

**STEAMBOAT SPRINGS PLANNING COMMISSION MINUTES  
FEBRUARY 14, 2013**

The meeting of the Steamboat Springs Planning Commission was called to order at 5:00 p.m. on Thursday, February 14, 2013, in the Citizen's Meeting Room, Centennial Hall, 124 10<sup>th</sup> Street, Steamboat Springs, Colorado.

Planning Commission members in attendance were Chairman Jason Lacy, Michael Buckley, Troy Brookshire, Kathi Meyer, Rich Levy, Norbert Turek and Jerry Burns. Absent was Brian Hanlen.

Staff members present were Director of Planning & Community Development Tyler Gibbs, Staff Planner Robert Keenan, City Planner Toby Stauffer, City Engineer Ben Beall and Staff Assistant Denise Brazier.

Chairman Lacy – Alright, let's call this meeting to order. This is the Thursday, February 14, 2013 meeting of the Steamboat Springs Planning Commission. Can I have roll call please?

Commissioners - Michael Buckley, Troy Brookshire, Kathi Meyer, Jason Lacy, Rich Levy, Norbert Turek, Jerry Burns.

**AGENDA ITEM #2 – ORIGINAL ADDITION STEAMBOAT SPRINGS, BLOCK 32 LOTS 3-5 #PP-12-04 & #FP-12-16 \*TO BE TABLED TO 2/28/13**

Chairman Lacy – And absent tonight is Brian Hanlen. First item tonight is public comment. Anybody that wants to comment on anything not on tonight's agenda please step forward. Okay, seeing none, we will move on to Agenda item #2 which is #PP-12-04 & #FP-12-16. And I understand from staff we need to table that one to our next hearing. Okay? Can I get a motion please?

Commissioner Meyer – So moved. I move to table item #PP-12-04 & #FP-12-16 to March 19<sup>th</sup>.

Chairman Lacy – I think you mean February 28<sup>th</sup>.

Commissioner Meyer – Okay, February 28<sup>th</sup>. Oh that's right, that's City Counsel. February 28<sup>th</sup>.

Commissioner Turek – Second.

Commissioner Meyer – Okay, motion by Meyer and second by Turek.

Chairman Lacy – Discussion on the motion.

Commissioner Levy – I was wondering if there was any rush for this particular item and why we're tabling it to an agenda that has no other agenda items on it.

Toby Stauffer, City Planner – There's no rush on this; it was just the next available date that works for the applicant, so, next available open meeting.

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Chairman Lacy – And I know we've had discussions in the past. We'd like if possible to not just have one meeting for one application. I understand at certain times we need to get an application through. But, just in the future if we could make sure we schedule meetings, have more than one item on the agenda, that would be great. Okay? Other discussion on the motion?

Commissioner Levy – I would just ask my other commissioners if they would consider tabling this until the next planned hearing after the 28<sup>th</sup>?

Chairman Lacy – Okay?

Commissioner Levy – I know looking at this project there's obviously can't be that much rush with it. I don't think they're knocking down the existing buildings.

Toby Stauffer, City Planner – I won't be here on the 28<sup>th</sup>

Chairman Lacy – Anybody want to do that? Would you rather move it on to the 1<sup>st</sup> meeting in March?

Commissioner Brookshire – I agree with Rich, I think instead of just coming in for this one item, I would like to see it done, but, and I could probably hear here.

Chairman Lacy – Well, Kathi and Norbert have a motion on the floor to move it to February 28<sup>th</sup>. Do you want to amend that to the first meeting in March, which I don't have the date in front of me, for the 14<sup>th</sup>? Okay. Or do you want your motion to stand?

Commissioner Meyer – No, I'd be glad to move it to the 14<sup>th</sup>.

Chairman Lacy – Okay

Commissioner Turek - That's a good idea.

Toby Stauffer, City Planner – The applicant couldn't be here tonight so I have to check that with the applicant

Commissioner Turek – I still like the idea.

Chairman Lacy – To move it?

Commissioner Turek – Yea. Chairman Lacy – Okay, so the motion has been amended to table this until our hearing on March 14<sup>th</sup>. Okay? Further discussion on that motion? Alright, I'll call the question. All in favor? Any opposed? Passes unanimously (7-0, Absent: Hanlen).

**AGENDA ITEM #3 - SKYVIEW LOT 1 #DPF-11-01**

Chairman Lacy - Alright, agenda item #3 Skyview Lot 1 #DPF-11-01.

Bob Keenan – Good evening. My name’s Bob Keenan, I am the Staff Planner for the Steamboat Springs Planning Department. Before you tonight we have an application for a 42 unit multi-family building. Through this approval the applicant is requesting a conditional use to approve and locate multi-family uses along the pedestrian level and a variance to increase the allowable FAR by 10%. Staff has received a number of public comments in regards to the application. I believe that all the commissioners have received the comments but I’m just going to go through and note each person who made comment. We have one that just came in from Erica Lindeman, we have one from Stuart Orzach, we have one from Ed McArthur, we have one from Charles Gee, we have one from Will Edwards, one from George Charlock and one from Wade Chotvacs. I also know one of our staff planners received a verbal comments that she made some notes on over the phone and asked us just to let Planning Commission know that this is from a Gloria Romanelli, from 1335 Sparta Plaza, that there’s concern and objects due to snow storage, that’s there’s no green area within the project, solid asphalt, I’m just reading some notes here, all I have that the development if very tight and that she’s against the increase in FAR. With that, planning staff is recommending approval of the application as it meets the criteria for approval including the 10% increase to the variance. We are also recommending approval of the conditional use to locate multi-family along the pedestrian level and planning staff will be available for any questions. Thank you.

Chairman Lacy – Thanks, Bob. Does the applicant have a presentation?

Paul Brinkman, Brinkman Partners – Thank you. Paul Brinkman, applicant and developer. Thanks for having me again and Happy Valentine’s Day. I’m sure spending this time with me was high on the list of things to do tonight. I honestly, you’ve heard a couple of times, but for the public, I would like to run through a little bit about myself, our organization, not to the detail prior but to just give you a little bit of context to myself and our experience. Once again, Paul Brinkman, CEO and founder of Brinkman Partners. We are an integrated real-estate company, meaning we are a full service developer, contractor and also leasing asset management. So for this project, Skyview, we would be providing all those services, development and construction, and leasing and asset management for long-term. The headquarters in Ft. Collins with offices in Boulder and Steamboat. My wife and I have lived in Steamboat 3 years and I commute back and forth to the front range. We have 60 employees in multiple disciplines. Our strategy, particularly in a multi-family is for long-term ownership. Of the 12 projects and about 1000 units we’ve completed or either under development we have not sold an asset in all those are long-term holds for us. Really our goal is to provide sustainable and high quality products for the communities both that we live in and work in. We feel like we’ve accomplished that with all of our projects. (Next slide please.)

I’d like to speak a little bit about the trends and how those impact really our plan on this project. As many of you know, from a national perspective, the great recession really changed the housing approach in this nation. We went from a community and nation of buyers to really to a lot more renters. Mainly because of the availability of mortgages, availability of down payment has been difficult over the last 24 - 36 months. A lot people are looking for rental opportunities. With that, the renters want new, they want modern, they want projects, they want properties in great locations, properties near transit, all those things are what we’re trying to achieve with the Skyview project. To give you a sense in Colorado, one of the trends that we’re seeing nationally and even more so in Colorado, the state comes out with a report every other quarter, and at the end of 2012, in the state of Colorado, our vacancy rate was 4.6%, a 12-year low for the state of Colorado and our average rent across all product was about \$ 945. That’s the highest per rent that we’ve seen in 15 years. How that impacts Steamboat and our plans here in the Steamboat market, we bought this property two years ago with the intent of doing multi-family when the time

allowed. In this marketplace in Steamboat there hasn't been a for-rent product built in 20+ years. We feel like the community has that need and we're going to be providing that. The 1-bedroom vacancy, the same state-wide reports that the 1-bedroom vacancy in this community is less than 2%. If you ask Yampa Valley Housing Authority or the ski resort, currently they have zero 1-bedroom units available. One of the trends we also see in the projects we're doing along the front range with the new product is it provides an opportunity for those who maybe have a little bit higher income but don't have the down payment to come in and live in a nice new property and what that does and what we feel it does it provides additional supply of what we call the B & C type property and we feel like that trend will happen here and that'll allow some opportunities in a B & C type product that right now there is no vacancy. We had a market study done in early 2012. The market study stated there was a current demand for 40 units of apartments in this community every year for the next, for the foreseeable future. So we believe that even by the time we bring this inventory onto the market in 2014 we're probably already behind 60-80 units of potential demand. One of the things that we're seeing as a trend over the last 3 years, a lot of condos have been put on the rental pool because people couldn't afford them, they couldn't afford to keep them themselves so they put them the market as rentals. Now what's happening as the market is coming back, some of these rentals are being sold to 2<sup>nd</sup> home buyers; they're taking them out of the rental pool and then using them for themselves. We're really seeing that as a trend right now that's just starting that's going to dramatically impact the inventory that's out there for rental product. And then also in this community, we continue to see a population growth along with employment growth. One of the letters that was provided was from Mr. Charles Gee who is the director of Pearl Healthcare who is operating and developing the new Casey's pond. That project plans to hire 20-30 new people from out of this community that will be moving to this community to help support that new project. Of which, he believes right now, there's no current inventory of rental housing that a lot of these new employees would want to move into. (Next slide please.)

We really believe this is an ideal location; it's on a transit stop, we've been able to provide access through the property both connecting Whistler and Skyview. The transit provides opportunity for people to live here and not have a car which is a trend we're seeing in a lot of the properties we have. Then obviously the proximity to the ski area and to Casey's Pond is going to be very important to this project. As you can see we brought the two buildings to the corner with tucking the parking behind and hiding the parking, we provide really a paseo pass-through between the two buildings to allow easy access to the corner of Whistler and Skyview. Then both properties have decks and views out to the west and to the south, west of the mountain and south to the valley. Our landscape and snow storage plan, we've met with several snow removal companies. The concept is that they would push snow to the north or the corner north is the storage area to the south, and then as you get through the parking spots would move snow both to the east and to the west.

We've met with local neighbors and obviously there have been (next slide please) several concerns through these meetings about both trespassing and the risk of snow storage from our site getting onto their site, and this would be the Walton Village Condos to the west. So what we've agreed to is to put in a 6' privacy fence. This was an example of something we looked at between those locations. It'd been going through our property to get to the bus stop and we offered a path to get to the bus stop and that was actually something they said they prefer to not have that, they prefer a fence just to keep our potential residents from trespassing on their property. So we agreed to that. So this fence detail will be something that goes (jump on back please) really from the far north tip all the way to the south tip, that 6' fence would. (Next slide please).

This is a rendering looking to the north on the corner of Whistler and Skyview. As you can see we brought the buildings to the street. Typically what you're seeing in urban design with a lot of landscaping up front at the pedestrian level at the same time allowing enough set back to address snow storage or easements along the street. (Next slide).

From a materials standpoint we've submitted a material board previously. The materials are long-term, durable Hardi-Board, a corrugated metal siding along with high-end vinyl windows. It's traditional materials for a lot of the product going on in the marketplace currently. From a floor plan and from a design concept, as you can see, our reference what we call the north building and the south building, the north building currently has 8, 1- bedroom units x 3 for 3 floors for a total of 24 units, the south building has 3, 1- bedrooms and then 3, 2- bedroom units for a total of 9, 1-bedrooms and 9, 2-bedrooms, so the total unit count in the project is 33, 1-bedrooms and 9, 2- bedrooms. Our approach, when you look at sites as a developer's perspective, because usually when you're looking at a site, two major things, and in mountain communities, three major things you look at for how do you fit the site and what type of density does it allow. And those things are typically storm water and storm water management, parking and parking ratios and then snow storage. When we first started the design process on this project, we actually were looking at a combination of 50% 2-bedrooms and 50% 1-bedrooms, and this was probably 18 months ago. As we got further into our market research, we really identified that the market here is more on the end of 1-bedrooms than it is 2. But through our analysis of parking, snow storage and storm water we came up with the ability to put 40 to 45 units on this site. And at one point we thought we'd go ahead with all 1-bedrooms and what we did decide to do is try at least about 20% 2- bedrooms. What we find in the 2 bedrooms, and the reason we did this was to provide another option for the clients in this marketplace. Typically what we're finding in a 2-bedroom is it could be a married couple with 1 kid, so it provides for families that maybe have 1 kid to live in, and we're finding that married couples or couples who want an office in a 2<sup>nd</sup> bedroom is pretty typical, and then we also found if you have 2 friends who want to live in the same unit but don't want to share a bedroom. So really the 2 bedrooms don't necessarily impact at all the parking count or occupancy, we felt like it was important to provide those 2 bedrooms in this type of product.

So with that, (next slide), one thing I'd like to say is I don't have a crystal ball, I'm not smarter than anybody out there. I do know that given the market demand in the mountains and on the front range, there is a dramatic shift in the marketplace, and we are currently seeing on the front range and starting in the mountains a dramatic shortage of entry level affordable for-rent product. And my concern in this community is if we do not figure out how to provide that, 2-3 years down the road we're going to be looking at one of the largest entry level residential crisis this community has had and we feel like this product is a good step to helping to provide that in this community. So with that, thank you. I appreciate it and look forward to questions and comments.

Chairman Lacy – Thank you. Alright, questions from commissioners. Who wants to start? Hello? Rich?

Commissioner Levy – You had mentioned one of the letters or a phone call that you got talked about green which I assume is open space, is that a requirement of this development and are they meeting the requirement for open space?

Bob Keenan, staff planner – Let me look into that for you, commissioner.

Chairman Lacy – Do you want us to move on to another question?

Keenan – If you would, I'll look that up.

Chairman Lacy – Any other questions Rich?

Commissioner Levy – Most of the comments talked about parking, can you address the number of spaces required to have, whether they meet it, whether FAR in particular impacts that number in any way and address the concerns raised by the public?

Keenan – Yes, the parking is assessed at 1.5 spaces per unit with a reduction for location next to transit facility and they meet the exact number of parking spaces required on site. Regarding your question for open spaces, CN zone district does not require 15% open space like other zone districts might.

Commissioner Levy – That 1.5 parking number, is that regardless of the type of unit?

Keenan – It is, yes. It is specific to multi-family zone districts, sorry, multi-family units in a CN zone district.

Chairman Lacy – Does it matter if it's one (interrupted)...

Keenan – It's based on unit size. It's a graduated formula, so the larger the units, the higher the parking requirement and these units classify in the 1.5 space per unit range.

Commissioner Brookshire – Bob, can you say if it's consistent where you've seen the variance for FAR increasing, but then the discount on the parking applied in the same project, cause to me it seems like there's a little of a spread there. We're getting a bonus under the FAR variance but yet because of the transit facility there's a reduction.

Keenan – Well it's still calculated, even with the FAR bonus we're still including those new units that make up that additional FAR that they're seeking, so it's accounted for. If I understand your question correctly that the increase in FAR creates the ability for the developer to add about 3 units and so those 3 units are also included in the parking calculations.

Tyler Gibbs – (inaudible)

Chairman Lacy – Thank you. Other questions?

Commissioner Levy – One thing that just caught my eye that looks a little different from the last application, on page 3-5 you have the use criteria for multi-family. It says in the CN zone district there should be no more than 4 units per building. It would seem that's also a conditional use request in addition to residential on the 1<sup>st</sup> floor? Is this you going from a use criteria to a conditional use?

Keenan – The multi family dwelling use criteria on page 3-4, you can see the criteria there that includes the requirement for multi-family uses to not be on the pedestrian level. It also includes the 4 units per building, and so whenever an application is not meeting the requirement of the use criteria it kicks them into a conditional use review, and this conditional use, it covers all of those criteria.

Commissioner Levy – Okay, because I didn't see a discussion of what the impact of having this larger building in the CN zone district pertaining particularly to C under the use criteria.

Keenan – Well, I can answer that for you. I believe the intent, and there's a theme in the use criteria I believe was meant for and contemplated for CN along Oak St., where you see another criteria that talks about, that it should architecturally represent a single family dwelling and that's the character like what we have on Oak St., that, on Oak St. we want to have businesses, retail, offices on the pedestrian level and have residential uses above where appropriate. Unfortunately I don't think this criteria was well thought out and that's why they're requesting conditional use to vary those items.

Chairman Lacy - One of the items that was brought up in public comment was snow storage. Could you go through that calculation and how that complies with the code?

Keenan – Sure, we've received a number of public comment about the concerns for snow storage on the site. The applicant has had shown in his presentation, looking for the page here, it's 3-16 or #PDL 04.1 is the storage plan and the code requires that snow storage be provided for all paved areas at a rate of 1 foot for every 2 feet of paving. So the requirement for this particular site is 9600 sq. ft. and the applicant is proposing a snow storage area equal to 9955, so they're over the requirement by roughly 455 sq. ft. Planning staff would like to note that there are some areas, especially along the border between Walton Village Condos and the proposed development that snow storage would be somewhat impractical in that small strip of area. But the requirements are met and with the additional snow storage that they have, staff feels comfortable that could be accommodated.

Chairman Lacy – Other questions? Kathi?

Commissioner Meyer - One about, since I see Mr. Beall is with us, I wouldn't want to waste a good opportunity, there are 2 issues that this project has; one is the storm water retention if you could speak to that and the other is the increased traffic and the improvement to, is it Stone Lane and when are we likely to see any sort of improvement? It's not on the 6 year CIP, is it? Do you want to come up to the podium so if you could talk about those two issues?

Ben Beall, City Engineer – I could refer, I see him here, as a project engineer, the storm water on the southwest corner is sized per our city drainage criteria, based on pervious surfaces and runoff. So, that should satisfy the needs to treat storm water runoff from the parking lot area. I can't speak to the specifics of that, but if Ryan wants to expand on that he can. Stone Lane, there is a minor contribution to that, we received a traffic impact study from the applicant and it did show in a long term study that there would be some traffic that would go to the Stone Lane/US 40 intersection, of course that doesn't exist yet, but that would be under the assumption that it was built. We have a number of intersections identified in the transportation mobility master plans that we have, that is one of them. There are other intersections such as Steamboat Blvd./Mr. Werner, 13<sup>th</sup> St./Elk River Rd./US 40, those sorts of intersections where we do request that developers pay into a restricted reserve account to fund that eventual intersection improvement. So, I believe it was minimal under 1% of that contribution to that intersection.

Commissioner Meyer - And when are we likely to see any sort of improvement in that area?

Beall – I think it boils down to when need arises. We do monitor Whistler Rd. and Walton Creek intersection. That would probably be the trigger or Walton Creek/US 40 when those become, when they get to a state where the improvement at Stone Lane would benefit those intersections by reducing the traffic demand to those intersections. At this point in time it's not a priority but it is contemplated in our long term plans. I think that the transportation mobility plan did specify a specific date but that was at a time when we saw a little bit more rampant growth than we do right now.

Chairman Lacy – Thanks Ben. Other questions? Jerry?

Commissioner Burns – I'm looking at page 3-9 under findings and conditions, item 3 there's the easement shown on that plan, with lot 10 for future trail, I'm kind of curious how that works; one with the snow storage and two, with the proposed fence that the applicant is willing to put up.

Brinkman – This goes back a ways. Our original concept we're providing both access through our property on the diagonal. You would cross the parking lot to the sidewalk and out to the sidewalk to the south, and over at the bus shelter. That is what was originally proposed at the Walton Village Condos, and was what at the time the need, so right now, the plan is to provide an easement at the fence line, to allow them to access into the property with a path coming to the sidewalk and back around towards the bus stop. At this point, it'll be an easement for future use and the fence would be in front of it.

Commissioner Burns – On that plan it looks like the parking is going in, is there an issue with that? Showing on the plan, it looks like the parking spaces and the first part of that on lot 10 is actually encroaching into that easement, is that going to be an issue?

Keenan – I don't believe so. The easement is to start, we have a 5' easement along that property line that, I don't know if you can see the hatching on 3-13, and so we've required a 5' easement on this side, but that wouldn't be enough to accommodate the future trail. The intent was, when the lot to the north redevelops, that we would get another 5' on that side, so we'd have 10' in which to work, so we wouldn't have to build the trail where the parking is, we would have room to move it over, so, thanks.

Chairman Lacy – Okay, any other questions?

Commissioner Brookshire – On the parking thing, there are 63 required, and you take off 10%, and wind up with 56, so how do we get to 56 instead of 57?

Keenan – So I have it as 63 spaces, minus the 10%, gets us to 56 spaces.

Commissioner Brookshire – So you rounded down instead of rounding up.

Chairman Lacy – Well he rounded up to 7. It would have to be. That's how you get to 56.

Commissioner Brookshire - Because it's over 6.

Keenan – I don't know if the standard practice is to round up or down, I don't know, it landed exactly at 56 with the 10% reduction.

Commissioner Brookshire – Well at 6.3, from 63, right?

Keenan – Right, yea, so it was rounded down from .3 down to 6.

Commissioner Buckley – You rounded up.

Keenan – Oh, okay, I'm sorry, yea.

Chairman Lacy – Okay, other questions?

Commissioner Turek – I see you have your civil engineer here and he'd probably love to say something. I'm curious to know how the surface runoff is caught and whether there was a calc done for when there's a lot of snow and you've got the surface runoff and kind of where that's all going, on the site?

Ryan Spaustat, Landmark Consultants – I'm working with Paul and Frank on the project. The site essentially drains to the southwest, the entire parking lot sheet flows and then there's a catch curb that runs along the west property line. That all drains into a porous landscape detention pond, that's what Urban Drainage in Denver, they're sort of a viable drainage. They call it forest landscape detention pond, it's really more of a depression and about 18" deep. It's got a sand filter media and then an under drain and a gravel layer, so the storm water flows, will flow across the parking lot along the gutter line into the detention pond and then it filters through the sand into an under drain then discharges into the swale along Skyview.

Commissioner Turek – So the detention pond basically sits next to that bus shelter?

Spaustat – Yes. (Inaudible)

Commissioner Turek – Right, depression. And that's also a snow storage area, right, so when that's full of snow and it's spring and it rains, does that serve its purpose?

Spaustat – It will still work. What you essentially see is the ground snow interface, you still get water flowing through the ground underneath the snow. It actually works very well with snow storage because all the stuff that gets swept up by plowing and gets trapped in the forest landscape detention pond and doesn't end up in the upper river, so, it really works well for snow storage.

Commissioner Turek – Okay.

Chairman Lacy – Okay. We can follow up with more questions later. But, let's open the floor to public comment. Anybody that would like to comment on this agenda item, please step forward and state your name and address and sign in at the podium.

Erica Lindeman – My name is Erica Lindeman, I'm a resident of Quail Run. I'm here as an individual not representing any kind of an organization, association or anything else. I was kind of shocked when this came in the mail to me two weeks ago. I've lived in apartments over the years, I've lived in cities and in the country. I guess I thought I was living in a suburb but the scale of this is like big city on the street. I have 5 objections to this. First one is the density. I don't live across from this, I live down and wouldn't even be looking at it, but I walk through there all the time to the bus stop right now. It's a small lot. You're putting 42 apartments into a tiny lot, putting in 56 parking spaces. Most of the places around here like Walton Village and Quail Run, they have 2 parking spaces per unit, plus guest parking. I don't think it's adequate parking. There's no on-street parking on Whistler or on Skyview so where are the extra cars going to go? Your set-back on Whistler, the way I read the map it's only 10 ft. That is awfully close to the road. I'm probably 40 ft. back from the road and there's car noise all the time during the busy times of the day. For somebody living 10 ft. from the road it's going to be unpleasant. I don't think they're doing the ground level residents on that building any favor. Snow storage, there's no storage. The proposed area is way too small, way too small. Walton Village has that whole big (inaudible) up there as snow storage and that's piled two stories high during much of the winter. You're destroying the existing landscaping. There are about 29 nice aspen trees along Whistler Rd. right now that are going to be bulldozed and replaced by a sidewalk. Basically, like many sidewalks in Steamboat, that go nowhere. It doesn't connect to any other sidewalk in either direction. I just think it's too big for the place, for the area. I thought they were proposing originally something like an 18 unit apartment building here. I'd have no objection to something along that scale. But 42, it's just too big for the little lot and doesn't fit in the neighborhood. It is as many units as 7 buildings in Quail Run or 2 ½ in Walton Village. That's the density and that's my objection.

Chairman Lacy – Thank you. Any additional public comment?

George Charlock – My name is George Charlock, representing Skyview Terrace Townhome Association. We recently had our annual meeting and at the meeting we talked about the new project. No one had any objections, except for the name of the project. For years us at Skyview Terrace were known as living in Skyview. And the concern was, with having a project a just few hundred yards away called Skyview Apartments they'll eventually be known as Skyview also, and we're worried there will be confusion. I did write a letter, the city has the letter and I did speak with Mr. Brinkman. He addressed our concerns but I also want it to be publicly known that's our largest concern. The other thing actually, just in the meeting here, we always have a small issue with water runoff at Skyview Terrace Townhomes and seeing the retention pond, I'm kind of curious, I don't know if it's the appropriate time to speak of it, if that's

going to increase the water flow from our units, or if it's going to reduce it. So if someone would address that this evening I'd appreciate it.

Chairman Lacy – We'll follow up on that after public comment.

Charlock – Thank you. Other than that, though, the Skyview Terrace Townhomes had no objections to the project.

Chairman Lacy – Thank you. Any additional public comment?

Charles Gorski – Good evening. My name is Charles Gorski. I'm a resident of Quail Run, and I don't represent the Quail Run Association condo homeowner's association, I'm a private owner. I have a number of questions and concerns about the project, the first one according to the letter I received as well. It talks about a conditional use to locate multi-family uses at the pedestrian level. I'm a little concerned about that. I'm concerned about how people are going to manage their BBQ's, their outdoor furniture, things that people use when they live in the neighborhood. That's not the most important concern I have but it's one that concerns me because all of the sudden on Whistler and on Skyview we're going to end up seeing what I consider to be unacceptable daily household goods viewed from the street. I'm kind of wondering who's going to monitor that, who's going to take care of that when it gets to be disruptive to the neighborhood. I don't understand the allowable variance for the 10% other than the fact that presumably the developer needs that additional 10% to make the project work. I don't know where else that variance is taking place in the city of Steamboat, or why that particular variance is being taken place so I'd like some clarification on that as well. In addition to that, this is in a pretty traditional neighborhood of condos and single family homes sparsely put throughout the neighborhood. Based on the 33 single bedroom homes, single bedroom apartments, this is not a family friendly apartment complex. This is a singles complex. It has nothing to do with being in a neighborhood of families and people that are trying to raise their children and understand the impact in the neighborhood. I'm a little concerned about that, the fact that the parking is, I agree with my other owner here that's representing Quail Run, I think the density of the parking is way too high. The question about are there enough parking spaces, I don't believe so. Once you got the variance on the square footage, you also got the reduction of the parking, so you kind of take advantage of the whole situation in this particular complex. So, it's not a family oriented apartment complex, in my opinion it's for the singles and that's not conducive to the neighborhood. I'm also concerned about the density as others have mentioned. I'm really concerned about the fact that there's no green area to speak of in this complex. We have in Quail Run pretty significant green area around/in the complex and that adds to the vitality of the neighborhood, the vitality of the people that are living there. I think that's a necessity. And I'm wondering what is the impact on the community services that are going to be provided in this area? For example, other than the taxes associated with the complex itself, there are no taxes that these individuals that are going to be living there that will add to the community. They're going to extract services but not necessarily provide services or provide monetary contributions to the community. And, I heard the materials associated with building this particular complex, and you know, we're trying to build efficient, modern facilities for sure, I wonder has anybody's looked at the efficiency of this complex with respect to how efficient they are in terms of heat and that sort of thing to impact the environment? I don't know if you've thought of those things, but, those are some of the things that I would think if I was building anything here in Steamboat. So, that's all.

Chairman Lacy – Thank you. Any additional public comment? Okay, seeing none, why don't we start addressing some of those issues. Ryan, could you address the water issue that was raised by the neighboring Skyview Terrace? Any concern with that?

Spaustat – This site is isolated from the drainage on Skyview Terrace. From the forest landscape detention pond, the water stays on the north side of Skyview and then goes under a culvert quite a ways down the road into Walton Creek. We did, while we were trying to detach the sidewalk along Skyview from the road we did uncover some drainage issues which we worked with Ben quite a bit on, they were really not associated with this project at all. Public works is aware of them, they are included in the storm water master plan and the city is trying to figure out how to implement the drainage around town.

Chairman Lacy – Okay. And on the question if the FAR variance, which is the only variance we're reviewing, any response from the applicant on the necessity to seek that variance?

Brinkman – The comment was made about, obviously the intent was to increase unit counts and request a variance for the viability of the project. In honesty there is some truth about it. With land cost in this community and even if we were able to purchase this land at a very, very effective basis, it still makes it very difficult to make these types of projects work, so one. Two, in our opinion, the variance does not impact parking, snow storage, items that we've discussed and occupancy. Really by going to the 2-bedrooms we feel like we're providing one other type of unit availability for the community. And then also, the concept of families versus no families, and we could debate that a lot, and the marriage rate in the United States is less than 40% and so the majority of the people will not be married and will not have kids and I think that's a trend that's going to continue, so, to deny the ability to have singles living in a nice place in this community, regardless where it is, is challenging and that is partly what is driving the number of units and the 1-bedroom type units.

Chairman Lacy – And could you talk quickly about the efficiency of your complex?

Brinkman – Yes, our company standard is to maintain what's called Green Globe, Certified Globes. Probably you're all very familiar with Leed Certification. Our projects, multi-family projects follow a track that's called Green Globes. It's not real common, I do not believe, there may be one Green Globe Certified project in this community. What that means is it does need to meet certain requirements for energy efficiency, sound, all the things that you would look at and which is traditionally known as a Leed. So yes, every one of our projects is Green Globe Certified. It's as simple as recycling 100% of the materials on site. Green Globes even takes it into the operations and maintenance of the facility, the things that you're doing to be efficient in how you operate it. I would say this will probably be the most efficient multi-family building in this town when we're done.

Chairman Lacy – Thank you. Okay, any other questions from commissioners?

Commissioner Buckley – I have one. Bob, when you figure the calculations on the snow melt or the snow storage, did you pull out the sidewalk? Is that figured in there?

Keenan – I didn't provide the calculations. The applicant did. I just verified that they met the requirements. If the applicant could address the sidewalk.

Spaustat – I also did not provide calculations, the landscape architect did, but I do believe the sidewalk, those calculations are included in there.

Commissioner Buckley – So you pulled those out of there? I think snow storage is going to be a huge problem. So are you guys prepared to haul snow off?

Brinkman – (inaudible). I mentioned this before. This project is something that we are going to own long term. The ability to have people want to rent in this facility means we have to take care of this facility, we have to take care of our tenants. In our 1000 units we've developed in the last 18 months, we have

zero vacancy. And, to your point, there is no doubt that snow storage is tight but I will not be able to rent this project if I do not maintain it, if I do not provide accessible parking and also address the snow storage. So yes, we have met with multiple snow removal companies. As I mentioned, we have both the south storage removal location and north snow removal location and then Frank, when we run our numbers and our Performa (next slide please), we've also analyzed and made sure we've gotten the snow removal portion of our budget correct, and these are the numbers based on the conversations we've had with 3 different snow removal companies. We approximate each removal about two hours of loader time, about 3 hours of dump truck time, so the total per occurrence is about \$ 525 per removal. Right now we assume that's just through a winter, that's every 3 weeks for a total of \$ 3500. Obviously, that could be double that, it could be none, we feel like even in how we run our operating budgets if that number is \$ 7000, that's what it would take for us to take care of the property.

Chairman Lacy – Okay. Other questions? Rich?

Commissioner Levy – For staff, wasn't there also an issue with roof pitches, you have it called out in your, I think it's with the urban design standards, but on page 3-7 you talk about roof pitch requirements and I think we talked about it at the last hearing, but let's open that wound.

Chairman Lacy – Right, we have the new condition of approval that Brian added?

Commissioner Levy – Right, that still doesn't meet the roof pitch in some people's interpretation.

Keenan – There was a question about interpretation of whether this project met the roof pitch requirements. In the urban design standards, the standard is somewhat vague in staff's opinion and that to help mitigate and better meet the intent of that standard a condition #9 was crafted to, regarding the roof eaves, the roof overhangs of the sub-fascia to increase. So we believe that goes along to meeting the intent of that standard.

Chairman Lacy – Okay. Other questions?

Commissioner Levy – I'll ask the same question from the last meeting. This is zone CN, commercial neighborhood, and the idea was to have for the CN zone district in general, and I guess similar to CC is to have interspersed within residential areas some commercial opportunities. Can you tell me why we feel this conditional use to allow residential on the first floor and preclude commercial should be adhered to or allowed?

Keenan – The commercial neighborhood zone district provides flexibility in a variety of uses. It can be used to provide some neighborhood commercial amenities. In this case, planning staff felt it appropriate to recommend approval of a project that didn't have a commercial component as the area surrounding is completely residential and to have residential instead of commercial certainly meets the and compliments the character of the existing neighborhood. So, in also to try and force commercial uses in an area that's been deemed by the development community to not be feasible as we could tell from the existing uses in that area have just been offices ever since they were constructed and when that building was built 20 years ago, they thought they were going to do some sort of commercial uses, a Laundromat, a liquor store, a market, something like that, and to this day they have yet to have a successful there, so, it was for those reasons staff recommends approval.

Gibbs – I would just add to what Bob said we support and encourage mixed use development and convenient access to services and retail if its viable. We don't want to try and force commercial activity or retail activity into a location where it's not going to be successful. My concern would be there's not a

critical mass of services or retail at that location to help make that kind of use be viable, and vacant retail space would be a very negative outcome for the whole community.

Commissioner Levy – To follow up to that, for the staff or for the applicant, that it felt that commercial is not viable, is there any discussion to changing the zoning, because CN actually provides some additional FAR and looser requirements than the surrounding MF requirements, MF3 being the largest, but still require a smaller FAR and to me, in my mind they're getting the bonus square footage due to the basis of having commercial in there and if they're not doing the commercial, do we talk about creating the zoning to match the needs and the goal of the developer and this parcel?

Keenan – We didn't have those conversations. Like I said earlier, the CN zone district is a very flexible zone district in which it allows a variety of uses and found it appropriate to move forward through the conditional use process to request multi-family on the pedestrian level.

Chairman Lacy – As opposed to requiring a zoning map amendment and development plan.

Keenan – Right, exactly.

Commissioner Turbet – To Rich's point, the CN zone also anticipates lots that are not larger than 100' wide. This is a nonconforming lot pursuant to the CN zone, you know, Rich's point is valid, that they're sort of getting the best of the CN zoning without adhering to the standards of the CN zone.

Chairman Lacy – Okay, follow up Rich?

Commissioner Levy – My point was, I mean, we did change the zoning on part of the parcel, so the idea of a zoning change, we went through a zoning change with one of these parcels, so it's not that we asked them to do anything additional. That's why I bring up, obviously, a zoning change needed to be done on this property and I was just wondering how all-encompassing the discussion was and what options were considered.

Gibbs – As we discussed frequently zoning is a somewhat blunt instrument, sometimes you'd like something more precise but we look at the options whether rezoning was our new PUD process or whether variances within the existing zone district will go to be the most efficient route to what we think is the most viable option. It's not a perfect science. In this case it felt like this was the route to a viable outcome.

Chairman Lacy – Other questions? No more questions? Alright, anything else from the applicant? Okay, anything else from staff?

Keenan – No, thank you.

Chairman Lacy - Alright. Then we'll close the public hearing and come back (interruption...)

Commissioner Brookshire – Excuse me, I did have one. Was there anything on the, when they started talking about snow removal, is there any consistency where the city which limits hours with those operations on private projects?

Gibbs – We do have the noise ordinance which would apply, 7 AM to (interrupted)...

Commissioner Meyer - 7 PM

Gibbs – Right, so you couldn't have tractors in there with large, with loud diesel engines or back-up beepers, that sort of thing going on in the middle of the night.

Commissioner Brookshire – So that was my concern if you're using the equipment, of course they have the safety back-up runs, so, it would be limited to the typical noise ordinance?

Gibbs – Yes.

Commissioner Brookshire – Okay, thank you.

Chairman Lacy – Anything else?

Commissioner Buckley – Are you guys going to consider changing the name?

Brinkman – As George and I spoke, a lot of times when we get into the development entitlement process, we'll put a name on it until we get down the road and really research a marketing and branding concept. To this point Skyview Apartment has been a placeholder and usually it's about this time we start to research names and start to develop websites and those types of things for the leasing. In this case, we're not stuck with Skyview and we'll honor his request to find another name. So, yes.

Chairman Lacy – Any final questions? Alright, then we'll close the public hearing and come back to commissioners for deliberation and a motion.

Commissioner Meyer – I'll move to approve #DPF-11-01 together with the 9 conditions of approval.

Commissioner Buckley – I'll second that.

Chairman Lacy – Motion by Meyer and seconded by Buckley. Discussion on the motion?

Commissioner Brookshire – I just want to say that, first of all I'm really appreciative and I think it's a great project and I want to support it and I think it will be something that Steamboat really needs. I'm happy that it's coming out. I do feel strongly that Rich brought up a good point, and in my opinion, you know the whole thing should have been changed to an MF zone district instead of a CN zone district. And then that may have fallen into more of the compatibility issues with some of the comments we've gotten from the neighborhood. And I'm confused about this whole parking credit, and this may be more of a philosophical discussion. It seems to me that reducing in a multi-family project, when you're reducing the number of parking spaces because of a proximity to a transit stop, I don't get that correlation. It seems to me that, if you're going to credit or approximate for transportation then you ought to be giving allowances or credits along with the infrastructure or the traffic or whatever of the traffic load, not the parking spaces relative to a project. I agree with the comment that the people who live in this project or similar projects, they're not going to be restricted presumably by the number of vehicles that they have, or their guests and so on. So, I just wanted to put it out there. It's a disconnect for me to have a parking allowance or credit just because we're close to a transit stop.

Chairman Lacy – Other discussion? Rich?

Commissioner Levy – The size of the CN zone district versus MF3 annoys me a little. The one that's starting to push me now is the parking calculation as well. I'm not sure if I understand how a 6.3 parking allowance gets you 7 spots. General statistics or math says 6.3 gets rounded down. I don't know why they would get an extra parking spot, especially since it seems like the snow storage is so critical on this site, they're bumping up against the number. You know, another parking spot might change this whole

dynamic and snow storage seems to be an issue as well. The explanation of how we got from 6.3 to 7 didn't really satisfy me either. You get the discount, I don't see why you'd get an additional  $\frac{3}{4}$  of a parking space discount. It seems like small potatoes but there's lots of small potatoes on this one. The roof pitches don't meet the architectural standard in my opinion, yes we put on a bigger fascia, but that was another way they got around avoiding violating the height requirement. I don't mind the FAR variance in general. We have a rule that allows it. If we weren't going to allow a FAR variance we wouldn't have that procedure. If we feel that's something that's wrong, then we need to fix the FAR variance procedure. And yea, I'm having a little, some issues with this whole calculation and how we got to an approval, a recommended approval from staff when there's a lot of borderline issues I think on this project.

Chairman Lacy – Okay. Further discussion? Anybody else? I would just note that I also, from my perspective, my main concern on this one is the parking as well. The problem is, I mean sure, we could try to add 1 more spot. I'm not really sure that solves a lot of the problem, though, because it otherwise generally meets the code. I think this might be an issue we need to revisit on these parking credits as a policy issue, you know what kind of calculation do we need to look at for an appropriate number of spots because it does seem that for 42 units, of 1 and 2 bedroom units, 56 spots seems possibly a little slim, even though it is close to a bus stop. But, it does appear to me to meet the code. I will be supporting the motion but I think we do need to take a look at the parking issues in the future. Further discussion?

Commissioner Turek – I agree with Rich and with you. There was a lot of wriggling, a lot of small potatoes as Rich puts it, in order to get a most advantaged project. You know, getting a lot of rental units in the community is certainly one of the big community drives and you can't have open space with that high density development. That being said, I agree, I think the roof pitch says 6/12 generally, and that doesn't mean 4/12, that's just not 6/12, it means it's 6/12 most of the time and 4/12 in places. Staff was OK with that, I'm following the staff's lead on that. I do think that ultimately parking is going to become problematic there and I don't think there's any way around that. Some people live in their cars and it might be something more we look at in the event that there's a FAR variance, the parking credit for being near a bus stop goes away. And that's one way to possibly deal with that. It's going to be a problem. So, like I said, I think that finding small unit rentals in this community is important, I support Mr. Brinkman and his record for that, but I do think this is going to be an overbuilt site.

Chairman Lacy – Any further discussion? I'll call the question. All those in favor? Any opposed?  
Motion passes 6-1, with Commissioner Levy objecting.

**AGENDA ITEM #4 – MINUTES FROM THE DECEMBER 20, 2012 AND THE JANUARY 24, 2013 PLANNING COMMISSION PUBLIC HEARING WILL BE REVIEWED FOR APPROVAL.**

Chairman Lacy – Thank you. The next item on tonight’s agenda is agenda item #4, approval of the minutes from December 20<sup>th</sup>, 2012 and January 24<sup>th</sup>, 2013. Everyone have a chance to look at those? Any final edits or comments on those? Rich?

Commissioner Levy – Did someone look at the last set, I don’t have a printed copy of the last set of minutes.

Chairman Lacy - The 24<sup>th</sup>, I didn’t bring those.

Commissioner Levy - I’ll wait for a motion.

Chairman Lacy – Okay. Do I have a motion to approve?

Commissioner Meyer – So moved. I move to approve the December 20<sup>th</sup>, 2012, and the, do you want them separately Rich?

Commissioner Levy – No.

Commissioner Meyer - ... and the January 24, 2013 minutes.

Commissioner Levy – Second.

Chairman Lacy – Okay, motion by Meyer. Second by Levy. Discussion?

Commissioner Levy – I brought it up and I don’t know if it got fixed. I think it was in the last set of minutes, there was a lot of conversations that ended with “...” and it makes it look like we’re interrupting each other but I’m pretty sure, and Kat Kelly had confirmed with me that it’s actually the transcriber was not able to understand the speaker’s words. So two things. One, I think they need to make that a note, not “...” it should say ‘speaker inaudible’ and then two, those people need to realize that you’re not speaking into the microphone, you’re not being picked up and you need to address the microphone when you’re talking.

Chairman Lacy – It’s the same issue that we have when people give answers when they’re sitting down or in the audience.

Commissioner Levy - And that’s them.

Chairman Lacy – I know we need to be cognizant of that. So, for those notes if you can’t understand anything, just say ‘inaudible’ or something like that. Okay. Any other discussion on the minutes? All those in favor? Any opposed? (Need to include note that this motion passed unanimously) Alright. Agenda item #5, Director’s Report. Anything tonight Tyler?

**AGENDA ITEM #5 – DIRECTORS REPORT**

Gibbs – Thank you, a quick update, we did have one cancellation due to a family emergency in our interviews for the principal planner. We were trying to confirm if that individual wants to try to reschedule otherwise we will have completed those interviews, so I know everybody’s anxious to learn

the outcome of that and see the department gets back to full staff. Hopefully by early to mid-next week, we'll have direction on that. I appreciate the comments relative to the project we just heard. The parking, the FAR bonus, snow storage and so forth, I think there are definitely some aspects of the code that could use some further examination. I do think as we talk about housing affordability in the community, we have to recognize the part that, being dependent on a vehicle place in that. It is a significant part of the cost of living, it's not to say that people won't have cars even if they're taking the bus, but we certainly hope perhaps if there's a couple sharing a 2-bedroom apartment, perhaps that allows them to have 1 car and reduce their cost of living, and also reduces the cost of constructing and ultimately the rent of those units. So, it's just something that is very much on our mind as we look at how we try and approve the opportunity for more attainable work force housing. But I think how all these things interact it gets complicated and I think it's definitely worth further discussion with the commission on that, so I appreciate those comments. With that, I think I don't have any further report or comments tonight. I just appreciate the discussion.

Chairman Lacy – Anything else before we adjourn? Our next meeting is Tuesday, because offices are closed here on Monday. Okay.

Gibbs – We have put 2 items on the agenda in addition to the call-up discussion. We have been doing further work on the public notice process, we have added that to the agenda. I felt that it was worth adding it if the commission feels we don't have time to address both, we can move that on but I'd rather than find that we wanted to add it I thought it was easier to put it on there and continue it if we didn't have time.

Chairman Lacy – We can always keep going the next month. Alright? Anything else before we adjourn?

Gibbs – Tomorrow morning at 8:30, right here, we will have a presentation on transfer development rights. This is just going to be an introduction to the topic, the kind of issues, questions that we need to ask ourselves and issues we'll need to resolve in determining if that is something we want to add to our code. It's not only the process but obviously what becomes very critical is defining the area, the sending areas, the receiving areas. The sending areas are usually where you start, because you know where you might want to see your density reduced. The receiving area is where you might want to see that density increased, which becomes the greater challenge. It's an opportunity obviously to limit that to a geographic area or with certain types of projects. It's just a whole myriad of questions. I've seen the consultant's presentation. I think it will be very helpful in getting us up to speed to start the conversations. If you're available tomorrow morning at 8:30, I would definitely encourage you to join us. And I can also make the consultant's presentation available to be e-mailed for those who might not be able to make it.

Chairman Lacy – That would be great.

Commissioner Meyer – I just wanted Tyler also to just update us quickly. We had APCC this week with the area plan. And it looks like it's probably in March now, we will have some sort of presentation or a proposal.

Gibbs – We are starting to make very substantial progress once again since we've brought the consultant on board. We showed initial draft, graphics at APCC, showing how we intend to model and communicate the alternatives that came out of the exercise we did with the community last year. We will of course, come to the commission, before we go out with this next round of public meetings, and we're looking at once again trying to reach out to the community in every way possible through public meetings, going to already scheduled meetings of various associations and groups, working through the internet, working with the newspaper. So, as we further develop this presentation we hope to have pretty

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well in place by the end of the month and will come for the commission's input. I look forward to that, but, excited to have this moving rapidly again.

Chairman Lacy – I know that was Jason's project, so have you determined who is moving that forward now?

Gibbs – We determined that we really didn't have the capacity on the city side. This is a joint project with the county. So we had Jason Peasley working as the city's lead and Rebecca Bessy on the county. The county remained committed to making 25 – 30% of her time available. We just didn't have that capacity on the city side which is why we brought in the consultant. It has not only given us that manpower but some graphic capabilities we wouldn't have had in-house. So, I'm really the lead for the city in working with the consultant and working with the county.

Chairman Lacy – Alright. Anything else? Do I have a motion to adjourn?

Commissioner Levy – So moved.

Commissioner Turek – Second.

Chairman Lacy – Motion by Levy. Second by Turek. All those in favor. (Need note that the motion passed unanimously) Alright. Thank you everybody. (Meeting adjourned at 6:16 PM.)