

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2023-37

A RESOLUTION APPROVING A PRELIMINARY PLAT AND MAJOR VARIANCE, PL20220479, FIFTH SUPPLEMENT TO THE CONDOMINIUM MAP AND PLAT OF THE STEAMBOAT GRAND RESORT HOTEL CONDOMINIUM.

WHEREAS, on November 1, 2022, Landmark Consultants, LLC ("Applicant") submitted an application for the approval of a Preliminary Plat and Major Variance PL20220479 ("Application") for a three-lot subdivision ("Project") on the property located at 2300 Mt. Werner Circle and more particularly described as Fourth Supplement to the Condominium Map and Plat of the Steamboat Grand Resort Hotel Condominium; and

WHEREAS, the City Council held a public hearing on the Application on June 20, 2023 to consider testimony from the Applicant, staff, and the general public regarding the application; and

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

WHEREAS, CDC criteria for approval of the Project are set forth in CDC Section 713.D and Section 719.D; and

WHEREAS, having considered the testimony and evidence presented at the public hearing on June 20, 2023, the City Council hereby finds, for the reasons set forth in the Department of Planning and Community Development staff report dated June 1, 2023, that the following criteria have been met:

713.D Criteria for Approval:

1. The Preliminary Plat substantially conforms to all applicable requirements of this CDC, including requirements of the applicable zone district.
2. Each lot in the subdivision that is proposed for development shall be developable. Elements reviewed for developability include a demonstrated ability to meet the requirements of this CDC in terms of zone district standards, development standards, and subdivision standards.
3. The Preliminary Plat conforms to all other applicable regulations and requirements including but not limited to state law, the Steamboat Springs

- Municipal Code, any capital improvement plan or program, or any Improvements Agreement or Development Agreement for the property.
4. The Preliminary Plat shall be compatible with the character of existing or planned land development pattern in the vicinity and shall not adversely affect the future development of the surrounding area.
 5. The land proposed for subdivision shall be physically suitable for development, considering its topography, the presence of steep or unstable slopes, existing natural resource features such as wetlands, floodplains, and sensitive wildlife habitat areas, and any environmental hazards such as avalanche or landslide paths, rockfall hazard areas, or wildfire hazard areas that may limit the property's development potential.

719.D General Criteria for Approval of Major Variance for lot shape:

1. 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.
2. The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
3. The Variance application meets the following criteria for unnecessary hardship:
Unnecessary Hardship: The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.

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

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

SECTION 2. The City Council hereby approves the Application subject to the following conditions:

1. The following items are considered critical improvements and must be constructed and approved or provide collateral via Improvements Agreement prior to approval of a Final Plat: water and sewer infrastructure, access drive, drainage improvements, and permanent stormwater quality treatment facilities.
2. The applicant, prior to Engineering final approval inspection, a completion letter signed and sealed by a Colorado Professional Engineer (Project Engineer) shall be uploaded to the applicable building permit condition.

3. The applicant, prior to any construction permit issuance, the final signed and sealed drainage study shall be submitted.
4. The infrastructure shown on the Preliminary Plat shall be constructed by the applicant and approved and/or accepted by the City or surety provided prior to recording of a Final Plat.
5. Record Drawings/CAD Files including drainage, PWQTF(s), and sidewalks shall be submitted prior to Final Engineering Site Inspection.
6. Civil construction plans prepared/signed/sealed by a licensed Colorado Professional Engineer are required to be submitted to the RCRBD with a Building Permit/Grading Permit application for review and approval prior to the start of any construction.
7. Prior to approval of Civil Construction Plans, the owner shall provide approved final draft documents to the City for the following required easements: Drainage and access easement from the public street related to the storm water quality treatment facility, public access easements for public sidewalks which are not completely within the right-of-way.
8. With the future development of lot 1, the applicant shall provide postal facilities in accordance with CDC Section 602.K.
9. Prior to recording the Final Plat associated with this application, the owner shall enter into and record the Tram Lot Development Agreement that has been reviewed and approved by City Staff.

PASSED, ADOPTED, AND APPROVED this 20th day of June, 2023.

Robin Crossan

Robin Crossan
City Council President

ATTEST:

Julie Franklin

Digitally signed by Julie
Franklin
Date: 2023.07.10
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Julie Franklin, CMC, City Clerk