is backed up to an adjacent hillside) or where other unique site constraints exist, alternatives to the building massing and height configurations required above may be approved.
- (d) Taller structures may require multiple step backs, or variations in building massing and height in order to meet the objectives stated in standard a., above.

Staff Analysis: The overall height of the proposed building is 44' and thus this standard does not apply. However, the massing of the proposed building is adequate for a building of its size and it incorporates step-backs along the façade that help create visual interest. Staff finds that no further step-backs are warranted.

(4) Pedestrian/Street-Level Interest

- (a) To the maximum extent feasible, building entrances, retail storefronts, and other active spaces shall be oriented towards adjacent streets, public plazas, and primary pedestrian walkways and shall exhibit a high degree of transparency.
- (b) Where a direct physical and visual connection cannot be made between interior and exterior spaces for programmatic reasons, building walls shall be articulated at ground level in a manner that enhances the pedestrian experience through the use of three or more of the following:
 - (i) Windows;
 - (ii) Masonry columns;
 - (iii) Decorative wall insets or projections;
 - (iv) Awnings;
 - (v) Balconies;
 - (vi) Changes in color or texture of materials;
 - (vii) Pedestrian furniture such as benches, seat walls, or
 - (viii) Integrated landscape planters

Staff Analysis: Overall the project does an effective job of providing pedestrian/street level interest. Elements that have been incorporated include:

- A well articulated main entrance to Building A.
- High level of transparency along the Ski Times Square of Building B
- Multiple awnings and canopies
- Outdoor seating areas
- Outdoor fireplace

3 b) Relationship to Surrounding Development Design Standards

(1) Four-sided design

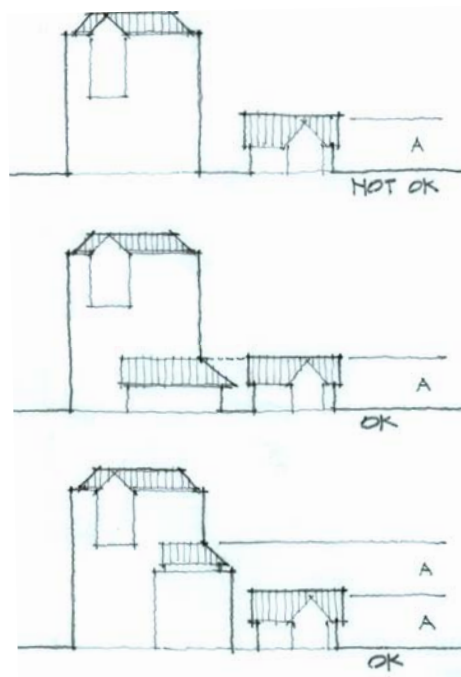
- (a) All building facades shall be designed with a similar level of design detail. Blank walls shall not be permitted.
- (b) Exceptions from the above standard may be granted for those areas of the building envelope that the applicant can demonstrate are not visible from adjacent development and public spaces.

Staff Analysis: All building facades have received a high degree of detail with no blank walls present. All facades include extensive

articulation and changes in materials.

(2) Development Transitions

(a) New developments that are significantly larger than adjacent existing development in terms of their height and/or mass shall provide a development transition using an appropriate combination of the following techniques:



- (i) Wrapping the ground floor with a building element or integrated architectural feature (e.g., pedestrian arcade) that is the same height as the adjacent structure; or
- (ii) Graduating building height and mass in the form of building step-backs or other techniques so that new structures have a comparable scale with existing structures; or
- (iii) Orienting porches, balconies, and other outdoor living spaces away from the shared property line to protect the privacy of adjacent residents where

applicable.

Staff Analysis: The proposed building is in similar size and scale to the adjacent Eagleridge Lodge and provides adequate transition to the Eagleridge lodge.

5 b) Sustainable Design – Standards

(1) Materials and Building Techniques

- (a) The use of sustainable building materials and construction techniques is encouraged. Standards and programs for sustainable building that may be utilized can include, but are not limited to:
 - (i) US Green Building Council’s LEED (Leadership in Energy and Environmental Design) program for commercial (including lodging), multi-family, and existing buildings; and
 - (ii) Built Green Colorado for single-family residential buildings.

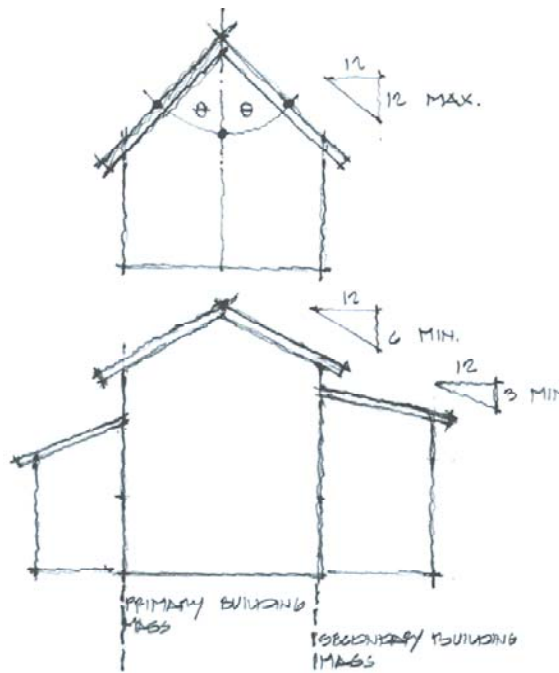
Staff Analysis: The applicant does not intend to pursue any green certifications. However, the applicant has provided a LEED project checklist in which they state they will “potentially obtain 20 LEED credits”. Please see Attachment 3 for LEED checklist.

7 b) Roof Form and Function (Snow Retention) Design Standards

(1) Roof Form

(a)

A variety of roof forms and surfaces (pitched, shed, dormers, and flat roofs with parapets) shall be incorporated into structures to break up large roof planes, provide visual interest, and manage snow loads. Specifically:



- (i) All buildings shall have a pitched roof form (with a slope of between 6/12 and 12/12) as a primary visual element. Both roof planes of any pitched roof are encouraged to have the same slope.
- (ii) Shed roof forms shall be allowed only on secondary building masses and shall have a slope of between 3/12 and 12/12.
- (iii) Flat roof forms shall be enclosed

- by a parapet wall of no less than 42 inches in height.
- (iv) The maximum allowable area of flat roof on any building shall be 50% of the total primary roofed area (See also, discussion of Snow Retention, Catchment, Control, below).
- (v) The proportion of the total roof area devoted to pitched roof forms shall vary according to the height and massing of the building to ensure a higher degree of control over snow shedding as building height increases (e.g., smaller, shorter buildings should have the highest proportion of pitched roof coverage and larger, taller buildings should have the lowest proportion).

Staff Analysis: The roof plan demonstrates a variety of roof forms

with most roof pitches being 6:12 with smaller shed roofs at 3:12.

- (b) Dormers shall be allowed within any sloping roof plane, but shall be subject to the following standards:
 - (i) Any single dormer element shall not be longer than 1/2 the total length of the associated sloping roof plane.
 - (ii) All standards governing primary pitched roofs and shed roofs shall also be applicable to dormer roofs.

Staff Analysis: The project includes multiple dormers that add visual interest to the roof lines. All of the dormers comply with the requirements of this section.

B. Site Layout and Development Pattern

3 b) Pedestrian Circulation and Connections

(1) Connections

- (a) An on-site system of pedestrian walkways shall, to the maximum extent feasible, be designed to be consistent with the sidewalks/pedestrian pathways depicted in the circulation element of the Mountain Sub-Area Plan and the city sidewalk study, when completed. The system shall provide direct access and connections to and between the following:
 - (i) The primary entrance or entrances to each building and parking structure;
 - (ii) To any existing sidewalks or pedestrian pathways on adjacent properties that extend to other locations within the Mountain Base Area;
 - (iii) Any adjacent existing or proposed sidewalk, trail, or promenade located on the Public Roadway Network Plan or the Pedestrian Network Plan contained in the Mountain Town Sub-Area Plan Update; and
 - (iv) Any adjacent public plaza.

Staff Analysis: The proposed pedestrian improvements will provide a significant upgrade from what currently exists. The applicants will provide sidewalks adjacent to their lot along Eagleridge Drive and Mount Werner Circle. The sidewalk along Mount Werner Circle will be colored to be consistent with the URA streetscape pattern book. The applicant will also be installing URA pedestrian lighting as part of their contributions to community amenities.

4 b) Public Spaces/Community Amenities

(1) Quantity

- (a) Projects with an estimated construction cost of more than \$250,000 shall provide community amenities on site (where appropriate) in an amount equal to 1/2% of the construction cost valuation, as determined by the Routt County Building Department, or provide a contribution for community amenities, or provide a combination of

community amenities and a contribution. The contribution shall be paid at the time the building permit is issued for the project.

Staff Analysis: The value of the proposed streetscape improvements easily satisfy this requirement based on the calculations submitted by the applicant. See below and Attachment 4 for community amenity cost estimate.

The Pointe Community Amenity Calculation			
7/16/2009 revision			
	Cost/SF	SF	Valuation*
BUILDING VALUATION			
Dwelling (unit and common areas)	\$198	16,572	\$3,281,256
Garage	\$50	4,585	\$229,250
Uncovered Patio	\$33	397	\$13,101
Covered Deck	\$50	1,457	\$72,850
Total Valuation			\$3,596,457
COMMUNITY AMENITY REQUIREMENT			
1/2 percent of total valuation=		\$17,982.29	
PROPOSED COMMUNITY AMENITIES			
		Unit Cost	Quantity
Sidewalk Coloring		\$45.00	43
<i>Street Lights</i>			
Light pole base		\$300.00	2
Light pole		\$16,500.00	2
Conduit (including pull boxes)		\$36.50	215
TOTAL COST			\$43,382.50
Design Stds Req't			\$17,982.29
PUBLIC BENEFIT (not required)			\$25,400.21

This estimate has been provided by the applicant.

(2) Community Amenities

- (a) The Community Amenity contribution shall be administered by the Urban Renewal

Authority and shall be applied to the types of amenities identified in the unified Streetscape Plan. The types of amenities may include, but are not limited to:

- a) Fountains or other water elements;
- b) Wall murals;
- c) Permanent outdoor art work or sculptures; or
- d) Rotating artwork or sculptures.
- e) Bicycle racks;
- f) Public lockers;
- g) Public meeting room;
- h) Ski racks;
- i) Bus/shuttle shelters;
- j) Fire pits;
- k) Public restrooms;
- l) Public seating (e.g., benches, seat walls integrated with base of building or landscape areas or outdoor patio that is open to public); or
- m) Public drinking fountains.

Staff Analysis: All of the community amenities will be built as part of the construction of the Pointe.

(3) Site Planning and Design

- (a) Plazas and other community amenities shall be constructed of materials that are of a comparable quality and be of a compatible design as the building they are attached to or the public space in which they are placed and shall be consistent with the Streetscape Plan in terms of their design and location.

Staff Analysis: The design engineers for the Redevelopment Authority have reviewed the proposed improvements. There are suggested conditions of approval requiring the promenade and other public spaces to meet the minimum Redevelopment Authority design standards.

VI. PUD ANALYSIS

“All development in the G-1 zone district shall require approval of a PUD and shall be subject to the provisions of section 26-86.”

There are no variances requested and, therefore, no public benefit is required.

Public Purposes for PUDs:

(1) *Required findings.* A proposed PUD may be granted one or more of the variations authorized in subsection 26-81(d) if it is found to achieve one or more of the public purposes described in subsections (2) through (5), below. To grant a variation to a PUD, the review body shall make both of the following findings:

a. *Necessary.* That the proposed variation is necessary for the purpose to be achieved; and

Staff Analysis: Not Applicable The Pointe requests no variances.

b. *Proportional relationship.* That the extent of the variation granted has a direct and proportional relationship to the magnitude of the benefit that is received by the community at large and the users of the project.

Staff Analysis: Consistent Not Applicable The Pointe requests no variances.

(2) *Provides significant public benefit.* A variation may be obtained if the proposed PUD is found to provide a significant public benefit because it meets at least one of the following criteria. It shall be the applicant’s responsibility to clearly demonstrate the PUD achieves significant public benefit by furthering the intent of the Mountain Town Sub-Area Plan, and exceeding the CDC requirements and Base Area design standards.

When evaluating the public benefits provided in return for requested variations, preference is for those benefits that can demonstrate they will provide vitality and activity at the base, which are listed as priority “1” in Table 26-86(b) below. If it is not feasible for a project to provide a priority “1” public benefit, or if the level of requested variances does not warrant such a significant public benefit, preference would be for a priority “2” benefit. A priority “3” benefit could be provided in return for minor variations or in circumstances when a community amenity is of such a magnitude that by its nature it will provide vitality and activity at the base.

Table 26-86(b) (below) represents the current priority rankings of the listed public benefits. The list of public benefits and their rankings will be re-evaluated annually.

Table of Current Priority Ranking of Public Benefits:

Public Benefit	Priority Ranking		
Employee Housing	1		
Economic Sustainability	1		
Additional Affordable Housing	1		
Energy Efficiency and Sustainable Design (LEED)		2	
Community Facilities		2	
Cultural Resources		2	

Additional Community Amenities			3
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- a. *Employee housing.* A public benefit may be established by a project providing housing units that fall under the definition and associated use criteria in the Community Development Code as employee units.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- b. *Economic sustainability.* A variation may be obtained if the proposed PUD contains uses that help to generate energy and vitality at the Mountain Area.
 - i. *Hot beds.* A public benefit may be established by a project if an applicant can clearly demonstrate, through project elements, form of ownership or operation that the project will enhance the vibrancy of the base area through occupied residential units. Examples may include but are not limited to hotels, fractional ownership, mandatory rental pools, and onsite support such as concierge and maid services.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- c. *Energy efficiency and sustainable design (LEED standards)* A public benefit may be established by a project if an applicant can demonstrate LEED certification by the US Green Building Council.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- d. *Community facilities.* A public benefit may be established by a project if an applicant can demonstrate that it will build necessary community facilities that serve the intent of the Mountain Town Sub-Area Plan, such as: active or passive recreational facilities; day care services; public parking, or other public and community services, such as a fire sub-station, substantial public transit facilities, public meeting rooms, special event staging areas, or other facilities as approved by the city because of the need for such community facilities within the Base Area.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- e. *Cultural resources.* A public benefit may be established by a project if an applicant can demonstrate the preservation and enhancement of an important historic or cultural resource that contributes to the history, heritage, or identity of the community.

Staff Analysis: **Not Applicable.** The project is not proposing any cultural resource enhancements.

- f. *Additional community amenities.* A public benefit may be established by a project if an applicant can demonstrate the provision of additional community amenities above and beyond those required in the base area design standards.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- g. *Additional affordable housing.* A public benefit may be established by a project if an applicant can demonstrate the provision of additional affordable housing above and beyond the requirements in the base area PUD requirements.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- (3) Criteria for review of height variation. Whenever a proposed PUD includes a request for a height variation, the review body shall consider the following factors:

- a. Context and scale. Whether the proposed height of the structure will be appropriate and in context with the surrounding built and natural environment, and will be in scale with adjacent pedestrian ways and public gathering places.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- b. Shadows and solar access. Whether there is the potential for the height variation to cause any problems for neighboring sites due to shadow effects or loss of solar access on structures, roads, or pedestrian paths, or due to the loss of air circulation, or closing of public views.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- c. Snow storage. The applicant shall demonstrate that the storage and shedding of snow, ice, and water has been accommodated in a safe and efficient manner that will not require significant maintenance as determined by the review body.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- d. Setbacks. The size of the proposed side, front, and rear yard setbacks, and whether the applicant proposes a greater setback from neighboring structures or a reduced site coverage ratio as a means of compensating for the requested increase in height.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- e. Height reduction. Whether the applicant proposes to reduce height in portions of the development as a means of compensating for the increase in bulk from the proposed height variation. The applicant may be required to step the height of buildings down from the central portions of the development to the periphery of the property as a means of ensuring that the proposed height is compatible with that of surrounding developments.

Staff Analysis: **Not Applicable** The Pointe requests no variances.

- f. FAR Part 77. Whether the height variation would penetrate the Federal Aviation Administration FAR Part 77 imaginary plane.

Staff Analysis: **Not Applicable.**

VII. COMMUNITY HOUSING PLAN – #CHP-09-03

CDC Section 26-149

The applicant is proposing to construct seven market rate units and is requesting to provide a payment-in-lieu of the construction of 1.05 affordable housing units that is required.

Staff Analysis: **Consistent;** In light of City Council's recent decision to allow payment in-lieu as a right, Planning Staff is in support of their request to do so. This development is not subject to linkage as linkage has been suspended.

VIII. STAFF FINDING & CONDITIONS

Recommended Finding

Staff finds the Pointe proposal is **consistent** with the findings for approval. Staff recommends the Planning Commission **APPROVE** the Pointe proposal #DPF-07-07 & #CHP-09-03.

Motion

Planning Commission recommends approval of the Pointe proposal #DPF-07-07 & #CHP-09-03 with the findings that the proposal is consistent with the Development Plan/Final Development Plan/PUD and Community Housing Plan criteria for approval with the following conditions of approval:

1. The developer shall pay his proportionate share of potential future traffic signal improvements at Mt Werner/Steamboat Boulevard intersection, calculated at 0.06% of \$250,000 or \$1,500. Payment shall be submitted prior to recordation of Final Plat or issuance of building permit, whichever comes first.

2. Civil construction plans prepared by a licensed Colorado civil engineer must be submitted to Public Works for review by Public Works, Planning, and Mt. Werner for review and approval prior to approval of any improvements agreement, building permit, or final plat and prior to the start of any construction.
3. Provide a construction site management plan with the building permit application. (Note: There is limited room on-site and off-site arrangements may need to be made for worker parking and materials storage. These activities should not occur in the public ROW.)
4. The following items are considered critical improvements and must be constructed prior issuance of any TCO or CO; they cannot be bonded:
 - Public drainage improvements
 - Public sidewalk improvements
 - Installation of street and traffic control signs
 - Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)
5. Digital site plan is required prior to building permit. This shall be submitted to GIS services.
6. The developer and the home owners association for the Pointe at Eagleridge shall contract with a property management company to provide off-site check-in and departure facilities of at least 800 square-feet to satisfy a portion of the required amenities as specified in Section 26-143(d)(4)(b), Site Planning, of the Community Development Code.
7. Prior to Grading, Excavation, or Building Permit the applicant shall submit and receive approval for a Lot Line Adjustment to vacate a portion or the entire waterline easement in which the southeast corner of the proposed building will encroach.
8. Public improvements for community amenities as required by the Base Area Design Standards shall meet or exceed any applicable Redevelopment Authority design standards. Site elevations and grading to be coordinated with SSRA.
9. Prior to Building Permit approval the applicant is required to enter into a Development Agreement with the City that shall stipulate:
 - Allowance of interior reprogramming including alterations in unit count and private amenity space and floor to floor/overall height reduction. (Any alterations in private amenity space must maintain compliance with CDC requirements)

- URA improvements construction and maintenance
- Community Housing Plan requirements
- Any other items identified by the Planning Commission and City Council

IX. ATTACHMENTS

Attachment 1 – Plan Set

Attachment 2 – Eagleridge Lodge and Townhome HOA Letter

Attachment 3 - LEED Checklist

Attachment 4 - Community Amenities Cost Analysis

ZONE DISTRICT REQUIREMENTS		
DIMENSIONAL REQUIREMENTS (ZONE G-1)		
STANDARDS	ZONE DISTRICT REQUIREMENTS	FINAL DEVELOPMENT PLAN
LOT AREA	NO MAX, NO MIN.	35,206 S.F.
LOT COVERAGE- MAX	60, 21,24 S.F.	.24, 7,419 S.F.
FLOOR AREA RATIO	NO MAX, NO MIN.	FAR = 38.4% *
BUILDING HEIGHT	APH: 35', OH: 57'	APH=28', OH=43.58'
FRONT SETBACK	20', 25' 3rd Level	20', 25' 3rd Level
SIDE SETBACK	15' EACH SIDE	15' EACH SIDE
REAR SETBACK	15'	15'
BUILDING SEPARATION	NA	NA
UNIT SIZE	N/A	4 > 2,000 S.F. 3 < 2,000 S.F. AVG. UNIT = 2,108 S.F.
NUMBER OF UNITS	N/A	7 MARKET UNITS
AFFORDABLE DEED RESTRICTED UNITS	1.13 REQ'D AFFORDABLE UNITS	FEE-IN-LIEU FOR 1.13 UNITS
PARKING SPACES	*3.5 SPACES (1/2 PER UNIT)	7 SPACE BELOW BUILDING (1 PER UNIT)

*GARAGE PARKING LEVEL IS UNDERGROUND BASED ON A PERIMETER WALL LENGTH OF 424' WITH LESS THAN 6' FROM THE FLOOR ABOVE TO EXISTING GRADE @ 333' OF PERIMETER WALL FOR 78.5% LESS THAN 6' TO FLOOR ABOVE WHICH IS LESS THAN 50%

THE POINTE	
LOT 1, REPLAT OF BLK. 647 (35,206± S.F.)	
GROSS BUILDING S.F.	
*GARAGE LEVEL	7,623 S.F.
FIRST LEVEL	6,474 S.F.
SECOND LEVEL	5,938 S.F.
LOFT LEVEL	1,121 S.F.
TOTAL = 21,156 S.F.	
*21,156 S.F. - 7,623 S.F. = 13,535 S.F.	
FAR = 13,535 S.F. / 35,206 S.F. = 38.4%	
GROSS UNITS S.F.	
GARAGE LEVEL	2,896 S.F.
FIRST LEVEL	5,800 S.F.
SECOND LEVEL	5,082 S.F.
LOFT LEVEL	1,121 S.F.
TOTAL = 14,900 S.F.	

SIGNATURE BLOCK

Property Owner / Applicant:
EAGLERIDGE RESORT DEVELOPMENT, LLC.
RANDY WILKENS
P.O. BOX 1829
EDWARDS, CO 81632-1829
Signature: _____

Plans Prepared by:
ERIC SMITH ASSOCIATES, P.C.
ESA
2241 SEVENTEENTH STREET
BOULDER, CO., 80302
Signature: _____

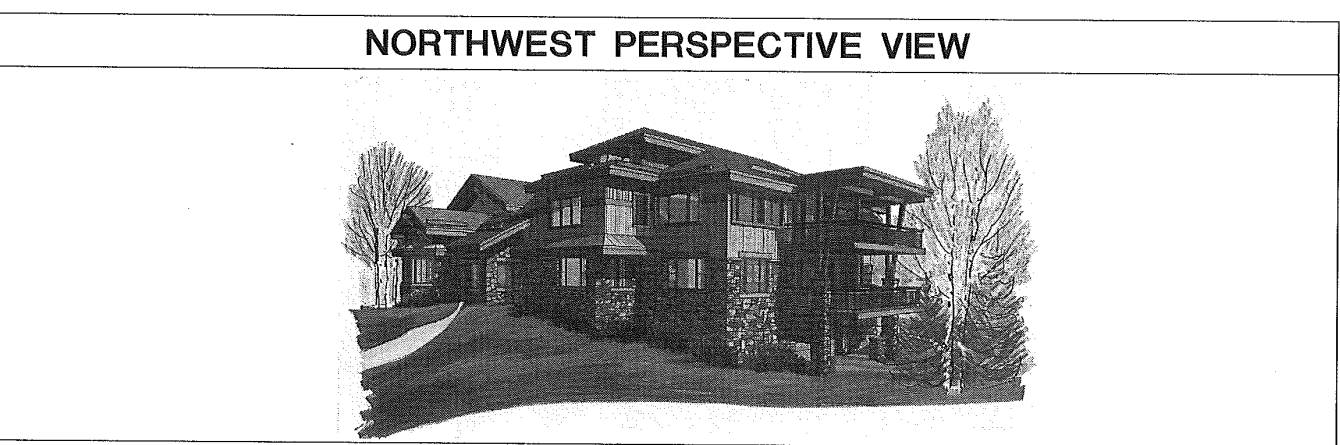
Director of Planning for City of Steamboat Springs
TOM LEESON
Signature: _____

CONDITIONS OF APPROVAL

FINAL DEVELOPMENT PLAN FOR:
LEGAL DESCRIPTION:

LOT 1, REPLAT OF BLOCK 6 & 7 OF THE EAGLERIDGE SUBDIVISION
COUNTY OF ROUTT, STATE OF COLORADO

ALSO KNOWN AS:
THE POINTE



VICINITY MAP

VICINITY MAP
NT5

Community Housing Plan for the Point

SALEABLE	UNITS		
PARKING LEVEL:	UNIT 1	2,220 S.F.	0.17
FIRST LEVEL:	UNIT 2	2,426 S.F.	0.17
	UNIT 3	2,831 S.F.	0.17
SECOND LEVEL:	UNIT 4	2,437 S.F.	0.17
	UNIT 5	1,953 S.F. (INCLUDES LOFT)	0.15
	UNIT 6	1,828 S.F. (INCLUDES LOFT)	0.15
PARKING & FIRST LEVEL:	UNIT 7	1,066 S.F.	0.15
Total points for determination of required deed restricted units 1.13			
Fee-in-lieu to be provided for 1.13 units			

PROJECT TEAM

OWNER:
EAGLERIDGE RESORT DEVELOPEMENT, LLC.
RANDY WILKENS
P.O. BOX 1829
EDWARDS, CO 81632-1829
PH: 970-926-1743
FAX: 970-926-4851

ARCHITECTS/PLANNERS:
ERIC SMITH ASSOCIATES, P.C.
2241 SEVENTEENTH STREET
BOULDER, CO 80302
PH: (303)442-5458
FAX: (303)442-4745
PROJECT ARCHITECT: TOM JARMON
TOM@ESAPC.COM

CIVIL ENGINEERS / LANDSCAPE DESIGN:
LANDMARK CONSULTANTS, INC.
P.O. BOX 774943 (80477)
141 9TH ST.
STEAMBOAT SPRINGS, CO 80487
PH: 970-871-4444
FAX: 970-871-4249
PROJECT ENGINEER: RYAN SPAUSTAT

SOIL ENGINEER:
NWCC
P.O. BOX 775226-(80477)
2580 COPPER RIDGE DRIVE
STEAMBOAT SPRINGS, CO 80487
PH: 970-879-7888
FAX: 970-879-7891

TRAFFIC TRIP GENERATION INFORMATION
FOX HIGGINS TRANSPORTATION GROUP, INC.
P.O. BOX 19768
BOULDER, CO 80308
PH: 303-652-3571
FAX: 303-712-2329

APPROVALS

PLANNING SUBMITTAL: FDP-XX-XX

FINAL DEVELOPMENT PLAN

-PLANNING COMM:
HEARING DATE:
-CITY COUNCIL:
HEARING DATE:

PROJECT INFO.

OCCUPANCY CLASSIFICATION:
OCCUPANCY GROUP R-2
CONDOMINIUMS
GROUP S-2 PARKING BELOW

TYPE OF CONSTRUCTION:
TYPE V - ONE HOUR
FIRE SPRINKLED

ZONING DISTRICT:
G-1 RESIDENTIAL-RESORT

SHEET INDEX

FDP 1	COVER SHEET
FDP 2	SITE PLAN
FDP 3.5	COLORED ELEVATIONS
FDP 10.0	PARKING LEVEL FLOOR PLAN
FDP 10.1	FIRST FLOOR PLAN
FDP 10.2	SECOND FLOOR PLAN
FDP 10.3	LOFT PLAN
FDP 10.4	ROOF PLAN
FDP 11	SITE SECTION
FDP 12	LIGHTING PLAN
FDP 14	LANDSCAPE PLAN
FDP 15	EXISTING CONDITIONS
FDP 16	UTILITY, GRADING & DRAINAGE PLAN
FDP 17	PEDESTRIAN CIRCULATION PLAN & COMMUNITY HOUSING PLAN
FDP 18.1	3D VIEW FROM WEST
FDP 18.2	3D VIEW FROM NORTH

REVISIONS

NO.	DATE	DESCRIPTION

THE POINTE
at EagleRidge

ERIC SMITH ASSOCIATES, P.C.
ARCHITECTURE • PLANNING
2241 SEVENTEENTH STREET
BOULDER, CO 80302
PH: (303)442-5458 FAX: (303)442-4745

JOB NO.: 0405
DATE: 04-23-2009
DRAWN: JD
CHECKED: TJ

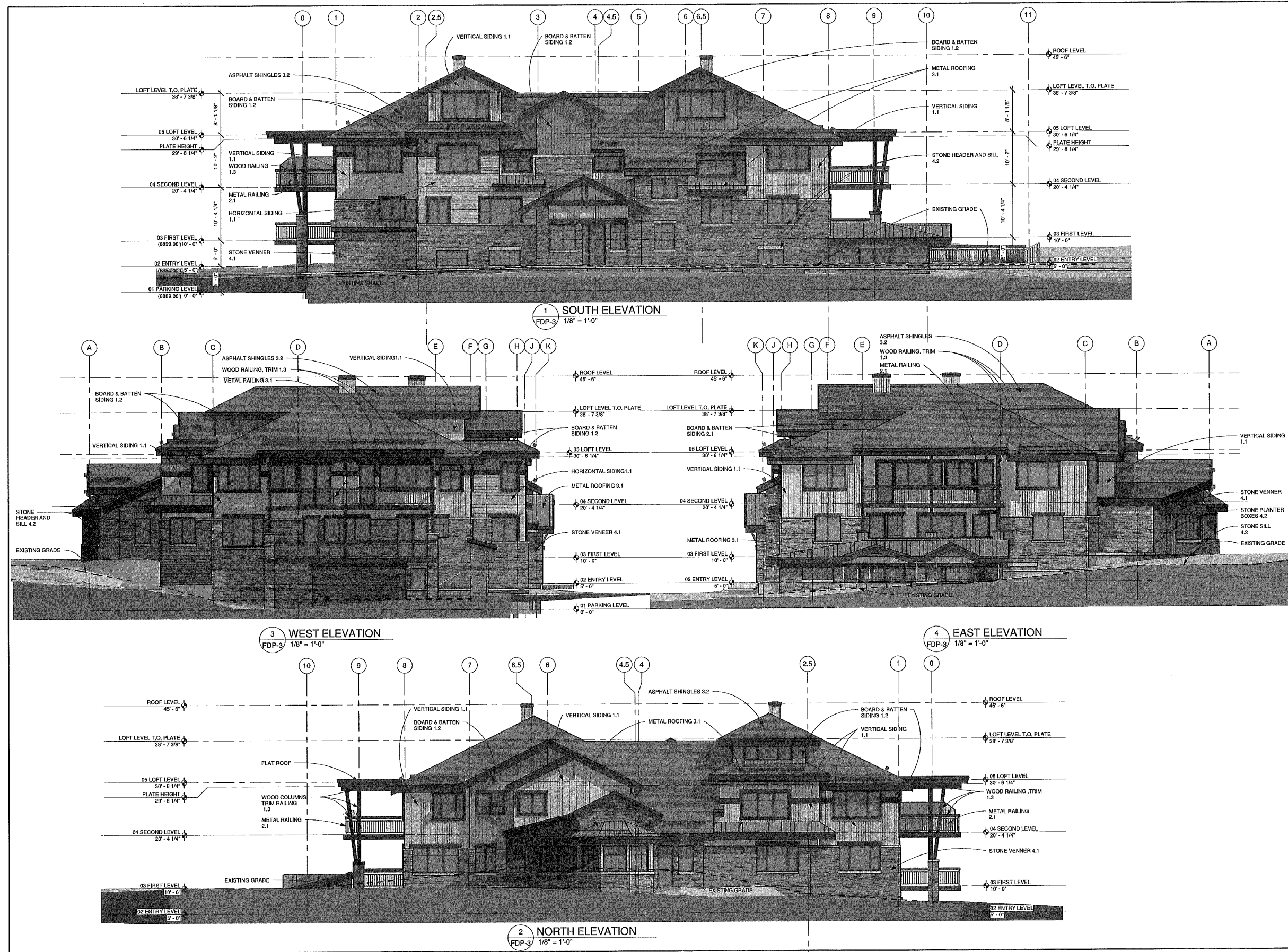
DRAWING PHASE
PLANNING SUBMITTAL
DP CONCURRENT FDP

SHEET TITLE

COVER PAGE

SHEET NUMBER

FDP-1



GENERAL NOTES
 Release of these plans constitutes a professional representation under the laws of the State of Colorado. The architect, engineer, and contractor shall be jointly and severally liable for the accuracy and completeness of the information provided herein. The architect, engineer, and contractor shall be jointly and severally liable for the accuracy and completeness of the information provided herein. The architect, engineer, and contractor shall be jointly and severally liable for the accuracy and completeness of the information provided herein. The architect, engineer, and contractor shall be jointly and severally liable for the accuracy and completeness of the information provided herein.

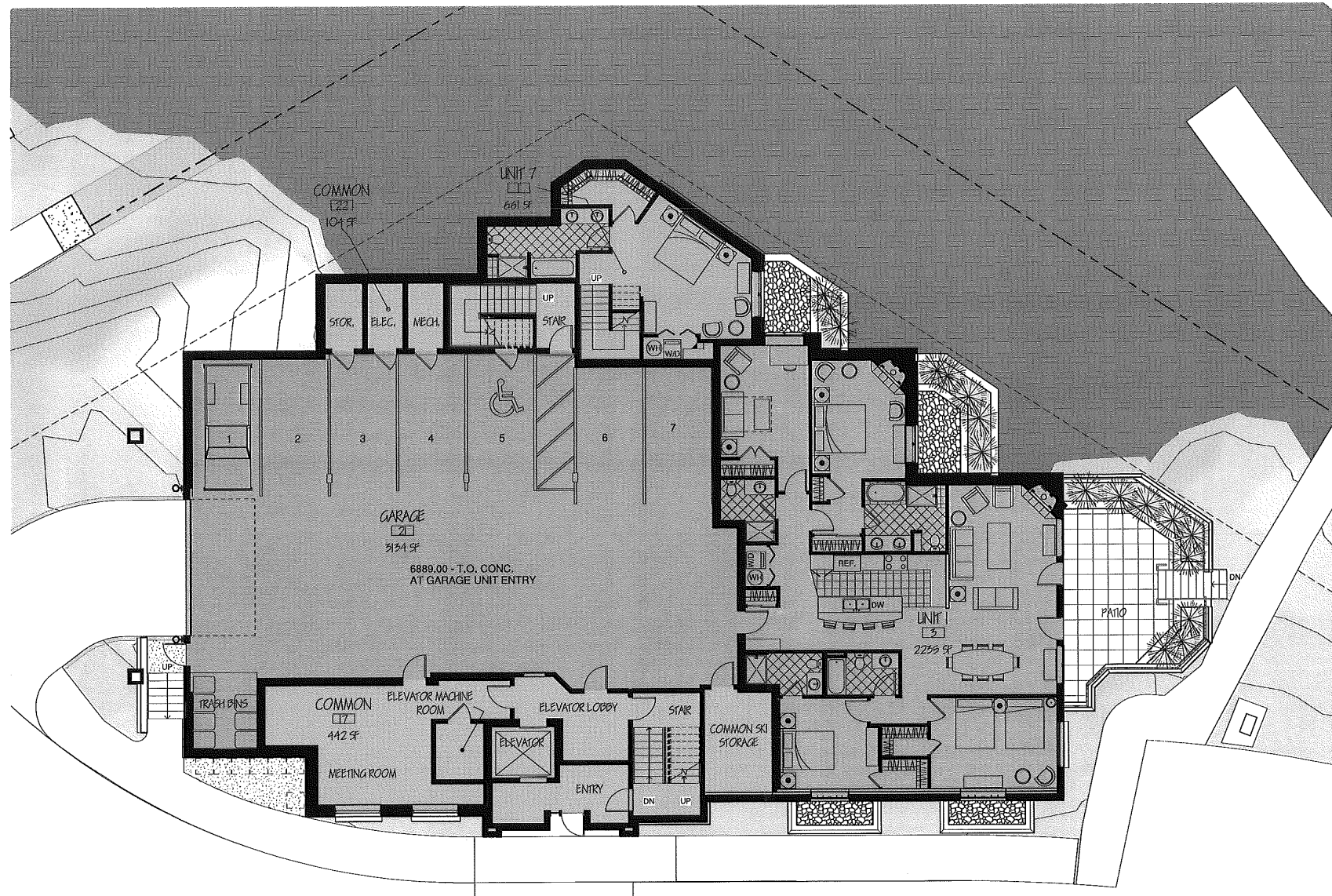
No.	Description	Date

THE POINTE
at Capital Ridge

ES
 ERIC SMITH ASSOCIATES, P.C.
 2241 SEVENTEENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-5455, (303) 442-7745 FAX

Job Number:	04015.00
Date:	04-29-07
Drawn By:	ESA
Checked By:	ESA

Project Phase
 FDP-10C RESPONSES
 Sheet Title
 COLORED ELEVATIONS
 Sheet Number
FDP-3



1 01 PARKING LEVEL
 FDP-10.0 1/8" = 1'-0"

NOTES: OWNER RESPONSIBILITY
 Pick-ups of these plans are required for the cooperation of the owner, the contractor or the architect, and any other parties concerned. It is the responsibility of the owner to provide the necessary information and data for the design of the project. The owner shall be responsible for the accuracy of the information provided. The architect shall be responsible for the accuracy of the design. The contractor shall be responsible for the accuracy of the construction. The owner shall be responsible for the accuracy of the construction. The architect shall be responsible for the accuracy of the design. The contractor shall be responsible for the accuracy of the construction.

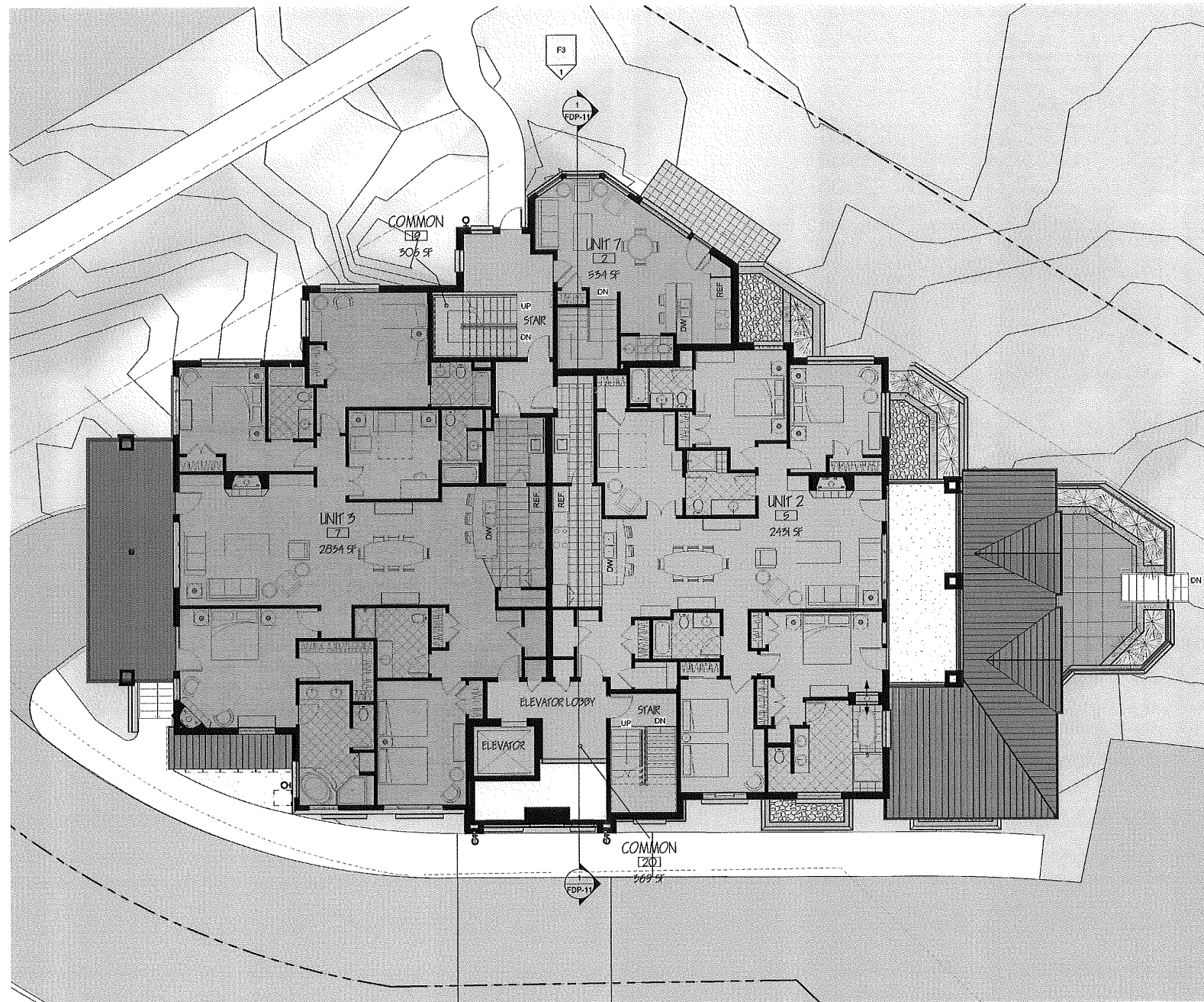
No.	Description	Date

THE POINTE



ERIC SMITH ASSOCIATES, P.C.
 2241 SEVENTEENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-5455, (303) 442-4745 FAX

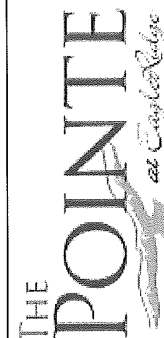
Job Number:	04015.00
Date:	04-29-07
Drawn By:	ESA
Checked By:	ESA
Project Phase	
FDP - DC RESPONSES	
Sheet Title	
PARKING LEVEL PLAN	
Sheet Number	
FDP-10.0	



1 03 FIRST LEVEL
 FDP-10.1 1/8" = 1'-0"

PERMITS, RULES OF GOVERNANCE
 Release of these plans constitutes a license to construct only if the owner, its contractor or the architect, engineer or interior decorator, as applicable, obtains all necessary permits and complies with all applicable rules and regulations. The contractor shall be responsible for obtaining all necessary permits and for compliance with all applicable rules and regulations. Any violation of any applicable rule or regulation shall be the responsibility of the contractor. The architect, engineer or interior decorator shall be responsible for the design and construction of the building and shall be responsible for the design and construction of the building and shall be responsible for the design and construction of the building.

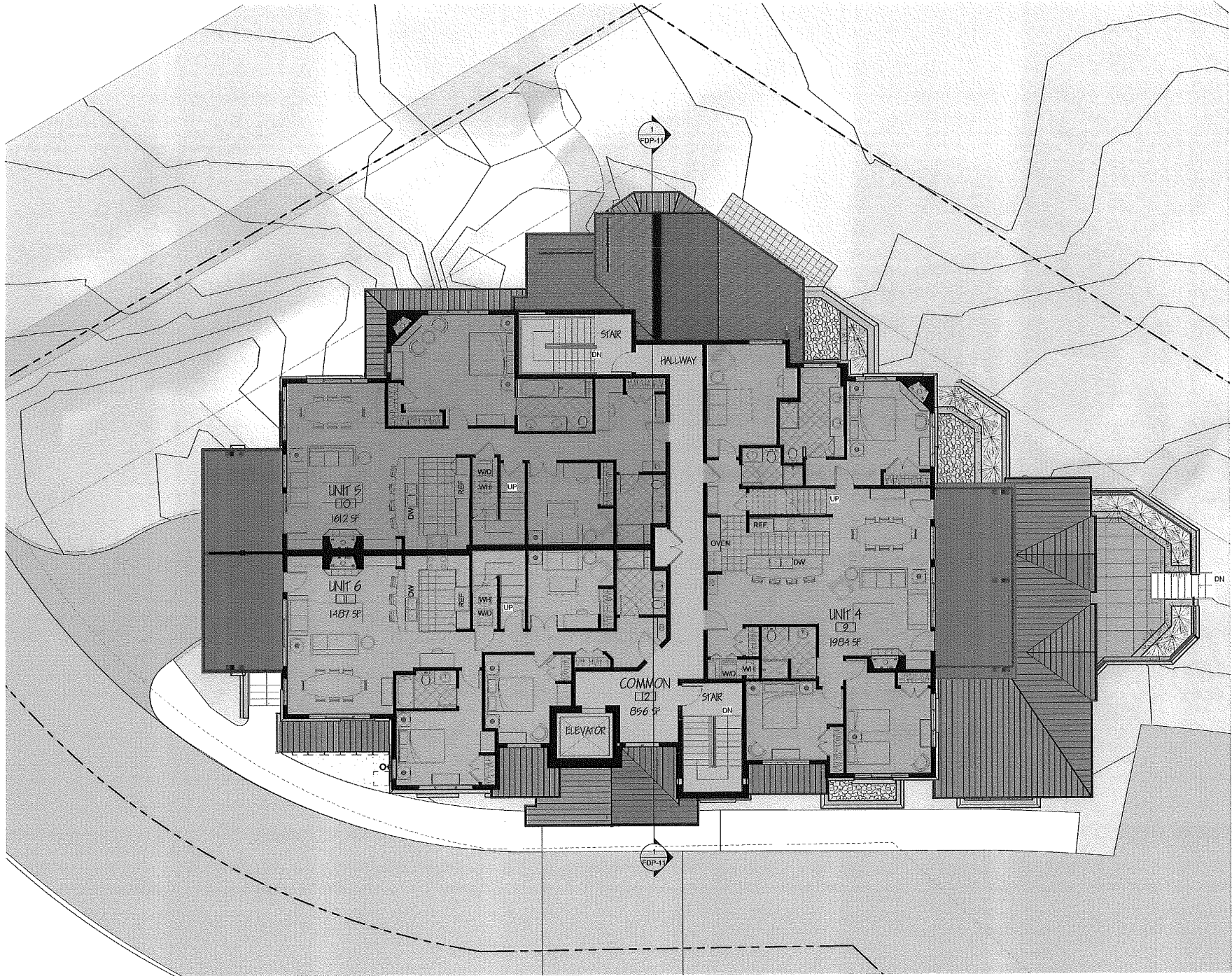
No.	Description	Date



ESA
 ERIC SMITH ASSOCIATES, P.C.
 2241 SEVENTEENTH STREET
 BOULDER, COLORADO, 80502
 (303) 442-5456, (303) 442-7145 FAX

Job Number: 04035.00
 Date: 04-29-07
 Drawn By: ESA
 Checked By: ESA

Project Phase
FDP-10C RESPONSES
Sheet Title
FIRST LEVEL PLAN
Sheet Number
FDP-10.1



1 04 SECOND LEVEL
FDP-10.2 1/8" = 1'-0"

DISCLAIMER AND ASSURANCE
 Review of these plans is intended to provide a general overview of the project and does not constitute a design or engineering service. The design and construction of this project is the responsibility of the contractor and the architect shall not be responsible for any errors or omissions in the plans or for any damage to the project or any other loss resulting from the use of these plans. The architect shall not be responsible for the design or construction of any portion of the project that is not shown on these plans and for which the architect has no control.

All design, documents and drawings prepared by Eric Smith Associates, P.C., are the property of Eric Smith Associates, P.C. and shall not be reproduced, copied, distributed or used for any purpose other than that intended without the written consent of Eric Smith Associates, P.C.
 Eric Smith Associates, P.C.

No.	Description	Date

**THE
 POINTE**
and Country Club

ERIC SMITH ASSOCIATES, P.C.
 2241 SEVENTEENTH STREET
 BOULDER, COLORADO, 80502
 (303) 442-6486, (303) 442-2765 FAX

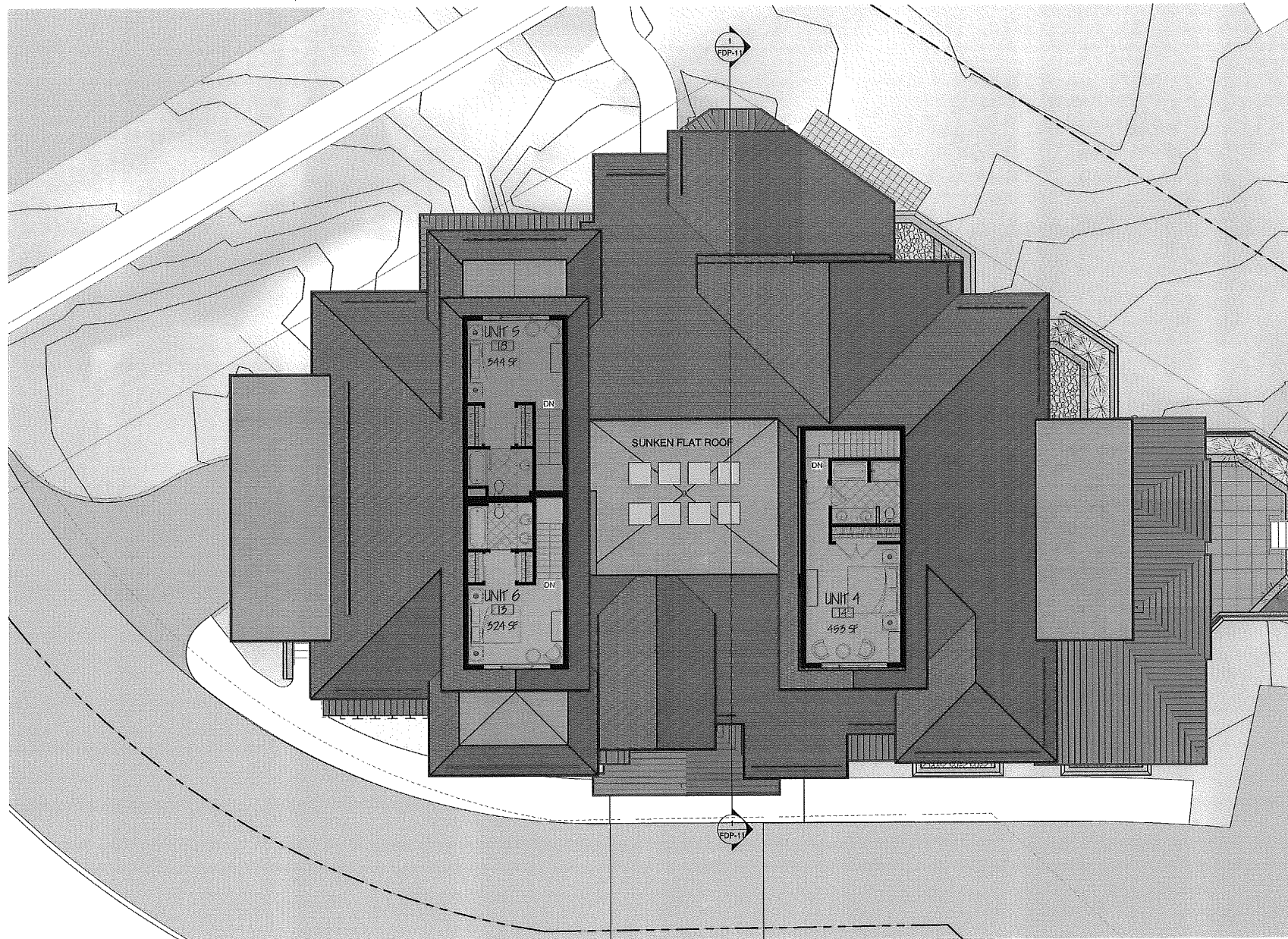
Job Number:	0408.00
Date:	04-29-09
Drawn By:	ESA
Checked By:	ESA

Project Phase:
 FDP-10C RESPONSES

Sheet Title:
 SECOND LEVEL PLAN

Sheet Number:

FDP-10.2



1 05 LOFT LEVEL
 FDP-10.3 1/8" = 1'-0"

REVISIONS TO CONSTRUCTION

Revisions of these plans are to be made only by the architect. Any changes to the plans shall be made in writing and shall be accompanied by a change order. The contractor shall be responsible for the accuracy of the construction documents. The architect shall be responsible for the accuracy of the construction documents. The contractor shall be responsible for the accuracy of the construction documents.

All design documents and data prepared by Eric Smith Associates, P.C. are the property of Eric Smith Associates, P.C. and shall not be copied, reproduced, or otherwise disseminated without the written consent of Eric Smith Associates, P.C.

Eric Smith Associates, P.C.

No.	Description	Date

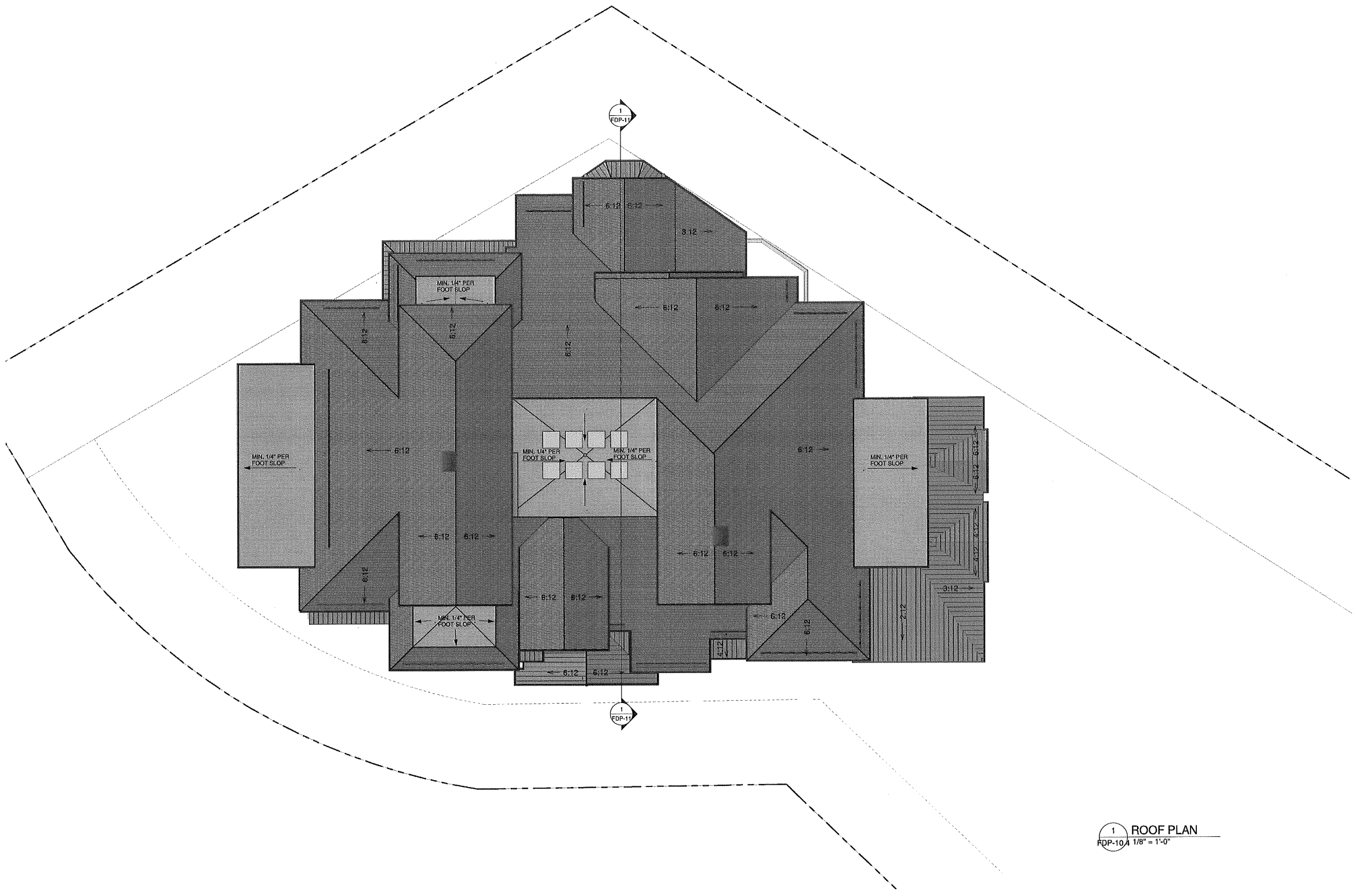
THE
POINTE
at City Center



Eric Smith Associates, P.C.
 2241 SEVENTEENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-5445, (303) 442-4745 FAX

Job Number: 0408.00
 Date: 04-29-09
 Drawn By: ESA
 Checked By: ESA

Project Phase:
 FDP-10C RESPONSES
 Sheet Title:
 LOFT LEVEL PLAN
 Sheet Number:
FDP-10.3



1 ROOF PLAN
 FDP-10.4 1/8" = 1'-0"

DISCLAIMER:
 Release of these plans is contingent upon the receipt of a check for the full fee. No responsibility is accepted for the accuracy of the information contained herein. The engineer and architect assume no responsibility for the design of the structure or for the construction thereof. The contractor is responsible for the interpretation of the drawings and for the construction thereof. The engineer and architect assume no responsibility for the design of the structure or for the construction thereof.

All design, documents and data prepared by Eric Smith Associates, P.C., are the property of Eric Smith Associates, P.C. and shall not be copied, used or disclosed in any form or for any purpose without the express written consent of Eric Smith Associates, P.C.

Eric Smith Associates, P.C.

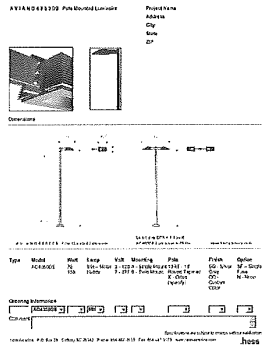
No.	Description	Date



ES
 ERIC SMITH ASSOCIATES, P.C.
 2247 SEVENTEENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-5455, (303) 442-7745 FAX

Job Number: 0406.00
 Date: 04-29-09
 Drawn By: ESA
 Checked By: ESA

Project Phase: FDP-10.4 PERFORMANCES
 Sheet Title: ROOF PLAN
 Sheet Number: FDP-10.4



MAIL BOX LIGHT

SSP Square Non-Tapered Steel Poles

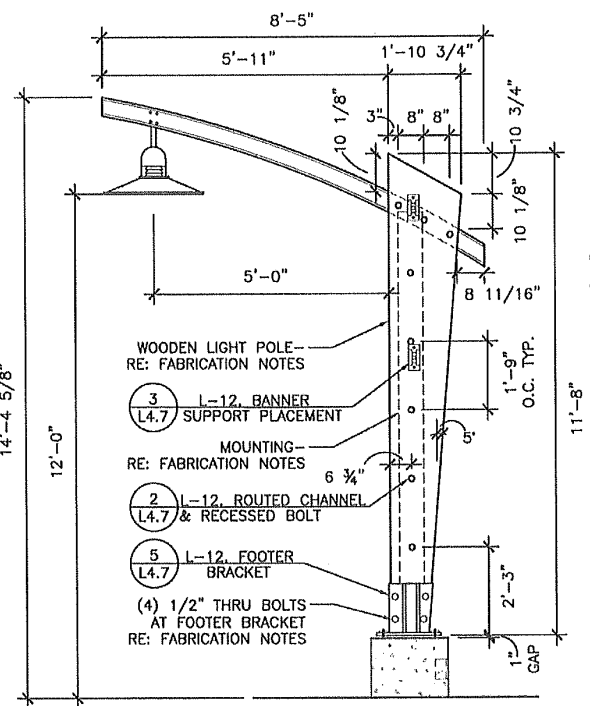
Pole Shaft: The pole shaft shall be fabricated from square non-tapered steel pipe with a minimum wall thickness of 1/8 inch. The pole shall be galvanized and shall be painted with a minimum of two coats of a high quality exterior paint.

Base Plate: The base plate shall be fabricated from square non-tapered steel plate with a minimum thickness of 1/2 inch. The base plate shall be galvanized and shall be painted with a minimum of two coats of a high quality exterior paint.

Anchor Bolt: The anchor bolt shall be fabricated from square non-tapered steel bar with a minimum diameter of 1/2 inch. The anchor bolt shall be galvanized and shall be painted with a minimum of two coats of a high quality exterior paint.

Flange: The flange shall be fabricated from square non-tapered steel plate with a minimum thickness of 1/2 inch. The flange shall be galvanized and shall be painted with a minimum of two coats of a high quality exterior paint.

MAIL BOX LIGHT POLES

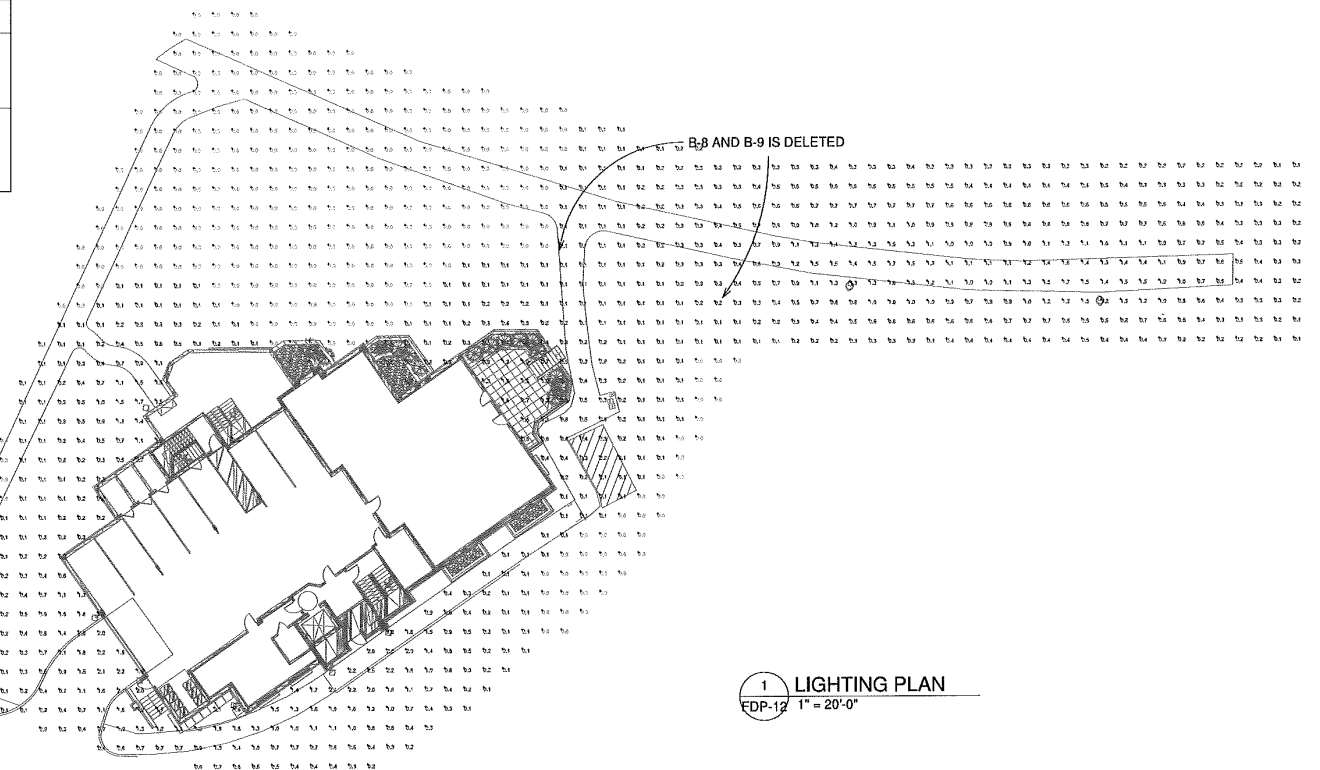


SIDE ELEVATION

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	L.F.	Watts
A	AD450	1		Adura Series	ONE 50-WATT COATED LED INTEGRAL METAL HALIDE, MEDIUM BULB, HORIZONTAL, POS.	AD450_150 _MATE150	1000	0.72	170
B	WSTM50M-10	7		MIRAMONTE TEMPERED ARCHITECTURAL CLEAR, SHINY METAL HALIDE, MEDIUM DISTRIBUTOR, HYDROFORM REFLECTOR, CLEAR, FLAT GLASS LENS.	ONE 50-WATT COATED LED INTEGRAL METAL HALIDE, MEDIUM BULB, HORIZONTAL, POS.	WSTM_50M_10	3305	0.72	55
C	DSAP14FB-1005H10	1		3/4" SPAN ALUMINUM HOUSING CLEAR FLAT TEMPERED GLASS LENS, SEGMENTED SPECULAR TYPE-B REFLECTOR HOUSE, SIDE SHELDONS, HORIZONTAL LAMP TOTAL WATTS = 210	lamp for 1005H10	DSAP1-25-17ALies	6000	0.72	210

No.	Label	X	Y	Z	M4	Orientation	TR	X	Y	Z
1	B	-11.8	-55.7	10.0	8.0	238.8	0.0	-11.8	-55.7	8.0
2	B	-06.1	-48.9	10.0	8.0	231.4	0.0	-06.1	-48.9	8.0
3	B	-47.5	-25.5	10.0	8.0	235.0	0.0	-47.5	-25.5	8.0
4	B	13.3	-47.0	10.0	8.0	143.4	0.0	13.3	-47.0	8.0
5	B	29.0	-35.9	10.0	8.0	141.0	0.0	29.0	-35.9	8.0
6	B	57.0	22.0	10.0	8.0	52.2	0.0	57.0	22.0	8.0
7	B	-34.2	21.0	10.0	8.0	-38.0	0.0	-34.2	21.0	8.0
8	C	147.7	52.4	24.0	12.0	8.7	0.0	147.7	52.4	12.0
9	C	218.5	45.4	24.0	12.0	-0.3	0.0	218.5	45.4	12.0
10	A	88.2	24.4	20.0	10.0	251.8	0.0	88.2	24.4	10.0

Description	Symbol	Avg	Max	Min	MaxMin	AvgMin
Calc-Zone #1	+	5.4%	25.5%	0.0%	N/A	N/A



SPECIFICATIONS:

LUMINAIRE: HOUSING-HEAVY WALL ALUMINUM CONSTRUCTION WITH REMOVABLE BALLAST TRAY FOR EASY BALLAST ACCESS. REFLECTOR-HEAVY WALL ALUMINUM CONSTRUCTION.

OPTICS: PRECISE, COMPUTER DESIGNED SEGMENTED HORIZONTAL REFLECTOR COMBINES WITH CLEAR TEMPERED FLAT GLASS LENS TO PRODUCE A TYPE B, HI-CRI LIGHT DISTRIBUTION. SPECIFY LIGHT DISTRIBUTION.

LAMP HOLDER: MEDIUM BASE PORCELAIN.

LAMP: 100 W. M.H. (BY OTHERS)

BALLAST: H.P.F./C.W.A. AUTOTRANSFORMER, -20° STARTING TEMPERATURE. (MULTI-TAP VOLTAGE.)

FINISH: POLYESTER POWDER COAT. (TO MATCH MATHEWS ACRYLIC POLYURETHANE MP004417 "CARRIE BRICK")

SCALE: 3/4" = 1'-0"



SPECIFICATIONS:

LUMINAIRE: HOUSING-HEAVY WALL ALUMINUM CONSTRUCTION WITH REMOVABLE BALLAST TRAY FOR EASY BALLAST ACCESS. REFLECTOR-HEAVY WALL ALUMINUM CONSTRUCTION.

OPTICS: PRECISE, COMPUTER DESIGNED SEGMENTED HORIZONTAL REFLECTOR COMBINES WITH CLEAR TEMPERED FLAT GLASS LENS TO PRODUCE A TYPE G, HI-CRI LIGHT DISTRIBUTION. SPECIFY LIGHT DISTRIBUTION.

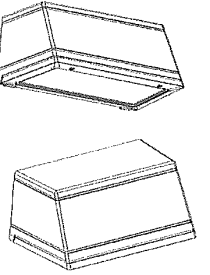
LAMP HOLDER: MEDIUM BASE PORCELAIN.

LAMP: 100 W. M.H. (BY OTHERS)

BALLAST: H.P.F./C.W.A. AUTOTRANSFORMER, -20° STARTING TEMPERATURE. (MULTI-TAP VOLTAGE.)

FINISH: POLYESTER POWDER COAT. (TO MATCH MATHEWS ACRYLIC POLYURETHANE MP004417 "CARRIE BRICK")

SCALE: 3/4" = 1'-0"



Standard dimensions - WSTM

Length: 12.50" (31.75 cm)

Depth: 7.50" (19.05 cm)

Height: 5.75" (14.60 cm)

Weight: 14.00lbs (6.35 kg)

All dimensions are inches (centimeters) unless otherwise specified.

SCOPE OF COORDINATION

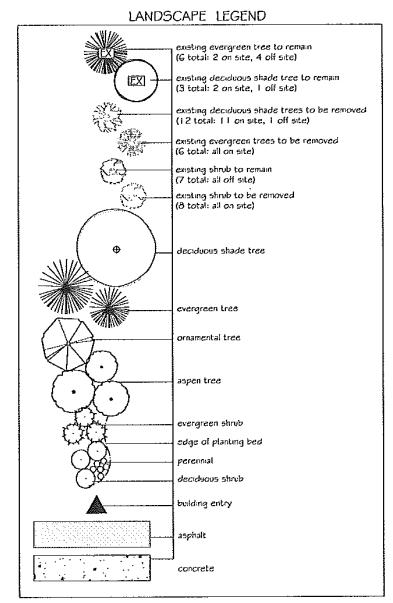
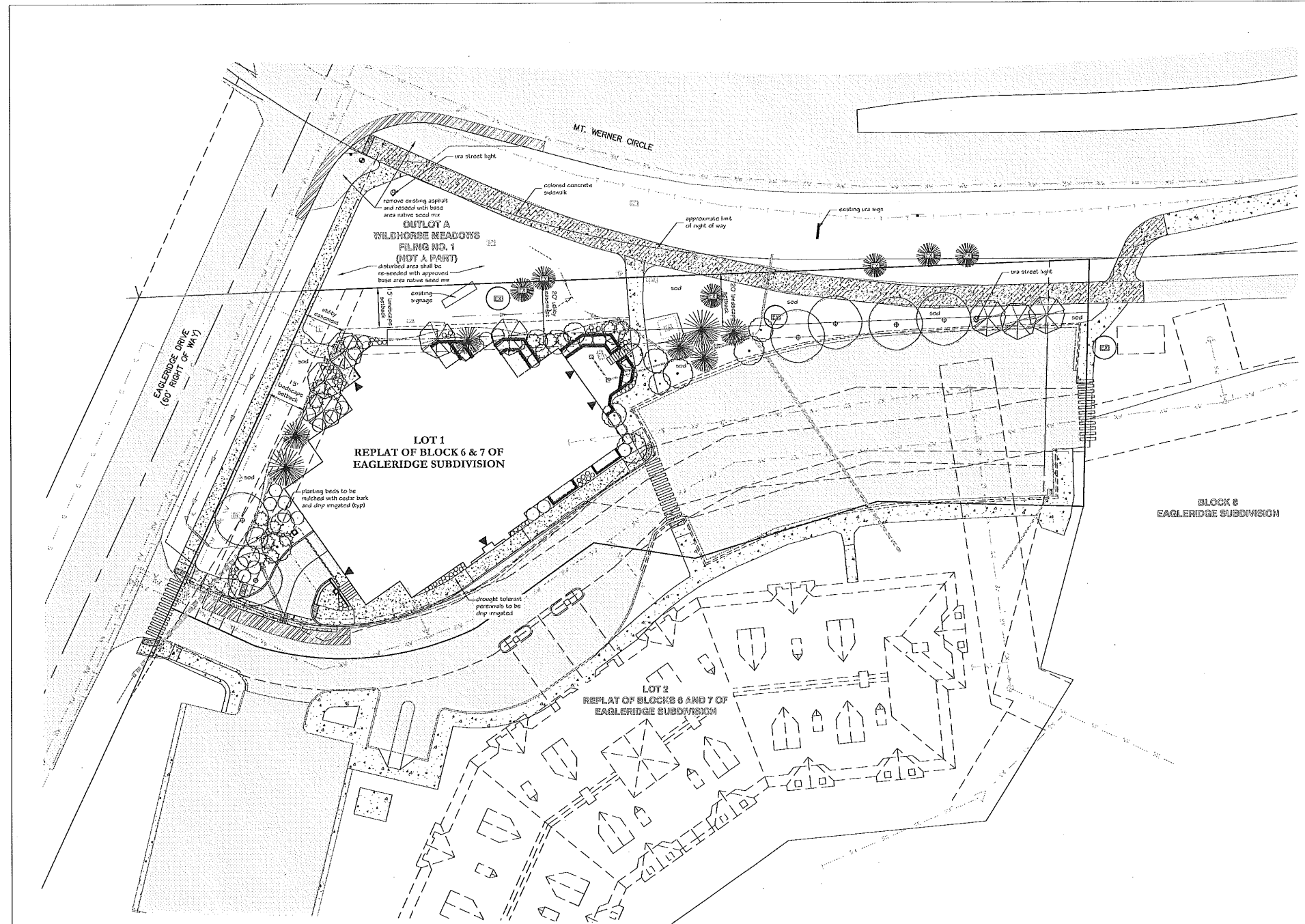
Review of these plans is required for coordination with the architect, engineer, contractor, and other disciplines. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals.

No.	Description	Date



ERIC SMITH ASSOCIATES, P.C.
224 SEVENTEENTH STREET
BOULDER, COLORADO, 80302
(303) 442-6566, (303) 442-4766 FAX

Job Number:	040105.00
Date:	04-29-09
Drawn By:	ESA
Checked By:	ESA
Project Name:	FDP-12C RESPONSES
Sheet Title:	LIGHTING PLAN
Sheet Number:	FDP-12



NOTES

- This drawing is for obtaining planning approval only and is not to be used for construction or contracting purposes.
- If this drawing is presented in a format other than 24" x 36", the graphic scale should be utilized.
- Existing site information per survey performed by Landmark Consultants, Inc.
- It is the intent to save or relocate as many existing on-site trees as possible. Specific transplant trees will be chosen in the field. Transplant survival cannot be guaranteed and is dependent upon available equipment, tree size and site conditions.
- See Existing Conditions Plan for location of all existing site trees.
- All trees and shrubs located outside sod areas to be dry irrigated.
- All disturbed areas of vegetation to be re-seeded with native grasses, or as listed on plan.
- All landscaping to be installed and properly maintained to recognized industry standards.
- All plant material shown at 75% to 100% of mature size.

LANDSCAPING REQUIRED

AREA	SQUARE FEET	TREES REQUIRED
15' x 20' LANDSCAPE SETBACK	7,084 sf	35
INTERIOR LANDSCAPE	3,615 sf	7

LANDSCAPING PROVIDED

AREA	EXISTING TREES	PROPOSED TREES	TOTAL
15' x 20' SETBACK	4	31	35
INTERIOR LANDSCAPE	na	7	7

DISTRIBUTION OF TREE TYPES

TREE TYPE	FRONT SETBACK	EXISTING TREES	INTERIOR LANDSCAPE	TOTAL
evergreen (30% 7'-8', 30% 9'-10', 20% 11'-12')	7	2 (front setback)	na	9
deciduous shade tree	6	1 (front setback)	na	7
aspen	12	1 (front setback)	5	18
ornamental	6	na	2	8
TOTAL	31	4	7	42

PLANT LIST

TREES - 42 TOTAL: 4 existing, 38 proposed		
spr	engelman spruce	30% 7'-8'
spr	engelman spruce	30% 9'-10'
spr	engelman spruce	20% 11'-12'
cln	narrowleaf cottonwood	2.5' cal
lc	lanceleaf cottonwood	2.5' cal
om	ornamental	2.5' cal
SHRUBS - 50 TOTAL: 33 deciduous, 17 evergreen (final species final)		
na	colorado dogwood	5 gal
wt	white nutcracker	5 gal
ser	saskatoon serviceberry	5 gal
chk	native chokeberry	5 gal
ty	trifida juniper	5 gal
na	colorado dogwood	5 gal
na	white nutcracker	5 gal
na	saskatoon serviceberry	5 gal
na	native chokeberry	5 gal
na	trifida juniper	5 gal
PERENNIAL		
sod	stone crop sedum	1-15
col	rocky mountain columbine	1-15
ast	engelman's aster	1-15
lup	blue lupine	1-15
rud	black-eyed susan	1-15
nal	prairie natow	1-15
sedm	'autumn joy'	1-15
asp	aspelaga caerulea	1-15
exc	excelsior engelmanni	1-15
lign	'the governor'	1-15
rud	rudbeckia fulgida 'goldstrum'	1-15
sol	solstice 'partygirl'	1-15

1" = 20'

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
 CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

LANDMARK CONSULTANTS, P.C.
 341 9th Street, P.O. Box 77493
 Steamboat Springs, Colorado 80477
 Phone (970) 875-9101 Fax (970) 875-9299
 www.LANDMARK.CO.com

NOTE: DATE OF CONSTRUCTION
 Review of these plans contains further information regarding the owner, his contractor and the architect. Design and construction shall be completed in accordance with the plans and specifications. The owner shall provide all necessary permits and approvals. Any changes or alterations to the plans shall be made in writing and approved by the architect. The architect shall not be responsible for any changes or alterations made by the owner or contractor. The architect shall not be responsible for any changes or alterations made by the owner or contractor. The architect shall not be responsible for any changes or alterations made by the owner or contractor.

REVISIONS

NO.	DATE	DESCRIPTION	TAC COMMENTS	UFA COMMENTS
1	06-01-08			
2	07-15-08			
3	04-23-09			
4	08-12-09			

THE POINTE CONDOMINIUM COMPLEX
STEAMBOAT SPRINGS

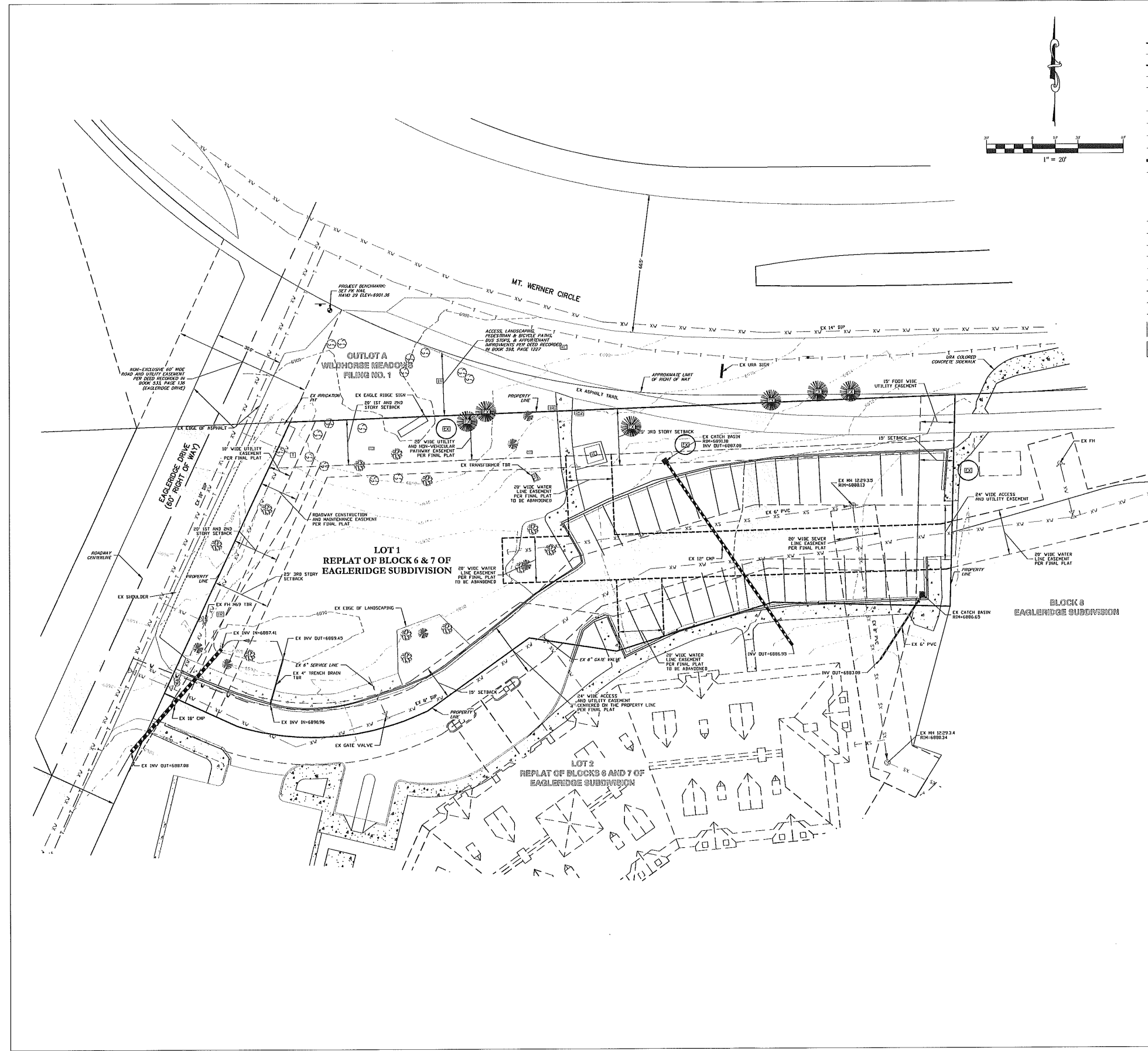
ES
 ERIC SMITH ASSOCIATES, P.C.
 ARCHITECTURE - PLANNING
 BOULDER, COLORADO
 (303) 442-5455

JOB NO.: 1088-002
 DATE: 05/18/07
 DRAWN: LANDMARK
 CHECKED: RS

DRAWING PHASE
 PLANNING SUBMITTAL
 DP CONCURRENT FDP
 SHEET TITLE
 LANDSCAPE PLAN

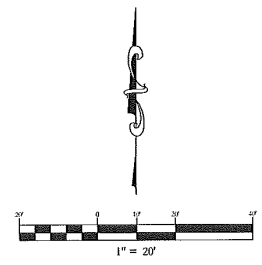
SHEET NUMBER
FDP-14

LANDMARK CONSULTANTS, INC. 11/11/2007 10:00 AM



LEGEND

- PROJECT BOUNDARY
- - - EX EASEMENT
- - - EX TO BE VACATED
- - - BUILDING SETBACK
- - - ADJOINING LOT
- - - EX 8-FT CONTOUR
- - - EX 10-FT CONTOUR
- - - EX 12-FT CONTOUR
- EX WATER V/ RELEASER, GATE VALVE, & FIRE HYDRANT
- EX SEWER & MANHOLE
- EX SEWER CLEANOUT & CAP
- EX CULVERT
- EX TELEPHONE LINE & PEDESTAL
- EX ELECTRIC PEDESTAL AND BOX
- EX IRRIGATION BOX
- EX DECIDUOUS TREE, EVERGREEN TREE, AND BUSH
- EX EDGE OF LANDSCAPING
- EX DITCH/SWALE
- EX BUILDING
- EX CENTERLINE
- EX EDGE OF ASPHALT
- EX CURB
- EX SIDEWALK
- EX PARKING STRIPING
- EX ASPHALT
- EX CONCRETE
- EX DECIDUOUS TREE TO REMAIN
- EX EVERGREEN TREE TO REMAIN



- NOTES:**
1. THIS DRAWING IS FOR OBTAINING PLANNING APPROVAL ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR CONTRACTING PURPOSES.
 2. IF THIS DRAWING IS PRESENTED IN A FORMAT OTHER THAN 24" x 36", THE GRAPHIC SCALE SHOULD BE UTILIZED.
 3. FIELD SURVEYING WAS COMPLETED BY DAD, INC. AND SUPPLEMENTED BY FIELD WORK BY LANDMARK CONSULTANTS, INC. ON APRIL 12, 2007 AND CITY GIS INFORMATION.
 4. PROJECT BENCHMARK: LOCATED ON THE SOUTHEAST PROPERTY CORNER WITH FOUND 1/2" YELLOW PLASTIC CAP ON SET PK NAIL, PROJECT BENCHMARK NAID 29 ELEVATION=6901.36 AS INDICATED HEREON.
 5. ALL IMPROVEMENT SHOWN ON LOT 2, REPLAT OF BLOCK 6 AND 7 OF EAGLERIDGE SUBDIVISION ARE FOR REFERENCE ONLY.

- NOMENCLATURE:**
- DIP - DUCTILE IRON PIPE
 - EX - EXISTING
 - FH - FIRE HYDRANT
 - INV - INVERT
 - MH - MANHOLE
 - PVC - POLYVINYL CHLORIDE
 - IBR - TO BE REMOVED

LANDMARK CONSULTANTS, INC.
 111 3th Street, P.O. Box 71843
 Steamboat Springs, Colorado 80477
 Phone (970) 833-9494 Fax (970) 833-9299
 www.LANDMARK-CONSULTANTS.COM

SCOPE OF COOPERATION
 Review of final plan construction. Further cooperation during the construction phase. The architect, design and construction are responsible for the construction of the project. Landmark Consultants has performed their services with due care and diligence. They cannot guarantee perfection. Construction is subject to the availability of materials and labor. The use of these plans shall be reported to the architect. The architect shall be responsible for the construction of the project and the construction of the project. A letter of cooperation by a single notice to the architect and follow the architect's instructions. Landmark Consultants shall not be responsible for any consequences arising out of the construction of the project. Landmark Consultants shall not be held responsible for any consequences arising out of the construction of the project.

NO.	DATE	DESCRIPTION	TAC COMMENTS
1	05-01-08	TAC COMMENTS	
2	05-15-08	TAC COMMENTS	
3	04-23-08	TAC COMMENTS	

THE POINTE CONDOMINIUM COMPLEX
STEAMBOAT SPRINGS

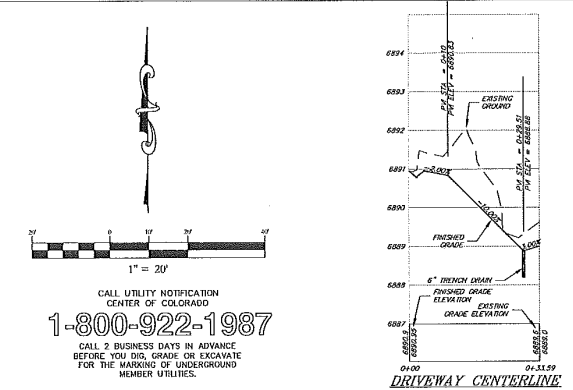
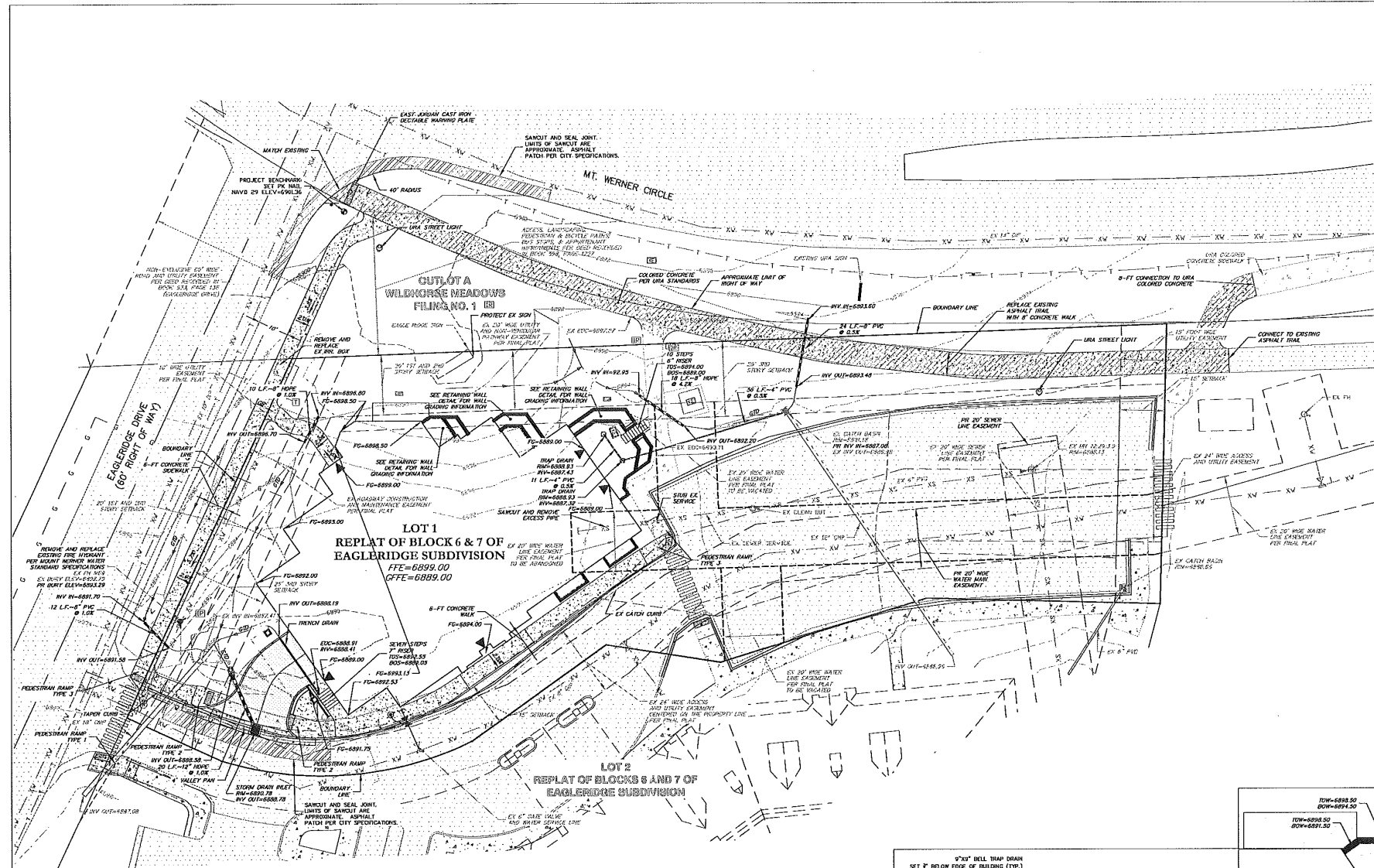
ES
 ERIC SMITH ASSOCIATES, P.C.
 ARCHITECTURE - PLANNING
 500 SOUTH MAIN STREET, SUITE 200, STEAMBOAT SPRINGS, CO 80486
 (970) 833-9494 FAX (970) 833-9299

JOB NO.: 1028-002
 DATE: 05/18/07
 DRAWN: LANDMARK
 CHECKED: RS

DRAWING PHASE
 PLANNING SUBMITTAL
 DP CONCURRENT FDP

SHEET TITLE
 EXISTING CONDITIONS

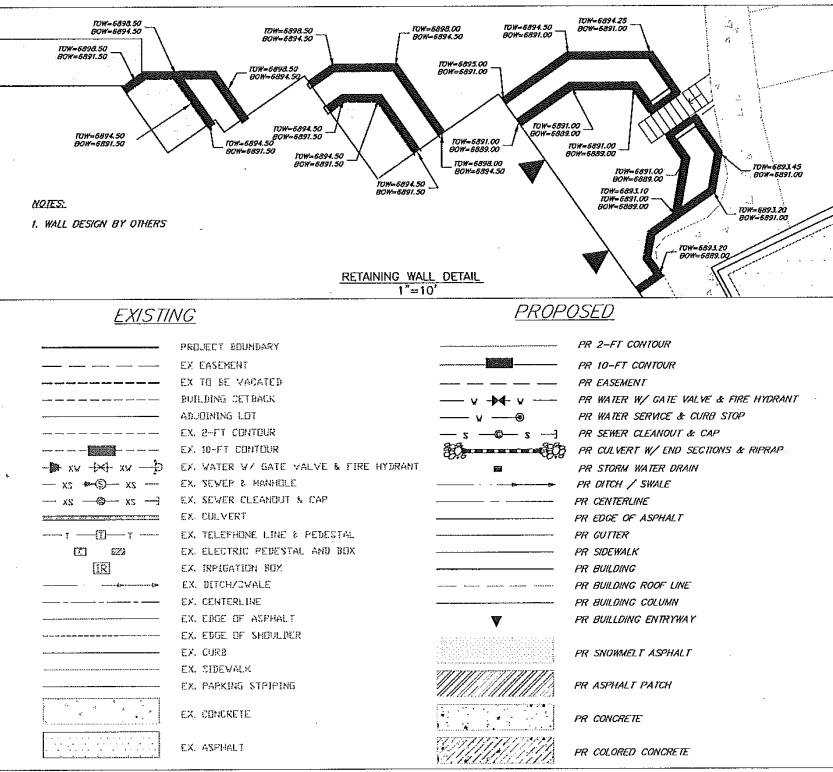
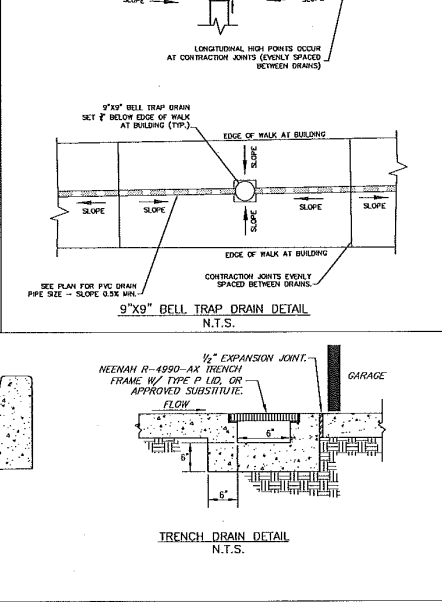
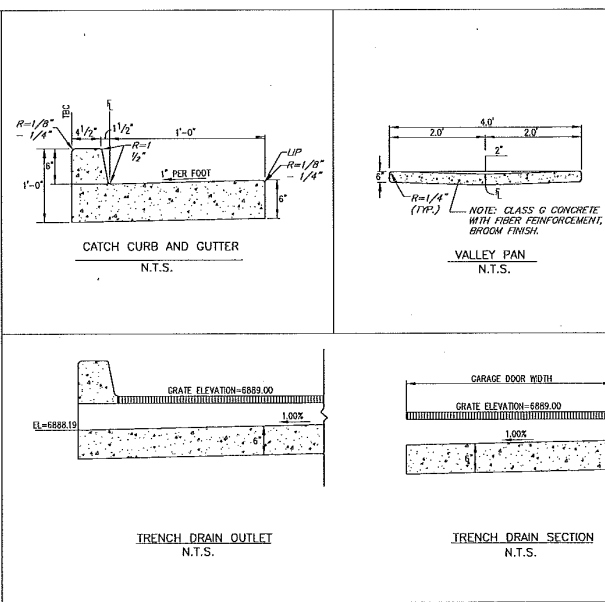
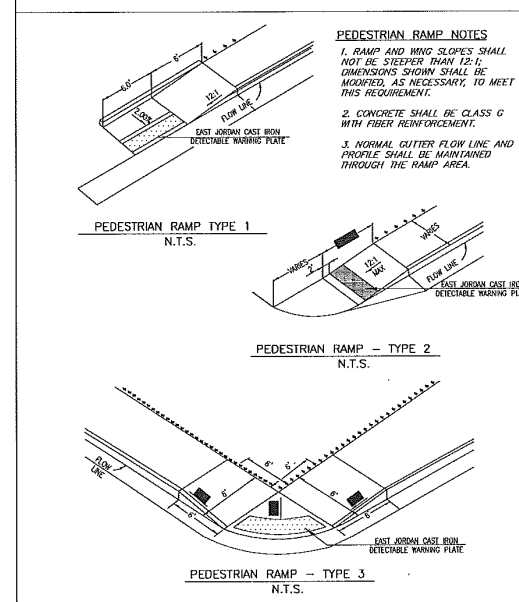
SHEET NUMBER
FDP-15



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1-800-922-1987
 CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

NOMENCLATURE:
 BS - BOTTOM OF STEP DOWN - BOTTOM OF WALL
 DIP - DUCTILE IRON PIPE
 EOA - EDGE OF ASPHALT
 EOC - EDGE OF CONCRETE
 EX - EXISTING
 FFE - FINISHED FLOOR ELEVATION
 FH - FIRE HYDRANT
 FG - FINISHED GRADE
 GFE - GARAGE FINISH FLOOR ELEVATION
 GFD - GRADE TO DRAIN
 HDPE - HIGH-DENSITY POLYETHYLENE
 INV - INVERT
 PFC - PROPOSED
 PVC - POLYVINYL CHLORIDE
 SW - SANITARY SEWER MANHOLE
 TS - TOP OF STEP
 TW - TOP OF WALL

- NOTES:**
- THIS DRAWING IS FOR OBTAINING PLANNING APPROVAL ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR CONTRACTING PURPOSES.
 - IF THIS DRAWING IS PRESENTED IN A FORMAT OTHER THAN 24" x 36", THE GRAPHIC SCALE SHOULD BE UTILIZED.
 - FIELD SURVEYING WAS COMPLETED BY D&G, INC. AND SUPPLEMENTED BY LANDMARK CONSULTANTS, INC. ON APRIL 12, 2007.
 - PROJECT BENCHMARK: LOCATED ON THE SOUTHEAST PROPERTY CORNER WITH FOUND 1" YELLOW PLASTIC CAP ON SET P/NAIL, PROJECT BENCHMARK HAVD 29 ELEVATION=6901.36.
 - CONCEPTUAL PLANS FOR THIS PROJECT WILL BE SENT TO REPRESENTATIVES OF YAMPA VALLEY ELECTRICAL ASSOCIATION, AMTOS ENERGY, COMCAST, AND GUEST UTILITY COMPANIES AS PART OF THE TAC PROCESS. COMMENTS REGARDING SERVICE DESIGN WILL BE INCORPORATED INTO THIS PLAN AS THEY ARE RECEIVED.
 - ALL WATER AND SEWER IMPROVEMENTS ARE TO BE CONSTRUCTED PER THE LATEST EDITION OF MT WERNER WATER STANDARD SPECIFICATIONS.
 - ALL WATER AND SANITARY SEWER SERVICE LINES & FIRE PROTECTION LINES SHALL BE SIZED DURING THE CONSTRUCTION DRAWING PHASE OF THE PROJECT.
 - BUILDING WILL HAVE FIRE PROTECTION SYSTEM.
 - UTILITY EASEMENTS PER PLAT.
 - ALL DISTURBED AREAS ARE TO BE REVEGETATED AT THE COMPLETION OF CONSTRUCTION.
 - RETAINING WALLS HIGHER THAN 4' TO BE DESIGNED BY OTHERS.
 - EXISTING PARKING LOT AND DRIVE ISLE TO BE MAINTAINED.
 - FOUNDATION DRAINS MAY REQUIRE PUMPING.
 - ALL IMPROVEMENT SHOWN ON LOT 2, REPLAT OF BLOCK 6 AND 7 OF EAGLE RIDGE SUBDIVISION ARE FOR REFERENCE ONLY.



LANDMARK CONSULTANTS, P.C.
 141 9th Street, P.O. Box 774943
 Steamboat Springs, Colorado 80487
 Phone: (970) 864-9444 Fax: (970) 864-9929
 www.LANDMARK-CD.com

NOTE: LIMIT OF EXPERTISE:
 Review of these plans constitutes further expertise over the work. The contractor and the architect design and construction are complete. However, the engineer and the geotechnical engineer are not responsible for the design of the building structure. Construction of the building and any other improvements shall be the responsibility of the contractor. The engineer and the geotechnical engineer are not responsible for the design of the building structure. Construction of the building and any other improvements shall be the responsibility of the contractor. The engineer and the geotechnical engineer are not responsible for the design of the building structure. Construction of the building and any other improvements shall be the responsibility of the contractor.

NO.	DATE	DESCRIPTION
1	04-12-07	TAC COMMENTS
2	04-23-07	TAC COMMENTS
3	04-23-07	TAC COMMENTS
4	04-23-07	TAC COMMENTS

THE POINTE CONDOMINIUM COMPLEX
 STEAMBOAT SPRINGS

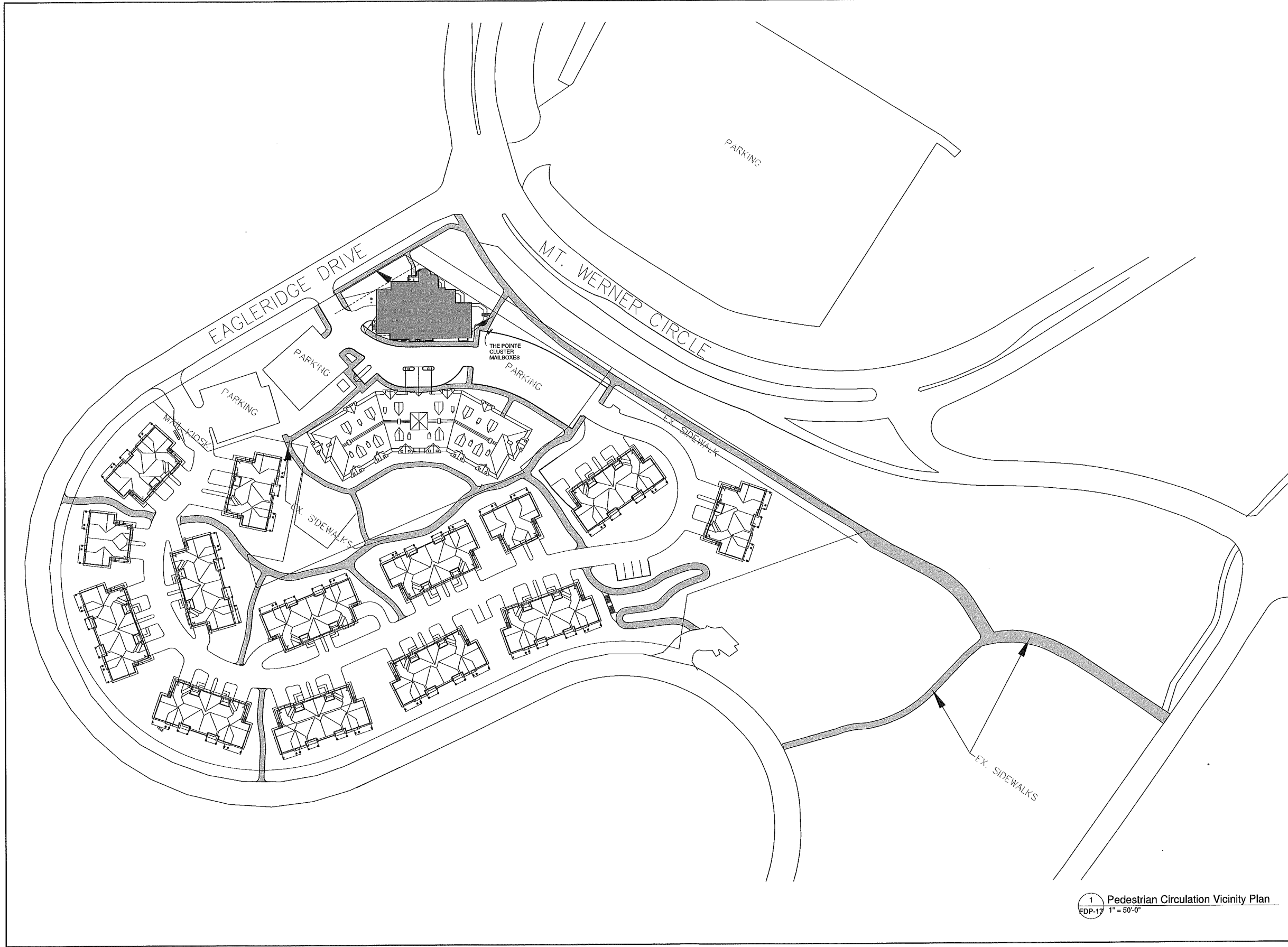
LANDMARK CONSULTANTS, P.C.
 ARCHITECTURE, PLANNING
 ENGINEERING, SURVEYING
 141 9th Street, Steamboat Springs, CO 80487

JOB NO.: 1098-002
 DATE: 05/16/07
 DRAWN: LANDMARK
 CHECKED: RS

DRAWING PHASE:
 PLANNING SUBMITTAL
 DP CONCURRENT FDP

SHEET TITLE:
 GRADING, DRAINAGE,
 & UTILITY PLAN

SHEET NUMBER:
FDP-16



NOTES WILL BE APPROVED
 Release of these plans constitutes a representation of the accuracy of the information and design shown on these plans. The information and design shown on these plans is based on the information and design shown on these plans and is not intended to be used for any other purpose. The information and design shown on these plans is not intended to be used for any other purpose. The information and design shown on these plans is not intended to be used for any other purpose.

No.	Description	Date

THE POINTE



Job Number: 04019.00
 Date: 04-29-09
 Drawn By: ESA
 Checked By: ESA

Project Name
 FDP-17C REVISIONS

Sheet Title
 PEDESTRIAN CIRCULATION PLAN

Sheet Number
FDP-17

1 Pedestrian Circulation Vicinity Plan
 FDP-17 1" = 50'-0"



3D VIEW FROM WEST

GENERAL NOTE OF COOPERATION
 Release of these plans constitutes the architect's acceptance of the contract and the architect's obligation to the client. The architect shall not be held responsible for any errors or omissions in the plans or specifications. The architect shall not be held responsible for any delays in the project or for any extra work required. The architect shall not be held responsible for any construction or material costs. The architect shall not be held responsible for any construction or material costs. The architect shall not be held responsible for any construction or material costs.

No.	Description	Date

THE
POINTE
and Country Club



ERIC SMITH ASSOCIATES, P.C.
 2247 SEVENTEENTH STREET
 BOULDER, COLORADO, 80502
 (303) 442-5464, (303) 442-7462 FAX

Job Number:	04085.00
Date:	04-29-09
Drawn By:	EAS
Checked By:	EAS
Project Phase	
FDP-DC RESPONSES	
Sheet Title	
FDP FROM WEST	
Sheet Number	
FDP-18.1	



3D VIEW FROM NORTH

GENERAL NOTE

GENERAL NOTE OF COOPERATION

Adopted documents to be prepared by Eric Smith Associates, P.C. as indicated in notes to callouts.

No.	Description	Date

THE
POINTE
at Crystal Ridge

ESA
ERIC SMITH ASSOCIATES, P.C.
2044 BENTLEY STREET
BOULDER, COLORADO, 80502
(303) 442-5455, (303) 442-4745 FAX

Job Number: 04018.007
Date: 04-29-09
Drawn By: ESA
Checked By: ESA

Project Phase
PDP-DC RESPONSES
Sheet Title
3D VIEW FROM NORTH
Sheet Number

FDP-18.2

Eagleridge Lodge and Townhome Associations
PO Box 772995
1463 Flat Top Circle
Steamboat Springs CO 80477

Bob Keenan, City Planner and
City of Steamboat Springs Planning Commission
PO Box 775088
124th 10th Street
Steamboat Springs, CO 80477

Re: Application for The Pointe at Eagleridge, Eagle Ridge Subd. Lot 1, Replat of Blocks 6&7, #DPF-07-07

Dear Sirs/Madams;

Speaking on behalf of the owners of the Eagleridge Townhomes and the Eagleridge Lodge Condominiums (Owners), the Eagleridge Lodge Condominium Association and the Eagleridge Townhome Association Boards are writing to inform you of our concerns about the proposed condominium development called **The Pointe at Eagleridge**. Eagle Ridge Resort Development (ERRD) has applied for a new PUD on Lot 1, Replat of Blocks 6 and 7 of Eagleridge Subdivision (Lot 1). The new PUD application proposes to modify the use of the property from **commercial to residential**, and is proposing a seven unit structure, whose footprint will consume almost all of the Lot 1 space.

Our concern is about the potential use by residential owners of The Pointe of the amenities that are currently owned by the Eagleridge Amenities Association and used by the current Owners of the Eagleridge Townhomes and Eagleridge Condominiums.

A Brief History of The Pointe

In the 1990's the City of Steamboat Springs approved a PUD for our Eagleridge community that included a Lodge building with 34 condominiums, fourteen Townhome buildings consisting of 49 townhomes, a small commercial building to be located on Lot 1 that is now called The Pointe, and some amenities to be used by the Townhomes and the Lodge Owners. Construction of the Lodge, the Townhomes and the amenities proceeded, and were completed in 2008.

With the ever increasing value for residential property in Steamboat, ERRD in 2005 deemed it appropriate to go to the City with a new plan to build a three story building with eight residential units on Lot 1, rather than a commercial building. The Lodge Board at that time sent several letters to the Planning Commission objecting to the new structure and met with ERRD to determine if Lot 1 could be purchased to be used as green space and park land. When the City put a moratorium on base area development while a revised base area plan was developed, ERRD then withdrew the application, and the focus of ERRD was to complete the Townhomes

in order to finish out that phase of development and make some sales.

In 2007 ERRD resubmitted its plans for a three story residential building on Lot 1, and in the summer of 2007 ERRD submitted a letter to the Eagleridge Townhome and Lodge Owners and presented its plans for the property. By this time it was also very clear to our Owners that the amenities supporting the community, a pool, **one** hot tub and a small fitness room, were inadequate and already overcrowded.

In return for our support of its plan, ERRD agreed to expand the existing amenities to appropriately accommodate the present number of Owners by constructing **two additional** hot tubs and a fire pit, and adding some pieces of exercise equipment to the fitness room. The Owners were very concerned both about the overcrowded amenities and the height and mass of the proposed building on Lot 1. They authorized the Boards to begin negotiating with ERRD to purchase Lot 1. The Boards negotiated with ERRD over a period of six to nine months but were unable to arrive at a price and terms acceptable to both parties.

At the same time, the Boards sent a letter to the City expressing the Owners' concern about the size of the building and requesting that the City restrict the size of the proposed building if it was approved. Responding to our concerns and their own, the City's Planning Department submitted a letter to ERRD outlining the issues they had with the application. Some months later, ERRD submitted a revised application, lowering the building by one floor. ERRD also withdrew its offer to supplement the existing Eagleridge amenities. The Boards specifically asked ERRD to continue to offer the additional amenities, but ERRD declined to do that.

The Current Situation and Our Requests of the City

We are no longer negotiating with ERRD to purchase the property at its original asking price, although we have told ERRD that we are open to resuming negotiations at a price that is significantly lower than their proposed purchase price and closer to the appraised value. At the same time we have asked ERRD to reconsider their earlier offer to provide additional amenities in return for withdrawal of our opposition to admission of The Pointe residents to the Amenities Association. ERRD has not yet responded to this request.

We respectfully request that, in the event the City approves ERRD's application for The Pointe, the following condition is added as a condition of approval:

"ERRD shall construct amenities for the use of the owners within the Pointe development. Owners of property within the development on Lot 1, Replat of Blocks 6 and 7 of Eagleridge Subdivision, currently known as the Pointe development, shall not be permitted to use the amenities (including but not limited to, exercise room, pool and hot tubs) on or within the development located on Lots 2, 3 and the Amenities Outlot, Replat of Blocks 6 and 7 of Eagleridge Subdivision, currently known as Eagleridge Lodge Condominiums and Eagleridge Townhomes."

The declaration for the Amenities Association permits Lot 1 to be included in the Amenities Association **only** when Lot 1 is put to a **commercial use**, not a **residential use**. The City's

approval for the original PUD and the City's evaluation of the adequacy of the amenities for the Eagleridge complex was based on Lot 1 being commercial, with little to no use of the amenities. The amenities are already exceedingly overcrowded and are not sufficient to accommodate the current number of users. We urge the City to prohibit the **residential** owners of The Pointe property from accessing the already overcrowded Eagleridge amenities unless and until ERRD constructs additional amenities, as originally offered by ERRD, as a part of its application approval in order to appropriately accommodate the current and future users.

In addition, in ERRD's response to the City's TAC letter dated November 10, 2008, ERRD outlines how it intends to satisfy the City's requirement that 10% of the development's square footage be devoted to amenities. The letter refers to the 800 square foot offsite management company's check-in area. We respectfully request that the City clarify the location of that space to assure that ERRD is not referring to the check-in space currently located in the Eagleridge Lodge building. That space is not owned by ERRD.

In summary, we are requesting that the City, in its consideration and potential approval of the application before them, clarify the nature and location of the amenities outlined by ERRD for The Pointe; mandate that the residential owners of The Pointe not be permitted to use our amenities or belong to our Amenities Association unless and until the current amenities are expanded as originally offered by ERRD; and ensure that ERRD will not use the Eagleridge amenities in marketing The Pointe.

Finally, we want to repeat an objection to this project that we raised in our prior letter to you about safety and congestion during construction. Our Owners are very concerned about the disruption that will be caused by construction right at the main entrance to our community. We know that this issue is usually addressed when the developer is pulling construction permits, but we believe it is critical because of the location of this site, and therefore has to be addressed as a part of your development approval process. There is no room to stage construction materials and equipment on this small site! In addition, parking is limited in our community, so parking for construction workers will have to be on Eagle Ridge Drive, which we expect the City will not find acceptable from a safety and congestion perspective.

Access to the site during construction is problematic. The site is bounded by heavily used public streets on two sides, and we don't believe the City should allow their access to be impaired for any extended period. The other side of the site is bounded by the main access street to the Lodge and Townhomes, Flat Top Circle, and it is too narrow to be blocked for any extended period by construction.

We request that the city require that all the workers park at some remote location and be transported to the project, and that construction equipment and materials also be staged at a remote location until they are used.

Additionally, from a safety perspective, the intersection of Mt. Werner Circle and Eagle Ridge Drive is already busy and already presents a safety issue, particularly when trying to make a left turn out of Eagle Ridge Drive onto westbound Mt. Werner Circle. With the addition of the Stonewood Townhomes and the Chadwick Estates Townhomes, traffic has escalated and has

become a serious issue. "No parking" signs are needed now in the area and stop lights may ultimately be needed. Currently, construction and skier parking on Eagle Ridge Drive and Mount Werner Circle is compounding the aforementioned safety issues!

Thank you to the entire Planning Staff and Planning Commission for its careful review and consideration of this matter.



Wayne Wilhelm
President,
Eagleridge Townhome Association
Eagleridge Amenities Association



Nick Sears
President,
Eagleridge Lodge Homeowners Association

LEED for New Construction v2.2 Project Checklist

Project Name: The Pointe at Eagle Ridge
Project Address: Steamboat Springs, CO
February 5, 2009

It is our pre certification estimate that this project will potentially obtain 20 LEED® credits. Although this is our intention it is not feasible for the design team to fully commit to any of these credits at this stage in the design process. When the design team is fully assembled with the addition of mechanical consultants, plumbing consultants and a general contractor the complete design team will review our intentions and determine exactly which credits are financially and logistically feasible. Please see attached LEED® Project Checklist as reference to the credits that are intended.

Sustainable Sites:

SSp1: Construction Activity Pollution Prevention

Create and implement an Erosion and Sedimentation Control (ESC) Plan for construction activities associated with the project. Prevent loss of soil during construction by stormwater runoff and/or wind erosion, prevent sedimentation of storm sewer or receiving streams and prevent polluting the air with dust and particulate matter.

IDc1.1: Innovation in Design

SSc2: Developmental Density and Community Connectivity

Channel development to urban areas with existing infrastructure; protect greenfields and preserve habitat and natural resources.

Although our project is not on a previously developed site we believe it meets the intent of this credit because of the following:

This project is being constructed in an area where infrastructure is already in place (utilities adjacent to the site as well as public transportation routes). There is a high-density residential development and access to basic services within 1/2 mile of the site will be verified.

SSc4.1: Alternative Transportation, Public Transportation Access

Reduce pollution and land development impacts from automobile use.
Project will be located within 1/4 mile of one or more stops for two or more public bus lines usable by building occupants.

SSc4.4: Alternate Transportation, Parking Capacity

Reduce pollution and land development impacts from single occupancy vehicle use. Projects parking capacity exceeds minimum local zoning requirements by only .15% (Resident,

Accessible and Visitor spaces) and Design Team will also review with Owner benefits of facilitating car-share or ride board services.

Required Parking = 7.0

Provided Parking = 7.0

Exceeds minimum local zoning requirements by 0% which is less than 0.15%.

SSc5.2: Site Development – Maximize Open Space

Provide high ratio of open space to development (25% more than what's required).

<i>AREA OF SITE:</i>	<i>35,206 SF</i>
<i>AREA OF BLDG:</i>	<i>7,362 SF</i>
<i>AREA OF ROAD/PARKING ON SITE:</i>	<i>14,055 SF</i>
<i>AREA OF SIDEWALK INCLUDING (LOWER PATIO WEST PATIOS):</i>	<i>2,125 SF</i>
<i>OPEN SPACE PROVIDED</i>	<i>11,664 SF</i>

OPEN SPACE REQUIRED (15% OF 35,206 SF) 5,280 SF

5,280 SF X 25% = 1,320 SF

5,280 + 1,320 = 6,600 SF OF OPEN SPACE REQUIRED

11,664 > 6,600

This project provides exemplary performance in open space as it provides over _____ times the amount of Open Space required.

SSc7.1: Heat Island Effect – Non-Roof

Reduce heat island effect to minimize impact on the microclimate & human and wildlife habitat by providing 50% of parking under cover.

Covered parking = 7 spaces

Surface parking = 0 spaces

Total Parking = 7 spaces

100 % of the project's parking is covered.

Water Efficiency:

IDc1.2: Innovation in Design

WEc1.1: Water Efficient Landscaping, Reduce by 50%

Limit or eliminate the use of potable water, or other natural surface or subsurface water resources available on or near the project site, for landscape irrigation.

Project team will determine appropriate plant material and design the landscape with native or adapted plants to reduce or eliminate irrigation requirements where feasible.

IDc1.3: Innovation in Design

WEc3.1: Water Use Reduction – 20% Reduction

Maximize efficiency to reduce burden on municipal water supply and wastewater systems.
Provide 20% reduction in water coming into building (Flush and Flow fixtures).

Project will utilize low flow water closets, faucets for lavatories, kitchen sinks and showers. Although the project may not meet the 20% required by this credit, we believe that by taking water reduction measures, we are meeting the intent to do so.

Energy and Atmosphere:

EAp2: Minimum Energy Performance

Establish the minimum level of energy efficiency for the proposed building and systems.
Project team will design the building envelope, HVAC, lighting, and other systems to maximize energy performance per ASHRAE 90.1-2004.

Materials and Resources:

MRp1: Storage and Collection of Recyclables

Facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills.

Project team will provide an easily accessible area that serves the entire campus and is dedicated to the collection and storage of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics and metals.

MRc4.1: Recycled Content, 10%

Increase demand for building products that incorporate recycled content materials, thereby reducing impacts resulting from extraction and processing of virgin materials.

Project team will set 10% goal for recycled content materials and identify material suppliers that can achieve this goal. Will also specify materials with recycled content in specifications.

MRc5.1: Regional Materials, 10% Extracted, Processed & Manufactured Regionally

Increase demand for building materials and products that are extracted and manufactured within the region, thereby supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation.

Project team will establish a project goal of 10% for locally sourced materials, and identify materials and material suppliers that can achieve this goal. Will also specify materials with regional availability in specifications.

Idc1.4 Innovation in Design

MRc7: Certified Wood

Encourage environmentally responsible forest management.

Project team will present to owner the benefits of using a minimum of 50% of wood-based materials and products, which are certified in accordance with the Forest Stewardship Council's (FSC) Principles and Criteria, for wood building components.

Indoor Environmental Quality:

EQp1: Minimum IAQ Performance

Establish minimum indoor air quality (IAQ) performance to enhance indoor air quality in buildings, thus contributing to the comfort and well-being of the occupants.

This project has both mechanical and natural ventilation and shall comply with ASHRAE 62.1-2004, as required.

EQp1: Environmental Tobacco Smoke (ETS) Control

Minimize exposure of building occupants, indoor surfaces, and ventilation air distribution systems to Environmental Tobacco Smoke (ETS).

Project team will design and discuss policies with Owner concerning prohibiting smoking in all common areas of the building, locating designated smoking areas 25' from the buildings and sealing all units to minimize uncontrolled pathways for ETS between residential units.

EQc1: Outdoor Air Delivery Monitoring

Monitor CO2 concentrations within all naturally ventilated spaces (between 3' and 6' above the floor).

CO2 monitors will be provided per requirements.

EQc4.1: Low-Emitting Materials, Adhesives and Sealants

Reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well being of installers and occupants.

Project team will specify low-VOC materials (including general construction adhesives, flooring adhesives, fire-stopping sealants, caulking, duct sealants, plumbing adhesives, and cove base adhesives) in construction documents.

EQc4.2: Low-Emitting Materials, Paints and Coatings

Reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well being of installers and occupants.

Project team will specify low-VOC paints and coatings in construction documents and track the VOC content of all interior paints and coatings during construction.

EQc4.3: Low-Emitting Materials, Carpet Systems

Reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well being of installers and occupants.

Project team will specify requirements for product testing and/or certification in the construction documents.

EQc6.1: Controllability of Systems, Lighting

Provide a high level of lighting system control by individual occupants or by specific groups in multi-occupant spaces (i.e. classrooms or conference areas) to promote the productivity, comfort and well being of building occupants.

Project team will provide individual lighting controls for 90% (minimum) of the building occupants to enable adjustments to suit individual task needs and preferences.

EQc6.2: Controllability of Systems, Thermal Comfort

Provide a high level of thermal comfort system control by individual occupants or by specific groups in multi-occupant spaces (i.e. classrooms or conference areas) to promote the productivity, comfort and well being of building occupants.

Provide individual comfort controls for 50% (minimum) of the building occupants to enable adjustments to suit individual task needs and preferences. Operable windows can be used in lieu of comfort controls for occupants of areas that are 20 feet inside of and 10 feet to either side of the operable part of the window. The areas of operable window must meet the requirements of ASHRAE 62.1-2004 paragraph 5.1 Natural Ventilation.

EQc7.1: Thermal Comfort, Design

Provide a comfortable thermal environment that supports the productivity and well-being of building occupants.

Design building envelope and systems with the capability to deliver performance to the comfort criteria under expected environmental and use conditions.

EQc8.2: Daylight & Views, Views for 90% of Spaces

Provide for the building occupants a connection between indoor spaces and the outdoors through the introduction of daylight and views into the regularly occupied areas of the building.

Project team will design spaces to maximize day lighting and view opportunities.

Innovation & Design Process:

IDc1.1-1.4: Innovation in Design

These 4 credits provide design teams and projects the opportunity to be awarded points for exceptional performance above the requirements set by the LEED for New Construction Green Building Rating System and/or innovative performance in the Green Building categories.

The project team is implementing at minimum 4 design ideas that will meet the requirement for these credits. These Innovation in Design credits are noted with points they correspond to in this LEED® Project Checklist above.

Project: The Pointe Project No: 1098-003 Original Date: 12/13/08 Original Total Estimate: \$ 113,502.13		Prepared By: Landmark Consultants, Inc Ryan Spaustat		Revision No.		Date		Prepared By:		Total Estimate	
Item No	Improvement Description	Unit	Estimated Quantity	Estimated Unit Price	Subtotal Cost	Quantity Remaining This period	Status	Factor (b)	Total	Pro-Rated Cost	Approval status
1	<i>Sidewalks</i> Sidewalk Coloring	CY	43	\$45.00	\$ 1,935.00	100%		1	\$ 1,935.00		
2	<i>Street Lights</i> Light Pole Base	EA	2	\$300.00	\$ 600.00	100%		1	\$ 600.00		
3	Light Pole	EA	2	\$16,500.00	\$ 33,000.00	100%		1	\$ 33,000.00		
4	Conduit (including Pull Boxes)	LF	215	\$36.50	\$ 7,847.50	100%		1	\$ 7,847.50		
TOTAL COST										\$ 43,382.50	

DRAFT**Eagleridge Subdivision, Lot 1, Replat of Blocks 6 & 7 (The Pointe) #DPF-07-07 Development Plan/Final Development Plan for the construction of a 7-unit multi-family building with associated improvements.**

Discussion on this agenda item started at approximately 5:12 p.m.

STAFF PRESENTATION

Bob Keenan –

This is a 7 residential unit development plan. It has an underground parking garage and associated improvements. It is zoned G-1 and is submitted through the previous code, which required all G-1 and G-2 properties to be processed through a PUD. That has recently changed. There are no variances associated with this PUD therefore no public benefit is required. There is a typo on pg 3-9 of the staff report under #4 Staff Analysis the 'pedestrian/street level interest' talks about Ski Time Square. This was a cut and paste error. Their interest is to front the street and to provide connections to pedestrian walkways. They clearly meet those Base Area Design Standards. Staff is recommending approval with the conditions in the back of the staff report. He did a drive-through of the site.

APPLICANT PRESENTATION

Eric Smith –

The property in the front portion was never developed even though there was an approved plan that has expired for that lot. He gave a PowerPoint presentation. He showed what the building looks like. He showed the layout of the units within the building. The units range from 1,100 to 2,800 square feet. He showed the different elevations of the building. He showed a copy of the materials board on the PowerPoint presentation.

COMMISSIONER QUESTIONS

Commissioner Levy –

We had a couple of letters about the amenities. Were any of the amenities from the original PUD part of that PUD process? There was some concern about the sharing of the amenities and whether that affects the original PUD and whether that belongs in our oversight at all. I think that you know which letters I'm referring to.

Bob Keenan –

They aren't part of the EagleRidge Townhome Association. They are required to provide their own amenities for their own project and they did meet the amenities requirement set forth in the CDC. In the staff report there is a condition of approval that requires the applicant or developer to use checkin/departure facilities offsite of at least 800 sq.ft. to satisfy the rest of the amenities requirement. They have provided their own amenities.

Commissioner Fox –

Would you mind going over where the parking lot currently is in comparison with the building that is going to go up?

8/27/09

DRAFT

Eric Smith –

He showed where the parking lot is located. All of the surface parking is there, but there won't be any surface parking added.

Commissioner Fox –

Where the building is going to go, will that be landscaped and grass?

Eric Smith –

Correct.

Commissioner Hanlen –

This project seems like a bit of an anomaly. One of the staff members lost a little bit of a bet on this that an applicant actually came in without asking for a variance on something that's situated on a G-1 or G-2 property. Could you explain why it's not bigger? It's kind of odd that we're fighting over every inch on other properties that are trying to get up to 105' and this one skates underneath the minimums with no problems.

Eric Smith –

Based on discussions with the EagleRidge Lodge owners we started out with a taller building with more density. There were objections from the adjacent property owner and so we reduced the size of the building so we didn't need variances.

Commissioner Hanlen –

All of the other properties have objections as well, but it didn't stop them from coming through.

Eric Smith –

That's true.

Commissioner Hanlen –

It just seems kind of funny that we have all of this density at the base area. I would say that this is an inappropriate site for a 105' tall building. It seems like we're squandering an opportunity when it comes to utilizing properties with close proximity to the base.

Eric Smith –

I wouldn't necessarily disagree with that. He explained why the building being proposed is smaller.

Commissioner Hanlen –

Are they utilizing the check in desk and are they utilizing the pool and hot tubs?

Eric Smith –

No.

Commissioner Levy –

I assume through the TAC process that you looked at the turnaround radius with the porte-cochere it looks like it's coming a little tight. Right now it'll be on a cul-de-sac, but it's a dead end. Is there going to be a future road connection there?

Eric Smith –
This whole road loops around.

PUBLIC COMMENTS

Skip Moyer –

We're acknowledging that the developer has done a good job with this application. He gave a brief history of his work with the developer regarding this property. We opposed this building and still do. We have been trying to purchase this property from the current owner with no avail. He explained that they were opposed to the height and mass of the previous building. A lot of our owners have said that they felt like they were misled by the sales person who said that there was going to be a small commercial building on this point. That is now not the case. The original PUD that was approved in 1997 had lapsed. We wanted to buy this property and keep it as green space, but we couldn't agree on a sales price. The original PUD that was approved by the City had a significant shortage of amenities. We have 1 pool, 1 hot tub, and an exercise room that has 6 pieces of equipment for 85 home units. The hot tub fits only 16 people and we've seen up to 25 people day and night trying to force their way into the hot tub. This is an issue since we're going to add more people to our master community. We can see some potential problems if the Pointe owners aren't included into our master community. They're going to benefit from several of our amenities besides the pool and hot tub that we provide and maintain. It doesn't make sense to us to not include them into our master community since it would cause problems with our policing. We can't allow them to be a part of our master community however, unless they provide us with more amenities. We suggested that the Pointe owners provide a hot tub on their property and they said that they would give that some consideration. I respectfully ask you to delay any decisions on this property until we have an agreement by our homeowners of this subdivision and the owners of the Pointe to include this hot tub on their property.

Melinda Sherman –

There is a document regarding the access easement through the property. The entire 24' access easement is an easement that was granted from the developer to the amenities association for the benefit of the amenities association members. The Pointe property is not in the association. They don't benefit from the easement. I can't find the document that says that there is an easement over the roadway. The way it looks to me is that there is only a 12' wide roadway access to the property since half of it is on the lot 1 Pointe property.

Sandy Treat–

The idea is to have everybody sharing the amenities. In regards to the easement, that's shared parking.

Melinda Sherman –

I don't know if there's an access easement for the property unless the property is part of the amenities association. I can't find the document that provides the whole roadway as an access easement.

Commissioner Levy –

8/27/09

DRAFT

Has staff researched this at all? Are you aware of this possible conflict even if the easement is written the way Melinda Sherman says it is?

Bob Keenan –

The staff understood that the easement was put in place for both the benefit of the lot where the Pointe is proposed to go as well as the rest of the townhomes. This is the first that I've heard of this conversation.

Commissioner Ernst –

I wonder if that's in our pervue. I'm glad that we brought it up. We know that it's out there, but can we still go forward?

Tom Leeson –

The application has been submitted with the understanding that there's an easement. If there's a legal issue after the fact, then the application was misrepresented and it would be voided. You can still move forward.

Commissioner Levy –

It would be up to the applicant to take this into consideration and ask for tabling if he didn't want to go that route?

Tom Leeson –

Correct.

Commissioner Fox –

There's no prior commitments to the PUD not from 1997, but from the one before that for the original development plan that relates to any of these amenities issues or anything?

Bob Keenan –

Not that we're aware of.

Commissioner Fox –

You had stated that it was more on the 1997 submittal and the fact that it was outdated and they missed their timeframe. I didn't know about the overall EagleRidge Subdivision.

Bob Keenan –

The overall EagleRidge Subdivision was just a land subdivision that got divided up into tracts that were further subdivided and resulted in a subdivision such as this. I didn't see anything regarding the amenities on this subdivision.

Eric Smith –

There is a master subdivision for the entire EagleRidge site. It included all of the improvements and is maintained by the master association.

Commissioner Dixon –

The amenities association that you represent, what is within their control? Is it just the amenities within your building or is it landscaping and paying for the heated drive?

8/27/09

DRAFT

Melinda Sherman –

The amenities association is made up of the owners of the Lodge and the townhome units. They own the amenities lot, which has a swimming pool and a hot tub. They have an easement for the exercise room that's in the Lodge building. They also have an easement for all of the walkways and roadways. They are required to maintain them. They also have an easement for the parking lot on the side where the Pointe property is going to be located. The developer had reserved the right to expand the amenities association to include commercial on that lot. Since that's not happening now, the developer does not have the right to automatically expand the amenities association to include the Pointe property.

Commissioner Hanlen –

Even if they're not participating in the hot tub or pool they're still contributing to maintaining the roadway, sidewalk and the trails.

Melinda Sherman –

Who?

Commissioner Hanlen –

The future owners of the Pointe.

Melinda Sherman –

No, they're not required to do that if they're not part of the association.

Commissioner Hanlen –

Are we understanding the application correctly that they won't be part of the association?

Melinda Sherman –

I don't know if they will or won't be. It would require a vote by the members of the amenities association to expand the boundary of the association. The application is not being presented as a part of the amenities association.

Commissioner Hanlen –

If you flip it the other way, isn't he granting access in order to be able to utilize the parking that's currently on Lot 1 that the Lodge participates in?

Melinda Sherman –

The amenities association has an easement and that was part of the original PUD.

Commissioner Hanlen –

You're implying that the remainder has access to Lot 1, but Lot 1 doesn't have an access to the remainder of the property?

Melinda Sherman –

I can't find the document that says that they have access on the roadway. Lot 1 does have access onto the parking lot.

Commissioner Hanlen –

8/27/09

DRAFT

Just 12' of it.

Melinda Sherman –
Correct.

Steve Shelesky –

I want to restate that I don't see any way to police the amenities use from the shuttle to the equipment and the pools with renters from the Pointe building. Given its prominence at our front door, which is a very nice front door right now, I would like to see this building go forward with at least some compatibility between the two projects.

Sandy Treat–

The intent of this project was always to be a part of the amenities association. We were going to have amenities that everyone could share. The commercial building that was originally proposed was not wanted by the owners since it was very large and obstructed their views. There was another fellow that was part of the deal, but he didn't follow through. I'm wanting to build a small building with underground parking with little impact. There's continued open space where the parking is. I'm not going to stand here and say that the amenities are inadequate. We always felt that the commercial owners would have access to the amenities. To be held hostage over a hot tub, of course I would want to put that in, but how they were demanding additional items doesn't make any sense. This is what the owners wanted, which is a small compact building. To be tabled for a hot tub, which I was just recently asked to put in, of course I would want to do that. That's the fairest offer to date. The palate did get changed in this part of Steamboat to some darker tones, but yes I do want it to be compatible with the rest of EagleRidge Subdivision.

FINAL STAFF COMMENTS

None

FINAL COMMISSIONER COMMENTS

Commissioner Hanlen –

The hot tub could be reviewed administratively based on the size of it?

Tom Leeson –

Yes.

Commissioner Fox –

You're agreeing to participate in the amenities association?

Sandy Treat –

That was the original intent.

Commissioner Hanlen –

Regarding the vesting period for this, are you requesting an extension?

Eric Smith –

We have requested extensions for this application.

8/27/09

DRAFT

Commissioner Hanlen –
Currently you're fine with the three years?

Eric Smith –
I don't think that anybody is fine with three years now but we didn't include a longer vesting at this point.

Commissioner Hanlen –
There's a proposal on board right now for projects such as this to have three years with an administrative two year extension. It hasn't been finalized yet, but I just want to have that discussion now.

Tom Leeson –
If that were to be approved then that would be included retroactively with this project.

Commissioner Hanlen –
Are you ok with that?

Eric Smith –
We would like to have a longer approval period included tonight, but I don't know if that is even possible.

Tom Leeson –
It should have been requested as part of the application, but it was not. It is a little bit late to be requesting additional vesting. City Council did agree with you and we are going to be moving forward on that ordinance.

Commissioner Ernst –
For how many years?

Tom Leeson –
It is currently written as a three year with a two year extension.

Commissioner Ernst –
Whatever has three years now will get an automatic two year extension?

Commissioner Hanlen –
As long as it complies with the CDC and the CAP it can receive a two year administrative approval after it gets reviewed by staff. Nothing is done automatically.

Tom Leeson –
Correct.

Commissioner Dixon –
Is it also an administrative review to change the exterior selections to be more amenable to match the existing structure across the street?

Tom Leeson –

8/27/09

DRAFT

If it's a significant change it's a public hearing. If it's just a slight change then we can do that administratively. The code doesn't really talk about it a lot.

Commissioner Levy –

We do have the Design Standards for the Mountain Base Area. Some standards for relationship to surrounding development, was that reviewed and did staff feel that the current architectural and façade design was met with the surrounding properties?

Bob Keenan –

The relationship to the surrounding development largely deals with the mass and scale of the building. The Base Area Design Standards are a part of this project but they weren't for the current EagleRidge properties. There's no reason why the colors can't match.

Commissioner Levy –

The current application meets the standards?

Bob Keenan –

Yes.

Commissioner Dixon –

There's no reason why they have to match.

RECOMMENDED MOTION:

Staff finds the Pointe proposal is **consistent** with the findings for approval. Staff recommends the Planning Commission **APPROVE** the Pointe proposal #DPF-07-07 & #CHP-09-03.

Planning Commission recommends approval of the Pointe proposal #DPF-07-07 & #CHP-09-03 with the findings that the proposal is consistent with the Development Plan/Final Development Plan/PUD and Community Housing Plan criteria for approval with the following conditions of approval:

1. The developer shall pay his proportionate share of potential future traffic signal improvements at Mt Werner/Steamboat Boulevard intersection, calculated at 0.06% of \$250,000 or \$1,500. Payment shall be submitted prior to recordation of Final Plat or issuance of building permit, whichever comes first.
2. Civil construction plans prepared by a licensed Colorado civil engineer must be submitted to Public Works for review by Public Works, Planning, and Mt. Werner for review and approval prior to approval of any improvements agreement, building permit, or final plat and prior to the start of any construction.
3. Provide a construction site management plan with the building permit application. (Note: There is limited room on-site and off-site arrangements may need to be made for worker parking and materials storage. These activities should not occur in the public ROW.)

8/27/09

DRAFT

4. The following items are considered critical improvements and must be constructed prior issuance of any TCO or CO; they cannot be bonded:

- Public drainage improvements
- Public sidewalk improvements
- Installation of street and traffic control signs
- Storm water quality features. (Vegetation must be established prior to CO when required as part of the feature design.)

5. Digital site plan is required prior to building permit. This shall be submitted to GIS services.

6. The developer and the home owners association for the Pointe at Eagleridge shall contract with a property management company to provide off-site check-in and departure facilities of at least 800 square-feet to satisfy a portion of the required amenities as specified in Section 26-143(d)(4)(b), Site Planning, of the Community Development Code.

7. Prior to Grading, Excavation, or Building Permit the applicant shall submit and receive approval for a Lot Line Adjustment to vacate a portion or the entire waterline easement in which the southeast corner of the proposed building will encroach.

8. Public improvements for community amenities as required by the Base Area Design Standards shall meet or exceed any applicable Redevelopment Authority design standards. Site elevations and grading to be coordinated with SSRA.

9. Prior to Building Permit approval the applicant is required to enter into a Development Agreement with the City that shall stipulate:

- Allowance of interior reprogramming including alterations in unit count and private amenity space and floor to floor/overall height reduction. (Any alterations in private amenity space must maintain compliance with CDC requirements)
- URA improvements construction and maintenance
- Community Housing Plan requirements
- Any other items identified by the Planning Commission and City Council

MOTION

Commissioner Dixon moved to approve Eagleridge Subdivision, Lot 1, Replat of Blocks 6 & 7 (The Pointe) #DPF-07-07. Commissioner Ernst seconded the motion.

VOTE

Vote: 6-0

Voting for approval of motion to approve: Dixon, Ernst, Fox, Hanlen, Levy and Lacy.

8/27/09

DRAFT

Absent: Meyer and Beauregard.

MOTION

Commissioner Fox moved to approve the CHP for Eagleridge Subdivision, Lot 1, Replat of Blocks 6 & 7 (The Pointe) #DPF-07-07. Commissioner Lacy seconded the motion.

VOTE

Vote: 6-0

Voting for approval of motion to approve: Dixon, Ernst, Fox, Hanlen, Levy and Lacy.

Absent: Meyer and Beauregard.

Discussion on this agenda item concluded at approximately 6:00 p.m.

AGENDA ITEM # 17

City Council Updates

A report will be provided at the meeting.

AGENDA ITEM # 18a1

*****TENTATIVE AGENDA FOR TUESDAY, SEPTEMBER 29, 2009*****

This agenda is tentative and the information is subject to change until the agenda is finalized.

CITY OF STEAMBOAT SPRINGS AGENDA SPECIAL MEETING NO. SP-2009-07 TUESDAY, SEPTEMBER 29, 2009 5:00 P.M.

WORKSESSION MEETING LOCATION: Citizens' Meeting Room, Centennial Hall; 124 10th Street, Steamboat Springs, CO

WORKSESSION MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the work session meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled work session meeting items will be heard **following** the presentation or the internal deliberation. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 9:00 p.m.

A City Council work session meeting packet is available for public review in the lobby of City Hall, 137 10th Street, Steamboat Springs, CO.

PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, whichever comes first. CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

A. ROLL CALL (5:00 P.M.)

B. CITY COUNCIL REVIEW TOPIC

1. **FIRST READING OF ORDINANCE:** 1st reading of Annexation ordinance. (Eastman)
2. **FIRST READING OF ORDINANCE:** Traditional Neighborhood Design. (Spence)

*******TENTATIVE AGENDA FOR TUESDAY, SEPTEMBER 29, 2009*******

This agenda is tentative and the information is subject to change until the agenda is finalized.

- 3. FIRST READING OF ORDINANCE:** Steamboat 700 Zoning.
(Eastman)
- 4. FIRST READING OF ORDINANCE:** Iron Horse Lease agreement.
(Small)

C. ADJOURNMENT

**BY: JULIE FRANKLIN, CMC
CITY CLERK**

AGENDA ITEM # 18a2

*****TENTATIVE AGENDA FOR TUESDAY, OCTOBER 6, 2009*****

This agenda is tentative and the information is subject to change until the agenda is finalized.

CITY OF STEAMBOAT SPRINGS

AGENDA

REGULAR MEETING NO. 2009-25

TUESDAY, OCTOBER 6, 2009

8:00 A.M. (all day)

MEETING LOCATION: Citizens' Meeting Room, Centennial Hall;
124 10th Street, Steamboat Springs, CO

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard **following** the presentation by Staff or the Petitioner. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 10:00 p.m.

A City Council meeting packet is available for public review in the lobby of City Hall, 137 10th Street, Steamboat Springs, CO.

PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first). CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

A. ROLL CALL

2010 Budget public hearing

K. ADJOURNMENT

BY: JULIE FRANKLIN, CMC
CITY CLERK

AGENDA ITEM # 18a3

*****TENTATIVE AGENDA FOR TUESDAY, OCTOBER 13, 2009*****

This agenda is tentative and the information is subject to change until the agenda is finalized.

CITY OF STEAMBOAT SPRINGS AGENDA REGULAR MEETING NO. 2009-26 TUESDAY, OCTOBER 13, 2009 5:00 P.M.

WORKSESSION MEETING LOCATION: Citizens' Meeting Room, Centennial Hall; 124 10th Street, Steamboat Springs, CO

WORKSESSION MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the work session meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled work session meeting items will be heard **following** the presentation or the internal deliberation. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 9:00 p.m.

A City Council work session meeting packet is available for public review in the lobby of City Hall, 137 10th Street, Steamboat Springs, CO.

PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, whichever comes first. CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

A. ROLL CALL (5:00 P.M.)

B. PUBLIC HEARING: ORDINANCE SECOND READINGS

THE CITY COUNCIL PRESIDENT OR PRESIDENT PRO-TEM WILL READ EACH ORDINANCE TITLE INTO THE RECORD. PUBLIC COMMENT WILL BE PROVIDED FOR EVERY ORDINANCE.

- 1. SECOND READING OF ORDINANCE:** Iron Horse Lease agreement. (Small)

*******TENTATIVE AGENDA FOR TUESDAY, OCTOBER 13, 2009*******

This agenda is tentative and the information is subject to change until the agenda is finalized.

- C. PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).** CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**
-

D. PUBLIC HEARING – PLANNING COMMISSION REFERRALS

PUBLIC HEARING FORMAT:

- **Presentation by the Petitioner (estimated at 15 minutes). Petitioner to state name and residence address/location.**
- **Presentation by the Opposition.** Same guidelines as above.
- **Public Comment by individuals (not to exceed 3 minutes). Individuals to state name and residence address/location.**
- **City staff to provide a response.**

2. SECOND READING OF ORDINANCE: Steamboat 700 Annexation ordinance. (Eastman)

3. SECOND READING OF ORDINANCE: Traditional Neighborhood Design. (Spence)

4. SECOND READING OF ORDINANCE: Steamboat 700 Zoning. (Eastman)

E. OLD BUSINESS

5. Minutes (Franklin)

- a. Regular Meeting 2009-18, August 18, 2009.
 - b. Special Meeting 2009-06, August 31, 2009.
 - c. Regular Meeting 2009-16, September 1, 2009.
 - d. Regular Meeting 2009-17, September 8, 2009.
 - e. Regular Meeting 2009-18, September 15, 2009.
-

F. ADJOURNMENT

**BY: JULIE FRANKLIN, CMC
CITY CLERK**

AGENDA ITEM # 18a4

*****TENTATIVE AGENDA FOR TUESDAY, OCTOBER 20, 2009*****

This agenda is tentative and the information is subject to change until the agenda is finalized.

CITY OF STEAMBOAT SPRINGS

AGENDA

REGULAR MEETING NO. 2009-27

TUESDAY, OCTOBER 20, 2009

5:00 P.M.

MEETING LOCATION: Citizens' Meeting Room, Centennial Hall;
124 10th Street, Steamboat Springs, CO

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard **following** the presentation by Staff or the Petitioner. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 10:00 p.m.

A City Council meeting packet is available for public review in the lobby of City Hall, 137 10th Street, Steamboat Springs, CO.

PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first). CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

A. ROLL CALL

B. COMMUNITY RESPORTS/CITY COUNCIL DISCUSSION TOPIC:

- 1. Chamber Wrap Up.** (Broyles)

*******TENTATIVE AGENDA FOR TUESDAY, OCTOBER 20, 2009*******
This agenda is tentative and the information is subject to change until the agenda is finalized.

C. CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS

LEGISLATION

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. ANY MEMBER OF THE COUNCIL OR THE PUBLIC MAY WITHDRAW ANY ITEM FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION AT ANY TIME PRIOR TO APPROVAL.

- 2. MOTION:** Motion to approve submittal of a grant application to the US Department of Agriculture, Rural Utility Service for grant funding to upgrade the utility infrastructure at Fish Creek Mobile Home Park. (DelliQuadri/Engelken)
 - 3. MOTION:** Motion to submit a grant application to the Federal Emergency Management Agency requesting up to \$_____ for the Spring Creek Culvert at Fish Creek Falls Road. (DelliQuadri)
 - 4. RESOLUTION:** Re-naming of New Victory Highway. (Kane)
 - 5. RESOLUTION:** A resolution to not continue the Industrial Enterprise Zone District. (Litzau/Summers)
 - 6. FIRST READING OF ORDINANCE:**
 - 7. FIRST READING OF ORDINANCE:**
-

D. PUBLIC HEARING: ORDINANCE SECOND READINGS

THE CITY COUNCIL PRESIDENT OR PRESIDENT PRO-TEM WILL READ EACH ORDINANCE TITLE INTO THE RECORD. PUBLIC COMMENT WILL BE PROVIDED FOR EVERY ORDINANCE.

- 8. SECOND READING OF ORDINANCE:** An ordinance approving a hangar lease to Jack Petrie at the Steamboat Springs Airport and authorizing City Council President to sign lease documents; repealing all conflicting ordinances; providing for severability; and providing an effective date. (Small)
- 9. SECOND READING OF ORDINANCE:** An ordinance to vacate a 10 foot wide utility easement located south of the north lot line and north of the south lot line and also the westerly 10 foot of the 15 foot wide utility easement located west of the east lot line of lot 5 of Riverside Subdivision Filing 1. (Lorson)

- E. PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).** CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**
-

**PLANNING
PROJECTS**

- F. CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:**
ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE OR NO COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. A CITY COUNCIL MEMBER MAY REQUEST AN ITEM(S) BE REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION. **ALL ORDINANCES APPROVED BY CONSENT SHALL BE READ INTO THE RECORD BY TITLE.**

- 10. FIRST READING OF ORDINANCE:** Text amendment to CDC – Definition for Urban Chickens (to allow up to five chicken hens in single-family zone district). (Keenan)
- 11. FIRST READING OF ORDINANCE:** Text amendment to CDC – Definition for Medical Marijuana (to regulate the use and location of medical marijuana dispensaries). (Keenan)
- 12. FIRST READING OF ORDINANCE:** Ski Time Square, Parcel B Zoning Map Amendment (from Resort Residential One (RR-1) to Gondola Two (G-2)). (Lorson)
- 13. FIRST READING OF ORDINANCE:** SCE Subdivision, Lots 1 & 2 Zoning Map Amendment. (Peasley)
-

G. PUBLIC HEARING – PLANNING COMMISSION REFERRALS

PUBLIC HEARING FORMAT:

- **Presentation by the Petitioner (estimated at 15 minutes). Petitioner to state name and residence address/location.**
- **Presentation by the Opposition.** Same guidelines as above.
- **Public Comment by individuals (not to exceed 3 minutes). Individuals to state name and residence address/location.**
- **City staff to provide a response.**

- 14. PROJECT: Ski Time Square Development Permit & Preliminary Plat**
PETITION: Development Plan & Preliminary Plat
LOCATION: 4.62 acre Ski Time Square Property

*******TENTATIVE AGENDA FOR TUESDAY, OCTOBER 20, 2009*******

This agenda is tentative and the information is subject to change until the agenda is finalized.

APPLICANT: The Atira Group, Mark Matthews, VP of Development,
P.O. Box 880639, Steamboat Springs, CO 80488; 970-870-9800
PLANNING COMMISSION VOTE: to be heard 9/24/09

15. PROJECT: Ski Time Square Preliminary Plat

PETITION: Preliminary Plat

LOCATION: 4.62 acre Ski Time Square Property

APPLICANT: The Atira Group, Mark Matthews, VP of Development,
P.O. Box 880639, Steamboat Springs, CO 80488; 970-870-9800

PLANNING COMMISSION VOTE: to be heard 9/24/09

H. REPORTS

16. City Council

17. Reports

- a. Agenda Review (Franklin):
 - 1.) City Council agenda for November 3, 2009.
 - 2.) City Council agenda for November 10, 2009.
 - 3.) City Council agenda for November 17, 2009.

18. Staff Reports

- a. Water/Wastewater Master Plan and Rate Study update. (Shelton)
- b. City Attorney's Update/Report. (Lettunich)
- c. Manager's Report: Ongoing Projects. (Roberts)

I. ADJOURNMENT

**BY: JULIE FRANKLIN, CMC
CITY CLERK**

AGENDA ITEM # 18a5

*** Tentative Agenda ***

STEAMBOAT SPRINGS REDEVELOPMENT AUTHORITY **AGENDA**

MEETING NO. SSRA-2009-10
TUESDAY, OCTOBER 20, 2009
5:00-5:40 P.M.

MEETING LOCATION: Citizens' Meeting Room, Centennial Hall;
124 10th Street, Steamboat Springs, CO

A. ROLL CALL (5:00 P.M.)

B. BASE AREA REDEVELOPMENT

1. **2009 Construction Update.** (Kracum)
 2. **Briefing and Motion on Promenade & Daylighting Burgess Creek Design Development.** (Kracum)
-

C. APPROVAL OF MINUTES

3. **MINUTES:**
 - a. Steamboat Springs Redevelopment Authority Regular Meeting SSRA-2009-06, July 7, 2009.
 - b. Steamboat Springs Redevelopment Authority Regular Meeting SSRA-2009-08, August 4, 2009.
 - c. Steamboat Springs Redevelopment Authority Regular Meeting SSRA-2009-09, September 8, 2009.
-

D. ADJOURNMENT (5:40 P.M.)

**BY: JULIE FRANKLIN
CLERK TO THE BOARD**

AGENDA ITEM # 19a

CITY COUNCIL COMMUNICATION FORM

FROM: Bob Litzau, Interim Director of Financial Services (Ext 239)

THROUGH: Jon B. Roberts, City Manager (Ext. 228)

DATE: September 15, 2009

ITEM: Request for funding

NEXT STEP: Approve funding request

DIRECTION
 INFORMATION

I. REQUEST OR ISSUE:

This communication form is to let you know that the Steamboat Springs Winter Sports Club has requested City of Steamboat Springs funding in the amount of \$25,000. This amount will help fund events at Howelsen Hill on December 23 and 24, 2009.

II. RECOMMENDED ACTION:

Approve funding from City Council Contingency Budget.

III. FISCAL IMPACTS:

Total expenditures: \$25,000

IV. BACKGROUND INFORMATION:

The Steamboat Springs Winter Sports Club was previously directed to take this request to The Steamboat Springs Chamber Resort Association for consideration of funding from the Chamber's Special Events funding. The Chamber's funding has been exhausted and there are no funds available from the Chamber. This request was discussed with the City's Management staff which approved bringing this request to Council. It is believed to be an important opportunity to promote Steamboat Springs.

V. LEGAL ISSUES:

None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None noted.

VII. SUMMARY AND ALTERNATIVES:

Alternatives:

- 1) Approve request
- 2) Deny request.

AGENDA ITEM # 19b

City Attorney's Report

A report will be provided at the meeting.

AGENDA ITEM # 19c

City Manager's Report

A report will be provided at the meeting.