

TELLER COUNTY PLANNING COMMISSION
Meeting Minutes
March 8, 2011 7:00 P.M.
WOODLAND PARK CITY COUNCIL CHAMBERS
200 W SOUTH AVENUE

I Call to Order and Roll Call;

Wendy Dillenschneider, Chairman of the Planning Commission, called the meeting to order at 7:15 P.M. and the following answered roll call:

- *Steve Copp
- *Allison Baker
- *Michael Haase
- *Wendy Dillenschneider, Chairman

*Voting members

Also Attending:

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

Ms. Dillenschneider opened the meeting with a few minutes of silence in remembrance of Mr. Dick Hammond, a Planning Commissioner, who passed away recently. Mr. Steve Copp was recognized as the newest member of the Planning Commission. All of the attending Planning Commissioners were voting members tonight.

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

Ms. Dillenschneider called the first order of business for the Planning Commission, which was to elect the Chairman. Ms. Dillenschneider nominated Ms. Allison Baker as the Chairman of the Planning Commission and Mr. Haase seconded. There were no other nominations. The nominations were closed and with a vote by acclamation all the Commissioners said "Aye". Ms. Baker was elected as the Chair of the Planning Commission and Ms. Dillenschneider turned the meeting over to Ms. Baker.

b. Vice-Chairman of the Planning Commission

Ms. Baker read the next order of business, which was to elect a Vice Chairman of the Planning Commission. Ms. Dillenschneider nominated Michael

Haase as the Vice-Chairman. Ms. Baker seconded the nomination. There were no more nominations. Ms. Baker asked for the vote and all said "Aye" and Mr. Haase was elected as the Vice-Chairman of the Planning Commission.

III Designation of location for posting Agendas;

Ms. Baker read the next agenda item for the location of the posting of the Planning Commission agendas. Mr. Haase 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. Copp-yes, Ms. Dillenschneider-yes, Mr. Haase-yes, and Ms. Baker-yes. The motion carried.

IV Adoption of the Meeting Schedule for 2011;

The next agenda item for the Planning Commission was to adopt the meeting schedule for 2011 and the first meeting of 2012. Mr. Haase 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 2011 meeting schedule including the second Tuesday of January 2012, subject to changes based on applications received and with proper notice. Ms. Dillenschneider seconded the motion. Roll call vote and all said yes. The motion carried.

V Review and Approve Minutes;

a. November 9, 2010;

Ms. Baker read the next item on the approval of the minutes of November 09, 2010. Ms. Dillenschneider moved to approve the minutes as presented. Mr. Haase seconded. There was a roll call vote as follows: Mr. Copp-yes, Ms. Dillenschneider-abstained, Mr. Haase-yes, and Ms. Baker-yes. The minutes were approved.

b. December 14, 2010;

Ms. Baker called out Item b. for the approval of the December 14, 2010 meeting minutes. Mr. Haase moved to approve the minutes of December 14, 2010 and Ms. Dillenschneider seconded the motion. Roll call vote and all said yes. The motion carried.

VI Consideration of PUD Sketch and Subdivision Sketch Applications by WPSC Support Organization (Applicant) to rezone from Agricultural (A-1) to Planned Unit Development (PUD) and for a 2-lot subdivision for proposed club/event center use, RV camping use, retail/restaurant uses and apartment/duplex uses on ±60 acres in the NE ¼

Section 12, Township 13 South, Range 70 West of the 6TH PM, Teller County, CO (24277 Highway 67, Divide).

Ms. Baker read the agenda item and Ms. Pellegrino gave the staff report on the consideration of the PUD Sketch and Subdivision Sketch applications for the WPSC Support Organization. The sketch plan is a conceptual idea of the subdivision. The agenda item met all of the required notices. There were a few changes to be made to the staff report by Ms. Pellegrino and she went over them with the Planning Commission. The changes included changing the date of the report from February 8, 2011 to March 8, 2011 and the Board of County Commissioners' hearing dates. After presentation of the staff report, Mr. Ron Bevans, NES, Inc., and acting agent for the WPSC Organizational Club, began his presentation. A power point presentation was given to the Planning Commissioners on the Recreational Facility. Mr. Bevans stated the density on the lots plus the townhomes, event area, indoor arena in the future, small amphitheater, and in the future, Phase II. Mr. Chuck Mahoney presented the history of the WP Saddle Club, traffic management, community center for Teller County, and stated that the topography will help as a buffer for the arena. Mr. John Schwab, JPS Engineering, answered questions about the site plan with respect to drainage issues and erosion plans.

The Planning Commissioners had questions on the high density, setbacks, other outdoor events, concerns about the visual aspects on view corridor off the major highways, animal droppings, and drainage with erosion plans.

Public comment was from Ellen Andrews with the same concerns as the Planning Commissioners on the noise, lots of housing on small lots and the water. Melinda & Andrew Zura also had concerns on the noise level of the Saddle Club arenas, zoning aspects, trespassing of hunters, ground water safety and effects on the nearby state public lands.

Mr. Bevans' rebuttal comments stated that the high density will be considered in a possible change in the sketch plans, this is the town center where the growth should be planned. Ms. Pellegrino stated that the developers must comply with the sketch plan even if another developer purchases the property. Ms. Pellegrino has not received any feedback from the Divide Regional Planning Board members. Mr. Pete Kuyper, Developer, stepped up to the podium to state that the density factor on the Hybrook Townhomes is six units per acre. The rebuttal comments were completed by the applicant.

1st Motion: Authorized Changes

Ms. Pellegrino read the proposed motion. Mr. Haase moved and Ms. Dillenschneider seconded that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE** the request of the WPSC Support Organization for the requested changes to the underlying Agricultural (A-1) zone district as specified on Page 6 and 7 of the Staff Report dated January 31,

2011 as well as the Exhibit A to that Staff Report, in conjunction with the approval of a PUD Sketch Plan (File No. PUD Sketch-00203(10)), incorporating staff's findings as contained in the Staff Report dated January 31, 2011 and further finding that the changes requested comply with such pertinent, individual requirements in the authorization of changes as part of the approval of the PUD Sketch Plan, and is compatible with the general provisions of the *Teller County Land Use Regulations*. Roll call vote and all said yes. The motion carried.

2nd Motion: Approval of a PUD Sketch Plan

Ms. Pellegrino read the proposed. Ms. Dillenschneider moved and Mr. Haase seconded that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE** the request of the WPSC Support Organization for approval of a PUD Sketch Plan for that property in the northeast one-quarter (NE1/4) of Section 12, Township 13 South, Range 70 West of the 6th P.M., Teller County, CO, incorporating staff's findings as contained in the Staff Report dated January 31, 2011, and further finding that the PUD Sketch Plan application complies with such pertinent, individual conditions specified in the granting of a PUD Sketch Plan, is compatible with the general provisions of the *Teller County Land Use Regulations*, and that satisfactory provisions and arrangements have been made concerning the criteria for approval, and with adoption of the following **CONDITIONS OF APPROVAL**:

A. Approval of this PUD Sketch Plan solely authorizes the Applicant to proceed to submit to the County a development permit application for a PUD Preliminary Plan. It shall not constitute, or be deemed to constitute, any other approval for the PUD rezoning. Approval of this PUD Sketch Plan does not imply, indicate nor suggest approval or likelihood or availability of approval of, nor does it in any way approve or grant, any subsequent necessary preliminary planning, zoning, platting or other development applications or requests. [LUR §10.2.B.6.a]

B. This PUD Sketch Plan shall not be effective, signed or recorded unless and until the corresponding Subdivision Sketch Plan (File SUB-00023(10)) for a 2-lot subdivision for the ±60.3 acre site is approved by the Board of County Commissioners and recorded with the Office of the Teller County Clerk and Recorder.

C. Approval of this PUD Sketch Plan is valid for two years from the date of its approval by the Board of County Commissioners, and will be deemed null and void thereafter unless extended by the Board pursuant to these Regulations. Failure to obtain approval of the PUD Preliminary Plan application for the entire ±60.3 acre site within the two year validity period shall render this PUD Sketch Plan null and void, unless extended by the Board. [LUR §10.2.B.6.b-d]

D. The Applicant shall submit a unified landscaping plan, identifying all open space areas and trail corridors and tree preservation areas, a unified exterior lighting plan, a unified pedestrian and vehicular system (including a parking

plan and layout), tentative building footprints and a unified signage plan for the entire ±60.3 acre site with the submission of the PUD Preliminary Plan application. These plans may be combined in one graphic or may be submitted separately.

E. The responses, requests and recommendations of the following agencies provided during the submittal or review of this PUD Sketch application shall be addressed by the Applicant in full detail with the submission of the PUD Preliminary Plan application:

1. Memo from Fred Clifford, Teller County Parks, dated November 12, 2010.

2. Memo from Bryan Kincaid, Teller County ROW Supervisor, dated October 25, 2010.

3. Letter from John Reese, Teller County Engineer, URS Project Manager, dated November 22, 2010.

4. Email from Valerie Sword, R2 Access Manager, Colorado Department of Transportation, dated November 19, 2010 and letter dated December 23, 2010.

5. Letter from Sean Atkinson, System Planner, IREA, dated November 4, 2010.

6. Letter from Tonya Sharp, Wildlife Manager, Woodland Park District, CO Division of Wildlife, dated July 11, 2009.

F. Add a comprehensive and complete "Changes Authorized" section to the PUD Guide which lists all of the changes from the A-1 zone district (similar to the attached Exhibit A) [LUR §10.2.D]. This shall be added to the PUD Guide prior to this PUD Sketch Application being heard by the Board of County Commissioners.

G. Applicable easements, covenants, development agreements, improvements agreement, and any other agreement related to the development of this site, whether or not the County is a party to the agreement, shall be addressed and proposed in detail with the submission of the PUD Preliminary Plan application for the entire ±60.3-acre site.

H. Unless otherwise modified by these conditions, all material representations of the Applicant in the submittal material and in public hearings shall be considered binding.

Roll call vote and all said yes. The motion carried.

3rd Motion: Subdivision Sketch Plan

Ms. Pellegrino read the proposed . Mr. Haase moved and Ms. Dillenschneider seconded 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 R. Maytag (Landowners) for approval of a Subdivision Sketch Plan for a 2-lot subdivision involving ±60.3 acres of land zoned Agricultural (A-1) 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 January 28, 2011, and further finding that the application complies with such pertinent, individual standards specified in the granting of a Subdivision Sketch Plan, is compatible with the general provisions of the *Teller County Land Use Regulations*, subject to the following **CONDITIONS OF APPROVAL**:

A. Approval of this Subdivision Sketch Plan solely authorizes the Applicant to proceed to submit to the County a development permit application for a Subdivision Preliminary Plan. It shall not constitute, or be deemed to constitute, any other approval for the Subdivision. Approval of this Subdivision Sketch Plan does not imply, indicate nor suggest approval or likelihood or availability of approval of, nor does it in any way approve or grant, any subsequent necessary preliminary planning, zoning, platting or other development applications or requests. [LUR 9.7.C.6.a]

B. This Subdivision Sketch Plan shall not be effective, signed or recorded unless and until the corresponding Planned Unit Development (PUD) Sketch Plan (File PUD-00203(10)) to rezone from Agricultural (A-1) to Planned Unit Development (PUD) for the ±60.3 acre site is approved by the Board of County Commissioners and recorded with the Office of the Teller County Clerk and Recorder.

C. Approval of this Subdivision Sketch Plan is valid for two years from the date of its approval by the Board of County Commissioners, and will be deemed null and void thereafter unless extended by the Board pursuant to these Regulations. Failure to obtain approval of the Subdivision Preliminary Plan application for the entire ±60.3 acre site within the two year validity period shall render this Subdivision Sketch Plan null and void, unless extended by the Board. [LUR 9.7.C.6.b-d]

D. Further subdivision of either proposed Lot 1 or proposed Lot 2 shall require the approval of subsequent development applications and, at a minimum, an application to amend the existing and approved Subdivision Sketch and Preliminary Plans for the entire ±60.3 acre site. Further subdivision of the proposed Lot 2 shall be required prior to commencement of any commercial or residential development and/or construction beyond what currently exists.

E. School land dedication (land, fees-in-lieu or some combination thereof) shall be required as part of the recording of the first final platting of this 2-lot

subdivision and shall be addressed in detail with the Subdivision Preliminary Plan application. [LUR 4.6]

F. The Applicant shall submit a unified landscaping plan, identifying all open space areas and trail corridors and tree preservation areas, a unified exterior lighting plan, a unified pedestrian and vehicular system (including a parking plan and layout), tentative building footprints and a unified signage plan for the entire ±60.3 acre site with the submission of the Subdivision Preliminary Plan application. These plans may be combined in one graphic or may be submitted separately.

G. The responses, requests and recommendations of the following agencies provided during the submittal or review of this Subdivision Sketch application shall be addressed by the Applicant in full detail with the submission of the Subdivision Preliminary Plan application:

1. Memo from Fred Clifford, Teller County Parks, dated November 12, 2010.
2. Memo from Bryan Kincaid, Teller County ROW Supervisor, dated October 25, 2010.
3. Letter from John Reese, Teller County Engineer, URS Project Manager, dated November 22, 2010.
4. Email from Valerie Sword, R2 Access Manager, Colorado Department of Transportation, dated November 19, 2010 and letter dated December 23, 2010.
5. Letter from Sean Atkinson, System Planner, IREA, dated November 4, 2010.
6. Letter from Tonya Sharp, Wildlife Manager, Woodland Park District, CO Division of Wildlife, dated July 11, 2009.

H. Applicable easements, covenants, development agreements, subdivision improvement agreement, warranties, guarantees, and any other agreements related to the development of this site, whether or not the County is a party to the agreement, shall be addressed and proposed in detail with the submission of the Subdivision Preliminary Plan application for the entire ±60.3 acre site.

I. Unless otherwise modified by these conditions, all material representations of the Applicant in the submittal material and in public hearings shall be considered binding.

Roll call vote and all said yes. The motion carried.

**VII A presentation by the Coalition of the Upper South Platte of the
“2010 Wildland-Urban Interface Lessons Learned” report;**

Sally Riley, Woodland Park Planning Director, Helen Dyer, CUSP coordinator, Katherine Everett and John Schenk, City of Woodland Park Planning Commission, came to share information on the “2010 Wildland-Urban Interface Lessons Learned”. A power point presentation was intended to be presented to the Planning Commission, but it did not work. Only public comment came from Ellen Andrews. Ms. Riley suggested a combined work session on the “Wildland-Urban Interface Lessons Learned” with Teller County and the City of Woodland Park. The presenter felt that education is the key for the citizens of the area.

VIII Planner & Board Report;

Ms. Pellegrino reported that the Cripple Creek & Victor Gold Mine may be applying for Mining Amendment, #10 and a roadway vacation. Other pending matters are preparation of Medical Marijuana Land Use Regulations and advertising for vacancies on the Planning Commission. Ms. Shinault reported that the Board of County Commissioners approved the Knowles’ applications for a Vacation of Right-of-Way and an Amended Final Plat as well as the Special Use Permit for Aspen Valley Ranch in December 2010 and January 2011, respectively. Mr. Brandt, County Attorney, gave a brief explanation on the difference between quasi-judicial items and legislative agenda items should members of the Planning Commission receive any questions about applications on an agenda and whether or not they can respond. There were no more reports.

IX Adjourn.

The meeting adjourned at 9:35 P. M.