

WOODLAND PARK PLANNING COMMISSION
REGULAR MEETING MINUTES
WOODLAND PARK CITY COUNCIL CHAMBERS
October 12, 2006
7:00 PM

- I. CALL TO ORDER AND ROLL CALL
Commissioners present were Todd, Hartsfield, Morrison, Scott, Smith and Ullo. Staff present were Buttery, Napoleon, Schultz, and Weien. Absent Commissioners were Maluschka and Miller.
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
The minutes of the September 28, 2006 meeting were approved by general consent as presented.
- IV. REQUESTS AND/OR PUBLIC HEARINGS
 - A. **Tabled from 9/28/06 - Case 2608239, PUD06-001 Shining Mountain Golf Course PUD Amendment:** Request for the City's review and approval of an amendment to the Shining Mountain Golf Course PUD, located in parts of Sections 2, 3, and 11, T. 12 S., R. 69 W., in the 6th P.M., City of Woodland Park with an address of 100 Lucky Lady Drive for the purpose of amending various dimensional standards, lot sizes, densities, and uses, as requested by the developer under contact to purchase, Bob Reifsnider of Sandbox Development.
 - B. **Tabled from 9/28/06 - Case 2608240, SUB06-011 Shining Mountain, Filing #1 (Tract B) Preliminary Plat:** Request for the City's review and approval of a preliminary plat for Tract B of the Shining Mountain PUD located in a portion of Section 11, T.12 S., R. 69 W. of the 6th P.M. in the City of Woodland Park containing of 6.11 acres for the purpose of constructing a major subdivision with 23 patio homes as requested by the developer under contact to purchase, Bob Reifsnider of Sandbox Development.
 - C. **Tabled from 9/28/06 - Case 2608241, SUB06-012 Shining Mountain Golf Course (Tract F) Preliminary Plat:** Request for the City's review and approval of a preliminary plat for Tract F of the Shining Mountain PUD located in a portion of Section 11, T.12 S., R. 69 W. of the 6th P.M. in the City of Woodland Park containing of 8.24 acres for the purpose of constructing a major subdivision with 38 patio homes as requested by the developer under contact to purchase, Bob Reifsnider of Sandbox Development.

D. Tabled from 9/28/06 - Case 2608242, SUB06-013 Shining Mountain Golf Course (Tract G) Preliminary Plat: Request for the City's review and approval of a preliminary plat for Tract G of the Shining Mountain PUD located in a portion of Section 11, T.12 S., R. 69 W. of the 6th P.M. in the City of Woodland Park containing of 9.78 acres for the purpose of constructing a major subdivision with 41 patio homes as requested by the developer under contract to purchase, Bob Reifsnider of Sandbox Development.

Napoleon stated that all four cases would be presented at one time for a clearer picture of the entire project. Napoleon gave some background and history of this project so that the Commissioners and the public could better understand the cases that were being brought before them this evening. The PowerPoint presentation included plat maps as well as pictures of various sites and how they related to the plat maps. Napoleon reviewed a chart that showed the existing PUD that was approved in 1993 and the requested changes before the Planning Commission this evening.

Napoleon reviewed each case regarding Tracts B, F, & G in detail. Case 2608241, SUB06-012 Shining Mountain Golf Course (Tract F) Preliminary Plat reflects the land use change from the original 1993 PUD. This Tract F had been designated to be a 60-room hotel along with 60 resort cabins plus commercial/retail. Napoleon reported that Jim Schultz calculated the average daily water usage for this tract as originally approved and determined that 73 patio homes would use a comparable gallons per year. Sandbox Development is requesting that 38 patio homes be constructed on Tract F with the balance 35 of the allocation distributed to an expanded Tract "E".

Napoleon emphasized that there is no zoning change as this project was previously approved as a PUD. This is a proposed land use change within an established PUD. The developer will still bear the cost of installation of the water system, private roads, re-construction and improvement of Lucky Lady Drive.

Detailed discussion took place regarding the request for smaller lot sizes from 15,000 sq. ft. to 12,000 sq. ft. Commissioners asked questions about the water usage calculations of Jim Schultz. Schultz explained the methodology used in determining staff's recommendation of 73 residential units being comparable to the existing approved land uses. Planning Commission also asked about the lots within Tract "E" and the feasibility to build on the steep slopes. Staff explained the Preliminary Plat process will be used to evaluate the road and lot layout that can meet City standards once land use decisions are made.

Eric Smith brought up the issue of no traffic study included in the packets for this project. Has a recent traffic study been conducted by this applicant and has a recent CDOT review taken place? Staff provided Smith with information relative to traffic information submitted as part of the original PUD approval and pointed

to the conditions of a traffic report being required prior to the ZDPs being issued. Smith asked questions regarding the reduction of the buffer tract from 50' to 25' and how that would be implemented with landscaping to mitigate the noise factor. Smith asked questions regarding the lighting requirements as well as signage, as neither seemed to be addressed in the narrative presented to the Commissioners by the applicant. Staff commented that it was their understanding that lighting was not proposed at this time since details were not submitted as required. Smith inquired as to the legal standpoint of the applicant not actually owning this property. Has legal counsel agreed that the City can request that the applicant own both the golf course and the adjoining properties? Staff informed Smith that applicants for projects do not need to be owners. Owners have agreed to the application in writing as part of a submitted cooperation agreement. Staff did not request an opinion from the City Attorney, but applicant agreed with the condition of owning both properties.

Hartsfield asked questions regarding architectural design of the patio homes; HOA requirements; setbacks for patio homes; and proposed landscaping between units. Hartsfield addressed questions to Buttery regarding the historical drainage; detention facilities; and drainage easements. Staff referenced the Final Development Plan and Condition of Approval relative to design, setbacks, landscaping and drainage.

Scott questioned the applicant about the design and concern about a “cookie cutter” look and feel.

Applicant, Bob Reifsnider, shared that he is committed to acceptable mountain feel and look design. The product of these patio home tracts will be quality and certainly not a “cookie cutter” look. Reifsnider will be owner and operator of this project, and has a vested interest in the quality of the product.

Reifsnider shared with the Commission that he has hired a golf course management company that is very familiar with high altitude golf courses. Reifsnider feels that the golf course facilities have been under utilized and that the community can benefit much more once the clubhouse offers more for community events and activities.

Staff responded that traffic studies were not produced for this evening’s hearing as the applicant and staff felt that once the PUD amendment was approved then approved uses would be a more accurate basis for a new traffic study. The original traffic study still has merit consideration of proposed amendments. Staff referenced conditions of approval that required an amended traffic study based on final approved uses and densities.

Staff reviewed the plans for Lucky Lady improvements and the CDOT process for improving the intersection of Hwy 67 and Lucky Lady Drive. Discussion took place as to the width of roads; public utilities; utility easements, etc.

Chairman Todd opened the public comment portion of the meeting. The public had signed up to speak.

1. Claudine VanEeckmauk of 142 White Eagle Circle shared her concerns about water usage for the golf course and only one exist on Lucky Lady for traffic and emergency fire exiting.
2. Rusty Woods of 110 Morning Star Circle discussed previous ownership of the golf course and what will make this applicant successful? Water allocation; traffic issues; improvement of Lucky Lady Drive and the delays of those improvements; outstanding debt to the City for water from previous owners; as well as road standards.
3. Mark Glauth of 28066 N. Hwy 67 discussed his concerns about the volume of discharge from the sewer plant and the current impact on Trout Creek. How will Trout Creek handle additional discharge once these patio homes are occupied? Drainage concerns were addressed along with the brittle environment of the golf course.
4. Trudy Tong of 874 Lucky Lady Drive expressed her concerns about well water levels and the golf course usage of water. She addressed road conditions and the possible timeline for improvements. Pollution from the proposed homes is a concern if wood-burning fireplaces will be installed. What type of construction materials of roofs to prevent higher fire danger to the area. Trudy was thankful for the hotel and cabins being removed from the plans.
5. Debra Stout of 1151 Mountain Meadows Drive addressed her concerns for the quality of homes to be built.
6. Tom Specht of 95 White Eagle Circle addressed the 84 acres of wilderness and the trailhead access. Wanted the applicant to express the plans for these areas as well as what sets him apart from previous owners who were unsuccessful in making the golf course a viable business.
7. Laurie Glauth of 472 Lucky Lady Drive expressed her concern that many things have changed since the approval of this PUD in 1993. Her comments addressed concerns about drainage; building density; reduced setbacks; the wetlands and wildlife protection. She felt that the hotel and cabins should remain part of the project as this is the last view corridor to our City and the conference center along with the hotel would make the golf course more viable.

Chairman Todd closed the public comment portion of the meeting at 9:00PM.

Staff and the applicant took turns addressing the issues that were brought up during the public comment. Jim Schultz addressed the public's concern about water availability; Trout Creek; calculations of water usage for the hotel/cabins

vs. resident patio homes; as well as watering techniques for decreasing the amount of water needed to keep the golf course functioning. In response to the question about outstanding debt for water to the City, that debt has been paid through the foreclosure proceedings.

David Buttery addressed questions and concerns regarding the traffic study; emergency accessibility to Hwy 67 and Hwy 24; driveway grades of new construction; as well as grading and erosion control standards.

Napoleon addressed the lot size concerns of decreasing to 12,000 sq. ft. Napoleon gave an example of smaller lot sizes of 9,000 sq. ft. in another development built in Woodland Park and how these lots supported well-designed homes. Napoleon also addressed the concerns about Reifsnider and Sandbox Development not being owners currently, this is not an uncommon situation for developers to request changes to already approved projects prior to taking ownership in case the changes are denied and the proposed project will not pencil out for this prospective new owner/developer. Napoleon referenced cooperation agreement signed by the current owners.

Chairman Todd called for a 10-minute recess due to the length of the meeting at 9:50pm. Meeting re-convened at 10:00PM.

Smith questioned the validity of the existing PUD approved in 1993 in reference to the Code 18.30.050, which references a two-year timeline. Staff confirmed to Smith that the PUD was initiated within two years of the original approval. Smith expressed his concern about being asked to approve changes to a PUD without all of the information to make an informed decision. Smith felt that there were inconsistencies in the plat information and the narrative presented. Napoleon asked for specifics and suggested that any inconsistencies that were identified needed to be clarified as part of the public hearing process aside from the traffic and drainage report submittals raised by Smith. No other specific inconsistencies were acted on or identified in the motions voted on.

Scott questioned the changes to Lucky Lady Drive; why staff thought a traffic study was not needed for this evening's meeting; and what changes will be made to the wetland area.

Morrison felt that a copy of the old traffic study should have been included in the information provided if staff felt a new traffic study was pre-mature at this time and not a significant difference.

Morrison asked if preliminary traffic and drainage reports could be added to the conditions of approval for the PUD amendment. Staff advised Morrison that if the Planning Commission felt this needed to be a condition for approval, they could do so.

Hartsfield felt that Tract F request was reasonable as well as Tract B & G being consistent. He could not support the exchange of acreage taken out of Tract H and moving it to Tract E. Hartsfield felt like the landscaping symbols were lacking on the plans and inconsistent. He too felt that the traffic and drainage reports should have been part of the review packet for Planning Commission. Hartsfield was concerned about changing the buffer area from 50' to 25'.

MOTION: Morrison moved to approve Case 2608239, PUD06-001 Shining Mountain Golf Course PUD Amendment with Conditions Recommended by Staff as well as additional conditions:

1. Applicant must provide a Preliminary Traffic and Drainage Report to City Council for review prior to approval.
2. Applicant must provide a 50' buffer along Tracts "F" & "G" adjacent to Highway 67 instead of the proposed 25'.

Motion for approval passed 4-2 (Hartsfield & Smith)

MOTION: Morrison moved to approve Case 2608240, SUB06-011 Shining Mountain, Filing #1 (Tract B) Preliminary Plat with the five conditions recommended in the staff report. Scott seconded the motion. Approved 5-1(Smith).

At 10:50pm, Chairman, Todd, reminded Commissioners that a vote must be taken to expend the time of the meeting past 11:00pm.

MOTION: Smith moved to extend the meeting until 11:30PM without an additional extension request. Morrison seconded this motion. Approved 6-0.

MOTION: Hartsfield moved to approve Case 2608241, SUB06-012 Shining Mountain Golf Course (Tract F) Preliminary Plat with the four recommendations by Staff and an additional condition of:
The buffer adjacent to Highway 67 be 50' instead of the proposed 25'. Seconded by Morrison. Approved 5-1 (Smith)

MOTION: Scott moved to approve Case 2608242, SUB06-013 Shining Mountain Golf Course (Tract G) Preliminary Plat with the four recommendations by Staff and an additional condition of:
The buffer adjacent to Highway 67 be 50' instead of the proposed 25' Ullo seconded the motion.

Hartsfield wanted the record to show for City Council's review the reason for the dissenting votes on the first motion were cast because of concerns relative to a Preliminary Traffic and Drainage Report not being available for Planning Commission's review and the decrease in acreage of Tract "H" for the purpose of adding residential units to Tract "E".

- V. REPORTS
 - a. Chairman's Report - none
 - b. Planning Director's Report – The September Planning Department Monthly Report was distributed.
- VI. DISCUSSION AND COMMENT
- VII. ADJOURNMENT – Meeting adjourned at 11:05PM.

Recorded by,

Maggie Weien

This _____ day of _____, 2006.

John Todd, Chairman