



City of Woodland Park

City Council

June 6, 2024 at 6:30 PM

AGENDA

5 PM - Worksession - Quasi-Judicial Training, City Attorney Nina Williams

6 PM - Council group photo - Memorial Park

Executive Session Immediately Following the City Council Meeting: Pursuant to C.R.S. 24-6-402(4)(b), a conference with attorneys for the purpose of receiving legal advice on specific legal questions, and pursuant to C.R.S. 24-6-402(4)(e), for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators, relating to the lawsuit brought by the Teller County Short-Term Rental Alliance against the City currently in the United States District Court for the District of Colorado, and negotiations and legal advice surrounding same

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS**
 - A.** Oath of Office to new Police Officer.
(Presenter Chief of Police Deisler)
 - B.** Pikes Peak Regional Building Department (PPRBD) Update by Roger Lovell,
Chief Building Official
 - C.** Discussion of Military Liaison position. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)
- 4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
- 5. CONSENT CALENDAR**
 - A.** Approval of Contract Between Olgoonik Enterprises, LLC and the City of
Woodland Park for \$1,423,097.
(Public Works Director, Ben Schmitt)
 - B.** Approval of the City Council Minutes from the May 16, 2024, regularly scheduled
City Council Meeting. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)
- 6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**
- 7. UNFINISHED BUSINESS**

(Public Comment may be heard)

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

9. PUBLIC HEARINGS

(Public comment may be heard)

A. A Request by Lowell Ross to Consider Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West Street, as Requested by the Property Owner, Aime Ventures, LLC. (QJ) (Presenter, Planning Director Karen Schminke, AICP)

B. Approval of Symphony Above the Clouds Special Event Liquor License for Memorial Park on July 4, 2024. (QJ)
(Presenter Deputy City Manager City Clerk Leclercq)

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

B. Council Reports

C. City Attorney's Report

D. City Manager's Report - 1. Update on fees from TDS - Leclercq

12. ADJOURNMENT

Key to agenda abbreviations:

(A) Administrative- matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L)Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ)Quasi-Judicial- apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial



STAFF REPORT

TO: Mayor Case and City Council

FROM: Ben Schmitt, City Engineer

DATE: June 6, 2024

SUBJECT: Approval of Contract Between Olgoonik Enterprises, LLC and the City of Woodland Park for \$1,423,097.
(Public Works Director, Ben Schmitt)

BACKGROUND: To achieve the 2022 City of Woodland Park Comprehensive Transportation Action 1.3.1: "Continue to update and implement the Pavement Management Program", attached, is the first task order for various large roadway patches and parking lot improvements behind the Ute Pass Cultural Center. This task order is performed under the City's on call asphalt and concrete repair contract. The contract amount is for estimated material quantities of \$1,293,725, with costs to be billed for actual install quantities installed in the field. Staff is asking for approval of \$1,423,097 which includes the original contract amount with a 10% contingency to be managed by staff.

RECOMMENDATION: Approve the Task Order Between Olgoonik Enterprises, LLC and the City of Woodland Park for \$1,423,097.

ATTACHMENTS: 1. Compiled Task Order 1



5055 Mark Dabbling Blvd.

Colorado Springs, CO 80918

WOODLAND PARK ON-CALL (HMA) ASPHALT AND CONCRETE REPAIR

The following explains the areas it be repaired:

- 32 asphalt repairs city wide**
- 9 concrete repairs city wide**
- 7 asphalt & concrete Stoneridge repairs**
- 3 asphalt & concrete repairs on US Hwy 24 sewer repairs**
- 47 asphalt and concrete repairs at Memorial Park**

These areas have been identified by the Director of Public Works, Project Managers, Park and Recreation and the Maintenance Division.

Olgoonik submitted pricing for areas at 3 depths: 3"– 3-6"– 6-9". The pricing on the next page is all assumed 3-6".

Natalie Ulven

Estimator/Project Manager

719.694.6534 cell

Asphalt Repairs City Wide

Location	Dimension	Unit	Task Order #	Price
Cityhall South Ave	122 SY		2	28,822
West St S of Lake	941 SY		2	105,222.62
Chestunt East Browning	1076 SY		2	120,318.32
Elm N US24	12 SY		2	5,103
Oxford & Pembrook	34 SY		2	14,450
800 Research Dr	100 SY		2	23,625.00
Woodland Valley Ranch	100 SY		2	23,625.00
Woodland Valley Ranch	413 SY		2	63,094.01
Woodland Valley Ranch	2.6 SY		2	1,105.65
Woodland Valley Ranch	24 SY		2	10,206.00
Woodland Valley Ranch	365 SY		2	55,761.05
Mountain Meadows & Woodland Valley Ranch	224 SY		2	34,220.00
Mountain Meadows & Woodland Valley Ranch	80 SY		2	18,900.00
Country & Elm	46 SY		2	19,561.50
Park & Bowman	28 SY		2	11,907.00
Chester & Boundary	65 SY		2	15,356.25
Chester & Willow	38 SY		2	16,159.50
Herireitta & Park	36 SY		2	15,309.00
Herireitta & Park	1.7 SY		2	722.92
Herireitta & Park	23 SY		2	9,780.75
? & Center	19 SY		2	8,079.75
Pikes Peak W of Baldwin	30 SY		2	12,757.50
Windflower& Mountain Meadows Dr	32 SY		2	13,600
301 South	171 SY			40,398.00
227 Pikes Pike Ave	242 SY			36,970.34
Boundary & Pikes Pike	43 SY			18,285.00
West St & Circle Dr	360 SY			54,997.20
207 N Chestnut	246 SY			37,581.42
570 N Baldwin	11 SY			4,677.45
906 Forest Edge PL	114 SY			26,932.00
615 S Baldwin (On Frontage RD)	78 SY			18,427.00
Midland & Chestnut (Waterfill)	17 SY			7,229.25
Elm & US 24	177 SY			41,816.25
				915,001

Concrete Repair City Wide

Location	Type	Dimension	Unit	Price
Oxford & Pembrook	Crosspan	24	LF	4536
West St & South	Chase (Curb X2)	6	LF	1134
1010 Forest Edge	Curb	30	LF	2835
1010 Forest Edge	Driveway	26.6	SY	5027.4
227 Pikes Pike Ave	G&G	91	LF	8599.5
227 Pikes Pike Ave	SW	45	SY	8505
Elm & US24	C&G	44	LF	4158
Elm & US24	SW	20	SY	3780
Elm & US 24	Crosspan	170	LF	25704
Total				64278.9

Oncall Asphalt and Concrete Stoneridge Task Order

Location	Type	Dimension	Unit	Task Order #	Concerns	Price
Stoneridge roundabout	C&G	152	LF	3		13,566.00
Stoneridge roundabout	Sidewalk	33	SY	3		6,237
Stoneridge roundabout	ADA	8.3	SY	3		5,602
Stoneridge roundabout	ADA	6.6	SY	3		4455
Stoneridge roundabout	Asphalt	1341	SY	3		149,950.62
Stoneridge Dr	Asphalt	7	SY	3		2,976.75
Stoneridge Dr	Asphalt	34	SY	3		14,458.50
Total						197,245.87

Island Circle: 213.12 ft - 3684.3sqft

Island 1:608.4 sqft
island 2: 690.72 sqft
island 3: 516.61 sqft
island 4: 318.92 sqft

roundabout: 17895.91 sqft

Total: 12,076.96 sqft

Asphalt Concrete Repairs US 24 Sewer Repair

Location	Type	Dimension	Unit	Task Order #	Concerns
US 24 @ Sonic	C&G	25	LF	4	Require Testing
US 24 @ Sonic	Asphalt	27.2	SY	4	Require Testing
US 24 @ Sonic	Concrete Crossspan	9	LF	4	Require Testing

Unit	Totals Unit	Price Per U	Total Cost
Asphalt	27.2	578.87	15,745.26
C&G	25	94.5	2,362.50
Crossspan	9	151.2	1360.8
Total			19,468.56

Asphalt Concrete Repairs Memorial Park

Location	Type	Dimension	Unit
Basketball Court	SW	44.4	SY
South Ave Entrance	SW	17.1	SY
South Ave Entrance	SW	1.2	SY
South Ave Entrance	SW	1.5	SY
South Ave Entrance	SW	1.7	SY
South Ave By Light Pole	SW	11.5	SY
South Ave By Light Pole	CP	7	LF
South Ave By Light Pole	C&G	7	LF
South Ave By Light Pole	SW	0.8	SY
South Ave By Light Pole	SW	4.6	SY
Flag pole	SW	7.7	SY
Flag pole	SW	1.1	SY
Flag pole			
South of Bridge	SW	3.6	SY
Park Pavilion	SW	9.4	SY
East of Bridge	SW	8.3	
East of Bridge	SW	8.3	
North Pavilion	SW	2.7	SY
North Pavilion	SW	28.8	SY
Bubble trun around	SW	3.3	SY
South Paviloin	SW	46.6	SY
Main Paviloin	SW	15.8	SY
Main Paviloin	SW	19.1	SY
Main Paviloin	SW	7.3	SY
Fireplace	SW	4.6	SY
Fireplace	SW	6	SY
Fireplace	SW	8.3	SY
Fireplace	SW	21.7	SY
Fireplace	SW	8.3	SY
Fireplace	SW	18	SY
Fireplace	SW	10.6	SY
Fireplace	SW	0.4	SY
South Bathroom	SW	2.6	SY
South Bathroom	SW	2.6	SY
South Bathroom	SW	4.4	SY
South Bathroom	SW	1.3	SY
Southwest Entrance	SW	1.7	SY
Southwest Entrance	SW	2.2	SY
Southwest Entrance	C&G	4	LF
Southwest Entrance	CP	7.5	LF
Southwest Entrance	C&G	8	LF
Southwest Entrance	SW	6.2	SY
Main Paviloin (Parking area)	ADA Ramp	16.8	SY
Park and Henrietta	SW	155	SY
Park and Henrietta	ADA Ramp	?	SY
Stairs (Park St)	SW	2.2	SY
Stairs (Park St)	SW	6.2	SY
		0	
Fishing Pier Ramp	SW	20	SY

Unit	Totals Units	Price Per Unit	Total Cost
Sidewalk	527.1 SY	173.25	91,320.07
C&G	19 LF	94.5	1,795.50
Crossspan	14.5 LF	189	2740.5
ADA Ramp	16.8	675	11340
Total			107,196.07

No Unit for 4 FT

Task Order #1 Totals

Asphalt Citywide	915,001
Concrete Citywide	64,278.90
Stoneridge	191,245.87
Sewer repair US 24	19,468.56
Memorial Park	103,731
Total	1,293,725



CONSTRUCTION AGREEMENT

This **CONSTRUCTION AGREEMENT** (this "Agreement") is entered into this 18th day of January, 2024 by and between the City of Woodland Park, Colorado (hereinafter referred to as the "Owner") and Olgoonik Enterprises, LLC (hereinafter referred to as the "Contractor").

Owner and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 WORK

1.01 Contractor shall complete all work as specified or indicated in the Contract Documents (defined below). The work is generally described as follows:

1.01.1 On Call Concrete: This project includes all labor, materials, equipment and incidentals necessary to complete the removal, subgrade/subbase repair, and replacement of existing concrete items and the new construction of various concrete items. These include, but are not limited to, curbswalk; curb and gutter; 4" thick flatwork; 6" thick flatwork, pavement and crosspans; driveways; curb ramps with truncated domes; grading; asphalt patching and traffic control. This contract also includes arterial concrete pavement repair work. All concrete work shall to be built to City of Woodland Park Engineering Specifications. The total amount payable to the contractor shall be based on applicable task orders, with a performance period of the contract ending December 31st, 2023 with the option of two one-year extensions.

1.01.2 On Call Asphalt: This work shall consist of furnishing all labor, materials and equipment to install a HOT ASPHALT PATCH GRADE S (3") (6") (9") (10"). This work shall consist of saw cutting, removing, loading, haul, and disposal of existing asphalt, subgrade and roadbase material, removal of tree roots within the top 6" of the subgrade, preparing and compacting the subgrade and installing hot asphalt patching. The total amount payable to the contractor shall be based on applicable task orders, with a performance period of the contract ending December 31st, 2024 with the option of two one-year extensions.

ARTICLE 2 THE PROJECT

2.01 The project for which the work under the Contract Documents may be the whole or only a part is generally described as follows: The total amount payable to the contractor shall be based on applicable task orders, with a performance period of the contract ending December 31st, 2023 with the option of two one-year extensions. (the "Project").

ARTICLE 3 ENGINEER

3.01 The City Engineer or appointed representative shall serve as construction management engineer who is hereinafter called Engineer and who is to act as Owner's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the work in accordance with the Contract Documents.



ARTICLE 4 ~~WORKER WITHOUT AUTHORIZATION EMPLOYMENT~~

- 4.01 Prior to the execution of this Agreement, Contractor shall certify to the City, by completing the Worker Without Authorization Addendum attached hereto, that at the time of certification, Contractor does not knowingly employ or contract with any worker without authorization who will perform work under this Agreement as well as other certifications therein contained.

ARTICLE 5 CONTRACT TIMES

5.01 Time is of the Essence

- A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

5.02 Days to Achieve Substantial Completion and Final Payment

- A. Contractor shall achieve Substantial Completion within 30 calendar days of the issuance by the Owner of a Notice to Proceed and shall finally complete the Work so that it is ready for final payment within 60 calendar days of the issuance by the Owner of a Notice to Proceed.

5.03 Liquidated Damages

- A. Contractor understands and agrees that time is an essential condition of this Agreement. Contractor further understands and agrees that delay in completion of the project will cause Owner to suffer substantial losses and damages which cannot be measured, including without limitation the loss of revenues for services, loss of other revenue incidental to the operation of the facility, additional engineering, legal, accounting and administrative costs, reduced public confidence and adverse public relations which would reduce future revenues, and additional interest and financing costs and charges if the Work is not completed within the times specified above, plus any extensions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or mediation proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring proof of such losses and damages, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay two hundred fifty dollars (\$250.00) for each day that expires after the time specified above for Substantial Completion until the Work is substantially complete.
- B. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the contract time or any proper extension thereof granted by Owner, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay two hundred fifty dollars (\$250.00) for each day that expires after the time specified above for final completion and readiness for final payment until the Work is finally complete and ready for final payment.
- C. Owner shall have the right to deduct the liquidated damages from any money in its hands, otherwise due, or to become due, to Contractor, or to sue for and recover compensation for damages for nonperformance of this Contract.
- D. Any liquidated damages payable by Contractor may, at Owner's election be deducted from any amounts owed to Contractor. In the event no funds are due Contractor at a time when

~~Contractor becomes liable to Owner for liquidated damages, then Contractor agrees to pay all accrued liquidated damages to Owner on the first (1st) day and on the fifteenth (15th) day of each month when Contractor is liable to Owner for liquidated damages. Permitting Contractor to continue and finish the Work or any part thereof after the deadline for completion of the Work shall not act as a waiver of these liquidated damages provisions.~~

- E. The aggregate liability of Contractor to pay liquidated damages pursuant to this Article shall not exceed an amount equal to fifty percent (50%) of the Contract Price. This Article shall not be construed to limit Contractor's other obligations or liabilities arising under or in connection with this Contract.
- F. In the event that this section conflicts with any other provisions regarding liquidated damages within the Contract Documents, this section shall control.

ARTICLE 6 CONTRACT PRICE

- 6.01 The City shall compensate the Consultant for the Work, subject to City annual appropriations and in accordance with and subject to all of the conditions in this Agreement, in an aggregate amount not to exceed \$200,000.00, based upon the rate schedule set forth in Exhibit A. The workload is solely dependent upon the needs of the City. There is no guaranteed minimum or maximum amount of work or fee(s). The payment amount is for completion of the Work as full compensation for everything furnished and done by Contractor under this Agreement, including all loss or damage arising out of the work or from the action of the elements; for any unforeseen obstruction or difficulty encountered in the prosecution of the work, including increased prices for or shortages of materials for any reason, including natural disasters; for all risks of every description associated with the work; for all expenses incurred due to the suspension or discontinuation of the work; and for well and faithfully completing the work as provided in this Agreement.

ARTICLE 7 PAYMENT PROCEDURES

7.01 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment to the Owner on a monthly basis, which shall be processed by the Engineer.

7.02 Progress Payments; Retainage

- A. Owner shall make progress payments towards the Contract Price, less five percent (5%) for retainage, on the basis of Contractor's Applications for Payment, as verified and recommended by Engineer, on or about the twenty-fifth (25th) day of each month during performance of the Work. In the Engineer's discretion, the Owner may withhold some or all of a progress payment where the Contractor's Application for Payment does not reflect the actual amount of the Work completed.

7.03 Final Payment

- A. Upon final completion and acceptance of the Work as recommended by the Engineer, Owner shall pay the remainder of the Contract Price, including any retainage previously withheld.



ARTICLE 8 PROJECT WARRANTIES

- 8.01 Contractor's warranties in respect of the Work (the "Project Warranties") are as follows: Contractor warrants to Owner that the Work shall be fit for its intended purposes, that materials and equipment furnished under this Agreement shall be of good quality and new, that all Work shall be free from defects and that all Work shall meet all of the requirements of this Agreement. Contractor shall furnish satisfactory evidence that it has met the Project Warranties. The Project Warranties shall commence on the date Contractor achieves final completion of the Work satisfactorily to Owner. If at any time within two (2) years after the date on which the Project Warranties commenced, any portion of the Work is found to be not in accordance with the Project Warranties, Contractor shall correct it promptly after receipt of notice from Owner to do so unless Owner has previously given Contractor a written acceptance of such condition.

ARTICLE 9 INSURANCE

- 9.01 Insurance Requirements. Contractor shall not commence work under this Agreement until Contractor has obtained all insurance required under this Article and the insurance has been approved by the City Administrator or his designee. The City of Woodland Park shall be named as an additional insured. Certificates of insurance shall be issued prior to execution of the Notice to Proceed. Additionally, Contractor shall not allow any approved subcontractor to commence work on his or her subcontract until all similar insurance required of subcontractor has been so obtained and approved. The following insurance shall be required:
- A. Commercial General Liability Insurance: At a minimum, combined single limits of \$1,000,000 per occurrence and \$1,000,000 for general aggregate for bodily injury and property damage, which coverage shall include products/completed operations, independent contractors, and contractual liability each at \$1,000,000 per occurrence.
 - B. Workers' Compensation and Employer's Liability: Workers' compensation insurance for all of Contractor's employees engaged in work at the site of the project including occupational disease coverage in accordance with scope and limits as required by the State of Colorado.
 - C. Comprehensive Automobile Liability Insurance: Including coverage for all owned, non-owned, and rented vehicles with \$1,000,000 combined single limit for each occurrence.

ARTICLE 10 CONTRACTOR'S REPRESENTATIONS

- 10.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:
- A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.
 - B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the Work.

- D. Contractor has obtained and carefully studied (or assumes responsibility for having done so) any examinations, investigations, explorations, tests, studies, and data concerning conditions at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by Contractor, and safety precautions and programs incident thereto.
- E. Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- F. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- G. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor warrants and guarantees to Owner and Engineer that all Work will be in accordance with the Contract Documents and will not be defective within two (2) years of Substantial Completion.
- K. Contractor is organized, validly existing and in good standing under the laws of the State of Colorado and has all requisite power to own its properties and assets and carry on its business as now conducted or proposed to be conducted.

ARTICLE 11 CONTRACT DOCUMENTS

11.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement;
 - 2. Bidding Documents;
 - 3. General Conditions;
 - 4. Supplementary Conditions;
 - 5. Technical Specifications;
 - 6. Measurement and Payment Provisions;
 - 7. Construction Plans;
 - 8. Labor & Materials Payment Bond;
 - 9. Performance Bond;
 - 10. _____;



11. _____; and

12. Any written amendments or work change orders which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto.

B. There are no Contract Documents other than those listed above in this Article.

C. The Contract Documents may only be amended, modified, or supplemented by written agreement signed by both parties.

ARTICLE 12 PERFORMANCE BOND

A. To secure performance of Contractor's obligations under this Agreement, the Contractor shall provide the Owner with a Performance Bond in the amount of the full contract price. Prior to execution of this Agreement, the Contractor shall provide the form of the Performance Bond to the City for its review and approval. The City shall be authorized to draw upon the Performance Bond to correct any default by Builder under this Agreement, which default shall be determined and substantiated by an Affidavit of Default signed by the Engineer. The Performance Bond shall be held by the City through the two (2) year Project Warranties period specified in this Agreement.

ARTICLE 13 MISCELLANEOUS

13.01 Indemnification

A. The Contractor agrees to indemnify, save, and hold harmless the Owner, its officers, employees, and agents from any and all liability, loss, costs, charges, obligations, expenses, attorney's fees, litigation, judgments, damages, claims, and demands of any kind arising from or out of any negligent act, error, omission or other tortious conduct of the Contractor, its officers, subcontractors, employees, or agents in the performance or non-performance of its obligations under this Agreement.

13.02 Assignment of Contract

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

13.03 Successors and Assigns

A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

13.04 Severability



-
- A. Any provision or part of the Contract Documents held to be void or unenforceable by any court of competent jurisdiction shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

13.05 Independent Contractor

CONTRACTOR IS AN INDEPENDENT CONTRACTOR AND NOTHING HEREIN CONTAINED SHALL CONSTITUTE OR DESIGNATE THE CONTRACTOR OR ANY OF ITS EMPLOYEES OR AGENTS AS EMPLOYEES OR AGENTS OF THE OWNER.

13.06 No Waiver of Governmental Immunity

Nothing herein is intended as nor shall it be construed as a waiver of the protections and immunities afforded the Owner pursuant to the Colorado Governmental Immunity Act, Sections 24-10-101, et seq., Colorado Revised Statutes, or pursuant to any other applicable laws.

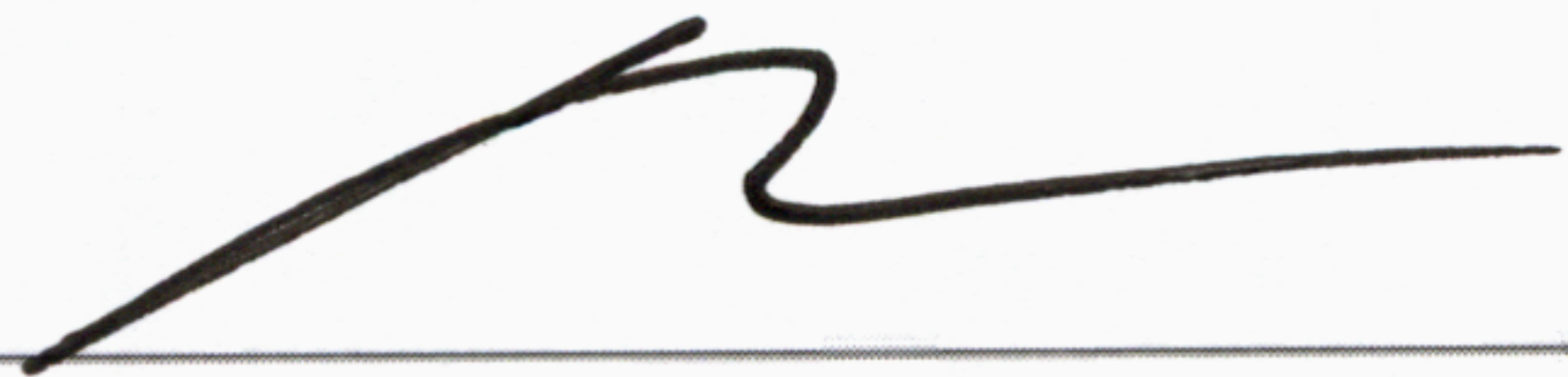
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IN WITNESS WHEREOF, Owner and Contractor have signed and executed this Agreement in duplicate on the date first written above. One counterpart each has been delivered to Owner and Contractor. All portions of the Contract Documents have been signed or identified by Owner and Contractor or on their behalf.

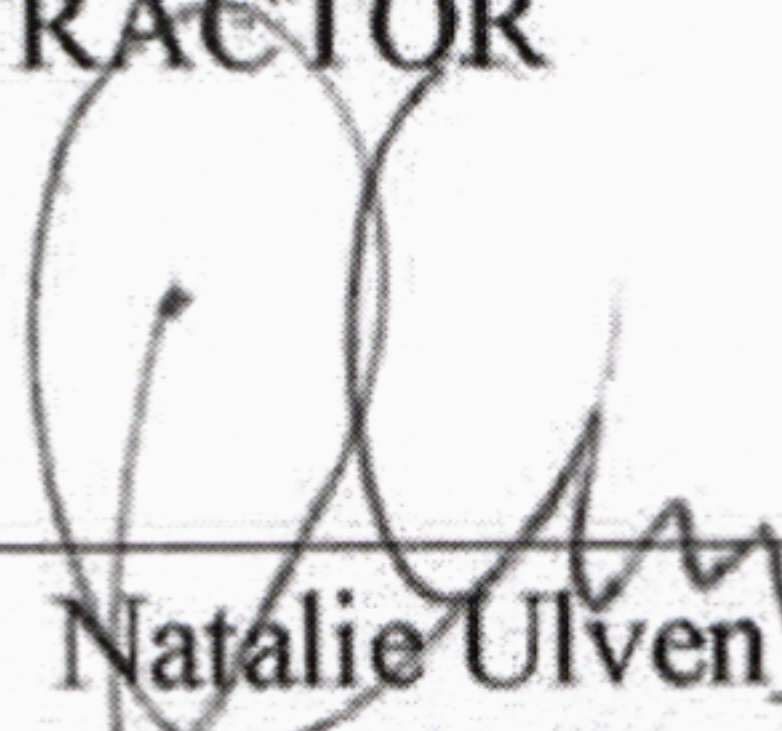
CITY OF WOODLAND PARK


Name: KENSE J. CASE
Title: MAYOR PRO-TEM

ATTEST:



CONTRACTOR


Name: Natalie Ulven
Title: Estimator/Project Manager

ATTEST:

WORKER WITHOUT AUTHORIZATION ADDENDUM

This Worker Without Authorization Addendum (hereinafter "Addendum") attached hereto and incorporated herein by this reference, is made to this Agreement by and between the City of Woodland Park (hereinafter "City"), a municipal corporation of the State of Colorado, and D.E., LLC, (hereinafter "Contractor") dated this 28 day of December, 2023.

Pursuant to Section 8-17.5-101, *et seq.*, C.R.S., the following provisions are hereby incorporated:

1. Contractor certifies that, at the time of executing this Addendum, Contractor does not knowingly employ or contract with a worker without authorization who will perform work under the Agreement and that Contractor will participate in the federal E-Verify Program or the Colorado Department of Labor and Employment's Employment Verification Program (hereinafter "CDLE's Program") in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement.
2. Contractor hereby agrees that it shall not:
 - a) Knowingly employ or contract with a worker without authorization to perform work under the Agreement; or
 - b) Enter into a contract with a subcontractor that fails to certify that the subcontractor shall not knowingly employ or contract with a worker without authorization to perform work under the Agreement.
3. Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement through participation in either the E-Verify Program or CDLE's Program.
4. Contractor is prohibited from using either the E-Verify Program or CDLE's Program procedures to undertake pre-employment screening of job applicants while the Agreement is being performed.
5. If Contractor obtains actual knowledge that a subcontractor performing work under the Agreement knowingly employs or contracts with a worker without authorization, Contractor is required to:
 - a) Notify the subcontractor and the City within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with a worker without authorization; and
 - b) Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required by Subsection (5) (a) above the subcontractor does not stop employing or contracting with the worker without authorization; except that Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a worker without authorization.
6. Contractor is required to comply with any reasonable request that CDLE makes in the course of an investigation that CDLE is undertaking pursuant to Section 8-17.5-102(5), C.R.S.

IN WITNESS WHEREOF, Contractor has executed this Addendum on the date first above written. By the signature of its representative below, Contractor affirms that it has taken all necessary action to authorize said representative to execute this Addendum.

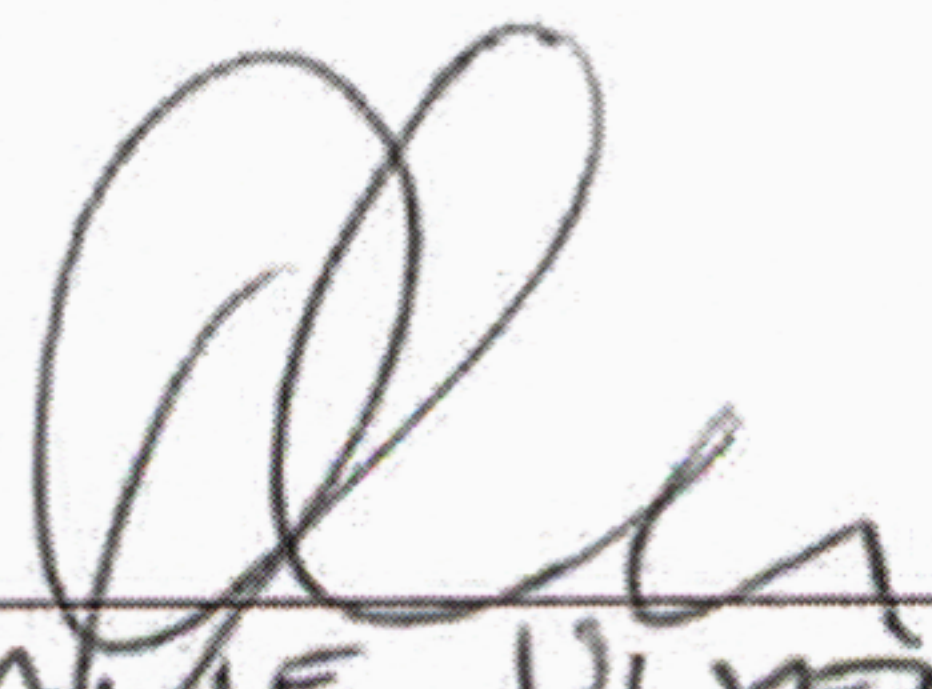
CONTRACTOR

Signature:

Name:

Title:

Date:


NATALIE ULVEN
ESTIMATOR / P.M.
12.28.23

ARTICLE 12 PERFORMANCE BOND

Appendix A

Code	Description	UOM	Quantity	Price (m)	Total Cost
Concrete	R&R of Existing Sidewalk (0-100 SY)	Square Yard	1	189	189
Concrete	R&R of Existing Sidewalk (101-250 SY)	Square Yard	1	183.75	183.75
Concrete	R&R of Existing Sidewalk (251-500 SY)	Square Yard	1	178.5	178.5
Concrete	R&R of Existing Sidewalk (Over 500 SY)	Square Yard	1	173.25	173.25
Concrete	Installation of New Sidewalk (0-100 SY)	Square Yard	1	94.5	94.5
Concrete	Installation of New Sidewalk (101-250 SY)	Square Yard	1	89.25	89.25
Concrete	Installation of New Sidewalk (251-500 SY)	Square Yard	1	84	84
Concrete	Installation of New Sidewalk (Over 500 SY)	Square Yard	1	78.75	78.75
Concrete	C&G, Type I or Type II (0-100 LF)	Linear Foot/F	1	94.5	94.5
Concrete	C&G, Type I or Type II (101-250 LF)	Linear Foot/F	1	89.25	89.25
Concrete	C&G, Type I or Type II (251-500 LF)	Linear Foot/F	1	84	84
Concrete	C&G, Type I or Type II (Over 500 LF)	Linear Foot/F	1	78.75	78.75
Concrete	R&R 6' Wide Concrete Crossspan	Linear Foot/F	1	189	189
Concrete	R&R 8' Wide Concrete Crossspan	Linear Foot/F	1	252	252
Concrete	Installation of New 8' Wide Concrete Crossspan	Linear Foot/F	1	201.6	201.6
Concrete	Installation of New 6' Wide Concrete Crossspan	Linear Foot/F	1	151.2	151.2
HMA Patch	HMA Grade S, up to 3" R&R (0-60 SY)	Square Yard	1	283.5	283.5
HMA Patch	HMA Patch Grade S, up to 3" R&R (61-220 SY)	Square Yard	1	146.47	146.47
HMA Patch	HMA Patch Grade S, up to 3" R&R (221-550 SY)	Square Yard	1	91.35	91.35
HMA Patch	HMA Patch Grade S, up to 3" R&R (551-2000 SY)	Square Yard	1	64.57	64.57
HMA Patch	HMA Patch Grade S, 3" to 6" R&Re (0-60 SY)	Square Yard	1	425.25	425.25
HMA Patch	HMA Patch Grade S, 3" to 6" R&R (61-220 SY)	Square Yard	1	236.25	236.25
HMA Patch	HMA Patch Grade S, 3" to 6" R&R (221-550 SY)	Square Yard	1	152.77	152.77
HMA Patch	HMA Patch Grade S, 3" to 6" R&R (551-2000 SY)	Square Yard	1	111.82	111.82
HMA Patch	HMA Patch Grade S, 6" to 9" R&R (0-60 SY)	Square Yard	1	578.87	578.87
HMA Patch	HMA Patch Grade S, 6" to 9" R&R (61-220 SY)	Square Yard	1	330.75	330.75
HMA Patch	HMA Patch Grade S, 6" to 9" R&R (221-550 SY)	Square Yard	1	330.75	330.75
HMA Patch	HMA Patch Grade S, 6" to 9" R&R (551-2000 SY)	Square Yard	1	157.5	157.5
Concrete	ADA Ramp with Truncated Dome	Square Yard	1	675	675
Concrete	Colored and Stamped Concrete Sidewalks	Square Yard	1	225	225

R&R = Remove and Replace

C&G = Curb and Gutter
HMA = Hot Mix Asphalt



City of Woodland Park

May 16, 2024 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Following City Council Interviews for the vacant City Council Seat, Mayor Case called the regularly scheduled City Council Meeting to order at 6:30 PM. The following Council members were in attendance: Mayor Case, Mayor Pro-tem Nakai, Councilmember Baldwin, Councilmember Geer, Councilmember Jones and Councilmember Smith.

The following Staff members were in attendance: Deputy City Manager/City Clerk Leclercq, Planning Director Schminke, Senior Planner Gates, Utility Director Wiley, Communication Coordinator Higginbotham, IT Technician Barnes. City Manager Vassalotti and Public Works Director Schmitt appeared via zoom.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Discussion and appointment of Councilmember to fill the vacant Council seat.
(A)
(Presenter Deputy City Manager/City Clerk)

Deputy City Manager/City Clerk Leclercq reviewed the process for filing a vacant Council seat with the City Council. Leclercq shared approximately 30 days ago, Council directed her to start advertising the open Council seat. Leclercq shared that she had received 5 applications from interested parties. Leclercq shared that one party was disqualified based on residency and that this evening the Council had conducted interviews of the four eligible candidates. Leclercq reported the eligible candidates were Carrol Harvey, Don Dezellem, Don Hoying and Eric Lockman. Leclercq shared after meeting with Mayor Case regarding the appointment process the Council would be voting by ballot. Leclercq shared with the Council a ballot would be handed out to each Councilmember that included their name and asking them to vote for one candidate. Leclercq shared the ballot with the public as well. Leclercq shared that after collecting the ballots she would read each ballot into the record. If there was a winner, the council could make a motion to appoint that individual.

Leclercq distributed and collected the ballots. Leclercq read the following into the record.

Voting results:

Mayor Case - voted for Carrol Harvey
Mayor Pro-tem Nakai - voted for Carrol Harvey
Councilmember Baldwin - voted for Carrol Harvey
Councilmember Geer - voted for Carrol Harvey
Councilmember Jones - voted for Don Hoying

Councilmember Smith - voted for Carrol Harvey

Leclercq announced that according to the vote Carrol Harvey was the winner with votes 5-1 in her favor.

Motion: to appoint Carrol Harvey to the vacant Council seat for a term of two years until the next Municipal Election. Geer/Nakai. Motion carried 6-0.

Council thanked all of the applicants for their interest and applying for this position.

- B.** Oath of Office to the new Councilmember.
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq administered the Oath of Office to Carrol Harvey and she took her seat on the dais.

- C.** Presentation from the Woodland Park School District regarding the 1.09% City Sales Tax. (A)
(Presenters, Woodland Park School Board President Mick Bates and Woodland Park School District Superintendent Ken Witt)

The Superintendent of the Woodland Park School District, Ken Witt, and President of the Board of Education of the Woodland Park School District, Mick Bates, presented a PowerPoint to the Council regarding the 1.09% City Sales Tax.

Following the presentation, the Council asked some follow-up questions and thanked Witt and Bates for their presentation. Councilmembers Geer and Baldwin shared their disappointment with the presentation.

- D.** Appointment to the Utility Advisory Committee (UAC). (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq reviewed with Council that there is currently one vacant position and two alternate positions on the Utility Advisory Board Committee. Leclercq reported that she received an application from Richard Broyles who was interested in applying for the Utility Advisory Committee. Leclercq shared that Mr. Broyles was in the audience this evening and available for any questions. Following a brief interview with Mr. Broyles the following motion was made.

Motion: to appoint Richard Broyles to the permanent position of the Utility Advisory Committee. Nakai/Baldwin. Motion carried 7-0.

Leclercq administered the Oath of Office to Mr. Broyles.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A.** Consider Ordinance No. 1475, Series 2024, on initial posting, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West Street, as Requested by the Property Owner, Aime Ventures, LLC and set the Public Hearing for June 6, 2024. (QJ) (Presenter, Planning Director Karen Schminke, AICP)

Mayor Case reviewed the Consent Calendar with the Council. There being no questions by the Council, the following motion was made.

Motion: to approve Ordinance No. 1475, Series 2024 on initial posting, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino A.K.A. Preschool in the Pines) and set the Public Hearing for June 6, 2024, to approve the April 2024 Statement of Expenditures and to approve the regularly scheduled May 2, 2024, City Council meeting minutes. Geer/Smith. Motion carried 7-0

- B. Approval of the April 2024 Statement of Expenditures and Authorize the Mayor to sign the warrants thereof.
- C. Approval of the regularly scheduled May 2, 2024, City Council Meeting Minutes.
(A)
(Presenter, Deputy City Manager/City Clerk Leclercq)

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)

7. UNFINISHED BUSINESS

(Public Comment may be heard)

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

9. PUBLIC HEARINGS

(Public comment may be heard)

- A. Pines at Tamarac PUD and Preliminary Plat Amendment: A request by Dave Garretson (Applicant) and Pines at Tamarac, LLC (Property Owner) to amend the previously approved Pines at Tamarac Planned Unit Development (PUD) Master Plan and Preliminary Plat to increase the number of residential lots from 26 to 39 on 20.61 acres; the subject property is described as Lot 2, Block 1, Dayspring Christian Fellowship (205 Sourdough Road) in the Pines at Tamarac PUD zone district (QJ) (Presenter, Senior Planner CJ Gates)

Senior Planner Bates reviewed his Staff Report regarding the Pines at Tamarac Preliminary Plat Amendment. He shared the following information.

A request by Dave Garretson (Applicant) and Pines at Tamarac, LLC (Property Owner) to amend the previously approved Pines at Tamarac Planned Unit Development (PUD) Master Plan and Preliminary Plat to increase the number of residential lots from 26 to 39 on 20.61 acres; the subject property is described as Lot 2, Block 1, Dayspring Christian Fellowship (205 Sourdough Road) in the Pines at Tamarac PUD zone district.

LOCATION & ZONING

The subject property is 20.61 acres in size located in the northern portion of Woodland Park on the east side of Highway 67, and to the northwest of the Reserve at Tamarac subdivision. This is a triangular shaped parcel that is immediately north of the intersection of Highway 67 and Fairfield Lane, which is bordered by Highway 67 on its west side and Sourdough Road on its east side. Shining Mountain Golf Course is located across Highway 67 to the west.

BACKGROUND

Ordinance No. 563, Series 1992 annexed 468 acres of land known as Hawk Ridge into the City and zoned it all Planned Unit Development (PUD). This annexation included land on

both sides of Highway 67.

The land on the west side of Highway 67 falls under the Shining Mountain PUD Final Development Plan which was most recently amended in 2006 and consists of a golf course with clubhouse, 102 multi-family dwelling units, 255 single-family dwelling units, as well as open space/ wilderness/ recreation area/ wetlands. Development of this PUD is still ongoing.

The land on the east side of Highway 67 originally consisted of two triangular pieces of land with a total acreage of 37.17 acres. In the early to mid-1990's several different development proposals were approved, but none of them came to fruition and those approvals have long since expired. That details history is as follows:

- In 1994, the Terrace Greens PUD Master Plan was proposed for 37.17 acres (two triangular pieces east of Hwy 67) with 44 residential, 3 mixed use residential/commercial lots, 1 commercial lot plus two church sites and a Preliminary Plat for Phase I was approved for what is now Lot 2 showing 21 residential lots along Hwy 67 and one (1) church site next to Sourdough Road.
- In February 1996, Terrace Greens morphed into Kingswood Estates and a revised master plan, preliminary plat, and final plat were all approved by Council. The Kingswood Estates Final Plat Filing No. 1 shows 24 lots (2 open space tracts, 3 large commercial tracts, and 19 single-family lots ranging in size from 10,767 – 18,161 SF on what is now Lot 2. Unfortunately, Kingswood Estates No. 1 was never recorded, the subdivision was never developed as proposed, and the Terrace Greens PUD master plan expired.
- In 1999, the northern triangle (now Lot 1) was rezoned from PUD to Suburban Residential (SR). In the year 2000, the Daysprings Christian Fellowship Subdivision was approved which consisted of a total of two lots. In 2002, construction began on the *Impact Church* on Lot 1 and Lot 2 (20.61 acres) remained undeveloped.

On July 18, 2019 the Pines at Tamarac PUD Final Master Plan and Preliminary Plat was approved by City Council. This Master Plan consisted of 26 single family lots and 5.05 acres (24.5%) as dedicated open space on the 20.61 acres (Figure 3). The conditions of approval required the following significant infrastructure improvements prior to conveyance of any proposed lot:

- Repair/upgrade Sourdough Road to City standards for the full length along the eastern boundary of Lot 2 or enter into Subdivision Development Agreement fully secured with an acceptable guarantee. All costs for this installation shall be borne by the developer;
- Construct the deceleration lane on Highway 67.
- On May 6, 2021 City Council approved a two-year extension of the Pines at Tamarac PUD Master Plan to July 18, 2023 and a one-year extension of the Pines at Tamarac Preliminary Plat to July 18, 2022. On August 25, 2022 the Planning Commission approved another one-year extension of the Preliminary Plat so it would expire July 18, 2023 along with the PUD Master Plan.

Extensions of both the PUD Master Plan and the Preliminary plat were again requested in 2023. On August 17, 2023 City Council approved a two-year extension of

the Pines at Tamarac PUD Master Plan to July 18, 2025 and a one-year extension of the Pines at Tamarac Preliminary Plat to July 18, 2024.

SITE & SURROUNDING PROPERTIES

The zoning and uses of the surrounding properties are:

USE		ZONE
North	Un-platted residential lots located within unincorporated Teller County	R-1 (Teller County Zone)
South & West	Highway 67 and the Shining Mountain Golf Course	PUD
East	The Reserve at Tamarac Filing 5	SR

The subject property is characterized by gentle slopes (20% from the highest to the lowest point on-site) with a high point of just over 8,265 feet at the northeast corner and a low point of just below 8,210 feet at the northwest corner (55 foot drop from east to west). A small drainage channel (dry draw) falls east to west through the center of site. Vegetation includes a significant Ponderosa Pine and Aspen forest with typical forest floor/grass ground cover.

•

The internal street system is proposed to be private right-of-ways (45' in width) which will loop through the development. The proposal is to construct this development in two phases with Phase 1 (21 lots) being on the southern portion of the site and Phase 2 (18 lots) on the northern portion.

Phase 1 will consist of 21 single-family lots and all associated public improvements and utility work. Per the applicant's project narrative, upon completion and sale of the first 15 residences of Phase 1, the required turn lane improvements to Highway 67 (per Colorado Department of Transportation) will be made at the intersection of Fairfield Lane and Highway 67. The applicant anticipates the CDOT improvements will be completed prior to the issuance of certificates of occupancy for the remaining six residences within Phase 1.

Regarding Phase 2, the applicant has stated the timing of construction is dependent upon future market demand which is currently estimated to be in the second quarter of 2026. Once the applicant believes the market is right, the final proposed 18 residences, along with their public improvements and utility work, will be built out.

CODE COMPLIANCE – PUD AMENDMENT

The following applicable sections of Chapter 18.30 have been considered in the evaluation and analysis of this PUD amendment:

§18.30.010 Purpose.

A. The purpose of the PUD district is to provide more flexibility and latitude of design, to provide for a greater variety of principle and accessory uses in the development or redevelopment of lands, to meet the technological changes in concepts and to encourage initiative and more efficient allocation and creative development of parks, recreation areas and open space.

Complies. The proposed PUD amendment would provide greater flexibility in the design and development of the site in keeping with market demand for detached residential development while encouraging more efficient allocation of recreation areas and open space. The PUD zone allows for up to 2 DU/acre (or as many as 41 units on 20.61 acres) but with only 39 residential lots proposed, the maximum density is only 1.89 DU/acre. A total of 9.09 acres (44% of the lot) is dedicated as open space. Only one (1) residential use per lot is allowed; guest houses and/or accessory dwelling units are not permitted, nor are detached accessory buildings (i.e. garages, sheds, etc.). Consistent with the current approval, the applicant proposes narrower road rights-of-ways (45 feet wide rather than the required 50 feet) but compensates by increasing the width of front yard easements to 15 feet (where 10 feet is typical).

B. To best accomplish these objectives, and in order to develop an acceptable plan that is in keeping with other chapters of this title, it is essential that the proponents coordinate their development with the planning commission.

Complies. Everything related to a PUD zone district is considered by the Planning Commission who is scheduled to review this requested amendment on March 14, 2024. City Council is the approving authority for the PUD dimensional standards (§18.30.110). It is currently anticipated that City Council will review this application at their April 4, 2024 meeting.

§18.30.020 Where district may be established.

Not applicable. The PUD zone district for this land was established in 1992 by Ordinance No. 563, Series 1992 and remain in place and valid to this day.

§18.30.030 Requirements for approval [for siting a PUD zone].

Not applicable. The PUD zone district for this land was established in 1992. The proposed amendment's compliance with the PUD Final Development Plan Municipal Code is assessed in this staff report.

§18.30.070 Modification of subdivision requirements.

This section allows for the waiver or modification of subdivision specifications that are contained in the Municipal Code for any associated subdivision within a PUD area if it is found that such specifications are not required in the interest of the PUD and that modifications of such specifications are not inconsistent with the interests of the City.

Consistent with the original approval, staff finds that the following specifications are not required in the interest of the PUD and that modifications of such specifications are consistent with City interests. Staff recommends the following modifications to the subdivision specifications in order to facilitate the subdivision of the 20.61-acre tract into 39 lots:

1. §17.40.140: Reduce the width of the local street right-of-way (ROW) with curb and gutter from 50 to 45 feet.

§18.30.080 Final Plan Requirements – Approval

This is a request is to change the number of residential lots and development standards within the Pines at Tamarac PUD. The proposed residential use, maintains the original intend of the original PUD.

The development plan of the PUD district shall meet the requirements of accepted land planning practices; promote public health, safety, and general welfare; provide adequate light, air, privacy and convenience; lessen and avoid congestion of the public streets and highways; conserve the values of surrounding properties; and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards.

Complies. The proposed PUD amendment meets accepted land planning practices. It promotes public health, safety and general welfare in the design and lot layout; and it provides adequate light, air, and convenience within and adjacent to the site given its open space provisions. The proposed residential development harmonizes with surrounding residential neighborhoods. While asking to increase the number of dwelling units, the proposed 39 residential lots (1.89 DU/acre) still falls below the maximum potentially allowed (2 DU/acre). Additionally more than 9 acres of open space is being preserved. Fire protection is available and adequate from the Northeast Teller Fire Protection District. All proposed construction would comply with the current International Building Codes, International Fire Code, local fire protection standards, drainage and flood control specifications and other codes and regulations applicable. Since this PUD Master Plan and Preliminary Plat was approved in 2019, the City has adopted a new comprehensive plan, *Envision Woodland Park 2030*. Per the 2010 Plan, this area was identified for single family residential development. In *Envision Woodland Park 2030* plan, the Future Land Use Map has identified this area for mixed use. Neither plan makes recommendations for density of residential units. The new plan explains ‘mixed use areas’ as follows:

MIXED USE AREAS support a diversity of uses. This can be vertical mixed use or horizontal mixed use. These areas are typically in high use areas that are not currently developed. Specific characteristics are desired for each of the three identified mixed-use areas. A description of each mixed use area is listed below with a key on the map.

A: The area along Highway 67 already supports nodes of commercial development. Other areas are flexible in development as non-residential mixed use. The primary reason for discouraging residential development along the highway in the mixed use area is to provide a balance of employment and service land uses to serve the community and to ensure there is enough water to provide service to planned residential areas.

This requested amendment is to change density, or add residential lots, and not to change uses. when reviewing this request as part of the originally annexed area, which includes Shining Mountain on the west side of Highway 67, the intent of having mixed uses in the area is maintained.

The proponents of a PUD shall, after review of the preliminary plan with the planning commission, submit a final plan of development to the planning commission for its consideration, upon which plan the commission shall advertise and hold at least one public hearing. The development plan shall include, but not be limited to, the following information:.

If approved, this PUD amendment will serve as the Final Development Plan for the site.

1. Location and size of the area involved;

Complies. The PUD amendment consists of 20.61 acres of land along the northern limits of the City of Woodland Park. It is located adjacent to and just east of Highway 67, east of the Shining Mountain Golf Course and mixed use development, and west of Sourdough Road and the Reserve at Tamarac subdivision. The northern site boundary is shared with the Teller County boundary.

2. All improvements of surrounding properties lying adjacent to the proposed PUD district;

Complies. Surrounding property uses and improvements remain unchanged from the initial approval in 2019. To the immediate north is six lots within Kendora Pines subdivision (in Teller County - fully built) and Impact Church (in the City - built in 2006); to the east is Sourdough Road and 5 lots within the multiple filings of the Reserve at Tamarac subdivision and the 2-acre IREA substation (in Teller County); and to the south and west is Highway 67 and Shining Mountain Golf Course /mixed-use development.

3. The dwelling unit per tract density of residential areas included in the plan;

Complies. The applicant is proposing to increase the number of residential lots from 26 (1.26 DU/acre) to 39 (1.89 DU/acre) for detached single family residential units. The PUD zone district allows a maximum of 2 DU/acre.

4. Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses,

May Comply. The PUD amendment proposes 9.09 acres in three tracts (A through C) of private open space including drainage infrastructure. The applicant has stated that pedestrian paths are planned for the site although the location of the trail system is not called out on the plans that have been submitted.

Per MC Section 17.24.040, as part of the Final Plat review portion of this development process the proposed final plat will be routed to the City of Woodland Park Parks and Recreation Advisory Board (PRAB) for their review. PRAB's comments will be routed back to the Planning Commission and City Council for consideration. Park capital fees in lieu of park land dedication are required with the final plat

5. The location and width of proposed streets, public ways, easements and other similar public and private facilities;

May Comply. The site will have two access points off Sourdough Road. The internal street system is proposed to be private right-of-ways (45' in width) which will loop through the development. Easements of varying width will be necessary for all water and sewer mains

and will be platted and dedicated with the Final Plat. All lots are shown with 15-foot wide utility easements along the front property line for power and other services. Additional easements may be required and can be determined at Final Plat

6. The use, height, bulk and location of all principal and accessory buildings on the development plan;

Complies. The PUD Final Development Plan limits the use to strictly single family residential. Sample building zones are shown on each of the lots on the PUD Master Plan. The Houses would be limited to a maximum building height of 35 feet which was the standard approved within the 2019 PUD Master Plan.

7. Agreements, provisions, or covenants which govern the use, maintenance and continued protection of the planned development and any of its common open space. Said agreements, provisions or covenants must be written so as to be acceptable to the city;

Complies. The applicant intends to establish an HOA complete with draft covenants which will be submitted with the Final Plat.

8. A development schedule indicating the following:

The approximate date when construction of the project can be expected to begin; Complies. The applicant stated that Phase 1 of the development is anticipated to begin in the 4th quarter of 2024.

The stages in which the project will be completed and the approximate date when construction of each stage can be expected to begin; Partially complies. The applicant is proposing to construct the project in two phases. Phase 1 of the development is anticipated in the 4th quarter of 2024. At the time of this current application, Phase 2 of the development is targeted to begin in the 2nd quarter of 2026.

The applicant has provided additional details regarding the construction of the required public improvements and utility work. Phase 1 will consist of 21 single-family lots and all associated public improvements and utility work. Per the applicant's project narrative, upon completion and sale of the first 15 residences of Phase 1, the required turn lane improvements to Highway 67 (per Colorado Department of Transportation) will be made at the intersection of Fairfield Lane and Highway 67. The applicant anticipates the CDOT improvements will be completed prior to the issuance of certificates of occupancy for the remaining six residences within Phase 1. The applicant is silent regarding the timing for installing the necessary improvements to Sourdough Road.

9. The feasibility of the proposal for the disposition of sanitary waste and storm water runoff;

May Comply. The applicant proposes to connect this development to City water, City sewer and City/CDOT surface water systems. Solid waste disposal is by private contract. Asphalt road surfaces in compliance with City standards contributes to the protection of overall air quality. Stormwater drainage on the site will be channeled by curb and gutter and the dry draw to the detention pond proposed adjacent to Hwy 67. During the referral period of this application, the City of Woodland Park Utility Director provided comments that the applicant will have to address in their next submittal. Those comments include the need to loop the

proposed water line in compliance with engineering specifications.

10. *. The location, number and dimensional plans of proposed off-street parking and loading facilities;*

Complies. Each lot contains adequate provision for at least two off-street parking spaces (may be inside a garage on the driveway) in compliance with the Municipal Code for residential development.

11. *A schematic landscaping plan indicating approximate location, number and type of shrubs, conifer, or deciduous trees or other form of landscaping treatment;*

Complies. Landscaping of the open space consists predominantly of wildfire mitigation, retention of existing healthy trees, wildflowers, native grasses and ornamental fence accents. Landscaping within each lot is at the discretion of the private landowner. During the Final Plat portion of this process, the applicant will be required to submit a Final Landscape Plan for the common open space areas of the development.

12. *All information required to be contained upon and the supplemental material to be accompanied with a preliminary subdivision plat in accordance with Sections 17.20.070 and 17.20.080 of the city's subdivisions regulations which has not been previously required;*

Complies. A Preliminary Plat has been submitted for consideration and code compliance is assessed in the section below.

§18.30.090 Common open space requirements. *No open space may be accepted as a common open space under the provisions of this chapter unless its character and quality have been approved by the planning commission:*

- A. The size and character of the dwellings to be constructed within the planned development;*
- B. The character of surrounding development;*
- C. The topography and existing amenities of the open area, including existing trees, groundcover and other natural features;*
- D. The manner in which the open area is to be improved and maintained for recreational or amenity purposes;*
- E. The existence of public parks or other public recreational facilities in the vicinity;*
- F. The relationship of the area in open space to the number of dwelling units;*
- G. Open space requirement determined by gross land acreage: 20.1 – 40 gross acres requires 15% open space.*

Complies. The applicant proposes 9.09 acres of private common open space (44.1% of the gross site area where only 15% is required). This is an increase over the current 5.05 acres which comprises 19.3% of the subject property. The common open space includes private trails, the dry draw, drainage, mail kiosks, signage, accent fencing, and retention of as many existing healthy trees as possible.

§18.30.100 Permitted uses. *All uses allowed in a PUD are permitted conditionally and are designated under PUD in the table of permitted uses for business, industrial and residential districts located in Section 18.09.090.*

Complies. The PUD proposes only single family residential use and conditions are specified

in the PUD Final Development Plan.

§18.30.110 Dimensional Standards. *The lot area per dwelling unit within a planned unit development, exclusive of the area occupied by streets, will be in harmony with the surrounding areas (reference Section 18.30.030), intent and purpose of this chapter and determined by serviceability, recommended by the planning commission and approved by city council. The maximum density permitted within a planned unit development is two dwelling units per gross acre. All other dimensional standards, including the maximum percentage of lot coverage by buildings, structures and impervious surface, the maximum height of buildings and structures, the minimum frontage of lots and the minimum front, side and rear yard building and structural setback requirements, shall be recommended by the Planning Commission and approved, approved with conditions or disapproved by City Council.*

Complies. All development standards are included within the proposed Final Development Plan. The Table below compares the current proposed amendment to the previous approved Final Development Plan as well as the more typical Suburban Residential (SR) zone district standards.

§18.30.120 Parking. *Off-street parking requirements in a PUD district shall be as follows:*

For residential uses, as provided in Chapter 18.39 of this title;

Complies. The Municipal Code requires two off-street (on-site) parking spaces for every residential unit. Compliance with parking requirements are reviewed and assessed with the Zoning Development Permit application for each house.

For non-residential uses, off-street parking and loading shall be as provided in accord with the requirements of Chapter 18.36. Not applicable.

§18.30.130 Landscaping. *Landscaping shall be adequate to provide a park-like appearance for the land, buildings and structures located within the boundaries of the planned unit development district.*

May Comply. The PUD amendment proposes 9.09 acres in three tracts (A through C) of private open space including drainage infrastructure. The private and common open space, plus the proposed landscaping (wildflowers, grasses, split rail fencing), contribute to a park-like appearance throughout the development. **CODE COMPLIANCE – PRELIMINARY PLAT** This Preliminary Plat application was reviewed under Title 17 Subdivisions of the City of Woodland Park Municipal Code. In italics below are the relevant plat and design standards applicable to this Preliminary Plat application followed by a staff analysis. A full copy of the Preliminary Plat is attached to this Staff Report as part of the application.

Chapter 17.20 Preliminary Plat. The subdivision regulations contain platting standards for all types of subdivisions. The platting standards contain specifications relating to the form and content of the Preliminary Plat.

§17.20.010 Preparation process. *After the subdivider has received written comments from the city planner, a preliminary plat shall be prepared by a surveyor, architect, professional planner or professional engineer for presentation to the planning commission. The preliminary plat shall be processed as follows: Twenty-five blueline copies and one reproducible copy of*

the preliminary plat shall be presented to the city planner along with the required supplemental material at least twenty days prior to a regular planning commission meeting. If the plat is in compliance with these regulations, the city planner will furnish the following agencies with a copy for their review and comments; all public utilities companies, the school district, Teller County, and the State Highway Department (where a subdivision borders on a state highway). The city planner may delay a preliminary plat for one regularly scheduled planning commission meeting if further processing is required.

Complies. The Preliminary Plat was discussed during several pre-application conferences between the applicant and City Staff prior to submittal of this application. City of Woodland Park received a completed application February 1, 2024. The application, preliminary plat and supplemental materials were distributed with the PUD amendment to appropriate agencies for their review and comment.

§17.20.060 Design and drawing. *The Preliminary Plat shall be prepared as follows;*

- 1. The design should be in accordance with the subdivider's plans for actual development and therefore, should be a true representation of the subdivision which may eventually be recorded.*
- 2. The drawing shall be made at a scale of one-inch equals one hundred feet. A map of twenty-four (24) inches by thirty-six (36) inches is required. If more than one page then an index page shall be provided.*
- 3.*

Complies. The Preliminary Plat is a true representation of the subdivision as the applicant intends to record it in a final plat.

§17.20.070 Information (A through Q).

Complies. This section is long list of technical information required to be contained on the Preliminary Plat which must be prepared by a licensed professional land surveyor. All criteria from this section has been reviewed by staff. The Preliminary Plat is determined acceptable at this time. Rampart Surveys, LLC is the Colorado licensed professional Land Surveyor.

§17.20.080 Supplemental Material.

The preliminary plat shall be accompanied by the following supplemental material:

A. A letter of intent addressed to the city council and planning commission containing the following:

- 1. A brief description of the tract, i.e. general location, physical features of the land, total acreage;*
- 2. Existing and proposed zoning;*
- 3. Proposed number of building sites and typical lot size;*
- 4. Proposed structures;*
- 5. A statement detailing how and when the subdivider proposes to provide and install all required sewers, water mains, pavement, sidewalks, drainage ways, trails and other utilities, i.e., electric, gas, telephone, as required;*
- 6. Any proposed variances from the subdivision regulations;*
- 7. Any additional information deemed necessary by the city staff;*
- 8. Signature of the subdivider;*
- 9. A written proposal explaining the subdivider's intent with regards to the dedication of parks, recreation areas, and open spaces and/or parks capital fees of land, the location within*

the tract or the amount of fees required for approval.

Complies. The letter of intent was submitted containing the necessary information required above.

B. Master Plan. *When the preliminary plat covers only a part of the developer's contiguous holdings, twenty-five blueline copies and one reproducible copy of a proposed master plan for development of said contiguous holdings shall be furnished. A master plan need only be submitted with the first preliminary plat submitted for the area and shall be processed along with the first preliminary plat, if not previously processed.*

Not applicable. The preliminary plat covers an independent area that is not part of contiguous holdings with other surrounding PUDs or developments. The current Preliminary Plat and PUD Amendment application are being processed concurrently and if approved, will act as the new approved Master Plan for the 26.1 acre site.

- 1. One copy of the accurate names and mailing addresses of the owners of all immediately adjoining land as their names appear on the tax records of the municipality or county. Also to be included are the names, mailing addresses and phone numbers of individuals or firms to whom notice of public hearings and billings for required fees (recording plats, public notices, sign postings, etc.) are to be sent.*

Complies. Submitted with the application.

- 2. If evidence of a geological hazard is presented by the City at the sketch plan stage, the subdivider shall present geologic hazard information.*

Not applicable. No geological hazard is present.

- 3. One reproducible copy and two blueline copies of a twenty-four-inch by thirty-six-inch plat or plats showing the following 1 through 4 items [preliminary engineering for utilities and streets].*

Complies. All items have been submitted and include location and size of existing water and sewer lines within or adjacent to the tract; proposed layout of the water and sewer system; preliminary drainage plan; and proposed street grades including approximate horizontal and vertical curve data.

- 4. Applications for any proposed variances from the subdivision regulations. A petition for annexation where applicable. A PUD or other zoning change application where applicable.*

Complies. As with the application in 2019, staff recommends granting the requested 5 foot variance of MC §17.40.140 (from 50 to 45 feet for the minimum width of local road right-of-ways with curb and gutter) and the PUD Final Development Plan as submitted.

- 5. One copy of a preliminary utilities report as described in the city engineering specifications (if required).*

May Comply. A preliminary utility plan was submitted and reviewed by Public Works and Utilities department. Detailed construction drawings for all infrastructure (i.e. roads, water system, sewer system, detention ponds, etc.) will be submitted for City Engineer's approval as the next step in the development process.

6. *A letter from the surveyor of the plat stating the total area of lots by zone, the area of streets and alleys, and the area of proposed park sites or open spaces and other lands to be dedicated to the city.*

Complies. The Site Data Table on the proposed preliminary plat shows approximately 9.09 acres of open space, 2.53 acres of private roads, and the remainder (8.99 acres) for 39 residential lots.

7. *Completed checklist of Teller County School District RE-2.* **Not applicable.**

8. *Building envelopes and a driveway plan shall be submitted for all hillside lots showing the lot area from the street to the minimum building setback line at a scale of at least one inch equals one hundred feet, and showing a driveway location which conforms to city engineering specifications.*

Not applicable. No hillside lots (slopes of 30% or greater) exist on this site.

Chapter 17.40. Design Standards. The design standards contain specifications for a reasonable layout and design of lots, blocks, streets, sidewalks, easements and alleys to ensure an efficient, orderly, well planned subdivision ready for future construction. Relevant standards are listed below.

§17.40.010 - Purpose. *The character and environment of the City of Woodland Park for future years will be greatly affected by the design of subdivisions and the plats that are approved by the City. Planning, layout and design of a subdivision are of the utmost concern. The residents must have available to them within the area, safe and convenient movement to points of destination or collection. Modes of travel to achieve this objective should not conflict with each other or with abutting land uses. Lots and blocks should provide desirable settings for the buildings that are to be constructed, make use of natural contours and protect the view, afford privacy for the residents and protection from adverse noise and vehicular traffic. Natural features and vegetation of the area must be preserved if at all possible. Schools, parks, churches and other community facilities should be planned as an integral part of the area. In order to meet the above objectives, the City encourages innovative subdivision design.*

Complies. The proposed 39-lot subdivision is within a PUD zone and the preliminary plat and the PUD final development plan are identical. The layout and design are compatible with surrounding land uses, harmonize with the neighborhood, provide desirable settings for buildings, make use of natural contours, protect views, afford privacy and do not create conflicts with abutting residential land uses.

§17.40.020 - Site consideration. *Land which the city finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the city to solve the problems created by the unsuitable land conditions. If the problem cannot be suitably corrected, such land shall be set aside for uses which shall not involve a danger or a harmful situation.*

Complies. The Preliminary Plat preserves the dry draw within a common open space tract. Lots and roadways are aligned with the site topography and provide adequate spacing and access. There is no land unsuitable for development (i.e. no terrain over 30% slope). A feasible building envelope has been depicted on each lot with adequate driveways and open space. Water, sewer, electricity, and natural gas can all be installed within the subdivision as laid out. Construction Drawings for grading, erosion control, drainage improvements, utilities installation and road construction will be submitted, reviewed and approved by the City Engineer in collaboration with the Fire District, CORE, Black Hills Energy, and applicable telecom companies.

§17.40.030 – Noise reduction. *Where a residential subdivision borders on a state highway, design thereof shall include adequate provisions for the reduction of noise. A parallel street, a landscaped buffer area, or lots with increased setbacks may be required. Arterial streets within the city may require similar provisions.*

Complies. Similar to the current approved plan, the houses closest to Hwy 67 are set away from the road. Due to the smaller lot sizes, this proposed amendment increases the width of the open space that will separate the houses from the highway and provide a buffer.

§17.40.050 - Streets—Frontage. *No subdivision shall be approved unless the area to be subdivided shall have a frontage on an existing street shown upon a plat approved by the planning commission and city council and recorded in the county clerk and recorder's office. Wherever an area to be subdivided is to utilize an existing adjacent street, the subdivider shall be required to improve said street to city specifications.*

May comply. *All lots will have frontage on a street and each lot on the preliminary plat is consistent with the PUD Master Plan. Since Sourdough Road provides access to this development, it must be brought up to City standards for the full length that abuts this subject property.*

§17.40.150 – Street names and numbers. *Street names shall not be used which will duplicate or be confused with the names of existing streets and shall be subject to approval of the City. Street numbers shall be assigned by the City staff.*

Partially Complies. *Street names and numbers are assigned by the City at the time of Final Plat. All proposed street names have yet to be reviewed and approved by E-911.*

§17.40.170 - Easements. *Where required, easements for all utilities other than public sewer and water lines shall be a minimum of twenty feet wide, ten feet of which shall be on each side of common rear lot lines where said lines abut. Where the rear lot line abuts on property outside of the subdivision of which there are no easements provided for of at least ten feet in width, then the easement or alley on the rear lot lines in the subdivision shall be at least twenty feet in width. Side lot easements, where necessary shall be at least ten feet in width, five feet of which shall be on each side of a common lot line. Where required, easements for public sewer or water shall be required with the width to be determined in accordance with the city engineering specifications.*

Complies. *The Preliminary Plat shows 15 foot wide easements in all front yards and various widths for perimeter utility and drainage easements, all in conformance with CORE and City requirements.*

§17.40.210 - Lots. *The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the zoning ordinance and in driveway access to buildings on such lots from an approved street.*

Complies. *All lots are reasonably arranged and buildable with adequate provision made for driveway access from an approved street and provision of a viable building envelope.*

REFERRALS AND NOTIFICATIONS

Adjacent property owners within 150 feet were mailed a letter notifying them of the submittal of the application as well as all meeting dates including the scheduled Planning Commission public hearing. The site was posted with a public notice poster and notice of the public hearing was published in the Pikes Peak Courier in compliance with the Municipal Code. Staff has received no public comments regarding this proposed amendment and preliminary plat.

The application was referred to the City Utilities/Public Works Director, the City Attorney, the City Inspector, the City Engineer, City Manager, CDOT, Woodland Park Police Department, and West Teller County Fire. Comments from CDOT have yet to be returned. City staff issued red-line comment packets.

PLANNING COMMISSION RECOMMENDATION

The Woodland Park Planning Commission heard this item on March 28, 2024. After consideration of the item, the Planning Commission voted to continue the public hearing to April 25th with the request that the applicant provide additional information that addresses the character and calculation of the open space. At the April 25th Planning Commission meeting, the Commission reviewed the additional information provided by the applicant.

At the conclusion of the hearing on April 25th, Commissioner Hoying motioned and Commissioner Larsen seconded that the Planning Commission approve this PUD amendment and preliminary plat, based on the findings in the staff report and as presented at public hearing, of the request by Dave Garretson (Applicant) and Pines at Tamarac, LLC (Property Owner) for PUD2024-03 Planned Unit Development (PUD) Final Development Plan for 39 single family residential lots on 20.61 acres on Lot 2, Dayspring Christian Fellowship (205 Sourdough Road) in the PUD zone, and,

That the Planning Commission recommend that City Council approve the dimensional standards as shown in PUD2024-03 Planned Unit Development (PUD) Final Development Plan for 39 Single Family residential lots on 20.61 acres on Lot 2, Dayspring Christian Fellowship (205 Sourdough Road) in the PUD zone, Provided that, based on the findings in this staff report and as presented at public hearing, approval of the request by Dave Garretson (Applicant) and Pines at Tamarac, LLC (Property Owner) for SUB2024-03 Preliminary Plat for 39 single family residential lots on 20.61 acres on Lot 2, Dayspring Christian Fellowship (205 Sourdough Road) in the PUD zone, subject to the following conditions:

1. Prior to installation of infrastructure, the applicant shall obtain a Zoning Development Permit for infrastructure, which application shall include:

Final utility plan with profiles for all water, stormwater, and sanitary sewer
Final grading and erosion control plan for the entire site and off-site improvements
Final on/off-site street plan with profiles with curb and gutter on both sides of Sourdough
Road Final drainage plan and report
Approved CDOT Access Permit
Approved SWMP

Applicant must resubmit Preliminary Plat addressing, to the satisfaction of the City, all comments within the City-Redline Comment packet for approval.

Applicant must adhere to all CDOT requirements and gain necessary permits/approvals with CDOT.

Prior to conveyance of any proposed lot, the applicant shall :

1. Record a Final Plat;
2. Complete installation of all required improvements or enter into Subdivision Development Agreement fully secured with an acceptable guarantee. All costs associated with constructing the required improvements shall be borne by the developer.
3. Repair/upgrade Sourdough Road to City standards for the full length along the eastern boundary of Lot 2 or enter into Subdivision Development Agreement fully secured with an acceptable guarantee. All costs for this installation shall be borne by the developer;
4. Comply with CDOT requirements regarding the deceleration lane on Highway 67.
5. Establish access to the Centennial Trail.
6. Change the wording on Page 1 of the 11 page PUD Amendment, Note # 8.f., to reduce the allowed projection into a side yard from of a maximum of three feet to a maximum of two-feet in to the required setback.
7. Prior to recording the Final Plat, the applicant shall submit:

Covenants, satisfactory to the City, which include deed restrictions that establish a homeowners association to guarantee the architectural and landscape design and maintenance of the common open space; and Park Development Fees in the applicable amount.

Following senior Planner Gates presentation and hearing from the applicant Mayor Case opened up the Public Comment portion of the Public Hearing. There being no Public Comment Mayor Case closed the Public Hearing and the following motion was made.

Motion: to approve the Pines at Tamarac PUD and Preliminary Plat Amendment.: A request by Dave Garretson and Pines at Tamarac to amend the previously approved Pines at Tamarac Planned Unit Development Master Plan to increase the number of residential lots from 26 to 39. Nakai/Geer. Motion carried 7-0.

- B.** Approval of Ordinance No. 1473, Series 2024, an Ordinance of the City Council of Woodland Park, Colorado, Adjusting Expenditure Appropriations to the Various Funds for the City of Woodland Park, Colorado for the 2024 Budget Year, and Amending Ordinance No. 1466, Series 2023. (A) **Tabled from the April 18, 2024, City Council Meeting.**
(Presenter City Manager Vassalotti)

City Manager Vassalotti presented Ordinance No. 1473, Series 2024. Vassalotti reported that the supplemental was a result of the DDA giving a grant to NETCO in the amount of

\$150,000.

There being no Council discussion, Mayor Case opened the Public Comment portion of the Public Hearing. There being no Public Comment, Mayor case closed the Public Hearing portion and the following motion was made.

Motion: to approve Ordinance No. 1473, Series 2024, an Ordinance of the City Council of Woodland Park adjusting Expenditure Appropriation to the Various Funds for the City of Woodland Park, Colorado for the 2024 Budget Year and Amending Ordinance nO. 1466, Series 2023. Geer/Smith. Motion carried 7-0. City Manager Vassalotti read the ordinance in its entirety into the record.

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared the upcoming events for the next two weeks and also shared a CDOT update. Mayor Case also shared that she attended the Purple Heart dedication at Charis.

B. Council Reports

Mayor Pro-tem Nakai shared the upcoming Memorial Day events and asked if the Council could ask staff to create an Ordinance sharing where new cellular towers can and cannot go. Deputy City Manager Leclercq shared that the City Attorneys Law Firm had already prepared an ordinance to that effect and that she would forward it to the Council.

Councilmember Baldwin shared that she has been visiting different businesses downtown. Baldwin asked if there could be an Ordinance that can hold parking lot owners accountable for maintaining their parking lots.

Councilmember Geer shared that Pride Above the Clouds is going to be held at Memorial Park on June 2 and that this month is Wildfire Preparedness Month.

Councilmember Harvey shared that she would like the community to way in on the school Sales Tax item and could we set a time for a work session. Leclercq shared that she would send out a doodle poll.

Councilmember Jones shared that he had received 10 emails endorsing Carrol Harvey for the appointment and no other endorsements were received.

Councilmember Smith shared that Henry Hernandez a diplomat from the Domenican Republic was here and really enjoyed his tour of the City of Woodland Park.

Councilmember Harvey shared that she was willing to be the Keep Woodland Park Beautiful liaison and if Council was interested would also like to be the Military Liaison for the City. Harvey thanked the Council for the appointment.

C. City Attorney's Report

No report.

D. City Manager's Report

1. Sales Tax Update for March 2024

City Manager Vassalotti shared a Sales Tax update and Year End Financial Report with the Council. There was some difficulty with the presentation and Vassalotti shared that he would send the reports to the Council via email.

Utility Director Wiley gave an update on the change of the Utility Billing cycle.

Chief of Police Deisler shared information on the next Community Forum and the year-end School's Out BBQ.

Deputy City Manager/City Clerk Leclercq shared the following from Public Works Director Schmitt - For the Record - there was an error in the subject dollar amount on Item 5A on the March 21, 2024, City Council agenda. The dollar amount should have read \$102,420 instead of \$452,604.74. The \$102,420 matches the body and background of the staff report, the recommendation and the executed contract.

2. 2023 Year End Financial Report

12. ADJOURNMENT

There being no further City business Mayor Case adjourned the City Council Meeting at 9:19 p.m.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

Kellie Case, Mayor



STAFF REPORT

TO: Mayor Case and City Council

FROM: Karen Schminke, Director of Planning & Building Services

DATE: June 6, 2024

SUBJECT: A Request by Lowell Ross to Consider Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West Street, as Requested by the Property Owner, Aime Ventures, LLC. (QJ) (Presenter, Planning Director Karen Schminke, AICP)

BACKGROUND: A property can be granted Historic Designation at either the National, State, or local level. Landmark designation honors, preserves and protects buildings and areas that have been determined to have a special character and historic, architectural, or aesthetic interest or value. Owning a Landmarked property is desirable since this designation makes a property eligible for State Historic Fund Grants and the State Tax Credit program for improvements. Local Historic Landmark designation is granted by approval of an Ordinance.

This application is a request to amend the Local Historic Landmark designation that was previously granted by Ordinance 1328, Series 2018 to the property at 312. N. West Street, having a legal description of Lots 1-3, El Dorado Subdivision, Woodland Park. The historic El Dorado Casino building (a.k.a. Preschool in the Pines) is located on Lot 2 and Lots 1 and 3 are vacant land. The property owner, Aime Ventures, LLC, is requesting the historic designation be amended to retain the designation for Lot 2 and removing it from Lot 1 and 3.

Please see attached detailed report for more information.

RECOMMENDATION: Approve Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West Street, as Requested by the Property Owner, Aime Ventures, LLC.

ATTACHMENTS:

1. Ord 1475, Series 2024 El Dorado Casino
2. Preschool in Pines CC SR 2024-0606
3. 05.07.2024 HPC Minutes - draft
4. HLD Amendment Application
5. Ord 1328, 2018 - Historical Landmark - El Dorado
6. OAHP1403- 312 N. West St

CITY OF WOODLAND PARK

ORDINANCE NO. 1475, SERIES 2024

AN ORDINANCE AMENDING THE LOCAL HISTORIC LANDMARK DESIGNATION
OF THE EL DORADO CASINO (A.K.A. PRE-SCHOOL IN THE PINES PROPERTY)
LOCATED AT 312 N. WEST STREET, AS REQUESTED
BY THE PROPERTY OWNER, AIME VENTURES, LLC.

WHEREAS, pursuant to §2.44.030 of the Woodland Park Municipal Code, the City Council has authority to designate local historic landmarks; and

WHEREAS, the preservation of the historic areas and buildings within the community is an important aspect of the heritage and culture of Woodland Park; and

WHEREAS, Ordinance No. 1328, Series 2018 designated 312. N. West Street, having a legal description of Lots 1-3, El Dorado Subdivision, Woodland Park, as a Local Historic Landmark; and

WHEREAS, the historic El Dorado Casino building is located entirely on Lot 2, El Dorado Subdivision, Woodland Park; and

WHEREAS, the Aime Ventures, LLC purchased the subject property on February 25, 2022; and

WHEREAS, property owner, Aime Ventures, LLC, has requested that Lot 2 El Dorado Subdivision retain the Local Historic Designation, and lots 1 and 3 of the El Dorado Subdivision be removed from the Local Historic Landmark designation; and

WHEREAS, the Historic Preservation Committee held a public hearing on May 7, 2024 to review the request to amend the Local Historic Designation for 312 N. West Street; and

WHEREAS, the City Council City Council held a public hearing on June 6, 2024 and determined it to be in the best interest of the citizens of Woodland Park to remove the designation of lots 1 and 3 of the El Dorado Subdivision as a Local Historic Landmark.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, THAT:

Section 1. The Findings in Ordinance No. 3128, Series 2018 are still valid as they pertain to the El Dorado Casino building (a.k.a. Preschool in the Pines) which is located on Lot 2 El Dorado Subdivision (312. N. West Street), Woodland Park, CO and does hereby retain Local Historic Landmark designation by the City Council of the City of Woodland Park.

Section 2. Findings:

1. Lots 1 and Lot 3 of El Dorado Subdivision are vacant land with no structures present.
2. The Architectural Inventory Form OAHP 1403, Resource Number 5TL.3453 (for the subject property) does not specify any significance for either of the individual vacant lots.

Section 3. The previously granted Local Historic Landmark designation for Lot 1 and Lot 3, El Dorado Subdivision, Woodland Park, CO, vacant land owned by Aime Ventures, LLC, is hereby revoked by the City Council of the City of Woodland Park.

Section 4. Should any article, section, clause, or provision of this Ordinance be declared by any Court to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSED BY CITY COUNCIL ON THE SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS ____ DAY OF _____, 2024.

Mayor

ATTEST:

City Clerk

**CITY OF WOODLAND PARK
STAFF REPORT**

PROJECT NAME: HLD 2024-01: The El Dorado Subdivision Lots 1 & 3 – Local Historic Landmark Designation Amendment

FROM: Karen Schminke, AICP, Planning Director

REQUEST: Amendment request to remove Lots 1 & 3 from the Historic Landmark Designation

LOCATION: 312 N. West St. with a legal description of Lots 1-3, El Dorado Subdivision being a replat of Lots 1-6 and the adjacent 15 foot wide alley in Block 22, Lake Addition to the Town of Woodland Park

ZONING: Neighborhood Commercial (NC)

APPLICANT: Lowell Ross

LAND OWNER: Aime Ventures, LLC

PROCESS: May 7, 2024 Historical Preservation Committee Hearing
May 16, 2024 City Council 1st Reading Ord. No. 1475, Ser. 2024
June 6, 2025 City Council Public Hearing

Background: On April 4, 2018, the owners of the Pre-School in the Pines, Brian and Lisa Osborn, nominated their property for consideration of a Local Historic Landmark designation. The request was approved by City Council in 2018 by Ordinance No. 1328, Series 2018. The historical name for the building on lot 2 is The El Dorado Casino and it is considered significant for its importance in the growing commerce found in Woodland Park in the 1930s.

Figure 1: Teller County Assessors Records – Circa 1960s



As was noted in the staff reports associated with approving the local historic designation, the building's architectural and historical integrity has changed significantly over time. This building's level of integrity, relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society (setting, location, design, materials, workmanship, feeling, and association) has been significantly diminished due to many additions

on the building. Especially, the addition on the second floor and the removal of the historic windows and doors had compromised its original design. The workmanship, feeling, design, and materials have been changed extensively through the years. The building no longer has significant integrity to convey the significance of a National, State or local level. However, the building is significant for its rustic style and character. The character defining features include the buttressing effect at the corners, log construction, large stone fireplace, and small divided lite windows. (See Architectural Inventory Form OAHF 1403, Resource Number 5TL.3463)

Current Request: Figure 2 below is a snap shot of the subdivision plat for the subject property (El Dorado Subdivision Lots 1-3). The subject property is comprised of three individual lots and the El Dorado building is located on the center lot (Lot 2) and the lots on either side (Lot 1 and Lot 3) are vacant land. In 2018 Ordinance 1328 was approved and all three lots (Lots 1-3) are included in the legal description of the property associated with this historical designation.

Figure 2: El Dorado Subdivision lots 1-3



In 2022 the owner of the subject property obtained permission to change the use of the building on Lot 2 from the pre-school and to instead use it as a residence, just as it had previously been in the 1970's. The owner is now requesting the historical designation be removed from lots 1 and 3. Per the project narrative included in the application, the property owner's intent is to maintain

the historic character and quality of this original log building on Lot 2, and to construct a residential duplex building on Lot 1 and on Lot 3. The project narrative also notes the owner's intent to keep the quality of the neighborhood intact and that each new building will have architectural detailing and materials sensitive to the historic nature and scale of the existing historical building.

Criteria: In accordance with Resolution No. 602, Series 2003, the Historical Preservation Committee shall evaluate a nomination in regards to the following **criteria for a Local Landmark Designation**:

1. The structure should be at least fifty years old.
2. The property is historically significant through one or more of its:
 - a. architectural design;
 - b. association with an historical event, period or person;
 - c. physical impact and location within the City of Woodland Park; and
 - d. potential to provide important information concerning the history of Woodland Park.
3. The structure should have sufficient original or accurately restored materials that maintain its original historic character.

With the adoption of Ordinance 1328, which granted historic landmark designation to the subject property, the following findings were made:

Findings in 2018:

1. The Pre-school in the Pines building is more than 50 years old, having been built in 1932.
2. The property as described in this Staff Report and by the attached Architectural Inventory Form OAHP 1403, Resource Number 5TL.3453 is historically significant for its location on N. West St., for the growth of commerce in Woodland Park, and due to the property and persons associated with its ownership.
3. Although the architectural integrity has changed substantially over time it is still significant on a local level for its rustic style and character.

Using the above criteria for a Local Landmark Designation staff has made the following findings for this amendment request:

1. Lots 1 and 3 are vacant land with no structures present.
2. The attached Architectural Inventory Form OAHP 1403, Resource Number 5TL.3453 does not specify any significance for either of the individual vacant lots.
3. There are no structures present so this criteria is not applicable.

Staff has also made the following additional finding:

4. The original Findings from 2018 still apply to the El Dorado Casino building located on Lot 2, El Dorado Subdivision (312 N. West Street).

Historic Preservation Committee (HPC) Recommendation: The HPC held a public hearing on May 7, 2024, and based on the findings stated above, voted unanimously to recommend City Council remove the historic landmark designation from Lots 1 and 3, El Dorado Subdivision, but with the condition that Historic Landmark Designation for the El Dorado Casino on Lot 2, El Dorado Subdivision (312 N. West Street) is retained.

Recommendation: Approve Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West Street, as Requested by the Property Owner, Aime Ventures, LLC.

Attachments:

- Draft Minutes for the May 7, 2024 Historic Preservation Committee
- Application to Amend the Historic Designation
- Ordinance No. 1328, Series 2018 Granted the initial Historic Designation
- Architectural Inventory Form (OAHP1403), 2006



**Historical Preservation Committee
Tuesday, May 7, 2024 – 3:30 PM
City Hall – 2nd Floor Conference Room
Minutes**

1. **Call to Order and Roll Call:** Chair Laurie Glauth called the meeting to order at 3:37 p.m. Members in attendance included: Laurie Glauth, Linda Allred, Larry Black, David Langley, and Eric Simonson. Also in attendance were City Council Representative Steve Smith, guest Steve Plutt (via Zoom) from the Park County Historic Preservation Advisory Commission, Planning Director Karen Schminke, and Permit Technician Amy Wolin.

Members Absent: None.

2. **Approval of Minutes:** April 2, 2024:

MOTION: Mr. Black moved and Mr. Simonson seconded to approve the April 2, 2024 minutes. The minutes were approved unanimously.

3. **Public Hearings: – ZDP # 202404051: 312 N. West Street HLD Amendment:**

- a. A request by Lowell Ross (applicant) and Christel Aime (property owner) to consider amending Ordinance No. 1328, Series 2018, that designated the El Dorado Casino located at 312 N. West Street as a Local Historical Landmark; said amendment would modify the legal description of the affected land but retain designation of the building. The subject property is located at 312 N. West Street with a legal description of Lots 1-3, El Dorado Subdivision, Woodland Park, Colorado. (QJ)

City Council Member Smith recused himself from this public hearing. Director Schminke presented the staff report, including a synopsis of the Local Historic Landmark Designation Program and that any changes to the designated property must go through a public hearing process with the Historical Preservation Committee (HPC) and City Council. She presented background information noting that in 2018, the former owners were approved for Local Historic Landmark Designation and the legal description for the subject property included Lots 1, 2, and 3, El Dorado Subdivision, but the historic building (El Dorado Casino) is located only on Lot 2. The 2018 designation criteria met included: the building is more than 50 years old, was important in the growth of commerce, the property and people associated with ownership, and while the architecture has changed over time, the rustic style and character of the building are intact. The building has been modified with a second story and rear additions. Historical features include buttressed corners, log cabin architecture, and chimney design.

Director Schminke reviewed the current request: the applicant wishes to remove Lots 1 and 3 from the Local Historic Landmark Designation, but retain designation for the building on Lot 2. The property is bordered by Lake Avenue on the north, West Street on the east, and South Avenue on the south, and all three lots have an easement along their west property

line. She reviewed this request per the same criteria for granting an Historic Landmark Designation and presented the following findings:

1. Lots 1 and 3 are vacant land with no structures present.
2. The attached Architectural Inventory Form OAHF 1403, Resource Number 5TL.3453 does not specify any significance for either of the individual vacant lots.
3. The original Findings from 2018 still apply to the El Dorado Casino building located on Lot 2, El Dorado Subdivision (312 N. West Street).

Director Schminke concluded the presentation with the staff recommendation that the HPC recommend City Council approve the request to remove the historic landmark designation from Lots 1 and 3, El Dorado Subdivision, but the with the condition that Historic Landmark Designation for the El Dorado Casino on Lot 2, El Dorado Subdivision (312 N. West Street) is retained.

Historic Preservation Committee members clarified that the lot lines are accurate; the building on Lot 2 does not encroach onto Lots 1 or 3; and that Lots 1 and 3 will be accessed by their own separate driveways from Lake Avenue and South Avenue.

Lowell Ross, applicant representative, introduced himself. He had a more accurate site plan, showing the building on Lot 2 more than meets the setbacks, and the driveway would change to a single egress. He assured the HPC that the applicant is very sensitive to the historic attributes, both external and internal, of the building. For the vacant lots, one duplex is proposed on each Lot 1 and 3, and the architectural standards will be met.

Chair Glauth opened and closed the public hearing with no public comment.

MOTION: Mr. Black moved and Mr. Langley seconded to recommend that City Council approve the request to remove the historic landmark designation from Lots 1 and 3, El Dorado Subdivision, but the with condition that Historic Landmark Designation for the El Dorado Casino on Lot 2, El Dorado Subdivision (312 N. West Street) is retained.

Motion passed unanimously.

City Council first reading is scheduled for May 16, 2024, and the public hearing is scheduled for June 6, 2024.

4. Committee Business:

- a. **Vos Building Discussion** – No new information is available.
- b. **May Preservation Month Banner** – Director Schminke is in possession of the new banner, and the Planning Department team can help the HPC with the temporary sign permit to display it. Walgreens and Williams Bros. Furniture were mentioned as possible places. Mr. Simonson will ask the two locations and work on the permit.
- c. **Poster for 2024 Historical Women** – Names were brainstormed last meeting, and Mr. Langley drafted a poster with 14 women. The text needs to be drafted and edited, the title “Celebrating Women who Shaped Woodland Park” was chosen, and a time frame for their influence was narrowed down to 1901 and 1937-1987. There was also discussion about hopefully finding pictures from the three main service groups of the time: Ladies Home Demonstration Club, Manitou Park Grange, and Manitou Park Progressive Dames. Mr. Langley will present a final draft at the next meeting.

- d. **Templeton Cemetery Restoration Plan** – Mr. Plutt has not yet met with Colorado School of Mines to possibly schedule their mapping assistance to identify grave locations. He added that students may do this for their senior thesis. The area needs to be mowed before the mapping equipment can be brought in. He will repair Andrew Templeton’s headstone with materials that were purchased last year. Director Schminke added that the City and HPC needs written permission from the property owner to access the property and to allow the headstone restoration.
 - e. **Historic Designation Possibility – 107 W. Henrietta Avenue** – Chair Glauth updated the HPC that the property owners are not present today for an update, so this item will remain on the agenda for next month.
 - f. **State Grant Opportunities Update** – No update.
5. **Reports:**
- a. **Committee Members’ Reports** – Mr. Langley reported that although the church structure at 107 E. Henrietta has been substantially changed, there is a special relationship to it.

Mr. Black reported that “The Mighty Midland” will have a premier on June 15th at 11:00 a.m. A \$5 donation is requested for admission to cover the cost to rent for the Ute Pass Cultural Center; UPHS has already used their free event limit for the year.

Ms. Allred asked if any money remained in the budget for the cemetery work, and Director Schminke answered that \$400 remained in the “contingency expenses.”

Mr. Plutt reported that County Commissioners Erik Stone and Dan Williams are working on a grant for the Crystola Bridge. He is still hoping to develop an event to promote an Ocean to Ocean Highway celebration and suggested a separate committee. Chair Glauth noted that Donna Finicle is overwhelmed so they may need to brainstorm on committee members to get this started. Mr. Plutt also stated he is hoping to meet with Dave Martinek to get Teller County to champion their project.
 - b. **Council Member Liaison’s Report** – Mr. Smith said he is happy to be here.
 - c. **Planning Director’s Report** – Director Schminke reported that the Code Compliant Specialist started work on May 1st, adding that the Planning Department now has a full team. She noted that the thank you letter drafted by Chair Glauth was sent to Tony Perry, thanking Park State Bank for their generous donation for the Ladies Home Demonstration Club plaque in Memorial Park.
6. **Public Comment on Items Not on the Agenda** – No additional comment.
7. **Adjournment:** The meeting was adjourned at 5:11 p.m. The next meeting is scheduled on Tuesday, June 4, 2024 at 3:30 PM, in City Hall.

Recorded by Amy Wolin, Permit Technician and approved by the HPC:

This _____ day of _____, 2024

Laurie Glauth, Chair



2024 HISTORIC LANDMARK
DESIGNATION
NOMINATION FORM
(Revised 1/1/2024)

Project # _____
Fee: \$62.00 (plus publication & recording fees)

Owner's Name CHRISTEL AIME
Mailing Address 1900 E. PIKES PEAK AVE. SUITE #3 COLO SPRGS, CO 80909
Phone Number(s) (719) 391-4444 (719) 231-2152 CELL
E-Mail Address CAIME@AIME-MANAGEMENT.COM

Applicant's Name (if different from owner) LOWELL ROSS
Mailing Address 1626 E. PIKES PEAK AVE COLO SPRGS, CO 80909
Phone Number(s) (719) 632-3384 EXT 103 (719) 606-7288 CELL

Name of Building or Site LOT 1-3 ELDORADO SUBDIVISION

Name of Builder and/or Architect (if known) AIME VENTURES NELSON-ROSS ARCH.

Site Address 312 N. WEST ST WOODLAND PARK, CO 80863

Legal Description Lot 1-3 Block _____ Subdivision ELDORADO

Date of Construction SUMMER 2024 Type of Construction SINGLE STORY RESIDENTIAL

Qualification for a Local Historic Landmark Designation is based upon Section 2.44.030 of the Municipal Code and the attached criteria.

1. Describe how the property is historical significant through its: architectural design; association with an historic event, period or person; physical impact and location within the City; and potential to provide important information concerning the history of Woodland Park.

LOT 1,2,3 ARE PART OF THE ELDORADO SUBDIVISION. LOT 1 + 3 ARE CURRENTLY VACANT. ON LOT 2 IS THE HISTORIC ELDORADO CASINO WHICH WAS RECENT RESTORED AND CONVERTED FROM A DANCE HALL TO A PRIVATE RESIDENCE IN 2022. IT'S THE INTENT OF THE OWNER TO MAINTAIN THE HISTORIC CHARACTER OF THE STRUCTURE.

2. Is the structure in its original condition or accurately restored materials that maintains its original historic character? Yes ☒ No ☐ If No, describe. _____

3. What alterations or additions if any have been added to the exterior of the structure? NONE

Please attach 6 copies of color photos from the street view.

I certify that the information and exhibits herein submitted are true and correct to the best of my knowledge.

Property Owner Signature [Signature] Date 4-4-24

Applicant Signature [Signature] Date 4/4/2024
(The Applicant's Signature is needed only if different from the property owner.)

This Section To Be Completed By City Planning Department Staff

1. Submission _____, 20__, taken by _____
(Within 60 days of receiving written consent the Committee will hold a Public Hearing.)
2. Fee Received _____, 20__, taken by _____
3. Historic Preservation Committee Public Hearing date _____, 20__.
4. Public Hearing Notice shall be published 15 days prior to Historical Preservation Comm. Hearing.
Send to newspaper _____, 20 ____
Publication date _____, 20 ____
5. Historical Preservation Committee action of approval or denial is referred to City Council via the City Council's Packet one week prior to First Reading of the Ordinance on _____, 20__. (Within 30 days of the referral, the City Council will hold a Public Hearing.)
6. Public Hearing Notice shall be published 15 days prior to City Council hearing.
Send to newspaper _____, 20 ____
Publication date _____, 20 ____
7. City Council First Reading of the Ordinance on _____, 20__.
8. City Council Public Hearing set for _____, 20__.
9. Letter of public hearing to applicant or property owner is sent _____, 20__.
(Within 15 days of the hearing, the property owner shall be noticed in writing.)
10. Letter of Approval/Denial to applicant sent _____, 20__.

In accordance with Resolution 602, Series 2003, the Criteria for a Local Landmark Designation of an individually owned residential or commercial building, structure, object or landscape including the following area of analysis:

1. The structure should be at least fifty years old.
2. The property is historically significant through one or more of its:
 - a. architectural design,
 - b. association with an historical event, period or person,
 - c. physical impact and location within the City of Woodland Park,
 - d. potential to provide important information concerning the history of Woodland Park
3. The structure should have sufficient original or accurately restored materials that maintain its original historic character.

Nelson-Ross Architects

1626 East Pikes Peak

Colorado Springs, Colorado 80909

Phone: 719-632-3384

Fax: 719-632-1781

E-mail: lross@jpnarch.com

Letter of Intent

Date: April 10, 2024

To whom it concerns,

In regards to lots 1, 2, and 3 of the Eldorado Subdivision located at 312 N. West St. The historic 2 story log building known as the notorious Eldorado Casino is located on lot 2. In 2022 our client, Christel Aime, fully restored this historic building, converting it from a daycare to a private residence. It is Christel's sincerest intent to maintain the historic character and quality of this original log building. During restoration he restored all the historic architectural elements both internal and external, returning it to a beautiful state.

Christel is requesting to remove the historic status of lots 1 and 3 so he can build a residential home on each lot. Each home will have architectural detailing and materials sensitive to the historic nature and scale of adjacent properties. It's his intent to keep the quality of the neighborhood intact. Currently the property is within the business district, having residences on these lots will keep with the character of the adjacent properties and reduce traffic compared to it's potential use if developed as commercial.

Sincerely,

Lowell Ross

SINGLE FAMILY DUPLEX
411 WEST LAKE ST. + 412 W. SOUTH AVE
WOODLAND PARK, COLORADO 80863

OWNER

AIME VENTURES, LLC
1900 E. PIKES PEAK AVE., SUITE #3
COLORADO SPRINGS, COLORADO 80909
PHONE: 719-391-4444

ARCHITECT

JOHN P. NELSON ASSOCIATES
1626 EAST PIKES PEAK AVENUE
COLORADO SPRINGS, CO. 80909
PHONE: 719-632-3384
john@jpnarch.com

PROJECT DESCRIPTION:

THE PROJECT CONSISTS OF NEW CONSTRUCTION OF 1 DUPLEX (2 SINGLE FAMILY) DWELLING UNIT ON LOT 1 AND 1 DUPLEX (2 SINGLE FAMILY) DWELLING UNIT ON LOT 3. THE PROJECT IS LOCATED AT 312 NORTH WEST ST, WOODLAND PARK, COLORADO 80863. REFER TO VICINITY MAP FOR PROPERTY LOCATION. NEW ADDRESSES AND DRIVEWAY ACCESS FOR LOT 1 AND 3 PER SUBDIVISION

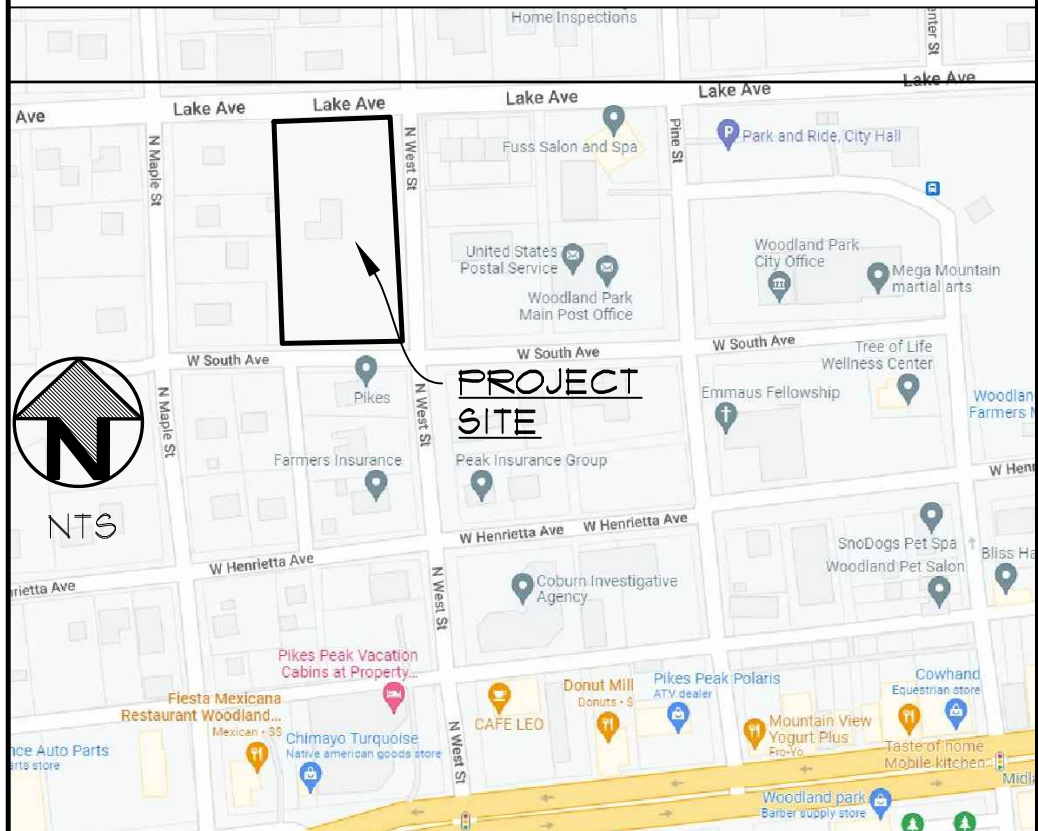
REGULATORY/REVIEW AGENCIES

REGIONAL BUILDING DEPARTMENT
2880 INTERNATIONAL CIRCLE
COLORADO SPRINGS, CO. 80910
719-327-2880

DRAWING INDEX

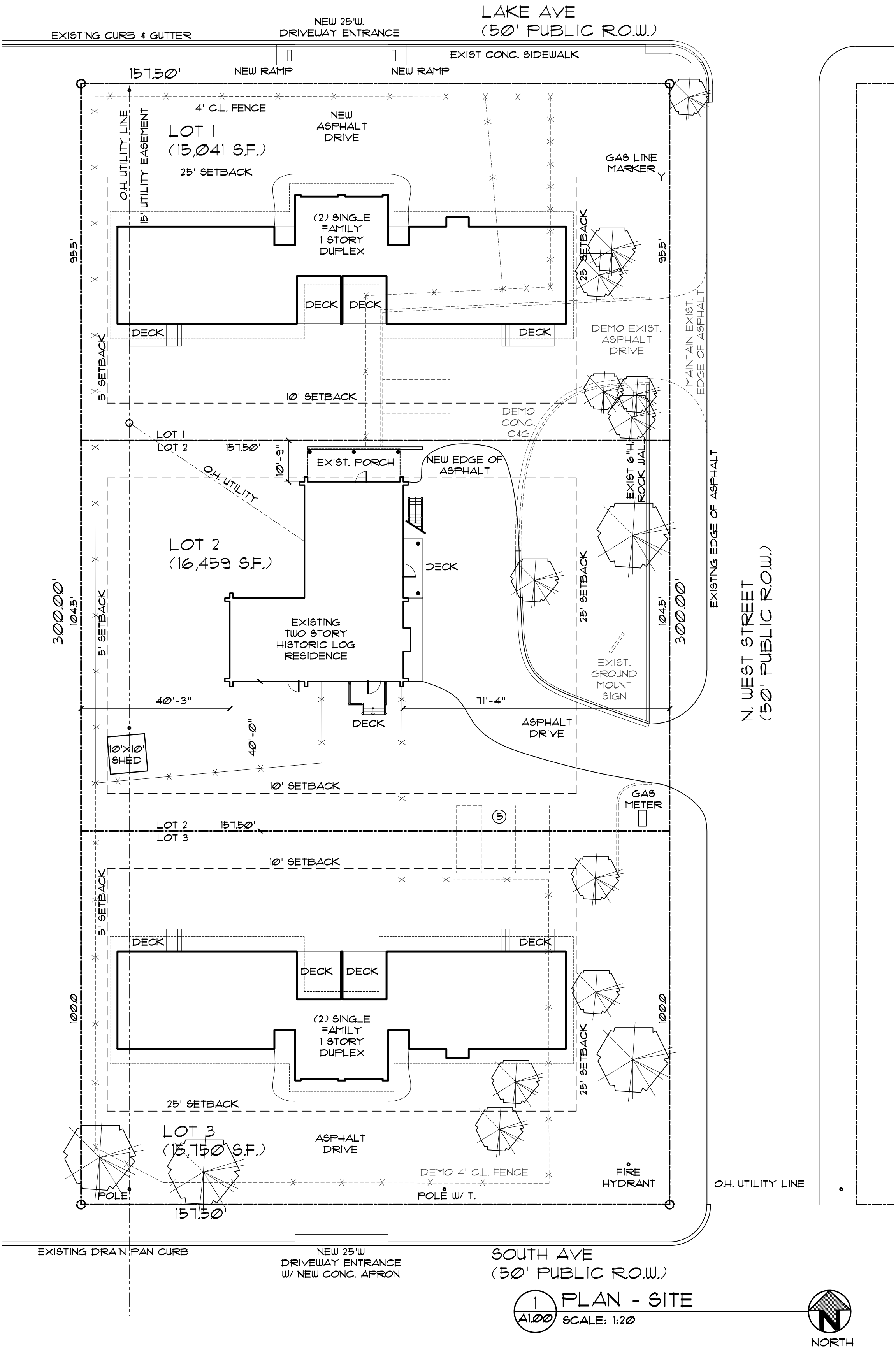
ARCHITECTURAL
A1.00 TITLE SHEET - SITE PLAN

VICINITY MAP



PARKING

EXISTING 2 STORY RESIDENCE
TWO PARKING STALLS REQUIRED
1 SINGLE FAMILY DUPLEX 1233SF. PER LOT
1 PARKING SPACE REQ'D FOR EA DWELLING UNIT PROPOSED.



PROJECT DATA

CONSTRUCTION TYPE

REVIEW UNDER THE: 2015 INTERNATIONAL BUILDING CODE
2015 INTERNATIONAL PLUMBING CODE
2015 INTERNATIONAL MECHANICAL CODE
2015 INTERNATIONAL ELECTRICAL CODE

TYPE OF CONSTRUCTION: V-B

SQUARE FOOTAGE: (2) 1233 SF. SINGLE FAMILY DUPLEX

FIRE SPRINKLERS: NOT REQUIRED

ZONING

R-3 OCCUPANCY, SINGLE FAMILY RESIDENCE

LEGAL DESCRIPTION:

LOTS 1, 2, AND 3, ELDORADO SUBDIVISION, COUNTY OF TELLER, STATE OF COLORADO.

EXISTING ZONING:

NC

PARCEL I.D. NUMBER:

6329241670040

SINGLE FAMILY DUPLEX

312 NORTH WEST STREET
WOODLAND PARK, COLORADO 80863

DRN. BY:
L. ROSS

REVISIONS:

NOT FOR
CONSTRUCTION
REVIEW ONLY
11/13/2023

ISSUE
DATE: 11-13-2023
SHEET:

A1.00

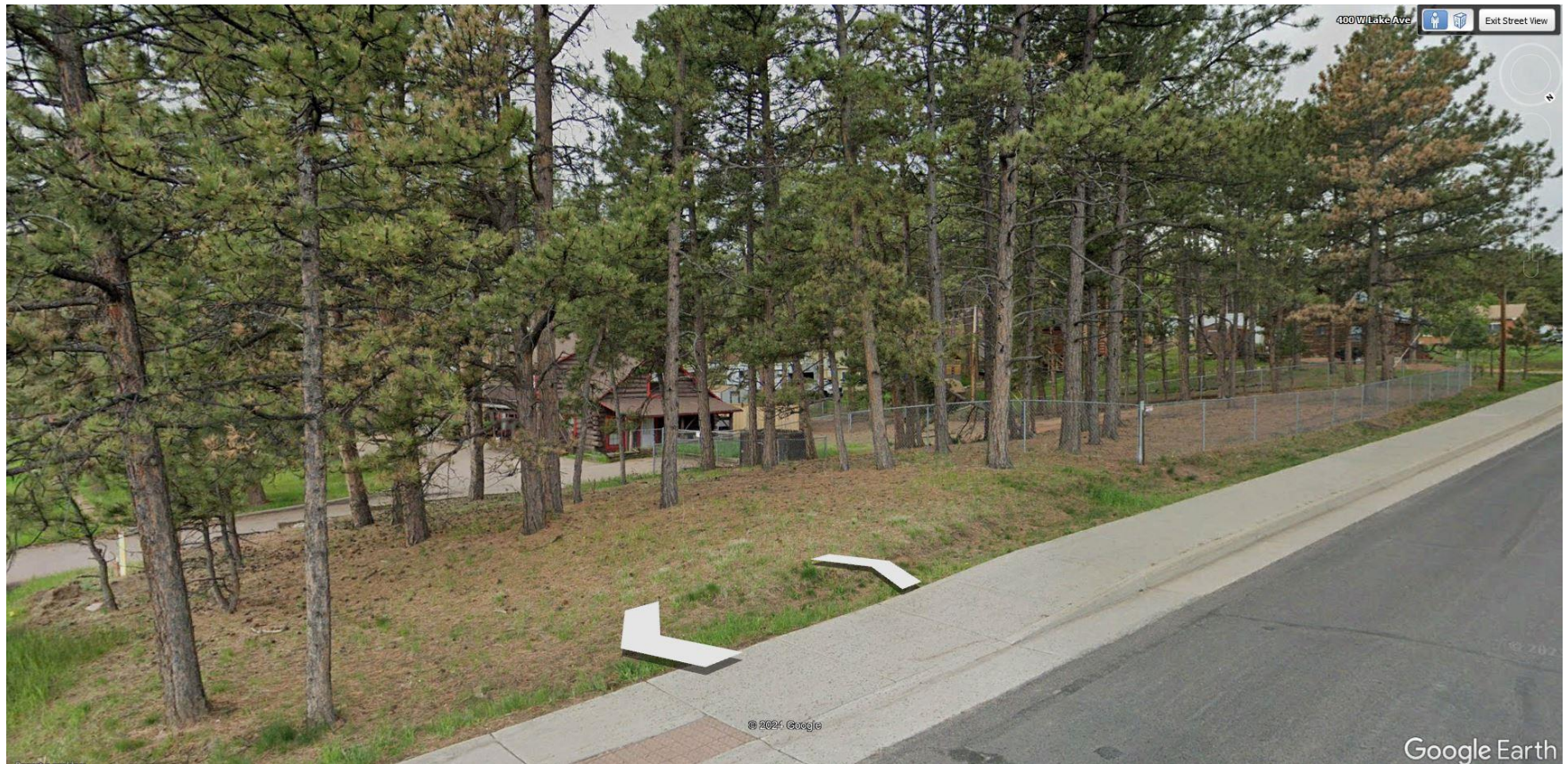
nelson ross
ARCHITECTS
1626 E. PIKES
PEAK AVENUE
COLORADO
SPRINGS, CO.
80909
719-632-3384
JPNARCH.COM

TITLE SHEET AND SITE PLAN

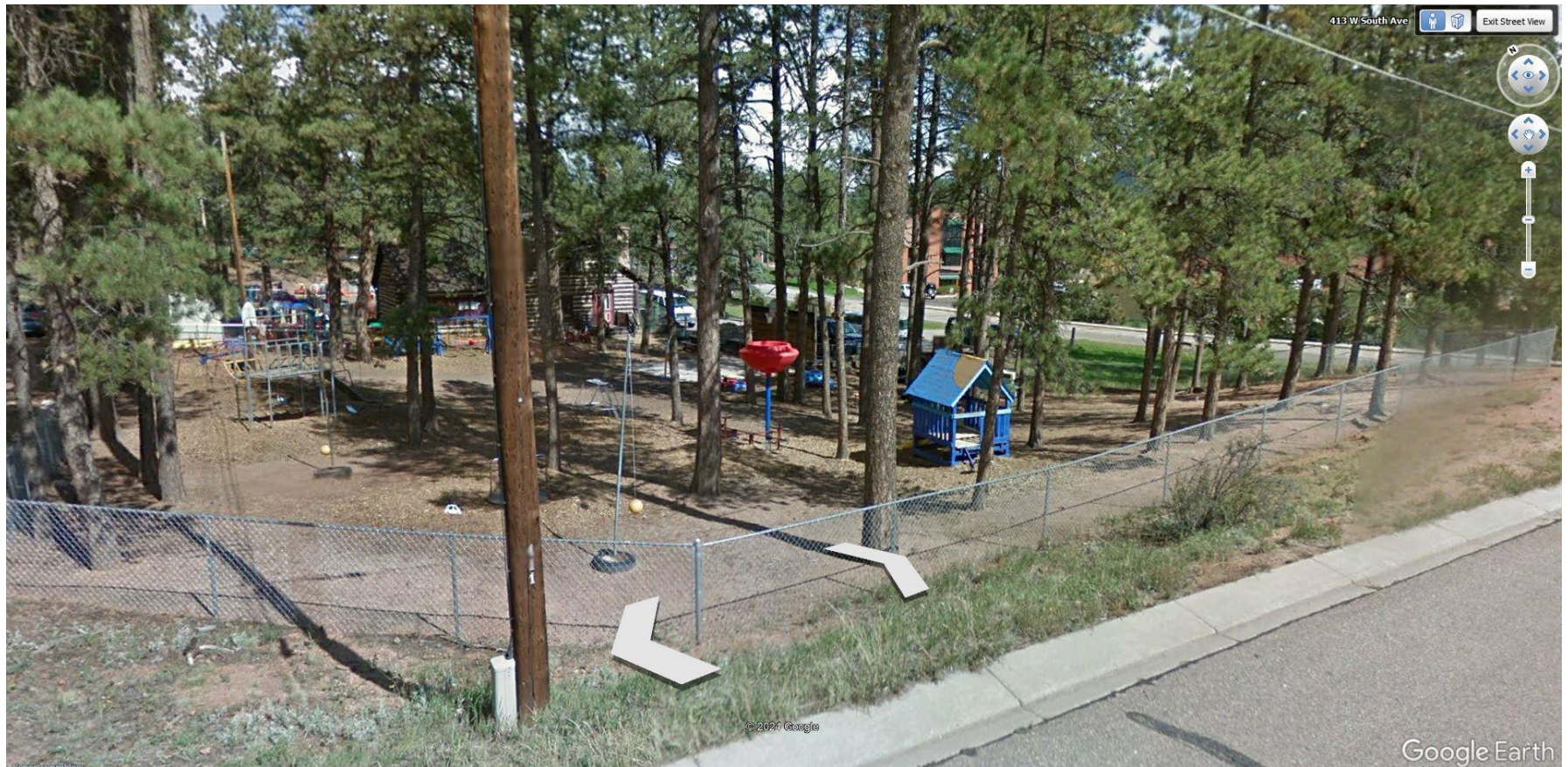
Lot 3 looking West



Lot 1 looking Southwest



Lot 3 looking Southwest



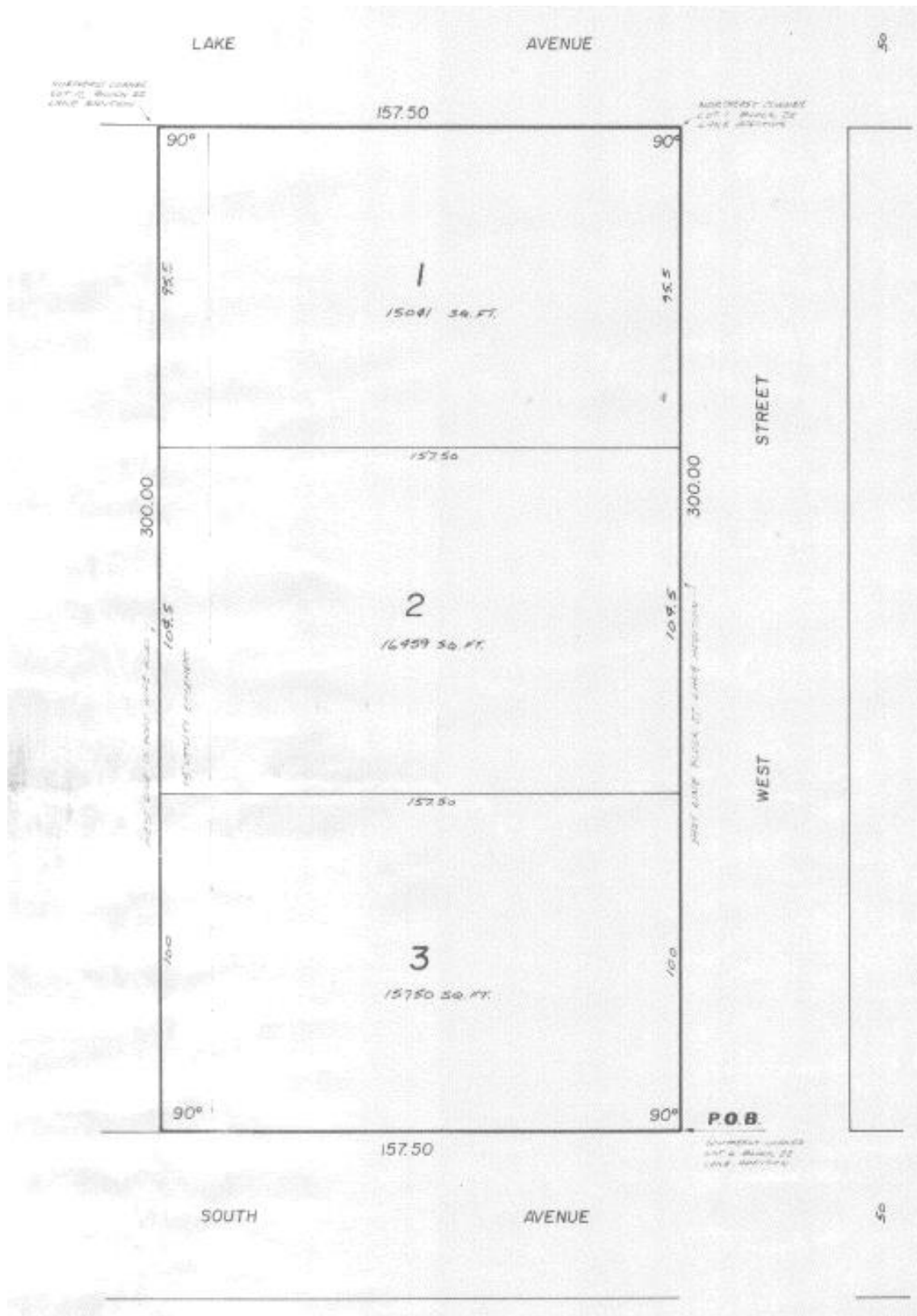
Lot 1 looking West



Lot 2 when it was a daycare



PLAT



CITY OF WOODLAND PARK

ORDINANCE NO. 1328, SERIES 2018

AN ORDINANCE ESTABLISHING LOCAL HISTORIC LANDMARK DESIGNATION OF THE EL DORADO CASINO (A.K.A. PRE-SCHOOL IN THE PINES) LOCATED AT 312 N. WEST STREET AS REQUESTED BY THE OWNER, OSBORN PROPERTY MANAGEMENT, LLP.

WHEREAS, pursuant §2.44.030 of the Woodland Park Municipal Code, the City Council has authority to designate local historic landmarks; and

WHEREAS, the preservation of the historic areas and buildings within the community is an important aspect of the heritage and culture of Woodland Park; and

WHEREAS, the owner, Osborn Property Management, LLC, Brian and Lisa Osborn, have voluntarily nominated their property at 312 N. West Street with a legal description of Lots 1-3, El Dorado Subdivision being a replat of Lots 1-6 and the adjacent 15 foot wide alley in Block 22, Lake Addition to the Town of Woodland Park for consideration of a Local Historic Landmark designation; and

WHEREAS, the Historic Preservation Committee held a public hearing on May 7, 2018 to confirm the local historic significance and integrity of the site and structure based on architectural integrity and significance as the largest and the most popular casino in the town from the 1930s to 1954; and

WHEREAS, the City Council City Council held a public hearing on June 7, 2018 and determine it to be in the best interest of the citizens of Woodland Park to designate the Preschool in the Pines as a local historic landmark.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, THAT:

Section 1. Due to historical significance of the El Dorado Casino (a.k.a. Preschool in the Pines), the City Council finds it to be in the best interest of the citizens to recognize the cultural and historic value of the subject property. The Preschool in the Pines building is significant for its rustic style. Character defining features include the buttressing effect at the corners, log construction, large stone fireplace, and small divided lite windows. This building was a part of the growing commerce found in Woodland Park in the 1930s. As the town grew, it was inevitable that gambling and drinking would come to the town. The founding members, having foreseen this day instituted policies to try to prevent large scale drinking establishments and casinos from opening. But by the 1930s most of these founding members had died, and many businessmen took the opportunity to open these types of businesses, which were located in different areas of town. The El Dorado sat just north of downtown within the residential neighborhood. This casino was owned by Bert Bergstrom who owned several businesses in

town which also included the Ute Inn (5TL3454) on Midland Avenue. This casino was the largest and the most popular in the town.

Section 2. Findings:

1. The Pre-school in the Pines building is more than 50 years old, having been built in 1932.
2. The property as described in this Staff Report and by the attached Architectural Inventory Form OAHF 1403, Resource Number 5TL.3453 is historically significant for its location on N. West St. for the growth of commerce in Woodland Park, and due to property and persons associated with its ownership.
3. Although the architectural integrity has changed substantially over time, it is still significant on a local level for its rustic style and character.

Section 3. The Preschool in the Pines, owned by Osborn Property Management, LLP located at 312 N. West Street is hereby granted Local Historic Landmark designation by the City Council of the City of Woodland Park.

Section 4. Should any article, section, clause, or provision of this Ordinance be declared by any Court to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSED BY CITY COUNCIL ON THE SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS 24 DAY OF June, 2018.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

21. General architectural description:

This building is a side gable rustic style log building with Portland cement daubing. The center portion has had a second floor added. The crowns of the logs are cut shorter as the wall rises, creating a buttress effect at the corners of the building.

Front (East) Elevation: The buildings appearance has changed with the addition to the center section. Originally the building appeared to be a long rectangular gable structure, but now appears to be a two-story square building with two gable wings. The center portion has a second floor balcony which creates a porch for the entrance below. All of the windows have been changed to bronze aluminum single hung windows with applied divider strips. On the left wing of the building, there is a large rubble stone fireplace. The porch is supported by log columns with vertical log railings on the balcony.

South Elevation:

This is the gable end of the building and adjacent is a log gable-L going in a westerly direction. This elevation is also log and has a small wood deck supported by round posts on concrete piers. The gable - L is an addition, but is believed to be an early addition. The building has the same characteristics with logs and daubing. There is a small wood deck with concrete filled stairs edged with railroad ties off of an exit door. The windows on the gable - L are a pair of 12 lite bronze aluminum slider windows.

West Elevation

This is the rear of the building and the log notching is different from the front of the building. The logs are flush ends. The gable - L has 2 slider windows with 6 lites each. The concrete footer extends past the face of the building. The west elevation of the two-story portion has a single 6 lite window on the second floor. Below two windows have been removed and logs have been cut to infill the previous opening.

North Elevation

The north elevation is identical to the south elevation. There is also a covered porch on this elevation with log posts. The buttressing effect seen at the corners of the original log cabin has been modified at this corner. The logs have been cut off.

22. Architectural style/building type: Rustic

23. Landscaping or special setting features:

The property is heavily treed with evergreens. The ground is primarily dirt and slopes toward the building on the north, west and south. The front of the building has a half round driveway with a large green space next to the street. The green space has a few evergreen trees and grass. The south, north and west portions of the property have a chain link fence.

Resource Number: 5TL.3462

Temporary Resource Number: 10

24. Associated buildings, features, or objects
None

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate: circa 1932
Source of Information:
"History of Woodland Park"

Actual:

26. Architect: Unknown
Source of Information:

27. Builder/Contractor: Unknown
Source of Information:

28. Original Owner: Bert Bergstrom
Source of Information:

"History of Woodland Park"

29. Construction history (include description and dates of major additions, alterations or demolitions):

1932 Building was constructed.

Unknown Gable - L was built.

February 1973 A building permit was issued presumeably to construct the second story addition and modernize the building with new windows and doors and interior modifications and removal of the porte cochere.

See Field 21 for more information.

30. Original location: Yes Moved: Date of move(s)

V. HISTORICAL ASSOCIATIONS

31. Original use(s): Commerce/Trade/Business/Casino

32. Intermediate use(s): Domestic/Single Dwelling

33. Current use(s): Commerce/Trade/Professional

34. Site type(s): Casino, Day Care Facility

Resource Number: 5TL.3462

Temporary Resource Number: 10

35. Historical Background:

1932 Bert Bergstrom built the El Dorado Casino on the site
1973 William and Glendena Abbott purchased building and property
1981 William and Amy Brown purchased property.

This building was built by Bert Bergstrom as a casino (The El Dorado) in 1932. The El Dorado was one of many casinos in the town, but this was one of the largest and the most popular. Other casinos were the Ouray Inn (Brazenhead) with the old library (5TL.3467) behind as the casino; and the Thunderhead Ranch which is located on Rampart Range Road. The business was run by Bergstrom with the assistance of Loren Chamberlain and Harley Inman (rumors associated them with organized crime).

Bergstrom sold the property in 1973 to William and Glendena Abbott. The photos from this time period appear to show the house as a residence and it is believed to have been a residence until the early 1990s (circa 1992) when the building was turned into a day care facility.

Bert Bergstrom was born in Sweden and came to the United States at age 17 and resided in San Francisco, California. He moved to Cripple Creek and opened a bar in 1934 until around 1946 when he moved to Woodland Park and purchased the Ute Inn. Bert's first wife died, leaving him with three young children and married Clara in 1950. Clara was originally from Kansas.

Bert was a colorful character and was involved in many of the gambling establishments in the town (along with this one he owned the Thunderhead Ranch). His bar the Ute Inn (5TL3454) had slot machines lining the walls, and he purchased the first liquor license in Woodland Park after prohibition. In 1954, the "Feds" raided Bergstrom's establishments and arrested him and confiscated many of his slot machines. In one instance, after the machines had been confiscated and were being transported to the County Jail, they disappeared never to be seen again. His business, the Ute Inn, was also seized to enforce a tax lien. According to the lien, Bergstrom owed \$35,989.47 in back taxes for 1946, 1947, and 1949. He also owed \$3,768.87 in special penalties. Bergstrom paid the lien and fines and reopened the Ute Inn in one and half days.

Bert also made considerable contributions to the town. He bought the land on the South side of Midland Avenue and donated the land to the Saddle Club. He also donated land to the adjacent Catholic Church for a parking lot. He was a Santa Claus for many years and was a member of the Santa Claus Club. He was also the Grand Marshall of the yearly Rodeo Parade for 26 years. An article in the Ute Pass Courier April 5, 1984 honored the Bergstroms. At the time Bert said, "I'm going to rest." He had enjoyed being a part of the town's growth. From that time on he was just going to watch, but, "it will keep growing," he prophesied. Bert died in 1986 at age 89.

36. Source of Information:

"History of Woodland Park". Author Unknown. "Ute Pass, A Quick History", Jan Petit. 1979.

"Woodland Park Township Minutes 1890 - 1967. Teller County Assessors Records. Teller County Clerk and Records Records, United States Census, Woodland Park Cemetery Records

VI. SIGNIFICANCE

37. Local landmark designation: No

Designating Authority:

Date of designation:

4 of 8

Resource Number: 5TL.3462

Temporary Resource Number: 10

38. Applicable National Register Criteria:

- X A. Associated with events that have made a significant contribution to the broad pattern of our history
 - B. Associated with the lives of persons significant in our past;
 - X C. Embodies the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - D. Has yielded, or may be likely to yield, information important in history or prehistory;
- Qualifies under Criteria Considerations A through G (see Manual)
Does not meet any of the above National Register Criteria

38a. Applicable local landmark designation criteria

- X 1. The structure is at least 50 years old;
- X 2a. Historically significant through its architectural design.
- X 2b. Associated with historical event, period or person.
- 2c. Historically significant through its physical impact and location within the City of Woodland Park.
- 2d. Potential to provide important information concerning the history of Woodland Park.
- X 3. Sufficient original or accurately restored material that maintains its original historical character.

39. Area(s) of significance: Architecture

Commerce

40. Period of significance: 1932, 1932 - 1956

41. Level of significance: Local

42. Statement of Significance:

Architecture: The building is significant for its rustic style. Character defining features include the buttressing effect at the corners, log construction, large stone fireplace, and small divided lite windows.

Commerce: This building is a part of the growing commerce found in Woodland Park in the 1930s. As the town grew, it was inevitable that gambling and drinking would come to the town. The founding members, having foreseen this day instituted policies to try to prevent large scale drinking establishments and casinos from opening. But by the 1930s most of these founding members had died, and many businessmen took the opportunity to open these types of businesses, which were located in different areas of town. The El Dorado sat just north of downtown within the residential neighborhood. This casino was owned by Bert Bergstrom who owned several businesses in town which also included the Ute Inn (5TL3454) on Midland Avenue. This casino was the largest and the most popular in the town.

43. Assessment of historic physical integrity related to significance:

The building's level of integrity, relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society (setting, location, design, materials, workmanship, feeling and association) has been significantly diminished due to the many additions on the building, especially the addition of the second floor and the removal of the historic windows and doors. The workmanship, design, feeling and materials have been changed extensively through the years. The building no longer has sufficient integrity to convey its significance on a National, State or Local Level.

Resource Number: 5TL3462

Temporary Resource Number: 10

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment: Not Eligible

44a. Local landmark eligibility field assessment Not Eligible

45. Is there National Register district potential? N/A

Discuss:

Due to the selective nature of this survey, it is difficult to determine historic district potential. Additional selective surveys should be completed to determine district potential and district boundaries. Based on a windshield surveys, it appears that the greatest potential for a historic district is the residential area to the north of Highway 24. Highway 67 marks the western boundary and Rampart Range Road is the eastern boundary. More survey work should be conducted in this area.

If there is National Register district potential, is this building: N/A

45a. Local District Eligibility: N/A

There are no district criteria in the City of Woodland Park Landmark Designation Resolution. If there were criteria in the resolution, this area would potentially be eligible for a local district designation.

46. If the building is in existing National Register district, is it: N/A

VII RECORDING INFORMATION

47. Photograph numbers: 5TL3462_1 - 5TL3462_7

Negatives filed at: The photos for this project were done with a digital camera. No negatives exist. Digital photos located at City of Woodland Park and Colorado Historical Society

48. Report title: Historic Survey of Woodland Park - January 2007

49. Date(s): August 2006

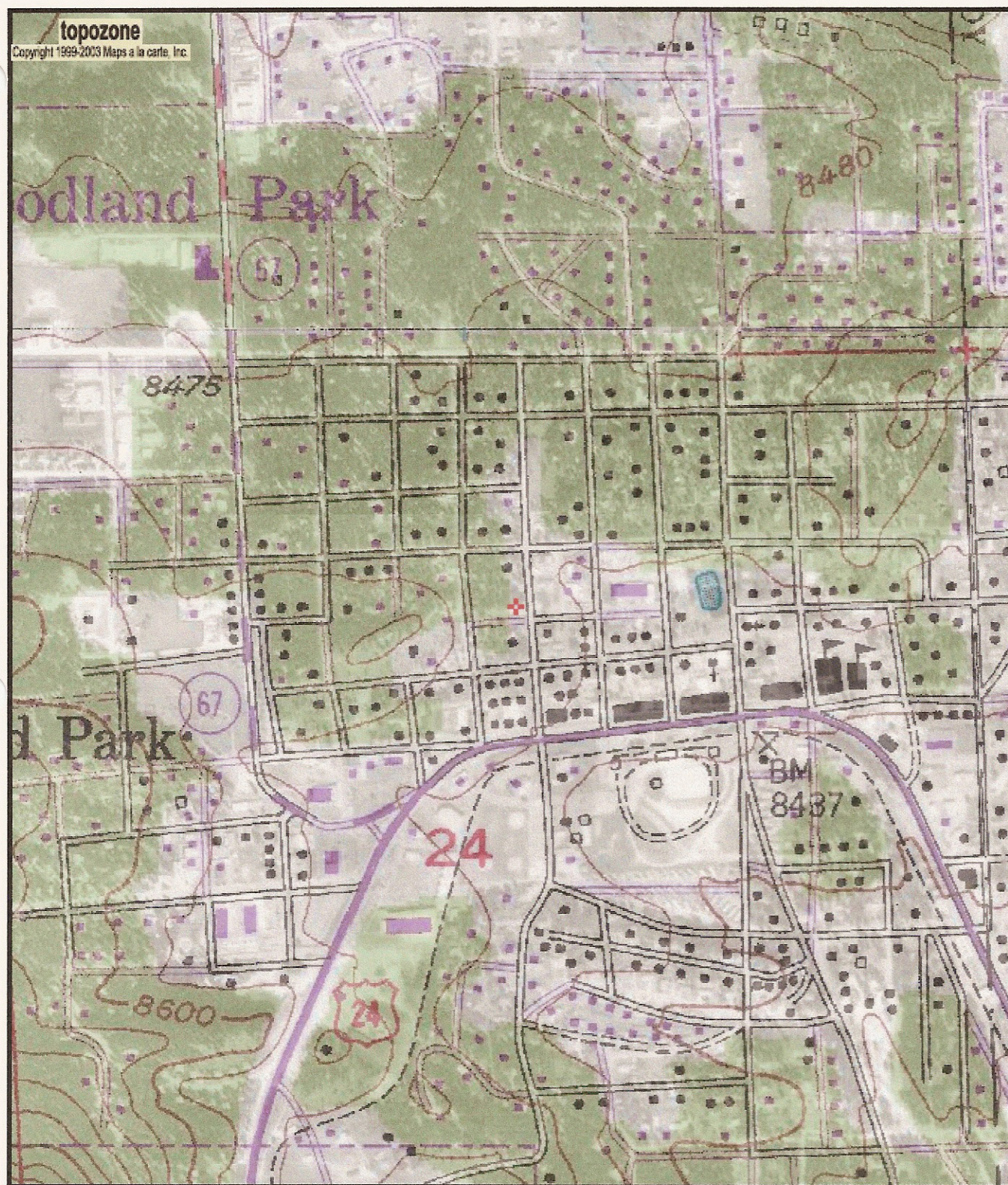
50. Recorder(s): Barbara Darden, R. A.

51. Organization: Scheuber + Darden Architects, LLC

52. Address: 10800 E. Bethany Drive, Suite 380, Aurora, CO 80014

53. Phone Number: (303)755-7395

Note: Attach a sketch map, a photocopy of the USGS quad. map indicating resource location, and photographs.



0 0.1 0.2 0.3 0.4 0.5 km
0 0.09 0.18 0.27 0.36 0.45 mi

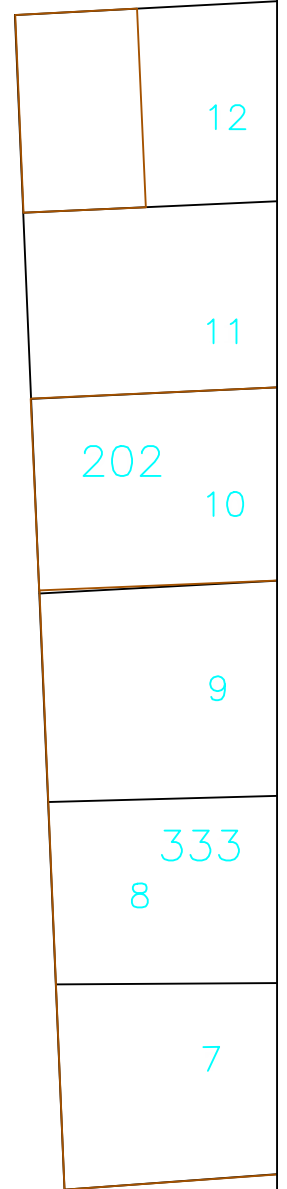
Map center is UTM 13 495076E 4316129N (NAD27)
Woodland Park quadrangle - Elevation 8,499.8 ft / 2,590.6 m (USGS NED)
 Projection is UTM Zone 13 NAD83 Datum

*M
G
M=9.953
G=-0.036

WEST LAKE AVENUE



NORTH WEST STREET



WEST SOUTH AVENUE



212 NORTH WEST STREET



Front Elevation - Assessors Records - Circa 1960s



Front Elevation - City of Woodland Park - Circa 1970s



Front Elevation - Assessors Records - Circa 1990s



STAFF REPORT

TO: Mayor Case and City Council

FROM:

DATE: June 6, 2024

SUBJECT: Approval of Symphony Above the Clouds Special Event Liquor License for Memorial Park on July 4, 2024. (QJ)
(Presenter Deputy City Manager City Clerk Leclercq)

BACKGROUND: CITY OF WOODLAND PARK Liquor License Summary

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Drivers License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give Council and citizens the public content of the issue at hand.

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Type of Action Requested: Grant a Special Event Liquor License for the 2024 Symphony Above the Clouds.

Applicant: Barbara Asbury with Ute Pass Symphony Guild dba Symphony Above the Clouds 2024.

Application details:

- Applicant is Barbara Asbury on behalf of the Ute Pass Symphony Guild.
- The Organization is a non-profit organization with a current Colorado Sales Tax number.

Event Details:

- 2024 Symphony Above the Clouds will be held at the Memorial Park on Thursday, July 4, 2024 from 3:00 pm – 9:00 pm.

Factual Findings:

- The application was submitted on May 3, 2024.

- Subject property was posted on May 24, 2024 as required by law.
- Character of the applicant is not an issue for this hearing.

Circumstances of Events:

In years past, Symphony Above the Clouds was an event that took place on the Woodland Park Middle School grounds, and no Special Event Liquor License was ever requested. This year, Symphony Above the Clouds will be held at Memorial Park on July 4th. This change of location has given Symphony Above the Clouds the opportunity to apply for a Special Event Liquor License.

Recommended Action:

Grant a Special Event Liquor License for the 2024 Symphony Above the Clouds.

RECOMMENDATION:

ATTACHMENTS: None