



August 17, 2021

City of Steamboat Springs  
Planning Department  
PO Box 775088  
Steamboat Springs, CO 80477

RE: Major Variance Request – Lot Width Standard  
PS21-0137  
Lots A & B, Mountain Office Park Subdivision, Steamboat Springs, CO

Ladies and Gentlemen:

On behalf of the Sunscope, LLC, a Texas Limited Liability Company (Applicant), we are submitting a Major Variance request associated with the Preliminary Plat application for Lots A and B, Mountain Office Park Subdivision. This request has been developed to address the criteria specific to the Major Variance requirements as described in Section 719.D of the Community Development Code (CDC).

**Background:** Future development plans for the property are not applicable to this subdivision project, and could be removed from the narratives as future development may or may not occur as stated.

The Applicant is planning to invest substantial effort and capital to replat and redevelop the existing building located on Lots A and B of the Mountain Office Park Subdivision. The Applicant has recently purchased the KMFU building at 2955 Village Drive and the adjacent lot to the north which contains a parking lot associated with the building. They are planning to convert the building from a general office building to a multifamily, 8-unit, residential building. To comply with various building code setbacks, the project is required to vacate the lot line between Lot A and Lot B of the Mountain Office Park Subdivision. The proposed replat will eliminate a nonconforming lot and a nonconforming structure. The proposed redevelopment will increase the housing supply in the mountain area and increase the residential density in this area.

The property owner may apply for the approval of additional development and improvements via a future Development Plan application. These improvements have not been included with this Preliminary Plat application.

This Preliminary Plat application is intended to facilitate the replat and redevelopment of the subject parcels in a manner that is more consistent with both the Community Development Code (CDC) and the Community Plan (CP) as outlined in more detail throughout this request. Specifically, CDC Section 104.A.2 states:

*The intent of this Section is to apply standards that will eliminate legal nonconforming structures as speedily as possible.*

And CDC Section 105.A.2 states:

*The intent of this Section is to apply standards that will eliminate legal nonconforming lots as speedily as possible.*

## Lots A & B, Mountain Office Park Subdivision Preliminary Plat – Major Variance Request



Because the plat is not developing housing, any reference to future development of housing is not applicable to this project. Housing cannot be used as a justification for the variance, unless a deed restriction is being placed on the plat that will restrict future development to residential development only or unless there is a deed restriction on the plat for workforce or affordable housing.

Furthermore, CP Chapter 9, Goal H-1 states:

*Our community will continue to increase its supply of affordable home ownership, rental, and special needs housing units for low, moderate, and median-income households.*

And CP Chapter 9, Goal H-3 states:

*The Steamboat Springs community will have a mix of housing types and styles that can accommodate the people who work in the community.*

This location is not in a "core area" and is not in an activity node

Without sidewalk connections I'm not sure this goal is met

I'm not sure if all of these statements apply to this project

- Goal LU-2: Our community supports infill and redevelopment in core areas
- Policy LU-2.1: Infill and redevelopment will occur in appropriate locations, as designated by the city
- Goal LU-4: Our community will promote the development of compact Commercial Activity Nodes and a mixed-use corridor along US 40 between commercial nodes
- Goal LU-5: Our community will plan and implement land use patterns that support an efficient transportation system and alternative transportation nodes
- Policy LU-5.1: Develop appropriate land use densities to support transit
- Strategy LU-5.1(b): Coordinate Land Use and Transportation decisions
- Policy LU-5.2: New neighborhoods will be well connected by streets, sidewalks, trails, walkways and bicycle lanes.
- Policy GM-1.3: Infill development and redevelopment will be promoted in targeted areas
- Policy CD-1.4: Encourage high quality site planning and design
- Policy CD-2.2: Create a functional mix of uses in new neighborhoods and development areas
- Goal CD-4: Our community will maintain and improve the appearance of its corridors and gateways and will continue to have vibrant public space
- Policy CD-4.1: Major highways and arterials shall maintain a high quality of design
- Goal H-1: Our community will continue to increase its supply of affordable home ownership, rental, and special needs housing units for low, moderate and median-income households
- Policy H-1.3: Integrate housing in mixed-use areas
- Strategy H2.2(a): Continue public-private partnerships
- Goal H-3: The Steamboat Springs community will have a mix of housing types and styles that can accommodate the people who work in the community

The existing KFMU building is situated within the side setback of Lot B, making it a nonconforming structure. Furthermore, both Lot A and Lot B exceed the maximum lot width standard for the Commercial Neighborhood (CN) zone district making them both existing nonconforming lots. Finally, one of the two parking lots that serve the building is not located on the same lot as the building itself.

The approval of this variance request along with the recording of the forthcoming Final Plat would eliminate the existing lot line that divides Lots A and B. In doing so, a nonconforming lot would be eliminated, a nonconforming structure would be brought into compliance with the zone district standards,



141 9th St • Steamboat Springs  
CO 80477 • (970) 871-9494  
www.landmark-co.com



and the proposed residential infill development project would be able to proceed, which satisfies the CDC Standards and Community Plan Goals outlined above.

To that end, Landmark Consultants, Inc. (Landmark) has prepared this Major Variance Request to accompany the Preliminary Plat application package. We have organized this narrative to generally coincide with CDC Section 719.D – Criteria for Approval.

Thank you in advance for your time and careful consideration of this application

**Standard to be Varied:**

The CDC Standard requested to be varied is Zone District: Commercial Neighborhood, Dimensional Standards, Lot Width as described in Section 222.B. The CDC includes the following definition in Section 801.E:

*Lot width is the horizontal distance between the side lot lines, or whichever two lot lines intersect the front lot line, measured along a straight line connecting the points where the required front setback line intersects with the side lot lines.*

By this definition, neither Lot A nor Lot B are currently in conformance with the standard identified above. Due to the existing development's nonconformance, a continued variance to this standard is proposed and necessary based on our analysis in order to allow for the redevelopment of the existing building.

Please refer to the Preliminary Plat drawing package for specific dimension information and existing conditions of the subject properties.

**Criteria for Review and Approval:**

The following has been provided to assist Staff's review of the Criteria for Review and Approval per CDC Section 719.D:

**Criteria #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.*

Due to the fact that the variance requested applies to an internal lot line dividing two lots that are under the same ownership, no adjacent lots or rights-of-way will be modified. Therefore, there will be no adverse impacts to adjacent properties and no mitigation will be necessary.

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

Community Plan Goals H-1 and H-3 were previously referenced in this request, see above. Supporting this variance request will significantly promote the goals of the Community Plan by allowing for a residential infill development that will increase the supply of affordable housing for median-income households and by providing apartment units that broaden the mix of housing types and styles available to residents who work in the community.

*see comments above, Housing development is not part of this subdivision project , this justification will need to be revised.*



**Criteria #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:** The proposed development provides at least one of the following acceptable alternatives to the standard:

- i. The alternative achieves a result that is equal to or better than the code standard to which a variance is being sought; or
- ii. The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstances; or
- iii. **The application of other code standards, purposes, or intents will be improved by varying the standard.**

The combination of Lots A and B would bring an existing parking lot onto the same lot as the building it serves, eliminate a setback encroachment that is noncompliant with both the CN Zone District Standards and the International Building Code. The development proposed by the Applicant would also provide much-needed housing options for residents in a manner consistent with existing developments in the vicinity.

If you have any additional questions or need any additional information, please do not hesitate to call.

On behalf of the Applicant, The project is removing some nonconformities (building setback, separation of parking) but increasing others (lot width and number of driveways), additional justification may be needed to meet criteria 3. If other nonconformities are removed, see comments on site plan, and the rest of the lot is generally prepared for redevelopment by providing infrastructure, acceptable alternative iii may work to justify the variance with some revisions to the language.

Sincerely,  
Landmark Consultants, Inc.

Ryan Spaustat, PE  
President

As the housing is not proposed or included with this application a different justification may be needed for why the lot width needs to be wider than the maximum.

