

**STEAMBOAT SPRINGS PLANNING COMMISSION  
MEETING AGENDA  
CITIZENS' MEETING ROOM, CENTENNIAL HALL, 124 10<sup>TH</sup> STREET  
THURSDAY, MARCH 22, 2018 at 5:00PM**

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**Public Hearings:**

**AGENDA ITEM #1**

**Project:** \*\*CP-17-03, SSACP Future Land Use Designation Gaps  
**\*\*To be tabled to April 12, 2018 PC Public Hearing**

**Location:** Select properties surrounding the airport.

**Applicant:** Department of Planning and Community Development,  
City of Steamboat Springs

**Type of Application:** Community Plan Amendment

**General Description:** A Community Plan Amendment to assign Future Land Use Designations to Properties that lack designation.

**Project Planner:** Bob Keenan, AICP, CFM, Senior Planner, 970-871-8260  
Email: [bkeenan@steamboatsprings.net](mailto:bkeenan@steamboatsprings.net)

**CC Date:** May 1, 2018

**AGENDA ITEM #2**

**Project:** DPF-17-11, Steamboat Grand Resort Hotel Condominium Parcel  
Subject to future development rights

**Location:** Mt. Werner Road/Mt. Werner Circle

**Applicant:** Urban Redevelopment Authority Advisory Committee (URAAC)  
C/O Ralph Walton, SSRA Project Manager

**Type of Application:** Development Plan/Final Development Plan

**General Description:** A Development Plan/Final Development Plan for the Iconic Entry  
Featuring the Arnold Barn.

**Project Planner:** Toby Stauffer AICP, Senior Planner, 970-871-8280  
Email: [tstauffer@steamboatsprings.net](mailto:tstauffer@steamboatsprings.net)

**CC Date:** April 3, 2018

**AGENDA ITEM #3**

**Project:** CU-18-01, 410 S Lincoln (Unplatted), Conditional Use

**Location:** 410 South Lincoln Avenue

**Applicant:** Ryan Fisher

**Type of Application:** Conditional use

**General Description:** A conditional use request to allow a marijuana store in the CC zone district.

**Project Planner:** Kelly Douglas, City Planner, 970-871-8245  
Email: [kdouglas@steamboatsprings.net](mailto:kdouglas@steamboatsprings.net)

**CC Date:** April 3, 2018

**AGENDA ITEM #4**

**Approval of Minutes:** Minutes from the Planning Commission PC Public Hearing on January 25, 2018  
Will be reviewed for approval.

This application is available for review during regular business hours at the Department of Planning & Community Development. (124 10<sup>th</sup> Street, Centennial Hall, Steamboat Springs, CO)  
Or online at: [www.steamboatsprings.net/currentprojects](http://www.steamboatsprings.net/currentprojects).

Three or more City Council members may attend this event and may discuss public business, to include information of public policy. For more information please contact Julie Franklin, City Clerk 970-879-2060

# AGENDA ITEM #1

## **DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

### MEMORANDUM

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**DATE:** March 22, 2018

**TO:** Planning Commission

**FROM:** Bob Keenan, AICP, Senior Planner  
Tyler Gibbs, AIA, Director of Planning and Community Development

**SUBJECT:** Table Agenda Item #3, CP-17-03, Steamboat Springs Area Community  
Plan Future Land Use Map Gaps

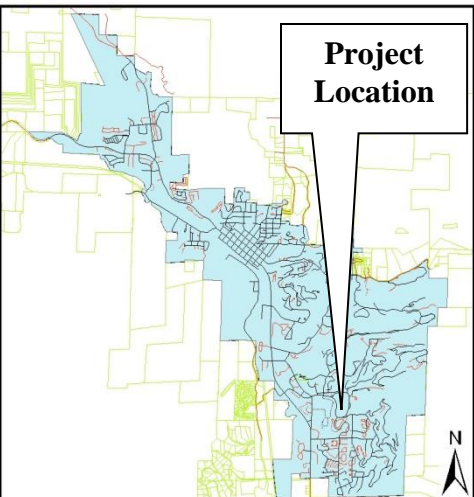
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Planning Staff recommends that this item be tabled to the April 12, 2018 hearing of the Planning Commission. The City is currently working with the Bob Adams Field Airport Manager to solicit feedback on the proposed future land use amendment from the Federal Aviation Administration in regards to compatibility with the airport. Planning Staff believes it is premature to make decisions on future land uses around the airport without this information. We have recently been made aware that incompatible future land uses could impact the City's FAA grant funding.

# AGENDA ITEM #2

## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

<b>PLANNING COMMISSION AGENDA ITEM # 2</b>	
<b>Project Name:</b>	Iconic Entry featuring the Arnold Barn, Steamboat Grand Resort Hotel Condominium Parcel subject to Future Development Rights, Mt. Werner Circle/ Mt. Werner Road
<b>Project Number/Type:</b>	DPF-17-11, Development Plan, Final Development Plan
<b>Prepared By:</b>	Toby Stauffer, AICP, Senior Planner
<b>Through:</b>	Tyler Gibbs, AIA, Planning & Community Development Director
<b>Date:</b>	February 28, 2018
<b>Planning Commission:</b>	March 22, 2018
<b>City Council:</b>	April 3, 2018
<b>Zoning:</b>	RR-1 Resort Residential
<b>Applicant:</b>	Urban Redevelopment Authority Advisory Committee (URAAC) c/o Ralph Walton, SSRA Project Manager
<b>Request:</b>	Final Development Plan for placement of an historic barn with variances to landscaping, lighting, sidewalk, and parking standards



**Iconic Entry featuring  
the Arnold Barn**

<b>Public Notice Requirements</b>	
Notice Type	Date Accomplished
Newspaper	02/25/2018
Mailing	02/28/2018
Posting	02/27/2018
Website	02/23/2018
Mineral	02/02/2018

<b>Staff Report - Table of Contents</b>		
Section		Pg
I.	CDC –Staff Analysis Summary	1-2
II.	Project Location	1-2
III.	Background	1-3
IV.	Project Description	1-3
V.	Project Analysis	1-3
VI.	Staff Findings	1-8
VII.	Attachments	1-9

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

**CDC - SECTION 26-65 (D):** NO DEVELOPMENT PLAN SHALL BE APPROVED UNLESS THE PLANNING COMMISSION AND CITY COUNCIL FIND THAT THE PLAN MEETS ALL OF THE FOLLOWING CRITERIA:

Subsection		Consistent			Notes
		Yes	No	NA	
1)	Compatibility with Community Plan	<input checked="" type="checkbox"/>			
2)	Consistency with Surrounding Uses	<input checked="" type="checkbox"/>			
3)	Minimize Adverse Impacts	<input checked="" type="checkbox"/>			
4)	Access	<input checked="" type="checkbox"/>			
5)	Minimize Environmental Impacts	<input checked="" type="checkbox"/>			
6)	Phasing	<input checked="" type="checkbox"/>			
7)	Compliance With Other Standards	<input checked="" type="checkbox"/>			
8)	Variance Criteria	<input checked="" type="checkbox"/>			

**Staff Finding:** Staff finds that Development Plan/Final Development Plan, DPF-17-11, for placement of an historic barn with variances to landscaping, lighting, sidewalk, and parking standards, is CONSISTENT with the Criteria for Approval for a Development Plan and Final Development Plan.

.... (Detailed policy analysis is located in Section VI; Staff Findings are in Section VII)

## II. PROJECT LOCATION



### **III. BACKGROUND INFORMATION**

The project will be located on property owned by the Steamboat Grand Hotel. The property is separated into areas that allow full development and areas that allow restricted development. The location of the barn would be in a restricted development area. The property is zoned Resort Residential 1 (RR-1) and is located at the intersection of Mt. Werner Rd. and Mt. Werner Circle. The barn would be placed near the intersection; there is currently a Steamboat Grand sign in the general area where the barn would be located.

### **IV. PROJECT DESCRIPTION**

The request would allow the historic Arnold Barn to be located on the Grand property as an iconic entry feature to Steamboat Resort. The project includes phased site development, landscaping, creation of parking spaces, and a soft surface sidewalk that will run from the barn to the Grand. The proposal includes education about the barn and history of the area through interpretive signage and display of historic farming implements common to the Yampa Valley. The barn will be accessible and available seasonally in the warmer, non-winter months. For more details on the seasonal nature of the use, see information in the applicant's narrative, Attachment 1.

The project includes an approved minor amendment to the Grand PUD, an interpretation about the application of Base Area Design Standards to historic projects, a technical variance to sidewalk standards, an off-site parking request, and two variances to landscape and lighting standards. Details and information about each of these items is included in Project Analysis below.

### **V. PROJECT ANALYSIS**

The following section provides staff analysis of the application as it relates to sections of the CDC. It is intended to highlight those areas that may be of interest or concern to planning commission, city council, staff or the public. For a list of standards and requirements applicable to this proposal please refer to the CDC or contact the staff planner.

#### **CRITERIA FOR APPROVAL**

**CDC - Section 26-65 (d): No development plan shall be approved unless the planning commission and city council find that the plan meets all of the following criteria:**

**1. Compatible with Community Plan.**

*The development plan is compatible with the preferred direction and policies outlined in the community plan or approved master plans. This criterion shall only be applicable to proposed conditional uses and/or variances within a development plan.*

Staff Analysis: **Consistent.** The future land use plan for the area is classified as Resort Residential with the primary use for guest accommodations and secondary uses including commercial and employee housing. The classification emphasizes connectivity and public spaces to make the environment inviting to pedestrians. This project meets the intent of the land use classification by supporting accommodation uses through provision of a new interesting public space and pedestrian connectivity from Mt. Werner to the Grand. The variances support the project in its intent to provide wayfinding for tourists and visitors and an iconic entry to the resort and mountain area, and therefore the variances are consistent with the land use plan for this project.

## **2. Consistency with Surrounding Uses.**

*The proposed development shall be consistent with the character of the immediate vicinity of the parcel proposed for development, or shall enhance or compliment the mixture of uses, structures and activities present in the immediate vicinity.*

Staff Analysis: **Consistent.** The project enhances the mixture of uses in the area by improving the presentation of the historic structure, creating a new entry feature to assist tourists in wayfinding, and reducing the minor "blight" that the barn presents currently.

## **3. Minimize Adverse Impacts.**

*The design and operating characteristics of the proposed development shall minimize any adverse impacts on surrounding uses and shall not cause a nuisance, considering factors such as proposed setbacks, planned hours of operation, and the potential for odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts from the proposed development.*

Staff Analysis: **Consistent.** The trails and signage will be maintained in the warmer months, minimizing any potential nuisances or impacts that may come from the additional traffic. In the winter months, the development will include signage to discourage pedestrians from visiting the area to minimize any potential adverse impacts.

## **Public Comment**

Public comment has been provided on this topic and concerns include safety at the intersection and whether the proposed location is an appropriate for this use. See comments in Attachment 7.

## **4. Access.**

*Access to the site shall be adequate for the proposed development, considering the width, grades, and capacities of adjacent streets and intersections and the entrance to the site. The adequacy of the facilities provided for any necessary service delivery, parking and loading, and trash removal shall also be considered. When appropriate, public transportation or other public or private transportation services and appropriate pedestrian facilities shall be made available to serve the use.*

Staff Analysis: **Consistent.** Adequate access is available to the site from Mt. Werner Road. Parking for the use will be accommodated by on-street parking in new spaces created for the use. Alternative compliance to parking standards has been requested for this use.

## **Off-site parking request:**

The iconic entry featuring the Arnold Barn has been determined to be a use similar to a park, requiring three parking spaces. The applicant has chosen to request off site facilities to meet the parking need. In Section 26.139.d.3 the CDC allows City Council to review and consider the request for off-site facilities if the following conditions are met:

- a. The parking facilities are located within 300 feet of the use served
- b. The proposed location of the parking facilities and the prospective operation and maintenance of the facilities will fulfill the purpose of the parking standards section, will be as usable and convenient as parking facilities located on the site, and will not cause traffic congestion or an unsightly concentration of parked cars.

Staff finds that the proposed parking is within 300 feet of the use served and that the proposed location will be maintained and operated in manner acceptable to the City, as the City will be

maintaining the parking. City staff reviewed the parking request and can recommend approval of the configuration finding that the parking will be usable and convenient, and that it will not cause traffic congestion on the road.

**Pedestrian facilities serving the use:**

Development on the subject property requires provision of multi-modal connections. For Mt. Werner Rd. an 8' sidewalk is required on one side of the street. An 8' sidewalk is provided on the side of the street opposite from the subject property, so a sidewalk is not required on the property for the extent along Mt. Werner Rd. A crosswalk to serve the use will be striped in the road to allow pedestrians to get from the existing sidewalk to the Barn during the warmer months.

The applicant proposes a sidewalk connection from the Barn to the Steamboat Grand hotel along Mt. Werner Circle. This connection will provide the required sidewalk for that extent of the property. The CDC allows a sidewalk to be designed and constructed in accordance with engineering standards and specifications. The proposed sidewalk for this project will be constructed as a soft surface sidewalk that has the potential to be a hard surface sidewalk in the future. This request requires a technical variance from engineering standards which has been granted by the Director of Public Works, see Attachment 5.

With approval of this variance and based on proposed solutions to work with existing conditions, the proposed use meets standards for connectivity required by the CDC.

**5. Minimize Environmental Impacts.**

*The proposed development shall minimize its adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.*

Staff Analysis: **Consistent.** Environmental impacts from development of this site are expected to be minimal. Water quality will be managed through drainage swales and runoff from impervious areas will be collected and treated as required by City standards. No other environmental impacts are anticipated. The project site is not located in any identified environmentally constrained areas, or areas of important wildlife habitat. Staff finds that the environmental impacts from the proposed use will be minimal or negligible.

**6. Phasing**

*If the proposed development is to be developed in phases, then each phase shall contain the required streets, utilities, landscaping, and other improvements that are necessary and desirable for residents of the project for that phase. Each phase of the phasing plan shall meet the requirements of the CDC on its own unless a variation is granted. If the development incorporates any amenities for the benefit of the city, such as trail connections, these shall be constructed within the first phase of the project, or, if this is not practical, then as early in the project as is reasonable.*

Staff Analysis: **Consistent.** Each phase includes the improvements necessary for the use to be functional.

**7. Compliance with other Standards.**

*The proposed development shall comply with all other applicable requirements of this CDC, including article V, development standards.*

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***Staff Analysis:*** **Consistent.** With the exception of variances listed below, the development conforms to applicable regulations and development standards.

### **Minor Amendment to the Grand PUD**

This project was reviewed against the standards of the PUD approved for the Grand (RM-98-01 and RM-99-02) to ensure that it is consistent with the requirements and restrictions of those approvals. The PUD was for a 19.96-acre site and included Phase 1: development of residential and commercial units, on-site parking, and all amenities that exist today for the hotel and Phase 2: which includes additional residential units and parking development. Both Phase 1 and Phase 2 are located on a 3.89-acre portion of the property which is zoned G-1, where the majority of the development is intended to happen. The rest of the property was preserved as open space and it includes restrictions for development.

The barn and associated development is considered consistent with natural and open space uses and consistent with restrictions for development on the site. The Director of Planning and Community Development determined that the proposed project is consistent with a minor amendment to the PUD because the intent of the development is in substantial conformance with the intent of the restrictions on the property in that area. For additional information about the Minor Amendment, see the approval letter in Attachment 4.

### **Base Area Design Standards and Historic Projects**

Section 26.133 of the CDC indicates that all development in the RR and G zone districts shall comply with the Mountain Base Area Design Standards. However, the Base Area and CDC design standards do not indicate how the standards should or should not apply to development projects consistent with adopted historic preservation guidelines. This oversight in the code was discovered during the course of review of this project and an interpretation was made by the Director that indicates Base Area Design Standards shall not apply to development projects that are reviewed and approved by Historic Preservation Commission in accordance with the Secretary of the Interior Standards. The interpretation applies to this project, as it has been reviewed and approved by HPC, see Attachment 3, and the interpretation will be codified with a future update to the CDC.

### **8. Variance criteria**

*Development Plans seeking variation from any design (Mountain Base Area Design Standards or Urban Design Standards and Entry Corridor Concepts), dimensional, or development standards listed in article V, development standards, where such variances do not qualify as minor adjustments, shall provide an acceptable alternative as defined below or shall prove a hardship.*

*In addition to the criteria below, any development plan seeking a variation shall demonstrate that the variance will not injure or adversely impact legal conforming uses of adjacent property; or the applicant has accurately assessed the impacts of the proposed variance and has agreed to mitigate those impacts.*

*The applicant assumes the burden of proof to demonstrate that the objectives of the regulations are respected and that adverse impacts are either non-existent or adequately mitigated. Unsupported opinions of impacts shall not be conclusive evidence of impacts.*

*In addition to meeting the criteria found in subsections (d)(1)–(7), the variance shall meet one or more of the following criteria for approval:*

1. *The applicant's alternative achieves a result that is equal to or better than the code standard to which a variance is being sought.*
2. *The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.*
3. *The application of other code standards and/or intents will be improved by varying this standard.*
4. *The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the property owner/applicant and the special circumstances are not the result of actions of the property owner/applicant.*

**VARIANCE REQUEST:** 26.137 Landscaping

Standard: Dense landscaping buffer 15' adjacent to any public ROW,  
Moderate interior landscaping

Applicant Request: c. Eliminate the 15' landscaping buffer requirement along the ROW  
d. Reduce the number of trees required in the interior of the site.

Applicant Justification: *The applicant's alternative achieves a result that is equal to or better than the code standard to which a variance is being sought.*

Applicant Narrative: See Attachment 1.

Staff Analysis:

Intent: The intent of Sec. 26.137 is to establish landscaping criteria that will ensure projects are landscaped in a manner appropriate to the use of the site and its surrounding neighborhood, and to ensure that adequate landscaping is provided in keeping with the character of the Yampa Valley.

Analysis: **Consistent.** The justification provided by the applicant is consistent with staff analysis of the request. Staff finds that concept for landscaping on this site is appropriate for the use and consistent with the historic nature of the barn and historic character of the Yampa Valley which traditionally included fewer trees on agricultural properties. The project will provide landscaping on the interior of the site to minimize impacts from site development and so that the project will be consistent with the surrounding neighborhood.

**VARIANCE REQUEST : 26.138 Lighting**

Standard: 26.138.d.4: On-site lighting. Building mounted and freestanding exterior lighting shall be directed downward using downcast light fixtures, with the light source screened and shielded from adjacent properties and from public rights-of-way so that the light source is not visible.  
26.138.e.4.b.1: Light fixtures shall direct light towards the ground so that light spillage onto abutting properties is minimized.

Applicant Request: The applicant would like a variance to down lighting standards.

Applicant Justification: *The applicant's alternative achieves a result that is equal to or better than the code standard to which a variance is being sought.*

Applicant Narrative: See Attachment 1.

Staff Analysis:

Intent: The intent of Sec. 26.138 is to minimize light pollution and the indiscriminate use of outdoor lighting, and to create a unifying, community-wide approach to outdoor lighting.  
Additionally, the intent of lighting in the RR and G districts is:  
1. To provide consistent and safe lighting levels throughout the Mountain Base Area that address both pedestrian and vehicular needs.  
2. To minimize light pollution within the Mountain Base Area to preserve the community's dark night sky.

Analysis: **Consistent.** The justification provided by the applicant is consistent with staff analysis of the request. Staff finds that the light fixtures, though directed up, can be controlled to direct light onto the building through the use of the proposed snoots, fixed beam spread, aiming and glare control featured on the lights, and therefore any impacts from lighting directed upward are minimized through the proposed fixtures. The purpose of lighting for this project is to highlight the barn, rather than light the surrounding area, so the intent of the project is consistent with the intent of the section.

**VI. STAFF FINDINGS**

Staff finds that Development Plan/Final Development Plan, DPF-17-11, for placement of an historic barn with variances to landscaping, lighting, sidewalk, and parking standards, is CONSISTENT with the Criteria for Approval for a Development Plan and Final Development Plan.

**Recommended Motion**

The Planning Commission recommends approval of DPF-17-11, as described in project materials and this report with findings approving the variances and with the following conditions:

1. Civil construction plans prepared by a licensed Colorado civil engineer must be submitted to Public Works for review by Public Works, Planning, and City Utilities for review and approval prior to approval of construction permit. We recommend submitting the construction plans a

minimum of five weeks prior to building permit application to allow time for review, comment response, and approval.

2. Authorization from Army Corps of Engineers is required prior to construction permit being approved for any phase of work impacting the wetlands.
3. After construction of the Phase 2 improvements, parking, sidewalk and crossing of Mount Werner Circle, pedestrian counts shall be taken to confirm the estimated pedestrian numbers in the mid-block crossing analysis dated December 14, 2017.
4. The following items are considered critical improvements and must be constructed prior issuance of CO/CA:
  - Permanent Water Quality Treatment device
  - Establishment of vegetation on the site.
5. Easements for public access for sidewalk and site improvements shall be dedicated prior to any building or grade and fill permit for Phase 2.
6. Long term maintenance responsibility of all interpretive signs and drainage swales shall be included in an agreement executed by the applicant and any applicable parties prior to grade and fill or building permit issuance for the first permit pulled for this project.
7. DPF-17-11 is contingent upon, shall comply with, and will be subject to the execution of the Public Improvements Lease and Maintenance Agreement associated with this project and the ongoing responsibilities outlined within. The Public Improvements Lease and Maintenance Agreement shall be executed prior to CO/CA for the barn and a copy shall be provided to the City Planning department.
8. Prior to the expiration or termination of the Public Improvements Lease and Maintenance Agreement, long-term permanent maintenance responsibility for site improvements and the barn and/or removal and reclamation of the site shall be included in an executed agreement with a copy provided to the City Planning department upon execution.
9. Prior to the expiration or termination of the Public Improvements Lease and Maintenance Agreement, public access to site improvements, sidewalk, and the barn shall remain intact and be allowed to continue and public access easement dedication shall be included in an executed agreement with a copy provided to the City Planning department upon execution.

## **VII. ATTACHMENTS**

1. Combined Project Narrative
2. Combined Site and Building Plans
3. Historic Preservation documents
4. Minor Amendment to the Steamboat Grand PUD
5. Engineering Variance, technical documents
6. Public Improvements Lease and Maintenance Agreement
7. Public Comment

# Attachment 1

**URAAC ICONIC ENTRY  
DPF RESUBMITTAL  
Project Narrative Update, version 2  
2/20/18 (revised per discussion with Toby Stauffer)**

The Steamboat Springs Redevelopment Authority (SSRA) and the Urban Redevelopment Authority Advisory Committee (URAAC) propose to construct an “Iconic Entry” at the base of the Knoll Open Space below the Steamboat Grand. The Applicant submitted its original application on September 15, 2017 and resubmitted on October 6, 2017 and December 15, 2017 to address comments from the Technical Advisory Committee (TAC). This Project Narrative Update is provided in support of the TAC Response Letter dated February 2, 2018, and is organized into four sections: Maintenance, Seasonality, Landscaping Variance Request and Lighting Variance Request.

## **1. Maintenance**

The Iconic Entry featuring the Arnold Barn is the product of a collaboration between several parties. Through its past and present planning efforts, the URAAC has recommended this project activity to the SSRA, and the SSRA has appropriated the funds to complete the design and construction of the Iconic Entry in 2018. The Steamboat Grand Resort Hotel Condominium Association, Inc. (HOA) is the owner of the proposed site in the Knoll open space. The Steamboat Ski & Resort Corporation (SSRC) is the owner of the Arnold Barn. The “Save Arnold Barn” community action group, in partnership with Historic Routt County (SAB), has contributed volunteer time and professional services in pursuit of preserving the historic significance of the structure. The City of Steamboat Springs (City) holds an easement on the HOA site affecting the proposed improvements.

Representatives of these parties have met to assign maintenance responsibilities of the Iconic Entry improvements. The chart below summarizes the status of these discussions.

<b>Phase I Improvements - Maintenance</b>		<b>Grand HOA</b>	<b>Ski Corp</b>	<b>City</b>	<b>SAB/ HRC</b>
Barn	Arnold Barn		<input checked="" type="checkbox"/>		
Barn	Corral fencing		<input checked="" type="checkbox"/>		
Landscaping	Landscaping (including temporary irrigation system)	<input checked="" type="checkbox"/>			
Landscaping	Exterior lighting of Barn		<input checked="" type="checkbox"/>		
Landscaping	Drainage swales	?	?	?	?
Signs	Interpretative sign (1) adjacent to existing asphalt trail	?	?	?	?
Signs	Grand signs next to Barn and at hotel entry	<input checked="" type="checkbox"/>			

<b>Phase II Improvements - Maintenance</b>		<b>Grand HOA</b>	<b>Ski Corp</b>	<b>City</b>	<b>SAB/ HRC</b>
Barn	Ranching implements				<input checked="" type="checkbox"/>
Access	Soft-surface interpretative trail leading from the crosswalk	<input checked="" type="checkbox"/>			
Access	Soft-surface sidewalk leading from the Grand	<input checked="" type="checkbox"/>			
Access	Crosswalk			<input checked="" type="checkbox"/>	
Access	Parking pull out			<input checked="" type="checkbox"/>	
Signs	Interpretative signs (2) on the interpretative trail	?	?	?	?
Signs	Traffic control signs			<input checked="" type="checkbox"/>	

One party or another has agreed to maintain all of the Iconic Entry improvements, except for the Interpretative Signs and the newly required grass drainage swales. These two elements are actively being discussed by the Parties, and the Applicant believes that commitments to maintain these two elements will be achieved before the public hearing process is complete. All of the final maintenance commitments will be reflected in the Definitive Agreements governing the Iconic Entry (see initial draft versions of these agreements attached).

## 2. Seasonality

During the maintenance discussions, the preference that the access to the Iconic Entry be seasonal in nature came to light. Eliminating snow removal up front greatly simplified the maintenance discussions. Specifically, the Interpretative Trail will be closed during the winter months and the public will not be invited to approach the Arnold Barn. This operating assumption was the rationale to construct the sidewalk connection from the Steamboat Grand as a soft surface, instead of a concrete, finish (Note: the soft surface sidewalk will be designed such that it could be resurfaced in the future). Likewise, the off-site parking facility and pedestrian crosswalk would not be maintained in the winter. Signage at the beginning of trails will alert the public to the winter closure and seasonal traffic control signage will be installed to flex to the seasonal conditions (see examples below).

Hinged Sign Example



In-Street Sign Example



It should be noted that concurrent with its review of this development plan, the City Public Works Department has accepted maintenance of the off-site parking facility and pedestrian cross-walk so long as their design and construction conform to City standards.

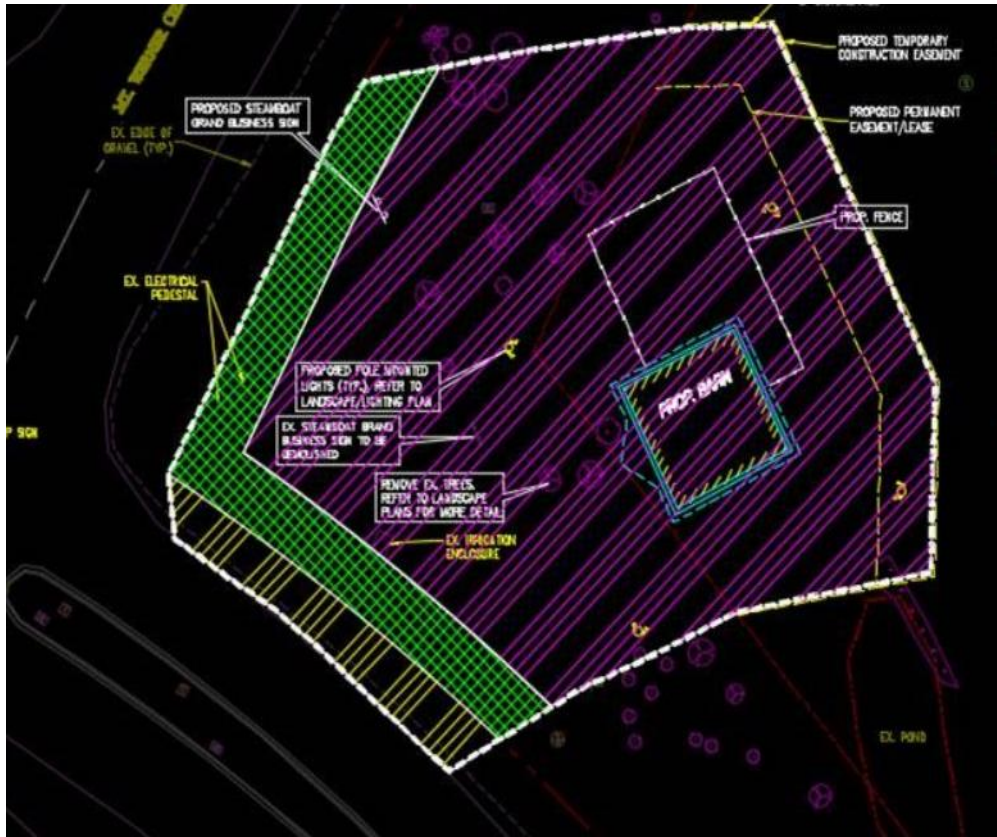
### 3. Landscaping Variance Request

As was discussed in previous submittals, the vision for the Iconic Entry is to create a pastoral scene for the Arnold Barn. This requires removal of much of the existing landscaping and planting a few significant trees to frame the Barn and the upgraded and relocated Steamboat Grand sign. This implies fewer trees so that the Barn retains the prominence required by the core wayfinding logic. The tables below identify two variance requests:

- a. Eliminate the buffer requirement (except for the 1-2 healthy trees outside of the area of disturbance that will remain).
- b. Reduction of the number of trees in total and in each category of the standard.

The Applicant believes that given the historic nature of the Barn and the desire to achieve a greater visibility by relocating and rehabilitating the structure, this plan achieves a result that is equal to or better than the Code standard.

Description	Map Area	SF	Category	1 Tree/X SF	Tree No.
15' Landscape Buffer	Green	3,158	Dense	200	16
Interior	Purple	20,067	Moderate	500	40
Disturbance Area Outside ROW		23,225			56
Disturbance Area Inside ROW	Yellow	1,275			
Total Disturbance Area		24,500			



Tree Category	Buffer/ Dense	Buffer Proposed	Interior/ Moderate	Interior Proposed	Interior Difference
Evergreens, 6-7'	10%	2	10%	4	
Evergreens, 8-9'	10%	2	15%	6	
Evergreens, 10'+	15%	2	10%	4	
Evergreens		6	0	14	6 (8)
Large Deciduous, 2.5" caliper	15%	2	0	8	3 (5)
Ornamental, 2" caliper	20%	3	0	6	0 (6)
Shrubs, 5 gallon	10%	2	0	6	21 (15)
Minimums		13	0	34	30 (4)
Additional		3	0	6	0 (6)
Total		16	0	40	30 (10) *

\* excludes counting certain trees remaining outside the disturbance area.

#### 4. Lighting Variance Request

The Applicant seeks a variance to the down-lighting standard contained in the Code and in the Base Area Design Standards. Based upon the rationale spelled out in the email below from our lighting consultant, Schuler Shook, the Applicant believes that this plan achieves a result that is equal to or better than the Code standard (please see below and the accompanying diagrams included in this resubmittal).

It should be noted that the lighting on the Barn will be a consistent neutral color and shall be static, not blinking, flashing, or changing in pattern or in color.

## Arnold Barn in Steamboat Springs

Inbox x



**Jim Baney**

5:03 PM (18 hours ago) ☆



to Ralph, Brian ▾

Ralph,

We have read the CDC requirements for lighting as well as the Planning Department review comments. We understand the intent of the lighting standard is to “minimize light pollution and the indiscriminate use of outdoor lighting, and to create a unifying, community wide approach to outdoor lighting.”

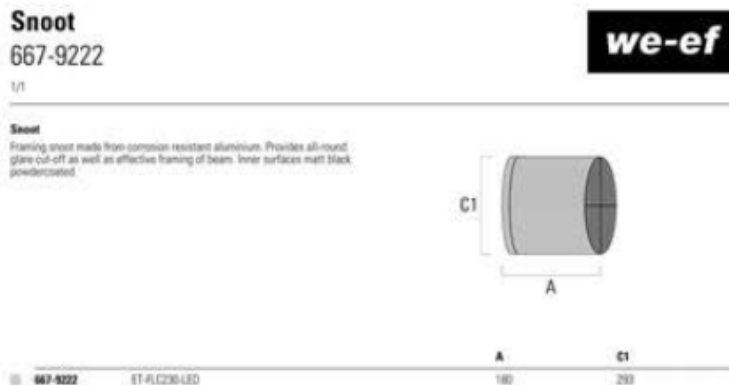
Section 26.138.d.4 seems to be written to address area lighting and not the highlighting of artwork or structures. We understand that the iconic Arnold Barn is an important landmark for Steamboat Springs, and that the evening illumination of the structure is important to the identity of the community. To ensure effective highlighting of the building and to minimize effects on the surrounding environment, the specified lighting considers the following factors:

**Poles** - The pole height (10'-0") allows the fixtures to be safely out of the winter snow zone, and out of the reach of visitors. Aesthetically, there is a desire that the poles not be taller than currently specified so as not to detract from the appearance of the barn during day and evening conditions.

**Fixture Beam Spread** - The fixtures utilize a controlled beam spread that will effectively illuminate the barn's surfaces while minimizing stray light. Please refer to the attached diagram.

**Fixture Aiming** - The fixtures will be aimed so that the beams will be completely intercepted by the surfaces of the barn. Please refer to the attached diagram.

**Fixture Glare Control** - The fixtures are fitted with 7" (180 mm) deep framing snoots with cross baffles. These snoots are designed to eliminate viewing angles into the fixtures, and to minimize glare and stray light. Please see the image below.



Given the unique purpose of the lighting in question, we would appreciate the Planning Department's consideration of the information detailed above. It is our position that the proposed lighting meets the intent of the CDC lighting requirements.

Please call with any comments or questions that you may have.

Regards,

Jim

**Jim Baney, IALD, LC, LEED AP, Partner**

**Schuler Shook**

THEATRE PLANNERS / LIGHTING DESIGNERS

750 North Orleans, Suite 400 | Chicago, IL 60654

D +1 312 374 4333 | M +1 847 219 6109

[jbaney@schulershook.com](mailto:jbaney@schulershook.com) | [www.schulershook.com](http://www.schulershook.com)

## 5. Base Area Design Standards

The Applicant believes that the Iconic Entry as proposed meets the general intent of the Base Area Design Standards:

- a. Establish a more unified character and sense of place for the Mountain Base Area that is unique to Steamboat and will help distinguish it as a “World Class” mountain village – The Arnold Barn as the centerpiece of the Iconic Entry was conceived as a wayfinding landmark that celebrates the agricultural heritage of the Yampa Valley.
- b. Ensure that future development and redevelopment is designed to withstand the area’s harsh winter climate – The Iconic Entry is also a preservation project designed to rehabilitate the Arnold Barn. The plan is to move the Barn to a more prominent location and to fortify its structure to stand for decades to come.
- c. Establish clear, quantitative standards to ensure that future development that occurs within the Mountain Base Area is consistent with the vision set forth by the Mountain Town Sub-Area Plan update – Since the Base Area Design Standards were originally adopted, several master plans stemming from the Mountain Town Sub-Area Plan update have been completed. One of these studies was the Base Area Streetscape and Public Improvement Master Plan (2006), which proposed a barn as an “arrival icon” at this same location (see page 39 below from that report).



View of arrival corridor - before



Perspective Sketch - Iconic Arrival Signage

### ARRIVAL

As a major wayfinding device, a barn is proposed at the Knoll Open Space. The barn offers an alternative to traditional entry signage and introduces a sense of the community’s character to Mt. Werner Road and Circle. An intentionally faded painted image announcing Steamboat is found on the barn, offering a western ranch aesthetic. The barn shall be constructed of weathered and authentic materials reflective of the community.

- d. Improve the timeliness and predictability of the development review process for the Mountain Base Area – The Iconic Entry not directly affect this general intent.
- e. Promote energy efficiency and sustainable design consistent with the city’s goal of leadership in environmental design – In rehabilitating the Arnold Barn and preserving the legacy of its story, the Iconic Entry certainly contributes to sustainability goals of the City.

Further, the Applicant concludes that the Iconic Entry meets the general intent of the Building Design and Character and the Site Layout and Development Pattern sections. Overall, the preservation logic of the Iconic Entry overrides many of these standards, which were intended to govern the development of new buildings. The Planning Staff has indicated their agreement with the conclusion that the Iconic Entry project is consistent with the intent of the Base Area Design Standards.

**URAAC ICONIC ENTRY  
DP/FDP RESUBMITTAL – VARIANCE REQUEST NARRATIVE  
12/15/17**

The Steamboat Springs Redevelopment Authority (SSRA) and the Urban Redevelopment Authority Advisory Committee (URAAC) propose to construct an “Iconic Entry” at the base of the Knoll Open Space below the Steamboat Grand. The Applicant submitted its original application on September 15, 2017 and then addressed comments from the Technical Advisory Committee (TAC) in the first resubmittal. Today, comments from the TAC review of the first resubmittal are addressed in this second resubmittal, which contains four (4) variance requests to the Community Development Code (CDC). This narrative summarizes the status of this project activity as the context for variance requests described below.

**Iconic Entry Status**

The Iconic Entry consists of the Arnold Barn and other complementary elements designed to ensure a safe arrival and a hearty welcome to the Mountain Area by celebrating the ranching heritage of Steamboat Springs and Routt County. Employing an iconic barn, specifically the Arnold Barn, as the centerpiece of a wayfinding landmark has been an important aspect of the Urban Renewal Area (“URA”) since its inception. In this application, the URAAC proposes to relocate the Arnold Barn from its current location next to the Meadows parking lot to the lower portion of the Knoll open space parcel at the intersection of Mt. Werner Road and Mt. Werner Circle. This historic structure would be reinforced and rehabilitated as the centerpiece of the Iconic Entry scene enhanced by other supporting elements, including corral fencing, ranching and farming implements, interpretative signage, pedestrian facilities, improved landscaping and new monument signage for the Steamboat Grand.

The Steamboat Grand Resort Hotel Condominium Association, Inc. (HOA) is the owner of the proposed site. The Steamboat Ski & Resort Corporation (SSRC) is the owner of the Arnold Barn. The “Save Arnold Barn” community action group, in partnership with Historic Routt County (SAB), has contributed volunteer time and professional services in pursuit of preserving the historic significance of the structure. Together with URAAC, these Parties have signed a letter of intent, which identifies the key business points to be captured in definitive agreements governing the rehabilitation of the Arnold Barn, the design and construction of the complementary improvements and the long-term maintenance of the entire scene.

The Iconic Entry is broken into two phases of development. Phase 1 can be referred to as the “Wayfinding Phase” and Phase 2 can be referred to as the “Interpretative Phase.” Phase 1 consists of the core elements including the Arnold Barn, corral fencing, one interpretative sign and signs for the HOA. Phase 2 adds an interpretative trail with two more interpretative signs in front of the Barn and two ranching/farming implements displayed in the corral. In addition, Phase 2 includes pedestrian connections to the existing asphalt trail running parallel to the south side of Mt. Werner Road and Mt. Werner Circle and to the sidewalk in front of the Steamboat Grand.

On December 5, 2017, the SSRA appropriated the capital outlay funds necessary to complete the design of the Iconic Entry, to obtain all necessary entitlements and to construct the Phase 1 and 2 improvements in 2018. Maintenance of the Phase 1 improvements has been established, but more discussion is requirement on Phase 2 improvements. The Parties anticipate that agreement will be reached as to the maintenance responsibilities for these improvements in the coming weeks. One key element in Phase 2 is the pedestrian connection from the Steamboat Grand, which was identified as a requirement of the first TAC review. Because the plan is to route this trail in the City right-of-way, maintenance would fall to the adjacent property owner by City code. However, the HOA as owner of the adjacent property objected to inheriting the maintenance of this trail and without another arrangement, they could withhold their consent necessary to build Phase 2 in the first place. Further, easements will as required of the HOA to build the trail leading to the Iconic Entry. Fortunately, the HOA now sees the trail as an amenity for their owners and guests and may accept the maintenance.

### **Variance Requests**

On November 6, 2017, Planning and Community Development provided the formal TAC comment letter identifying required revisions and conditions of approval, which are addressed in this resubmittal. Our response to the TAC letter itemizes variances to the Community Development Code (CDC) that are detailed below. Since these variances must be considered through the public hearing process, we request that we shift from an administrative approval to a full development plan/final development plan approval under the current version of the CDC.

It is understood that the CDC is regarded as minimum requirements for the protection of public health, safety, comfort, convenience, prosperity and welfare. We propose four deviations requested from these standards, which we will justify against one or more four variance criteria:

1. The applicant's alternative achieves a result that is equal to or better than the code standard to which a variance is being sought;
2. The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance;
3. The application of other code standards and/or intents will be improved by varying this standard; and/or
4. The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the property owner/applicant and the special circumstances are not the result of actions of the property owner/applicant.

In addition, we will demonstrate that each variance will not injure or adversely impact legal conforming uses of adjacent property.

#### Variance Request 1 - Parking Requirement Calculation

The CDC does not have a parking requirement for a "Natural Resource Area" land use designation. However, TAC believes that Phase 2 will generate some level of public visitation and that a reasonable amount of parking should be provided. Without a defined standard for this proposed use, we rely on the logic contained in the Parking and Pedestrian Access Letter

provided by Baseline Engineering to justify the three (3) spaces (Note: It is our understanding that Phase 1 alone would not carry a requirement for parking). Therefore, we believe that the intent of the code standard will not be achieved by strict application of the standard in this particular circumstance and that three (3) spaces is a reasonable number for this use and will not injure or adversely impact legal conforming uses of adjacent property.

#### Variance Request 2 - Parking Requirement Satisfied Off-Site

The CDC requires that parking be provided on-site. Since no parking standard exists for the proposed use, we request a variance to provide the three (3) spaces proposed above to be located across Mt. Werner Circle from the Iconic Entry in the City right-of-way. The rationale for this location is to accommodate arriving guests potential desire to pull-off on their inbound trip to their home or accommodation. Also, facilitating access from this pull-out location with a crosswalk also serves the needs of pedestrians using the existing asphalt trail. City Staff agrees in concept to maintain these facilities in the right-of-way. Therefore, we believe that the intent of the code standard will not be achieved by strict application of the standard in this particular circumstance and that locating the three (3) spaces in here is reasonable and will not injure or adversely impact legal conforming uses of adjacent property.

#### Variance Request 3 - Pedestrian Connection Extent

The CDC requires that Complete Streets standards be applied to all development. Rather than require sidewalks on both legs of Mt. Werner Circle that border the site, the TAC saw fit to require only one on the northern leg of Mt. Werner Circle. We concur, especially since the plan proposes to connect to the existing pedestrian connection on the southern leg of Mt. Werner Circle. Therefore, we believe that the pedestrian connection proposed achieves a result that is equal to or better than the code standard to which a variance is being sought and will not injure or adversely impact legal conforming uses of adjacent property since the trail will be located in the right-of-way.

#### Variance Request 4 - Pedestrian Connection Surface

The CDC Complete Streets standards typically require that sidewalks be finished with a concrete surface. As discussed in the TAC response letter, we have proposed to construct a soft surface trail connecting the Iconic Entry to the Steamboat Grand as required by a previous TAC comment based upon our original submittal dated September 15, 2017. City engineering standards, as well as the 2008 Open Space and Trails Master Plan, allow for a soft surface finish to primary and secondary trails. Also, the trail will be designed to accommodate a concrete surface should the Parties desire to upgrade the trail in the future. Further logic in support of this variance request is contained in the variance request letter provided by Baseline Engineering as part of the resubmittal materials. Therefore, we believe that the pedestrian connection proposed achieves a result that is equal to or better than the code standard to which a variance is being sought and will not injure or adversely impact legal conforming uses of adjacent property since the trail will be located in the right-of-way.

**URAAC ICONIC ENTRY  
AFDP APPLICATION – DETAILED NARRATIVE  
10/6/17**

The Iconic Entry consists of the Arnold Barn and other complementary elements designed to ensure a safe arrival and a hearty welcome to the Mountain Area by celebrating the ranching heritage of Steamboat Springs and Routt County. Employing an iconic barn, specifically the Arnold Barn, as the centerpiece of a wayfinding landmark has been an important aspect of the Urban Renewal Area (“URA”) since its inception (see History of the Iconic Entry Feature attached). In this application, the Urban Redevelopment Authority Advisory Committee (“URAAC”) proposes to relocate the Arnold Barn from its current location next to the Meadows parking lot to the lower portion of the Knoll open space parcel at the intersection of Mt. Werner Road and Mt. Werner Circle. This historic structure would be reinforced and rehabilitated as the centerpiece of the Iconic Entry scene enhanced by other supporting elements, including corral fencing, ranching and farming implements, interpretative signage, pedestrian facilities, improved landscaping and new monument signage for the Steamboat Grand.

The Steamboat Grand Resort Hotel Condominium Association, Inc. (the “HOA”) is the owner of the proposed site. The Steamboat Ski & Resort Corporation (“SSRC”) is the owner of the Arnold Barn. The “Save Arnold Barn” community action group in partnership with Historic Routt County (together “SAB”) has contributed volunteer time and professional services in pursuit of preserving the historic significance of the structure. Together with URAAC, these Parties are finalizing a letter of intent, which will frame definitive agreements governing the rehabilitation of the Arnold Barn, the design and construction of the complementary improvements and the long-term maintenance of the entire scene:

- The URAAC would request funding for the Iconic Entry improvements from the Steamboat Springs Redevelopment Authority (“SSRA”), the governing body of the URA.
- The SSRC would consent to the relocation and rehabilitation of the Arnold Barn and would receive ownership of the Iconic Entry improvements subject to a long-term lease with the HOA. Also, SSRC would assume responsibility for the ownership and maintenance costs of the improvements <sup>1</sup>, including property taxes, insurance and utilities.
- The HOA would enter into a ground lease with SSRC, which would permit the Iconic Entry improvements to be constructed.
- SAB would continue to advocate for the quality implementation of the preservation treatments to the exterior of the Arnold Barn, as well as its internal structure, through the Committee’s support, professional advice and financial contributions.

It should be noted that the City of Steamboat Springs (the “City”) holds an easement granted in 1984 “for the purpose of constructing, installing, repairing, replacing and maintaining landscaping, irrigation systems, bike/pedestrian paths, bus stops and appurtenant improvements” (Book 598 at Page 1233). The URAAC proposes to locate the Arnold Barn itself outside of this

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<sup>1</sup> At the time of this application, neither Party has accepted responsibility for maintenance of the new soft-surface trail proposed in the City right-of-way between the Iconic Entry and the Steamboat Grand along Mt. Werner Circle. The Applicant believes that this issue will be resolved in due time.

easement area while the improvements proposed within the easement area are consistent with the uses permitted by the easement. Protection of the City's rights under this easement will be addressed through the development plan process.

The vision for this URAAC project activity is to cure the current blighted condition of the Arnold Barn by rehabilitating it as the centerpiece of a wayfinding landmark for visitors to Mountain Area. Preserving this important piece of Steamboat history would celebrate the ranching community and would serve as a vehicle to educate the public about the economic benefits of preservation and how restoration and material conservation are accomplished in the field. The Iconic Entry is primarily a wayfinding device and a community icon. The interpretative display component is designed to satisfy the curiosity of those visitors wishing to explore the Arnold Barn and its history beyond a brief photographic opportunity. Two of the interpretative signs would be positioned on-site while the third would be located at a safe location in the City right-of-way next to the existing asphalt trail on Mt. Werner Road. This sign would be maintained by SSRC through a revocable license agreement (or another appropriate instrument).

Access to the site is proposed by connecting the proposed interpretative trail to the existing asphalt trail running along the south side of Mt. Werner Road and Mt. Werner Circle via a new pedestrian crosswalk. Also, a new soft-surface trail is proposed in the right-of-way along the north segment of Mt. Werner Circle between the Iconic Entry and the Steamboat Grand entry.

Parking would not be provided since the preponderance of visitors will be pedestrians and bicyclists originating from nearby residential properties and the SST public transportation stops. To facilitate ADA access, the URAAC proposes to pave a portion of the shoulder of Mt. Werner Circle that would connect to the proposed crosswalk. Finally, the URAAC believes that the small number of daily visitations to the site would be during off-peak periods given that visiting the Iconic Entry would be a secondary activity at best.

It should be noted that this application is presented in two phases. Phase I would include the Arnold Barn, corral fencing, landscaping improvements, new signage for the Steamboat Grand and the one interpretative sign adjacent to the asphalt trail on the south side of Mt. Werner Road. Phase II would add the interpretative trail, two additional on-site interpretative signs, two ranching/farming implements (both to be located within the corral fencing), a pedestrian crosswalk with a paved shoulder plus the soft-surface trail connecting to the Steamboat Grand. The two phases align with the objectives of this project activity: (i) removing blight, creating a wayfinding landmark and rehabilitating an historic structure, and (ii) promoting interaction with, and discovery of, the rich agricultural history of Routt County. Also, separating the development plan into two phases facilitates ongoing conversations about capital budget and operations and maintenance.

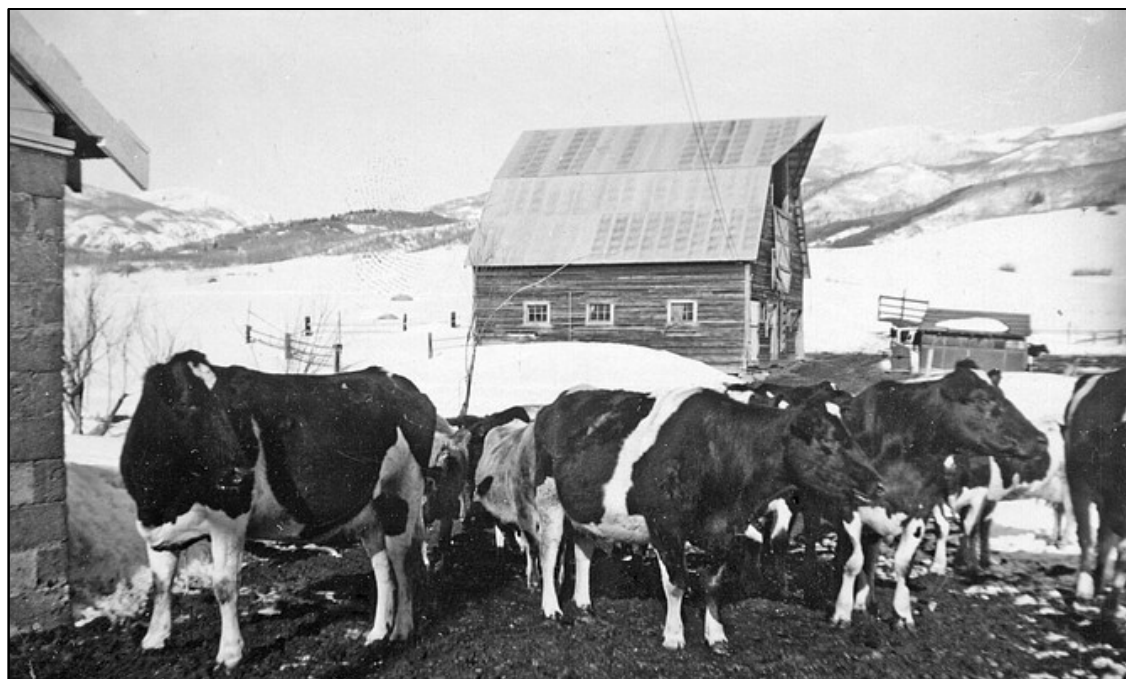
The City Department of Planning & Community Development has made two determinations leading to the URAAC's decision to pursue an Administrative Final Development Plan ("AFDP") approval. First, the proposed Iconic Entry improvements would constitute a minor change to the underlying PUD for the Steamboat Grand. Second, this unique project should be classified as a "Natural Resource Area," a use-by-right in the RR-1 zone district. Together these

two decisions allow the URAAC to submit under the Administrative Final Development Plan process.

Two important issues related to this AFDP application and the Steamboat Grand PUD are landscaping and signage. The URAAC proposes to remove a certain number of the trees and shrubs occupying the core of the proposed site. A thorough review of the Planning & Community Development files confirmed that the plantings on the site were not a condition of approval of the Steamboat Grand and some even pre-date the development plan application. Therefore, the Steamboat Grand's landscape plan does not need to be amended. As for signage, Planning Staff could not locate an existing Master Sign Plan for the Steamboat Grand. So, a new Master Sign Plan, rather than an amendment, will be pursued for the new Steamboat Grand monument sign, the signs near the entry to the hotel and the interpretative signs following the conclusion of the AFDP process.

Finally, it should be noted that the planning and design efforts to date have been funded by the SSRA as well as through the volunteer efforts and contributions of the Save Arnold Barn community action group and members of our consultant team.

Attachment: History of the Iconic Entry Feature



# **HISTORY OF THE ICONIC ENTRY FEATURE**

## **Preserving the Arnold Barn as a Wayfinding Device**

SSRA Meeting  
May 16, 2017

# HISTORY

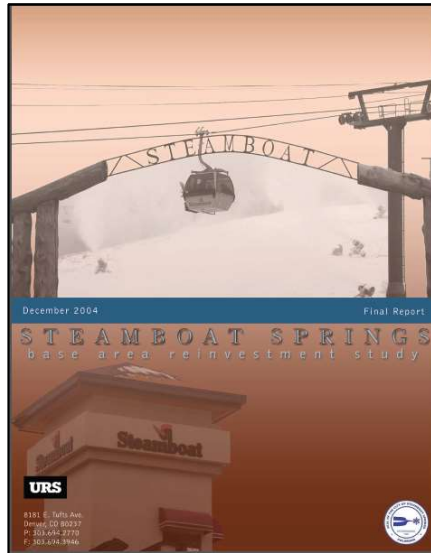
- **2004 – Base Area Reinvestment Study completed. Arnold Barn cited as evidence of 4 blight conditions.**
- **2005 – Steamboat Springs Reinvestment Plan adopted and Base Area Urban Renewal Area formed with objectives including:**  
*“Create a sense of place and improved aesthetic character” and “[i]mprove...wayfinding to make circulation less perplexing;”*
- **2006 – Streetscape and Public Improvements Master Plan proposed an iconic barn:**  
*“As a major wayfinding device...[a] barn offers an alternative to traditional entry signage and introduces a sense of the community’s character to Mt. Werner Road and Circle.”*
- **2007 – Arnold Barn featured in Iconic Entry concepts.**
- **2010 – Wayfinding and signage program referenced by Bond offering.**
- **2014 – Iconic Entry rekindled by URAAC and the Steamboat Grand.**
- **2015 – Phase III Activities approved, including the Iconic Entry Feature.**

# HISTORY

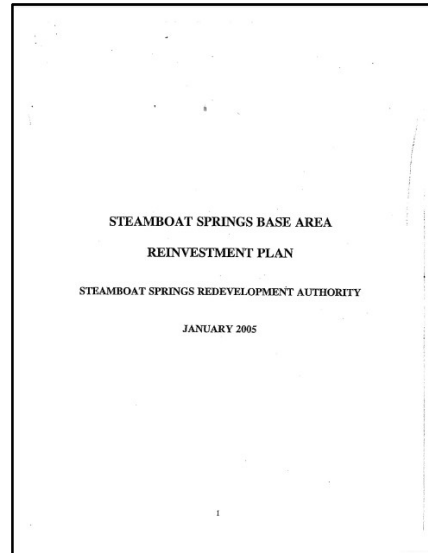
- **2016 – “Save Arnold Barn” community action group formed; Ski Area Arrival Experience study completed; City files lawsuit against owners/developers to correct Arnold Barn deferred maintenance; SSRA approves conceptual design budget for the Iconic Entry.**
- **2017 – SSRA increases Iconic Entry design budget; City lawsuit settled and ownership of the Arnold Barn transfers to Ski Corp; Accommodation Tax Committee recommends funding the relocation and rehabilitation of the Arnold Barn to City Council.**



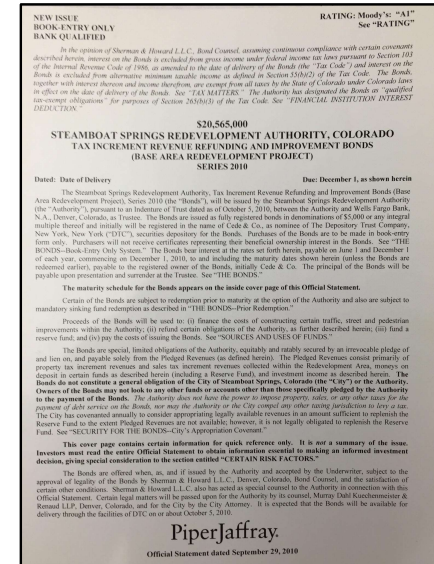
# FOUNDATIONAL DOCUMENTS OF THE URA



**Blight Study 2004**



**Reinvestment Plan 2005**

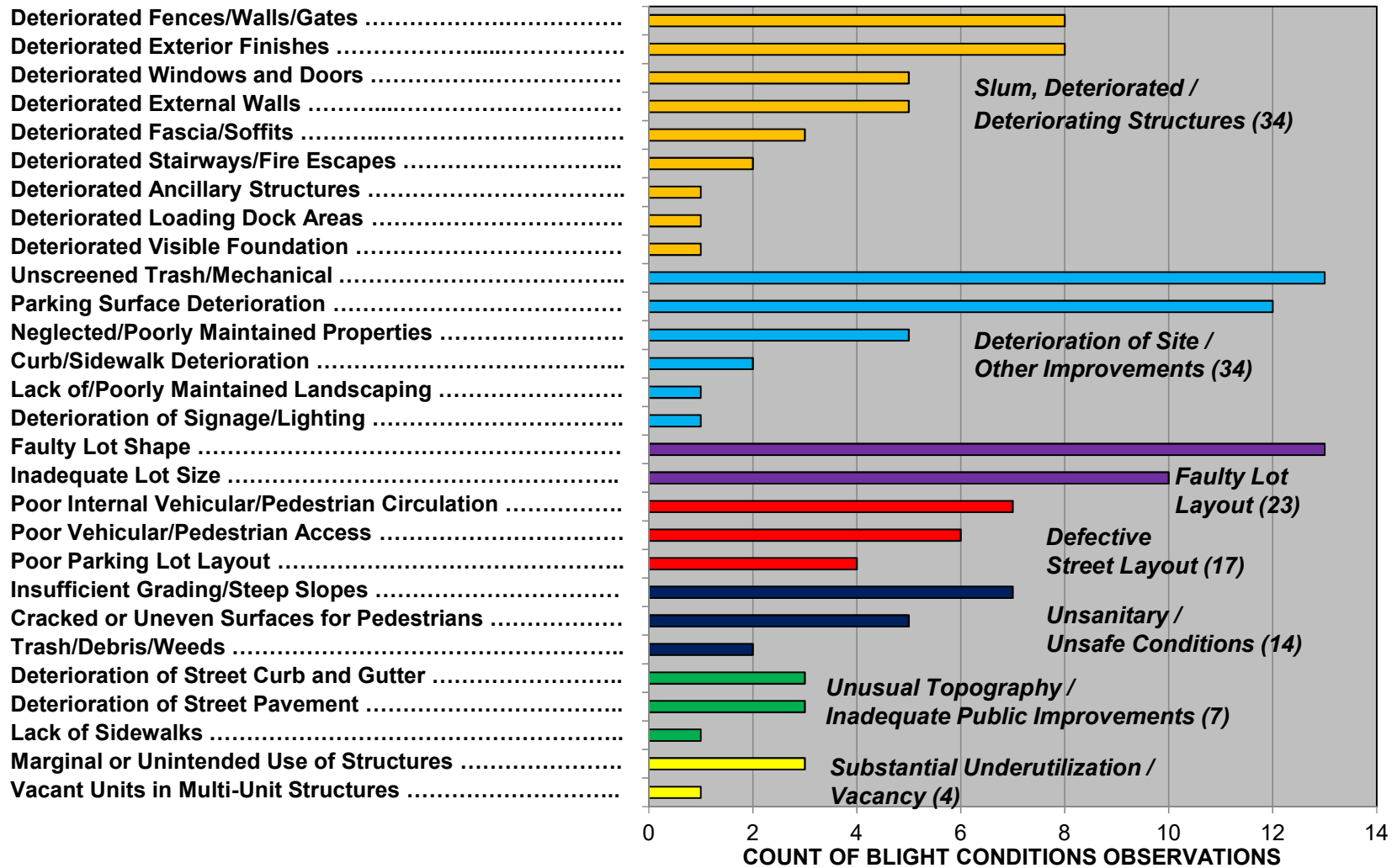


**Bond Offering 2010**

- URA plan documents highlight the need for consistent wayfinding signage, designed in character with Steamboat's heritage, to improve pedestrian and vehicular circulation.
- In follow up studies, a signature barn is depicted in multiple sketches as a wayfinding and arrival device drawing upon the local ranching traditions and cultural heritage.

# FINDINGS OF THE 2004 BLIGHT STUDY

## BLIGHT CONDITIONS BY CATEGORY CITED IN THE BLIGHT STUDY 2004



# DECEMBER 2004 – BLIGHT STUDY

Exhibit 10: Photograph Index



## Arnold Barn Blight Conditions:

- Deteriorated External Walls
- Deteriorated Exterior Finishes
- Deteriorated Windows and Doors
- Neglected/Poorly Maintained Properties

**JUNE 2006**



**JULY 2006**



# AUGUST 2006



# DECEMBER 2006



# AUGUST 2007



# SEPTEMBER 2007



**SEPTEMBER 2007**



# NOVEMBER 2014



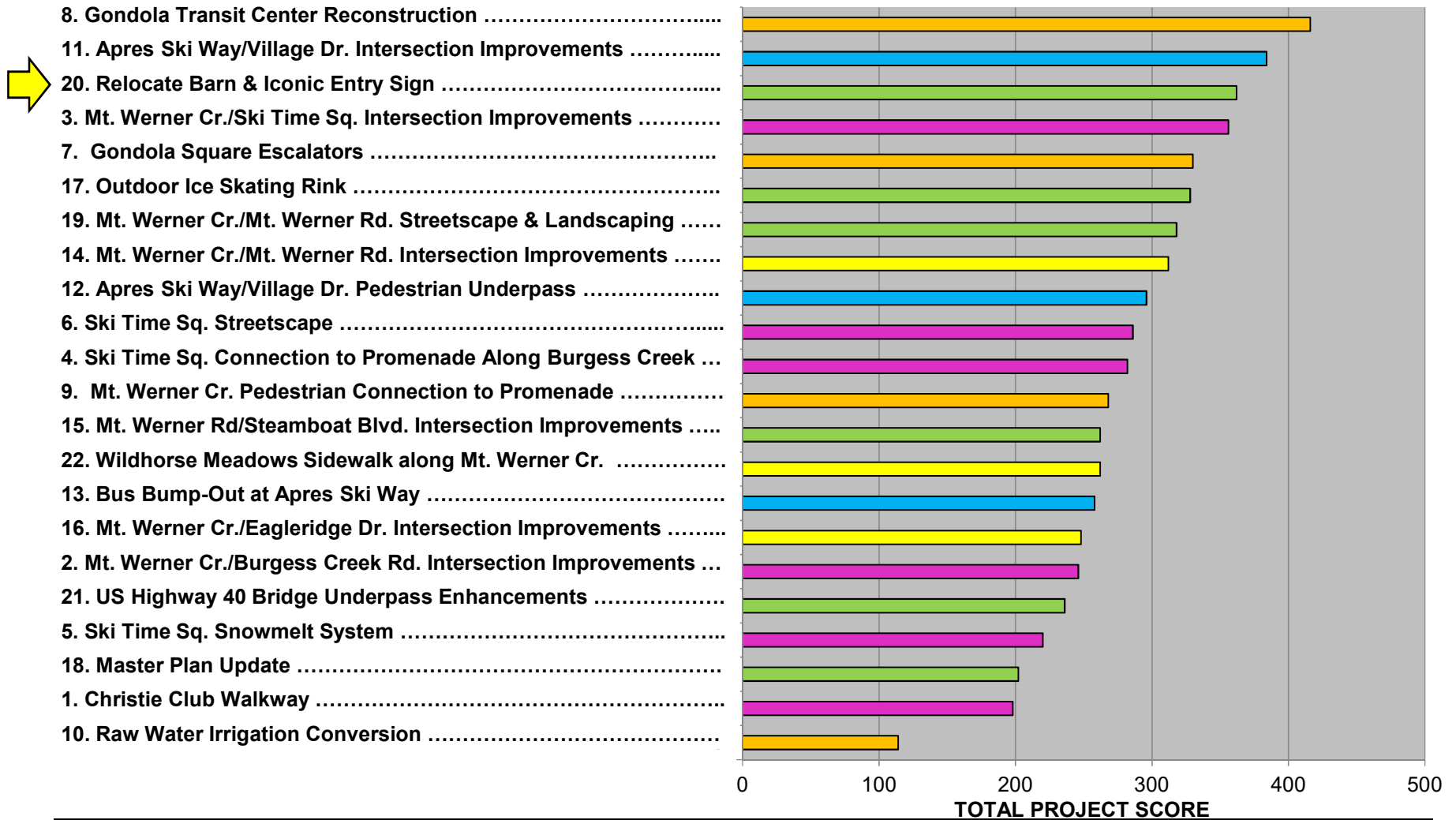
**MAY 2015**



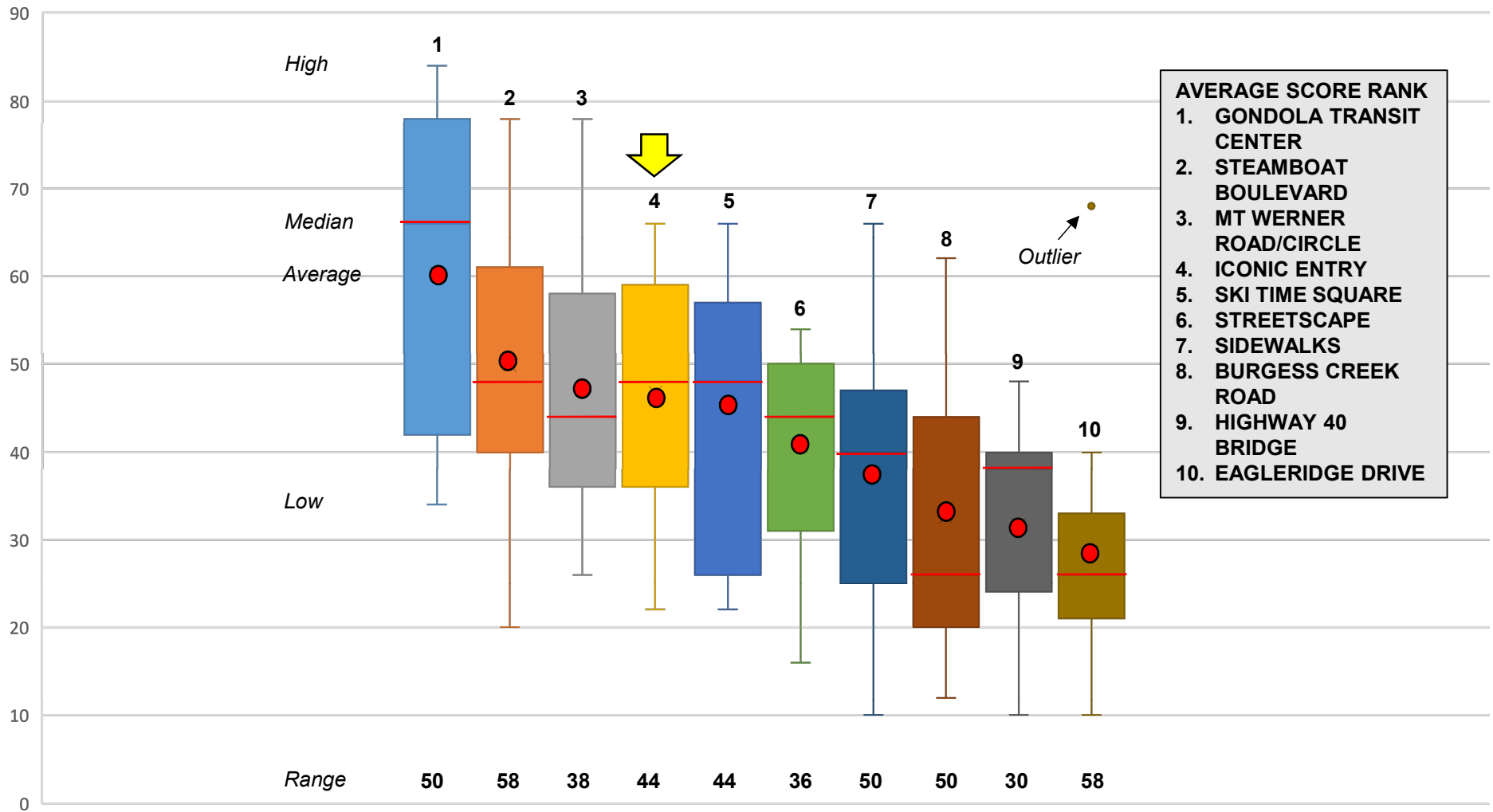
**MAY 2017**



# URAAC RANKINGS – OCTOBER 2014



# URAAC RANKINGS – NOVEMBER 2016



Source: URAAC ballots collected in September-October 2016 with all members responding.

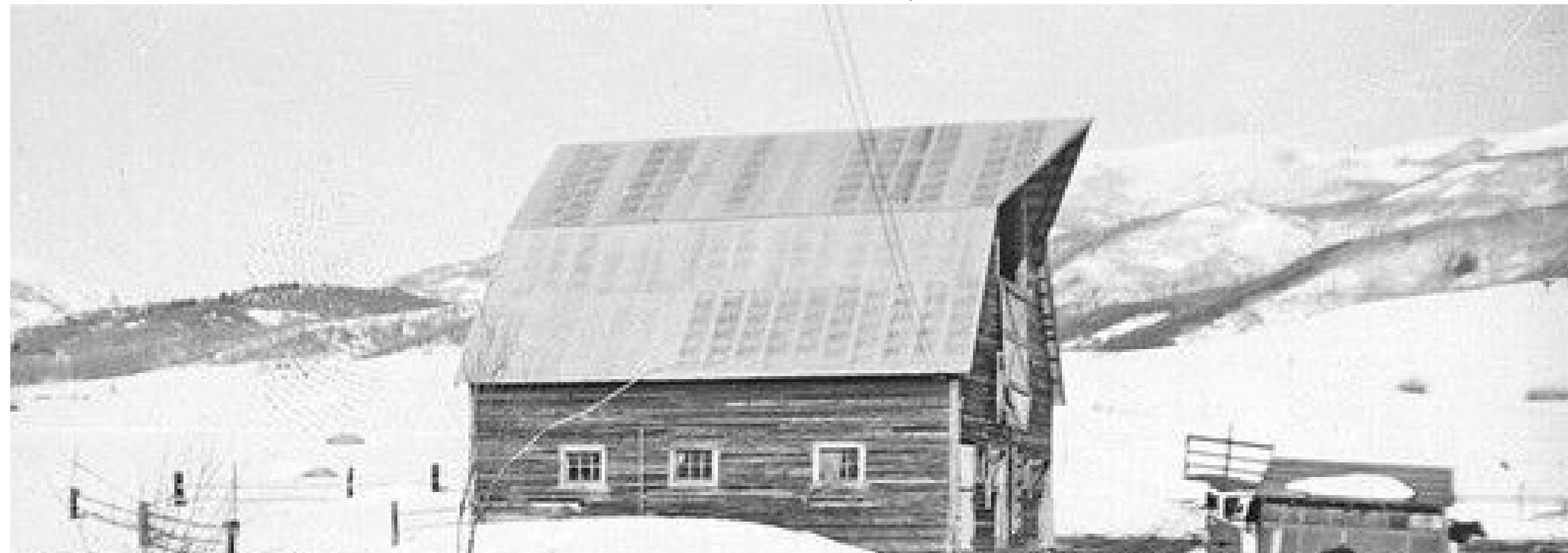
# SUMMARY

- **The 2004 Base Area Reinvestment Study cited the Arnold Barn as a source of blight, which can be cured.**
- **URA foundational documents deemed wayfinding and consistent signage to be important in solving circulation problems.**
- **Master plans determined that a signature barn could be an effective wayfinding device while simultaneously creating a sense of arrival with an icon that celebrated the ranching heritage of Steamboat Springs.**
- **URAAC has consistently ranked the Iconic Entry as a top priority project activity supportive of the URA mission.**
- **The Steamboat Grand HOA has agreed in principal to host the Iconic Entry on their property. Ski Corp has agreed in principal to cover its long term operations and maintenance costs.**
- **Save Arnold Barn community action group has invested significant time and money in support of relocating and preserving the Arnold Barn. Local ranchers have also endorsed this project activity.**
- **The City's Settlement Agreement guarantees stabilization in its current compromised location for only two years.**

# ICONIC ENTRY - ARNOLD BARN INTERPRETIVE DISPLAY

# Attachment 2

MOUNT WERNER CIRCLE  
STEAMBOAT SPRINGS, CO



A NATURAL RESOURCE AREA IN THE RR-1 ZONE DISTRICT

**TABLE OF CONTENTS:**

**SHEET INDEX**

COVER SHEET CS COVER SHEET

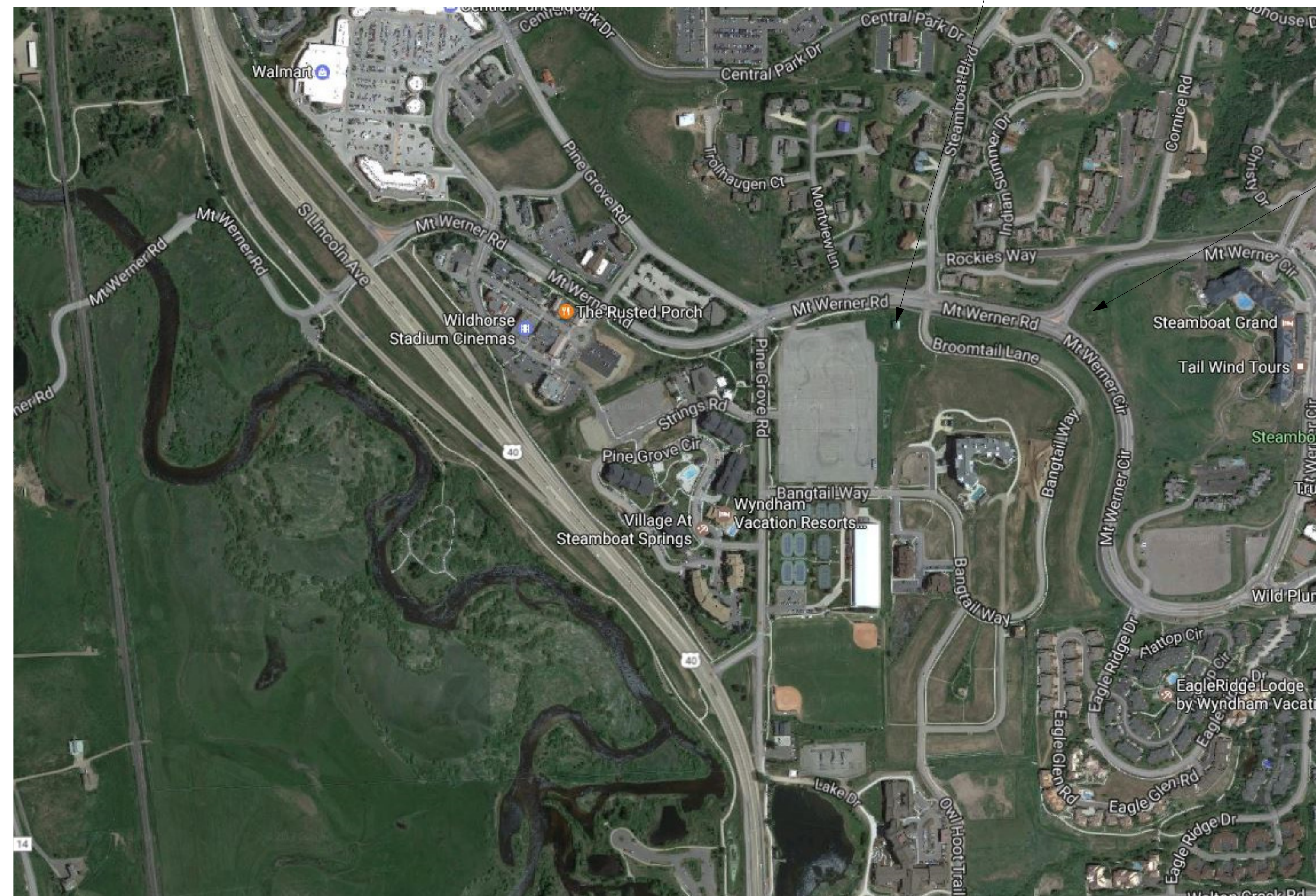
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SITE PLAN & PHASING PLAN GRADING & DRAINAGE PLANS - CIVIL  
C1 BASELINE  
C2 BASELINE  
C3 BASELINE

LANDSCAPE PLAN L.100 MGC DESIGN, INC

**ARCHITECTURAL PLANS**

- EXISTING PLANS**
- A2 EXISTING FLOOR PLANS
- A3 EXISTING ROOF PLAN
- EXISTING ELEVATIONS**
- A4 EXISTING ELEVATIONS
- A5 EXISTING ELEVATIONS
- PLANS**
- A6 MAIN FLOOR PLAN TREATMENTS
- A7 LOFT FLOOR PLAN TREATMENTS
- A8 ROOF PLAN
- A9 ELEVATIONS
- BUILDING SECTIONS**
- A10 BUILDING SECTION
- STANDARD DETAILS**
- A11 DETAILS



VICINITY PLAN

MOUNTAIN ARCHITECTURE  
DESIGN GROUP P.C.  
Jan Michael Kaminski,  
President

AN ICONIC ENTRY FOR THE  
**ARNOLD BARN INTERPRETIVE DISPLAY**  
2305 MT. WERNER CIR.  
STEAMBOAT SPRINGS, CO, 80487-9023

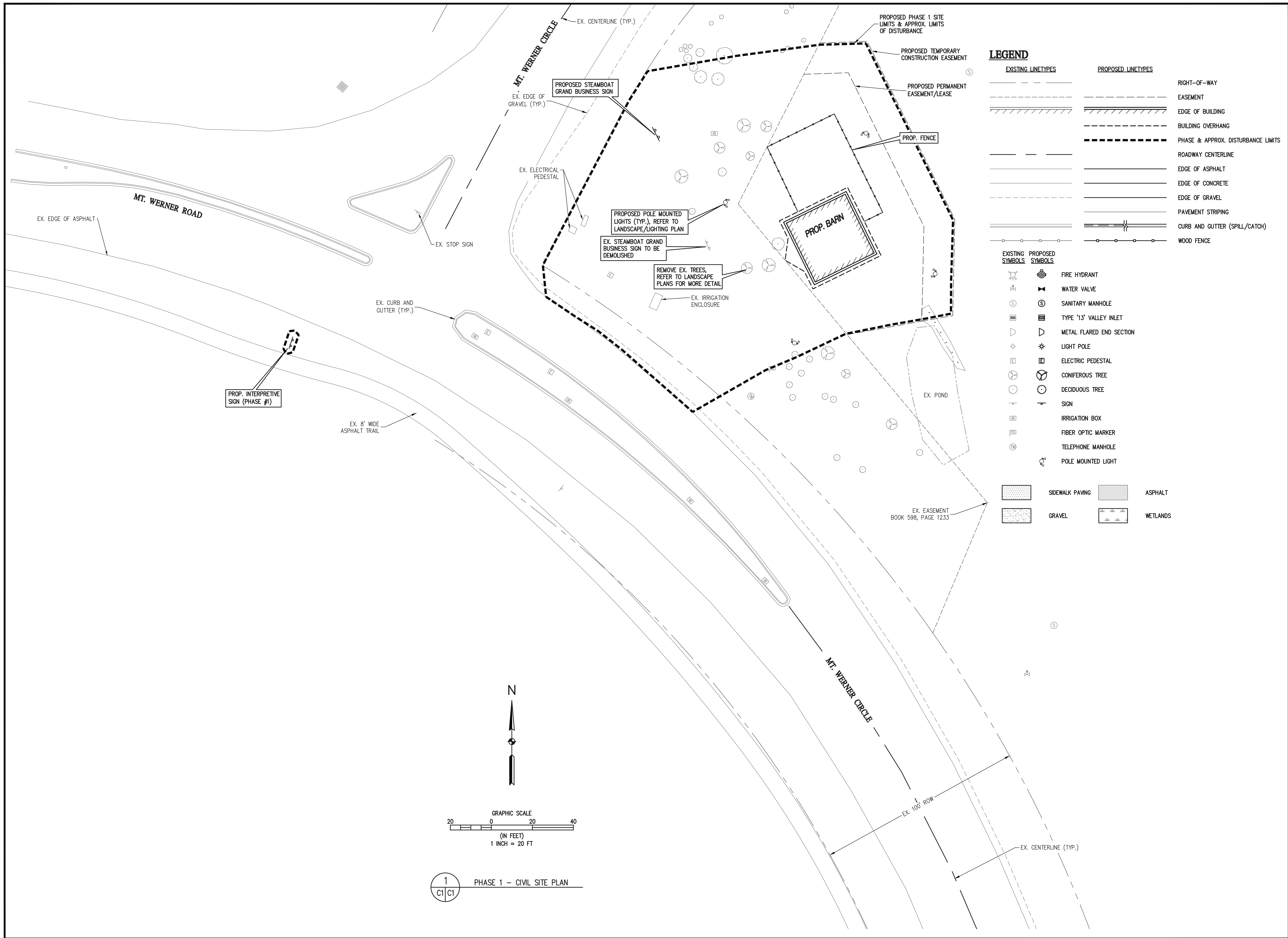
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DRAWN BY LRR  
CHECKED BY JMK  
ISSUE DATE 12/01/2017

REVISIONS:  
IDATE

DRAWING NUMBER  
CS

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**BASELINE**  
Engineering - Planning - Surveying  
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DESIGNED BY	DATE	PREPARED BY	REVISION DESCRIPTION
ZRH	10/4/17	ZRH	UPDATE PLANS
ZRH	11/16/17	CSR	ADDRESS TAC COMMENTS
ZRH	11/30/17	CSR	ADDRESS TAC COMMENTS
ZRH	12/7/17	CSR	COORDINATION UPDATES
CSR	1/31/18	CSR	ADDRESS TAC COMMENTS

**CITY OF STEAMBOAT SPRINGS**

STEAMBOAT SPRINGS ROUTT COUNTY

URAAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 1 - CIVIL SITE PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION

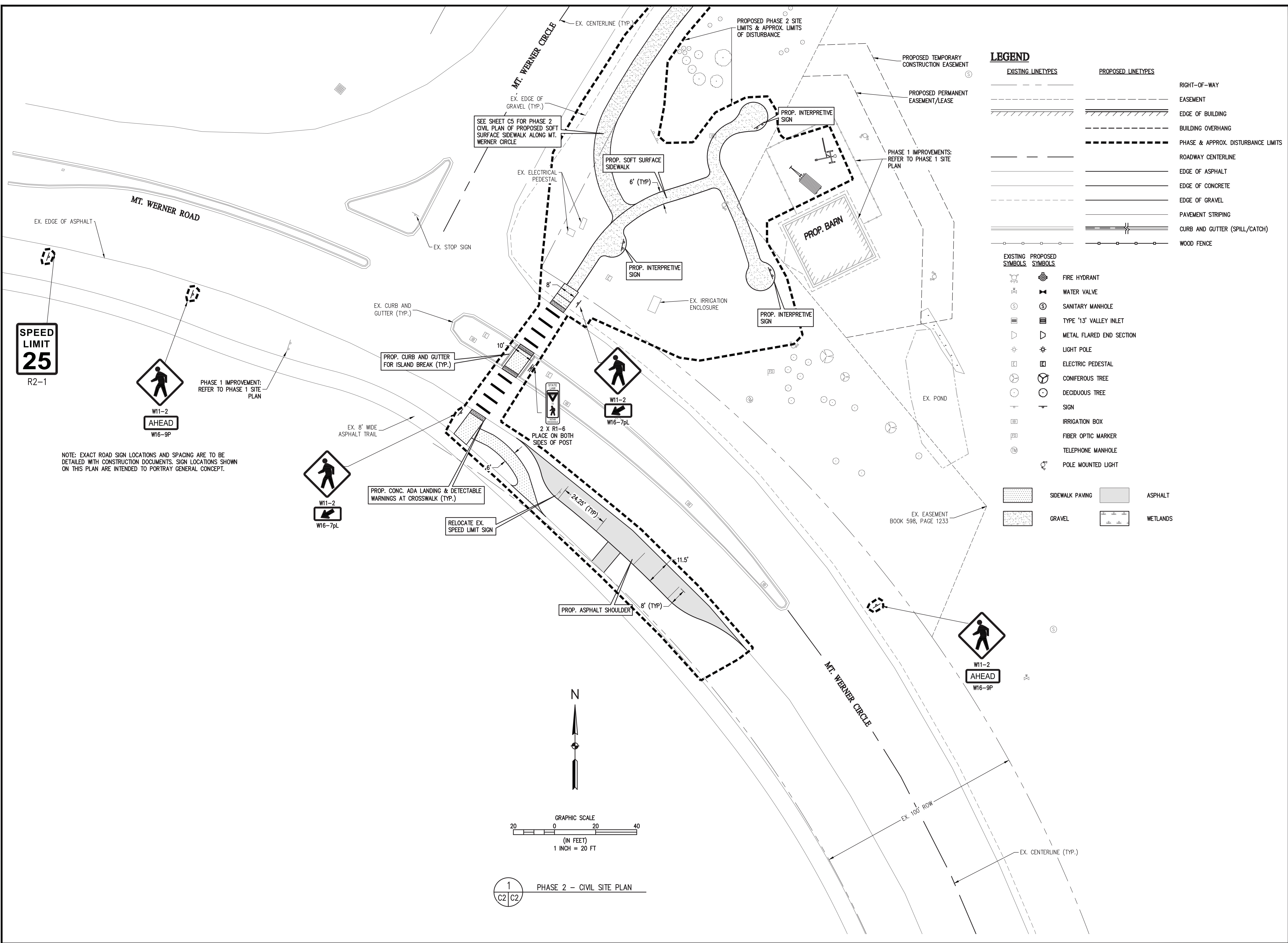
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NOT FOR  
CONSTRUCTION**

PREPARED UNDER THE DIRECT  
SUPERVISION OF

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SURVEY FIRM	D&O, INC.
SURVEY DATE	10/11/14
JOB NO.	C020169
DRAWING NAME	C020169 CIVIL.dwg
SHEET	1 OF 5

1  
C1 | C1 PHASE 1 - CIVIL SITE PLAN

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# BASELINE

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DESIGNED BY	DATE	PREPARED BY	REVISION DESCRIPTION
ZRH	10/4/17	ZRH	UPDATE PLANS
ZRH	11/16/17	CSR	ADDRESS TAC COMMENTS
ZRH	11/20/17	CSR	ADDRESS TAC COMMENTS
ZRH	12/7/17	CSR	COORDINATION UPDATES
CSR	1/31/18	CSR	ADDRESS TAC COMMENTS

**CITY OF STEAMBOAT SPRINGS**

URAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 2 - CIVIL SITE PLAN

STEAMBOAT SPRINGS ROUTT COUNTY

**PRELIMINARY NOT FOR CONSTRUCTION**

FOR AND ON BEHALF OF  
BASELINE CORPORATION

INITIAL SUBMITTAL 9/12/17

DRAWING SIZE 24" X 36"

SURVEY FIRM SURVEY DATE  
D&O, INC. 10/11/14

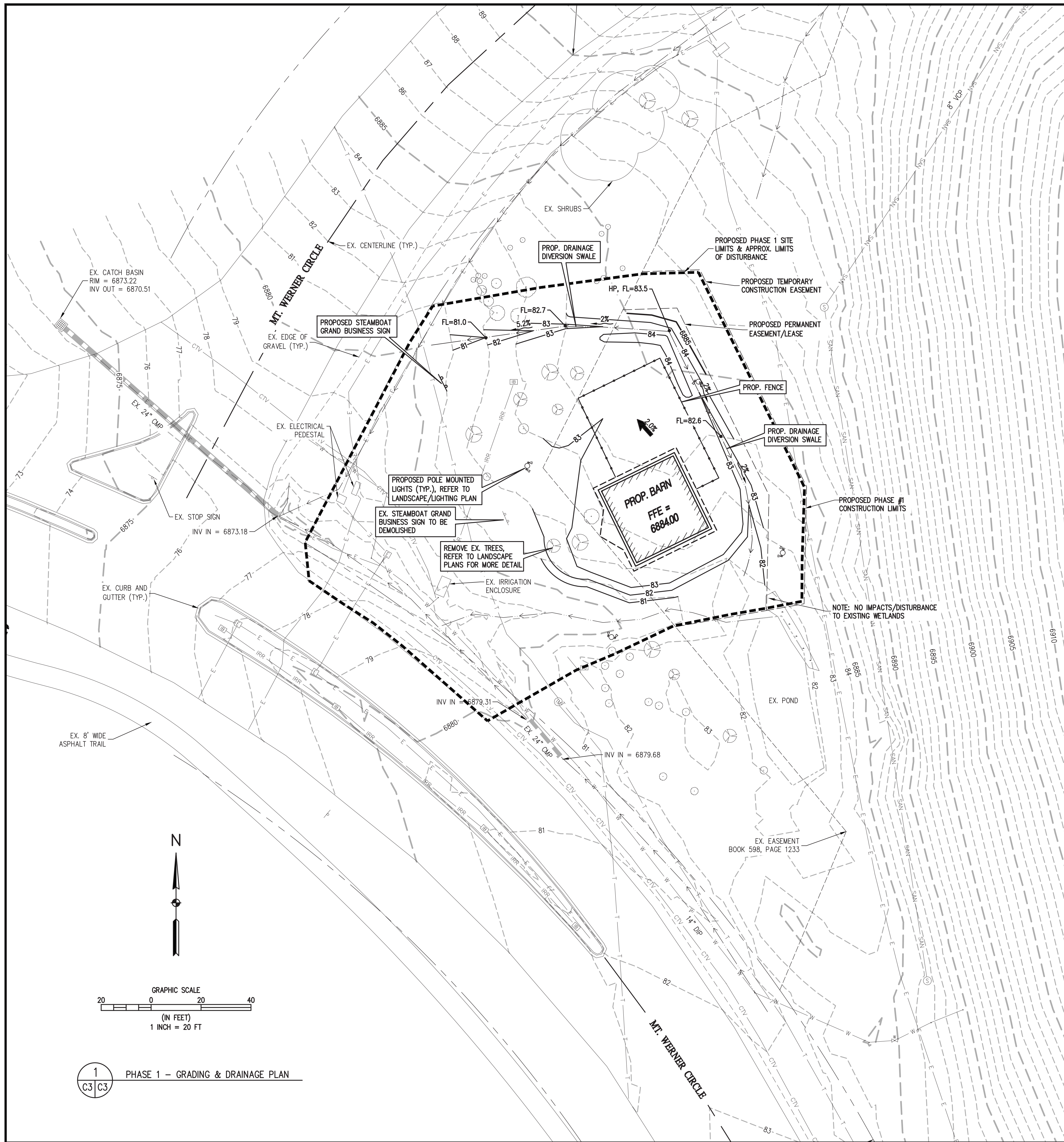
JOB NO. C020169

DRAWING NAME  
C020169 CIVIL.dwg

SHEET 2 OF 5

1 PHASE 2 - CIVIL SITE PLAN

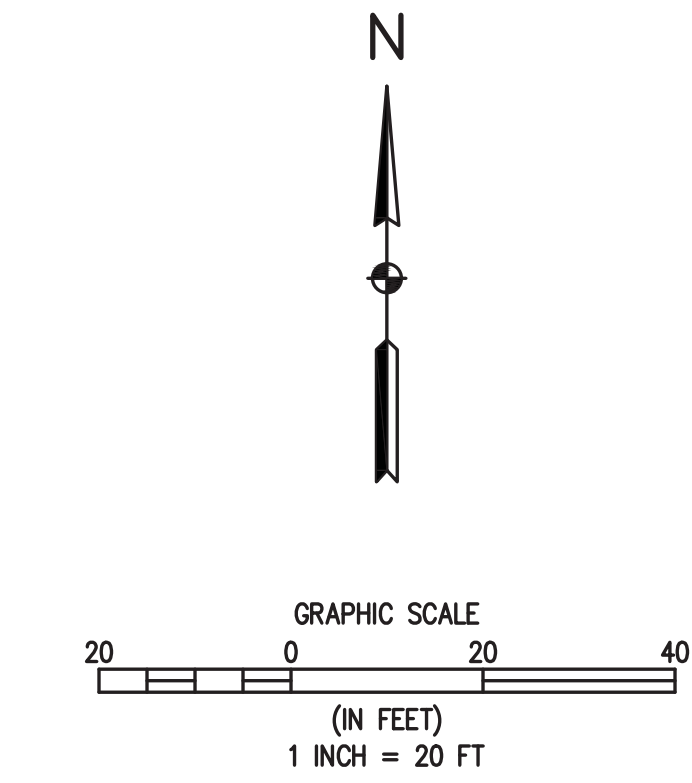
C:\020169 Iconic Entry\Drawings\020169 CIVIL.dwg, 1/31/2018 5:19:32 PM, Chris Rundall



**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
--- 81 ---	— 81 —	MINOR CONTOUR (1' INTERVAL)
--- 5280 ---	— 5280 —	MAJOR CONTOUR (5' INTERVAL)
---	---	RIGHT-OF-WAY
---	---	EASEMENT
---	---	EDGE OF BUILDING
---	---	BUILDING OVERHANG
---	---	PHASE & APPROX. DISTURBANCE LIMITS
---	---	ROADWAY CENTERLINE
---	---	EDGE OF ASPHALT
---	---	EDGE OF CONCRETE
---	---	EDGE OF GRAVEL
---	---	CURB AND GUTTER (SPILL/CATCH)
---	---	WOOD FENCE
---	---	DITCH FLOWLINE
---	---	STORM SEWER
---	---	WATER LINE
---	---	SANITARY SEWER
---	---	IRRIGATION LINE
---	---	UNDERGROUND ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	CABLE TV
---	---	FIBER OPTIC

EXISTING SYMBOLS	PROPOSED SYMBOLS	
▲ 25.44	▲ 25.36	SPOT ELEVATION
▲ 3:1	▲ 3:1	NOMINAL SLOPE ON CUT OR FILL
→	→	FLOW DIRECTION, TYPICALLY IN GRASSED SWALE
→	→	FLOW DIRECTION, TYPICALLY ON PAVED SURFACES
⊙	⊙	FIRE HYDRANT
⊙	⊙	WATER VALVE
⊙	⊙	SANITARY MANHOLE
⊙	⊙	TYPE '13' VALLEY INLET
⊙	⊙	METAL FLARED END SECTION
⊙	⊙	LIGHT POLE
⊙	⊙	ELECTRIC PEDESTAL
⊙	⊙	CONIFEROUS TREE
⊙	⊙	DECIDUOUS TREE
⊙	⊙	SIGN
⊙	⊙	IRRIGATION BOX
⊙	⊙	FIBER OPTIC MARKER
⊙	⊙	TELEPHONE MANHOLE
▨	▨	SIDEWALK PAVING
▨	▨	ASPHALT
▨	▨	GRAVEL
▨	▨	WETLANDS



1 PHASE 1 - GRADING & DRAINAGE PLAN  
C3 C3

DESIGNED BY	DATE	PREPARED BY	REVISION DESCRIPTION
ZRH	10/4/17	ZRH	UPDATE PLANS
ZRH	11/16/17	CSR	ADDRESS TAC COMMENTS
ZRH	11/30/17	CSR	COORDINATION UPDATES
ZRH	12/7/17	CSR	ADDRESS TAC COMMENTS
CSR	1/31/18	CSR	ADDRESS TAC COMMENTS

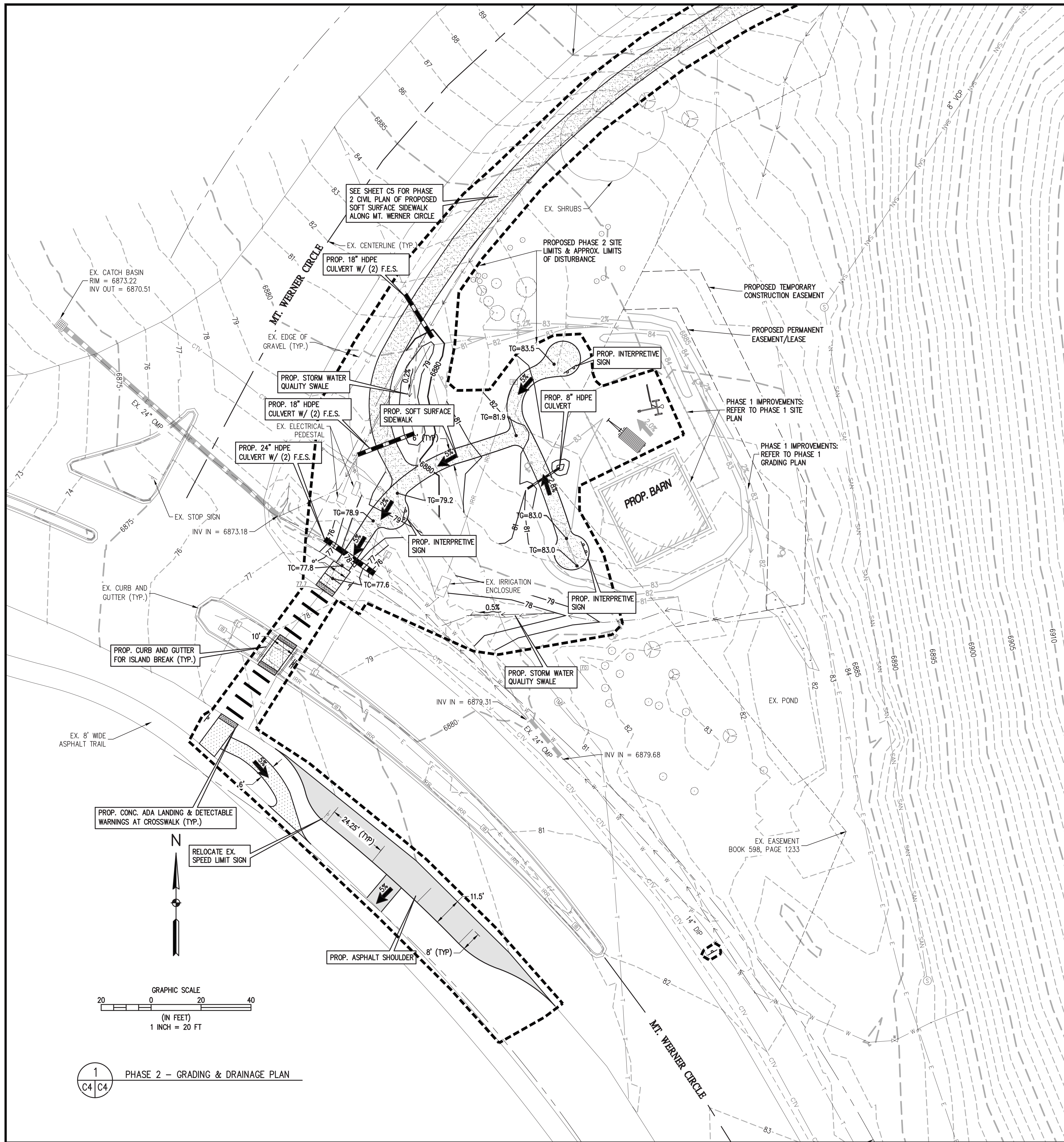
**CITY OF STEAMBOAT SPRINGS**  
STEAMBOAT SPRINGS  
ROUITT COUNTY  
URAAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 1 - GRADING & DRAINAGE PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION

INITIAL SUBMITTAL	9/12/17
DRAWING SIZE	24" X 36"
SURVEY FIRM	D&D, INC.
SURVEY DATE	10/11/14
JOB NO.	C020169
DRAWING NAME	C020169 CIVIL.dwg
SHEET	3 OF 5

C3

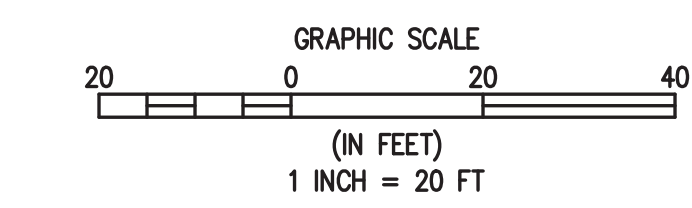
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**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
81	81	MINOR CONTOUR (1' INTERVAL)
5280	5280	MAJOR CONTOUR (5' INTERVAL)
		RIGHT-OF-WAY
		EASEMENT
		EDGE OF BUILDING
		BUILDING OVERHANG
		PHASE & APPROX. DISTURBANCE LIMITS
		ROADWAY CENTERLINE
		EDGE OF ASPHALT
		EDGE OF CONCRETE
		EDGE OF GRAVEL
		CURB AND GUTTER (SPILL/CATCH)
		WOOD FENCE
		DITCH FLOWLINE
		STORM SEWER
		WATER LINE
		SANITARY SEWER
		IRRIGATION LINE
		UNDERGROUND ELECTRIC
		UNDERGROUND TELEPHONE
		CABLE TV
		FIBER OPTIC

EXISTING SYMBOLS	PROPOSED SYMBOLS	
25.44	25.36	SPOT ELEVATION
3:1	3:1	NOMINAL SLOPE ON CUT OR FILL
		FLOW DIRECTION, TYPICALLY IN GRASSED SWALE
		FLOW DIRECTION, TYPICALLY ON PAVED SURFACES
		FIRE HYDRANT
		WATER VALVE
		SANITARY MANHOLE
		TYPE '13' VALLEY INLET
		METAL FLARED END SECTION
		LIGHT POLE
		ELECTRIC PEDESTAL
		CONIFEROUS TREE
		DECIDUOUS TREE
		SIGN
		IRRIGATION BOX
		FIBER OPTIC MARKER
		TELEPHONE MANHOLE
		SIDEWALK PAVING
		ASPHALT
		GRAVEL
		WETLANDS



1 PHASE 2 - GRADING & DRAINAGE PLAN  
C4 C4

DESIGNED BY	DATE	PREPARED BY	REVISION DESCRIPTION
ZRH	10/4/17	ZRH	UPDATE PLANS
ZRH	11/16/17	CSR	ADDRESS TAC COMMENTS
ZRH	11/30/17	CSR	COORDINATION UPDATES
ZRH	12/7/17	CSR	ADDRESS TAC COMMENTS
CSR	1/31/18	CSR	ADDRESS TAC COMMENTS

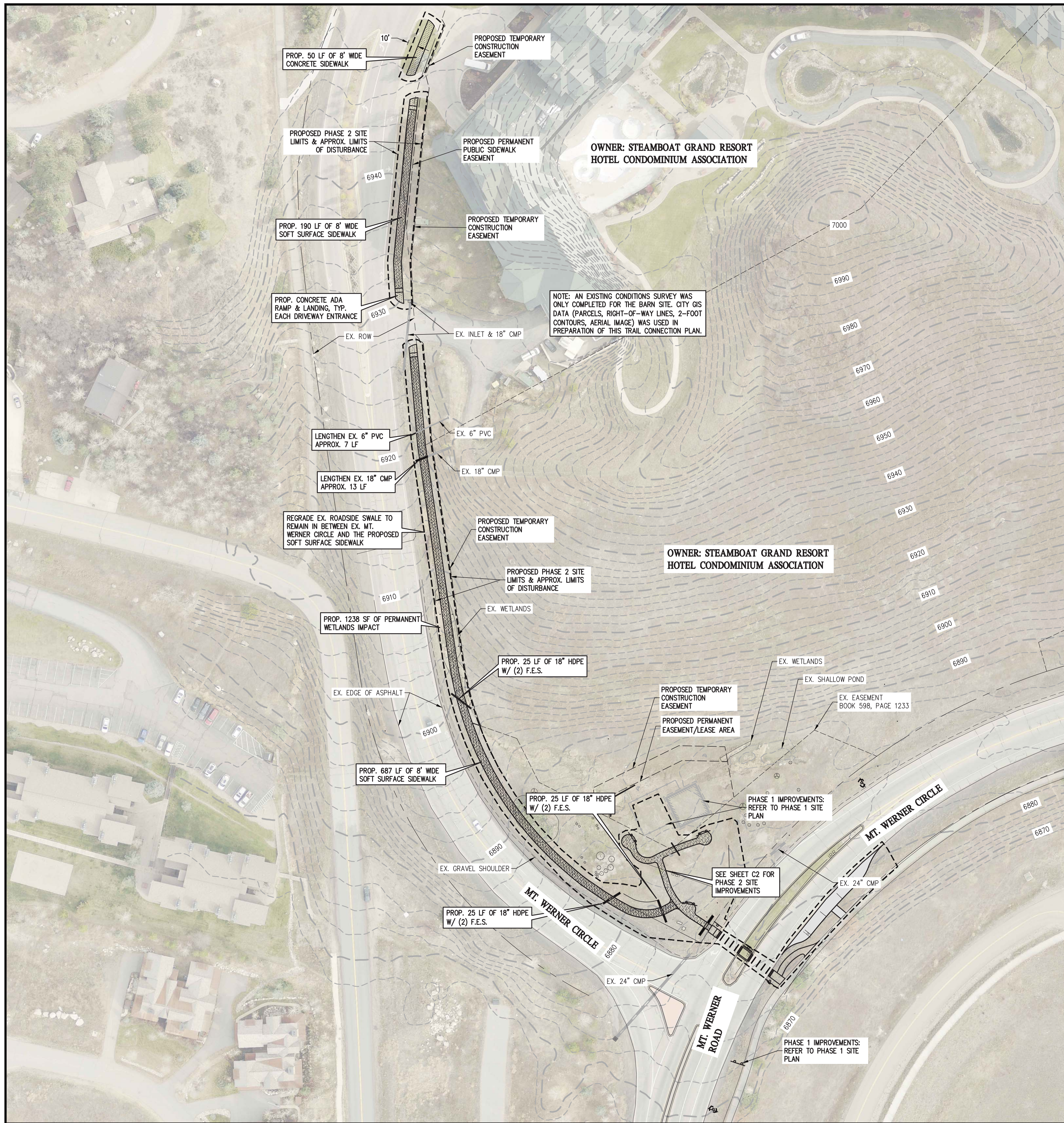
CITY OF STEAMBOAT SPRINGS  
STEAMBOAT SPRINGS  
ROUITT COUNTY  
URAAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 2 - GRADING & DRAINAGE PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION  
PREPARED UNDER THE DIRECT  
SUPERVISION OF

**PRELIMINARY NOT FOR CONSTRUCTION**

INITIAL SUBMITTAL	9/12/17
DRAWING SIZE	24" X 36"
SURVEY FIRM	D&D, INC.
SURVEY DATE	10/11/14
JOB NO.	C020169
DRAWING NAME	C020169 CIVIL.dwg
SHEET	4 OF 5

C:\\_C020169 Iconic Entry Drawings\C020169 DRAINAGE.dwg, 1/31/2018 5:19:54 PM, Chris Rundall



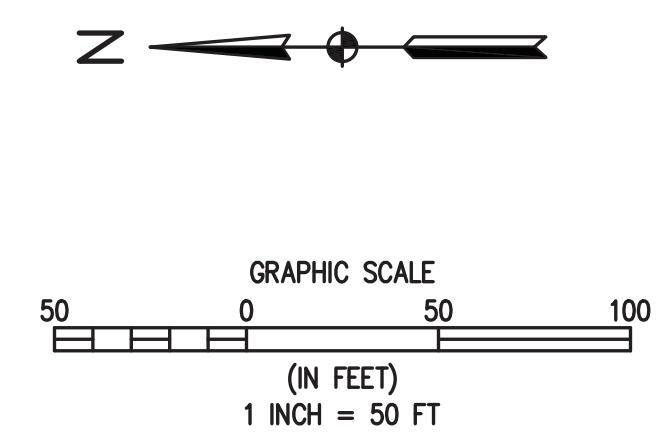
**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
---	---	RIGHT-OF-WAY
---	---	EASEMENT
---	---	EDGE OF BUILDING
---	---	BUILDING OVERHANG
---	---	PHASE & APPROXIMATE DISTURBANCE LIMITS
---	---	ROADWAY CENTERLINE
---	---	EDGE OF ASPHALT
---	---	EDGE OF CONCRETE
---	---	EDGE OF GRAVEL
---	---	PAVEMENT STRIPING
---	---	CURB AND GUTTER (SPILL/CATCH)
---	---	WOOD FENCE
---	---	DITCH FLOWLINE

EXISTING SYMBOLS	PROPOSED SYMBOLS	
⊙	⊙	FIRE HYDRANT
⊙	⊙	WATER VALVE
⊙	⊙	SANITARY MANHOLE
⊙	⊙	TYPE '13' VALLEY INLET
⊙	⊙	METAL FLARED END SECTION
⊙	⊙	LIGHT POLE
⊙	⊙	ELECTRIC PEDESTAL
⊙	⊙	CONIFEROUS TREE
⊙	⊙	DECIDUOUS TREE
⊙	⊙	SIGN
⊙	⊙	IRRIGATION BOX
⊙	⊙	FIBER OPTIC MARKER
⊙	⊙	TELEPHONE MANHOLE
⊙	⊙	POLE MOUNTED LIGHT

▨	▨	SIDEWALK PAVING	▨	ASPHALT
▨	▨	GRAVEL	▨	WETLANDS

OVERALL AREA OF DISTURBANCE TOTAL FOR PHASES 1 & 2 = 1.18 ACRES



1  
C5 C5  
PHASE 2 TRAIL CONNECTION CIVIL PLAN

DESIGNED BY	DATE	PREPARED BY	REVISION DESCRIPTION
ZRH	10/4/17	ZRH	UPDATE PLANS
ZRH	11/16/17	CSR	ADDRESS TAC COMMENTS
ZRH	11/20/17	CSR	COORDINATION UPDATES
ZRH	12/7/17	CSR	ADDRESS TAC COMMENTS
CSR	1/31/18	CSR	ADDRESS TAC COMMENTS

CITY OF STEAMBOAT SPRINGS  
STEAMBOAT SPRINGS  
ROUITT COUNTY  
URAAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 2 TRAIL CONNECTION CIVIL PLAN

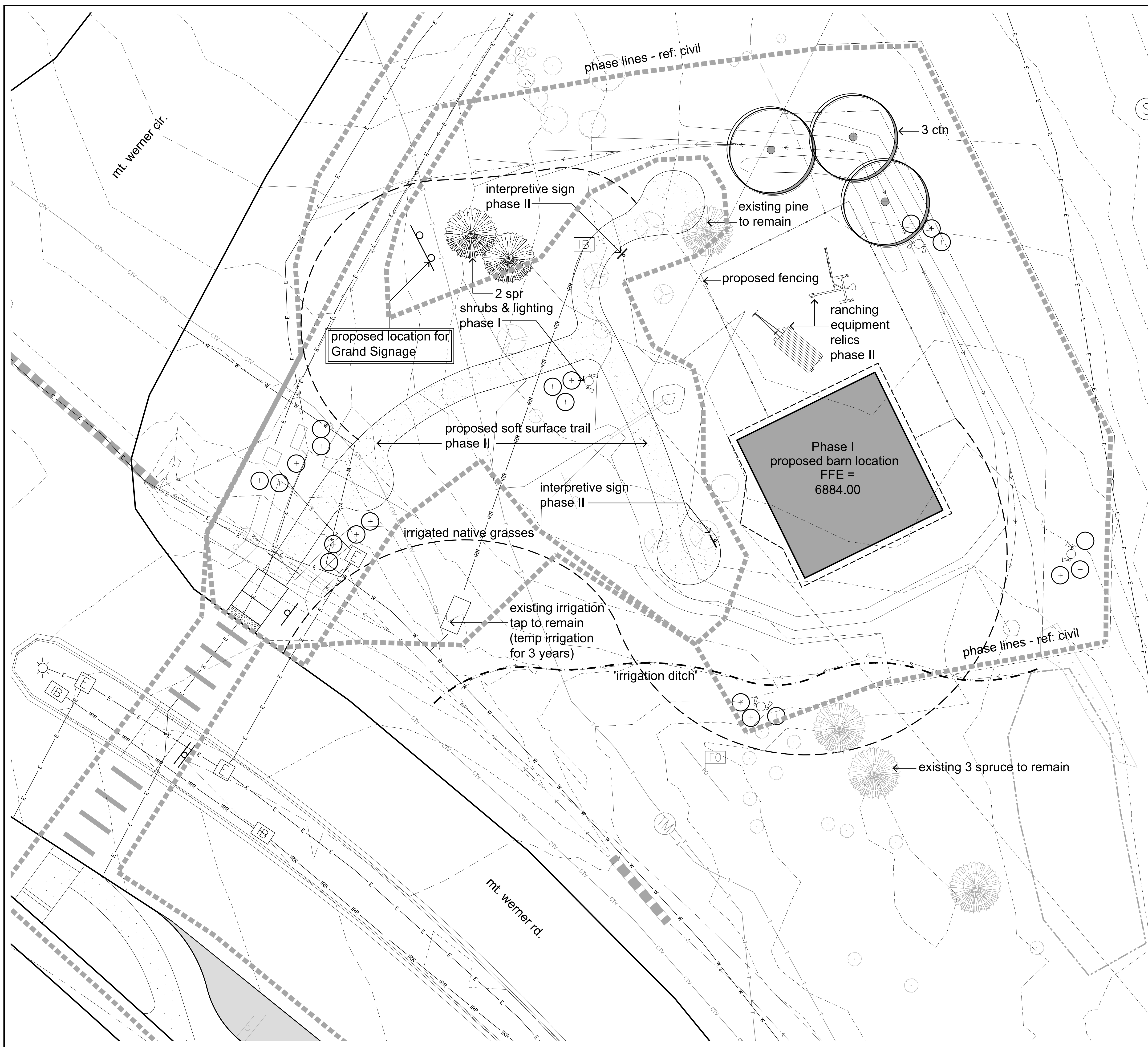
FOR AND ON BEHALF OF  
BASELINE CORPORATION

PRELIMINARY  
NOT FOR  
CONSTRUCTION

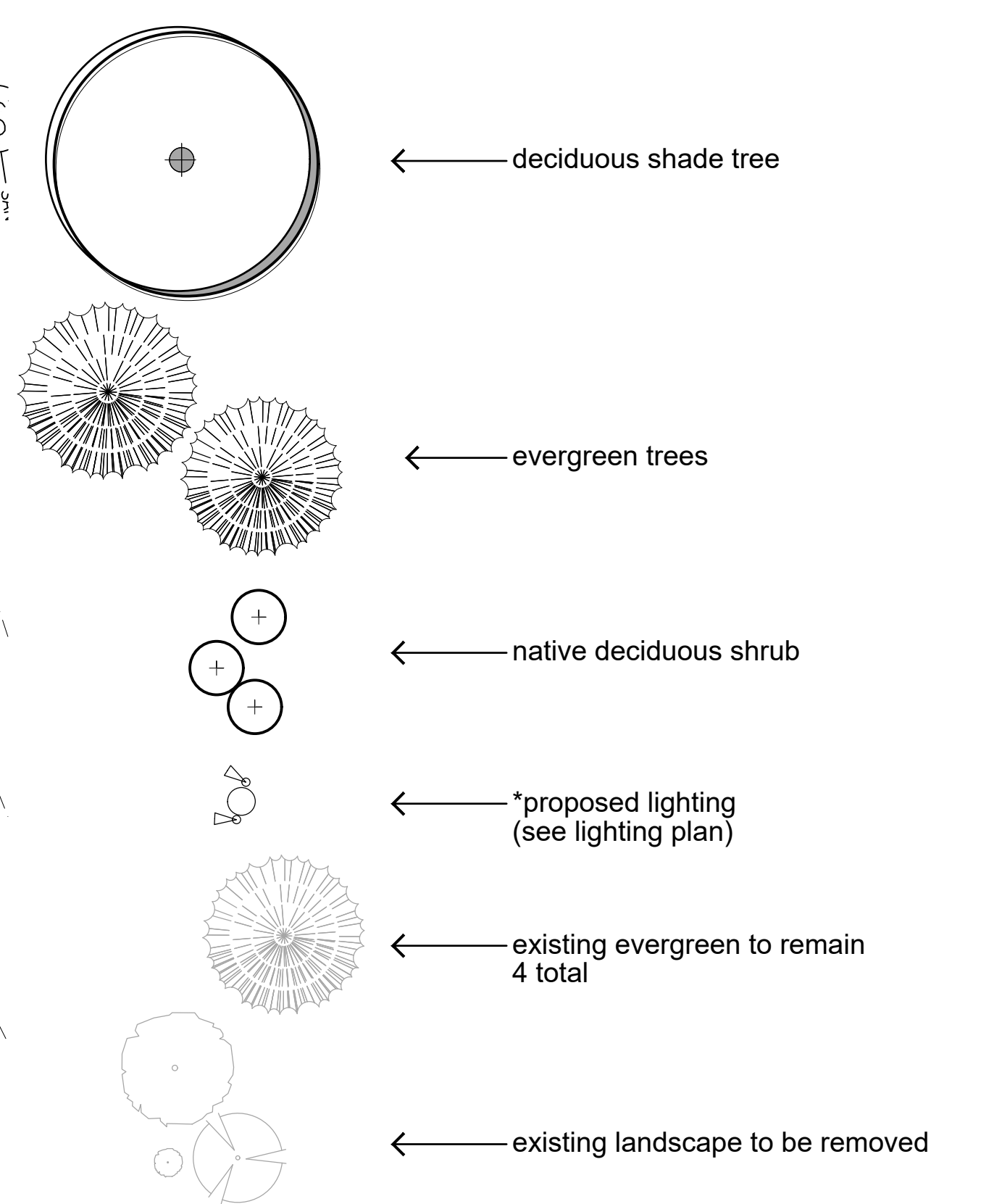
PREPARED UNDER THE DIRECT SUPERVISION OF

INITIAL SUBMITTAL	9/12/17
DRAWING SIZE	24" X 36"
SURVEY FIRM	D&D, INC.
SURVEY DATE	10/11/14
JOB NO.	C020169
DRAWING NAME	C020169 DRAINAGE.dwg
SHEET	5 OF 5

C5



**LEGEND**



**PLANT LIST**

#	SYM	BOTANIC NAME	COMMON NAME	SIZE
2	spr	picea pungens	colorado spruce	9'-10' ht.
3	ctn	populus angustifolia	narrowleaf cottonwood	2.5" cal.
21	shr	native shrubs	native shrubs	5 gal.

\* All plants, related irrigation and lighting will be installed in Phase I.

**TREE COUNT**

- 2 proposed colorado spruce
- 3 proposed narrowleaf cottonwood
- 7 proposed shrubs (21 shrubs = 7 trees)
- 3 existing colorado spruce to remain
- 1 ponderosa pine to remain

16 total

**NOTES**

1. Existing conditions provided by D&D survey.
2. Site grading plan provided by Baseline.
3. This plan is intended only as a City of Steamboat Springs planning submittal document. It does not contain the necessary information to be used for construction or construction safety.
4. Owner agrees to provide an automatic irrigation system to all proposed plantings and native grasses as labeled.
5. Owner agrees to maintain all landscape areas to recognized industry standards.
6. Prior to the start of any excavation for the project contractor shall notify utility locating company for location of all existing utilities.
7. Owner or landscape architect to approve layout of all proposed work prior to installation.

20'  
10'  
5'  
0'

1"=10'

date 9-12-17  
city submittal #1

rev. 11-17-17  
city submittal #2

rev. 12-6-17  
tac comments

**Landscape Plan**

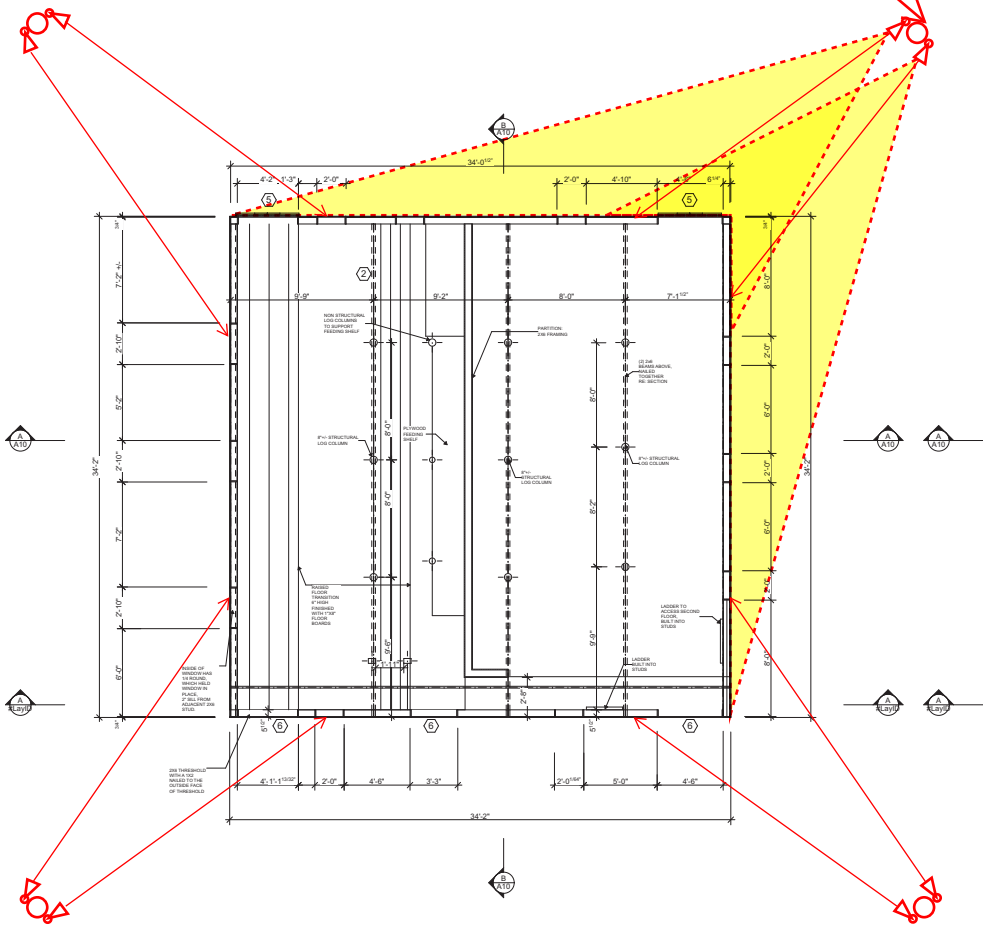
**URACC / SSRA ICONIC ENTRY**  
The Arnold Barn Re-Location  
Steamboat Springs, CO

**MGC DESIGN, INC.**

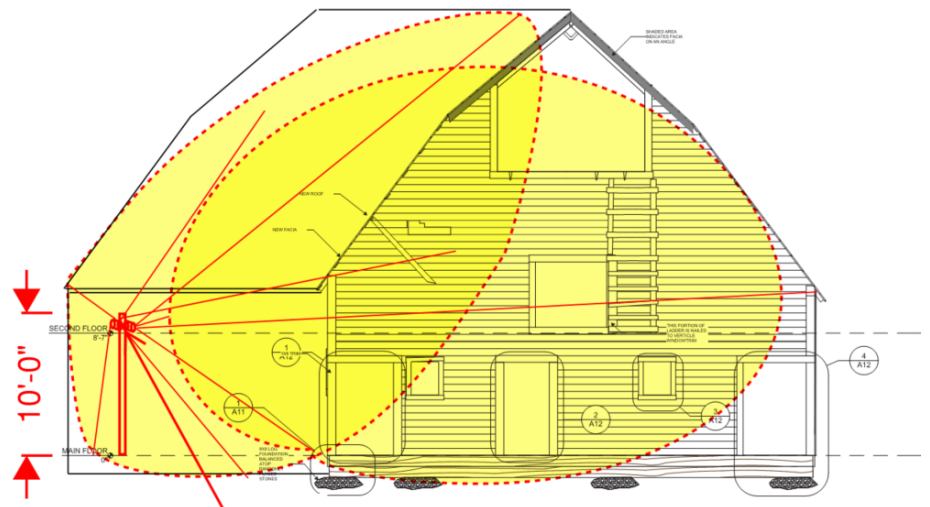
LANDSCAPE ARCHITECTURE  
SITE DESIGN  
WATER USE IN LANDSCAPE  
P.O. Box 773522  
Steamboat Springs, CO 80477  
(970) 879-7750

**SKETCH: SK-002**  
**PROJECT: ARNOLD BARN**  
**DATE: 2/1/2018**  
**SCALE: N.T.S.**  
**DRAWING BY: BJW**

TYPICAL POLE WITH TWO (2) WE-EF FLOOD LIGHTS WITH 34 DEGREE BEAM SPREAD AND FRAMING SNOOT.



1. FLOOR PLAN - NTS

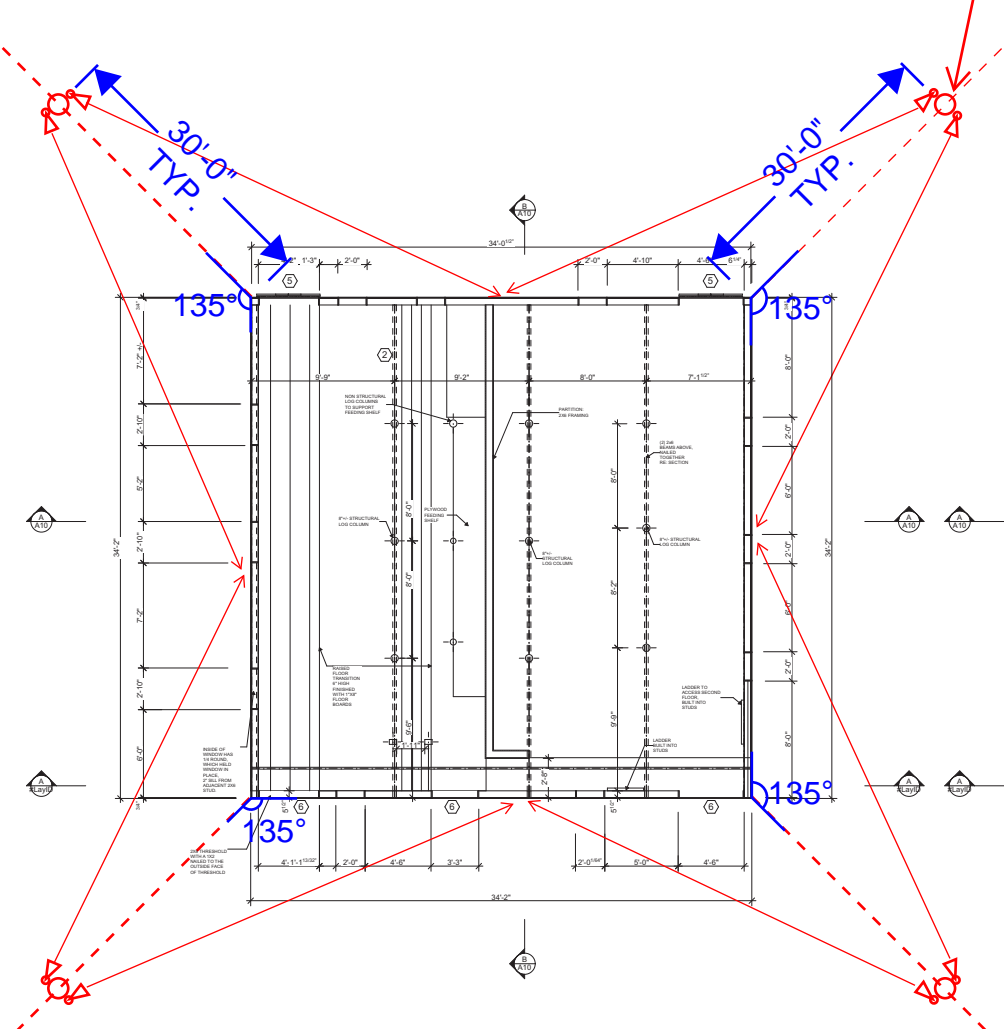


TYPICAL POLE WITH TWO (2) WE-EF FLOOD LIGHTS WITH 34 DEGREE BEAM SPREAD AND FRAMING SNOOT.

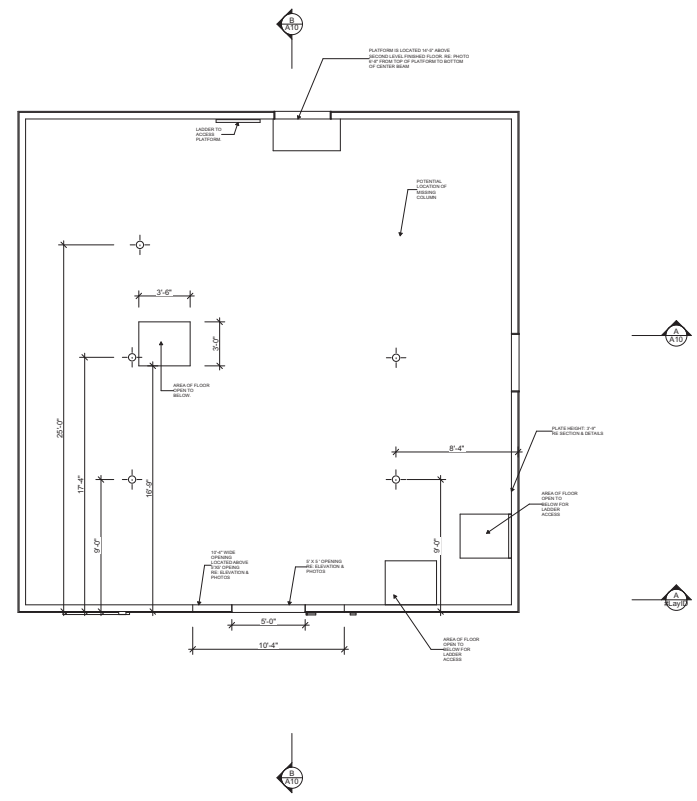
2. EXTERIOR PERSPECTIVE - NTS

**SKETCH: SK-001**  
**PROJECT: ARNOLD BARN**  
**DATE: 11/13/2017**  
**SCALE: N.T.S.**  
**DRAWING BY: BJW**

10 ft. tall pole with two (2)  
 Type SA fixtures attached to  
 each pole. Typical of four (4)  
 poles.



**1 MAIN FLOOR EXISTING PLAN**  
 SCALE: 1/4" = 1'-0"



**2 LOFT FLOOR EXISTING PLAN**  
 SCALE: 1/4" = 1'-0"

MOUNTAIN ARCHITECTURE  
 DESIGN GROUP P.C.  
 Jan Michael Kaminski,  
 President

AN ICONIC ENTRY FOR THE  
**ARNOLD BARN INTERPRETIVE DISPLAY**  
 2905 MT. WERNER CR.,  
 STEAMBOAT SPRINGS, CO. 80407-9023

TITLE  
**EXISTING FLOOR PLANS**

JOB NO. PROJECT NUMBER  
 DRAWN BY LJR  
 CHECKED BY JMK  
 ISSUE DATE 9/12/2017

REVISIONS:  
 (DATE)

DRAWING NUMBER  
**A2**



# Attachment 3



September 19, 2017

Steamboat Springs Redevelopment Authority  
c/o Ralph Walton  
Cedar House Partners - LLC  
610 Marketplace Plaza, Suite 100  
Steamboat Springs, CO 80487

RE: Arnold Barn

Dear Mr Walton:

This letter is for your records to confirm that the application associated with the Demolition or Alteration of Eligible Resources not on the Steamboat Springs Register of Historic Places was recommended issuance of a Certificate of Approval by the Historic Preservation Commission (HPC) on September 18, 2017. The application was processed in accordance with the provisions of Sections 26-84 of the Community Development Code.

The approval is in reference to the alteration of the Arnold Barn as recommended by the treatments and techniques provided by Mountain Architecture Design Group and the relocation of the Arnold Barn based on drawings provided with the following motions:

- 1- The Historic Preservation Commission recommends the alteration and relocation along with the proposed treatments and techniques of the historic Arnold Barn.
- 2- The Historic Preservation Commission recommends listing the property on the Steamboat Springs Register of Historic Places.

This letter shall constitute a Certificate of Approval by the HPC as described in Section 26-84 of the Community Development Code. Please contact me if you have any questions on the above.

Sincerely,

Erica Swissler Hewitt  
Historic Preservation Consultant  
CITY OF STEAMBOAT SPRINGS

CC: Jan Kaminski, Mountain Architecture Design Group  
Tyler Gibbs, Director of Planning and Community Development

124 10<sup>th</sup> Street, P.O. Box 775088, Steamboat Springs, CO 80477-5088  
(970) 871-8258 • Fax (970) 871-8285 • [www.steamboatsprings.net](http://www.steamboatsprings.net)





City of  
**Steamboat Springs**   
Department of Planning & Community Development

December 22, 2017

Steamboat Springs Redevelopment Authority  
c/o Ralph Walton  
Cedar House Partners - LLC  
610 Marketplace Plaza, Suite 100  
Steamboat Springs, CO 80487

RE: Arnold Barn

Dear Mr Walton:

This letter is for your records to confirm that the lighting design package associated with the Demolition or Alteration of Eligible Resources not on the Steamboat Springs Register of Historic Places was recommended conditional issuance of a Certificate of Approval by the Historic Preservation Commission (HPC) on December 18, 2017. The application was processed in accordance with the provisions of Sections 26-84 of the Community Development Code.

The approval is in reference to the lighting design of the Arnold Barn as submitted and presented by Mountain Architecture Design Group and has the following conditions:

- 1- The Historic Preservation Commission would prefer an 8' lighting poles instead of a 10' pole, but only if approved by Schuler Shook, Lighting Designer and it does not interfere with properly lighting the building.
- 2- HPC would like to recommend a bronze powder coat finish on pole, light fixture and snoot. Samples to be provided to Planning staff for approval. Alternates may be reviewed and approved at staff's discretion.

This letter shall constitute a Certificate of Approval by the HPC as described in Section 26-84 of the Community Development Code. Please contact me if you have any questions on the above.

Sincerely,



Erica Swissler Hewitt  
Historic Preservation Consultant  
CITY OF STEAMBOAT SPRINGS

CC: Jan Kaminski, Mountain Architecture Design Group  
Tyler Gibbs, Director of Planning and Community Development  
Toby Stauffer, Senior Planner

# Attachment 4



Department of Planning & Community Development

February 20, 2018

Urban Redevelopment Authority Advisory Committee  
c/o Ralph Walton, SSRA Project Manager  
PO Box 775088  
Steamboat Springs, CO 80477  
[ralph@cedarhousepartners.com](mailto:ralph@cedarhousepartners.com)

Re: Request for Minor Amendment to the Steamboat Grand PUD

Ralph,

We have reviewed the October 6, 2017 request to amend the Steamboat Grand PUD and found that the proposed improvements are consistent with the intent of the Steamboat Grand PUD and property restrictions, that the project is in substantial conformance with the PUD, and it will not change the character of the PUD. The PUD is amended as of the date of this letter and has been reviewed and approved in accordance with Sections 26.42, 26.44 and 26.81 of the CDC.

Please contact Toby Stauffer at (970) 871-8280 or Tyler Gibbs at 871-8244 with questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Gibbs".

Tyler Gibbs, AIA  
Director of Planning and Community Development

CC: DPF-17-11, RM-98-01, RM-99-02

## Attachment 5



January 8, 2018

Re: Engineering Variance  
Steamboat Grand Barn Relocation

The Public Works Engineering Division reviewed DPF 17-11 which includes a request to vary the City of Steamboat Springs Engineering Standards for sidewalks. Sidewalks are addressed in section 4.2.4 and shown in Appendix 4-D of the City Engineering Standards.

The variance requested is to allow a soft surface sidewalk rather than a paved concrete sidewalk along the east side of Mount Werner Circle.

Public Works has approved the variance based on the statements included the Engineering Standards Variance Request letter by Baseline Engineering dated December 8, 2018 attached to this letter.

Factors considered in approving this variance include:

- The soft surface sidewalk will be maintained to be smooth, stable and slip resistant.
- The relocated barn is intended to be a summer season use. The soft surface sidewalk will not be plowed in the winter.
- The sidewalk is designed per engineering standards for sidewalks which allow future paving.

December 14, 2017

City of Steamboat Springs  
Public Works Dept.  
Attn: Ben Beall, City Engineer  
P.O. Box 775088  
Steamboat Springs, CO 80477



Re: URAAC Iconic Entry (Arnold Barn) AFDP-17-06 – Parking & Pedestrian Access Letter

Dear Mr. Beall,

The purpose of this letter is to outline the parking and pedestrian access needs associated with the Iconic Entry (Arnold Barn) project. The new Barn site is located at the northeast side of the Mt. Werner Road and Mt. Werner Circle intersection. See Figure 1 for the vicinity map.

## Project Description

The project entails relocating the Arnold Barn from its current location next to the Meadows parking lot to the northeast side of the Mt. Werner Road and Mt. Werner Circle intersection. The project is funded and will be managed by the Steamboat Springs Urban Renewal Authority (SSRA.) The SSRA has stated that the two primary objectives with the Iconic Entry project are:

1. To cure the blight of the Arnold Barn structure itself by rehabilitating the structure at its new location
2. To create a wayfinding landmark that welcomes and directs visitors to the Mountain Area and celebrates the agricultural heritage of Steamboat Springs and Routt County.

The SSRA's stated secondary objective is to create an interpretive trail with signs to speak to the history of the Arnold Barn as well as other historical themes honoring the influence of ranching and farming in the Yampa Valley.

The City of Steamboat Springs Planning Department has determined that the Ionic Entry project falls into the category of a "Natural Resource Area" use and the proposed improvements would constitute a minor change to the underlying Steamboat Grand PUD. The project is being processed as a Final Development Plan (FDP) application.

The project will be developed in two phases. Phase I will include the relocation of the Arnold Barn, corral fencing, landscaping improvements, new signage for the Steamboat Grand and one interpretative sign located on the existing asphalt trail on the south side of Mt. Werner Road. Phase II would add the interpretative trail, two additional interpretative signs, two ranching/farming implements (both to be located in the corral), a pedestrian crosswalk with three on-street paved parallel parking spaces plus a soft-surface trail connecting to the Steamboat Grand.

Corporate Headquarters  
1950 Ford Street  
Golden, Colorado 80401  
Ph 303.940.9966  
Fax 303.940.9959

Northern Colorado  
4007 S Lincoln Avenue, Suite 405  
Loveland, Colorado 80537  
Ph 970.353.7600  
Fax 866.242.9106

Rocky Mountains  
419 Oak Street, PO Box 770152  
Steamboat Springs, Colorado 80477  
Ph 970.879.1825  
Fax 866.242.9106

It should be noted that there will be no public entry allowed inside of the Arnold Barn.

Refer to the attached FDP plans for more details.

## **Parking & Pedestrian Access**

The Steamboat Springs Community Development Code (CDC) does not have a parking standard associated with a Natural Resource Area use. The Institute of Engineers *Parking Generation* report does not have a similar use either.

The SSRA's stated intent is for the Iconic Entry to primarily serve as a wayfinding landmark instead of an attraction. However, it is anticipated that some passers-by will stop to take a picture and may discover the interpretative display. Based upon other similar features in Mountain Area, such as the More Barn and the "Steamboat" sign at Central Park Drive, it is assumed that the overall visitor traffic will be light and will occur during off-peak times. Further, the limited number of visitors will occur during trips that are already occurring by people traveling to or from businesses, lodging and other destinations in the Mountain Area.

A review was completed of the 2018 CDC - Table 300-1 to compare parking requirements for other uses. The following is a list of the most comparable uses and the parking requirements from the 2018 CDC:

Park, Community – 5 Spaces per acre  
Park, Neighborhood (<2ac) – 3 Spaces

While the Park use would most likely have a higher parking demand than the Iconic Entry site, it is a good comparison. The Iconic Entry site is approximately 0.5 acres. This would equate to 2.5 parking spaces required under the Community Park use, which is similar to the 3 required parking spaces under the Neighborhood Park use. **Therefore, 3 parking spaces are recommended.**

At the completion of the Phase I improvements there will be no formal need for parking or pedestrian access accommodations. There will be one interpretive sign installed along the existing asphalt trail on the south side of Mt. Werner Road.

At the completion of the Phase II improvements the new soft surface trail and additional interpretive signs will create a need for on-street paved parallel parking stalls. Placing the parking stalls on the south side of Mt. Werner Circle immediately after the intersection will allow a logical parking pull-off for a vehicle driving uphill on Mt. Werner Road. The parking stalls will accommodate ADA access to the Iconic Entry via the new crosswalk.

At the completion of the Phase II improvements the new soft surface trail and additional interpretive signs will create a need for pedestrian access. A paved trail connection is proposed from the new on-street parking to the existing asphalt trail. A crosswalk is proposed to provide a pedestrian connection from the existing asphalt trail to the new soft surface trails and interpretive signage on the northeast side of the intersection. A soft surface trail is also proposed to provide a connection from the Steamboat Grand to the

Iconic Entry. These connections will enable pedestrians, bicyclists, and transit riders to visit the Iconic Entry.

The City of S.S. Marked Crosswalk Warrants for Mid-Block/Uncontrolled spreadsheet is included with this letter. Mt. Werner Circle is classified as a collector. At the completion of Phase II improvements it is anticipated that the cross-walk will see peak hour volume in the range of 10-30 pedestrians per hour. A portion of the pedestrians will be associated with visits to the Iconic Entry and a portion will be pedestrian trips connecting the existing Mt. Werner Road asphalt trail to the Steamboat Grand/Ski Time Square/Ski Area base.

The following assumptions were made for the upper range of 30 pedestrians per hour.

Pedestrians from the 3 parallel parking spaces:

Peak vehicles – 4 vehicles per hour

2.5 passengers per vehicle on average

Two trips across the crosswalk per pedestrian

Therefore, 20 pedestrians per hour using the crosswalk

Pedestrian using the crosswalk as a connection between Mt. Werner Road asphalt trail and proposed soft surface sidewalk:

10 pedestrians per hour

**Total = 30 pedestrian per hour**

As a comparison, the Ski Time Square/Mt Werner Circle intersection traffic and pedestrian counts conducted over the Presidents Day weekend of 2017 by McDowell Engineering were referenced. The pedestrian counts showed 64 pedestrians per hour crossing Mt. Werner Circle using the two cross walks at this intersection. The Ski Time Square/Mt. Werner Circle intersection is in a much denser development area than the Iconic Entry site. Therefore, a range of 10-30 pedestrians per hour for the proposed crosswalk is a reasonable estimate.

Based on a range of 10-30 ped/hr, conditions #1 and #2 from the spreadsheet will be met. For a collector street, the warranted improvements include a marked crosswalk with pavement markings and warning signs as well as added geometric and/or technological improvements if feasible. It is recommended that the initial improvements include relocating the 25 mile per hour speed limit sign further down Mt Werner Road in advance of the new crossing to allow adequate sight distance. It is also recommended that the initial improvements include a marked crosswalk with yield here to pedestrian signs and advance warning signs. It is recommended that the existing median will serve as a refuge island.

It should be noted that estimating pedestrian trips for a project of this nature is subjective and difficult to assess until the improvements are in place. It is recommended that a condition of approval is included with the FDP to require a pedestrian count following completion of the phase II improvements to determine if a Rectangular Rapid Flashing Beacon or similar improvement is warranted at the crossing.

## Conclusions

The Phase I improvements for the Iconic Entry project will not trigger needs for parking and pedestrian access. The Phase II improvements will trigger a need for parking and pedestrian access which will include three paved on-street parallel parking spaces, crosswalk, and trail connections. It is recommended that a condition of approval is included with the FDP to require a pedestrian count following completion of the phase II improvements to determine if a Rectangular Rapid Flashing Beacon or similar improvement is warranted at the crossing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Rundall", enclosed in a thin black rectangular border.

Chris Rundall, PE  
Division Manager

Attachments: Figure 1 – Vicinity Map  
Figure 2 – Site Plan  
Attachment A – Traffic Impact Study – Scope Approval Form  
Attachment B – Marked Crosswalk Warrants for Mid-Block/Uncontrolled Spreadsheet

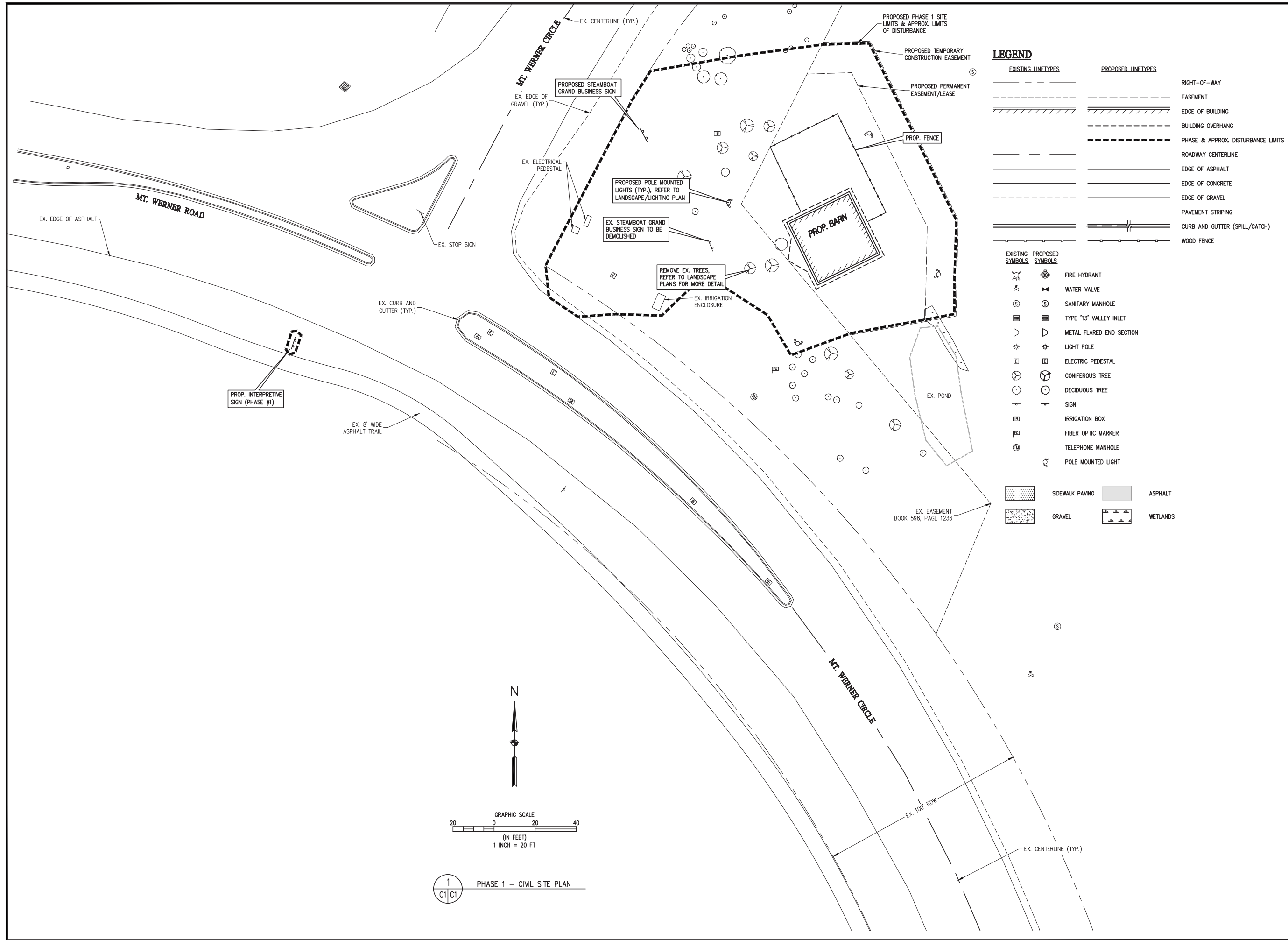
**FIGURE 1**



**Vicinity Map**

Not to Scale

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DESIGNED BY	DATE
ZRH	10/4/17

PREPARED BY	DATE
ZRH	10/4/17

REVISION DESCRIPTION	DATE
UPDATE PLANS	10/4/17
ADDRESS TAC COMMENTS	11/16/17
ADDRESS TAC COMMENTS	11/30/17
COORDINATION UPDATES	12/7/17

DRAWN BY	DATE
ZRH	11/16/17

CHECKED BY	DATE
CSR	12/7/17

**CITY OF STEAMBOAT SPRINGS**

STEAMBOAT SPRINGS

URAC/SSRA ICONIC ENTRY

MT. WERNER CIRCLE/MT. WERNER ROAD

PHASE 1 - CIVIL SITE PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION

INITIAL SUBMITTAL: 9/12/17

DRAWING SIZE: 24" X 36"

SURVEY FIRM: SURVEY DATE: 10/11/14

D&D, INC.

JOB NO.: C020169

DRAWING NAME: C020169 CIVIL.dwg

SHEET 1 OF 5

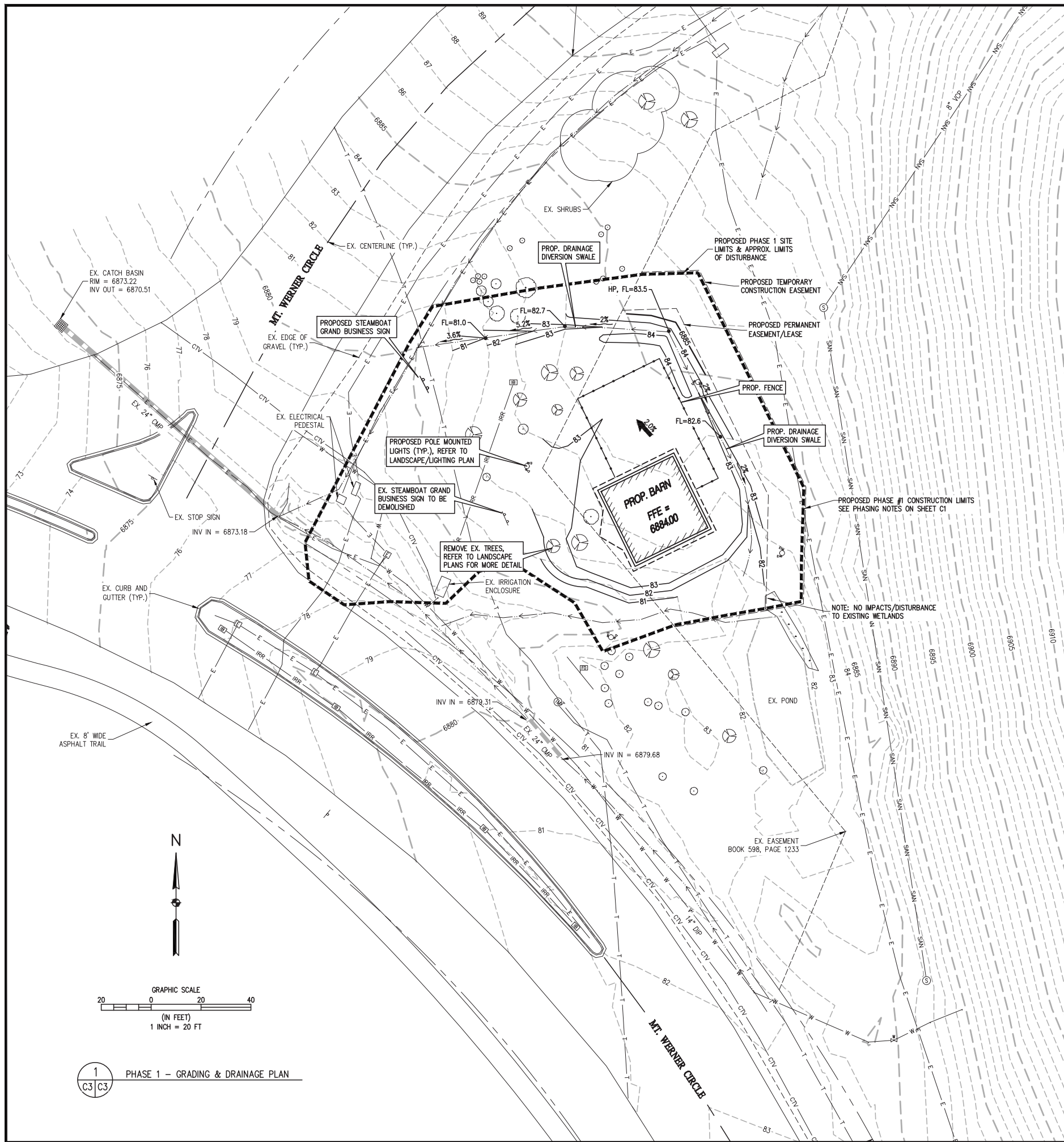
**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

1  
C1 | C1

PHASE 1 - CIVIL SITE PLAN



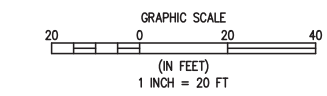
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**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
81	81	MINOR CONTOUR (1' INTERVAL)
5280	5280	MAJOR CONTOUR (5' INTERVAL)
		RIGHT-OF-WAY
		EASEMENT
		EDGE OF BUILDING
		BUILDING OVERHANG
		PHASE & APPROX. DISTURBANCE LIMITS
		ROADWAY CENTERLINE
		EDGE OF ASPHALT
		EDGE OF CONCRETE
		EDGE OF GRAVEL
		CURB AND GUTTER (SPILL/CATCH)
		WOOD FENCE
		DITCH FLOWLINE
		STORM SEWER
		WATER LINE
		SANITARY SEWER
		IRRIGATION LINE
		UNDERGROUND ELECTRIC
		UNDERGROUND TELEPHONE
		CABLE TV
		FIBER OPTIC

EXISTING SYMBOLS	PROPOSED SYMBOLS	
25.4±	25.36	SPOT ELEVATION
3:1	3:1	NOMINAL SLOPE ON CUT OR FILL
		FLOW DIRECTION, TYPICALLY IN GRASSED SWALE
		FLOW DIRECTION, TYPICALLY ON PAVED SURFACES
		FIRE HYDRANT
		WATER VALVE
		SANITARY MANHOLE
		TYPE '13' VALLEY INLET
		METAL FLARED END SECTION
		LIGHT POLE
		ELECTRIC PEDESTAL
		CONIFEROUS TREE
		DECIDUOUS TREE
		SIGN
		IRRIGATION BOX
		FIBER OPTIC MARKER
		TELEPHONE MANHOLE
		SIDEWALK PAVING
		ASPHALT
		GRAVEL
		WETLANDS



1 PHASE 1 - GRADING & DRAINAGE PLAN  
C3 C3

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DESIGNED BY: ZRH  
DATE: 10/4/17  
PREPARED BY: ZRH  
DATE: 11/16/17  
REVISION DESCRIPTION: UPDATE PLANS  
ADDRESS TAC COMMENTS: CSR  
COORDINATION UPDATES: CSR

DRAWN BY: ZRH  
DATE: 11/30/17  
CHECKED BY: CSR  
DATE: 12/7/17

CITY OF STEAMBOAT SPRINGS

ROUTT COUNTY

STEAMBOAT SPRINGS

URAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 1 - GRADING & DRAINAGE PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION

PRELIMINARY  
NOT FOR  
CONSTRUCTION

INITIAL SUBMITTAL: 9/12/17

DRAWING SIZE: 24" X 36"

SURVEY FIRM: SURVEY DATE: 10/11/14

D&D, INC.

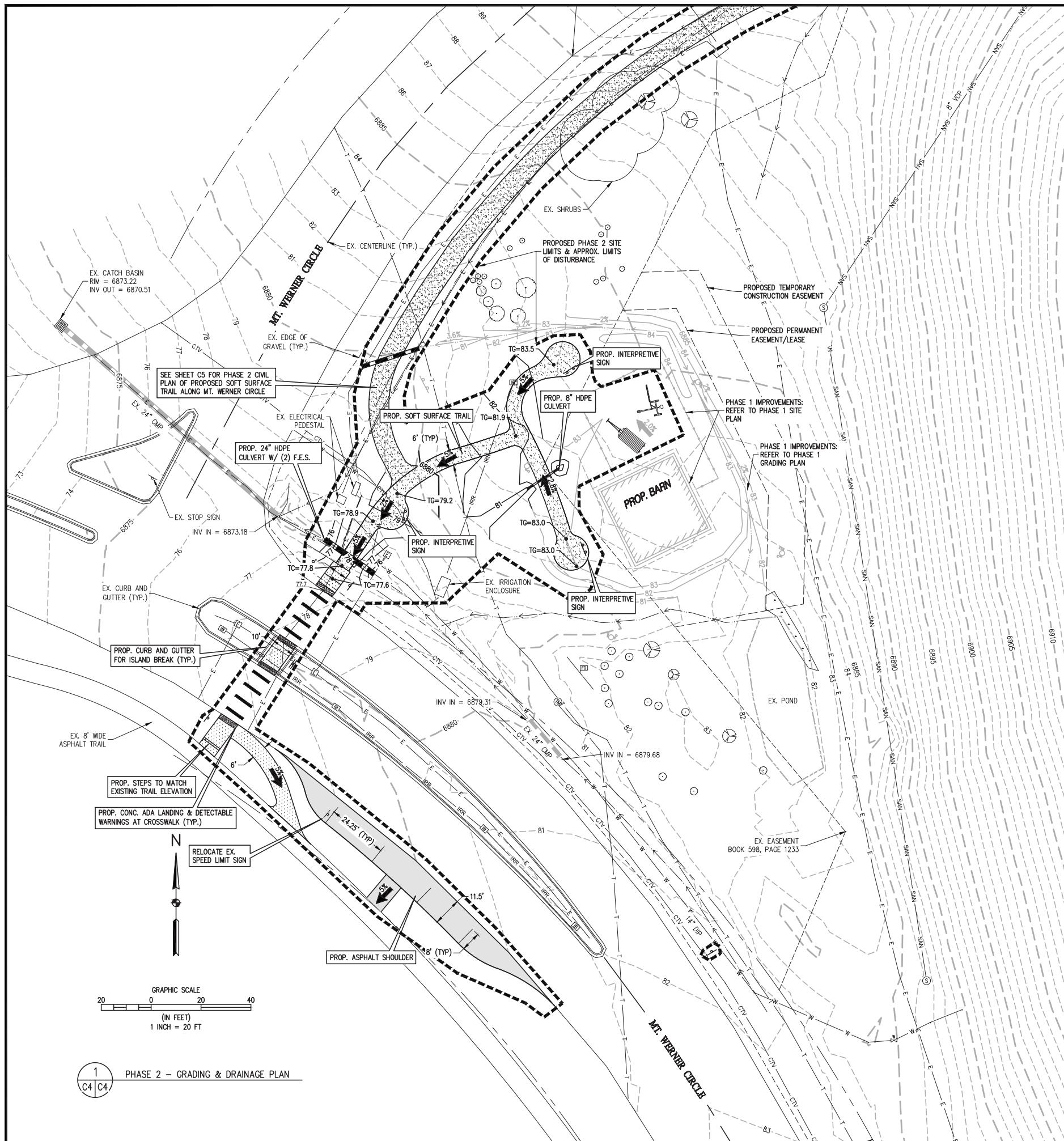
JOB NO.: C020169

DRAWING NAME: C020169 CIVIL.dwg

SHEET 3 OF 5

C3

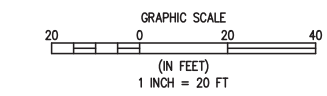
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**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
81	81	MINOR CONTOUR (1' INTERVAL)
5280	5280	MAJOR CONTOUR (5' INTERVAL)
		RIGHT-OF-WAY
		EASEMENT
		EDGE OF BUILDING
		BUILDING OVERHANG
		PHASE & APPROX. DISTURBANCE LIMITS
		ROADWAY CENTERLINE
		EDGE OF ASPHALT
		EDGE OF CONCRETE
		EDGE OF GRAVEL
		CURB AND GUTTER (SPILL/CATCH)
		WOOD FENCE
		DITCH FLOWLINE
		STORM SEWER
		WATER LINE
		SANITARY SEWER
		IRRIGATION LINE
		UNDERGROUND ELECTRIC
		UNDERGROUND TELEPHONE
		CABLE TV
		FIBER OPTIC

EXISTING SYMBOLS	PROPOSED SYMBOLS	
25.4±	25.36	SPOT ELEVATION
3:1		NOMINAL SLOPE ON CUT OR FILL
		FLOW DIRECTION, TYPICALLY IN GRASSED SWALE
		FLOW DIRECTION, TYPICALLY ON PAVED SURFACES
		FIRE HYDRANT
		WATER VALVE
		SANITARY MANHOLE
		TYPE '13' VALLEY INLET
		METAL FLARED END SECTION
		LIGHT POLE
		ELECTRIC PEDESTAL
		CONIFEROUS TREE
		DECIDUOUS TREE
		SIGN
		IRRIGATION BOX
		FIBER OPTIC MARKER
		TELEPHONE MANHOLE
		SIDEWALK PAVING
		ASPHALT
		GRAVEL
		WETLANDS



1 PHASE 2 - GRADING & DRAINAGE PLAN  
C4 C4

DESIGNED BY	DATE	PREPARED BY	DATE
ZRH	10/4/17	ZRH	10/4/17
ZRH	11/16/17	CSR	11/16/17
ZRH	11/30/17	CSR	11/30/17
CSR	12/7/17	CSR	12/7/17

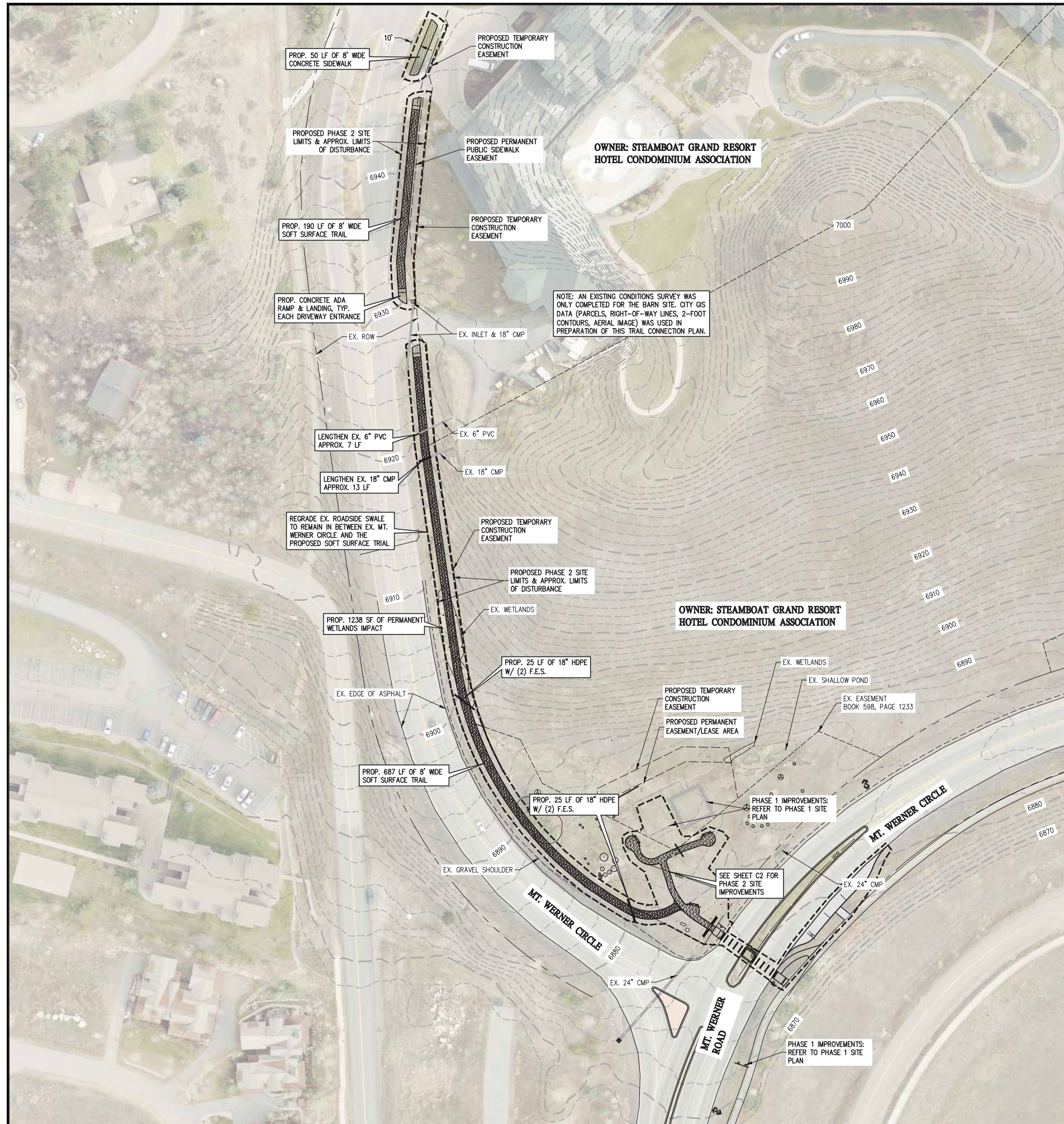
**CITY OF STEAMBOAT SPRINGS**  
URAC/SSRA ICONIC ENTRY  
MT. WERNER CIRCLE/MT. WERNER ROAD  
PHASE 2 - GRADING & DRAINAGE PLAN

STEAMBOAT SPRINGS  
ROUITT COUNTY

PRELIMINARY  
NOT FOR  
CONSTRUCTION

FOR AND ON BEHALF OF BASELINE CORPORATION	
INITIAL SUBMITTAL:	9/12/17
DRAWING SIZE:	24" X 36"
SURVEY FIRM:	SURVEY DATE:
D&D, INC.	10/11/14
JOB NO.:	C020169
DRAWING NAME:	C020169 CIVIL.dwg
SHEET:	4 OF 5

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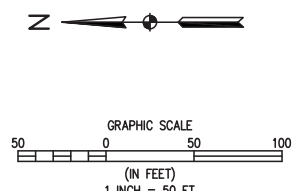
**LEGEND**

EXISTING LINETYPES	PROPOSED LINETYPES	
---	---	RIGHT-OF-WAY
---	---	EASEMENT
---	---	EDGE OF BUILDING
---	---	BUILDING OVERHANG
---	---	PHASE & APPROXIMATE DISTURBANCE LIMITS
---	---	ROADWAY CENTERLINE
---	---	EDGE OF ASPHALT
---	---	EDGE OF CONCRETE
---	---	EDGE OF GRAVEL
---	---	PAVEMENT STRIPING
---	---	CURB AND GUTTER (SPILL/CATCH)
---	---	WOOD FENCE
---	---	DITCH FLOWLINE

EXISTING SYMBOLS	PROPOSED SYMBOLS	
⊕	⊕	FIRE HYDRANT
⊕	⊕	WATER VALVE
⊕	⊕	SANITARY MANHOLE
⊕	⊕	TYPE '13' VALLEY INLET
⊕	⊕	METAL FLARED END SECTION
⊕	⊕	LIGHT POLE
⊕	⊕	ELECTRIC PEDESTAL
⊕	⊕	CONIFEROUS TREE
⊕	⊕	DECIDUOUS TREE
⊕	⊕	SIGN
⊕	⊕	IRRIGATION BOX
⊕	⊕	FIBER OPTIC MARKER
⊕	⊕	TELEPHONE MANHOLE
⊕	⊕	POLE MOUNTED LIGHT

▨	SIDEWALK PAVING	▨	ASPHALT
▨	GRAVEL	▨	WETLANDS

OVERALL AREA OF DISTURBANCE TOTAL FOR PHASES 1 & 2 = 0.98 ACRES



1 PHASE 2 TRAIL CONNECTION CIVIL PLAN

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DESIGNED BY	DATE	PREPARED BY	DATE	REVISION DESCRIPTION
ZRH	10/14/17	ZRH	10/14/17	UPDATE PLANS
ZRH	11/16/17	CSR	11/16/17	ADDRESS TAC COMMENTS
ZRH	11/30/17	CSR	11/30/17	ADDRESS TAC COMMENTS
ZRH	12/17/17	CSR	12/17/17	COORDINATION UPDATES

**CITY OF STEAMBOAT SPRINGS**

STEAMBOAT SPRINGS

ROUTT COUNTY

URAC/SSRA ICONIC ENTRY

MT. WERNER CIRCLE/MT. WERNER ROAD

PHASE 2 TRAIL CONNECTION CIVIL PLAN

FOR AND ON BEHALF OF  
BASELINE CORPORATION

INITIAL SUBMITTAL: 9/12/17

DRAWING SIZE: 24" X 36"

SURVEY FIRM: SURVEY DATE: 10/11/14

D&D, INC.

JOB NO.: C020169

DRAWING NAME: C020169 DRAINAGE.dwg

SHEET 5 OF 5

PREPARED UNDER THE DIRECT SUPERVISION OF

**PRELIMINARY NOT FOR CONSTRUCTION**

CITY OF STEAMBOAT SPRINGS ENGINEERING STANDARDS  
Attachment A  
TRAFFIC IMPACT STUDY - SCOPE APPROVAL FORM

Prior to starting a traffic impact study, a Scope Approval Form must be submitted for review and signed by the City Public Works Director. It shall be included in every traffic study submittal as Attachment A. This Scope Approval Form is for City requirements only. Consultants must contact CDOT to determine requirements related to access permits and work in CDOT right-of-way.

**Project Information**

Project Name:	UNLAC TRONIC ENTRY
Project Location:	2300 MT WERNER CIRCLE
Developer Name/ Contact Number:	RALPH WALTON SSRA PROJECT MGR 846-3297
Traffic Engineer Name/ Contact Number:	CHRIS RUNDALL BASELINE 879-1825

**Study Parameters**

- Type of Study Required:
- Trip Generation Letter
  - Long-term Traffic Study
  - Short-term Traffic Study
  - Trip Evaluation Letter

Traffic Counts ~ NA

- Winter Zone
- Summer Zone
- Counts w/in last 2 years are available
- New counts will be collected on \_\_\_\_\_
- Existing counts will be estimated based on:
- Future counts will be estimated based on a \_\_\_\_\_ growth rate.

Parking letter & Pedestrian Access Letter defining the difference between Phase I + Phase II for needs associated with the draw created by cash

Peak Hours Analyzed - NA

- AM Peak Hour
- PM peak hour
- Other \_\_\_\_\_

Trip Generation Rates ~ NA

- From ITE
- Other (cite) \_\_\_\_\_
- No passby or mode split (typical)
- Passby or mode split (describe) \_\_\_\_\_

Trip Distribution - Attach sketch A-1 ~ NA



Attachment B

Project: Iconic Entry  
 Prepared by: Chris Rundall, Baseline Engineering  
 Date: 11-30-17  
 Location: East side of Mt. Werner Rd & Mt. Werner Circle intersection

<b>CITY OF S.S. MARKED CROSSWALK WARRANTS FOR MID-BLOCK/UNCONTROLLED</b>		Street Type		
		Local	Collector	Arterial
Condition #1			X	
Condition #2			X	
Condition #3				
Condition #4				
Condition #5				
<b>Warranted Improvements</b>				
A	Standard Improvements			
B	Mark Crosswalk With Pavement Markings and Warning Signs - Consider advanced warning signs and markings			
C	Mark crosswalk and add Geometric and/or Technological improvements to crossing if feasible			
D	Marked Crosswalks alone are insufficient - Consider High \$\$\$ devices if feasible, if not us multiple treatments			
<i>- condition met if at least 1 criteria is met</i>				
Condition #1	- Location of Crossing is near a pedestrian generator (yes. Proposed Iconic Entry/Barn.) - Nearest marked crosswalk is at least 300 feet or one city block away (yes) - Pedestrians can be easily seen (from distance >10x speed limit) (yes, move 25mph sign lower on Mt. Werner Rd) - Ped volume greater than 10/hr* or 30/4hr (yes, range of 10/hr - 30/hr)			
Condition #2	- Ped volume greater than 20/hr* or 60/4hr (yes, range of 10/hr - 30/hr)			
Condition #3	- 3 Lanes (no, only one lane on south side and two lanes on north side) - Ped volume greater than 30/hr* or 90/4hr (no. however recommend completing pedestrian count after phase 2 improvements are in place)			
Condition #4	- Greater than 4 lanes with a raised median (no) - Ped volume greater than 40/hr* or 120/4hr (no. however recommend completing pedestrian count after phase 2 improvements are in place) - Greater than 60 feet wide crossing from ramp to ramp (no) - Sight Distance less than 10X the Speed Limit (no) - Is a designated "School Crossing"*** (no)			
Condition #5	- Greater than 4 lanes with no median (no) - Ped volume greater than 50/hr* or 150/4hr (no. however recommend completing pedestrian count after phase 2 improvements are in place) - Sight distance to pedestrian less than 5x the speed limit (no)			
* Young, elderly, and disabled pedestrians count 2x towards volume thresholds				
** School Crossing defined as a crossing location where ten or more student pedestrians per hour are crossing.				
Standard	High-Visibility Crosswalks - High-visibility crosswalks should be white and retroreflective (visible at night). They include textured pavement crosswalks, "zebra" and "continental" crosswalks, and "triple-four" crosswalks.  Warning Sign and Plaque - All marked crossing <u>shall</u> be accompanied by a Pedestrian Warning sign (W11-2) with a downward pointing arrow (W16-7P) and <u>shall</u> be fluorescent yellow-green. Warning signs and plaques <u>shall</u> be placed in such a manner that two (2) signs are visible from each direction of vehicular travel.			
Pavement Markings	Yield Lines - Yield lines <u>may</u> be used to indicate the point behind which vehicles are required to yield. On uncontrolled multi-lane approaches yield lines <u>should</u> be place 20 to 50 ft in advance of the marked crosswalk and Yield Here To Pedestrians (R1-5) signs <u>shall</u> be used.			
Warning Signs	Centerline Pedestrian Sign - a Vertical rectangular sign (R1-6) <u>may</u> be placed on the centerline of the roadway on either side of the marked crossing or in the center of the marked crossing if the crosswalk is a minimum of 8 feet wide.  Advance Warning Sign - An advance Pedestrian Crossing (W11-2) Sign with an AHEAD or a distance supplemental plaque <u>may</u> be used in conjunction with a Yield here To (Stop Here For) Pedestrians sign on the approach to the same crosswalk.			
Geometry	Refuge Islands - Allow pedestrians to cross on segment of the street to a relatively safe locatio out of the travel lanes. A pedestrian pushbutton <u>should</u> be placed in the median of signalized mid-block crossings where the crossing distance exceeds 60 feet. Curb ramps or cut-throughs <u>should</u> be provided for accessibility.  Split Pedestrian Crossover (SPXO) - Channels pedestrians to cross on half of the street; enter the island at one end; walk toward the flow of traffic; and exit at the other end to cross the second half of the street. Primarily used at mid-block locations and is especially beneficial at or near transit connections.  Bulbouts - at intersections and mid-block crossing locations the Curbline is extended into the intersection by approximately 7 to 8 feet to shorten the crossing distance for pedestrians and raise their visiblility to motorists.  Raised Crosswalk - This type of crossing is suitable for only low-speed, low-volume local streets, since the raised crossing is essentially functioning as a speed table or hump.  Speed Hump Markings - A series of white markings placed on the speed hump to identify its location assist drivers especially at night (See Section 3B.25 of 2009 MUTCD)  Advance Warning Markings for Speed Humps - Advance pavement wording such as BUMP or HUMP (Sec 3.20 MUTCD) <u>may</u> be used in advance of speed humps or advance speed hump markings may be used in compliance with Figure 3B-31 of the MUTCD			
Technology	Overhead Signs and Flashing beacons - Overhead signs can be various signs showing the universal pedestrian symbol that hang from a mast arm and extend over the street. Flashing beacons <u>should</u> accompany the overhead signs. This type of device can be used on roadways with higher vehicular volumes without caausing undue delay to drivers. Flashing beacons are most effective if they are operating only during times when pedestrians are actually present (rather than constantly flashing). This can be done by using pedestrian pushbuttons or passive activation.  Rectangular Rapid Flashing Beacons - LED arrays mounted to pedestrian warning signs increase driver compliance in yielding to pedestrians to 89-90%. Pedestrian activated RRFB systems can be activated manually by a pushbutton or passively via wireless bollard or motion detectors.  In-Roadway Warning Lights (IRWLs) - <u>May</u> be installed with a flashing sign at the crosswalk and an advanced flashing sign ahead of the crosswalk.  Street Lights - Street lights raise visivlity to motorists and <u>should</u> be used in poorly lit areas. <i>Note: street lights should be placed in such a way that it illuminates the pedestrian to the oncoming traffic and does not shadow them from the driver.</i>			
High \$\$\$	Pedestrian-Activated Signals - <u>Should</u> be placed at mid-block locations where vehicle and pedestrian volumes warrant a signal. Refer to Section 4C.05 Warrant 4, Pedestrian Volume of the MUTCD for further guidance on mid-block pedestrian-actuuated signals. <sup>1</sup>  Grade-Separated Crossings - <u>Should</u> be used only when not possible or feasible to provide an at-grade facility suchas crossing of a major highway, a rail yard, or a waterway.			

# Attachment 6

## **PUBLIC IMPROVEMENTS ~~LEASE~~ LEASE AND MAINTENANCE AGREEMENT**

**THIS PUBLIC IMPROVEMENTS ~~LEASE~~ LEASE AND MAINTENANCE AGREEMENT** (the "Lease Agreement") is made and entered into effective as of \_\_\_\_\_, 20185, by and between THE STEAMBOAT GRAND RESORT HOTEL CONDOMINIUM ASSOCIATION, INC., a Colorado nonprofit corporation ("Landlord Grand HOA"), whose address is 2300 Mt. Werner Circle, Steamboat Springs, Colorado 80487, ~~and~~ STEAMBOAT SKI & RESORT CORPORATION, a Delaware corporation ("Tenant SSRC"), whose address is 2305 Mt. Werner Circle, Steamboat Springs, Colorado 80487, the STEAMBOAT SPRINGS REDEVELOPMENT SSRA, a Colorado urban renewal SSRA ("SSRA"), and SAVE ARNOLD BARN ("SAB"), collectively "the parties."

### **EXPLANATORY STATEMENT**

~~Landlord Grand HOA, Tenant, and the Steamboat Springs Redevelopment Authority, a Colorado urban renewal authority ("Authority")~~ SSRC, SSRA, and SAB are parties to that certain Temporary Construction and Easement Agreement dated \_\_\_\_\_, 20185 [recorded at Reception No. \_\_\_\_\_ of the Routt County, Colorado real property records] (the "Construction Agreement"). Capitalized terms used but not otherwise defined in this Lease Agreement shall have the meanings set forth in the Construction Agreement. The Construction Agreement provides for the design and construction by the Authority SSRA of certain public improvements on that certain parcel of land owned by ~~Landlord~~ the Grand HOA described on Exhibit "A" attached hereto (the "Land") and the adjacent right of way for Mt. Werner Circle, which improvements are defined and described in the Construction Agreement as the Barn and Entry Improvements and the Right of Way Improvements. The Construction Agreement provides that upon completion of construction of the Barn and Entry Improvements, (i) the Grand Sign shall be conveyed by the Authority SSRA to Landlord Grand HOA and the remainder of the Barn and Entry Improvements will be conveyed by the Authority SSRA to Tenant SSRC, (ii) Landlord Grand HOA shall lease the Land to Tenant SSRC, and (iii) Tenant SSRC, Grand HOA, SSRA and SAB shall manage and maintain the Barn and Entry Improvements as provided in this Lease Agreement. The parties are entering into this Lease Agreement to provide for the foregoing and to satisfy the conditions set forth in the last sentence of Section 4 of the Construction Agreement.

FOR GOOD AND VALUABLE CONSIDERATION, ~~Landlord and Tenant~~ the parties agree as follows:

**1. LEASE AND TERM.** Subject to the terms and conditions of this Lease Agreement, ~~Landlord~~ the Grand HOA agrees to lease the Land to Tenant SSRC and Tenant SSRC agrees to accept and rent the Land from ~~Landlord~~ the Grand HOA and manage and maintain certain elements of the Barn and Entry Improvements on the Land. The term of this Lease Agreement shall commence on the later of (i) the date Tenant SSRC delivers to Landlord Grand HOA and the Authority SSRA its written acknowledgment that the Barn and Entry Improvements have been completed in accordance with the Approved Plans (as defined in the Construction Agreement), (ii) the Grand Sign has been conveyed by the Authority SSRA to

LandlordGrand HOA by instrument reasonably satisfactory to LandlordGrand HOA, and (iii) the remainder of the Barn and Entry Improvements have been conveyed to TenantSSRC by written instrument reasonably satisfactory to TenantSSRC (the "Commencement Date"). The term of this LeaseAgreement shall continue for an initial term of twenty-five (25) years after the Commencement Date, unless sooner terminated as provided herein. After expiration of the initial term, this LeaseAgreement shall renew automatically for a maximum of five (5) successive terms of five (5) years each, provided that after the expiration of the initial term either the SSRC or the Grand HOA party may terminate this Leaselease by giving the other party not less than twelve (12) months' prior written notice of termination, which notice shall state the effective date of termination. If such notice is given the Lease-lease term shall expire as of the effective date of termination stated in the notice. The parties acknowledge that from and after the Commencement Date the Grand Sign shall be the property of LandlordGrand HOA and the remainder of the Barn and Entry Improvements, with the exception of the ranching implements owned by SAB, shall be the property of TenantSSRC. To the extent provided in Section 8, the Barn and Entry Improvements owned by TenantSSRC shall be removed by TenantSSRC upon expiration or termination of this LeaseAgreement. Provided that TenantSSRC performs its obligations under this LeaseAgreement, TenantSSRC may quietly hold and enjoy the Land during the LeaseAgreement term, subject to the provisions of this LeaseAgreement.

**Comment [JB1]:** I'm guessing that SAB maintains ownership, but not certain.

**2. RENT.** As rent for the entire initial twenty-five (25) year term of this LeaseAgreement, TenantSSRC shall pay LandlordGrand HOA the sum of \$25.00, the receipt of which is hereby acknowledged by LandlordGrand HOA. Rent for any renewal term of this LeaseAgreement shall be the amount of \$1.00 per year, payable in advance on or before the beginning of the renewal term.

**3. LICENSE FOR MAINTENANCE.** The Grand HOA hereby grants a twenty-five (25) year license to the SSRA and SAB to enter onto the Land for the purposes of maintenance as described in paragraph 7 below. After expiration of the initial term, this license shall with the lease renew automatically for a maximum of five (5) successive terms of five (5) years each, provided that after the expiration of the initial term the SSRC or the Grand HOA may terminate the lease and the license by giving the other party not less than twelve (12) months' prior written notice of termination, which notice shall state the effective date of termination. If such notice is given the license term shall expire at the same time as the lease term—as of the effective date of termination stated in the notice.

**4. USE.** TenantSSRC shall use the Land only for the operation, management and maintenance of the Barn and Entry Improvements as an entry feature monument and signage for the entry to the Steamboat Ski Resort base area and for purposes incidental thereto, including without limitation marketing, advertising and promotion of the Steamboat Ski Resort base area businesses and properties.

**5. PUBLIC ACCESS.** Without limiting access for other purposes, SSRC agrees during the term of the Agreement to permit public access to the exterior portions of the Barn and Entry Improvements for the purpose promoting the heritage of ranching and barns in Routt County,

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**64. TAXES.** In addition to the rent provided for in Section 2, TenantSSRC shall pay directly to the appropriate taxing authorities or, if paid by Landlord the Grand HOA, reimburse to Landlord the Grand HOA all real and personal property taxes payable with respect to the Land and Barn and Entry Improvements during the LeaseAgreement term (“Taxes”). If the Land and Barn and Entry Improvements are not assessed and taxed separately, Taxes shall be equitably apportioned among all the items taxed based on relative values, and TenantSSRC shall be responsible only for Taxes equitably apportioned to the Land and Barn and Entry Improvements. TenantSSRC may, at its expense, contest valuation of the Land and/or Barn and Entry Improvements for purposes of taxation and TenantSSRC shall have the right to contest any Taxes assessed with respect thereto. LandlordGrand HOA agrees to cooperate in any such contest as reasonably requested by TenantSSRC.

**75. UTILITIES AND OTHER CONSUMABLES.** Electricity and any other utilities consumed at the Barn and Entry Improvements shall be separately metered and billed to TenantSSRC. TenantSSRC shall be responsible for the payment of all charges for utilities consumed at the Barn and Entry Improvements during the LeaseAgreement term. In addition, during the LeaseAgreement term TenantSSRC shall provide at its expense all consumables associated with the maintenance and operation of the Barn and Entry Improvements, such as banners, light fixtures, globes and bulbs, and shall provide for snow removal, sanitary control, janitorial services, and removal of trash, rubbish, garbage and other refuse at the Barn and Entry Improvements.

**86. MAINTENANCE.** During the LeaseAgreement term, Tenantthe parties shall operate, manage and maintain the Barn and Entry Improvements in good order, condition and repair and in a clean, sanitary, attractive and safe condition, normal wear and tear excepted. Such maintenance shall be performed in accordance with the requirements set forth in Exhibit “B” attached hereto (“Standard of Care”). The Standard of Care may be amended from time to time by agreement of the parties.

Except as otherwise provided in the Construction Agreement with respect to items subject to a warranty benefiting the AuthoritySSRA, the Barn and Entry Improvements located on the Land shall be maintained by Tenant the parties as follows:-

- a) The Grand HOA shall be responsible for landscaping, including the temporary irrigation system, the Grand signs next to the Barn and at the Grand hotel entry, the soft-surface interpretative trail leading from the crosswalk, and the soft-surface sidewalk trail leading from the Grand hotel.
- b) The SSRC shall be responsible for the maintenance of the Arnold Barn, corral fencing around the Barn, and exterior lighting of the Barn.
- c) The SSRA through the City of Steamboat Springs shall be responsible for the crosswalk, the parking pull out, and traffic control signs.
- d) The SAB shall be responsible for maintaining the ranching implements at the Barn.

Such maintenance shall include (a) maintenance of landscaping, (b) sign maintenance and repair, (c) ~~paving, hardscape and concrete repairs for all pedestrian areas,~~ (d) lighting maintenance and repairs, (e) maintenance and operation of utility systems related to the Barn and

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Entry Improvements, ~~(f) all utility charges, (g) sanitary control, pest control, janitorial services, and removal of trash, rubbish, garbage and other refuse, (h) [maintenance, repair and replacement of any motor vehicle directional signs and other markers or bumpers,]~~ (i) costs and expenses pertaining to security services and maintenance of security alarm systems, (j) maintenance, repair, and replacement of any snow removal equipment or melt system, (k) banners, (l) **[maintenance of all street furniture, fixtures and trash receptacles,]** and (m) any other charges directly related to the operation, maintenance, and management of the Barn and Entry Improvements. ~~Such maintenance shall be performed in accordance with the requirements set forth in Exhibit "B" attached hereto ("Standard of Care"). The Standard of Care may be amended from time to time by agreement of the parties.~~

**Comment [JB2]:** Query whether the parties have agreed on who is taking on these maintenance items?

**97. ALTERATIONS.** TenantSSRC shall not make any material alterations, improvements or additions to the Land or Improvements without LandlordGrand HOA's prior consent. TenantSSRC may, without LandlordGrand HOA's consent, install and remove from time to time seasonal decorations, banners, temporary signage and similar items as determined by TenantSSRC.

**108. REMOVAL.** Upon expiration or termination of the LeaseAgreement, TenantSSRC shall have the right, but not the obligation, to remove from the Land the man-made structures which are part of the Barn and Entry Improvements, provided that TenantSSRC shall not remove the Grand Sign or landscaping. In connection with the removal of such improvements, TenantSSRC shall reasonably restore the surface of the Land disturbed by the improvements or the removal thereof. TenantSSRC shall be allowed reasonable access to the Land after expiration or termination of this LeaseAgreement in order to remove the Barn and Entry Improvements TenantSSRC is authorized to remove. Any Barn and Entry Improvements not removed by TenantSSRC shall become the property of LandlordGrand HOA.

**119. INSURANCE.** Throughout the LeaseAgreement term TenantSSRC shall maintain at its expense with respect to the Land and Barn and Entry Improvements (i) commercial general liability insurance against claims for personal injury and death and broad form property damage liability insurance against claims for property damage, each with a limit of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate, and (ii) property insurance in an amount not less than the estimated insurable cost of replacing the Barn and Entry Improvements, which shall initially be an amount equal to the AuthoritySSRA's actual final cost of constructing the Barn and Entry Improvements, which amount shall be reviewed and, if appropriate, adjusted not less than every five (5) years. Any of such insurance may be provided through the generally applicable policies insuring other properties and activities of TenantSSRC. TenantSSRC shall provide certificates of insurance naming LandlordGrand HOA as an additional insured.

**120. ASSIGNMENT AND SUBLETTING.** Except as otherwise provided herein, TenantSSRC shall not assign, sublet, transfer or encumber any interest in this LeaseAgreement or the Land without LandlordGrand HOA's prior written consent. Notwithstanding the foregoing, TenantSSRC shall have the right to assign or otherwise transfer its rights and obligations under this LeaseAgreement to any successor operator of the Steamboat Ski Resort, and the obligations of TenantSSRC hereunder shall terminate upon any such assignment or

transfer. In addition, TenantSSRC shall have the right to encumber its interest in this Lease Agreement and the Barn and Entry Improvements as a part of and in connection with encumbrances of TenantSSRC's Steamboat Ski Resort assets generally.

~~11. **TENANT'S OPTION.** The parties acknowledge that the Land and certain other property owned by Landlord are subject to an Option to Purchase Real Estate and Agreement with Tenant dated December 31, 2008 (the "Option"), a memorandum of which is recorded at Reception No. 682026 of the Routt County, Colorado real property records. Notwithstanding any other provision of this Lease, in the event Tenant exercises the Option and acquires the Land, this Lease shall terminate simultaneously with Tenant's acquisition of the Land.~~

**132. CITY EASEMENT.** The parties acknowledge that a portion of the Land is burdened by an easement granted to the City of Steamboat Springs pursuant to the Grant of Easement recorded at Reception No. 336638 of the Routt County, Colorado real property records.

**143. MISCELLANEOUS.**

**Comment [JB3]:** I understand that SSRC's option has run out, is that correct?

(a) Any notice or other communication required or permitted pursuant to this Lease Agreement shall be in writing and shall be directed to ~~Landlord~~the parties or Tenant at their addresses set forth below or such other address as may subsequently be specified by written notice to the other party. Notices shall be effective upon the earlier of actual receipt, three (3) business days after being deposited in the United States mail, certified, return receipt requested, or one (1) business day after deposit for overnight delivery with a nationally recognized carrier. Subject to change as provided above, the addresses of the parties for purposes of this lease Agreement are:

If to ~~Landlord~~Grand HOA:

Steamboat Grand Resort Hotel Condominium Association, Inc.  
Attn: Ron Belin  
2130 Resort Drive, Suite 400  
Steamboat Springs, CO 80487

If to TenantSSRC:

Steamboat Ski & Resort Corporation  
Attn: President  
2305 Mt. Werner Circle  
Steamboat Springs, CO 80487

With a copy to:

~~Intrawest Resorts Holdings, Inc~~Alterra  
~~Attn: Chief General Counsel~~  
~~1628 18<sup>th</sup> Street, Suite 300~~  
Denver, CO

If to SSRA:

City Manager

City of Steamboat Springs

PO Box 775088

Steamboat Springs, CO 8047780202

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(b) No failure or delay on the part of ~~Landlord~~the parties or Tenant to complain of any act or omission by the other party shall be deemed a waiver of their respective rights hereunder. All waivers hereunder must be in writing and signed by the party against whom such waiver is asserted. No waiver shall be a continuing waiver unless expressly so stated in the instrument of waiver.

(c) ~~Either~~Any party shall, from time to time on the other party's request, execute, acknowledge and deliver to the other party its written statement certifying that this Lease Agreement is in effect without modifications (or if there had been modifications, a statement thereof), the date to which rent and other charges have been paid, and that ~~Landlord~~the parties and Tenant are not in default of any of their obligations hereunder (or if any default exists, a description thereof), and containing such further information reasonably requested by the requesting party.

(d) This Lease Agreement ~~Agreement~~ and the Construction Agreement embody the entire agreement of the parties on the subject matter hereof. There are no promises, terms, conditions or obligations other than those contained herein and in the Construction Agreement, and this Lease Agreement and the Construction Agreement supersede all previous communications, representations or agreements, either verbal or written between the parties, including any prior lease agreements. This Lease Agreement may be modified, amended or surrendered only by an instrument in writing executed by ~~Landlord~~the parties and Tenant.

(e) If any term or provisions of this Lease Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease Agreement and the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Lease Agreement shall be valid and be enforceable to the fullest extent permitted by law.

(f) The parties agree that this Lease Agreement or a memorandum of this Lease Agreement shall be recorded in the Routt County, Colorado real property records.

(g) The headings in this Lease Agreement are for convenience only. The singular shall include the plural, the plural the singular, and references to one gender shall include the other gender and the neuter, as appropriate. This Lease Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Any legal action concerning this Lease Agreement may be brought in Routt County, Colorado. All exhibits are incorporated herein by reference.

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



STATE OF COLORADO )  
 ) ss.  
COUNTY OF ROUTT )

Subscribed to and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2018~~5~~ by Christopher S. Diamond, as President of the Steamboat Ski and Resort Corporation.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF COLORADO )  
 ) ss.  
COUNTY OF ROUTT )

Subscribed to and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2018 by Gary Suiter, as Executive Director of the Steamboat Springs Redevelopment Authority.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

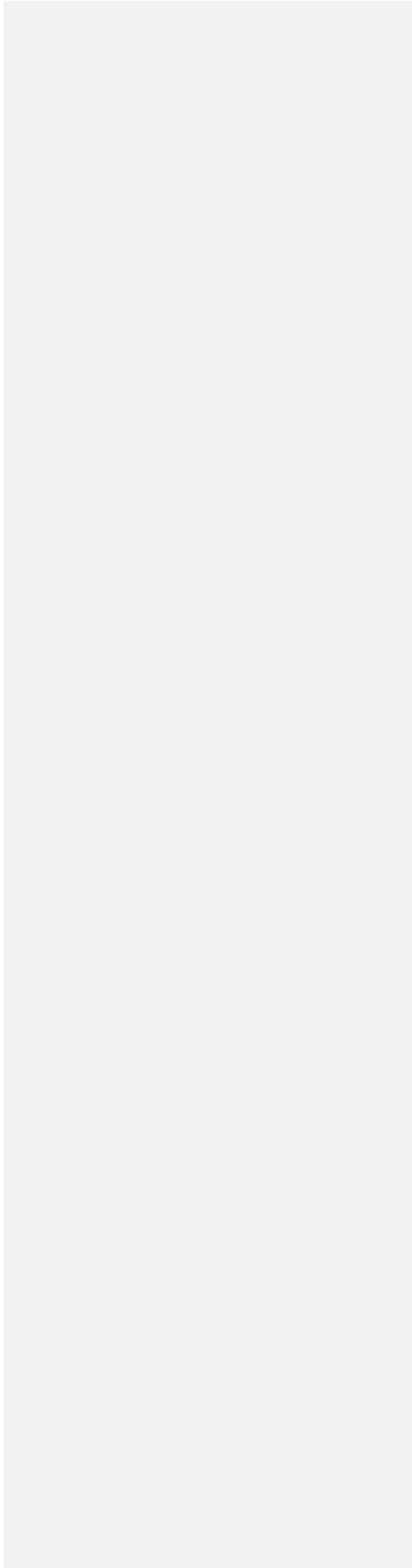
STATE OF COLORADO )  
 ) ss.  
COUNTY OF ROUTT )

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by,  
as \_\_\_\_\_ of Save Arnold Barn.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC



|

**EXHIBIT A**  
**TO**  
**PUBLIC IMPROVEMENTS LEASE AND MAINTENANCE AGREEMENT**

**Legal Description of Land**

Description of the [lease Agreement](#) premises located in a portion of the SE1/4, Section 21, the NE1/4, Section 28, T6N, R84W and in a portion of Lot 1 as shown and described on the plat entitled "SECOND SUPPLEMENT TO THE CONDOMINIUM MAP AND PLAT OF THE STEAMBOAT GRAND RESORT HOTEL CONDOMINIUM" as filed by plat with the Routt County Clerk and Recorder appearing at Reception No. 621249, all of the 6th P.M., City of Steamboat Springs, Routt County, Colorado.

Beginning at the western most corner of said Lot 1 from which the NE corner of Section 28 bears S 86°14'15" E 1181.57 feet;

Thence N 27°17'30" E 76.64 feet along the northwesterly boundary line of said Lot 1 to a point of curvature from which the radius point bears S 62°42'30" E 340.00 feet;

Thence along said northwesterly boundary line and along said curve to the right a distance of 204.69 feet, with a central angle of 34°29'37", and whose chord bears N 44°32'19" E 201.61 feet;

Thence S 09°47'01" E 366.07 feet;

Thence S 70°35'06" W 59.50 feet to a southwesterly boundary line of the above said Lot 1 and to a point of curvature from which the radius point bears S 53°45'19" W 650.00 feet;

Thence along said southwesterly boundary line and along said curve to the left a distance of 250.17 feet, with a central angle of 22°03'07", and whose chord bears N 47°16'14" W 248.63 feet to the Point of Beginning.

Containing 47,334.40 square feet or 1.087 Acres more or less.

The bearing base for the plat of the STEAMBOAT GRAND RESORT HOTEL CONDOMINIUM is based on the line between the NE corner of Section 28 and the E1/4 corner of Section 28 being S 01°47'53" W.

The bearings from said plat have been rotated from S 01°47'53" W TO S 01°46'10" W or 00°01'43" counter-clockwise for this legal description.

This legal description was prepared by R.C. Moon, Colorado Registration No. 13221, at D&D Inc., a Professional Land Surveying and Planning Co., 2145 Resort Drive, Suite 105, Steamboat Springs, CO 80487-8807, 970-879-2715.



**EXHIBIT B**  
**TO**  
**PUBLIC IMPROVEMNETS LEASE AND MAINTENANCE AGREEMENT**

**Standard of Care**

Operation and maintenance of the Barn and Entry Improvements shall include watering, pruning, weed control, pest control, irrigation, clean-up of trash, mowing, fertilization, snow storage, painting, seasonal decorations, lighting, signage, street furniture, landscaping, hardscape and other general repairs. Such activities shall occur in an orderly and expeditious fashion in order to maintain an aesthetically-pleasing environment for the general public. The following general guidelines shall serve as benchmarks for the Standard of Care:

1. Watering – The watering of plants, trees, shrubs, flowers, or any similar item shall occur on an as-needed basis to ensure that all such natural life retains its maximum useful life. At a minimum, all watering basins around these plants, trees, shrubs, flowers, or other similar items shall be maintained such that enough water can be applied to establish moisture through major root zones. If it becomes necessary to reset any plants, trees, shrubs, flowers, or similar items, then such shall be reset at the proper grade and/or upright position.

2. Pruning – The pruning of all plants, trees, shrubs, flowers, or any similar item shall occur on a regular basis to ensure the continued vitality of these items included in the Barn and Entry Improvements. Pruning shall occur as necessary to eliminate diseased or damaged growth and any narrow V-shaped branch forks that lack strength.

3. Weed Control - Any and all areas between plants, trees, shrubs, flowers, or any similar item shall be kept reasonably weed-free at all times. Only recommended and legally approved herbicides shall be used to control weed growth. Soil cultivation shall be maintained at a minimal level to avoid destruction of shallow roots and inadvertent breakage of the seals upon pre-emergent herbicides.

4. Pest Control – All plant materials of any kind shall be routinely inspected for signs of stress, damage, and potential trouble related to such things including, but not limited to: the presence of insects, moles, gophers, squirrels, snails and slugs, discolored or blotching leaves or needles, and unusually light green or yellowing green color inconsistent with normal green color of leaves. The performance of any spraying activities for insect, pest and disease control shall only be done by licensed, qualified, and trained personnel. All spraying shall occur with extreme care to avoid hazardous contact with any persons or pets in the area and any adjacent areas to the Barn and Entry Improvements.

5. Irrigation – In the event that an irrigation system is established, automatic controllers shall be set for normal seasonal requirements. At a minimum, all plant materials of any kind shall be checked once per week to determine if moisture levels are appropriate. The irrigation system shall be continually monitored to verify that it is functioning properly as designed. The irrigation system shall be configured so as to prevent spraying on windows, building walls, and any other structures by balancing the throttle control (or similar device) and

the adjustments screws on the sprinkler heads. Under no circumstances shall water be allowed to atomize and drift.

6. Clean-Up of Trash– All grounds included in the Barn and Entry Improvements shall be maintained in a manner that is free of trash, debris, litter, and other unsightly refuse not in conformance with the standards of a comparable public facility. Trash receptacles shall be maintained at convenient locations and emptied on a regular basis to avoid any overflow of waste materials.

7. Mowing– Any grass located included in the Barn and Entry Improvements shall be mowed and trimmed on a regular basis so as not to detract from the commercial and aesthetic appeal of the surrounding areas.

8. Fertilization – Any necessary fertilization of plants, trees, shrubs, flowers, or any similar item shall occur during such seasons in order to produce optimal growing capability for said plant life. Permissible fertilizers that may be used include: i) tightly-compressed, slow-release and long-lasting complete fertilizer tablets bearing a manufacturer’s label of guaranteed analysis of chemicals present, ii) balanced, once per season application controlled-release fertilizers with a blend of coated pills which supply controlled-release nitrogen, phosphorus and iii) potassium, and uncoated, rapidly soluble pills containing nitrogen and phosphorus.

9. Snow Storage – A coordinated and consistent system of snow storage shall be established in order to ensure the orderly removal and storage of snow in the Barn and Entry Improvements.

10. Seasonal Decorations – At various times throughout the year, it may be permissible to provide holiday decoration of plants, trees, flowers, and shrubs.

11. Lighting – All outdoor lighting established included in the Barn and Entry Improvements shall be constructed in order to assure uniformity throughout the URA Base Area and to minimize the indiscriminate use of outdoor lighting. Outdoor light fixtures shall only be of a material, type and design to conform to any and all standards as set forth by the City of Steamboat Springs, Colorado. Outdoor lighting shall only remain on during normal business operating hours, unless such lighting should stay on in order to increase security, safety, and/or the general welfare of the public. In the event that any such outdoor lighting is extinguished via the natural expiration of the useful life of the applicable light bulb, all efforts shall be made to replace such lighting within a reasonable amount of time not to exceed twenty-four (24) hours.

12. Signage – All signage located included in the Barn and Entry Improvements shall be maintained to a standard set forth in the City of Steamboat Springs Revised Municipal Code, with specific reference to the provisions established in Section 26-221 through 26-227 and to standards in the Base Area Master Plan, Pattern Book.

13. Street Furniture – All street furniture, fixtures and trash receptacles shall be maintained so as to be functional and free of rust, chipped paint or excessive deterioration.

14. Landscaping – Plants, trees, shrubs, flowers, or any similar items, which die or are removed shall be promptly replaced.

15. Hardscape – The quality of the Barn and Entry Improvements shall be maintained through diligent maintenance, repair or replacement, particularly if the following conditions exist:

- a. Any vertical displacement of the pavers or surface exceeds one half of an inch;
- b. Any lateral displacement of pavers or surface exceeds one half inch;
- c. Any displacement of stones in the masonry wall;
- d. Any visible chipping, cracking or peeling of the wood surfaces on the Barn, fencing, signage, etc. indicating a need for painting or staining;

# Attachment 7

Tim McConnell- public comment by phone 2/28/18

- Concerned about use of public funds to move the barn, could maybe be better used elsewhere
- Concerned about moving the barn, that it may not make the trip and be destroyed
- Concerned about the barn meeting building codes, needing a foundation, being shored up, actions which might damage the barn
- Barn will look out of place at new location
- Feels that the barn is in a good spot now and provides historical reference where it is, could just be improved a bit where it stands
- Concerned about the intersection and the safety of it, adding features could be dangerous
- Feels the city should focus elsewhere, on other improvements at the base area, ski time square, or gondola square.

# AGENDA ITEM #3

## Staff Report Department of Planning & Community Development

### Planning Commission Agenda Item #X

#### Project Overview

Project Name 410 South Lincoln Avenue	Project Code & Type CU-18-01 Conditional Use
Applicant Ryan Fisher	Zoning Community Commercial (CC)
<b>Project Description</b> Applicant is requesting Conditional Use approval to allow a marijuana store in the CC zone district and modify the 1000-foot distance to a park standard as well as the adjacency to a residentially zoned parcel standard.	
Prepared By Kelly Z. Douglas City Planner 970-871-8245	Through Tyler Gibbs, AIA Director of Planning & Community Development 970-871-8244
Planning Commission Hearing March 22, 2018	City Council Hearing April 3, 2018

#### Project Location



## Background

The subject site is zoned Community Commercial (CC) and part of the multi-tenant commercial development known as Steamboat Square. The unit is accessed from Lincoln Avenue.

## Project Description

The Applicant is proposing to move their current marijuana store to this location. The retail space of about 1,800 square feet will be located on the first level with one entrance to both retail and medical operations. The first level will also contain about 1,600 square feet of product storage and office space. A small office space of about 300 square feet will be located upstairs. The request includes two modifications to use standards for a marijuana store: a) that it be located within a 1,000' of a public park and b) the marijuana store is proposed to be located adjacent to property zoned Multiple-Family (MF). Additional discussion of these two proposed modifications is below in the Principal Discussion Items section. Marijuana Stores are permitted as a Conditional Use in the CC zone district.

## Project Analysis

The following section provides staff analysis of the application as it relates to key sections of the CDC. It is intended to highlight those areas that may be of interest or concern to Planning Commission, City Council, Staff or the public. For a comprehensive list of standards and requirements applicable to this proposal please refer to the CDC or contact the staff planner.

## Principal Discussion Items

The definition and use standards for a Marijuana Store are provided below. The use standards proposed to be modified with this application are in **bold**.

### Marijuana Store (Section 302.H.7)

An establishment for the sale or distribution of marijuana or marijuana-infused products to customers, patients, or primary caregivers in accordance with either the Colorado Retail Marijuana Code or the Colorado Medical Marijuana Act and any other statute or state administrative regulations. Marijuana store does not include the sale or distribution of marijuana by a primary caregiver registered with the Department of Public Health pursuant to C.R.S. § 25-1.5-106 and in accordance with Article XVIII, Section 14 of the Colorado Constitution.

Use Standards:

- a. **Marijuana stores shall not be located closer than 1,000 feet from an elementary/secondary school, the principal campus of a college/university, a seminary, a public park, or a child care center. Separation shall be measured by the shortest distance between the nearest property line of the school, college/university, seminary, park, or child care center to the**

**nearest point of the building or tenant space in which the marijuana store is located. The establishment of a child care center within 1,000 feet of a lawfully established marijuana store use shall not affect the renewal, reissuance, or amendment of the marijuana store approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 1,000-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/ university, seminaries, public parks, child care centers, and other marijuana-related land uses.**

- b. Marijuana stores shall not be located adjacent to property zoned RE, RN, RO, RR, MH, MF, or G.**
- c. Marijuana stores shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited. Deliveries are only permitted to medical marijuana patients whose medical condition precludes their travel to the marijuana store.
- d. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This restriction shall include, but shall not be limited to, signage using the word "marijuana", its synonyms, or depictions of any portion of the marijuana plant.
- e. Staff shall be present during hours of operation. Vending machines and unsupervised transactions are prohibited.

Additionally, per Section 300.F.2, use standards may be modified through the conditional use process and City Council has the authority to attach conditions in order to avoid or minimize specific impacts.

Analysis: Modification of Standard 302.H.7.a

The table below is an outline of the maps provided in Attachment 3.

<b>Description of Measurement</b>	<b>Distance</b>	<b>Attachment 3 Map # Reference</b>
As the crow flies from the subject property to the edge of the City-owned parcel that contains Emerald Park	947.3'	2
Walking distance from the subject property to the edge of the City-owned parcel that contains Emerald Park	1,228.1'	3
Walking distance from the subject property to the edge of Dudley Field in Emerald Park	1,791.8'	4
Driving distance from the subject property to the Yampa River Botanical Park and Emerald Park parking lot off Pamela Lane	2,110.6'	5

As demonstrated in map 1 of Attachment 3, only a small portion of the parcel that contains Emerald Park is within the 1000' buffer from the proposed marijuana store. Map 3 shows the walking distance to the edge of the parcel containing Emerald Park is beyond the 1000' requirement, however the park use is not occurring at the property line and there are wetlands in the area not suitable for passive or active recreation. Map 4 reflects the walking distance to the active use area of Dudley Field, which is closest to the proposed use. The distance is well beyond the standard 1000'. Driving distance from the proposed marijuana store to the Emerald Park and Yampa River Botanical Park parking lot is shown on map 5 and is more than double the 1000' separation required. Staff believes that the use complies with the intent of the standard when taking into account distances as well as barriers between the proposed use and Emerald Park, such as Highway 40, railroad tracks and a single-family home neighborhood.

Article XVIII, Section 16 of the Colorado Constitution grants localities authority to enact regulations "governing the time, place, manner and number of marijuana establishment operations." As such, the City has established marijuana store use standards. The general intent of the distance limitation in use standard 302.H.7.a seems to be to limit the presence of marijuana uses near uses typically occupied by persons under age 21. The approximate walking and driving distances provided above and in Attachment 3 demonstrate the proposed use complies with the intent of the standard.

Additionally, there are extremely limited parcels within City limits that meet all marijuana use standards. This is demonstrated in map 6, Community Commercial Zone District Map, in Attachment 3. Staff supports this proposal not only because the intent of standard 302.H.7.a is met, but also because it is unreasonable to expect applicants to comply with standards that are largely unachievable.

#### Analysis: Modification of Standard 302.H.7.b

The proposed marijuana store is located adjacent to two parcels zoned MF. Both parcels have steep topography and are currently undeveloped. There is approximately a 20' difference between the parking lot serving Steamboat Square and the rear property line. The topography on both MF zoned parcels continues to climb away from Lincoln Avenue creating about a 40'-70' difference in grade from the rear lot line of the subject parcel up to the high point of either MF zoned parcel. The impact is that the MF parcels do not feel adjacent to the subject parcel, and therefore staff finds the request to modify this standard is supportable.

Additionally, there are no means of legal access to either MF zoned parcels on foot or by vehicle. Both parcels are encumbered by a plat note stating the parcels may not be developed until legal access is secured. Both parcels were platted in 1999, meaning the issue has not been resolved in nearly 20 years. Staff's opinion is that it would be appropriate to modify this standard based on the subject site's adjacency to parcels that neither feel, nor legally are, accessible.

## Criteria for Approval

Approval Criteria Summary	Consistent?		
	Yes	No	NA
Compatible with the direction and policies in the Community Plan	✓		
Consistent with the zone district	✓		
Mitigates negative impacts	✓		
Complies with requirements of CDC	✓		

*707.C – Conditional Uses shall be approved upon finding that the following criteria are met:*

1. The proposed use is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.

*Staff Analysis*

**Consistent.** The Future Land Use classification for the subject site is Mixed Use Corridor which emphasizes retail, office and residential uses in a mixed-use development setting. The proposed marijuana store fits within the retail and office land use categories.

2. The proposed use is consistent with the purpose of the zone district.

*Staff Analysis*

**Consistent.** The CC zone district is a mixed-use district intended to provide areas for community-wide commercial and multiple-family residential uses. This zone district is intended to accommodate multi-modal activity nodes at major intersections along US-40 with office, lodging, and compatible residential development located between nodes. The proposed marijuana store use will complement the mixture of uses and activities permitted in the immediate area.

3. The proposed use will mitigate any negative impacts to surrounding properties and the community, considering factors such as hours of operation and the potential for off-site impacts such as odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts.

*Staff Analysis*

**Consistent.** As proposed, the development will minimize impacts to the surrounding businesses and the public. The applicant proposes to mitigate odor impacts through the use of activated charcoal filters. State regulations require the uses to shield all views of marijuana or marijuana products from the public. Applicant will comply with all applicable State and local regulations. Any signage will comply with City standards.

4. The proposed use complies with all other applicable requirements of this CDC.

#### *Staff Analysis*

With the exception of the two modifications discussed above in the Principal Discussion Items section, the proposed use complies with all other applicable use and development standards.

### **Staff Findings**

Staff finds that conditional use application CU-18-01 at 410 South Lincoln Avenue for approval of a marijuana store use, is CONSISTENT with the Criteria for Approval for a Conditional Use.

### **Recommended Motion**

Planning Commission recommends approval of CU-18-01, a Conditional Use application to allow a marijuana store in the CC zone district at 410 South Lincoln Avenue, with modifications to standard 302.H.7.a, the 1,000' distance standard, as well as standard 302.H.7.b, the residential adjacency standard.

### **Attachments**

- Attachment 1 – Project Timeline
- Attachment 2 – Applicant Narratives and Plan Set
- Attachment 3 – Maps Prepared by Staff
- Attachment 4 – Public Comment
- Attachment 5 – Resolution

# Attachment 1

## Project Timeline

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**Project Code:** CU-18-01  
**Project Name:** 410 S. Lincoln Avenue

	<b>DATES</b>	<b>NOTES</b>
<b>Pre-Submittal Meeting</b>	1/3/18	
<b>Application Submitted</b>	1/11/18	
<b>TECHNICAL ADVISORY COMMITTEE REVIEW</b>		
<b>TAC Letter</b>	1/23/18	
<b>Resubmittal</b>	2/2/18	
<b>TAC Letter</b>	2/8/18	
<b>Resubmittal</b>	2/13/18	
<b>TAC Letter</b>	2/28/18	
<b>PUBLIC NOTICE</b>		
<b>Newspaper Notice</b>	3/4/18	
<b>Mailed Notice</b>	3/7/18	
<b>Property Posting</b>	3/11/18	
<b>Mineral Notice</b>	2/28/18	
<b>PUBLIC HEARINGS</b>		
<b>Planning Commission</b>	3/22/18	
<b>City Council</b>	4/3/18	

### **NOTES**

---

# Attachment 2

RK Enterprises, Ltd  
DBA Rocky Mountain Remedies  
Conditional Use Permit

## Conditions of Approval

1. The proposed use is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.

The Community Plan makes reference to the Land Use Classification - Community Commercial

*Land Uses: This classification emphasizes larger office, retail, cultural, and entertainment uses that predominantly serve the residential base of the community but may also serve visitors. This classification may also include service-oriented development and/or office uses and larger regional commercial uses in a mixed-use development setting.*

*Locational Criteria: Community commercial areas should have access to a major arterial or highway.*

*Character: While the Community Commercial classification is auto-oriented, development is still intended to place a strong emphasis on pedestrian connections. They should be attractive in appearance and accessible by all transportation modes (including transit).*

*Zone Districts: CC - Community Commercial; and CS - Commercial Services (City).*

RMR's proposal for a retail marijuana storefront fits the Community Plan goals for Land Use, Locational Criteria, Character and Zone District.

The 2014 Supplement to the Community Development Code states the following goal concerning diversification and balancing of the economic base:

*The community will continue to diversify the local economic base to provide employment opportunities for residents. Outdoor-based recreation tourism will remain the community's economic backbone, but the community will seek to sustain a self-reliant, vibrant, year-round, diverse and sustainable economy.*

Retail Marijuana sales have been successful, contributing to a year round stable economy.

2. The proposed use is consistent with the purpose of the zone district.

Under the 2018 CDC, the Community Services zone district is intended to provide areas for higher intensity community-wide commercial uses. This zone district accommodates automobile-oriented uses but also emphasizes pedestrian-friendly development and multi-modal access.

3. The proposed use will mitigate any negative impacts to surrounding properties and the community, considering factors such as hours of operation and the potential for off-site impacts such as odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts.

Hours of operation are limited by City Council action under Article 8 of the Municipal Code - Steamboat Springs Retail Marijuana code. Security and prohibition of consumption of marijuana products on premises are also regulated under this article. The traffic analysis submitted with the application indicates no more traffic generated than an office space and odors will be mitigated by the use of carbon filter air exchangers.

4. The proposed use complies with all other applicable requirements of this CDC.

We have provided alternatives to the use criteria as indicated in the narrative.

Rocky Mountain Remedies is requesting for conditional use through the development process to permit a retail marijuana store and a medical marijuana center located at 410 S. Lincoln Ave.

This parcel is zoned Commercial Services (CS), an approved district under Steamboat's marijuana ordinance, zoning map and Community Development Code (CDC). The applicant is proposing to relocate their currently licensed retail and medical facilities to this location. Both the retail and medical operations would be operated from the first floor of the building. Medical and retail customers will be restricted to ages 21 years and older and therefore, under state law, only a single entrance for the retail and medical operations is required.

Under the 2018 CDC, the Community Services zone district is intended to provide areas for higher intensity community-wide commercial uses. This zone district accommodates automobile-oriented uses but also emphasizes pedestrian-friendly development and multi-modal access.

Two issues arise with this application from a use requirement standard point of view.

Marijuana stores shall not be located closer than 1,000 feet from an elementary/secondary school, the principal campus of a college/university, a seminary, a public park, or a child care center. Separation shall be measured by the shortest distance between the nearest property line of the school, college/university, seminary, park, or child care center to the nearest point of the building or tenant space in which the marijuana store is located.

And:

Marijuana stores shall not be located adjacent to property zoned RE, RN, RO, RR, MH, MF, or G.

Although not variances under a conditional use, we find that it may be appropriate to apply the alternative criteria from the Variance procedure which states:

The proposed development provides at least one of the following acceptable alternatives to the standard:

- i. The alternative achieves a result that is equal to or better than the code standard to which a variance is being sought; or
- ii. The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstance; or
- iii. The application of other code standards, purposes, or intents will be improved by varying the standard.

**Public Park:**

The distance from 410 S. Lincoln to the entrance to Dudley Field and the Botanic Park is within the 1,000 foot radius. The minimum legal walking distance to this park is 1931 feet. Attached as Exhibit X is documentation as provided by Walter Magill of Four Points Surveying and Engineering noting the different routes and distances. Natural Choice (now Billo) Conditional Use Application DP-16-01 has established precedent for this variance. Additionally, CO state law does not require a 1000 foot buffer for parks.

It is the applicant's opinion that when taking as fact the actual walking distance combined with the physical barriers of HWY 40, the train tracks, and private property parcels, the proposed location more than satisfies the City's intent for a 1000 foot separation between the proposed location and the closest public park.

**Multi-family Parcels:**

There are two multifamily parcels adjacent to 410 S. Lincoln to the east as indicated on the Cover Sheet dated 01/11/18. The south parcel belongs to John Peddie (Parcel B of Emerald Knoll Peddie) and the north parcel is owned by Carl Warnke (Tract A of Emerald Knoll – Hanley).

Attached as Exhibit Y is documentation by Walter Magill of Four Points Surveying and Engineering noting the different routes and distances to the accesses to these parcels.

It is the applicant's opinion that when taking as fact the actual walking distance, the physical barriers, and current operation of a retail liquor store from an adjacent parcel, Steamboat Discount Liquors, 500 S. Lincoln Ave., the proposed location more than satisfies the City's intent for adjacency to MF parcels.

---

The applicant believes this use to be consistent with the criteria for a conditional use. The company's history of compliance with state and local design and operational protocols will be maintained.

Rocky Mountain Remedies was the first dispensary to open in Steamboat in July of 2009 and over the past eight years, the applicant has worked closely with various city departments, councils, and employees on numerous occasions to provide guidance, training, information, and education. We selected our prior and current retail locations based upon both ordinance restrictions and community input. During the past few years, due in large part to generally positive public health and safety outcomes, sentiment regarding the visibility of retail marijuana operations has changed and Steamboat's other licensees have established more prominent retail locations. Business pressures dictate that Rocky Mountain Remedies pursue a more accessible location for its patients and clients.

Suitable sites for retail marijuana operations under the City's current ordinance are extremely limited at best.

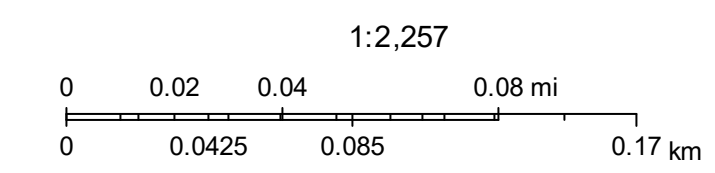
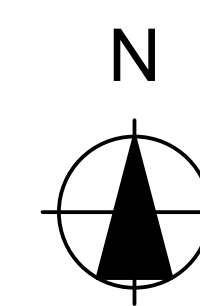
CONDITIONAL USE  
FOR THE CITY OF STEAMBOAT SPRINGS

410 South Lincoln Avenue  
1A Tr in E2SE4 Sec 17-6-84  
ALSO KNOWN AS

ROCKY MOUNTAIN REMEDIES: RETAIL SPACE  
STEAMBOAT SPRINGS, ROUTT COUNTY, COLORADO



Vicinity Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

PROJECT TEAM:

PROPERTY OWNER:  
Steamboat Square, LLLP  
410 S. Lincoln Avenue, A16, Steamboat Springs, Colorado  
ph. 970-\_\_\_\_\_  
email \_\_\_\_\_@gmail.com

APPLICANT:  
Rocky Mountain Remedies  
2750 Downhill Plaza Unit #205, Steamboat Springs, Colorado  
ph. 970-871-2768 | email: rymr76@gmail.com

CONDITIONAL USE PREPARED BY:  
ARCHITECT:  
Mountain Architecture Design Group, P.C.  
634 Oak Street, Steamboat Springs, Colorado  
ph. 970-879-5764 | email: chancie@mntnarch.com

DIRECTOR OF PLANNING SERVICES:  
Tyler Gibbs  
124 10th Street, Steamboat Springs, Colorado  
ph. 970-871-8258 | tgibbs@steamboatsprings.net

INDEX:

COVERSHEET	1
EXISTING CONDITIONS	2
SITE PLAN	3

Project Summary Table			
Gross Floor Area	Approximately 6,746 sq. ft. occupied by applicant		
Net Floor Area	Not Applicable		
Unit Size	Approximately 6,746 sq. ft. occupied by applicant		
Number of Units	Applicant will occupy entire building at 410 S. Lincoln (other building occupied by other tenants)		
Zoning (existing and proposed)	CC Community Commercial		
Frontage			
Use Breakdown	Description	Square Footage	# of Units
Principle Use	Office	3,996	
Accessory Use(s)	Medical Marijuana Center, Retail	2,750	
Standards	Zone District Requirements	Proposed	Variance? (Y/N)
Lot Area		Not Applicable	
Lot Coverage		Not Applicable	
Floor Area Ratio		Not Applicable	
Building Height		Not Applicable	
Frontage Area Height		Not Applicable	
Front Setback		Not Applicable	
Side Setback		Not Applicable	
Upper Story Setback		Not Applicable	
Rear Setback		Not Applicable	
Second Story Intensity		Not Applicable	
Parking		Not Applicable	
Snow Storage		Not Applicable	

Project Summary Table			
Gross Site Area		Not Applicable	
% of Site Area in ROW		Not Applicable	
Number of Lots		Not Applicable	
Standards	Zone District Requirements	Proposed	Variance? (Y/N)
Average Lot Size		Not Applicable	
Lot Width		Not Applicable	
Lot Length		Not Applicable	
Lot Coverage		Not Applicable	
Usable Lot Area		Not Applicable	
Average Slope		Not Applicable	
Block Lengths		Not Applicable	
Individual Lot Frontage		Not Applicable	
Project Frontage		Not Applicable	
Open Space Square Footage		Not Applicable	

MOUNTAIN ARCHITECTURE  
DESIGN GROUP P.C.  
Chancie Keenan  
Architect, Principle  
P.O. BOX 17085  
STEAMBOAT SPRINGS, COLORADO 80427  
970-879-5764  
chancie@mntnarch.com

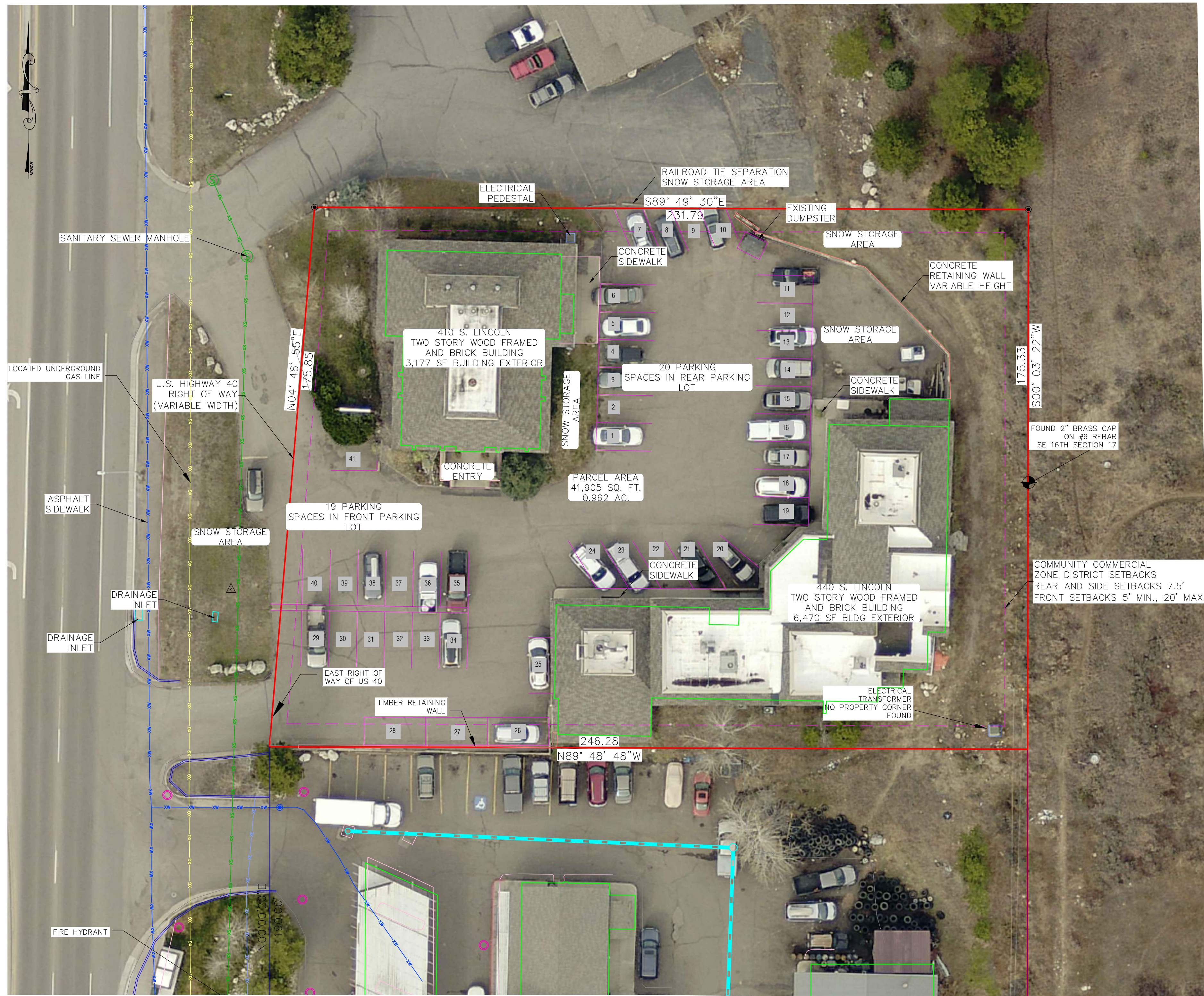
Conditional Use for  
**Rocky Mountain Remedies: Retail Space**  
410 South Lincoln Avenue  
Subdivision & Lot #  
Steamboat Springs, Colorado

TITLE  
COVER SHEET

JOB NO. 1801  
DRAWN BY CLK  
CHECKED BY CLK  
ISSUE DATE 2/2/2018

REVISIONS:  
I DATE

DRAWING NUMBER  
**1**  
OF 3 SHEETS



**LEGAL DESCRIPTION:**

PER RECEPTION NO. 524536 OF ROUTT COUNTY RECORDS:

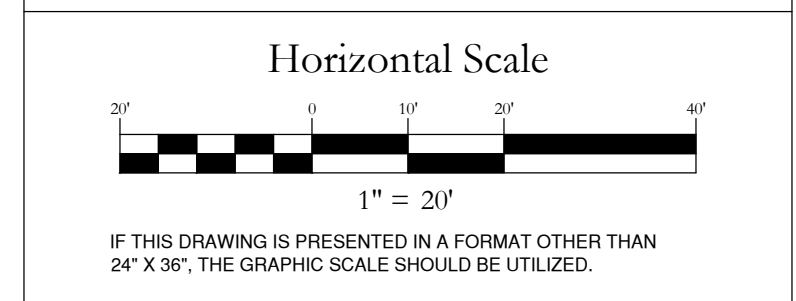
A TRACT OF LAND IN THE E 1/2 SE 1/4 OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 84 WEST OF THE 6TH P.M., BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 17 FROM WHICH THE SE CORNER OF SECTION 17 BEARS S 00°05' W, 1230.2 FEET, THENCE N 89°55' W, 246.0 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 40, THENCE IN A NORTHERLY DIRECTION ALONG THE EAST BOUNDARY OF SAID RIGHT OF WAY 176.7 FEET, THENCE S 89°55' EAST, 226.0 FEET MORE OR LESS, TO A POINT ON THE EAST LINE OF SECTION 17, THENCE S 00°05' WEST ALONG SAID SECTION LINE 175.0 FEET TO THE POINT OF BEGINNING.

**NOTES:**

- 1) EXISTING CONDITIONS PLAN OF 410 AND 440 S. LINCOLN AVENUE, STEAMBOAT SPRINGS, COLORADO. THE LAND IS LOCATED IN THE E 1/2 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 84 WEST OF THE 6TH P.M., ROUTT COUNTY, COLORADO. SEE LEGAL DESCRIPTION ABOVE.
- 2) THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FOUR POINTS SURVEYING AND ENGINEERING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, OR TITLE OF RECORD, FOUR POINTS SURVEYING AND ENGINEERING, INC. RELIED UPON DEEDS FOUND IN ROUTT COUNTY RECORDS.
- 3) LOCATES FOR UTILITIES WERE NOT REQUESTED OR OBTAINED BY FOUR POINTS SURVEYING AND ENGINEERING, INC. IN CONJUNCTION WITH THIS SURVEY. HOWEVER, SEVERAL UTILITY LOCATES WERE RECENT AND FIELD LOCATES WERE SURVEYED.
- 4) THIS IS NOT A MONUMENTED LAND SURVEY.
- 5) PROPERTY MONUMENTS WERE FOUND AT THE PROPERTY CORNERS AS SHOWN HEREON.
- 6) THERE ARE NO RIPARIAN AREAS, WATERCOURSES, WETLANDS, 100 YEAR FLOOD OR FLOODWAYS LOCATED WITHIN THE PROPERTY BOUNDARY.

EXISTING CONDITIONS  
PLAN  
410 S. LINCOLN AVE  
**TRACT IN THE E 1/2 OF THE SE 1/4 OF SECTION 17, T6N, R84W 6TH P.M., STEAMBOAT SPRINGS, ROUTT COUNTY, CO**



Contour Interval = N/A

NO.	DATE	REVISIONS	INT

DATE: 1-5-2018 DESIGN: WNM  
JOB NO. 1725-001 DRAFTED: WNM  
DWG. NAME REVIEW: WNM

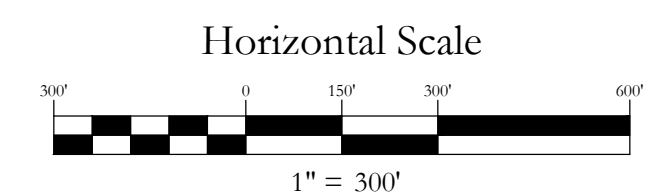
**Four Points  
Surveying and Engineering**

440 South Lincoln Ave., Suite 4B  
P.O. Box 775966,  
Steamboat Springs, CO 80487  
(970)871-8772  
wnmpepls@gmail.com

AKA Exhibit Y  
**SITE PLAN**  
 410 LINCOLN AVENUE  
 STEAMBOAT SPRINGS, CO



**SITE PLAN**  
 AKA Exhibit Y  
**410 S. Lincoln Avenue**  
**Steamboat Springs, 80487**



IF THIS DRAWING IS PRESENTED IN A FORMAT OTHER THAN 24" X 36", THE GRAPHIC SCALE SHOULD BE UTILIZED.

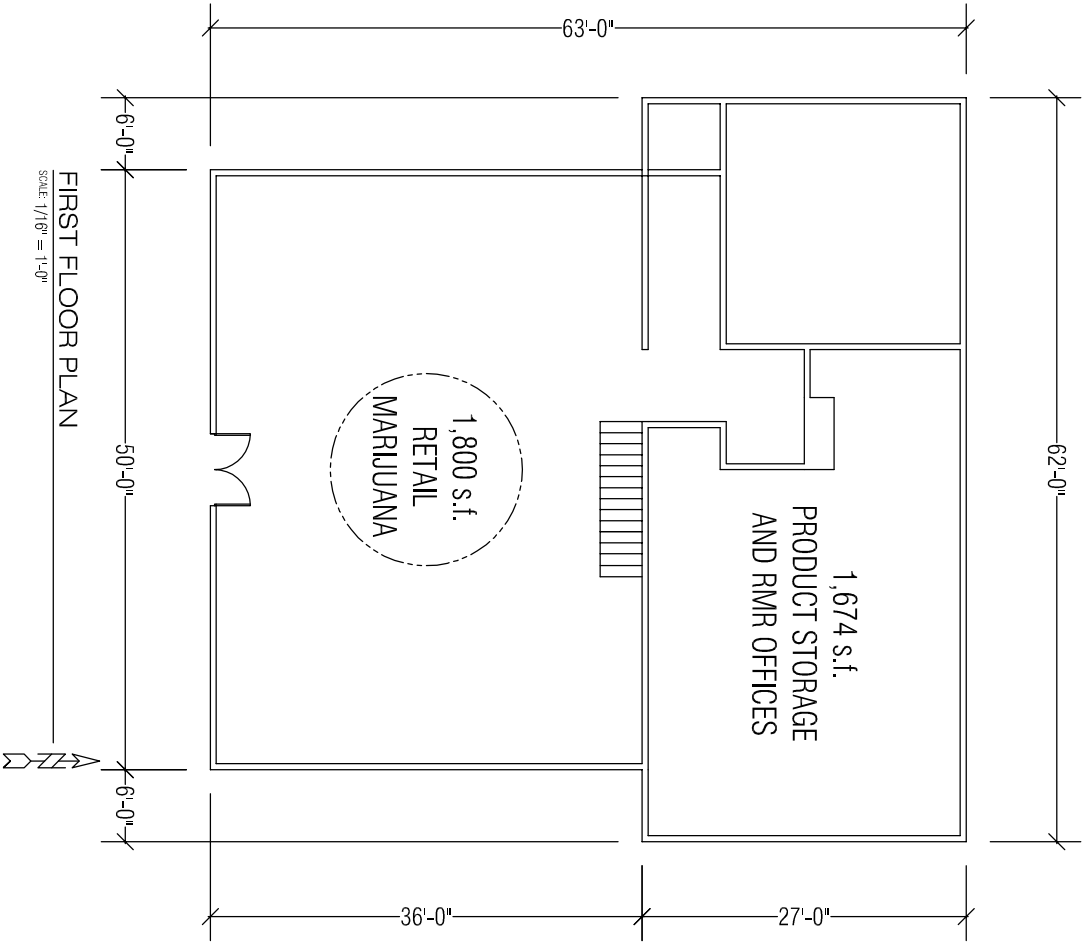
Contour Interval  
 2 Feet

NO.	DATE	REVISIONS	INT
1	1-31-18	ACCESS TO MF PROPERTY	WM

DATE: 12-18-2017      DESIGN: WNM  
 JOB NO. 1728-001      DRAFTED: JNM  
 DWG. NAME              REVIEW: WNM

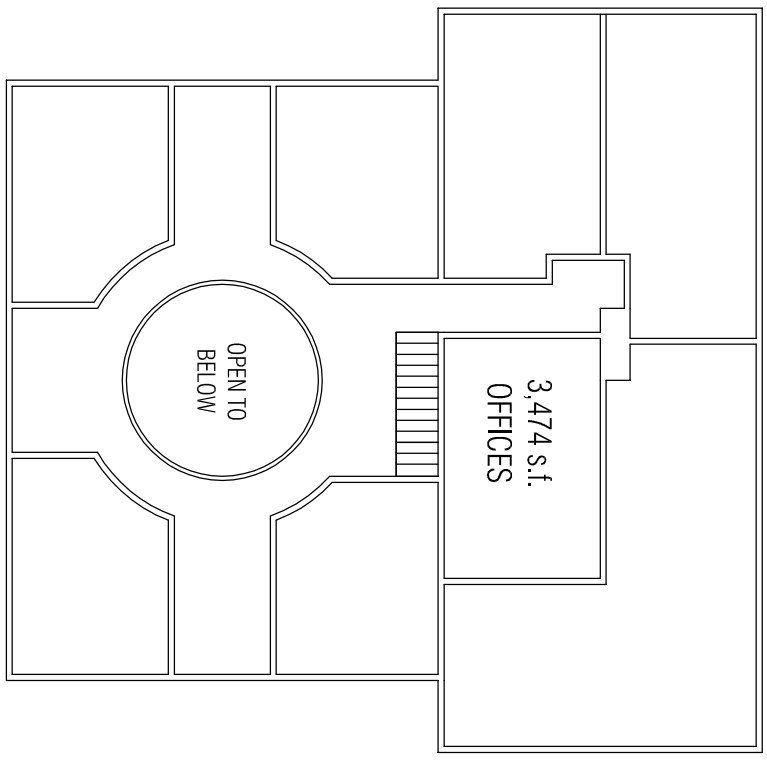
**Four Points**  
**Surveying and Engineering**

440 S. Lincoln Ave, Suite 4B  
 P.O. Box 775966,  
 Steamboat Springs, CO 80487  
 (970)-871-6772  
 wnmpepls@gmail.com



FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/16" = 1'-0"

# Attachment 3

## Proposed Marijuana Shop Location 410 S. Lincoln Avenue

1000-foot Buffer

Map 1



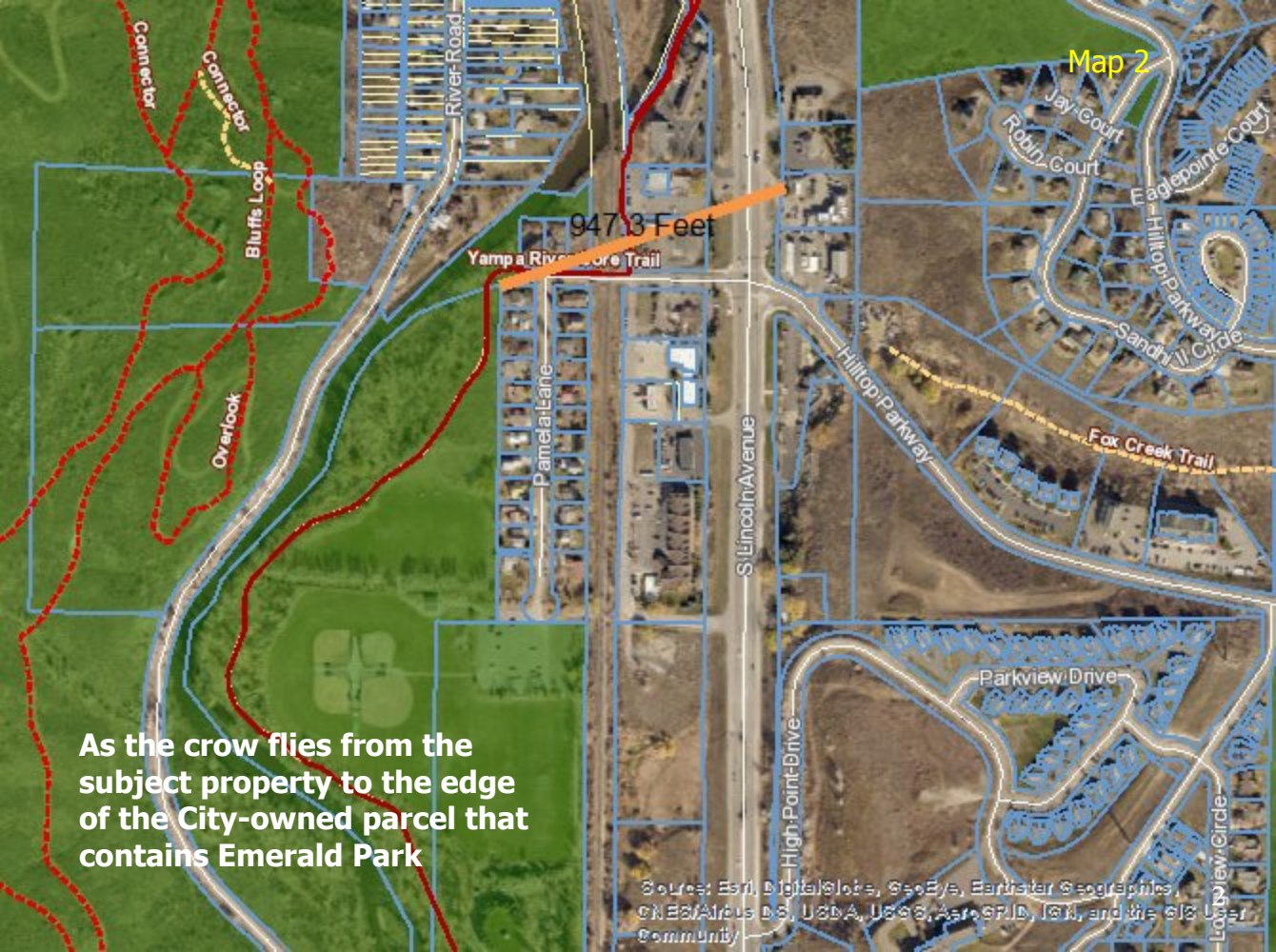
Map 2

947.3 Feet

Yampa River Shore Trail

As the crow flies from the subject property to the edge of the City-owned parcel that contains Emerald Park

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

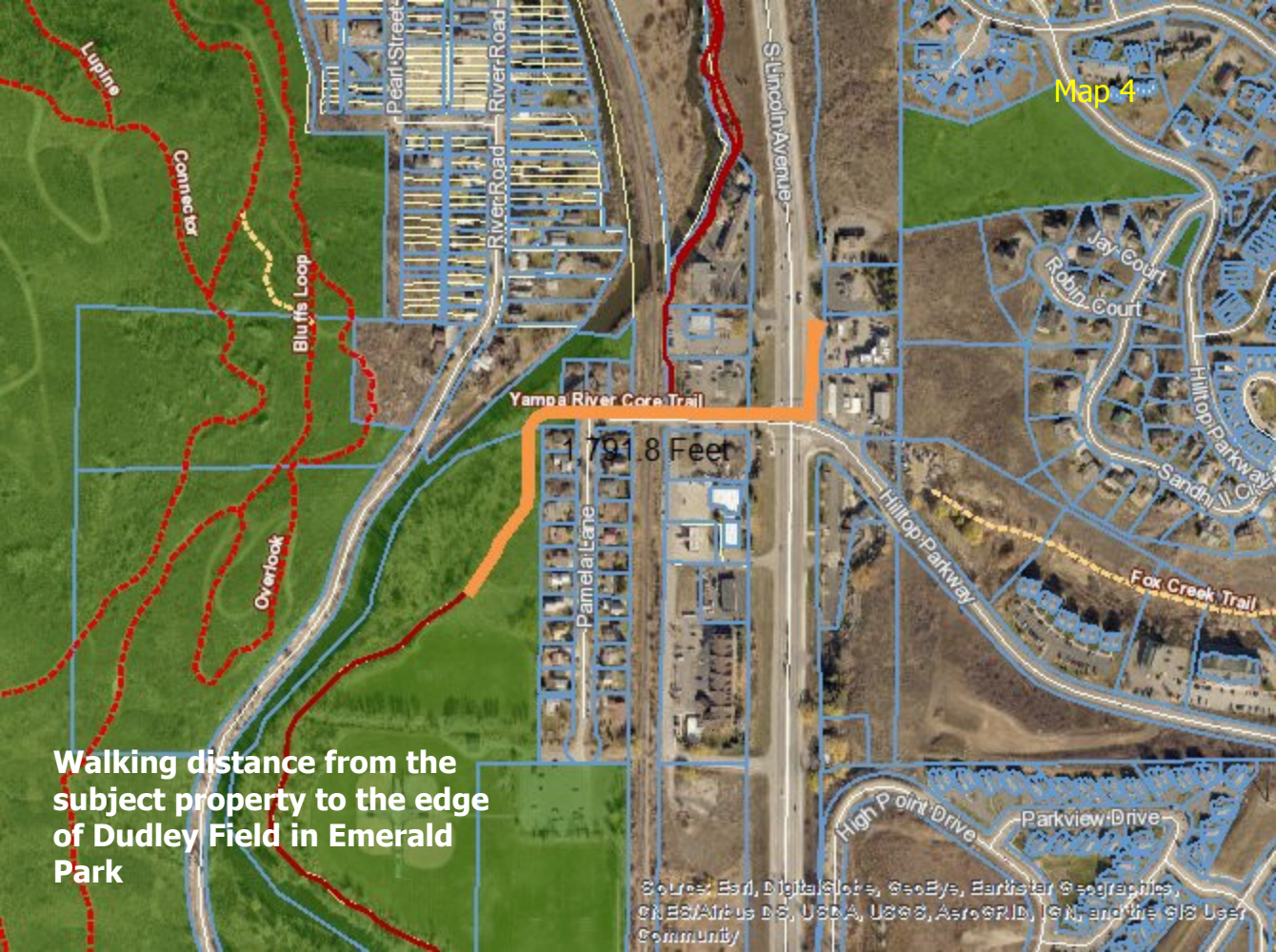




**Walking distance from the subject property to the edge of the City-owned parcel that contains Emerald Park**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map 4



**Walking distance from the subject property to the edge of Dudley Field in Emerald Park**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map 5

Yampa River Core Trail

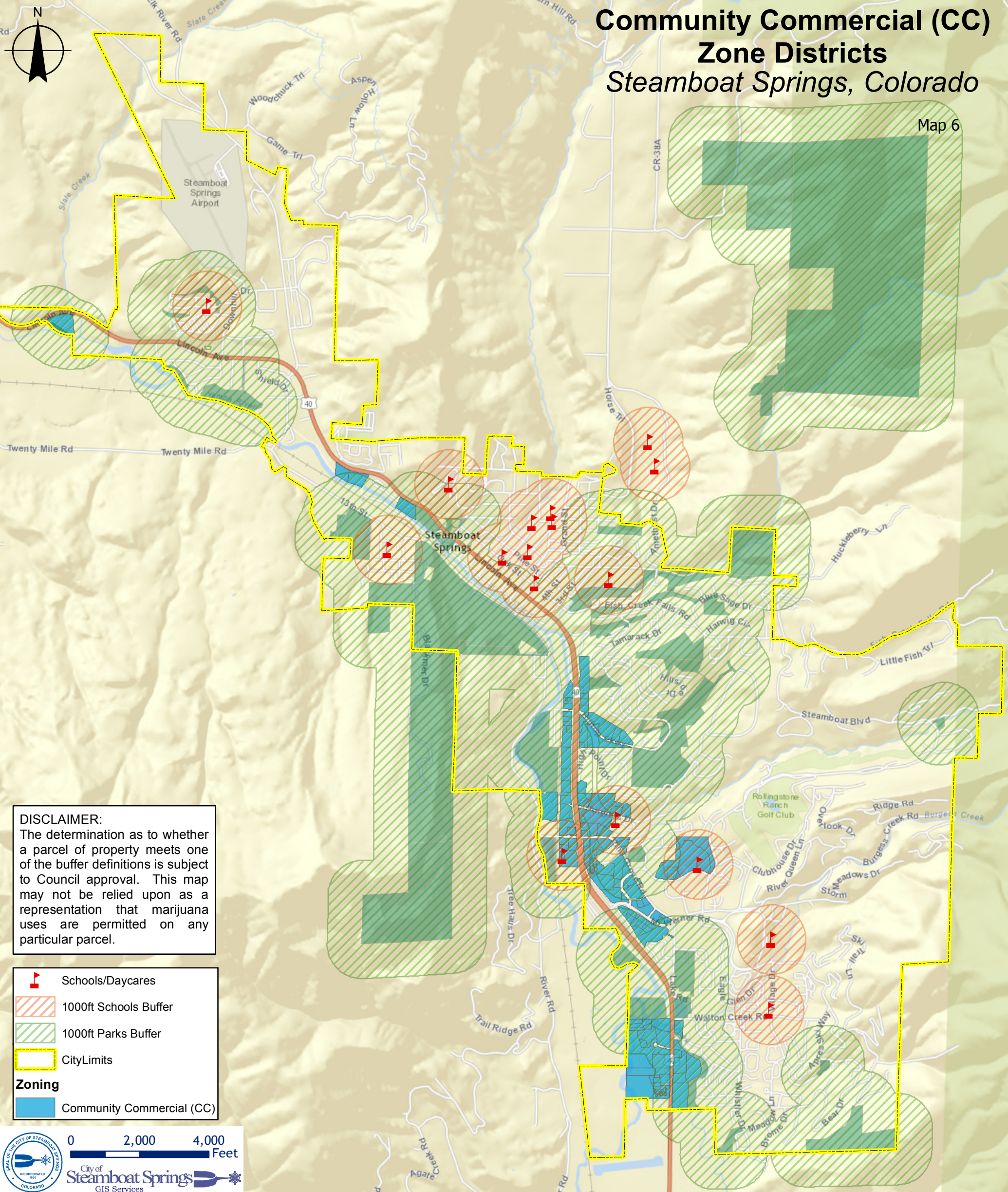
2,110.6 Feet

**Driving distance from the subject property to the Yampa River Botanical Park and Emerald Park parking lot**






Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# Community Commercial (CC) Zone Districts Steamboat Springs, Colorado

Map 6



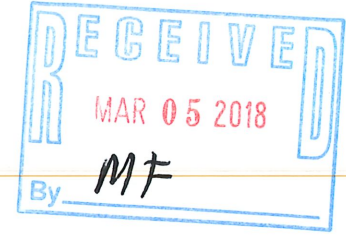
**DISCLAIMER:**  
The determination as to whether a parcel of property meets one of the buffer definitions is subject to Council approval. This map may not be relied upon as a representation that marijuana uses are permitted on any particular parcel.

-  Schools/Daycares
-  1000ft Schools Buffer
-  1000ft Parks Buffer
-  City Limits
- Zoning**
-  Community Commercial (CC)

# Attachment 4

March 5, 2018

Steamboat Springs City Planning Department  
Attn: Kelly Douglas  
137 10<sup>th</sup> Street  
Steamboat Springs, CO 80477



Dear Ms. Douglas,

The undersigned are a group of parents who are concerned with the consideration that is being given to a possible retail marijuana storefront location at 410 South Lincoln Avenue. This location is mere feet away from, and shares a parking lot with, the Rocky Mountain Karate Academy which is a school that trains children in karate five days a week. Each student typically trains 2-3 days per week, year round.

RMKA has been in Steamboat for 18 years and is the only karate school in Steamboat Springs. Children as young as six years old train multiple days a week and, in fact, the vast majority of the karate students are middle school age or younger.

Karate is well known to promote hard work, physical fitness, morality and clean living. These are qualities that are of great importance to the parents and children of the karate academy and much of our community as a whole. As such, we are concerned with a close proximity of a retail marijuana storefront for a number of reasons including the traffic, potential odors and the allure for children that a marijuana storefront could promote. We do not want our children desensitized and familiar with marijuana at such a young and impressionable age.

In addition to the above, Steamboat karate is one of the most affordable after school programs offered in Routt County. However, if a marijuana storefront were to be located approximately 100 feet away from where children train, it could drastically affect attendance and/or membership which in turn could affect monthly fees, etc.

The city of Steamboat Springs has, in the past, considered the close proximity to parks (a place where children are present) when reviewing potential marijuana storefront locations. A karate school, where children train multiple times a week, year round, is likely utilized as much or even more than many parks. Therefore, it should garner considerable consideration in regard to the negative impact it could have on the students and the school.

Parking at this location is another issue we would ask the Steamboat Planning Department to review as there are already parking space issues for tenants that currently inhabit the building.

We strongly urge the Steamboat Planning Department to vote against this proposal and we look forward to your comments and response.

Thank you for your consideration and time.

Respectfully,

Leah Wolf Martin Leah Wolf Martin 3/1/18

[Signature] Amy Asta Date 3/1/18

[Signature] Jessie Andrew Date 3-1-18

[Signature] Josh Andrew Date 3-1-18

[Signature] Jerry Frost Date 3.2.18

Beth Hammond Beth Hammond Date 3-2-18

Jessica Speer Jessica Speer 3-4-18

Kathy Ryan Kathy Ryan 3-5-18

Susan Newman Susan Newman 3-5-18

Here are partial group photos of many of the students of RMKA. There are more students than are pictured here.

In addition, RMKA has trained several national karate champions, including champions from 2016 and 2017. Six students from RMKA are attending Nationals in March of this year.



## Kelly Douglas

---

**From:** Karen Lewer  
**Sent:** Thursday, March 08, 2018 4:50 PM  
**To:** Brian Adams; George Eck III; Jennifer Bock; Lee Calihan; Martyn Kingston; Michael Buccino; Paul Weese; Richard Levy; Tom Ptach  
**Cc:** Kelly Douglas; Tyler Gibbs  
**Subject:** FW: Online Form Submittal: Planning Commission Comment Form

Planning Commissioners:

Please see the attached On-line submittal for Planning Commission.

Regards,  
Karen

**Karen Lewer, Administrative Assistant**  
**Planning & Community Development | City of Steamboat Springs, Colorado**  
PO Box 775088 | 124 10<sup>th</sup> Street | Steamboat Springs, CO 80477-5088  
Phone **970.871.8258** | Fax 970.879.8851

---

**From:** noreply@civicplus.com [mailto:noreply@civicplus.com]  
**Sent:** Thursday, March 08, 2018 3:42 PM  
**To:** Karen Lewer <klewer@steamboatsprings.net>  
**Subject:** Online Form Submittal: Planning Commission Comment Form

### Planning Commission Comment Form

First Name	Candice
Last Name	Bannister
Mailing Address	<i>Field not completed.</i>
Physical Address	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Email Address	<i>Field not completed.</i>
Phone Number	<i>Field not completed.</i>
Question	Please reject bringing pot shops into the main corridors of Steamboat Springs--mountain, downtown, or in between.

Though they are not great on the edges of our town either in my opinion, our retail stores and business represent our values and our focus, and create the character and feel of our town as a whole. Please protect the air (smell of pot to those in close proximity of the shop) and look of the central areas of Steamboat Springs that create the quaint small town that is our tourist draw and what we value. We are a small town and every business has an impact.

---

Email not displaying correctly? [View it in your browser.](#)

## Kelly Douglas

---

**From:** Rachel Lundy  
**Sent:** Wednesday, March 14, 2018 1:57 PM  
**To:** Kelly Douglas  
**Subject:** FW: Marijuana dispensary move to 410 S. Lincoln Avenue

Hi Kelly-

This is the first email I've gotten regarding the dispensary move.  
Do you want me to send anything else I get to you so it can be included in your packet?

Rachel

**From:** lindak311@verizon.net [mailto:lindak311@verizon.net]  
**Sent:** Wednesday, March 14, 2018 12:16 PM  
**To:** City Council <CityCouncil@steamboatsprings.net>  
**Subject:** Marijuana dispensary move to 410 S. Lincoln Avenue

March 14, 2018

Linda Kish  
1603 Thistlebrook Lane  
Steamboat Springs, CO 80487

City Council Members:  
Jason Lacy, President  
Robin Crossan  
Scott Ford  
Sonja Macys  
Kathi Meyer  
Lisel Petis  
Heather Sloop

I am writing you today to express my concern about the prospective location change of the marijuana dispensary from their current location to 410 S. Lincoln Avenue. I moved to Steamboat last summer based on the family culture of the community. I do not oppose an informed adult's choice to use marijuana but feel that it is best if the dispensaries are located at discrete locations away from ski areas, downtown, and residential areas. At this time, federal law still considers marijuana an illegal schedule 1 controlled substance, and employers can fire an employee using marijuana (Coats vs Dish Network LLC). Additionally, research is yet inconclusive regarding marijuana's potential benefits versus adverse effects on public health ( National Institutes of Health, Marijuana and Cannabinoids: A Neuroscience Research Summit).

I am concerned that if marijuana becomes the focal point of Steamboat's culture, which currently focuses on creating a world class family experience, the Steamboat brand will be negatively impacted. Potentially, families and other visitors would choose to go elsewhere, with a significant loss of tax revenue.

I ask the City Council and Planning Commission to please reject the requested move of the marijuana dispensary to 410 S. Lincoln Avenue. Thank you so much for your efforts to guide this city on a path that is family friendly but still provides the opportunity for those who want more of a party atmosphere to enjoy it, as noted in the recent issue of [Ski Magazine](#) (*Rocking the 'Boat*, Spring 2018).

Sincerely,  
Linda Kish  
(Full-time resident/home owner in Steamboat)

# Attachment 5

## CITY OF STEAMBOAT SPRINGS, COLORADO

### RESOLUTION NO. \_\_\_\_\_

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS APPROVING AN APPLICATION FOR A CONDITIONAL USE CU-18-01, 410 SOUTH LINCOLN AVENUE**

**WHEREAS**, on January 11, 2018 Ryan Fisher ("Applicant") submitted an application for the approval of a Conditional Use CU-18-01 ("Application") for approval of a marijuana store use ("Project") on the property located at 410 South Lincoln Avenue and more particularly described as 1A TR IN E2SE4 SEC 17-6-84 TOTAL .95A M/L; and

**WHEREAS**, the City Council held a public hearing on the Application on April 3, 2018, to consider testimony from the Applicant, staff, and the general public regarding the application; and

**WHEREAS**, the public hearing was duly noticed in accordance with Section 703 of the City of Steamboat Springs Community Development Code ("CDC") by posting, publication, and mailing to surrounding property owners and to the owners of mineral rights, if any; and

**WHEREAS**, CDC criteria for approval of the Project are set forth in CDC Section 707.A; and

**WHEREAS**, having considered the testimony and evidence presented at the public hearing on April 3, 2018, the City Council hereby finds, for the reasons set forth in the Department of Planning and Community Development staff report dated March 15, 2018, that the following criteria have been met:

1. The proposed use is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
2. The proposed use is consistent with the purpose of the zone district.
3. The proposed use will mitigate any negative impacts to surrounding properties and the community, considering factors such as hours of operation and the potential for off-site impacts such as odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts.
4. The proposed use complies with all other applicable requirements of this CDC.

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

**SECTION 1.** The foregoing recitals are incorporated by reference as the findings and determinations of the City Council.

**SECTION 2.** The City Council hereby approves the Application.

**PASSED, ADOPTED, AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

---

Jason Lacy  
City Council President

ATTEST:

---

Julie Franklin, CMC, City Clerk

# AGENDA ITEM #4

## FINAL MINUTES

Planning Commission Minutes

January 25, 2018

## **STEAMBOAT SPRINGS PLANNING COMMISSION**

### **PUBLIC HEARING MINUTES**

**January 25, 2018**

The regularly scheduled public hearing of the Steamboat Springs Planning Commission was called to order at approximately 5:00p.m. on Thursday, January 25, 2018, in the Citizens' Meeting Room, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado.

Planning Commission members in attendance were:

Chair Rich Levy, Vice-Chair Brian Adams, Lee Calihan, Paul Weiss, Michael Buccino, George Eck and Tom Ptach.

Staff members present were Staff Planner Bob Keenan and Planning Director Tyler Gibbs.

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### **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

None.

#### **#1: FDP-17-06, Old Town Hot Springs**

### **STAFF PRESENTATION**

Bob Keenan:

This is for an addition and remodel which includes changes to the site layout, parking and lot development. The applicant is proposing a 14,000 square-foot addition to the existing facility along with a significant exterior and interior remodel to the facility. Planning staff has reviewed the proposal to the custom PUD that was approved for this site a couple years ago, I believe. We found that it's in conformance with that approved PUD, which modified some of the use, dimensional standards and created a custom parking standard. The applicant was allowed to haul snow as needed, and they provided a snow hauling plan.

The parking lots and snow storage spaces have been proposed to change because it came to light that the parking on the north side of Fish Creek Falls Road where the old tennis courts were that was recently converted this year to a parking lot... That was an administrative development plan that was approved this year to allow that parking lot. That was found consistent with the PUD. The PUD had always contemplated that the area would be a support zone for parking to support the Old Town Hot Springs facility. So that was constructed to provide the required parking that would result from this new addition. That parking plan depicted 20 spaces that were going to be used for temporary snow storage during the winter plus the eight that was shown in the current application on the south side of Old Fish Creek Falls; so that was 28 spaces that would have been used for temporary snow storage. The applicant has a surplus of 17 spaces, so essentially they were 11 spaces short when it came to year-round parking.

# AGENDA ITEM #4

## FINAL MINUTES

Planning Commission Minutes

January 25, 2018

So we worked with the applicant, and they proposed instead of doing eight spaces for snow storage on the south side of Old Fish Creek Falls Road, they're going to go to four. It would be better to have more available parking on that side because it's closer to the facility. They would reduce the 20 spaces shown on the north side down to no more than 13 spaces. That would be consistent with the required parking. The plan is for them to haul snow every week.

In order to rectify the situation with that approved parking lot, staff is suggesting two conditions of approval: The first would be to amend the administrative final development plan prior to building permit to show no more than 13 spaces being used for temporary snow storage; also to submit a new drawing for sheet C102 that doesn't show the eight parking spaces but shows the four. Staff is suggesting with any recommendation of approval that these two conditions be added to what's already listed in the staff report.

## APPLICANT PRESENTATION

Pat Carney, Project Manager:

Currently we have just under 7,000 members and 80,000 visits by tourists during last year. We haven't done anything major to the building since 1991, 27 years ago. What we're trying to do now is a once every 25-30 year improvement project. We'll get to the point where we don't have any more room for projects, but this hopefully will get us through the next 30+ years.

This is an important asset for this community. As the population has grown, we've become more overcrowded and not able to meet growing needs in three areas: health and wellness, (not enough indoor space to do what we want,) youth and senior programming (need for more programming inside the building,) community partnerships (need space for indoor education classes and other programming.) The exterior facelift of the building will transform the east side of downtown and hopefully make it look as good as the library on the west end.

Adam Wright, Steamboat Architectural Associates:

This is based on the PUD that was approved in 2016. Most of the work is being done in the Lincoln zone and an active zone.

Wright showed the site plan, which shows the current building and the proposed addition as well as pedestrian circulation. He highlighted the new additions: bike parking, better-defined pedestrian path across the upper parking lot, restriping, new sidewalk in the middle of the parking lots, dedicated striping to get to the post office, additional sidewalk to get from the building to east bound Lincoln, improved drainage on the parking lot with a new water quality basin, bank reconstruction.

Interior additions: expanded and redone entrance, two-story climbing wall, class/exercise rooms, conference space, back-of-house offices, perimeter walking track, enlarged free/racked weight space, reorganized workout facilities.

Building Exterior: complete remodel with new windows.

# AGENDA ITEM #4

FINAL MINUTES  
Planning Commission Minutes  
January 25, 2018

## QUESTIONS FROM COMMISSIONERS

Commissioner Levy:

Bob, can you remind us what was approved as a PUD and what items are up for discussion with this application?

Keenan: The PUD was used to approve the different uses and subzones, reduced snow storage, architectural design standards, custom parking because the parking requirement for this type of pretty unique use isn't covered in the CDC.

Levy: I would say height, lot coverage, all those things are already covered. I would guess we're looking at the parking and architecture to determine whether they meet what the PUD said it should be; pedestrian connections which probably weren't specifically called out in the PUD.

Keenan: There was mention in the PUD of pedestrian connectivity through and to adjacent sites. There was requirements for bank stabilization and stream bank enhancement. Part of it is in the CO zone district, and there's a build-to requirement where there's a 0-foot build-to on the front property line, which given the parking and circulation they need for this site they knew they weren't going to achieve that. So that was a large component of the PUD was to establish setbacks that differ from the Old Town core. The height was another part of it, and that was amended recently to allow that entry feature and the climbing wall. The height is 38 feet for all parts of the building and 40 for that entry feature.

Wright: Given that there were three or four existing zone districts on that property already, the PUD allowed those to coalesce and then make a few changes such as the height and parking.

Gibbs: Most of what you're seeing here was anticipated in the PUD.

Keenan: There are no variances because they created this custom zone district to anticipate this development. It's really just making sure the parking, snow storage, architectural design, height and setbacks are matching the custom PUD.

Wright: The CDC was still the basis for most of the criteria for design and most of those things. So it wasn't like there were massive, sweeping changes with the PUD. We're still referring to the CDC in most areas.

Commissioner Adams asked Keenan to go through the additional conditions and how they came about over the past week.

Keenan: After the work session, staff and the applicant looked at that administrative final development plan that approved the parking on the north side of Old Fish Creek Falls Road to see what they were showing for snow storage in those spaces as a result of those questions from commissioners. Staff asked the applicant to come up with a solution for how best to store snow and organize their parking. We

# AGENDA ITEM #4

## FINAL MINUTES

Planning Commission Minutes

January 25, 2018

worked together to come up with this plan. They came back to staff with a proposal for snow storage in four spaces in the lot closest to the building and to reduce the 20 in the lot to the north down to 13. That's 17 spaces which equals the surplus parking that they currently have on site that they can use for temporary snow storage. I think we both agree that it was a good solution and we just needed to get these changes into the record. That's why the first condition I mentioned was to amend the previous approval of the administrative development plan to change that from 20 spaces down to 13; the second condition would be to revise that sheet C102 to accurately reflect the four spaces that they're now proposing. Given the time constraints, we didn't feel it was necessary to have them rush to make the change to that sheet when there's plenty of time for them to do that prior to building permit.

Adams confirmed that the applicant is in agreement with these conditions.

Adams: You mentioned in your email that you're currently working on a formal snow and maintenance agreement. Is this something that can just be verbally discussed or should it be a condition? What makes something important enough to be a condition of approval, and what makes it just "yeah, we're working on it?"

Keenan: That's a good question. I still don't have a great answer. I think at the end of the day it goes back to the heart of the discussion when they decided to do the underpass. There was a verbal agreement at that time. I think both parties recognized the practicality of having that written down so that there's no questions down the road. As staff, I don't think we have any problems to require that agreement be made in writing and agreed upon prior to building permit. You may want to ask the applicant if they're okay with that. But I talked to the Parks and Rec Department. It's definitely on their radar. They're in the process of doing that, and they obviously see the need to have it happen. But to the extent that the Planning Commission thinks it's that important to nail down and require as part of this approval, we can do that. But it's really something that already occurred; it's not something that's a result of this application. That's why it's not out front and on top of this application.

Adams: The question stems from more of a – as much as we feel the need to put conditions of approval on anything, as much as Parks and Rec or Public Works or anybody is looking at these projects and saying no, I need this in writing before I'm okay with it. Just wondering if this was something everybody felt like no, I need this in writing if I'm okay with it or not.

Keenan: That wasn't expressed to me by Parks and Rec that we needed a condition of approval. It certainly doesn't hurt from a Planning staff perspective. We don't have any problems with it.

Levy wanted to make sure it was clear to the applicant that regardless of the once-a-week snow hauling plan, they cannot exceed that temporary snow storage on their snow-hauling sites.

Wright: I would like to make clear that the plan is not to haul snow every week or once a week. That could happen if it kept snowing nonstop I suppose. The plan is that when the designated storage that's available onsite becomes cumbered, then the call would be made to haul snow. That's what occurs currently, and as described that's usually within 24-48 hours. The plan states that potentially it could be

# AGENDA ITEM #4

## FINAL MINUTES

Planning Commission Minutes

January 25, 2018

more than that and so therefore we articulated that a week we felt was reasonable to ensure that that's cleared. In talking to Pat about this, certainly their goal is to free up parking for their guests; they don't want their guests to be inconvenienced. The Hot Springs is not ever looking to be deceitful and end up with more snow than they potentially have room for. Additionally, any sort of problem with parking would be in the summer months not winter months. A lot of visitors come via shuttle. That doesn't necessarily dictate how much snow storage you need or not, but it is the case that parking is less of a problem.

Levy: That just caught my eye when we changed the number of spaces you were going to use for temporary snow storage before hauling that you were aware that that could potentially increase the number of times that the snow needs to be hauled.

Wright: We recognize that.

Adams: I don't think I understood how that smallest south parking lot – is one of those spaces dedicated for snow storage there as well? How does that last parking lot work?

Wright: That hasn't been part of this most recent discussion because it's covered with a small amount of area as you enter the lot. So there is enough room to push snow to the entry of the lot without impacting any parking spaces.

## **PUBLIC COMMENT**

None.

## **COMMISSIONER DELIBERATION/MOTION**

Commissioner Ptach moved to approve FDP-17-06 as described in the materials with conditions 1-14 from the packet and the additional two conditions in Item 4 of Bob's email of January 24.

Commissioner Buccino seconded the motion.

## **DISCUSSION ON MOTION**

None.

## **VOTE**

The motion carried unanimously.

# AGENDA ITEM #4

FINAL MINUTES  
Planning Commission Minutes  
January 25, 2018

## **#2: PC Final Decision Authority**

Rebecca Bessey:

We're having a public discussion tonight about a potential policy change in the CDC. As we discussed at work session a couple times now, there's some consensus on Planning Commission to recommend that the Commission be given primary review authority over certain application types: conditional uses, conceptual development plans, development plans that would require public hearing, preliminary plats and major variances.

There's a few clarifying points I wanted to make tonight.

The charter says that the Planning Commission is an advisory body, so we're not really going to be giving final decision-making authority to the Planning Commission. However, we have worked with Legal and we think that there is a way forward in which the primary review and recommendation is still made by the Planning Commission. We can't call you the final decision-making authority because that's contrary to the advisory language in the charter. I think we can devise a process that meets the intent of what we're trying to achieve: That is to have the primary public hearing held with the Planning Commission rather than automatically going to City Council.

Those decisions would be subject to call-up by City Council or appeal by affected parties.

Upon expiration of the 10-day appeal period, the Planning Director and City Manager would certify your recommendation as a final decision.

That final decision would not be subject to appeal.

If you made a decision, and somebody appealed or a Council member called that up, then decision-making authority gets shifted to Council to make a final decision on that appeal; or they can remand it back to the decision maker to evaluate it based on additional information.

Levy: What would happen if someone disagreed with Council's decision on appeal?

## AGENDA ITEM #4

### FINAL MINUTES

Planning Commission Minutes

January 25, 2018

Bessey: It would have to go to the Court.

Adams: However, if the decision-maker was the Planning Director instead, then you would still have an avenue of being able to appeal to City Council.

Bessey: No. This type of a decision would be different than the administrative decisions that the Planning Director is authorized to make now where Tyler as the Planning Director makes that decision; it is considered final; there is an appeal/call-up period after which the decision remains a final decision. In this situation, the Planning Director wouldn't make that final decision until after the expiration of the call-up/appeal period.

Adams: It seems like you could do it differently so that the Planning Director could make the decision right away and still offer that appeals line of reasoning that we talked about at work session.

Bessey: In talking with Legal, they're not comfortable with that type of a process given the advisory language in the charter. The decision can't be truly final until that appeal/call-up period expires, and then it could be made a final decision.

Gibbs: The understanding would be that the City Manager or Planning Director is going to after the appeal period runs out make that decision final. So their opportunity to appeal is between your recommendation and that final certification by the manager or director.

Adams: What I think I've liked about the process we're looking into right now is that we would be able to set up a system where a decision could be made and an appeal happen to City Council that would not have to go straight to District Court – kind of like a Planning Director decision can be appealed without leaving city channels. Would that still be able to happen if we're not an official decision maker? Would somebody be able to appeal using that kind of appeal language even if we weren't the decision maker?

## AGENDA ITEM #4

### FINAL MINUTES

Planning Commission Minutes

January 25, 2018

Bessey: Yes, that 10-day period would be there between the time you make your recommendation and the time the director would make that decision final. It would be the same appeal process using the same language we have in the code now; it's just that it would happen prior to the final decision rather than after.

Adams: I guess I was just caught up that you would need an official decision maker in order for there to be an appeal after that. But if we can do it without that, then it doesn't really change the process.

Bessey: We will have to make some language tweaks to the code, but it would essentially be the same process.

Eck: On Monday we talked about call-up and limiting it potentially. Is it now the opinion that because of the charter language, there has to be call-up ability?

Bessey: There would always be call-up ability just as there is now. With certain Planning Director decisions there is call-up ability by Planning Commission and City Council. Any decision that you would be making a recommendation on that wouldn't normally automatically be going to City Council would be subject to call-up in that same 10-day period.

Levy: Did you have an idea of putting a placeholder on City Council's agenda for that to happen? Sometimes we're right in that two-week time period. We're trying to make sure the new process doesn't take longer than the existing process. If someone were to appeal or call it up, do you have an idea of whether it's automatically going to be placed in the City Council agenda for the next meeting? If so, how would you advertise it without people thinking there's going to be a hearing on that item on that date and continue to ignore the Planning Commission?

Bessey: The code language for both appeal and call-up states that it needs to be placed on the next available meeting date. We would anticipate that we would get it on Council's agenda at the

## AGENDA ITEM #4

### FINAL MINUTES

Planning Commission Minutes

January 25, 2018

very next meeting unless the agenda was too full or something like that. I don't anticipate that we would delay placing it on Council agenda for any reason.

Levy: So it doesn't need the two-week advanced notice?

Bessey: No. Currently right now with appeals, we don't have to do additional notice per the CDC. Of course, all City Council agendas are noticed per the Open Meetings Act. But we don't have to do additional surrounding property notice or publish a legal notice in the newspaper for an appeal. So I don't anticipate any notice requirements slowing down a process.

Adams asked what would happen if an aggrieved party wasn't aware of the decision.

Bessey said that the 10-day period is meant to give anyone eligible to appeal (property owners within 300 feet of the subject property and anyone who comments at the public hearing) time to familiarize themselves with the decision.

Eck wondered whether the stipulation of commenting at the public hearing in order to be considered an aggrieved party could be applied to anyone within 300 feet of the property so as to eliminate appeals from those within 300 feet who did not comment at the hearing.

Bessey: I don't know that we want to necessarily take away someone's appeal right because they didn't come speak for a project. They may have been for it and didn't show up and you deny it. They may not like a condition of approval or a lack thereof.

Ptach: Do you feel that we're meeting our objective of expediting the process for the applicants with these recommendations?

## AGENDA ITEM #4

### FINAL MINUTES

Planning Commission Minutes

January 25, 2018

Bessey: I think it has the potential to speed up the process by a minimal number of days. There's only so much we're going to speed up the process, anyway. It could be as few as five days or as much as a couple weeks. I do also think it could potentially save Council a lot of time on their agendas to not have everything automatically go to them.

Levy: I certainly hope that as this gets to City Council we'll be seeing some newspaper articles that a change is in the air to get people to show up here that normally would wait for City Council.

Bessey: After this meeting tonight, if we have good consensus on moving forward with those process types that we've identified, we plan to report to City Council on your preliminary recommendation and get feedback from them. I think showing up at Council and talking about this will garner some attention. Certainly as we craft an official ordinance amendment we'll be doing public notice with regard to that (public hearing here, two readings in front of City Council.) I would imagine we will be reaching out to the development community if we see this going forward to make clear to them that the process is changing. We'll have to update all of our internal process flowcharts and those things to convey the process change to the developer community.

Eck: When do we see this change becoming effective?

Bessey: I would like to get in front of Council in February on a discussion item on their agenda. I think we could draft the amendment language pretty quickly; we'd have to do some public notice and schedule public hearings. If all that goes smoothly, I would think we could get a public hearing here early March, then it would go to two readings at City Council; then the ordinance would be published and it would become effective five days later or more if we wanted to set a later date at which this change would become effective.

Gibbs: I think it's important to recognize that there's a cultural change that has to go along with this, and it may not have an immediate impact in the way that we would anticipate that it should in the long term because people are used to the final decision being made at City Council. But I

## AGENDA ITEM #4

### FINAL MINUTES

Planning Commission Minutes

January 25, 2018

think if initially we see a high number of appeals and call-ups but City Council is supportive of the Planning Commission's decisions, I think ultimately we would get more accustomed to participating at the Planning Commission level that those decisions are appropriately made here.

Levy hoped staff would present statistics to Council showing the number of Planning Commission decisions that have been altered by City Council.

Martyn Kingston joined the hearing.

Kingston confirmed that the suggestion is that items 1-5 final decision comes to Planning Commission; the Community Plan amendment process stays with Council.

Ptach: Rebecca, you were going to look at preliminary plat.

Bessey: I did look at that. I think it's fine to move forward with the direction you were going. There are some instances where a preliminary plat is required because there's a vacation of right-of-way requested. That is done by ordinance by City Council. So I think it's still okay to have the preliminary plat review and decision made by Planning Commission. The vacation action of right-of-way or easements would still require an ordinance with City Council. It's not really any different than how we handle easement vacations now; they're typically done through a final plat, which is an administrative decision. We just take the ordinance to Council to vacate the easement.

Commissioners wondered what would change as far as what needs to be in writing with every decision and what does not.

## AGENDA ITEM #4

FINAL MINUTES

Planning Commission Minutes

January 25, 2018

Kingston said he would have liked to have known what Council felt about these items other than speeding up the process and lightening Council's load. He would like to know how many Planning Commission decisions Council has overturned over time.

Bessey reminded that even in those instances where Council does not alter a decision, they still hold a public hearing and discussion before coming to the same conclusion.

Bessey will take this general consensus to Council for feedback.

# AGENDA ITEM #4

FINAL MINUTES  
Planning Commission Minutes  
January 25, 2018

## **#3: Approval of Minutes: January 8 Public Work Session**

Commissioner Eck moved to approve the January 8, 2018 meeting minutes; Commissioner Adams seconded the motion.

The motion carried unanimously with commissioner Buccino abstaining.

## **#4: Approval of Minutes: January 11 Public Hearing**

Commissioners Ptach and Buccino arrived late to this meeting.

Commissioner Eck moved to approve the January 11, 2018 meeting minutes as amended; Commissioner Buccino seconded the motion.

The motion carried unanimously.

## **Director's Report**

None.

## **Adjournment**

Commissioner Eck moved to adjourn the meeting at 6:06 p.m.

Commissioner Adams seconded the motion.

The motion carried unanimously.

# AGENDA ITEM #4

FINAL MINUTES  
Planning Commission Minutes  
January 25, 2018