

MINUTES

DATE: Tuesday, February 6, 2018

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers

PRESENT: Mayor Pro Tem Nick Kutrumbos, Councilors Jim Myers, Mike Periolat, and Chuck Banks, Acting Town Manager Bill Wengert, Town Clerk Danielle Jardee, Town Attorney Kendra Carberry

OTHERS

PRESENT: Community Development Director James Shockey, Capital Projects and Parks Manager Gerry Vernon, Transit Director Michael Koch, Police Chief Glen Trainor, Public Works Director Russ Chameroy

Mayor Pro Tem Nick Kutrumbos called the meeting to order at 5:30 pm.

Mayor Pro Tem Nick Kutrumbos led those present in reciting the Pledge of Allegiance.

2. Town Hall Meeting

Clark Lipscomb hand delivered an invoice totaling \$1,194,568.48 to Town Clerk Danielle Jardee for King's Crossing Road Extension, and the UPRR Underpass. Mr. Lipscomb stated the Underpass Project is going great, and it's looking at an August completion date.

3. Consent Agenda

3.a. Approval of January 16, 2018 Meeting Minutes

Councilor Chuck Banks moved and Councilor Michael Periolat seconded the motion approving the Consent Agenda. Motion Carried: 4-0.

4. Action Items

4.a. Ordinance 509 - An Ordinance Annexing Property Located in Unincorporated Grand County to the Town, Zoning the Property as Planned Development, and Approving an Associated Final Development Plan for the Property (Roam/Beavers), Second Reading and Continued Public Hearing

Mayor Pro Tem Nick Kutrumbos opened the Public Hearing. Winter Park resident Priscilla Kirouac stated she is not against Town growth, however she would like it to be thoughtful growth. Mrs. Kirouac stated that the Roam Development Plan is a complex, 200 plus page plan, and Town Staff and Council should take longer than three months to review it. Mrs. Kirouac stated the developers do not have the Town's best interest, she stated they are in it for the money. After reviewing the Final Development Plan, Mrs. Kirouac stated she didn't like the use of the Developer's language. Mrs. Kirouac stated the language should address the changing new Town Master Plan, not abide by a Town Plan that is over 10 years old. Mrs. Kirouac stated her concerns for the Fraser River, she would like to see better protection, a 16-foot easement is not

enough. Mrs. Kirouac stated that the 75-foot building height in the Final Development Plan is not acceptable, there is 55-foot maximum building height in the Town's Building Code for a reason. Winter Park resident George Stevens stated his excitement for the Roam Development but also had concerns with the Final Development Plan. Mr. Stevens stated that in the Final Development Plan, open space dedication is not clearly stated. Mr. Stevens stated his disapproval of section 10.5 of the Plan concerning the Fraser River, the Fraser River is to remain private with no public access. Mr. Stevens stated a 16-foot easement is not acceptable, the Army Corp allows for a 30-foot easement. Mr. Stevens stated that having a 75-foot building with a 30-foot river easement is unacceptable. Mr. Stevens stated The Final Development Plan has no language to protect the Town from expenditures, he would like to see that addressed to protect the Town and its residents. Winter Park resident Linda Behlen stated her concerns, first one being that the Town needs to slow down on this process. Another concern is the open space dedication, it is only 4.6% of the total property. Mrs. Behlen stated that the developer should pay for developing trails, and the foot bridge that are detailed in the plan. Mrs. Behlen stated that subdivision phasing, along with other sections of the Final Development Plan should be obligated to follow the new Town Master Plan. Mrs. Behlen stated concern about the plan stating that no public access will be allowed until subdivisions are built. She asked what if subdivisions are never completed? Mrs. Behlen agreed with Mrs. Kirouac that a month and half timeline to vote on the Final Development Plan is unreasonable. Winter Park resident Heather Green agreed with the other residents who spoke. Ms. Green stated that half of the open space dedication, is not even accessible, and that not having Fraser River access is unacceptable. Ms. Green stated the Town is ultimately responsible for the costs of the projects listed in the Final Development Plan. Those projects being parks, trail, and the extension of Vasquez Rd. Ms. Green stated that the developer will collect money on these projects even though the Town is responsible for the costs. Ms. Green stated she would like this relationship to be mutually beneficial. She also stated that it feels as if the Town is putting the cart before the horse since the Town Master Plan is still in process. Winter Park Resident Guy Kirouac asked how the Town could approve a project so large before completing the Town Master Plan. Mr. Kirouac stated his concern for the Fraser River, and how this project will affect it. Mr. Kirouac stated that the developer has had three years to develop this plan, and the Town has only had three months to review it. Winter Park resident Gary Behlen stated that he is in favor of the Roam Development, and thinks it will be a great gateway to the Town. However, the developer's plan is not acceptable to him. Mr. Behlen stated that the Final Development plan sounds as if the developer's attorney wrote it, and the plan works only in their favor. Mr. Behlen stated concerns that were also addressed by the other Town residents who spoke before him. He does not agree with the open space dedication, and has concerns about the Fraser River. The Final Development plan does not have specifics on Highway 40 Traffic Improvements, Mr. Behlen suggested a pro forma on the costs of this project. Mr. Behlen stated his disagreement with \$2.00 per square foot construction cost, and the 20-year vesting period. He suggested the Town consider starting with a ten-year vesting period, and also suggested delaying this decision. Winter Park resident Dave Barker stated his support for the Roam Development project. Mr. Barker stated that the Town has spent a lot of money over the past couple of years, and would also like to see a pro forma of costs. Madelyne Stevens asked if there are projected costs that the public could see in regards to this Final Development Plan. Winter Park resident Wendy Magwire asked if her concerns from the last public hearing in regards to the wildlife and river were addressed by the Planning Commission. Mrs. Magwire stated her concern about having septic systems that close to the Fraser River. Winter Park Resident Gigi Dominguez stated her hopes that the Town Council will listen to all the Public Comment, she has never seen such a turn out, and she agreed with the Town Residents. Town Attorney Kendra Carberry stated for the record that this Public Hearing will be continued due to there being no finalized plans, and that there must be an hour of public testimony. Jeff Vogel stated he would like to update the Town Council and Public since having been to two public

hearings, and two hearings with the Building Commission. Roam is reviewing some aspects of the Final Development Plan. One update is that the six acres considered Beaver's West intent to use as if it is being used today, there will be no mining, possibly be used for renewable energy. Mr. Vogel stated the possibility of putting three dwelling units, or 34 cabins on the property. Mr. Vogel stated another consideration would be to overlay mixed buildings of commercial and residential on Vasquez Road. Mr. Vogel stated there has been discussion and coordination with Staff in regards to the new Town Master Plan. Included in the Final Development Plan for Roam is a stream management plan, river and restoration plan, and forest management plan that has already begun. Mr. Vogel stated some more aspects of the Final Development Plan that have been previously discussed at Council Meetings. Mayor Pro Tem Nick Kutrumbos suggested Mr. Vogel discuss the elevation of Town Roads and where signalized access will be. Mr. Vogel stated Vasquez is already signalized, and there may be an additional signal added. Mr. Vogel stated that Roam transportation plan has already been reviewed by Colorado Department of Transportation. Mr. Vogel addressed the 75-foot building height, that building height would only be an opportunity for a hotel/conference place. The Roam Development is not trying to build condos that tall. Mr. Vogel stated the qualitative and quantitative benefits of Roam. The qualitative benefits being connectivity, consistency, and control, vibrancy, parks and recreation, and more housing. Mr. Vogel focused on the vibrancy 1,076 new residential units would bring to support year-round business in Town. Mr. Vogel stated the quantitative benefits; 1% RETA, .5% workforce housing RETA, sales tax from \$1,584,000 annually, 1.5-acre public park, Fraser River Trail Bridge, building and permit fees, and water tap fees. Community Development Director James Shockey stated that the proposed utilities would be underground. Mr. Shockey addressed the septic concerns, septic and wells would have to go through proper regulations to make sure they are viable. Mr. Vogel stated to the public that this Final Development Plan process has been going on longer then a year, it hasn't just been three months. He appreciates all the public comment and wants to make sure the Final Development Plan is beneficial to both parties. Mrs. Carberry stated that the Public Hearing has reached an hour of testimony. Town Council can continue this hearing to March, 6. Mayor Pro Tem Nick Kutrumbos stated his thanks to the public for all their comments.

Councilor Chuck Banks moved and Councilor Mike Periolat seconded the motion to continue Ordinance 509 – An Ordinance Annexing Property Located in Unincorporated Grand County to the Town, Zoning the Property as Planned Development, and Approving an Associated Final Development Plan for the Property (Roam/Beavers), Public Hearing to March 6, 2018 at 5:30 p.m. Motion Carried: 4-0.

4b. Resolution 1604 – Appointment of Town Engineer and Secondary Engineer – JVA and Bowman

Community Development Director James Shockey stated that Appointing a Town Engineer and Secondary Engineer is an annual contract. Mr. Shockey stated that Staff recommends approval of JVA and Bowman.

Councilor Mike Periolat moved and Councilor Chuck Banks seconded the motion to approve Resolution 1604 – Appointment of Town Engineer and Secondary Engineer – JVA and Bowman. Motion Carried: 4-0.

5. Town Manager's Report

Acting Town Manager Bill Wengert stated Megan Ledin could not make it tonight, but wanted to report that the event at Ullr's for the Donor Advised Housing Fund raised \$2,800.00. The Donor Advised Housing Fund is only \$40,000.00 away from meeting its match. Mr. Wengert stated that

a Colorado Non-Profit magazine will be featuring an article on the Town of Winter Park's Donor Advised Housing Fund.

6. Mayor's Report

Mayor Pro Tem Nick Kutrumbos stated his thanks to the community for coming out to the meeting tonight. Mr. Kutrumbos stated the recent snow has been positive for Town and for local businesses.

7. Town Council Items for Discussion

Community Development Director James Shockey requested a letter of support from the Town Council for a land exchange located at the base of Mary Jane. When the Town approved Bridger's Cache Subdivision there was no legal access from the National Forest side to service it. It is now at the point where the National Forest is ready to allow access. Councilor Mike Periolat stated that this land exchange has been in the works for years, and is just now being made public. Winter Park Resort is in support and agreement, and everyone including the National Forest Service is in support of this land exchange. Mr. Shockey recommended approval to submit a letter of support from the Town regarding the land exchange.

Councilor Jim Myers moved and Councilor Mike Periolat seconded the motion to approve the land exchange letter of support. Motion Carried: 4-0.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 6:51 p.m.

The next scheduled meeting of the Town Council will be Tuesday, February 20, 2017 at 8:00 a.m.

Danielle Jardee, Town Clerk