



MINUTES  
CITY OF GLENWOOD SPRINGS  
SPECIAL CITY COUNCIL MEETING  
SEPTEMBER 7, 2021  
101 W. 8<sup>TH</sup> STREET  
6:15 PM

Note: Official meeting minutes are located on the City website via YouTube video at the following link: <https://www.youtube.com/user/GlenwoodSprings1885/videos>. The times in agenda items indicate approximately where the item can be found on the YouTube video timeline.

## **SPECIAL SESSION**

### **:05 Roll Call**

Present: Mayor Godes, Mayor Pro-Tem Willman, Councilor Hershey, Councilor Kaup, Councilor Davis, Councilor Stepp, Councilor Wussow. Also present were Debra Figueroa, City Manager, Jenn Ooton, Assistant City Manager, Steve Boyd, Chief Operating Officer, Matt Langhorst, Director of Public Works, Brian Smith, Director of Parks and Recreation and Karl Hanlon, City Attorney.

### **:06 Pledge of Allegiance**

Mayor Godes led the Pledge.

### **:06 Agenda Changes and Conflicts**

No conflicts offered.

### **:07 Citizens Appearing Before Council**

Don Voleski, citizen, wanted to know if there was a current study on traffic flow as the most recent one put the City's traffic condition at level "red". Voleski also wanted to know if there was a study on the current water flow as Glenwood is currently in a 10-year drought.

City Attorney Karl Hanlon stated he would respond to Voleski at a future point relating to the water study.

## :09 Council Comments

Mayor Godes voiced that on behalf of the Council and the Community, our hearts and thoughts go out to the family, the child, and the loved ones of the profound loss at the Glenwood Springs Adventure Park. This tragedy is felt deeply, and he hopes that everyone is finding support in carrying the weight of heavy hearts and mind. There is no easy answer for this and as a community we stand with the family that is dealing with this tragedy.

Mayor Godes read a statement of apology on behalf of himself and Council to Rob Gavrell for comments made at the September 2, 2021 Council meeting.

Councilor Hershey wished everyone a happy Rosh Hashanah.

## :11 CONTINUATION OF ANNEXATION

City Attorney Hanlon reminded the Council and Chambers that public comment had been closed and the last meeting was left off with questions by Council. This meeting would be questions to Staff and the applicant as well as a motion.

Councilor Hershey wanted clarity that there were two items that needed to have motions.

Attorney Hanlon responded in the affirmative, adding that there is an ordinance to go with each of the required motions. Hanlon commented that the first required motion would be Ordinance 2021-08: Annexing Property to the City and the second required motion would be Ordinance 2021-09: Zoning a Parcel of Land Annexed into the City.

Mayor Pro-Tem Willman asked if there were any changes to the plans regarding Council's desire for more open space.

Attorney Hanlon commented that the site plan was a part of the master plan under the condition list, and there would be a meaningful public space under that master plan and what that would constitute is open to negotiation.

The applicant commented that what has been discussed was adding some public space to the master plan.

Councilor Kaup asked for clarification on the master plan process.

Trent Hyatt, Senior Planner, commented that a master plan is required for an overall parcel that is a minimum of 5 acres. Hyatt stated that the overall plan for the property would have to be approved by City Council but smaller details for things such as individual parcels could be decided by staff.

Councilor Stepp asked for clarification on the master plan versus the ordinances on the table tonight.

Attorney Hanlon stated that if the ordinances were to pass tonight, they would primarily be setting the density and the master plan would come back to Council at a later date.

Mayor Pro-Tem Willman noted that the contract currently said, "private recreation facilities are to be constructed out of the PUD project."

Attorney Hanlon agreed that this was a deletion that should have been carried over and instead should read "for design and installation of the northern bike lane and design and installation of the southern bike lane and while, when necessary, any other improvements under the code."

Councilor Kaup commented that she would like to have 20% residential units at 100% area medium income. Kaup wanted clarification on how this was affecting for-sale and rental units.

Attorney Hanlon commented that the 20% residential units at 100% area medium income would be for apartment rentals and 10% of the for-sale units would be deed restricted.

Mayor Pro-Tem Willman asked why the word apartments was changed to units in the area medium income clause.

Haley Carmer, attorney for the applicant, stated the reason for this change was in case the for-sale units are ultimately rented by the future owner, these apartments are not in danger of being restricted into the AMI cap.

Councilor Stepp wanted clarification on the amount of town homes that would be deed restricted.

Attorney Hanlon commented that it would be 10% as the total amount of townhomes that will be authorized to be created are unknown at this moment.

Mayor Pro-Tem Willman asked whether there are requirements for the applicant to make Mel-Rey a fully functioning road. Willman asked about the change regarding the fire station. Willman also asked if the applicant did not proceed with its proposal of the mall, would the density approval only apply to the proposed residential property.

Attorney Hanlon replied that there are not requirements for the road because the City is unable to annex the road as it is not owned by the county. Hanlon commented that the applicant requested the change regarding the fire station with the goal to show that the fire station agreement would be moving forward at the stage of construction, not waiting until substantial completion. Hanlon stated that the applicant would have the density approved for the mall property as well but finished by saying that they would be forced to come back for approval of a master site plan for the mall in addition to the current proposed property.

***:36 Mayor Pro-Tem Willman moved, seconded by Mayor Godes, to deny the application on the basis that the annexation does not minimize the potential adverse impacts to the City and does negatively impact the public's health, safety, and welfare.***

Councilor Hershey stated that he is not sure of which way to vote and being unsure he will lean towards what the public is saying. Hershey stated that his biggest concern is Glenwood's limited water supply. Hershey stated that he is also concerned about Glenwood's infrastructure, and he cannot support bringing in more people. Hershey stated that he is also concerned over the current traffic in this community and what this proposal will do. Hershey said that his final concern over this project is that Glenwood Police is already short 10 police officers and a project adding five hundred people is not fair to the rest of the community. Hershey stated that there are already areas in Glenwood that are available for, and are going to have, development and he questions why it is necessary to annex additional locations into the city.

Mayor Pro-Tem Willman commented that this development is too much in too little of a space. Willman went on to add that this type of density might be appropriate if the mall was added to the proposal as a comprehensive redevelopment, but this proposal alone puts too many units in a 12-acre space. Willman stated that there is also a need for park space.

Councilor Wussow applauded the community and the developers for their participation. Wussow commented on her history in Glenwood and the benefits that subdivisions have had. Wussow stated that West Glenwood is an area that has a lot a development with density, but this proposal has a little too much. Wussow stated that she would be comfortable with this proposal if it could spread these units across the current and mall parcel. Wussow stated that she is concerned about water usage as

well, however, this type of housing uses a lot less water than if developed with single family homes throughout this amount of space.

Mayor Godes asked Councilor Wussow what level of density she would be comfortable with.

Councilor Wussow stated that she would like to see a 25%-30% reduction in the number of units, however, she would accept the developer being able to offset that with more for-sale units.

Councilor Kaup stated that the places to live available in Glenwood Springs are sparse and expensive. Kaup commented that West Glenwood needs a grocery store and Glenwood would benefit from having a movie theater again. Kaup stated that this would be accomplished by redeveloping the mall. Kaup commented that bicycle improvements are needed in the area. Kaup stated that this proposal is a way for all of these components to be done. Kaup commented that this project is not within our current city limits, but it is within our urban boundaries making it the perfect place for this project. Kaup commented that Glenwood's comprehensive plan calls for denser, inward, and upward growth, giving people the opportunity to live closer to their jobs. Kaup commented that the applicant is working with the City for evacuation ideas including giving the land for a new fire station which is sorely needed.

Councilor Stepp commented that there is going to be growth in Glenwood. Stepp stated that she will vote for this motion because she has multiple concerns. Stepp stated one concern is time and there are things that the Council still needs to work through. Stepp commented that even though this is just a vote for the annexation and PUD, the PUD revolves around some of the questions that Council needs to work through. Stepp stated that affordable housing should be about a variety of housing, including for-sale housing, town homes, duplexes, condominiums, and apartments, which is what she would like to see in a proposal of this size. Stepp commented that it would mitigate traffic if people could buy homes here. Stepp stated that Glenwood needs to show the evacuation plan to the West Glenwood Citizens before introducing a development of this size. Stepp agreed with Councilor Wussow that the density should be decreased by 25%-30%. Stepp finished by saying that she is concerned about the additional strain this many people would have on our infrastructure, fire department, and police.

Councilor Kaup commented that the way we help our police and fire force is to create housing for them to live in Glenwood.

***1:10 Councilor Kaup moved, seconded by Mayor Godes, to continue the motion to deny the application on the basis that the annexation does not minimize the potential adverse impacts to the City and does negatively impact the public's health, safety, and welfare until the October 7, 2021, Regular Council meeting.***

1:11 Recess

1:19 Meeting Reconvened

Mayor Godes commented that the continuation gives the applicant time to address some of these concerns.

Attorney Hanlon stated that if this motion is going to give Council time to negotiate an add plus then there will not be much progress. However, if this gives Council time to negotiate a give and take, there is a potential to address some of the issues stated.

Mayor Godes stated that the Community wants a grocery store, a new fire station, and an evacuation plan, but without this development that disappears. Godes stated that he believes the school district

would choose to limit the students who attend Glenwood Schools to be residents if this development added too many additional students in Glenwood Schools. Godes commented that he would like to hear from the school district. Godes stated that right now a 30% reduction in density would be 100 fewer units and with a 20% deed restriction there would be 20 fewer affordable housing units.

The applicant stated that because of the amount of work done on this project to date, there is the potential for work to take place in the next three to four weeks as long as there is an understanding that there needs to be a give and take. The applicant pointed out that although they are two separate parcels, they do have the mall under contract and tying it into a residential project would give it a much greater chance of success. The applicant commented that there will not be 800-1000 potential people living in this proposal.

***Ayes: Davis, Willman, Kaup, Godes, Wussow***

***Nays: Hershey, Stepp***

***Motion Passed 5-2.***

***1:40 Councilor Kaup moved, seconded by Mayor Godes, to continue the balance of the items on the agenda until the October 7, 2021, Regular Council meeting.***

***Ayes: Kaup, Wussow, Godes, Willman, Davis***

***Nays: Hershey, Stepp***

***Motion Passed 5-2.***

***1:41 Mayor Pro-Tem Willman moved, seconded by Councilor Kaup, to adjourn.***

Mayor Godes asked if there was support for returning to wearing masks in Council Chambers.

There was not agreement at the current time.

Councilor Stepp announced she will be absent from the October 7<sup>th</sup>, 2021 meeting.

***Motion passed unanimously***