

TELLER COUNTY PLANNING COMMISSION
Meeting Minutes
March 13, 2012 7:00 P.M.
WOODLAND PARK CITY COUNCIL CHAMBERS
200 W SOUTH AVENUE

I. Call to Order and Roll Call;

Mr. Haase, Vice-Chairman, called the meeting to order at 7:06 P.M. and the following answered roll call:

- *Michael Haase
- *Jeff Smith
- *Paul Thies
- *Wendy Dillenschneider
- *Rick Cirka

*Voting members

Also Attending,
Lor Pellegrino, Senior Planner
Joyce Shinault, Recording Secretary
Chris Brandt, Attorney

Mr. Haase welcomed the Teller County Planning Commissioners and the public for the first Planning Commission meeting of the year.

II Election of Officers;
a.) Chairman of the Planning Commission

Mr. Haase called the first order of business for the Planning Commission, which was to elect a Chairman. Ms. Dillenschneider nominated Mr. Haase for Chairman and moved to close the nominations. Mr. Smith seconded the motion to close the nomination. The vote was all in favor and the motion passed, and Mr. Haase was the only nomination. Mr. Smith seconded the motion to elect Mr. Haase as Chairman. The vote was all in favor and the motion passed. Mr. Haase was elected as the Chair of the Planning Commission and continued chairing the meeting.

b.) Vice-Chairman of the Planning Commission

Mr. Haase read the next order of business, which was to elect a Vice Chairman of the Planning Commission. Mr. Smith moved to nominate Mr. Cirka as the Vice-Chairman of the Planning Commission. Ms. Dillenschneider moved to close the

nominations and Mr. Thies seconded the motion to close nominations. The vote was all in favor and the motion passed. Mr. Thies seconded the motion to elect Mr. Cirka as Vice-Chairman. The Planning Commission voted by a show of hands and Mr. Cirka was unanimously elected as the Vice- Chairman.

III Designation of location for posting Agendas;

Mr. Haase read the next agenda item for the location of the posting of the Planning Commission agendas. Mr. Smith moved to designate the Teller County Community Development Services' bulletin board at 540 Manor Court as the official location for the posting of the Planning Commission Agendas. Ms. Dillenschneider seconded the motion. The following was the vote: Mr. Thies-yes, Mr. Smith-yes, Ms. Dillenschneider-yes, Mr. Cirka-yes and Mr. Haase-yes. The motion carried.

IV Adoption of the Meeting Schedule for 2012 and the First Meeting of 2013;

The next agenda item for the Planning Commission was to adopt the meeting schedule of 2012 and the first meeting of 2013. Mr. Thies moved that the Planning Commission continue the practice of generally holding the Planning Commission meetings on the second and the fourth Tuesdays of every month with the second Tuesdays designated for the monthly meeting for hearings and the fourth Tuesday designated as the Worksession and to adopt the proposed 2012 meeting schedule including the second Tuesday of January, 2013, subject to changes based on applications received and with proper notice. Mr. Smith seconded the motion. Roll call vote and all said yes. The motion carried.

V Review and Approve Minutes;

a.) March 8, 2011

The next order of business was to review and approve the March 8, 2011 minutes. Ms. Dillenschneider moved to approve the minutes of March 8, 2011 as written and Mr. Haase seconded the motion. The following was the vote: Mr. Thies-abstained, Mr. Smith-yes, Ms. Dillenschneider-yes, Mr. Cirka-yes and Mr. Haase-yes. The motion carried.

b.) July 12, 2011

Mr. Haase read Agenda Item b.) approval of the July 12, 2011 Planning Commission meeting minutes. Ms. Dillenschneider moved to approve the minutes as presented and Mr. Haase seconded. The following was the vote: Mr. Thies-abstain, Mr. Smith-abstain, Ms. Dillenschneider-yes, Mr. Cirka-yes, and Mr. Haase-yes. The motion carried.

VI Consideration of the following requests from the WPSC Support Organization (Applicant), Pete C. Kuyper and John Robert Maytag (Landowners) for recommendation to the Board of County Commissioners regarding land currently zoned A-1 and described as a ±60.31 acre tract of land located in the NE1/4 of S12-T13S-R70W 6th PM, Teller County, CO

(24339 Highway 67, Divide, CO):

A. A Planned Unit Development (PUD) Preliminary Plan application showing the overall planning and design approach for the integration of a mixture of residential, commercial, and recreation uses, including related *PUD Guide, Drainage, Erosion Control and Landscaping Subdivision Improvements Agreement, and Development Agreement to Defer the School Dedication Requirement;*

B. A Zone Change from Agricultural (A-1) to Planned Unit Development (PUD); and

C. A Subdivision Preliminary Plan for a 2-lot subdivision, including related *Drainage, Erosion Control and Landscaping Subdivision Improvements Agreement, and Development Agreement to Defer the School Dedication Requirement;*

Mr. Haase read this agenda item for all of the land use applications to be reviewed concurrently, PUD, Zone Change and a Subdivision Preliminary Plan. Ms. Lor Pellegrino gave the staff report on all three items for the WPSC Support Organization (Applicant) for recommendation to the Board of County Commissioners. Speakers for the presentation of the application were Mr. Ron Bevans, NES, Inc., Mr. Chuck Mahoney, Executive Director of the WPSC Support Organization, Mr. Chris McGranahan, LSC Transportation Consultants, and Mr. John Schwab, JPS Engineering, Inc. for the project. A power point presentation was shown with a copy of the hand-out given to the Planning Commission. The major discussions on the application were the school dedication deferral, trees to remain on site, having one access at this time, outdoor arena, seating for the arena, small amphitheater, possible RV campsites, possible variance for the 20 foot height light poles, and 27.5 % open space.

Questions from the Planning Commissioners were on overnight boarding of animals, prevailing winds, noise from the P A systems, Dark Skies for the lighting, landscaping plans, possible view shed protection, wildfire protection, drainage, water rights, and traffic flow.

There was no public comment. Rebuttal comments came from Mr. Bevans concerning detention ponds, phasing of the project, notice on the plats to be “Buyer Beware” statement. The Planning Commission was ready for a vote on the three separate applications.

A. A Planned Unit Development (PUD) Preliminary Plan

Ms. Dillenschneider moved that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE** the request from the WPSC Support Organization (Applicant), Pete C. Kuyper and John Robert Maytag (Landowners) for approval of a PUD Preliminary Plan application intended to provide a flexible and creative overall planning and design approach for an integrated mix of residential, commercial and event uses, including related *Drainage, Erosion Control and Landscaping Subdivision Improvements Agreement and Development Agreement to Defer the School Dedication Requirement*, involving ±60.3 acres of land zoned Agricultural (A-1) and located in part of the NE 1/4 of S12-T13S-R70W 6th PM, Teller County, CO (24339 Highway 67) incorporating staff's findings as contained in the Staff Report dated February 29, 2012, and further finding that the application complies with such pertinent, individual standards specified in the granting of a PUD Preliminary Plan, is compatible with the general provisions of the *Teller County Land Use Regulations*, subject to the following **CONDITIONS OF APPROVAL**:

1. **Corresponding Approvals.** This PUD Preliminary Plan shall not be effective, signed or recorded unless and until the corresponding Subdivision Preliminary Plan and Zone Change from A-1 to PUD for the ±60.31 acre site is approved by the Board of County Commissioners and recorded with the Office of the Teller County Clerk and Recorder.
2. **School Dedication.** Woodland Park School District (Re-2) shall verify, in writing to the County, that they agree to the draft "2-14-2012 Development Agreement to Defer the School Dedication requirement for Saddle Club Subdivision Filing No. 1" prior to scheduling this Subdivision Preliminary Plan (and other related applications) for a public hearing before the Board of County Commissioners.
3. **Representations.** Unless otherwise modified by these conditions, all material representations of the Applicant in the submittal material and in public hearings shall be considered binding.

Mr. Smith seconded the motion. Roll call vote and all said yes. The motion carried.

B. A Zone Change

Mr. Smith moved that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE** the request from the WPSC Support Organization (Applicant), Pete C. Kuyper and John Robert Maytag (Landowners) for approval of a Zone Change from Agricultural (A-1) to Planned Unit Development (PUD) for ±60.3 acres of land zoned A-1 and located in part of the NE 1/4 of S12-T13S-R70W 6th PM, Teller County, CO (24339 SH67) incorporating staff's findings as contained in the Staff Report dated February 29, 2012, and further finding that the application complies with such pertinent, individual standards specified in the granting of a Zone Change and is compatible with the general provisions of the *Teller County Land Use Regulations*, subject to the following **CONDITIONS OF APPROVAL**:

1. **Corresponding Approvals.** This Zone Change shall not be effective, signed or recorded unless and until the corresponding Planned Unit Development (PUD) Preliminary Plan and the Subdivision Preliminary Plan for the ±60.31 acre site are approved by the Board of County Commissioners and recorded with the Office of the Teller County Clerk and Recorder.
2. **School Dedication.** Woodland Park School District (Re-2) shall verify, in writing to the County, that they agree to the draft "2-14-2012 Development Agreement to Defer the School Dedication requirement for Saddle Club Subdivision Filing No. 1" prior to scheduling this Subdivision Preliminary Plan (and other related applications) for a public hearing before the Board of County Commissioners.
3. **Representations.** Unless otherwise modified by these conditions, all material representations of the Applicant in the submittal material and in public hearings shall be considered binding.

Ms. Dillenschneider seconded the motion. Roll call vote and all said yes.
The motion carried.

C. A Subdivision Preliminary Plan for a 2-lot subdivision

Ms. Dillenschneider moved that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE** the request from the WPSC Support Organization (Applicant), Pete C. Kuyper and John Robert Maytag (Landowners) for approval of a Subdivision Preliminary Plan for a 2-lot subdivision, including related *Drainage, Erosion Control and Landscaping Subdivision Improvements Agreement and Development Agreement to Defer the School Dedication Requirement*, involving land zoned Agricultural (A-1) and described as a ±60.3 acre tract located in part of the NE 1/4 of S12-T13S-R70W 6th PM, Teller County, CO (24339 Highway 67) incorporating staff's findings as contained in the Staff Report dated February 29, 2012, and further finding that the application complies with such pertinent, individual standards specified in the granting of a Subdivision Preliminary Plan, is compatible with the general provisions of the *Teller County Land Use Regulations*, subject to the following **CONDITIONS OF APPROVAL**:

1. **Corresponding Approvals.** This Subdivision Preliminary Plan shall not be effective, signed or recorded unless and until the corresponding Planned Unit Development (PUD) Preliminary Plan and Zone Change from A-1 to PUD for the ±60.31 acre site is approved by the Board of County Commissioners and recorded with the Office of the Teller County Clerk and Recorder.
2. **School Dedication.** Woodland Park School District (Re-2) shall verify, in

writing to the County, that they agree to the draft “2-14-2012 Development Agreement to Defer the School Dedication requirement for Saddle Club Subdivision Filing No. 1” prior to scheduling this Subdivision Preliminary Plan (and other related applications) for a public hearing before the Board of County Commissioners.

3. **Draft Deeds.** The Applicant shall submit draft deeds of the two proposed lots for review and comment by Teller County Planning prior to scheduling this Subdivision Preliminary Plan (and other related applications) for a public hearing before the Board of County Commissioners.
4. **Representations.** Unless otherwise modified by these conditions, all material representations of the Applicant in the submittal material and in public hearings shall be considered binding.

Mr. Haase seconded the motion. Roll call vote and all said yes. The motion carried.

VII Planners & Board Report;

There was no Planners report.

VIII Other Items;

Ms. Pellegrino reported on the Height Variance Application that was denied by the Board of Adjustment on a wind tower for Mr. Janiec. The second item was the Vacation of Interior Lot Lines that were approved and recorded by property owners. The Planning Commissioners suggested that staff look into possible amendments to the Teller County Land Use Regulations for Alternative Energy.

VII Adjourn.

The meeting adjourned at 9:02 PM.