

**STEAMBOAT SPRINGS PLANNING COMMISSION
MEETING AGENDA
CITIZENS' MEETING ROOM, CENTENNIAL HALL, 124 10TH STREET
THURSDAY, MAY 10, 2018 at 5:00PM**

Public Hearings:

AGENDA ITEM #1

Project: DPF-17-08, Fox Creek Subdivision, Filing 1, Lot 1
Location: 1421 Hilltop Parkway
Applicant: Peter Kreissig
Type of Application: Development Plan/Final Development Plan
General Description: Development Plan/Final Development Plan proposal for a six building, 50 unit multiple-family development.
Project Planner: Kelly Douglas, City Planner, 970-871-8245
Email: kdouglas@steamboatsprings.net
CC Date: June 5, 2018

AGENDA ITEM #2

Project: DPF-17-06, Howelsen Ice Complex
Location: 285 Howelsen Parkway
Applicant: Steve Hoots
Type of Application: Development Plan/Final Development Plan
General Description: Development Plan/Final Development Plan proposal for an addition To the Howelsen Ice Complex.
Project Planner: Kelly Douglas, City Planner, 970-871-8245
Email: kdouglas@steamboatsprings.net
CC Date: June 5, 2018

AGENDA ITEM #3

Approval of Minutes: Minutes from the Planning Commission Worksession on March 19th, 2018 and the March 22, 2018 Public Hearing will be reviewed for approval.

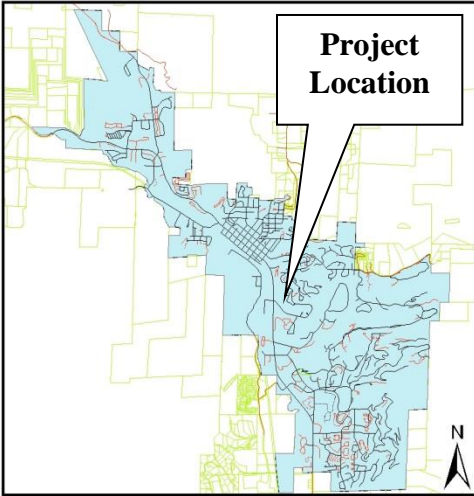
This application is available for review during regular business hours at the Department of Planning & Community Development. (124 10th Street, Centennial Hall, Steamboat Springs, CO)
Or online at: www.steamboatsprings.net/currentprojects.

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

Post: 4/27/18
Remove: 5/11/18

AGENDA ITEM #1

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

PLANNING COMMISSION AGENDA ITEM # 1		
Project Name:	Fox Creek Filing No. 2 Lot 1 (1421 Hilltop Parkway), DPF-17-08	
Prepared By:	Kelly Douglas, City Planner (Ext. 245)	
Through:	Tyler Gibbs, AIA, Planning & Community Development Director (Ext. 244)	
Date:	May 2, 2018	
Planning Commission (PC):	May 10, 2018	
City Council (CC):	June 5, 2018	
Zoning:	Community Commercial (CC)	
Applicant:	Peter Kreissig	
Request:	Applicant is requesting approval of Development Plan/Final Development Plan, including a conditional use and four variances, for a 50-unit multiple-family housing project.	

Development Standards Overview		
CC Zone District	Required	Proposed
Parking Spaces:	100 min	144
Overall Height:	63' max	41'
Front Setback:	5' min 20' max	17.81' min 47.14' max
Side Setback:	7.5' min	31.17'
Rear Setback:	7.5' min	33.19'

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

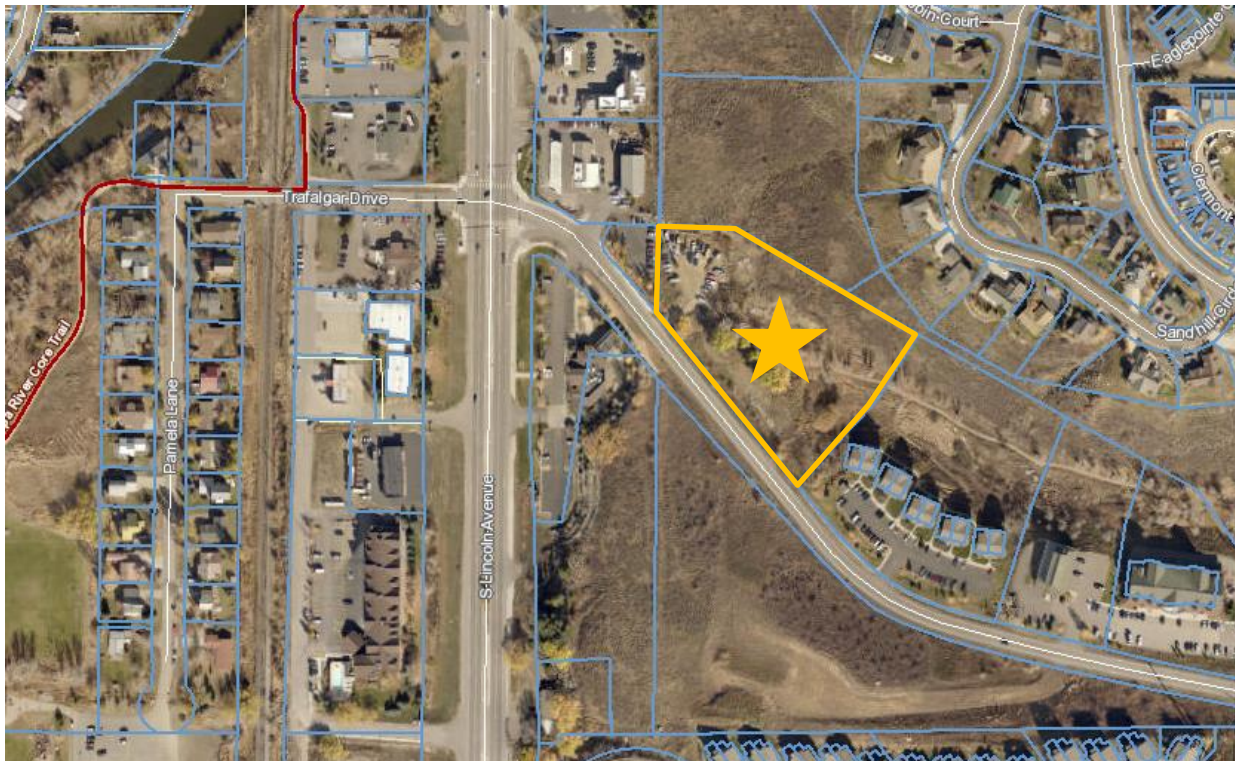
CDC - SECTION 26-65 (D) AND 26-66(D): NO DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN SHALL BE APPROVED UNLESS THE PLANNING COMMISSION AND CITY COUNCIL FIND THAT THE PLAN MEETS ALL OF THE FOLLOWING CRITERIA:

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

Staff Finding: Staff finds that the Development Plan/Final Development Plan for Fox Creek Filing No. 2 Lot 1 (1421 Hilltop Parkway), DPF-17-08, including a conditional use and four variances, is INCONSISTENT with the Criteria for Approval of 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

The 3.38-acre vacant site is zoned Community Commercial (CC) and is located on the north side of Hilltop Parkway just east of the South Lincoln Avenue and Hilltop Parkway intersection. The subject site is adjacent to two CC-zoned parcels on the west and east sides. The north property line abuts an undeveloped lot zoned Multi-Family (MF) and the south property line abuts Hilltop Parkway.

IV. PROJECT DESCRIPTION

The Applicant is proposing to develop a multiple-family housing project on the site consisting of 50 units in six buildings. All units are two bedrooms, two bathrooms and also include a dedicated garage. The project is requesting variances to the CC ground floor ceiling height, building variety, roof slope and transparency standards as well as approval of a multiple-family residential conditional use. Although a use with criteria (CR) in the CC zone district, the multiple-family conditional use request is attributed to the proposal not complying with multi-family residential use standard “Multifamily units shall not be located along a pedestrian level street or other public access frontage in the G-2, CO, CY, CN, CC and I zoning districts.” Per Section 26-92(b)(2), uses classified as CR in Table 62-92 that do not comply with all criteria shall be treated as a conditional use. Due to when this project was submitted and per the Applicant’s choice, this project is being reviewed under Supplement 36 of the Community Development Code (also known as the “Old Code”).

V. PRINCIPAL DISCUSSION ITEM

Variance: Are the requested variances acceptable for the proposed project?

Section 26-65(d)(8) of the CDC states: *“The CDC is intended to set forth a unified regulatory program for development in the City that will implement the preferred direction and policies of the community’s adopted plans, including, but not limited to, best practices for site development, engineering, architectural design, compatibility with surrounding context and mitigation of off-site impacts... It is understood that no standard, however well considered, can anticipate all possible circumstances, alternative approaches, and unanticipated consequences of its application.”*

Staff Comment: Staff does not support all of the requested variances; however, it is Planning Commission’s role to make recommendations to City Council, and it is City Council’s role to take final action to approve, approve with revisions or deny an application. Please refer to the detailed analyses for each individual variance below.

Conditional Use: Is the use acceptable for the proposed project?

Section 26-65(d)(1) of the CDC states: *“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 Comment: Staff supports the conditional use request as it has been found to be compatible with the direction of the Community Plan. Please see additional analysis below under Criteria for Approval #1.

VI. 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.

Criteria for Approval

CDC - Sections 26-65(d) and 26-66(d): No development plan or final 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: **Inconsistent.** The Area Community Plan designates the subject property as Mixed Use Corridor on the Future Land Use Plan. This classification emphasizes retail, office, and residential uses in a mixed use setting. The Plan anticipates the mix of uses to evolve over time to include a greater percentage of residential uses at a type and density compatible with the mixed use corridor.

With respect to the conditional use request, Staff believes that the multi-family residential use is appropriate on the ground floor because this proposal is not a mixed-use project. Staff supports this conditional use because it is compatible with the preferred direction and policies of the Community Area Plan to allow the neighborhood to increase the percentage of residential uses within it.

In addition, the proposed development generally supports the following goals and policies of the Steamboat Springs Area Community Plan:

Policy LU-5.1: Develop appropriate land use densities to support transit.

Goal H-1: Our community will continue to increase its supply of affordable home ownership, rental, and special needs housing units for low, moderate, and medium-income households.

Policy H-1.3: Integrate housing in mixed-use areas.

Goal H-3: The Steamboat Springs community will have a mix of housing types and styles that can accommodate the people who work in the community.

Regarding the four variances requested, only one is supported by Staff. The reason for this is that three of the variances are not compatible with the preferred direction and policies outlined in the Community Area Plan according to Staff analysis. Inability to support three requested variances is also the reason Staff finds the proposal to be

inconsistent with this approval criteria. Please see specific variance requests and additional analyses below.

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 complement the mixture of uses, structures and activities present in the immediate vicinity.

Staff Analysis: **Consistent.** The subject site is immediately adjacent to commercial and residential land uses. The proposed development is generally consistent with the character of development in the immediate vicinity, such as Fox Creek Village Condominiums, as well as complementary to the mixture of uses nearby including retail and office along South Lincoln Avenue.

3. Conformity with the Building and Architectural Standards:

The proposed development complies with the building and architectural design standards of the CDC.

Staff Analysis: **Inconsistent.** The proposed buildings are inconsistent with the building and architectural design standards of the Community Development Code and Urban Design Standards. Not all variances requested with this application are supported by Staff. Please see specific variance requests and additional analyses below.

4. 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 operating characteristics of the proposed multiple-family residential use should not have any adverse impacts on surrounding uses. The residential use will be buffered from office and commercial uses by landscaping. There should be no excessive odors, noise, or other impacts from the proposed residential use that would in any way affect adjoining uses.

5. 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.** The proposed development will be served by one access drive onto Hilltop Parkway. The project will also include construction of a sidewalk along the full frontage of the lot.

Parking requirements for this project are based on the standard for two bedroom multiple family units, i.e. two spaces per dwelling unit. 100 parking spaces are required per the standard, 144 spaces are proposed.

A trash enclosure meeting standards is proposed on the site.

6. 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.** The proposed use should not create any adverse impacts on the natural environment.

7. Phasing:

If the proposed development is proposed 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 amenities for the benefit of the city, such as trail connections, these shall be constructed in the first phase of the project, or, if this is not practical, then as early in the project as is reasonable.

Staff Analysis: **Consistent.** The Applicant proposes to construct the development in as close to one phase as the construction season will allow. However, anticipating that a winter may interrupt construction, the Applicant has developed a phasing plan identifying what specific improvements accompany each building thus ensuring that each phase of the development meets standards on its own and that amenities benefiting the City will be constructed with the first phase.

8. Compliance with other Standards:

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

Staff Analysis: **Consistent.** The proposed development meets all Article V Development Standards with the exception of two aspects of the project. Staff has permitted a front setback in excess of 20' per section 26-132 and supports the minimum ground floor ceiling height variance requested; and therefore finds the project to be in compliance with Article

Building 6 takes up a majority of the frontage along Hilltop Parkway and meets the maximum front setback standard. Building 5 is adjacent and proposed to be positioned at an angle with one side facing toward the frontage. It is proposed to be approximately 48' from the front property line, exceeding the Community Commercial 20' maximum front setback. Per Section 26-132, setbacks in excess of 20' may be permitted by the Director where utility easements, environmentally sensitive areas or other physical constraints prohibit the placement of the building in the frontage area. The Director has found there are

physical constraints prohibiting the placement of the building within the front setback and have therefore permitted the approximate 48’ setback.

The applicant has also proposed a variance to minimum ground floor ceiling height. Staff supports this variance request. Please see variance request #1 with additional analysis below.

9. Variance criteria:

Development plans seeking variation from any design, dimensional, or development standards shall provide an acceptable alternative as defined below (1-3) or shall prove a hardship as defined below (4):

- 1) The applicant’s alternative achieves a result that is equal to or better than the code standard to which the 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 the 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.*

The applicant assumes the burden of proof to demonstrate that the objectives of the regulation are respected and that adverse impacts are either non-existent or adequately mitigated.

VARIANCE REQUEST #1: Minimum Ground Floor Ceiling Height in CC Zone District

Applicant Request

Standard: Section 26-132 Dimensional Standards
CC: Community Commercial
Ground Floor Ceiling Height – 14’ minimum

Request: 9’ minimum ceiling height, 14’ maximum ceiling height

Justification: The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.

Please see Applicant justification in Attachment 4.

Staff Analysis

Intent: The intent of the minimum ground floor ceiling height standard in the CC zone district is to ensure principal buildings are constructed in a manner that ground level, floor-to-floor height will accommodate industry standards for a range of commercial uses and ensure flexibility as uses may change over time.

Analysis: **Consistent.** The Applicant is proposing a multi-family residential development and there is not an intention to ever convert these units for commercial use. Staff believes the intent of the standard and strict application of it is not appropriate for the type of development proposed and therefore supports the variance request.

VARIANCE REQUEST #2: Urban Design Standards: Building Variety – Multifamily Developments

Applicant Request

Standard: Section III: Urban Design Standards
Building Design and Character
Building Variety – Multifamily Developments
6-11 Buildings: 3 models minimum

Request: Provide two building models

- 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.
 - The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.
 - 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.

Please see Applicant justification in Attachment 5.

Staff Analysis

Intent: The intent of the standard is to ensure that building groupings within multifamily developments exhibit a distinct variation in size and mass that allows them to be easily distinguished from surrounding building groupings. Additionally, this standard intends to avoid the bleak, “barracks-type” appearance associated with large concentrations of identical or very similar multifamily structures.

Analysis: **Inconsistent.** While the Applicant has provided two building models that meet the Code’s intent, a third is required by the CDC. Staff does not find that changes in colors and materials meet the intent of the standard nor that the site precludes additional building variety. Staff does not support the variance request.

VARIANCE REQUEST #3: Urban Design Standards: Roof Form and Function – Multifamily

Applicant Request

Standard: Section III: Urban Design Standards
Building Design and Character
Roof Form & Function – Multifamily
Multifamily buildings shall incorporate roof pitches of between 5:12 and 12:12

Request: 1:12 and 3:12 roof pitches proposed

- 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.
 - The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.
 - The application of other code standards and/or intents will be improved by varying this standard.
 - 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.

Please see Applicant justification in Attachment 6.

Staff Analysis

Intent: The intent of the standard is to create a strong visual contrast between the character of development within the city’s entry corridors and the more urban character predominant in downtown. Additionally, the standard intends to ensure that roof forms are incorporated in a manner that minimizes the creation of hazard and inconvenience due to snow and ice shedding.

Analysis: **Inconsistent.** Staff does not find that flatter roof pitches meet the intent of the standard. Staff does not support the variance request.

VARIANCE REQUEST #4: Urban Design Standards: Transparency – Multifamily Developments

Applicant Request

Standard: Section III: Urban Design Standards
Building Design and Character
Transparency – Multifamily Developments
All multifamily building elevations shall devote a minimum of 25% of the wall area of each floor to windows or transparent entrances.

Request: Provide less than 25% of the wall area of each floor to windows or transparent entrances. Please see transparency calculations for each façade of both building types in Attachment 7.

- 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.
 - The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.
 - 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.

Please see Applicant justification in Attachment 7.

Staff Analysis

Intent: The intent of the standard is to provide a high degree of visual interest at the pedestrian level of commercial and mixed-use development within the city’s entry corridors as well as to enhance the appearance of multifamily building elevations as viewed from the city’s entry corridors and other public rights-of-way. Additionally, the standard is intended to promote informal oversight of public spaces or “eyes on the street.”

Analysis: **Inconsistent.** While Staff supports a variance to transparency standards on the first floor due to the proposed garages, Staff does not support a transparency variance to the upper floors where the units are located. Staff does not find that the appearance of the buildings as viewed from the public right-of-way would be adequately enhanced by reduced transparency.

VII. STAFF FINDINGS

Staff finds that the Development Plan/Final Development Plan for Fox Creek Filing No. 2 Lot 1 (1421 Hilltop Parkway), DPF-17-08, including a conditional use and four variances, is **INCONSISTENT** with the Criteria for Approval of a Development Plan and Final Development Plan.

Recommended Motion

The Planning Commission recommends denial of DPF-17-08, a Development Plan/Final Development Plan, including a conditional use and four variances, for the proposed 50-unit multiple family residential project on Fox Creek Filing No. 2 Lot 1.

Alternative Motion

The Planning Commission recommends approval of DPF-17-08, a Development Plan/Final Development Plan, including a conditional use and four variances, for the proposed 50-unit multiple family residential project on Fox Creek Filing No. 2 Lot 1, subject to the following conditions of approval:

1. Owner shall execute with the City a development agreement that specifies phasing, and Owner shall record such agreement prior to building permit approval.
2. Civil construction plans prepared by a licensed Colorado civil engineer shall be approved prior to building permit approval and prior to the start of any construction.
3. The following items are considered critical improvements and must be constructed prior to issuance of Certificate of Occupancy:
 - a. Drainage infrastructure and storm water quality features.
 - b. Driveway and parking areas.

VIII. ATTACHMENTS

Attachment 1 – Project Timeline

Attachment 2 – Project Narrative

Attachment 3 – Plan Set

Attachment 4 – Ground Floor Ceiling Height Variance Justification

Attachment 5 – Building Variety Variance Justification

Attachment 6 – Roof Slope Variance Justification

Attachment 7 – Transparency Variance Justification and Transparency Calculations

Attachment 8 – Phasing Plan Narrative

Attachment 1

Project Timeline

Project Code: DPF-17-08

Project Name: Fox Creek Filing No. 2 Lot 1 (1421 Hilltop Parkway)

	DATES	NOTES
Pre-Submittal Meeting	09/13/2017	
Application Submitted	10/20/2107	
TECHNICAL ADVISORY COMMITTEE REVIEW		
TAC Letter	11/16/2017	
Resubmittal	02/16/2018	
TAC Letter	03/13/2018	
Resubmittal	03/23/2018	
TAC Letter	04/19/2018	
PUBLIC NOTICE		
Newspaper Notice	04/29/2018	
Mailed Notice	04/24/2018	
Property Posting	04/24/2018	
Mineral Notice	10/26/2017	
PUBLIC HEARINGS		
Planning Commission	05/10/2018	
City Council	06/05/2018	

NOTES

Attachment 2

Fox Springs Condominiums –Narrative



October 20, 2017

City of Steamboat Springs
Planning Department
PO Box 775088
Steamboat Springs, CO 80477

Hand Delivered

RE: DP/FDP Application for “Fox Springs Condominiums”
Lot 1, Fox Creek Filing No. 2, Steamboat Springs, Colorado

Ladies and Gentlemen:

On behalf of K and K Builders, Inc., we are submitting a combined Development Plan/Final Development Plan package for ‘Fox Springs Condominiums’ on Lot 1, Fox Creek, Filing No. 2 (1421 Hilltop Parkway) in Steamboat Springs, Colorado.

Our Client, K and K Builders, Inc. (Kim and Peter Kreissig) have established a local reputation for attractive design and quality construction. They have a knack for recognizing solutions for challenging sites and have succeeded in delivering attainably priced housing for locals.

The local and statewide housing crisis has largely been due to the lack of condominium construction, normally considered entry level housing. For example, in the metro Denver area, condos represent around 3% of all housing starts compared to 1 in 5 almost a decade ago¹.

This application generally follows the Pre-Application submittal and we have reviewed the July 13, 2017 TAC letter, accommodating recommendations where appropriate.

Background:

Lot 1 is the only undeveloped lot in Fox Creek Filing 2. This property has been reviewed for development numerous times and the various challenges have kept it vacant. These challenges include:

- ⌚ Non-symmetrical boundary geometry;
- ⌚ Confining topography;
- ⌚ Divisional Constraints splitting the property like a hot dog bun including:
 - Easements;
 - Sewer trunk line;
 - Seasonal drainage (Fox Creek);
 - Soft surface trail system; and
 - Jurisdictional wetlands.

¹ Denver Post, ‘Measure to spur condo construction finally passes, but it’s not “a magic bullet”, John Aguilar, May 4, 2017.





Project Description:

This Condominium project is intended to provide attainable housing for Steamboat Springs. It is located near commercial services, public transit, and within walking distance of the Old Town Hot Springs.

The buildings will each provide 8 - 2 bedroom, 2 bath units. The units are expected to be about 960-square feet each and have a tandem (double deep) garage. The interior finishes are likely to include hardwood doors, tile kitchen and entry areas, and 3 decorator packages for selection.

Rooftop solar panels are proposed to help defray future association electrical costs. These will be oriented to maximize solar gain.

The targeted price is anticipated to begin at **\$245,000**- dependent on final construction costs and actual density. The housing segment is expected to be 'Entry Level' as defined in the Routt County Community Housing Steering Committee Final Report (December 13, 2016). This same report identified a gap in supply for this important community segment at 153 units.

The focus of this project is to deliver an affordable product and to remain affordable while providing opportunities to the future owners. The Applicant looks forward to further discussions with Staff regarding this program and focus.

Criteria for Review and Approval:

The following has been provided to assist Staff's review of the Criteria for Review and Approval per CDC Sections 26-65(d) and 26-66(d):

Compatible with Community Plan – CDC Section 26-65(d)(1):

The Community Area Plan's (CAP) Future Land Use Plan identifies the subject property, and the adjacent properties, as Mixed Use Corridor. This land use emphasizes retail, office and residential uses in a mixed-use development setting. The CAP describes an even balance between commercial (50%) and residential (50%) for the general Highway 40 corridor south of 3rd Street. **The current land use for this corridor is almost overwhelmingly commercial, suggesting that additional residential land use is warranted and desired.**

The proposed affordable housing project is compatible with the following goals, policies and strategies of the Steamboat Springs Area Community Plan:

- Goal LU-2: Our community supports infill and redevelopment in core areas
- Policy LU-2.1: Infill and redevelopment will occur in appropriate locations, as designated by the city
- Goal LU-4: Our community will promote the development of compact Commercial Activity Nodes and a mixed use corridor along US 40 between commercial nodes
- Goal LU-5: Our community will plan and implement land use patterns that support an efficient transportation system and alternative transportation nodes





- Policy LU-5.1: Develop appropriate land use densities to support transit
- Strategy LU-5.1(b): Coordinate Land Use and Transportation decisions
- Policy LU-5.2: New neighborhoods will be well connected by streets, sidewalks, trails, walkways and bicycle lanes.
- Policy GM-1.3: Infill development and redevelopment will be promoted in targeted areas
- Policy CD-1.4: Encourage high quality site planning and design
- Policy CD-2.2: Create a functional mix of uses in new neighborhoods and development areas
- Goal CD-4: Our community will maintain and improve the appearance of its corridors and gateways and will continue to have vibrant public space
- Policy CD-4.1: Major highways and arterials shall maintain a high quality of design
- Goal H-1: Our community will continue to increase its supply of affordable home ownership, rental, and special needs housing units for low, moderate and median-income households
- Policy H-1.3: Integrate housing in mixed-use areas
- Goal H-3: The Steamboat Springs community will have a mix of housing types and styles that can accommodate the people who work in the community

The development of affordable housing in the Hilltop Parkway/Hwy 40 Commercial Activity Node will establish a more balanced mix of uses in the area and will help drive increased transit usage. The proposed project will increase the supply of much needed housing while maintaining a high quality of design. The project will be integrated into a neighborhood with an established retail and employment base that is well connected to the greater community via main line transit service.

Consistency with surrounding uses – CDC Sections 26-65(d)(2) and 26-66(d)(2):

The subject property is immediately adjacent to the Fox Creek Village Condominium project, which is a similar multi-family project. These two Multi-Family projects can be considered a transitional land use between the Highway 40 corridor to the west and the single family development above to the northeast. The proposed development will advance and complete pedestrian infrastructure, connecting the neighborhood and positively contribute to the community.

Conformity with the building and architectural standards – CDC Section 26-66(d)(3):

The intent of the Fox Springs development is to provide affordable housing, delivered in an inviting, visually appealing residential neighborhood. Buildings are oriented to offer a “town square” feel with an interior focal point and a large central common area. The interior of the complex provides a pedestrian-friendly feel. Different from what might be considered “standard” or “normal” affordable projects, Fox Springs avoids large parking expanses, offering more quaint and personalized individual parking. Each condominium includes a 2-plus garage as well as a single, private parking spot at the entrance to each garage. This leaves a large interior “center space” for the enjoyment of the residents. Each condo includes an external, covered balcony, adding building interest as well as resident enjoyment. The design incorporates natural landscaped areas between building with large open space next to each residential entrance.



Entrance to the neighborhood from Hilltop Parkway will be easy, both from an automobile and a pedestrian standpoint. Access is also available to the Hilltop pedestrian trail and to the Lincoln Avenue Bus Stop.

The developer of Fox Springs has extensive experience with creating appealing developments and takes great pride in delivering products that are not only soundly built but that are visually appealing. Two examples: Rocky Peak Village and Stonewood at Eagleridge – both projects are admired from every aspect of construction. While exterior finishes at Fox Springs will not be as intricate as the above mentioned projects, they will include ample traditional mountain finishes: board and batten as well as shiplap siding, exterior stonework, cedar shake siding, and post & beam with corbel details. Color schemes will mimic our natural landscape: tones of browns, greens, tans, and rusts will be included. Construction will be of durable material, delivering a superior product today as well as one that minimizes future maintenance costs.

In summary, the completed Fox Springs project will beautifully fill the current vacant void between the Western Convenience station and the Fox Creek Condominiums and will offer an attractive residential entrance as one begins to ascend Hilltop Parkway.

Minimize adverse impacts – CDC Sections 26-65(d)(3) and 26-66(d)(4):

The proposed development should not cause nuisances as outlined in the referenced CDC section, such as odors, noise, smoke, or shadows. The site plan was developed specifically to ensure that the proposed improvements could be constructed within their property limits and available easements.

Access – CDC Sections 26-65(d)(4) and 26-66(d)(5):

This lot, as well as the other Fox Creek Filing No. 2 lots, is afforded access by Hilltop Parkway which steadily climbs away from Highway 40. The proposed access for the project is near the southwest corner of the site and located along a flatter stretch of Hilltop Parkway (less than 5% compared to 7% for the other adjacent platted lots. There is an existing culvert that will be replaced to accommodate the road and attached sidewalk as well as the disturbance expected for the water infrastructure extension. This culvert system will likely include concrete headwalls with pedestrian railing. Per Public Works standards, only one access is proposed. Per the included traffic study, no off-site improvements are triggered by this development.

The road system has been designed to meet requirements described in the City's Engineering Standards for a Residential Private Access (Engineering Standards Section 4.2.5.4) and Fire Prevention's Fire Apparatus Access Road Standards (City). The centerline grades are shown on the included Conceptual Grading and Drainage Plan and are generally between 1% (min.) and 4% (max.). Grading the site is challenged by attempting to keep the road system low and flat while allowing the excavation limits behind the units to catch within the property limits.

Lastly, it is our position that access to the adjacent Parcel B, Emerald Knoll Peddie Subdivision is not an obligation of this development. Subdivision standards require considerations for future connections to adjacent properties, however, this is not a subdivision but a development on a previously subdivided lot.



It should be noted that the other Fox Creek Filing 2 lots were not required to investigate or consider access to Parcel B when they were developed.

The proposed internal access road will be 4% or less and meet all emergency vehicle turning standards. The dumpster/recycling area was located to allow trash vehicle access and service. The project is also located near a public bus stop.

Because this project is anticipated to house year-round locals and families, visits from friends, parents dropping off/picking up kids for play dates, food delivery and other such temporary parking demands will be accommodated by a 10-ft wide shoulder as shown on the site plan.

Sidewalks have been added for pedestrian circulation through and around the project. There is a soft surface trail along the existing drainage and access to this trail, is maintained as shown on the site plan. The sidewalk grades – and the connection to the trail – will meet ADA requirements (5% maximum centerline grade).

Minimize environmental impacts – CDC Sections 26-65(d)(5) and 26-66(d)(6):

As stated earlier, the development opportunities are challenged by the lot geometry, topography, existing utilities and easements.

The proposed buildings are located outside of the 30-ft waterbody setback, as defined by the observed centerline of the Fox Creek drainage. The comments received in the July 13, 2017 Pre-Application TAC letter suggested that a waterbody setback variance may be required due to the proposed road construction necessary to serve the project. The Applicant disagrees that a waterbody setback is required as it applies to buildings. However, the Applicant understands the importance of a healthy and sustainable environment.

The development proposes to maintain the health of the drainage by allowing the seasonal runoff in the Fox Creek drainage to flow through the site without intermingling runoff from the majority of the paved areas – the primary source of pollutants.

Stormwater management will involve separating off-site runoff from on-site. The upper hillside (Emerald Knoll-Peddie Subdivision) drainage will be intercepted in the back of the Buildings 1-3 and conveyed counter-clockwise around the perimeter of the property, eventually joining the Fox Creek drainage in the southwestern corner. Similarly, runoff behind Buildings 5 and 6 shall be directed to Fox Creek via inlets and swales.

Paved areas serving Buildings 3, 4, 5 and 6 will have snow removal directed to the detention/water quality 'pond' in the loop. Runoff from Buildings 5 and 6 paved areas will drain towards this feature while runoff from parking areas in front of Buildings 1-4 will be collected and conveyed to a water quality structure for treatment prior to discharge into Fox Creek.

The park area located between the entrance and Building 6 proposes to embrace the natural environment and provide primarily passive recreational opportunities.

Fox Springs Condominiums –Narrative



Western Bionomics, LLC. performed a Jurisdictional Wetland Delineation for the property and have determined that there is 13,612 square feet of wetlands – well below the half-acre limits for a Nationwide Permit. Wetlands will be protected to the extent practicable.

Phasing – CDC Sections 26-65(d)(6) and 26-66(d)(7):

The buildings will likely be constructed and platted in a phased system that will be based on seasonal and market conditions. However, the complete road, sidewalk and utility requirements shall be constructed or secured through an improvements agreement in one phase as applicable and enforced through the City's development code.

Compliance with other standards – CDC Sections 26-65(d)(7) and 26-66(d)(8):

The Applicant understands that the City's development standards apply to this project and they have made every possible attempt to comply within their interpretation. As in any application review, there may be differing opinions that will warrant further discussion. The Applicant is open to discussing concerns and collaborating with Staff as appropriate.

The property is zoned CC – Community Commercial, which is intended primarily to provide nodes for commercial services and sale of goods for residents and visitors, as well as nodes for office, lodging and residential development (Community Development Code). The proposed Multifamily dwelling is a 'Use with Criteria' and no commercial elements are proposed for this site.

Generally speaking, the proposed buildings are expected to comply with the CC zone district's dimensional standards, primarily related to overall height. The parking requirement is 2 spaces per unit (two-bedroom, Multifamily). The garages accommodate 2 cars parked in tandem with an additional space provided in front of the garage, for a total of 3 spaces per unit.

If you have any additional questions or need any additional information, please do not hesitate to call.

On behalf of the Owner, Fox Creek Development, LLC,

Sincerely,
Landmark Consultants, Inc.

Erik Griepentrog, PE
Vice-President



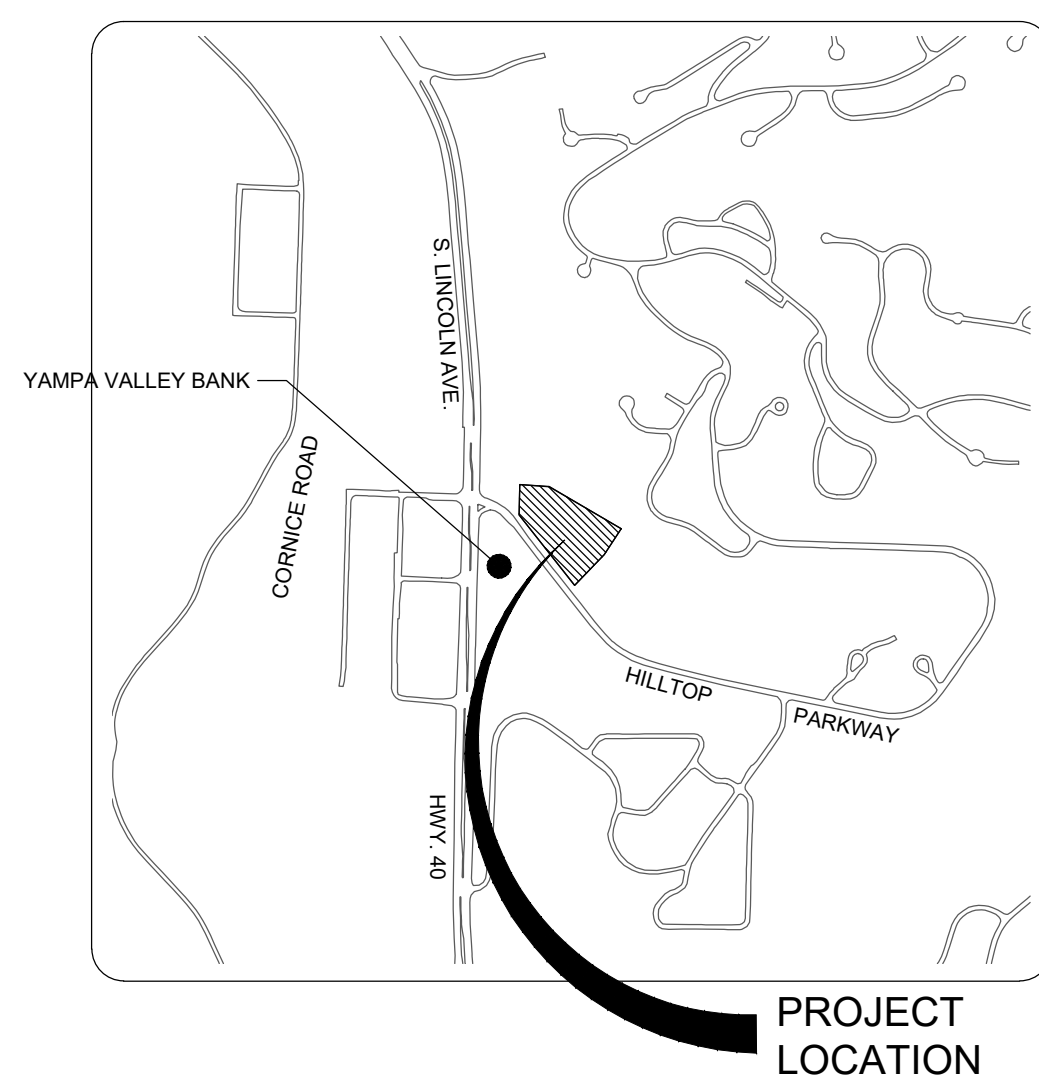
DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN Attachment 3

FOR

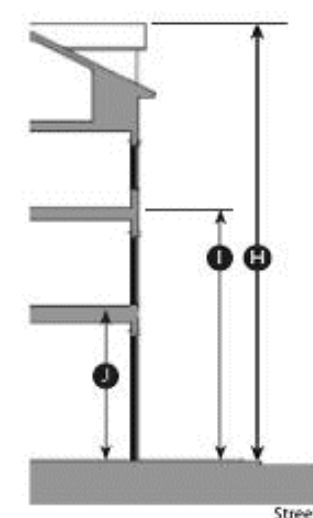
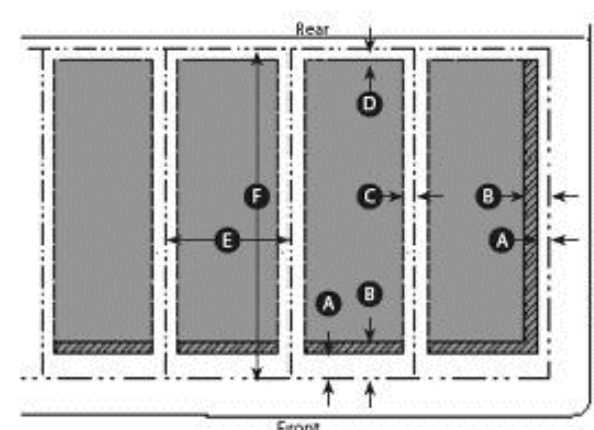
FOX SPRINGS CONDOMINIUMS

LOT 1, FOX CREEK, FILING NO. 2
STEAMBOAT SPRINGS, COLORADO

MARCH 2018



CC: Community Commercial



Key
 --- ROW / Property Line
 --- Setback Line
 ■ Building Area
 ■ Frontage Area

Building Placement		Building Form	
Setback (Distance from ROW / Property Line)			
Front/Side Street			
Principal Structure	5' min.	Overall Height	63' max.
Principal Structure	20' max.*	Frontage Area Height	26' min. (2 story)**
Accessory Structure	20' min.	Ground Floor Ceiling Height	14' min.
Side			
Principal Structure	0' min.	Other Standards****	
Lot width < 50'	7.5' min.	Building Intensity	
Lot width > 50'	7.5' min.	Lot Coverage	no max.
Accessory Structure	7.5' min.	Floor Area Ratio	no max.
Rear		2nd story intensity	75% of 1st floor gross square footage
Principal Structure	7.5' min.	Density	
Accessory Structure	7.5' min.	Units per lot	no max.
Lot Size		Dwelling Unit Size	1,400 sq. ft. max.
Width	25' min.	** The above diagram is not intended to illustrate how height is measured. Please see the diagram in Section 26-402 for an illustration of how height is measured.	
Depth	no min.	*** The frontage area height requirement does not apply to addition and accessory structure.	
Minimum Lot Area	no min.	**** See Urban Design Standards for additional requirements.	

CONTACT INFORMATION

PROJECT TEAM:



OWNER
 FOX SPRINGS DEVELOPMENT, LLC
 155 ANGLERS DRIVE, SUITE 200
 STEAMBOAT SPRINGS, CO 80487
 (970) 846-9809
 ATTN: PETER KREISSIG



CIVIL ENGINEER
 LANDMARK CONSULTANTS, INC.
 141 9TH STREET
 STEAMBOAT SPRINGS, CO 80487
 (970) 871-9494
 ATTN: ERIK GRIEPENTROG, P.E.



BASE MAPPING SURVEYOR
 LANDMARK CONSULTANTS, INC.
 141 9TH STREET
 STEAMBOAT SPRINGS, CO 80487
 (970) 871-9494
 ATTN: JEFF GUSTAFSON, P.L.S.



GEOTECHNICAL ENGINEER
 NORTHWEST COLORADO CONSULTANTS, INC.
 (NWCC)
 2580 COPPER RIDGE DRIVE
 STEAMBOAT SPRINGS, CO 80487
 (970) 879-7888
 ATTN: BRIAN LEN, P.E.



LANDSCAPE ARCHITECT
 MGC DESIGN, INC.
 141 9TH STREET
 STEAMBOAT SPRINGS, CO 80487
 (970) 879-7740
 ATTN: MICHAEL CAMPBELL, PLA, ASLA

ARCHITECT
 ERIC SMITH ASSOCIATES, P.C.
 1919 7TH STREET
 BOULDER, CO 80302
 (303) 442-5458
 ATTN: TOM JARMON

PROPERTY OWNER/DEVELOPER
 NAME: FOX SPRINGS DEVELOPMENT, LLC.
 ATTN: MR. PETER KREISSIG
 ADDRESS: 155 ANGLERS DRIVE, SUITE 200
 ADDRESS: STEAMBOAT SPRINGS, CO 08487

SIGNATURE _____ DATE _____

PREPARER OF FINAL DEVELOPMENT PLAN
 NAME: LANDMARK CONSULTANTS, INC., (ET AL)
 ATTN: MR. ERIK GRIEPENTROG, P.E.
 ADDRESS: P.O. BOX 774943
 ADDRESS: STEAMBOAT SPRINGS, CO 80477

SIGNATURE _____ DATE _____

DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT
 NAME: MR. TYLER GIBBS, AIA
 TITLE: DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT
 ADDRESS: P.O. BOX 775088
 ADDRESS: STEAMBOAT SPRINGS, CO 80477

SIGNATURE _____ DATE _____

THE ATTACHED DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN FOR FOX SPRINGS CONDOMINIUMS WAS APPROVED ON _____, 2018 BY _____

UTILITY CONTACT LIST:

UTILITY COMPANY	CONTACT	PHONE NUMBER
CITY PUBLIC WORKS	STUART KING, P.E.	(970) 871-8227
CITY UTILITIES	AMBER GREGORY, P.E.	(970) 871-8211
YAMPA VALLEY ELECTRIC ASSOC.	LARRY BALL	(970) 871-2282
ATMOS ENERGY	DON CRANE	(970) 879-2424
CENTURY LINK	KELLY McCLERNON	(970) 328-8288
COMCAST	DAVID STEPESNICK	(970) 534-0610
UTILITY NOTIFICATION CTR. OF CO	N/A	(800) 922-1987

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SHEET INDEX

- C.001 - COVER SHEET
- C.003 - EXISTING CONDITIONS EXHIBIT
- C.100 - SITE PLAN
- C.200 - WATER AND SEWER PLAN
- C.210 - SEWER PLAN & PROFILE
- C.300 - GRADING PLAN
- C.310 - STORM SEWER PLAN
- C.311 - STORM SEWER PLAN & PROFILE
- C.312 - STORM SEWER PLAN & PROFILE
- C.410 - ROADWAY PLAN & PROFILE

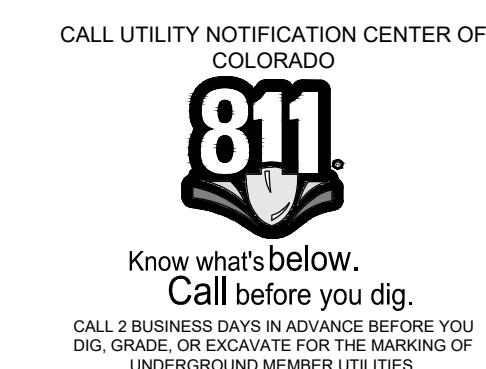
- ARCHITECTURAL DRAWINGS**
- A1-1 - B 1 & 6 FIRST LEVEL PLAN
 - A1-2 - B 1 & 6 SECOND LEVEL PLAN
 - A1-3 - B 1 & 6 THIRD LEVEL PLAN
 - A1-4 - B 1 & 6 ROOF PLAN
 - A1-5 - B 1 & 6 EXTERIOR ELEVATIONS
 - A1-6 - B 1 & 6 EXTERIOR ELEVATIONS
 - A1-7 - B 1 & 6 EXTERIOR ELEVATIONS
 - A1-8 - B 1 & 6 BUILDING 3D VIEW
 - A1-9 - B 1 & 6 BUILDING 3D VIEW

- A2-1 - B 2-5 FIRST LEVEL PLAN
- A2-2 - B 2-5 SECOND LEVEL PLAN
- A2-3 - B 2-5 THIRD LEVEL PLAN
- A2-4 - B 2-5 ROOF PLAN
- A2-5 - B 2-5 EXTERIOR ELEVATIONS
- A2-6 - B 2-5 EXTERIOR ELEVATIONS
- A2-7 - B 2-5 EXTERIOR ELEVATIONS
- A2-8 - B 2-5 BUILDING 3D VIEW
- A2-9 - B 2-5 BUILDING 3D VIEW

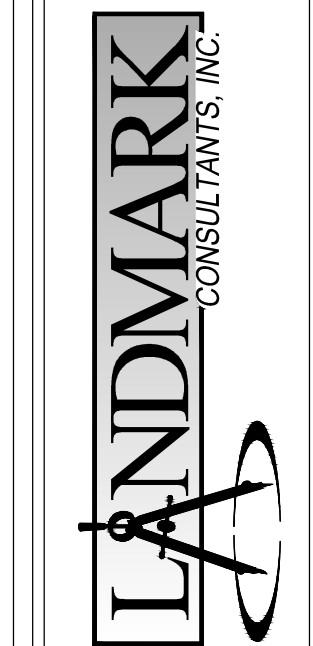
- LANDSCAPE PLAN**
- L.100 - LANDSCAPE PLAN
 - L.110 - LANDSCAPE LIMITS PER BUILDING

CONDITIONS OF APPROVAL

CONDITION NUMBER	DESCRIPTION	DEPARTMENT PLACING CONDITION



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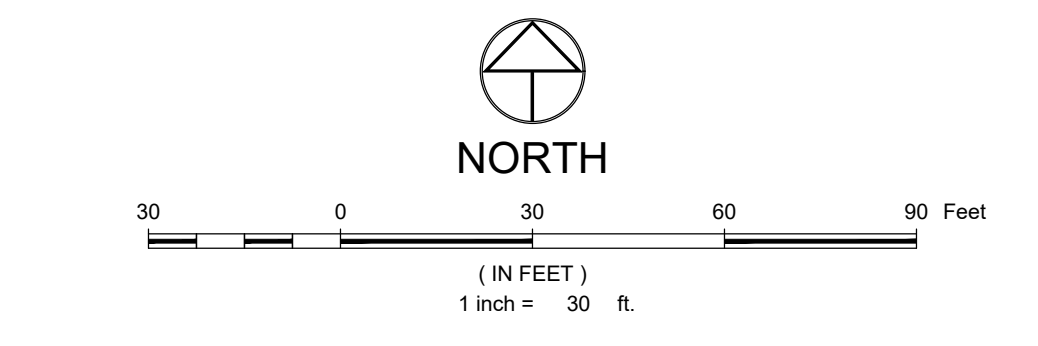
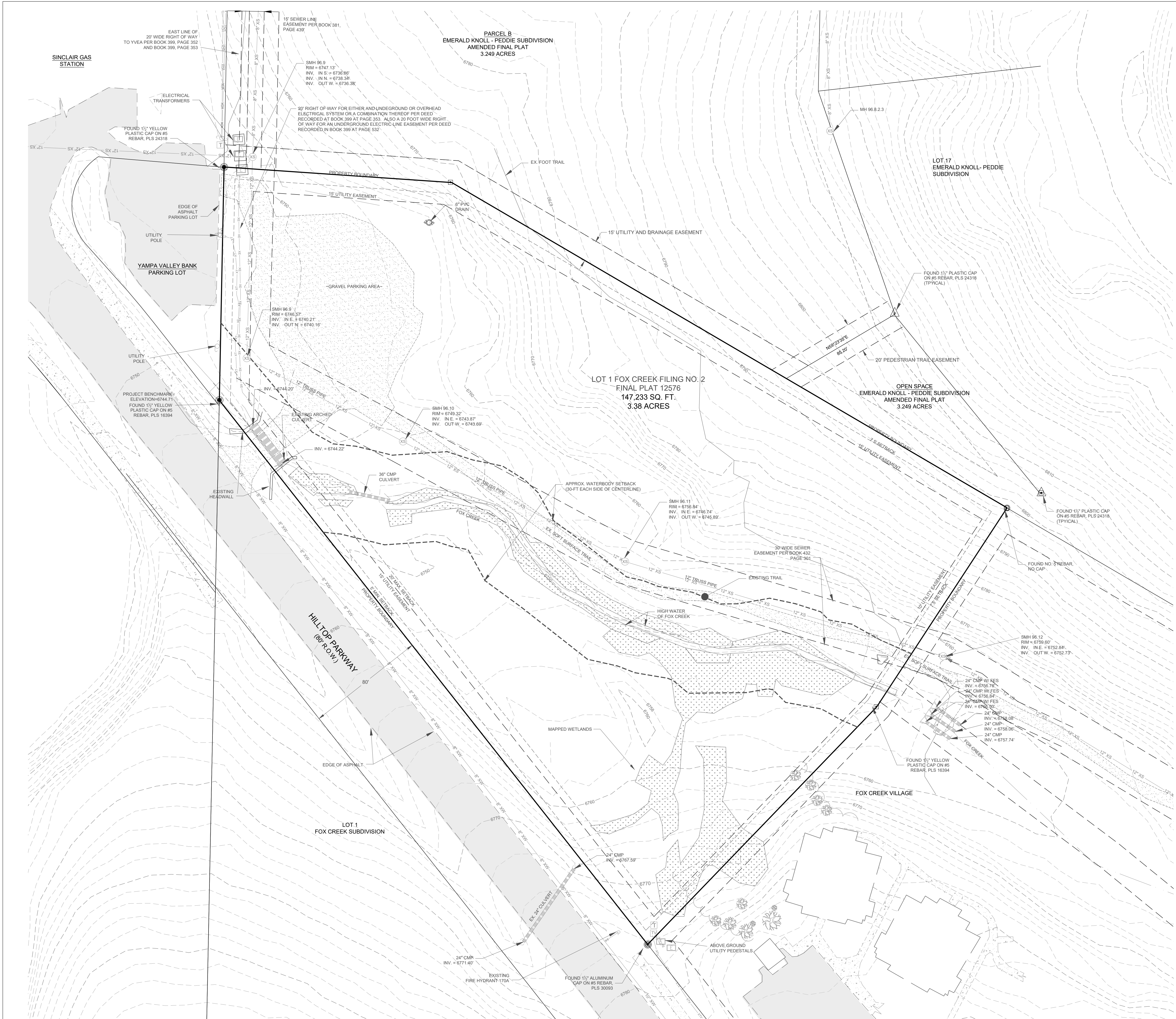
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2	3-23-18		DP/EP FOR CONSTRUCTION

NOT FOR CONSTRUCTION 3/23/18

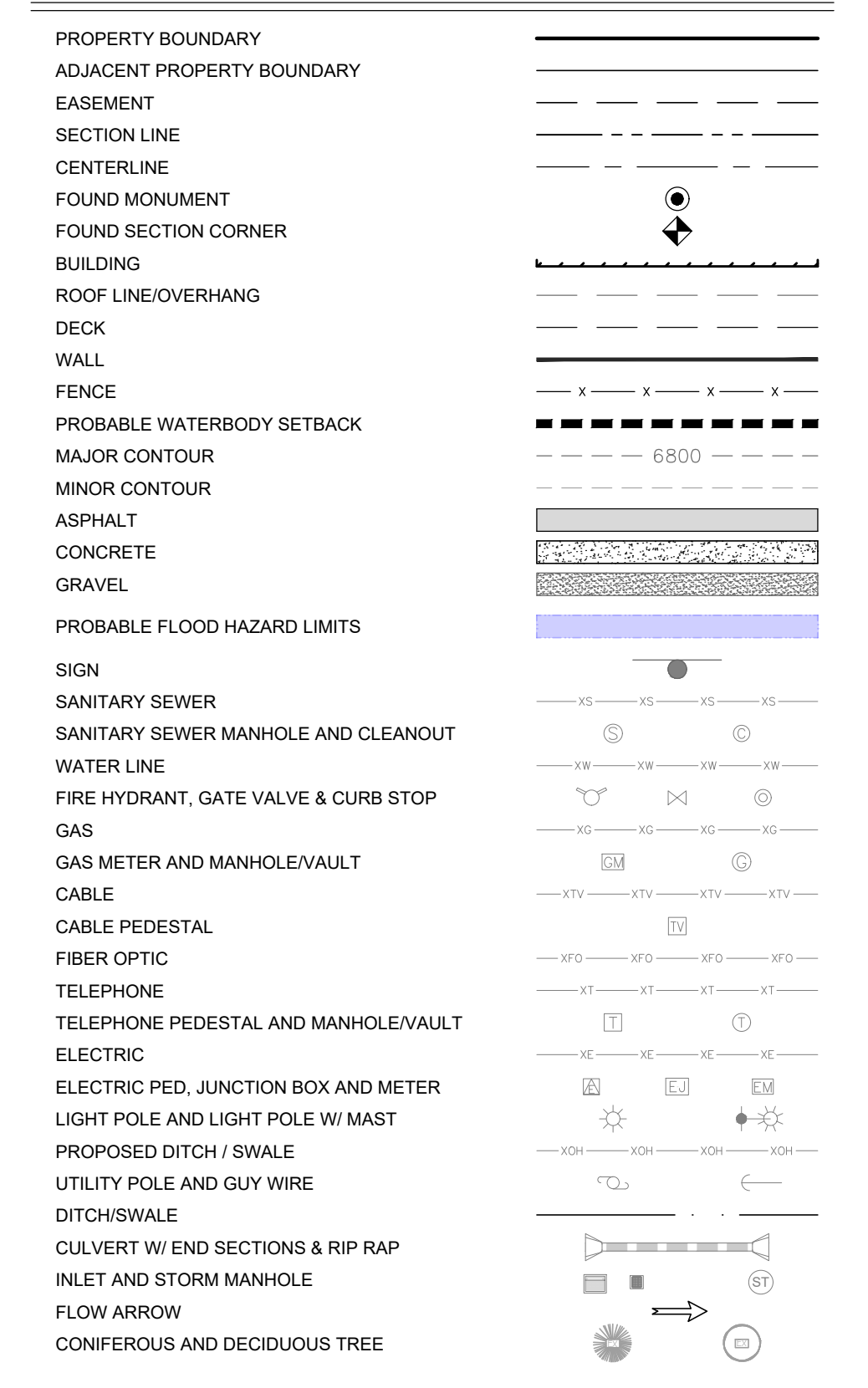
PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

Fox Springs Condominiums
Cover Sheet

SHEET
C.001



LEGEND:



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- THIS SITE CONTAINS A CALCULATED AREA OF 3.38 ACRES PER THE RECORDED PLAT.
- THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD AS DETERMINED BY GRAPHIC INTERPRETATION OF THE F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 881070387D, WITH AN EFFECTIVE DATE OF FEBRUARY 4, 2005. HOWEVER, PORTIONS OF THE PROPERTY ARE SUBJECT TO POTENTIAL FLOODING PER A PRELIMINARY FLOODPLAIN STUDY PERFORMED BY LANDMARK CONSULTANTS, INC.
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- CONTRACTOR IS ENCOURAGED TO PERFORM DEMOLITION IN A MANNER THAT MAXIMIZES SALVAGE, RE-USE, AND RECYCLING OF MATERIALS. THIS INCLUDES APPROPRIATE SORTING AND STORING. IN PARTICULAR, DEMOLISHED CONCRETE, ASPHALT, AND BASE COURSE SHOULD BE RECYCLED IF POSSIBLE.
- LIMITS OF STREET CUT ARE APPROXIMATE. FINAL LIMITS ARE TO BE DETERMINED IN THE FIELD BY THE CITY ENGINEERING INSPECTOR. ALL REPAIRS TO BE IN ACCORDANCE WITH CITY STREET REPAIR STANDARDS.
- ASPHALT PATCHING MUST COMPLY WITH THE CITY OF STEAMBOAT SPRINGS STREET CONSTRUCTION SPECIFICATIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE REQUIREMENT FOR PATCHING MATERIAL TO MATCH FLUSH AND BE CONSISTENT IN GRADE WITH THE EXISTING AND ADJACENT PAVEMENT SURFACE THROUGHOUT THE PATCH. PATCHING MATERIAL SHALL HAVE A THICKNESS A MINIMUM OF ONE INCH (1") GREATER THAN EXISTING PAVEMENT AND SHALL NOT BE LESS THAN FOUR INCHES (4") THICK.

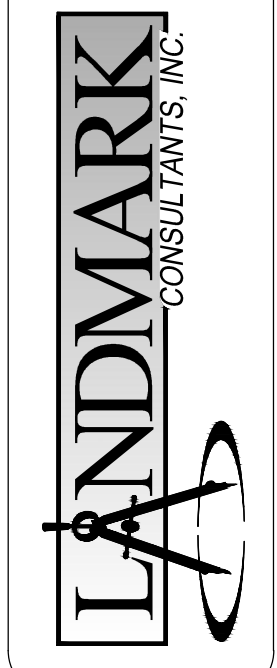
PROPERTY DESCRIPTION:

- LOT 1, FOX CREEK, FILING NO. 2, STEAMBOAT SPRINGS, ROUTT COUNTY, COLORADO AT FILE NO. 12576.

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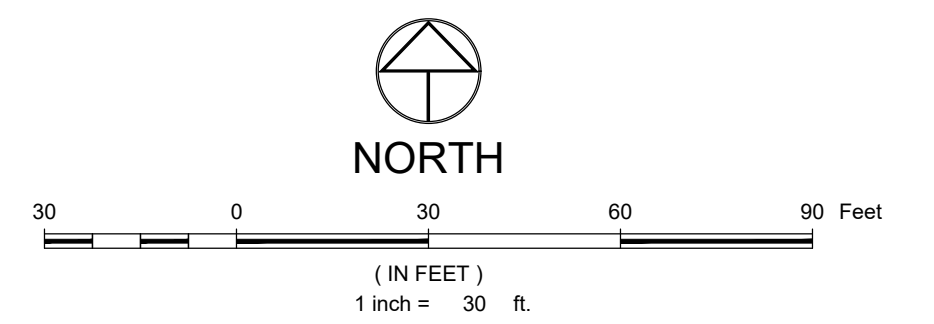
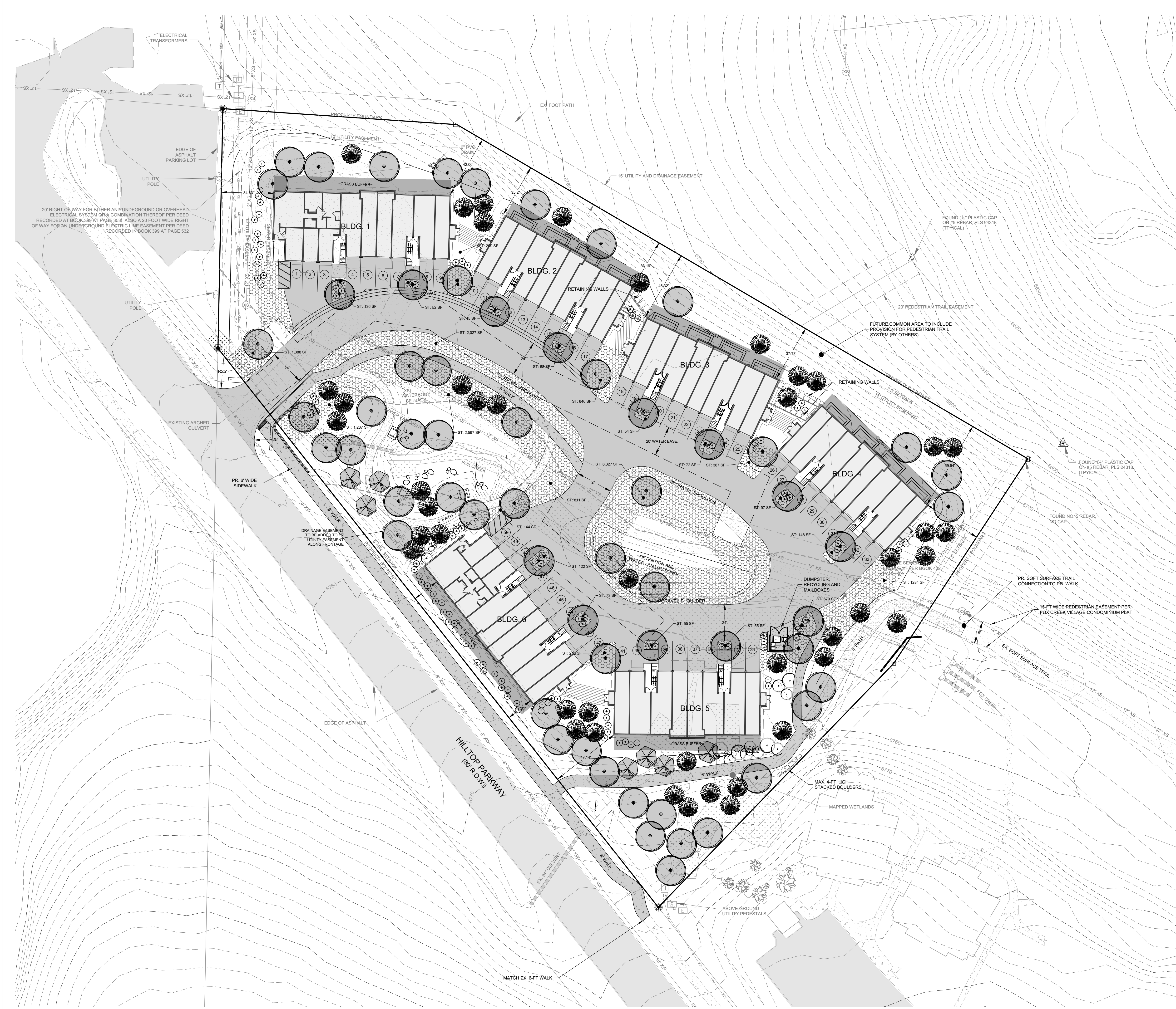
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NO. DATE BY: LCI
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2 3-23-18
DESCRIPTION: REVISED PER TAC COMMENTS
DP/DF FOR PROBLEMS
NOT FOR CONSTRUCTION
3/23/18

PROJECT: 1256-01
DATE: 10-30-17
DRAWN BY: EIG
CHECKED BY:

Fox Springs Condominiums
Existing Conditions Exhibit

SHEET
C.003

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LEGEND:

PROPERTY BOUNDARY
 ADJACENT PROPERTY BOUNDARY
 EASEMENT
 CENTERLINE
 FOUND MONUMENT
 FOUND SECTION CORNER
 BUILDING
 ROOF LINE/OVERHANG
 DECK
 WALL
 FENCE
 ASPHALT
 CONCRETE
 GRAVEL
 SNOW STORAGE AREAS

SIGN
 PROPOSED SANITARY SEWER W/ MH
 EXISTING SANITARY SEWER W/ MH
 PROPOSED WATER
 PROPOSED GV, FH & CS
 EXISTING WATER
 GAS
 GAS METER AND MANHOLE/VAULT
 CABLE
 CABLE PEDESTAL
 FIBER OPTIC
 TELEPHONE
 TELEPHONE PEDESTAL AND MANHOLE/VAULT
 ELECTRIC
 ELECTRIC PED. JUNCTION BOX AND METER
 LIGHT POLE AND LIGHT POLE W/ MAST
 PROPOSED DITCH / SWALE
 UTILITY POLE AND GUY WIRE
 DITCH/SWALE
 EXISTING STORM SEWER W/ FES
 PROPOSED STORM SEWER W/ FES
 INLET AND STORM MANHOLE
 OVERLAND AND CHANNEL FLOW ARROWS
 EX. CONIFEROUS AND DECIDUOUS TREE
 PR. CONIFEROUS AND DECIDUOUS TREE AND SHRUB

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7. THE MEASURED DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.

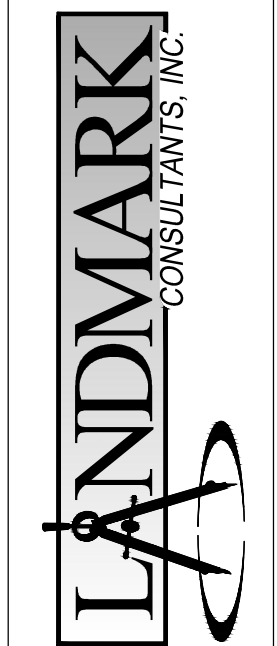
PROPERTY DESCRIPTION:

8. LOT 1, FOX CREEK, FILING NO. 2, STEAMBOAT SPRINGS, ROUTT COUNTY, COLORADO AT FILE NO. 12576.

SNOW STORAGE:

PAVED AREA:	30,382 SF
SNOW STORAGE REQ'D:	15,191 SF
SNOW STORAGE SHOWN:	18,901 SF
EVERGREEN DEDUCTION:	10 TREES X 30 SF = -300 SF
SNOW STORAGE PROVIDED:	18,601 SF

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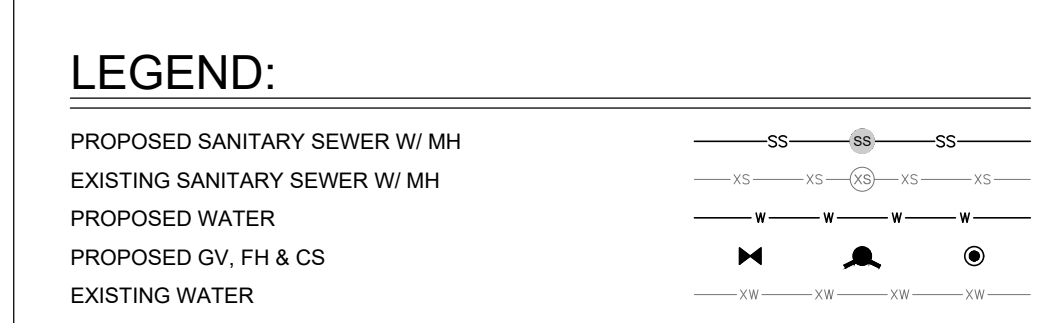
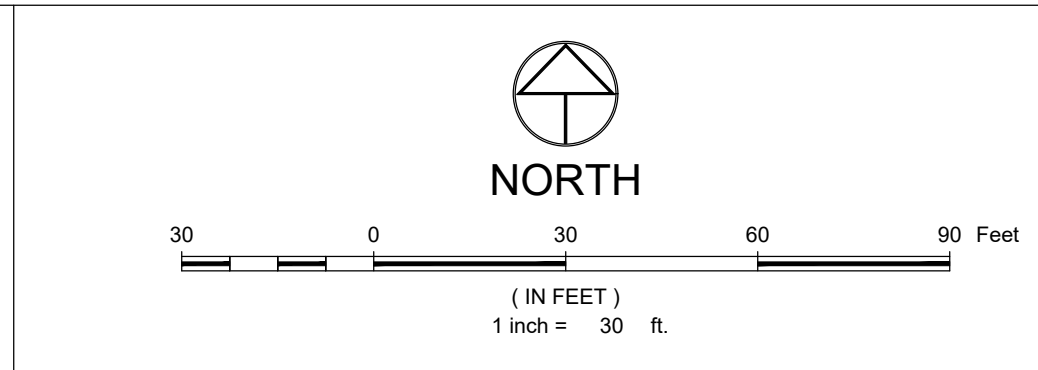
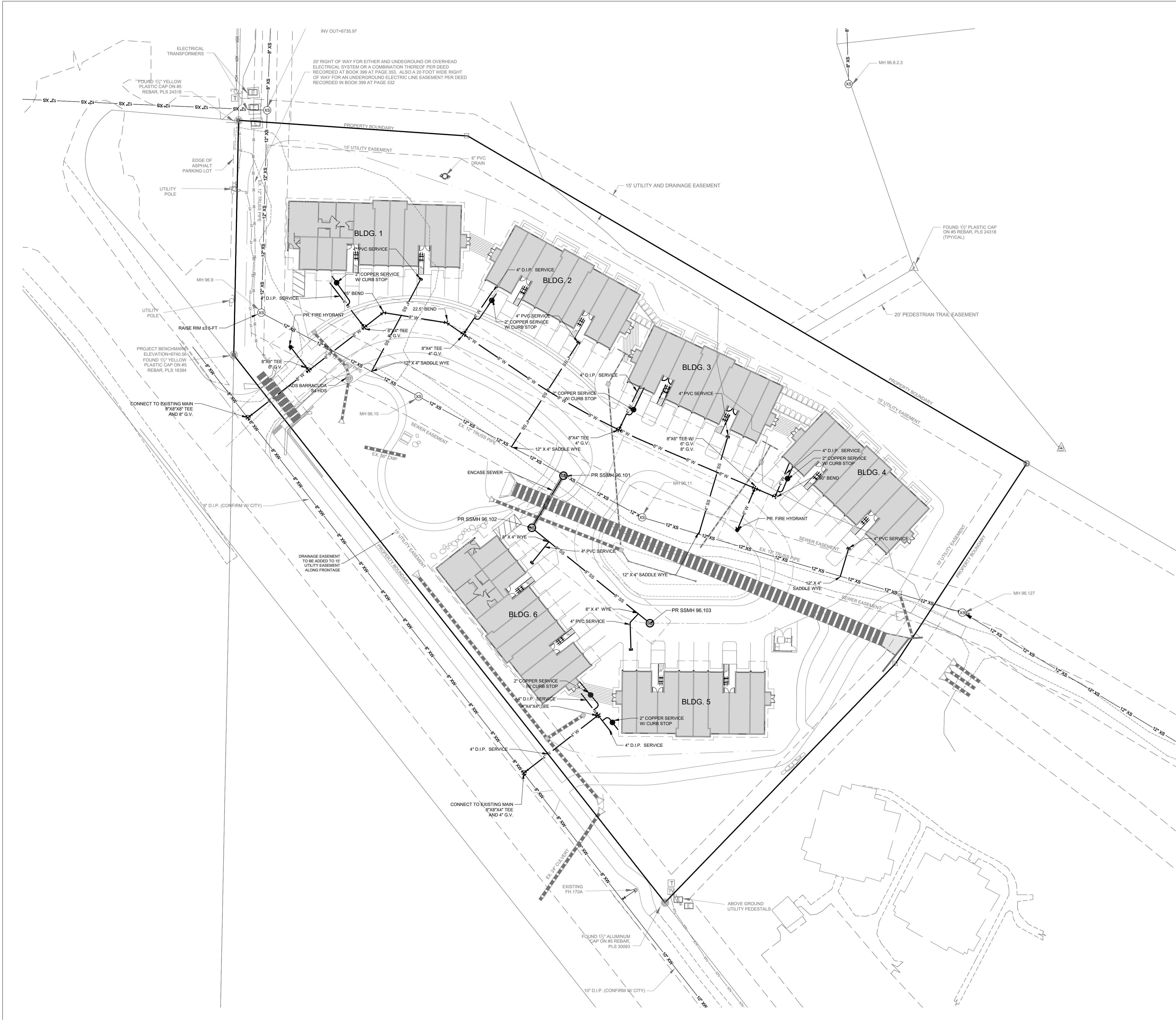
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DESCRIPTION:
 1. REVISED PER TAC COMMENTS
 2. DP/DP FOR PROGRESS
 NOT FOR CONSTRUCTION
 3/23/18
 3/23/18

PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

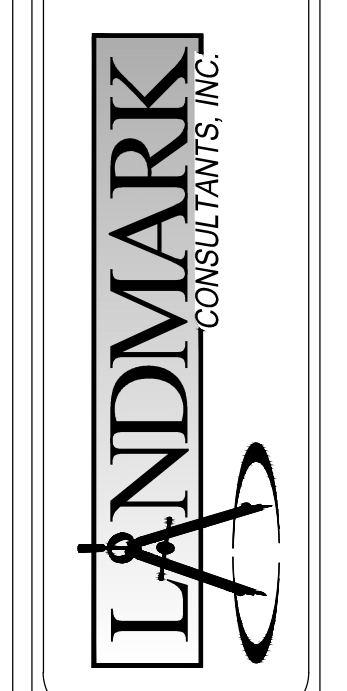
Fox Springs Condominiums
 Site Plan

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 - MANHOLES LOCATED OUTSIDE OF THE ROADWAY SHALL PROTRUDE 1" ABOVE EXISTING GRADE TO REDUCE INFILTRATION. GRADE SURFACE TO DRAIN AROUND/AWAY FROM MANHOLE RIMS.
 - ALL MANHOLES LOCATED IN THE ROADWAY SHALL HAVE RIM ELEVATIONS ADJUSTED TO 1/2" BELOW FINISHED GRADE. IF NECESSARY, CONE SECTIONS SHALL BE ROTATED TO PREVENT LIDS BEING LOCATED WITHIN VEHICLE OR BICYCLE WHEEL PATHS.
 - SEWER SERVICE SHALL HAVE A MINIMUM OF 4-FT OF COVER.
 - WATER SERVICE SHALL HAVE A MINIMUM OF 7-FT OF COVER.
 - ALL PIPE SHALL BE INSTALLED WITH A #10 SOLID COPPER WIRE COATED WITH 45 MIL POLYETHYLENE FOR LOCATING PURPOSES. "GLENN TEST STATIONS" BY VALVCO, INC TRACER WIRE TEST STATIONS SHALL BE INSTALLED ADJACENT TO ALL MANHOLES AND CLEANOUTS.
 - THE PARTICLE SIZE OF BEDDING AND SHADING MATERIAL SHALL BE 3/4 INCH WASHED OR SCREENED ROCK (NOT ROAD BASE OR CLASS 6) AND SHALL EXTEND THE FULL WIDTH OF THE TRENCH.
 - ALL MATERIALS USED FOR BACKFILL SHALL BE FREE FROM REFUSE ORGANIC MATERIAL, COBBLES, BOULDERS, LARGE ROCKS OR STONES OR FROZEN SOILS GREATER THAN 6-INCHES IN DIAMETER.
 - ALL TRENCHES SHALL BE COMPACTED TO 95% AS DETERMINED BY ASTM D698 (STANDARD PROCTOR) OR AS SPECIFIED BY THE GEOTECHNICAL ENGINEER.
 - CONTOURS REFLECT POST-CONSTRUCTION (FINAL) GRADING CONDITION.

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2	3-23-18	DP	DP FOR PROGRESS

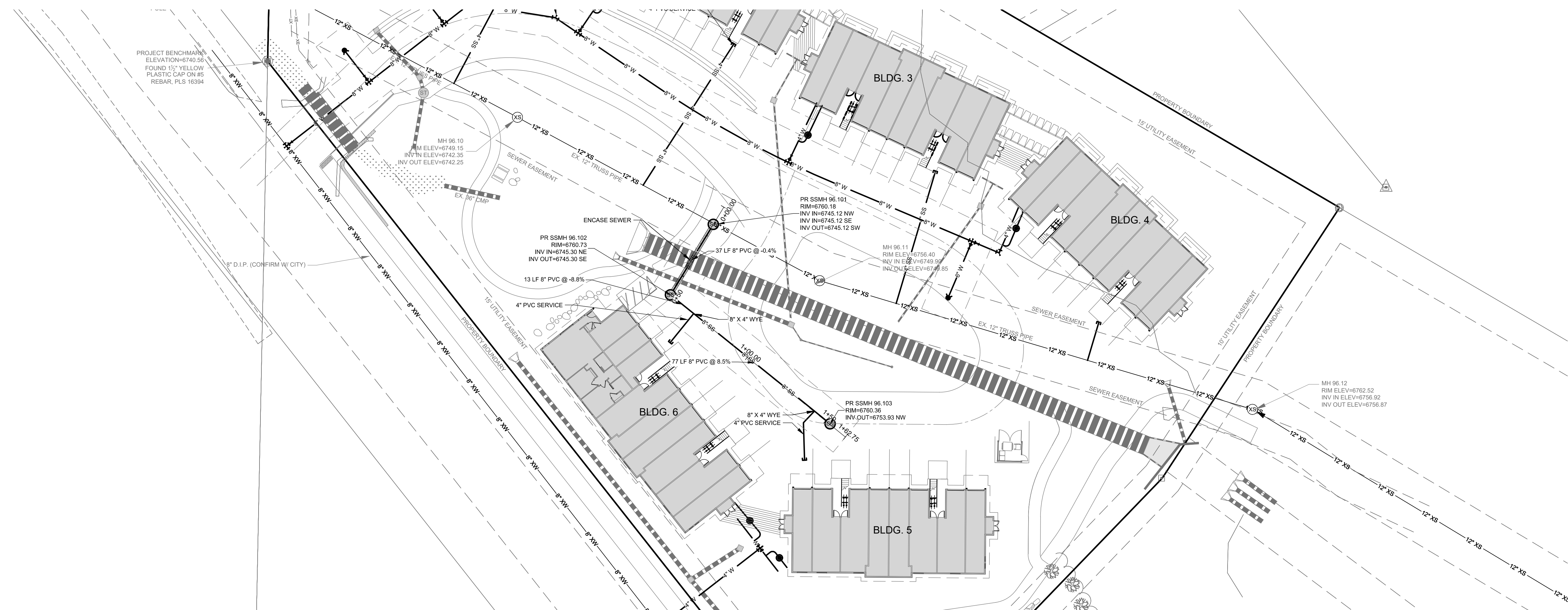
NOT FOR CONSTRUCTION
3/23/18

PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

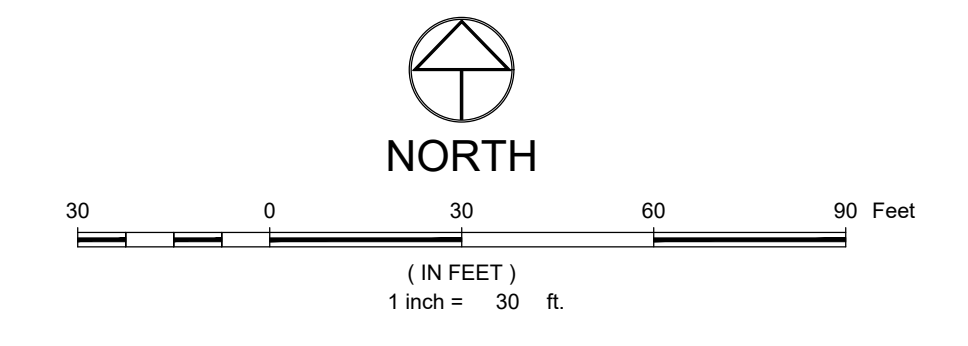
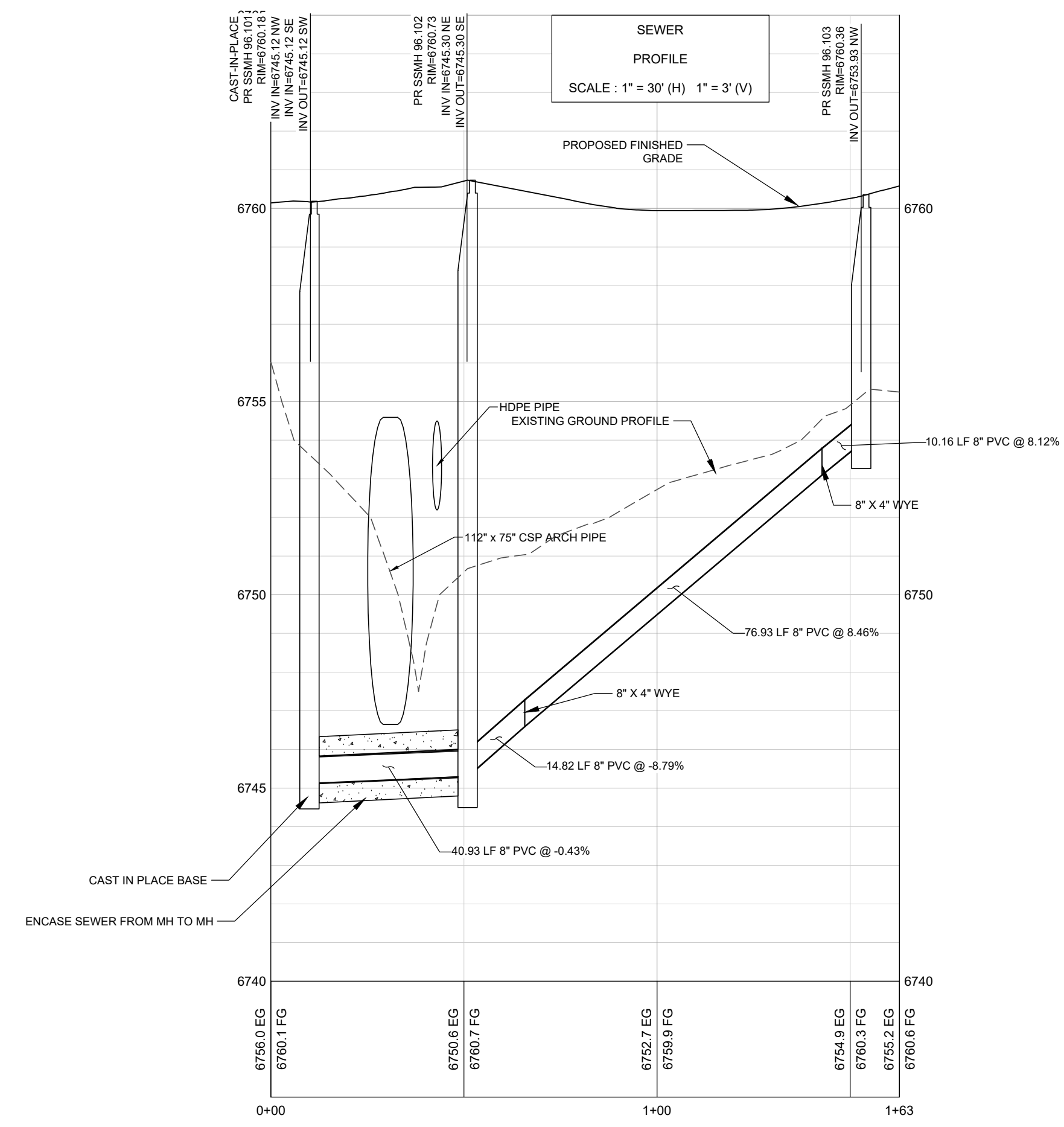
Fox Springs Condominiums
 Water and Sewer Plan

SHEET
C.200

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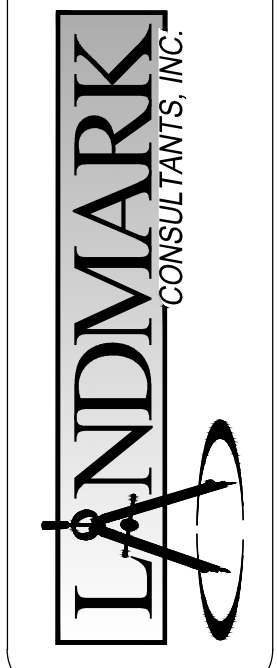
PROPOSED SANITARY SEWER



- LEGEND:**
- PROPOSED SANITARY SEWER W/ MH
 - EXISTING SANITARY SEWER W/ MH
 - PROPOSED WATER
 - PROPOSED GV, FH & CS
 - EXISTING WATER

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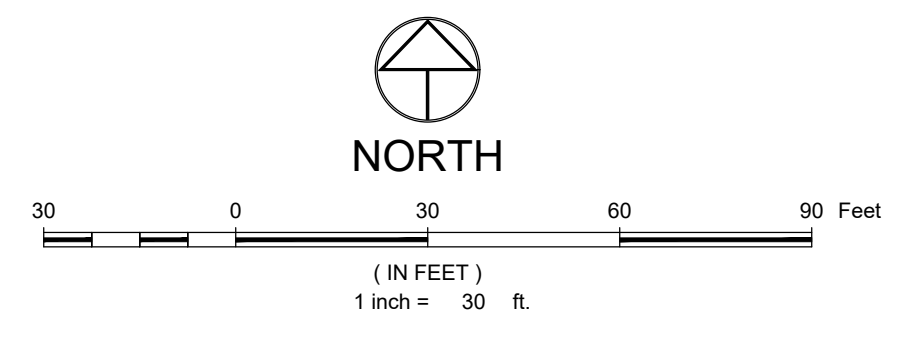
NO.	DATE	BY	DESCRIPTION
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2	3-23-18		DP/EP FOR PROGRESS

NOT FOR CONSTRUCTION
3/23/18

PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

Fox Springs Condominiums
 Sewer Plan & Profile

DRAWING FILENAME: P:\2018\03\DWG\Photos\Drawings\201803\SSSewer Plan & Profile.dwg LAYOUT NAME: C210 DATE: Mar 23, 2018 10:28am CAD OPERATOR: jmh
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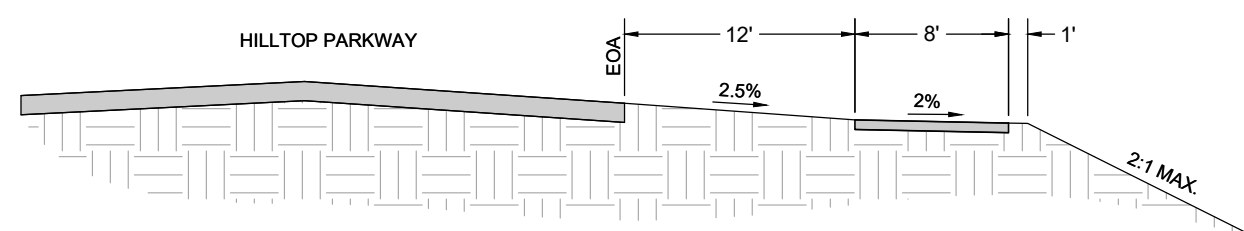


LEGEND:

- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED STORM INLET (CURB & AREA)
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED SWALE
- PROPOSED CURB & GUTTER
- PROPERTY BOUNDARY
- PROPOSED LOT LINE
- EXISTING RIGHT OF WAY
- FLOOD HAZARD LIMITS
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED OVERLAND FLOW DIRECTION W/SLOPE
- PROPOSED CHANNELIZED FLOW DIRECTION W/ SLOPE
- EXISTING CHANNELIZED FLOW DIRECTION

NOTES:

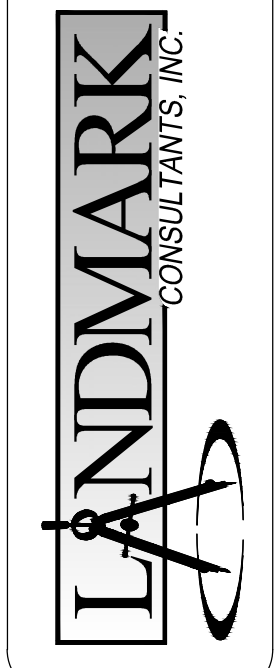
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DESIGN INTENT:
THE SIDEWALK ALONG HILLTOP PARKWAY IS TO BE GRADE CONTROLLED BY THE EDGE OF THE ADJACENT ROAD. 12" SEPARATION FOR POTENTIAL DRAINAGE IMPROVEMENTS AND SNOW REMOVAL/STORAGE.

TYPICAL SIDEWALK RELATIONSHIP ADJACENT TO HILLTOP PARKWAY
SECTION A-A
1"=10'

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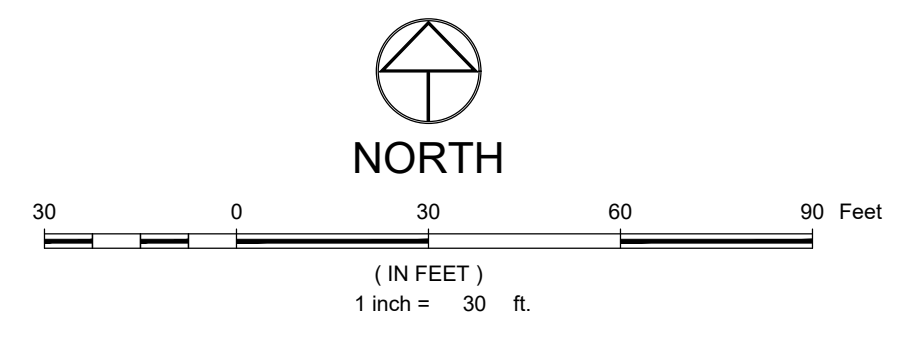
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PROJECT:	12564-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

Fox Springs Condominiums
Grading Plan

SHEET
C.300

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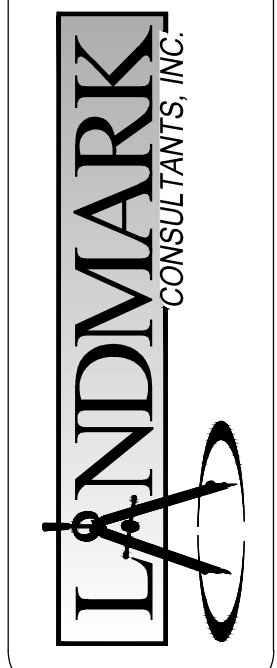
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2	3-23-18	LCI	DP FOR PROGRESS

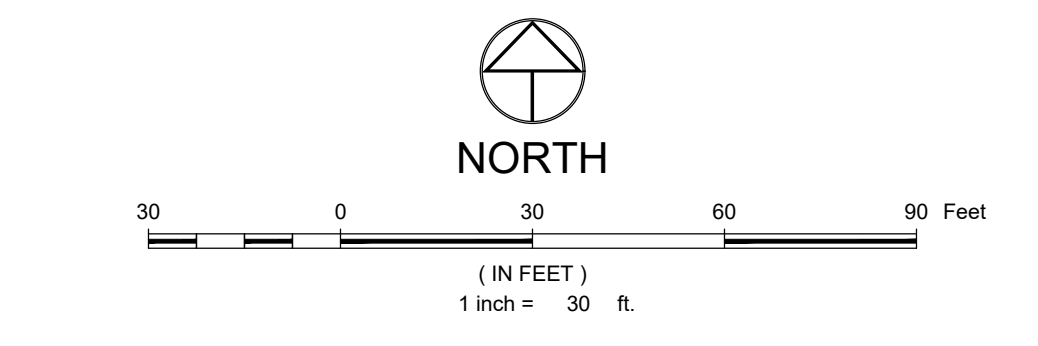
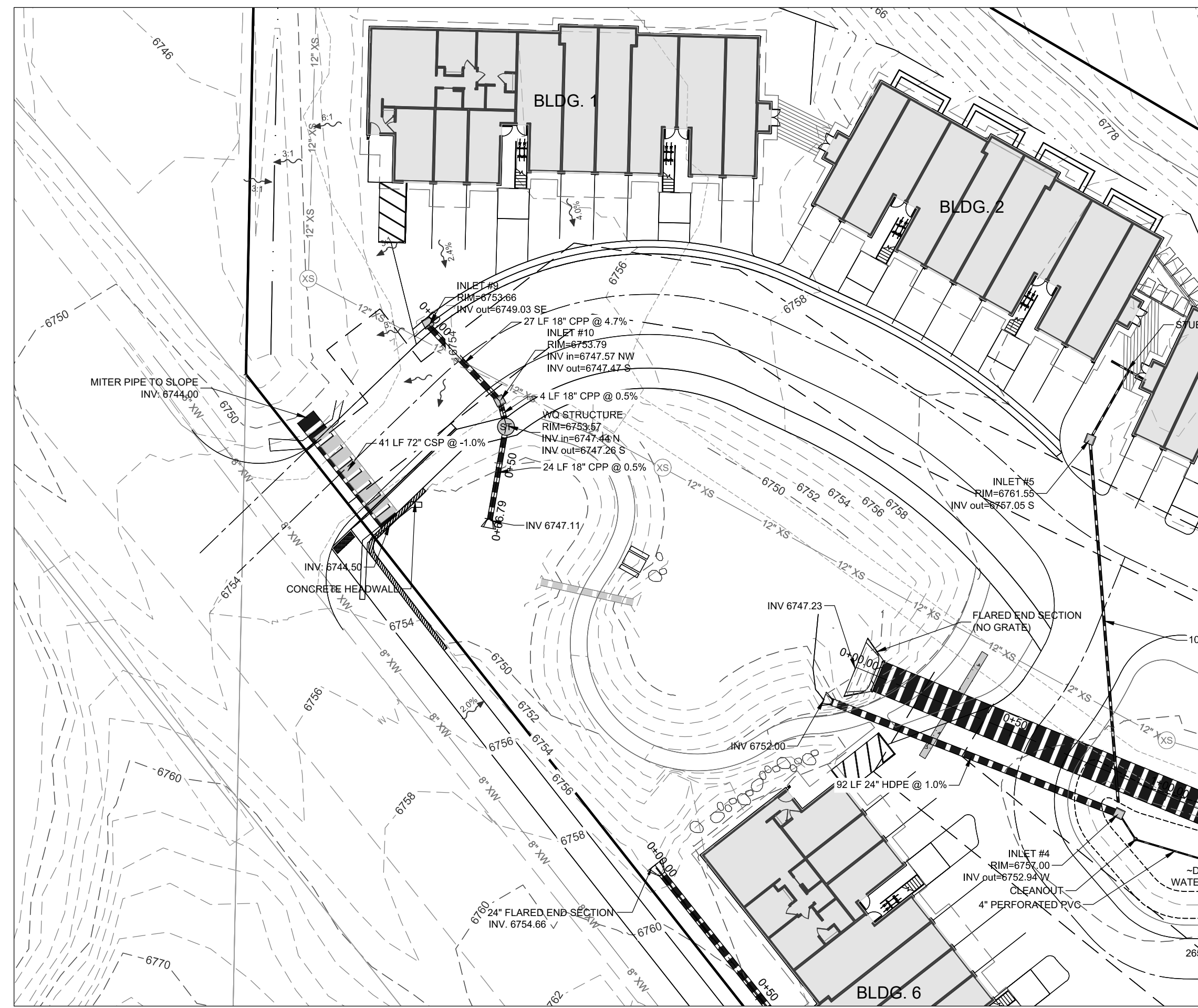
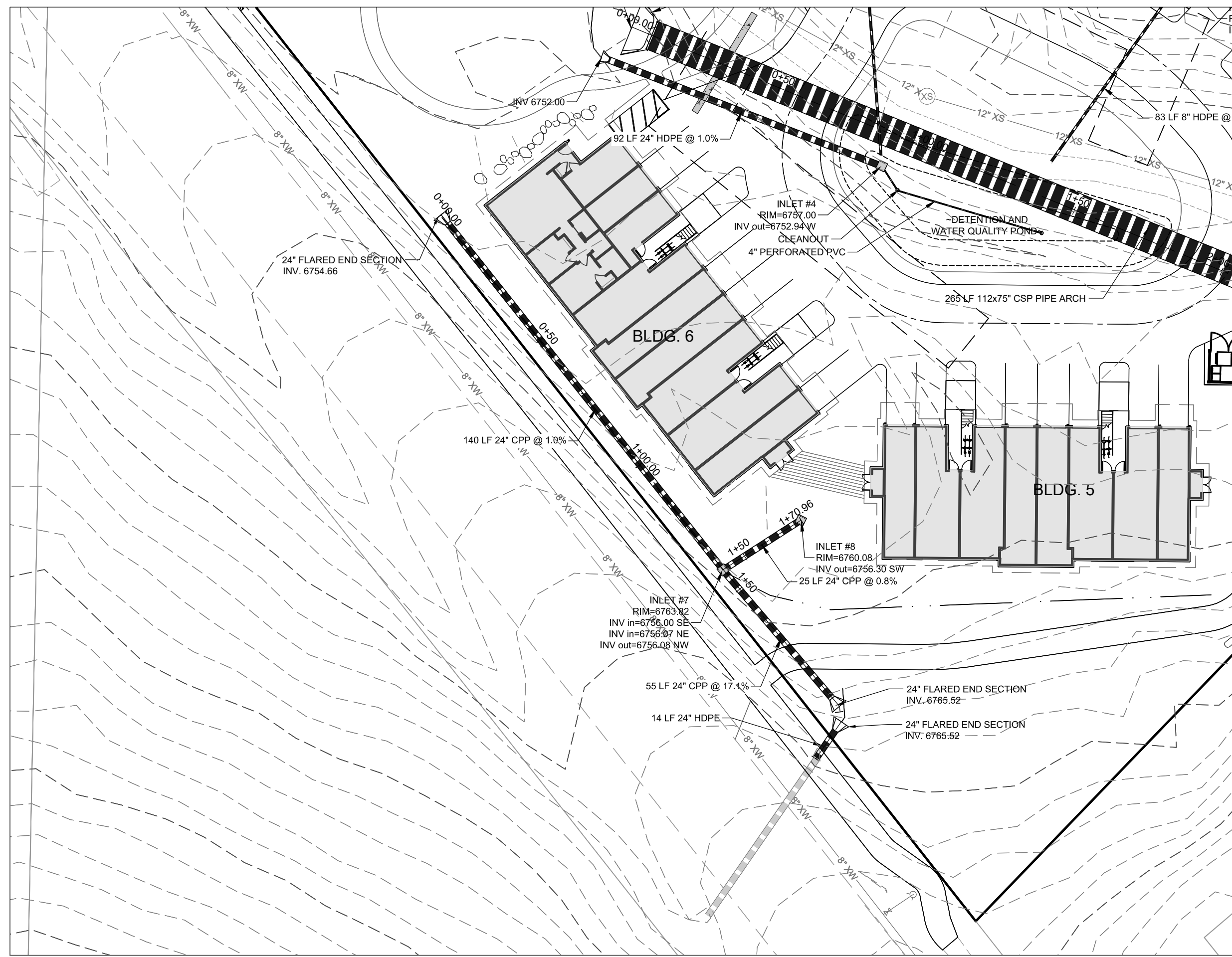
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3/23/18

PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
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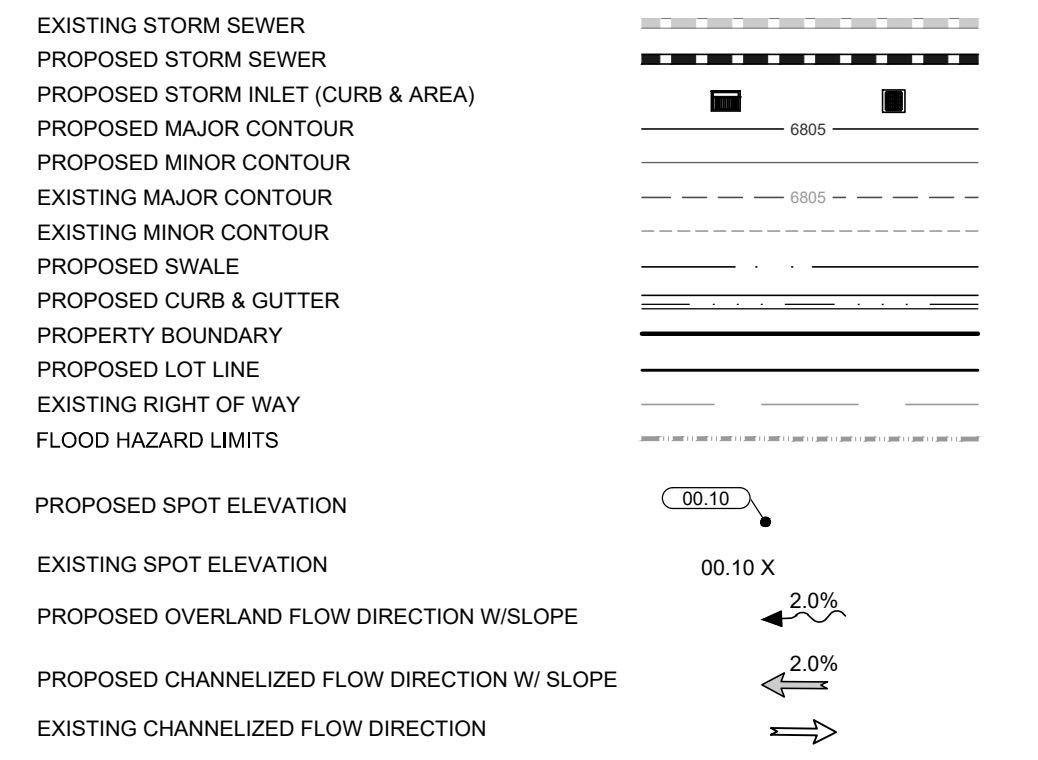
Fox Springs Condominiums
 Storm Sewer Plan

SHEET
C.310

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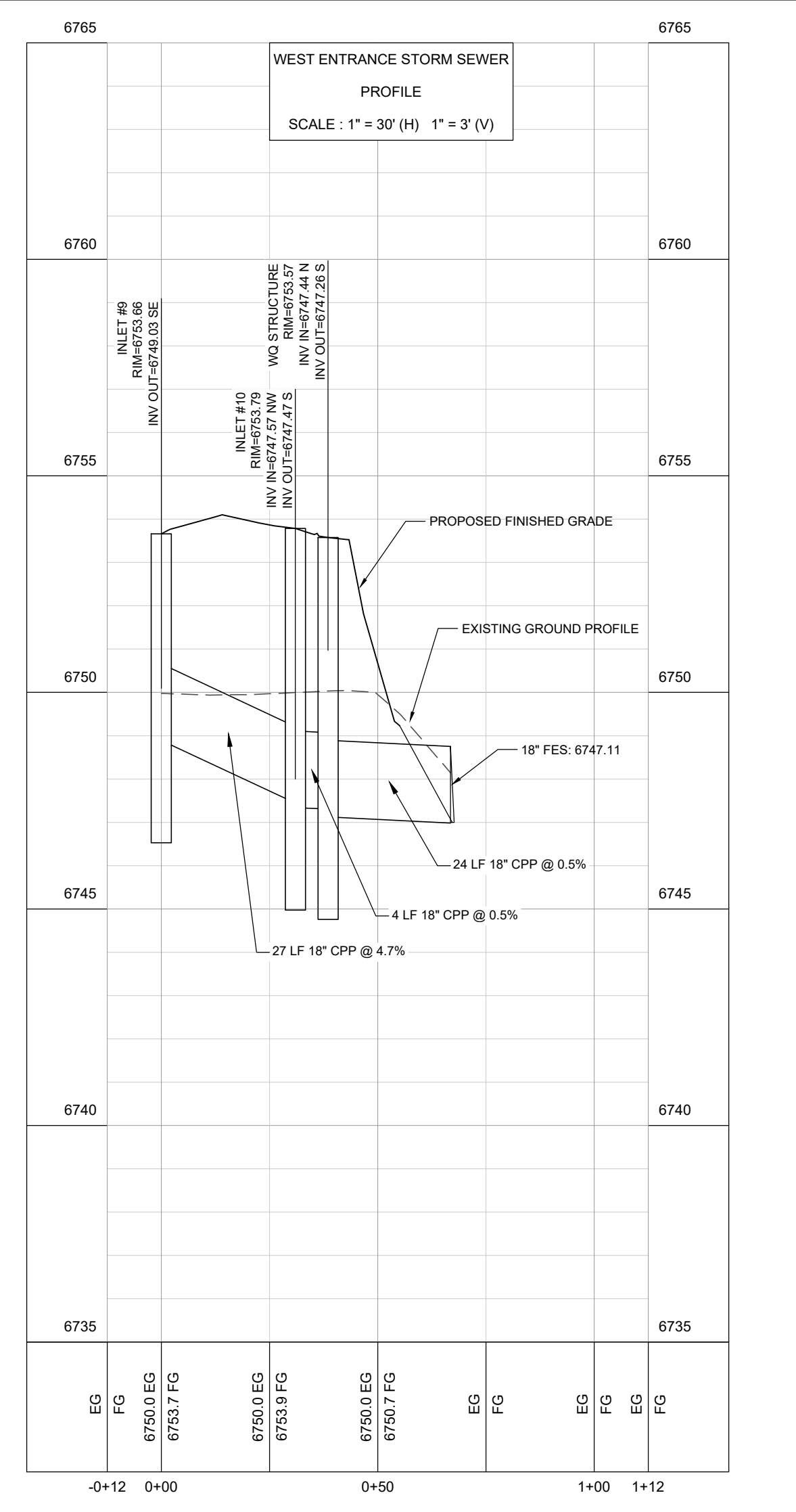
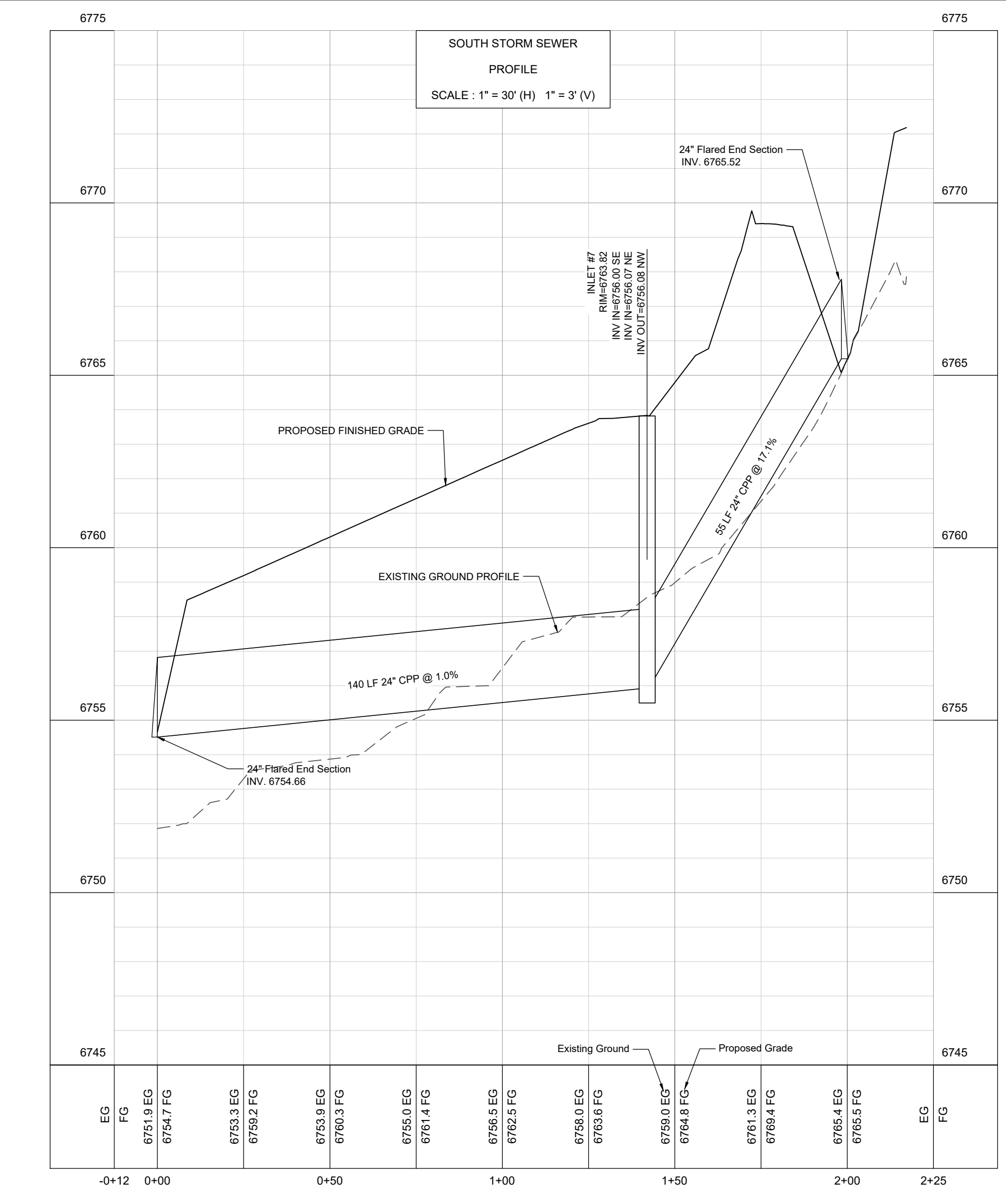
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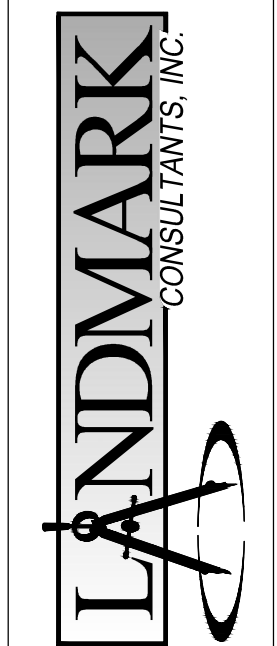
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PROPOSED STORM SEWER



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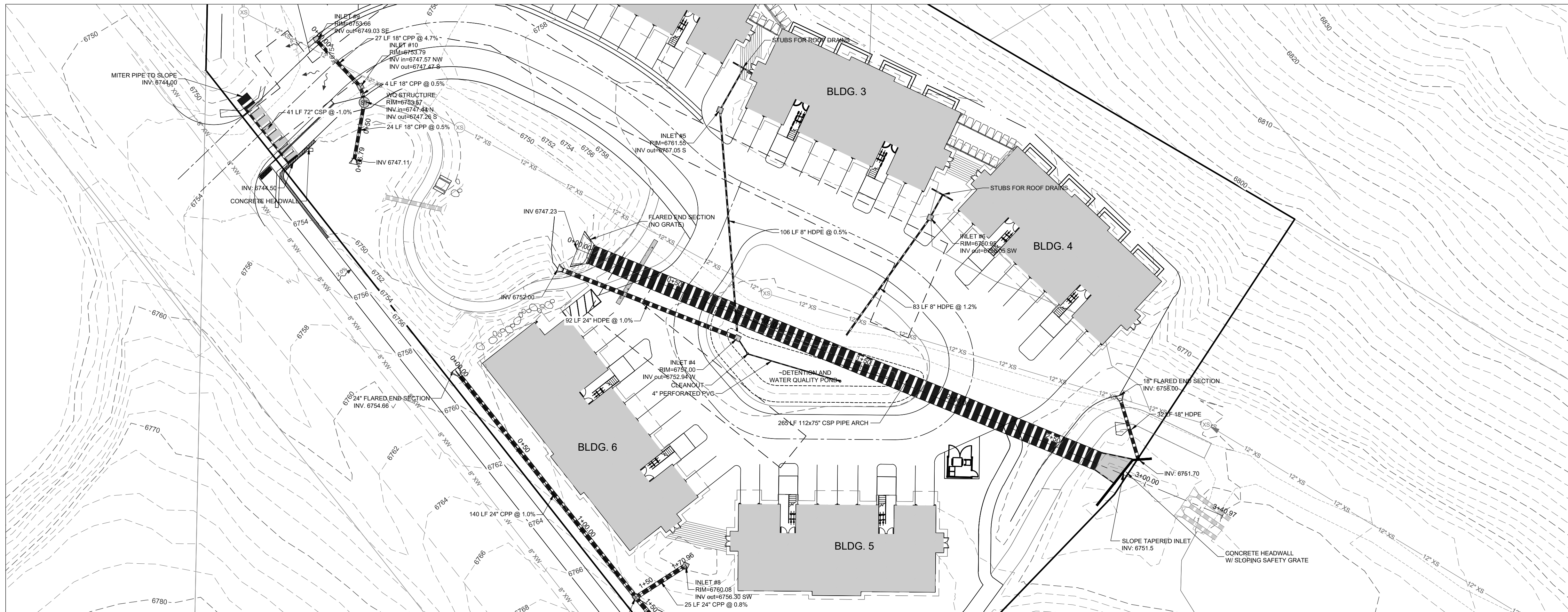
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PROJECT:	1254-01
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

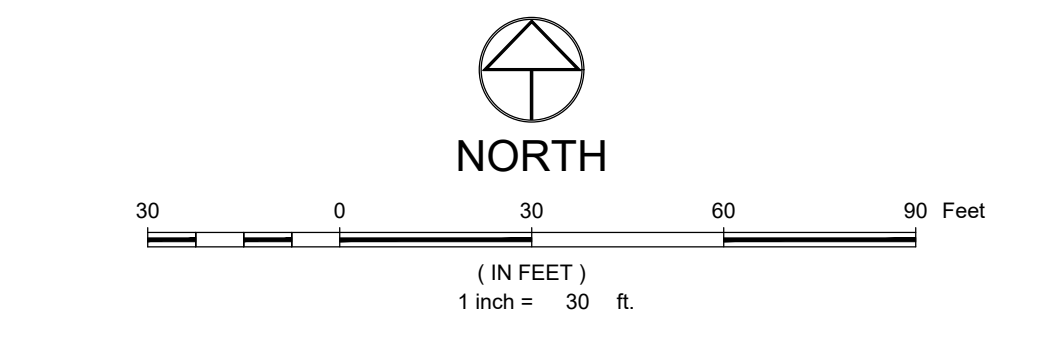
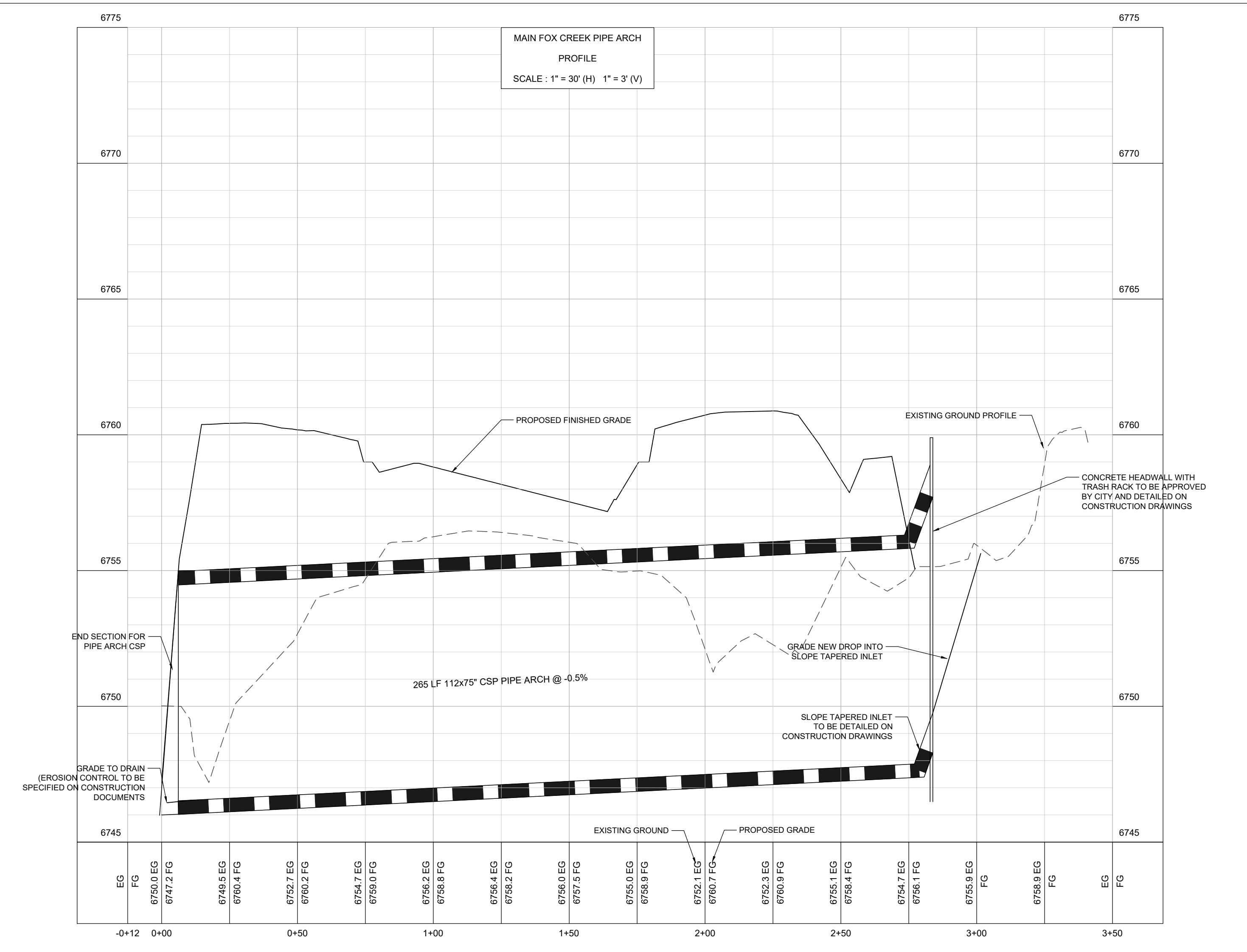
Fox Springs Condominiums
Storm Sewer Plan & Profile

SHEET
C.311

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PROPOSED STORM SEWER



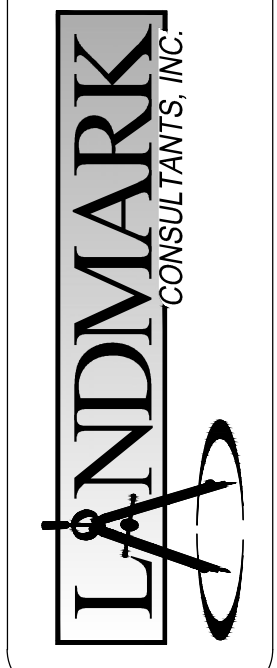
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2	3-23-18	DP	DP FOR PROGRESS

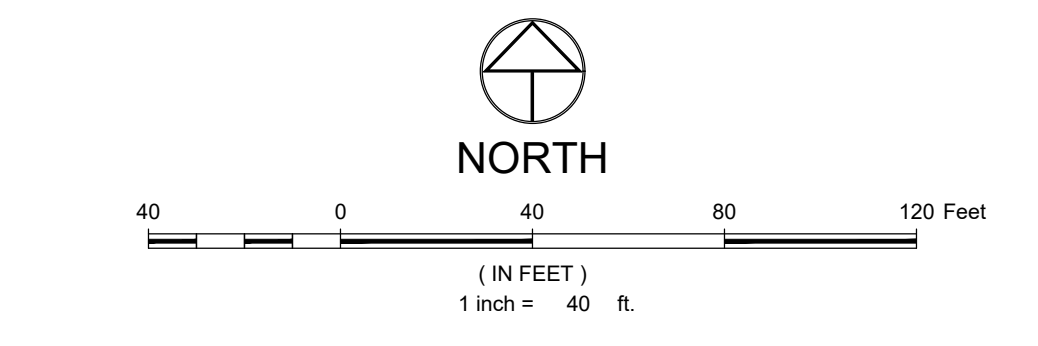
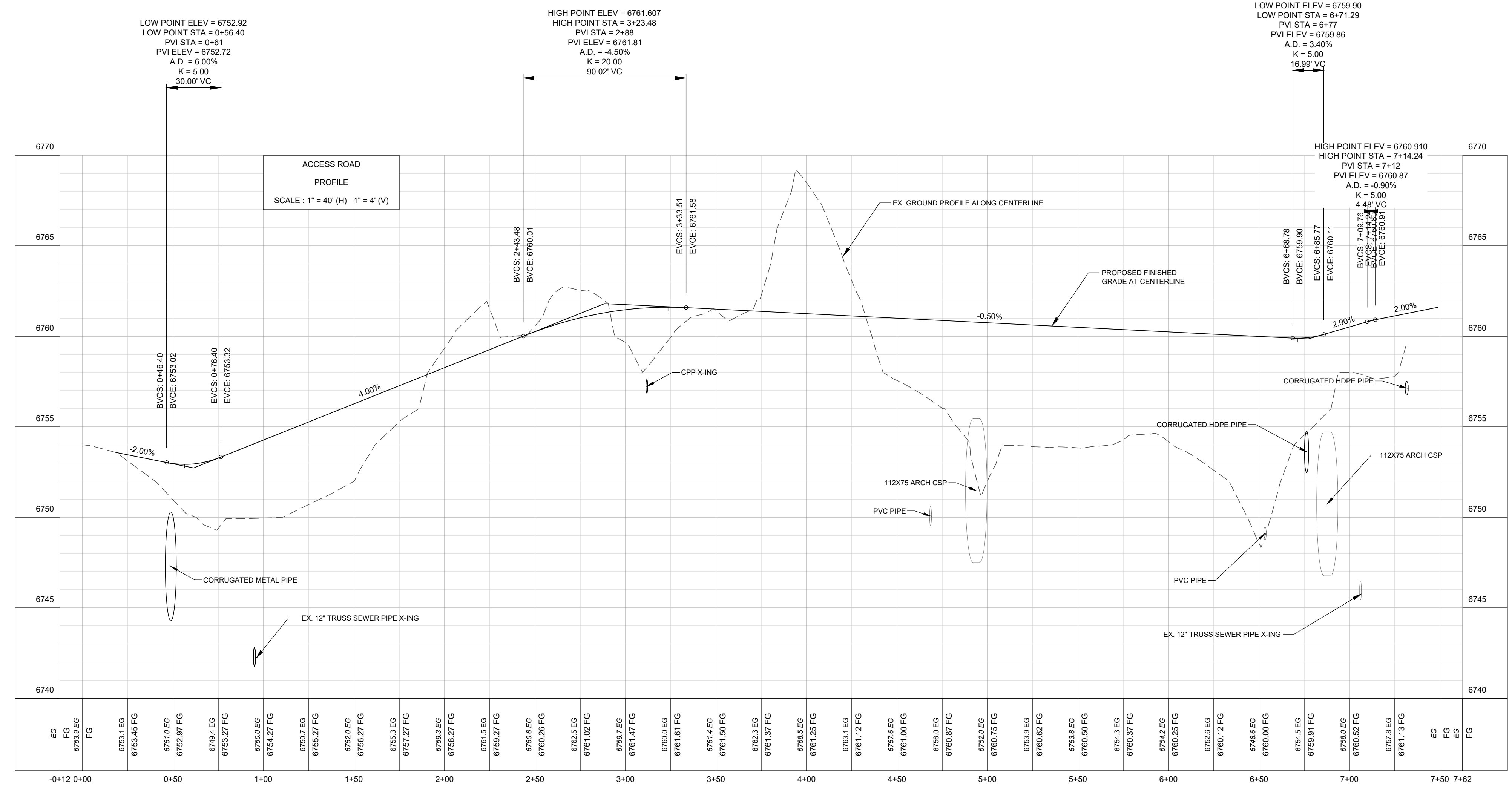
PROJECT:	1256-031
DATE:	10-20-17
DRAWN BY:	EJG
CHECKED BY:	

Fox Springs Condominiums
Storm Sewer Plan & Profile

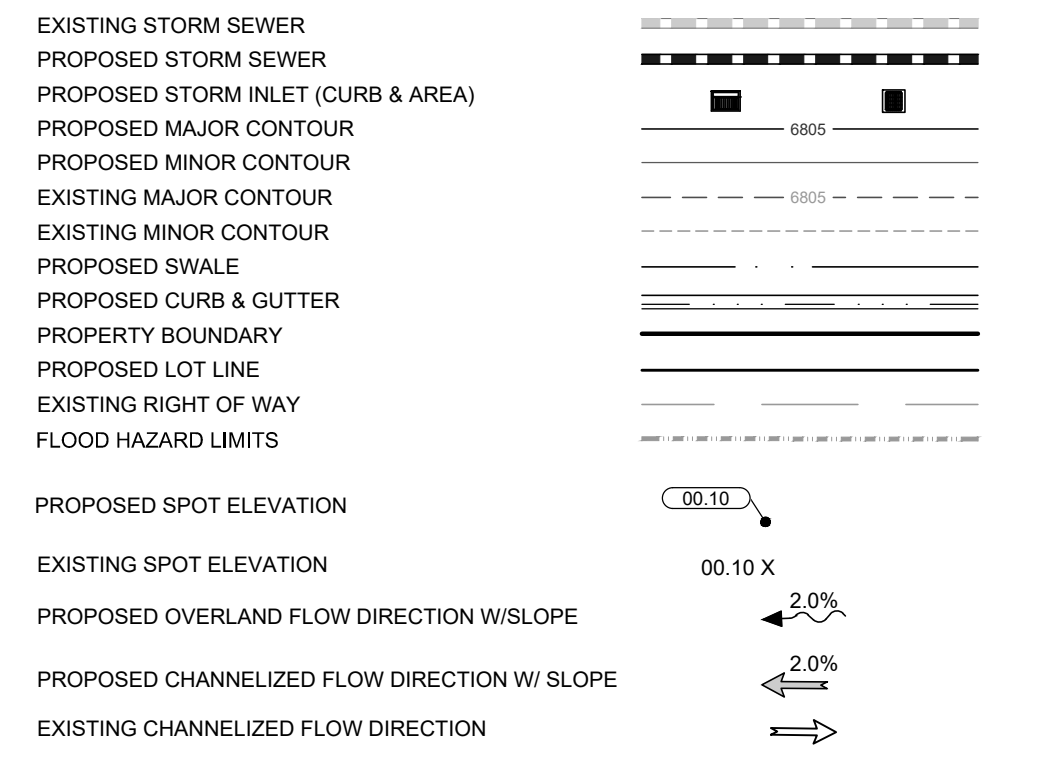
DRAWING FILENAME: P:\1256-031\DWG\1256-031-Storm Sewer and Profile.dwg LAYOUT NAME: C.312 DATE: Mar 23, 2018 10:28am CAD OPERATOR: aah



ACCESS ROAD PLAN & PROFILE



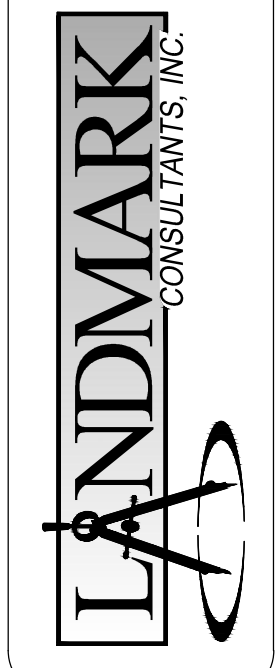
LEGEND:



NOTES:

- THE SIZE, TYPE AND LOCATION OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE WHEN SHOWN ON THESE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO VERIFY THE EXISTENCE OF ALL UNDERGROUND UTILITIES IN THE AREA OF THE WORK. BEFORE COMMENCING NEW CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ALL UNKNOWN UNDERGROUND UTILITIES.
- ALL PROJECT DATA IS ON VERTICAL DATUM, NGVD 88. SEE NOTES SHEET FOR BENCHMARK REFERENCES.
- ELEVATIONS FOR IMPROVEMENTS THAT ARE CONTROLLED BY ADJACENT EXISTING FACILITIES (SUCH AS PROPOSED GUTTERS ALONG EXISTING ASPHALT) MAY REQUIRE ADJUSTMENT BASED ON ACTUAL CONDITIONS. COORDINATE WITH ENGINEER TO ENSURE A CONSISTENT SECTION WITH SMOOTH TRANSITIONS WHERE NECESSARY.
- SEE SOILS REPORT FOR PAVEMENT, SUBGRADE AND MATERIAL PREPARATION, DESIGN AND RECOMMENDATIONS.
- ALL CURB SPOTS SHOWN ARE FLOWLINE ELEVATIONS, UNLESS NOTED OTHERWISE. ALL OTHER SPOTS ARE FINISHED GRADE ELEVATIONS.

CIVIL ENGINEERS | SURVEYORS
141 9th Street - P.O. Box 774843
Steamboat Springs, Colorado 80477
(970) 871-9494
www.LANDMARK-CD.com



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NO.	DATE	BY	DESCRIPTION
1	2-16-18	LCI	REVISED PER TAC COMMENTS
2	3-23-18	LCI	REVISED PER TAC COMMENTS

PROJECT:	DATE:	DRAWN BY:	CHECKED BY:
1256-031	10-20-17	EJG	

Fox Springs Condominiums
Roadway Plan & Profile

SHEET
C.410

DRAWING FILENAME: F:\1256-031\Drawings\Roadway\RoadwayPlan.dwg LAYOUT NAME: C.410 DATE: Mar 22, 2018 10:58AM CALCOMPLOTTER.plt
LIST OF REVISIONS: (NONE)

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

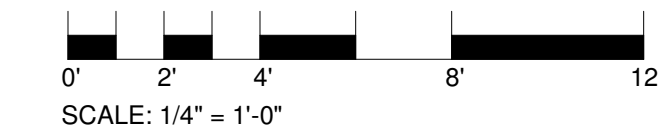
NOTICE: DUTY OF COOPERATION
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Eric Smith Associates, P.C.



B 1 & 6 1 FIRST LEVEL FLOOR PLAN
1
A1-1 1/4" = 1'-0"



REVISIONS		
No.	Description	Date

Eric Smith Associates, P.C.
1919 SEVENTH STREET
BOULDER, COLORADO, 80302
(303) 442-9856, (303) 442-4785 FAX

Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 FIRST LEVEL PLAN	
Sheet Number A1-1	

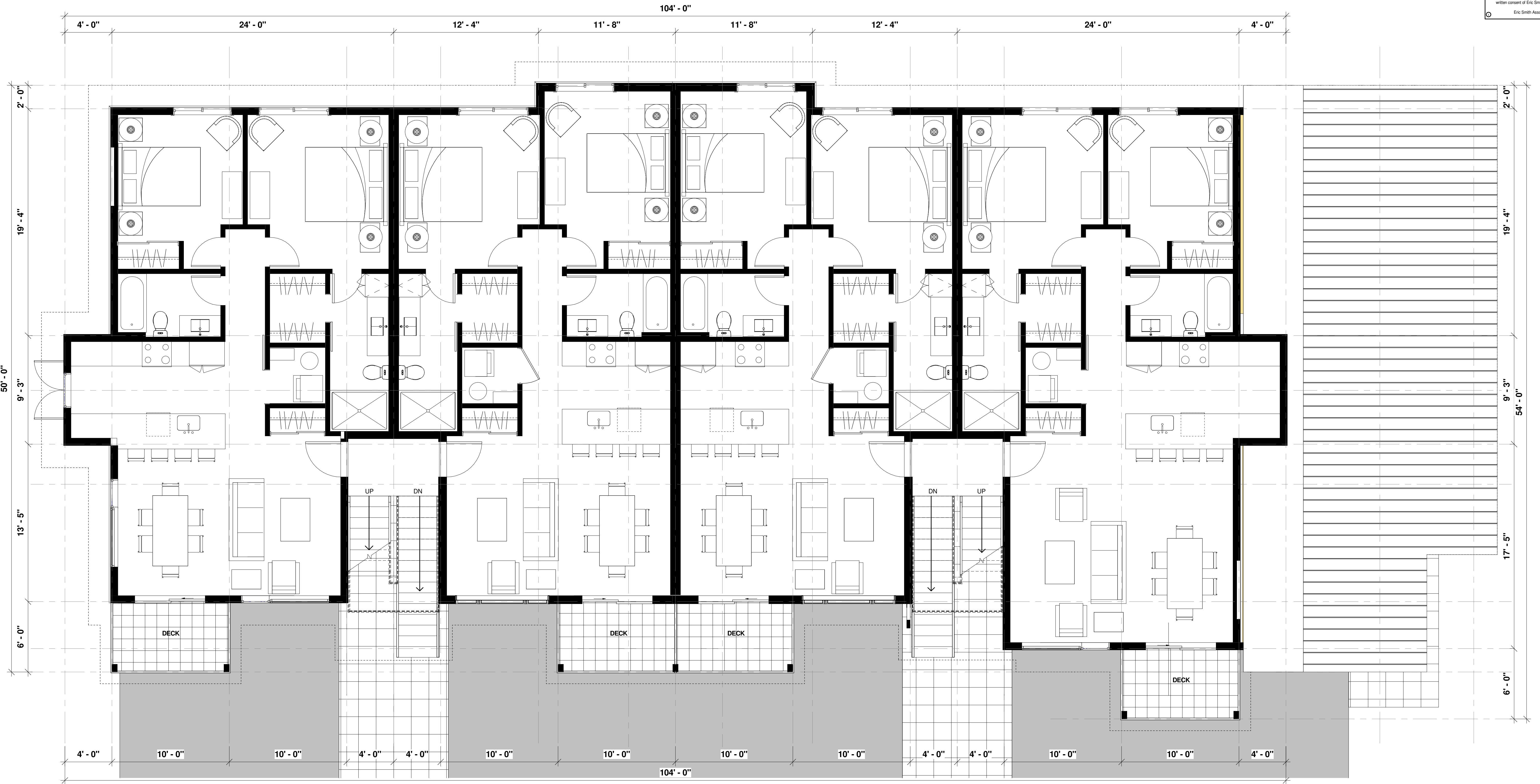
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FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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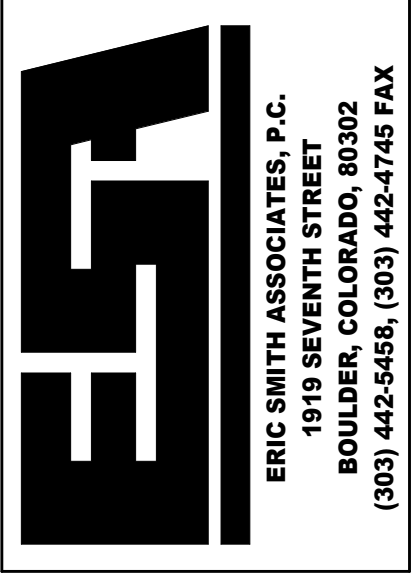
Eric Smith Associates, P.C.



B 1 & 6 SECOND LEVEL FLOOR PLAN
 1/4" = 1'-0"



REVISIONS		
No.	Description	Date



Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 SECOND LEVEL PLAN	
Sheet Number A1-2	

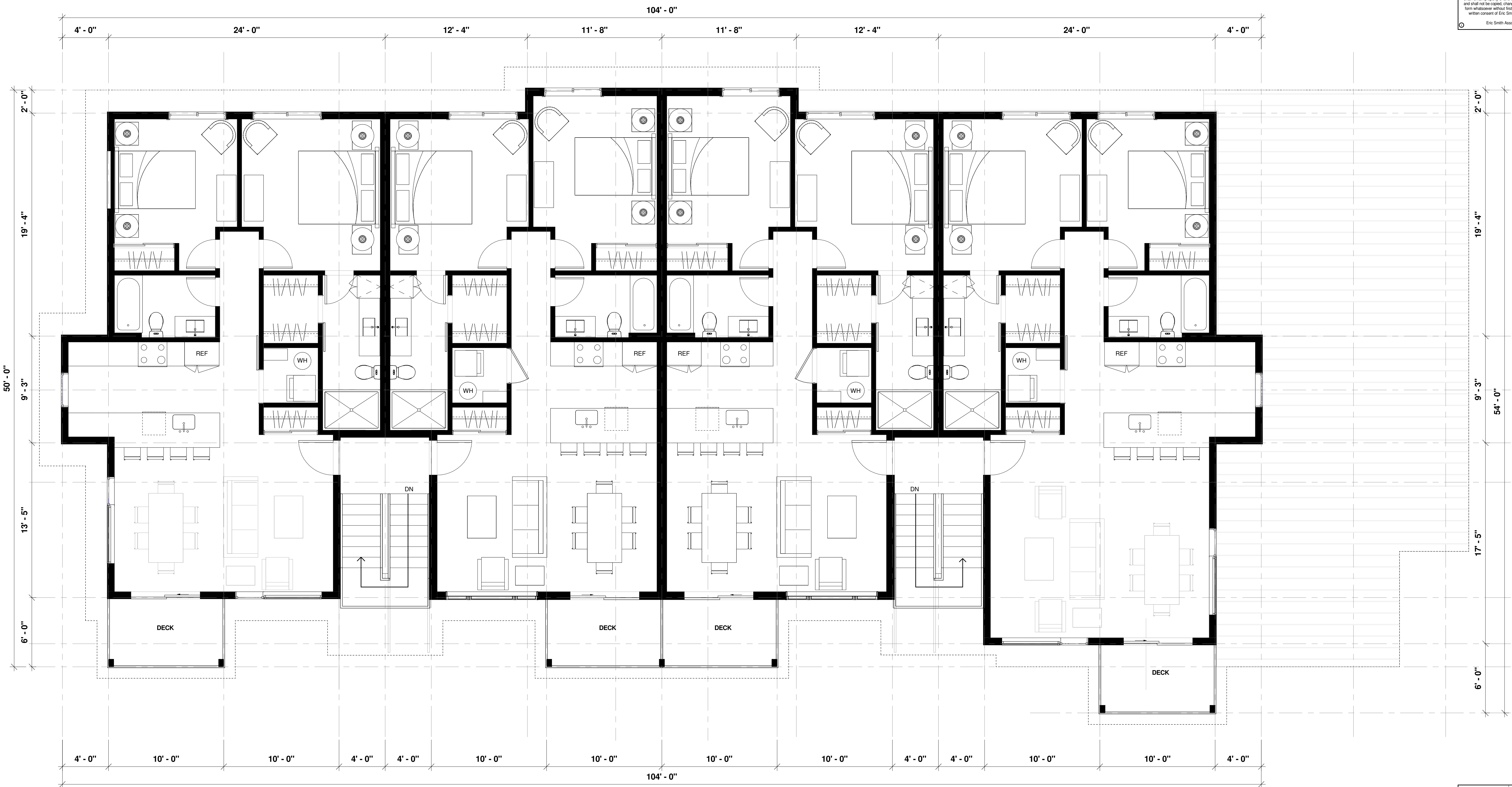
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FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

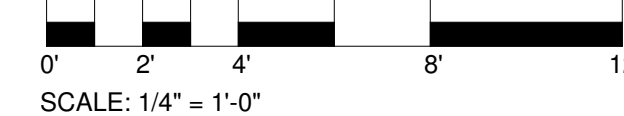
NOTICE: DUTY OF COOPERATION
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B 1 & 6 THIRD LEVEL PLAN
 1/4" = 1'-0"



REVISIONS		
No.	Description	Date

ERIC SMITH ASSOCIATES, P.C.
 1919 SEVENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-9888, (303) 442-4785 FAX

Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 THIRD LEVEL PLAN	
Sheet Number A1-3	

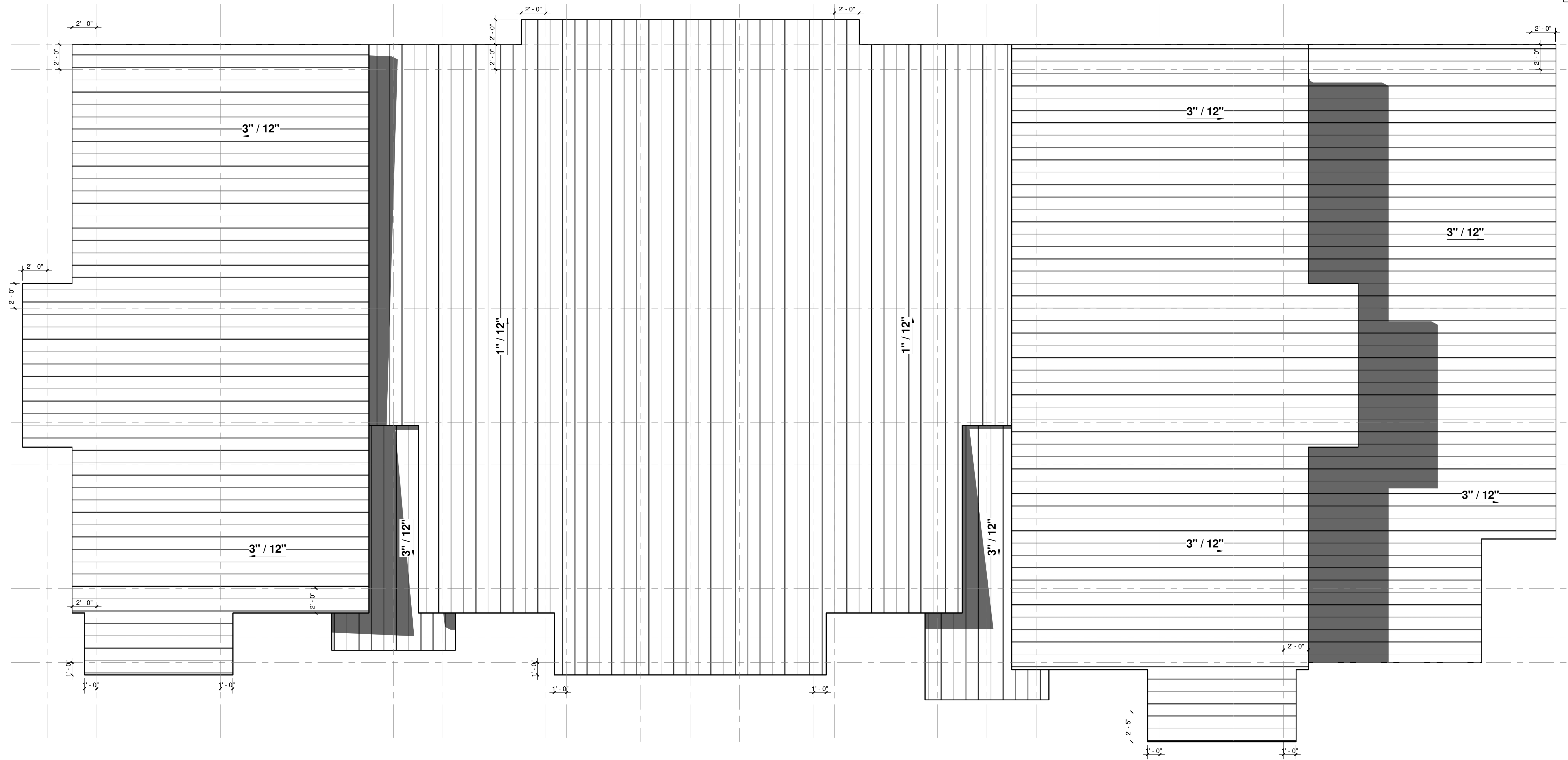
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FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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1 B 1 & 6 ROOF PLAN
 A1-4 1/4" = 1'-0"



REVISIONS		
No.	Description	Date

ERIC SMITH ASSOCIATES, P.C.
 1919 SEVENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-3656, (303) 442-4785 FAX

Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 ROOF PLAN	
Sheet Number A1-4	

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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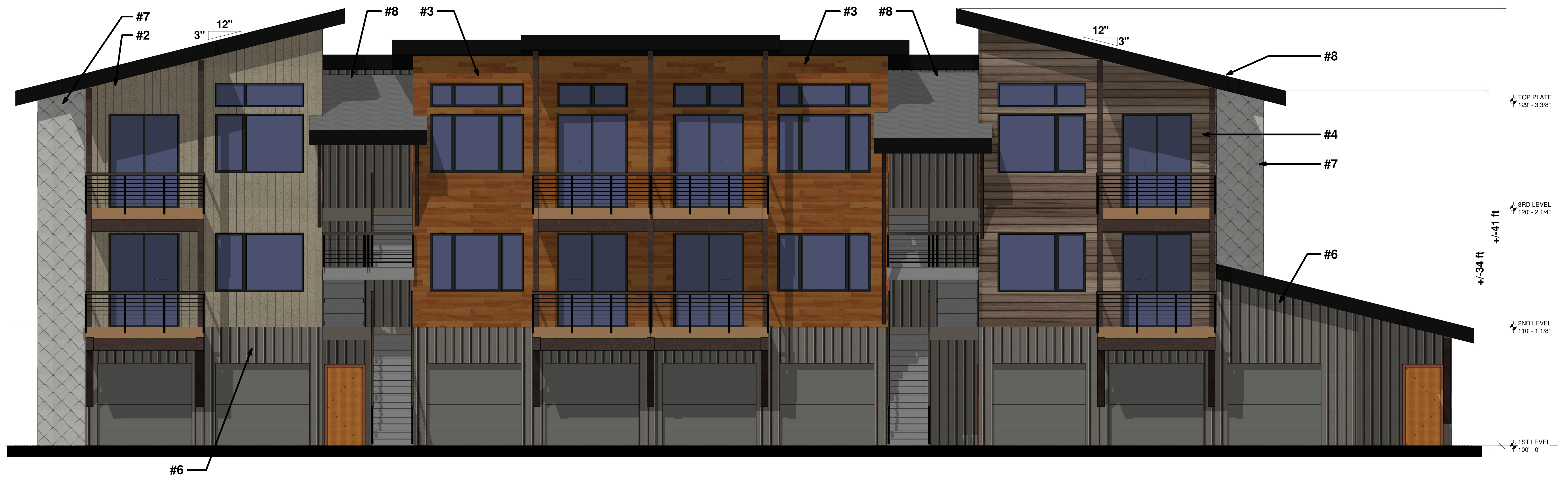
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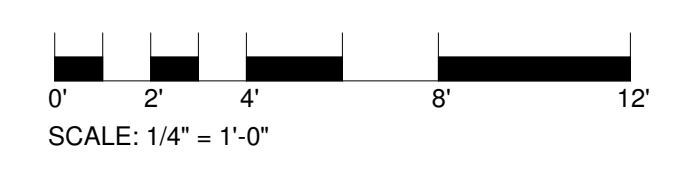
- LP SmartSide
DEEP GRAIN LAP COLLECTION
- #1 SIERRA
 - #2 YELLOWSTONE
 - #3 CEDAR
 - #4 TAHOE
 - #5 METAL SIDING (DARK)
 - #6 METAL SIDING (GREY)
 - #7 DIAMOND PANEL METAL SIDING (GREY)
 - #8 SARNAFIL DECOR ROOF SYSTEM

OPENING PERCENTAGE

- LEVEL 1: 9%
- LEVEL 2: 26%
- LEVEL 3: 26%



B 1 & 6 FRONT ELEVATION
1
A1-5 1/4" = 1'-0"



REVISIONS		
No.	Description	Date

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BOULDER, COLORADO, 80302
(303) 442-9856, (303) 442-4785 FAX

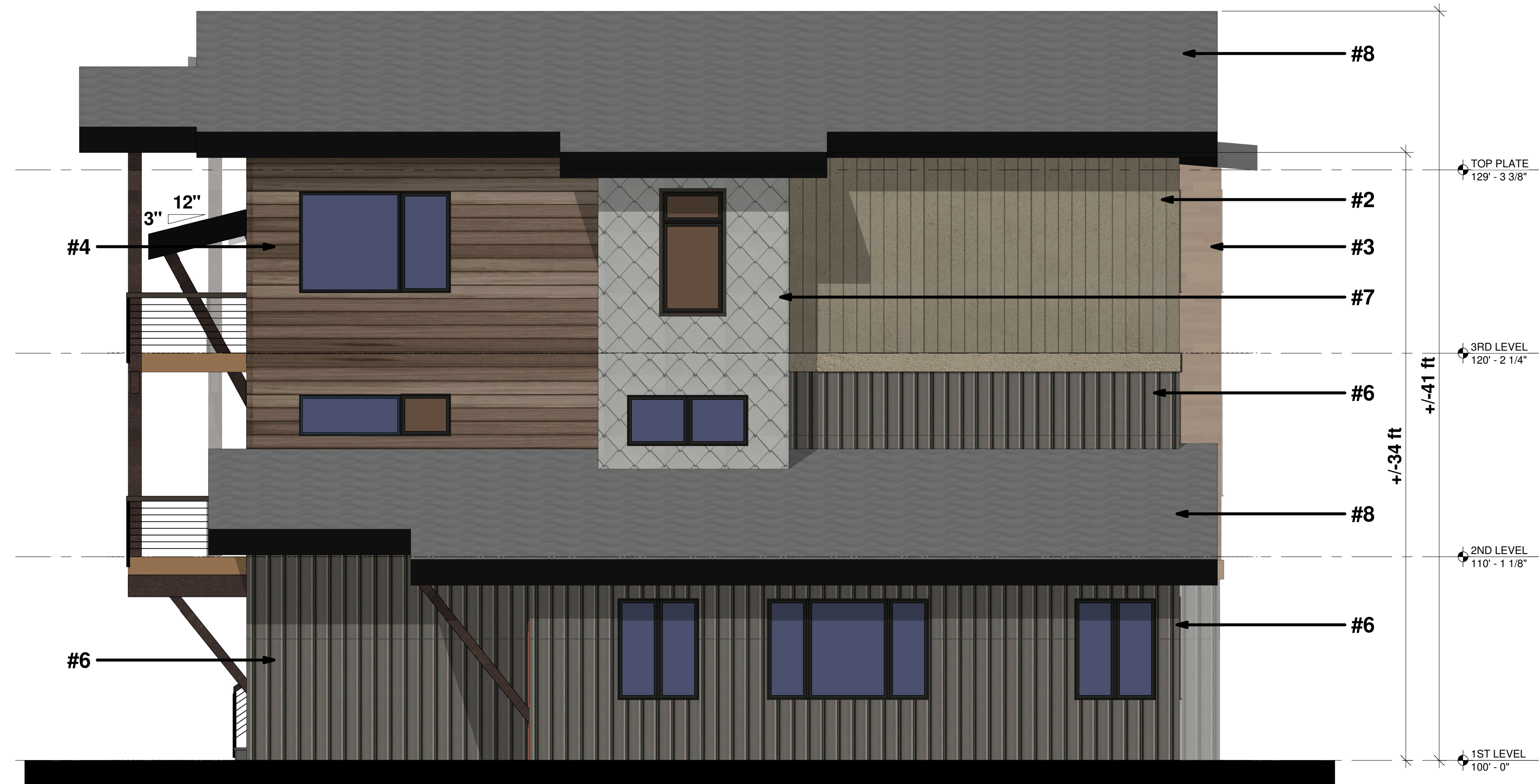
Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 EXTERIOR ELEVATIONS	
Sheet Number A1-5	

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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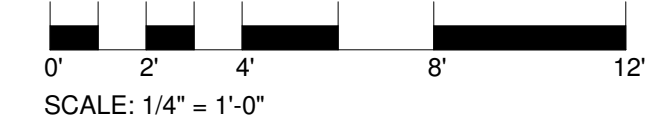


- LP SmartSide
DEEP GRAIN LAP COLLECTION
- #1 SIERRA
 - #2 YELLOWSTONE
 - #3 CEDAR
 - #4 TAHOE
 - #5 METAL SIDING (DARK)
 - #6 METAL SIDING (GREY)
 - #7 DIAMOND PANEL METAL SIDING (GREY)
 - #8 SARNAFIL DECOR ROOF SYSTEM

1 B 1 & 6 SIDE ELEVATION- RIGHT
1/4" = 1'-0"



2 B 1 & 6 SIDE ELEVATION- LEFT
1/4" = 1'-0"



REVISIONS		
No.	Description	Date

ERIC SMITH ASSOCIATES, P.C.
1919 SEVENTH STREET
BOULDER, COLORADO, 80302
(303) 442-9886, (303) 442-4785 FAX

Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 EXTERIOR ELEVATIONS	
Sheet Number A1-6	

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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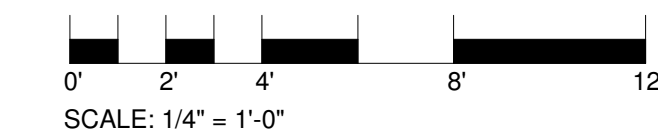
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- LP SmartSide
DEEP GRAIN LAP COLLECTION
- #1 SIERRA
 - #2 YELLOWSTONE
 - #3 CEDAR
 - #4 TAHOE
 - #5 METAL SIDING (DARK)
 - #6 METAL SIDING (GREY)
 - #7 DIAMOND PANEL METAL SIDING (GREY)
 - #8 SARNAFIL DECOR ROOF SYSTEM



B 1 & 6 BACK ELEVATION
1/4" = 1'-0"



2/16/2018 8:49:40 AM

REVISIONS		
No.	Description	Date

ERIC SMITH ASSOCIATES, P.C.
1919 SEVENTH STREET
BOULDER, COLORADO, 80302
(303) 442-9886, (303) 442-4785 FAX

Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 EXTERIOR ELEVATIONS	
Sheet Number A1-7	

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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B 1 & 6 - 3D FRONT VIEW

2/16/2018 8:50:11 AM

REVISIONS		
No.	Description	Date



ERIC SMITH ASSOCIATES, P.C.
 1919 SEVENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-9886, (303) 442-4785 FAX

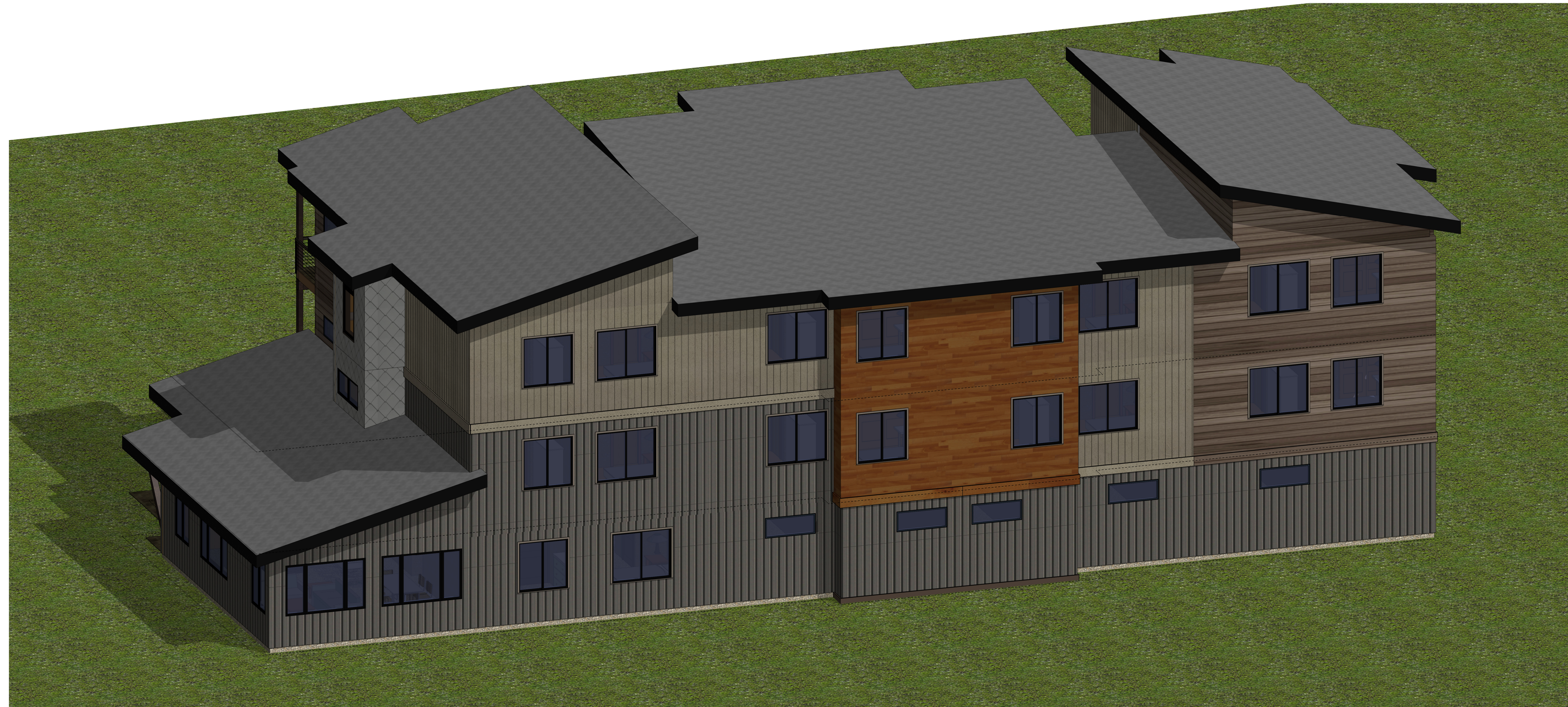
Job Number:	17053
Date:	2018-FEB-07
Drawn By:	Author
Checked By:	Checker
Project Phase FINAL DEVELOPMENT PLAN	
Sheet Title B 1 & 6 BUILDING 3D VIEW	
Sheet Number A1-8	

FOX SPRINGS BUILDING 1&6 STEAMBOAT SPRINGS COLORADO

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B 1 & 6 - 3D REAR VIEW

2/16/2018 8:50:43 AM

REVISIONS		
No.	Description	Date

ERIC SMITH ASSOCIATES, P.C.
 1919 SEVENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-9886, (303) 442-4785 FAX

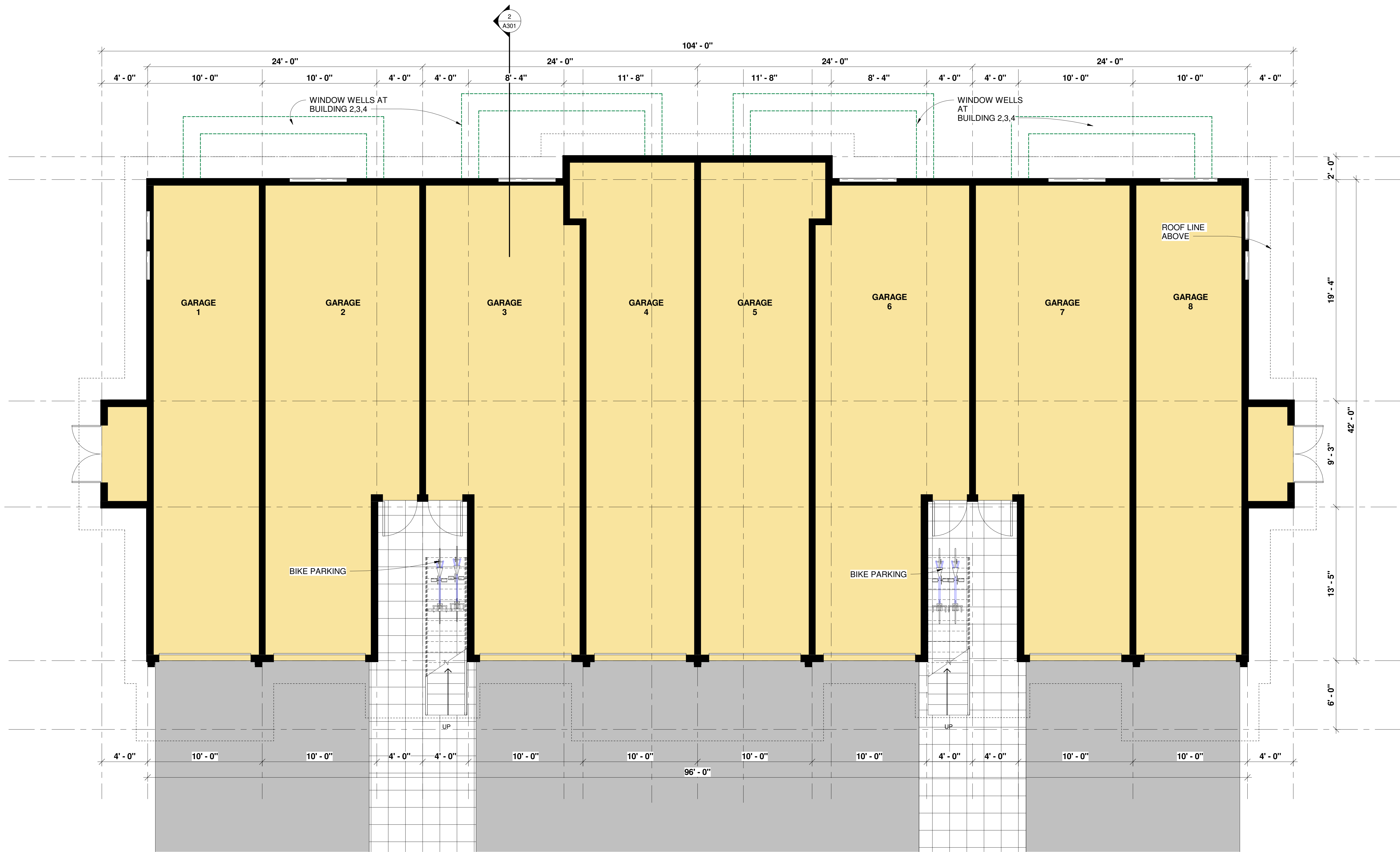
Job Number: 17053
 Date: 2018-FEB-07
 Drawn By: Author
 Checked By: Checker

Project Phase
FINAL DEVELOPMENT PLAN

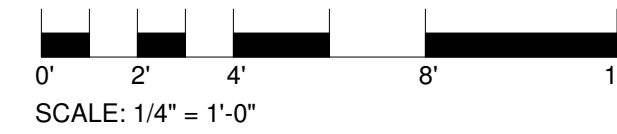
Sheet Title
B 1 & 6 BUILDING 3D VIEW

Sheet Number
A1-9

2/16/2018 8:42:55 AM



1 B 2-5 FIRST LEVEL PLAN
A2-1 1/4" = 1'-0"



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REVISIONS

No.	Description	Date

**FOX SPRINGS
BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO**

ERIC SMITH ASSOCIATES, P.C.
1616 SEVENTH STREET
BOULDER, COLORADO, 80502
(303) 442-5456, (303) 442-1745 FAX

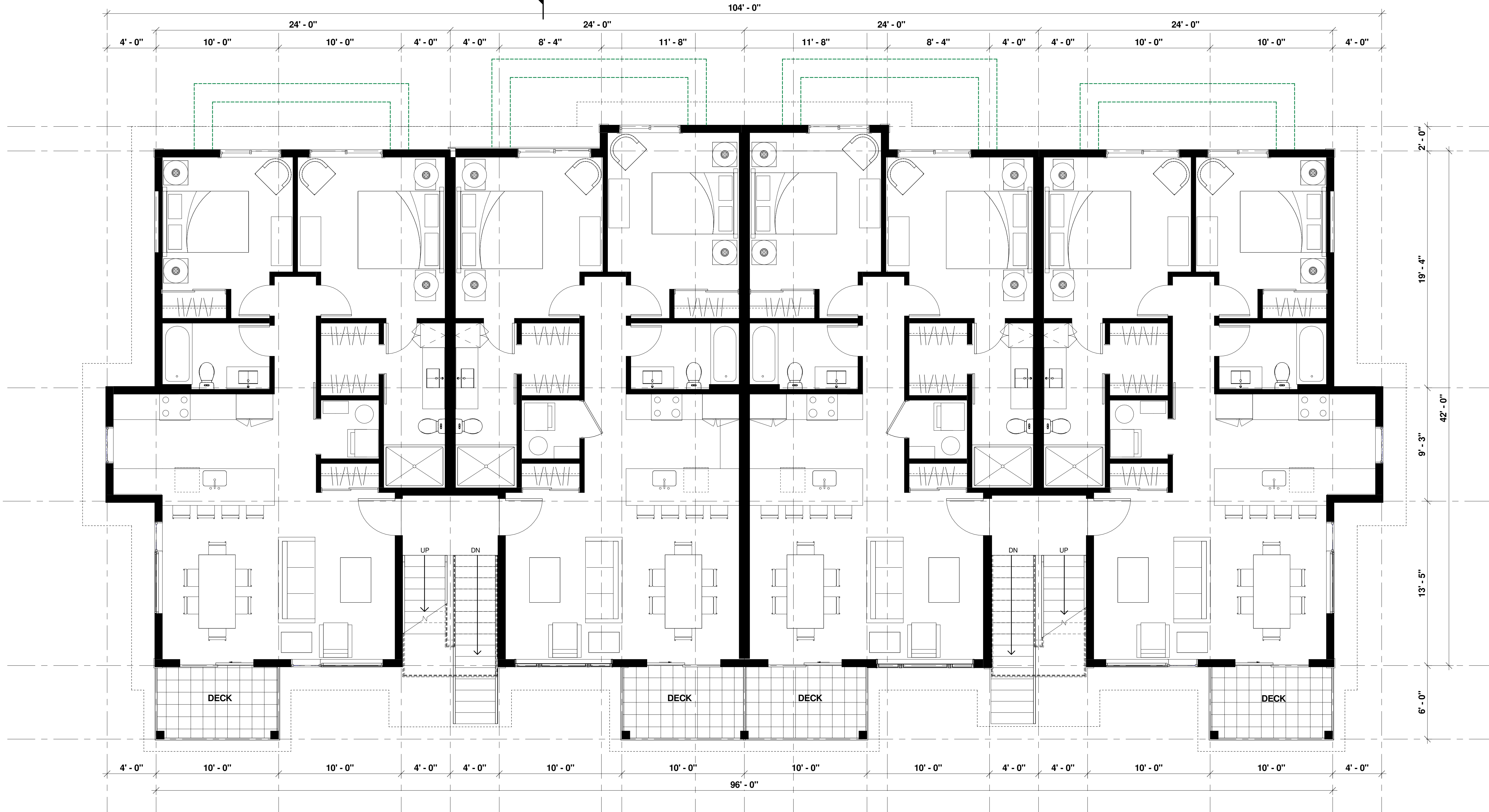
Job Number: 17053
Date: 2017-FEB-15
Drawn By: Author
Checked By: Checker

Project Phase
FINAL DEVELOPMENT
PLAN

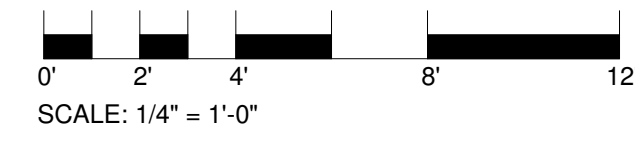
Sheet Title
B 2-5 FIRST LEVEL PLAN

Sheet Number
A2-1

2
A301



1
A2-2 B 2-5 SECOND LEVEL PLAN
1/4" = 1'-0"



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Eric Smith Associates, P.C.

REVISIONS

No.	Description	Date

**FOX SPRINGS
BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO**



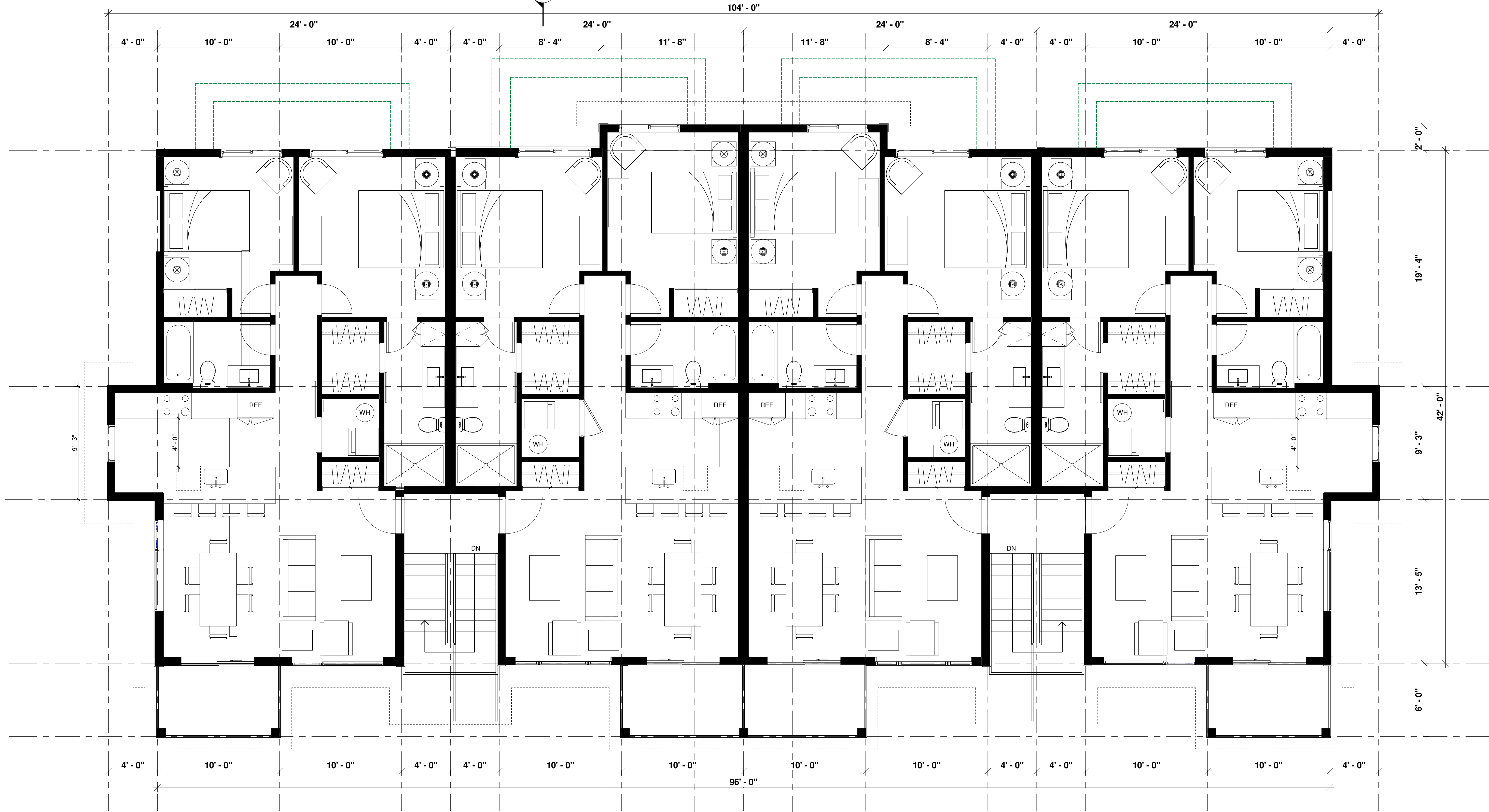
Job Number: 17053
Date: 2017-FEB-15
Drawn By: Author
Checked By: Checker

Project Phase
FINAL DEVELOPMENT
PLAN

Sheet Title
B 2-5 SECOND LEVEL
PLAN

Sheet Number
A2-2

2
A301



1 B 2-5 THIRD LEVEL PLAN
A2-3 1/4" = 1'-0"



NOTICE OF COOPERATION
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Eric Smith Associates, P.C.

REVISIONS

No.	Description	Date

**FOX SPRINGS
BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO**

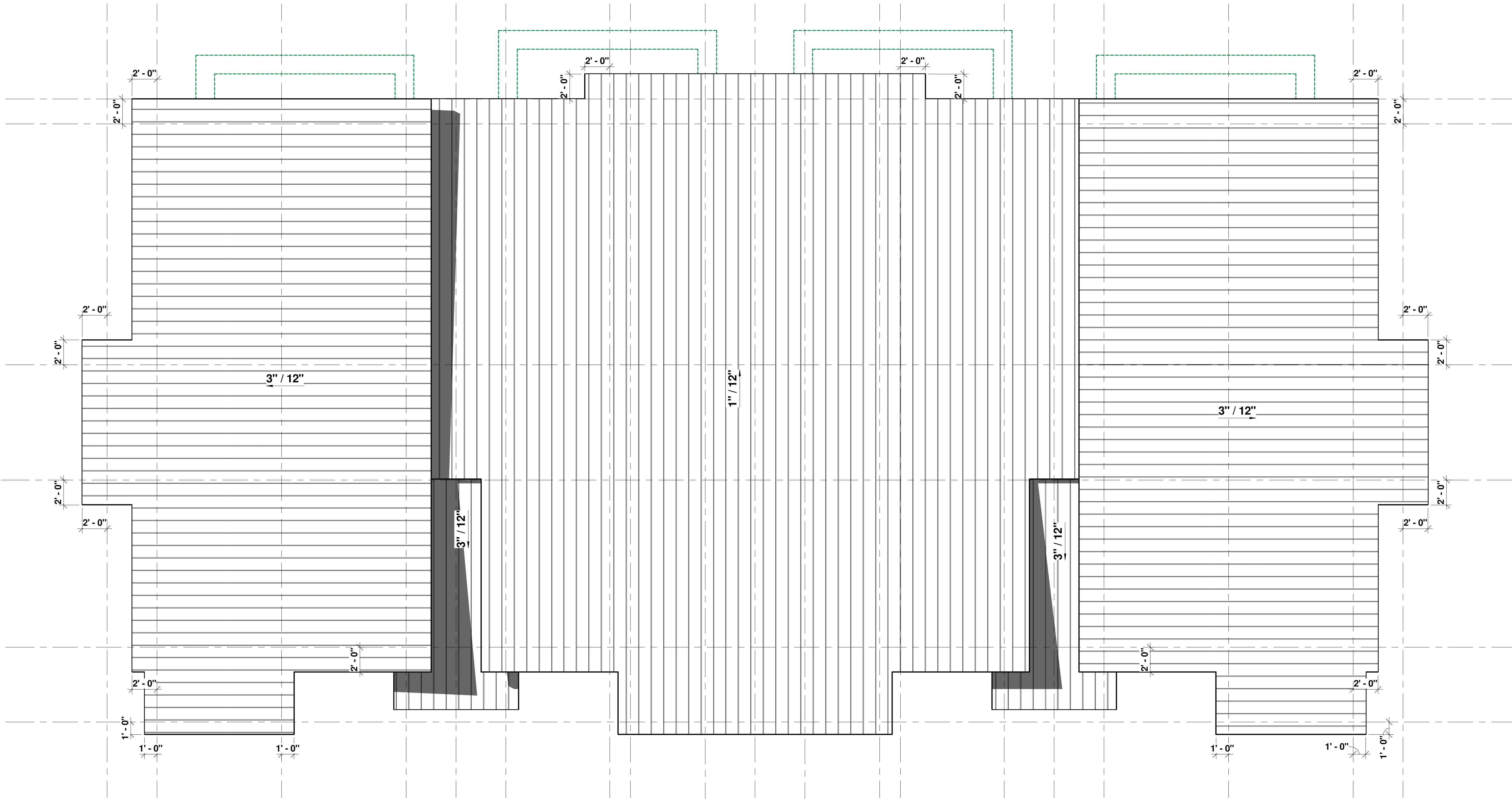


Job Number: 17053
Date: 2017-FEB-15
Drawn By: Author
Checked By: Checker

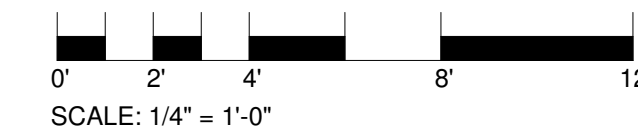
Project Phase
FINAL DEVELOPMENT
PLAN

Sheet Title
B2-5 THIRD LEVEL PLAN

Sheet Number
A2-3



1
A2-4 B 2-5 ROOF PLAN
1/4" = 1'-0"



NOTICE: DUTY OF COOPERATION
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 Eric Smith Associates, P.C.

REVISIONS

No.	Description	Date

**FOX SPRINGS
 BUILDING 2 3 4 5
 STEAMBOAT SPRINGS COLORADO**

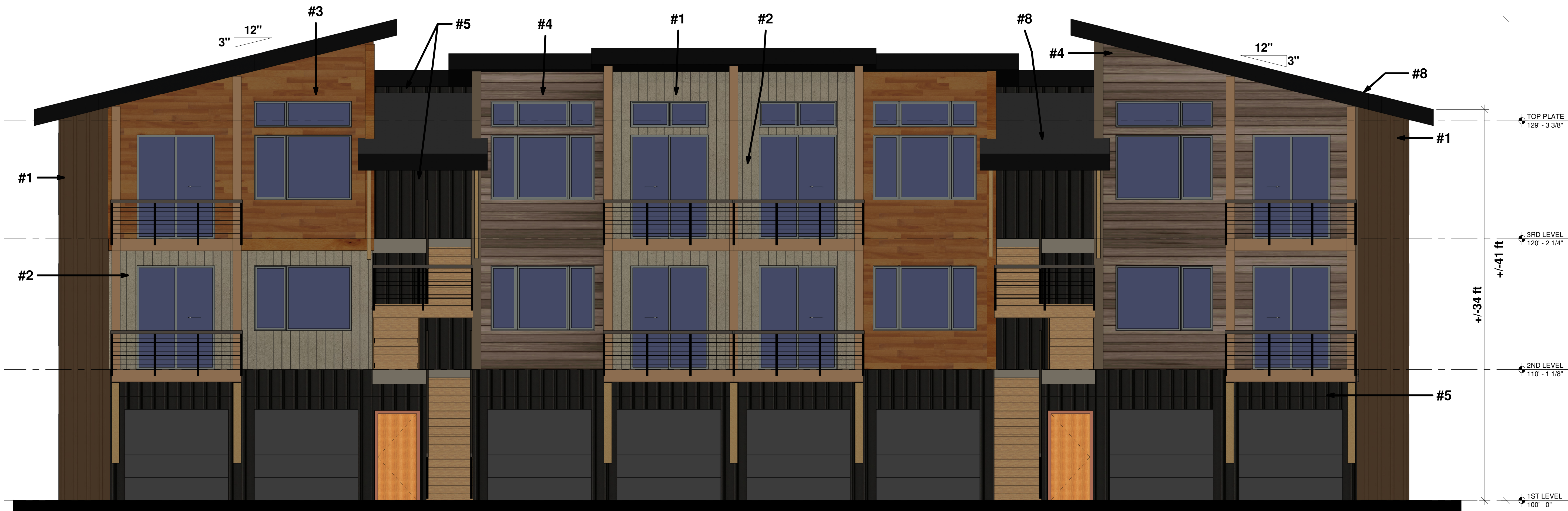


Job Number: 17053
 Date: 2017-FEB-15
 Drawn By: -
 Checked By: -

Project Phase
**FINAL DEVELOPMENT
 PLAN**

Sheet Title
B 2-5 ROOF PLAN

Sheet Number
A2-4



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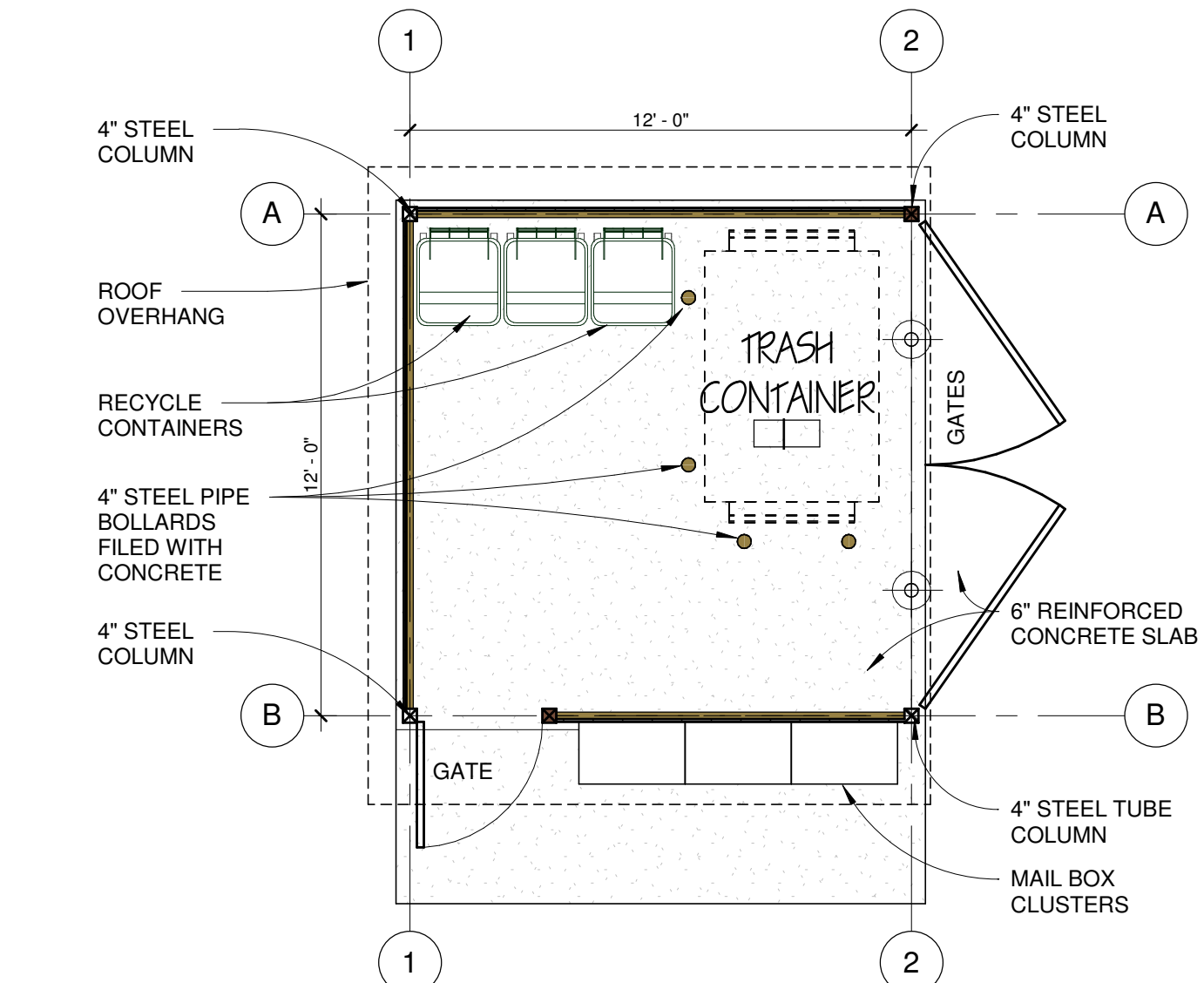
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Eric Smith Associates, P.C.

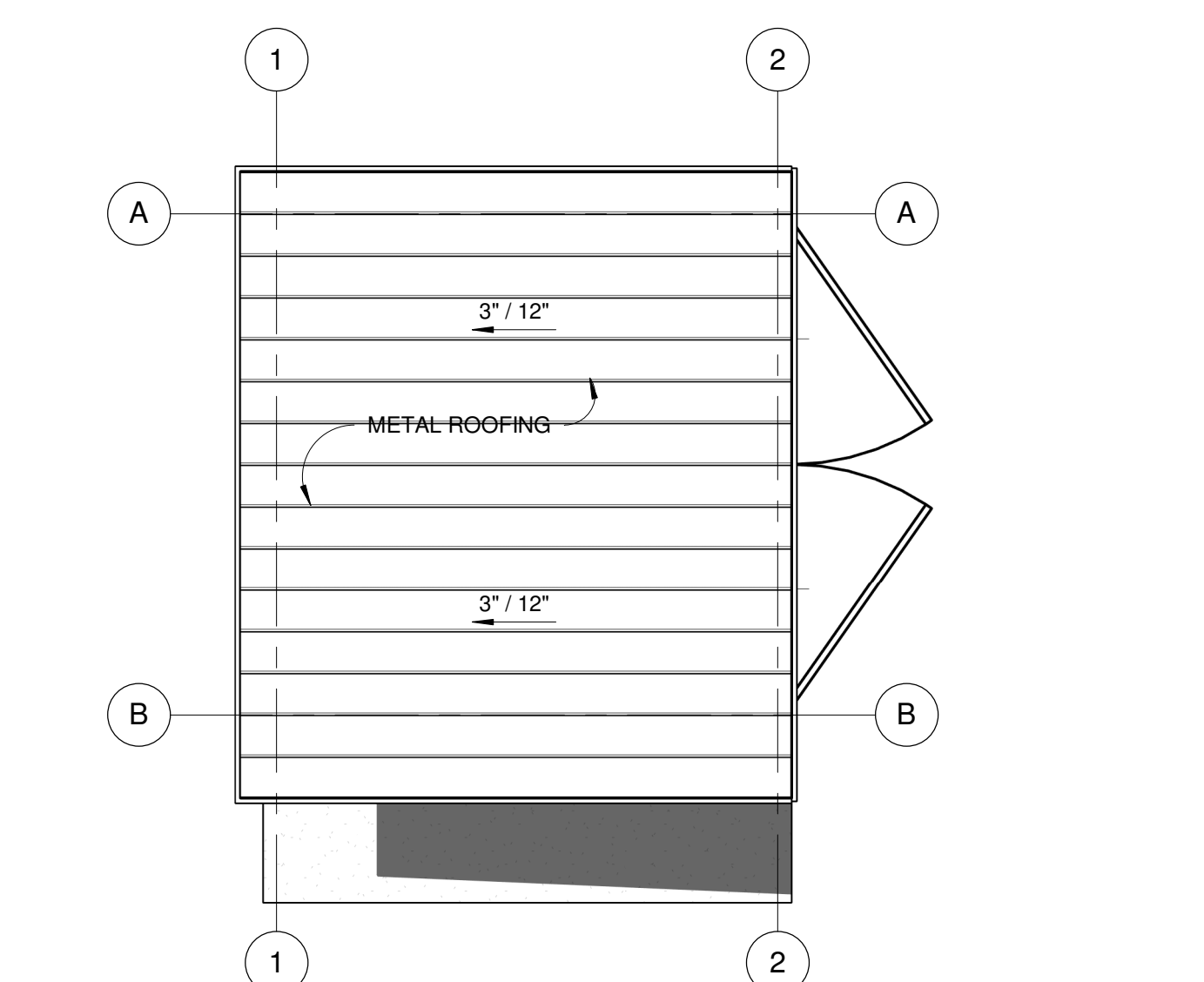
REVISIONS

No.	Description	Date

**FOX SPRINGS
 BUILDING 2 3 4 5
 STEAMBOAT SPRINGS COLORADO**

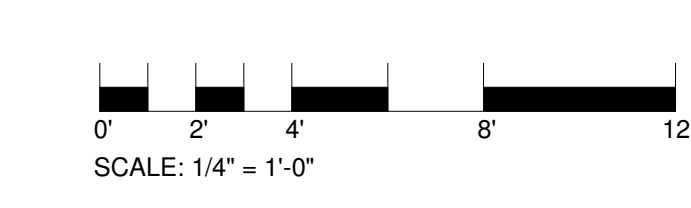


2 TRASH ENCLOSURE PLAN
 A2-5 1/4" = 1'-0"



3 TRASH ENCLOSURE ROOF PLAN
 A2-5 1/4" = 1'-0"

B 2-5 FRONT ELEVATION
 A2-5 1/4" = 1'-0"

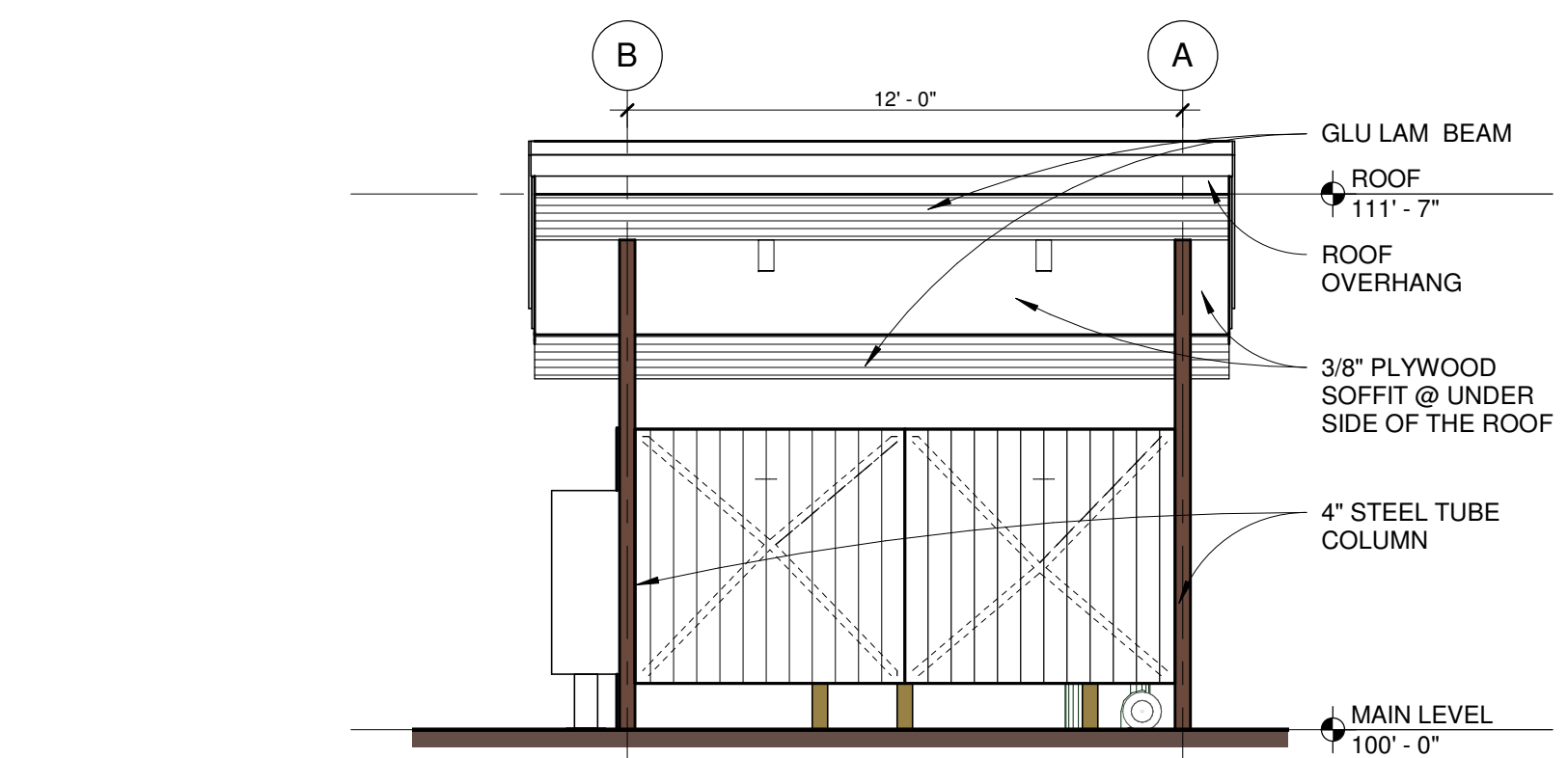


OPENING PERCENTAGE

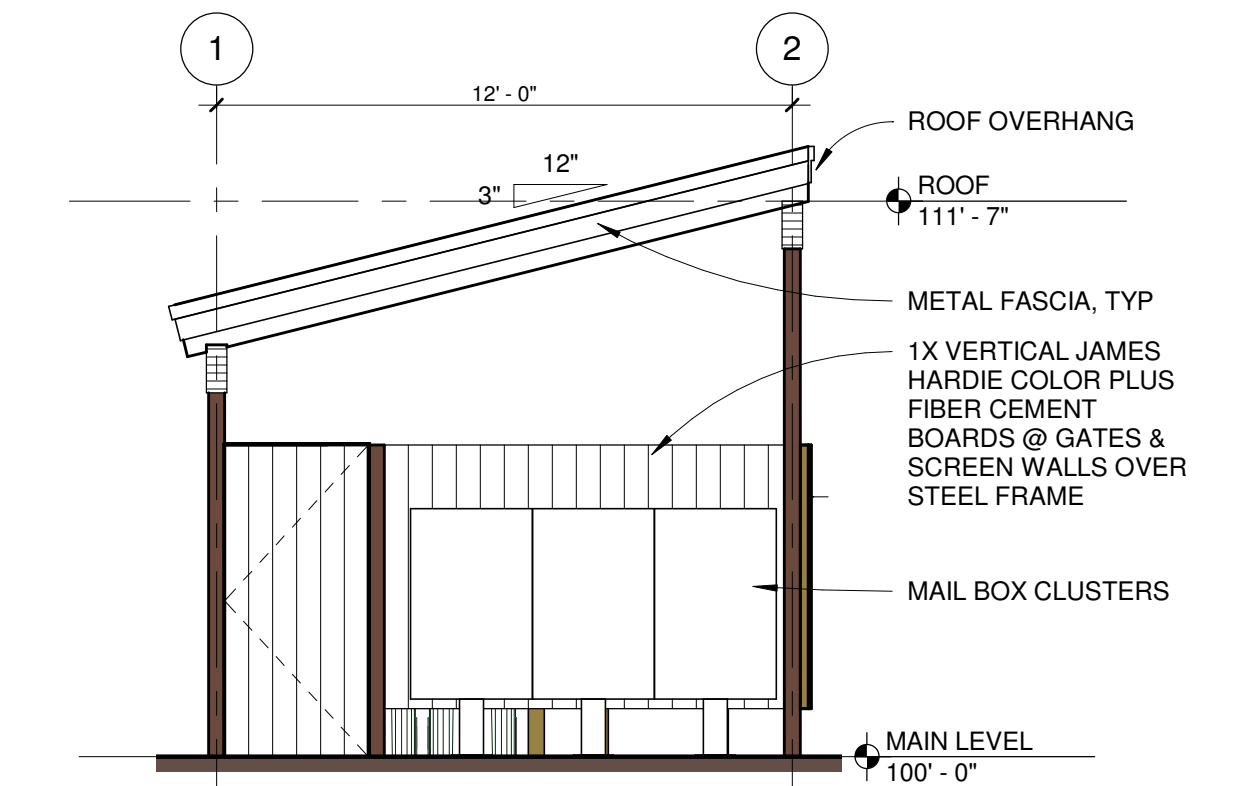
LEVEL 1: 3%
LEVEL 2: 27%
LEVEL 3: 27%

LP SmartSide DEEP GRAIN LAP COLLECTION

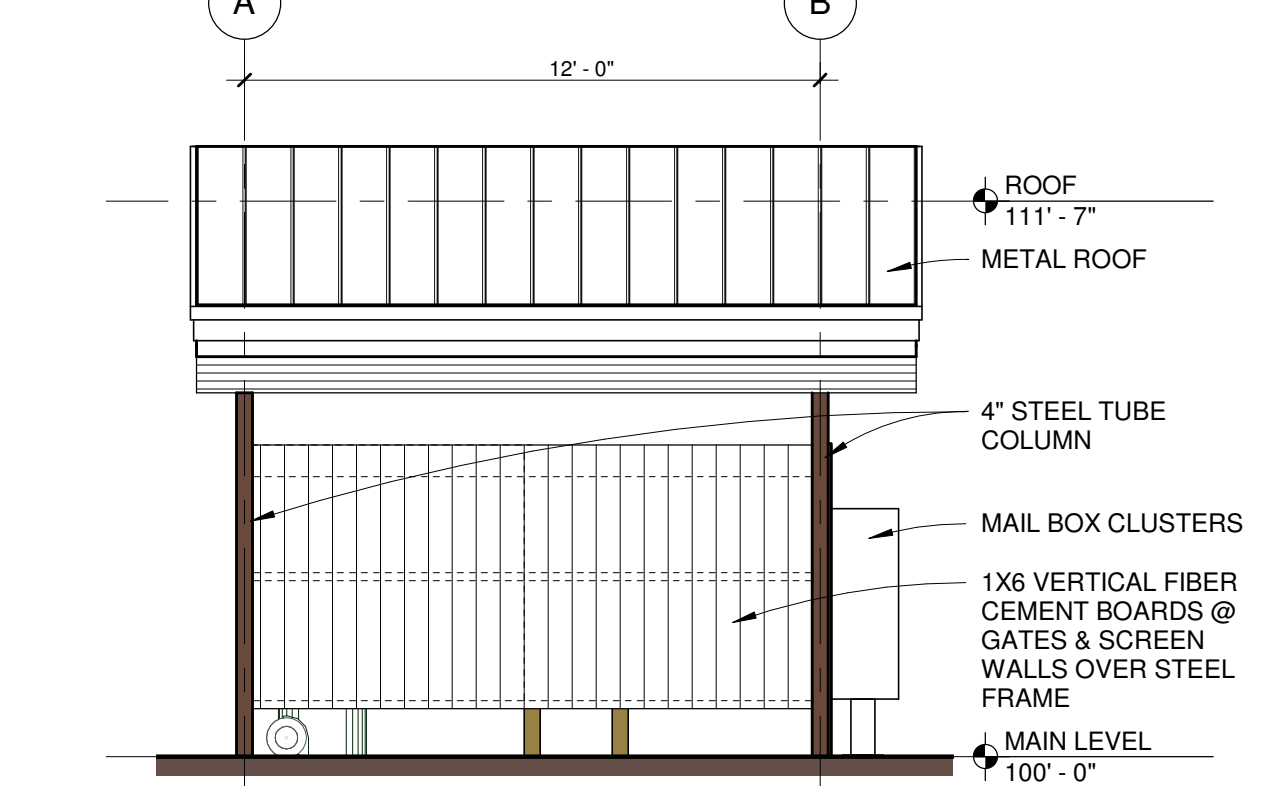
	#1 SIERRA		#5 METAL SIDING (DARK)
	#2 YELLOWSTONE		#6 METAL SIDING (GREY)
	#3 CEDAR		#7 DIAMOND PANEL METAL SIDING (GREY)
	#4 TAHOE		#8 SARNAFIL DECOR ROOF SYSTEM



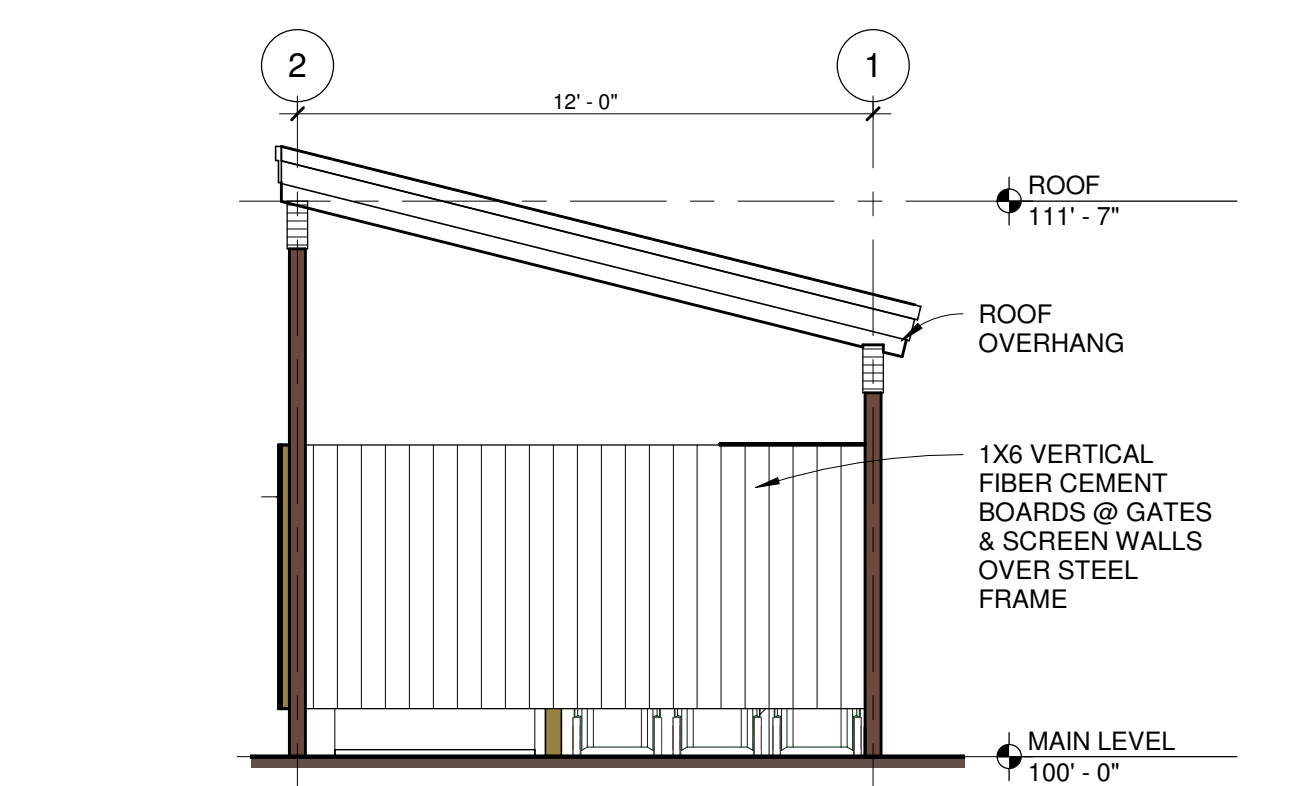
4 TRASH ENCLOSURE FRONT ELEV.
 A2-5 1/4" = 1'-0"



5 TRASH ENCLOSURE LEFT ELEV.
 A2-5 1/4" = 1'-0"



6 TRASH ENCLOSURE REAR ELEV.
 A2-5 1/4" = 1'-0"



7 TRASH ENCLOSURE RIGHT ELEV.
 A2-5 1/4" = 1'-0"

Eric Smith Associates, P.C.
 1616 SEVENTH STREET
 BOULDER, COLORADO, 80302
 (303) 442-5456, (303) 442-1745 FAX

Job Number: 17053
Date: 2017-FEB-15
Drawn By: -
Checked By: -

Project Phase
FINAL DEVELOPMENT PLAN

Sheet Title
B 2-5 EXTERIOR ELEVATION & TRASH ENCLOSURE

Sheet Number
A2-5



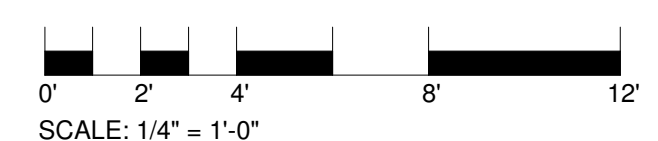
- LP SmartSide
DEEP GRAIN LAP COLLECTION
- #1 SIERRA
 - #2 YELLOWSTONE
 - #3 CEDAR
 - #4 TAHOE
 - #5 METAL SIDING (DARK)
 - #6 METAL SIDING (GREY)
 - #7 DIAMOND PANEL METAL SIDING (GREY)
 - #8 SARNAFIL DECOR ROOF SYSTEM

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No.	Description	Date

1 B 2-5 SIDE ELEVATION - RIGHT
 A2-6 1/4" = 1'-0"



2 B 2-5 SIDE ELEVATION - LEFT
 A2-6 1/4" = 1'-0"

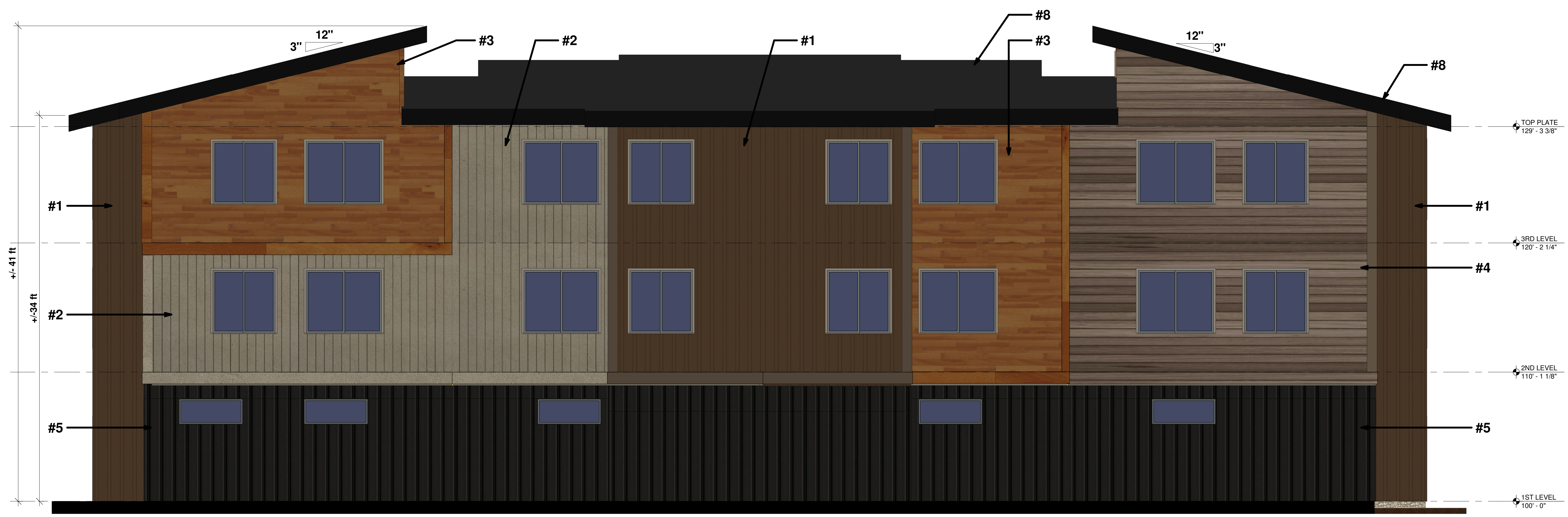
**FOX SPRINGS
 BUILDING 2 3 4 5
 STEAMBOAT SPRINGS COLORADO**



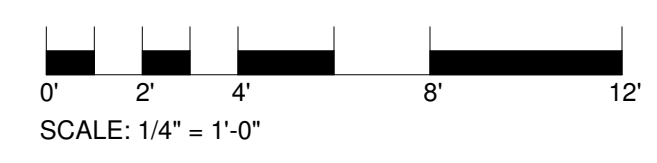
Job Number:	17053
Date:	2017-FEB-15
Drawn By:	Author
Checked By:	Checker

Project Phase	FINAL DEVELOPMENT PLAN
Sheet Title	B 2-5 EXTERIOR ELEVATION
Sheet Number	A2-6

- LP SmartSide
DEEP GRAIN LAP COLLECTION
- #1 SIERRA
 - #5 METAL SIDING (DARK)
 - #2 YELLOWSTONE
 - #6 METAL SIDING (GREY)
 - #3 CEDAR
 - #7 DIAMOND PANEL METAL SIDING (GREY)
 - #4 TAHOE
 - #8 SARNAFIL DECOR ROOF SYSTEM



1 B 2-5 BACK ELEVATION
A2-7 1/4" = 1'-0"



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Eric Smith Associates, P.C.

REVISIONS

No.	Description	Date

**FOX SPRINGS
BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO**

ERIC SMITH ASSOCIATES, P.C.
1616 SEVENTH STREET
BOULDER, COLORADO, 80302
(303) 442-5456, (303) 442-1745 FAX

Job Number:	17053
Date:	2017-FEB-15
Drawn By:	J.M.
Checked By:	T.J.

Project Phase
FINAL DEVELOPMENT
PLAN

Sheet Title
B 2-5 EXTERIOR
ELEVATION

Sheet Number
A2-7



B 2-5 - 3D FRONT VIEW

FOX SPRINGS BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO



ERIC SMITH ASSOCIATES, P.C.
1919 SEVENTH STREET
BOULDER, COLORADO, 80302
(303) 442-5458, (303) 442-4745 FAX

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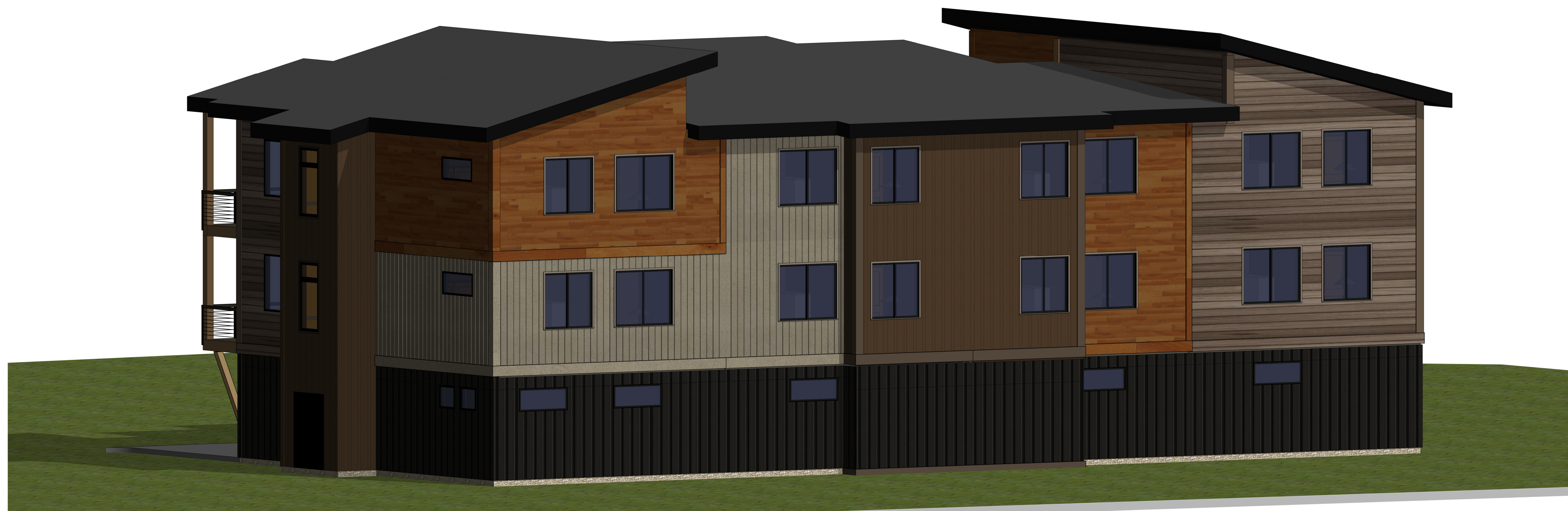
No.	Description	Date

Job Number:	17053
Date:	2017-FEB-15
Drawn By:	J.M.
Checked By:	T.J.

Project Phase
FINAL DEVELOPMENT PLAN

Sheet Title
B 2-5 BUILDING 3D VIEW

Sheet Number
A2-8



B 2-5 - 3D VIEW BACK

FOX SPRINGS BUILDING 2 3 4 5
STEAMBOAT SPRINGS COLORADO



ERIC SMITH ASSOCIATES, P.C.
1919 SEVENTH STREET
BOULDER, COLORADO, 80302
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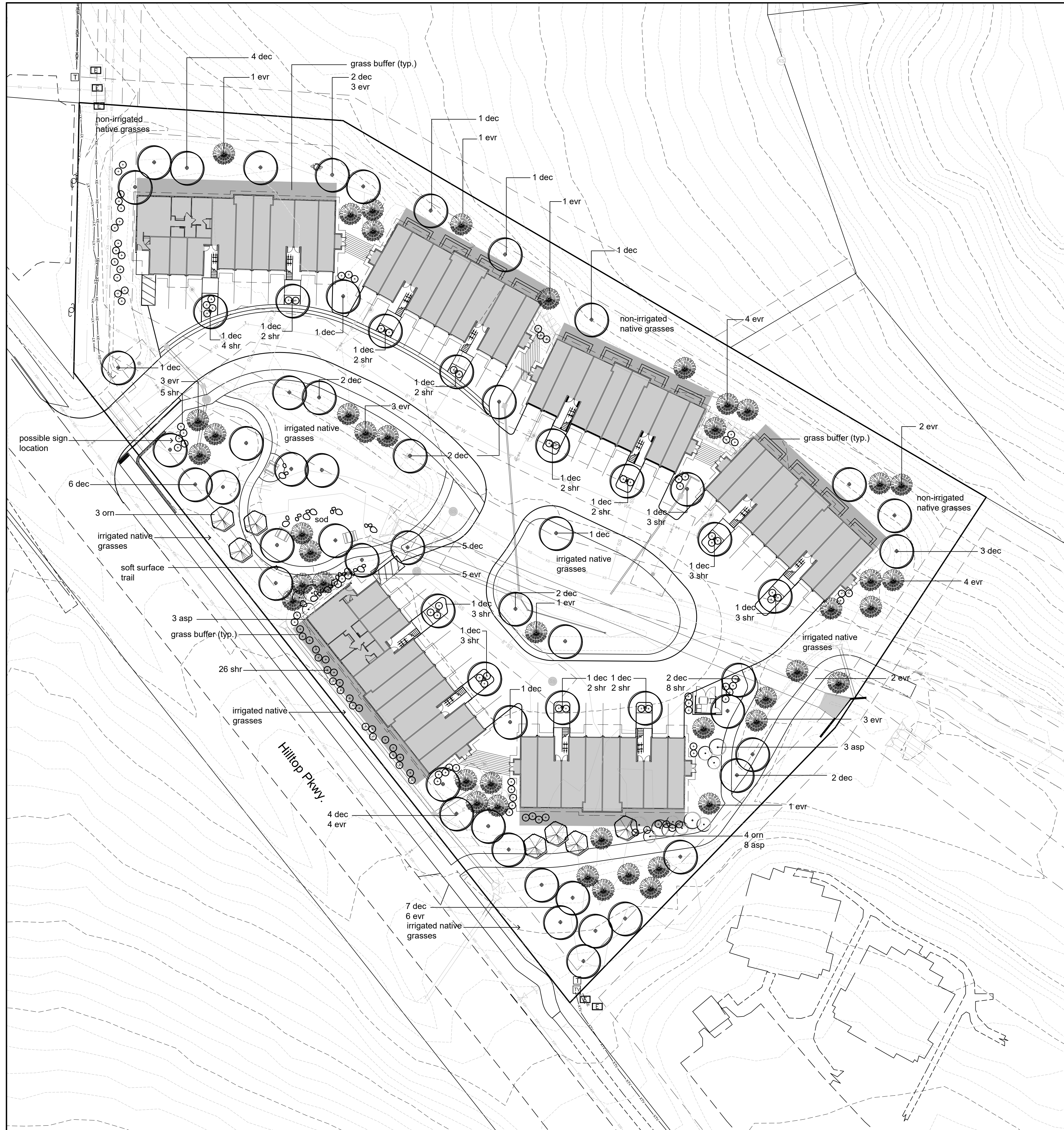
No.	Description	Date

Job Number:	17053
Date:	2017-FEB-15
Drawn By:	J.M.
Checked By:	T.J.

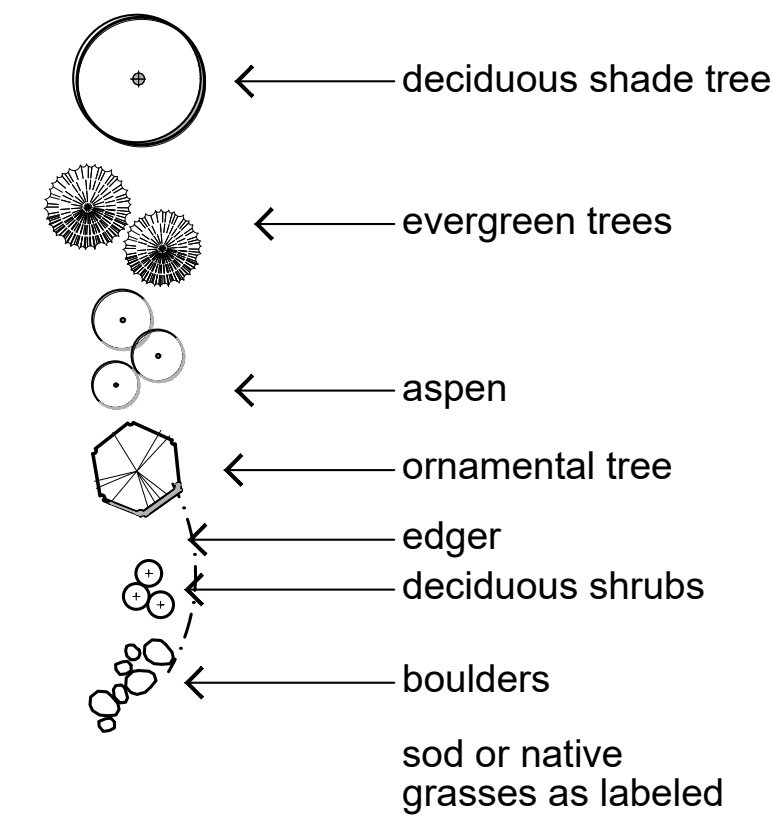
Project Phase	FINAL DEVELOPMENT PLAN
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Sheet Title	B 2-5 BUILDING 3D VIEW
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Sheet Number	A2-9
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LEGEND



PLANT LIST

TREES -126 total - 44 evergreen, 61 large deciduous , 21 aspen/ornamental

#	SYM	BOTANIC NAME	COMMON NAME	SIZE
13	evr	picea pungens	colorado spruce	6'-7' ht.
23	evr	picea pungens	colorado spruce	8'-9' ht.
8	evr	picea pungens	colorado spruce	10' ht
61	dec	populus sp.	cottonwood	2.5" cal.
14	asp	populus tremuloides	quaking aspen	2" cal.
7	orn	prunus var.	ornamental tree	2" cal.

SHRUBS - 126 total*

#	SYM	BOTANIC NAME	COMMON NAME	SIZE
#	shr	potentilla fruticosa	native yellow potentilla	5 gal.
#	shr	prunus virginiana	native chokecherry	"
#	shr	amelanchier alnifolia	saskatoon serviceberry	"
#	shr	cornus stolonifera	colorado dogwood	"
#	shr	juniperus communis	common juniper	"
#	shr	juniperus sabina 'buffalo'	buffalo juniper	"

*NOTE:

Final shrub list will be determined at time of construction document preparation. All shrubs will be low water usage plants and will comply with Urban Design Guideline plant list Appendix A as applicable.

NOTES

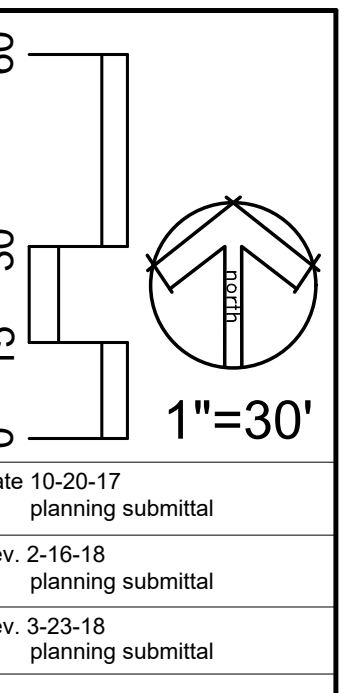
1. Site layout plan provided by Landmark Consultants, Inc.
2. Site grading plan provided by Landmark Consultants, Inc.
3. All proposed landscape plantings, sod and native seed areas as labeled will be under an automatic irrigation system.
4. All landscape will be maintained in a professional manner to industry standard.
5. Owner or landscape architect to approve layout of all proposed work prior to installation.
6. Refer to grading and layout and materials plans for additional information on all proposed work.
7. This landscape plan is intended only as a City of Steamboat Springs planning submittal document. It does not contain the necessary information for construction.
8. A stone "dripline" will be installed under roof edges of as needed.
9. All trees to be 15' clear of fire hydrants

LANDSCAPING STANDARDS TABLE

Standards		CC Zone district Requirements	Required	Proposed
Adjacent to Roadway	Landscape Buffer	15' setback = 6,640sf		
	Landscape Category	Dense Category 1tree / 200sf	33	33
Parking Area	Setback Buffer			
	Category			
Interior 67,480 sf		Moderate Category 1 tree /500sf	135	93
Number of Trees			168	
3 shrubs = 1 tree 126 / 3 = 42 trees				42

Total Proposed

168



Landscape Plan

Fox Springs Condominiums
Steamboat Springs, CO

MGC DESIGN, INC.

 LANDSCAPE ARCHITECTURE
 SITE DESIGN
 WATER USE in LANDSCAPE
 P.O. Box 773522
 Steamboat Springs, CO 80477
 (970) 879-7740

sheet #
L.100



LEGEND

- ← deciduous shade tree
- ← evergreen trees
- ← aspen
- ← ornamental tree
- ← edger
- ← deciduous shrubs
- ← boulders
- ← sod or native grasses as labeled
- ← landscape limits per building

60'
30'
15'
0'

1"=30'

date 10-20-17
planning submittal
rev. 2-16-18
planning submittal
rev. 3-23-18
planning submittal

Landscape Limits per Building

REVISED BUILDING/LANDSCAPING/
SITWORK SEQUENCING PLAN
4/24/18

LANDSCAPING STANDARDS TABLE

Standards		CC Zone district Requirements	Required	Proposed
Adjacent to Roadway	Landscape Buffer	15' setback = 6,840sf		
	Landscape Category	Dense Category 1 tree / 200sf	33	33
Parking Area	Setback Buffer			
	Category			
Interior 67,480 sf		Moderate Category 1 tree /500sf	135	93
Number of Trees			168	
3 shrubs = 1 tree 126 / 3 = 42 trees				42

Total Proposed 168

Fox Springs Condominiums
Steamboat Springs, CO

MGC DESIGN, INC.
LANDSCAPE ARCHITECTURE
SITE DESIGN
WATER USE in LANDSCAPE
P.O. Box 77522
Steamboat Springs, CO 80477
(970) 879-7740

sheet #
L.110

Attachment 4

Fox Springs Condominiums –Variance Requests



October 20, 2017

Mr. Robert Keenan, AICP, CFM
City of Steamboat Springs Planning Department
City of Steamboat Springs
124 10th Street
Steamboat Springs, CO 80477

RE: Variance Requests – Fox Springs Condominiums
Steamboat Springs, Colorado

Dear Bob:

On behalf of the property Owners, Fox Springs Development, LLC, we are requesting a variance to a couple of the dimensional standards for the Community Commercial (CC) Zone as described in the City of Steamboat Springs (City) Community Development Code (Code) for the Fox Springs Condominiums Final Development Permit Application (the Project). These variances were identified in Staff's Pre-Application letter dated July 13, 2017.

Specifically, the variances are related to:

#1 - Building Form (Height):

Criteria: Ground Floor Ceiling Height: 14-ft Minimum
Proposed: 9-ft minimum, 14-ft maximum.

#2 - Building Placement (Front – Principal Structure):

Criteria: Principal Structure: 20' Maximum
Proposed: Varies

[Variance Request #2 was addressed by the Director of Planning and Community Development through the TAC review process per Section 26-132. Please see approval criteria #8 for full analysis.](#)

Variance Criteria: The following addressed criteria is from Section 26-65(d)(8) of the Code:

The development of condominiums on this site requires a variance to CDC Section 26-132 Dimensional Standards, CC: Community Commercial, Standard J - Ground floor ceiling height and Standard B – maximum Principal Structure Front Setback. Below are our responses to the Development Plan Variance Criteria:

Variance #1 - Strict application

The purpose of this standard is to ensure that ground floor units could be easily converted to retail in the future as demand warrants. The proposed project is to be used solely for housing and the included garages are required to meet the parking requirements. This land use requirement does not permit the conversion of ground floor units to retail making strict application of this standard an unnecessary burden on the project.



Fox Springs Condominiums –Variance Requests



Variance #2 – Strict application

This project is proposing 6 condominium buildings on one parcel. The frontage of the project is limited and aligning all 6 buildings up against Hilltop Parkway is not possible. It is our understanding that the intent of this standard is to discourage parking between the buildings and the street. For this project, the buildings have been oriented to focus circulation and parking towards the interior – not towards the exterior. Additionally, this standard has been met with Building #6. No other building can be placed to 'touch' the maximum setback.

The challenging topography, existing utilities and unconventional geometry of the property prevents this standard from being met by all the proposed buildings.

If you have any additional questions or need any additional information, please do not hesitate to call.

On behalf of the Owner, Fox Creek Development, LLC,

Sincerely,
Landmark Consultants, Inc.

Erik Griepentrog, PE
Vice-President



Fox Springs Condominiums –Variance Requests



141 9th St • Steamboat Springs
CO 80477 • (970) 871-9494
www.landmark-co.com

Attachment 5



25 April, 2018

Fox Springs – Urban Design Standards Building Variety

The 2008 Urban Design Standards Building Variety, Multi-Family Developments states: “Multifamily developments with four or more units per building shall incorporate a variety of distinct building designs according to the scale of the development, as follows:

- 3 – 5 buildings: 2 models minimum;
- 6-11 buildings: 3 models minimum.

Distinct building designs, as required above, shall be easily distinguished through a minimum of two (2) of the following:

- A variation in length of 30% or more;
- A variation in the footprint of the building of 30% or more;
- A distinct variation in color and use of materials;
- A variation in housing type contained in the building that results in significantly different exterior scale and mass, i.e., apartments vs. townhomes or duplexes; or
- A distinct variation in building height and roof form.”

Requested: Variance to the 2008 Urban Design Guidelines Building Variety of 3 distinct building designs as defined in the 2008 Urban Design Guidelines. The Fox Springs buildings meet the 2008 Urban Design Guidelines definition of 2 distinct building designs and one-half of the third distinct building design.

Our responses using the CDC DEVELOPMENT Variance criteria for Review and approval are as follows:

Variance criteria. As defined in [Section 26-2](#) (a), Interpretation and application, the provisions of the Community Development Code shall be regarded as minimum requirements for the protection of public health, safety, comfort, convenience, prosperity and welfare. 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 under subsection (d)(8)b.4.

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 variance of Building Variety will not permanently injure or adversely impact legal conforming uses of the adjacent properties.**

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. **The intent of the 2008 Urban Design Standards Building Variety is “To ensure that building groupings within multifamily developments exhibit a distinct variation in size and mass that allows them to be easily distinguished from surrounding building groupings.” And also “To avoid the bleak, ‘barracks-type’ appearance associated with large concentrations of identical or very similar multifamily structures.”**

The Fox Springs buildings consist of a 9 unit building and an 8 unit building, each with different exterior colors/exterior materials plus a distinct variation in building height and roof form with the step down to a one level mass/roof and a longer 9 unit building length. This meets the standard for 2 building ‘models’ which the 2008 Urban Design Standards requires for 5 buildings. There is a sixth building on site and the Standards call for an additional building ‘model’ for 6 – 11 buildings. The Fox Springs buildings are planned to include different colors and exterior materials and exterior colors for the 6 buildings on site which would qualify as one

of the 2 variations for the 3rd building 'model'. The site configuration, topography, existing drainage/utilities do not allow for longer or shorter building footprints to be provided effectively and maintain the desired building layout. Our belief is that the arrangement of the buildings with different building exposures provides plenty of variation with the varied views of the building orientations.

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: (Note: In the G-1, G-2, RR-1 and RR-2 zone districts no variations are permitted to height standards per this variance process.)

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. The Fox Springs buildings vary in the building types' footprint, massing and the mixture of exterior colors and materials that accentuate different exterior elements of the buildings. The varied building orientations create different views of the different sides of the buildings with the varied roof forms. Our belief is that all of these items combined with the attractive appearance of these buildings meets the intent of an interesting and varied appearance of these buildings.

2. The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance. Our belief is that the variety achieved by mixing the exterior colors and materials on the buildings is more effective in developing building variety than varying the building footprint, building length or housing type.

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. The project site is encumbered by existing drainage and utilities through the center of the site and a steep slope at the North portion of the site. As a result, the buildable portions of the site involve the perimeter of the site clustered around the site central drainage, utilities and drives. The site configuration, topography, existing drainage/utilities do not allow for variation to the building lengths or building footprint to be provided effectively and maintain the desired building layout.

TOM JARMON

ESA ARCHITECTURE . PLANNING
1919 7TH STREET, BOULDER CO 80302
303.442.5458 www.esapc.com

Attachment 6



24 April, 2018

Fox Springs – Urban Design Standards Roof Forms

The 2008 Urban Design Standards Roof Form and Function, Multifamily states: “Generally, multifamily buildings shall incorporate roof pitches of between 5:12 and 12:12; however, alternative roof forms or pitches may be allowed for small roof sections over porches, entryways or similar features.”

Requested: Variance to the 2008 Urban Design Standards Roof Forms to allow for lower sloped roof forms for the Fox Springs buildings to incorporate 3:12 and 1:12 roof pitches which creates variety in the building roof forms.

Our responses using the CDC DEVELOPMENT Variance criteria for Review and approval are as follows:

Variance criteria. As defined in [Section 26-2](#) (a), Interpretation and application, the provisions of the Community Development Code shall be regarded as minimum requirements for the protection of public health, safety, comfort, convenience, prosperity and welfare. 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 under subsection (d)(8)b.4.

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 variance to provide lower roof slopes and less building height on the Fox Springs buildings will not permanently injure or adversely impact legal conforming uses of the adjacent properties.](#)

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. [The intent of the 2008 Urban Design Standards Roof Forms is “To create a strong visual contrast between the character of development within the city’s entry corridors and the more urban character predominant in downtown.” And also “To ensure that roof forms are incorporated in a manner that minimizes the creation of hazard and inconvenience due to snow and ice shedding.”](#) The Fox Springs property is outside the Northern and Southern Entry Corridors identified in the Urban Design Standards so this standard intent may not apply, but even if it did apply, our belief is that the Fox Springs buildings provide a strong visual contrast to urban downtown buildings. This is accomplished with varied roof forms with varying roof heights that drop down at the stairs/lower one level units and are lower at the building center sections. The lower roof slopes also create less “of (a) hazard and inconvenience due to snow and ice shedding” as the snow will stay on the roof and not shed down onto lower areas which is more likely with steeper roof slopes.

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: (Note: In the G-1, G-2, RR-1 and RR-2 zone districts no variations are permitted to height standards per this variance process.)

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. [As the response above describes, the lower sloped roofs accomplish the intents described in the 2008 Urban Design Standards Roof Forms more effectively than the steeper roof forms called for by lessening the snow/ice shedding issues that steeper roof slopes may provide. The lower sloped roof forms provide a more dramatic step-down articulation to the building roof mass and also provide less building height and mass.](#)

2. The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance. The intent of the 2008 Urban Design Standards Roof Forms “To ensure that roof forms are incorporated in a manner that minimizes the creation of hazard and inconvenience due to snow and ice shedding” will more likely be achieved with lower sloped roof forms as developed on the Fox Springs building exteriors as snow shedding is more likely to occur with steeper roof forms than lower roof forms.

3. The application of other code standards and/or intents will be improved by varying this standard. The application of lower roof forms will provide for more improved and enhanced exterior roof forms with more options to vary the roof slopes and create more dramatic roof steps/massing for buildings. The lower roof forms will allow for lower building heights and provide less potential for snow shedding than the current 2008 Urban Design Standards steeper roof slope requirements.

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. The project site is encumbered by existing drainage and utilities through the center of the site, pedestrian connections and a steep slope at the North portion of the site. The buildable portions of the site are at the perimeter of the site clustered around the site central drainage, utilities and drives. The 2008 Urban Design Guidelines call for steep roof forms with pitched, shed and dormer roofs that will direct roof drainage toward the building entries and drives at the center of the site. The requested variance for lower roof slope forms will allow for the ability to direct roof drainage away from the building entries and drives at the center of the site with a step-downs in the roof massing and less building height.

TOM JARMON

ESA ARCHITECTURE . PLANNING

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24 April, 2018

Fox Springs – Urban Design Standards Transparency

The 2008 Urban Design Standards Transparency, Multi-Family Development states: “All Multifamily building elevations shall devote a minimum of 25 percent of the wall area of each floor to windows or transparent entrances.”

It is our understanding that city’s planning interpretation of this standard is for each wall elevation (North, South, East & West Elevations) at each level of the building to meet these transparency requirements. Previously the 2008 Urban Design Standards Transparency, Multi-Family Development have been reviewed by the city based on the total wall area per level of the building as opposed to the wall area of each building orientation (North, South, East and West) per building level which is how the previous 2008 Urban Design Standards Transparency, Commercial and Mixed-Use Development (Multi-story) spells out how to calculate the Transparency.

Requested: 2008 Urban Design Standards Transparency Variance of 25% of the 1st level of the buildings’ exterior to be windows and/or transparent entrances. The Fox Springs buildings meet or exceed the 2008 Urban Design Standards 25% openings requirement for the wall area of each buildings total 2nd level exteriors and total 3rd levels exteriors as how the Transparency has been reviewed by city planning for previous multi-family development. The Lower Level of the 8-unit buildings contains garages with approximately 3% ‘transparency’ and the 9-unit buildings include a ground level unit with the 9 garages and approximately 9% ‘transparency’. These building lower levels do not meet the 2008 Urban Design Standards for Multi-family development Transparency.

Our responses using the CDC DEVELOPMENT Variance criteria for Review and approval are as follows:

Variance criteria. As defined in [Section 26-2](#) (a), Interpretation and application, the provisions of the Community Development Code shall be regarded as minimum requirements for the protection of public health, safety, comfort, convenience, prosperity and welfare. 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 under subsection (d)(8)b.4.

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 property and the use of such property is in full compliance with all requirements of the zone district in which the property is located. The variance of less windows and/or transparent entrances will not permanently injure or adversely impact legal conforming uses of the adjacent properties.

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. The intent of the 2008 Urban Design Standards Transparency is “To enhance the appearance of multifamily building elevations as viewed from the city’s entry corridors and other public rights-of-way”. Our belief is that multi-family development enhanced exterior appearance is not a function of the amount of windows in a building. Functionally, building openings need to be provided in response to interior space requirements including building code exiting/lighting/ventilation, privacy and energy code requirements. There are other ways to enhance building appearance (building massing/roof forms/materials/building elements).

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: (Note: In the G-1, G-2, RR-1 and RR-2 zone districts no variations are permitted to height standards per this variance process.)

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. Similar variances may or may not have been granted for other Multi-family housing projects subject to the 2008 Urban Design Standards. The 2008 Urban Design Standards may not have taken into consideration entry level residential housing with grade level garages provided mostly on the ground level and the lower level of many of the buildings covered up by grade into the hillside. Providing 25% of the lower level exterior wall area with windows and/or transparent entrances in an entry level housing project with mostly garages at this level is not appropriate for the garage uses of these buildings. Buildings 1 and 6 have residential units at this lower level and the exterior walls contain a good portion of the transparency requirement at this level. If there were retail facilities located in this project on the lower level, transparency at the exterior walls would be appropriate and highly functional, but transparency at residential unit garages are not appropriate and presents security concerns for residential unit owners storing valuable belongings such as bicycles/kayaks suspended to the garage ceilings. High glass is provided on the exterior side and rear walls of the garages at buildings where the lower level exteriors are visible from Hilltop Parkway.

The exteriors of this multi-family development are attractive in their appearance with providing building openings that exceed 25% of the total building wall area for the 2nd and 3rd building levels per the 2008 Urban Design Standards Transparency Commercial and Mixed-Use Development (Multi-story) method of calculating transparency. The combination of the designed exterior elements that include varied exterior materials, roof forms and deck elements achieve the enhanced exterior appearance objective without excessive building openings that reduce building efficiency and are not desired for the interior spaces.

2. The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance. The intent of the 2008 Urban Design Standards Transparency is "To enhance the appearance of multifamily building elevations as viewed from the city's entry corridors and other public rights-of-way". Our belief is that multi-family development enhanced exterior appearance is not a function of the amount of windows in a building. Functionally, building openings need to be provided in response to interior space requirements including building code exiting/lighting/ventilation, privacy and energy code requirements. There are other ways to enhance building appearance (building massing/roof forms/materials/building elements).

3. The application of other code standards and/or intents will be improved by varying this standard. The application of appropriately placed building openings in multi-family development allows for a higher level of building energy efficiency and providing privacy for interior spaces located on exterior walls while still providing an enhanced exterior appearance.

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. The project site is encumbered by existing drainage and utilities through the center of the site, pedestrian connections and a steep slope at the North portion of the site. Most of the buildable portions of the site involve building into the steep hillside at the North portion of the site. 4 of the 6 buildings are located on the North portion of the site where 3 of the 4 building sides have grade covering a portion or all of the 1st level. This precludes providing 25% of the 1st level exterior walls with windows and/or transparent entrances at this level. The North walls of these buildings are where the residential unit bedrooms occur and back up to a steep hillside where providing openings in 25% of the exterior wall is not appropriate or energy efficient.

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BLDG 1& 6

	FRONT			LEFT			REAR			RIGHT			WALL AREA / OPENING		
	WALL	OPENING	%	WALL	OPENING	%	WALL	OPENING	%	WALL	OPENING	%	BLDG	AREA / BLDG	% / BLDG
1	1038	0	0%	376	10	3%	1038	179	17%	412	76	19%	2863	265	9%
2	859	341	40%	376	64	17%	859	210	24%	412	28	7%	2505	642	26%
3	1172	419	36%	382	64	17%	873	210	24%	418	54	13%	2845	747	26%
	3069	760	25%	1134	137	12%	2770	598	22%	1242	159	13%	8214	1654	20%

BLDG 2-5

	FRONT			LEFT			REAR			RIGHT			WALL AREA / OPENING		
	WALL	OPENING	%	WALL	OPENING	%	WALL	OPENING	%	WALL	OPENING	%	BLDG	AREA / BLDG	% / BLDG
1	859	0	0%	376	10	3%	859	50	6%	376	10	3%	2470	70	3%
2	859	341	40%	376	64	17%	859	210	24%	376	64	17%	2470	678	27%
3	1172	419	36%	382	64	17%	873	210	24%	382	64	17%	2809	756	27%
	2890	760	26%	1134	137	12%	2591	469	18%	1134	137	12%	7748	1504	19%

Attachment 8

4/12/18 Phasing Response to TAC Comments

Section 26-141 Phasing & Section 26-203 Development Agreements

1. The Landscape Limits per Building drawing is very helpful, however Staff has concerns about improvements in areas outside of the landscape limits per building. Below a development agreement is proposed as a condition of approval to document phasing. Please clarify the timing of construction for the following improvements and provide an updated phasing plan that addresses each.

Phasing Plan: All 6 buildings are planned to be constructed generally in sequence with Building 6 first, followed by Building 5, then Buildings 4, 3, 2 & 1. This is subject to sales. The owner's desire is to provide all of the site work including grading/drainage/utilities and excavate/build the building foundations. Then each trade would advance through the buildings until completion. There may be portions of construction such as landscaping and site work that will be interrupted by winter conditions. The owner will provide bonding for landscaping or other items associated with each building completion as required.

The Site work and Building 6 & Building 5 are anticipated to start work this summer/fall depending on city approval timing. Depending on fall weather, Building 4 start will follow or wait until the Spring. Buildings 3, 2 & 1 will then start and proceed depending on weather stoppages.

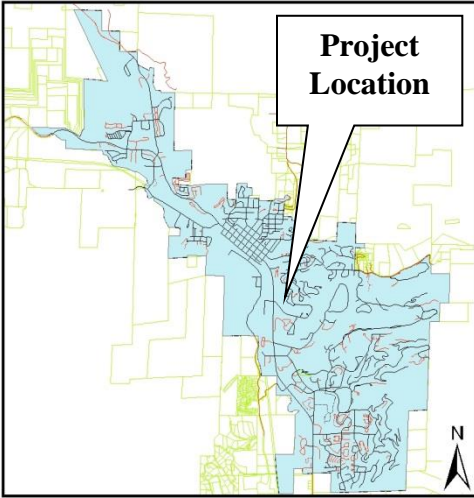
See attached site plan with anticipated related site work/landscaping associated with each building.

- a. The sidewalk along Hilltop Parkway To be provided with the completion of Building 6 and Building 5 unless winter delays this and in that case, this work will be bonded for until completion can occur the following building season.
- b. The walking path connecting the Fox Creek Trail to the sidewalk along Hilltop Parkway To be provided with the completion of Building 5 and Building 4 unless winter delays this and in that case, this work will be bonded for until completion can occur the following building season.
- c. Landscaping shown in areas not included in the landscape limits per building areas To be provided with the marked up Landscaped plan showing the landscape associated with each building unless winter delays this and in that case, this work will be bonded for until completion can occur the following building season.
- d. Driveways and parking areas Each building's driveways and parking areas will be provided with the completion of each building. The central drive and loop area with the loop area landscaping will be completed with the last Building (4) to accommodate construction access and construction staging unless winter delays this and in that case, these areas will be bonded for until completion can occur the following building season.

AGENDA ITEM #2

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

PLANNING COMMISSION AGENDA ITEM # 2	
Project Name:	Howelsen Ice Area Multi-Purpose Facility (285 Howelsen Parkway), DPF-17-06
Prepared By:	Kelly Douglas, City Planner (Ext. 245)
Through:	Tyler Gibbs, AIA, Planning & Community Development Director (Ext. 244)
Date:	May 3, 2018
Planning Commission (PC):	May 10, 2018
City Council (CC):	June 5, 2018
Zoning:	Open Space and Recreation (OR)
Applicant:	City of Steamboat Springs
Request:	A Development Plan/Final Development Plan for a second sheet of ice, locker room and lobby addition to the Howelsen Ice Complex with a variance to defer shared parking lot paving for two years.



285 Howelsen Parkway

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

CDC - SECTION 26-65 (D) AND 26-66(D): NO DEVELOPMENT PLAN/FINAL 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)	Compatible with Community Plan	<input checked="" type="checkbox"/>			
2)	Consistency with Surrounding Uses	<input checked="" type="checkbox"/>			
3)	Conformity with Building Standards	<input checked="" type="checkbox"/>			
4)	Minimize Adverse Impacts	<input checked="" type="checkbox"/>			
5)	Access	<input checked="" type="checkbox"/>			
6)	Minimize Environmental Impacts	<input checked="" type="checkbox"/>			
7)	Phasing			<input checked="" type="checkbox"/>	
8)	Compliance With Other Standards	<input checked="" type="checkbox"/>			
9)	Variance Criteria	<input checked="" type="checkbox"/>			

Staff Finding: Staff finds that the Development Plan/Final Development Plan, DPF-17-06, for a second sheet of ice, locker room and lobby addition to the Howelsen Ice Complex with a variance to defer shared parking lot paving for two years is consistent with the Criteria for Approval for a Development Plan/Final Development Plan.

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

II. PROJECT LOCATION



III. BACKGROUND

The Howelsen Ice Complex is located on a 150-acre parcel. It is zoned Open Space and Recreation (OR) and is located just east of the 5th Street and Howelsen Parkway intersection. Other uses on the parcel include Howelsen Park, Howelsen Ski Area, Howelsen Rodeo Grounds, the Parks and Recreation Maintenance Facility as well as the Emerald Mountain Park Trail Network. The parcel is adjacent to Residential Old Town (RO) zoned parcels in the Brooklyn neighborhood and the Fairview neighborhoods on both sides. The front property line abuts Howelsen Parkway and the rear property line abuts the City boundary.

IV. PROJECT DESCRIPTION

The proposal includes the addition of a NHL sized second sheet of ice to be housed in a 25,806 square foot open-air metal building, a 4,346 square foot addition to the concession/lobby area, as well as 3,997 square foot addition to the locker rooms. With regard to parking, 114 spaces are required and 120 are proposed. 94 parking spaces are proposed to be located in the existing Ice Rink parking lot and 26 spaces are proposed to be at the Rodeo Grounds, shared between the two uses. A variance has been requested to defer pavement of the shared parking area for two years in order to coordinate with paving the Howelsen Rodeo Grounds.

Due to the large nature of the subject site, a scope of work line has been applied around the specific area where development is proposed. For clarity, where this report references the subject site, it is referring specifically to the scope of work area show on plans in Attachment 3.

As a result of when this project was submitted and per the Applicant's choice, this project is being reviewed under Supplement 36 of the Community Development Code (also known as the "Old Code").

V. PRINCIPAL DISCUSSION ITEM

Variance: Are the requested variances acceptable for the proposed project?

Section 26-65(d)(8) of the CDC states: *"The CDC is intended to set forth a unified regulatory program for development in the City that will implement the preferred direction and policies of the community's adopted plans, including, but not limited to, best practices for site development, engineering, architectural design, compatibility with surrounding context and mitigation of off-site impacts... It is understood that no standard, however well considered, can anticipate all possible circumstances, alternative approaches, and unanticipated consequences of its application."*

Staff Comment: Staff supports the requested variances; however, it is Planning Commission's role to make recommendations to City Council, and it is City Council's role to take final action to approve, approve with revisions or deny an application. Please refer to the detailed variance analysis below.

VI. 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.

Criteria for Approval

CDC - Sections 26-65(d) and 26-66(d): No development plan or final 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 Area Community Plan designates the subject site as Open Lands/Recreation on the Future Land Use Plan. This classification emphasizes that generally such parcels are not to be developed except for active and passive recreation uses.

In addition, the proposed development generally supports the following goals and policies of the Steamboat Springs Area Community Plan:

Goal OS-4: The community will enhance and expand the existing city parks and recreation system to include a diversity of recreational opportunities and parks.

Goal ED-1: Steamboat Springs will have a vital, sustainable, and diverse year-round economy.

Policy ED-1.1: Continue to support tourism-related land uses, businesses, and marketing.

Policy ED-1.7: Foster cooperative partnerships with the public and private sectors.

One variance is requested to defer paving the shared parking lot for two years. Staff supports this variance because it would allow the second sheet of ice to become operational as well as realize the practical, logistical and financial efficiencies of paving the Rodeo Grounds and the proposed shared parking area at the same time. Permitting deferral of the paving will allow the Community to expand the recreational system while continuing to foster partnerships and support a year-round tourism-related land use. For these reasons, Staff finds that the variance request is compatible with the preferring direction and polices outlined in the Area Community Plan.

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 complement the mixture of uses, structures and activities present in the immediate vicinity.

Staff Analysis: Consistent. The subject site is immediately adjacent to other recreational and institutional uses. Beyond the 150-acre parcel boundaries, primarily single-family residential land uses are in the vicinity. The proposed development is generally consistent with the character of development in the immediate vicinity, such as Howelsen Hill Ski Area, Howelsen Rodeo Grounds and the Parks and Recreation Maintenance Facility.

3. Conformity with the Building and Architectural Standards:

The proposed development complies with the building and architectural design standards of the CDC.

Staff Analysis: Consistent. The proposed buildings are consistent with the applicable building and architectural design standards of the Community Development Code.

4. 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 operating characteristics of the proposed expanded recreational use should not have adverse impacts on surrounding uses. There should be no excessive odors, noise, or other impacts from the proposed recreational use that would affect adjoining uses.

5. 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. The proposed development will be served by the existing Ice Complex access drive onto Howelsen Parkway. The project will also include construction of a sidewalk along Howelsen Parkway from the Ice Complex facility to 5th Street.

There is not a specific parking standard for an ice rink use in the CDC so parking requirements for this project are based on a Traffic Study dated June 30, 2017, from Fox Tuttle as well as the one parking space per four bleacher seats standard that was consistently applied to the Ice Complex's original approved Development Plan. Per the Ice Rink's approved plan, 91 spaces are required for the existing facility. 80 bleacher seats are proposed with the second sheet of ice addition thus it was determined that 20

spaces for spectators plus 3 spaces for staff would be appropriate. Staff calculations conclude 114 spaces are required. 120 total parking spaces are proposed.

A trash enclosure meeting standards is proposed on the site.

6. 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.** The proposed use should not create any adverse impacts on the natural environment.

7. Phasing:

If the proposed development is proposed 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 amenities for the benefit of the city, such as trail connections, these shall be constructed in the first phase of the project, or, if this is not practical, then as early in the project as is reasonable.

Staff Analysis: **Not applicable.**

8. Compliance with other Standards:

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

Staff Analysis: **Consistent.** The proposed development meets all Article V Development Standards with the exception of one variance request. The applicant has proposed a variance to allow deferment of paving for the parking lot area to be shared with the Rodeo Grounds. Staff supports this variance request. Please see below for additional analysis.

9. Variance criteria:

Development plans seeking variation from any design, dimensional, or development standards shall provide an acceptable alternative as defined below (1-3) or shall prove a hardship as defined below (4):

- 1) The applicant's alternative achieves a result that is equal to or better than the code standard to which the 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 the 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.*

The applicant assumes the burden of proof to demonstrate that the objectives of the regulation are respected and that adverse impacts are either non-existent or adequately mitigated.

VARIANCE REQUEST #1: Defer Shared Parking Lot Paving for Two Years

Applicant Request

Standard: Section 26-139(d)(1)(d) Parking & Loading Design Standards
Surfacing. Every required parking area, including parking spaces, loading spaces and driveway areas, shall be paved with asphalt, concrete or similar permanent surfacing so as to provide a durable and dust-free surface, and shall be so graded and drained as to dispose of all surface water accumulated within the area

Request: Defer paving for up to two years to allow for coordination with paving the Howelsen Rodeo Grounds.

- 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.
 - The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.
 - 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.

Please see Applicant justification in Attachment 2.

Staff Analysis

Intent: The intent of the surfacing standard is to ensure that durable and dust-free surfaces are provided so air-pollution and mud-tracking impacts on the Community are mitigated to the greatest extent possible and so surface water is drained appropriately.

Analysis: **Consistent.** The Applicant is proposing to come into compliance with the above referenced standard within two years. The reason for the request is to realize the practical, logistical and financial efficiencies of paving the Rodeo Grounds and the proposed shared parking area at the same time. If these paving efforts were not coordinated, it may result in redundancy and waste as the shared parking area paving would have to be removed and repaved again with the Rodeo Grounds. Staff believes the alternative of deferred pavement achieves a result that is equal to the code standard and therefore supports the variance request.

VII. STAFF FINDINGS

Staff finds that the Development Plan/Final Development Plan, DPF-17-06, for a second sheet of ice, locker room and lobby addition to the Howelsen Ice Complex, with a variance to defer shared parking lot paving for two years, is consistent with the Criteria for Approval for a Development Plan/Final Development Plan.

Recommended Motion

The Planning Commission recommends approval of DPF-17-06, a Development Plan/Final Development Plan, including a variance to defer shared parking lot paving for two years, for a second sheet of ice, locker room and lobby addition to the Howelsen Ice Complex with the following conditions:

1. An approved floodplain development permit is required prior to approval of a building permit.
2. Civil construction plans prepared by a licensed Colorado civil engineer shall be approved prior to building permit approval and prior to the start of any construction.
3. The following items are considered critical improvements and shall be constructed prior to issuance of a Certificate of Occupancy.
 - a. Drainage infrastructure and storm water quality features except for the shared parking area.
 - b. Driveway and parking areas except for the shared parking area.
4. The shared parking area and associated improvements shall be constructed no later than October 31, 2021. The following items are considered critical improvements and shall be constructed per the drainage report and stormwater quality plan dated March 23rd, 2018, and authored by Baseline Engineering.
 - a. Drainage infrastructure and storm water quality features.
 - b. Pedestrian connections, driveway and parking areas including the shared parking spaces in the Howelsen Rodeo Grounds located to the west of the existing parking lot.

VIII. ATTACHMENTS

Attachment 1 – Project Timeline

Attachment 2 – Applicant Narrative and Variance Justification

Attachment 3 – Plan Set

Attachment 1

Project Timeline

Project Code: DPF-17-06

Project Name: Howelsen Ice Area Multi-Purpose Facility (285 Howelsen Parkway)

	DATES	NOTES
Pre-Submittal Meeting	06/13/2017	
Application Submitted	06/21/2017	
TECHNICAL ADVISORY COMMITTEE REVIEW		
TAC Letter	07/20/2017	
Resubmittal	02/13/2018	
TAC Letter	03/15/2018	
Resubmittal	04/06/2018	
TAC Letter	04/25/2018	
PUBLIC NOTICE		
Newspaper Notice	04/29/2018	
Mailed Notice	04/26/2018	
Property Posting	04/26/2018	
Mineral Notice	05/03/2018	
PUBLIC HEARINGS		
Planning Commission	05/10/2018	
City Council	06/05/2018	

NOTES

Attachment 2



MOUNTAIN ARCHITECTURE
DESIGN GROUP, P.C.

April 27, 2018
City of Steamboat Springs
Attn: Kelly Douglas
Department of Planning and community Development

From: Mountain Architecture Design Group

RE: **Howelsen Ice Arena -- Multi Purpose Facility Addition; DPF-17-06**
285 Howelsen Parkway
Steamboat Springs, CO

On behalf of the City of Steamboat Springs, Parks & Community Development Department, we are providing the following narrative and variance request for Howelsen Ice Arena -- Multi Purpose Facility Addition; DPF-17-06.

In this variance request, the applicant and design consultants are proposing a two-year delay to comply with the parking standards for the additional required parking spaces for Howelsen Ice Arena -- Multi Purpose Facility Addition, allocated in the Rodeo Grounds lot.

Development plans for the Rodeo Grounds Phase 3 Paving Project are also in motion – In the event that the Rodeo Grounds Phase 3 Paving Project does not occur in the intended timeline, Howelsen Ice Arena -- Multi Purpose Facility Addition; DPF-17-06 is proposing to provide additional required paved parking spaces illustrated on the attached Site Plan. Please also refer to the Engineering Variance request letter by Four Points Surveying & Engineering for additional information.

The City of Steamboat Springs is the applicant on both projects in conjunction with private funding. In efforts to reduce duplicated work, delaying required paving for the additional required parking spaces is arguably a wise financial decision.

We understand that to obtain a variance from the City of Steamboat Springs, several conditions must be met. **Section 26-65(d) CDC**

Sec. 26-65. - Development plan.

(d) *Criteria for review and approval.* 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.

Compatibility with CDC, policies and plans specifically: The purpose of the CDC is to achieve the following from CDC-26-1e

- **Promote the healthy, safety and aesthetic qualities of present and future landowners.**
- **Ensure adequate infrastructure**
- **Lessen congestion in the streets by providing additional recreation opportunities – additional parking will be provided within a reasonable time after occupancy of new building.**
- **Preserve existing neighborhood character**
- **Promote elements of a pedestrian and transit friendly community**
- **Promote high air and water quality. Appropriate BMPs will be in place; refer to Civil Plan**
- **To encourage the most appropriate and efficient use of land, he proposed Development Plan is consistent with both Howelsen Hill Master Plan and Rodeo Arena master plan.**

(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.

The property is zoned Outdoor Recreation and located on the 150 acre City owned parcel. Properties within the vicinity and zoning district utilize shared indoor and outdoor recreation as well as parking. The subject property is consistent with the overall existing Howelsen Parking operations. The proposed development is consistent with the character of the immediate vicinity and is consistent with both Howelsen Hill Master Plan and Rodeo Arena master plan – thus the proposed development will compliment the mixture of uses.

(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.

The proposed development will not negatively impact adjacent properties -Adjacent properties are City owned. The proposed development meets zoning criteria and is consistent with both Howelsen Hill Master Plan and Rodeo Arena master plan. The expanded facility on the subject property is consistent with the overall existing Howelsen Ice Arena operations, therefore scheduled hour of operation are already in

effect. Eventual paving of the adjacent rodeo ground parking lot will minimize existing dust.

(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.

Current vehicular access to the property are adequate and remain unchanged. Completion of parking, sidewalks and trails are part of this development plan. Trash removal is maintained and improved. Please refer to Site Plan, Civil Plans and Landscape plans.

(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.

All environmental impacts are considered and addressed - Refer to Civil Plans for BMP. No waterbodies, wetlands or natural landforms are affected.

(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.

If phasing will occur, all required street utilities, landscaping and other improvements necessary will be completed in the initial phase.

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

All other Development Standards are being met.

(8) *Variance.*

a. *Purpose.* The CDC is intended to set forth a unified regulatory program for development in the city that will implement the preferred direction and policies of the community's adopted plans, including, but not limited to, best practices for site development, engineering, architectural design, compatibility with surrounding context and mitigation of off-site impacts. In some cases the CDC provides explicit definition of the intent to be achieved by a given standard. In many cases the intent may be implicit but not defined. It is understood that

no standard, however well considered, can anticipate all possible circumstances, alternative approaches and unanticipated consequences of its application. However, the suitability of a proposed variance or alternative compliance option can only be understood in the context of the original intent of the standard in question. The following variance criteria will be applied in that context. In circumstances where the intent of the standard in question is not clear staff must define the intent prior to or concurrent with considering the acceptability of the variance.

b. *Variance criteria.* As defined in [Section 26-2](#) (a), Interpretation and application, the provisions of the Community Development Code shall be regarded as minimum requirements for the protection of public health, safety, comfort, convenience, prosperity and welfare. 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 under subsection (d)(8)b.4.

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: (Note: In the G-1, G-2, RR-1 and RR-2 zone districts no variations are permitted to height standards per this variance process.)

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.

Code Standards will be met within a reasonable timeframe (2 years) from occupancy of the new facility.

2.The intent of the code standard will not be achieved by strict application of the standard in this particular circumstance.

The strict enforcement of the CDC to create parking spaces at the time of construction of the Multi-Purpose Facility Addition would create unnecessary disruption of current Rodeo parking and would potentially have to be demolished and reconstructed during the Rodeo Grounds Parking paving project.

3.The application of other code standards and/or intents will be improved by varying this standard.

N/A

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.

The special circumstances of the subject property are not the result of actions of the applicant. Hardship is not self-imposed as it relates to the scheduling of City projects.

The area of the existing paved parking lot is inadequate to accommodate the additional spaces required by the traffic study. The additional parking spaces are proposed on the adjacent unpaved parking lot on the rodeo grounds, which currently functions as an overflow lot during winter and shoulder seasons.

The requested variance will allow all parking lot improvements to occur at one time with minimum disruption to local community functions and construction.

The strict enforcement of the CDC to create parking spaces at the time of construction of the Multi-Purpose Facility Addition would create unnecessary disruption of current Rodeo parking and would potentially have to be demolished and reconstructed during the Rodeo Grounds Parking paving project.

The proposed Variance will not negatively impact adjacent properties – Adjacent properties are City owned. Parking efforts with adjacent properties are currently coordinated with Rodeo Grounds applicants. The current land area owned by the applicant is approximately 150 acres.

HOWEISEN ICE ARENA:

ICE RINK/EXISTING PHASE I ADDITION
 CURRENT MAXIMUM CAPACITY:
 600 PEOPLE GRAND STAND SEATS
 80 TEAM MEMBERS
 [20 PEOPLE / TEAM, (4) TEAMS = 80]
 +8 STAFF MEMBERS
 688 OCCUPANTS

CAMPUS PARKING NEED WITH MULTI PURPOSE FACILITY ADDITION

*NOTE:
 THE CITY OF STEAMBOAT SPRINGS COMMUNITY DEVELOPMENT CODE DOES NOT
 OUTLINE A PARKING REQUIREMENT FOR AN ARENA-TYPE USE, THEREFORE A TRAFFIC
 STUDY AND REPORT WAS REQUIRED. PLEASE REFER TO TRAFFIC REPORT AND
 CLARIFICATION LETTER PROVIDED BY "FOX TUTTLE HERNANDEZ TRANSPORTATION
 GROUP" DATED JUNE 30,2017.

PER TRAFFIC STUDY & CLARIFICATION LETTER, IT WAS DETERMINED THAT THE EXISTING
 HOWEISEN ICE ARENA AND PROPOSED MULTIPURPOSE FACILITY ADDITION WILL HAVE A
 TOTAL DEMAND OF 114 SPACES.

HOWEISEN ICE ARENA & MULTIPURPOSE FACILITY:

PARKING REQUIREMENT = 114 SPACES
 PLAN PROVIDES = 120 SPACES
 EXISTING LOT = PLAN PROVIDES 94 PARKING SPACES
 OVERFLOW LOT AT RODEO GROUNDS = PLAN PROVIDES 26 SPACES
 (PLEASE REFER TO VARIANCE REQUEST)

MAINTENANCE FACILITY

PARKING REQUIREMENT = 31
 PLAN PROVIDES SEASON SPACES:
 SUMMER SPACES = 45 SPACES
 WINTER SPACES=33 SPACES

NOTES:

1.) EXISTING & PROPOSED ZONE DISTRICT: OPEN SPACE AND RECREATION (OR)
 2.) THE APPLICANT OWNS ALL ADJACENT PROPERTIES INCLUDING HOWEISEN
 PARKWAY, THEREFORE NO EASEMENTS OF RIGHT OF WAYS EXIST.

OPEN SPACE CALCULATIONS:

THE PROPOSED PROJECT IS LOCATED ON THE 150 ACRE HOWEISEN HILL PARCEL,
 OF WHICH THE MAJORITY IS OPEN SPACE. A BOUNDARY HAS BEEN CREATED
 AROUND THE PROPOSED HOWEISEN ICE ARENA TO DELINIATE EXTENTS OF
 CONSTRUCTION DISTURBANCE AND CALCULATE SNOW STORAGE REQUIREMENTS
 IMMEDIATELY SURROUNDING THE PROPOSED PROJECT. ABUNDANT OPEN SPACE
 EXISTS WITHIN THE PARCEL.

NEW OVERFLOW LOT SNOW STORAGE REQUIREMENTS:

SURFACE AREA OF OVERFLOW PARKING LOT ON RODEO GROUNDS:

PARKING LOT SURFACE AREA = 7,948 SF FT SNOW STORAGE REQUIREMENTS: 1. (1) 50 FT SNOW STORAGE / (2) 50 FT PAVED AREA 7,948 / 2 = 3,974 SQ FT 2. 25% REDUCTION AVAILABLE FOR SITE ELEVATION BELOW 6,750 3,974 LESS 25% (993.5) = 2,980.5 SF FT REQUIRED FOR AREA MENTIONED ABOVE, PLAN PROVIDES 7,885 SF SNOW STORAGE AREA (2,980.5 SQ FT REQUIRED)
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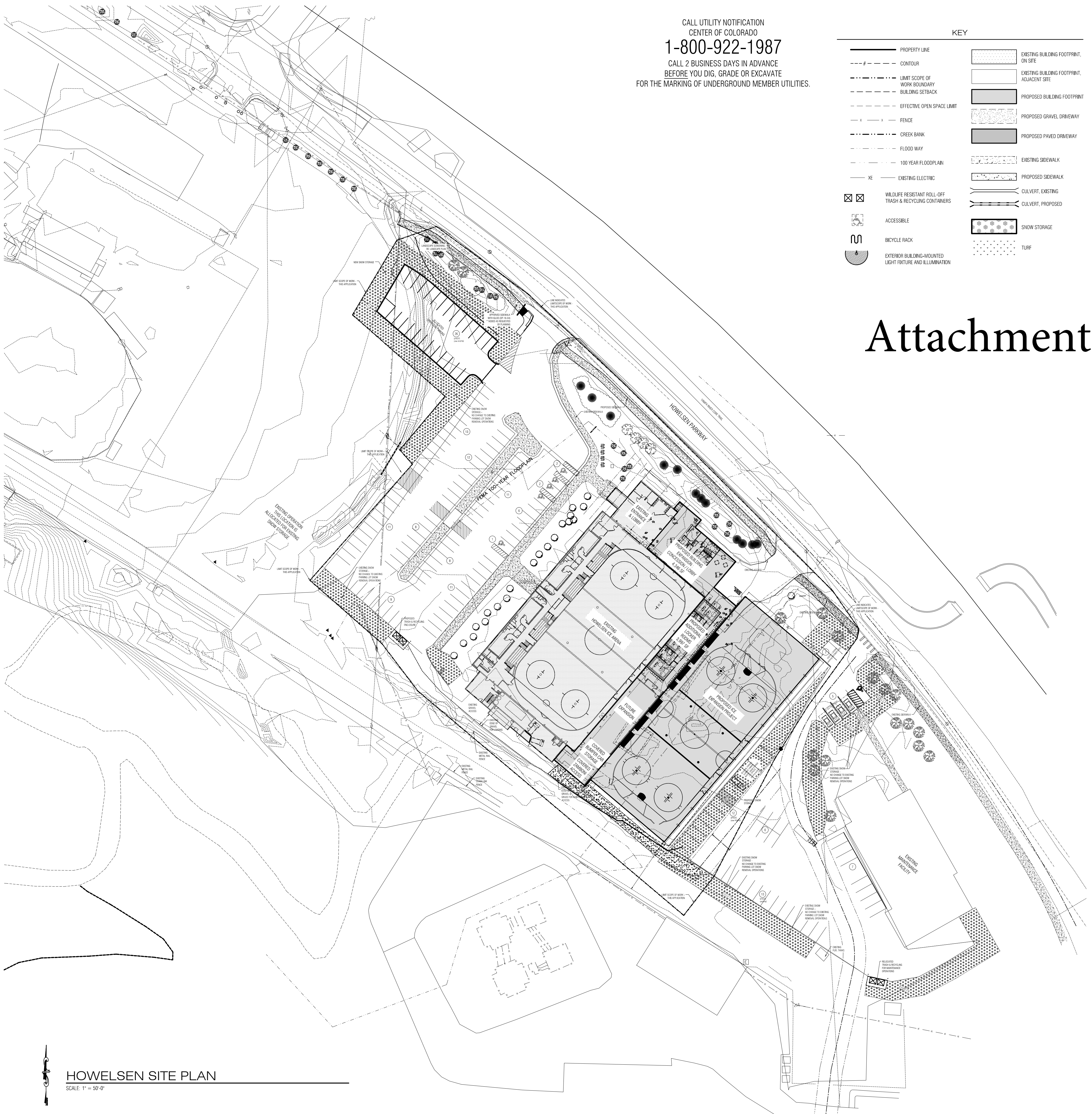
SNOW STORAGE REQUIREMENTS AT EXISTING HOWEISEN ICE ARENA LOT:
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REVISED SNOW STORAGE REQUIREMENTS AT MAINTENANCE FACILITY:
 A PORTION OF ASPHALT, THEREFORE SURFACE AREA, WAS REMOVED IN THE EXISTING PARKING LOT.

PAVED AREA = 33,873 SQ FT SNOW STORAGE REQUIREMENTS: 1. (1) 50 FT SNOW STORAGE / (2) 50 FT PAVED AREA 33,873 / 2 = 16,937 SQ FT 2.) 25% REDUCTION AVAILABLE FOR SITE ELEVATION BELOW 6,750 16,937 LESS 25% (4,234) = 12,703 SF REQUIRED PLAN PROVIDES 16,880 SF SNOW STORAGE AREA (12,703 SQ FT REQUIRED)

CALL UTILITY NOTIFICATION
 CENTER OF COLORADO
1-800-922-1987
 CALL 2 BUSINESS DAYS IN ADVANCE
 BEFORE YOU DIG, GRADE OR EXCAVATE
 FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

KEY			
	PROPERTY LINE		EXISTING BUILDING FOOTPRINT, ON SITE
	CONTOUR		EXISTING BUILDING FOOTPRINT, ADJACENT SITE
	LIMIT SCOPE OF WORK BOUNDARY		PROPOSED BUILDING FOOTPRINT
	BUILDING SETBACK		PROPOSED GRAVEL DRIVEWAY
	EFFECTIVE OPEN SPACE LIMIT		PROPOSED PAVED DRIVEWAY
	FENCE		EXISTING SIDEWALK
	CREEK BANK		PROPOSED SIDEWALK
	FLOOD WAY		CULVERT, EXISTING
	100 YEAR FLOODPLAIN		CULVERT, PROPOSED
	EXISTING ELECTRIC		SNOW STORAGE
	WILDLIFE RESISTANT ROLL-OFF TRASH & RECYCLING CONTAINERS		TURF
	ACCESSIBLE		EXTERIOR BUILDING-MOUNTED LIGHT FIXTURE AND ILLUMINATION
	BICYCLE RACK		



Attachment 3

MOUNTAIN ARCHITECTURE
 DESIGN GROUP P.C.
 EDWARD L. BECKER, V.P. ARCHITECT
 P.O. BOX 17600
 STEAMBOAT SPRINGS, COLORADO 80417
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 info@mountainarch.com Email

A Final Development Plan for the City of Steamboat Springs
MULTI PURPOSE FACILITY ADDITION
FOR HOWEISEN ARENA
 285 Howelsen Parkway
 Steamboat Springs, Colorado

TITLE

SITE PLAN

JOB NO. 1610
 DRAWN ltr
 CHECKED elb
 DATE 6.13.2017
 REVISIONS:
 NO. DATE
 1 February 2018 TAC REVISIONS
 2 April 6, 2018 TAC REVISIONS
 3 April 27, 2018 TAC REVISIONS

DRAWING NUMBER

2

OF DRAWINGS

HOWEISEN SITE PLAN
 SCALE: 1" = 50'-0"

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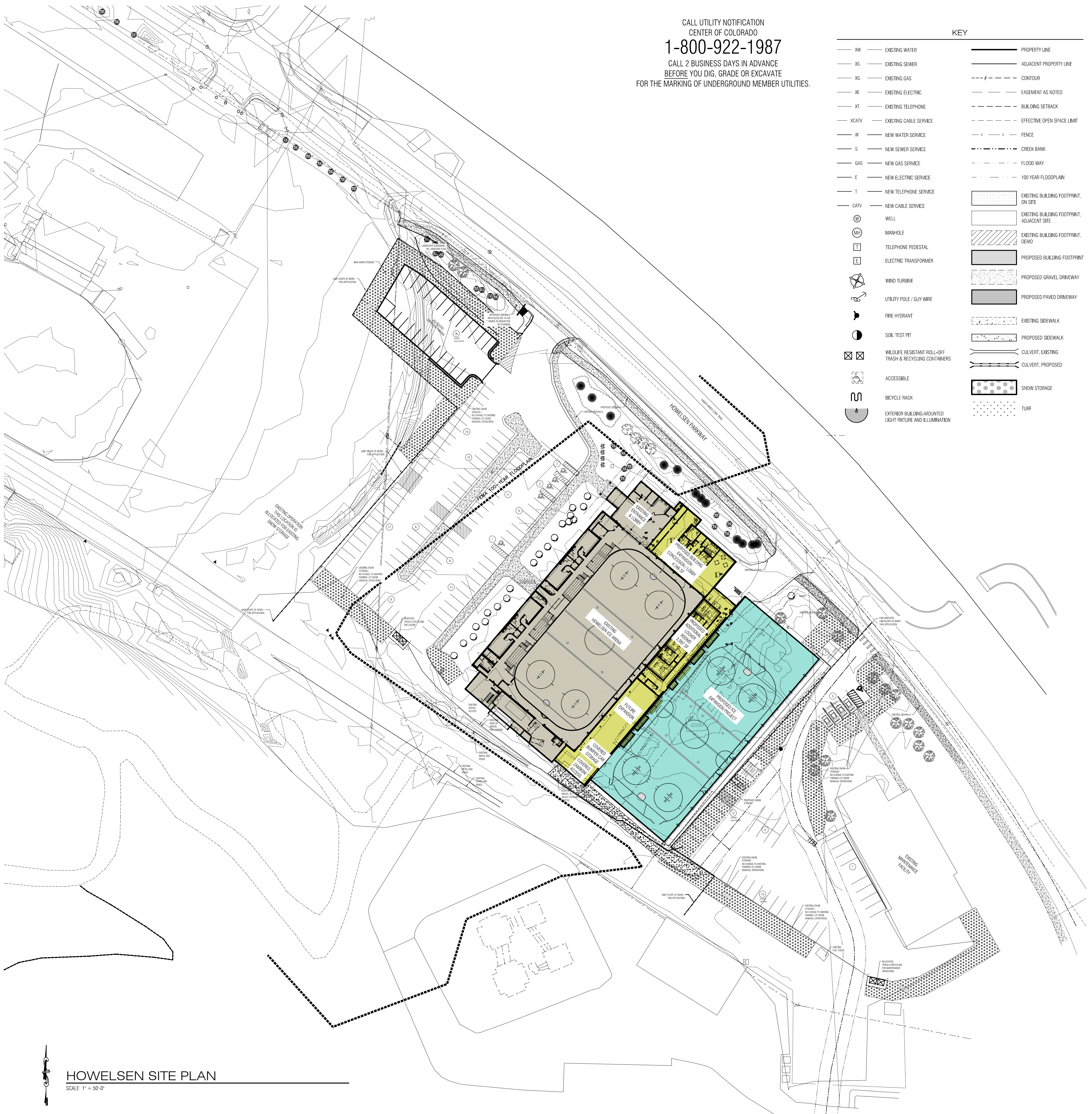
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KEY			
XW	EXISTING WATER	—	PROPERTY LINE
XS	EXISTING SEWER	---	ADJACENT PROPERTY LINE
XG	EXISTING GAS	- - - -	CONTOUR
XE	EXISTING ELECTRIC	- - - -	EASEMENT AS NOTED
XT	EXISTING TELEPHONE	- - - -	BUILDING SETBACK
XCATV	EXISTING CABLE SERVICE	- - - -	EFFECTIVE OPEN SPACE LIMIT
W	NEW WATER SERVICE	- x - x -	FENCE
S	NEW SEWER SERVICE	- - - -	CREEK BANK
GAS	NEW GAS SERVICE	- - - -	FLOOD WAY
E	NEW ELECTRIC SERVICE	- - - -	100 YEAR FLOODPLAIN
T	NEW TELEPHONE SERVICE	- - - -	EXISTING BUILDING FOOTPRINT, ON SITE
CATV	NEW CABLE SERVICE	- - - -	EXISTING BUILDING FOOTPRINT, ADJACENT SITE
⊙	WELL	▨	EXISTING BUILDING FOOTPRINT, DEMO
⊕	MANHOLE	▩	PROPOSED BUILDING FOOTPRINT
⊞	TELEPHONE PEDESTAL	▩	PROPOSED GRAVEL DRIVEWAY
⊟	ELECTRIC TRANSFORMER	▩	PROPOSED PAVED DRIVEWAY
⊠	WIND TURBINE	▩	EXISTING SIDEWALK
⊡	UTILITY POLE / GUY WIRE	▩	PROPOSED SIDEWALK
⊢	FIRE HYDRANT	▩	CULVERT, EXISTING
⊣	SOIL TEST PIT	▩	CULVERT, PROPOSED
⊤	WILDLIFE RESISTANT ROLL-OFF TRASH & RECYCLING CONTAINERS	▩	SNOW STORAGE
⊥	ACCESSIBLE	▩	TURF
⊦	BICYCLE RACK		
⊧	EXTERIOR BUILDING-MOUNTED LIGHT FIXTURE AND ILLUMINATION		



HOWEISEN SITE PLAN
 SCALE: 1" = 50'-0"

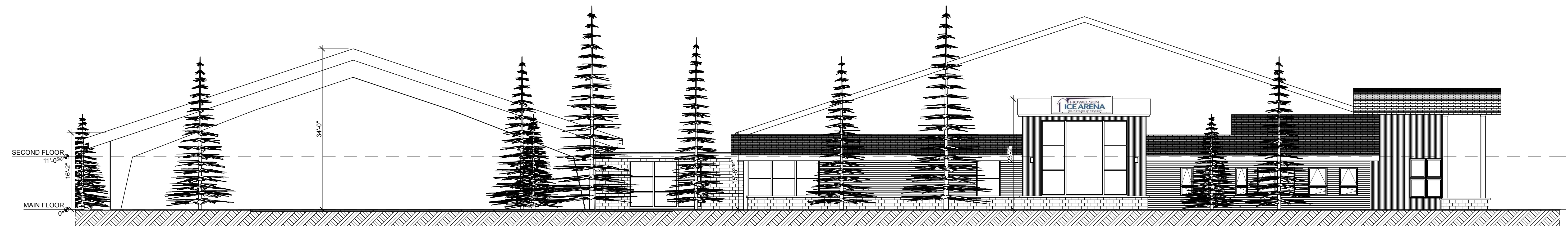
MOUNTAIN ARCHITECTURE
 DESIGN GROUP P.C.
 EDWARD L. BECKER, V.P. ARCHITECT
 P.O. BOX 17000
 STEAMBOAT SPRINGS, COLORADO 80427
 (970) 878-5284
 (970) 878-5286 FAX
 info@mountainarch.com Email

A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
 FOR HOWEISEN ARENA**
 285 Howelsen Parkway
 Steamboat Springs, Colorado

TITLE
SITE PLAN

JOB NO. 1610
 DRAWN ltr
 CHECKED elb
 DATE 6.13.2017
 REVISIONS:
 NO. DATE
 1 February 2018 TAC REVISIONS
 2 April 2018 TAC REVISIONS

DRAWING NUMBER
 2
 OF DRAWINGS



① ELEVATION @ NORTH EAST STREET FRONTAGE
SCALE: 3/32" = 1'-0"



② ELEVATION @ NORTH WEST EXISTING ENTRY
SCALE: 3/32" = 1'-0"

MOUNTAIN ARCHITECTURE
DESIGN GROUP P.C.
EDWARD L. BECKER V.P.
ARCHITECT
P.O. BOX 10000
STEAMBOAT SPRING, COLORADO 80487
TEL: 970.861.1100
www.mountainarch.com

A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
FOR HOWELSEN ARENA**
285 Howelsen Pkwy
Steamboat Springs

TITLE

BUILDING ELEVATIONS

JOB NO. 1610
DRAWN BY lrr
CHECKED BY elb
ISSUE DATE 6/13/2017

REVISIONS:
DATE

1	February 2018 TAC Response
2	April 2018 TAC Response

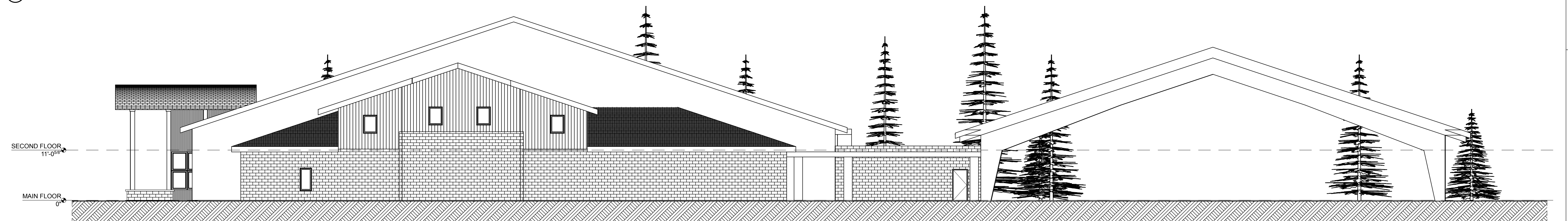
DRAWING NUMBER

3


OF SHEETS



1 ELEVATION @ SOUTH EAST
SCALE: 3/32" = 1'-0"



2 ELEVATION @ SOUTH WEST
SCALE: 3/32" = 1'-0"

MOUNTAIN ARCHITECTURE

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A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
 FOR HOWELSEN ARENA**
 285 Howelsen Pkwy
 Steamboat Springs

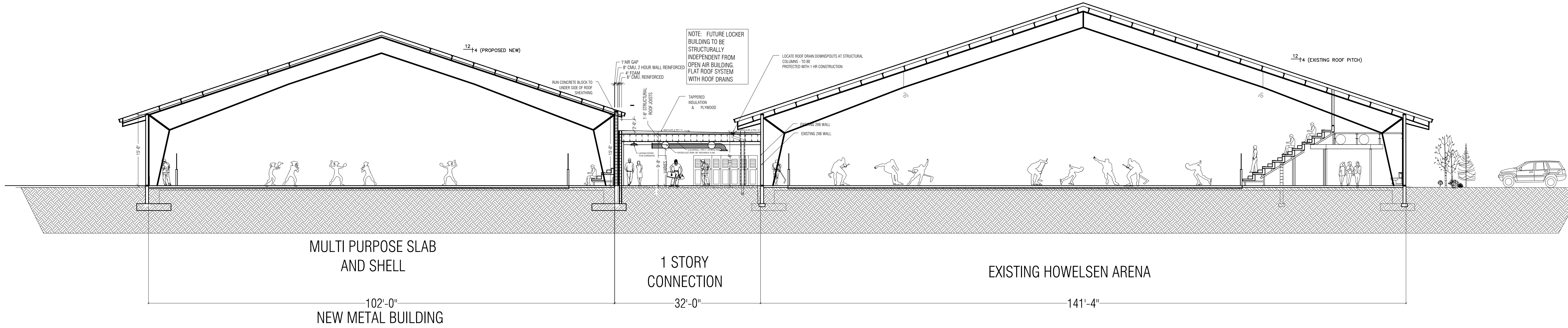
TITLE
 BUILDING ELEVATIONS

JOB NO. 1610
 DRAWN BY lrr
 CHECKED BY elb
 ISSUE DATE 6/13/2017

REVISIONS:

NO.	DATE	DESCRIPTION
1	February 2018	TAC Response
2	April 2018	TAC Response

DRAWING NUMBER
 3.1
 OF SHEETS



BUILDING CROSS SECTION

SCALE: 3/32" = 1'-0"



MOUNTAIN
ARCHITECTURE
DESIGN
GROUP
P.C.
EDWARD L. BECKER, V.P. ARCHITECT

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A Final Development Plan for the City of Steamboat Springs

**MULTI PURPOSE FACILITY ADDITION
FOR HOWELSEN ARENA**

285 Howelsen Parkway
Steamboat Springs, Colorado

TITLE

BUILDING SECTION

JOB NO. 1610
DRAWN lrr.
CHECKED elb.
DATE 6.13.2017

REVISIONS:
NO. DATE

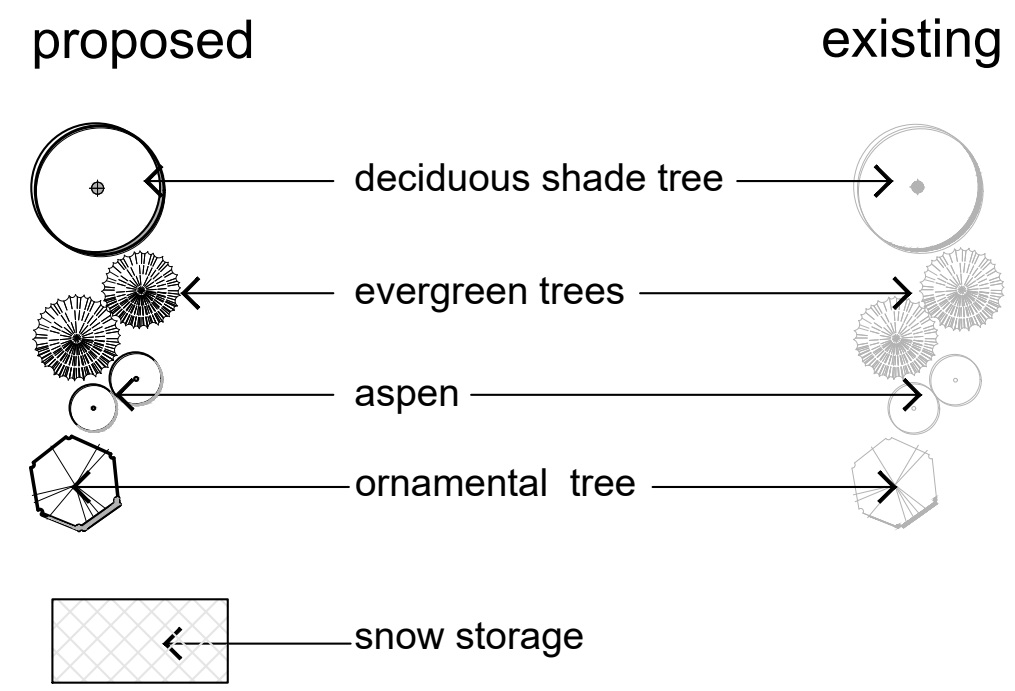
1 February 2018 TAC REVISIONS
2 April 2018 TAC REVISIONS

DRAWING NUMBER

4

OF DRAWINGS

LEGEND



PLANT LIST

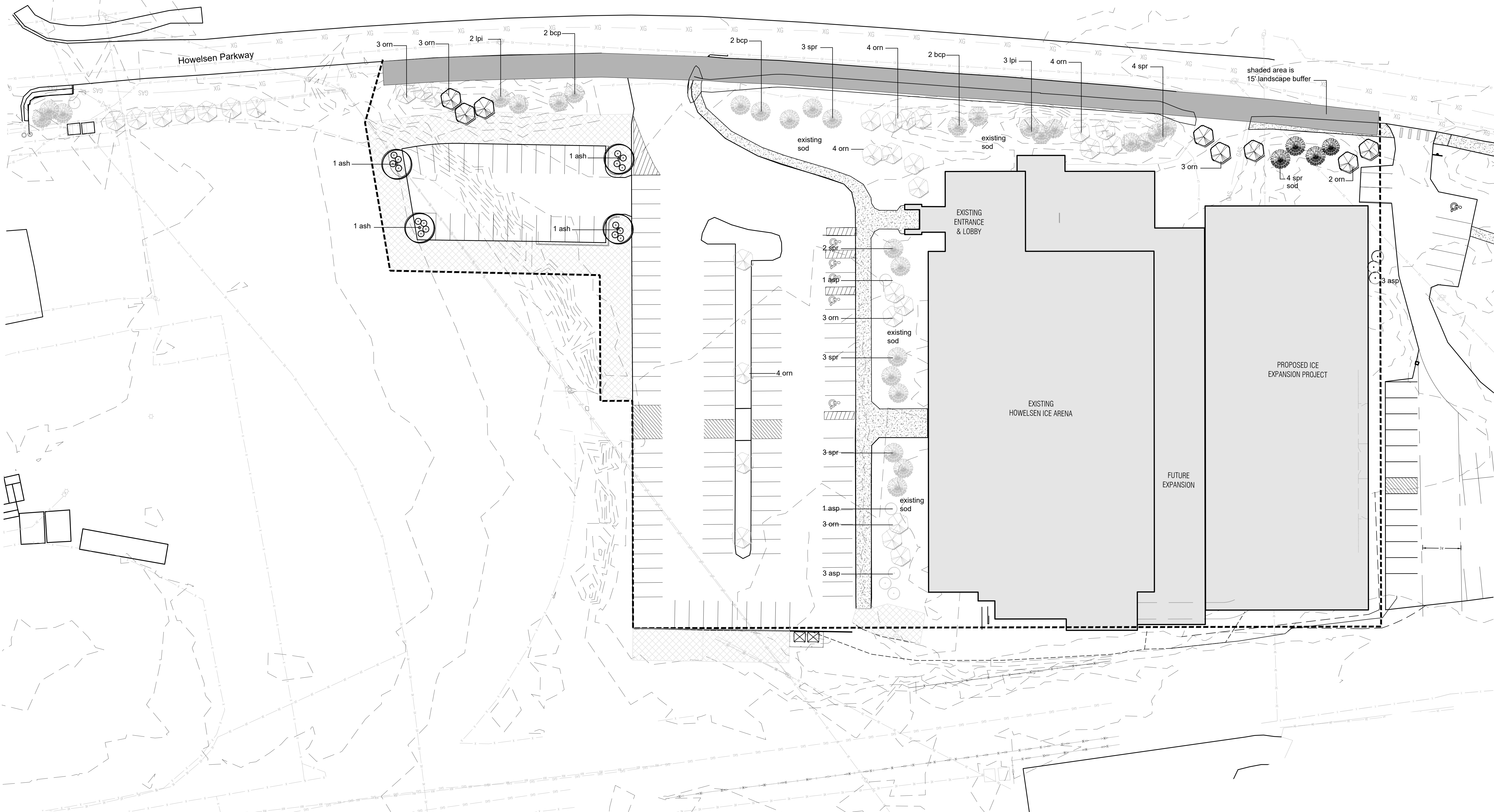
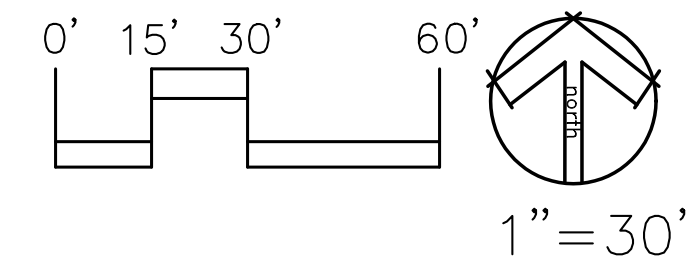
#	SYM	BOTANIC NAME	COMMON NAME	SIZE
15	spr	picea pungens	colorado spruce	
6	bcp	pinus aristata	bristlecone pine	
5	lpi	pinus contorta latifolia	lodgepole pine	
5	asp	populus tremuloides	quaking aspen	
25	orn	malus var.	ornamental tree	
proposed				
4	spr	picea pungens	colorado spruce	8' ht.
3	asp	populus tremuloides	quaking aspen	2" cal
8	orn	malus var.	ornamental tree	2" cal
4	ash	fraxinus sp.	patmore ash	2" cal
16	shr	shrubs	shrubs	5 gal

NOTES

1. Trees shown along Howelsen Parkway are located through field observation, not survey.
2. Existing conditions and site layout plan provided by Four Points Engineering and Mountain Architecture.
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.
4. Refer to civil plans for additional information on all site design.
5. Owner agrees to provide an automatic irrigation system to all proposed plantings.
6. Owner agrees to maintain all landscape areas to industry standard.
7. Prior to the start of any excavation for the project notify utility locating company for location of all existing utilities.

LANDSCAPE CALCULATIONS

LANDSCAPE REQUIRED
Landscape Buffer 620 X 15 = 9,300 sf moderate category 1 tree / 400sf =23 trees
Interior Landscape 23,900 sf moderate category 1 tree / 500sf =48 trees
Landscape Islands - Per Urban Design Guidelines 1 tree per Island = 4 trees
TOTAL 75 TREES REQUIRED
TOTAL 75 TREES PROVIDED

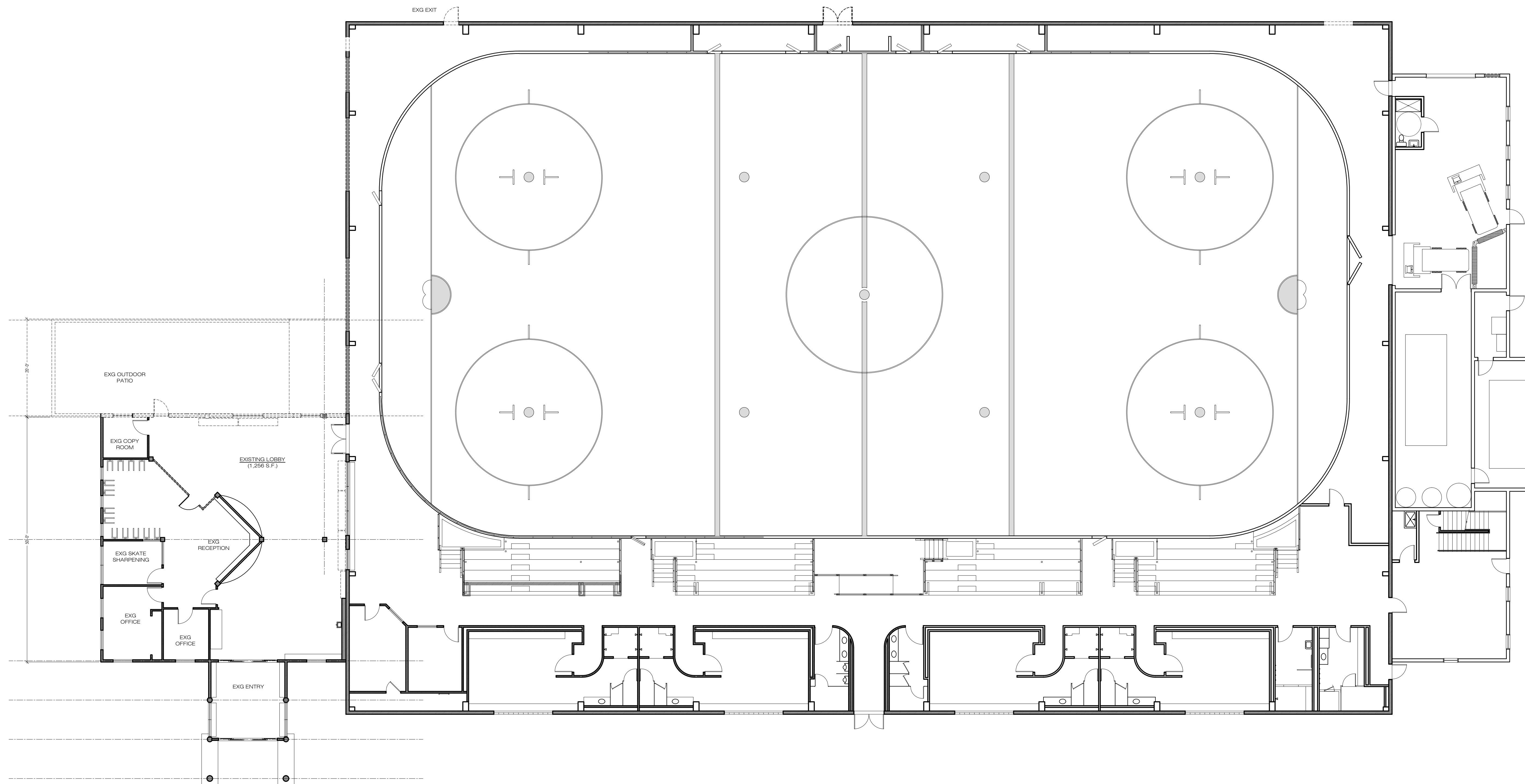


A Final Development Plan for the City of Steamboat Springs

**MULTI PURPOSE FACILITY ADDITION
FOR HOWELSEN ARENA**

285 Howelsen Parkway
Steamboat Springs, Colorado

TITLE	LANDSCAPE PLAN
JOB NO.	1610
DRAWN	mgc
CHECKED	mgc
DATE	6-15-17
REVISIONS	
NO. DATE	
1	2-8-18
2	4-6-18
DRAWING NUMBER	L.100



EXISTING FLOOR PLAN
SCALE: 3/32" = 1'-0"



MOUNTAIN
ARCHITECTURE
•
DESIGN
GROUP
P.C.

EDWARD L. BECKER, V.P. ARCHITECT

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e@mountainarch.com • Email

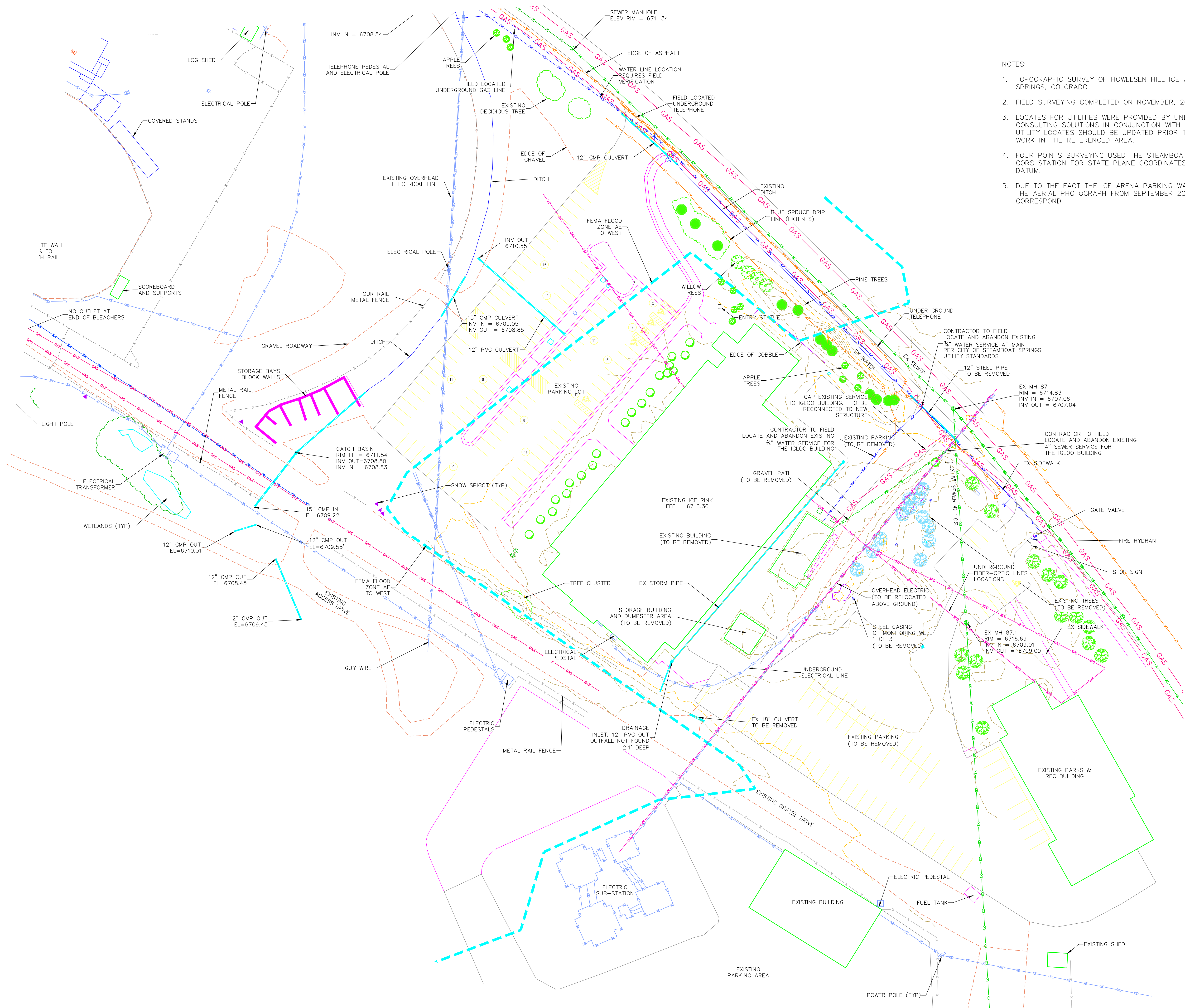
A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
FOR HOWElsen ARENA**
285 Howelsen Parkway
Steamboat Springs, Colorado

TITLE
**EXISTING
CONDITIONS
FLOOR PLAN**

JOB NO. 1610
DRAWN ltr
CHECKED elb
DATE 6.13.2017

REVISIONS:
NO. DATE
1 February 2018 TAC REVISIONS
2 April 2018 TAC REVISIONS

DRAWING NUMBER
6
OF DRAWINGS



- NOTES:
1. TOPOGRAPHIC SURVEY OF HOWELSEN HILL ICE ARENA, STEAMBOAT SPRINGS, COLORADO
 2. FIELD SURVEYING COMPLETED ON NOVEMBER, 2017.
 3. LOCATES FOR UTILITIES WERE PROVIDED BY UNDERGROUND CONSULTING SOLUTIONS IN CONJUNCTION WITH THIS SURVEY. UTILITY LOCATES SHOULD BE UPDATED PRIOR TO PERFORMING ANY WORK IN THE REFERENCED AREA.
 4. FOUR POINTS SURVEYING USED THE STEAMBOAT SPRINGS AIRPORT CORRS STATION FOR STATE PLANE COORDINATES AND PROJECT DATUM.
 5. DUE TO THE FACT THE ICE ARENA PARKING WAS RESTRIPTED IN 2017 THE AERIAL PHOTOGRAPH FROM SEPTEMBER 2015 DOES NOT CORRESPOND.

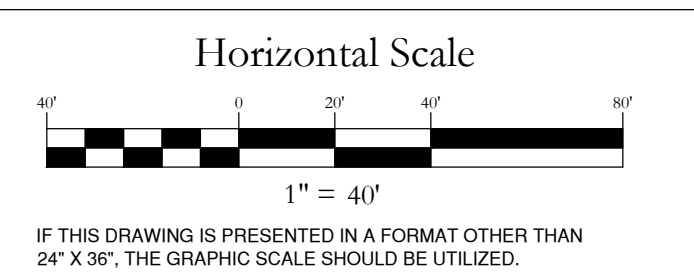


LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	BUILDING ENVELOPE
	EASEMENT LINE
	EXISTING 1 FT CONTOUR
	EXISTING 5 FT CONTOUR
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING BUILDING
	EXISTING EDGE OF ASPHALT
	EXISTING EDGE OF GRAVEL
	EXISTING CONCRETE & WALK
	EXISTING TELEPHONE LINE
	EXISTING GAS LINE
	EXISTING ELECTRIC
	EXISTING FENCE
	ASPHALT TO BE REMOVED

**Multi Purpose Facility
Addition for Howelsen Arena
Steamboat Springs, CO**

**EXISTING CONDITIONS
& DEMO PLAN**



NO.	DATE	REVISIONS	INT
1	4/6/18	REVISED PER TAC COMMENTS	WM

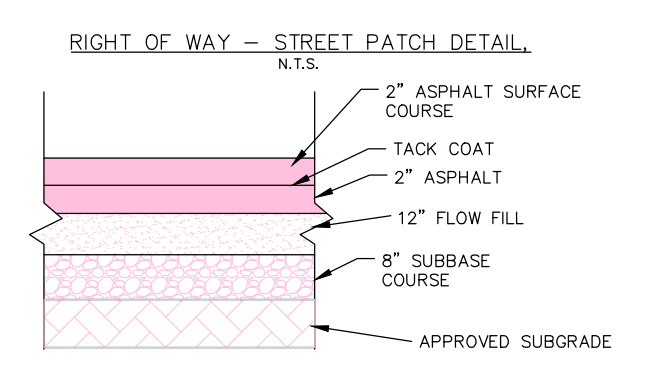
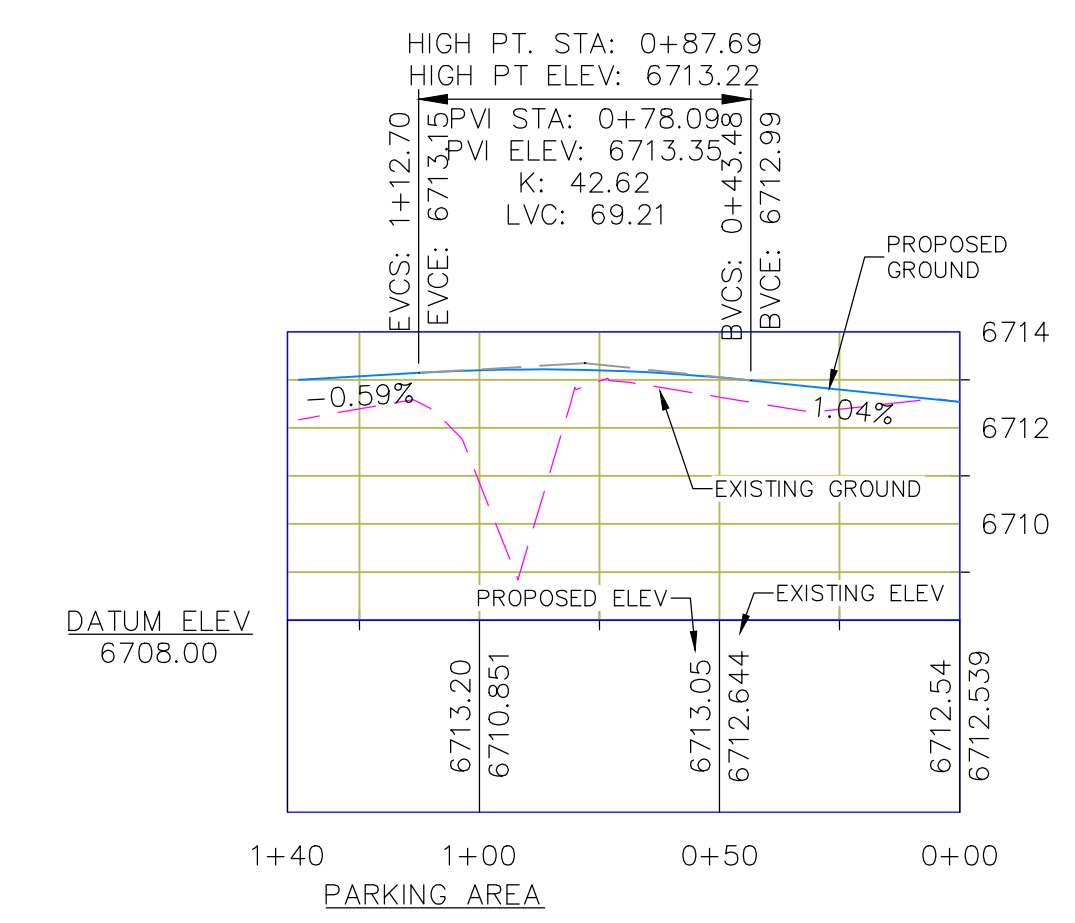
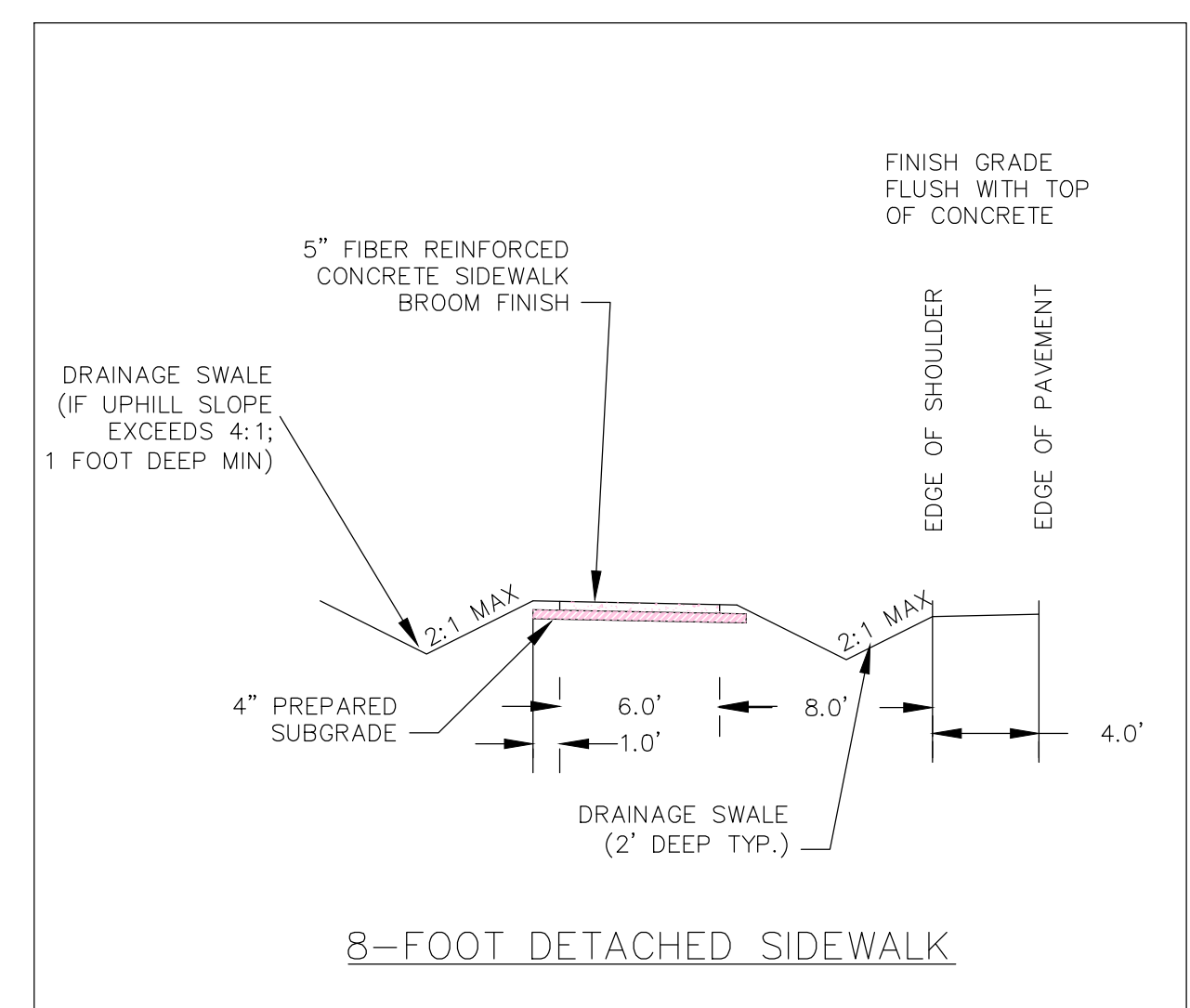
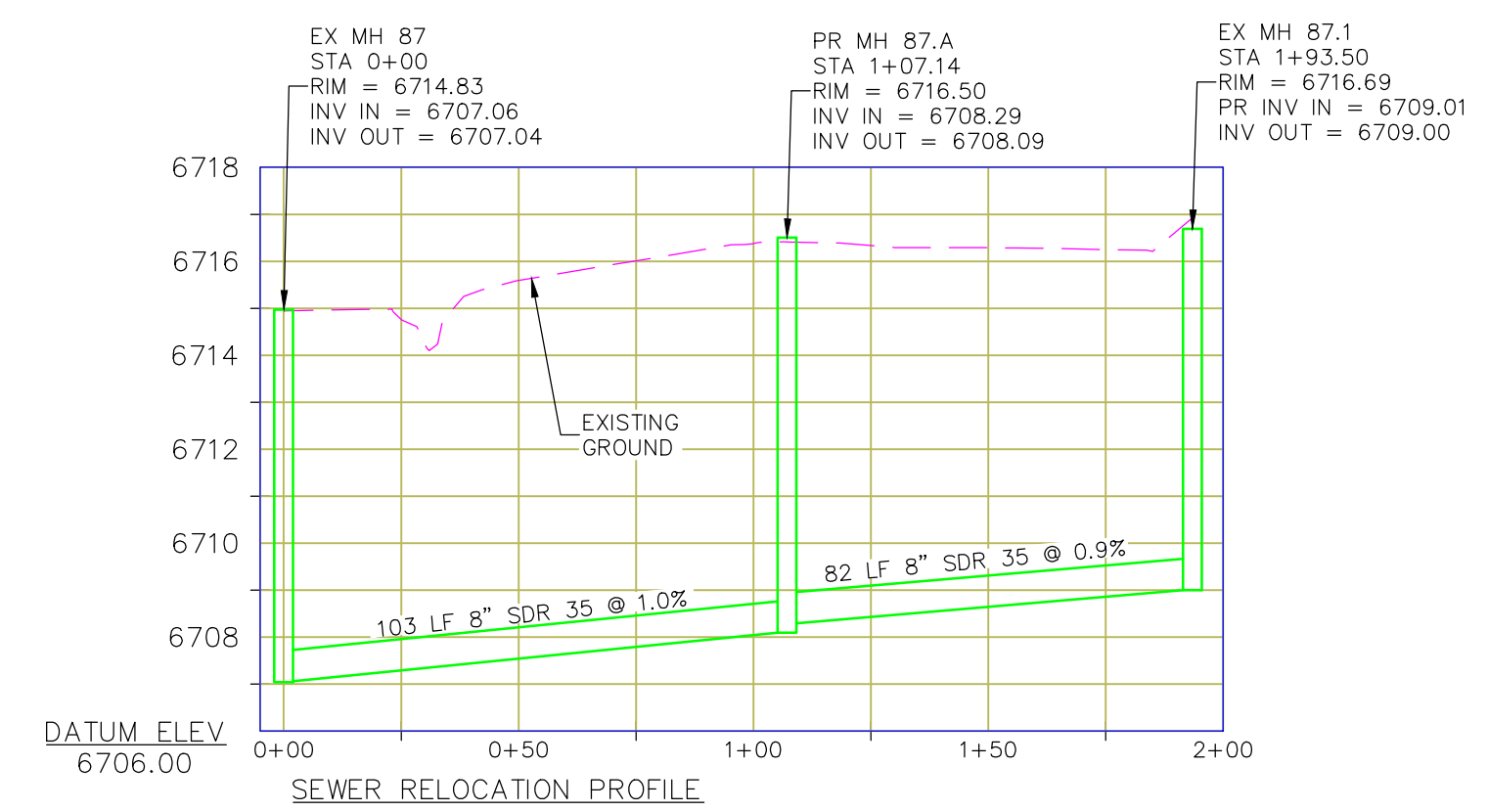
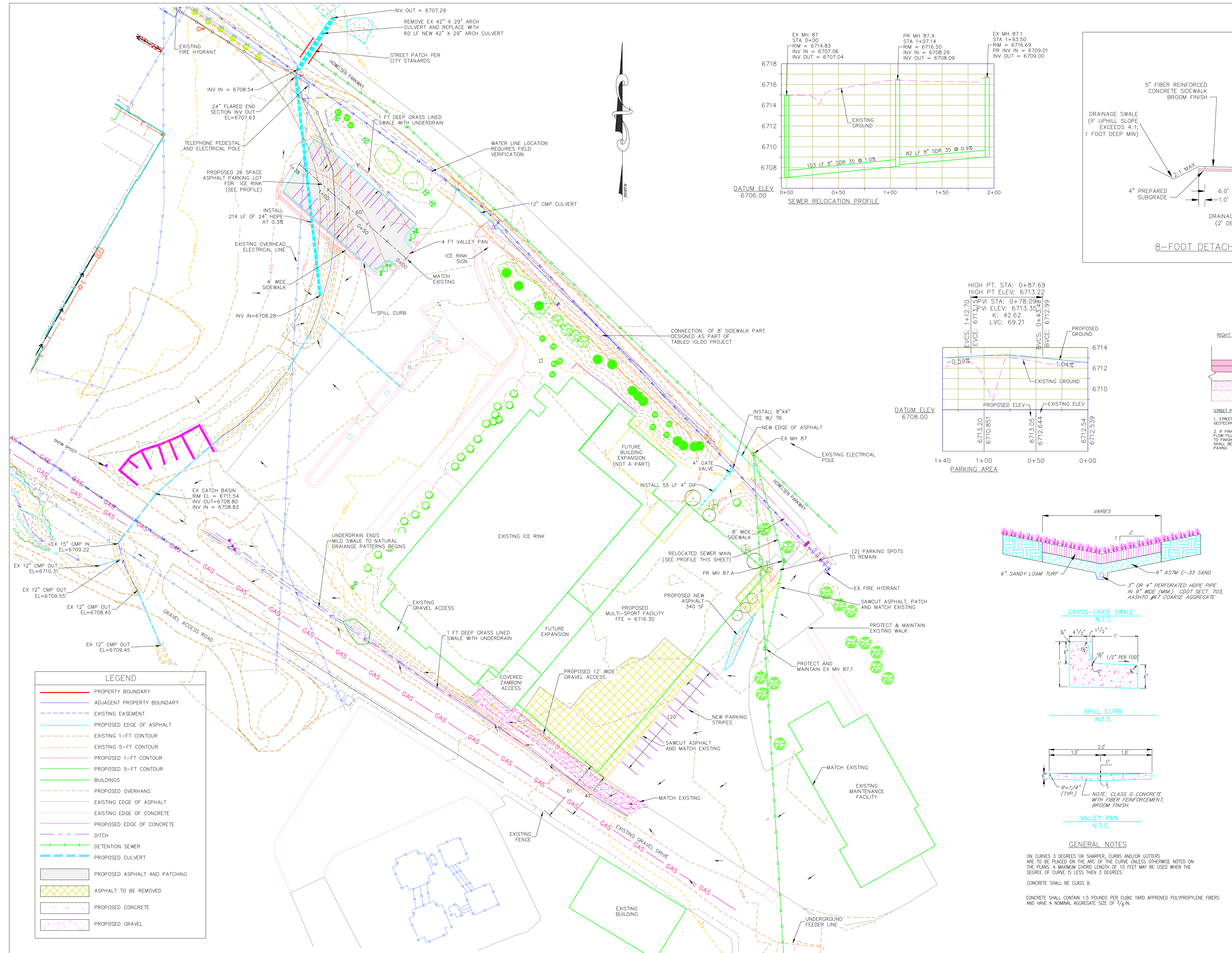
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 DWG. NAME REVIEW: WNM

**Four Points
Surveying and Engineering**

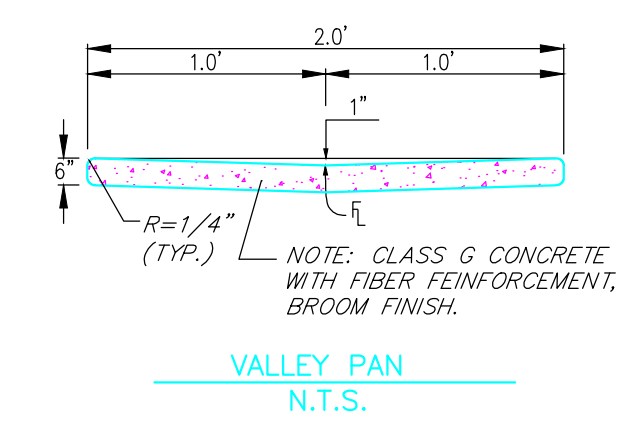
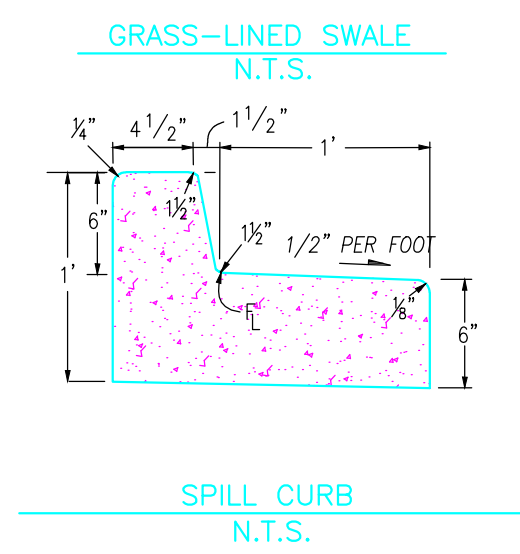
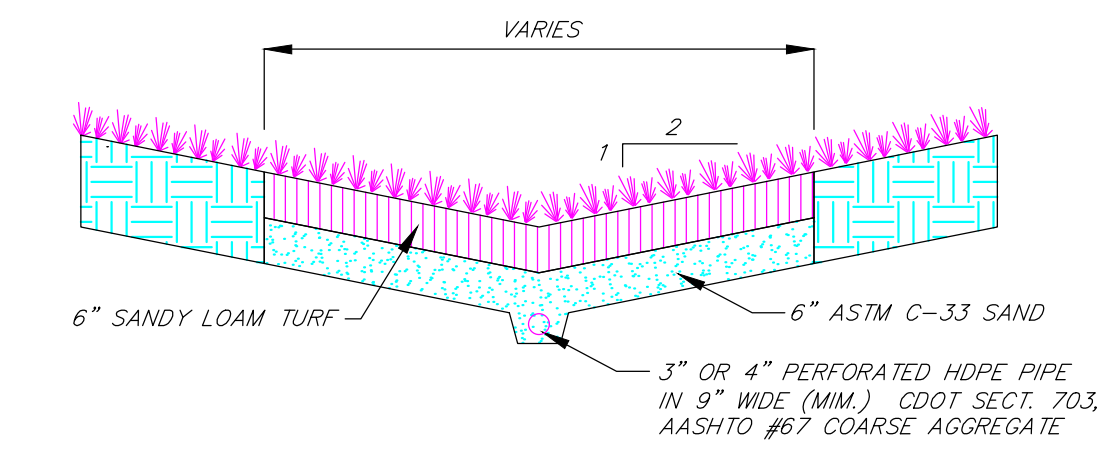
440 S. Lincoln Avenue, Suite 4B
 P.O. Box 775966,
 Steamboat Springs, CO 80487
 (970)-819-1161
 wnmpepls@gmail.com



SHEET NO.
 C1
 OF 2



STREET PATCH NOTES
 1. STREET SECTION MAYBE MODIFIED BY PROJECT GEOTECHNICAL ENGINEER.
 2. IF FINAL PAVING IS NOT SCHEDULE WITHIN 48 HOURS OF FLOW FILL PLACEMENT, CONTRACTOR SHALL PLACE FLOW FILL TO FINISH GRADE ELEVATION, THEN THE TOP FOUR INCHES SHALL BE REMOVED IMMEDIATELY PRIOR TO FINAL ASPHALT PAVING.



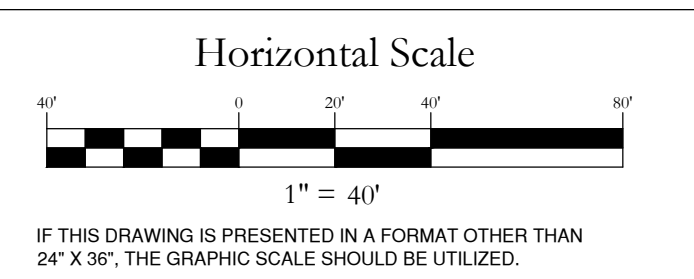
GENERAL NOTES
 ON CURVES 3 DEGREES OR SHARPER, CURBS AND/OR GUTTERS ARE TO BE PLACED ON THE ARC OF THE CURVE UNLESS OTHERWISE NOTED ON THE PLANS. A MAXIMUM CHORD LENGTH OF 10 FEET MAY BE USED WHEN THE DEGREE OF CURVE IS LESS THAN 3 DEGREES.
 CONCRETE SHALL BE CLASS B.
 CONCRETE SHALL CONTAIN 1.5 POUNDS PER CUBIC YARD APPROVED POLYPROPYLENE FIBERS AND HAVE A NOMINAL AGGREGATE SIZE OF 3/8 IN.

LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	EXISTING EASEMENT
	PROPOSED EDGE OF ASPHALT
	EXISTING 1-FT CONTOUR
	EXISTING 5-FT CONTOUR
	PROPOSED 1-FT CONTOUR
	PROPOSED 5-FT CONTOUR
	BUILDINGS
	PROPOSED OVERHANG
	EXISTING EDGE OF ASPHALT
	EXISTING EDGE OF CONCRETE
	PROPOSED EDGE OF CONCRETE
	DITCH
	DETENTION SEWER
	PROPOSED CULVERT
	PROPOSED ASPHALT AND PATCHING
	ASPHALT TO BE REMOVED
	PROPOSED CONCRETE
	PROPOSED GRAVEL

Multi Purpose Facility Addition for Howelsen Arena Steamboat Springs, CO

GRADING, DRAINAGE & UTILITY PLAN

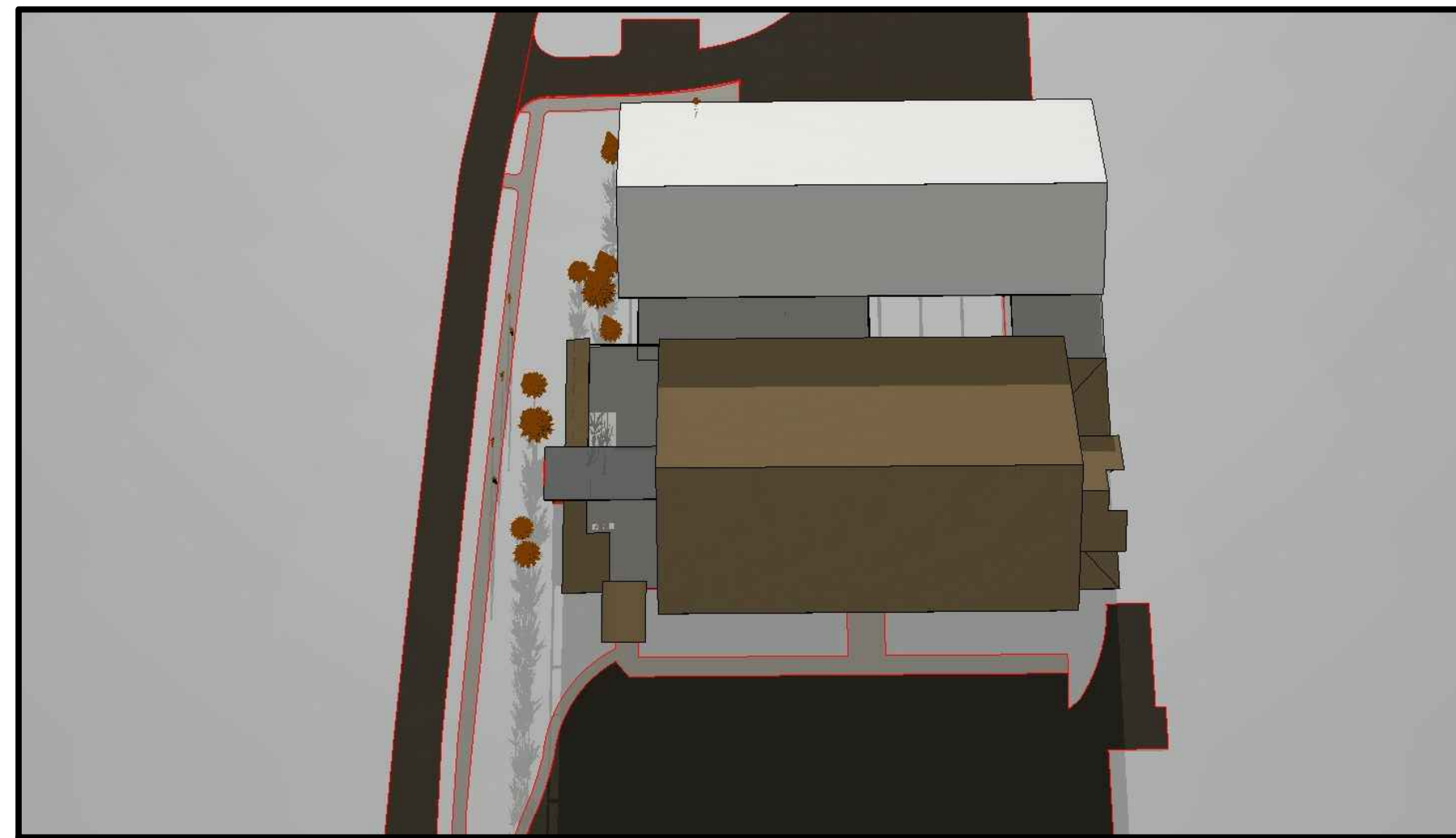


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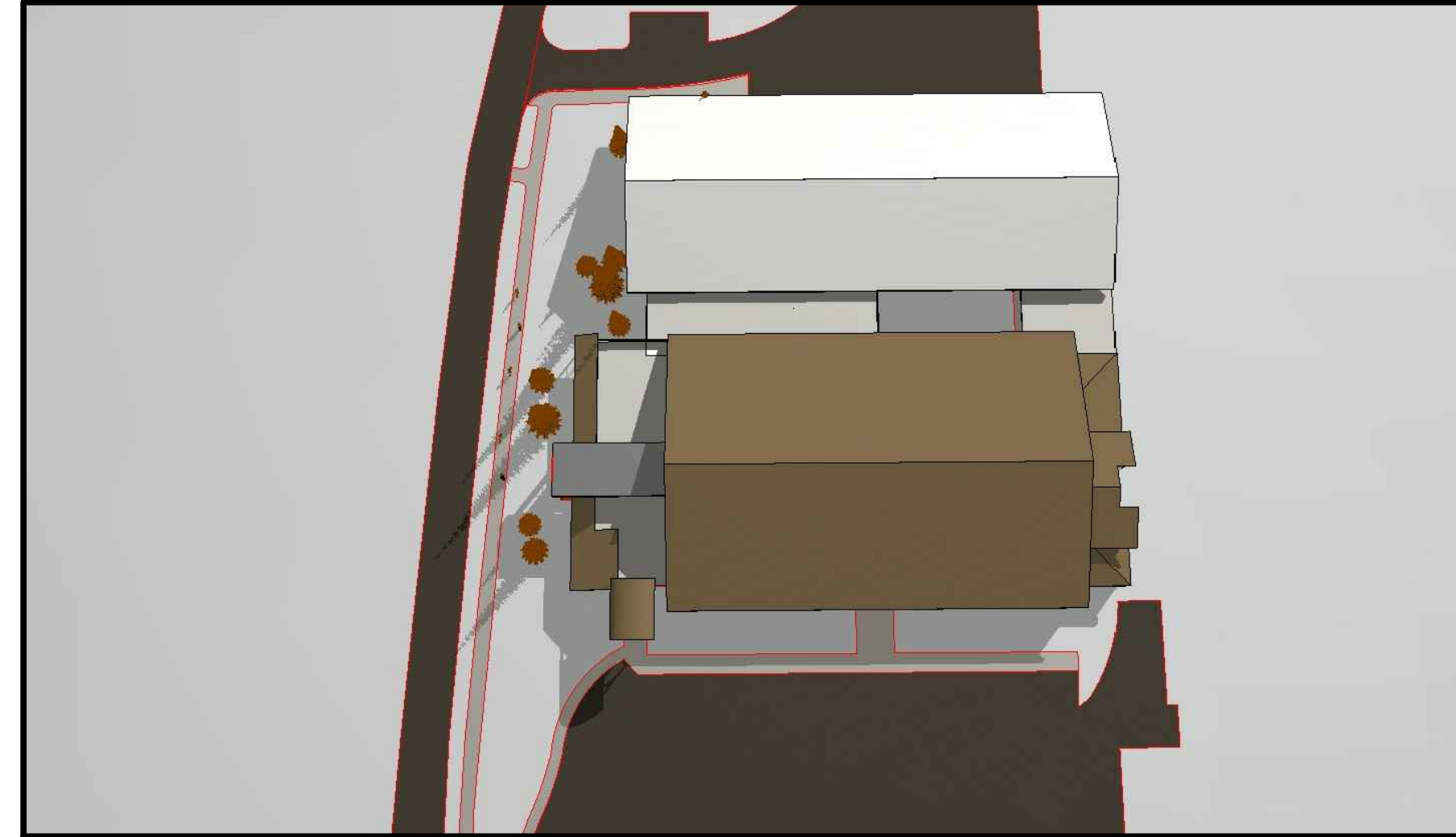
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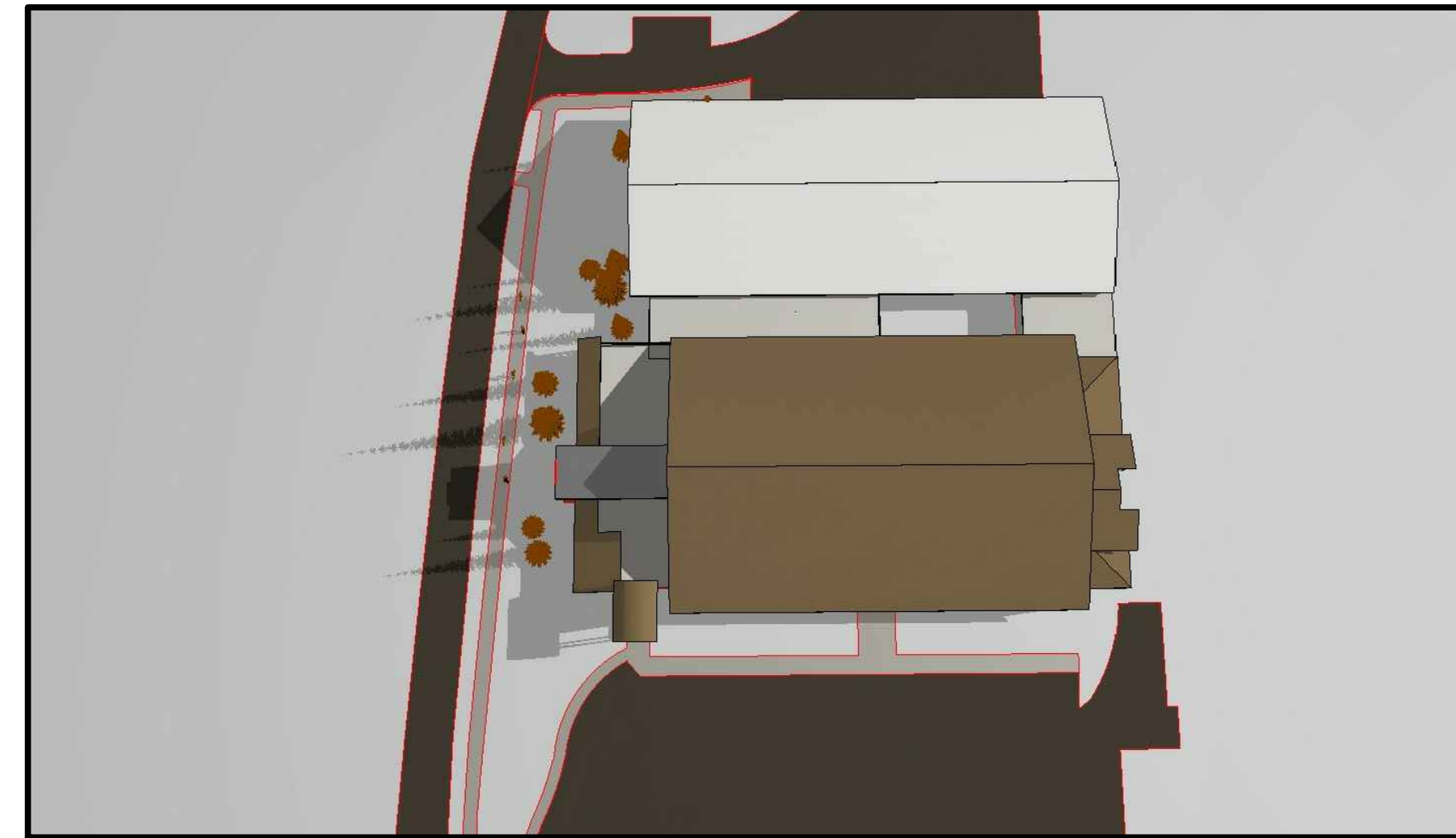
440 S. Lincoln Avenue, Suite 4B
 P.O. Box 77986,
 Steamboat Springs, CO 80487
 (970)-819-1161
 wnmppls@gmail.com



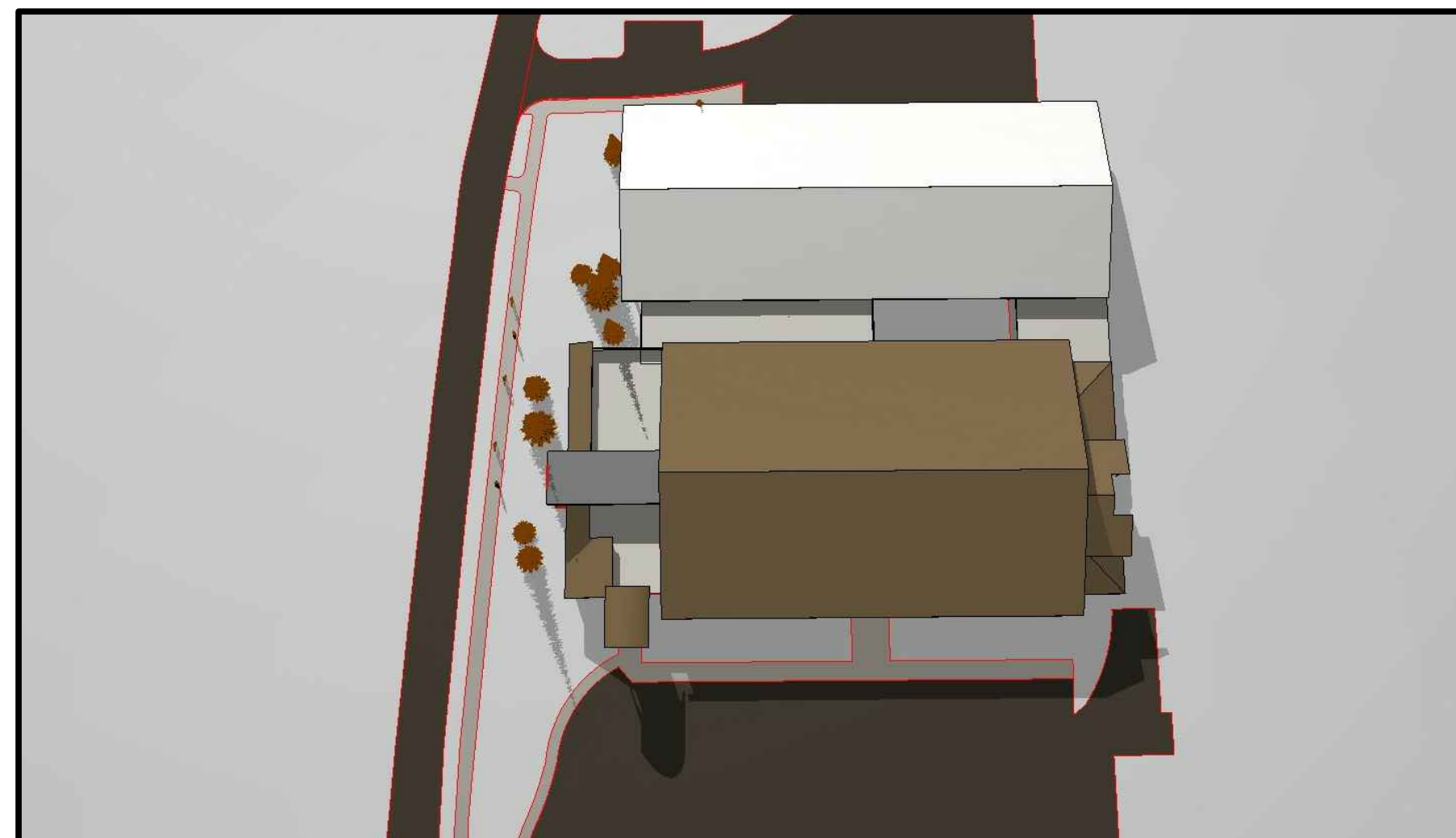
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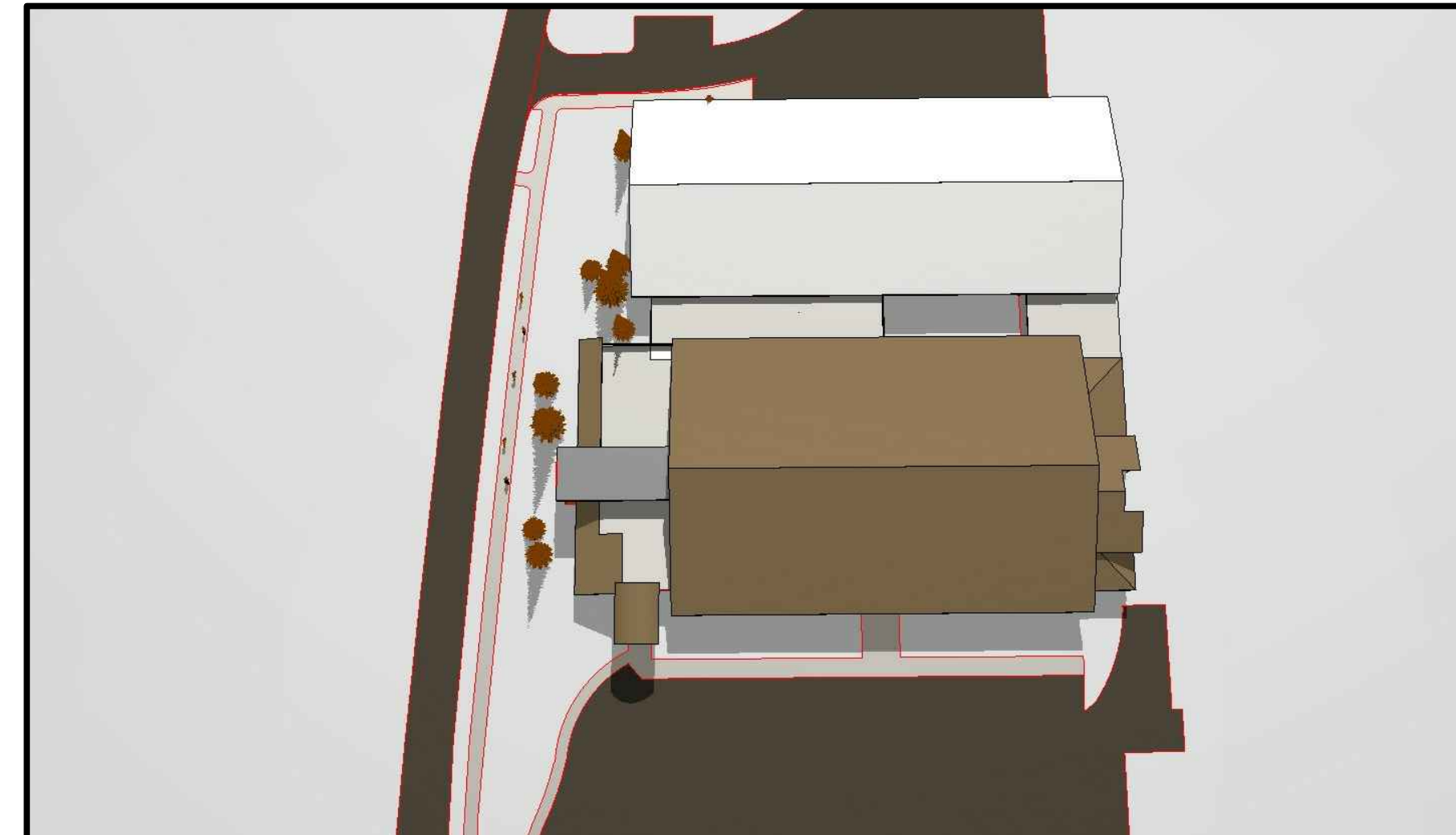
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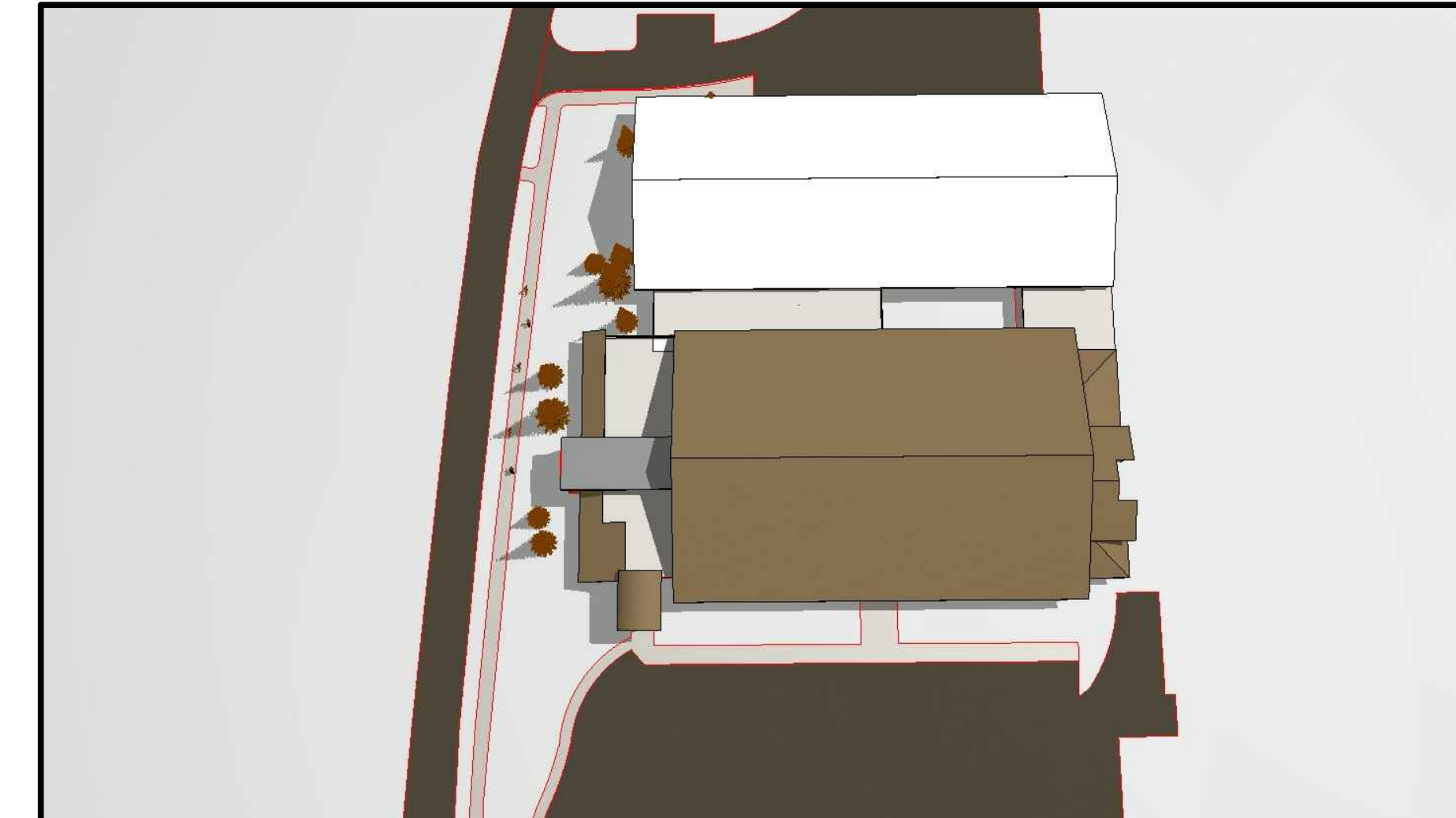
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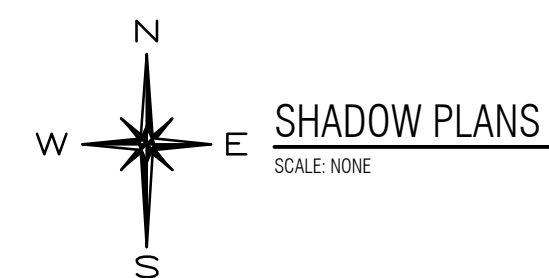
MARCH 21 9 AM



MARCH 21 12 PM



MARCH 21 3 PM





MOUNTAIN
ARCHITECTURE
DESIGN
GROUP
P.C.

EDWARD L. BECKER, V.P. ARCHITECT

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A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
 FOR HOWELSEN ARENA**
 285 Howelsen Parkway
 Steamboat Springs, Colorado

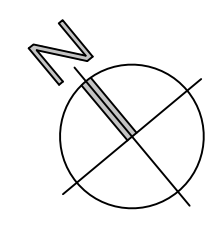
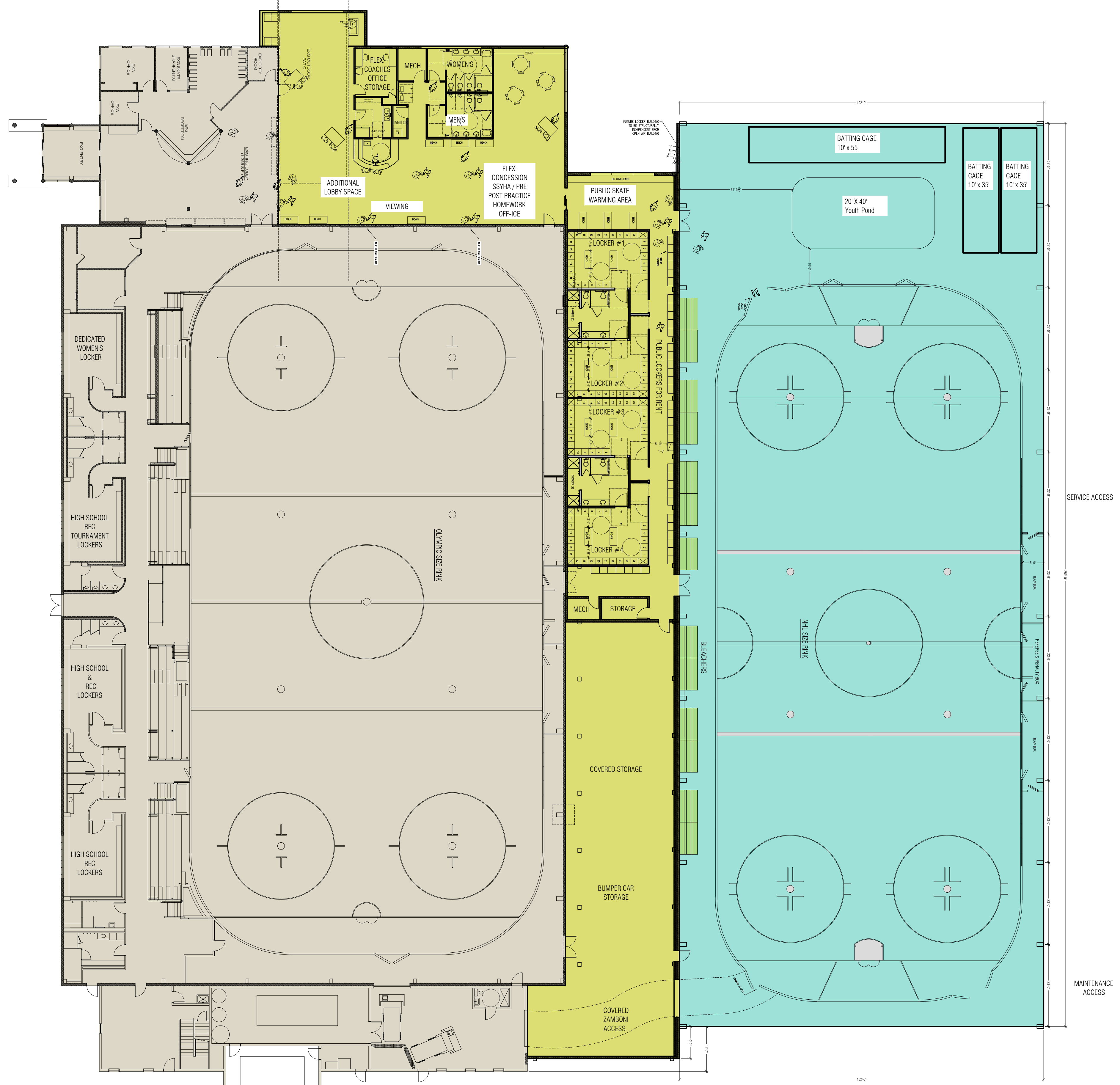
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 &
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JOB NO. 1610
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 CHECKED ell
 DATE 6.13.2017

REVISIONS:
 NO. DATE
 1 February 2018 TAC REVISIONS
 2 April 2018 TAC REVISIONS

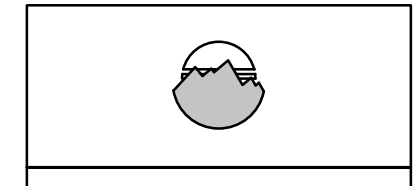
DRAWING NUMBER

OF 7 DRAWINGS



FLOOR PLAN

SCALE: 1/16" = 1'



MOUNTAIN ARCHITECTURE + DESIGN GROUP P.C.
EDWARD L. BECKER, V.P. ARCHITECT

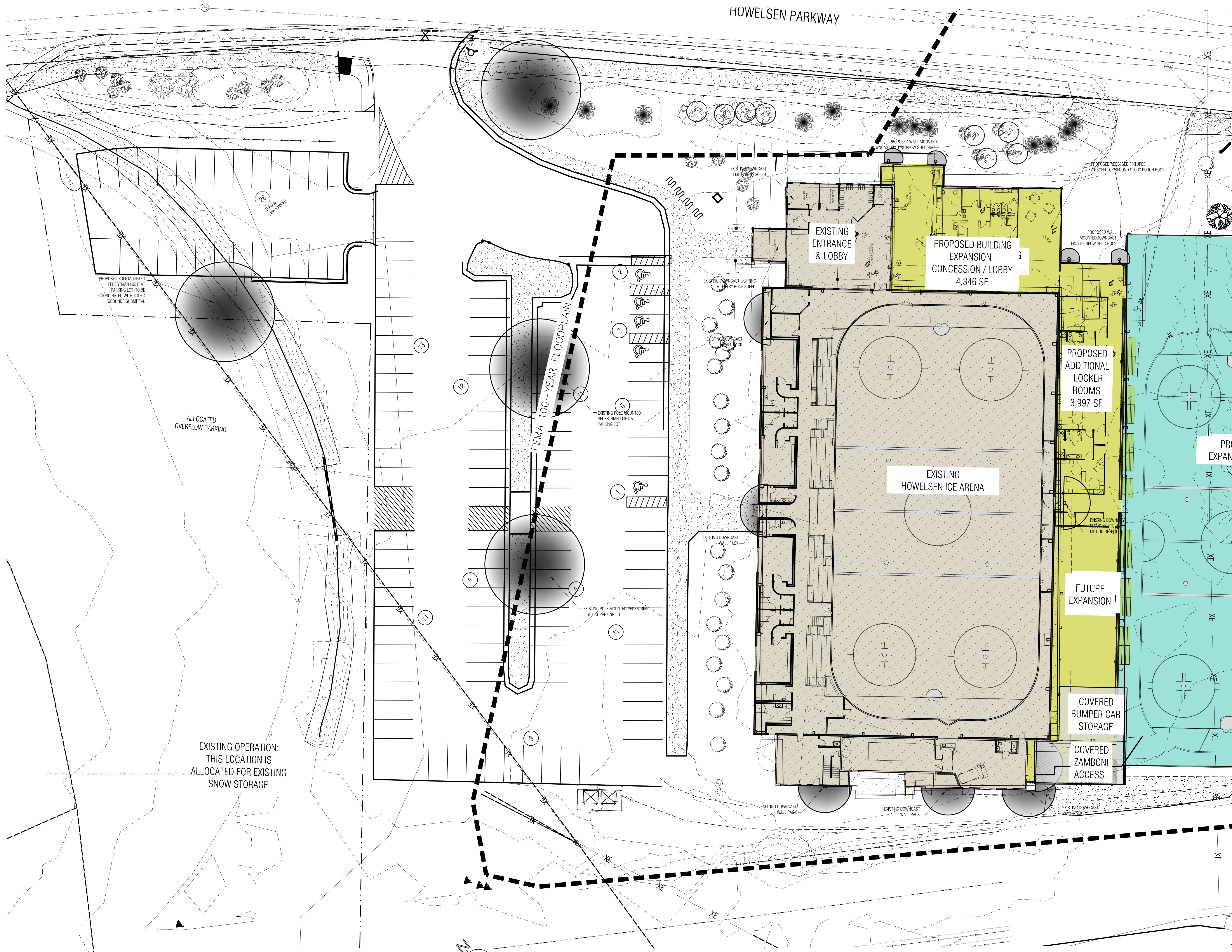
P.O. BOX 774020
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(970) 878-5144
(970) 878-5146 - FAX
ed@mountainarch.com - Email

A Final Development Plan for the City of Steamboat Springs
MULTI PURPOSE FACILITY ADDITION FOR HOWElsen ARENA
285 Howelsen Parkway
Steamboat Springs, Colorado

TITLE
SECTION 10
FLOOR PLANS


JOB NO. 1610
DRAWN lrr
CHECKED elb
DATE 6.13.2017
REVISIONS:
NO. DATE
1 February 2018 TAC REVISIONS
2 April 2018 TAC REVISIONS

DRAWING NUMBER
8
OF DRAWINGS



WALL MOUNT FIXTURE

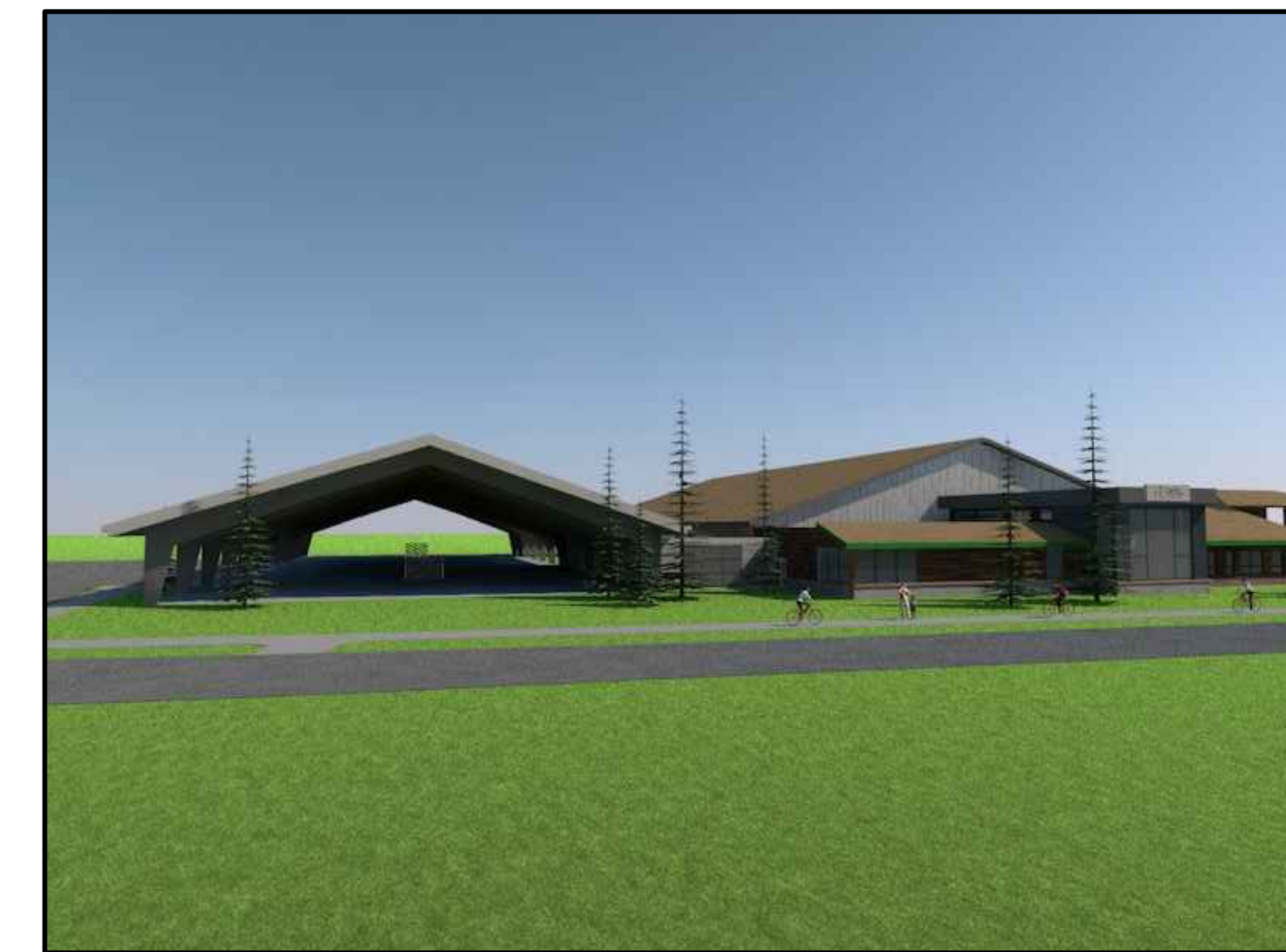
NOTE:
 MODEL # 9246AZ BY NICHIER LIGHTING
 FINISH: BRONZE
 NOTES: OUTDOOR INCANDESCENT WALL MOUNTED DOWN CAST 'BULLET' LIGHT FIXTURE


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A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
 FOR HOWELSEN ARENA**
 285 Howelsen Parkway
 Steamboat Springs, Colorado

TITLE
LIGHTING PLAN

JOB NO. 1610
 DRAWN lrr
 CHECKED elb
 DATE 6.13.2017
 REVISIONS:
 NO. DATE
 1 February 2018 TAC REVISIONS
 2 April 2018 TAC REVISIONS




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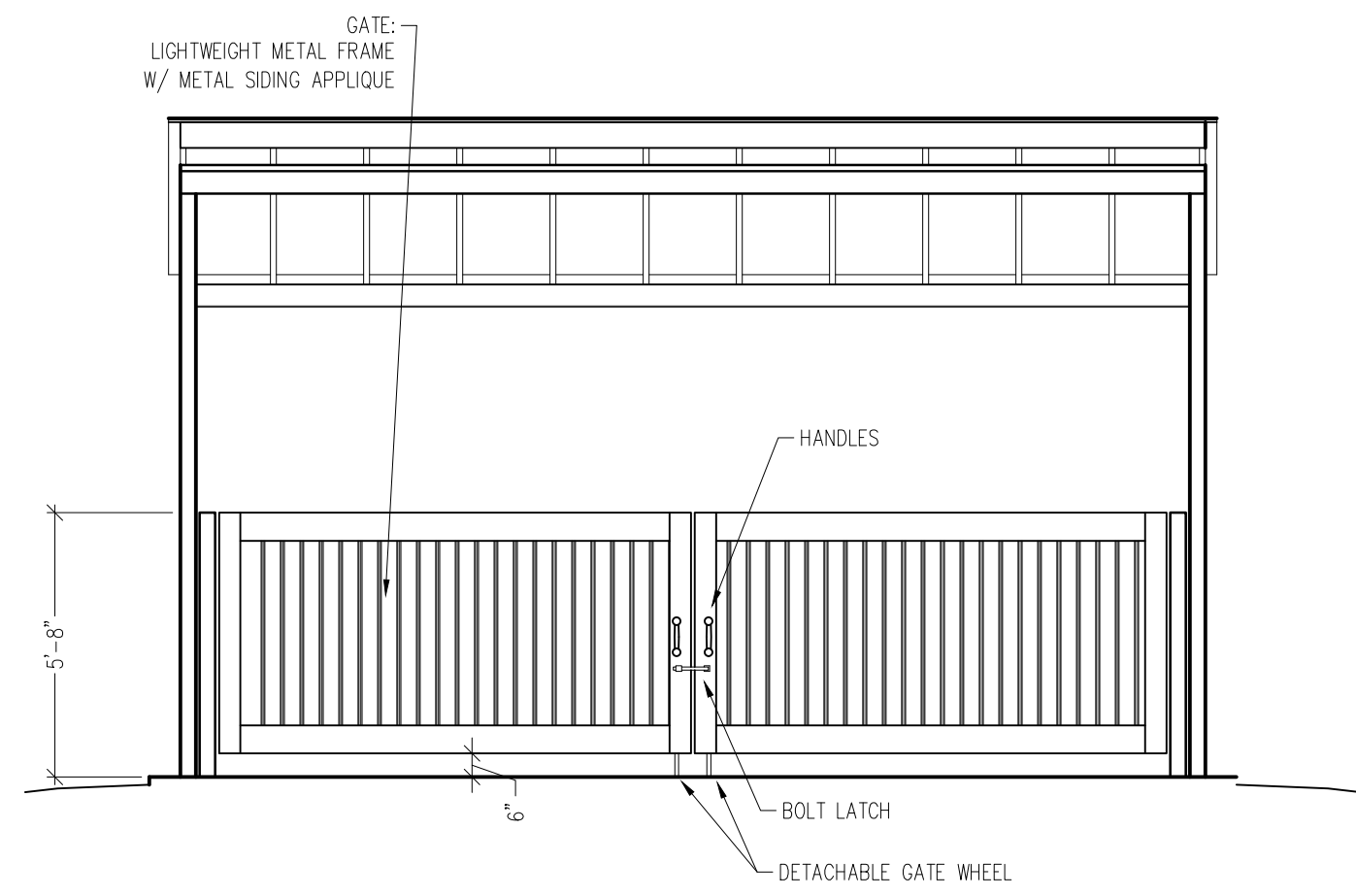
A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
 FOR HOWELSEN ARENA** ©
285 Howelsen Parkway
 Steamboat Springs, Colorado

TITLE
MASSING MODEL

JOB NO. 1610
 DRAWN lrr
 CHECKED elb
 DATE 6.13.2017
 REVISIONS:
 NO. DATE
 1 February 2018 TAC REVISIONS
 2 April 2018 TAC REVISIONS

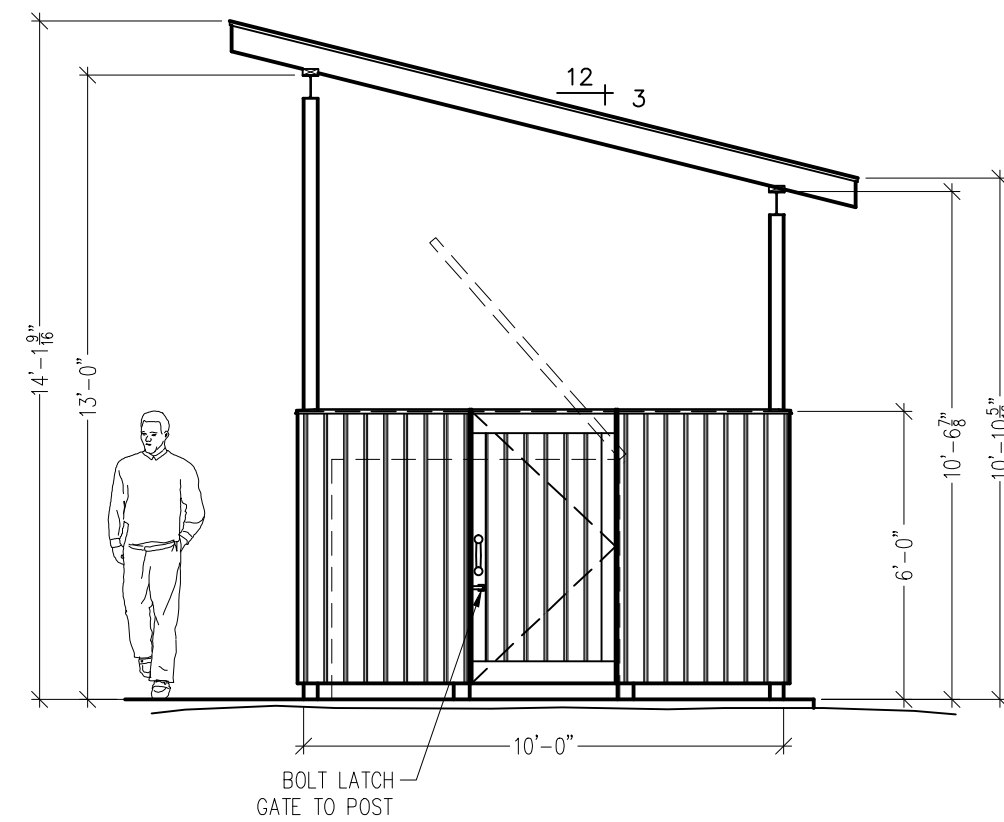
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 OF DRAWINGS

MASSING MODEL VIEWS
SCALE: NONE



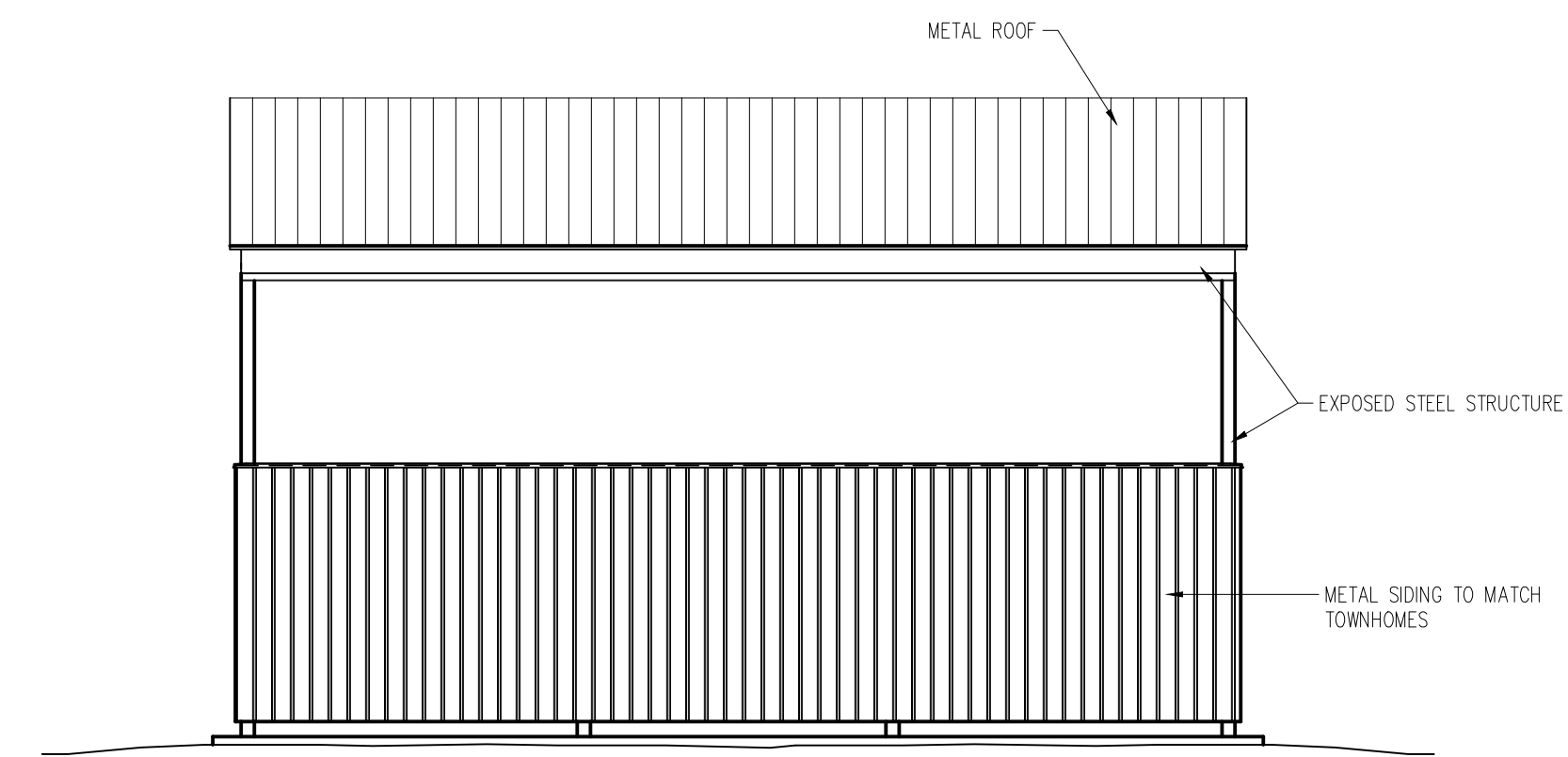
DUMPSTER: FRONT ELEVATION

SCALE: 1/4" = 1'-0"



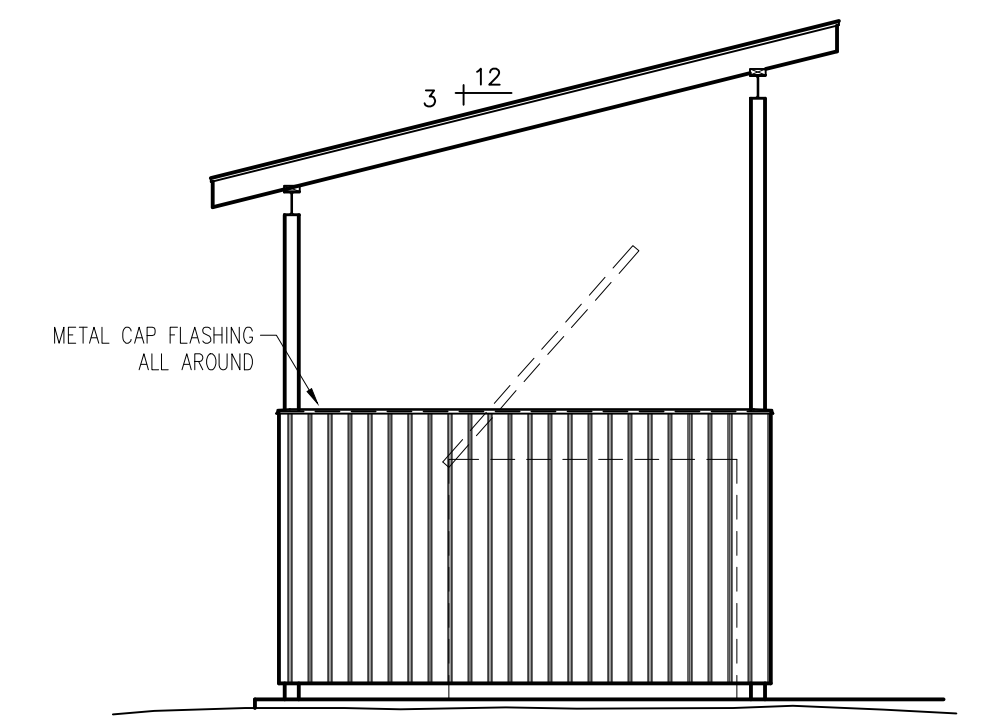
DUMPSTER: RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



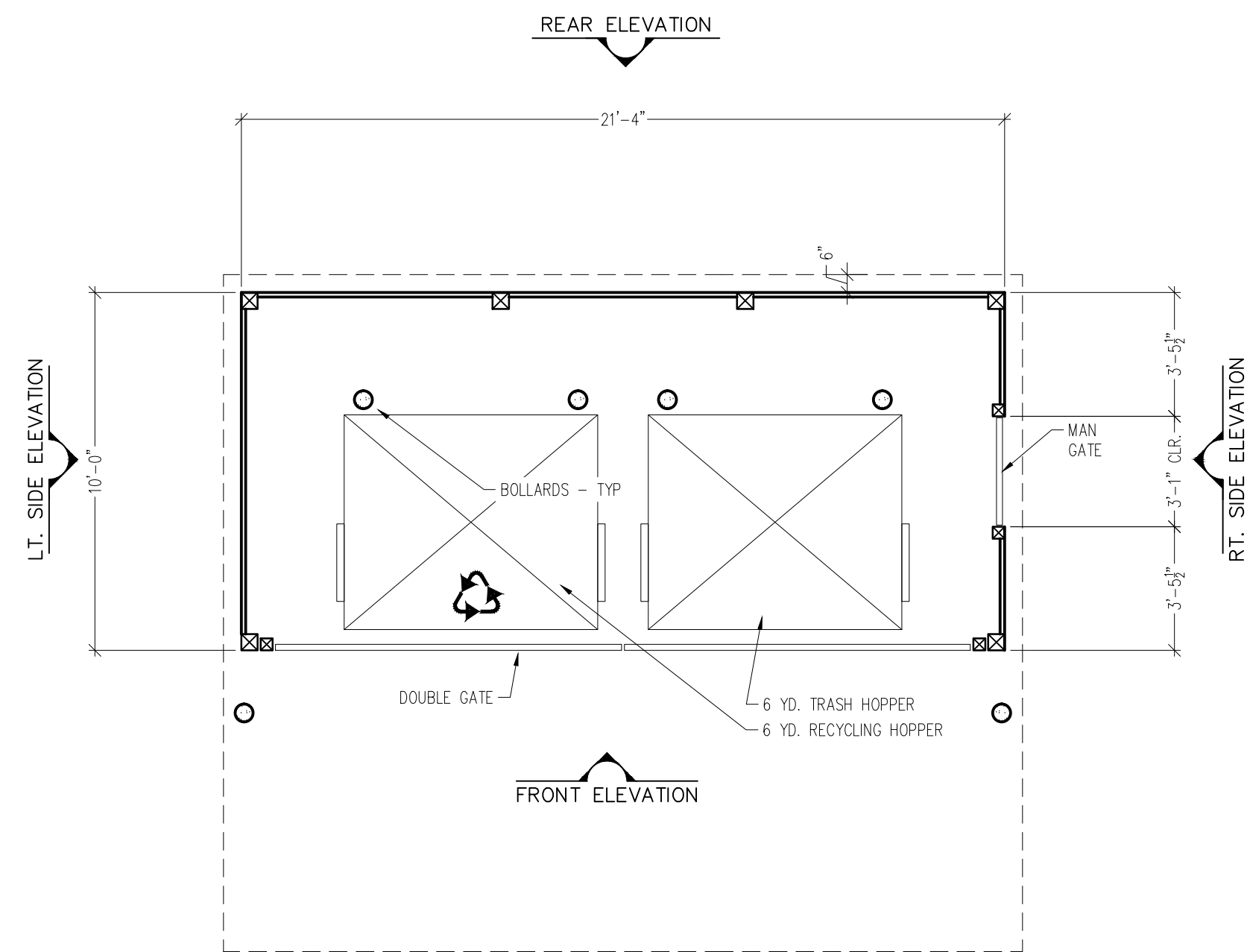
DUMPSTER: REAR ELEVATION

SCALE: 1/4" = 1'-0"



DUMPSTER: LEFT ELEVATION

SCALE: 1/4" = 1'-0"



DUMPSTER: PLAN

SCALE: 1/4" = 1'-0"



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•
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A Final Development Plan for the City of Steamboat Springs
**MULTI PURPOSE FACILITY ADDITION
FOR HOWELSEN ARENA**
285 Howelsen Parkway
Steamboat Springs, Colorado

TITLE
**DUMPSTER
PLAN-ELEV.**

JOB NO. 1610
DRAWN ltr
CHECKED elb
DATE 6.13.2017
REVISIONS:
NO. DATE
1 February 2018 TAC REVISIONS
2 April 2018 TAC REVISIONS

DRAWING NUMBER
12
OF DRAWINGS

AGENDA ITEM #3

FINAL MINUTES

Planning Commission Worksession Minutes
March 19, 2018

STEAMBOAT SPRINGS PLANNING COMMISSION PUBLIC WORK SESSION MINUTES March 19, 2017

The regularly scheduled work session of the Steamboat Springs Planning Commission was initiated at approximately 12:00 p.m. on Monday, March 19, 2018, in Rooms 113-114, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado.

Planning Commission members in attendance were:

Chair Rich Levy, Vice-Chair Brian Adams, Michael Buccino, George Eck, Tom Ptach, Martyn Kingston, Lee Calihan and alternate Paul Weese.

Staff members present included staff attorney Jennifer Bock, staff planners Toby Stauffer and Kelly Douglas, Principal Planner Rebecca Bessey and Planning Director Tyler Gibbs.

#1: Future Land Use Designation Gaps

To be tabled until April 12.

Gibbs: Two reasons: We found that the FAA will weigh in on this discussion; we don't have to wait until we have a new Airport Master Plan at the end of the year. That's information that's important to have and is worth waiting for.

We also inadvertently left out a couple parcels, so we're going to take this opportunity to make sure we make that correction.

#2: DPF-17-11

Stauffer: This is the application to move the Arnold Barn to the property to the corner of Mount Werner Circle and Mount Werner Road. That property is associated with the Steamboat Grand. It's an open space parcel that's part of their property.

There will be two phases: moving the barn, then building some pedestrian connections with some parking on Mount Werner Road and a soft-surface sidewalk that will go from the barn area up to the Grand on Mount Werner Circle. Under the project description, I noted that there is the typical site development and moving of the barn; there's also a minor amendment to the Grand PUD and interpretation about the Base Area Design Standards, technical variance to Sidewalk Standards, off-site parking request and two variances to landscaping and lighting.

Those other standards are generally alternative compliance in our code, so there really are only two variances but some other points of discussion you might have. I do cover the off-site parking

AGENDA ITEM #3

FINAL MINUTES

Planning Commission Worksession Minutes
March 19, 2018

request under the access portion of the criteria. For the pedestrian facilities serving the use, I talk about the application of Complete Streets and how we got to that decision there.

For the minor amendment, I summarize under Compliance with Other Standards.

The Base Area Design Standards interpretation and the other two variances are covered as you would anticipate.

The landscape variance does include two variances combined into one, but we're talking about the same standards.

Levy: I was surprised we're basically waiving the Base Area Standards versus reviewing them as a variance request.

Stauffer: I did look through the Base Area Standards to see how they would apply. There's not that many criteria that would apply. The materials and colors are fairly consistent. We're dealing with a historic structure. To change it to have it meet the Design Standards would lose the integrity of the historic structure.

Levy: I thought we would just say that historic considerations are far more important than the Base Area Design Standards, and that would be a good enough reason for a variance. I was hoping we weren't ignoring all the Base Area Design Standards.

Stauffer: Our thought was the Base Area Design Standards just didn't apply to historic projects. We did talk about providing a variance but thought that the interpretation of the Base Area Design Standards didn't apply to historic projects.

Gibbs: I don't know whether we would consider this new construction. You raise a good question; the outcome is the same either way; it's just what is the appropriate process?

Levy: Is it only the Architectural Design Standards that we are waiving?

Stauffer: Lighting standards are covered in the Base Area Design Standards and the CDC. It doesn't necessarily matter whether that's historic or not. Other design standards are primarily to new construction with changes to the building, massing, etc.

Buccino: Parking across the street on Mount Werner as opposed to right adjacent to the property. What was the reasoning for that location instead of in the most logical spot where people pull in? I'm a little concerned that we're creating a pedestrian hazard.

Ralph Walton, SSRA Project Director:

We had two thoughts: The iconic entry as it's called is designed to catch your attention on the inbound trip. So we thought if you see it for the first time you would be climbing the hill, so it would be easier to pull off on the right. The second reason is we wanted to provide a crosswalk for the people on the trail. The combination of having a crosswalk and the right-hand pullout

AGENDA ITEM #3

FINAL MINUTES

Planning Commission Worksession Minutes
March 19, 2018

kind of made it work. This doesn't preclude the possibility that in future, if more parking is ever needed, we could put it on the other side. But we thought if there's only one, it might work better over there.

If we didn't have it on the right side, we wouldn't need a crosswalk. But the crosswalk is kind of needed to get walkers using the existing trail over. So that crosswalk serves the trail as well as the parking.

Buccino: On that first variance to the parking requirement, what are we determining?

Stauffer: You're determining that the off-site parking request meets the conditions I listed. That's language from the code, so it's similar to what we would normally look at for a variance, but it is a specific section of the code. We did find that it meets those conditions.

Buccino: I can see a lot of people turning left and parking in the right-of-way to go take a picture. Even if it was an additional two or three more spaces, it wouldn't be a detriment. Something to consider.

Walton: One other factor is the flow of traffic. Traffic counts at that intersection indicate that two thirds of the traffic is going to the right, so most people are going where the parking is. It's a steeper uphill to park on the right after you take a left. There will also be a trail there to connect to the Grand.

Buccino: I've seen some vehicles that basically do what they want. They may not care that there's a trail there. I get your reasoning, but as far as human behavior, looking for parking across the street may not be their first reaction. So maybe a couple spaces in the future if we find that it's a problem.

Walton: One of the requirements of engineering review is to look at the counts to see if we need any adjustments along those lines or others. So we'll be looking at it.

Levy wanted to make sure that question is on the record on Thursday.

He asked if there will be a flashing beacon at the crosswalk; Walton said no; Levy said he would bring that up Thursday.

Levy: There's far more danger crossing the street there than at the Grand; traffic is going so much faster at that spot.

Danny Paul, Staff Engineer/Applicant Representative:

That goes hand in hand with that analysis. It was very difficult to model the pedestrian traffic generation associated with this. Based on our assumptions and the model we created, we don't think it's going to meet the required level for an enhanced crossing.

Ptach: Is there anything saying that you can't put a flashing signal in there?

AGENDA ITEM #3

FINAL MINUTES

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Paul: People are less likely to obey it if it's not getting used. The rapid rectangular flashing beacon was a proprietary mechanism that there's federal lawsuits over, and those are actually banned now. There are other technologies out there that could be employed. But in the community we need to get off of our RRFB does it all because they're no longer legal. I think there's a condition of approval in there that goes hand in hand with that. We'll build it and see if they're coming, and if they do come we'll update that analysis. We might find we need to do enhanced treatment.

Several commissioners did not seem happy with this approach.

Paul: Our engineer did look at it for sight distance issues in conjunction with the operation of the intersection, and he was willing to put his stamp of approval on the plans.

Levy confirmed that there is additional signage below about yielding to pedestrians.

Paul said those signs would fold in half in the winter months when that trail is not being maintained.

Commissioners pointed out that the lack of maintenance would likely not stop people from taking pictures there.

Adams wanted more information on the 10-foot high poles for lighting.

Stauffer: Our Lighting section requires everything to be downcast and shielded. These lights will be facing the barn. There is a Lighting Plan in there that describes it. The lighting was very specifically designed so that it highlights the barn without going far beyond it. They will be shielded from the side to limit light at odd angles on either of those roads. The pole height and lighting type are consistent with our standards.

Adams wanted to make sure that the lighting was not going to make the barn a glowing beacon on the hill.

Stauffer: The lighting proposal was reviewed by the Historic Preservation Commission to be at least consistent with historic guidelines for lighting the barn. We'll see if it's too bright; we have enforcement methods if we need them in future.

Gibbs: The intent is obviously not a glowing beacon on the hill but a soft wash of light that brings out the form and texture of the barn.

Adams asked whether the lights will have a timer; Stauffer will find out for Thursday.

AGENDA ITEM #3

FINAL MINUTES

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Weese confirmed that the soft-surface connecting trail and the surrounding sidewalks will not be maintained in the winter. He didn't think it logical that people won't walk up to it in the winter, especially if it's lighted.

Kingston wondered about the location of parking versus the proper angle for a photo.

Walton thought the parking to coincide with that point would need to be too far down the hill; he pointed out that there is a way to get to the ideal spot from the proposed parking.

Levy asked Stauffer what she meant by a sort-of open space designation for the parcel.

Stauffer: The Grand has one parcel where the hotel is; next to the hotel up along Mount Werner Circle facing the resort is some additional open space where they can develop. That piece is subject to development rights. There is a line drawn that segregates this 19-acre piece where the barn would be. That piece doesn't have a specific open space designation; it is included as part of the PUD and it was not considered to be for development. The entire property is subject to future development rights, however, this area was pretty clearly designated on some maps in the PUD for preservation of open space. We found that placing a historic barn of this nature is a natural resource amenity, which is consistent with the language in the PUD.

Levy confirmed that the zoning of the property is RR1; the barn parcel isn't designated open space even though the PUD calls out that area to be for open space.
Stauffer said they would be replacing the existing sign.

Levy: How does that fit with our sign code? Putting a sign that far away from the building?

Gibbs: It is on the property.

Levy: You used the natural resources designation as a way to put that barn here. How does that sign fit with that designation?

Gibbs: They have a sign there currently. In the negotiation to be able to locate this historic barn there, we had to work with them on accommodating their existing signage, which is permitted under their existing approvals.

Levy: So because you negotiated that it's not in Planning purview to decide whether that's the appropriate place for it?

Gibbs: That was already determined when the existing sign was put there. It's on the property; it's an approved sign; they're simply replacing it with a new sign.

AGENDA ITEM #3

FINAL MINUTES

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March 19, 2018

Levy confirmed that the location of the sign will change slightly to accommodate the view of the barn.

Walton: The barn would be where the sign is today; that sign will slide over. It will be logical because it will draw you to take that left.

Levy asked about the natural resource designation.

Stauffer: In our CDC, that includes buildings and interpretive structures. That seemed to work for the building as a use. A sign isn't considered to be a use; it just has to be on the property where the use occurs, which is the case here.

Adams asked whether the phasing of the project was within the Commission's purview and when Phase II would come.

Stauffer: We don't have specifics on that other than the standard approval timeframe we have for development plans, which is three years. So Phase II would need to happen within that time.

Walton: The intent is to implement everything all at once if we can finalize our maintenance agreements. The presence of the interpretive signage drives the need for the trails, which drives the need for the crosswalk and parking and the Grand connection trail. We're close to agreement on all issues. We may need to go through another budget cycle if the costs are higher than they are now, but our desire is to implement it all at once this summer-fall.

#2: CU-18-01

Douglas: This is the first conditional use application processed under the new code. It's zoned CC, and it's a marijuana store use. They're asking to modify two use standards: The 1,000 foot distance from a park, and the residential adjacency.

This is RMR; they want to move their location from off Elk River Road down to this location.

Calihan brought up the difficulty of the left-hand turn and the lack of access from Hilltop Parkway.

Douglas: That's true. This does not trigger a review of their CDOT access permit for access off of 40.

Calihan asked about parking requirements.

AGENDA ITEM #3

FINAL MINUTES

Planning Commission Worksession Minutes

March 19, 2018

Douglas: The standard is the same for office and a marijuana store, so they meet the requirements.

Calihan: That is a heavy-use area. Is there a trigger that occurs beyond a certain level of use to review that access? Who looks at that?

Douglas: I think in this case it's not an additional use; it's an existing tenant space; our standards say they will have a similar impact whether they are an office or selling some other kind of good. I think your question is a valid one; it's just not really the purview of a conditional use at that location.

Calihan: I work next to it, and right now it's low use. But I expect that use will increase.

Douglas: The traffic analysis they provided found that they can accommodate the additional trips.

Calihan: People tend to illegally go through the gas station when they can't take a left-hand turn because there's no cross. They're not connected.

Ptach pointed out that it is within a thousand feet of Emerald Park as the crow flies.

Douglas provided maps outlining the analysis as well as an overall picture of the area.

Eck asked if the new railroad crossing was taken into account; Douglas said she evaluated conditions as they exist now; she did not think it would change the analysis in a material way.

Ptach confirmed that the Core Trail is not considered a city park.

Kingston confirmed that the prohibition of marijuana store development within a 1,000 foot radius of city parks, schools, etc. is rule that was adopted by the city.

Levy confirmed that the ruling regarding the Natural Choice application by Planning Commission and City Council that the 1,000 foot radius should be measured as walking distance did not necessarily set a precedent for this decision.

Gibbs: I think if you were going to make a different decision, it would be important to make different findings.

Bock: I don't think the City Council established a firm rule. The facts are slightly different, so you'll have to spin those out.

Buccino mentioned that he lives on Robin Court.

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He confirmed that this application does not have a grow component.

Douglas mentioned that the applicant is planning to mitigate the odor in ways that have been successful in the community in the past.

Adams confirmed that enforcement actions would be available regarding odor.

Bessey reiterated that the code is clear that the 1,000-foot distance is a radius and said that if commissioners choose to approve this application, they are indicating that they are comfortable with the applicant not meeting the standard as stated in the code and are modifying said standard through the conditional use process.

Kingston confirmed that the distance is measured from the corner of the building.

Adams confirmed that the residential-zoned lots adjacent to the subject property to the east are not legally accessible and have plat notes attached which stipulate that they may not be further developed until legal access is secured.

Commissioners wondered whether the topography of those lots would make them impossible to develop; Gibbs said he has walked them and that there are benches where he thought some development could occur.

Levy wondered about a potential access easement to the adjacent residential properties as indicated on one of the provided maps.

Gibbs did not think that access actually exists.

Buccino concurred.

Douglas: I do not believe it's an easement. It may be a physical way through, but it's not a legal way through.

Kingston asked Douglas to summarize her analysis supporting staff's recommendation of approval.

Douglas: The very small piece of the parcel containing Emerald Park that falls within the thousand foot radius is actually a wetland and not suitable for passive or active recreation. Dudley Field is the closest active use of the park and it falls outside the thousand feet.

Regarding adjacency, there's no legal access to the adjacent residentially-zoned lots. There is a very significant change in topography from the subject site to the residential lots – about a 20

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foot difference with a 40-70-foot difference to the highest point on the multi-family parcels. So staff's perspective is that it does not feel adjacent.

Adams: Which is a very big difference from whether or not they're developed. Whether or not a piece of property is developed I don't think is a very good excuse for being able to put something adjacent; it's the zone itself. So whether or not it's developed is not the argument; it's whether it feels adjacent because of topography.

Eck: I think it would certainly be a different discussion if there was just a residentially-zoned vacant lot that was next door.

Douglas: The marijuana use standards are very difficult to meet. There's very few parcels that would meet all of them – as indicated on an included map.

Buccino confirmed that the Engineering Department signed off on the traffic study provided by the applicant which indicated that there would be minimal additional traffic impact.

Commissioners wondered what it would take to change the current access configuration for 410 S Lincoln.

Douglas will look into that.

Kingston confirmed that the proximity to the karate academy is irrelevant because it is not a school or childcare center.

Ptach: Is there a reason the karate academy can't be declared a childcare center?

Bock: I'm imagining it doesn't meet our definition of what a childcare center is.

Calihan: There is a licensed liquor store the same distance away from the karate academy. We allow that.

Kingston: Some of the parents will probably be there on Thursday, and I'd like to be able to figure out what staff's thought process was.

Douglas: I think similar to a park we have to set standards that we can actually enforce. I think we have to be fair to all uses and call them what they are, and I don't know that this meets the standard for a childcare center; I don't think it's registered as such. It's not a school.

Kingston: But the reason we delineate those things is the children, right? It's not the fact that it's a school; it's the fact that it houses children. That's what the parents are going to say, I imagine.

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Adams: With a park, it's potentially unsupervised children – not children getting picked up and dropped off.

Levy: It doesn't say "where children are present." Fuzziwiggs could be next door, and according to the code, that's not an exact reason to deny the request.

Stauffer: The karate academy is a retail service business. It could be for adults, and it would be the same function. It's a retail center in a retail zone district.

Planning Commissioner Updates

Levy: I will definitely be missing some if not all of April's meetings. TBD.

Calihan: I may be missing the first two weeks in May.

Staff Updates

Gibbs: The Downtown Plan kicked off with the first meeting of the working group March 2. They got homework which they've been turning in. They have set April 11 as the date for their first public meeting, but we're having some real challenges trying to find a venue for that. Maybe the library.

ADJOURNMENT

The meeting adjourned at approximately 1:15 p.m.

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STEAMBOAT SPRINGS PLANNING COMMISSION

PUBLIC HEARING MINUTES

March 22, 2018

The regularly scheduled public hearing of the Steamboat Springs Planning Commission was called to order at approximately 5:00p.m. on Thursday, March 22, 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, Martyn Kingston, Michael Buccino, George Eck, Tom Ptach and alternate Paul Weiss.

Staff members present were Staff Planners Kelly Douglas and Toby Stauffer, and Planning Director Tyler Gibbs.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

#1: CP-17-03, Future Land Use Designations

STAFF PRESENTATION

Tyler Gibbs:

The request to table is for two reasons:

We've found that the FAA is willing to comment very promptly as opposed to having to wait for an update to the entire Airport Plan. We expect to get those comments fairly soon, which will add some good information to that hearing.

There was also an oversight regarding a couple properties that weren't initially included.

MOTION

Commissioner Ptach moved to table CP-17-03.

Commissioner Eck seconded the motion.

VOTE

The motion carried unanimously.

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#2: DPF-17-11, Steamboat Grand Resort Hotel and URA

Commissioner George Eck recused himself from this item.

STAFF PRESENTATION

Toby Stauffer:

This is a final development plan to place a historic barn on the property associated with the Steamboat Grand Hotel. The barn would be located at the corner of Mount Werner Circle and Mount Werner Road. The project includes variances to landscaping, lighting, sidewalk and parking standards.

Staff is recommending approval of the project finding that it meets most of the criteria with the exception of the variances.

It will include phased site development: landscaping, creation of parking spaces, a soft-surface sidewalk. There will be some interpretive signage that will be added in Phase II discussing the barn and its association with the Yampa Valley.

There has been a minor amendment to the Grand PUD as part of this project and interpretation of the Base Area Design Standards, a technical variance to Sidewalk Standards and an off-site parking request. There's also two variances to landscape and lighting standards.

We have received a bit of public comment. One letter included some concerns about safety at the intersection. Two additional letters came in after the packet was built that were in support of moving the barn to this location.

The minor amendment to the PUD is to ensure that the PUD remains consistent with its intent. Some of the open space property on the Grand property was included in the density calculations in order for the Grand to build what it has today and some future development. By adding the barn, we've found that it doesn't add any density or change the intent or character of that PUD.

Landscape Buffer/Interior Landscaping Variance: The project proposes to not place a specific landscape buffer but utilize all the landscaping within the project to meet the landscaping requirements. Their justification is that what they're doing is equal to or better than the code standard, and staff agrees with that.

Lighting Variance: Our lighting requirements require lighting to be downward facing. These lights will be generally upward facing or parallel to the ground shining on the barn. The applicant's justification is that their alternative achieves a result that is equal to or better than, and staff agrees with that justification.

We find that the project is consistent; we are recommending approval with nine conditions.

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APPLICANT PRESENTATION

Ralph Walton, Steamboat Springs Redevelopment Authority Project Manager:
The SSRA is the body that's funding most of this effort. Allocation of those funds was made at their December meeting.

When the URA was formed in 2004, the Arnold Barn was a source of blight. That finding was necessary to create the URA. All of the foundational documents indicate that way-finding and signage is an important element of curing the blight and solving circulation issues. Further master plans concluded that a barn is probably the best signature item as a landmark to create a way-finding device at a key point of decision as you arrive at the mountain.

The advisory committee to the SSRA is called URAAC, and they've consistently ranked the iconic entry as one of the top five project activities since they started meeting about ten years ago. The historic preservation aspect of this process has been buttressed by the Save Arnold Barn Committee together with Historic Routt County. This group of 7-10 community members has not only raised money but spent a lot of time and professional time from architects, engineers and other folks to further the design and gain public support.

We had a rancher roundtable because we wanted local ranchers to comment; we really wanted an authentic treatment of all of the elements that you now see.

There are multiple stakeholders in this project: Steamboat Grand owns the land; Ski Corp owns the building today; the city is stepping up in multiple ways to support the project. Those parties are now working on definitive agreements to cover the development of this project activity but also the long-term maintenance of these improvements.

Walton reviewed historic iterations and locations of the iconic entry feature starting in June, 2006. 2014 saw the consideration of a scaled-down version of the barn using materials of the barn to skin it with a new sign for the Grand and backdrop landscaping.

In 2017, stakeholders arrived at the current concept. The barn was reoriented, a chorale was added, excess landscaping was eliminated.

Walton: We submitted the first site plan in December. We conceived of this as an administrative final development plan. We have the crosswalk, the parking pull-out with a tie-in to the existing trail from the Wildhorse Meadows side.

Walton showed where the pull-out and interpretive signs would be located.

Walton: Phase I of the project I like to call the way-finding phase.

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Part of the discussion of Phase II had to do with the trail that came out of the TAC review process as an enhancement of the whole plan by facilitating access down to the attraction. Ultimately, the parties agreed to the idea of maintaining the trail as a seasonal, soft-surface trail. There was some pushback to maintaining a paved trail year-round.

Through TAC review we also added a stormwater collection facility.

Walton showed which party has agreed to handle the maintenance of the various items associated with this project activity.

Chris Rundal, Baseline Engineering:

We looked at the parking pull-off location and decided the uphill lane on the right side just passed the center section was an appropriate location. Baseline put together a Parking and Pedestrian Access Letter as part of the application that looked at parking space numbers, the number of anticipated pedestrians using the crosswalk. This use is a fairly unique use, so there's some level of professional judgment that had to be used on the number of pedestrians. The upper range is 30 with a lower end of 10.

We proposed to move the speed limit sign, which changes from 35 to 25, down the hill to start slowing speeds as they approach this intersection. One of the safety considerations is the median that provides refuge so when pedestrians are crossing they only have one lane to cross on one side and the through lane and turn lane on the other side.

We did recommend that because the use is unique, once all improvements are in place that the city go out and do a count to see how many pedestrians are actually using this crosswalk to see if further features are needed such as a flashing beacon. But we're comfortable with the assumptions we've made and the improvements we've proposed in the plan at this point.

The plan does have advanced warning signs for the pedestrian crossing on both uphill and downhill sides. Then there will be the regulatory warning signs on each side of the crosswalk and in the center island, so it will be well signed and visible.

Walton: Lighting: We've got four poles on the corners each with two lights, angled so that they cover the entire broad side of each side. We need two lights each in order to do that. The beam spread of the light is designed to cover the barn. In lighting you have a push and a pull between an even wash of light on one hand and what they call light trespassing – light passing by the subject too much. You don't generally want any light to trespass, but you also want to wash it evenly and not have any dark spots. This particular beam spread is 34 degrees. When they tried a 64-degree spread, too much of the light was getting passed the barn. The snoot obscures the actual bright light so you won't see it directly unless you're ten feet in the air directly between the barn and the light. The snoot also helps us direct the light to where we want it on the building. The light that does pass by is diffused to 0.5 foot candles at the point it passes the roof on the left. We measured the light beam from the pole closest to the Grand all the way down to the intersection and determined that the foot candle power when it hits an imaginary wall at that area is 0.02. Because we've got other light at that intersection, we felt that we've accomplished bathing it evenly and minimizing the trespass.

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QUESTIONS FROM COMMISSIONERS

Commissioner Adams:

That description is very helpful as far as light from lamps that's leaving the site. My only other question is how brightly is the surface of the barn going to look? What kind of design guidelines do we have as far as that kind of light trespass from a site?

Stauffer: We have luminance measurements in our Lighting Code that talks about a ratio of source lumens to luminous area. On previous projects, we've requested a photometric plan which speaks to the candles that Ralph was referencing. Typically, that shows where the lighting is brightest and how that falls across the rest of the surface. That's usually how we measure the brightness of lighting in a whole context. So far it seems like this project can meet those brightness discussions that we had.

Walton: This new approach we've taken is much more in tune with what the Historic Preservation Commission wants to see and what the applicant and everyone I've talked to wants to see. The problem with doing a photometric analysis is it's plan view. We're not shooting at the ground. We could do a photometric analysis of the structure that it's capturing the light but not behind it. That's where we came up with the idea of the imaginary wall and to measure it just through the model of how far it would drop over 200 feet. The code envisions down-lighting that hits a surface. These lights are angled 10 degrees up off a ten-foot pole to get that coverage.

Adams: What kind of guidelines do we have as a city to make sure that future maintenance uses the correct light for this application?

Stauffer: We do have specifications for the lights and what they're proposing to use for the bulbs based on the light type. Like any project, they need to meet their approved development plan that shows this concept and the intent of the lighting. In the event that an incorrect light is placed that starts to affect the neighboring properties, we do have some recourse because we have some literature with this plan that would give us some guidance to get us back to the intent.

Commissioner Ptach confirmed that these lights will be on from dusk till dawn.

Commissioner Buccino:

As long as those uphill lights that are shining down toward the traffic are minimized.

Regarding parking, what evaluation did you come up with that indicated that the location where you have it is better than the other side? Is it because photographs will be hindered?

Rundal: We thought about putting it on the other side and discussed logically where we thought people would pull off when driving up Mount Werner Road as you're approaching the intersection. What we thought was there would be passers-by that would see it and want to stop and pull over. That's partially what drove us to think that where we show it is the most logical place. I think there will be people that

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could be driving from the other direction or making a left and coming around. We looked at parking numbers and tried to come up with the number of spaces that would be appropriate for the site given the city's code for a small park of this acreage. It was three spaces.

Buccino: Usually I'm going to pull over so my family can get out of the right side of the car. What we've created here is an increase in pedestrian traffic on kind of a blind corner. Where you're putting parking where someone is going to open their driver-side door I think is a lot more risky because you can't see that very easily as you're coming up and going around. Parking on the right side is a little more intuitive to me. If I turn left and miss it, then I'm going to park in the right-of-way. Someone is going to drive all the way around the loop and find a parking spot, but they need to make a U-turn right there. I kind of want to see another parking spot because I think people are going to park in the right-of-way no matter what. Condition 3 talks about the flashing beacon. It says "After construction of Phase II, pedestrian counts shall be taken to confirm the estimated pedestrian numbers in the mid-block crossing analysis dated December 14." And then what?

Rundal: I think confirm the assumptions.

Buccino: And what happens if it's super high.

Danny Paul, City Engineer/Applicant Representative:

We have uncontrolled mid-block crossings all over town. We have a database of them. If the count exceeds those levels, we'll look to mitigate with a flashing beacon. There's already some mitigation there as Chris stated. As for what drove us to land on this side with parking, to the left of the Grand is about a third of the volume; the majority of people are staying right and going to the Upper Knoll lot. People might get lost and come around the other way. They are allowed to park in the right-of-way, except for overnight in the winters. Both sides of this benefit from the wide lanes, so we're not as worried about the door-swinging issue.

Buccino: It makes a big difference that parking in the right-of-way is allowed. I'd like to see what happens when that count is done.

Paul: If you do make that left, there are two lanes with one being a climb lane that very few people use.

Adams: Was there just not room to put in angled parking? Was parallel parking the most traffic-helpful way of doing it?

Paul: At this location for it to be angled with the striped bike lane, it would have to be back-in diagonal. We're in the middle of a pilot program with that on Yampa Street. We don't want it to be front-end not only because of the bikers but the fact that vehicles need to reverse into live traffic. So parallel seemed to be the best. There's some extra space in there for three vehicles or two really big trucks.

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Rundal: Danny mentioned that the road is already wider than normal with an extra 6-8 feet of shoulder. Because of the concern that was brought up about doors opening with parallel parking, we made the parallel parking stalls a little wider than they maybe need to be to avoid any conflicts with vehicles coming up the hill.

Commissioner Kingston:

I think from experience at other ski resorts that whether the crosswalk is flashing or not it's probably going to help slow down traffic coming through there.

Flashing lights can also add confusion. I know the post-placement counts will dictate the next step.

We also discussed on Monday the fact that pictures will probably be taken on the far side of the road as people come into the area and turn around the corner. I think the way you have it arranged is optimum for minimizing the safety concerns there.

The barn is going to be moved thanks to the Grand onto a parcel that allows restricted development. Are there any implications for what the Grand can or cannot do for the rest of the restricted area?

Stauffer: When the Grand was built in the state it's in today, they looked at the entire parcel which includes this piece and the rest of the hill that goes up towards the Grand. They did allow themselves some expansion room closer to the Grand across from the Transit Center. The rest of the parcel was noted as an open space area. There was a condo plat to divide up the ownership which indicated the area where they could add future development and then an area that was excluded from that. Where the barn is located is in that open-space area excluded from the more intensive development area. So I don't think this limits expansion of the Grand in the future. Our charge as we were looking at this project was to make sure that the intent of the open space preserved to allow future development of the Grand, the intent of that PUD and the open space was maintained as well. That's where we looked at adding this barn as a natural resource feature. It's not going to be occupied or used like a typical structure. That is consistent with the intent of the open space and doesn't change the development or the open space character of the parcel.

Adams: It seems closer to artwork than to a structure that takes up open space.

Stauffer: Even though it is a structure, it's not a structure in the way our code typically thinks of one.

Kingston thanked everyone involved in finding a solution for the Arnold Barn.

Adams asked whether the soft-surface seasonal sidewalk fell under Complete Streets requirements.

Stauffer: When the Grand was developed, we didn't have the Complete Streets requirements that we have today. Now our future Sidewalk Master Plan and our Complete Streets together indicate that a sidewalk is needed on one side of Mount Werner Road. So in this location there is the asphalt trail on the south side. The frontage along Mount Werner Road is a complete street already. With new development, we do envision that we make those streets complete. For Mount Werner Circle, one side of the road is required for that road classification as well. That's where the soft-surface sidewalk comes

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in for this property. There is a technical variance to provide a soft surface rather than a concrete surface, but the surfacing can be varied through the Engineering Standards. That variance was approved by the Public Works Director.

Paul showed where there will be a sidewalk per the Porches Development Agreement.

Paul: Once we see how popular this soft-surface trail becomes and if we get support from the Grand, we're hopeful they'll see the benefit of maintaining it. We're optimistic that someday it will be concrete – hopefully sooner than later – and be a year-round trail.

Commissioner Levy:

This section is called out in the Steamboat Springs Sidewalk Master Plan as one of its top-tier priorities. If it's not a concrete sidewalk now, at what point could we require an upgrade to a concrete sidewalk? How would that happen?

Stauffer: We would be looking at if there were high levels of use on that sidewalk or if the maintenance costs are too high, or they wanted to open that sidewalk in the winter, the sidewalk would be required to be paved. Any future development of the hotel site would also require that. The URAAC will probably have a role in that as well.

PUBLIC COMMENT

Arianthe Stettner, Chair, Save Arnold Barn:

I have served on City Council; I'm on the board of Historic Routt County; I was the chair of Colorado Preservation, Inc., which is our state-wide nonprofit group, and I also serve on the Historic Preservation Commission. Ralph gave a great explanation of how this project has gone through many iterations and phases. It came to the Preservation Commission in 2015 when the Tuff Shed concept came before us that didn't get a lot of traction. We started gathering momentum to form SAB in 2016. In doing so, we did a lot of preliminary research to determine whether moving the barn was practical. We brought in specialists from outside Steamboat to determine this: one who specialized in deconstructing buildings, another who specialized in moving buildings. Dennis Humphreys, who is a 40-year architect with a specialty in preservation well known throughout the west, really wrote a thoughtful letter describing that this building in a man-made wetlands is deteriorating. The land on which it's sitting is encumbered with a parking easement. There was a whole legal cloud of whose obligation it was to do what and at what time. That is why Toby's work to really clarify the maintenance obligations of the barn in its new location is showing the lesson that we've all learned from these prior development approvals. Suffice it to say that with the SAB team working closely with Ralph and the city, we have been able to resolve the legal complications. Ski Corp has stepped in to own the barn. the Grand has stepped in to provide an easement to put the barn on the property. We're providing pro bono preservation solutions, and we're all working together to save this important piece of our history. This is Steamboat; we're an authentic town; we need to have an authentic barn in that location well preserved celebrating who we are with this

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combination of ski, agriculture and a real genuine community. Thank you for your support and your careful consideration of this application and your time this evening.

ADDITIONAL QUESTIONS FROM COMMISSIONERS

Levy: One of staff's comments is that we can waive Base Area Design Standards because the project has been approved by HPC. There's two letters in our packet: one suggesting eight-foot lighting poles and one suggestion that the structure registered with the Steamboat Springs Historic Register.

Stauffer: In the end, the recommendation from the HPC was that they would like to see eight-foot poles. The applicant was considering that based on what they could achieve versus the ten-foot poles. HPC also recommended that the structure be registered. Our code doesn't necessarily require it. Those two decisions were made independent of the Base Area Design Standards. The Base Area Design Standards would typically apply since this is zoned RR, but it didn't make sense to apply them to a historic structure when they would change the character and the nature of the structure. They would take away the historic integrity of the structure.

Levy confirmed that HPC's recommendations were not conditions of approval.

Stettner: At the time we reviewed that particular proposal for the lighting, we didn't understand the technical aspects of the ten-foot pole versus the eight-foot pole. Having those described to us subsequently, we were totally comfortable. I believe in the minutes it showed that whatever the lighting engineer suggested we would support.

Regarding the recommendation for historic designation, right at the time we were reviewing this application, the ownership of the ski area was changing. That made it very awkward to say who was going to approve this one way or the other. The attorneys on both sides of this property transaction were not wanting to encumber the other with one thing or another. I hope in the future we will be able to turn that recommendation into a reality as the new owner becomes more familiar with our community and how we operate. But right then was not the moment to make that happen.

Levy: Is there a time limit between Phase I and Phase II completions?

Stauffer: The project has an expiration of three years, which is a typical final development plan term. So Phase II would need to happen within that timeframe or it would need to come before these public bodies again.

Levy: According to the applicant, the Phase II project is what initiates the need for the crosswalk and those other improvements. I would ask why doesn't the establishment of the barn itself create the need for the crosswalk and parking facility.

Walton: There's two parts to that. The original idea in '06 as it evolved in '15 and '17 was to provide access from one side to get to the site. That was going to be year-round. The issue came when we added

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the yellow line to enhance the access to the site. The maintenance costs overwhelmed the parties. The requirement for that trail was begged by the TAC review body to the idea that you've got signs on the property; you're inviting people to interact with the barn up close. If you remove those attractions and just have a way-finding landmark, then the need for the yellow line (soft-surface trail) goes away. That's what gave rise to a Phase I without interpretive elements on site, including the parking and the crosswalk. So we're just going to be a drive-by way-finding tool. That wasn't the full desire of everyone; we wanted to implement the whole program. Our intent is to try to push forward diligently to solve the maintenance issues, to get to bidding this project so we can embrace it all this year.

Levy: With the Moore Barn, we have no interpretive display and people have been walking up and taking pictures of it for years. My concern is that once the barn is in place and the crosswalk and parking system is not in place, are you saying that we don't have a need for those things?

Walton showed what he considered to be a trail for safe picture taking and explained that there would be a sign to demark the best/safest spot.

Levy confirmed the reason for amending the PUD to prevent harm of the intent or character of the existing PUD with this development.

COMMISSIONER DELIBERATION/MOTION

Commissioner Kingston moved to approve DPF-17-11 subject to conditions 1-9.

Commissioner Adams seconded the motion.

DISCUSSION ON MOTION

Ptach expressed his disappointment that flashing lights for the crosswalk are not included in the initial Phase II plan. He thought that not including this would sacrifice safety in order to spend a bit less money.

Adams registered his excitement with the project but lamented that there were a few areas that could be upgraded.

Levy echoed Ptach's concerns regarding the crosswalk and expressed disappointment in the phasing plan that does not include the crosswalk and parking in Phase I.

VOTE

The motion carried unanimously.

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#3: CU-18-01, 410 S Lincoln (Unplatted)

STAFF PRESENTATION

Kelly Douglas, Staff Planner:

The proposal before you tonight is a conditional use application to locate a marijuana store at 410 S Lincoln Avenue in Steamboat Square. It's just a little north of the Hilltop Parkway intersection with Lincoln. It's zoned Community Commercial.

They're seeking two modifications to the use standards:

- A) 1,000 foot distance to a park;
- B) Adjacency to a residentially-zoned parcel.

We've received public comment; the main concerns are regarding location, adjacent uses, access, parking and traffic.

Staff is recommending approval.

APPLICANT PRESENTATION

Ryan Fisher, Applicant:

We don't have a presentation, but I can answer any questions or concerns the Commission might have.

QUESTIONS FROM COMMISSIONERS

Eck: Regarding the parking, on one of the maps it shows 40-ish parking spots within the parcel. For an application like this where there's 410 and 440, our some of those spots designated for them? Do they meet the parking requirement based on that 40 number?

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Douglas: They do meet the parking requirement. This is CC, so the standard is actually the maximum.

Fisher: I have a letter here from the owner of the building that there's 43 spots for 440 and 410 S Lincoln. Currently in 410 there's 16 individual tenants occupying somewhere between 15 and 30 parking spaces of those 43. We anticipate our staff using about six on a daily basis with the rest for customers.

Eck: Is the parking requirement based on this parcel or the use?

Douglas: All parking standards are based on uses. The standard for an office, which is how this property is classified, is one space per 300 square feet. That is the same standard for a marijuana store. In our code when we have a change of use, we talk about how the net difference is the concern; there is no net difference here, so the standard is met.

Adams: When the min is the max in CC, let's say when they came forward they were 3,000 square feet so they needed 10 parking spaces. If the min is the max, and they decided to provide two, would they meet the requirement?

Douglas: Yes. So what they have complies any way we slice it.

Adams: So if there's no min, then there's no number that needs to be met.

Eck confirmed that 440 and 410 is all owned by one person.

Fisher: We also have a letter from the owner specifically assigning 16 of those spots directly to RK Enterprises' use.

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Adams: When we're looking at approvals like this, do the approvals run with this specific tenant at this specific time? What is the approval associated with?

Douglas: The conditional use approval depends on the use, so the use must commence within three years. Once it commences, it's vested in perpetuity. They can continue having that use there as long as they like. They forfeit conditional-use approval if they're vacant for 12 months.

Adams: So if any new tenant were to come with this kind of use, they would already be pre-approved?

Douglas: No. The marijuana store is a conditional use, so this applicant is applying to have that use at this location. If they were to leave and we had another marijuana store propose to be in this location, they would be going through this same process.

Adams: So while it is based on use, it is tenant/owner-specific as well.

Douglas: Yes, that's the nature of this type of use. The use chart says it's a conditional use, so in any zone district where it's allowed, it is a conditional use and that proposal will always come before you.

Kingston: Given the nature of this application and the volume of objections coming from the community living around this proposed use, how do we assess conditional use in the context of impacts on the zone district as a conditional use proposal? Do we have greater latitude to consider impacts on other uses in that zone district because it's a conditional use application?

Douglas: Section 300(F)(2) says that use standards may be modified through the conditional use process and that City Council has the authority to attach conditions in order to avoid or minimize specific impacts. There has to be a rational nexus for conditions attached to an approval. That's another provision of our code.

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Kingston: That doesn't exactly answer my question as to whether in considering whether to approve or deny a conditional use application you can consider the use in question relative to other uses in that zone district. That's the thing I'm struggling with – especially given the volume of objections coming from other users in that district or near that district.

Douglas: The approval criteria is designed to guide your and City Council's decision.

Kingston: One of the problems I have with that is the mitigation of impacts. All those impacts relate to tangible things like odor and noise, whereas obviously marijuana involves moral, political and ethical questions that have been raised in a dozen or more letters before us coming from residents in the area and from that karate academy. Is that a legitimate impact to be considered? You've got that list of tangible things; can we add those other considerations, too?

Douglas: I don't believe so. I think the Colorado State Constitution allows this use. It allows our locality and all other localities in this state to decide how, when and where they want to regulate marijuana. Our city has established standards that allow marijuana sales to occur in certain zone districts and with certain standards. So it has been decided that marijuana is an acceptable use in our community; the question before you today is if this location is appropriate.

Kingston: We've got a conditional use that is asking us to vary or modify a very strict objective standard of distance from that location to a park. It's also asking us to consider the impacts of this proposal on neighbors in this zone district. Your examples don't contain examples about impact on children or morality or ethics. None of those are listed.

Douglas: Because those are not provisions of our code. I think the role of my staff report and hopefully me today is to assist with how this proposal meshes with our code.

Kingston: We do say that certain uses need to be in certain zone districts, and we also protect certain zone districts with other aspects of the code like the distance from parks and schools. So it seems like there is a way to deny this proposal based on the fact that it's a conditional use application that is asking us to vary a very specific objective distance that this proposal does not meet. Is that a way I can think?

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Douglas: They are requesting to modify the use standards. I think we rely on our code and the approval criteria to guide whether that is a good decision or not. I think in cases where there's differing opinions on whether something is appropriate or not, we must be fair and rely on the code to help us decide those decisions. If we begin denying applications on account of some members of the community or of a body just not liking that proposal, I think we walk a fine line.

Ptach: Martyn brings up a very specific point here. We've got a definitive measurement of 1,000 feet and a definitive standard that it won't be located adjacent to RE, RN, RO, RR, MH, MF or G zones. In granting this conditional use, we have to determine that it's in the best interest of the community to grant waivers of those two positions. We've heard some significant pushback – not only from the karate group but just from neighbors in these zone districts that there would be an adverse impact. In that case, I'm assuming we as Planning Commission have the ability to disagree with staff's finding that it doesn't negatively impact it and say that it does negatively impact it and not grant it.

Douglas: Certainly, every application can be denied. That is your authority.

Kingston: In the packet we just received today, we have a letter from Ethos Legal Services, which is written on behalf of the applicant.

Douglas: That's not the applicant of this application.

Kingston: It's not the applicant, but it seems to support the move. The vast majority of the narrative suggests that Planning staff (Bob Keenan is mentioned by name several times) points out explicitly in the past when the applicant moves away from this location to west of town, for all intents and purposes they would not be able to return to that zone district in that location at any point in the future. Am I reading this letter correctly?

Douglas: Yes, that is what it says. However, our marijuana regulations have changed since then. City Council adopted an ordinance on September 3, 2013, that allowed marijuana in the CC zone district and established use standards. I don't know from that letter when these conversations happened. A lot has changed around how we regulate marijuana since it first became allowed.

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Kingston: But not the principle that we want marijuana to be in a separate zone district to many of the uses contained in the current applicant zone district; hence the 1,000 foot barrier and the repeated emphasis on putting marijuana retail in appropriate zone districts.

Gibbs: I think the conditional use means that when that premise is vacated, there is no automatic right for them to come back or for someone else to come back. So you're looking at this fresh.

Eck confirmed that marijuana stores are conditional uses in all zone districts in which they're allowed: CC, CS and I.

Eck: There's nothing in our code that says marijuana stores need to be on the west end of town.

Douglas: No, there's not, and I think that was a deliberate decision by City Council when they allowed CC to be one of the zone districts in which it's allowed. I provided you a map in your packet that demonstrates that these standards are very difficult if not impossible to meet in our community.

Eck: So it appears like the vast majority of CC, which is explicitly one of the zones that Council says can potentially have marijuana stores, is located south of downtown between downtown and the resort.

Douglas: That's correct.

Eck: So one could guess based on the location of CC zoning that it was contemplated in 2013 when this decision was made that this is potentially going to be an area of town where it can be located.

Ptach: With the additional parameters or qualifications laid down in the criteria.

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Gibbs: My recollection is that there was not an analysis done at that time of what the impact of the 1,000 foot buffer would be on CC or CS. So I think you're correct in stating that the intent was that it would be allowable subject to these provisions that were already part of the code without an analysis of whether that would or wouldn't in effect prohibit it from this area.

Ptach: And if City Council wants to change that in the future, they can change that. But these are the rules that we've got to work with right now.

Eck: If you look at all the schools and parks that are in town with these 1,000 foot radiuses, it's most of the map.

Douglas: Yes. That's what it's intended to show.

Levy: Some of the comments we've received mention a parking problem at this location. Can you describe as a conditional use how those impacts are judged by us? Can we say that we think these parking impacts exist solely because of this application? How do we determine the impacts of this use vis-à-vis parking?

Douglas: I think we rely on our parking standards to tell us how much is needed. So when we look at the standards and they're the same, that tells me that we can't assume that this use is going to create a problem.

Eck: There was a reference to the Highway 40 Corridor Access Plan that was forwarded to us in the last couple days. Does that have any binding effect on any planning endeavor?

Douglas: CDOT issues access permits to properties that have a driveway off of 40. It's based on the uses that are there. So when the applicant came with this application, we had them submit a traffic study. So they had a traffic engineer look at how many trips will be generated by this use and evaluate whether there would need to be a modification to the access permit. That would be things like a turning lane or a decal lane or something along those lines. The traffic engineer that the applicant contracted came back to us with a report that showed a comparison between an office use and a non-urban dispensary use. Their analysis was that at peak traffic, there will be

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two more trips for a dispensary over an office use. The threshold for modification of an access permit attributed to a change of use is 20%. So two is an extremely minimal impact on that. So based on our parking standards and the access permit analysis that the traffic engineer has performed and our Engineering Department has confirmed, we don't believe that there should be any additional impact from this use.

Adams: What is the intent behind separating from these residential uses? Is the intent to mitigate visibility? Or is the intent to mitigate pedestrian access?

Douglas: I'm not sure what the intent is. It seems that a separation is desired. That's often the case between uses, particularly ones that can have an impact. I don't have a good answer to your question, but it is a standard. So when we look at it, we look at impacts in general. That's the basis of my analysis in this report is to look at what it would be like if it was there. We found that due to topography and these sites not feeling adjacent, there would be a minimal impact. We also thought that since there is no legal access to either of these parcels, it seemed unlikely to impact anyone.

Adams: What happens to the vested right that this approval would have if there became legal access to one of those lots and they were developed with multi-family townhomes on them. Would that somehow change their approval?

Douglas: No.

Adams: But if those existed right now it could potentially change their approval.

Douglas: Maybe. But I would maybe argue the same case that it's steep; they're up there and this is down here, and they aren't adjacent to each other. Maybe there still wouldn't be a way for someone to just walk down the hill. Maybe the access would be such that it would actually make you travel much further.

Adams: If we're theoretically justifying this based on the fact that they don't feel adjacent, then we're really not talking about adjacent visually; we're talking about adjacent in an access mode.

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If you can't climb down a 20-foot wall, then it's not adjacent. But if there was an access where they could easily walk around the gas station and that's 50 feet from a future multi-family, then the access is still potentially very close. Whether it was access or visually adjacent was an important distinction as far as how to accept this use or not.

Douglas: We also have to look at the conditions as they are today. I think it would be unreasonable to deny an application based on something that may or may not happen or have an impact. It seems to me that we should consider the code and the conditions we know could happen. What we're debating is whether it feels adjacent. That's staff's analysis that they feel separate. I don't know that development of that would necessarily make them feel more adjacent; it might make them feel more separate. It's hard to anticipate how it would be since we don't know how the access would be achieved. I think we have to work with what we have and evaluate what the impact would be on the conditions now and hope that we're making a decision that will serve the community in the future.

Eck: What is the distance to the closest developed residential parcel?

Douglas: There is a single-family neighborhood on Trafalgar and Pamela Lane.

Calihan: But that's not an issue to consider here because they're not adjacent.

Kingston: The letters describe impacts on other existing uses, some of which have been in use feet away for 18 years and involve children. Am I wrong in saying that that's potentially a negative impact and that since we're deciding a conditional use, we have more latitude to consider those negative impacts on existing uses in that zone district?

Douglas: I think the onus is on Planning Commission and City Council to treat this use like any other use. This is a commercial use that's allowed in our community, and to think about it as not a commercial use I think is to...

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Kingston: In the code it specifies we must consider potential negative impacts like odor, noise, dust. You can't say this is not a potential negative impact if 15 or 20 neighbors write and say this is a negative impact. Are we just denying that their impressions of impact are negative because it's not in the existing list of examples of negative impacts?

Douglas: I think so because the state has determined that this is a legal and acceptable use. Our code has tried to anticipate the impacts that it might have on children.

Kingston: We also have a clear standard that it has to be a radius of 1,000 feet from the closest corner of a public park. That is a clear, physical standard that is built on some kind of social/communal reasoning. That's also in the code.

Douglas: Correct. We are within a thousand feet of a park with this proposal as shown. However, as we've discussed, the park use is not happening on all of the parcel where the park is. In the worksession on Monday, you mentioned if there was a swing set on the property line of the park, would it be different? Absolutely. The active park use would be happening within a thousand feet of this use.

Kingston: But the code as written doesn't say that.

Douglas: Right. And that's why we're discussing modification of this standard. So we have to think about it reasonably. Dudley Field is the closest active park use on Emerald Park. The stretch between Dudley Field and the property line of the parcel that contains Emerald Park is a wetland area; it's not suitable for passive or active recreation.

Kingston: We have a karate academy within feet of the door of this location. Small children are moving in and out of there and have been for 18 years. Is it not reasonable if you were a parent to be concerned or worried that...

Douglas: Concern is completely fair, and I think we're all empathetic to that. However, our code is clear. A karate studio, while it may be a valuable use in our community, is not a park, school, seminary, college or university. Commercial uses change often. That's why we don't have...

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Kingston: I understand your reasonable standard as applied to a park that if the kids aren't assembled in that wetland at the far corner of the park, it seems reasonable to extend the radius and allow this to vary. I'm saying isn't it equally reasonable to assume that since there's very vague language here saying we're looking for compatibility with existing uses to approve a conditional use that where you've got an immediate area packed with children that it is reasonable for people to be concerned that their children are exposed to this use. It seems logically just as reasonable. I just want to make sure that that's said. I know I'm voicing the content basically of about 15 letters and 23 people who have written in.

Levy: On one hand, you say the state tells us we have to regulate this business like all other commercial businesses, yet is this the only business to which we apply the thousand foot distance regulation to parks?

Douglas: I believe so.

Levy: So isn't that a dichotomy in your statement? Either they have to be regulated the same, or we can allow differences.

Douglas: The State Constitution gives our community the authority to establish standards. Our community has established strict standards for this use.

Ptach: We've established a thousand-foot buffer from a park, whether or not there's a swing set or wetlands in the park. It's a thousand feet from the park boundary.

Eck: There was another application I recall a while back that had a similar variance request. I think it was actually a little closer as the crow flies. No planning decision by us or Council is binding, but I believe the logic was that they used the walking distance rather than the radius.

Douglas: That's correct. The code is clear on how to measure this; it's a buffer of a thousand foot distance. However, yes, City Council chose to modify that standard in the same process that you're evaluating the modification of the same standard in this proposal.

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Eck: We modify by variances all sorts of standards on a regular basis. Here, it's 947 as the crow flies from the park, so that would be about a 5% variance from the standard. Mr. Fisher, could you speak how you mitigate odor and other tangible impacts to your surrounding property neighbors?

Fisher: I think generally a retail storefront isn't going to have too much of a smell or odor impact. However, we can certainly use carbon filters and that type of mitigating equipment if there are any smells.

Eck: My understanding is that marijuana stores can't have signage with marijuana and that sort of thing. So if kids are done training for karate, they're not going to see a big pot leaf when they walk out.

Fisher: That's correct. You're not allowed to see through the windows, either.

Eck confirmed that there's no smoking allowed on the premises.

Calihan: And how do you regulate who's allowed in your shop?

Fisher: It's 21 or older. We would have an ID check at the door.

Adams: Even though it doesn't have the same level of smell and you're proposing carbon filters and all that, I think we were talking about on Monday that just an operating use has to comply with smell and noise ordinances, anyway. So this establishment can't have a smell coming from it.

Douglas: That's correct.

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Eck: And if someone makes a complaint, Code Enforcement goes and does measurements of some sort?

Douglas: I worked on a grow operation permit a little while back that had some code enforcement issues. In this particular case, we went out there a few times a day over two weeks and documented what we smelled. We asked for help from the Police Department. They would go when we weren't available and report back to us whether they smelled anything. We came up with a report at the end and determined that there was no smell. That was satisfactory to City Council. In the end, the applicant did decide to get another filter to help out the neighbors. But we never found a smell. I think that method of handling it is typical and has been effective in the past. So if somebody smells something, they should say something, and we will investigate.

Levy: We have alluded to a similar situation at Billo over at Curve Plaza. Have we had any problems with its location in proximity to the park? We also had similar discussions about how there were family-oriented businesses around it that felt that they would be negatively affected. Are you aware of any complaints of that nature because of that location?

Douglas: I am not.

Gibbs: I was in a conversation with Chief Christensen this morning, and he also indicated that there had not been any issues with the Billo location other than the break-in.

Adams: There was a public comment suggesting that another retail store had already tried to apply here and was immediately denied and felt they were not given the same opportunity. Can you speak to that history at all?

Douglas: I do not know a lot about that. I am aware of the comment. I can't find applications or denials. Maybe it was communication between our department and the party here. That's not discoverable to me in our files. That may have happened; I certainly won't dispute it. But I think the main thing to focus on is that our regulations have changed since then. And although I can't speak to those conversations or the circumstances surrounding them, I don't think that has a bearing on this application. If Golden Leaf was to come with a proposal in this location, I think we write the same report. Each case stands alone, so I can't say whether we'd support some other application. But I do think that conditions have changed, and the information provided in the

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letter—though it is valuable – I don't know that it's necessarily material to consideration of this proposal.

Eck: There was a citation to a city code section that stated, I think, that if an application is denied at a location, for the following two years within a thousand feet of that location, there can't be an approval. Is that kind of the gist of that?

Douglas: That's regulations from the Licensing section of the Municipal Code for retail marijuana.

Eck: But in any case, for the last two years there hasn't been an application?

Douglas: No. But I'd also encourage you all to focus on Chapter 26. That criteria is what we're evaluating here. The applicant will still have to go through the licensing process. They could receive conditional use approval and not receive their license.

Adams: The 50-foot portion of the park in question, I feel like I remember it being mostly a path through wetlands around there – pretty unusable.

Douglas: That's correct.

Kingston: What are the questions the Planning Commission should be evaluating based on a conditional use that meets the thousand feet and meets the other factor of adjacent residential property? What considerations should we be looking at to assess whether this should be given a conditional use? Because on one hand you're saying that by state statute this marijuana retail store has the same rights as other commercial uses; however, I'm still struggling with what are the considerations that we should be looking at.

Douglas: The criteria for approval.

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Kingston: And the criteria for approval includes things like negative impacts on existing surrounding uses. Compatible with the direction and policies of the Community Plan; consistent with the zone district; mitigates negative impacts.

Douglas: I think it goes on to say more. It says: The proposed use will mitigate any negative impacts to surrounding properties in the community, considering factors such as hours of operation and the potential for off-site impacts such as odor, noise, smoke, dust, glare, vibration, shadow and visual impacts.

Kingston: Is that a comprehensive, closed list? It uses the words "such as," which I take to mean examples include.

Gibbs: They are examples.

Kingston: I'm assuming that the things I'm raising and that people are raising in their letters to the Commission are valid considerations to be considered by the Commission and by Council.

Eck: I would say in my opinion those are all things that could be considered in these four criteria.

Kingston: I just want to make sure for the record that that is recognized as being the case.

PUBLIC COMMENT

Emily Kelly, Ethos Legal Services, Representing DNC Medical Marijuana Doing Business as Golden Leaf:

I am the drafter of the letter that several of you spoke to. I want to make very clear that Golden Leaf does not oppose this variance. That letter is simply intended to give you all a little bit of history about this exact same location. Golden Leaf moved into that location, 410 S Lincoln, right when it opened. Included with that letter is their original application. They were approved in 2009; they were officially licensed at 410 S Lincoln in 2010. Shortly thereafter, they

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approached the city about expanding. They wanted to utilize more of that building; they got permission from the landlord; and they were informed at that time that any expansion in that location would be denied because of the then-existing code. Since then, the code has changed dramatically. At that time, it was 500 feet from a park or a school or various other requirements; now it's a thousand feet. Nonetheless, Golden Leaf was informed unequivocally that their expansion in that same exact location would not be permitted and that they need to find another location that was more suited for the character of Steamboat Springs.

Fast forward to 2013, they relocated to 1755 Lincoln, which I believe is zoned Industrial. They went through the whole conditional use process. They've never had any issues over there. They abandoned 410 S Lincoln because they couldn't expand there, and even though they would have been grandfathered in for that one small unit, they needed additional space.

Fast forward a couple years and they approached Dan Foote as well as some members of City Council to say what about us having a separate location in a different area of town perhaps closer to the mountain. While those conversations were very informal and an application was never submitted, it was pretty clear in 2014-2015 that that would be unequivocally denied. Don't bother trying. Marijuana needs to stay away from the resort town. This is slightly after the town of Vail unequivocally said that there would be no marijuana permitted within city limits because it would taint the character of their town. There was a lot of concern about the negative impacts of marijuana on tourism.

So Golden Leaf was told pretty clearly to stay on the west side of town.

So Golden Leaf does not oppose RMR moving to 410 S Lincoln, but the history is noteworthy.

Natural Choice did successfully get a variance to be within a thousand feet as the crow flies from a park. The logic that City Council used in order to justify that was that in order to access that park, people would have to walk in a direction that was more than a thousand feet. Candidly, if we're granting variances to two out of three dispensaries in town with regard to that thousand feet requirement, I'm not sure why it's a requirement at all. It seems kind of arbitrary if we're not going to follow the code the way that it's written.

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One of the main things that I'd really like to point out in terms of the history of the code is the adjacency to certain zoning. In this case, it's multi-family units. I was literally just informed today that Lot 1 of Fox Creek has a pending development application, and that's directly adjacent to this proposed new location. That's the extent of my knowledge. I haven't seen the application.

With this history and everything that's going on in the national landscape of marijuana, and considering the way the code is written, I think that we as a community need to decide how we want to treat marijuana and how many variances are we going to grant. Do we want to be a marijuana-friendly community, which it seems like we do. If so, how are we going to make sure that it's fair across all businesses. Are we just going to grant variances left and right? Or are we going to say here's our code; here's how we intend to enforce it. What are our standards? What kind of community do we want to be when it comes to marijuana?

If we're going to change a variance for this application and for Natural Choice's application, where does it end?

Those are all questions for you all to consider.

One of the owners of Golden Leaf is here, and we are happy to answer any questions about the history since a lot of it is verbal and maybe not readily accessible to you all.

Betsey Wilbanks:

I am a patron of several of the businesses already in the building. The owner of the building is also a very good friend of mine. There seems to be some exception taken with the fact the portion of the park in question is within a thousand feet, but it's a wetland. Wetlands are developed all the time. Whether or not it's a wetland has no bearing on this whatsoever.

I take real exception to this traffic study that was submitted. I am a permit writer by trade; I've written CDOT access permits. There's a loophole where you can get around them where you do a theoretical study as opposed to an actual study of the actual traffic patterns. And given what I have read and what I have heard tonight, it appears that it was the more theoretical study that was done as opposed to an actual study on actual traffic patterns.

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Being a patron of the businesses that are in the building, I can tell you that with the blind hill towards downtown and the traffic light towards the east side of town, it is impossible to turn left out of there. You've either got to turn right and go through the old Iron Horse Inn or go through the Hilltop Sinclair parking lot – both of which are illegal. If this passes, given where the majority of their traffic is going to be coming from on the mountain area, you might as well just station a police officer there all day because there's going to be accidents like there's no tomorrow.

I second the statements about where do we stop with these variances.

Linda Kish:

What I've noticed is that the marijuana stores here just kind of seem to be available rather than a focal point of the city. So I would encourage you to stick to your rules and have this not by residential areas or by parks.

Lea Wolff Martin:

I am the mother of two of the kids who attend the karate academy and a signatory to the letter that you received earlier this month. When we found out that there was an application for RMR to move into Steamboat Square, several families in the dojo did have concerns about having their young children around retail marijuana on a regular basis. We are there 2-3 hours 2-3 times a week. We appreciate that you are hearing our concerns.

We have some very legitimate concerns with the parking and traffic issues in that location. I'm there at peak time from 4-7. That would be two more trips in an hour into that access point to hit RMR. That does not seem like a reasonable number. I haven't seen the traffic study. I'd like to have an opportunity to review it.

If there was a 20% increase into that access point off 40, that triggers a whole different set of evaluations and studies and potential mitigation that needs to occur at that location. So I think that needs to be further reviewed.

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In the parking lot itself, I think RMR said they were going to get 16 spots out of the 40-ish that are there. That parking lot is at capacity. There are people that can't find parking or that have to drop off their kids and reverse out. That parking lot can't handle turning around large vehicles, so any shuttle busses coming into that spot will have to back out, which is a safety hazard to everyone.

I know the intent is there for commercial use. Any retail that would affect that environment I'd probably be standing here before you today.

One thing I read in the Community Code was: Marijuana stores won't operate in a manner that shall adversely impact the public health, safety and welfare of the immediate neighborhood in which the use is located. We do think that there is going to be a safety concern to our children with that parking lot; a safety concern in and out of those access points on Highway 40 and that those need to be considered.

Karen Hughes:

I am truly curious as to why this proposed location has had little or no public notice aside from a newspaper article dated January 30 mentioning only that they are proposing that and that there has not been a scheduled meeting. Then again on March 20 a very loosely-written article proposing a pot shop move pending. I'm not sure how others here were notified. I think this type of business proposal has a bigger impact on a business that's required to do public notifications, letters to surrounding neighbors and businesses. I apologize if I've missed this, but I think this is a huge public concern and that there should be more notification. It's obviously inadequate and needs to be revisited before any approval of this business is able to move.

The obvious reasons for this location not being ideal: You've heard the traffic with the intersection being congested. There is a new residential development in the process of being built directly east of that intersection. That application is happening. It is a huge multi-family residential development that is directly east of this proposed location. It is evident that there is a significant problem for westbound and eastbound traffic already bottlenecking at the light by the Post Office, which at certain times will back up all the way to the light at Hilltop Parkway. We all know what a nightmare it is to be in that traffic line. This compounded with another location and an influx of individuals who wish to patronize a dispensary who will either attempt a U-turn on Lincoln or stop traffic trying to access this property – this proposed location lacks user-friendly ingress and egress.

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I have witnessed many potential accidents at the intersection of Old Fish Creek Falls and Hot Springs where people are trying to let people in and out and people cut; it's a nightmare.

The CC zone ordinance reads: It's designed and intended primarily to provide nodes of commercial services and sales of goods for residents and visitors as well as nodes for office, lodging and residential development. Emphasis shall be placed on minimizing the impact of vehicular traffic through the provision of low-intensity commercial development, encouraging a mix of complementary uses that might reduce single-purpose automobile trips, mitigation of the aesthetic impact of parking lots, utilization of joint access properties and safe, efficient, well-connected pedestrian, bicycle and transit facilities. I don't see how this location ideally fits any of those criteria.

Legitimate errors have been concerned from parents whose children attend the karate academy. They've been noted but thwarted. The mention of that past application in the paper who said that was a comment previous that it did not derail the application. Derail? Who are we trying to represent here?

In addition with the proposed future build-up slated for the surrounding properties, it's only a matter of time when residents unwittingly purchase dwellings in proximity to this operation. They will be insisting on some level of recourse to address their concerns. This is not unlike an airport that eventually finds its operation surrounded by residential homes with occupants complaining of the noise and the congestion, thereby forcing the airport to placate their concerns for the property investments and quality of life.

In their analysis of the application, city planners noted RMR plans to mitigate odors by using activated charcoal filters. I'm just wondering who the experts are here. If you drive by Downhill Plaza any time, the smell and aroma of the operations are there. No amount of ventilation or filtration completely mitigates the pungent odor of marijuana, which is quite obvious at the location this enterprise now operates. Given the fact that the prevailing winds in Steamboat originate from the west, it only stands to reason that the property owners downwind will be constantly inundated with the aroma regardless of topography.

The state law requires RMR to shield all views of marijuana and related products. Then why this location? It's obviously for the exposure.

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In the end I've been tasked with the owners that have a property down the road which has verbally been denied for this same type of use; they have asked this question: If this proposal is accepted, is it the Council's wish to exclude other dispensaries on the east side of Steamboat Springs, in which case it unfairly creates a monopoly for this individual enterprise. Currently a moratorium is in place allowing only those three individual businesses with a marijuana license to relocate as they wish. This in turn will most likely open a Pandoras box of litigation in order to establish equal footing within this industry.

So I thank you for your time. I'm just curious as to why staff is recommending approval at this location.

Erica Olson:

I've had an office in the proposed area for the past 6+ years. I've spent over four years across the street at 405 S Lincoln and have been in 410 S Lincoln for the last two years and change. I work extensively with locals; I also have a good number of second homeowners and tourists that I have worked with.

When I heard about the proposal of RMR coming in, I started asking some of my clients about it and getting their feedback. I would also like to note that I actually received no official notice about this. I had to hear about it from one of the other tenants. We've known that RMR was looking at somewhere in the area but not specifically where.

Some of the feedback that I have gotten include the kids at the Rocky Mountain Karate Academy. There's arguments on both sides. A lot of people say it gives parents the opportunity to talk to them as a parent.

It's also worth noting that none of us in 410 or 440 have any long-term leases. So if the Karate Academy turns out to be the sticking point, I would not be surprised if they were given notice from their landlord that they probably needed to move.

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I've also had a client who is a local express concern about Mindsprings, which is a mental health and substance abuse clinic directly across Highway 40. Yes, there is a liquor store right next to 410 and 440. But the argument that was brought up to me was they don't need any more temptation and that this is a different variety of vice that they may be struggling with.

I would also like to bring up the parking and the traffic pattern. I have worked in that building 5-6 days a week every week for the last 2+ years, and I can tell you there is currently not enough parking. I don't think that 410 being vacated of the current tenants is really going to solve the issue if RMR is only allowed 16 spots. People already have issues finding parking to patronize the businesses at 410 and 440. I think what we'll end up seeing is a spillover into the neighboring areas (gas station, Coldwell Banker.) This is extra wear and tear on the property that they would have to maintain.

There are two exits – one on the east and one on the west, and it's almost impossible to turn left out of either of them. With the west exit, you have the hill which blocks view, you have the median, and you have trees. It's dangerous to turn left out of there. The east exit requires you crossing two lanes to get into a left-hand turn lane; from there you either have to do a U or you have to go across into the Mindsprings/Flower Mill parking lot. There's a median there. Sometimes there's a sign there -- a lot of times there's not because the sign gets hit and knocked down – directing people to keep to the right of that little island. The amount of times people know where to go when that sign isn't there or even sometimes when it is, is really low.

A lot of times I have had cars come in and almost hit me when I've been trying to exit from 405.

The last option people have to get out of the east exit is basically to pull a U into the gas station parking lot. I have seen an accident occur.

In talking with some of the dispensaries around town, I have been told that peak time is usually around 5-6:30. Rush hour is already a problem there, and attempts to turn left will greatly increase the risk of an accident.

The traffic study – as has been mentioned, actual versus theory. I've been there for two years, and it's a nightmare. I don't care what a traffic study says, whether two more stops. I don't know if it takes into account which direction people are trying to turn. If you're just going one

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direction and you stop and you head back up, that's fine. But if you're trying to come in from the west or you're trying to turn left when exiting the building, it's going to be a huge problem.

Some other concerns I've heard from locals, tourists and second home owners alike are about it setting the tone for Steamboat about having a dispensary right before you hit downtown coming in from the mountain. We all know that canna tourism is a huge draw for Colorado. We've all benefited from it here in town; the rest of the state has benefited from it. There have also been a lot of detractors with people moving to Colorado, etc. But one of the things about Steamboat that I hear over and over again from tourists and from people who were once tourists who have chosen to move here is that Steamboat is known for its family-friendly atmosphere. Colorado has voted to make marijuana legal; no one is denying that. But a dispensary right before heading into downtown a lot of people would not see as family friendly. The tide is changing across the country as far as peoples' views regarding cannabis, but there are a lot of tourists who have spoken to me who consider it kind of tacky or view it with suspicion.

How do we want to handle cannabis in our community? Do we want to make it front and center of part of our way of life? Do people want it to be a little bit more discrete? These are all questions we have to ask, but as far as this particular location goes, I would consider 410 S Lincoln to be a terrible, terrible location for a dispensary.

Mike Rodsman [ph], Owner, 410 and 440 S Lincoln:

I've been associated with that complex since 1983. The girl from Ethos got my attention. A little clarification: I never had to deal with Golden Leaf; I dealt with a prior entity named DNC, which was then acquired by one of the principals of Golden Leaf, I believe after they moved. To my recollection, there were never any discussions about them expanding. They had a very small office. It was a medical dispensary prior to the legalization of recreational sales. We did not have any deal for them to expand, so there could not have been an application that was denied subsequent to them moving or prior to them moving.

Parking is a challenge in Steamboat everywhere. I believe that complex has more parking than many. What I tell potential tenants when they're looking at it is that I've never pulled in here and not been able to find a space. I'm not there that much lately; maybe there are times when you can't park there and you've got to go somewhere else.

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The left turn out of there is problematic. The way you do it is you come out the east entrance, wait for the light to change, go across two lanes and get in the left-turn lane, wait for the light at 3rd Street to give you a pulse and then you turn left. You can get out of there. Or you can sit at the west entrance and wait for a pulse and hammer down.

The Karate studio: They haven't been there 18 years; they've been there about 8 I'd say. Their use has been problematic with kids running amuck a little bit. I think safety in the parking lot, whether RMR is there or not, can be addressed by the fact that the kids should be accompanied by their parents. That was the deal I had when they moved in was that the kids would not run loose around the property. The reality of that has been less than optimum over time.

The shuttle vans and getting in and out of there: In the front lot there's two entrances, and you can drive in one and drive around and exit the other.

As far as the parking load going forward, if RMR were to be in there as a single tenant with a storefront and a stream of customers each spending 15 minutes on the high side, maybe half an hour tops for tourists, but most will be shorter, there's currently 13 tenants in that building. If half of them are there at any given time, that's six cars. If they each have a customer, that's six more cars for 12 spaces. If they have back-to-back appointments and their next round of customers are there, there's an overlap of six more for maybe 10 minutes. That's 18 spaces. It would be very unusual for all 16 offices to be occupied at the same time and have one customer plus another waiting. That would be 48 spaces and there aren't that many. Plus there's a whole other building with a dentist office that has seven employees.

My feeling is that net load on the parking lot would probably decrease from current usage with RMR there as a tenant. Time would tell.

That's my feeling speaking from experience. Obviously, I'm in favor of it. Financially it's to my benefit to have them come. Also from a landlord-tenant management perspective; one tenant is way preferable than 16 revolving tenants. So selfishly, I'm all for this. I think it's a good location that's better than west end. Driving the west side quite frequently, I think anything we can do to take the traffic load off of Elk River Road, especially inbound, would be an improvement.

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And to Ms. Hughes's comment on the traffic load on the highway: I'm thinking this is kind of negligible one way or the other. I'm thinking that traffic is still going to be backed up to McDonald's at 5:00 whether there's a dispensary at 410.

If we really want to manage the traffic, maybe we should consider asking Triple Crown to leave our fine community because their traffic impact is going to be quite a bit more than this one no matter where it is.

STAFF COMMENT

Douglas: The Fox Creek Condominium development is under review now. That parcel is not adjacent to this parcel. You can see it on the project location map on your staff report. The parcels identified in the report are the only ones that are adjacent.

Calihan: Presumably a traffic study would be done for that.

Kingston: I'm still struggling with the criteria for evaluating conditional use and its impacts...

Levy: It's a thousand feet to parks, and it cannot have an adjacent MF or other residential zone property.

Douglas: I wanted to address the notice piece. Notice only gets sent to property owners; sometimes tenants don't get the benefit of that. They did post the sign out front. They've signed an affidavit certifying that; I've also seen it personally. So the notice was performed in accordance with our code.

Levy: If someone within that 300-foot radius came forward and said I didn't get that, we would double-check that list. If there was an apparent violation, we would actually restart this process. Is that correct?

Douglas: It depends on the circumstances, but potentially, yes.

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ADDITIONAL QUESTIONS FROM COMMISSIONERS

Levy: Could you also talk about the owner's responsibility to address the potential increased parking problem, not to remedy an existing parking problem is how our code speaks to this review?

Douglas: Our code states that with a conditional use or any expansion of a use, the net difference is what the applicant is responsible for. So we look at what is existing and then we look at the new use, and we do a calculation. We're not going to have applicants remove spaces if there was less, but we do ask them to make up the difference if there is a net difference. We rely on our parking standards to tell us that. They say that an office or other commercial use like a marijuana store has the same parking standard. So while there may be a deficient design in the parking lot, the onus is not on the applicant to fix that with this application. They are proposing to come into a situation where they do not have a higher parking standard to meet. In the CC zone district, the standards are the maximum, not the minimum as would be the case typically. My perception is that to hold this applicant to a different standard and say that you're going to cause more when our standards say that it's the same requirement as Office and when the traffic report substantiates that there will be no substantial additional impact, it doesn't quite add up with what we have to rely on as a city to make decisions.

Buccino: If a daycare was where the karate place was and it was licensed or sanctioned by the state, we wouldn't have this discussion now, would we?

Douglas: No.

Buccino: But a school of karate is not sanctioned or licensed in any way that you know of or heard of.

Douglas: No. It's not a school, and it doesn't meet the definition of a childcare center; nor is it an institutional use; it's a commercial service.

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Buccino: I know in the past this Fox Springs Development has looked at buying both John Petty's lot and the one on Hilltop and connecting them to be able to do a multi-family project that would encompass both of those parcels, one being the one in question. One of the criteria that you have as a staff is that there's no legal access so that we don't need to consider the residential zone there or that's one of the variances. What I'm asking is what's going on with Fox Creek Filing 2, Lot 1, and how does that relate? Are they combining those two lots? I don't know what the application is, but I have a feeling that's the intent of the developers.

Douglas: It's not.

Buccino: It's just a single proposal for Fox Creek Lot 1.

Douglas: Yes.

Buccino: My concern, though, is we don't know where that's going and that with this large parcel that's zoned for residential right behind the proposed RMR, if they get legal access in the next 2-4 months and now we have a residential development being built right behind RMR, the horse is already out of the barn; we can't do anything.

Douglas: Yes.

Buccino: So there's a residential lot right there behind it. Part of staff's report states that it has no legal access currently. I have clients in the past that have come to me and we were talking about how to develop that lot with those two parcels because they were going to purchase those two together and combine them and make a larger property. At the time it didn't make fiscal responsibility sense, so they never did it. Is it possible it could happen? Yes. Are we limiting to some of the real estate around there? Possibly. But I think just to throw out the residential right behind it is a little bit short-sighted in a way.

Calihan: The secondary consideration on that is that the actual lots are very vertical, so it doesn't feel like there could be a direct behind neighbor.

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Douglas: There's a 20-foot difference from the parking lot to the rear property line of the subject parcel. For these two parcels that we're talking about behind, there's a 40-70-foot difference from the rear property line of the subject parcel to the highest point on these two parcels. These lots were platted with that note in 1999 that they cannot be developed without legal access.

Eck: With that 20-foot drop, even if they get legal access, it's going to be through Sunlight or whatever we're calling it; they're not going to be coming through the RMR parking lot or the other parking lot. They're going to get onto Hilltop in some way.

Douglas: I couldn't speak to the potential, but however it worked out, it might actually feel more separate taking into account the topography.

Levy: If this request is approved, that does not preclude those properties from developing. That would be their choice at that point.

Gibbs: If they were developed and RMR left, somebody else would have to go through this whole process again, and the conditions would be different.

APPLICANT COMMENT

Fisher: Regarding the potential development of the adjacent property, I guess it would be a bittersweet irony if the owner of that property who also owns Billo was the impeding factor to our location there. But, we were the first dispensary to open in Steamboat Springs in 2009. We've worked really hard to be the kind of partner to the town that we can be, given our business. I think we've been very sensitive about where we locate our operations. When we first sited, there was no zoning requirement for our use. We sensitively decided the site where we did. I think the fact that we've taken the kind of time we have before considering a move shows that we do take to heart even the subjective impacts that have been listed tonight. Given the fact that this is a location that previously housed a marijuana dispensary and the world did not burn down, and given the fact that objectively it very nearly meets the very stringent qualifications set out by our local zoning code, I would hope that when the Commission is considering our use of that parcel, that the objective impacts of our use are what are being considered and not the subjective opinions that may have been provided by letter or by voice tonight.

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I'm never going to win the battle of the perception of marijuana even though I could paper this Commission with the stats and figures showing that youth marijuana usage rates are down; crime is down; this, that and the other. But I don't believe those are part of this discussion. I think this discussion should be based on traffic, and I think the traffic study shows that we meet those standards. It is a variance, but as far as consideration of the variance goes, just how do we meet the standards required to consider a variance. I think objectively the 947 as the crow flies and the 1,200+ feet as we walk to a non-usable portion of a park, and an inaccessible residential development as we stand today are objective considerations that I'd hope you consider that will allow our use.

COMMISSIONER DELIBERATION/MOTION

Eck: I think this proposal is compatible with the community plan. I think it's consistent with the purpose of the zone district; it's one of the three zone districts in all of town where a marijuana store is allowed. I do think it mitigates the negative impacts on the surrounding properties. I think parking will be a challenge as the landlord said, but they meet the parking requirement. People can question the traffic study, but that's the study that we have. On the park thing, it's a 5% variance from what the standard is. I think with the walking distance thing that's been used before by Council, it meets the intent of the code. With the residential issue, as we talked about, access if something is developed there is going to come around all the way to Hilltop. So it's actually going to be pretty non-adjacent in reality. So I think it's consistent with the criteria for approval.

Commissioner Eck moved to approve CU-18-01.

Commissioner Adams seconded the motion

DISCUSSION ON MOTION

Ptach: I'll be voting against the motion. I think we've got to draw a line in the sand. These gentlemen – I know their business; I've seen them present before; I think they're wonderful businessmen and an asset to the community. We have a definitive 1,000 feet for the park, and we have a definitive black and white that it shouldn't be adjacent to property zoned residential. Those two alone I do not feel meet Criteria #4 which is that the proposed use complies with all

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other applicable requirements of the CDC. Additionally, on reflection, I think we made a mistake on the 1,000 feet to the park in Curve Plaza for that very reason. I think you start to open up the floodgates. If City Council and the community wants it different, let's change the code. But this is what we've got to work with right now. So I will be voting against it.

Levy: One of my big things is that I'm pretty sure the state and the Planning staff has mentioned that we're supposed to regulate this the way we do other commercial; I think the state specifically references liquor stores. There's a liquor store in this location. If we're talking its influence on minors, I think we're supposed to be reviewing those products the same way; so I really have trouble with the argument of it being close to the dojo and it being a problem. We've heard there's been no problems with Billo and the variance we granted for similar reasons there.

Traffic already exists. I did have a pretty extensive talk with Stuart King, our planning engineer, and he's told me how CDOT came up with those traffic numbers. They don't do actual studies; they do go out and survey areas and try to determine the appropriate number of travel trips generated by a certain business. I was surprised to learn that that number is actually only 2% higher than office. They actually went out to similar locations throughout the state and reviewed how many trips are generated by a dispensary.

The driving situation coming in and out of that development is bad, but because the increase is only 2%, this use is not required to fix that problem. It would have to reach the criteria of a 20% increase even to consider making changes.

Variations: I'd say 90% of the products we see before this Commission contain variations, and I'd say 90% of those get approved by us. I've argued about following the code a number of times as well, but variations are written into the code so we can make these decisions ourselves.

So given those considerations, I will be supporting the motion.

Kingston: I will be opposing the motion for the reasons I've largely stated throughout the evening. I tend to look much more closely at things when there's a fair volume of opposition coming from the community. In this case, I think I counted at least 20 different names that have voiced opposition. The opposing vote comes first of all on the fact that this does lie within the 1,000 feet radius, which is a strict and very definitive standard. Secondly, the fact that there are contiguous residential lots, and we've just defined the policy as not so much property that has been developed already as residential but simply zoned for residential uses in the future. The fact that there's no legal access now does not necessarily preclude the possibility that access won't come in the future.

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I do have concerns about traffic flow. I'm very respectful of the fact that the CDOT study and variance references have been made from staff that this should not be a concern, so I'm not going to stress that too much.

But I think mostly I'm concerned because we are here to discuss the impacts on existing uses and zone districts and the compatibility with the requirements of the CDC. Unlike the previous proposal where we didn't hear opposing voices to the extent we've heard them tonight, I'm certainly not convinced that this proposal passes the test of those two elements of negative impacts on existing zone users and the requirements of the CDC.

Calihan: I'll be supporting the motion today. This is the first time this type of variance has come across my desk. In looking at what we have varied in the past, it seems to be in line with what we've allowed. It also seems to me like it doesn't make sense to say that we approve of something in our city boundaries but then not allow any space for it to happen legally.

Adams: I 100% agree with all the public comment issues with parking. I guess my biggest problem is our code, quite honestly. I will be the first person to suggest that we should take a look at what that max is in those zones. I just don't think that makes sense. I like the optimism that we're trying to reduce car traffic in town; I have a problem with the way it's being utilized and the way it's creating these conditions that people then face when they're using these commercial establishments. That being said, I don't think that we have the purview to deny based on that. I think they're meeting the standard.

I would also bring up that we consider the biases that marijuana stores have that liquor stores once had and don't anymore and that we try to look at this as a long-term kind of condition and what those things are doing and how we are separating liquor stores with their neon signs and marijuana stores with their closed doors, closed windows, mitigated smells, etc. I think we have a lot of enforcement in place to make sure we're carefully walking into this new legalization of this product. I think that those are things that can be enforced if this project moves forward.

I think the applicant today has heard a lot of feedback about this neighborhood that they could be moving into and that this neighborhood has problems with any smells that might emanate or with any kids that might be able to try and get access to the area; might have problems with shuttle busses backing up. I hope the applicant takes all of that to heart if successful with this application. You want to be moving into a place that's successful for you, and hopefully you will take every step necessary to make that successful for the neighborhood which is then successful for you.

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As far as the two variances are concerned, in general I feel very similar to Tom as far as how that 1,000 foot is being applied and we are resting on the code. For me, this specific variance was more acceptable due to the shape of the park where it is within the thousand feet, and that it seemed more based on wetlands and shape that this was park property because it was no other property. Being unusable as park property made the variance a little more the reason why we have variances and why we have a grey area.

As far as the multi-family and the height and if those are really properly separated so those could be an acceptable variance I have struggled with a lot. If not for the very difficult landlocked and no legal access to these lots, I would have really, really struggled with it. But I think those difficulties for those lots have made this variance acceptable in this specific case.

VOTE:

The motion carried 4-3 with commissioners Kingston, Ptach and Buccino opposing.

#4: Approval of Minutes: January 25 PC Public Hearing

Commissioner Ptach moved to approve the January 25 meeting minutes; Commissioner Eck seconded the motion.

The motion carried unanimously.

Director's Report

None.

Adjournment

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Commissioner Buccino moved to adjourn the meeting at 8:17 p.m.

Commissioner Adams seconded the motion.

The motion carried unanimously.