

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2024-37

A RESOLUTION APPROVING A PRELIMINARY PLAT AND MAJOR VARIANCE, PL20240113, MOUNTAIN PARK SUBDIVISION, FILING 2.

WHEREAS, on April 18, 2024, Walter Magill ("Applicant") submitted a complete application for the approval of a Preliminary Plat and Major Variance PL20240113 ("Application") to combine two lots in the Mountain Office Park Subdivision with a variance to tree preservation ("Project") on the 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 CDC Section 713.D 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, for the reasons set forth in the Department of Planning and Community Development staff report dated June 13, 2024, 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 CDC Section 602.G Vegetation and Site Grading: A request to preserve 29% of the large caliper trees, 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 unnecessary hardship or 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. Sidewalk improvements along Village Drive and Walton Creek Road are considered a critical improvement and must be constructed and accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
2. Sewer main infrastructure is considered a critical improvement and must be constructed and accepted prior to issuance of a Certificate of Occupancy/Completion or approval of a Condo/Townhome Final Plat, whichever occurs first.
3. 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.
4. Prior to recording the final plat, a utility easement shall be included for existing utilities along the east property line.
5. This project is approved with removal of up to six trees as shown in the Tree Exhibit. No additional trees shall be removed for development of the subdivision and associated sidewalks.

PASSED, ADOPTED, AND APPROVED this 16th day of July, 2024.



Gail Garey
City Council President

ATTEST:

Julie Franklin, CMC, City Clerk

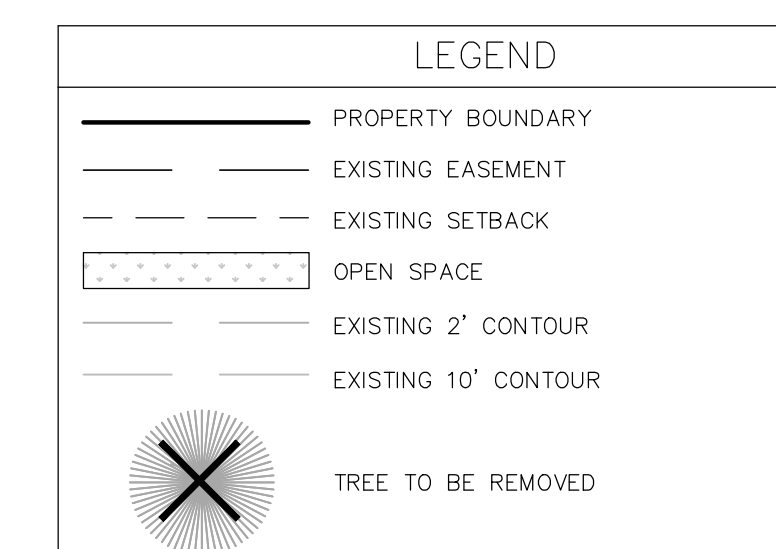
**PRELIMINARY PLAT
MOUNTAIN PARK SUBDIVISION FILING NO. 2
EXHIBIT**


OPEN SPACE

EXISTING: LOT A GREENBELT: 4830 SQ FT
LOT A+B GREEN BELT: 3924 SQ FT
TOTAL: 8754 SQ FT

PROPOSED: LOT 1 OPEN SPACE: 15,339 SQ FT

REQUIREMENT: 15% OF PROPERTY = 8,364 SQ FT



 Trees to be removed for Preliminary Plat, related to sidewalk and engineering variance.

Additional tree that may need to be removed if Engineering Variance is not approved

[illegible]