TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, December 9, 2014

Minutes

I. The meeting was called to order at 8:00 am.

II. Roll Call indicated present: Dick Norman, Brad Holzwarth, Sue Keck, Jonathan Larson, Doug Robbins, and Cliff Anderson.

III. Commissioner Anderson moved, and Commissioner Robbins seconded a motion to approve the minutes of November 11, 2014. Motion carried: 6-0.

IV. NEW BUSINESS:

A. Sketch Plan Review – Reunion Lofts

The applicant Stephanie Van Dyken presented a power point presentation of the project and gave an overview. The lot has a large electrical easement in the front along Highway 40. This area can be a gathering space for the community along with the current cabin attached to a new commercial structure. The proposed street parking on Lions Gate Drive will have townhomes built up to the street with a sidewalk.

Planner Shockey presented the staff report.

The applicant is proposing to subdivide Lot 5 into a mixed-use development that will consist of residential lots along Lions Gate Drive and commercial retail/restaurant space along Highway 40. The property is located between Highway 40 and Lions Gate Drive directly north of the post office. There are currently two structures on the property, the small structure is occupied by Local Experience, a shoe store and the larger structure is vacant.

Although the sketch plan review with the Planning Commission is optional, the applicant has requested this review to gather input about the proposed project prior to completing the preliminary plat requirements. Per section 8-2-2 of the Town Code, the Planning Commission shall review the sketch plan and shall discuss with the applicant any changes deemed advisable in the proposed plan and shall approve, conditionally approve or disapprove the proposed plan.

The applicant is proposing a mixed-use development that will consist of residential lots along Lions Gate Drive and commercial retail/restaurant space along Highway 40. The retail space will consist of approximately 2,238 square feet of indoor space and 1,311 square feet of outdoor patio. In addition, a restaurant is proposed with 1,207 square feet of indoor space and 918 square feet of outdoor space. The outdoor patio will include fire pits, a stage for

performances, and ample seating buffered by landscaping. The space is designed to be fluid and the uses may change over time.

The applicant submitted a sketch plan for a similar project in 2009. That submittal involved a mixed use building along Highway 40 with commercial space on the first floor and condominiums above. The Planning Commission reviewed the sketch plan three separate times – September 8, 2009, December 22, 2009 and January 26, 2010.

The Master Plan states that the Town needs to increase the pedestrianization of the downtown by expanding our core area and providing a variety of development that will help to support downtown businesses. The applicants proposed plan takes the recommendations of the Master Plan into account by creating a mixed-use development that is pedestrian friendly with amenities such as an outdoor patio to draw people off the street.

Access to the site is proposed from Highway 40 using the existing access for the property. In 2009, the Commission requested the applicant work with the owner to the north to create a shared access drive between the properties that would align with Hi Country Drive. Aligning the drive creates a four-way intersection and minimizes the number of curb cuts on Highway 40. The Winter Park Multi-Modal Transportation and Mobility Plan calls for this type of alignment and consolidation wherever feasible. The applicant states they have attempted to work with their neighbor for the past two years with no resolve on a shared access. To encourage shared access in the future, they are proposing a 20' access easement from their property to the north. A shared parking agreement would need to be developed in the future to utilize the access easement.

In 2009, the Commission recommended the applicant create a shared access with the property to the south. The applicant had agreed to create the easement on the plat but not develop it until the property is redeveloped. This easement is not shown on the latest sketch plan.

An access permit has been submitted to the Colorado Department of Transportation (CDOT) for the current location. CDOT will issue an access permit for that location unless the Town does not approve the location during the subdivision process.

The proposed development requires approximately 46 parking spaces. The residential units require two parking spaces for each unit. Those spaces will be located in private garages underneath the living space. The commercial space requires 36 spaces, 30 for the retail/restaurant and six for employee parking. The applicant has requested a reduction in the number of spaces based on § 3.9.3 of the Standards and Specifications for Design and Construction (Permitted Reductions in Off-Street Parking Requirements). The reduction would reduce the parking requirements to 23 spaces, 17 for the retail/restaurant and six for employee parking. They are proposing 15 spaces on-site and eight on Lions Gate Drive. The 23 parking spaces include the patio area as if it were building square footage as well as six spaces for employee parking which is required per the Standards.

The Standards allow the parking requirements to be reduced by one-half if it is appropriate to the site. "It is the intent of this section to establish parking requirements based on differing parking demands and time use characteristics in cases where commercial, residential, cultural or civic uses are intermixed on the same lot. The end product shall be a more efficient use of

surface area with less land area devoted to parking". The applicant notes that parking is available along Highway 40 and the property is located near a bus stop so patrons have another option other than parking on-site.

The parking reduction has to be approved by the Town Council and "in considering the amount of deduction it should permit, the Town Council shall take into account the magnitudes and operation of all uses proposed, availability of other public or private parking structures or areas at reasonable distances within the district and the availability of remote employee parking" in the area.

In the DC district, a payment–in-lieu of providing required parking may be accepted by the Planning Commission. The payment shall be equal to the actual cost of providing hard-surfaced parking stalls plus the access drive.

The Commission would like to see a turning template because there is concern if there is enough room for a fire truck or large delivery trucks to turn around on the property. The Commission was ok with the plans of working with CDOT on the entrance.

The proposed commercial building is shown with a 27' setback from the Hwy 40 right-of-way, which is inconsistent with the design guidelines for the downtown core. Guideline 1 states a building shall be located adjacent to the property line along the primary street. The 27' setback is required because of numerous easements for electric, sewer, and telephone that run parallel to Highway 40. The applicant has stated that they would like to have the buildings located adjacent to the right-of-way but the cost associated with moving the utilities is not feasible and therefore limits where the building is located. The guidelines suggest that areas along the property line that are not used for structures should be used for either pedestrian access, a pedestrian amenity area or auto access. Since it is not feasible to move all the utilities for this development the applicant has used the easement area to create a pedestrian amenity area with landscaping, seating and other amenities like an outdoor stage and fire pit.

The townhomes along Lions Gate Drive are shown with a five-foot setback from the right-of-way. The property currently has a ten-foot setback from Lions Gate Drive per the Griffin Park Subdivision Exemption (Resolution 326, Series 1991). The ten-foot setback was part of an agreement between the Town and the owners of the Griffin Park Subdivision. Staff is in support of the reduced setback but we need to confirm with our legal counsel that the Town can permit the reduced setback.

The side setbacks are in conformance with the Zoning Regulations but with the limited distance between the building and the property line, fire resistive construction methods will be required by the Winter Park Building Department.

The sketch plan has identified snow storage locations throughout the property. The plan shows snow storage for 28.37% of the site. The Standards (§3.11) require a minimum of 25%. The site is tight and snow storage is undersized even though they have exceeded the requirements. It is likely during heavy snow years that snow will need to be hauled off. In the past, if a site had inadequate or limited storage a plat note was added that off-site snow removal might be required. This alerts future buyers of the potential costs associated with snow removal.

The sketch plan shows two new sidewalks for the property. A four-foot sidewalk will be installed along the south property line from Lions Gate Drive to Highway 40. This sidewalk was identified as a need in the Winter Park Multi-Modal Transportation and Mobility Plan. The Plan states "in longer blocks, introduce new cross streets and/or pedestrian corridors that will provide access to properties that are located behind the primary street and that offer opportunities for businesses to face the quieter lanes and walkways". The sidewalk will provide pedestrian access between the two streets and breakup the long stretch of private property between Rosie's Way and Kings Crossing Road. The Plan identified the sidewalk on the north property line to align with Hi Country Haus but the location on the south meets the intent of the Plan and is acceptable to staff.

The other sidewalk would be installed along Lions Gate Drive for the length of the property. The applicant would like to have parking on Lions Gate Drive with a sidewalk to create a front-door presence for the townhomes. The Multi-Modal Plan designates Lions Gate Drive as an internal alternative to Main Street that should be enhanced with sidewalks and parking.

Public Works Director Chameroy was present for the discussion. Currently there is no on street parking allowed on town roads in Winter Park. He stated that there are plans to review design work in 2015 for parking on Lions Gate Drive. There are safety concerns involved with the placement of sidewalks and parking until a plan is developed. We will need to keep consistent with sidewalks on the roadway. If the Town Council allows parking and sidewalks for this project the town would have to ask for an easement for snow storage. Snow removal is also a major concern because this is a bus route and an alternative road to Highway 40.

Landscaping, signage, lighting, and open space are not required until preliminary plat.

The ditch that runs thru the property will be piped under the parking lot like it is at the Post Office.

Planning Commission reviewed the sketch plan and had the following recommendations:

- The driveway should align between the two properties or if the location of the current driveway is an acceptable alternative than a CDOT permit will be required.

- An access easement to the north should be required. A shared parking agreement will need to be developed.

- Reduction in parking is appropriate for this project but a turning template will need to be presented for approval.

- A sidewalk between the streets is acceptable on the south property line versus the north property line. There will need to be a sidewalk installed along Lions Gate Drive for the length of the property.

- Parking should be permitted on Lions Gate Drive if Town Council approves this for the new road design.

- All of the parking can be moved to general parking.

- Review of the proposed five foot setbacks will need to be confirmed with our legal counsel that the Town can permit the reduced setback.

- Fire resistive construction methods will be required by the Winter Park Building Department.

- There is to be a note on the final plat that off-site snow removal might be required.

Commissioner Robbins moved and Commissioner Keck seconded to approve the sketch plan review for Reunion Lofts with recommendations listed. Motion carried: 6-0.

STAFF UPDATE

- Lakota Park
- Whistlestop
- Affordable Housing

Upon a previously adopted motion, the meeting was adjourned at 9:15 a.m.