



**TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
Tuesday, July 9, 2024 8:00 AM
Immediately Following Planning Commission**

A G E N D A

- I. **Call to Order**
- II. **Roll Call of BOA Members**
- III. **Minutes:** May 28, 2024
- IV. **General Business:**
 - A. **PUBLIC HEARING:** Required Parking Variance Request – 1097 Winter Park Drive (PLN24-050)

Online Meeting Login Instructions – See next page

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<https://us02web.zoom.us/j/81725744995?pwd=RnVOb2hpVmN1SXBydzFBZEc3NGhGZz09>

Passcode: 113389

Phone Login Instructions

Dial In Numbers (for higher quality, dial a number based on your current location):

US: +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 6833 or +1 564 217 2000 or +1 646 931 3860 or +1 689 278 1000 or +1 929 436 2866 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 817 2574 4995

Passcode: 113389

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Public Hearing Process

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**TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
Tuesday, May 28, 2024 8:00 AM
Immediately Following Planning Commission**

MINUTES

DATE: Tuesday, May 28, 2024.

MEETING: Winter Park Board of Adjustment

PLACE: Town Hall Council Chambers and Zoom Meeting Call

PRESENT: Chair Dave Barker, Vice Chair Brad Holzwarth, Members Doug Robbins, Angela Sandstrom and Roger Kish are present. Community Development Director James Shockey is present as well.

OTHERS

PRESENT: Irene Kilburn, Planning and Building Technician II

I. Call to Order

Chair Barker called the meeting to order at 9:27 a.m.

II. Roll Call of BOA Members

All BOA Members are present today.

III. Conflicts of Interest.

No one comes forward.

IV. Minutes

Vice Holzwarth moves and Member McDonough seconds the motion approving the minutes from April 23, 2024. Motion carries 5, 0.

V. General Business:

Consideration to adopt Resolution 1, Series 2024 A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE TOWN OF WINTER PARK APPROVING A VARIANCE TO REDUCE THE BUFFERYARD REQUIRMENTS FOR A PORTION OF THE EAST BUFFERYARD FOR RETREAT AT ATLAS AND ADOPTING FINDINGS OF FACT THERETO

Vice Holzwarth moves and Member McDonough seconds the motion approving the resolution as presented. Motion carries 5,0.

VI. BOA Items for Discussion

There are no items for discussion.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 9:29 a.m.

Irene Kilburn, Planning and Building Technician II



MEMO

TO Board of Adjustment

FROM Max Garcia, AICP, Contracted Town Planner

THRU James Shockey, AICP, Community Development Director

DATE July 9, 2024

RE PUBLIC HEARING: Variance Request for a reduction in off-street parking requirements, 1097 Winter Park Drive, "Railwater", Major Site Plan (PLN24-051)

Property Owner: LXXTWO, LLC

Applicant: Devin Visciano, White Development, LLC

Location: 1097 Winter Park Drive

Zoning: Limited Commercial, C-1

Variance Request:

Request to reduce the parking requirements established in §3-H-3 for the proposed mixed-use development.

Owner's Reasons Why the Variance Should Be Granted:

The applicant cites a hardship based on the size of the property, its irregular shape, and that the lot has frontage on three roads. See Variance application narrative, dated 06/03 for details.

Applicable Provision(s) of the Unified Development Code (UDC):

§ 5-F-3, Variance, § 5-E-1(G) Major Site Plan Procedure, § 3-H-3(E), TABLE 3-H-3-1, Residential and Agricultural Parking Requirements, and § 3-H-3(F), TABLE 3-H-3-2, Nonresidential and Mixed-Use Parking Requirements

§ 5-F-3, Variance

Generally, Variances are authorizations to depart from the strict application of the standards of this UDC. In order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the objectives of this UDC as would result from strict or literal interpretation and enforcement, variances from certain regulations may be granted. A practical difficulty or unnecessary physical hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon; from topographic or physical conditions on the site or in the immediate vicinity; or from other physical limitations, street locations or traffic conditions in the immediate vicinity. Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance. It is not the intent of this Section to allow variances in the classification of uses of property. They are granted by the Board of Adjustment (BOA) by C.R.S., § 31-23-307 et seq., as amended.

§ 5-E-1(G) Major Site Plan Procedure

The Director and the DRC have reviewed the major site plan (MSP) application for proposed development for compliance with applicable standards of this UDC, the Standards and Specifications for Design and

Construction for the Town of Winter Park (the "Standards") and obtained referral agency comments. The MSP application subject to the requested variance is currently under review and staff anticipates further review cycles.

Criteria to Grant Variance:

§ 5-F-3(F), Approval Criteria. The variance request shall meet all four (4) of the following criteria for approval:

1. Undue Hardship. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone district;
2. Health, Safety, and Welfare. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
3. Unusual Circumstances. The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district; and
4. Character. That the granting of the variance will not alter the essential character of the locality.

§ 5-B-8 Public Notice Requirements:

This variance request has had proper public notification pursuant to § 5-B-8 of the UDC. A Newspaper Publication (PUB) was published on June 26th, 2024, in the Middle Park Times, providing notification of the meeting and requesting comments. A Surrounding Property Owners Mailing (ML) was sent to property owners within 300' of the property on or before June 25th, 2024. A Property Posting (PO) was posted on or before June 25, 2024.

Staff has received five comment in opposition as of July 5, 2024. Copies of those comments are included in this report packet.

Project Summary:

This is a request to reduce the required number of off-street parking spaces for a proposed mixed-use development. The applicant is proposing nine (9) multifamily units, 980 square feet of restaurant space, and 773 square feet of retail space.

The minimum parking requirement is equal to the sum of the required amount of parking for each use. The proposed development will utilize eight (8) on-street parking spaces to meet requirements for nonresidential uses on the ground floor of the proposed structure. The proposed development is permitted to utilize on-street parking to achieve parking requirements for nonresidential uses, pursuant to § 3-H-5(D)(4) which states that non-residential uses in the Limited Commercial Zone District (C-1) may utilize public on-street parking spaces lying adjacent to the property line of the lot.

The residential units for the project include three (3) one-bedroom units, which require one (1) parking space per unit and six (6) two-bedroom units, which require one and one-half (1.5) parking spaces per unit. The total required parking spaces for residential uses is twelve (12) spaces; One guest parking space and one van accessible parking space are required, making the total required off-street parking requirement thirteen (13) parking spaces for the residential uses within the structure. The applicant requests to reduce the required number of off-street parking spaces for the residential requirement within the proposed development from 13 off-street parking spaces to 10 off-street parking spaces.

Analysis:

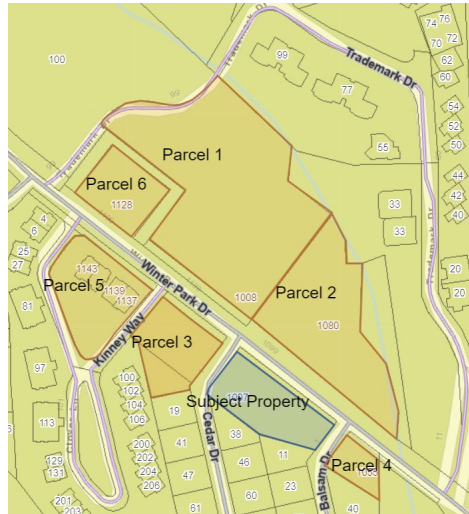
Applicant proposes constructing nine multifamily dwelling units and requests to deviate from the parking requirements for residential units.

MIXED USE BUILDING PARKING PER TABLE 3-H-3-1 & TABLE 3-H-4				
UNIT TYPE	# UNITS	CALCULATIONS	REQUIRED	PROVIDED
Multifamily Apt 1-BR	3	1 Space/1Bed	3	3
Multifamily Apt 2-BR	6	1.5 Space/1Bed	9	6
Guest Parking		1 Space/ 10 units	1	1
SUBTOTAL			13	10
Future Restaurant	980 SF	1 Space/ ea. 250 SF of customer access area	4	8 total On-Street parking spaces available
Tenant Retail	773 SF	1 Space/ every 800 SF of GFA excluding storage & maintenance	1	
SUBTOTAL			5	8
ADA			1	1
TOTAL			19	19

As noted previously, the applicant cites a hardship based on the size of the property, its irregular shape, and because the lot has frontage on three roads. The subject property is 0.45-acres and is located on a lot between Cedar Drive and Balsam Drive, with a primary frontage along Winter Park Drive. While the applicant is compliant with the nonresidential parking standards, the variance request addresses only the requirement for residential units.

The lot and proposed structure meet all dimensional standards for the C-1 zone district and other development standards. The nearby properties with the same zoning designation that contain multifamily or non-residential uses have deeper lots. Town staff did provide administrative relief to bufferyard requirements of § 3-1-2-C-3 due to the need for pedestrian access and creating a more open public realm. In review of surrounding parcels with the same zoning, there is a variety of uses; however, the proposed development is mixed-use, unlike the others.

Properties in Proximity with C-1 Zoning



- Parcel 1 - Approximately two (2) acre property with lodging use.
- Parcel 2 – Approximately one (1) acre property with residential uses.
- Parcel 3 - Approximately 0.4 acres and is currently vacant.
- Parcel 4 - Approximately 0.14 acres with one (1) single-family detached dwelling.
- Parcel 5 – Approximately 0.70 acres including four (4) residential condo units.
- Parcel 6 – Approximately 0.30 acres with eight (8) residential condo units.

With the exception of Parcel 4 with a single-family dwelling, all nearby parcels with the same zoning designation are deeper than the subject property. This depth is the source of the issue that limits the parking facilities in the site plan design. However, according to Section 3-A-7 Lot Depth definition, the depth of the lot is compliant

with the zoning minimum requirement of 60-feet.

According to the Standards, a 200-foot intersection offset is required along Winter Park Drive, a minor collector road. The frontage is 219-feet, making access along Winter Park prohibitive. Also, reducing curb cuts along the proposed multi-use path is encouraged for safe pedestrian circulation. Balsam Drive and Cedar Drive are classified as low volume. The subject property has 49.91-feet of frontage along Balsam Drive and 93.09-feet along Cedar Drive, and the Standards require a minimum of 125-feet for low volume roads. As a result, only access along Cedar Drive is feasible and site design will require the access to be located as far away as possible from the intersection with Winter Park Drive in the western corner of the lot. The access limits parking lot design to one permissible access point, and as stated by the applicant in the narrative, limited some site design options that result in more parking spaces.

The applicant notes that the purposed development is below maximum density and building coverage. A table of dimensional standards is provided below. Based on the site design and density, the proposed development is proposing to utilize the highest and best use.

C-1 Dimensional Requirements	Use	Density 20 du/acre	Height (feet)	Building Setbacks (feet)	Building coverage
Required		9 du maximum	35'	<ul style="list-style-type: none"> • Front: 5 • Side: 5 • Corner: 7.5 • Rear: 5 	40 percent maximum

Proposed	Multifamily Apartment Retail Sales Eating Establishment	9 units	34'-11"	<ul style="list-style-type: none"> • Front: 7.61 • Corner (Cedar Dr.): 18.76 • Corner (Balsam Dr.): 36.32 • Rear: 24.15 	No coverage requirement
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The applicant has not proposed any off-site parking alternatives, in compliance with §3-H-5(D)(4). Off-Site parking alternatives are limited to one vacant lot in the area, and it is not owned by the developer.

Staff Recommendation:

The requested variance, if granted, would likely not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. The applicant is not requesting any setback reductions and there is no evidence that suggests there will be a major impact on the adjacent residential properties. Public improvements to the subject property include a 9-foot multi-use path, which had not previously existed. The sidewalk improvements are primarily located with the ROW easement of Winter Park Drive, but the applicant is utilizing an approximately 3-foot strip along the entire frontage to provide the proposed improvement. The improvement will be recorded into an easement dedicated to the Town.

The applicant is not requesting to utilize on-street parking for residential uses. In addition to the requirements of the UDC, Public Works provided comment that the on-street parking cannot be utilized for any residential parking because if vehicles are parked overnight plow trucks will not be able to properly remove snow from the roadways, potentially damaging parked vehicles, and prevent snow removal from the sidewalk. This would have a direct impact on the health, safety, and welfare of the community in the Old Town neighborhood.

The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties based on the aforementioned issues with access and lot shape. Additionally, according to § 3-H-4(C) Permitted Reductions for Mixed-Use Developments, the applicant is unable to request reductions in way of an alternative parking plan for the proposed development. Alternative parking plans may not include relief from parking requirements for residential units, eating and drinking establishments, retail sales, offices, auditoriums, churches, or theaters. As a result, the variance process, as set out in § 5-F-3, is the only permissible way for the applicant to receive a reduction in parking requirements.

Should the Board of Adjustment find that the applicant has sufficiently proven a hardship and justified the reduction in off-street parking requirements, staff recommends using the motions provided below.

Sample Motion for Approval:

I move to approve the Variance request to reduce the off-street parking requirements from 13 parking spaces to 10 parking spaces for the property located at 1097 Winter Park Drive (PLN24-051), finding the request in conformance with all four criteria required by the UDC, § 5-F-3(F) in that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone district because ***[insert explanation supported by evidence here];***
2. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity because ***[insert explanation supported by evidence here];***

3. The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district because ***[insert explanation supported by evidence here]; and***
4. That the granting of the variance will not alter the essential character of the locality because ***[insert explanation supported by evidence here]***.

with a condition that the Declaration of Covenants and as-built shall include language indicating only one parking space is provided per unit and on-street overnight parking is not permitted for residential use.

Sample Motion for Denial:

I move to deny the Variance request to reduce the off-street parking requirements from 13 parking spaces to 10 parking spaces for the property located at 1097 Winter Park Drive (PLN24-051), finding the request not in conformance with the criteria required by the UDC, § 5-F-3(F) in that:

1. The strict or literal interpretation and enforcement of the specified regulation would not result in practical difficulty or unnecessary physical hardship that would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone district because ***[insert explanation supported by evidence here]***;
2. That the granting of the variance will be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity because ***[insert explanation supported by evidence here]***;
3. The plight of the owner is not due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district because ***[insert explanation supported by evidence here]; and***
4. That the granting of the variance will alter the essential character of the locality because ***[insert explanation supported by evidence here]***.



P.O. Box 3327
50 Vasquez Road, Winter Park, CO, 80482
Phone: 970-726-8081 Fax: 970-726-8084
wpgov.com

Land Use Review Application Form

Contact Information

Property Owner

LXXTWO, LLC

Representative (i.e., the point of contact)

DEVIN VISCIANO

Company

N/A

Company

WHITE DEVELOPMENT, LLC

Phone #

303.591.5735

Email Address

TWHITE@WHITE-DEV.COM

Phone #

303.506.5995

Email Address

DVISCIANO@WHITE-DEV.COM

Billing Contact (where invoices should be directed)

SUZI BACH

Company

RAMSGATE MANAGEMENT

Phone #

719.339.3133

Email Address

SUZIBACH@COMCAST.NET

Mailing Address

9524 CARRIAGE CREEK POINT

City

COLORADO SPRINGS

State

CO

Zip

80920

Site Description

Site Address

1097 WINTER PARK DRIVE

Parcel Identification Number(s) (PIN)

170510105015

Existing Zone Classification

C1/LIMITED COMMERCIAL

Site Area (acres and sq. ft.)

0.405 ACRES; 17641.80 SQ.FT.

Project Description

Project Name

RAILWATER

Brief description of the proposed project

A three-story mixed-use building with two main-level commercial units (one restaurant ready, and one retail) and nine residential units above.

Required Documents

For an application to be considered complete and for Planning Division staff to begin review and schedule any applicable public hearings, this Land Use Review Application Form must be fully completed and all required attachments included. Staff will review the application for completeness and notify the representative and/or owner whether the application has been deemed complete.

Certifications

REPRESENTATIVE CERTIFICATION

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative

Date

Devin N. Visciano

5/16/2024

OWNER CERTIFICATION

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I authorize the representative listed on this application, if any, to communicate directly with Town officials and to submit documentation and information regarding this application on my behalf.

Owner

Date

Timothy L. White

5/16/2024

In addition to the base fees the applicant is required to pay the cost of any referral agency reviews, public notices, hearings, and record keeping as outlined within § 5-B-6, Application Fees, in the UDC.

Development Improvements Dedications, Agreements, and Guarantees (Article 4.B)	Site Development and Permit Decisions (Article 5.E)
<input type="checkbox"/> Development Improvements Agreements (DIA)	<input type="checkbox"/> Major Site Plan*
<input type="checkbox"/> Public Improvement Cost-Recovery Agreement	<input type="checkbox"/> Minor Site Plan
Standardized Development Review Procedures (Article 5.B)	<input type="checkbox"/> Administrative Site Plan
<input type="checkbox"/> Pre-Application Conference	<input type="checkbox"/> Special Use Permit (Including High-Impact Short-Term Rentals)*
<input type="checkbox"/> Renewal of Approvals	<input type="checkbox"/> Limited Use Authorization
<input type="checkbox"/> Vested Rights	<input type="checkbox"/> Temporary Use Permit
Ordinance and Zoning Amendment Decisions (Article 5.C)	<input type="checkbox"/> Floodplain Development Permit
<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Lighting by Special Permit
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Parking Reductions and Alternative Parking Plan Permit
Rezoning to Planned Development: <input type="checkbox"/> Preliminary Development Plan* <input type="checkbox"/> Final Development Plan* <input type="checkbox"/> Amended Final Development Plan*	<input type="checkbox"/> Street Renaming
<input type="checkbox"/> Annexation*	Appeal, Variance, and Interpretation Decisions (Article 5.F)
Subdivision and Platting Decisions (Article 5.D)	<input type="checkbox"/> Appeal
<input type="checkbox"/> Exemption Plat	<input type="checkbox"/> Appeal of Administrative Decisions
<input type="checkbox"/> Minor Plat*	<input checked="" type="checkbox"/> Variance*
<input type="checkbox"/> Preliminary Plat*	<input type="checkbox"/> Written Interpretation
<input type="checkbox"/> Final Plat*	
<input type="checkbox"/> Resubdivision*	
<input type="checkbox"/> Waiver*	
<input type="checkbox"/> Vacation of Plat, Street, Right of Way, and Easement*	
<input type="checkbox"/> Condominium Plat	
Table Notes: *Pre-Application Conference required	

Instructions for Submitting the Land Use Review Application Form

Definitions

- Words in the singular include the plural and words in the plural include the singular.
- APPLICATION refers to the official submittal to the Town's Planning Division for review of the proposed land use development identified in the Land Use Review Application Form. The application includes the form, all materials submitted for review of the project, including those documents required by the Unified Development Code (the "UDC") and any additional information provided.
- PROJECT refers to the land use development identified on this Form and application materials.
- PROPERTY refers to the land that is being proposed for development as described in this Form and application materials.

General Notes

If information will not fit in the space provided,

A. CONTACT INFORMATION

1. Provide contact information for all owners of any property that is the subject of the application. Submit a separate sheet for the additional owners if information will not fit in space provided.
2. Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings.
3. Provide contact and mailing information for the person that should receive all invoices for the project. If the Billing Contact changes at any time, contact the Planning Division immediately to update this information.

B. SITE DESCRIPTION

Parcel identification numbers (PINs) and address information may be found at the Grand County Property Viewer. Current zoning may be found on the Town of Winter Park's website.

APPLICATION TYPE

- C. Select the land use application type that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the Pre-Application Conference (if required).

PROJECT DESCRIPTION

- D. Select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, attach a separate sheet.

REQUIRED ITEMS

- E. Required documents will be discussed during the Pre-Application Conference with the Planning Division, if required. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section. Owner Certification. Provide the signature of all owners of properties included in the application in this section.

For any other questions, contact the Planning Division at permits@wpgov.com



BOARD OF ADJUSTMENT (BOA) VARIANCE APPLICATION FORM

The Planning Division is here to assist you with your Board of Adjustment (BOA) Application (“Application”) pursuant to Appeal, Variance, and Interpretative Decisions (Article 5.F) in the Unified Development Code (UDC). Applications are administratively and legislatively reviewed and approval is required. The Application will be reviewed in accordance with the procedures and requirements outlined in Article 5.F in the UDC.

This publication outlines the BOA Variance Application process and submittal requirements.

Background: A variance is a deviation from the set of rules a municipality applies to land use and land development. The body that hears and decides any application for a variance is the BOA.

Purpose: The BOA can authorize variances from the UDC to relieve undue hardships that are caused by reason of unusual narrowness, shallowness, or shape of a specific piece of property, or by reason of unusual topographic conditions or other extraordinary and unusual practical difficulties.

All submittal items shall be submitted in PDF format in accordance with the Variance File Naming Conventions to permits@wpgov.com.

APPROVAL CRITERIA:

To apply for a variance, the Applicant must show that, owing to unusual and extraordinary circumstances, strict enforcement of the provisions of the UDC will result in undue hardship. The variance request shall meet all four (4) following criteria for approval:

1. **Hardship.** The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district;
2. **Health, Safety, and Welfare.** That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
3. **Unusual Circumstances.** The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district; and
4. **Character.** That the granting of the variance will not alter the essential character of the locality.

APPROVAL PROCESS:

1. See Sec. 5-F-3, *Variance*.
2. Prior to filing an application, Applicants shall schedule a pre-application conference, as set out in Sec. 5-B-4, *Pre-Application Conference*.
3. See Sec. 5-B-6, *Application Fees*. An invoice will be sent once the planning file has been created. \$250.00 per application plus fees for public notification.

BOA hearings are scheduled on the second Tuesday of each month at Winter Park Town Hall, 50 Vasquez Road, and online via Zoom, at 8:00 A.M. immediately following the Planning Commission hearing. The meeting will be broadcast via Zoom and public comment can be made by those attending. If there are technical difficulties with Zoom, public comment via Zoom will not be available and the meeting will continue in person. Hearing dates will be determined at time of application based on the time needed to complete proper notification.

REQUIRED ITEMS:

1. **Land Use Review Application Form.** Completed and executed.
2. **BOA Variance Application Form.** Completed and executed.
3. **Narrative.** Explaining in detail how application meets the four (4) criteria outlined above.
4. **Electronic site plan of the subject property.** The site plan should include any proposed structure footprints.
5. **Electronic site survey of the subject property bearing the seal of a state-licensed land surveyor.**
6. **Surrounding Property Owner Mailing for Public Notice Affidavit Form.** See Sec. 5-B-8, *Public Notice Requirements*. Shall be submitted to the Community Development Director no later than eight (8) days prior to the required public hearing or final decision confirming such notification has been provided.
7. **Additional information to support variance request.** This may include drawings, photographs, letters of support, or other information which may be of benefit.
8. **Additional information as required by the Town to clarify the variance request.**
9. **File Naming Conventions.** All BOA Variance Applications shall be submitted pursuant to the Variance File Naming Conventions.

Date: 5 / 16 / 2024

Applicant Name (i.e., the Representative, i.e., the point of contact):

White Development, LLC; Devin Visciano

Street address of property: 1097 Winter Park Drive, Winter Park, CO

Legal description of property: Subd: WINTER PARK VILLAGE Lot: A Block: 3

Brief description of the variance requested:

Applicant seeks a variance permitting a reduction in the on-site residential parking requirement. The project requires 13 parking spaces for its 9 residential units--the applicant requests a variance reducing this requirement to 9 spaces on-site (one per unit). The project provides an additional 8 on-street spaces for its commercial units, while only 4 are required.

—
Indicate which conditions listed below relate to the property for which variance is requested. The variance request shall meet all four (4) following criteria for approval:

- Hardship.** The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district;
- Health, Safety, and Welfare.** That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
- Unusual Circumstances.** The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district; and
- Character.** That the granting of the variance will not alter the essential character of the locality.

For each condition checked above, Applicant must provide adequate supporting evidence with this application.

Applicant Signature: Devin N Visciano

Town of Winter Park Colorado
Board of Adjustments
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

Re: 1097 Winter Park Drive; Variance Application

Members of the Board of Adjustments:

This letter is being submitted on behalf of White Development, LLC, the developer of the property located at 1097 Winter Park Drive (the “Property”), in connection with its Variance Application dated May 16, 2024. Applicant submitted its Major Site Plan Application on September 19, 2023. F-3-F of the Town’s development code as they relate to Applicant’s request for a variance.

Background

As set forth in the Major Site Plan, the proposed project, located in the Old Town neighborhood and C-1/Limited Commercial zoning district, consists of a single mixed-use building with two commercial units on the main floor (one restaurant-ready space and one retail space) and nine (9) residential units above (three 1 BR/1.25 bath units; six 2 BR/2.25 bath units). Based on the design and intended uses for the project, the project requires a total of eighteen (18) parking spaces—the bedroom count for the residential units requiring a total of thirteen (13) on-site spaces and the commercial units requiring 5 spaces. Applicant’s Major Site Plan Application proposes a total of ten (10) on-site parking spaces, including one ADA space, and eight (8) on-street parking spaces. The on-street parking spaces will be newly developed by Applicant adjacent to Winter Park Drive and will include an adjacent bi-directional bike lane and improved crosswalks at the Cedar and Balsam Drive intersections. Applicant’s Site Plan is attached hereto as **Exhibit A**.

Variance Request

As indicated in the Application, White Development seeks a variance permitting the reduction in the number of required on-site residential parking spaces for the proposed new development. Applicant requests that it be permitted to provide a total of 10 parking spaces on-site, including one dedicated space for each of the nine residential units and one van-accessible ADA space.

Sec. 5-F-3-F Approval Criteria

1. **Hardship**. *The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district.*



The Property is located in the Old Town neighborhood in the C-1/Limited Commercial zoning district. The constraint arises due to the size of the Property (0.405 Acres), its irregular shape, and its positioning relative to the intersections at Winter Park Drive and Balsam Drive and Cedar Drive. The proposed development is within the zoning allowances for the zoning district and the constraint is present despite being below building coverage and density allowances.

In connection with its Pre-Application and Major Site Plan Application submissions, Applicant conducted a parking design study to explore alternative on-site parking configurations, including single and double loaded, parallel, 90-degree, and 45-degree options. As reflected in **Exhibit B**, attached hereto, each of these options presented varying un-resolvable implications to the site plan including: an exiting drive isle located impermissibly close to the Winter Park Drive/Balsam Drive intersection; a notable restriction in the resulting space for the building itself; or a loss of one of the two main-level commercial units in the building. Notably, not all options allowed for more parking spaces than those proposed in the Major Site Plan Application, and all options almost fully limited space to meet other zoning requirements, including snow storage, bufferyard, landscaping ratios.

Without approval of the requested variance, Applicant will be deprived of the highest and best use of the Property as providing thirteen on-site parking spaces with required and code-complaint drive aisles would result in the site being almost exclusively dedicated to parking. Applicant would, in effect, be unable to take advantage of the Property as a mixed-use appropriate site and would have to abandon either the commercial or residential component of the building.

2. **Health, Safety, and Welfare.** *That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.*

The requested variance does not implicate public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity. Notably, the Project itself is designed to improve these areas of public concern by providing a formal bike line (in an area where the Frasier Valley Trail diverts from the dedicated multi-use path with no formal improvements or demarcation), improved crosswalks in an area entirely lacking formal sidewalks and crosswalks, and on-street parking in a commercial district with extremely limited parking. Each of these concerns have been raised by the residents and business owners in the Old Town neighborhood and are addressed by the Project's design and proposed public improvements.

3. **Unusual Circumstances.** *The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district.*

The Property is one of the few remaining sites in Old Town suitable for commercial development. Thus, the site warrants special consideration to facilitate its highest and best use as a mixed-use development providing desirable residential and commercial space in the district. Of important note and relating only to this Property, the spatial constraints of the site were compounded by the August 12, 2002 conveyance of a 15' by 220' portion of the Property to the Town of Winter Park



for use as right-of-way. This conveyance created a narrow and irregularly shaped parcel that created the difficult site planning considerations, detailed in Item 1, above.

4. **Character.** *That the granting of the variance will not alter the essential character of the locality.*

The requested variance will not alter the essential character of the Old Town neighborhood. Allowing a reduction in the on-site residential parking requirement for the Project will not detract in any way from the area's character and will provide the ability to provide both commercial and residential spaces in an area of significance for the Town of Winter Park.

Applicant is fully informed of the historical significance of the Old Town area as well as the Town's objectives for the area as detailed in the Old Town Amendment to the Town Plan. Careful consideration to the goals of the Old Town Amendment has been giving while planning and designing the Project and the Project furthers such stated objectives, including, but not limited to: (1) furthering the creation of a strong pedestrian area; (2) increasing the area's "pillow count" to support additional commercial development; (3) improving streets and trails; and (4) providing "a center for Old Town" encouraging visitors to linger in the area. Moreover, the design of the Project is in line with the character of the area (including locally referential materials such a river rock masonry and charred beetle kill pine siding) and the project's proposed name, RailWater, is a historical nod to the dual purpose of the Moffat Tunnel project and allows for historical design flourishes including historic imagery within the building's public areas.

Conclusion

For the reasons stated above, we believe the granting of the requested variance is appropriate under the circumstances. We sincerely appreciate the Town's and the Board's consideration of this application and the project. Both myself and my business partner, Tim White, are invested here, personally and professionally, for the long term, and we are pursuing this project to provide a great addition to the Old Town community and Winter Park more broadly. To the extent we can clarify any aspect of the submission, or in any way further the advancement of the application, please do not hesitate to contact me.

Sincerely,

Devin N. Visciano
Junior Partner & General Counsel
White Development, LLC
DVisciano@White-Dev.com
303.506.5995





WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
2128

OWNER:
WHITE DEVELOPMENT, LLC
P: 303.506.5995
CONTACT: DEVIN VISCIANO

ARCHITECT:
ROTH SHEPPARD ARCHITECTS, LLP
1900 WAZEE STREET, SUITE 100
DENVER, CO 80202
P: 303.534.7007
F: 303.534.7722
ARCHITECT OF RECORD:
ADAM HARDING, AIA

MECHANICAL, ELECTRICAL AND
PLUMBING ENGINEER:
RAMIREZ, JOHNSON & ASSOCIATES
3301 LAWRENCE ST. SUITE #2,
DENVER, CO 80205
P: 720.598.0774
CONTACT: ANDY ACHTERMANN, PE

CIVIL ENGINEER:
PERSONALIZED ENGINEERING SOLUTIONS
9249 S. BROADWAY #200-388
HIGHLANDS RANCH, COLORADO 80129
P: 720.388.8126
CONTACT: STEPHEN DOUGLAS, PE

LANDSCAPE ARCHITECT:
NEILS LUNCEFORD, INC.
P.O. BOX 2130
740 BLUE RIVER PARKWAY
SILVERTHORNE, CO 80498
P: 970.468.0340
CONTACT: LAYLA LAZOUSKI

BUILDING COVERAGE RATIO TABLE		
	SQ. FT. / ACREAGE	COVERAGE PERCENTAGE (RELATIVE TO LOT)
LOT TOTAL	17,655 SQ. FT. / 0.41 AC	-
BUILDING COVERAGE	6,819 SQ. FT.	38.6%
DRIVES, SIDEWALKS, PARKING AREAS	9,245 SQ. FT.*	52.4%*
OPEN SPACE	4,065 SQ. FT.	23.0%

* AREAS OF SIDEWALKS & PARKING EXIST UNDERNEATH BUILDING OVERHANGS, THESE AREAS COUNT TOWARDS BUILDING COVERAGE SF AS WELL AS SIDEWALK & PARKING SF, THEREFOR THE COMBINED SQUARE FOOTAGES LISTED IN THE TABLE ABOVE EXCEED THE OVERALL LOT SF.

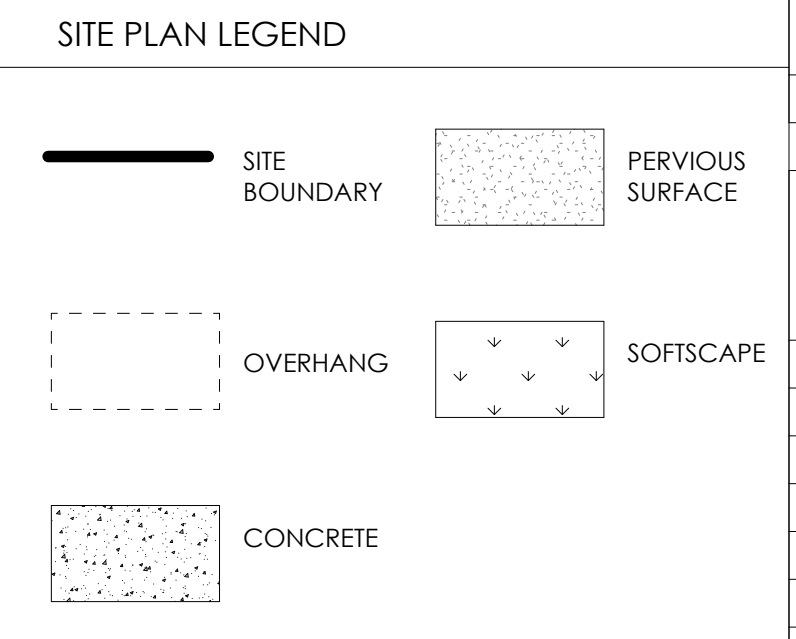
PARKING CALCULATIONS				
UNIT TYPE	# UNITS	CALCULATIONS	REQUIRED	PROVIDED
MULTI FAMILY - APT - 1 BDR	3	1 SPACE / 1 BED	3	3
MULTI FAMILY - APT - 2 BDR	6	1.5 SPACE / 1 BED	9	9
GUEST PARKING		1 SPACE / 10 UNITS	1	1 SHARED
FUTURE RESTAURANT	980 SF CAA*	1 SPACE EA 250 CAA*	4	3
TENANT RETAIL	773 SF CAA*	1 SPACE 800SF CAA*	1	1
ADA			1	1
ORDINANCE 6.10		10% REDUCTION	-1	
TOTAL			18	18

* CUSTOMER ACCESS AREAS EXCLUDING STORAGE AND MAINTENANCE AREAS

- SITE ACCESSIBILITY NOTES:**
- ACCESSIBLE PARKING SPACES SHALL BE LOCATED ON THE SHORTEST ACCESSIBLE ROUTE OF TRAVEL FROM ADJACENT PARKING TO AN ACCESSIBLE ENTRANCE.
 - ACCESSIBLE PARKING SPACES SHALL BE AT LEAST 96 INCHES WIDE WITH LEVEL SLOPES NOT EXCEEDING 2% IN ALL DIRECTIONS.
 - ACCESSIBLE PARKING SPACES SHALL BE DESIGNATED AS RESERVED BY A SIGN SHOWING THE SYMBOL OF ACCESSIBILITY. AN ADDITIONAL SIGN "VAN ACCESSIBLE" SHALL BE MOUNTED BELOW THE SYMBOL OF ACCESSIBILITY. SUCH SIGNS SHALL BE LOCATED SO THEY CAN NOT BE OBSCURED BY THE VEHICLE PARKED IN THE SPACE.
 - A CURB RAMP SHALL HAVE AN APPROVED DETECTABLE WARNING.

- SITE ACCESSIBILITY NOTES:**
- SLOPES OF CURB RAMPS ALONG AN ACCESSIBLE ROUTE SHALL NOT EXCEED 1:20. TRANSITIONS FROM RAMPS TO WALKS, GUTTERS OR STREETS SHALL BE FLUSH AND FREE OF ABRUPT CHANGES.
 - THE MINIMUM WIDTH OF A CURB RAMP SHALL BE 36 INCHES EXCLUSIVE OF FLARED SIDES.
 - RAMP SURFACES SHALL BE SLIP RESISTANT.
 - CHANGES IN LEVEL UP TO 1/4" MAY BE VERTICAL AND WITHOUT EDGE TREATMENT. CHANGES IN LEVEL BETWEEN 1/4" AND 1/2" SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:2. CHANGES IN LEVEL GREATER THAN 1/2" SHALL BE ACCOMPLISHED BY MEANS OF RAMP NOT TO EXCEED 1:12.

- SITE PLAN GENERAL NOTES:**
- SITE PLAN INDICATES GENERAL DESIGN INTENT OF ARCHITECTURAL SITE WORK. REFER TO CIVIL DRAWINGS AND SPECIFICATIONS FOR SUB-SURFACE WORK AND OTHER WORK NOT INDICATED HEREIN.
 - REFER TO CIVIL DRAWINGS FOR RAMPS, CURBS, AND OTHER SITE DETAILS.
 - IN ADDITION TO THE REQUIREMENTS IN THE CONTRACT DOCUMENTS, ALL SITE WORK SHALL COMPLY WITH THE CITY OF FIRESTONE COMMUNITY DEVELOPMENT STANDARDS AND SPECIFICATIONS.
 - ALL SITE SIGNAGE SHALL COMPLY WITH THE TOWN OF WINTER PARK MUNICIPAL CODE.
 - REFER TO CIVIL FOR THE SIGN SCHEDULE.



KEYNOTE LEGEND

KEY	DESCRIPTION
S-02	CUSTOM STEEL BARRIER SEPARATION BETWEEN BIKE LAND AND PLANTERS. COLOR MATCHED TO CENTRAL BUILDING FACADE
S-03	2' CATCH CURB AND GUTTER
S-04	BIKE PATH
S-05	BIKE PARKING
S-06	LANDSCAPE AREA
S-07	LINE OF SOFFIT ABOVE
S-08	TRASH ENCLOSURE
S-09	PERVIOUS SURFACE
S-10	WHEELCHAIR RAMP
S-11	WHITE LINE OF EXISTING DRIVE LANE

ARCHITECT:

 ROTH SHEPPARD ARCHITECTS
 1900 WAZEE STREET, SUITE 100 | DENVER, COLORADO 80202
 T.303.534.7007 F. 303.534.7722 | www.rotsheppard.com

CONSULTANT:

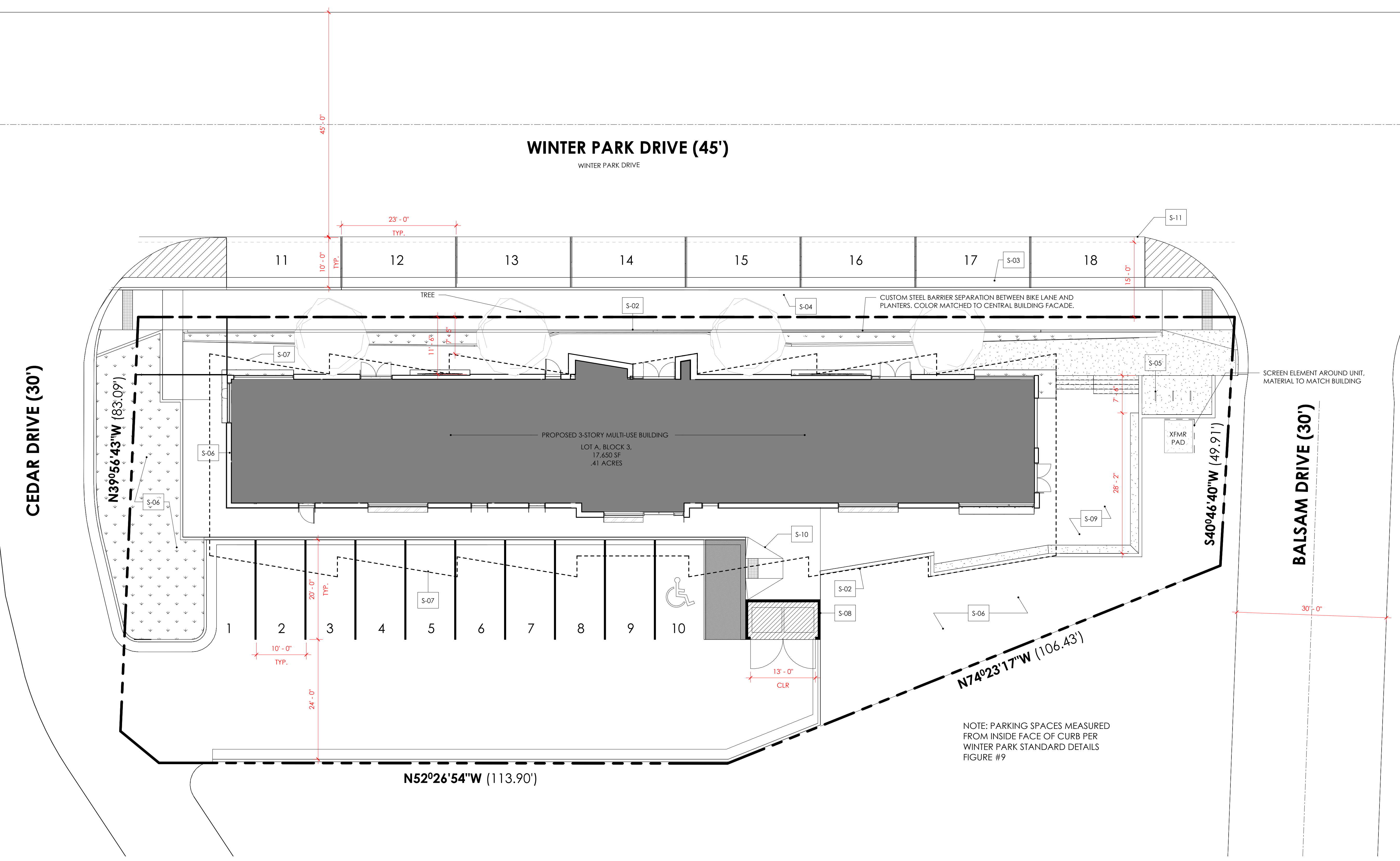
WINTER PARK - OLD TOWN LOT
 1097 Winter Park Drive
 Winter Park, CO 80482
 PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN
 DATE: 24-0320

STAMP:

DRAWING TITLE:
 SITE PLAN

SHEET NUMBER:
AS.01



PLAN NOTES:

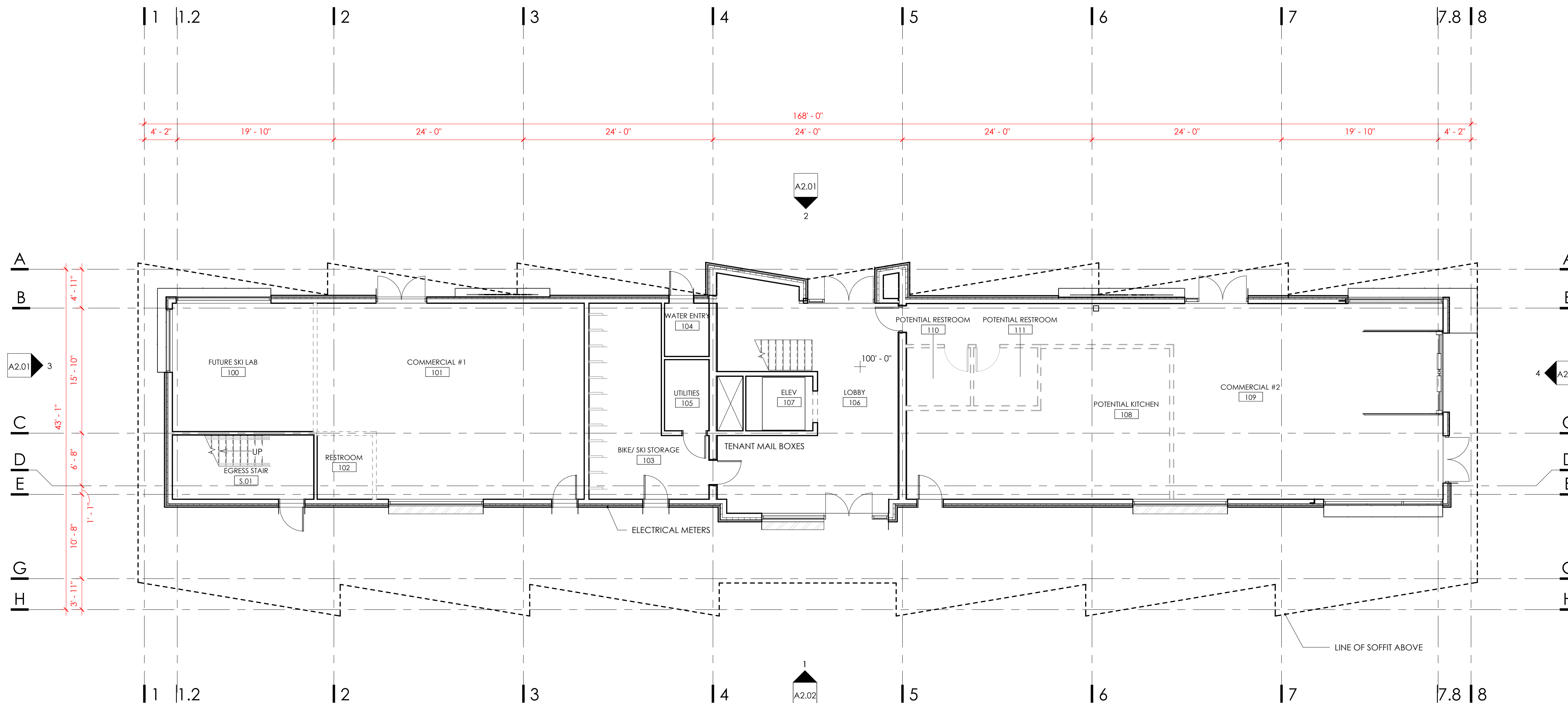
- 1. RE: STRUCT FOR FOUNDATION WALL DIMENSIONS
- 2. TYP INTERIOR DIMS TAKEN FROM FACE OF GYP. UNLESS NOTED OTHERWISE
- 3. TYP EXTERIOR DIMS:
ALL-GLASS ENTRIES - DIMS TO SYSTEM CL STOREFRONT - DIMS TO EXT FO FRAME (NOT INCLUDING EXTENDED MULLION CAP)
CLERESTORY - DIMS TO EXT FO FRAME
STONE RAINSCREEN - DIMS TO EXT FO STONE
- 4. ALL SLAB ON GRADE JOINTS, INCLUDING SLAB PERIMETER JOINTS, SHALL BE FILLED WITH SEALANT; SEALANT COLOR TO BE VERIFIED WITH ARCHITECT FOR ALL JOINTS EXPOSED TO VIEW.
- 5. REFER TO A9.00 FOR EXTERIOR 3D AXONOMETRIC VIEWS.

ARCHITECT:



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CONSULTANT:



WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

DRAWING TITLE:
OVERALL FLOOR PLAN -
LEVEL 01

SHEET NUMBER:
A1.01

1 OVERALL FLOOR PLAN - LEVEL 01
A1.01 SCALE: 1/8" = 1'-0"

PLAN NOTES:

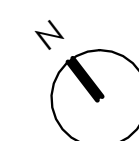
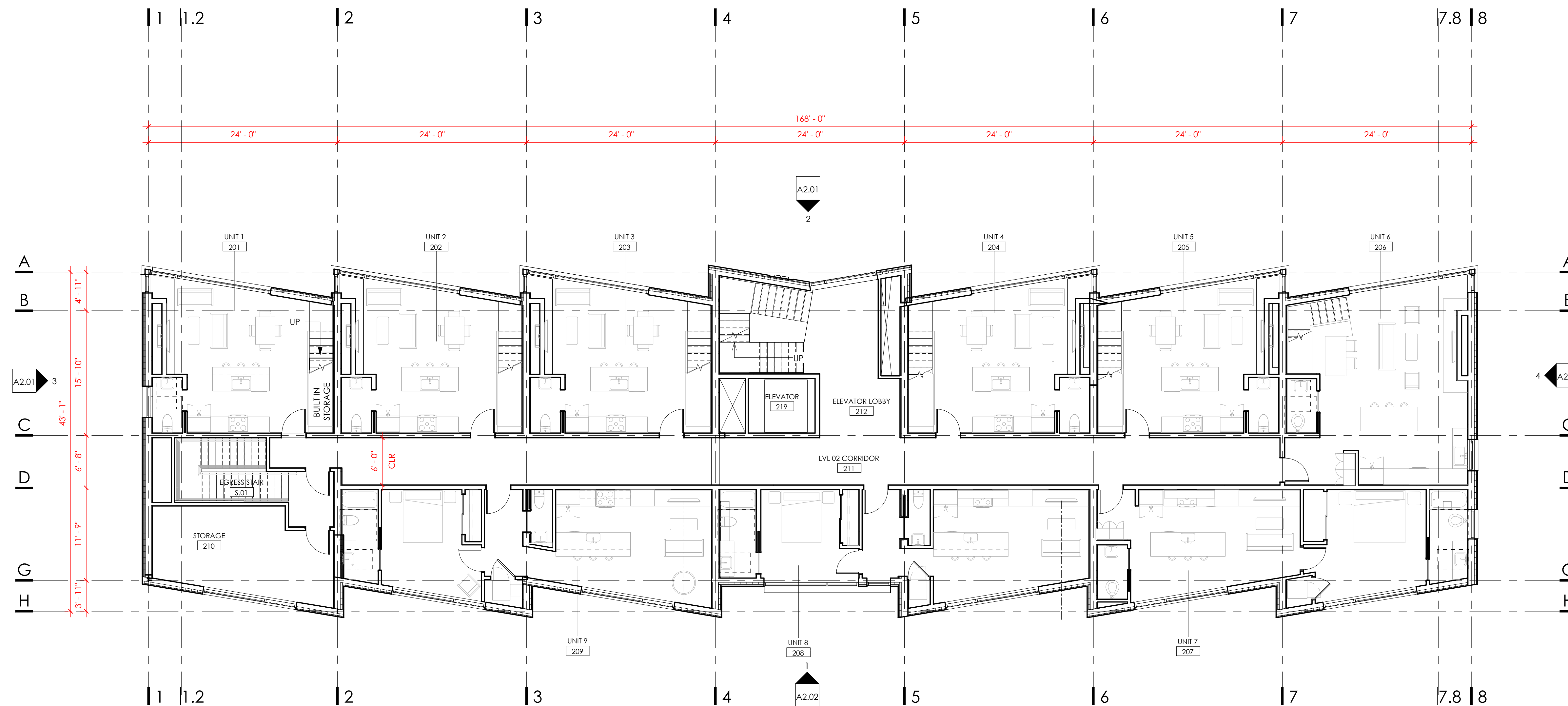
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CONSULTANT:



1 OVERALL FLOOR PLAN - LEVEL 02
A1.02 SCALE: 1/8" = 1'-0"

WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

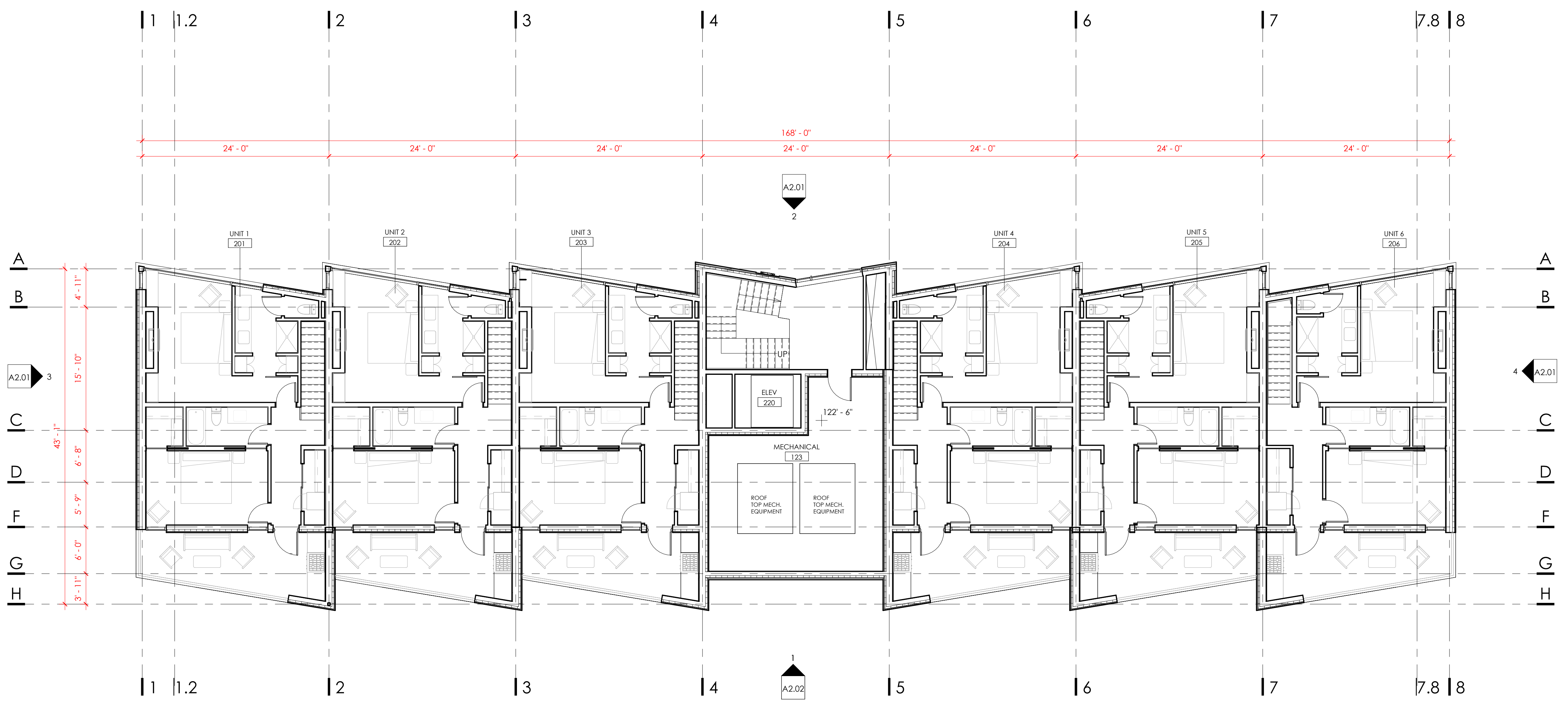
DRAWING TITLE:
OVERALL FLOOR PLAN -
LEVEL 02

SHEET NUMBER:
A1.02

PLAN NOTES:	
1. RE: STRUCT FOR FOUNDATION WALL DIMENSIONS	4. ALL SLAB ON GRADE JOINTS, INCLUDING SLAB PERIMETER JOINTS, SHALL BE FILLED WITH SEALANT; SEALANT COLOR TO BE VERIFIED WITH ARCHITECT FOR ALL JOINTS EXPOSED TO VIEW.
2. TYP INTERIOR DIMS TAKEN FROM FACE OF GYP. UNLESS NOTED OTHERWISE	5. REFER TO A9.00 FOR EXTERIOR 3D AXONOMETRIC VIEWS.
3. TYP EXTERIOR DIMS: ALL-GLASS ENTRIES - DIMS TO SYSTEM CL STOREFRONT - DIMS TO EXT FO FRAME (NOT INCLUDING EXTENDED MULLION CAP) CLERESTORY - DIMS TO EXT FO FRAME STONE RAINSCREEN - DIMS TO EXT FO STONE	

ARCHITECT:
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WINTER PARK - OLD TOWN LOT
 1097 Winter Park Drive
 Winter Park, CO 80482
 PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

DRAWING TITLE:
OVERALL FLOOR PLAN - LEVEL 03

SHEET NUMBER:
A1.03

1 OVERALL FLOOR PLAN LEVEL - 03
 A1.03 SCALE: 1/8" = 1'-0"

PLAN NOTES:

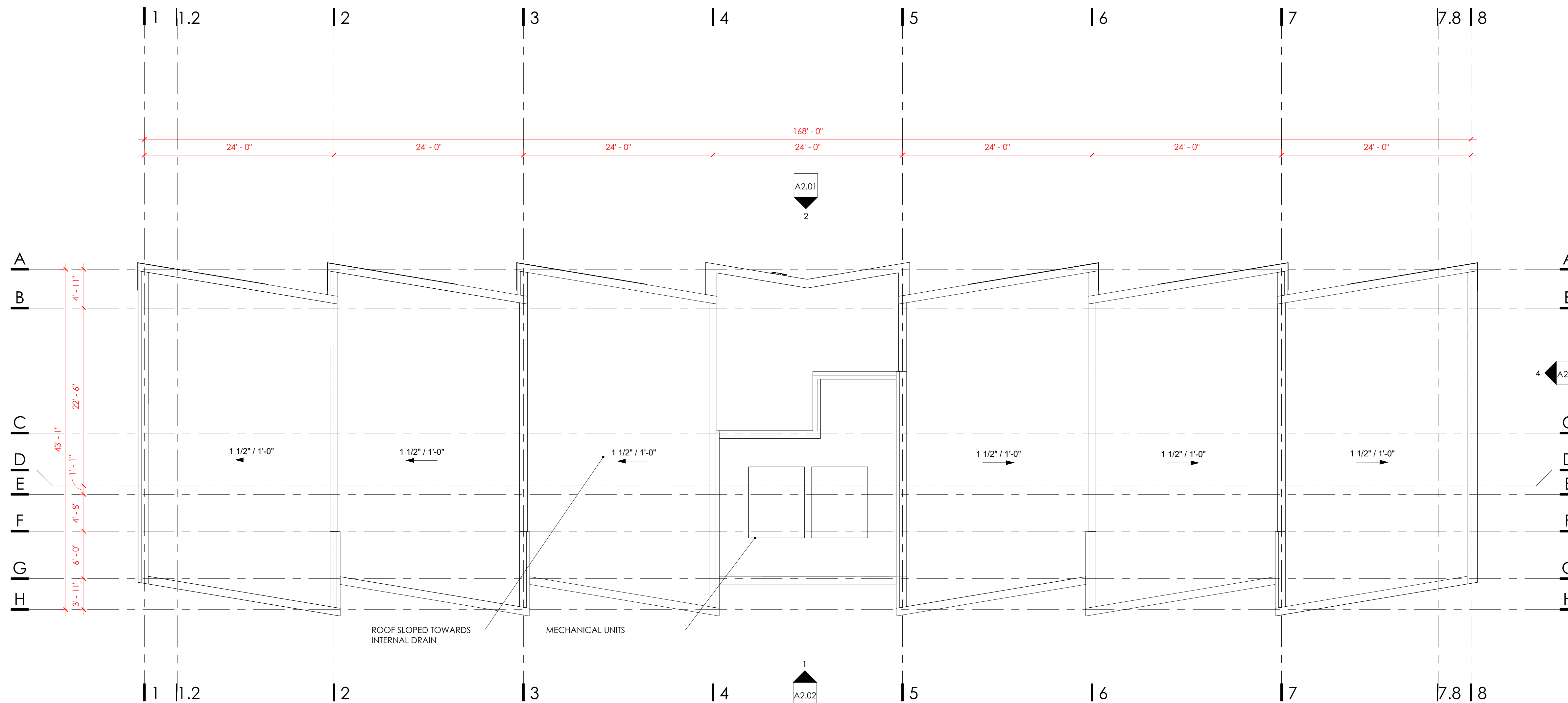
- 1. RE: STRUCT FOR FOUNDATION WALL DIMENSIONS
- 2. TYP INTERIOR DIMS TAKEN FROM FACE OF GYP. UNLESS NOTED OTHERWISE
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CONSULTANT:



WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
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ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

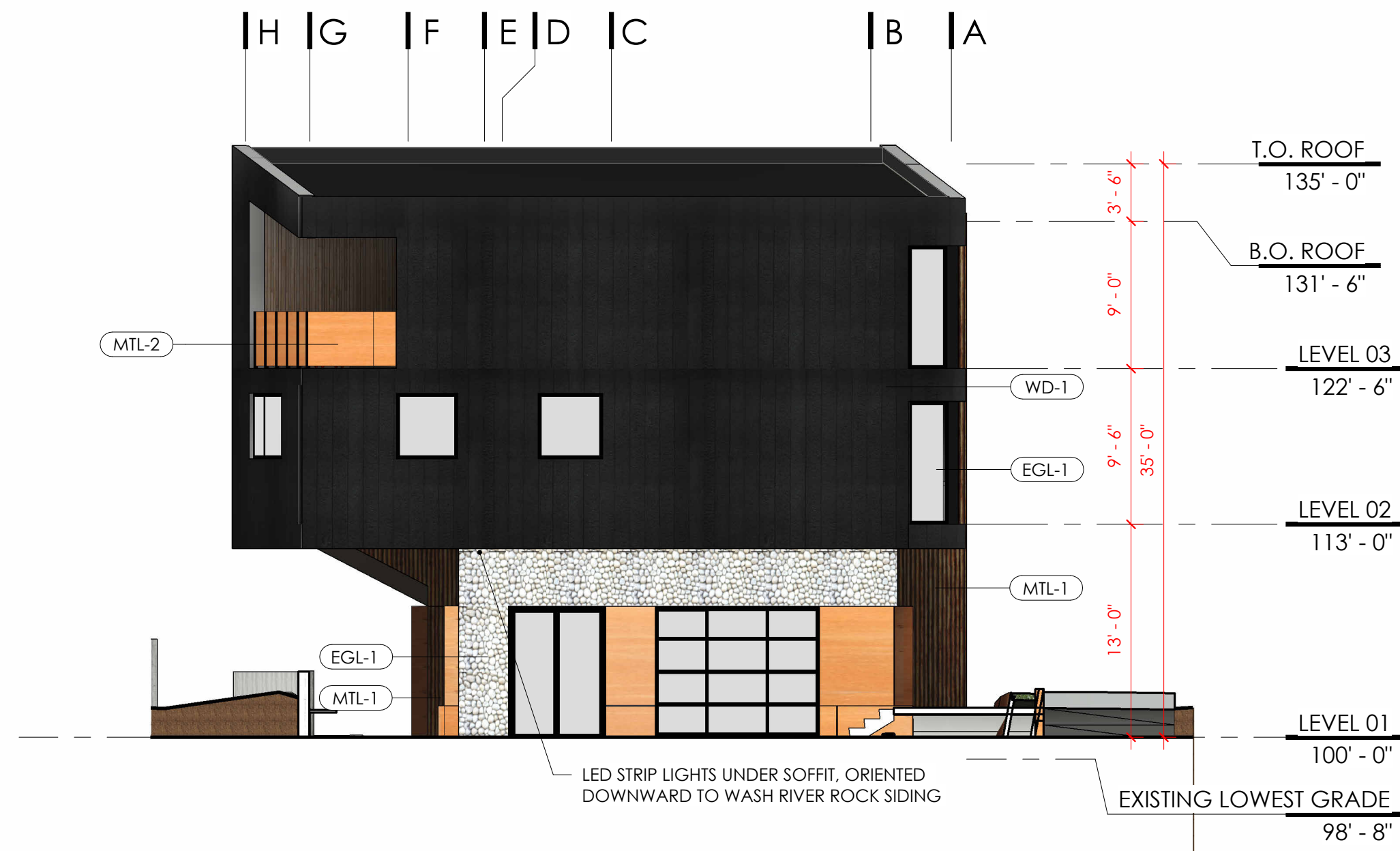
STAMP:

DRAWING TITLE:
OVERALL ROOF PLAN

SHEET NUMBER:
A1.21

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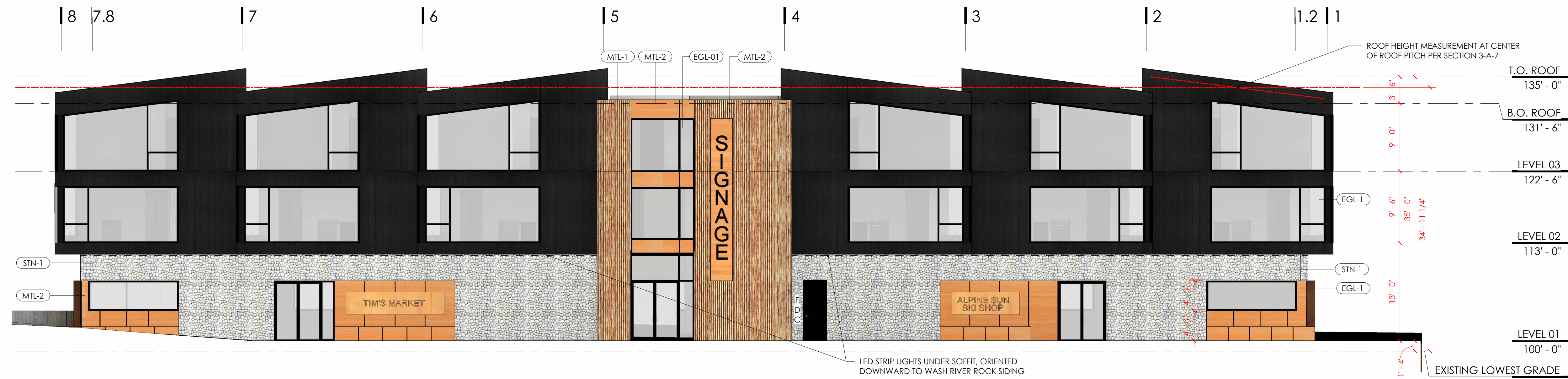
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4 EXTERIOR ELEVATION - EAST
A2.01 SCALE: 1/8" = 1'-0"



3 EXTERIOR ELEVATION - WEST
A2.01 SCALE: 1/8" = 1'-0"



2 EXTERIOR ELEVATION - NORTH
A2.01 SCALE: 1/8" = 1'-0"



1 EXTERIOR ELEVATION - SOUTH
A2.01 SCALE: 1/8" = 1'-0"

MATERIAL LEGEND:

- CONC-1 CAST IN PLACE CONCRETE, BROOM FINISH
- CONC-2 BOARD FORM CONCRETE, VERTICAL ORIENTATION
- EGL-01 EXTERIOR GLAZING, LOW-E, ULTRA-CLEAR
- MTL-01 STEEL CORRUGATED METAL PANEL, WEATHERED, 22 GA
- MTL-02 STEEL FLAT METAL PANEL, WEATHERED, 11 GA
- STN-1 RIVER ROCK MASONRY
- WD-1 SHOU SUGI BAN WOOD, VERTICAL ORIENTATION
- WD-2 LUNAWOOD, VERTICAL ORIENTATION

ARCHITECT:

ROTH SHEPPARD

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CONSULTANT:

WINTER PARK - OLD TOWN LOT

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Winter Park, CO 80482
PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

DRAWING TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A2.01

MATERIAL LEGEND:

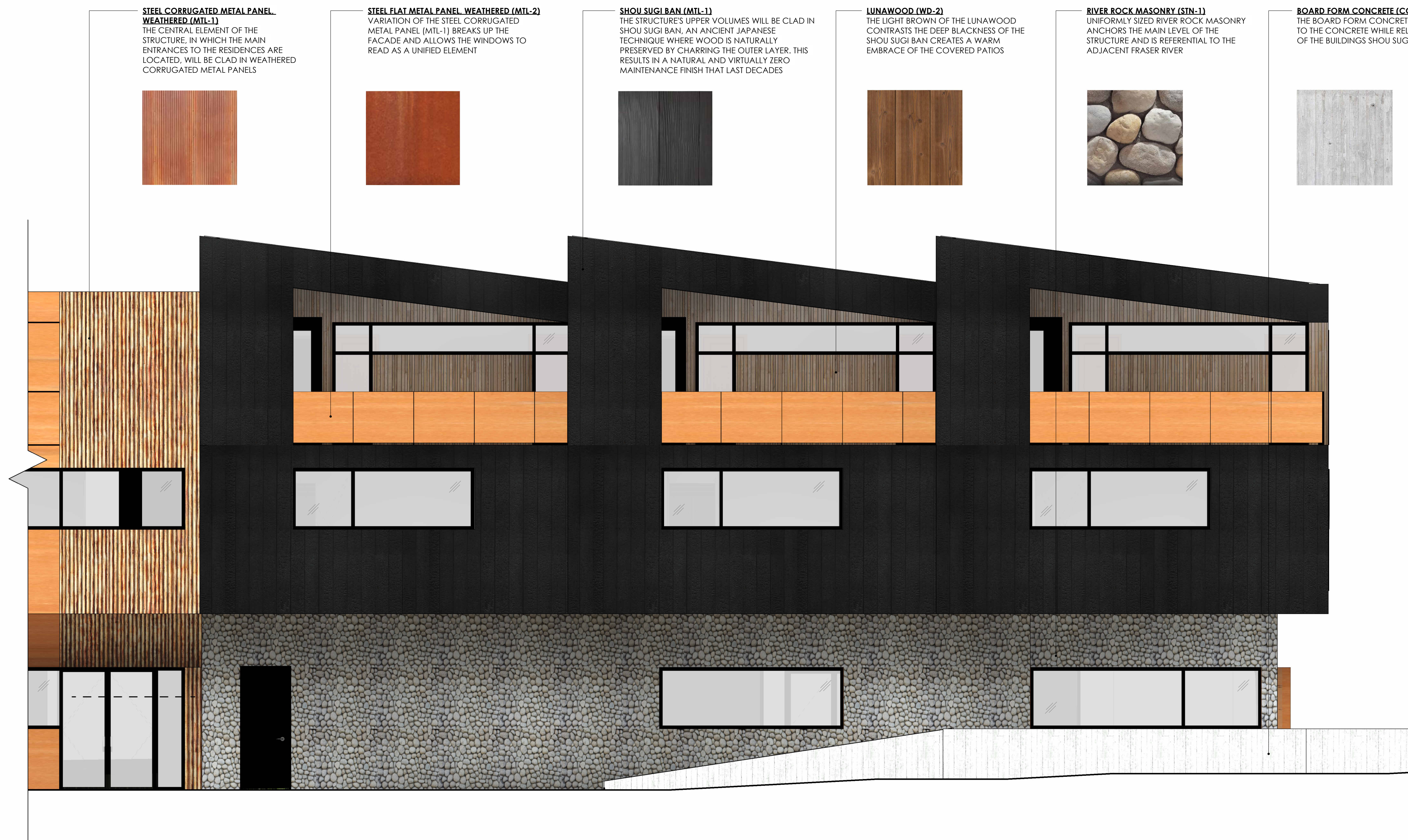
CONC-1	CAST IN PLACE CONCRETE, BROOM FINISH
CONC-2	BOARD FORM CONCRETE, VERTICAL ORIENTATION
EGL-01	EXTERIOR GLAZING, LOW-E, ULTRA-CLEAR
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STN-1	RIVER ROCK MASONRY
WD-1	SHOU SUGI BAN WOOD, VERTICAL ORIENTATION
WD-2	LUNA WOOD, VERTICAL ORIENTATION

ARCHITECT:



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CONSULTANT:



WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
PROJECT: 2109

ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

DRAWING TITLE:
MATERIAL BOARD

SHEET NUMBER:
A2.02

1 MATERIAL BOARD ELEVATION
A2.02 SCALE: 1/4" = 1'-0"



4 SOUTH PERSPECTIVE
A9.00 SCALE: N.T.S.



2 SOUTHEAST PERSPECTIVE
A9.00 SCALE: N.T.S.



3 NORTHWEST PERSPECTIVE
A9.00 SCALE: N.T.S.



1 NORTH PERSPECTIVE
A9.00 SCALE: N.T.S.

ARCHITECT:

ROTH SHEPPARD

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CONSULTANT:

WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
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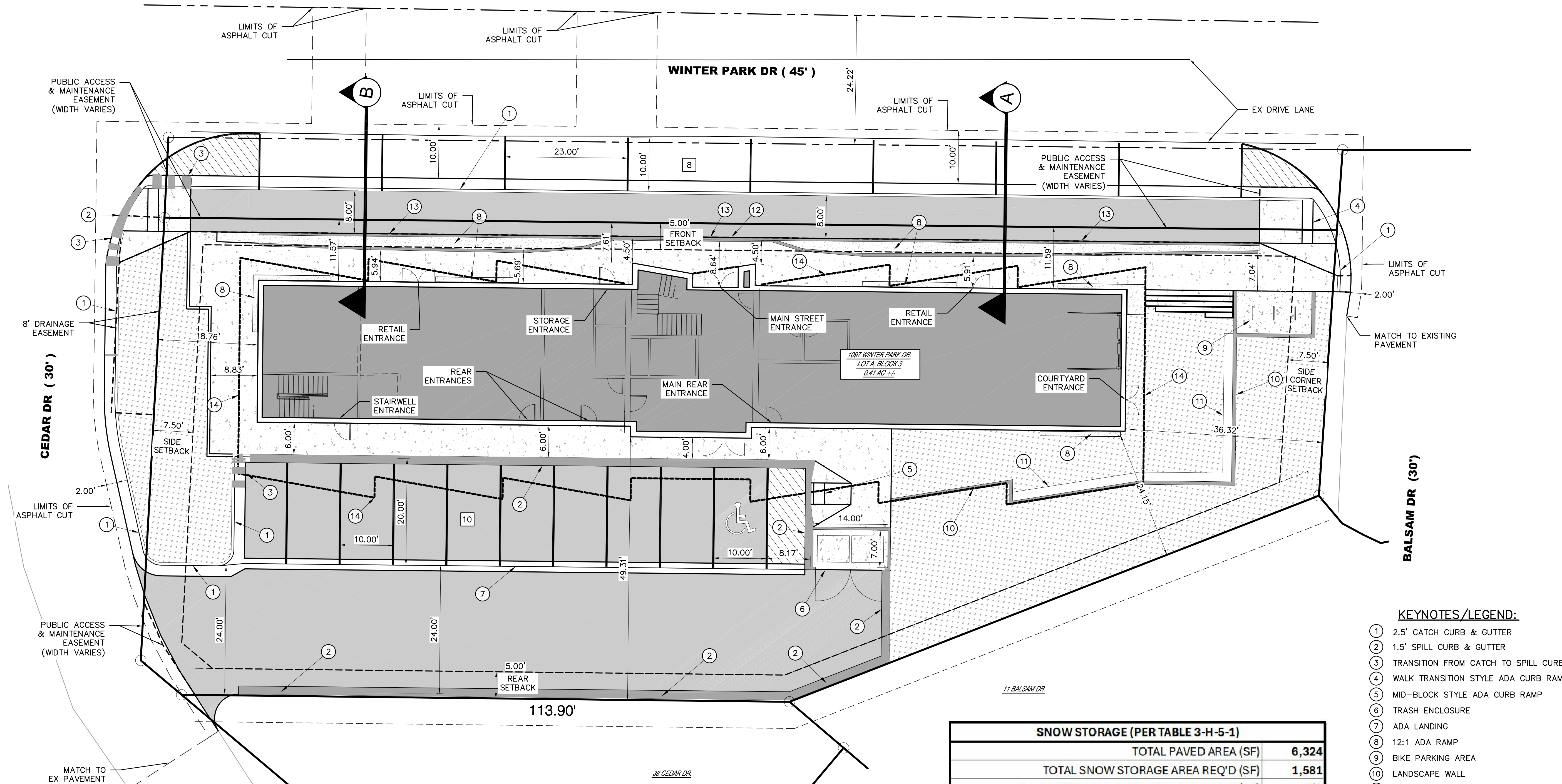
ISSUANCE: MAJOR SITE PLAN DATE: 24-0320

STAMP:

DRAWING TITLE:
EXTERIOR PERSPECTIVES

SHEET NUMBER:
A9.00

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- KEYNOTES/LEGEND:**
- ① 2.5' CATCH CURB & GUTTER
 - ② 1.5' SPILL CURB & GUTTER
 - ③ TRANSITION FROM CATCH TO SPILL CURB
 - ④ WALK TRANSITION STYLE ADA CURB RAMP
 - ⑤ MID-BLOCK STYLE ADA CURB RAMP
 - ⑥ TRASH ENCLOSURE
 - ⑦ ADA LANDING
 - ⑧ 12:1 ADA RAMP
 - ⑨ BIKE PARKING AREA
 - ⑩ LANDSCAPE WALL
 - ⑪ BENCH SEATING
 - ⑫ GRADE SEPARATION WALL
 - ⑬ CUSTOM STEEL BARRIER
 - ⑭ PARKING COUNT
- LIMITS OF ASPHALT CUT
 - - - - - BUILDING OVERHANG
- 8' WIDE BIKE PATH
 - PROPOSED BUILDING
 - PROPOSED CONCRETE SIDEWALK/HARD SCAPE
 - PROPOSED LANDSCAPE AREA

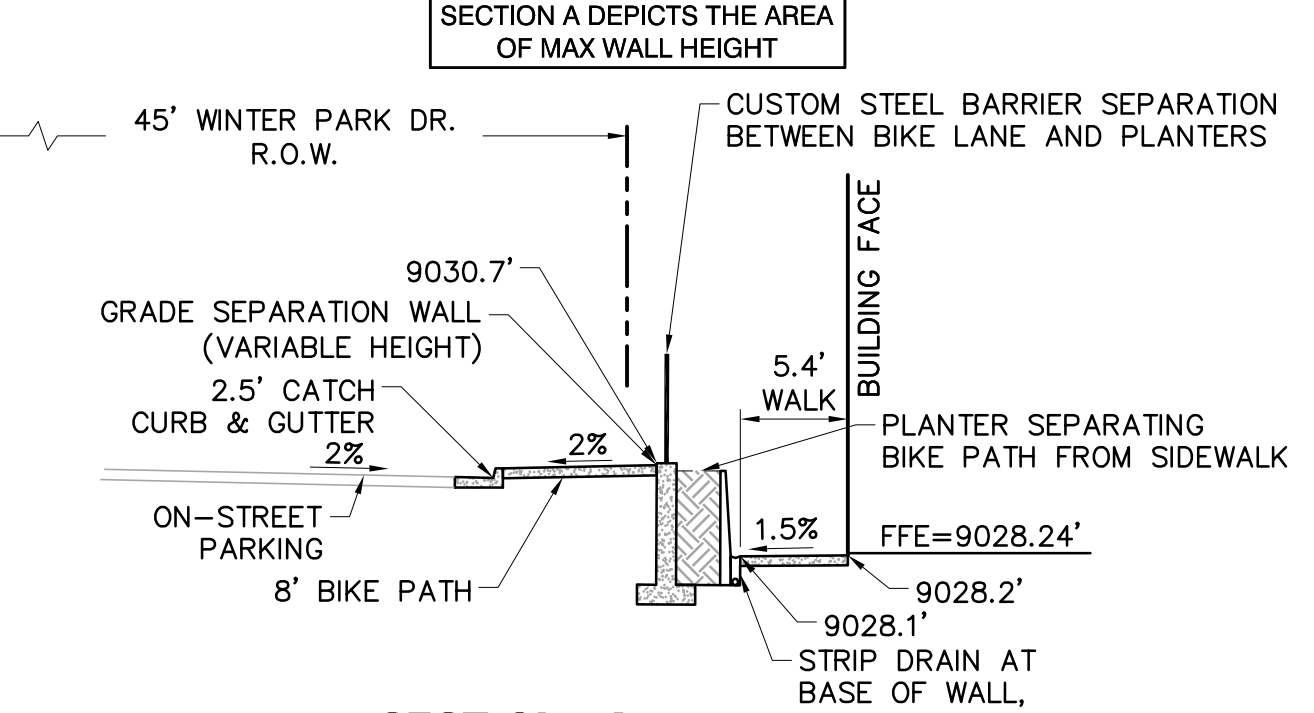
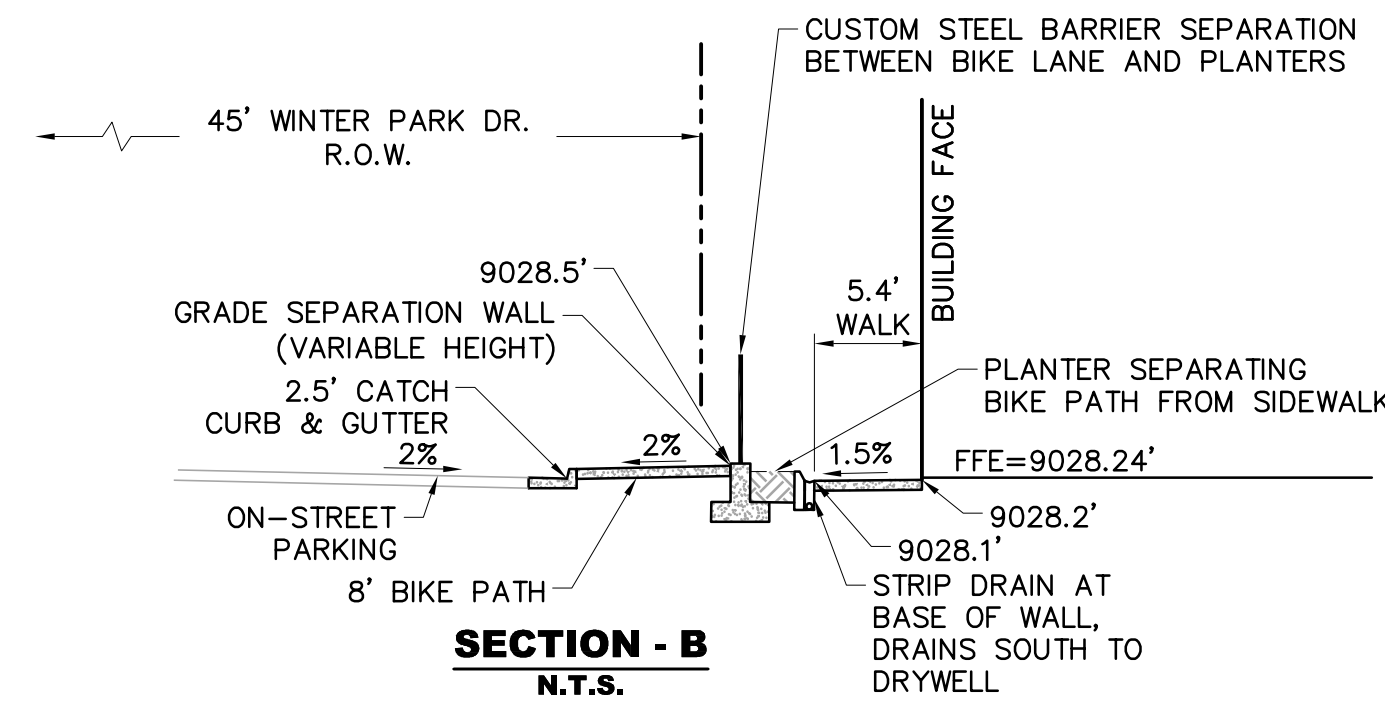
SNOW STORAGE (PER TABLE 3-H-5-1)	
TOTAL PAVED AREA (SF)	6,324
TOTAL SNOW STORAGE AREA REQ'D (SF)	1,581
TOTAL SNOW STORAGE AREA PROVIDED (SF)	N/A
ON-SITESNOW STORAGE AREA INSUFFICIENT; THIS SITE WILL REQUIRE OFF-SITE HAULING AND/OR SNOW MELTING.	
(AVG. SLOPE WITHIN PARKING AREA = 2.0%)	

PARKING CALCULATIONS				
UNIT TYPE	# UNITS	CALCULATIONS	REQUIRED	PROVIDED
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MULTI FAMILY - APT - 2 BDR	6	1.5 SPACE / 1 BED	9	9
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ADA			1	1
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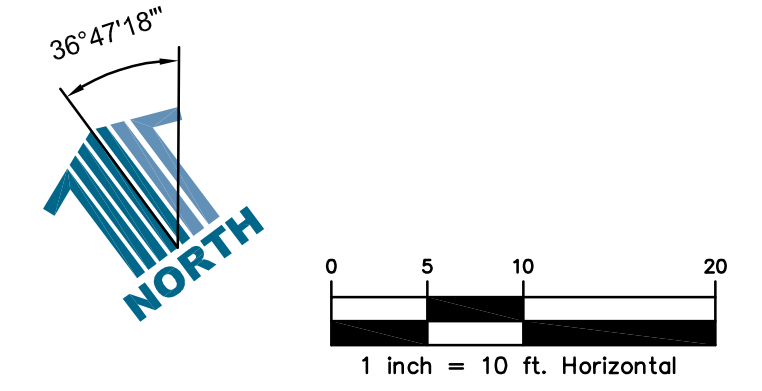
* CUSTOMER ACCESS AREAS EXCLUDING STORAGE AND MAINTENANCE AREAS

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OPEN SPACE	4,065 SQ. FT.	23.0%

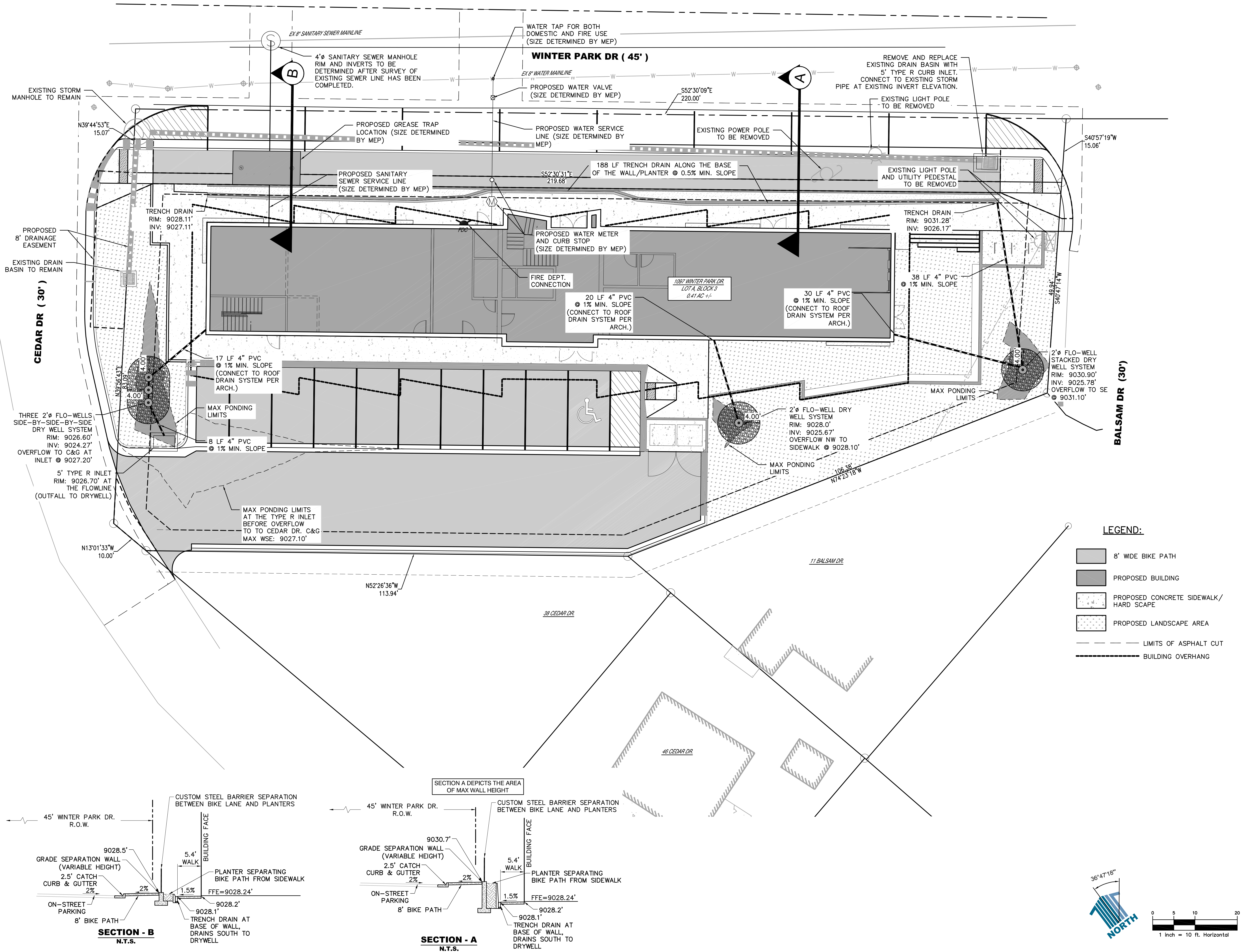
* AREAS OF SIDEWALKS & PARKING EXIST UNDERNEATH BUILDING OVERHANGS. THESE AREAS COUNT TOWARDS BUILDING COVERAGE SF AS WELL AS SIDEWALK & PARKING SF. THEREFOR THE COMBINED SQUARE FOOTAGES LISTED IN THE TABLE ABOVE EXCEED THE OVERALL LOT SF.



ALL CURB IS CATCH UNLESS OTHERWISE NOTED AS FOLLOWS
 SPILL CURB: ②
 TRANSITION FROM SPILL TO CATCH: ③



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LEGEND:

- 8' WIDE BIKE PATH
- PROPOSED BUILDING
- PROPOSED CONCRETE SIDEWALK/HARD SCAPE
- PROPOSED LANDSCAPE AREA
- LIMITS OF ASPHALT CUT
- BUILDING OVERHANG

SECTION - B
N.T.S.

SECTION - A
N.T.S.

ARCHITECT:



ROTH SHEPPARD ARCHITECTS
1900 WAZEE STREET, SUITE 100 | DENVER, COLORADO 80202
T.303.534.7007 F.303.534.7722 | www.rothsheppard.com

CONSULTANT:



Personalized Engineering Solutions, LLC
9249 S. Broadway #200-388
Highlands Ranch, CO 80129 720.388.8126
www.pengsolutions.com
Construction Management Civil Engineering Land Planning

WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
PROJECT: 2109

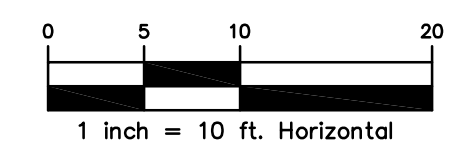
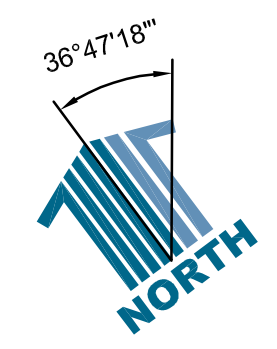
ISSUANCE:
MAJOR SITE PLAN

DATE:
23-0403

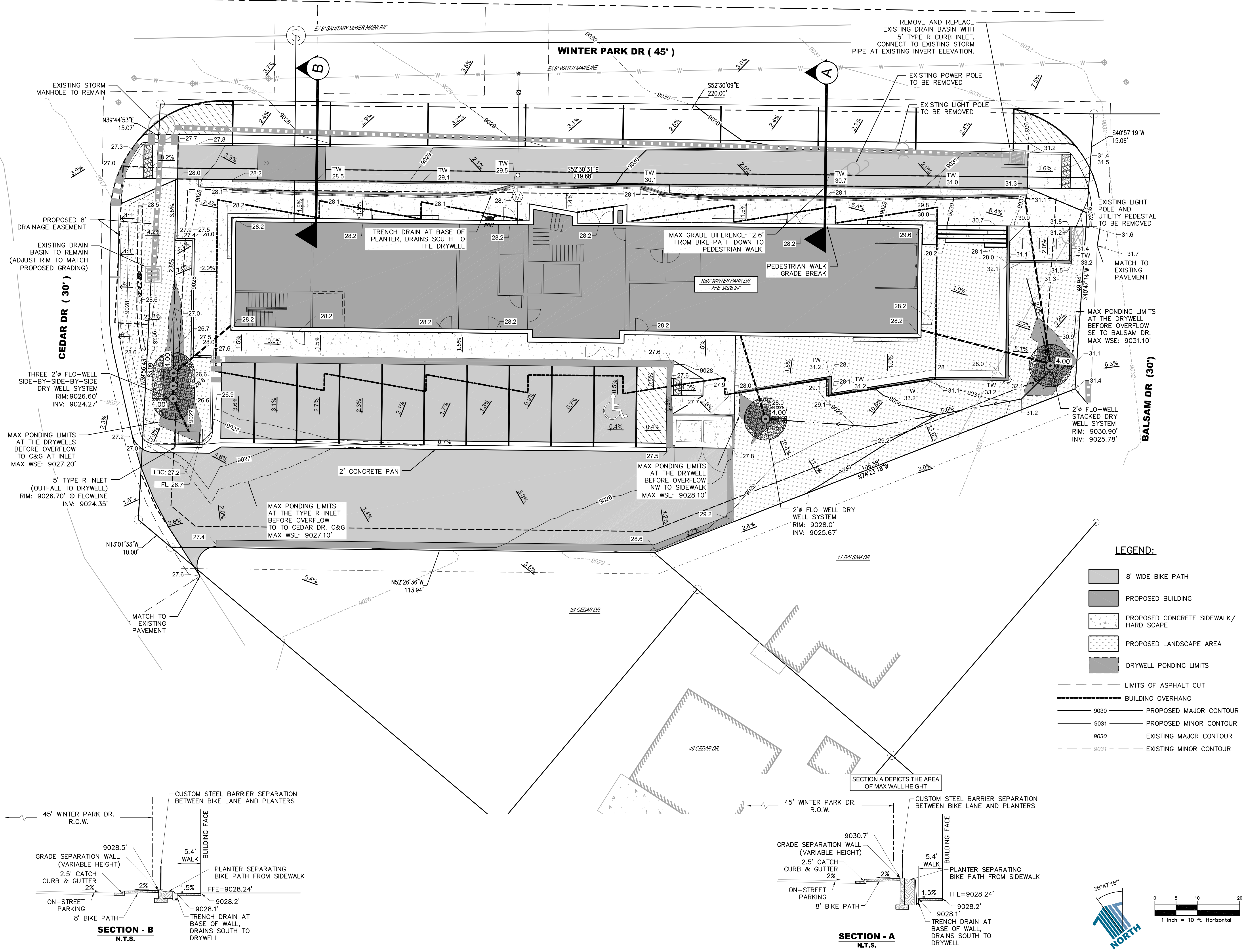
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DRAWING TITLE:
UTILITY PLAN

SHEET NUMBER:
C1.02

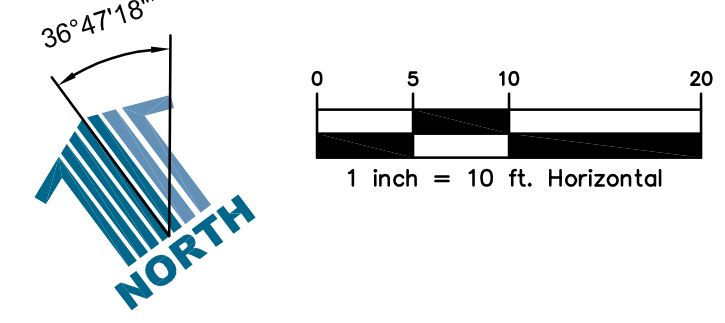
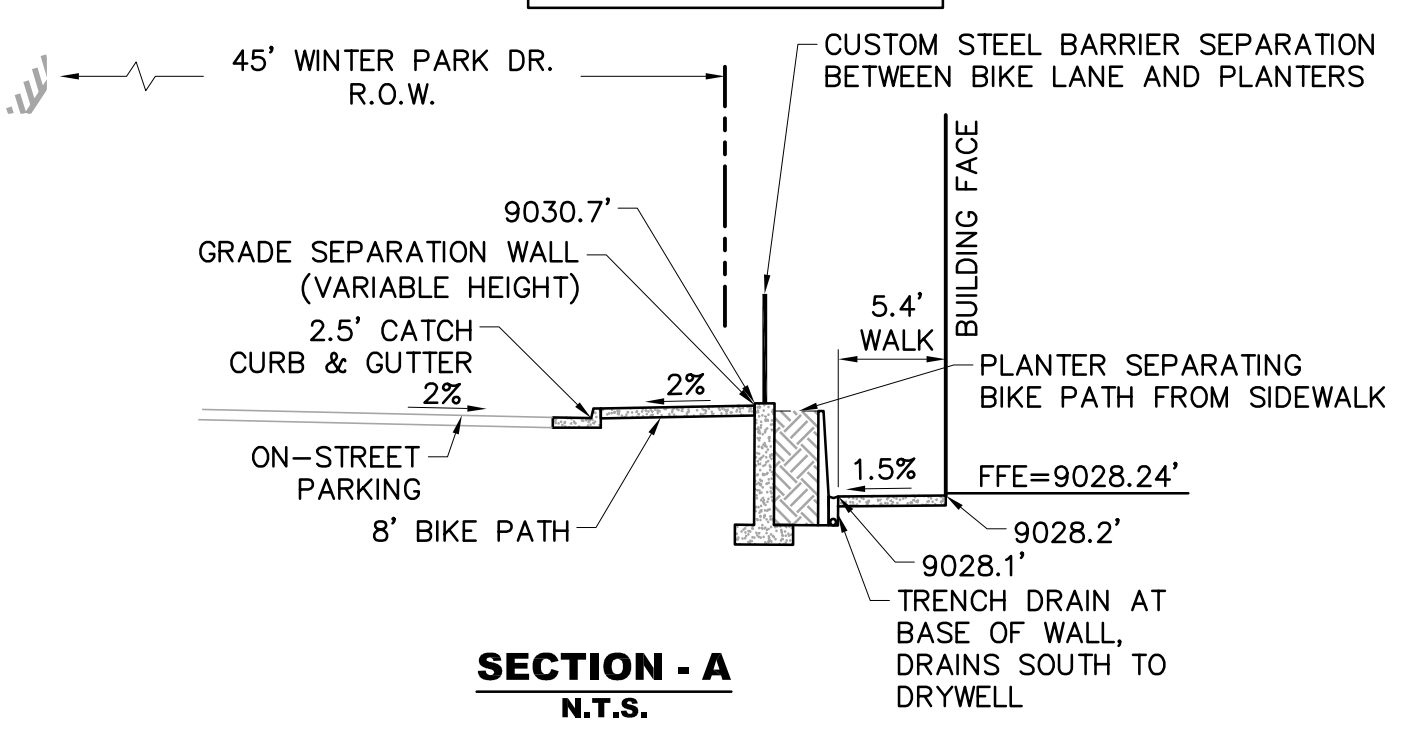
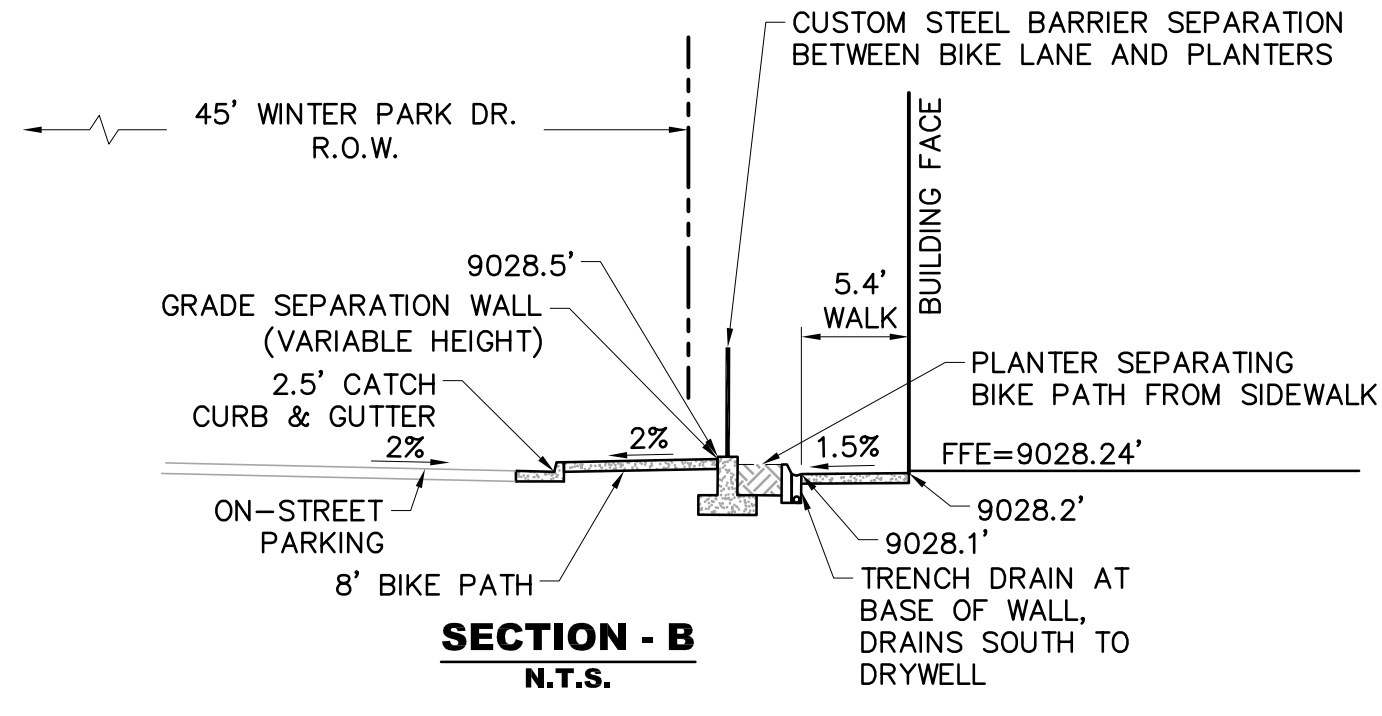


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LEGEND:

- 8' WIDE BIKE PATH
- PROPOSED BUILDING
- PROPOSED CONCRETE SIDEWALK/HARD SCAPE
- PROPOSED LANDSCAPE AREA
- DRYWELL PONDING LIMITS
- LIMITS OF ASPHALT CUT
- BUILDING OVERHANG
- 9030 PROPOSED MAJOR CONTOUR
- 9031 PROPOSED MINOR CONTOUR
- 9030 EXISTING MAJOR CONTOUR
- 9031 EXISTING MINOR CONTOUR



ARCHITECT:



ROTH SHEPPARD ARCHITECTS
1900 WAZEE STREET, SUITE 100 | DENVER, COLORADO 80202
T.303.534.7007 F.303.534.7722 | www.rotsheppard.com

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WINTER PARK - OLD TOWN LOT

1097 Winter Park Drive
Winter Park, CO 80482
PROJECT: 2109

ISSUANCE:

MAJOR SITE PLAN

DATE:

23-0403

STAMP:

DRAWING TITLE:

GRADING PLAN

SHEET NUMBER:

C1.03

ALPINE SUN SKI SHOP, INC.
P.O. BOX 3320
WINTER PARK COLORADO 80482
970.726.5107

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

Attention: Board of Adjustment
Re: Railwater Development / Old Town / Variance

Members of Winter Park's Board of Adjustment:

The undersigned individuals represent the staff and employees of Alpine Sun Ski Shop, Inc. ("Alpine Sun") We are submitting this correspondence in support of White Development's application for a variance relating to the Railwater Development in Old Town.

All of us have worked Alpine Sun for the past several winters. It is a great place to be employed and we all rely on the additional income it generates for our respective households. It is a truly enjoyable environment for staff and customers alike. This next ski season is going to be difficult to weather with Alpine Sun being closed.

As a collective we all share a great deal of excitement for the new store to open. In advance, we would like to thank the Board for giving White Development's application for a variance every consideration.

Sincerely,

 Jacob Beck Ellen Gregg Ellen Gregg	 Jake Beck Ellen Gregg
 Andrew Petersen	Andrew Petersen
 Aimee Dominguez Connor Barnes	Aimee Dominguez Connor Barnes
 Brenna Barres	Brenna Barres
 Lydia Chisholm	Lydia Chisholm

The Staff of Alpine Sun Ski Shop, Inc.

ALPINE SUN SKI SHOP, INC.
P.O. BOX 3320
WINTER PARK COLORADO 80482
970.726.5107

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

Attention: Board of Adjustment
Re: Railwater Development / Old Town / Variance

Members of Winter Park's Board of Adjustment:

We are writing to express our support for the proposed Railwater development at 1097 Winter Park Drive in the Old Town neighborhood and to encourage the Board to approve the requested variance needed to allow the project to move forward.

As some of the Board's members may know, our family owns and operates Winter Park's longest running family-owned ski shop, Alpine Sun Ski Shop, which was established in 1984 has been located in the Old Town neighborhood since 2000. During this time, we have seen a tremendous amount of change in Winter Park. However, we have often felt like the positive momentum of investment and growth in the town has been missing in our little pocket of Old Town. We have been outspoken advocates to see the same level of focus and attention to the historically significant Old Town area.

Confronted last year with the loss of our long-occupied space across the street from the proposed development, we began a relationship with Tim and Devin of White Development and have found them to be equally committed to Old Town and Winter Park more broadly. They went above and beyond in allowing Alpine Sun to occupy the existing building at the property for the past ski season and we have developed plans for Alpine Sun's long-term home in Railwater. Throughout this process, they have been receptive to our experience as business owners in Old Town and have strived to incorporate our and other's community input into their project. Simply put, Old Town is an important and ideal location for our business and new commercial development.

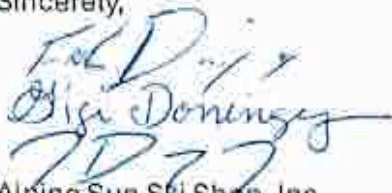
We believe the result of their efforts is a project that is highly beneficial to Old Town and Winter Park. The varying unit types will encourage full time residency in the area while the commercial units will bring much needed new commercial space to an area that hasn't had new opportunities in decades. The White Development team has also gone to great lengths to incorporate improvements to the public infrastructure into their project, including

Page 2
May 29, 2024

We understand that the intricacies of the site require the requested variance, but we believe the benefits of the project and its thoughtful design and scale merit approval of the variance. We hope the Board sees the project as a wonderful addition to the Old Town neighborhood, as we do, and approves the variance requested.

Thank you for your thoughtful consideration. We look forward to serving the town (Old Town) of Winter Park and its guests for the next 40 years.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Dominguez". The signature is stylized and includes a large flourish at the end.

Alpine Sun Ski Shop, Inc.
Frank Dominguez, President
Gigi Dominguez, Vice President (Sales & Marketing)
Jordan Dominguez, Vice President (Operations)

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

Attention: Board of Adjustment
Re: Railwater Development / Old Town / Variance

Members of the Board of Adjustment:

As members of the Old Town and Winter Park communities, we support the proposed mixed-use Railwater development at 1097 Winter Park Drive. We believe the project is highly beneficial to Old Town and Winter Park.

The varying unit types will encourage full-time residency in the area, while the commercial units will bring much needed new commercial spaces. Importantly, we believe the project incorporates necessary improvements to the public infrastructure, including new on-street parking spaces, welcoming pedestrian areas, and a bike lane. All of these elements will help further Old Town's connection to downtown and the base village. Overall, the project will be a welcome addition to the Old Town community and will provide appropriately scaled spaces in the area that will be complementary to the existing buildings and businesses.

It is our sincere desire to see this project come to fruition and wish to see this project progress.

Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
Paul J Collins	90 Balsam Dr.	Paul J Collins
Douglas Olson	71 Balsam Dr	D Olson
Justin S. Bruce	90 Balsam Dr	Justin S. Bruce
Brandon Irving	90 Balsam Dr	Brandon Irving
Jack W. Buchheister	81 Cedar Dr. Winter Park, CO 80482	Jack W. Buchheister

May 29, 2024

Town of Winter Park
50 Vasquez Road
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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
Joe Richardson	72 Cedar dr. #A 80482	<i>Joe Richardson</i>

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

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Re: Railwater Development / Old Town / Variance

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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
Tyler and Julia Wilcox	110 Cedar Drive	Tyler Wilcox <small>Digitally signed by Tyler Wilcox DN: cn=Tyler Wilcox, email=tyler.wilcox@townofwinterpark.com, o=Town of Winter Park, ou=</small>

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
Sean Sjodin	117 Cedar Dr Winter Park CO 80482	

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
VICTOR RAPOSO	88 Fir Drive Winterpark co	

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

Attention: Board of Adjustment

Re: Railwater Development / Old Town / Variance

Members of the Board of Adjustment:

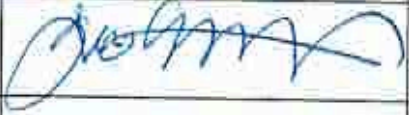

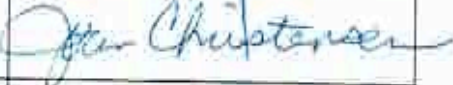
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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
George Stevens	6916 Vasquez Rd. WP, CO 80482	
Madelyn Stevens	696 Vasquez Rd.	Madelyn A. Stevens
Eric Knopping	671 Vasquez Rd WP, CO 80482	
Joan Christensen	267 Kings Crossing WP, CO 80482	

May 29, 2024

Town of Winter Park
50 Vasquez Road
P.O. Box 3327
Winter Park, CO 80482

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Sincerely,

The Undersigned Residents of Winter Park

NAME	ADDRESS	SIGNATURE
Garrett Skylr Olson	1080 Winter Park Drive #5, Winter Park CO 80482	<i>Garrett Skylr Olson</i> 05/31/2024
Laura Lynn Gray	1080 Winter Park Drive #5, Winter Park CO 80482	<i>Laura Gray</i> 05/31/2024

Members of Winter Park's Board of Adjustment:

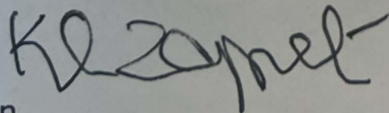
The purpose of this letter is to express support for the proposed development at 1097 Winter Park Drive in the Old Town neighborhood and for the approval of the variance requested by White Development. As the owner and operator of the A-Frame Club, I and my organization are deeply committed to the beneficial growth of Winter Park and the Old Town neighborhood. As a long-time business partner of White Development's founders, Tim White and Devin Visciano, I know they are equally committed to the Town and unwavering in their focus on incorporating community needs and input into their projects.

The proposed development is highly desirable and beneficial for many reasons. As you may know, the Old Town district is an important part of Winter Park's history and is one of significance in the Town's long term growth plan. However, it also presents unique obstacles to new developments and a demonstrable need for infrastructure improvements to encourage and support additional visitation to the area. The proposed development is an important step in furthering the strategic plan for Old Town and improves its position as the connection between downtown and the Base Village to improving trail connections and pedestrian access. It also proposes and incorporates important improvements to the pedestrian and vehicular infrastructure including on-street parking for the guests of the area's businesses and pedestrian and bike pathways.

The importance of the new spaces in the proposed development, as well as additional residents in the area, cannot be overstated. The development will bring vital commercial activity to Old Town. By providing commercial spaces of appropriate size for the area, the development will keep an important local business in place (Alpine Sun Ski & Sport) and provide a second commercial space that can bring a complementary business to the area.

I believe the development proposed by White Development goes to great lengths to incorporate and address the needs of the Old Town community and the variance needed to make the project feasible is reasonable and necessary under the circumstances. If I can further the consideration and approval of the requested variance and proposed project, please do not hesitate to contact me.

Sincerely,



Kyle Zeppelin
Zeppelin Development

From: [Dave Rosenberg](#)
To: [Shelia Booth](#)
Subject: Old Town WP parking variance
Date: Monday, July 1, 2024 5:27:05 PM

Hello,

This is Dave Rosenberg (57 Balsam Dr), writing regarding concerns with the request to reduce parking for planned development along Winter Park Dr between Balsam and Cedar.

9 spots for 9 units feels like willful ignorance of reality. Nobody wants surface parking lots taking up valuable space here, but trying to maintain 1 car per unit seems like a difficult task. Parking is already a major problem here, especially in winter. People ignore the few signs that are here, and park anywhere there is space, often times creating dangerous situations for pedestrians and other drivers.

It just feels like a more comprehensive and thoughtful parking plan is needed for this entire neighborhood before we start allowing development that will only worsen the situation.

Thank you,

Dave Rosenberg

From: [Jennifer Bakken](#)
To: [Shelia Booth](#)
Subject: Case# PLN24-050
Date: Tuesday, July 2, 2024 8:46:01 AM

Ms. Booth,

I am writing to provide public comment on the variance request to reduce the number of required off-street parking spaces for a 9-unit residential development. I am strongly opposed to the proposal, given that parking is very limited in the area. The current requirement for 13 spaces is already very limited and unrealistic for residential housing. This is one parking space per unit and 4 additional for guests, deliveries, service workers, etc. Dropping to one space per unit, with no additional parking, will only result in overflow parking on the streets and unauthorized parking in the neighboring communities.

We own a 2-bedroom unit in Slopeside and have 2 dedicated parking spaces. This can be a challenge for our family of 4, if we have guests. One parking space would not be practical. Adding overflow vehicles from a new development without sufficient parking or adequate bus service will only exaggerate the current parking problems in Old Town.

Sincerely,

Jennifer Bakken
97D Kinney Way, Slopeside Village
303-887-8961

From: [Ken Baker](#)
To: [Shelia Booth](#)
Subject: Winter Park Variance Case # PLN24-050
Date: Monday, July 1, 2024 8:23:50 AM

Hi Sheila,

I am writing to provide feedback on Case # PLN24-050, a request to reduce the off street parking requirement for property owner LXXTWO, LLC and Lot A, Block 3.

I am opposed to this variance request, as no information has been provided as to how this variance, if approved, is beneficial to anyone except the property owner/developer. If the request is just to enable the owner/developer to build more units, I don't see that as a valid reason to grant a variance.

The Town of Winter Park has implemented development code for valid reasons, other owners/developers have abided by that code, this owner/developer should as well. Parking is already a challenge in Old Town, with frequent violations of the no parking on town roads rule. Building more units without adequate off street parking creates a risk of more issues.

Thanks for the chance to provide input.

Ken Baker
Winter Park Village

From: [Marty Roberts](#)
To: [Shelia Booth](#)
Subject: LXXTWO Variance request
Date: Monday, July 1, 2024 6:21:11 PM

The existing parking requirements are woefully inadequate. Any reduction in off street parking will only add to the unsafe and overburdened situation on WP Drive and the surrounding neighborhood. This street is not able to accommodate the current demands. Parking, sidewalk, bike path, bus stop, 2 traffic lanes, snow removal and storage. The residential area has already become a race track for people looking for a place to park. With none available, they park illegally.

Furthermore, we should take this opportunity to place this burden of safety onto the commercial properties and require them to provide an off street bus stop.

Lee Eckhoff
52 Balsam Drive

From: [Mark Langston](#)
To: [Shelia Booth](#)
Subject: Objection to Variance - Case Number PLN24-050
Date: Tuesday, July 2, 2024 9:25:31 AM

Ms. Booth,

I am writing to object to the Required Parking (Sec. 3-H-3) variance being requested by Devin Visciano, White Development, LLC, for the property located at 1097 Winter Park Drive, Winter Park, CO.

The proposed development at that location is described as a 9-unit residential building, although in the past I have seen a proposal for a mixed-use residential and commercial building on that site. The developer is asking for a variance so that they only have to provide 9 rather than 13 parking spots for the 9 residential units. There is no mention of parking for commercial uses (if that is still part of the plan).

Even if there is to be no commercial enterprise at the location, the impact of a reduction of the required residential spaces is obvious and substantial. There is already insufficient parking in Old Town. Additional development with reduced parking spaces will push the overflow into the surrounding residential neighborhoods, where there is no available legal parking, creating conflict and hardship for those property owners.

The requested variance will have a harmful negative impact on the existing quality of the surrounding area and should be denied.

Respectfully,

Mark Langston
205 Kinney Way
Winter Park, CO