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June 16, 2025

City of Steamboat Springs Planning and Community Development
137 10th Street
Steamboat Springs, CO 80477
Phone: (970)-871-8207, Fax: (970)-879-8851

RE: Village Drive Townhomes
Parcel No. 328300001 / PL20220086
Development Plan and Major Variance Request

Dear City of Steamboat Springs Planning Department,

Please accept this letter as a modified development plan and a major variance request narrative for the Village Drive Townhomes project. The Village Drive Townhomes project was approved for seven townhomes in 2022 by application PL20220086. The project is located on the northeast corner of Village Drive and Walton Creek Road and both buildings are nearing completion.

Background: The conditions of approval were listed in the City of Steamboat Springs Resolution No. 2022-29 and included the two variances for the project. Two major variances were approved for the project. One was for locating of the third story of the building 16 feet from the property line instead of 20 feet as required for a front setback and the other was for a Building Intensity, Maximum Floor Area Ratio (FAR): to increase maximum FAR from 50% to 67%. Both variances were approved as an acceptable alternative in consideration that “the application of other code standards, purposes, or intents will be improved by varying the standard.”

The following is a list of conditions from the resolution with the current status.

1. 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. – **Completed by Landmark Consultants.**
2. The owner shall provide the following recorded easements prior to issuance of a construction permit (Grade and Fill, Building): – **Completed by Landmark Consultants.**
 - a. Drainage and access easement from Public Street related to the stormwater quality treatment facility.
 - b. Public access easements for public sidewalks that are not completely within the right-of-way.
3. The following items are considered critical improvements 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: **Items are under construction as of June 2025.**
 - a. Water and Sewer infrastructure
 - b. Access drive, driveway, and parking areas
 - c. Drainage improvements
 - d. Permanent storm water quality treatment facilities
 - e. Sidewalk improvements
 - f. Snowmelt system

4. Prior to Certificate of Occupancy/Completion, an Ownership and Maintenance Agreement for the Permanent Stormwater Quality Treatment Facility shall be recorded. **Understood, Items are under construction as of June 2025.**
5. Prior to Permanent Stormwater Quality Treatment Facility Inspection, a recorded Ownership & Maintenance Agreement shall be submitted. **Understood, Items are under construction as of June 2025.**
6. Record Drawings/CAD Files shall be submitted prior to Permanent Stormwater Quality Treatment Facility Inspection. **Understood, Items are under construction as of June 2025.**
7. Sprinkler and alarm systems are required in all units prior to issuance of a Certificate of Occupancy. **Sprinklers not required by code.**
8. The project is approved with a snowmelt system and no designated areas for snow storage or plan for snow hauling. The snowmelt system shall be kept in operating condition in perpetuity. Any circumstance on the property other than a snowmelt system serving the entire development will require development plan approval. **Understood, Items are under construction as of June 2025.**
9. An approved recorded final plat is required prior to issuance of any construction permit, grading permit, or other similar building permit. **Landmark Consultants recorded the final plat on December 1, 2022, at Reception NO. 842530.**
10. Prior to issuance of a Grade and Fill Permit or Building Permit, a revocable license/permit shall be issued for all privately maintained encroachments into the public right-of-way or public easement: **Items are under construction as of June 2025.**
 - a. Landscaping
 - b. Landscaping Improvements
 - c. Stairs
 - d. Private walkways
11. Prior to issuance of any construction permit, the owner/applicant shall submit a revised sewer main design to Mount Werner Water for approval. The owner/applicant may propose a new alignment along with the associated easements, lower the existing main in place along Walton Creek Road, or a combination of both. **Mt. Werner has approved the design.**
12. **The exterior siding is changing from composite siding as originally approved to cedar wood siding in a similar color palette. The change in the siding is based on a more sustainable and higher quality product.**

Landmark Consultants, Inc. completed the approved construction drawings on December 7, 2022. Steamboat Architectural Associates is the architect on the project, and CHS Builders is the general contractor. As of today, the buildings are fully closed in and finished carpentry work is ongoing in each building. The stormwater infrastructure is partially installed, and the water and sewer utility connections are set to begin in May 2025. Finished construction is expected in June 2025.

Current: Plan revisions have occurred during the last year and a half of construction due to site conditions, and the age of existing sanitary sewer infrastructure. A pre-application conference for the development permit was completed in January 2025, and we are now making the application since we have identified the plan revisions.

In this narrative below and redlined plans, we will present the changes between the approved plan sets and the current request.

1. Sheet C101 – FPSE Sheet C1, C2, and C3 - The updated plans depict the Redi-Rock wall design along the east property line for the parking. Wall in the Landmark plans noted, “Wall by others” and Geowall designed the existing Redi-Rock wall shown on the plans. Revised plans are submitted.
2. Sheet C101 – FPSE Sheet C2 - The updated site plan removes the proposed stairs for the duplex building that are extended into the existing utility and snow removal easement as recorded in Book 329, Page 367, also known as Reception No. 217811, and the right-of-way easement.
3. FPSE Sheet C1.1 – Depicts the existing easements on the site to the as-built conditions as of June 2025.

4. Sheet C200 – FPSE Sheets C5A and C5B - Beginning at PR SSMH 26.7.1.2, changes to the sanitary sewer main and manholes are presented and identified with revision clouds on the approved plan set. The plans are currently approved by the Mt. Werner Water and Sanitation District.
5. Sheet C220 – FPSE Sheets C5A and C5B - Revisions to the plan and profile for the modified sewer main are shown on sheet C3 of this submittal. The plans are currently approved by the Mt. Werner Water and Sanitation District.
6. Sheet C220 - FPSE Sheets C5A and C5B - The sanitary sewer was redesigned in October 2024 during a discussion with the Mt. Werner Water and Sanitation District. The redesign is based on the poor quality of the existing sanitary sewer mainline in Village Drive. There is an existing 8” vitrified clay pipe at ten feet of bury running north in the roadway. The existing pipe has a profile of 0.5% and is forty or more years old, and there is an acute angle at the sewer manhole in Walton Creek Road. The new sanitary sewer design takes advantage of the owner's ownership of Lots A and B, Mountain Office Park on the west side of Village Drive. The new sanitary sewer line runs westerly on the south property line of Lot B and then northerly on the west line to tie into the existing sanitary sewer line in Walton Creek Road right of way. The plan set submitted has approval from the Mt. Werner Water and Sanitation District.
7. Sheet C300 – FPSE Sheet C3 - The constructed Redi-Rock wall is added to the plan set and as-built information is provided for the boulder walls that replaced the originally designed concrete foundation walls.
8. Sheet C302 – FPSE Sheet C2 and C3 - The plan also includes a slight modification of the southern portion of the detached sidewalk east of Village Drive. The alignment of the sidewalk has been adjusted to avoid one of the existing utility pedestals and provide more room between the building and align with future walk to the west. The sidewalk will be 8-ft wide and gradually transition to match the existing 4-ft wide sidewalk in a manner that is consistent with the approved plans.
9. Sheet C301 – FPSE Sheet C3 - The detailed grading plan is updated to depict the revised sidewalk at the intersection of Village Drive and Walton Creek Road. The revised alignments of the sidewalk ramps provide a consistent intersection design with the City of Steamboat Springs' sidewalk design for Walton Creek Road. In addition, the north sidewalk is in a slightly revised location to provide a balance between the driveway and the edge of Walton Creek Road.
10. Sheet C310 – Is updated with as-built information for the installed stormwater infrastructure.

Site Plan Modifications:

1. Modified Sidewalk Alignment on Walton Creek Road

The new eight foot wide sidewalk parallel to Walton Creek Road is shifted to the north to match up with the sidewalk design completed by the City of Steamboat Spring to serve the future housing development on the property to south. Public Work is aware of this change from a field meeting in August 2024.

2. Shifting of centerline for access roadway and foundation shift

The owners are requesting to shift the centerline of the access roadway from Village Drive three feet to the south to allow for larger area for the installation of the required boiler building. The project is planned to have heated concrete for snow removal in the parking lot. The originally designed boiler building was undersized, and the correctly sized building will not fit against the northerly building without a shift of the access roadway. The shifted access roadway results in 9.6 feet on the northside for the building and 4.1 feet on southside of the roadway for the duplex. The drainage patterns will remain the same.

Foundation Shift

During foundation construction in the summer of 2022, a survey layout error occurred and remained undiscovered until January 2025. The error resulted from a misalignment during the reconciliation of boundary information provided by Landmark Consultants and Four Points Surveying and Engineering. This discrepancy caused a southerly shift of approximately 4.6 feet in the location of both the building foundations and the entry roadway, moving them closer to the Meadowlark Condominiums. Importantly, this shift does not result in any encroachments or additional impacts to existing easements. While the duplex now lies further within the electrical easement, that easement is currently in the process of being vacated. The as-built building locations are depicted on Sheet C1, with the associated easement details shown on Sheet C1.1. Despite the shift, the design still

accommodates the installation of the sanitary sewer, storm drainage infrastructure, and underground electric utilities following the original engineering plans.

3. Project Variance for removal of stairs on Duplex Building

Four Points Surveying and Engineering and Steamboat Springs Architectural are requesting a major variance to the Community Development Code (CDC) standards for the **Section 437 – Multiple Family Residential Buildings Design Standards for access.**

As stated in the Community Development Code Section 719 Variance, the CDC sets forth a united regulatory program for development but it is understood that no standard can anticipate all possible circumstances, alternative approaches and unanticipated consequences of its application.

The Village Drive Townhomes site is east of Village Drive which is a pedestrian and transportation corridor for other multi-family projects along the roadway. Based on the lack of access to individual residences for the surrounding developments, the owners are requesting to eliminate the stairway access for the duplex building for security and practicality. **The variance is being proposed as an acceptable alternative per Section 719 D. 3b(ii). The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstance.**

Variance #1 – Section 437 – Multiple Family Residential Buildings Design Standards.

The purpose of the multi-family residential building design standards state the following.

1. *Provide for the development of multiple-family housing while ensuring compatibility with adjacent properties of lower densities.*
2. *Break down the visual and physical mass and scale of large buildings.*

The request is to eliminate the approved stairs to each of the units for duplex building, which requires a variance to Section 437.D Access.

1. *Standard*
Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas.

Request for Stair Removal

The development team formally requests the removal of two stairways on the duplex building and their connections to the main sidewalk along Village Drive. After careful evaluation, we believe that pedestrian access from Village Drive, a high-traffic pedestrian corridor, is not in the best interest of future unit owners.

Justification for Removal

1. **Privacy and Security Concerns:** The proposed stairway access points do not serve as primary pedestrian entries to private residences, as there is no parking permitted on Village Drive. Instead, they create an appearance more typical of commercial properties, drawing unnecessary foot traffic to access areas intended to be private. Additionally, direct exposure to a busy public sidewalk increases security risks, including unauthorized access and potential theft.
 2. **Unnecessary Public Access:** Village Drive functions as a major pedestrian corridor connecting Sunray Meadows, Meadowlark Condominiums, and other developments to Steamboat Resort. With its high pedestrian and transit activity, the presence of direct entries to private residences introduces unwanted interaction between residents and passersby, compromising privacy without contributing to wayfinding or public accessibility.
 3. **Limited Functional Benefit:** The existing access points do not serve a practical purpose, as there are no public amenities or destinations requiring access via these stairways. The removal of stairs does not impact pedestrian circulation but rather enhances the residential nature of the development.
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4. Market and Resident Feedback: Realtors have reported that prospective buyers perceive these front-facing entry features as security risks, making the units less desirable. Removing the stairways would reinforce the exclusivity and residential character of the buildings while maintaining an active frontage on Village Drive through large street-facing windows.
5. Vehicle Access and Parking Constraints:
 - a) No vehicle parking is allowed on Village Drive, and no guest parking was approved with the project.
 - b) All delivery and guest parking will occur at the rear of the building, in front of individual garages.
 - c) If the front-facing stairs and doors were installed, it is highly unlikely that guests would park at the rear, then walk around the building to enter through the Village Drive entryways—rendering them functionally obsolete.
6. Precedent in Surrounding Developments: The concept of direct pedestrian entries along Village Drive is not utilized in any other nearby projects. Comparable developments, including Sunray Meadows, Meadowlark Condominiums, Trappeurs Crossing, Blackhawk Townhomes, The Lodge, and the recently approved Village Drive Apartments, do not have direct access to the detached public sidewalk along Village Drive.
7. Alternative Access Points Maintain Connectivity:
 - a) Perimeter sidewalks remain accessible through alternative entry points.
 - b) The Village Drive sidewalk is accessible via the parking and roadway entrance.
 - c) The garages, located on the east side, will serve as the primary entry points for residents, who will also access their bicycles, skis, and vehicles from this location.
 - d) On the north side, the Walton Creek Road sidewalk will remain accessible via the new six-foot-wide private sidewalk and stair connection from the rear parking area.
This revised approach preserves the functional and aesthetic integrity of the townhomes, aligns with CDC Multi-Family standards, and enhances security while ensuring appropriate pedestrian access for residents.

Given these factors, we strongly recommend the removal of the stairways for the duplex building to better align the development with resident expectations and long-term livability.

Section 719.D – General Criteria for Approval.

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. The approved multi-family development complements the surrounding uses of multi-family and condominiums in the neighborhood. No legal conforming uses of adjacent property will be injured or adversely impacted due to the removal of a stair connection from the public sidewalk to the private decks.
2. The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans. The Steamboat Springs Area Community plan promotes high density development and work force housing. The Village Drive Townhomes site is a prime spot for redevelopment due to the proximity of the Steamboat Ski Area and transit. The development as previously approved is aligned with goals and policies of the Steamboat Springs Area Community Plan as noted in the following goals and policies.
 - a. *Goal LU-5: Our community will plan and implement land use patterns that support an efficient transportation system and alternative transportation nodes*
 - b. *Policy LU-5.1: Develop appropriate land use densities to support transit*
 - c. *Strategy LU-5.1(b): Coordinate Land Use and Transportation decisions*
 - d. *Policy LU-5.2: New neighborhoods will be well connected by streets, sidewalks, trails, walkways and bicycle lanes.*
 - e. *Policy CD-1.4: Encourage high quality site planning and design*
 - f. *Policy CD-2.2: Create a functional mix of uses in new neighborhoods and development areas*
3. The Variance application meets either the criteria for unnecessary hardship or practical difficulty, as applicable, or the criteria for an acceptable alternative. We are seeking variance based on: ***Section 719 D. 3b(ii). The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular***

circumstance. There are no designated parking spaces along Village Drive in front of the townhomes, meaning all visitors and residents will access the site through the designated parking and private roadway entrance. During winter months, maintaining snow-free access on the approved stairways presents a significant burden, which most residents will naturally avoid by utilizing the heated concrete parking area for safer, more convenient access. Additionally, resident security and safety are compromised by providing direct access from a high-traffic public sidewalk to private front doors. These exposed entry points create opportunities for unauthorized access, increasing the risk of trespassing or other security concerns. Rather than fostering activity and safety, these ground-floor entries introduce unnecessary vulnerabilities, ultimately diminishing the sense of privacy and protection for homeowners. Based on the above facts, the strict application for the access in this particular circumstance will not achieve the intent of code standard.

The townhomes have other defining features that identify the western façades on Village Drive as the front of the building. Each building meets the frontage glazing and transparency requirements. The roof forms, siding and exterior architectural design all identify the western façade as the front. Additionally, the project meets the frontage landscape requirements along Village Drive.

We believe this adjustment aligns with the overall vision of the project and will contribute positively to the community. In conclusion, we request the City of Steamboat Springs Planning Department approve the variance as outlined herein acceptable for the development plan of the Village Drive Townhomes.

4. New Private Stair and Sidewalk Connection

The project is proposing to install a new sidewalk and stair connection from the north end of the proposed common driveway to the new Walton Creek Road eight foot wide sidewalk. The new sidewalk will provide a better access for residents in the five plex toward the ski resort and pedestrian paths in the area. The sidewalk and stairs will be privately maintained.

5. Sanitary Sewer Revision

The sanitary sewer plan is a revised alignment that is approved by the Mt. Werner Water and Sanitation District. The realignment was undertaken to alleviate an on-going maintenance issue with the sanitary sewer line in Village Drive. The existing sewer is over forty years old, is a shallow grade of 0.5±%, and has experienced blockages. The new alignment will include a new manhole in Village Drive and then continue west and north to connect with Walton Creek Road as shown on the plans.

6. Reduction of roadway width for the common roadway on the east side of the project by one foot.

The final design for the retaining wall on the east side of the project required two tiers of redi-rock walls. Due to the size of the blocks used in the wall design, one foot of horizontal width was lost in the common roadway. The common roadway will continue to provide sufficient width for the low volume of traffic and to accommodate access to the garages.

7. Boiler building and adjustment to cluster mail box location.

As noted above the original project approval included an undersized boiler building for the required square footage of heated concrete. The building was increased in size to accommodate the necessary boiler. This results in the shifting of the centerline of the roadway and a new location for the cluster mailbox.

8. Vacation of the electrical easement.

Four Points is making an application for vacation of the electrical easement. The electrical easement vacation was noted on the construction drawings as “vacated by resolution no. _____” but it was never completed or submitted. Yampa Valley Electrical is signing the vacation for the electrical only easement and has relocated the necessary infrastructure outside of the building area.

Conclusion

The above changes from the approved plans are in substantial conformance with the approved Village Drive Townhomes construction drawings and all the infrastructure will perform as originally designed.

Thank you for your review of the development plan and variance. We look forward to the review and future public meetings for the project.

Sincerely;

Walter Magill, P.E.
Four Points Surveying and Engineering

