



**TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, May 3, 2022 8:00 AM**

A G E N D A

- I. **Meeting Call to Order**
- II. **Roll Call of Commission Members**
- III. **Town Hall Meeting** (time for anyone from the public to speak about items not on the agenda)
- IV. **Minutes:** April 26, 2022
- V. **Conflicts of Interest**
- VI. **Action Items:**
 - A. **PUBLIC HEARING:** Unified Development Code – Proposed Amendments to Town Code Titles 5 – Public Ways and Property, 6 – Building Regulations, 7 – Zoning, and 8 – Subdivision Regulations (PLN19-020)
- VII. **Items for Discussion:**
 - A. Length of Planning Commission meetings
 - B. Date of packet delivery
 - C. Separate Planning Commission and Board of Adjustment meetings
- VIII: **Director's Report:**
 - A. May 10 – Training on new email procedures

If members of the public wish to attend the meeting digitally the link is below. The meeting will continue in person regardless of technical difficulties with Zoom.

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Public Hearing Process

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**TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, April 26, 2022 8:00 AM**

MINUTE

- I. **Meeting Call to Order.** The Planning Commission meeting starts at 8:01 am.
- II. **Roll Call of Commission Members.** Roll Call indicated present Chairman Brad Holzwarth, Commissioners Doug Robbins, Mike Davlin, Jonathan Larson, Angela Sandstrom, Roger Kish and Dave Barker. Community Development Director James Shockey, Town Planner Hugh Bell and Consultant T. J. Dlubac are also present.
- III. **Town Hall Meeting** (time for anyone from the public to speak about items not on the agenda). No one comes forward.
- IV. **Minutes:** April 12th, 2022. Commissioner Barker makes a motion to approve the minutes. Commissioner Sandstrom seconds. The minutes are approved 7, 0.
- V. **Conflicts of Interest.** No one comes forward.
- VI. **Action Items:**
 - A. Design Review Single-Family Detached – 499 Kings Crossing Road (PLN21-126)

Town Planner Hugh Bell begins his presentation. Planner Bell goes over the main elements for this Residential Design Review including a brief background of the application process. Planner Bell states that this is a renovation project. Additionally, Planner Bell gives a brief summary of the Design Review application along with the items that need to be addressed by the applicant. It is stated that the applicant needs to submit an administrative variance request in order to be allowed to park in the front setback since this is not permitted by the Code. However, due to the particular configuration of this property, this might be allowed after this administrative variance request has been reviewed and approved. Finally, Planner Bell mentions the conditions (9) for approval. This information is outlined on the Staff Report sent to the Commissioners.

Mr. Benjamin Kaplan comes forward. Mr. Kaplan is the owner of the property. Mr. Kaplan says that he does not have any comments.

Commissioner Davlin makes a motion to approve this Residential Design Review with Staff recommendations. Commissioner Robbins seconds. The Commercial Design Review is approved 7, 0.

- B. Amendment to Design Review Single-Family Attached – Row at Roam (PLN20-045)

Town Planner Hugh Bell begins his presentation. Planner Bell goes over the main elements for this Amended Design Review which have to do with the materials to be used. The original materials were approved on August 11th, 2020. Planner Bell mentions the role of the HOA in this Design Review and the differences between the two set of board materials: the one that was supposed to be installed and the ones the applicant would like to get approval for at today's meeting. Planner Bell uses some images on the

screen in order to show the Commissioners the difference between what was approved back in 2020 and what the applicant is proposing as an alternative. Then, Planner Bell mentions the communications held with the architect in charge of this project and how certain colors can be adjusted to be in compliance. Finally, Planner Bell talks about the conditions for approval. This information is outlined on the Staff Report sent to the Commissioners.

Commissioner Larson wants to discuss the elevations on page 28 and the electric conduit running up the side of the buildings. The applicant is not present, but Planner Bell says that the electric conduit was not previously permitted. Commissioner Larson would like the applicant to address this issue.

The applicant is not present today so these items cannot be discussed. Therefore, this item in the agenda has been tabled.

Commissioner Davlin makes a motion to table this item for two weeks. Commissioner Robbins seconds. The motion is approved 7, 0.

C. PUBLIC HEARING: Minor Subdivision Plat – Replat of Tract F, River Walk at Winter Park Filing No. 1 and unplatted property known as Idlewild Subdivision Exemption No. 1 (PLN22-024) (PLN22-039)

Consultant T. J. Dlubac begins his presentation by using some images on the screen to explain to the Commission and the public the details of this. Mr. Dlubac talks about the comments that were received so far from the parties involved.

Commissioner Larson asks about the impact on the neighboring land. Mr. Dlubac adds comments about the zoning. The zoning in the area will remain the same until it is rezoned. There is also mention of how the swap would affect the density. Mr. Dlubac says that the plat shall not be recorded until the properties are rezoned and this is a condition of approval. Then, there is a short discussion about density and the conditions of approval. Commissioner Kish asks if there is a map showing the parcels. Planner Bell shows on the screen the property lines and the proposed parcels in the north and south. Mr. Dlubac gives the approximate areas. Chairman Holzwarth asks about the easements and access. The members of the Commission and the Consultant go over this topic in more detail.

The applicants Ms. Natalie Satt, Mr. Paul Malone and Mr. Ryan Hanneman from Highland Development Company come forward. They are willing to answer any questions from the Commission. The applicant from River Walk, David Nassar, is also present over Zoom. The members of the Commission have a conversation about how to handle the topics discussed above. The Public Hearing session is now open.

Ms. Kathy Wheeler from 375 Ski Idlewild Road comes forward and states that her question was answered during the Consultant presentation.

Mrs. Paula M. Stuart from 87 Byers View comes forward. Mrs. Stuart states that she sent a letter with her comments and concerns. She has a question about the advantage to the developers if there any density increase. Her other question has to do with the storm drainage management for the land swap and the impact on the Fraser River.

The Public Comment period is closed at this point.

The Commission talks about the letter Mrs. Stuart sent and the Preliminary Plat packet. The topics she

presented will be discussed during the Preliminary Plat for Sojourn.

Commissioner Larson asks about the letter from Paula Stewart. Planner Bell says that it was not included in the packet but he can print the letter and forward it to the Commissioners for their review. Director Shockey talks about the changes in the density for two of the lots and the general advantages of the land swap. The Commission asks the applicant and the Staff about the construction details related to efficiency of the project

Mr. Greg White from TDJ Design comes forward. Mr. White talk about utilities access. He also mentions trail access, parcel configuration and the approach to the land swap.

The Commission discuss the zoning in relation to the property lines. The applicant will submit an application for rezoning in the future.

Commissioner Larson makes a motion to approve this Minor Subdivision Plat with Staff recommendations. Commissioner Barker seconds. The motion is approved 7, 0.

D. PUBLIC HEARING: Preliminary Plat – Sojourn at Idlewild (PLN21-127)

Consultant T. J. Dlubac gives a presentation to the Commission and the members of the public. He starts by giving background information. This information has been sent to the Commissioners in advance in the electronic packets. Mr. Dlubac mentions some aspects about the configuration of the units and then talks about setbacks, building coverage and dimensional standards, parking, access, parks, trails, open space, landscaping, revegetation, erosion control and a variance request the applicant has submitted to the Planning Division. Finally, Mr. Dlubac talks about the conditions for approval. Then, there is mention of the comments from the involved agencies and the Staff recommendations.

The Commission asks if Grand County Water and Sanitation District has sent a letter. Planner Bell says he can provide that letter to the Commission.

The Commission and the Staff discuss some elements on the site using an aerial photo. They discuss the lots and property lines, zoning among other elements.

The applicant, Ms. Natalie Satt, Development Associate from Highland Development Company, comes forward. Ms. Satt has a presentation for the Commission and the public. She starts by giving a short description of her company. Then, she continues by giving a short background of Idlewild. Ms. Satt then talks about the project goals and the team in charge of this project. Ms. Satt elaborates more about the lot configuration. Another aspect mentioned is the open space and how they are planning on using it. Ms. Satt shows the site plan in more detail as well including parking spaces. Ms. Satt shows some renderings that illustrate how the units would look on the hillside. Finally, Ms. Satt shows some of the proposed floorplans.

Commissioner Larson asks about the distance to the Wheeler property. The applicant replies that is about 60 ft. The Commission also ask if a turnaround is proposed prior to the Wheeler property. The applicant replies that they are planning on working on some signage but not turnaround is proposed. The applicants say they can take out one of the parking spaces and build a turnaround. The conversation moves to the landscape plan with the adjacent owner. Then, the discussion goes back to the turnaround and the role of the Fire Department. The applicants show on the site plan the proposed turnarounds for the entire site.

The conversation then goes over the open space and the trails. Metro District will own the open spaces.

The trails will be groomed and maintained by the Metro District. The Commission talks about the winter trail and how the project will have an impact on the public. The Commission and the applicants talk about the sketch plan and how a condominium building has been removed from the project. The applicant also talk about the building across from the wetlands. The Commission asks about parallel roads stepping up the hillside and if that can be mitigated. The applicant states the foundation walls of the buildings will act as retaining walls as it steps up the hillside. The Commission and the applicant also discuss how the overall look of the project (tiers) and building orientation can be modified so the terrace effect can be minimized. The Staff suggests the townhomes offset to minimize the linear look. The Commission is open to look at alternatives that would make this project to look less linear. The applicants will look into it.

The Commission also suggest modifying the garage configuration. The applicants explain the reasons why they decided on this particular design for the garages. The Commission and the applicant also discuss the snow management.

The discussion then moves to the berm and requiring this as a condition along the wetland on the south side of Ski Idlewild Road. The applicants say that the engineer can have some input about this. Mr. Tony Krempin, the engineer, explains how the berm might have a negative impact. Mr. Krempin is in favor of a boulder element. The applicants will have a conversation with their team members to find the best solution.

The conversation then moves to the wetlands and the CPW letter. The Staff, the Commission and the applicants go over the wetland and riparian topic. The applicants inform the Commission about the distances. The Commission then talks about sedimentation into jurisdictional or non-jurisdictional areas. The applicants give some details about how this item will be taken care of. The Commission also requires information about transition zoning (buffering) into the wetlands. Mr. Dlubac says that this is part of the conditions for approval. CPW should be in agreement with what will be proposed. The Commission would not like to see a lot of pedestrian traffic in the wetland area.

Then, the Commission takes a look at the renderings for some of the products. There is a conversation about the street frontage and how some elements need to be modified in order to be approved during the Design Review process.

There also mention of CDOT input for this project and some of the configurations for some of the proposed designs.

The Public Comment session is open.

Mrs. Stuart, from 87 Byers View Lane, comes forward. She asks about elevations and site plan. She also asks about the snow storage and how the proposed model might be insufficient for this project. Others concerns she mentions are fire suppression, the lack of a turnaround and not having enough setback space.

Mrs. Wheeler, from 375 Ski Idlewild Road, is concerned about the turnaround. She gets many uninvited guests despite having a barrier. One other comment Mrs. Wheeler makes has to do with the wildlife corridor and traffic.

The Public Comment period is closed at this point.

The Staff and the Commission then have a conversation about the conditions

Commissioner Kish makes a motion to approve this Preliminary Plat with Staff conditions and the following additional conditions to be addressed prior to Final Plat:

- Provide a vehicle turnaround at the western end of River Road to allow adequate space for vehicles to turnaround.

- Provide adequate signage to inform motorists that all internal roadways are not through streets and are dead ends.
- Add a landscape buffer along the western property boundary to buffer the development from the property at 375 Ski Idlewild Road.
- Confirm with East Grand Fire Protection District that there are adequate turnarounds provided within the project to maneuver fire apparatus.
- Confer with Headwaters Trail Alliance to verify that the grades and alignments of the winter trail are appropriate and acceptable.
- The Applicant shall evaluate the overall development to, to the extent possible, prevent parallel development terracing the hillside.
- The Applicant shall adjust site layout and setback distances for attached units to break up the linear facades and massing of buildings.
- Additional water quality measures shall be provided for the snow storage areas east of Ski Idlewild Road, north of the jurisdictional wetlands, to preserve the quality of the wetlands. Such mitigation should include the addition of boulders, berms, and other appropriate landscaping materials.
- The applicant shall coordinate with Colorado Parks and Wildlife (CPW) and, to the extent possible, satisfy CPW's concerns about adequate buffer and water quality measures to preserve the adjacent jurisdictional wetlands. CPW shall provide written confirmation of their discussion with the proposed mitigation efforts.
- Wildlife corridors shall be identified and discussed with CPW. CPW shall provide written confirmation that the project does not substantially impact wildlife corridors in the area.

Commissioner Larson seconds. The motion carries 7, 0.

E. PUBLIC HEARING: Unified Development Code – Proposed Amendments to Town Code Titles 5 – Public Ways and Property, 6 – Building Regulations, 7 – Zoning, and 8 – Subdivision Regulations (PLN19-020)

The Planning Commission recesses at 10:15 am.

The Planning Commission meeting is resumed at 11:27 am.

Roll Call of Commission Members. Roll Call indicated present Chairman Brad Holzwarth, Commissioners Dave Barker, Roger Kish, Mike Davlin and Jonathan Larson. Community Development Director James Shockey, Town Planner Hugh Bell and Consultant T. J. Dlubac are also present. Commissioners Angela Sandstrom and Doug Robbins have left.

Director Shockey begins his presentation and shows the content that has been modified on the screen for the Commissioners to see. The Commission asks about some of the language. Director Shockey goes over some points as materials, building orientation, parking standards, bufferyards and site plan.

The Commission asks if some of the language can be highlighted. There is also a conversation about measurement computations in relation to grading.

The Commission also discuss current, past and possible future scenarios in which applicants use this upcoming UDC. The Commission discuss the possibility on being a little stricter when it comes for the applicants to resubmit variances requests and the applicants do not really address the items they are supposed to.

Commissioner Larson asks if he can email some notes to the Commission and the Staff for their consideration. The members of the Commission then talk about zoning requirements and restrictions. The Commission also discuss the relation between the UDC and the master plan.

The Commission also has a conversation about cluster development and their potential impact in the community. There is mention of lot sizes as well. The Commission members also talk about the role of the Town Council. The Commission members talk about the annexation and rezoning process.

The members of the Commission will review Commissioner Larson's notes after this meeting and then reconvey on May 3rd to discuss.

Commissioner Kish makes a motion to continue the UDC item till May 3rd, 2022. Commissioner Davlin seconds. The motion to continue the UDC discussion on May 3rd, 2022 is passed 5, 0.

VII. Planning Commission Items for Discussion

There are no items to discuss.

VIII: Director's Report:

There are no items to discuss

Upon a previously approved motion, the Planning Commission meeting is adjourned at 12:24 pm.

MEMO

TO Planning Commission

FROM James Shockey, Community Development Director

DATE May 3, 2022

RE Unified Development Code – Proposed Amendments to Town Code Titles 5 – Public Ways and Property, 6 – Building Regulations, 7 – Zoning, and 8 – Subdivision Regulations (PLN19-020)

Overview:

Planning Division staff is pleased to transmit a [final draft](#) of the Unified Development Code (“UDC”) to Planning Commission for review and public hearing. The goal of the UDC has been to thoroughly reorganize the Code, better integrate all adopted standards, and clarify many areas where the current language is frequently found to be problematic. This updated Code organization will provide a much-improved framework.

The goals of this project include the following:

- Organize regulations in a straightforward, efficient, and intuitive manner.
- Eliminate lengthy, repetitive text, and condense standards into a shorter more graphic format.
- Ensure Code is legally sound, easy to use, and practical to enforce.
- Resolve known conflicts, inconsistencies, and gaps.
- Identify deficiencies.
- Separate policy statements and standards from definitions.
- Codify and incorporate design standards previously adopted as separate documents.
- Consolidate review processes and create distinctly separate processes for zoning, subdivision, site development, and variances.
- Provide easy access to the Code in hard copy and online.

History:

In March 2019, the Town sent out a Request for Proposal (RFP) and in June 2019, awarded Kendig Keast Collaborative (KKC) the contract to draft the UDC via Resolution 1697, Series 2019. KKC has since collaborated with staff on drafting.

Highlights of Update:

Structure

The draft UDC has been reorganized into a simpler structure by consolidating the Code into fewer articles and incorporating standards adopted as separate documents. The new structure separates the following topics into singular articles: use standards; zone district dimensional standards and design standards; subdivision standards; and process requirements.

Existing Code Sections		Draft UDC Sections
Title 6, Chapter 2 Sign Code		Chapter 1, General Provisions
Title 6, Chapter 2A Village Sign Code		Chapter 2, Zoning Districts and Use Standards
Title 6, Chapter 3 Design Regulations		Chapter 3, Development Standards
Title 7, Zoning		Chapter 4, Subdivision Standards
Title 8, Subdivision Regulations		Chapter 5, Administration
2021 Design Guidelines		Chapter 6, Nonconformities
1997 Residential Regulations and Guidelines		Chapter 7, Word Usage
1997 Landscape Regulations and Guidelines		Appendices, Design Guidelines and Recommended Plant List
1994 RC-DC Regulations and Guidelines		
2012 Standards and Specifications for Design and Construction		

Format

The draft UDC is formatted in a more user-friendly layout containing fewer uninterrupted blocks of text and more illustrations and tables. Other applicable regulations are also linked as well as links to other applicable regulations. This means users will no longer need to navigate to the website to access these commonly accessed regulations (i.e., the Standards and Specifications, the Comprehensive Plan, etc.). The format also allows users to export excerpts into PDF format.

Illustrations and Tables

New graphics better illustrate requirements. Such illustrations are particularly helpful in Section 3-A-7, *Measurements, Computations, and Exceptions*, to more clearly portray how dimensional standards are measured, as well as how certain features, such as lot lines and building height, are designated.

Incorporated Design Guidelines

The 2021 Update to Design Guidelines is now incorporated into the UDC and, upon adoption of the UDC, the other three Design Guideline documents approved in the 1990s will be removed and nullified. This will eliminate confusion, overlap, and conflict in the application of these and ensure their accessibility.

Improved Definitions and Use Classifications

Use definitions are included in a separate article and are grouped into a system of broad classifications and more specific categories, enabling the UDC to accommodate uses not yet anticipated.

Consistent and Clear Language

Every section has been reviewed and rewritten for consistent terminology and succinct language.

Major Updates in the UDC

The UDC is a complete rewrite of the various Code sections, standards, and guidelines. Below is a highlight of the major amendments:

Section 2-B-1, Use Tables

Permitted, Special, Limited, and Prohibited uses for each zone district have been compiled into one table.

Section 2-B-3, Limited and Special Uses

Limited and Special uses now contain greater detail tailored to each use type.

Section 3-A-3, Residential Districts and Uses

- M-E District – Newly zoned M-E property could be platted using development types – Standard, Cluster, or Conservation. Setbacks are altered based on these new development types.
- R-1 District – No changes to the existing district. Newly zoned R-1 property could be platted using development types – Standard, Cluster, or Conservation.
- R-2 District – Single-Family Attached and Multi-Family lot dimensions are reduced to better utilize the buildable lots and encourage greater common open space. Zero Lot Line and Twin Home are new permitted single-family use types.
- R-2-O District – Single-Family Attached lot dimensions are reduced to allow for Twin Home use type.
- D-C District – Single-Family Attached and Multi-Family lot dimensions are reduced. Maximum building coverage has increased from 60% to 85% for solely residential projects.
- R-C District – No changes
- C-1 District – Setbacks are reduced to facilitate commercial development.

Article 3.E, Flood Hazard Reduction

Requirements for all special flood hazard areas within the Town now exist in the UDC, not only in FEMA documents.

Section 3-A-7, Measurements, Computations, and Exceptions

- Building height measurement method is unchanged.
- Building coverage measurement has been amended to exclude roof overhangs less than 24”.
- Encroachments into setbacks are unchanged.

Section 3-C-2, Ridgeline and Steep Slopes

Provides additional clarification on permitting development on steep slopes.

Section 3-C-3, Water Quality

Amended to further restrict types of permitted encroachments within the 30’ water quality setback.

Article 3.G, Tree Removal and Protection

Amended to provide additional guidance for tree protection. This section does not require tree replacement as originally drafted. This will be considered as a separate policy item in the future.

Section 3-H-3, Required Parking

Parking standards have migrated from the 2012 Standards and Specifications for Design and Construction into this UDC section.

Section 3-H-4, Parking Reductions and Alternative Parking Plan

Amended to permit staff's review of an Off-Street Parking Reduction Request instead of requiring Planning Commission and Town Council review. Added guidance will assist staff's review.

Article 3.B, Building Material Standards

Exterior building materials will be codified instead of guidelines.

Article 3.I, Landscaping, Buffering, and Screening

Landscaping regulations will become codified instead of guidelines. The 1997 Landscape Design Regulations and Guidelines will be nullified. Flexibility is emphasized while still requiring a minimum amount of landscaping on each property. Single-family dwelling types are now subject to these regulations.

Article 3.K, Outdoor Lighting

Outdoor lighting regulations will become codified instead of guidelines. Additional regulations will ensure the Town can become a Dark Sky Community as stated in the 2019 Imagine Winter Park Town Plan (EN Strategy 3.3).

Section 4-A-13, Street Naming and Addressing System

Street naming and addressing are formalized to ensure consistency throughout Town, especially with new subdivisions.

Article 5.A, Administrative Bodies

- Sec. 5-B-4, Pre-Application Conference – This is replacing Sketch Plan. This will be reviewed at a staff level.
- Sec. 5-B-8, Public Notice Requirements – Public notice requirements have been standardized for all applications.
- Sec. 5-D-3, Minor Plat – This process has been streamlined to be a one-step approval process with only Planning Commission review and approval.
- Sec. 5-E-1, Site Plan – This section will replace the Design Review processes.
- Sec. 5-E-4, Limited Use Authorization – This is a new permit to allow staff review and approval of certain uses that require additional standards than a typical Permitted use but not enough to warrant a Special Use requiring public hearings with the Planning Commission and Town Council.



- Sec. 5-E-10 through 5-E-12 – New permit types.
- Sec. 5-F-3, Variance – Planning Commission should review “Approval Criteria” to determine if it meets the criteria for variance approval.

Chapter 6, Nonconformities

The Nonconformities chapter has been rewritten to clarify the process for continue a nonconformity as well as eliminating them and bring a use or structure into conformance with the UDC.

Chapter 7, Word Usage

All definitions have been consolidated for ease of review.

Public Notification:

The UDC was circulated to the public on March 24, 2022 and to local developers on March 22, 2022 requesting comments. Six (6) comments have been received as of April 29, 2022 and are available [here](#). A public notice will be published in the Middle Park Times on May 5, 2022, providing notification of the Town Council hearings and requesting comments pursuant to § 7-10-1 of the Town Code.

Next Steps:

The Town Council is tentatively scheduled to hold public hearings on May 17 and June 7.

Omitted Policy Items:

Throughout the process, staff, Planning Commission, and Town Council have identified policy issues that will require a separate scope of work to be completed following the UDC’s adoption. This includes policy items, e.g. wetland setbacks; view corridors; tree replacement; protection of wildlife corridors; and updated Sign Code (currently Title 6, Chapters 2 and 2A). Staff will work with Planning Commission over the next several months to develop a program to address these items.

Staff Recommendation

Staff recommends the Planning Commission approve the UDC as drafted and make a recommendation for approval to the Town Council.