

Woodland Park Downtown Development Authority Board of Directors

**City Hall – City Council Chambers
220 W. South Avenue, Woodland Park, CO**

REGULAR MEETING MINUTES

April 1, 2014 – 7:30 AM

CALL TO ORDER AND ROLL CALL: Dale Schnitker called the meeting to order at 7:30 AM.
IN ATTENDANCE - Board of Directors: Dale Schnitker, Merry Jo Larsen, Al Born, Gary Brovetto, Tom Carrick, Tanner Coy, Jan Cummer, Vera Egbert, Michael Faber. **Absent:** none.
Staff: Brian Fler, Executive Director; Carol Lindholm, Staff. **Others Present:** David Buttery, Sally Riley, Mayor Dave Turley, Brooke Smith, Debbie Miller, Bill Page, Noel Sawyer, Arden Weatherford.

APPROVAL OF AGENDA AND MINUTES:

MOTION: To approve the Agenda, and the Minutes of the March 4, 2014 Regular Meeting. Larsen/Cummer. Passed 9-0.

RETREAT 2014 RESULTS DISCUSSION: Fler reviewed the 2014 Retreat Results: the Top 5 Accomplishments, the Top 7 Work Program Targets and the Top 7 Long-Term Visions. Fler asked for comments. In regard to Main Street and the Creative Arts District: Fler noted that the Main Street Community Assessment is currently taking place (March 31 and April 1). Fler noted that the Woodland Park was not selected for a Creative Arts Designation during this last round, but Colorado Creative Industries will come into Woodland Park this summer to do an assessment. Brovetto noted that the local group will put a district together whether they get the designation or not. In regard to Fill Empty Store Fronts and Support to Existing Business and Reduce Turnover: Fler noted that national tenants are doing great; small businesses struggle. We need to make everyone successful. Regarding Sense of Community: Fler noted that Woodland Park is the service sector of five counties.

Faber asked the Board would follow up on the Retreat targets. Fler noted that last year follow-up was accomplished through the subcommittees and ongoing staff efforts. Rather than subcommittees, Fler will involve those on the Board who have a specific interest. Faber asked if Board members should let Fler know what they are interested in. Yes, let Fler know of specific interests.

Regarding Long Term Vision: Fler reviewed the results. Fler then reviewed the “About the Board” comments, then asked for feedback.

Brovetto suggested that something should be done at Woodland Station to make it more presentable, and make it clear that this is an area that is to be developed. Fler noted that this is being worked on. We will be talking about a Master Developer’s Agreement. There will be extensive Beer Garden activity this summer as well as special events. Brovetto asked if the site could be excavated. The question was raised as to how to pay for that. Fler noted the DDA financial limitations. We are making efforts to move forward, per Fler. Brovetto suggested an event center should be something like the City of Colorado Springs Fine Arts Center and could be done in conjunction with a Creative Arts District.

Cummer reported that at one of the Main Street meetings someone asked why we're putting an industrial park in the middle of Woodland Park. Jan invited that person to come to DDA meetings to learn more. Fler reported that close to 200 people came through the Main Street Community Assessment focus groups held on 3/31.

Fler invited Mayor Turley to comment on the retreat results. Turley commented on what he heard yesterday (3/31) during the Main Street Community Assessment meetings. It's valuable to hear what the public thinks, not just about the Main Street program, but in general. This will be important as the Council sets their goals and objectives. One of the things that came out was that the Woodland Station development is critical for the future of what we are going to call "Main Street" and downtown. That needs to happen in a positive way. What happens at Woodland Station is very crucial.

Fler asked Debbie Miller if she had comments on the Board retreat results, or saw similarities with Chamber. Miller replied that it was very similar.

Brovetto noted that he felt that there needed to be some kind of buffer between Woodland Hardware and the rest of Woodland Station, such as trees. It seems like we're mixing a nice commercial area with an industrial area. Fler asked Weatherford for comments on this. Weatherford responded that it's the best thing we have to work with. Weatherford has been dealing with the DDA for eight years; it's a positive thing, the owners are locals and good neighbors - all the things we should be trying to promote in Woodland Station.

Noel Sawyer asked what was going on with the trailer park [Ute Chief]. Sawyer wondered if that could be buffered with trees. Fler reported that he has had a lot of discussions with the property owner, Lincoln Ware, about this property. The question is, what is the transitional use? The property is not identified on the Woodland Station concept plan because it is outside the DDA boundaries. Sawyer suggested temporarily putting in a row of trees. Another suggestion from Sawyer was to use Woodland Station for an event for 4-wheelers temporarily. Fler reported that a potential ATV/OHV Expo is currently under discussion.

Brovetto suggested excavation and a water feature on the site, as the Farmers Market will be there, and that the event center go into Woodland Station. Fler noted that it's all about market - the market has to be here; if you force something, it will die in the vine.

Larsen suggested that there be a follow-up meeting to discuss ideas in regard to the Retreat Results.

WOODLAND STATION – MASTER DEVELOPER AGREEMENT: Fler noted that Arden Weatherford was in attendance representing the developing entity. Fler explained that the Woodland Station Master Developer Agreement is intended to develop the remainder of Woodland Station outside the Woodland Hardware lot. The intention would be to be able to jointly market this property.

Fler suggested one amendment to the agreement, as follows: Section 5.10.2: first sentence, strike the last part of the sentence reading "providing, however, Parcels that include part of the Amerigas Site and any part of Lot 2 shall be subject to the limitation in this Section 5.10.2." This is all about the lot line between Lot 2 and the Amerigas site. There could be an adjustment in the lot line between Lot 2 and the Amerigas site. The developers want to start permanent construction for the Beer Garden. Fler recommends that the section referenced be removed should the Board elect to vote on the agreement today. Aside from that, the agreement would stand as is. Fler explained the agreement. If the developer wants to develop the Amerigas

site first, there will not be a penalty. The development would be in two phases: Phase 1 would be Lot 2 and the Amerigas site, and Phase 2 would be Lots 3, 4, and 5. Fler referenced and reviewed the Phase 1 Schedule and the Phase 2 Schedule – Exhibit C. Phase 1 starts with a Subdivision, with a deadline of June 2, 2014; this starts the development sequence. The rest of the schedule is laid out as well. Phase 2 relates to lots 3, 4 and 5; the Subdivision has to occur on or before September 30, 2014. This is a critical component of this agreement. We all want them to be successful with Phase 1, but in order for the developers to have control of the entire project this is a hard and fast date. If they don't hit that mark, then Phase 2 is off the table. If there are extenuating circumstances, they can come back to the Board for an extension, but the Board would have to approve that. That was a central premise of this agreement. This agreement is the net result of many conversations with attorney Paul Benedetti, the developers and the subcommittee. The idea is to move forward with this unified approach. One of the thoughts for the property is special events. For example, the Vino & Notes event is moving to this site. There is also a consideration for an ATV expo on the property, and the possibility of other events. Fler agreed with Brovetto's earlier comments, that there are things we need to do, such as landscaping and grading; some of these have financial constraints.

Fler asked if the Board had any questions. Cummer asked about the design process. Fler noted that the DDA has a design process along with the City Planning Department. Coy referenced the agreement; there were a few places where Phase 3 was mentioned. Fler noted that this should read Phase 2, and the agreement will be corrected. Turley mentioned that he appreciates what's going on. Coy asked if Lot 2 and the Amerigas lot would be replatted into new parcels. Fler responded that there are conversations about starting a subdivision of the Beer Garden site. This is a preliminary plat, and next phase is final plat for Lot 2. Riley noted that Woodland Station and the legal descriptions are just preliminary plats. Coy asked if the parcel that was the Amerigas parcel is still considered the Amerigas parcel. That is correct, per Fler. Fler noted that we don't want to inhibit a design because of a property line. Riley noted that the property line technically does not exist, it's a metes and bounds legal description. Fler noted that this would be resolved in the final plat. That's the next phase, and if they resolve that before the June deadline then they've met their development sequence, and they are then into permanent construction. Tanner referred to 5.10.2, "No Profit Prior to Completion of Construction" any of those parcels that were considered an Amerigas Parcel remain an Amerigas Parcel? This is correct, per Fler. Fler explained that it is not intended to restrict the developer to a Lot 2 development sequence. That {Amerigas Parcel} is privately owned; is not owned by the DDA.

Fler recommended approval of the agreement with the amendments noted: change Phase 3 in the document to Phase 2; and remove the phrase in Section 5.10.2: first sentence, strike the last part of the sentence reading "providing, however, Parcels that include part of the Amerigas Site and any part of Lot 2 shall be subject to the limitation in this Section 5.10.2."

Born made a motion and Faber seconded. There was some discussion prior to the vote.

Fler noted that it should be understood that the developer does not have an entity name yet, but they are working on it, and this will also be entered into the agreement.

Faber noted that this is a very complicated document. But, the reality is that we need to trust our leadership and our City Council. With those considerations in mind it becomes a policy issue and not a legal issue. The policy issue is whether we want to be in the real estate business directly as developers. This gets the DDA out of the business of development and lets us focus our attention on other opportunities. This is a big turning point.

Born mentioned a comment by Paul Benedetti, DDA Legal Counsel, who recognized that this is a very complex document that covers a lot of contingencies. During the implementation phase there could be some modifications, and that's where trust comes in between the developer and the DDA. We could see some changes, but we must move forward and make things happen.

MOTION: To approve the Disposition and Development Agreement of Lots 2, 3, 4 and 5 Woodland Station, as amended, and direct the DDA Chair to execute the document. Born/Faber. Passed 9-0.

GENERAL DISCUSSION:

Bill Page spoke in regard to Gold Hill Square South. Page complimented the Rodarmels on the new Woodland Hardware store. Rodarmel's leased from Page for 27 years and they are good business people. The new store could not have happened to a nicer family.

Page has spoken with Fleer and Buttery about a comparison cost of parking in Gold Hill Square South in comparison to Woodland Station. At Gold Hill Square South, Page built all the parking, built all the City streets, pays the taxes and electric bill, etc. This all gets put back into a common charge to the tenants, prorated per square foot. Page suggested doing an apple to apple comparison what it costs to build the parking space, maintain and own the parking space. Safe, clean and well taken-care of. Page presented to Buttery and Fleer all the costs building and constructing parking lots in Gold Hill South brought down to a cost per space. Then he did a cost analysis of annual maintenance per car. Page then prepared a blank sheet for Woodland Station for the comparison numbers to be filled in. Page presented an article that appeared in a Castle Rock paper in regard to Promenade Castle Rock retail development. They have some creative financing with T.I.F and sales tax sharing. The town has raised concerns how the Promenade might impact existing businesses if existing businesses were to relocate in the Promenade. Then, in January, a development was approved to share sales tax revenue and T.I.F. The agreement also included restrictions on relocating certain existing businesses in Castle Rock. The city government of Castle Rock had the wisdom to look beyond the feasibility of the new development to see how it would affect existing businesses. Page doesn't yet have the final results of the apples to apples comparison in regard to parking. Page submitted a letter to Buttery and to Chairman Schnitker requesting a similar restriction analysis that Castle Rock did. Gold Hill South has a lot of vacancies at present and tenants are being contacted by Woodland Station developers. Page is asking the DDA and the City to cooperate and look at both sides of the fence to see if we can level the playing field.

Fleer noted that he and Page and Buttery would be meeting on April 2 to finalize the numbers. Page raises some interesting points. Fleer feels that Page is asking for a moratorium on anything coming out of Gold Hill Square South receiving a T.I.F. agreement in the DDA enclave. Page concurred. Fleer suggested that the DDA Board look at this issue at the May meeting.

Cummer asked what the number was for annual cost for construction and maintenance for a parking space. Page calculated about \$8,000 to build a space. Fleer will discuss further with Cummer. Faber asked if the \$8,000 was the original cost to build the space, or current cost. Page said this would be a current cost.

AUDIENCE PARTICIPATION: Riley reported that Tractor Supply closed on the land last week. They are coming in today for the ZDP and Building Permit.

Miller announced the upcoming Business Roundtable and Business Expo.

Buttery gave the Board congratulations on the Master Developer Agreement. Weatherford said that now that we have the Agreement, we have to run some projects through the machinery right away. Weatherford also suggested that the development in Buena Vista could be of interest to the DDA in regard to Woodland Station development. Born noted that the Buena Vista development is not complete, but one could see the progression.

ADJOURNMENT:

MOTION: To adjourn the meeting. Larsen/Cummer. Passed 9-0.

Meeting adjourned at 8:47 AM.

Recorded by:



Carol J. Lindholm, DDA Staff
Program Manager, Economic & Downtown Development

APPROVED THIS 6 DAY OF MAY, 2014



Al Born, Secretary/Treasurer