



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

ITEM DATE: August 2, 2022	ITEM TIME: 10:45 am

FROM:	Alan Goldich
TODAY'S DATE:	July 26, 2022
AGENDA TITLE:	Heritage Village Conceptual PUD; PL20220030
CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input checked="" type="checkbox"/> ACTION ITEM	
<input type="checkbox"/> DIRECTION	
<input type="checkbox"/> INFORMATION	
I. DESCRIBE THE REQUEST OR ISSUE:	
Consideration of the Conceptual PUD/Sketch Subdivision for the Heritage Village Subdivision.	
II. RECOMMENDED ACTION (motion):	

Commissioner Weese moved to recommend approval of the Conceptual PUD, item PL20220030, with the findings of fact that the proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan, the Steamboat Springs Area Community Plan, and the West Steamboat Springs Area Plan.

This approval is subject to the following conditions:

Conceptual PUD:

1. This Conceptual PUD 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.

Subdivision:

1. The Final PUD plan shall be recorded concurrently with the Final Plat.
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. The Preliminary Plan submittal shall include the following detailed information:
 - a. Utility plans (roads, water, sewer, dry utilities, fire hydrants, drainage)



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- b. Snow storage areas for the proposed new roadway and Brandon Circle utilizing the City of Steamboat Springs' standards
 - c. Soils report
 - d. Landscaping plan
 - e. Utility easements
 - f. Plan showing land to be dedicated as open space in conformance with Section 7.3.F of the Zoning Regulations. Uses of open space shall be identified.
 - g. Engineered drainage plan which results in no net increase of runoff from the site.
 - h. A traffic study performed by a registered Colorado Engineer based upon the number of approved lots shall be submitted with the Preliminary Plan. The study shall take into account the adequacy of the access off of Highway 40, traffic associated with drop off and pick up at the school, and the ability of Brandon Circle to handle the increase in traffic. Comments on the study shall be obtained from the Colorado Dept. of Transportation and 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 Steamboat Springs Rural Fire Protection District, and Routt County Public Works. 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. Letter of intent to provide water and wastewater service from Steamboat II Metro District.
 - l. Draft Covenants
 - m. Wildlife Mitigation Plan approved by Colorado Parks and Wildlife, if required.
 - n. Parking plan for the school
 - o. Architectural guidelines
6. 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 Steamboat Springs Rural 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.



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- 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.
7. Applicant shall take the findings of the required traffic study into consideration when designing the access off of Brandon Circle with particular attention being focused on how to alleviate the traffic issues on Brandon Circle and US Highway 40 during pick up and drop off times at the school.
8. Covenants shall include:
- a. Requirement to control noxious weeds
 - b. Roads will be privately maintained
 - c. No on street parking
 - d. No short-term rentals

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):
PROPOSED REVENUE <i>(if applicable)</i> : \$
CURRENT BUDGETED AMOUNT: \$
PROPOSED EXPENDITURE: \$
FUNDING SOURCE:
SUPPLEMENTAL BUDGET NEEDED: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Explanation:
IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):
V. BACKGROUND INFORMATION:
<p>The Planning Commission heard this application at their July 21, 2022 hearing. They recommended approval with a 7-0 vote. There was additional information that they wanted to see but understood that at this step in the process, not all information is available yet. The point of the Conceptual PUD/Sketch Subdivision is to take a high level look at the project and determine compliance with adopted plans and to identify any significant issues that need to be considered for the next stage.</p> <p>After the Planning Commission staff packet was published, 7 additional comment letters were submitted. Two were in support and the others identified serious concerns with the proposal. These comments have been included with this form. Most of the public comments centered around concerns with traffic associated with the schools (Montessori and Christian Heritage Preschool) and pedestrian safety. Many comments (written and oral) referenced the traffic congestion at drop off</p>



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and pickup times at the schools which happen to coincide with the time that people from Heritage Park are going to, and returning, from work. A lot of the same commenters also expressed concern with pedestrians, mainly children. These instances include either coming from Heritage Park and Steamboat II going to the school, from Heritage Park going to parks in Steamboat II or to Sleeping Giant School and the associated crossing of Highway 40. A traffic study is going to be required by CDOT for the intersection of Brandon Circle and Hwy 40, and Planning Commission also recommended that the study include Brandon Circle to just past the school. To address pedestrian issues, PC suggested that sidewalks be required on the new proposed road, as well as on at least one side of Brandon Circle.

The City of Steamboat Springs provided comments that were inadvertently left out of the Planning Commission packet. They stated that the application is not in compliance with the Steamboat Springs Area Community Plan (SSACP). They cited the following policies:

- GM-1.1 – “Areas within the UGB will be required to develop in an urban fashion and to annex to the City prior to or at the time of development, assuming that annexation criteria can be met.”
- GM-1.2 - “The plan encourages urban land uses to locate only within incorporated areas to obtain city services, utilities, and fire protection.”

GM-1.1 requires annexation, “assuming the annexation criteria can be met.” This project is not able to be annexed because it does not border the City. This policy also states that it needs to be developed in an urban fashion. Urban fashion is not defined so it is hard to know exactly what that means. Planning Commission discussed the proposed density of the project and did not have any concerns with it being too low or too high. The next issue is what standards the project would be developed to. Sidewalks are a major element of an urban setting. Planning Commission suggested requiring these. Snow storage and stormwater runoff are also major elements of an urban development. Both of these are recommended to be addressed utilizing the City’s standards. GM-1.2 “encourages” projects within “incorporated areas to obtain city services, utilities, and fire protection.” The Steamboat II Metro District provides utilities and parks to the district residents and the SS Area Fire Protection District provides fire protection. It was Planning Commission’s opinion that the proposed project is in compliance with the SSACP.

There is a 25% open space requirement because this project is zoned PUD. The regulations require the open space to “*be planned to produce maximum usefulness to the residents of the development for the purposes of recreation, scenery, and to produce a feeling of openness.*” The applicant is proposing to develop the soccer fields on Parcels A and B, which have served as the bulk of their open space, and reallocate the open space to other areas of the development. Twenty-five percent of the land area of the project is identified as open space, however portions of it are identified as wetlands or is proposed to be utilized as a retention pond for stormwater. No open space uses are identified. Staff requested that Planning Commission provide feedback on what types of open space uses would be appropriate but it was Planning Commission’s opinion that it was not their job to come up with a list of uses for the open space. They said the applicant needs to identify those uses in his next submittal, that he needs to get buy in from the neighborhood and community, and that it needs to be of higher value than what is being taken away.



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Other issues that were raised include:

- The lack of connectivity with public transit and that no new development should be approved until it is served by public transit.
- Lack of YVEA capacity. After the hearing, the applicant submitted a letter from YVEA stating that electric service is available for the project.

VI. LEGAL ISSUES:
N/A
VII. CONFLICTS OR ENVIRONMENTAL ISSUES:
N/A
VIII. SUMMARY AND OTHER OPTIONS:
1. Deny 2. Table for additional information
IX. LIST OF ATTACHMENTS:
<ul style="list-style-type: none">• Comments from the City of Steamboat Springs• DRAFT Planning Commission minutes from July 21, 2022• Additional comments from the public

From: [Bob Keenan](#)
To: [Alan Goldich](#)
Cc: [Rebecca Bessey](#)
Subject: PL20220030 - Heritage Village Conceptual PUD Comments
Date: Tuesday, May 17, 2022 3:10:14 PM

Dear Alan,

Can you please upload this email into CityView as part of the referral agency comments? I'm sorry that I wasn't able to do so.

The City of Steamboat Springs Department of Planning and Community Development thanks you for the opportunity to comment on the Conceptual PUD for the proposed 23 Lot Subdivision at Heritage Village. We have reviewed the subject application for compliance with the jointly adopted Steamboat Springs Area Community Plan and West of Steamboat Springs Area Plan and have concluded that the proposal is not consistent with intent, policy, and goals of this plan. The proposal conflicts with two fundamental principles of the plan: "develop in an urban fashion and annex to the City".

Per the SSACP, the subject property is located within the Urban Growth Boundary and subject to the West Steamboat Springs Area Plan. The applicant's proposal to rezone to the PUD zone district for a 23 lot subdivision is in conflict with the these plans.

The proposal does not comply with the following goals and policies of SSACP:

1. **Policy GM-1.1: Maintain the Urban Growth Boundary...**

"The UGB for the Steamboat Springs area represents the demarcation between those areas where future development of urban density is deemed appropriate or inappropriate. Areas within the UGB will be required to develop in an urban fashion and to annex to the City prior to or at the time of development, assuming that annexation criteria can be met."

2. **Policy GM-1.2: Urban development will be required to locate within the UGB.** "The plan encourages urban land uses to locate only within incorporated areas to obtain city services, utilities, and fire protection."

Sincerely,

Bob Keenan, AICP, CFM
Principal Planner
Department of Planning & Community Development
[City of Steamboat Springs](#)
970.871.8260

ROUTT COUNTY PLANNING COMMISSION

DRAFT MINUTES

July 21, 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, Bill Norris, Paul Weese, Greg Jaeger, Jim DeFrancia, Ren Martyn, and Linda Miller. Commissioners Brian Kelly and Andrew Benjamin were absent. Planning Director Kristy Winsor and staff planners Alan Goldich and Michael Fitz also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

MINUTES – May 5, 2022

Commissioner DeFrancia moved to approve the above cited minutes, as written. Commissioner Martyn seconded the motion. The motion carried 7 – 0, with the Chair voting yes.

MINUTES – June 23, 2022

Commissioner DeFrancia moved to approve the above cited minutes, as written. Commissioner Martyn seconded the motion. The motion carried 7 – 0, with the Chair voting yes.

ACTIVITY: PL20220038

PETITIONER: James Ingwersen, Michele Childs, and Frances & Arthur Callahan

**PETITION: 1) Lot Line Adjustment between Buckhead Ranch Lots 2 & 3
2) Vacation of Utility Easements**

LOCATION: 57115 & 57140 Green Bird Place

Chairman Warnke disclosed that he is member of the Board of the Steamboat Lake Homeowners' Association and is Chair of the architectural review committee. He said that this would not affect his ability to evaluate the petition fairly.

Mr. Jim Ingwersen reviewed the petition for a lot line adjustment and vacation of utility easements, noting that if it were not for the utility easement the lot line adjustment could have been accomplished administratively. He said that he and his wife had purchased Lot 3 and had identified the best building location, but cannot build there due to the required setbacks and other constraints on the property. He noted that the property line bisects a pond, which the neighboring property owners, the Callahans, would like to have on their property. He said that the proposed lot line adjustment would be mutually beneficial and would retain the existing acreages of the lots.

Mr. Fitz reviewed the site plan and compared the existing lot line with the proposed new plat. He pointed out the driveway easement and the proposed building site. He stated that the proposed lot line adjustment serves multiple functions: it accommodates the desired building site, allows the

pond to be located on the Callahan's property and allows for a driveway easement that benefits both lots

There was no public comment.

LOT LINE ADJUSTMENT

MOTION

Commissioner Weese moved to recommend approval of the lot line adjustment with the finding of fact that the proposal with the following conditions meets with Sections 2, 3, and 6 of the applicable guidelines of the Routt County Zoning Regulations and Section 2 and 3 of the Subdivision Regulations.

This approval is subject to the following conditions:

General Conditions:

1. The plat shall be finalized and recorded within one (1) year unless an extension is granted pursuant to Section 2.1.6, Routt County Subdivision Regulations. Extensions to up to one (1) year may be approved administratively.
2. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.
3. A Certificate of Taxes Due showing a \$0 balance shall be submitted prior to recording the plat.
4. A 'no build' zone shall be indicated on the plat to avoid construction of structures, septic fields and roads in areas including, but not limited to 30% or greater slopes. The "no build" zones shall be approved by the Planning Director before the plat is recorded.
5. The resolution for the vacation for the utility, drainage, snow removal and snow storage shall be recorded concurrently with the final plat.
6. The right of way for Green Bird Place shall be appropriately dedicated on the final plat.
7. The notes on the plat shall include, but are not limited to the following:
 - 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. The suitability of these lots for an individual septic disposal system and the availability of permits for individual septic disposal systems have not been established. The issuance of permits for individual septic disposal systems shall be a condition of obtaining a building permit for these lots.
 - c. Existing and new accesses shall meet access standards set forth by the Routt County Road and Bridge Department and Fire Prevention Services.
 - d. The availability of water and permits for wells on the lots or parcels hereon shown has not been established.

- e. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass mixes.
- f. Routt County (County) and the North Routt Fire 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.
- g. Address signage in conformance with Routt County Road Addressing, Naming, and Signing Policy shall be located at the entrance to the driveway.
- h. A current soils test showing that the soil is of a sufficient stable nature to support development will be required before obtaining a building permit.
- i. The Declaration of Covenants and Conditions and Restrictions for Steamboat Lakes Subdivision Unit Numbers One, Two, Three, and Four are recorded at Book 356 at Page 164 and Book 364 at Page 58 in the official records of Routt County, Colorado, are applicable to this replat subdivision.
- j. All lots (or identify the lots) have been shown to be within mapped areas of Unstable Slopes. If site development reveals evidence of faulting in soils, then additional investigation will be need to ensure that individual structures are not located within active fault rupture zones.

UTILITY EASEMENT VACATION

MOTION

Commissioner Weese moved to recommend approval of the vacation of utility easements with the finding of fact that the proposal with the following conditions complies with the applicable guidelines of the Routt County Master Plan and Upper Elk River Valley Community Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations and Sections 2, 3 and 4 of the Routt County Subdivision Regulations.

This approval is subject to the following conditions:

1. A resolution vacating portions of the utility easements shall be recorded concurrently with the Final Plat.
2. Utility and drainage easements on either side of the new lot lines shall be shown and dedicated on the final plat.

Commissioner DeFrancia seconded the motion.

The motion carried 7 – 0, with the Chair voting yes.

ACTIVITY: PL20220030
PETITIONER: Lindon's Ltd and Christian Heritage Foundation of Steamboat Springs
PETITION: Conceptual PUD to create 23 residential lots
LOCATION: South side of US 40 on the west side of Heritage Park Subdivision

Chairman Warnke noted that five written comments regarding the proposal had been received and distributed to Planning Commission at the meeting, but that the deadline for submitting written comments is 72 hours prior to the meeting. He said that these comments will be included in the file, but not considered at tonight's meeting. Mr. Goldich said that these comments would be included in the Board of County Commissioners' packet.

Mr. Eric Smith of ESA Architecture, representing the petitioner, presented a site plan of the proposed Conceptual PUD. He said that this proposal represents a modification of the prior approval for four single family lots on Parcels C and six single family lots on Parcel D. He reviewed the proposal to leave Parcel D and a portion of Parcel C as open space and instead build a new road running east/west off of Brandon Circle, with lots on either side. This development would occur on Parcels A & B (currently the soccer fields) and a portion of Parcel C. Mr. Smith presented an aerial photo of the site. He stated that a third-party traffic study has been commissioned, but has not yet been conducted because in order to reflect the actual traffic conditions it needs to be done when school is in session. Mr. Smith said that the traffic study will look at the existing traffic, the traffic that would be generated by the proposal and the background traffic that exists on US 40. Mr. Smith said that the proposed lots would be smaller than what was originally approved. He said that they would be more similar to the lots in downtown Steamboat and would allow for more density and more affordability. He said that the lots would be deed restricted to not allow short-term rentals. Mr. Smith offered that the proposal is intended to address the acute need for housing in the community. In response to a question from Commissioner Martyn, Mr. Smith said that the petitioner would be willing to deed restrict the initial sale of the lots to residents of Routt County.

Mr. Ty Lockhart presented a comparison of the approved plan and the proposed new site plan. Mr. Smith stated that he would anticipate that the lots would be sold within a year, with build out to occur in the 1 – 2 years. He discussed the plan to install the infrastructure and overlay the new road to minimize the disruption of construction activity.

Mr. Goldich stated that the petition is a Conceptual/Sketch PUD, which is intended to determine if the proposal is in general compliance with the applicable planning documents. Details of the proposal are not required at this level of review. He added that if approved, the review will provide feedback to the applicant regarding any concerns or changes that need to be addressed prior to the next review. Mr. Goldich stated that staff's recommendation is that the proposal be approved with the suggested conditions and that sidewalks should be required.

Mr. Goldich presented a vicinity map. He noted that the approved development of Parcels C & D included the soccer fields as part of the 25% open space requirement. He said that the PUD Plan for that development was approved and recorded, but the Final Plat was not recorded, which is why no lots are shown on the map for Parcels C & D.

Mr. Goldich reviewed the proposal that would create 20 single family lots and 3 duplex lots. Secondary dwelling units (SDUs) would be allowed on the single family lots. The residences would be required to have 2-car garages setback at least 20 ft. from the front property line. Porches would have a 10-ft. setback from the front property line. Having individual setbacks for porches and garages helps to ensure that the garage is not the dominant feature of the residence. The proposed side setbacks are 5 ft. and the proposed rear setbacks are 10 ft. Mr. Goldich noted that the proposed setbacks are smaller than what is typical in the County to allow for greater density. He stated that the proposed open space would fulfill the 25% requirement for the entire subdivision, including the existing Heritage Park. The soccer fields, however, would be removed. No uses have been identified for the proposed new open space areas. Mr. Goldich noted that PUDs are intended to provide community amenities. He offered that Planning Commission could provide recommendations regarding potential uses of the open space.

Mr. Goldich said that the City's referral comments state that the proposal is not in compliance with the Steamboat Springs Area Community Plan (SSACP) and cite Section GM 1.1 and GM 1.2. Mr. Goldich noted, however, that this parcel is not eligible for annexation as it is not contiguous with the City boundary. He said that two letters of support and five letters in opposition had been received. Mr. Goldich stated that one of the major concerns regarding the proposal is vehicular and pedestrian safety. He said that neither the Christian Heritage pre-school nor the Steamboat Montessori School have school busses, so the traffic generated by parents dropping off and picking up their kids often backs up onto Highway 40. Mr. Goldich described some of the dangerous maneuvers that motorists employ to get around the traffic jam. He stated that the same access off of US 40 that serves Heritage Park subdivision and the school is proposed to serve the new development and the access off of Brandon Circle to serve the proposed project is the same access that is utilized to access the school's parking lot. He stated that the traffic study, which must be approved by CDOT, will be conducted when school is in session. Mr. Goldich stated that pedestrian safety is also an issue, as those students who walk to school must do so along the side of the road, and there is not a safe crossing area on US 40 for those coming from Steamboat II. He said that Planning Commission should consider if sidewalks should be required, and if so, where they should be located. Regarding a comment in the staff packet, Mr. Goldich noted that the river is not visible from US 40, so the proposed houses would not block the view of the river. He added that Planning Commission should consider whether the proposed density is appropriate, whether the proposed open space areas are useable, and if so, what uses would be appropriate for the open space. In response to a question from Chairman Warnke, Mr. Goldich stated that there are no sidewalks in Heritage Park.

Chairman Warnke asked about the transfer of Parcel E to the homeowners' association, which was mentioned in one of the letters that was submitted. Mr. Goldich stated that Routt County was not involved in that matter, so it is not being addressed.

Commissioner Martyn asked what uses were established for the open space when the 10-lot PUD was approved. Mr. Goldich stated that the soccer fields were identified as the open space. He reviewed the history of the PUDs and subsequent amendments that were approved for the school, the soccer fields, the 80-lot Heritage Park subdivision and the 10-lots on Parcels C & D. He noted that the soccer fields were intended to provide the community benefit. Ms. Winsor stated that the proposal now being considered includes re-allocation of the open space areas, which at this point do not have any defined uses.

Commissioner Jaeger asked about the parking area to the west of the school and whether its reduction in size or elimination under the current proposal would have a significant impact. Mr. Goldich said that the parking area is not used as part of the pick-up/drop-off traffic pattern. He said that the traffic issue is more about circulation than about parking. He confirmed, however, that the parking area would be reduced. Commissioner Jaeger asked about the width of the private drive proposed to serve the residential lots and whether it would be wide enough to accommodate emergency vehicles, particularly during the winter. Mr. Goldich said that this is the kind of issue that could be modified prior to the next level of review in response to referral comments. He said that the design is not final.

Commissioner Martyn expressed concern that the useable open space and the community benefit tied to the approval of the 80-lot subdivision is being eliminated with this proposal. Mr. Goldich said that whether the areas identified as open space in the new proposal are sufficient to satisfy the requirement of community benefit is one of the questions that needs to be addressed. He acknowledged that the acreage meets the 25% requirement, but the question is what uses would be appropriate in those areas.

Commissioner Jaeger asked if there is a public playground associated with the school. Mr. Goldich said that there is small playground, but that it is only maintained during the school year. In response to a question about the capacity and use of the school, Mr. Lockhart stated that the Montessori school occupies about 60% of the building, with the remainder occupied by the pre-school and private music instructors etc. He confirmed that the building is fully occupied.

In response to a question regarding the setbacks, Mr. Goldich compared the proposed setbacks to the setbacks in Heritage Park. Commissioner Martyn offered that the proposed side setbacks would be insufficient to handle snow storage. Ms. Winser noted that the proposed open space areas include a retention pond and wetland areas along the highway. She asked Planning Commission to consider what uses would be appropriate for these areas and the other open space.

Public Comment

Ms. Casey Quillen, a resident of Heritage Park, asked Planning Commission to consider the need for connectivity and mobility. She said that this development proposal offers an opportunity to ensure pedestrian and bicycle access and safety, and specifically a safe crossing of US 40 and safe routes for kids to access their schools and their friends on either side of the highway. She suggested that although US 40 is under the jurisdiction of CDOT, the County needs to be involved. She stated that the proposal should not be approved unless it includes safe access routes for kids. Ms. Quillen stated that the developments west of town are lacking in connectivity to each other and to Steamboat Springs.

Mr. Roger Ashton, a resident of Heritage Park, a Heritage Park homeowners' association (HOA) member and YVHA Board member, said that he is speaking on his own behalf. He urged Planning Commission to deny the proposal. He noted that all of the areas being proposed for development were included in the original PUD for Heritage Park and included 5 soccer fields, a tot lot, and a playground, all of which will be lost with the new proposal. He said that kids from Heritage Park will then be crossing the highway to access recreational amenities in Steamboat II and at Sleeping

Giant School. He added that the Heritage Park HOA governing documents include language that excludes the owners of these parcels and the school from contributing to the HOA, which means that they have benefited at no cost to them from improvements that the HOA has made. Mr. Ashton stated that the proposed new development would use the same access from US 40 as Heritage Park and the school, which is already a tremendous problem for the neighborhood. He also offered that the construction traffic, because it will occur at the entrance to the subdivision, will have a big impact on the existing neighborhood for perhaps 5 – 10 years. Mr. Ashton stated that the City of Steamboat Springs has stated that the proposal is not in compliance with the SSACP. He added that the proposed lot sizes are significantly smaller than those in the existing surrounding neighborhoods and the increased density would have a major impact on traffic. Mr. Ashton also expressed concern that only the initial sale would be deed restricted for Routt County residents, which means that the units will not provide local housing for long. He suggested that if approved, a deed restriction should be required stipulating that the units can be purchased only as a primary residence by Routt County residents, and that the deed restriction should be in perpetuity, not just for the first sale. He added that snow storage areas have not been identified on the PUD plan, and the reduced setbacks may not be sufficient to accommodate snow, on the side or in front of the homes. He said that the Heritage Park HOA pays for snow plowing of its streets and asked who would pay to plow the private drive accessing these new lots. Mr. Ashton noted that although a traffic study is being required, CDOT has already stated that the proposed development would increase traffic at the intersection with US 40 of at least 20%, which would be a nightmare. He stated that although there is a letter of intent from the Steamboat II Metro to provide water and sewer service, there is no letter of intent from YVEA for electrical service, and suggested that the sub-station may not have capacity to serve these additional units. He reiterated his request that Planning Commission deny the application.

Mr. Ryan Schwede, a Heritage Park resident, stated that the City currently has no plan to expand its bus service to the subdivisions west of town. He asked Planning Commission to consider the need for transit service and to require a commitment from Steamboat Springs Transit to extend its service before any additional units are approved.

Mr. Lee Pierson, a Heritage Park resident, stated that he owns the lot that is adjacent to Parcel E. He said that Parcel E was supposed to be dedicated to the Metro District, but the transfer of the property never happened. He said that the Parcel is now covered in weeds, while Heritage Park is without a real neighborhood park. He said that the future of Parcel E needs to be addressed as part of the solution to the open space. He offered that some of the areas designated as open space on the new proposal are not appropriate areas for kids to play. Mr. Pierson also expressed his concern with traffic, as cited by others.

Ms. Kelly Conway, a resident of Heritage Park, stated that the traffic congestion and kids trying to cross US 40 are already big problems. She stated that there needs to be a controlled intersection or an overpass or underpass. She also noted that the soccer fields are not maintained and there is no other developed park land, which will only be worse if the open space is relegated to the bogs by the highway. Ms. Conway said she would like to see the open space developed as it was supposed to be under the original PUD. She offered that the 10 lots that have been approved are as many as the neighborhood can handle. She added that there is waitlist for spots at the Christian Heritage pre-school.

Ms. Rita Donham, a nearby landowner, stated her agreement with the comments made by Ms. Conway, Mr. Pierson, Ms. Quillen, and Mr. Ashton. She reiterated that the open space areas originally identified were intended to provide useable soccer fields and a buffer from the highway as community benefits. The new proposal would take away that benefit. She offered that what the applicant is proposing is disingenuous and greedy, and way too much. She noted that there is still no fire station to serve the areas west of town and no real park. She said that the soccer fields are not used because they are not maintained. She also cited the need for an overpass or underpass of US 40. Ms. Donham said that she is totally opposed to the proposal.

Mr. Brian Bainum, a resident of Heritage Park, stated his agreement with all the previous comments, and expressed his opposition to the proposal. He noted that with the proposed SDUs, the proposal would increase the neighborhood by 32.5%.

Seeing no further comment, Chairman Warnke closed public comment.

Commissioner Weese stated that although he is not opposed to the proposed density, he is not in support of how it is being proposed. He cited that the mobility and access issues, in particular.

Chairman Warnke asked about staff's recommendation that sidewalks be required. Mr. Goldich stated that sidewalks would improve safety, particularly in the winter when the roadways are narrowed due to snow. Ms. Winser added that sidewalks should be constructed to City standards, in case this area were ever to be annexed.

In response to a question from Commissioner Martyn regarding what qualifies as open space, Ms. Winser stated that what is acceptable open space to satisfy the 25% requirement is up to the discretion of Planning Commission and the Board. She noted that this is a Conceptual PUD and any feedback would be considered by the applicant in how the plan is refined before the next level of review. She stated that an approval at the Conceptual level does not guarantee an approval at the next level. She noted that the traffic study and referral comments would also inform the design. Planning Commission agreed that the traffic study would be very important, and should address not only the entrance to US 40, but also Brandon Circle, the school traffic and the private road proposed to serve the new lots. Commissioner Martyn suggested that the adequacy of the reduced parking lot to serve school events should also be considered. Commissioner Norris added that transit should be taken into account.

Commissioner Jaeger expressed concern with the lack of designated snow storage and with the reduced size of the school parking area. Commissioner Weese added that the pedestrian safety within the subdivision needs to be considered. There was consensus that full-width sidewalks should be required on the private road and on at least one side of Brandon Circle.

There was a discussion of the open space. Mr. Goldich offered that the school should be involved in the discussion to ensure that any plans it may have for the use of the open space be listed on the PUD. Chairman Warnke expressed concern regarding the usability of the areas identified as open space. Mr. Goldich stated that Planning Commission and the Board can take into account the value of the open space, and offered that the maintenance of the open space and parking for those areas should be considered, as well. Commissioner Martyn stated that his opinion on the proposal hinges on the open space. He suggested that the petitioner should present a plan for the open

space and its uses that meets the needs of the community – both the proposed units and the existing residents of Heritage Park. He stated that the plan should provide details on landscaping, lighting, parking, and the uses of the open space. He said that the community benefit was for the applicant to propose and for Planning Commission to review and consider. Planning Commission agreed.

There was also consensus that access and mobility need to be addressed. Mr. Goldich asked if the setbacks would be sufficient if sidewalks are required. There was a discussion of how the street profile would be designed to accommodate the sidewalks and snow storage without reducing the front setbacks. Commissioner Martyn stated that more detailed urban design was needed for a proposal of this density.

Commissioner Miller stressed the importance of deed restrictions prohibiting short-term rentals, and added that this prohibition should also be stated in the covenants. Commissioner Martyn stated that additional deed restrictions could be considered, and Commissioner Jaeger offered that size restrictions on the SDUs could be valuable.

Mr. Goldich summarized the items to be added to the COAs.

MOTION

Commissioner Weese moved to recommend approval of the Conceptual PUD, item PL20220030, with the findings of fact that the proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan, the Steamboat Springs Area Community Plan, and the West Steamboat Springs Area Plan.

This approval is subject to the following conditions:

Conceptual PUD:

1. This Conceptual PUD 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.

Subdivision:

1. The Final PUD plan shall be recorded concurrently with the Final Plat.
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. The Preliminary Plan submittal shall include the following detailed information:
 - a. Utility plans (roads, water, sewer, dry utilities, fire hydrants, drainage)
 - b. Snow storage areas for the proposed new roadway and Brandon Circle utilizing the City of Steamboat Springs' standards

- c. Soils report
 - d. Landscaping plan
 - e. Utility easements
 - f. Plan showing land to be dedicated as open space in conformance with Section 7.3.F of the Zoning Regulations. Uses of open space shall be identified.
 - g. Engineered drainage plan which results in no net increase of runoff from the site.
 - h. A traffic study performed by a registered Colorado Engineer based upon the number of approved lots shall be submitted with the Preliminary Plan. The study shall take into account the adequacy of the access off of Highway 40, traffic associated with drop off and pick up at the school, and the ability of Brandon Circle to handle the increase in traffic. Comments on the study shall be obtained from the Colorado Dept. of Transportation and 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 Steamboat Springs Rural Fire Protection District, and Routt County Public Works. 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. Letter of intent to provide water and wastewater service from Steamboat II Metro District.
 - l. Draft Covenants
 - m. Wildlife Mitigation Plan approved by Colorado Parks and Wildlife, if required.
 - n. Parking plan for the school
 - o. Architectural guidelines
6. 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 Steamboat Springs Rural 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.
7. Applicant shall take the findings of the required traffic study into consideration when designing the access off of Brandon Circle with particular attention being focused on how to alleviate the traffic issues on Brandon Circle and US Highway 40 during pick up and drop off times at the school.
8. Covenants shall include:
- a. Requirement to control noxious weeds
 - b. Roads will be privately maintained
 - c. No on street parking
 - d. No short-term rentals

Commissioner Norris seconded the motion.

The motion carried 7 – 0, with the Chair voting yes.

ACTIVITY: PL20220003
PETITIONER: Duksa Family, LLC
PETITION: Special Use Permit for Recycling Station in the Industrial Zone District
LOCATION: Approximately 2.5 miles west of Steamboat Springs on the south side of US 40

Mr. Goldich reviewed the petition for a recycling transfer station. He reviewed the history of the site, which was rezoned from Agriculture/Forestry (A/F) to Industrial (I) in 1990. He said that a site plan review for an electrical contracting business had been approved in 1991, but was never acted upon. The recycling station has been operating on the site since 2006 without a permit. Mr. Goldich said that when staff became aware of the situation due to an inquiry from a prospective buyer, a notice of violation was issued. Mr. Goldich stated that no complaints regarding the operation at this location have ever been received and that staff recommends approving the petition with the suggested conditions of approval (COAs). Mr. Goldich presented an aerial photo of the site and presented a site plan. He indicated the access road that crosses the railroad tracks. The access off of US 40 is shared with the Steamboat II Metro District. Accel and decel lanes are in place on US 40 to serve this site as well as the adjacent gravel pit. Mr. Goldich reviewed the uses on the site and presented photos. He noted that the applicant intends to improve the drainage on the site and to install a retention pond. He stated that the Colorado Department of Transportation (CDOT) submitted a comment stating that the site does not have an access permit. The applicant will have to work with CDOT to obtain a permit, if that is deemed necessary. Mr. Goldich stated that all of the proposed uses are currently taking place. He said that the issues for discussion include whether

Good Morning Alan,

The purpose of this email is to voice concern over potential traffic issues that will be created from this project. The Montessori school is already creating unsafe traffic issues during the mornings and afternoons. Additional housing units will only exacerbate the situation unless the flow of traffic is addressed. I would like to propose the addition of an underpass or overpass to allow school aged children from the surrounding neighborhoods to safely travel to nearby Montessori and Sleeping Giant schools. Having this pedestrian infrastructure would help the traffic flow as more children would be able to get to school without the aid of a motor vehicle.

Thank you for the opportunity to comment.

Sincerely,

Concerned neighbor

From: [Michael Beyer](#)
To: [Alan Goldich](#)
Subject: Fwd: PL20220030 - Heritage Village
Date: Thursday, July 21, 2022 3:57:58 PM

Good Afternoon Alan,

I hope you are well. Below is an email I sent to the planning department earlier today. I am requesting that this application is denied for the reasons mentioned below.. I apologize for the late submission.

Kind regards,
Mike

----- Forwarded message -----

From: **Michael Beyer** <flytyer12@gmail.com>
Date: Thu, Jul 21, 2022 at 3:45 PM
Subject: PL20220030 - Heritage Village
To: <lcannady@co.routt.co.us>, <kwinser@co.routt.co.us>

Good Afternoon Routt County Planning Department,

I hope you are having a great week. My name is Mike Beyer and I live at 27446 Brandon Circle in Heritage Park. I would like to request that you deny the Heritage Village planned unit development application. I have listed some of the reasons below.

1. The City of Steamboat Planning Department has concluded that the proposal is not consistent with the intent, policy, and goals of the SSACP. The proposal conflicts with two fundamental principles of the plan: develop in an urban fashion and annex to the City. "Per the SSACP, the subject property is located within the Urban Growth Boundary and subject to the West Steamboat Area Plan. The applicant's proposal to rezone to the PUD zone district for a 23 lot subdivision is in conflict with these plans.

"The proposal does not comply with the following goals and policies of SSACP:

"1. Policy GM-1.1: Maintain the Urban Growth Boundary

The UGB for the Steamboat Springs area represents the demarcation between those areas where future development of urban density is deemed appropriate or inappropriate. Areas within the UGB will be required to develop in an urban fashion and to annex to the City prior to or at the time of development, assuming that annexation criteria can be met.

"2. Policy GM-1.2: Urban development will be required to locate within the UGB.

The plan encourages urban land uses to locate only within incorporated areas to obtain city services, utilities and fire protection.

2. This project has not completed the requested CDOT traffic study.

3. I would also like to see the Heritage Park, Steamboat II and Silver Spur subdivisions be allocated more water from the city before any new subdivision water allocation is approved. During the summer lawn irrigating months we turn on the Heritage Park well fields to supplement our water. Although it is deemed safe for drinking it is very hard water, has unattractive odors and damages household appliances.

4. The lot sizes (.14 acres average) are not consistent with the surrounding neighborhoods. With the addition of ADU's this will turn into 46 homes, not just 23. The lot sizes should be consistent with the surrounding neighborhoods.

Thank you for your time and the work you do. You are appreciated.

Kind regards,
Mike Beyer

From: [Rita Donham](#)
To: [Alan Goldich](#)
Subject: Heritage Park
Date: Wednesday, July 20, 2022 11:13:24 AM

Hi Alan,

I'm at the doctors office.

Sorry to had to cut our conversation short just now.

We have concerns about the proposed heritage park addition. If your office is able to research the original project, back in late 90's,

Ty Lockhart promised the soccer fields and wetlands be set aside when requesting the PUD for the school and subdivision. The soccer fields were his main selling point.

Then later in 2009, he tried, disingenuously, to subdivide the fields. Nancy Stahoviak was a commissioner then. She shut it down.

What is different now,

why is he going back on his word to the community and Routt County Planning?

There is enough pressure on West Steamboat. Enough traffic, enough people, but not enough soccer fields or wetlands. There's still no overpass footbridge for the children from the flagpole subdivision of Heritage Park.

Eric Smith and Ty Lockhart know they are being deceitful in proposing this yet again, but to a newer, younger group of planners. Please Try to get a chance to research the history of this project.

We might attend the meeting on zoom, or is a letter of opposition a better approach?

Thanks for your input and consideration.

Best regards,

Rita Donham



ty lockhart <tylockhart1@gmail.com>

Heritage Park

1 message

Jane K. Dickinson <janekdickinson@gmail.com>
To: Ty Lockhart <tylockhart1@gmail.com>

Tue, Jul 12, 2022 at 3:40 PM

Hello, Ty.

Good to see you this morning at J&J.

I am writing to let you know that Randall and I reviewed your mailing and we agree that your proposed plan looks like a good compromise.

We are wondering if this means there will not be any development of the parcels on either side of the entrance - ever - or just for now.

We are not able to attend the meeting, and wanted to let you know our thoughts.

Thanks for all your work on this.

Jane
Randall Hannaway

Jane K. Dickinson, RN, PhD, CDCES
janekdickinson@gmail.com
www.janekdickinson.com
www.facebook.com/DiabetesBalance
www.twitter.com/janekdickinson

27478 Brandon Circle
Steamboat Springs, CO 80487

July 19, 2022

Routt County Planning Department
Attn: Mr. Alan Goldich
136 6th Street, Suite 200
Steamboat Springs, CO 80487

RE: Heritage Village – Project PL20220030

Dear Mr. Goldich and Staff,

We are residential homeowners in Heritage Park adjacent to the current proposed development and frustrated we have to provide input about another plan that is inferior to the one residents approved a decade ago.

We still support the Heritage Park Filing 3 plans that resulted from collaborative efforts by the developer, homeowners and County. Our enclosed letter dated March 3, 2011 summarizes reasons that homeowners voted in 2011 to amend the Association Declarations in support of development and open space management plans to enable:

- Development of 10 new residential units on Parcels C and D.
- Heritage Park Owners Association (HPOA) oversight of the new residential units and architectural standards.
- Parcel E ownership transfer to the Steamboat II Metropolitan District as a neighborhood, school and community recreation area funded by utility payments. My last communication on July 13, 2013 with the developer regarding Parcel E ownership transfer is also enclosed. Unfortunately that ownership transfer has not occurred.

The 2022 proposal PL20220030 should not be supported as submitted.

1. It is silent regarding ownership and management of Parcel E. This parcel is important since it is the open space in closest proximity to the residents and their children.
 - a. Transferring ownership of Parcel E to the Steamboat II Metropolitan District should be a component of any approved plan. After 25 years shouldn't Parcel E be developed and maintained to deter children from crossing highway 40 to use Steamboat II Metro District or Sleeping Giant parks and playgrounds?
 - b. Currently no apparent open space maintenance occurs outside of the school year which fosters the ongoing spread of white top and other noxious weeds during the spring and makes the space less desirable to use. It is a source of annual complaints by residents to the Routt County Weed Program Department.
2. Traffic and density issues with the current proposal to expand the number of new residential units from 10 to 26 are not suitable for the area:

- a. The significant increase in vehicle traffic by the highway 40 subdivision entrance will raise the risk of accidents with students, pedestrians, bicyclists, and other vehicles.
 - b. The density in the village development area is greater than the existing subdivision and Filing 3 approved plans.
 - c. The parking on the west side of the school is inadequate to accommodate residents, guests, and school related traffic.
3. It permanently abandons the Parcel A and Parcel B fields.

Thank you for consideration of these comments and your efforts.

Best regards,



Lee and Sheryl Pierson

Enclosures



Lee Pierson <lee.a.pierson@gmail.com>

Status of Heritage Park Parcel E

Lee Pierson <lee.a.pierson@gmail.com>
To: Ty Lockhart <ty@fmlight.com>

Fri, Jul 5, 2013 at 1:46 PM

Ty,
Thank you for the update and information. I appreciate your efforts!

Lee

On Wed, Jul 3, 2013 at 4:28 PM, Ty Lockhart <ty@fmlight.com> wrote:
the transfer will happen before the end of the month ty

On Wed, Jul 3, 2013 at 11:48 AM, Lee Pierson <lee.a.pierson@gmail.com> wrote:

Hi Ty,
I hope all is well with you and your family this summer.

I was going to contact Steamboat II Metro District to inquire about parcel E plans and weed control/maintenance. I noticed that the HP parcel E is listed by Routt County with the following ownership information:

Owner Name REMNANT INVESTORS, LLLP

Owner Address 830 LINCOLN AVE
STEAMBOAT SPRINGS, CO 80487-5005

Please provide any information that you can share about the timing to transfer parcel E ownership and maintenance/development responsibilities to the Metro District.

Thank you for your time.

Lee Pierson

(970)846-7270

--
Ty Lockhart
F.M. Light & Sons
830 Lincoln Avenue
Steamboat Springs, CO 80487
970-879-1822

27478 Brandon Circle
Steamboat Springs, CO 80487

March 3, 2011

RE: Third Amendment to Declaration of Covenants for Heritage Park Subdivision

Dear Heritage Park Owners Association Member and Neighbor,

The purpose of this letter is to encourage you to vote for the Third Amendment to Declaration of Covenants for Heritage Park Subdivision. I also encourage you to proactively discuss this Amendment with your neighbors and urge them to vote so we can achieve a strong voter turnout and obtain the 67% Association member approval required to ratify this Amendment.

Reasons to pass this Amendment are:

1. The creation and development of a neighborhood park,
2. Ability to manage incremental residential development through expanded Association membership and architectural standards, and
3. Broad support of development plans by the developer, HPOA Executive Board, adjacent property owners, and Routt County Commissioners.

The Amendment provides an excellent opportunity for our families and community to have a neighborhood park that will be owned and managed by the Steamboat II Metropolitan District. District utility payments that fund recreational uses can be utilized to develop and maintain a Heritage Park area in addition to those funded in the Steamboat II and Silver Spur subdivisions. The Heritage Park Parcel E and F park area delineated in the site map comprises over two acres. It lies within the residential area and will provide an easily accessible and safe gathering place for friends and family members of all ages.

Residential lots developed on Parcels C and D will be subject to additional architectural standards and will become members of our Association. These well designed requirements will ensure uniform management of the entire residential area, participation of all lot owners, and provide additional association dues revenues.

The developer, HPOA Executive Board, adjacent property owners, and Routt County Commissioners endorse the plans for development. Significant time has been devoted to arrive at a balanced recreational area and residential development plan. However, these plans will not become reality until you and your neighbors vote to approve the Third Amendment to Declaration of Covenants for Heritage Park Subdivision.

Please review the information that has been mailed to you and take prompt action to vote for and approve this Amendment.

Thank you,

A handwritten signature in black ink, appearing to read 'Lee Pierson', written over a horizontal dotted line.

Lee Pierson

Heritage Park Lot 33 Owner



ty lockhart <tylockhart1@gmail.com>

Heritage Park Proposal - Resident at 27498 Brandon Circle

1 message

Nathaniel Stark <nstark@gormanusa.com>

Tue, Jul 12, 2022 at 9:42 AM

To: "tylockhart1@gmail.com" <tylockhart1@gmail.com>

Ty,

Thank you for your mailer regarding your proposed plans to reconfigure the subject lots at Heritage Park. I am in full support of your plans and believe it is a benefit to our area. I am unfortunately out of town for the neighborhood meeting on the 14th. I should be available for your Planning commission and BOCC hearing dates per the notice I received from Routt County. Let me know if you need any neighborhood support on those as I know that can be beneficial in some circumstances.

On exhibit B it appears to show the current recreational trail extending to the west with a crosswalk at Brandon Circle. Will that remain in the scope? Are there any plans for traffic calming measures across the highway to allow for safe crossing for Heritage Park residents to access the trail connecting to Sleeping Giant School? I know this is a big request on CDOT but I figured I would ask you as you are likely having to update your Traffic Impact Study.

Nathaniel Stark, AIA

Lead Architect – Colorado



P 970-209-7401

E nstark@GormanUSA.com W www.GormanUSA.com

1060 Bannock Street, Suite 305 | Denver, CO 80204



From: [robert wilmoth](#)
To: [Alan Goldich](#)
Subject: Heritage Village Conceptual PUD Application
Date: Wednesday, July 20, 2022 4:55:02 PM

Hello Mr. Goldich,

My name is Robert Wilmoth.

My wife and I have lived in the Heritage Park subdivision at 27353 Brandon Circle for 20+ years. I have some commentary and concerns that I'd like to voice regarding the proposed Heritage Village.

My initial comment is about the PUD process. I have trouble understanding how a Planned Unit Development can be so easily amended, abandoned, or altered? There was a lot of scrutiny, fact finding, community buy-in, negotiating, etc. that seemingly went into our initial PUD. It's my understanding that one of the reasons for our increased density (7.5' side setbacks) was allowed due to the developer providing a higher than required amount of open space. Once those narrow side setbacks were capitalized on in the form of more lots to sell, it seems that the original agreements should remain more binding. It seemingly shifted from a "give & take" process, to a "take and take more later" process. The PUD process looks to be little more than a necessary exercise in our case.

And along these same lines it would be prudent for staff and all interested parties (RCC, RC Planning Comm, etc) to take another look at just how Heritage Park came about and what all was initially, and later, agreed upon. In particular the promised deeding of Parcel E to our HOA and having the Steamboat II Metro District take care of it. It's become an eyesore for us all. It appears that the school has neither the resources nor the desire to keep that park/playground area in a nice usable condition. As soon as school lets out for the year, it's usually allowed to grow up and become a weed patch. (I'll include a picture of it from today)

My primary concern is that we have a very trying situation out here with all the extraenous traffic created by the school. This situation is ongoing for 4-5 days per week for 9+ months of the year. Summer's are a welcomed reprieve from it. I believe that most of us that live out here have come to dread dealing with the gridlock and one lane wide Brandon Circle in the mornings and afternoons for all the months that school is in session.

Not only do I live here and drive Brandon Circle daily, but I also work from home quite a bit so I'm privy to witnessing the chaos and confusion firsthand many days. Over the years steps have been attempted and much has been discussed at HOA meetings in the way of possible solutions but it seems that no substantive changes ever take place. I don't ever see this issue ever getting rectified unless a directive comes from a County entity. And at this point it has gone on for so long, that I don't think there's any incentive to improve the situation from the school's perspective. But maybe there's some hope to improve our safety somehow within this application process.

There is no bus service provided for the students, so every child that doesn't walk/ride their bike, etc. to school, has to be driven to school. And it looks to me like it's pretty close to a 1 child to 1 vehicle ratio. The vehicles waiting to pickup & drop off students will park from the school entrance along Brandon Circle all the way back to the US40 & Brandon Circle intersection. And then when MORE waiting vehicles arrive, those folks really only have 2 choices. They can either WAIT in the left turn lane out on US40 until the other waiting traffic on Brandon Circle can advance, or some will continue westbound on US40 until just past the Heritage Park/Steamboat II intersection and then make a left hand U-turn and park/queue up on the eastbound US40 shoulder. This creates a lot of confusion at an intersection with some fast moving traffic. Both options are dangerous, probably illegal, and should be vigorously discouraged. I've often seen more than a dozen vehicles waiting in the westbound US40 left turn lane and they were waiting there to pick up students from the school. To my knowledge a proper traffic flow pattern and staging area has not been provided for these commuters. It appears that they're left to their own devices as far as where to wait. When you have all these vehicles waiting in the US40 left turn lane there will invariably be some traffic there, that is trying to get home to Heritage Park. They ARE NOT there to pick

up children. These people are forced to wait in the turn lane ONLY because it's filled with other vehicles waiting to drop off or pick up their children at the school. I've witnessed some of those vehicles pulling out of the standstill turn lane traffic and into the oncoming eastbound US40 traffic, and then racing up to the intersection to make a left turn while oncoming traffic approaches them at 55mph. A recipe for disaster if there ever was one. And once it begins snowing and the roads get narrower and slicker, it all gets considerably worse.

Some years back all this traffic that waits/stages along Brandon Circle would advance toward the school and then turn right into the soccer fields parking area and stage there for pickup. That was a MUCH safer and sensible option. But for some reason they quit utilizing the safest and most common sense option? The proposed new neighborhood looks to develop the land that provided that best scenario option.

I have trouble imagining adding more Heritage Village traffic into that snarl of waiting vehicles. This situation needs to be well studied and thoroughly scrutinized. I despise traffic lights. But I think that we are way past due to have one installed at the US40/Brandon Circle/Anchor Way intersection. It'll solve a lot of our problems and make it safer for all involved. It could also solve some newer pedestrian issues by adding a signaled crosswalk for kids walking/riding back and forth between our 2 schools in this area. It's anecdotal of course, but it looks to me like our intersection out here generates at least twice the traffic that the intersection of RCR42 & US40 generates you know, the one with the nice new traffic light. It would be my hope and desire that nothing with this new proposal is allowed to move forward UNTIL we can get our school traffic issues improved. The proposed development WILL ONLY MAKE A BAD SITUATION WORSE. The 15mph school zone speed limit is almost never adhered to, so I'd like to further recommend having the school install seasonal/removable speed bumps for the safety of children, neighbors, residents, and the people transporting them. Adding another lane to Brandon Circle from US40 to parcel E entrance should be strongly considered also. As well as requiring the installation of concrete sidewalks so that the kids that are walking to school can stay off Brandon Circle from US40 to the Parcel E driveway. (see picture #4) Several times a week under our current situation, we end up with a very congested 1 lane wide access/egress from US40 into the Heritage Park neighborhood.

Back in January 2022 I was asking to get some enforcement presence from the RCSO to help with our issues. I had asked several times in years past and I just don't think it's a very high priority. So I decided to send an email to our County Commissioners asking if they had any ideas or possible approaches that we might try.

I got a response from Commissioner Beth Melton.

Here's an excerpt from her response:

"I've communicated with a few people in your area about similar concerns over the past year. I think the only time we can require a traffic plan is when there is a land use application on the table."

And I received a response from Sheriff Wiggins also.

Here's a excerpt from his response:

"The issue that Rob has detailed is a much bigger problem than law enforcement alone can address. As Rob has admitted, much of the traffic related issues stem from private roads and private property. This problem will require community participation including the CDOT, Schools, HOA, Routt Co. Road & Bridge, RCSO, and effected citizens to effectively address. I feel certain that there is a solution but I believe the first step is to have a meeting of all the stakeholders to discuss the totality of the issues at hand."

It sure seems like the time to fix this is NOW, otherwise with more inaction we'll actually continue to make it worse and increasingly unsafe.

Thank you for your time Mr. Goldich.

I'm going to include some pictures below with some commentary about them.

Respectfully submitted, Robert Wilmoth

1st pic: School traffic backed up to US40 with cars queuing on eastbound shoulder and westbound left turn lane.

2nd Pic: School traffic, picture of a collision at intersection and again traffic waiting on both sides of US40.

3rd pic: School traffic parked out to US40 and past. The white SUV didn't have room to pass and ran off the edge of the road & was stuck and waiting for a tow. So Brandon Circle was down to less than a full lane wide.

4th pic: This truck was driving so fast that they lost control & spun out, punched through a 3' snowbank and came to rest on top of our "School Zone" & 15mph sign! LOL. Shortly before this picture was taken there were children walking through there to get to school.

5th pic: The sign that was flattened by offending truck. It was just jabbed into the snow and soon fell over.

Continued on next email