



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.

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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 blue-line 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 6th DAY OF June, 2024



Kellie Case, Mayor