WOODLAND PARK CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
MEETING MINUTES
July 20, 2017 – 7:00 P.M.

1. CALL TO ORDER AND ROLL CALL: Mayor Levy called the meeting to order at 7:00 P.M. with the following members of Council present: Mayor Pro-tem Harvey, Val Carr, Ken Matthews, Paul Saunier, John Schafer and Noel Sawyer.

2. PLEDGE OF ALLEGIANCE: Mayor Levy led the audience in the Pledge of Allegiance. The following Staff Members were also in attendance for this meeting:

City Manager David Buttery
Planning Director Sally Riley
Finance Director Mike Farina
Utilities Director Kip Wiley
Deputy City Clerk Chrissy Stapleford
Police Chief Miles DeYoung
Special Projects Jane Mannon

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Walk to End Alzheimer's presentation. Charlotte Long from the Alzheimers Association gave a presentation to the Council on Alzheimer's. Ms. Long shared statistics with the Council and invited the Council and audience to participate in the Walk to End Alzheimers which is being held on Saturday, September 16 at 9:30 AM in America the Beautiful Park.

B. Appointment to the Keep Woodland Park Beautiful Committee. City Clerk Leclercq reviewed with the Council that there are currently 3 openings on this Committee. Leclercq noted that the Clerk's Office had received an application from Jody Larreau. Leclercq noted that Larreau was not in the audience this evening but if Council appointed her she could be sworn in at a later date.

MOTION: To appoint Jody Larreau to the Keep Woodland Park Beautiful Committee. Matthews/Saunier. 7-0. Motion carried.

C. Vino and Notes Presentation. Ben Caperton shared with the Council that this is the 10th year of Vino and Notes. He invited the Council and audience to attend Vino and Notes on August 5, 2017.

D. Barbara Berger from Friends of Mueller State Park spoke of the upcoming art show that Mueller State Park would be having. Berger spoke about the many visitors the park has and invited the Council and Audience to attend this event. This event is taking place on July 28, 2017 at 6 PM.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR

A. Approve minutes of July 6, 2017 Regular Meeting. ***(A)***

B. Approve June 2017 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof. ***(A)***

MOTION: To approve Consent Calendar as presented. Councilmember Matthews abstained from the vote of the minutes because he was absent from the last Council meeting. Schafer/Sawyer. 6-0.Motion carried.

6. UNFINISHED BUSINESS

A. None

7. ORDINANCES ON INITIAL POSTING:

A. Consider Ordinance No. 1310 on initial posting an Ordinance granting a franchise to TDS Broadband Service LLC, A Delaware Limited Liability Company to construct, operate, and maintain a cable television system in the City of Woodland Park, Colorado setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system; and prescribing penalties for the violation of its provision and set the Public Hearing for August 3, 2017. ***(A)***

City Attorney Erin Smith introduced this ordinance on initial posting. Smith noted that the City's franchise agreement with TDS Broadband Service, LLC is set to expire on September 7. Smith noted that the Charter requires a cable franchise to be granted by ordinance. Smith noted that this is an initial posting and that she could answer questions regarding the process but if the Council had any technical questions that the representatives from Baja would be at the Public Hearing to answer those questions.

MOTION: Consider Ordinance No. 1310 on initial posting an Ordinance granting a franchise to TDS Broadband Service LLC, A Delaware Limited Liability Company to construct, operate, and maintain a cable television system in the City of Woodland Park, Colorado setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system; and prescribing penalties for the violation of its provision and set the Public Hearing for August 3, 2017. Matthews/Sawyer. 7-0. Motion carried.

8. PUBLIC HEARINGS:

Mayor Levy read the QJ advisement into the record.

A. Consider a request by Mark Rabaut Purple Mountain Hospitality LLC. (Property Owner and Applicant) to approve the Planned Unit Development (PUD) dimensional standards (i.e. maximum building height and site coverage and minimum setbacks and lot frontage) to develop a 62-room lodging facility (Microtel Inn & Suites by Wyndham) on a 2.04-acres located at 723 West US Highway 24, Woodland Park, CO within the Tamarac Center PUD Zone District. ***(QJ)***

B. Consider a request by Mark Rabaut, Purple Mountain Hospitality LLC (Property Owner and Applicant) for approval of a 4.631-acre subdivision known as the Tamarac Center Filing No. 3 to replat Lot 1, County Inn at Tamarac Center Filing No. 1 and to create a new lot for the Microtel project located in NE ¼ of the SW ¼ of Section 24 T12S., R69W of the 6th PM, City of Woodland Park, CO within the Tamarac Center PUD Zone District. ***(QJ)***

Councilmember Sawyer recused himself from this hearing.

Planning Director Riley noted that she would be discussing both item 8 A. and 8 B. together. Riley noted that her Staff Report was for both items.

Riley began her review of the Staff Report noting that the applicant was Mark Rabaut, Purple Mountain Hospitality, LLC. Riley shared that the request of the applicant is the proposed development of a 62-room lodging facility on 2.04 acres in the Tamarac Center Planned Unit Development (PUD). The process includes a Site Plan Review, finalization of the dimensional standards, and record Tamarac Center Filing No. 3 Final Plat. Riley noted that the common property boundary between Lots 1 and 2, Tamarac Center Filing No. 3 is adjusted to provide a slightly larger site for the Microtel, which is the reason that the new Final Plat includes the replat of Lot 1, Country Inn at Tamarac Center.

Riley noted that the PUD Amendment was approved and finalized by the Planning Commission on July 7, 2017. Riley shared the background on this project noting that the property was previously zoned PUD on September 30, 1993. The original PUD plan showed development of an office building that was 10,000 square feet, 2 stories, 30 feet in height, with 41 parking spaces and a detention pond. Building D and office/commercial building on the site. Riley noted that the new site plan contained a 3 story building, 45 feet in height, 28,521 square feet, 71 spaces with utilities and underground detention.

Riley reviewed a map of the site and the schematic landscape plan noting that it contained 63.5% landscape and open space. Riley shared the architectural design and elevations, the preliminary plat, the final plat with Lot 1 re-platted and Lot 2 containing the Microtel and photos of the current site.

Riley noted that the Microtel's primary access to the motel's main entrance is off of Country Drive on the southwest corner of the site. A one-way driving lane loops around the north side of the building and provides a secondary exit to Country Drive at the northwest corner of the site. Country Drive intersects with Highway 24 and Lafayette Avenue providing a full-movement intersection.

Riley noted that a Traffic Impact Study was prepared. The Traffic Impact Study states that the Microtel is projected to generate about 458 trips on the average weekday, with about half entering and half exiting the site during a 24 hour period. CDOT reviewed Traffic Study and a letter of acceptance was received April 17, 2017 by CDOT.

Riley noted that according the Woodland Park Utilities Department the Microtel can be serviced by the City's water and sewer system. Riley noted that the proposed drainage facilities are adequate to convey, detain, and outfall run-off at historic rates from this site.

Riley noted that a total of 71 parking spaces are provided, which is greater than the required 66 spaces. Riley noted that since there are five spaces above the required number, these parking spaces may be used as snow storage.

Riley noted that the PUD amendment conforms to the City's 2010 Comprehensive Plan.

Riley noted that the PUD is in compliance with Chapter 18.30 of the building code 18.30.080 Subsection B6 use, bulk and location of principal and accessory building proposed in the following manner:

- 3 story Microtel with max height of 45'
- Building dimensions approximately 175' x 66' (9,507 SF footprint)
- Building location is 25' from Country Drive and 122' from residential property boundary
- 36.5% site cover (32,453 SF of the 88,750 SF lot area)

Riley noted that the PUD is in compliance with the code. Final Plat 17.24 and Design Standards 17.40.

- Drawn by PLS and reviewed for criteria
- Well-designed 2-lot subdivision of 4.631 AC with adequate access, services and easements
- Suitable for development with recent fill/grading with adequate services adjacent and ZDP/construction drawings for grading, erosion, drainage, utility, landscaping and lighting
- Adequate frontage on Country Drive
- Adequate easements for all services with conditions to expand and owner responsibility for awning and retaining wall encroachments
- New lot is buildable
- Not applicable for development although 36.5% site coverage

Riley noted that notice of the Planning Commission and City Council hearings were sent to property owners, to adjacent property owners within 150 feet of the site, and to the appropriate agencies at least 10 days prior to the Planning Commission and City Council hearings and posted on the lot at least ten day prior to the hearings. The applicant also hosted an informal neighborhood meeting on June 13, 2017 to which approximately 20 people attended. Riley included written public comment in her staff report.

The plat, site plan and associated plans/reports were referred to various City departments and agencies. The Fire District has recommended disapproval based upon DDA TIF reimbursement agreement and the buildings height exceeding 35'.

The Planning Commission voted 8-0 to recommend approval of the dimensional standards and Final Plat as presented on July 7, 2017 public hearing.

Following Council discussion regarding, height, lighting and parking spaces Mayor Levy opened the Public Comment portion of the Public Hearing. Carl Anderson approached the podium and noted that he doesn't believe that it is an unreasonable concern this will have an impact on emergency services.

At this time Mark Rabaut and Tom Cave approached the podium to answer questions. Councilmember Carr asked for the applicant to reconsider only having 3 handicap spots for parking and to please consider bumping it up to 5 spots. Mr. Cave noted that he could agree to make 4 handcap parking spots. Mayor Levy stated that he would like to encourage the applicant to please give consideration to our local contractors when hiring. The applicant stated that that was a given.

There being no further questions Mayor Levy closed the Public Comment portion of the Public Hearing.

Mayor Pro-tem Harvey stated that she would like to make the motion and wanted her comment to go on the record. Harvey stated that they are making the decision and that the decision cannot deviate from the criteria met. Harvey noted that she had some concerns regarding the project and that unlike the carwash the DDA had approved a TIF for there were more souls for the first responders with a hotel. Harvey wanted to go on the record asking the DDA to consider some percentage of the TIF go to the first responders.

Mayor Levy made the comment that he was surprised NETCO was not present this evening.

MOTION: Consider a request by Mark Rabaut Purple Mountain Hospitality LLC. (Property Owner and Applicant) to approve the Planned Unit Development (PUD) dimensional standards (i.e. maximum building height and site coverage and minimum setbacks and lot frontage) to develop a 62-room lodging facility (Microtel Inn & Suites by Wyndham) on a 2.04-acres located at 723 West US Highway 24, Woodland Park, CO within the Tamarac Center PUD Zone District. Harvey/Matthews. 6-0. Motion carried.

MOTION: Consider a request by Mark Rabaut, Purple Mountain Hospitality LLC (Property Owner and Applicant) for approval of a 4.631-acre subdivision known as the Tamarac Center Filing No. 3 to replat Lot 1, County Inn at Tamarac Center Filing No. 1 and to create a new lot for the Microtel project located in NE ¼ of the SW ¼ of Section 24 T12S., R69W of the 6th PM, City of Woodland Park, CO within the Tamarac Center PUD Zone District. Matthews/Saunier. 6-0. Motion carried.

Councilmember Sawyer returned to the Council Meeting.

With the time being 8:12 PM Mayor Levy asked for a short recess. The Council Meeting reconvened at 8:19 PM.

C. Consider Ordinance No. 1309 for approval of the rezoning of a 10-acre parcel (Aspendell property) from Suburban Residential (SR) District to Urban Residential (UR) District for the purpose of increasing density from 10 to 20 single family residential units located in a portion of NE1/4 of the SE1/4 of Section 14, T12S, Spruce Ridge Properties, LLC (Property Owner and Applicant). ***(QJ)***

Mayor Levy opened the public hearing. City Attorney Smith provided Council with a legal overview for considering a rezoning request. Smith advised that Section 15.7 of the Municipal Charter requires Council to either zone the property as requested or deny the requested rezoning; Council is not authorized to approve the rezoning with conditions. Smith further advised that the Charter requires that the reasons for such denial be set out. Smith then directed the Council to the approval criteria for a rezoning request contained in the Staff Report at pages 4-7. Approval could be based on the Staff analysis and denial must be based on the criteria in the Staff Report at pages 4-7.

Smith then noted that the record contained several letters sent via email to the Mayor and Councilmembers. Smith gave an overview of the law in Colorado regarding ex parte contacts and advised that e-mails related to applications already submitted to the City may constitute an ex parte communication. Under Colorado law, the Council is prohibited from engaging in ex parte communications. Instead of reading such email, the recommended response is to send the email to the City Clerk and advise the sender that as a Councilmember, you must refrain from reading the email (and its attachments). Smith then polled each Councilmember to see if he or she had engaged in any ex parte communications regarding the rezoning request, to which the Mayor and each Councilmember responded "no". Councilmember Sawyer stated that the applicant is his neighbor but that fact would not affect his decision and that he would be deciding on the application solely based on the evidence to come before Council in the public hearing.

City Planner Riley began her presentation of the Staff Report noting that this is Ordinance No. 1309 which is an ordinance for a 10 acre parcel currently zoned Suburban Residential (SR) request to change to Urban Residential (UR).

Riley noted that the subject property is located in a portion of NE1/4 of the SE1/4 of Section 14, T12S, R69W of the 6th P.M., City of Woodland Park, Colorado and generally situated south and west of Stone Ridge Village, and north and east of Northwoods subdivision. Mr. Steve Randolph is the Manager and owner of Spruce Ridge Properties, LLC, and is the applicant.

Riley noted that the process followed included:

- Neighborhood Meeting held on June 6, 2017
- Planning Commission Public Hearing on June 8, 2017
- City Council 1st reading of Ordinance on July 6, 2017
- And tonight's Public Hearing July 20, 2017.

Riley gave the following background. This 10 acre tract was annexed into the City on August 6, 1981 with the approval of Ordinance No. 218. City Council approved Ordinance No. 239, a few months later to change the zoning of the property from Teller County A-1 to Woodland Park A-1 as requested by Thomas Rosenhahn. Mr. Steve Randolph purchased the property in 2002. After owning the 10 acres for 15 years Mr. Randolph is now requesting a zoning change to Urban Residential (UR) which allows for a density to two dwellings per gross acre. Riley shared topography maps of the subject property and surrounding areas with the Council. Riley also shared photographs of the area in question and the surrounding areas.

Riley shared that a Suburban Residential Density equals 1 dwelling unit per gross acre with a minimum of a 15,000 square foot lot size. Riley also noted that an Urban Residential density equal to two dwelling units per gross acre with a minimum of 7,500 square foot lot size. The dimensional standards of SR and UR zones are the same:

- Height: 30 feet
- Setbacks: 25 feet on the front and rear and 8 feet on the sides,
- Frontage is 40 feet
- 2 parking spaces on site for each unit
- Open space minimum of 40%

Riley presented the Staff's Analysis of the approval criteria as applied to the rezoning request and Staff's conclusions aided by a PowerPoint presentation:

- *Is the proposed zoning consistent with the Comprehensive Plan Map*? Yes, Residential
- *Is the proposed zoning consistent with the Comprehensive Plan Goals and Objectives*? Yes.
    - Land Use and Growth Goal #1 of the plan is to provide opportunities for growth and development while preserving community and environmental quality. This reduces sprawl and provides for a more efficient use of infrastructure and preserves open space and natural features of the site is afforded with the potential of smaller lots sizes, yet maintaining compatibility with surrounding lot sizes.
    - Housing Goal #1 is to provide a balanced and diverse housing supply that is well-designed, well maintained, available and accessible to all citizens throughout the entire community. A more balanced and diverse supply of housing can be provided with the UR Zone District and the possibility of roadway connections could benefit the surrounding neighborhoods.
    - Economic Development Objective # 1.6 is to increase desirability of Woodland Park as a place to live and work by providing diverse housing options, expanded educational opportunities and additional community amenities. This meets this objective allowing for a higher density on this 10 acre tract and can provide for more housing options to future residents in Woodland Park as an in-fill development and more units to contribute to the tax base.
- *What has changed in the surrounding properties that warrant a change in zoning classification?*
    - In the 1980's Northwoods Subdivision developed with minimum 15,000 Square Foot lots (2.9 units per acres gross density) (R-1 zone)
    - US Forest Service known as Speilman Tract to the North and east.
    - In 1997 Northwoods and Aspendell were zoned SR with 15,000 SF minimum lot size
    - In 1997, Stone Ridge Village was vacant land located outside the City limits.
    - In 2004, the Stone Ridge Village annexed and PUD approved with a gross density of two units per acre.
    - In 2006, filing No. 1 was platted with an average lot size of 18,200 square feet adjacent to Aspendell this time, Riley shared an exhibit showing an analysis of existing densities surrounding the Aspendell site. The analysis showed that these surrounding 10 acre segments range from 20 lots to 27 lots with 14% to 20% of the 10 acres used for road right-of-way. Riley noted that since the SR zone was established in 1997 for the Aspendell tract, the approval and subsequent development of Stone Ridge Village PUD is a significant change in the neighborhood that supports a density increase for the Aspendell parcel.
    - Riley noted at a density of 1 dwelling unit per gross acre is dissimilar to the surrounding densities and parcel sizes
    - SR zone encourages urban sprawl
    - UR zone with 2 DU's is more compatible
    - May develop more compact lots and reduces the infrastructure needs
    - UR zone avoids urban sprawl
- *Describe the appropriateness of UR District at this location?*
    - Promotes the public safety, health and general welfare
    - Considered an in-fill tract between two subdivisions

- Use of existing infrastructure surrounding parcel and more efficient use of infrastructure with UR density
    - In proximity to City parks, schools, churches, emergency services and transportation corridors
    - Very developable parcel due to parcel's terrain, access from two points and proximity to services
    - Provides an orderly development progression
    - Reduces urban sprawl
- *Ability to serve the maximum density with planned water resources?*
    - The UR Zone district adds 10 units to the build-out scenario of the City
    - The 2016 Vacant Lot and Land Use Study forecasts 13,003 population at build-out versus the planned target of 12,600.
    - 10 additional units can be supported since City currently has the water to serve the Aspendell development today
    - Long term is difficult to predict if the City will utilize the planned water resources prior to the build-out; many variables
    - Final plat (future) and language in ordinance No. 1309 does not guarantee that water taps will be available for any specific property at any future date
- *Ability to serve the maximum density with wastewater treatment capacity?*
    - The UR Zone District adds 10 units to the build-out scenario of the City
    - The 2016 Vacant Lot and Land Use Study forecast 13,003 population at build-out versus the planned target of 12,600
    - 10 additional units can be supported since City currently has the water to serve the Aspendell development today
    - Long term is difficult to predict if the City will utilize the planned water resources prior to the build-out; many variables
    - Final plat and language in Ordinance No. 1309 does not guarantee that water taps will be available for any specific property at any future date
- *Ability to serve the maximum density with wastewater treatment capacity?*
    - Treatment plant expansion under construction with completion by July 2018
    - Expansion designed to provide for a service population of 14,100
    - Wastewater treatment capacity to serve the proposed zoning change is available now and will be in the future

Riley shared with the Council the process of future development which would include:

- City's development standards will be applied at the time of the subdivision
- Next step is a preliminary plat and final plat of the new subdivision
- Roads, drainage, and utilities are designed at the preliminary plat stage
- Each single family dwelling is reviewed via site plan and building plans
- Home construction includes siting, grading, lot drainage, landscaping, tree preservation, lighting, parking, architectural design and other lot design considerations

Following her presentation Riley noted that the Planning Commission recommended approval of Ordinance No. 1309.

At this time Mayor Levy invited the applicant Steve Randolph to the podium for the Council to ask him questions. Council asked Randolph numerous questions regarding water, entries and exits, and homeowner association questions. Mayor Levy stated that the Planning Commission vote was 5-3 and asked Riley to explain, if she could, the rationale of the 3 Commissioners who voted against recommending approval. Riley shared that one of the Commissioners had concerns regarding future water and no other reasons were given.

After Council's questions and discussion Mayor Levy opened the Public Comment portion of the Public Hearing.

Larry Larsen, a Northwoods Representative, approached the podium and stated that he wanted to share a counter staff report and power point to Riley's report. Larsen began by thanking Riley for all of her help.

Larsen noted that he was recommending a denial of the Aspendell application on the following basis:

- That it does not comply with Zone Change Criteria
- Does not meet the Neighborhood's long held expectations
- Two neighborhood meetings-significant concerns expressed
- A petition with 73 signatures opposing the application
- That they do not agree with the City Planning Analysis

Larsen noted that the proposed density and minimum lot size are not in character with the neighborhood and area. He stated that per the staff report, denying an additional 10 units does not promote urban sprawl. Larsen asked that the application be denied because it does not comply with the following rezone criteria:

- The proposed zoning is ***not*** consistent with the City Comp Plan goals & Objectives, intended to protect existing neighborhoods, specifically:
    - Land Use and Growth Objective 1.1: Ensure that new development fits with the intent of the Comprehensive Plan Map and uses the land and community resources/facilities efficiently and in an environmentally sensitive manner. All new development, expansion and redevelopment should contribute to Woodland Park's mountain western identify and help the City achieve its goals of diversifying the housing supply while respecting individual property rights, preserving residential and commercial real estate property values, upholding neighborhood integrity and environment, providing opportunities for lifelong learning and keeping Woodland Park safe.
    - Land use and Growth Action 1.1.8: ensure that contemplated projects; respect and take into account the property rights of all impacted property adjoined; maintain the overall integrity and character of Woodland Park neighborhoods; are sufficiently harmonious with adjacent land uses, to preserve and protect the property values of those properties in the same adjacent zone and are sensitive to the needs and concerns of those neighborhoods in the downtown area that are adjacent to the DDA.
    - Land Use and Growth Action 1.1.9: Encourage quality infill development and redevelopment, both residential and commercial that: Are consistent with the surrounding neighborhood's character, offer opportunities for diverse housing

and more amenities, will help diversify and fortify Woodland Park's economy and broaden the variety of compatible uses.

- What has changed in the surrounding properties that warrant a change in zoning classification? Nothing. The surrounding area is still zoned SR or PUD utilizing similar development standards since 1997 for Northwoods and 2005 for stone Ridge village. Both Northwoods and the surrounding portion of Stone Ridge have been or are being developed utilizing the SR development or similar standards. No significant changes have occurred in the surrounding area.
- The UR District is not appropriate for this parcel: This parcel is completely surrounded by SR. Both Northwoods and the surrounding portion of Stone Ridge have been or are being developed utilizing the SR development or similar standards and this parcel should be required to be developed in conformance with its existing SR district standards as well. The UR District has been utilized in our community in historic older areas immediately north and south of downtown with only a few exceptions. This isolated single parcel zone change surrounded by existing SR and PUD may be considered spot zoning. Spot zoning is illegal and certainly bad policy. Courts have found that spot zoning occurs when zoning applies to and benefits a single parcel or landowner and is not consistent with the City's comprehensive plan or surrounding zoning.
- Does the City have the ability to serve this proposed 20 dwelling rezone project with available resources? Yes, however the City has recognized that its water resources are finite and has identified and projected a build out population of 12,600 persons. This is implemented by bot the City's Water Tap Management Plan and the Comprehensive Plan provisions. The additional 10 taps does not significantly burden the water budget, however in the long term rezones resulting in increased densities such as this will have a cumulative effect upon future users.
- Is the rezone compatible and harmonious with the surrounding land uses and neighborhood? No. For many years single family dwellings have been constructed within surrounding subdivisions on all four sides of this parcel using either SR or PUD standards for the minimum lot size of 15,000 square feet. Smaller lots and higher density are not appropriate in this area and neighborhood.

Larsen concluded his presentation. He thanked the Council for their kind consideration of their request to deny the Aspendell rezone application.

Mayor Levy thanked Larsen for a great presentation saying that it was fact driven and contained good information. Mayor Levy stated that he and the Council had received numerous emails and that they are very interested in hearing from everybody. Mayor Levy asked that each speaker not repeat the same thing.

The following individuals spoke against the Aspendell Rezone Application for the following reasons:

Charles Flint – would create traffic issues
Patricia Stinner – spoke regarding the flood plain and spot zoning. Also mentioned that she felt the information at the Planning Commission Meeting was not as accurate as it could be.

Jane Butterfield - not harmonious with neighborhood, traffic issues
Amy Butterfield – affordable housing concerns
Rock Butterfield
George English – road access issues
Joe Hurst
Dan Archer – if this application is approved what will happen next?

Carl Anderson approached the podium to say that no matter whether 10 houses or 20 houses are approved they need to all respect and love their neighbors.

At this time Mayor Levy closed the Public Comment portion of the Public Hearing and Council held their discussion.

Councilmember Saunier noted that he is concerned about drainage issues. Mayor Pro Tem Harvey stated that the diagram shown on page 6 of the Staff Report was very compelling in showing how the application met the criteria. Councilmember Matthews agreed but stated that his issue is with water and does not believe the application meets Criteria No. 5 contained in the Staff Report. Councilmember Schafer stated that given Council's approval of the Microtel he questioned how water could be a concern related to this application. Councilmember Carr noted that he would vote to deny the application. He stated his reasons were unsafe connectors, open space, concerns about fire access, that the rezoning request did not promote the purposes contained in section 1.1.8 of the Comprehensive Plan and concerns over long term water usage.

MOTION: Approve Ordinance No. 1309 for approval of the rezoning of a 10-acre parcel (Aspendell property) from Suburban Residential (SR) District to Urban Residential (UR) District for the purpose of increasing density from 10 to 20 single family residential units located in a portion of NE1/4 of the SE1/4 of Section 14, T12S, Spruce Ridge Properties, LLC (Property Owner and Applicant). Harvey/Sawyer based on findings as noted below. 4-3. Motion carried with Councilmember Carr, Saunier and Matthews voting no.

9. NEW BUSINESS:

A. None

10. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

A. None

11. REPORTS:

A. Mayor's Report:

Mayor Levy reviewed the upcoming events for the next two weeks.

B. Council Reports:
Councilmember Carr distributed a hand out for the Council. Carr noted that the Parks and Recreation Advisory Board is busy working on connectivity of pathways in Woodland Park. Carr noted that the central connectivity point to all is Memorial Park. Carr shared that the Main Street Economic Vitality Committee is doing downtown business surveys to gather data to better assist. Carr shared that the

Ute Trail Stampede Rodeo supported by Main Street was a success. Carr thanked the many volunteers that helped pull this event off.

Carr shared the following highlights with the Council from CML:

- Drones are coming fast and the local municipal codes are trying to catch up to this reality.
- Carr noted that most of the presentations at CML demonstrated as to why we should be using lapel mics.
- DOLA presentations on new opportunities were instructive as usual.
- Several CML presentations, speakers, mayors, and exhibits emphasized the future viability of a municipality being able to provide superior speed Broad-Band through the best carrier, which is fiber optics, currently. Carr noted that many present-day residents demand high end broadband as they are working from home-based business. Carr noted that the City of Woodland Park would be well advised to take these factors into consideration to attract high end businesses, forward thinking residents, employees & employers.

Carr noted that the Council/City will be having a presentation by experts on this overall subject on August 9, 2017 at 2:00 PM.

Councilmember Saunier asked if the unfreezing of the Police Department positions could be discussed. City Manager Buttery noted that he would be bringing that topic up under his report.

C. City Attorney's Report: In follow-up to the motion to approve Ordinance 1309, City Attorney Smith inquired of Mayor Pro Tem Harvey the bases for the motion, to which Councilmember Harvey affirmed adoption of, as findings in support of the motion, the approval criteria analysis and conclusions contained in the Staff Report, which Sawyer, Levy and Schafer affirmed.

D. City Manager's and Department Manager's Report:

Special Projects Director Jane Mannon gave her monthly update. Mannon noted that earlier this afternoon she received a phone call from CDOT that they had completed the left turn study at Fairview and West and that they felt it didn't warrant a left hand turn based on the delay. CDOT also noted that they completed an accident review which also indicated no need for a protected left turn phasing. Mannon noted that the City will ask again after school starts.

Mannon noted that they have begun the marketing for the Aquatic Center and that Karen Valdez the Aquatic Center Manager would be at the Farmers Market. The Aquatic Center is looking for employees.

Mannon shared that Main Street hopes to begin the installation of a Rest Area sign at Bergstrom Park soon.

Mannon noted that the City would be kicking off CML's Cities and Towns celebration, which is scheduled for September and leading up to the designated week that we wanted to thank City workers who don't usually get attention and work behind the scenes to make the City successful. Tonight, Mannon noted that the City wanted to thank our deputy City Clerk Chrissy Stapleford who is behind the camera t City Council meetings to make certain the meetings are documented and posted on You Tube.

City Manager Buttery shared that after reviewing the City finances with Finance Director Farina that he would like to make a recommendation to immediately unfreeze one of the police department positions.

MOTION: To immediately unfreeze one of the frozen police department positions. Carr/Matthews. 7-0. Motion carried.

12. **WRITTEN CORRESPONDENCE:** None

13. **ADJOURNMENT:** The meeting adjourned at 10:59 PM.

Recorded by:

Suzanne Leclercq

Suzanne Leclercq, City Clerk

APPROVED THIS 3rd DAY OF August, 2017

Neil Levy, Mayor