



2024.11.06

Kelly Douglas
AICP Senior Planner
City of Steamboat Springs
PO Box 775088
Steamboat Springs, CO 80477

RE: DRT Review Comments PP 3

Dear Kelly:

Public Works Review (Reviewed By: Danny Paul)

1. Please see the document titled "PUBLIC IMPROVEMENTS EASEMENT AGREEMENT Gates Gooding Redline 10-23-24" for a full markup of the easement, with my (Gates) opinion of how we could modify the motor vehicle paragraph in case it's useful. Again, for the rest of the comments on the document, we should defer to Jen's redline.
 - a. [Response: We have forwarded the redlined easement comments to the Applicant's attorney for continued coordination and revisions.](#)

Planning Review (Reviewed By: Kelly Douglas, AICP)

2. Please see the document titled "PL20240103 1965 Ski Time Square Dr Planning Review Submittal 3" – [inserted below](#).

602.I Easements and Dedications

3. Regarding draft promenade easement language provided:
 - a. Public access language being included is confirmed, thank you.
 - b. Planning staff has the following feedback on easement language and exhibits:
 - i. Easements are proposed offsite with different owners. Appropriate property owner signatures are required for each easement area.
 1. [Response: The property owner consent information has been provided in a format coordinated with Staff.](#)
 - ii. Please provide exhibits A, B and C.
 1. [Response: Exhibit B was previously provided, but they were not titled accordingly. That will be updated with the next revision. Exhibit A is the description of the property owned by the Grantor, which will be provided with the next revision. Exhibit C is the 'Standard of Care'.](#)
 - iii. How will the property description exhibit documents be incorporated and referenced?



1. Response: The property descriptions provided depicting the proposed easements will be referenced as Exhibit B. These are expected to be replaced with the as-constructed limits if field changes necessitate a modification.
 - iv. The exhibit and plat are slightly different. The promenade easement is shown extending to the property line. Please update.
 1. Response: The easement delineations have been updated to reflect the modifications requested and are consistent with the proposed Preliminary Plat drawings.
4. Outstanding/Updated: Please remove the gap around the beach in the south promenade easement area. As proposed, it appears to create an unnecessary trespass issue and is inconsistent with promenade improvements proposed there.
 - a. Response: The limits of the proposed easement has been revised.

602.O Critical Improvements

1. Conditions of approval will be updated to reference the site plan provided. Please refer to the portal.

General

1. Outstanding/Updated: Three Major Variances have been requested and are outlined below. $\$275 \text{ per Major Variance} \times 3 = \825 . The fee has been adjusted. Please pay in portal.
 - a. Response: Paid
 - b. Variance Request #1: 602.C.5 Side lot lines shall be within 15 degrees of perpendicular to the front lot line. This variance request is missing from the narrative.
 - i. Response: Apologies. We misinterpreted previous comments. This Variance Request has been replaced into the revised narrative.
 - c. Variance Request #2: 602.D.3 The following areas of lots shall be designated as unbuildable on the subdivision plat unless the Director grants an exemption per Section 602.D.4:
 - i. Areas where the existing slope exceeds 30 percent; or
 - ii. Areas with unstable slopes; or
 - iii. Wetlands.Request: NOTE designate areas where the existing slope exceeds 30% as unbuildable
Response: please refer to updated narrative
 - d. Variance Request #3: 604.D All commercial lots shall abut a public street or private street.
Request: Proposed Lot 2 does not abut a public or private street.
Response: please refer to updated narrative



2. A Promenade, Utility and Drainage Easement is proposed on Torian Plum Condominiums, Phase II Reception No. 522146. Permission has not been demonstrated to encumber the area or develop improvements there. A complete signature requirement form or recorded easement with the property owner is needed in order to demonstrate the required qualifications of the applicant per 702.B (below for reference) are met.
 - a. [Response: Please see the updated documentation as coordinated with Staff.](#)
3. A Promenade, Utility and Drainage Easement is proposed on Torian Plum Condominiums, Phase I Reception No. 333249. Permission has not been demonstrated to encumber the area or develop improvements there. A complete signature requirement form or recorded easement with the property owner is needed in order to demonstrate the required qualifications of the applicant per 702.B (below for reference) are met.
 - a. [Response: Please see the updated documentation as coordinated with Staff.](#)

702.B Qualifications of Applicant

An applicant for a development approval must either be the owner or have the right to possess the land for which the development approval is sought, or submit documents to the Planning Department that provide evidence that the applicant will become the owner of the land subsequent to the approval of a development or have the right to possession of the land. No development approval shall be issued to any applicant who does not possess the land or have a right to possession of the land. If the holder of an easement on the land for which the development approval is sought objects to such development, that person must seek relief in a court of competent jurisdiction.

Legal Department Review (Reviewed By: Jennifer Bock)

5. Please see the document titled "Public Improvements Easement Agreement Thunderhead_JB edits"
 - a. [Response: We have forwarded the redlined easement comments to the Applicant's attorney for continued coordination and revisions.](#)

Final Project Manager Review (Reviewed By: Kelly Douglas, AICP)

Please see draft conditions of approval for this application below. All conditions of approval are also visible in Portal.

1. Mineral Rights Notification: Submit a signed affidavit no later than eight days prior to the required public hearing confirming the required notice has been completed in accordance with Section 703.C.4.
Initial Notice 04/24/24 [Kelly Douglas @ 04/25/2024 10:53 AM]
 - a. [Response: Mineral Rights Notification provided and uploaded to portal.](#)
2. 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. If an Improvements agreement is considered, Civil Construction Plans shall be submitted for review and approval through the DRT process.
3. Civil Construction Plans prepared/signed/sealed by a licensed Colorado Professional Engineer are required to be submitted to DRT for review and approval prior to approval



of any Improvements Agreement, Building Permit, Grading Permit, or Final Plat and prior to the start of any construction.

4. Prior to any construction permit issuance, the final signed and sealed drainage study shall be submitted.
5. 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.
6. Fire Department Review (Reviewed By: Doug Shaffer)
 - a. The access along the west/burgess creek side is a multipurpose access that up to now has had a 30-foot-wide easement and 20- to 24-foot-wide paved surface. With its multipurpose use (Fire, deliveries to multiple businesses, trash, and pedestrian) the Fire Department access standards require this access to be 24 feet wide. The access standards do allow a reduction to 20' wide if all structures accessed are fire sprinklered. Above was copied from DRT comments dated 7-25-204 page 8&9 [Mike Middleton @ 08/23/2024 2:37 PM]
 - i. [Response: Comment has been answered and acceptable from pervious submittals per email from Kelly Douglas 11/5/2024](#)
7. The West Promenade Extension as shown on <reference site plan> is considered a critical improvement and shall be constructed and approved and/or accepted, or surety provided, prior to recording of a Final Plat. This critical subdivision improvement shall be complete prior to the issuance of a Construction Permit TCO/CO for PL20240125 development.
8. Drainage improvements on Lot 1 and Parcel B Ski Hill Subd as shown on <reference site plan> are considered critical improvements and shall be constructed and approved and/or accepted, or surety provided, prior to recording of a Final Plat. These critical subdivision improvements shall be complete prior to issuance of a Construction Permit for PL20240125 development.
9. Emergency access shall be maintained throughout construction.
10. Upsizing of sanitary sewer main is considered a critical improvement and must be constructed and approved or accepted, or surety provided, prior to issuance of a Certificate of Occupancy/Completion or approval of a Final Plat, whichever occurs first.
11. Easements must cover all MWW concerns, be finalized, reviewed, accepted and executed by all parties prior to recording of final plat

Sincerely,

OZ Architecture, Inc.

Becky Stone
Principal