

**TOWN OF WINTER PARK  
PLANNING COMMISSION  
Tuesday, April 25, 2017**

**Minutes**

- I. The meeting was called to order at 8:07 am.
- II. Roll Call indicated present: Mike Davlin, Brad Holzwarth, Roger Kish, George Stevens, and Doug Robbins.
- III. Town Hall Meeting – no comments were received.
- IV. Commissioner Davlin moved, and Commissioner Robbins seconded a motion to approve the minutes from April 11, 2017. Motion carried: 5-0.
- V. Conflicts of Interest – no comments were received.
- VI. NEW BUSINESS:
  - A. Special Use Permit – Arrow

Community Development Director Shockey presented the staff report.

Special Use Permit Request – Owner’s Description

“We are submitting to the Town of Winter Park for a Special use Permit requesting approval for an on-site rock crushing operation in association with our Arrow at Winter Park project. Due to the significant amount of topography on the site, there will be a significant amount of excavation required to grade the site. This excavation operation will produce a significant amount of native materials that could be used for structural fill. In order to use the on-site materials for structural fill it will need to be crushed to the appropriate size.”

A Public Notice was published in the Sky Hi Daily News on April 6, 2017 and sent to adjacent property owners on April 11 providing notification of the meeting and requesting comments. The property was posted on April 11. Two comments were received in response to the mailings.

Jenn Posterick and Chris Morris – They are concerned with potential noise, traffic, and dirt that could result from the operation.

DeAntonio’s – They are concerned with the noise, mess and other problems associated with such an operation in the downtown.

The Commission shall hear all persons interested in the matter. The applicant has the burden and shall offer competent evidence in support of his application, which is sufficient to enable the Commission to consider the matter and to make findings on the subject. The applicant has the burden of presenting all necessary and relevant information and evidence in support of his application or petition.

The property is zoned DC and rock crushing/gravel operation would be considered a special

use per Section 7-5B-2B of the Town Code. In considering an application, the Commission shall consider:

1. The health, safety and welfare of the residents of the Town.
2. The orderly development of the property in the Town.
3. The preservation of property values.
4. The protection of the tax base
5. The effect on the neighborhood.
6. The likelihood of a nuisance being created.
7. The effect on the master plan of the Town
8. Any other matters relevant to the inquiry.

A Special Use Permit shall not be granted unless the Commission finds that:

1. The use is appropriate to the location, the lot and the neighborhood.
2. The use does not substantially change the character of the neighborhood.

The applicant is requesting approval for a rock crushing operation at the Arrow at Winter Park project, to convert 15,000 tons of excavated river rock into 3” minus gravel. This material would be used as structural fill on the property. The applicant believes this to be the most sustainable method of reusing the large amount of rock that will be exhumed from the site.

The time period that the applicant is requesting to complete the work is 30 days. They will provide the Town with a dust control mitigation plan prior to operation and the Town will have the ability to shut down operations if conditions warrant. If proper conditions are placed on the permit, staff feels this operation could be allowed in the proposed location.

Staff recommended the Planning Commission forward a favorable recommendation for approval of the Special Use Permit with the following conditions:

1. The Special Use Permit is valid until June 21, 2017 with allowable extension by town staff. The Town shall have the right to suspend the Special Use Permit at any time upon investigation of complaints or non-compliance with the conditions of the Special Use Permit.
2. The applicant shall be required to obtain any State permits and shall abide by their requirements.
3. Hours of operation shall be Monday – Friday, 8:00am to 5:00pm. Equipment shall not be turned on prior to 8:00am and must be shutdown prior to 5:00pm. No work is permitted on weekends or holidays.
4. Work shall only occur on days when site and environmental conditions are appropriate. Wind direction, precipitation, air and ground temperature, and other site conditions shall be monitored to mitigate impacts of the rock crushing operation on neighboring properties and businesses.
5. A Dust Mitigation Plan shall be provided to the Town prior to operation. The plan shall identify steps that will be taken to mitigate potential fugitive dust during the operation.
6. If excess material is left from this operation, the applicant shall be responsible for

removing it or providing a plan to store the material onsite. Any material being stored shall be revegetated in conformance with Town Standards within one year of site disturbance.

7. Screening shall be placed along the north, south, and east property lines to shield operations from the public sidewalks.
8. The location of the rock crushing operation shall be central to the project to minimize impact to surrounding properties.
9. Failure to comply with the conditions listed above may result in revocation of the special use permit as described in Section 7-9-6 of the Winter Park Town Code.
10. Failure to comply with the conditions listed above shall constitute a zoning violation as described in Section 7-10-6 of the Winter Park Town Code. Penalties as outlined in Section 7-10-7 of the Winter Park Town Code shall be applicable. Each day during which violation occurs shall be deemed a separate offense.

Discussion was held.

Jason Ahlers, President, Arrow at Winter Park, Inc was present for discussion with the Commission.

Public Hearing was opened and had one question confirming the hours of operation then the Public Hearing was closed.

Commissioner Davlin moved and Commissioner Kish seconded approval of the Special Use Permit for Arrow Rock Crushing to be sent to Town Council for their approval because this operation would not be a nuisance to surrounding property owners based on the location, and with the limited time period, it would not substantially change the character of the neighborhood. The Commission was in favor of having the material crushed on-site as it is more sustainable than the alternative, which is a large amount of truck traffic that would be generated from hauling the rock off-site to be crushed and then returned. Motion Carried: 5-0.

Sent to Town Council May 2, 2017 for approval.

B. Design Review Changes - Sitzmark South – Building B

Community Development Director Shockey presented the staff report.

Building B has been modified from the design that was last reviewed by the Planning Commission in August 2016. The architectural changes include the following –

- The clerestory element was removed
- The brick masonry veneer was removed
- Addition of corrugated metal cladding
- Addition of decorative metal "shutters" at storefront windows

There are some similarities, where no change has occurred from the original design:

- Corrugated metal roofing

- Second floor gable projections w/ barn wood cladding
- Black metal storefront windows
- Floor plans - dual tenant spaces lower level, and single tenant space upper level. Building footprint has remained the same.

The first set of drawings are the revised elevations followed by the original elevations.

Staff recommended the Planning Commission approve the design for Building B, Sitzmark South.

Pete Van Dusen, Project Manager was present to give an overview of the project changes.

Discussion was held. The Commission felt the trash door should be designed with less direct reference to a barn door. The east side of the building shall have windows or shutters installed to break up the large blank wall.

Commissioner Kish moved and Commissioner Davlin seconded approval of the Design Review Changes for Sitzmark South – Building B. Motion carried: 5-0

C. Single Family Design Review – 363 Leland Creek Circle, Potter

Community Development Directory Shockey presented staff report.

A single family home with a building footprint of 4,230 square feet that includes a three-car garage.

The structure has not been approved by the Leland Creek HOA Design Review Committee. A letter of approval will be provided prior to building permit issuance. If significant changes are required by the HOA, the modifications shall be submitted to the Planning Commission for review.

- Prior to building permit issuance, the applicant shall provide an approval letter from the Leland Creek HOA Design Review Committee.

Please see the attached cover letter and elevations for material list. A picture of the materials board was not included in the package but the color rendering has been included.

- Prior to building permit issuance, they will need to submit a material board.

The fixtures will comply with Town guidelines and are dark sky compliant.

Building height complies with Town standards. The maximum building height overall is 38' 2 9/16".

Adequate parking has been provided in compliance with Town standards. The design includes a three-car garage.

A landscape plan description was submitted and complies with Town standards.

- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.

- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.

Staff is satisfied with the overall design.

The structure is located within the setbacks.

The total coverage is 29% building to open space.

A site inspection of the property has not been performed by staff.

- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.

The driveway does comply with Town standards and has a 2% grade.

- A stabilized construction entrance shall be installed prior to ground disturbance.

The erosion and drainage plan complies with Town standards.

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

Staff recommended the Planning Commission approve the single-family design for Lot 67, Leland Creek Subdivision with the following conditions:

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.
- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.
- A stabilized construction entrance shall be installed prior to ground disturbance.
- Prior to building permit issuance, the applicant shall provide an approval letter from the Leland Creek HOA Design Review Committee.
- Prior to building permit issuance, they will need to submit a material board.

Required Permits:

- ✓ Building Permit
- ✓ Driveway Permit
- ✓ Single Family / Duplex Deposit Agreement

Discussion was held.

Commissioner Robbins moved and Commissioner Davlin seconded approval of the Single Family Design Review for 363 Leland Creek Circle with conditions listed. Motion carried: 5-0.

D. Single Family Design Review – 219 Bridger Trail, Buxton

A single family home with a building footprint of 3,223 square feet that includes a three-car garage.

The structure has not been approved by the Bridger's Cache Design Review Committee. A letter of approval will be provided prior to building permit issuance. If significant changes are required by the HOA, the modifications shall be submitted to the Planning Commission for review.

- Prior to building permit issuance, the applicant shall provide an approval letter from the Bridger's Cache Design Review Committee.

Exterior materials board and color rendering were presented.

The fixtures will comply with Town guidelines and are dark sky compliant.

Building height complies with Town standards. The maximum building height overall is 39' 9 1/8".

Adequate parking has been provided in compliance with Town standards. The design includes a three-car garage.

A landscape plan description was submitted and complies with Town standards.

- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.

Staff is satisfied with the overall design.

The structure is located within the building envelope.

The total coverage is 40% building to open space.

A site inspection of the property has not been performed by staff.

- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.

The driveway does not comply with Town standards and a variance will be required.

- A stabilized construction entrance shall be installed prior to ground disturbance.
- A variance will be required for the driveway.

The erosion and drainage plan complies with Town standards.

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

Staff recommended the Planning Commission approve the single-family design for Lot 15, Bridger's Cache Subdivision with the following conditions:

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.
- No site clearing shall be permitted until staff has verified the Pre-Disturbance Checklist has been implemented on the site.
- A stabilized construction entrance shall be installed prior to ground disturbance.
- Prior to building permit issuance, the applicant shall provide an approval letter from the Bridger's Cache Design Review Committee.
- A variance will be required for the driveway. This will be an administrative variance.

**Required Permits:**

- ✓ Building Permit
- ✓ Driveway Permit
- ✓ Single Family / Duplex Deposit Agreement

Discussion was held.

Scott Munn was present to represent the applicant. He stated the driveway is to be heated. Community Development Director Shockey stated the driveway also goes out onto a private road.

Commissioner Davlin moved and Commissioner Kish seconded approval of the Single Family Design Review for 219 Bridger Trail with conditions listed. Motion carried: 5-0.

E. Single Family Design Review – 491 Timber Drive, Koster

A single family home remodel with a building footprint of 2,785 square feet that includes a two-car garage.

Hideaway Village South does not have an HOA.

Exterior materials board and color rendering were presented.

A lighting plan was included in the submittal package; but no cut-sheet was provided.

- Prior to building permit, the applicant shall provide a cut-sheet of the fixtures to ensure they are dark sky compliant.

Building height complies with Town standards. The maximum building height overall is 46'. Same as existing.

Adequate parking has been provided in compliance with Town standards. The design includes a two-car garage.

A landscape plan description was not submitted.

- No site clearing shall be permitted until staff has verified the limited Pre-Disturbance Checklist has been implemented on the site.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.

Staff is satisfied with the overall design.

The structure is located within the setbacks, but approved by the BOA July 8, 1983.

The total coverage is 29.3% building to open space. Same as existing. The erosion and drainage plan complies with Town standards.

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

Staff recommended the Planning Commission approve the single-family design for 37, 491 Timber Drive, Hideaway Village South Subdivision with the following conditions:

- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix per the Single Family Deposit Agreement.
- No site clearing shall be permitted until staff has verified the limited Pre-Disturbance Checklist has been implemented on the site.
- Prior to building permit, the applicant shall provide a cut-sheet of the fixtures to ensure they are dark sky compliant.

Required Permits:

- ✓ Building Permit
- ✓ Single Family / Duplex Deposit Agreement

Discussion was held.

David Dresen, Snow Mountain Builders was representing the applicant. He gave a brief overview of the project Zach Zemljak, Munn Architecture was also present and he gave an overview of the new design.

Commissioner Stevens moved and Commissioner Davlin seconded approval of the Single Family Design Review for 491 Timber Drive with conditions listed. Motion carried: 5-0.

#### STAFF UPDATE

- Planning Commission Vacancy needs to be a Winter Park resident
- Next meeting May 9
- Sitzmark
- Underpass
- Beaver's Annexation
- Valley Hi Dispensary

Upon a previously adopted motion, the meeting was adjourned at 9:38 a.m.