

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2023-47

A RESOLUTION APPROVING A CONDITIONAL USE, DEVELOPMENT PLAN AND MAJOR VARIANCE PL20230056, LOT 1, FILING 3, INDIAN MEADOWS SUBDIVISION (HOLIDAY INN EXPRESS).

WHEREAS, on November 17, 2022, Four Points Surveying & Engineering ("Applicant") submitted an application for the approval of a Development Plan, Conditional Use, and Major Variance, PL20230056, ("Application") for development of two hotels on Lot 1 and Lot 2 of the proposed Indian Meadows Filing 4, conditional uses for hotel and workforce housing, and a variance to CDC Sec. 438.G. ("Project") on the property described as Lot 1, Filing 3, Indian Meadows Subdivision; and

WHEREAS, the City Council held a public hearing on the Application on August 22, 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 707.C, Section 709.C, and Section 719.D; and

WHEREAS, having considered the testimony and evidence presented at the public hearing on August 22, 2023, the City Council hereby finds, for the reasons set forth in the Department of Planning and Community Development staff report dated July 31, 2023, that the following criteria have been met:

707.C Criteria for Approval:

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

709.C Criteria for Approval:

1. The Development Plan is consistent with the character of the immediate vicinity or enhances or complements the mixture of uses, structures, and activities present in the immediate vicinity.
2. The Development Plan will minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
3. The Development Plan provides adequate vehicular access, considering grade, width, and capacity of adjacent streets and intersections; parking; loading, unloading, refuse management, and other service areas; pedestrian facilities; and public or private transportation facilities.
4. The Development Plan complies with all applicable requirements of this CDC.
5. The Development Plan is in substantial conformance with an approved Conceptual Development Plan, if applicable.

719.D General Criteria for Approval of Major Variance to CDC Section 438.G.1.a, Surface Parking Standards: to allow surface parking to be placed between the principal structures and Highway 40.

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 or an acceptable alternative:

Acceptable Alternative: The proposed development provides the following acceptable alternative to the standard:

- The alternative achieves a result that is equal to or better than the code standard to which a variance is being sought.

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. Plant Investment Fees (PIF) are due prior to approval of the Building Permit. Please submit a PIF form (on MWW Website) to MWW for review and approval.

2. Prior to issuance of a construction permit addresses for both lots shall be approved by City GIS.
3. Prior to Building Permit or Grade and Fill Permit issuance, the owner shall receive approval of a Floodplain Development Permit.
4. Prior to approval of Civil Construction Plans, an approved CDOT access permit shall be submitted to the City.
5. 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.
6. Record Drawings/CAD Files including drainage, PWQTF(s), and sidewalks shall be submitted prior to Final Engineering Site Inspection.
7. 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.
8. The following items must be constructed and approved or accepted prior to issuance of a Certificate of Occupancy or approval of a Condo/Townhome Final Plat, whichever occurs first:
 - Access drive, driveway, and parking areas
 - West access turnaround and sidewalk
 - North sidewalk/trail
 - East 30' public access easement and associated improvements
 - Drainage improvements
 - Permanent storm water quality treatment facilities
9. Prior to any construction permit issuance, the final signed and sealed drainage study shall be submitted.
10. Prior to approval of any Building Permit for a building that is to be located within the FEMA Special Flood Hazard Area, the applicant shall demonstrate compliance with CDC Section 419, Flood Damage Prevention, by way of a complete "construction drawings" FEMA Elevation Certificate.
11. Encroaching dumpster enclosure on north property line shall be removed prior to building permit issuance.
12. Prior to Construction Permit issuance, the applicant shall execute and record an agreement restricting the occupancy of the Workforce Units to Qualified Residents as defined by the Community Development Code.
13. Prior to Building Permit issuance for the Holiday Inn Express, the developer shall pay their proportionate share of potential future intersection improvements at US40 @ Stone Ln intersection, calculated at 1.7% of current cost basis \$765,846 (indexed to CDOT CCI) or \$13,019.

Prior to Building Permit issuance for the Holiday Inn Express, the developer shall pay their proportionate share of potential future roadway improvements at Stone Lane Bridge, calculated at 4.9% of current cost basis \$5,318,377 (indexed to CDOT CCI) or \$260,600.

14. Prior to Building Permit issuance for Hotel B, the developer shall pay their proportionate share of potential future intersection improvements at US40 @ Stone Ln intersection, calculated at 1.3% of current cost basis \$765,846 (indexed to CDOT CCI) or \$9,956.

Prior to Building Permit issuance for Hotel B, the developer shall pay their proportionate share of potential future roadway improvements at Stone Lane Bridge, calculated at 3.8% of current cost basis \$5,318,377 (indexed to CDOT CCI) or \$202,099.

PASSED, ADOPTED, AND APPROVED this 22nd day of August, 2023.

Robin Crossan

Robin Crossan
City Council President

ATTEST:

Julie Franklin, CMC, City Clerk