

City of Woodland Park

October 2, 2025 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor Case called the regularly scheduled City Council meeting to order with the following members of Council present: Mayor Case, Councilmember Bryant, Councilmember Geer, Councilmember Jones and Councilmember Smith. Mayor Pro-tem Nakaiwas absent.

The following staff members were present: City Manager Vassalotti, Deputy City Manager Leclercq, Planning Director Gates, Deputy City Clerk Sauer and Planning Director Schminke appeared via zoom.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Presentation and information on this year's Mountain Arts Festival. (A)
(Presenter Nancy Stannard, President of the Mountain Artists)

Nancy Stannard, President of the Mountain Artists shared information on another successful year for the Mountain Artists and the Mountain Arts Festival.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

None.

5. CONSENT CALENDAR

- A. Approval of the September 18, 2025, Regularly scheduled City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Motion: to approve the September 18, 2025, regularly scheduled City Council Meeting Minutes. Geer/Jones. Motion carried 5-0.

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

None.

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

- A. Approval of Ordinance No. 1505, Series 2025, on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado Approving the purchase of L6 B2 Bergstroms ADD & 1/2 Vacated Alley Adj. Property and 24-12-69 POR SW4NE4 & 1/2 Vacated Alley Adjoining Property and set the Public

Hearing for October 16, 2025. (QJ)
(Presenter City Manager Vassalotti)

Motion: to approve Ordinance No. 1505, Series 2025, on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado, approving the purchase of L6 B2 Bergstroms ADD & 1/2 Vacated Alley Adj. Property and 24-12-69 POR SW4NE4 & 1/2 Vacated Alley Adjoining Property and set the Public Hearing for October 16, 2025. Smith/Geer. Motion carried 5-0.

- B.** Approval of Ordinance No. 1506, Series 2025, on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado Approving the Purchase of Parcels 1,2,3,4,5,7,8,9,10,11,13 and 14 and Aidan LLC, a California Limited Liability Company, as to an Undivided 31% interest in and to Parcel 6 and Presidio Patio Homes at Shining Mountain Golf Course, LLC, a Colorado Limited liability Company, as to Parcel 12 and Gregory M. Brown, as his interests may appear, in and to Parcels 1, 2, 3, 4, 5, 7. 8. 9, 10, 11, 13 and 14, as to an Undivided 69% Interest in and Parcels 6 and set the Public Hearing for October 16, 2025. (QJ)
(Presenter City Manager Vassalotti)

Motion: to approve Ordinance No. 1506, Series 2025, on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado Approving the Purchase of Parcels 1,2,3,4,5,7,8,9,10,11,13 and 14 and Aidan LLC, a California Limited Liability Company, as to an Undivided 31% interest in and to Parcel 6 and Presidio Patio Homes at Shining Mountain Golf Course, LLC, a Colorado Limited liability Company, as to Parcel 12 and Gregory M. Brown, as his interests may appear, in and to Parcels 1, 2, 3, 4, 5, 7. 8. 9, 10, 11, 13 and 14, as to an Undivided 69% Interest in and Parcels 6 and set the Public Hearing for October 16, 2025. Geer/Smith. Motion carried 5-0.

- C.** Approval of Ordinance No. 1507, Series 2025, on initial posting, an Ordinance Adjusting Expenditure Appropriations to the General Fund, in the Amounts and for the Purpose as set forth below, or the City of Woodland Park, Colorado for the 2025 Budget Year, and Amending Ordinance No. 1485, Series 2024, and set the Public Hearing for October 16, 2025. (A)
(Presenter City Manager Vassalotti)

Motion: to approve Ordinance No. 1507, Series 2025, on initial posting, an Ordinance Adjusting Expenditure Appropriations to the General Fund, in the Amounts and City of Woodland Park City Council - October 2, 2025, for the Purpose as set forth below, or the City of Woodland Park, Colorado for the 2025 Budget Year, and Amending Ordinance No. 1485, Series 2024, and set the Public Hearing for October 16, 2025. Bryant/Geer. Motion carried 5-0.

- D.** Approval of Ordinance No. 1508, Series 2025, on initial posting, an Ordinance Adjusting Expenditure Appropriations to the Various Funds, in the Amounts and for the Purpose as Set Forth Below, for the City of Woodland Park, Colorado for the 2025 Budget Year, and Amending Ordinance No. 1486, Series 2024, and set the Public Hearing for October 16, 2025. (A)
(Presenter City Manager Vassalotti)

Motion: to approve Ordinance No. 1508, Series 2025, on initial posting, an Ordinance Adjusting Expenditure Appropriations to the Various Funds, in the Amounts and for the Purpose as Set Forth Below, for the City of Woodland Park, Colorado for the 2025 Budget Year, and Amending Ordinance No. 1486, Series 2024, and set the Public Hearing for October 16, 2025. Jones/Smith. Motion carried 5-0.

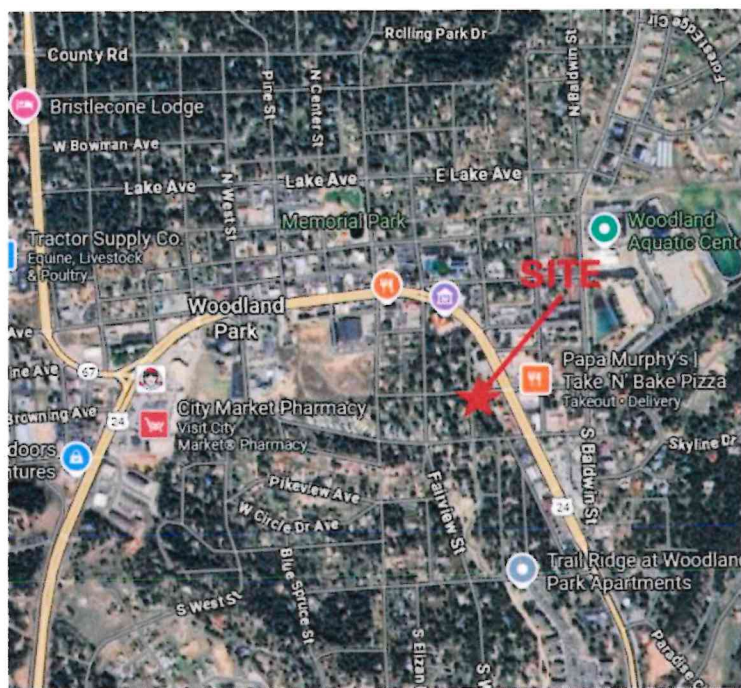
9. PUBLIC HEARINGS

(Public comment may be heard)

- A. Approval of Ordinance No. 1503, Series 2025, an Ordinance Rezoning Lot 1, Block 12 Fosters Addition Including the Adjacent West ½ of Vacated Scott Avenue as Described at Reception #483423 and the Adjacent North ½ of Vacated Alley as Described at Reception #590996 of Woodland Park, Teller County (a.k.a. 309 Willow Street, Woodland Park, Colorado) from Urban Residential (UR) to Central Business District (CBD) a request by Robert and Elizabeth Vincent-Hoeritz (Applicant and Property Owner). (QJ) (Presenter Senior Planner CJ Gates)

Senior planner Gates reviewed his staff report with the Council.

Background:



The subject property is located on the south-east corner of Pike's Peak Avenue and Willow Street within the Fosters Addition to Manitou Park Final Plat (Figure 1). This plat was approved in 1898 and was located within El Paso County at the time. Since 1996, the subject property has been zoned Urban Residential (UR). Prior to the UR designation, property was zoned R-1. Currently existing on the property is a 1263 square-foot home that was built in 1929 and a single-car detached garage. The current owners of the subject property have owned the property since 2006.

ZONING

The subject property is zoned UR. Adjacent property to the north and east are zoned Central Business District (CBD). Adjacent property to the south and west are zoned Urban Residential (UR).

Described below are the purpose statements for the existing zoning category (UR) and the requested (CBD) Zone District along with the applicable dimensional standards (i.e., heights, setbacks, etc.) for each of the zone districts.

Chapter 18.13 – Urban Residential (UR)

These designated areas are intended to provide single-family housing at a higher density than SR. The purpose of this district is to allow in-fill development within areas served by existing water and sewer infrastructure, thus reducing the need for development and infrastructure sprawl into the outlying areas. The minimum lot size within the UR district is seven thousand five hundred square feet with a maximum density of two dwelling units per acre.

Chapter 18.23 Central Business District (CBD)

Land use activity in this category is intended for what is considered the downtown area of the city with associated commercial activity that can be accessed by pedestrians as well as the motoring public. Density is considered high and design issues relate to on-street U.S. highway corridor improvements, including efficient off-street parking, landscaping and pedestrian mobility to and from local businesses. Residential activity is appropriate in this area particularly at second or third story levels, above offices or commercial shops.

<u>Zone District</u>	<u>Setbacks</u>	<u>Maximum Height Requirements</u>	<u>Street Frontage</u>
<u>Urban Residential (UR)</u>	Front: 25ft Rear: 25ft for main building & 4ft for accessory buildings Side: 8ft for main building & 4ft for accessory buildings	Main Building: 30ft Accessory Building: 20ft	40ft Minimum
<u>Central Business District (CBD)</u>	Front: 10ft Rear: 0ft except twenty-five feet when a rear yard abuts a residentially zoned lot. Side: 0ft except fifteen feet where that side yard abuts a residentially zoned lot.	Main Building: 35ft Accessory Building: 35ft	25ft Minimum

SITE & SURROUNDING USES

The subject property is located on the south-east corner of Willow Street and Pikes Peak Avenue. The uses and zone districts for the area immediately surrounding the subject property are as follows:

	<u>USE</u>	<u>ZONE</u>
North	Pikes Peak Ave., Single-family residential & The Human Bean	CBD
South	Single-family residential	UR
East	The Peak Fly Shop and Forest & Planter	CBD
West	Willow St. & Single-family residential	UR

Figure 3a is an aerial photo of the subject property and surrounding properties.
Figures 3b and 3c are photos of the subject property.



CURRENT ZONE CHANGE REQUEST

Woodland Park Planning Staff received an application for a Zone Change on July 11, 2025. The owners and applicants of the property are requesting to change their zoning designation from Urban Residential to Central Business District (CBD) to operate a non-primary residence short-term rental. The Woodland Park City Code defines a 'Short-Term Rental Unit' as "a dwelling unit or a portion thereof, that is rented or utilized for furnishing lodging, accommodation and occupancy for any period less than thirty (30) consecutive days." This is different from traditional commercial lodging such as a hotel, motel, bed and breakfast, inn, or lodge, which offers a room for transient lodging accommodations to members of the public. A non-Primary Residence Short-Term rental unit means the short-term rental unit is not the primary residence of the owner/operator and the primary resident (property owner) does not need to be on-site throughout the visitor's stay.

According to the applicant's narrative (attached hereto), the owners of the subject property have been operating this property as a short-term rental (non-primary residence STR) since they purchased it in 2006. With the adoption of the ordinances to regulate short-term rental in late 2023 and early 2024, the use of this property as a non-primary residence, STR is clearly not in compliance with the City Code. According to Ordinance No. 1469, Series 2023, "Non-primary Residence Short-term rental units" are only allowed in commercial zone districts" (Neighborhood Commercial, Community Commercial, Service Commercial, and Central Business District). Below is a snapshot of the Table of Permitted Uses listed within the approved ordinance. The current owner and applicant is requesting a zone change in order to operate a Non-primary Residence STR at this location in compliance with the Woodland Park Municipal Code.

Table of Permitted Uses													
USE KEY: P = Permitted Use, C = Conditional Use, PC = Permitted Conditionally													
Permitted Uses	SR	UR	MFS	MFU	MHP	AG	PSPL	NC	CC	SC	CBD	HSC LI	PUD
L. Lodgings													
4A. Non-Primary Residence Short-term rental units in accordance with Section 18.78.050								P	P	P	P		
4B. Primary Residence Short-term rental units in accordance with Section 18.78.050	P	P				P		P	P	P	P		P

REFERRALS

The application was referred to City departments including the City Attorney, City Manager, City Clerk, Utilities, Public Works, Police Department, Planning and Building and external agencies including Northeast Teller County Fire Protection District, Black Hills Energy, Core Electric, Colorado Department of Transportation, Century Link/Lumen, and TDS Telecom. Staff received no comments.

STAFF ANALYSIS

According to the applicant's narrative, as long as the property is held by the current owners, their goal is to keep operating the property as a short-term rental property. It should be noted that a property has the potential to be used for any of the permitted or conditional uses identified in MC §18.09.090 Table of Permitted Uses for the zone district in which it is located. In the future, a different use of the property may be requested in accordance with those uses allowed in the designated zone district. Zone change requests are analyzed in accordance with the following criteria/questions.

1. Is the proposed zoning consistent with the Comprehensive Master Plan?

Figure 5 below is a snapshot of the current 2022 Comprehensive Master Plan Future Land Use Map. The subject property is outlined in red and the designated use is labeled single family residential but does directly abut land that is designated for "Downtown Mixed Use" to the north and east. The Comprehensive Master Plan defines the Single Family Residential designation as:

"SINGLE FAMILY RESIDENTIAL includes areas of the City that are already zoned Suburban Residential (SR), Urban Residential (UR), or are within an existing Planned Unit Development (PUD) and planned for single-family densities. Suburban Residential is limited to one dwelling unit per gross acre with the option to cluster development if approved through a public hearing process. Urban Residential has a maximum density of two dwelling units per acre. These areas are designed to be safe, connected, family friendly neighborhoods that support a variety of ages with easy access. Single family areas within the City limits have access to City utilities. These land uses also support places of worship that are surrounded by single family land uses."

The Comprehensive Master Plan defines the Downtown Mixed use designation as:

"To help recognize and promote vitality in the downtown area, the Downtown Development Area boundary was used to identify the Downtown Future Land Use District. Establishing the downtown as its own character area helps to promote the identity and cohesion that is desired as development and redevelopment occur. The zoning categories in downtown include Central Business District (CBD), Community Commercial (CC), Urban Residential (UR), and Planned Unit Development (PUD). Neighborhood Commercial and Public/Semipublic areas north of the Downtown Development Boundary have maintained their land use classifications to illustrate the transition to downtown residential."

2. Is the proposed zoning consistent Comprehensive Plan Objectives? Staff believes that the rezoning is supported by the following objectives of the Comprehensive Plan, including:

Economic Development Objective 1.6: Increase the desirability of Woodland Park as a place to live and work by providing diverse housing options, expanded educational opportunities, and additional community amenities.

Economic Development Objective 1.7: Expand tourism and visitor expenditures (i.e., import dollars and export experiences).

However, this request is contradicted by the following Comprehensive Plan objective:

Housing Objective 1.1: Promote stable and safe neighborhoods that provide a variety of housing options.

3. What has changed in the surrounding properties that warrant a change in the zoning classification?

To the staff's knowledge, not much has changed within the recent years in the surrounding properties that would warrant a change in the zoning classification of this property. As previously discussed, what has changed recently is the Woodland Park Municipal Code regarding regulating short-term-rentals. As noted, in late 2023 and early 2024, two ordinances came into effect that prohibit a non-primary residence short-term rental within a residential zone district. The applicants have been operating a non-primary residence STR since they purchased the property in 2006 and are requesting the zone change in order to continue this operation.

1. Describe the appropriateness of the CBD District at this location.

As noted within the zoning map, the subject property does border land that is zoned CBD. Land directly to the east of the subject property is CBD zoned with businesses currently operating. To the north and northwest, across Pikes Peak Avenue, there are several single family homes within the CBD zone. CBD designation may be considered appropriate at this location due to the subject property bordering existing CBD zoned land.

2. Ability to serve the maximum density with wastewater treatment capacity?

The existing single-family dwelling is connected to the City wastewater system and will continue to be served for the foreseeable future. The Woodland Park Municipal Code does not contain language regulating maximum density within the CBD zone district in regards to wastewater treatment capacity.

*3. Ability to serve the maximum density with planned water resources? MC §18.09.085 – Zone change or modification – contains the following review criteria: **Change in a zoning classification which results in increased density shall not be approved unless the owner (applicant/developer) has established, to the approval and acceptance of the City, that connection and availability of water exists that is sufficient to service the needs of the intended uses and structures of such lot(s).***

The property has already been developed with an existing single-family dwelling that is connected to the City water system and will continue to be served for the foreseeable future. The Woodland Park Municipal Code does not contain language regulating maximum density within the CBD zone district.

However, new commercial development and redevelopment projects are subject to MC §18.34.070 Site Plan Review. Should the property be rezoned to CBD, any future development or redevelopment would be subject to the following standard found in that code section:

H. The proposed development shall require approval of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structures.

NOTIFICATIONS AND PUBLIC COMMENT

Adjacent property owners within 150 feet were mailed a letter notifying them of the Zone Change request as well as all meeting dates including the scheduled Planning Commission and City Council public hearings. The site was posted with public notice posters and notice of the public hearings was published in the Pikes Peak Courier in compliance with the Municipal Code. Staff has received no public comment on the proposal.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing on August 28, 2025 (draft minutes attached). After consideration of the staff report and comments made at the public hearing, the Planning Commission decided (5-1) to recommend that City Council approval of the zone district change from Urban Residential (UR) to Central Business District (CBD) for Lot 1, Block 12 Fosters Addition including the adjacent west ½ of vacated Scott Avenue as described at Reception #483423 and the adjacent ½ of vacated alley as described at Reception #590996 of Woodland Park, Teller County (a.k.a. 309 Willow Street, Woodland Park, CO)

STAFF RECOMMENDATION

Should the City Council find there is sufficient reason to change the zone designation for the subject property from Urban Residential (UR) to Central Business District (CBD), City Council should **approve** Ordinance No. 1503, Series 2025 – an Ordinance Rezoning Lot 1, Block 12 Fosters Addition including the adjacent west ½ of vacated Scott Avenue as described at reception #483423 and the adjacent north ½ of vacated alley as described at reception #590996 of Woodland Park, Teller County (a.k.a 309 Willow Street, Woodland Park Colorado) from Urban Residential (UR) to Central Business District (CBD).

Should the City Council find there is **NOT** sufficient reason to change the zone designation for the subject property from Urban Residential (UR) to Central Business District (CBD), the City Council should **disapprove** Ordinance No. 1503, Series 2025 – an Ordinance Rezoning Lot 1, Block 12 Fosters Addition including the adjacent west ½ of vacated Scott Avenue as described at reception #483423 and the adjacent north ½ of vacated alley as described at reception #590996 of Woodland Park, Teller County (a.k.a 309 Willow Street, Woodland Park Colorado) from Urban Residential (UR) to Central Business District (CBD).

Following his presentation, Senior Planner Gates invited the applicants, Robert and Elizabeth Hoeritz to the podium to speak. The Hoeritz's shared their views with Council and shared that they hope that Council approves this request.

There being no further questions from the Council, Mayor Case opened the Public Comment portion of the Public Hearing.

Mindy Mindie shared that she hoped that this application would be approved and had questions regarding future considerations. The Council shared that they would be having a future worksession and would be looking into future considerations at that time.

There being no further Public Comment, Mayor Case closed the Public Hearing and the following motion was made.

Motion: to approve Ordinance No. 1503, Series 2025, an Ordinance Rezoning Lot 1, Block 12 Fosters Addition Including the Adjacent West ½ of Vacated Scott Avenue as Described at Reception #483423 and the Adjacent North ½ of Vacated Alley as Described at Reception

#590996 of Woodland Park, Teller County (a.k.a. 309 Willow Street, Woodland Park, Colorado) from Urban Residential (UR) to Central Business District (CBD) a request by Robert and Elizabeth Vincent-Hoeritz (Applicant and Property Owner). Geer/Bryant. Motion carried 5-0.

10. NEW BUSINESS

(Public comment may be heard)

None.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared that her fellow Councilmembers had asked if they could change the start time of Council Meeting from 6:30 PM to 6 PM. Mayor Case asked for consensus from the Council and Council gave her the consensus. City Clerk Leclercq shared that she wanted some time to notify the public, and it was decided this would go into effect at the November 6, Council Meeting. Mayor Case shared the upcoming events for the next two weeks.

B. Council Reports

Councilmember Bryant shared that he would be looking forward to a worksession regarding the zoning topic discussed tonight. Bryant also shared information on the upcoming Charter Committee Review meeting and the Creek Week Clean-up.

Councilmember Jones shared information on the upcoming Main Street and DDA meetings.

C. City Attorney's Report

None.

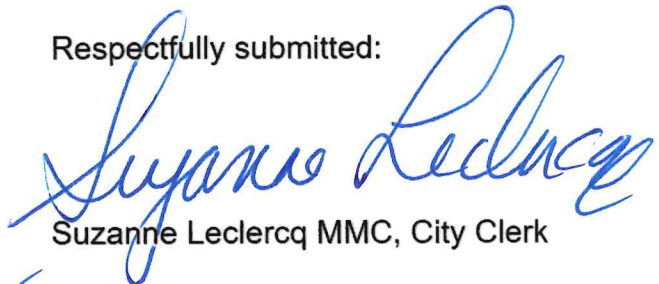
D. City Manager's Report

Chief Deisler shared information on the Police Department's pink patches and awareness for Breast Cancer month. Deisler also shared information on the Memorial Service planned for retired Police Officer Bob Larson, who recently passed away.

12. ADJOURNMENT

The time being 7:43 PM and there being no further City business, Mayor Case adjourned the City Council Meeting.

Respectfully submitted:



Suzanne Leclercq MMC, City Clerk

APPROVED THIS 16th DAY OF October, 2025



Kellie Case, Mayor