

# ROUTT COUNTY PLANNING COMMISSION

## MINUTES

September 1 , 2022

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Brian Kelly, Bill Norris, Jim DeFrancia, Greg Jaeger, Linda Miller, Andrew Benjamin, and Paul Weese. Commissioner Ren Martyn was absent. Planning Director Kristy Winsler and staff planner Alan Goldich also attended. Sarah Katherman prepared the minutes.

### PUBLIC COMMENT

There was no public comment.

### MINUTES - August 4 , 2022

Commissioner Kelly moved to approve the above cited minutes, as written. Commissioner Miller seconded the motion. **The motion carried 8 - 0, with the Chair voting yes.**

**ACTIVITY: PL20220050**

**PETITIONER: Eagle Mountain Land Development, LLC**

**PETITION: Sketch Subdivision for a proposed medium density residential development project**

**LOCATION: LOT 8, SNOKOMO ESTATES ; LOT 9, SNOKOMO ESTATES FILING 2; LOT 9A, SNOKOMO ESTATES FILING 2; LOT 9B, SNOKOMO ESTATES FILING 2; located approximately .5 miles east of the intersection of CR 16 and CR 212**

Mr. Joe Wiedemeier of Four Point Surveying and Engineering, representing the petitioner, presented a site plan of the proposed residential development. He stated that Lot 8 is currently zoned High Density Residential (HDR) and that Lots 9, 9A and B are zoned General Residential (GR). He said that some earthwork has been done Lots 9, 9A and 9B to rough in the roads. He reviewed the proposal that would include five single-family residences, four duplexes and seven fourplexes, adding that this development would provide a wide range of housing types as well as open space and amenities. Mr. Wiedemeier said that 27% of the total acreage would remain as open space and would include a dog park, a playground and trails. Mr. Weidemeier presented a detailed site plan and indicated the location of these features, as well as the overflow parking areas. He said that the plan has taken into consideration future development and connectivity. He said that the development is in character with the surrounding developments. He stated that the proposal is in line with the Stagecoah Area Community Plan (SCAP), the Routt County Master Plan and the Routt County subdivision standards. No variances or exceptions will be requested. Mr.

Weidemeier reviewed the infrastructure that would serve the development, including roads, water, sewer, and stormwater management.

In response to a question from Commissioner Kelly, Mr Weidemeier confirmed that the roads would be paved, and that the south road would be 24' wide within a 30' right of way.

Commissioner Jaeger asked about the size of the dog park. Mr. Goldich said that area designated for the dog park is approximately 3200 sq. ft.

Commissioner Norris asked about the use of the open space and trails. Mr. Weidemeier said that they would be open to the public.

Chairman Warnke asked about the size of the fourplex units. Mr. Weidemeier that they would be in the 1200 - 1500 sq. ft. range, not including the garages.

Mr. Goldich noted that this is a Sketch Subdivision, which is conceptual in nature and is intended to determine the overall compliance of the proposal with the applicable plans. The review at this level is also intended to provide feedback to the applicant regarding suggested modifications and considerations for the next level of review. He stated that staff is recommending approval with the suggested Conditions of Approval (COAs).

Mr. Goldich reviewed the history of the property. In 1998, the Board approved Snokomo Estates F2, a subdivision of Lot 9 into the three lots (9, 9A, and 9B). Also at that time, a zone change from HDR to GR was approved for the three lots. In 2008 the Board approved Snokomo F3, a further subdivision of the current Lot 9 into two lots, however, the plat has not been recorded. A deadline for recording the plat was included in the approval but the previous owner requested several extensions of the deadline to record the plat. Each of these requests were granted. The current deadline to have the Snokomo F3 final plat recorded is July 8, 2024. The landowner is vested in the approval from 2008 as long as extensions to the deadline to record the plat are approved. In 2021, Lots 9, 9A, and 9B Snokomo Estates was approved for a Sketch Subdivision and Zone Change to Medium Density Residential.

Mr. Goldich reviewed the proposal that would allow for a total of 41 units on the 9.11-acre parcel. He stated that the number of single family homes to be located on the hill was reduced from six to five compared to the 2021 approval. The four duplex lots would all be on the side of the hill and the seven fourplexes would be located at the bottom of the hill. The fourplex units would each have a detached garage. Mr. Goldich reviewed the parking plan, the location of the trails, common area, dogpark and playground.

Mr. Goldich stated that this application was submitted prior to the adoption of the new 2022 Master Plan, and so was reviewed under the 2003 Master Plan. He noted that in the 2003 Master Plan, Stagecoach was designated as a Potential

Growth Center because of its existing platting, zoning (including Commercial), a special district, and an approved sub-area plan. In the 2022 Master Plan it is designated as a Tier II Target Growth Area because it has an approved sub-area plan, platted lots, zoning appropriate for higher density development, and a special district to support infrastructure to accommodate new growth. He stated that the Morrison Creek Metropolitan Water and Sanitation District has stated that its system has capacity to serve the proposed development. Mr. Goldich stated that page 5 of the SCAP states that the SCAP is advisory in nature and intended to serve as a guide for future development.

Mr. Goldich stated that six letters of opposition to the proposal had been received, all after the staff report was distributed. One letter was received prior to the cut off for consideration at this hearing. Mr. Goldich said that all of the letters would be included in the packet for the Board of County Commissioners' hearing. Mr. Goldich stated that most of the comments were with regard to negative visual impacts, particularly of the fourplex units, general non-compliance with the SCAP, density, traffic, and affordability. He said that if the application moves forward, a detailed traffic study would be a requirement at the Preliminary Subdivision review. He said that the Routt County Subdivision Regulations do not mention affordability and there are no standards that require this. Regarding density, Mr. Goldich stated that the issues for consideration are whether the proposed density is appropriate for this location and whether the proposal would create negative visual impacts that cannot be mitigated.

Commissioner Benjamin asked about the status of the 2021 approval for development on Lots 9, 9A and 9B. Mr. Goldich stated that the approval was of the Sketch Subdivision. That proposal would then need to go through Preliminary and Final approval before anything could be constructed. If the current petition is approved, it would supersede the 2021 approval. In response to a question from Commissioner Jaeger, Mr. Goldich stated that the zone change for those lots was approved, but was to be recorded in conjunction with the plat.

Commissioner Kelly asked about the setbacks for the fourplex buildings. Mr. Goldich acknowledged that the Routt County Subdivision Regulations are not set up for multi-family projects, so the setbacks would be based on the overall project property boundaries. In the HDR zone district the minimum setbacks are 15' from the front and rear property lines and 10' from the side property lines. Commissioner Kelly expressed concern that there would not be sufficient room within the right of way to accommodate the road and snow storage.

There was discussion of landscaping. Commissioner Benjamin noted that there are not standards for landscaping, so it is up to the applicant to propose a plan. Chairman Warnke suggested that the COA regarding landscaping should be clarified.

Commissioner Jaeger asked for a comparison of the density of this proposal to other nearby residential developments. Mr. Goldich stated that Red Hawk Village

has 29 single-family residences on 3 acres; Eagle's Watch has a total of 32 units on 6.8 acres. The proposal is for 41 units on 9 acres. Mr. Goldich presented a map of the area and indicated the location of various subdivisions as well as the zoning in the vicinity of the proposed development. The majority of the surrounding areas are zoned HDR.

### **Public Comment**

Mr. James Zimmerman, a resident of Red Hawk Village, asked about the height of the proposed fourplex units. Mr. Weidemeier stated that the dimensions of the buildings had not yet been determined. Mr. Zimmerman stated that these fourplex buildings are proposed to be located right at the edge of the property that borders all the homes along Sagebrush Trail, and if they are two-story buildings, which is likely for a fourplex, they will completely block the views from all of the homes on the backside of Red Hawk. He stated that the people who bought their home in Red Hawk did so because of the open space, views, and amenities. Mr. Zimmerman cited the ability to hike and ski to the reservoir, view wildlife, and enjoy the open space. He said all of this would be blocked by the proposed multi-family buildings. He stated that the proposal is not in conformity with the SCAP and that the development would negatively impact their property values. He said that the proposal would be an eyesore and asked Planning Commission to deny it.

Mr. Bob Woodmansee, a resident of Eagle's Watch, said that although he would not be directly impacted by the proposed development, he was concerned about the visual impact of the proposal as seen from CR 16. He said that the proposal contains too many buildings and would block the views of the reservoir. He also expressed concern that the homes on the hill would be skylined. Mr. Woodmansee said that the proposed dog park was too small to be useful and expressed concern with the traffic impact of the development on CR 16 and CR 14. He stated that the problems on these roads are something that the County should address, regardless of whether these 41 units are approved or not. Mr. Woodmansee noted that CPW had commented on the Columbian Sharp-tailed Grouse habitat in the vicinity and offered that the impact on habitat cannot be mitigated. He said that the proposal would constitute habitat fragmentation.

Mr. Chris Belton, a resident of Red Hawk Village stated his opposition to the project, citing the negative visual impacts of the development. He stated that all of the homes in the area have been situated to have views, and that the impact of the proposed development could not be mitigated. He stated that the development would have a negative impact on property values. He said that he had also spoken in opposition to the proposal approved in 2021. Mr. Belton offered that his comments are more than NIMBY-ism because the impact of the proposal is exacerbated by the topography. He said that because the property is higher than Red Hawk, it would have an exaggerated impact, which is different than the other multi-family developments in the area. He said that the development would affect many neighborhoods, not just Red Hawk Village. He

cited the SCAP which states that new development should minimize its impact on existing property owners.

Ms. Sarah Woodmansee, a resident of Eagle's Watch, stated that she is increasingly concerned with wildfire hazards and expressed concern that the proposed minimal setbacks and multi-family structures would increase fire danger. She offered that the design did not include a safety plan.

Ms. Betsy Blakeslee, a resident of the south side of Red Hawk Village, acknowledged that her comment was a NIMBY comment. She stated that the proposed development would literally be in her backyard. She said that the most significant impact would not be the high density, but rather the impact on the views and the aesthetics, which all who live in Stagecoach value highly. She said that she is very concerned with how close the proposed buildings would be to the existing homes in Red Hawk. She offered that a compromise could be reached that could increase the open space and allow for better aesthetics.

Ms. Alisa Bonelli, a resident of the north side of Red Hawk Village, stated her agreement with all of the previous comments regarding the impact of the proposal on the views, wildlife habitat and the need for a compromise. She expressed concern with the proximity of the trail and the buildings to her yard and noted that SPOA does not allow the construction of privacy fences. She said that the proposed structures are just too close to the existing homes and asked that Planning Commission deny the petition.

Ms. Barbara Fox, a resident of Red Hawk Village, stated her opposition to the project, citing the topography and the visual impact of building on the ridge. She agreed that the proposed development would be way too close to the existing homes, and that there were too many roads and too many buildings, particularly when you consider all of the garages.

Ms. Rose Zimmerman, a resident of Red Hawk Village, urged Planning Commission to visit the site prior to making any decision regarding the proposal. She said that better information was needed and that the impact of the proposal could not be fairly assessed without seeing it on the ground.

Mr. Mike Dieter, a resident of Red Hawk Village, stated his agreement with the previous comments. He agreed that the trail was too close to the existing homes and that the dog park was too small. He agreed that the project would impact property values, privacy, and views. He offered that the proposal was too dense for the location and does not seem to fit the character of what is already there. Mr. Dieter added that he is concerned with the impact on traffic and the impact of the construction. He said that the proposal should be modified to create more open space.

Seeing no further comment, Chairman Warnke closed public comment.

Mr. Goldich acknowledged that any new development would have impacts, and stated that the review of the application is limited to land use. He said that property values are not within the purview of the County's review and cannot be considered. Mr. Goldich stated that although staff is sympathetic with the potential impacts of the development, the owner of the subject property also has rights, and has the right to apply to develop the property. He described the levels of review of a subdivision proposal and said that not all details are required at the Sketch review. He offered that the County's goal is to provide consistency in the process. He discussed the outreach that had been conducted for the update of the Master Plan and noted that Stagecoach was determined to be a Tier II Target Growth Area because it has the infrastructure and capacity to accommodate growth. He noted that the proposal is for 9 acres; the SCAP covers an 11,000 acre area. Mr. Goldich said that the proposal would be visible from CR 16, but that it is not considered to be skyline because Blacktail Mountain rises behind it.

In response to a question from Commissioner DeFrancia, Mr. Goldich clarified the status of the 2021 Sketch Subdivision approval and stated that Lot 8 is zoned HDR, which has a minimum lot size per unit of 3,000 sq. ft., which would allow for a maximum of 51 units. The HDR zoning has been in place since 1972.

Commissioner Norris stated that Stagecoach has been designated as a potential growth center for some time, and that the new designation of Tier II Future Growth Area confirms that status. He acknowledged that there are bottlenecks with the traffic pattern that serves the area, but offered that many of the fire and safety concerns were addressed when the Stagecoach fire station was built.

Chairman Warnke noted that staff had identified density for the site and visual impacts as the issues to be addressed by Planning Commission. He stated that there is no question that the project would have visual impacts, but offered that the applicant has the opportunity to adjust the design at the next level of review. He noted, however, that the HDR zoning has been in place for a very long time. He suggested that the impact of the development might be mitigated, but that any development on the property would have an impact on the views of the neighbors.

Commissioner Benjamin noted that Red Hawk Village has 29 structures, whereas the proposed development would have 14, plus garages. He stated that he would support approving the proposal at the Sketch level, but agreed that the snow storage as well as the road and right of way should be considered and, perhaps redesigned. He stated that the applicant should present a landscaping plan. He offered that this proposal is for only 9 acres out of the huge area covered by the SCAP. He said that his opinion on the proposal would depend on the details that are not available at this stage of review.

Commissioner Miller stated that she sympathizes with the current residents, but noted that the HDR zoning has been in place since 1972 and there has always been the potential for development of this area. She said that the proposal is for

the development of private property at a density far below what is allowed by the zoning. She offered, however, that the developer needs to listen to the comments by the neighbors and work to mitigate the concerns in the next iteration.

Commissioner DeFrancia stated that Planning Commission's decision regarding whether to recommend approval of a petition are based on the existing zoning, land use regulations and codes. He stated that the property owner has rights, but agreed that the developer needs to pay attention to the concerns. He strongly encouraged the developer to mitigate the impacts of the development, but acknowledged that the property would be developed.

Commissioner Weese offered that the petitioner had proposed a clean plan for development and that project was making the best use of the property. He stated that he wants to see a landscaping plan and that he appreciates the concerns regarding the setbacks.

Commissioner Kelly stated that his main comments were with the dimensions. He offered that the spacing was too tight to accommodate the road and snow storage. He also suggested that placing lower buildings near the property line could help to mitigate the impact.

Commissioner Jaeger offered that the proposed development is within the existing community character, which includes nearby multi-family developments with similar densities. He said that the existing zoning, which would allow 51 units on Lot 8 should be the standard of comparison, not the open space that is there now. He noted that he proposal is for half the density that would be allowed under the HDR zoning. He agreed that placing the lower structures near Red Hawk Village and allowing more room for the trail would help to mitigate the impacts.

Chairman Warnke suggested that the developer had been given a good sense of the concerns and direction for redesigning the project. He added that traffic in Stagecoach is a real concern and that language should be added to COA 6h regarding the impact of the additional traffic on both CR 16 and CR 14. He said that COA 6c should also be modified to specifically address the mitigation of the negative visual impacts.

Commissioner Benjamin discussed the layout of the project and acknowledged that Red Hawk Village would be most affected by any development of the property. He said that he would need to see the massing of the structures, the roof lines, etc., before he could evaluate the project. He added that the multi-family units might provide some attainable housing opportunities, which might increase the number of students at the Soroco schools.

Chairman Warnke offered that the need to address the road widths and snow storage may create a compromise that would allow more space.

Commissioner Miller stressed that the prohibition on short-term rentals must be included in the project covenants.

### **MOTION**

Commissioner DeFrancia moved to recommend approval of item PL20220050, a Sketch Subdivision on Lots 8 Snokomo Estates, and Lots 9, 9A and 9B of Snokomo Estates F2 with the following findings of fact:

1. The proposal with the following conditions meets the applicable guidelines of the Stagecoach Community Plan, particularly:
  - 1) 5.2.2.B, C, and E
  - 2) 5.3.1.1.A
  - 3) 5.4.1.B and E
  - 4) 5.5.1.A, D, H, and J
  - 5) 5.6.1.A and B
2. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan, particularly:
  - 1) 3.3.C
  - 2) 4.3.D
  - 3) 6.3.H
  - 4) 9.3.F
  - 5) 11.3.F, G, J, O, and W

This approval is subject to the following conditions:

### **General Conditions:**

1. This Sketch Subdivision Plan approval is contingent on submittal of a complete application for a Preliminary Subdivision Plan within twelve (12) **months. Extension of up to one (1) year may be approved** administratively.
2. All federal, state and local permits shall be obtained, including but not limited to: Grading And Excavating, Work in the Right of Way, and Access permits
3. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a format acceptable to the GIS Department.
4. All property taxes must be paid prior to the recording of the final plat.
5. If applicable, the right of way for County Road 16 shall be appropriately dedicated on the final plat.
6. The Preliminary Plan submittal shall include the following detailed information:



- a. **Utility plans produced by a registered Colorado Engineer per the 2016 Routt County Road & Bridge Roadway Standards (roads, water, sewer, fire hydrants, grading and drainage, utilities, etc.)**
  - b. **Soils report**
  - c. **Landscaping plan including significant efforts to mitigate views from surrounding properties**
  - d. **All lot dimensions**
  - e. **Plan showing land to be dedicated as open space in conformance with Section 3.5.1 of the Subdivision Regulations.**
  - f. **Site plan showing land to be dedicated for public sites or calculation of payment in lieu in conformance with Section 3.5.2, 3.5.3, and 5.3.4 of the Subdivision Regulations.**
  - g. **Engineered drainage study of the site per 2016 Routt County Road & Bridge Roadway Standards.**
  - h. **A traffic study performed by a registered Colorado Engineer based upon the number of approved units with a particular focus on CR 14 and CR 16. Comments shall be obtained from Routt County Public Works, prior to submittal of the Preliminary Plan.**
  - i. **Road construction plans and specifications for the interior access road which meet the minimum requirements of the Oak Creek Fire Protection District, Routt County Public Works Director, and the Routt County Board of County Commissioners. Plans and specifications shall carefully consider minimizing cuts, fills and visual scarring.**
  - j. **Engineer drawings for connection to the central water and sewer system.**
  - k. **Draft Covenants**
  - l. **Wildlife Mitigation Plan approved by Colorado Parks and Wildlife.**
  - m. **Snow Storage plan based upon the City of Steamboat Springs' standards**
  - n. **Slope analysis of site with slopes greater than 30% identified**
7. The Final Plat notes shall include, but are not limited to:
- a. **Routt County is not responsible for maintaining or improving subdivision roads. The roads shown hereon have not been dedicated nor accepted by the County.**

- b. Existing and new accesses shall meet access standards set forth by the Routt County Public Works Department and Fire Prevention Services.
  - c. Routt County (County) and the Oak Creek Fire Protection District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County's or the District's failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.
  - d. All exterior lighting shall be downcast and opaquely shielded.
  - e. Address signage shall be in conformance with Routt County Road Addressing, Naming, and Signing Policy shall be located at the entrance to the driveway.
  - f. A current soils test showing that the soils are sufficiently stable to support development will be required before obtaining a building permit.
  - g. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grassed. See the Colorado State University Extension Office for appropriate grass mixes.
  - h. All trails are open to the public.
8. A 'no build' zone shall be indicated on the plat to avoid construction of structures and roads in areas including, but not limited to 30% or greater slopes. The "no build" zones shall be defined on the plat and approved by the Planning Director before the plat is recorded.
9. The open space parcels shall be deeded to the property owners' association and such deed shall be recorded concurrently with the Final Plat. The plat shall indicate that the Open Space parcel is open to the public.
10. The Final Plat shall show a 10' public utility easements along the interior of all lot lines and such shall be dedicated appropriately.
11. Covenants shall include:
- a. Requirement to control noxious weeds
  - b. Roads will be privately maintained
  - c. No on street parking

- d. All restrictions referenced in CPW's letter dated March 31, 2021
- e. A restriction on short term rentals

Commissioner Norris seconded the motion.

**The motion carried 8 - 0, with the Chair voting yes.**

#### **ADMINISTRATOR 'S REPORT**

Ms. Winser stated that the Board had ratified the 2022 Master Plan. She said that all applications submitted after the ratification would be reviewed under the new plan. She added that outreach to present to new plan to the community and all stakeholders that had contributed to the update would begin soon. Ms. Winser said she had applied for a DOLA grant to provide matching funds to support the engagement of a consultant to assist with the update of the Zoning and Subdivision Regulations, which will be a very technical process. She said that they are hoping to have the consultant hired and ready to begin on January 1<sup>st</sup>.

Ms. Winser reviewed the upcoming agendas, including a presentation on solar energy development on August 15<sup>th</sup>.

**The meeting was adjourned at 8:05 p.m.**