

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2024-41

A RESOLUTION APPROVING A DEVELOPMENT PLAN AND MAJOR VARIANCE PL20240114, VILLAGE DRIVE APARTMENTS.

WHEREAS, on April 18, 2024, Four Points Surveying & Engineering ("Applicant") submitted an application for the approval of a Development Plan and Major Variance PL20240114 ("Application") for a 38-unit multiple-family development with 12 deed restricted workforce housing units, associated site development, and variances to tree preservation and FAR standards ("Project") on property located at 2955 Village Drive and more particularly described as Lot A and Lot B, Mountain Office Park Subdivision; and

WHEREAS, the City Council held a public hearing on the Application on July 16, 2024 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 Section 709.C, and Section 719.D; and

WHEREAS, having considered the testimony and evidence presented at the public hearing on July 16, 2024, the City Council hereby finds that the following criteria have been met:

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 214, Maximum Floor Area Ratio (FAR) of 50%: The applicant is requesting an FAR of 57%.

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 an acceptable alternative:

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

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

719.D General Criteria for Approval of Major Variance to CDC Section 404 Tree Preservation: A request to preserve 29% of the large caliper trees (12" -23") instead of the required 50%.

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 an acceptable alternative:

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

- The application of other code standards, purposes, or intents will be improved by varying the standard.

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. Stacked off-street parking spaces for residential uses shall be assigned to specific dwelling units in a development agreement or other legal recorded document prior to building permit issuance for this development.
2. The applicant shall enter into an agreement, acceptable to the City, restricting the occupancy of the Workforce Units to Qualified Residents as defined by the Community Development Code. The agreement shall be recorded at the Routt County Clerk and Recorder prior to Certificate of Occupancy/Completion.
3. The proposed 22' roadway is acceptable with a full fire sprinkler and fire alarm system. Any changes require an additional review and approval.
4. 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.
5. Access drive, driveway, and parking areas are considered a critical improvement and must be constructed and approved or accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
6. Drainage improvements are considered a critical improvement and must be constructed and approved or accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
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. Permanent storm water quality treatment facilities (PWQTF) are considered a critical improvement and must be constructed and approved or accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
9. Prior to any construction permit issuance, the final signed and sealed drainage study shall be submitted.
10. Sidewalk improvements are considered a critical improvement and must be constructed and approved or accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
11. Record Drawings/CAD Files including drainage, PWQTF(s), and sidewalks shall be submitted prior to Final Engineering Site Inspection.
12. A4 units are approved with only one bedroom. The additional rooms in A4 units cannot be labeled as bedrooms on the building permit and cannot be used as bedrooms in the future. If the spaces are used as bedrooms, code enforcement may be necessary and additional development review may be needed.

13. Prior to building permit issuance, lighting fixture WS shall be changed to a compliant light fixture that is downcast, shielded and meets the standards of the section.
14. An Engineering Variance application for Horizontal Curvature shall be submitted and approved prior to building permit approval.
15. See Engineering comments on second submittal that need to be addressed prior to building permit issuance.
16. The owner or rental agency for the property shall provide an annual report to the Planning Director outlining compliance with the deed restricted workforce units. The report shall, at a minimum, list all workforce units and how the occupants for each unit met the definition of Qualified Resident as defined in Community Development Code Section 802.

PASSED, ADOPTED, AND APPROVED this 6th day of August, 2024.

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Gail Garey
City Council President

ATTEST:

Julie Franklin, CMC, City Clerk