

**TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, January 27, 2015**

Minutes

- I. The meeting was called to order at 8:05 am.
- II. Roll Call indicated present: Brad Holzwarth, Sue Keck, Jonathan Larson, Doug Robbins, and Cliff Anderson. Vice-Chairman Lawson ran the meeting.
- III. Commissioner Anderson moved, and Commissioner Keck seconded a motion to approve the minutes of December 9, 2014. Motion carried: 5-0.

IV. NEW BUSINESS:

- A. Election of Chairman and Vice Chairman (yearly)

Commissioner Anderson moved to leave the Chairman the same (Dick Norman), and Commissioner Holzwarth seconded the motion. Motion carried: 5-0.

Commissioner Holzwarth moved to leave the Vice Chairman the same (Jonathan Larson), and Commissioner Anderson seconded the motion. Motion carried: 5-0.

- B. Serenity Trail Design Review (reviewed after item C)

Planner Shockey gave staff report.

Ron Merrill was present as applicant; Todd Waldron was present as an adjacent property owner.

Background:

Serenity WP, LLC has applied to the Town of Winter Park to replat Tract 42B into 12 townhome units. The proposed development is located on Timber House Road just north of the base area at Winter Park Resort. The zoning on the property is Planned Development – Destination Center District (PD-DC), which permits this type of use. The Planning Commission and Town Council approved a Final Development Plan (FDP) for this property in 2011 (Ordinance 449, Series 2011).

The elevations provided by the applicant are for the uphill units only; the downhill units will be designed later. The applicant will be required to go through the design review process prior to obtaining a building permit for the downhill units.

Homeowner's Association Review:

There is currently no active HOA Design Review Board.

Proposed Material & Color:

The buildings will consist of natural and natural looking materials, and earth-toned colors will be used to help blend it into the natural mountain setting. Contemporary mountain rustic architecture is planned utilizing rustic hand-hewn and rough-sawn siding, a stone veneer base, and a mixture of corrugated metal and composition asphalt shingles for the roof.

Exterior Lighting:

Exterior lighting will be installed at each entryway including the garage door and on the decks. The fixtures comply with Town guidelines and are dark sky compliant.

Building Height:

The building elevations indicate that the height of the buildings at their highest point is 43' 07". The proposed development complies with the Town standard for building height.

Access and Parking:

The applicant is proposing to access the development from Winter Park Drive via Timber House Road, a private local low-volume road. The width of the proposed road is 24', two 10' travel lanes and two 1' shoulders. The grade of the road varies from 5% to 10%, which is permitted per the FDP.

The proposed development will require 24 parking spaces, two spaces each for the 12 - four-bedroom units. The design will have one interior parking space and one exterior. They are proposing one guest parking spot near the dumpster area. With four bedrooms each, it is likely that more than two cars would be present at a unit. Signage will be installed at the entrance into the development stating parking is permitted in designated areas only and not along the road.

Site Plan and Building Elevations: Staff is satisfied with the overall design.

Roofs - The building has been designed with gable dormers and other smaller roofs to create broken rooflines that reflect the irregularity of mountain slopes.

The building design incorporates asphalt shingles, which assists in preventing roofs from shedding during the course of a winter. This will help prevent large snow and ice from falling onto unsuspecting users below. Where the possibility exists of pedestrians being at risk of falling snow, gable roofs have been created. It appears from the elevations that each entrance has been covered by a roof or is located on a gable end.

Windows - The elevations show that the windows do not dominate the face of the building and therefore meets this design guideline.

Decks, Balconies, and Patios - This design guideline states that, "decks, balconies and patios, along with other architectural elements, should be incorporated to create variety and detail on exterior elevations." The proposed building elevations incorporate a variety of decks and balconies for exterior access for the units. This design meets the intent of the guideline.

Setbacks:

The proposed building locations are within the required setbacks for the FDP.

Coverage:

The applicant is proposing a building coverage of 54%, which is 6% less than the permitted coverage of 60% per the FDP.

Trash Enclosure

The applicant is proposing one outside trash container for the complex.

Fences and Gates:

There are no plans to construct fences or gates in this submittal.

Forest Thinning and Fuels Management:

Trees will be removed within the interior of the property but mature trees will remain on the perimeter.

Cuts, Fills and Retaining Walls:

This site slopes up from east to west and the buildings were designed to take advantage of the slope and not require large cuts or fill for the site. Retaining walls will be required along the west property although the height will be minimal and not visible from the public right-of-way. The buildings have been appropriately designed to take advantage of the existing topography.

Design Review Committee Recommendation

The DRC reviewed the design on December 4, 2014 and recommended approval with the conditions outlined in the staff recommendation.

Note: The elevations have changed slightly from the DRC approval. The roof covering the back deck has been expanded. The original design only covered half the deck; the revised plans cover the entire deck.

Staff Recommendation:

The proposed design meets the Town's different design guidelines for architecture and landscaping and staff recommends the Planning Commission approve the design for Serenity Trail at Winter Park with the following conditions:

- Prior to issuance of a building permit for the downhill units (east side), the applicant shall go through design review approval.

Discussion was held. There were concerns about the location of the entry monument. There was no discussion held on the landscape plan since this is a condition for the Final Plat.

Commissioner Holzwarth moved and Commissioner Anderson seconded to approve the Serenity Trail Design Review with conditions listed plus one additional condition listed below along with a recommendation for the applicant to consider. Motion carried: 5-0

Condition - The entry monument is to be moved closer to Building 12.

Recommendation – The dumpster should be enclosed.

C. Serenity Trail Final Plat (reviewed before item B)

Planner Shockey gave staff report.

Ron Merrill was present as applicant; Todd Waldron was present as an adjacent property owner.

Serenity WP, LLC has applied to the Town of Winter Park to replat Tract 42B into 12 townhome units. The proposed development is located on Timber House Road just north of the base area at Winter Park Resort. The zoning on the property is Planned Development –Destination Center District (PD-DC), which permits this type of use. The Planning Commission and Town Council approved a Final Development Plan (FDP) for this property in 2011 (Ordinance 449, Series 2011).

The Planning Commission reviewed and approved, with conditions, the Preliminary Plat at their regular meeting on July 22, 2014. All of the conditions placed on the approval list were recommended to be resolved at the time of Final Plat.

The Town Council reviewed and approved the Preliminary Plat on August 5, 2014 with the adoption of Resolution 1454. The following conditions were made a part of the resolution and were required to be resolved prior to submittal of the Final Plat:

- **Prior to Final Plat review, the applicant shall provide the turning templates to East Grand Fire District for their review and approval. The applicant shall provide a letter from the District stating their concerns have been addressed and they are satisfied with the proposed development.**

Staff Comment – Dennis Soles, Fire Prevent Officer sent a letter on November 3, 2014 stating, “the developer has addressed the concerns and needs of East Grand Fire Protection District, and the design is acceptable to the Fire District as currently submitted.”

- **Prior to Final Plat review, the applicant shall receive approval of the variances from Town Staff. If variances are denied, the applicant shall bring the construction plans into conformance with the Standards.**

Staff Comment – The applicant requested two variances from the Standards. The first request was to allow a grade of 6.5% for the first 50’ from the intersection instead of the required 5% (§3.7.4). The current grade is 6.5% and it would be extremely difficult to lower the roadway without affecting other existing driveways on the road.

The second request was to allow the existing intersection to remain in the current alignment even though it is only 87’ from an existing driveway. The Standards require intersection offsets to be a minimum of 125’ apart (§3.7.3). Both access points are existing and cannot be easily relocated without substantial costs. Variance requests are reviewed and approved administratively and staff has approved both variance requests.

- **Prior to Final Plat, the applicant shall revise the construction plans to indicate signage for the parking areas.**

Staff Comment – Signage has been added to the construction plans (SP01) indicating “No Parking Along Roadway”.

- **Prior to Final Plat, the applicant shall stake the building footprint and determine the amount of mature spruce that will remain on the property. The applicant shall work with staff to determine the appropriate amount of landscaping based on the amount of spruce remaining on the site in conformance with the Code.**

Staff Comment – The applicant is estimating 156 mature spruce trees will be saved on the property. Due to the location of the property, the landscape architect, Gary Roessler is not recommending deciduous trees be planted. He feels the deciduous trees are likely to struggle in that environment. A total of 172 trees are required per town guidelines, the applicant is proposing 188 (156 existing / 32 new). The planted spruce will be six feet per town guidelines except within the interior of the buildings, those spruce will be eight feet. The applicant is also proposing to plant 100 shrubs, town guidelines require 325. The applicant states there are an unknown number of shrubs existing on the property that will be saved and replanted. The 100 proposed shrubs are located where appropriate to maximize their visual impact and provide screening.

The irrigation system shall be reviewed and approved by Winter Park Water and Sanitation District prior to any Final Plat review.

Staff Comment – The new landscape will be hand watered according to a schedule established on the landscape plan. This condition is no longer applicable.

- **Prior to Final Plat, the applicant shall provide a lighting plan that meets the Residential Architectural and Design Guidelines of the Town of Winter Park.**

Staff Comment – The proposed light fixtures comply with the town guidelines.

- **Prior to Final Plat review, the applicant shall create a snow storage plan that incorporates the landscaping and utility boxes.**

Staff Comment – The snow storage plan has been amended to incorporate landscaping and utility boxes. The plat shows snow storage for 32% of the site. The Standards (§3.11) require a minimum of 25%.

- **Prior to Final Plat review, the applicant shall add a plat note stating that snow may be required to be hauled off-site during heavy snow years. The language shall also be added to the Declaration of Covenants, Conditions and Restrictions.**

Staff Comment – A plat note has been added to the Final Plat (Note 12) and similar language has been added to the Declaration.

- **Prior to Final Plat review final copies of the Rules and Regulations, Bylaws and State approved / stamped copy of the Articles of Incorporation shall be provided.**

Staff Comment – This condition has been met.

- **The applicant shall provide an executed DIA with cost estimates along with final stamped engineered plans for all applicable improvements prior to acceptance of any DIA and subsequent site disturbance.**

Staff Comment – The DIA has been updated and approved by staff.

- **Prior to Final Plat review, the applicant shall revise construction plans to come into conformance with the Standards and Specifications for Design and Construction. Any deviations from the Standards will require a variance.**

Staff Comment – The construction plans have been reviewed and approved by the Town Engineer.

- **Prior to Final Plat review, the applicant shall provide a response to questions raised by the Town Engineer in the letter dated July 9, 2014.**

Staff Comment – The Town Engineer sent a letter on January 15, 2015 stating their concerns have been addressed.

- **Prior to Design Review submittal, the applicant shall provide specifications on the fire resistive construction material that will be used on the buildings to meet the regulations.**

Staff Comment – The applicant included a fire resistive construction material list in the design review packet.

- **Prior to Final Plat submittal, the applicant shall add a plat note stating the recommendations of the geotechnical report will be adhered.**

Staff Comment – Plat Note 10 references the geotechnical report.

- **Prior to Final Plat submittal, the applicant shall add a plat note stating geotechnical investigations and analysis will be required for each building permit submittal.**

Staff Comment – Plat Note 11 references the requirement for geotechnical investigations and analysis for each building permit.

- **Prior to Final Plat review, the applicant shall obtain a letter from the East Grand Fire Protection District stating they have no concerns regarding the proposed development. Construction Plans shall be modified to include their recommendations.**

Staff Comment – Dennis Soles, Fire Prevent Officer sent a letter on November 3, 2014 stating, “the developer has addressed the concerns and needs of East Grand Fire Protection District, and the design is acceptable to the Fire District as currently submitted.”

- **Prior to Final Plat review, the applicant shall obtain a letter from Mountain Parks Electric, Inc. stating they have no concerns regarding the proposed development. Required changes to the electric lines shall be shown on the final construction plans and noted in the DIA.**

Staff Comment - Jean Johnston, Right-of-Way Specialist sent a letter on October 29, 2014 stating their concerns have been addressed.

- **Plat notes shall be added to the Final Plat as noted in the June 24, 2014 letter from Mountain Parks Electric, Inc.**

Staff Comment – The plat notes have been added as Plat Note 13 & 14.

- **Prior to Final Plat review, the applicant shall amend the construction plans and DIA to incorporate the requirements of the Water and Sanitation District.**

Staff Comment – The applicant has amended the construction plans but the Water and Sanitation District has not provided a final letter of approval. The District has provide verbal approval of the plans and a letter is coming.

- **Prior to Final Plat, the applicant shall obtain a letter from Xcel Energy stating they have no concerns regarding the proposed development. Any required changes to the gas line shall be noted in the construction plans and DIA.**

Staff Comment – David Covey, Planner sent a letter on October 4, 2014 stating their concerns have been addressed.

- **Prior to Final Plat submittal, the applicant shall revise the Preliminary Plat in conformance with the red-marked print dated July 22, 2014.**

Staff Comment – This condition has been met.

- **Prior to Final Plat review, an independent party, being a qualified appraiser, shall be selected by mutual agreement of the applicant and the Town to determine the fair market value of the property as it relates to Town Code § 8-3-10. Said independent party's findings on fair market value shall be conclusive as to both parties. The applicant shall pay the cost of obtaining such appraisal.**

Staff Comment – The Town Council required an appraisal as a condition of Preliminary Plat approval. The applicant obtained an appraisal from Thomson Valuation Service on September 25, 2014. The fair market value of the property was appraised at \$535,000. This number will be used to determine the open space value and school impact fee.

- **Prior to Final Plat, the applicant and Town shall determine a cost-sharing plan for improvements to Timber House Road. The cost of the roadway improvements shall be determined by the Town.**

Staff Comment – At a previous discussion with the Commission they did not recommend the applicant pay for the cost of the road. But when the Town Council reviewed they are requiring the applicant participate in the cost of paving Timber House Road from Winter Park Drive to their entrance as a condition of Preliminary Plat approval. The Town Engineer estimated the cost to pave the road at \$75,000. Staff is recommending a cost-share agreement that will require the four properties in Timber House contribute to 50% of the cost and Union Pacific contribute the remaining 50% when they build their water treatment plant this summer. The cost to the Timber House properties will be collected as the properties develop in the future.

Discussion was held.

There was concern over the number of shrubs that were going to be located on the berms and banks along the detention pond. The Commission would also like to see more shrubs located at the corner of the intersection with Timber Drive. A condition will be added to the list to be completed prior to recording of the plat. The Planning Commission recommended the landscape plan be amended to include additional shrubs around the detention pond and other areas east of the buildings with a minimum of 130 shrubs for the development.

The Planning Commission reviewed the cost-share agreement and felt additional discussion was needed about the parties that use the road. The Commission felt the Resort may use the road in the future to access their property and may need to contribute toward the paving cost. They recommended the cost-share agreement be discussed at a future meeting and any payment be tied to recordation of the plat.

Miscellaneous - The following conditions of approval are required to be resolved at the time of recordation of the Final Plat, and should be carried over to any resolution approving this application:

- ✓ A Certificate of Taxes, shown to be paid in full from the County Treasurer, shall be provided for the subject property prior to the recording of any Final Plat.
- ✓ A digital file of the approved plat must be submitted. The digital file shall be in a format acceptable to the Town's System.

Requirements for digital submittal can be obtained from the Town's Planning Department

- ✓ A 14"x18" 911 Address Plat shall be provided prior to recording of any Final Plat.
- ✓ The 5% Land Dedication fee of \$26,750.00 shall be provided to the Town of Winter Park prior to recording.
- ✓ This proposed project is subject to school impact fees, and the amount is calculated as follows:
 - 12 units x .0026 = 0.0312 assessable units
 - \$535,000.00 (market value) / 1.41 acres = \$379,432.62 / acre
 - \$379,432.62 / acre x 0.0312 (assessable units) = \$11,838.30
- ✓ A School Impact Fee in the amount of \$11,838.30 shall be provided prior to recordation of any Final Plat.

Staff recommended approval of the Final Plat for Serenity Trail at Winter Park with the following conditions:

Conditions Prior to Final Plat Review by Town Council

1. The Development Improvements Agreement shall be amended to reflect the changes to the construction plans.
2. A letter of approval shall be provided from Winter Park Water and Sanitation District.

Conditions Prior to Recording

1. A Certificate of Taxes, shown to be paid in full from the County Treasurer, shall be provided for the property.
2. A digital file of the approved plat must be submitted. The digital file shall be in a format acceptable to the Town's System. Requirements for digital submittal can be obtained from the Town's Planning Department.
3. A 14"x18" 911 Address Plat shall be provided.
4. A School Impact Fee of \$11,838.30 shall be provided.
5. An Open Space Fee of \$26,750.00 shall be provided.
6. An executed copy of the Quit Claim Deed from Serenity WP, LLC to Serenity Trail at Winter Park Homeowners Association for the general common elements shall be provided.
7. An executed copy of the Statement of Authority shall be provided.
8. Executed copy of the Rules and Regulations shall be provided.

Commissioner Holzwarth moved and Commissioner Anderson seconded to approve the Final Plat for Serenity Trail with conditions listed plus two additional conditions listed below. Motion carried: 5-0.

- The landscape plan shall be amended to include additional shrubs around the detention pond and other areas east of the buildings. A minimum of 130 shrubs shall be required.

- The cost-share agreement for paving the road shall be removed from plat approval and tied to recordation of the plat. This will allow the Commission and Council an opportunity to further discuss the issue.

VI. STAFF UPDATE

- Planning Commission Vacancy

Upon a previously adopted motion, the meeting was adjourned at 9:17 a.m.