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Jan 5, 2026

To the Planning Department and Planning Commission:

We are excited to introduce **Eddyline**, a 24-unit residential development designed specifically for the way Steamboat Springs lives. The name reflects both the project's riverfront setting and our vision for housing in the Yampa Valley: just as an eddyline marks the point where currents shift, this project represents our commitment to shifting the current toward attainably priced, thoughtfully designed homes for our community.

Eddyline will feature 24 new residences: 18 tiny-home style residences paired with oversized garages, along with six 1,400-square-foot riverfront homes—each with a 3-car garage. The unique site location places these new residences directly on the Yampa River Core Trail, with quick bike and pedestrian access to downtown and close proximity to the public transit system.

The 18 tiny homes embrace the best aspects of small-footprint living—efficient layouts, modern design, clever storage, and sustainable use of space—while addressing a reality prevalent in Steamboat: people here have gear. Whether it's skis, bikes, kayaks, or climbing equipment, our residents need room for the tools of their lifestyle. Oversized garages and additional storage make these homes not only livable but highly functional, offering what condos and apartments in the area often cannot. While we're not proposing specific Workforce Housing Units at this time, we are requesting *approval* for Workforce Units Use for all 18 tiny homes. We hope to deed restrict as many of them as possible, but are currently a bit timid to do so this far out from the sale of the units. If you can please review for the Workforce Use without it being a requirement, that would be very helpful.

The six riverfront homes provide more space for larger families while continuing this focus on functionality. With 3-car garages, these residences can comfortably accommodate vehicles and the recreational equipment that is part of everyday life in our valley.

While we recognize the urgent need for affordably priced housing, we also recognize the need for adaptability in design. For this reason, we have intentionally designed with excess parking, high ground floor height, and excessive glazing ratios, allowing for future conversion of their attached garages to acceptable light commercial uses.

This project arrives at a critical time, when creating housing options that are both attainable today and adaptable for tomorrow is essential. By offering storage-rich homes in a location connected to trails, transit, and the heart of downtown—while building in the flexibility to respond to future commercial demand—**Eddyline** represents a thoughtful, forward-looking approach to growth in Steamboat Springs. Like the river feature it is named for, this project stands at the meeting of currents, carrying our community toward a more balanced, sustainable, and attainable housing future.

Thank you for your time and consideration,  
Sincerely,  
Calais Kruse and the Team at Kruse Builders

## Development Plan - Public Hearing: Eddyline Development

### 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.*

The area includes existing developments on the same lot—previously subdivided into townhomes—as well as a neighboring residential PUD across Shield Drive, known as Streamside. On the same lot, the adjacent development features Work/Live commercial townhome units and a large commercial-only building that houses an electrical supply company, a gymnastics gym, the Public Defender’s Office, a dance studio, and other tenants. It is close to the Commercial Node at Elk River Road and Hwy 40, providing residents with access to many of Steamboat’s core amenities.

The proposed addition of residential units would create a horizontal mix of uses across the lot and complement the predominantly commercial character of the Mixed Use Corridor. As identified in the SSCAP, the target mix of uses in this corridor is 25% residential, with such uses encouraged outside of the designated Commercial Nodes (see Q1 in the Conditional Use Narrative for additional detail).

The development is also intentionally designed for adaptability, allowing it to evolve with the character of the area. This is achieved by providing a substantial surplus of parking beyond current requirements and by retaining several commercial design standards often reduced or waived entirely in residential projects, including glazing and ground floor height, to support long-term flexibility.

*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.*

The development has been designed in compliance with required high-water-line setbacks, and all necessary water treatment facilities have been incorporated. Because there is no existing vegetation on the site and the natural landforms remain largely unchanged, the project avoids disruption to existing natural features. Compared with the high-intensity commercial uses otherwise permitted in this zone district, a residential development presents a substantially lower impact on the natural environment.

*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.*

The development provides sufficient vehicular access along with a substantial surplus of parking beyond what is required. In addition, pedestrian facilities have been a particular focus of the design, given the site’s proximity to both the river and the Core Trail.

*4. The Development Plan complies with all applicable requirements of this CDC.*

We respectfully disagree with staff and believe that Standard 437.D.1 (**Access**) has been met: *“Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas.”* Our applicant’s interpretation, based on the plain language and structure of the Code, holds that the standard requires that access orients to (or faces) public areas, and does not impose qualitative design requirements. Please view page A-1 of the Architectural Plan set and WI-25-03.

Where architectural prominence of entrances is intended, it is clearly and expressly stated in the Code for other building types, including in the Base Area Standards (440.D), which contain the same orientation requirement as 437.D along with an additional, separate requirement addressing architectural importance (440.D.3). That language is notably absent from the multi-family access standards.

Inferring architectural importance from the term “primary” would add criteria not written into the Code, introduce subjectivity into a standard intended to be objective and measurable, and lead to inconsistent

application of the regulations. While we are grateful for the back and forth we experienced during design review, the importance of keeping these units affordable had us deciding to stand our ground on this Standard. The addition of the requested ground-level “porches” would add hundreds of thousands of dollars to a project that is intended to add 18 attainable housing units to our city’s desperately needed supply. It would also unnecessarily degrade the small outdoor living space allotted to each unit that is intended as a play area for children and pets alike.

Upon the final review, staff also added that they do not believe the project has met Standard 437.C.1 (**Building Placement and Orientation**) has been met: *“Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas.”*

Buildings were placed to define the edge of the Core Trail to the extent possible on a chopped up triangular lot. Access is provided to the Core Trail from each Unit via entry doors and entry gates that both orient to (or face) the Core Trail. To be frank, if this building placement does not “define the edges of” and “orient to” the Core Trail, we’re unsure what would. Please see Page A-1 of the Architectural Plan Set for more details.

*5. The Development Plan is in substantial conformance with an approved Conceptual Development Plan, if applicable.*

Not Applicable.

## **Conditional Use - Multiple Family Residential in the CS Zone District**

(please see exhibit on Plan Set page A6)

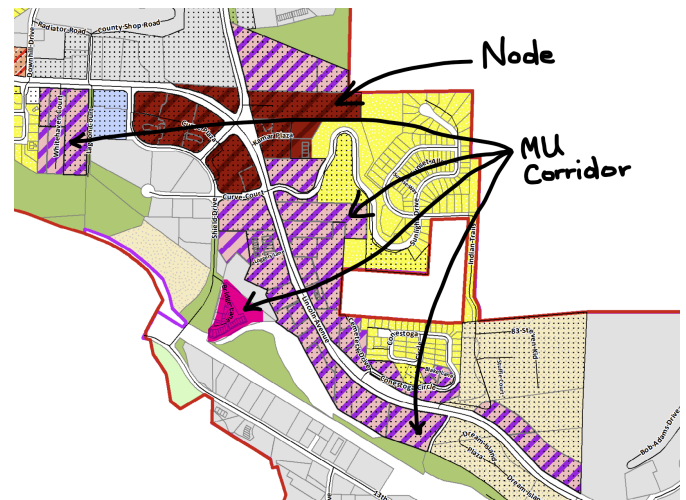
MF Residential is always a Conditional Use in the CS Zone District. (CDC Table 300-1)

### 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.*

Please see the Conditional Use Exhibit on the Architectural set page A-6. In 2024, the lot was reclassified through a Community Plan Amendment, designating it as a Multi-Use Corridor on the Future Land Use Map. The Community Area Plan provides clear direction for this designation, stating: *“Existing commercial development along highway corridors shall evolve...with...mixed-use Commercial Activity Nodes at key intersections”* (LU 4.1). It specifically identifies Elk River Road/US 40 as one of these key Commercial Activity Nodes, and further directs that *“In the areas between these nodes, over time the development should become less intensely commercial with a higher mix of residential uses”* (LU 4.2).

The definition of a Mixed Use Corridor reinforces this intent: *“While much of the lands in the Mixed Use Corridor classification are developed for commercial purposes, it is intended that over time these areas have a higher percentage of residential uses. North of 13th Street, the long-term target for a mix of uses is 75% commercial and 25% residential... Furthermore, while the development currently is auto-oriented, future development should place a strong emphasis on pedestrian connections.”* This project represents a meaningful step toward achieving the 25% residential target for the corridor. Its location directly on the Core Trail also aligns with the stated goals of the Use Area by providing the City’s most significant bike and pedestrian access, along with convenient connections to downtown and public transit.



Finally, there are numerous policies within the SSACP that highlight the urgent need for housing—particularly affordably priced housing—this project directly addresses that critical community priority. That includes Goal H-1 to “continue to increase its supply of affordable home ownership, rental and special needs housing units for low, moderate and median-income households.

2. *The proposed use is consistent with the purpose of the zone district.*

Table 300-1 defines MF Residential as a Conditional Use in the CS Zone. “Conditional Uses are uses that may be consistent with the purpose of the zone district and may further the preferred direction and policies of the Community Plan; however, Conditional Uses may have greater impacts to surrounding properties and the community than By-Right and Limited Uses.” (300.D.3) Conditional Uses are subject to additional criteria, but “shall be approved” if that criteria are met.

The lot, as a whole, contains high-intensity commercial uses within the existing structures, including an electrical supply store, gymnasium, dance studios, and the Public Defender’s Offices. Additional commercial uses are located in the townhomes south of the commercial building, which currently house a plumber’s warehouse, a transit company’s warehouse, and a metalworker, amongst others.

Within the Corridor area, the only significant residential uses we could identify are located on this lot and in the two YVHA developments—one at the base of Sunlight and the other at the corner of Elk River Road. All of these properties are also zoned CS, and two of them are exclusively residential.

The CS zone district “emphasizes pedestrian-friendly development and multi-modal access”. While high-intensity commercial uses are particularly well-suited for the frontage along Highway 40, a lot situated between the Core Trail and the Yampa River is ideally positioned to support the higher mix of residential uses envisioned as a goal within the area plan.

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.*

The proposed multi-family use, which provides a substantial surplus of parking, is not anticipated to create any negative impacts on surrounding properties. On the contrary, it offers a clear community benefit by introducing affordably priced, for-sale housing units—an option currently in critical short supply. In addition, the location of these homes adjacent to the Core Trail and public transit helps to reduce odors, traffic, and congestion both within the immediate area and in the downtown core more broadly. High garages further mitigate any impacts due to potential loss of Commercial Lands by maintaining adaptability (see Ground Story Height Variance Request, Plan Set page A6).

Commercial Use could have been proposed within this portion of the lot as well, but the potential negative impact of this perceived loss has been mitigated with a **horizontal** mix of uses within the overall development, focusing the bulk of Commercial Uses along Shield Drive and, to a smaller extent, within the neighboring Commercial Work/Live units.

4. *The proposed use complies with all other applicable requirements of this CDC.*

Staff has expressed support for both conditional uses throughout the review process, and we’re told the only sticking point is that they do not believe that the project complies with two standards required by the CDC.

We respectfully disagree with staff and believe that Standard 437.D.1 (**Access**) has been met: *“Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas.”* Our applicant’s interpretation, based on the plain language and structure of the Code, holds that the standard requires that access orients to (or faces) public areas, and does not impose qualitative design requirements. Please view page A-1 of the Architectural Plan set and WI-25-03.

Where architectural prominence of entrances is intended, it is clearly and expressly stated in the Code for other building types, including in the Base Area Standards (440.D), which contain the same orientation requirement as 437.D along with an additional, separate requirement addressing architectural importance (440.D.3). That language is notably absent from the multi-family access standards.

Inferring architectural importance from the term “primary” would add criteria not written into the Code, introduce subjectivity into a standard intended to be objective and measurable, and lead to inconsistent application of the regulations. While we are grateful for the back and forth we experienced during design review, the importance of keeping these units affordable had us deciding to stand our ground on this Standard. The addition of the requested ground-level “porches” would add hundreds of thousands of dollars to a project that is intended to add 18 attainable housing units to our city’s desperately needed supply. It would also unnecessarily degrade the small outdoor living space allotted to each unit that is intended as a play area for children and pets alike - something greatly valued by Steamboat’s local workforce.

Upon the final review, staff also added that they do not believe the project has met Standard 437.C.1 (**Building Placement and Orientation**) has been met: *“Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas.”* Buildings were placed to define the edge of the Core Trail to the extent possible on a chopped up triangular lot. Access is provided to the Core Trail from each Unit via entry doors and entry gates that both orient to (or face) the Core Trail. To be frank, if this building placement does not “define the edges of” and “orient to” the Core Trail, we’re unsure what would. Please see Page A-1 of the Architectural Plan Set for more details.

## Conditional Use - Workforce Unit within Pedestrian-Active Building Frontage

(please see exhibit on Plan Set page A6)

### 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.*

The proposed use provides housing affordability for our workforce, which is woven throughout the Community Plan. It is an uncommon, if not non-existent, form of housing provided in the way of tiny homes, which is supported by our goal to provide many forms of housing types. This directly advances Goal H-1 of the Area Community Plan: “Steamboat Springs will increase its supply of **affordable home ownership**, rental, and special needs housing units for **low, moderate, and median income households**.” and Policy H-1.3, which states that we must “**Integrate housing in mixed-use areas**”. It directly mirrors the suggestions in Policy H-3.1: “New Development will incorporate a **Mixture of Housing Types**” by adding a private-sector development that includes new and varied housing sizes and types, specifically focusing on affordability and access to public transportation and core trail access within a mixed-use development.

Additionally, the Land Use chapter emphasizes a “functional, compact, and mixed-use pattern that integrates and **balances residential and non-residential land uses**” (Goal LU-1), and encourages development of housing in **compact mixed-use neighborhoods** within the Urban Growth Boundary (Policy LU-1.2). It also specifically highlights this Mixed Use Corridor for a mixture of uses and suggests that a higher density of residential should be provided further away from the commercial node found at the corner of 40 and Elk River Road. (please see also Q1 for CU on the prior page for MF Housing in CS Zone). Policy LU-1.3 calls for New development to “**create a reasonable balance between jobs and housing**,” and Strategy LU-1.3(a) asks for us to monitor the **jobs-to-housing ratio**. While I was unable to find specific jobs-to-housing ratios for the present day, the SSCAMP states that in 2004 it was 1.5 jobs for every housing unit, and also stated that we were at a shortfall of 1200 units at the time. According to recent data, we are now at a shortfall of 1400 units, so I would make an educated guess that we are at a greater ratio today, and the “reasonable balance” required by the SSCAMP would be even more heavily weighted towards housing over jobs than it was in 2004 when it was written. We have clearly been prioritizing Commercial Use and jobs over housing during development review.

Together, these policies show that the project not only aligns with, but actively implements, the Community Plan’s preferred direction of providing diverse, affordable workforce housing in appropriate infill locations.

2. *The proposed use is consistent with the purpose of the zone district.*

Please see the Conditional Use Exhibit on the Architectural set page A-6. Workforce Unit is a Limited Use with a Permit in the CS Zone District (Table 300-1), meaning that the CDC itself states that the use is appropriate within the zone. 6 of 18 tiny homes meet all standards and thereby are allowed within the CS zone. However, the other 12 tiny homes abut the Core Trail. In the CS zone district, workforce units shall not be located within the pedestrian-active building frontage (301.B.5.b), and when specific use standards are not met, the use shall be considered and reviewed as a Conditional Use (300.D.2.a). However, that procedural requirement does not alter the underlying determination that Workforce Housing is an appropriate and complementary use within the CS Zone District, as it is in almost all non-residential zones within City Limits.

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.*

The 6' partially transparent fencing proposed along the core trail benefits both residents and trail users: residents gain a sense of separation and privacy, while trail users are able to enjoy the public space knowing that dogs and children playing in the fenced area are not able to jump a 4' fence and suddenly dart in front of their bike. The fencing therefore ensures compatibility and minimizes any potential negative visual or spatial impacts. Commercial Use could have been proposed within this frontage, but the potential negative impact of this perceived loss has been mitigated with a **horizontal** mix of uses within the overall development, focusing the bulk of Commercial Uses along Shield Drive and, to a smaller extent, within the neighboring Commercial Work/Live units.

4. *The proposed use complies with all other applicable requirements of this CDC.*

Staff has expressed support for both conditional uses throughout the review process, and we're told the only sticking point is that they do not believe that the project complies with two standards required by the CDC.

We respectfully disagree with staff and believe that Standard 437.D.1 (**Access**) has been met: *"Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas."* Our applicant's interpretation, based on the plain language and structure of the Code, holds that the standard requires that access orients to (or faces) public areas, and does not impose qualitative design requirements. Please view page A-1 of the Architectural Plan set and WI-25-03.

Where architectural prominence of entrances is intended, it is clearly and expressly stated in the Code for other building types, including in the Base Area Standards (440.D), which contain the same orientation requirement as 437.D along with an additional, separate requirement addressing architectural importance (440.D.3). That language is notably absent from the multi-family access standards.

Inferring architectural importance from the term "primary" would add criteria not written into the Code, introduce subjectivity into a standard intended to be objective and measurable, and lead to inconsistent application of the regulations. While we are grateful for the back and forth we experienced during design review, the importance of keeping these units affordable had us deciding to stand our ground on this Standard. The addition of the requested ground-level "porches" would add hundreds of thousands of dollars to a project that is intended to add 18 attainable housing units to our city's desperately needed supply. It would also unnecessarily degrade the small outdoor living space allotted to each unit that is intended as a play area for children and pets alike - something greatly valued by Steamboat's local workforce.

Upon the final review, staff also added that they do not believe the project has met Standard 437.C.1 (**Building Placement and Orientation**) has been met: *"Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas."* Buildings were placed to define the edge of the Core Trail to the extent possible on a chopped up triangular lot. Access is provided to the Core Trail from each Unit via entry doors and entry gates that both orient to (or face) the Core Trail. To be frank, if this building placement does not "define the edges of" and "orient to" the Core Trail, we're unsure what would. Please see Page A-1 of the Architectural Plan Set for more details.

**VARIANCE - Modify Minimum Ground Story Height to Average Ground Story Height**

(please see exhibit on Plan Set page A6)

719.D 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.*

We could foresee no possible adverse impacts to uses on the adjacent property, but are willing to mitigate if staff, commissioners, or council sees otherwise.

2. *The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.*

The variance advances the Plan’s direction to “support a variety of affordable housing options that are integrated throughout the community” while “ensuring that the scale, form, and quality of housing development is compatible with surrounding development.” (Policy H-1.2) By averaging a ground-floor height above the minimum (rather than enforcing a uniform minimum height), we can deliver varied unit layouts and meaningful storage while maintaining compatible character. It also furthers the goal to “integrate housing in mixed-use areas and close to” commercial and other employment areas, such as the Commercial Node at Elk River/Hwy 40, helping to “promote a greater diversity of housing opportunities” (Policy H-1.3). Finally, the flexible, high-performing ground floor supports the City’s strategy to encourage mixed-use infill development while preserving adaptability for potential future commercial use. This ability to adapt to changing economic and social conditions has been possible because of the community understanding its past and proactively defining its future.” (Intro SSCAP)

3. *The Variance application meets either the criteria for unnecessary hardship or practical difficulty, as applicable, or the criteria for an acceptable alternative:*

*b. Acceptable Alternative: (iii. The application of other code standards, purposes, or intents will be improved by varying the standard:)*

Our request provides an alternative that is equal or better in both value and purpose: a Ground Story Height **average** that is nearly one foot higher than the **minimum** standard. The intent of the Ground Story Height requirement is to ensure that ground floors remain adaptable to future potential uses. By maintaining or exceeding the 14-foot minimum within garage areas, we preserve that intended adaptability. At the same time, allowing lower plate heights in the residential areas enhances livability and creates more proportionate, comfortable stairways for the residential units that are proposed and are likely to remain for many years to come. Please see the Variance Exhibit on the Architectural set page A-6

**VARIANCE - Modify Minimum Glazing Ratio on 1 of 16 facades**

(please see exhibit on Plan Set page A6)

719.D 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.*

There is no way to mitigate the impacts of the privacy lost when windows face one another from a distance of ~11'. We believe that varying the glazing minimum on this facade produces **only** benefits for the adjacent property.

2. *The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.*

This variance is consistent with the Steamboat Springs Area Community Plan. **Goal CD-1** calls for preserving small-town character through high-quality building design (Policy CD-1.4:) and “maintaining a continuation of traditional development patterns in new neighborhoods”. Reducing glazing on the west façade supports this goal by protecting neighbor privacy. Since this area was originally developed as an industrial district, where façades typically have fewer windows, the proposed reduction is both compatible and contextual.

3. *The Variance application meets either the criteria for unnecessary hardship or practical difficulty, as applicable, or the criteria for an acceptable alternative:*

Our request provides an alternative that is equal or better in both value and purpose: Meeting minimum glazing guidelines on the west facade of the Riverfront Building would deteriorate the privacy of both the unit we're building and the existing neighboring unit, which sits merely 11' away. Our proposal, instead, shifts the glazing emphasis to the front and rear elevations — the locations with the greatest public approach and best views. By doing so, we not only exceed the intent of the glazing minimum, but also create a more livable, and coherent building design. The alternative plan proposes glazing far in excess of minimum requirements on these primary facades, following the Guideline intended to help *guide* proposed variances within the CDC: "Extensive glazing should be utilized to take advantage of views..." (437.H.5.a) Please see the Variance Exhibit on the Architectural set page A-6

## **WRITTEN INTERPRETATION WI-25-03**

**DATE:** December 15, 2025

**SUBJECT:** Multiple-Family Residential Buildings Design Standards

**CDC REFERENCE:** Sections 437.D.1 and 437.C.1.a

Per Community Development Code (CDC) Section 100.E, the Planning and Community Development Director may promulgate and issue written administrative interpretations of the CDC as may be necessary to promote uniformity in the application of the CDC.

This written interpretation seeks to clarify the application of the Design Standard for Access, CDC Section 437.D.1, "Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas."

The Director finds that following code sections help to inform the intent of Section 437.D.1:

- Section 802, Definition of the term Orientation: "The relationship of a structure to the streetscape, parking lots, sidewalks, surrounding structure, and landforms". This relationship is not defined but is understood to mean the way in which a structure is connected to the features referenced. Such connection or relationship may be shaped or formed by an assemblage of architectural and landscape architectural elements that when combined meet an intended purpose.
- Section 435.D.1.b.iii, Purpose of Access Category: "Promote pedestrian scale and interaction by providing direct access to residences on the ground floor of buildings fronting... pedestrian circulation...".
- Section 435.D.1.a, Purpose of Building Placement and Orientation Category: includes references to a pedestrian-friendly scale at the street level, the use of porches and stoops that are typical of residential entries, and public spaces that reinforce pedestrian activity and create a 'sense of place' around... pedestrian circulation.
- Section 435.D.3, Guidelines: "Guidelines provide considerations to promote the goals defined by the purpose statements... they are considered relevant to the purpose..."
- Section 437.D.2, Guidelines for Access: "Building entries should enhance activity and vitality in public areas as well as facilitate wayfinding" and "Ground floor units in multi-story buildings should include individual ground floor entries to facilitate activity and safety."

**Other Specific Items:**

**A. Limited Use - Permit: Workforce Units in the CS Zone District**

All use standards have been met.

- a. Workforce unit are not located within the pedestrian-active building frontage (CS standard).
- b. Workforce units do not exceed 1,000 square feet gross floor area.
- c. The deed restriction for the workforce unit shall be reviewed and approved by the City and recorded with the Routt County Clerk and Recorder.

**B. Parking Calculations**

Parking Requirements:

**CALCULATION IF ALL UNITS ARE MF RESIDENTIAL:**

Multiple Family Residential	Proposed	Required
1 bds: 1.5 per du 3	18	27
2-3 bds: 2 per du 3	6	12
<b>TOTAL REQUIRED</b>		<b>39</b>
<b>TOTAL PROPOSED</b>		<b>52</b>

**CALCULATION IF HALF TINY UNITS ARE WORKFORCE:**

Multiple Family Residential	Proposed	Required
1 bds: 1.5 per du 3	9	13.5
2-3 bds: 2 per du 3	6	12
Workforce Unit		
1 per du	9	9
<b>TOTAL REQUIRED</b>		<b>35</b>
<b>TOTAL PROPOSED</b>		<b>52</b>

**Theoretical: CALCULATION IF 8 GARAGES CONVERT TO COMMERCIAL USE:**

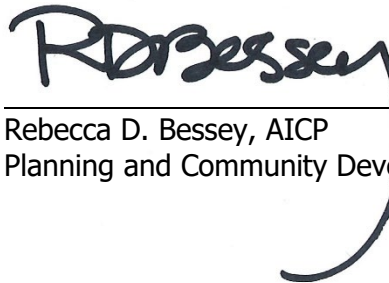
As noted in our narrative, our goal is to maximize flexibility, so we are providing an example of how parking calculations would apply if some units converted garages (reducing parking) to potential commercial uses requiring additional parking:

Multiple Family Residential	Proposed du	Required
1 bds: 1.5 per du	9 du	13.5
2-3 bds: 2 per du	6 du	12
Workforce Unit		
1 per du	9 du	9
Studio, Instruction	8 du	
1 per 300 sf	2216 sf	7.4
<b>TOTAL REQUIRED</b>		<b>42</b>
<b>TOTAL PROPOSED</b>		<b>44</b>

- Section 437.C.1.a, Standard for Building Placement and Orientation: "Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas."
- Section 437.C.2.b, Guideline for Building Placement and Orientation: "Development should be placed and oriented in a manner that is consistent with the traditional or desired development pattern within its immediate context as defined by the established zone district".
- Section 224.A, Purpose of CS Zone District: states the zone district "emphasizes pedestrian-friendly development and multi-modal access."

To determine compliance with whether access is "prioritized" or otherwise "primary", no definitions in the CDC exist. Per Section 800.A.3, words, phrases, terms, and uses not defined in this CDC or in other portions of the Municipal Code shall be given their usual and customary meanings as found in the most current edition of Webster's Dictionary except where the context clearly indicates a different meaning. By this direction, "primary" shall mean "of chief importance; principal" and "prioritized" shall mean "designate as more important". Where more than one entry exists, importance must be exhibited over alternate entrances through orientation and the aforementioned architectural and landscape architectural elements.

The Planning Director acknowledges there is no explicit metric for interpretation of Section 437.D.1 and that the other code sections noted above provide guidance in interpretation of said standard. The Director also acknowledges that design standards with no explicit metric will inherently produce a level of subjectivity. This subjectivity and ultimate compliance will be at the discretion of the decision maker(s).



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Rebecca D. Bessey, AICP  
Planning and Community Development Director



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## The Standard in Question:

The text focuses on **orientation** and is within a section called "Access" Standards.

### 437.D Access

#### 1. Standard

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

#### 2. Guidelines

- a. Building entries should enhance activity and vitality in public areas as well as facilitate wayfinding.
- b. Ground floor units in multi-story buildings should include individual ground floor entries to facilitate activity and safety.

## Purpose vs Standards vs Guidelines:

We'd first like to point out the difference between Purpose, Standards and Guidelines as defined by 400.C.:

**Standards:** "Development and design standards are *objective and typically measurable* criteria that provide *specific requirements* for compliance.... Compliance with the standards is assumed to result in development that achieves the purpose of the standard."

**Guidelines:** "Guidelines, where included, provide considerations to promote the goals defined by the purpose statements...Guidelines shall be considered when evaluating a Variance or Adjustment to the standard."

**Purpose:** "Purpose statements are provided to define goals which the standards and guidelines have been created to achieve. In circumstances where the appropriateness, applicability, or feasibility of a standard or guideline is in question or under consideration, the purpose statement shall provide direction."

In plain language, if a standard is met, then it is assumed that the development achieves the purpose of that standard. Standards are provided with the intention to be *objective, specific, and typically measurable* requirements for compliance. Guidelines, on the other hand, come into play when considering Variances or Adjustments. However, in this case, when we are evaluating the "objective" (400.C) meaning of a Standard, it seems appropriate to look to applicable guidelines for additional intention behind the Purpose itself, and thus the Standards that achieve that purpose. We find that both Standards and the Guidelines that support them specifically omit mention of architectural detail being required for Multi-Family Building Types:

### Standards:

The director's interpretation notes that the Standard intends to require an inferred degree of architectural importance to the entrances. We find that Standards for Multiple Family Building Access Standards actually *omit* reference to architectural importance found within Standards for other building types. Where the Code includes explicit requirements for certain building types and omits them for others, that omission must be given effect.

Base Area Design Standards include the *same* standard shown in 437.D.1 and then add two additional requirements. Each is unique in purpose: one speaks to **orientation**, the second to **individual entrances**, and the last speaks to the **architectural nature** of the primary building entrances:

440.D Access
1. Standards
a. Buildings shall prioritize orientation of primary entries to predominant public and private streets, pedestrian circulation, and gathering areas.
b. Each individual nonresidential space with exterior frontage on the ground floor of a multi-tenant building shall have individual public access from the outside.
c. Primary building entrances shall be clearly distinguished and prominent.
2. Guideline
Buildings should prioritize orientation of primary entries to predominant public and private streets, pedestrian circulation, and gathering areas.

**Guidelines:**

The Director’s interpretation states that the Guidelines applicable to the Standard in question address the primary nature of building entrances. However, the Guidelines for Multiple-Family Building Access Standards do **not** reference architectural importance, prominence, or distinction—language that is explicitly included in the Guidelines for other building types.

For example, the Commercial Old Town (441.D.2.a) and Commercial Oak (444.D.2) design standards include access guidelines that expressly address the architectural importance of entrances. No comparable guideline appears in the Multi-Family Building Type Access Guidelines.

The absence of such language within the Multi-Family building type standards appears intentional, or at minimum, reflects how the Code is currently written. Guidelines further support the interpretation to the plain, face-value reading of Standard 437.D.1: that its requirement is limited to the orientation of pedestrian entrances toward public areas.

§ 444.D
2. Guideline
Primary building entrances should be clearly defined and oriented toward the street.

**Purpose:**

As you’ll recall, the Standard in Question is found within the “Access” section of the Design Standards. The purpose of section can be found in Section 435. None of these purpose statements speak to the architectural importance of entrances being an across-the-board purpose of the section. The closest is guidance around wayfinding, followed by recommendation that wayfinding is specifically achieved by the orientation of the access towards public areas.

b. Access
i. Facilitate ease of wayfinding and access by orienting public access to primary public and private streets, pedestrian circulation, and gathering areas.
ii. Promote pedestrian scale and interaction by providing high levels of transparency on the ground floors of commercial buildings fronting primary public and private streets, pedestrian circulation, and gathering areas.
iii. Promote pedestrian scale and interaction by providing direct access to residences on the ground floors of buildings fronting primary public and private streets, pedestrian circulation, and gathering areas.

## **Additional Response to Staff Arguments:**

**Section 802:** Definition of *Orientation*: “The *relationship* of a structure to the streetscape, parking lots, sidewalks, surrounding structure, and landforms”

Staff states that “This *relationship* is not defined but is understood to mean the way in which a structure is connected to the features referenced. Such connection or relationship may be shaped or formed by an assemblage of architectural and landscape architectural elements that when combined meet an intended purpose.”

This is actually quite alarming to us. If this definition of “relationship” were acceptable, it opens up the door for any manner of additional “connections” or “elements” to be required that are not explicitly stated in code, which would undermine the intention that Standards be objective and typically measurable. Such an interpretation would introduce uncertainty into the application of Standards well beyond this case.

**Section 345.C:** Staff cites Standards, Guidelines, and Purpose statements from the “Building Placement and Orientation” section. However, the Standard in question is located in the “Access” section (437.D), and we do not see how provisions from a different section are applicable to its interpretation.

**Section 224.A:** We have requested interpretation of a standard that applies within several zone districts, and are uncertain how a specific Zone District purpose is applicable to the interpretation.

## **Conclusion**

While we understand that the inclusion of the word “primary” has informed Staff’s interpretation, its plain-language function may instead be far simpler: **when multiple entrances exist, the Standard applies to one entrance rather than all of them.** It does not establish criteria for architectural prominence nor does it define primary versus secondary entrances. Where such requirements are intended, the CDC addresses them explicitly, and those can be found in other sections that do not apply to Multiple-Family building types. Where the Code includes explicit requirements for certain building types and omits them for others, that omission must be given effect. Interpreting “primary” to impose additional qualitative requirements would effectively add criteria not stated in the Standard.

This appeal to WI 25-03 is based solely on the plain language of the Code, not on inferred meanings that are not expressly stated. Standard 437.D.1 requires orientation of entrances toward public areas. As Standards are intended to be objective and typically measurable, inferred meaning should be avoided. Clear and objective interpretation benefits both applicants and reviewers by ensuring predictability and consistent application of the Code. We respectfully request that Planning Commission and/or City Council revise the interpretation to one that aligns with the existing language within the Code.