

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2024-44

A RESOLUTION APPROVING A CONDITIONAL USE, DEVELOPMENT PLAN, AND MAJOR VARIANCE, PL20240163, MWW VILLAGE DRIVE BOOSTER STATION.

WHEREAS, on March 27, 2024, Phillip Parker ("Applicant") submitted a complete application for the approval of a Development Plan, Conditional Use, and Major Variance PL20240163 ("Application") to replace the existing MWW Village Drive booster station ("Project") on the property located at 2700 Village Dr and more particularly described as Lodge at Steamboat Condos Common Area; and

WHEREAS, the City Council held a public hearing on the Application on August 20, 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 707.C, Section 709.C, and Section 719.D; and

WHEREAS, having considered the testimony and evidence presented at the public hearing on August 20, 2024, the City Council hereby finds, for the reasons set forth in the Department of Planning and Community Development staff report dated July 18, 2024, 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 for a 10' north side setback:

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:

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.

And

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.

PASSED, ADOPTED, AND APPROVED this 20th day of August, 2024.

A handwritten signature in black ink that reads "Gail Garey". The signature is written in a cursive, flowing style.

Gail Garey
City Council President

ATTEST:

Julie Franklin, CMC, City Clerk