



WOODLAND PARK PLANNING COMMISSION AGENDA – 6:00 P.M. September 23, 2021 Council Chambers – 220 W. South Avenue

Zoom link from the calendar at the bottom of the front page of the City website (www.city-woodlandpark.org). Public input is important to the Planning Commission and comments are encouraged in writing in advance. Call 719-687-5209 for more information.

(6:00 p.m.) WORK SESSION

- A. Envision Woodland Park 2030: Final Review and Edits

(7:00 p.m.) REGULAR MEETING

1. **ORDER & ROLL CALL**
2. **APPROVE MINUTES:** July 22, 2021
3. **PUBLIC HEARINGS**
 - A. **ZON2021-08:** consider a request by Woodland Park Community Church (Applicant & Property Owner) to rezone from Suburban Residential (SR) to Community Commercial (CC) to continue a preschool use on Lot 2, Park View Estates Filing 2 (800 Valley View Drive) in the Suburban Residential (SR) zone. (QJ)
(City Council Public Hearing 7:00 p.m. - Thursday, October 21/21)
 - B. **CUP2021-02:** consider a request by Stuff Food Emporium (Applicant) and High Country Real Estate Holdings, LLC (Property Owner) for a Conditional Use Permit for restaurant use on Lot 2, Morning Sun Business Park (100 Morning Sun Drive) in the Neighborhood Commercial (NC) zone. (QJ)
(City Council Public Hearing 7:00 p.m. - Thursday, October 21/21)
 - C. **VAC2021-05:** consider a request by Anthony Longman and Derin Wester (Applicants & Property Owners) to vacate a 90-foot long part of the alley (public right-of-way) between Lot 4, Block 6, Elm Heights (640 W. Gunnison Avenue) and Lots 6-7, Block 6, Lake Addition (605 N. Walnut Street) in the Urban Residential (UR) zone. (QJ)
(City Council Public Hearing 7:00 p.m. - Thursday, October 21/21)
4. **REPORTS**
5. **ADJOURN**

WOODLAND PARK PLANNING COMMISSION MEETING MINUTES for July 22, 2021

Council Chambers, 220 W South Avenue, Woodland Park

This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to sriley@city-woodlandpark.org.

(5:30 pm) WORK SESSION

Chairman DeVaux called order at 5:30 pm.

Present	Chairman Jon DeVaux
Present	Vice-Chairman Ken Hartsfield
Present	Commissioner Lee Brown
Present	Commissioner Larry Larsen
Present	Commissioner Ellen Carrick
Absent	Commissioner Al Bunge
Staff Present:	Planning Director Sally Riley, City Planner Lor Pellegrino, Parks and Recreation Director Cindy Keating, City Manager Michael Lawson

- A. Envision Woodland Park 2030 Chapter Review: Economic Development and Tourism; Sustainability; Parks, Trails and Open Space.

The Planning Commission reviewed drafts of Chapters 6, 7 and 8 and proposed clarifications and minor editorial changes throughout including:

1. Need to update the table of contents to match pages;
2. Lower case on college town, main street, and downtown unless DDA;
3. Add Midland Ave when referencing main street;
4. Add commuting graphic where referenced on page 47;
5. Add the percent of vacant land that is employment based zoning;
6. Change seasonal "flux" to seasonal "change" and remove "water limits" on page 46;
7. The Sustainability revised draft updated 7/20 is good to go, PC like the updates;
8. Add details to Menti graphic on page 54 - explain numbers, number of people polling etc.;
9. Add to actual level of service for parks and trails per capita to Table 3, page 62; and
10. Switch pages 63 and 64 and review key to make sure all parks are labeled with a number and walkability.

(7:00 pm) REGULAR MEETING

1. **ORDER AND ROLL CALL.** Chairman DeVaux called order at 7:02 pm.

Present	Chairman Jon DeVaux
Present	Vice-Chairman Ken Hartsfield
Present	Commissioner Lee Brown
Present	Commissioner Larry Larsen
Present	Commissioner Ellen Carrick
Present	Commissioner Al Bunge
Staff Present:	Planning Director Sally Riley, City Planner Lor Pellegrino

All recited the Pledge of Allegiance.

2. **APPROVAL OF MINUTES.** The June 24, 2021 minutes were approved, as presented.

3. PUBLIC HEARINGS

- A. ZON 2021-07 Merit Academy Gold Hill Square South PUD Amendment:** A request by Echo Architecture (Ryan Lloyd, Applicant) and Gold Hill Square South, LLC (William Page, Property Owner) to amend the Planned Unit Development (PUD) Development Plan to allow a contract K-12 school at 703 & 739 Gold Hill Place (Lots 2-3, Pages Subdivision) in the Gold Hill Square South PUD zone district.

City Planner Pellegrino presented the staff report citing compliance with applicable sections of MC Chapter 18.30 PUD Zone District and §18.30.100 Conditional Use Standards. Comments received from referrals to City and outside agencies and public notices were not opposed to the school use. She recommended that the Planning Commission approve a school use in the GHSS PUD zone district.

Ms. Gwynne Dawdy-Pekron (Merit Academy Director of Development) stated that previous retail businesses (hardware store, etc.) produced more traffic than the school would. Currently, Academy enrollment is capped with approximately 190 students (115 families) and 20 homeschool families signed up with 70 students on a wait list. Class schedules are staggered but generally school begins at 7:50 am and ends at 3:10 pm. Drop off and pick up should only take 10 minutes with up to 14 full and part-time staff helping to coordinate. Families are encouraged to carpool and walk if possible. Alternate pick up areas are also being considered (i.e. Kavanaugh field). The Academy will generally have the same schedule as the WPSD with the first day being August 23. The school use at this site supports the 2010 City Plan to build a community that values education. This site (GHSS) is a temporary site for 2 years.

Commissioner Carrick liked the traffic controls and asked if Hometown Garage was consulted. Ms. Gwynne Dawdy-Pekron stated that they have talked.

Commissioner Bunge asked about existing building materials. Ms. Jordan Peterson (Echo Architecture) stated that no hazardous materials exist and that the building has a functioning sprinkler system with CMU wall construction, steel joists and studs and a concrete deck.

Commissioner Larsen asked about the relationship with WPSD. Ms. Gwynne Dawdy-Pekron stated they are neighborly but that the Academy is a BOCES contract public school.

Chairman DeVaux asked about turning left from the school onto US24. Ms. Gwynne Dawdy-Pekron stated that the Kavanaugh field pick up site is an alternative area for those that do not want to deal with turning left onto US24, as is the alley or walking. Director Riley stated that CDOT is reviewing the application.

Chairman DeVaux opened the public comment portion of the meeting and seeing none wishing to speak, closed public comment.

Commissioner Hartsfield asked about the parking analysis, believing that the entire area is underserved. City Planner Pellegrino stated that 2-5 parking spaces are required per classroom for a total of 22-55 stalls needed. The former hardware store would have required 1 space/200 SF of usable floor area, or up to 63 spaces. 82+ spaces are available on Mr. Page's properties and many more throughout GHSS. Parking throughout GHSS is shared by all tenants. Mr. William Page described that GHSS was modeled on shared parking concepts developed in the 50s and 60s. In those early days, the Urban Land Institute recommended shared parking for shopping centers where different uses have different needs that can flex based on time. He designed the shopping center with 4.5 spaces per 1,000 SF, more than the City requirement at the time.

Commissioner Larsen asked about the access for the Home Town garage and the potential lodging use in the same building. City Planner Pellegrino stated that they access their building from Gold Hill Place or the two accesses adjacent to the Loaf-n-Jug fuel pumps. Jersey barriers already exist that separate Home Town Auto. There is no proposal to close any other access. Mr. Page stated that he intends to continue with the PUD amendment for the lodging use.

Commissioner Carrick asked about temporary vs. permanent walls. Ms. Peterson said movable acoustic partitions provide flexibility. The kindergarten classroom and the gym will have solid walls.

Brad Miller, attorney for Merit Academy, stated that BOCES authorized the Merit Academy and does review the Merit Academy design and services agreement.

Commissioner Brown requested that the school use be further defined as a "K-12" school.

Commissioner Brown moved, and Commissioner Larsen seconded, that the Planning Commission approve the request by Echo Architecture (Ryan Lloyd, Applicant) and Gold Hill Square South, LLC (William Page, Property Owner) to amend the GHSS Planned Unit Development (PUD) Development Plan to allow a contract school (K-12) at 703 & 739 Gold Hill Place (Lots 2-3, Pages Subdivision) in the Gold Hill Square South PUD zone district.

YES: Brown, Bunge, DeVaux, Carrick, Larsen, Hartsfield **NO:** None Motion **PASSES**

4. REPORTS

A. The August 12, 2021 meeting begins at 5:30 and will be a work session on the Comp Plan.

5. ADJOURN. The regular meeting was adjourned at 8:23 pm.

Approved this _____ day of _____, 2021 by _____
Jon DeVaux, Chairman



Planning Commission Staff Report PC Public Hearing September 23, 2021

Agenda Item

3.A

Department

Planning

Presenter

Sally Riley, AICP
Planning Director

AGENDA ITEM 3.A

ZON2021-08: Consider a request by Woodland Park Community Church (Applicant & Property Owner) to rezone from Suburban Residential (SR) to Community Commercial (CC) to continue a preschool use on Lot 2, Park View Estates Filing 2 (800 Valley View Drive) in the Suburban Residential (SR) zone. **(QJ)**

(City Council Public Hearing 7:00 p.m. - Thursday, October 21, 2021) QJ

BACKGROUND

This 5.41 acre site is currently zoned Suburban Residential (SR). The Applicant would like to rezone to Community Commercial (CC) in order to continue the preschool (daycare) use. In 1994, the Church

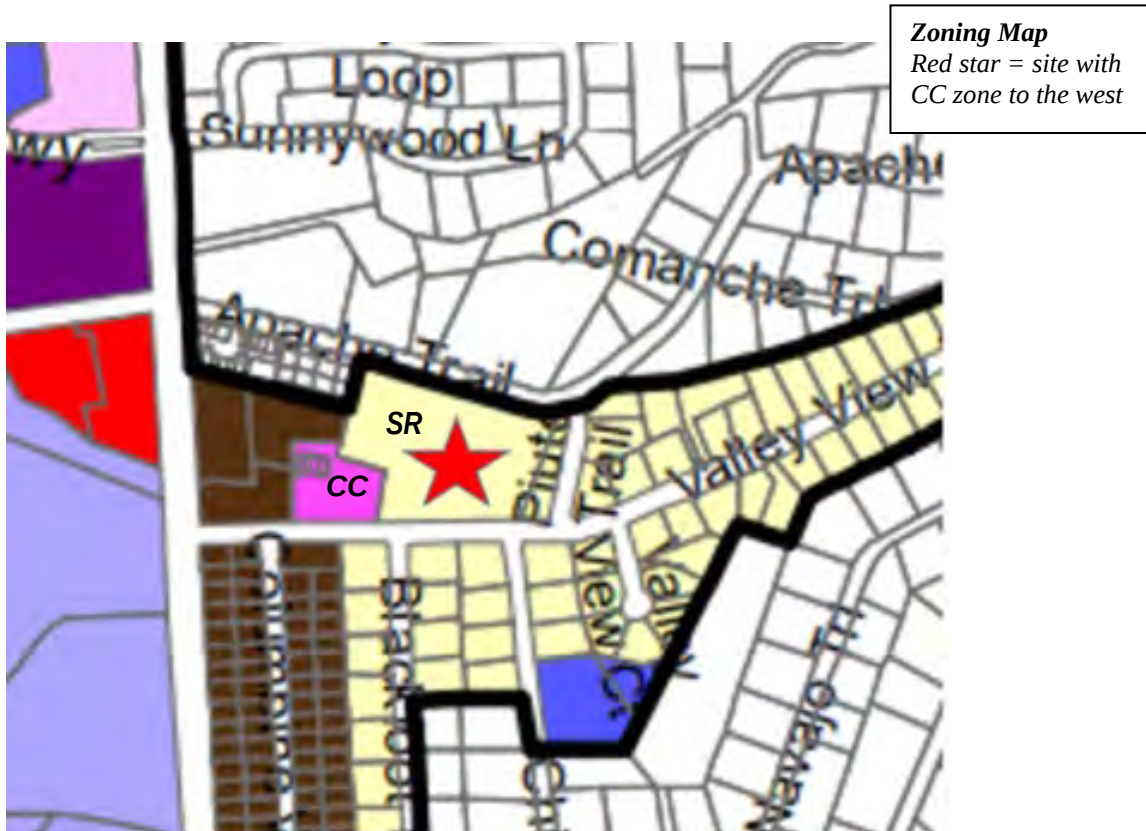


Aerial showing site, Loy Gulch Floodplain and surrounding uses.

purchased the property and received permission to build the existing building when the property was zoned C-2. In 1997 the property's zone district was changed to SR during the zoning overhaul of the entire City. Staff believes this was an oversight and the property should have remained zoned commercial. Recently, Staff learned that the Church's daycare center was planning to remodel their interior classrooms. The request for a building permit triggered Staff's discovery that the underlying SR zone does not support a commercial daycare use, thus the need to rezone to CC.

EXISTING SURROUNDING USES AND ZONING

	ZONE	USE
NORTH	Residential (R-1) and Teller County ROW	Area is outside the City Limits: Apache Trail and single family homes in Teller County
EAST	Suburban Residential (SR)	Teller County Water and Sanitation District pump station, Piute Trail and Park View Estates Subdivision single family homes
SOUTH	Suburban Residential (SR)	Valley View Drive and Park View Estates Subdivision single family homes
WEST	Community Commercial (CC) and Multi-family Urban and Teller County Multifamily (R-2)	Office Building know as Jamestown Square owned by Woodland Community Church, Trailhead Townhomes under construction by Habitat for Humanity, and Apache Village Townhomes in Teller County



The adjacent Community Commercial (CC) zone (hot pink) is known as Jamestown Square and is also owned by the Woodland Park Community Church. The rezone would unify the zoning with the church's office building and would restore the original commercial zone and uses

The table below provides a summary and comparison of uses for SR and CC zones.

	SUBURBAN RESIDENTIAL (SR) MC 18.12	COMMUNITY COMMERCIAL (CC) MC 18.21
Purpose	Max. 1 unit/acre and place of worship	General retail, office, community service business
Permitted Uses (typical)	Park/Playground/Tennis Court, Small Home Child Care, Essential Services	Sports Club, Vet, Pet Shop, Rec Center, Auto Part Sales, Auto Rental, Office, Bank, Copy Shop, Health Clinic, <u>Child Care Center</u> , Restaurant, Retail Sales, one Single Family Unit/Duplex per lot
Conditional Uses (typical)	Residence Care Home, Nursing Home, School, Church, Public Facility, Duplexes/Multi-Family Units subject to platting, Apartments	Greenhouse, Campground, RV Park, Appliance/Furniture Repair, Gas Station, Auto Sales, Contractor Services/Office, Hotel, Fast Food, Warehouse, Self-Storage, Multi-family (3+ DU) subject to platting, Apartments
Height	30 feet (20 feet accessory building)	35 feet
Setbacks	25 feet Front/Rear, 8 feet Side (4 feet accessory buildings)	25 feet Front/Rear; 8 feet Side (15 feet abutting residential zone)
Frontage	40 feet	50 feet
Parking	MC 18.14.070 • 1.5 spaces/1-bedroom unit • 2 spaces/2-bedroom unit • 2.5 spaces/3+-bedroom unit	Typ. 1 space/200 SF of floor area
Fencing & Shrubbery	MC 18.42: max. 6' high privacy fence	6-foot high solid fence buffer abutting residential; may be barbed
Signs	MC 18.48.070.C: Low-profile identification sign allowed by permit	Commercial signs allowed by permit
Sidewalks	MC 18.33.170: Construction required or fees-in-lieu	Construction required or fees-in-lieu.
Landscaping	18.33.180.E: Street yard landscape strip (20') adjacent to street	25% of lot (1/2 next to residential zone)
Open Space	40% of lot	20% of lot

EXISTING USE CONSIDERATIONS

Access. This developed lot has adequate access to/from Valley View Drive to the south and a secondary access point to/from Apache Trail.

Utilities. Water and sewer is provide by the Teller County Water and Sanitation District who has historically serviced this property when it was the former Williams Restaurant and Resort in the 1980s. Fire hydrants are serviced through the City of Woodland Park Utilities Department. Dry utilities (i.e., natural gas, electric, phone and cable) are provided by their respective utility companies.

Drainage and Topography. The site is predominantly developed with 23,892 SF sanctuary, lobby, offices, gymnasium, kitchen, classrooms and large parking lot. The 1994 design included proper drainage and stormwater detention. Because the site is encumbered with the FEMA regulated Loy Gulch Floodplain, a Flood Hazard Development Permit was reviewed and approved in 1994.

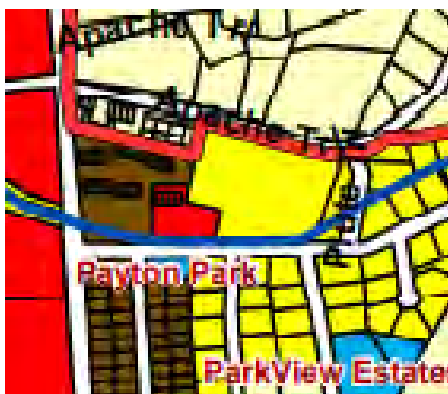
Parking. The 1994 site plan and development provided adequate parking for the place of worship. However in 2017, the church expanded their parking lot by adding 51 new spaces to accommodate the growth of the church. The drainage facilities and detention pond was also improved to handle the additional stormwater run-off.

Child Care Center. The Woodland Park Community Church has been operating the “Learning Center” preschool since 2000. The Center provides childcare for approximately 75 preschool children which is much needed service for families in the region. The rezoning will allow for this service to continue.

REZONING ANALYSIS

Amendments to Title 18 (including supplements, changes, modifications or repeal of boundaries or regulations) are regulated by MC 18.69.010 and City Charter Section 15.7. This section of the Municipal Code outlines the process for review and the review bodies involved, but does not provide any specific review criteria. It is staff policy to use the following review criteria when considering rezoning applications:

1. *Is the proposed zoning consistent with the Comprehensive Plan Map?*



- **No.** The 2010 Plan Map identifies the subject property as “Residential” which aligned with the site’s 1997 zoning. However, this rezoning request will cause the Envision 2030 Comprehensive Plan Map to be updated to commercial use.

2. *Is the proposed zoning consistent with the Comprehensive Plan Goals and Objectives?*
- **Yes.** Staff believes that the rezoning request meets many Plan Goals and Objectives including:
Community Wellbeing Goal #2 As the population demographic in Woodland Park shifts, maintain our reputation as a child-friendly community....”
Education Objective #1.1 Ensure that a diverse range of learning opportunities is accessible and available for residents, visitors and business owners of all ages.
Envision 2030 DRAFT Comprehensive Plan Education Goal #1: Woodland Park values, supports and invests in the local education systems as essential instruments in community development.
Quality child care options are essential for working families.
3. *Have changes occurred in the surrounding properties that warrant a change in zoning classification?*
- **Yes.** The tract has been used as a place of worship with preschool program since 2000. The surrounding properties are mostly built-out with high density multifamily units and lower density single family units. The demand for quality daycare for families with young children is a real and pressing change that supports this rezoning application.
4. *Is rezoning to MFU zone appropriate at this location?*
- **Yes.** The original C-2 was appropriate when Woodland Park Community Church was developed in 1994. The Church itself is more of a commercial use. The surrounding multifamily and residential uses are and compatible with the church services and child care center.
5. *Can this commercial rezone be served with planned water resources?*
- **Yes.** The City’s planned water resources and Teller County Water and Sanitation District are adequate to service the existing church and daycare facility. The proposed zone change will have no net effect on water usage.
6. *Can this commercial rezone be served with wastewater treatment resources?*
- **Yes.** With the recently completed expansion of the City’s wastewater treatment plant, the City’s wastewater treatment capacity can service this commercial use and a service population of 14,100 people. Wastewater treatment capacity to serve the proposed zoning change is available and adequate for present and future needs.

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 written comments regarding this rezoning proposal.

Applications were referred to the City Utilities/Public Works Director, the City Inspector, CORE, NETCFPD and Teller County. All comments made have incorporated into this Staff Report.

STAFF RECOMMENDATION

APPROVE the zone change from Suburban Residential (SR) to Community Commercial (CC) to for the 5.41 acres site with a legal description of Lot 2, Park View Estates, Filing #2. (500 Valley View Drive).

PLANNING COMMISSION REVIEW

The Planning Commission public hearing is scheduled for September 23, 2021. Pursuant to Title 18.69 and the City Charter Section 15.7, the Planning Commission shall review the application and make a recommendation to City Council.

CITY COUNCIL REVIEW

The City Council first reading of the rezoning ordinance is scheduled for October 7, 2021 and the public hearing is scheduled for October 21, 2021. Pursuant to Title 18.69 and City Charter Section 15.7, City Council shall review the request and shall either zone the property or deny the request. Four (4) affirmative votes of the Mayor and members of Council shall be required to overrule the recommendations of the Planning Commission. Any request denied shall not be resubmitted or reconsidered for a period of one (1) year after such denial, unless an initiated petition is approved (City Charter Section 8.1).

STAFF REPORT ATTACHMENTS

Application

CITY OF WOODLAND PARK ZONING CHANGE APPLICATION CHECKLIST

PLEASE PROVIDE THE FOLLOWING ATTACHMENTS:

- A. Map of the proposed rezoning area and legal description.
- B. Zoning change justification – a narrative addressing the eight questions below.
- C. Site sketch plan or site plan review application of the proposed development or redevelopment of the area.
- D. Warranty Deed or Title Policy that verifies your ownership of the property.
- E. List of the surrounding property owners and addresses.

JUSTIFICATION FOR THE REQUEST

The City Municipal Code does not provide specific criteria with which to evaluate a rezoning request. As a result, several general questions are asked to draw a rational opinion of whether the change in zoning makes good sense for the community and can be supported by the City Council.

1. Describe the history of the property. When was the property annexed into the City and how long has it been zoned within the City? How long have you owned the property and who were the previous owners? What was your intent for the property when you purchased it?

The property was originally developed by Woodland Park Community Church while the zoning was still considered C-2 commercial. During the rezoning in 1996-97, the zoning was changed to Suburban Residential. The church purchased the property and received permission to build in 1994. When the property was purchased it was intended to be used as a church with many groups both within the church and within the community using it for gatherings of all kinds.

2. Describe what you intend to do with property if zoning change is granted? What are your future development or redevelopment plans? Attach a Site Plan that depicts your narrative.

We have been operating our Learning Center preschool in some form since 2000. Our intent with the rezoning is to continue to run this facility, which provides childcare for 75 preschool aged children from our community. It is one of the highest rated and most highly regarded preschools in our region.

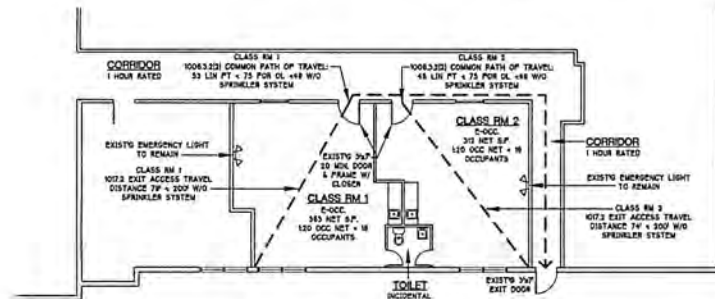
3. How has the neighborhood changed or surrounding property changed that would support the justification of a zoning change? Include information about the appropriateness of this zoning classification at your location.

This change would be restoring the property to it's original zoning and would allow for the continuation of the Learning Center preschool. The church itself is more of a commercial property than a residential. Our usage model will not be changing based on this zoning change but the church usage is more consistent with a community commercial zoning than suburban residential. It would also unify the zoning with the adjacent zone that the church office building currently occupies.

4. Describe how proposed zoning is consistent with the Comprehensive Plan Map?
The zoning is a change from the current Comprehensive Plan Map which as of 2010 considered this property residential. There is a project underway to amend the 2010 plan map. The request would make this change to be updated on the new plan map.
5. Describe how the proposed zoning is consistent with Comprehensive Plan Goals and Objectives?
Within the Envision Woodland Park 2030 plan there is a statement that the planning department would like to encourage mixed-use buildings in our community and within the housing areas. This rezoning would allow for the greatest amount of mixed use of the church facility in the future. Also the population growth focus will require greater childcare infrastructure to support the increase in families within the community. The rezoning will allow The Learning Center preschool to be a large factor in supporting those families.
6. Describe the need for your proposed development or redevelopment project in Woodland Park that requires a zoning change.
The rezoning is necessary to maintain one of the largest and most highly regarded preschool facilities in our community.
7. Describe the City's capability and capacity to serve the proposed development or redevelopment (maximum density) of the site with the City's planned water resources and existing wastewater treatment capacity?
The proposed change will have no net effect on the existing water and wastewater systems. It will maintain the current level of usage from the property.
8. Describe how you plan to meet the City's development or redevelopment standards for drainage, floodplain criteria, traffic, grading, landscaping, tree preservation, lighting, parking, architectural design and other site design considerations.
The proposed change will have no net effect on the existing drainage, floodplain, traffic, etc. This is not a structural change to the facility, just a rezoning to match the current usage model.



1 ORIGINAL FLOOR PLAN
NOT TO SCALE



2 CODE STUDY PLAN
1/8" = 1'-0"



PROJECT LOCATION
800 VALLEY VIEW DRIVE
WOODLAND PARK, CO

A VICINITY PLAN NTS

INDEX OF DRAWINGS:

- A1.0 EXISTING PLAN & CODE STUDY & NOTES
- A2.0 DEMO & NEW CONSTRUCTION, RCP & DETAILS

PROJECT DATA:

BUILDING DESCRIPTION:

EXISTING STRUCTURE PERMIT:
TELLER COUNTY - #A03928 1994
OCC. CLASS: A-3
AREA OF WORK: E OCCUPANCY WITHIN PLACES OF WORSHIP
CONSTRUCTION TYPE: V-B
NON-SPRINKLED

OCCUPANCY:

TOTAL OCCUPANT LOAD IS UNCHANGED

BLDG GROSS AREA:

23,892 SQ. FT.

AREA OF WORK:

955 SQ. FT.

REQUIRED EXITS (IMPROVEMENT AREA):

1 EXIT REQUIRED
1 EXIT PROVIDED

OWNER:

WOODLAND PARK COMMUNITY CHURCH
PO BOX 448
WOODLAND PARK, CO 80866
KIM LEITCHER
wpcdc@gmail.com

STREET ADDRESS:

800 VALLEY VIEW DR
WOODLAND PARK, CO

SCHEDULE NO:

R0023554

ZONING:

SR

LEGAL DESCRIPTION:

L2 PARK VIEW ESTATES 2

APPLICABLE CODES:

2017 Pikes Peak Regional Building Code (PPRBC)
2015 INTERNATIONAL BUILDING CODE (IBC)
2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
2015 INTERNATIONAL MECHANICAL CODE (IMC)
2015 INTERNATIONAL FUEL GAS CODE (IFGC)
2015 INTERNATIONAL PLUMBING CODE (IPC)
2017 NATIONAL ELECTRICAL CODE (NEC)

GENERAL NOTES:

1. APPLICABLE CODES:
ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE GOVERNING CODES AND APPLICABLE STANDARDS. (2017 IBC)
2. DIMENSIONS:
DO NOT SCALE DRAWINGS. ALL DIMENSIONS ARE TO FACE OF STUD, STRUCTURAL INSULATED PANELS, FACE OF CONCRETE, OR FACE OF JOIST UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE CONFIRMED AND CORRELATED BY THE CONTRACTOR AT THE JOB SITE. IN CASE OF QUESTIONS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT FOR FURTHER CLARIFICATION.
3. GUARANTEE:
THE ARCHITECT MAKES NO EXPRESSED OR IMPLIED GUARANTEE FOR PRODUCTS IDENTIFIED BY TRADE NAME OR MANUFACTURER.
4. NOTE TO GENERAL CONTRACTOR, BUILDER AND TRADES:
RESPONSIBILITIES SHALL INCLUDE: CONFIRMATION AND CORRELATION OF ALL DIMENSIONS AT THE JOB SITE; FABRICATION PROCESSES AND TECHNIQUES OF CONSTRUCTION; COORDINATION OF ALL OTHER TRADES; FURNISHING ALL ITEMS REQUIRED FOR THE PROPER EXECUTION, COMPLETION AND SATISFACTORY PERFORMANCE OF ALL WORK NECESSARY, INDICATED REASONABLY INFERRED OR REQUIRED BY ANY CODE WITH JURISDICTION TO COMPLETE THEIR SCOPE OF WORK FOR A PROPERLY FINISHED JOB. IN CASE OF ANY QUESTIONS OR NEED FOR FURTHER CLARIFICATION OF INFORMATION AND OR DETAILS, CONTACT THE ARCHITECT PRIOR TO FURTHER CONSTRUCTION OR FABRICATION FOR ITEMS IN QUESTION. IN ANY ASPECT THAT THE PLANS ARE NOT FOLLOWED, THE ARCHITECT ACCEPTS NO RESPONSIBILITY.
5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL WORK AND MATERIALS IN ACCORDANCE WITH ALL LOCAL REGULATORY AGENCIES, APPLICABLE BUILDING CODES AND REQUIREMENTS.
6. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS PRIOR TO COMMENCEMENT OF WORK, INSPECTIONS AND APPROVALS IN ALL FIELDS OF THEIR WORK AND OBTAINING THE FINAL "CERTIFICATE OF OCCUPANCY".
7. THE GENERAL CONTRACTOR SHALL HAVE ON SITE, THE APPROVED CONSTRUCTION DRAWINGS AND BUILDING PERMITS.
8. THE GENERAL CONTRACTOR AND SUBCONTRACTOR SHALL PURCHASE AND MAINTAIN CERTIFICATES OF INSURANCE WITH RESPECT TO WORKMEN'S COMPENSATION, PUBLIC LIABILITY AND PROPERTY DAMAGE FOR THE LIMITS AS REQUIRED BY LAW.
9. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SECURITY OF THE PROJECT AND SHALL BE RESPONSIBLE FOR DISPLINES OF ALL TRADES ON THE PROJECT.
10. ANY DISCREPANCIES BETWEEN THE ARCHITECTURAL DRAWINGS AND CONSTRUCTION NOTES ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY FOR RESOLUTION.
11. "TYPICAL" MEANS IDENTICAL FOR ALL SAME CONDITIONS UNLESS OTHERWISE NOTED. "SIMILAR" MEANS COMPARABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATIONS ON PLAN AND WITH THE ARCHITECT.
12. PROVIDE 3/4" WATER RESISTANT GYP. BD AT ALL NET LOCATIONS INCLUDING ON WALLS BEHIND PLUMBING FIXTURES.
13. PROVIDE LEVER TYPE DOOR HANDLES OPERABLE BY A SINGLE EFFORT WITH NO GRASPING OR HAND MOVEMENT REQUIRED. ALL EXIT DOORS SHALL BE OPERABLE FROM THE INTERIOR, WITHOUT ANY SPECIAL KNOWLEDGE, EFFORT OR USE OF A KEY.
14. PROVIDE WOOD BLOCKING BETWEEN VERTICAL STUDS AS NECESSARY FOR PROPER ATTACHMENT OF BASE CABINETS, COUNTERTOPS, GRAB BARS ETC.
15. THRESHOLDS TO BE A MAX. HEIGHT OF 1/2" WITH BEVELED EDGE WITH A MAX. VERTICAL LEVEL CHANGE OF 1/4".



LANGLEY
ARCHITECTS

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PRELIMINARY
DOCUMENTS
NOT FOR
CONSTRUCTION

THE LEARNING CENTER

WOODLAND PARK COMMUNITY CHURCH
800 VALLEY VIEW DRIVE, WOODLAND PARK, CO TELLER COUNTY

NEW & DEMO FLOOR PLANS

PRELIM DATE: 07.20.2021

BID DATE:

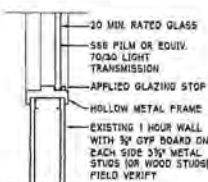
RELEASE DATE:

REVISION DATE:

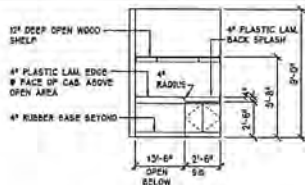
SHEET:

A1.0

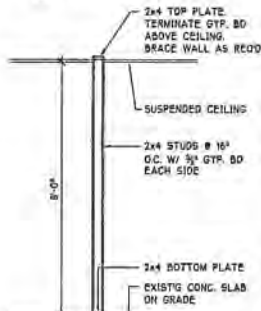
PROJECT NUMBER: 21-15



3 DETAIL 20 MIN. LABELED ASSEMBLY WINDOW
1/2" x 7'-0"

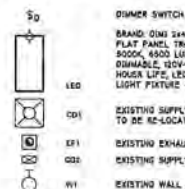


4 TYP. CAB. ELEVATION
1/4" x 7'-0"



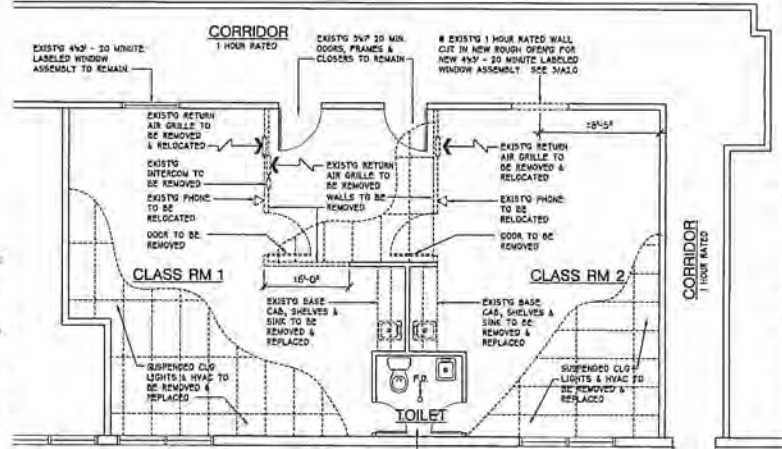
5 NEW WALL SECTION
1/2" x 7'-0"

RCP LEGEND:



DEMOLITION GENERAL NOTES:

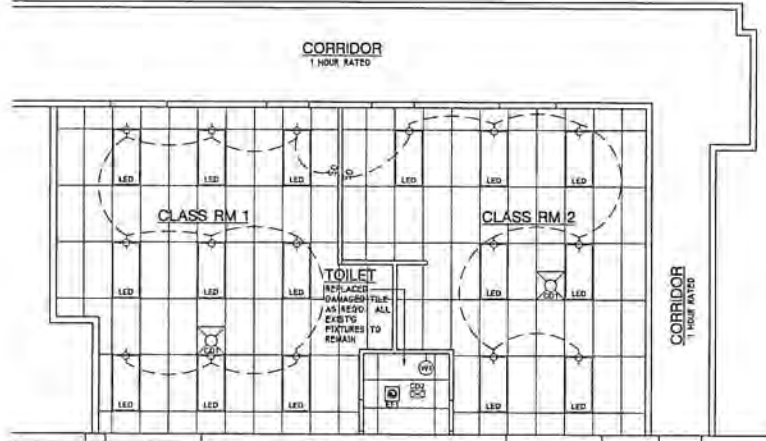
1. T.B.A. - TO BE REMOVED
2. THE CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL EXISTING UTILITIES AND METER LOCATIONS WITH THE UTILITY COMPANY OR GOVERNMENTAL AUTHORITY HAVING JURISDICTION OVER THIS PROJECT
3. DISCOVERY OF ANY UTILITY DURING CONSTRUCTION SHALL BE CAPPED AND LEFT AVAILABLE FOR RECONNECTION DURING NEW CONSTRUCTION WHERE POSSIBLE.
4. REMOVE WALLS ETC. AS SHOWN. COORDINATE WITH ARCHITECT FOR ALL TEMPORARY & NEW STRUCTURAL SUPPORT INCLUDING SHORING & BRACING
5. THE CONTRACTOR SHALL KEEP PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS AND DEBRIS.
6. REMOVE ELECTRICAL SWITCHES, CONDUIT AND PICTURES ONLY WHERE WALLS OR CEILINGS ARE TO BE REMOVED.
7. ALL DIMENSIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS
8. CUTS INTO EXISTING WALLS ARE TO BE LEFT CLEAN AND SMOOTH TO ALLOW FOR CONNECTION TO NEW CONSTRUCTION. CONTRACTOR TO NOTIFY THE OWNER IF ANY DISCREPANCIES OCCUR FOR CLARIFICATION BEFORE PROCEEDING WITH WORK.
9. ALL EXISTING 2x4 FLUORESCENT LIGHT FIXTURES TO BE REMOVED & REPLACED
10. RE-USE EXISTING SUSPENDED CEILING TILES THAT ARE IN GOOD CONDITION AS NEEDED IN EXISTING TOILET ROOM.



1 EXISTING FLOOR PLAN W/ DEMOLITION
1/4" x 7'-0"

IN AREA OF WORK:

1. REMOVE & REPLACE FLOORING
2. REMOVE & REPLACE SUSPENDED CLG
3. REMOVE & REPLACE ALL LIGHT FIXTURES

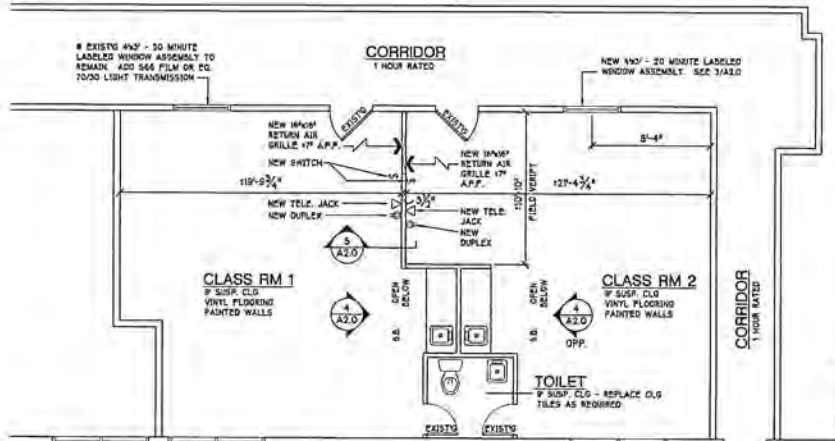


2 FLOOR PLAN W/ NEW CONSTRUCTION
1/4" x 7'-0"

PLUMBING NOTE:

1. EXISTING WATER CLOSET, LAVATORY & FLOOR DRAIN IN TOILET ROOM TO REMAIN
2. SINKS & EXISTING COUNTERS TO BE REPLACED ALONG WITH EXISTING CABINETS. LOCATIONS OF SINKS TO REMAIN THE SAME USING EXISTING PLUMBING INCLUDING HOT & COLD SUPPLY, SS WASTE LINES AND VENTING.

LEGEND:



2 FLOOR PLAN W/ NEW CONSTRUCTION
1/4" x 7'-0"

IN AREA OF WORK:

1. NEW VINYL TILE FLOOR WITH WOOD GRAIN 8x8x8x8"
2. NEW 4" RUBBER BASE
3. NEW ORANGE PEEL
4. ALL WALLS TO BE PAINTED
5. NEW CLASS A 2x4' SUSPENDED ACOUSTICAL CEILING TO MATCH EXISTING ARMSTRONG CALLA OR EQ. W/18\"/>

LANGLEY ARCHITECTS
David Langley Architects PC
P.O. Box 5853
350 W. Howard Ave.
Woodland Park, Colorado 80081
Tel: 719-687-0000
Fax: 719-687-8003
www.davidlangley.com
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PRELIMINARY DOCUMENTS NOT FOR CONSTRUCTION

THE LEARNING CENTER

WOODLAND PARK COMMUNITY CHURCH
800 VALLEY VIEW DRIVE, WOODLAND PARK, CO TELLER COUNTY

REFLECTED CEILING PLAN

PRELIM DATE: 07.20.2021
BID DATE:
RELEASE DATE:
REVISION DATE:

SHEET:
A2.0

PROJECT NUMBER: 21-15

PARK VIEW ESTATES FILING NO 2

IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO.

INCLUDING THE VACATION AND REPLAT OF
LOT 8 IN PAINT PONY RANCH CLUB-
FILING NO. 1A

KNOW ALL MEN BY THESE PRESENTS

THAT DEVELOPMENT TERM ASSOCIATES, INC., A COLORADO CORPORATION, IS THE OWNER OF LOT 8 IN PAINT PONY RANCH CLUB FILING NO 1A AND A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 13, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO WIT

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 10, IN THE SECOND ADDITION TO PAINT PONY RANCH CLUB, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK A AT PAGE 47 UNDER RECEPTION NO 178071 OF THE RECORDS OF THE CLERK AND RECORDER OF TELLER COUNTY, COLORADO; THENCE N03°04'36"W ALONG THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 67, 459.64 FEET TO THE NORTHWEST CORNER OF PARK VIEW ESTATES FILING NO. 1 AND THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE N03°04'36"W 1601.92 FEET; THENCE S 73°05'47"E 489.63 FEET; THENCE N15°55'32"E 155.08 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE S 74°04'28"E ALONG THE SOUTHERLY LINE OF APACHE TRAIL IN PAINT PONY RANCH CLUB FILING NO 1A 482.09 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 25°50' AND A RADIUS OF 288.33 FEET, AN ARC DISTANCE OF 130.00 FEET; THENCE S18°30'39"W 366.64 FEET; THENCE S01°14'22"E 60.01 FEET; THENCE N89°49'59"E 141.47 FEET; THENCE S06°48'44"E 338.31 FEET; THENCE S79°23'25"E 249.27 FEET; THENCE S27°13'17"W 270.00 FEET TO THE NORTHWEST CORNER OF LOT 1 BLOCK 12 SECOND ADDITION TO PAINT PONY RANCH CLUB; THENCE S89°51'28"W 240.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N06°48'44"W ALONG THE EAST LINE OF CHIPPEWA TRAIL 149.93 FEET; THENCE S89°51'28"W ALONG THE NORTH LINE OF LOTS 7 AND 8 BLOCK 11 IN SAID SECOND ADDITION 370.26 FEET; THENCE N02°54'32"W 339.52 FEET; THENCE S87°05'28"W 199.83 FEET; THENCE S02°54'32"E 769.18 FEET; THENCE S87°05'28"W 235.00 FEET; THENCE S02°54'32"E 125.77 FEET; THENCE S27°05'28"W 171.44 FEET TO THE POINT OF BEGINNING ALL IN TELLER COUNTY, COLORADO, AND CONTAINING 27.86 ACRES MORE OR LESS.

THE ABOVE TRACT IN INTEREST HAS CAUSED SAID TRACT TO BE PLATTED INTO LOTS, STREETS AND EASEMENTS AS SHOWN ON THE ABOVE PLAT. THE UNDERSIGNED DO HEREBY GRANT UNTO THE CITY OF WOODLAND PARK THOSE EASEMENTS SHOWN ON THE PLAT AND FURTHER RESTRICT THE USE OF ALL EASEMENTS OF THE CITY OF WOODLAND PARK AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUIT CLAIM ALL OR ANY SUCH EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF WOODLAND PARK. THIS TRACT OF LAND AS HEREBY PLATTED SHALL BE KNOWN AS "PARK VIEW ESTATES FILING NO. 2" IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO. ALL STREETS ARE HEREBY DEDICATED TO THE CITY OF WOODLAND PARK FOR PUBLIC USE.

IN WITNESS WHEREOF

THE UNDERSIGNED, DEVELOPMENT TERM ASSOCIATES, INC., A COLORADO CORPORATION, JAMES HALL JONES, PRESIDENT AND JAMES D. NYMAN, VICE-PRESIDENT, HAVE HEREUNTO SET THEIR HAND AND SEAL THIS 12 DAY OF MAY A.D. 1982.

James Hall Jones
JAMES HALL JONES, PRESIDENT
James D. Nyman
JAMES D. NYMAN, VICE-PRESIDENT

STATE OF COLORADO
COUNTY OF TELLER S.S.

THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF MAY A.D. 1982 BY DEVELOPMENT TERM ASSOCIATES, INC., A COLORADO CORPORATION, JAMES HALL JONES, PRESIDENT AND JAMES D. NYMAN, VICE-PRESIDENT. WITNESSES MY HAND AND SEAL.

MY COMMISSION EXPIRES
OCTOBER 9, 1984

APPROVAL BY PLANNING COMMISSION

THE FOREGOING PLAT AND PETITION FOR SUBDIVISION IN THE CITY OF WOODLAND PARK, COLORADO, HAVE BEEN EXAMINED BY THE CITY PLANNING COMMISSION AND HEREBY CERTIFIES THAT THEY MEET THE REQUIREMENTS AND MINIMUM STANDARDS OF THE EXISTING REQUISITIONS AND ORDINANCES OF THE CITY OF WOODLAND PARK, COLORADO, AND THE SAID COMMISSION THEREFORE APPROVES THE FOREGOING PLAT AND PETITION FOR SUBDIVISION IN THE CITY OF WOODLAND PARK, COLORADO THIS 26 DAY OF February A.D. 1982.

Martha L. Engle
SECRETARY
Paul A. Johnson
CHAIRMAN

APPROVAL BY CITY COUNCIL

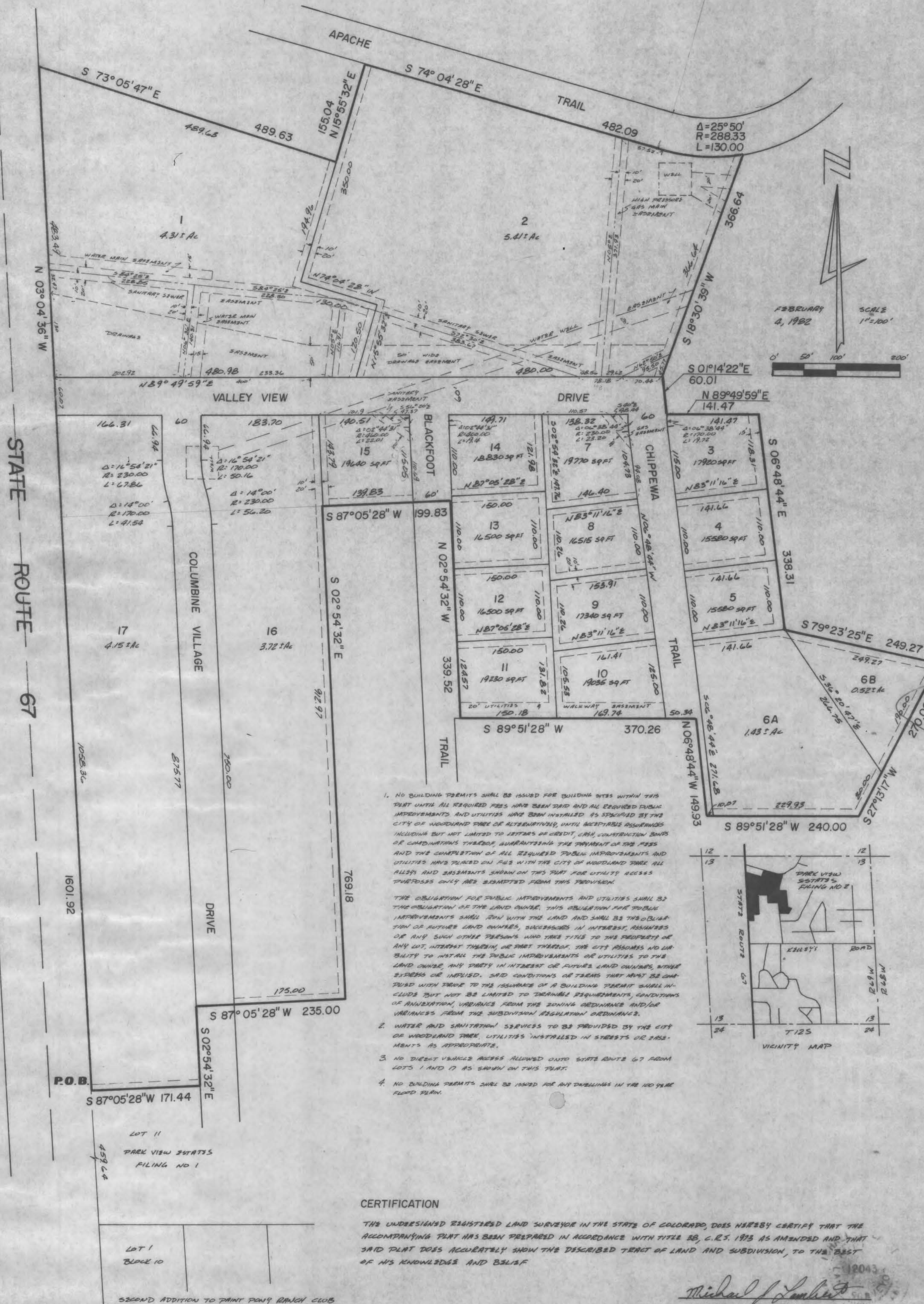
THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, AUTHORIZED THE SUBDIVISION OF THE SAID TRACT OF LAND, AS SET FORTH ON THIS PLAT AT A MEETING OF THE SAID CITY COUNCIL HELD ON THE 15 DAY OF April A.D. 1982, AND AT THE SAME TIME AUTHORIZED THE UNDERSIGNED TO ACKNOWLEDGE THE SAME, WHICH IS ACCORDINGLY DONE THIS 15 DAY OF May A.D. 1982, ON BEHALF OF THE CITY OF WOODLAND PARK, COLORADO.

Paul A. Johnson
CITY CLERK
Bruce J. Winter
MAYOR

STATE OF COLORADO
COUNTY OF TELLER S.S.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 8:00 O'CLOCK A.M. THIS 20 DAY OF May A.D. 1982, AND IS ONLY RECORDED IN PLAT BOOK I AT PAGE 219 UNDER RECEPTION NO 302199

Michael J. Lamb
COLORADO LAND SURVEYOR NO 12043
John R. ...
COUNTY CLERK AND RECORDER



1. NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF WOODLAND PARK OR ALTERNATIVELY, UNTIL ACCEPTABLE ASSURANCES INCLUDING BUT NOT LIMITED TO LETTERS OF CREDIT, CASH, CONSTRUCTION BONDS OR COMBINATIONS THEREOF, GUARANTEEING THE PAYMENT OF THE FEES AND THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN PLACED ON FILE WITH THE CITY OF WOODLAND PARK. ALL ALLEYS AND EASEMENTS SHOWN ON THIS PLAT FOR UTILITY ACCESS PURPOSES ONLY ARE SUBMITTED FROM THIS PROVISION.
2. THE OBLIGATION FOR PUBLIC IMPROVEMENTS AND UTILITIES SHALL BE THE OBLIGATION OF THE LAND OWNER. THIS OBLIGATION FOR PUBLIC IMPROVEMENTS SHALL RUN WITH THE LAND AND SHALL BE THE OBLIGATION OF FUTURE LAND OWNERS, SUCCESSORS IN INTEREST, ASSIGNS OR ANY SUCH OTHER PERSONS WHO TAKE TITLE TO THE PROPERTY OR ANY LOT, INTEREST THEREIN, OR PART THEREOF. THE CITY RESERVES NO LIABILITY TO INSTALL THE PUBLIC IMPROVEMENTS OR UTILITIES TO THE LAND OWNER, ANY PARTY IN INTEREST OF FUTURE LAND OWNERS, NOTRE ESTATE OR IMPLIED. SAID CONDITIONS OF TERMS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUANCE OF A BUILDING PERMIT SHALL INCLUDE BUT NOT BE LIMITED TO TECHNICAL REQUIREMENTS, CONDITIONS OF SUBDIVISION, VARIANCES FROM THE ZONING ORDINANCE AND/OR VARIANCES FROM THE SUBDIVISION REGULATION ORDINANCE.
3. WATER AND SANITATION SERVICES TO BE PROVIDED BY THE CITY OF WOODLAND PARK. UTILITIES INSTALLED IN STREETS OR EASEMENTS AS APPROPRIATE.
4. NO DIRECT VEHICLE ACCESS ALLOWED ONTO STATE ROUTE 67 FROM LOTS 1 AND 17 AS SHOWN ON THIS PLAT.
5. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY DWELLINGS IN THE 10 YEAR FLOOD PLAIN.

CERTIFICATION

THE UNDERSIGNED REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DOES HEREBY CERTIFY THAT THE ACCOMPANYING PLAT HAS BEEN PREPARED IN ACCORDANCE WITH TITLE 38, C.R.S. 1973 AS AMENDED AND THAT SAID PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACT OF LAND AND SUBDIVISION, TO THE BEST OF HIS KNOWLEDGE AND BELIEF

Michael J. Lamb
COLORADO LAND SURVEYOR NO 12043

STATE ROUTE 67

P.O.B.

LOT 11
PARK VIEW ESTATES
FILING NO 1

LOT 1
BLOCK 10

SECOND ADDITION TO PAINT PONY RANCH CLUB



Woodland Park Planning and Building

Planning Commission Meeting: September 23, 2021

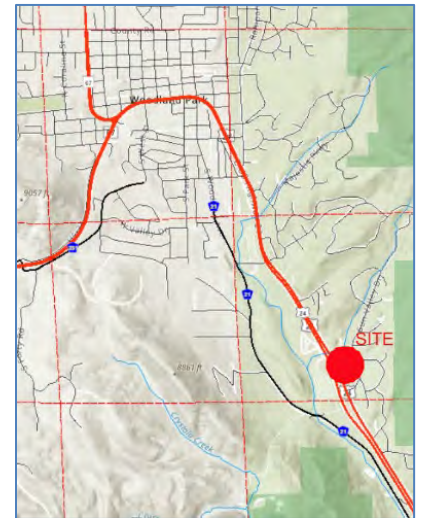
Department

Planning

Presenter

Lor Pellegrino, AICP
City Planner

PROJECT:	CUP2021-02 Stuft Food Emporium
FROM:	City Planner Lor Pellegrino, AICP
REQUEST:	Consider a Conditional Use Permit for MC §18.09.090.P.2 Traditional/Family Restaurant use
LOCATION:	100 Morning Sun Drive (Lot 2, Morning Sun Business Park)
ZONING:	Chapter 18.20 Neighborhood Commercial District (NC)
APPLICANT:	The Stuft Food Emporium
LAND OWNER:	High Country Real Estate Holdings, LLC (Peter LaBarre)
NEXT STEP:	October 7, 2021 City Council First Reading October 21, 2021 City Council Public Hearing



I. PROPOSAL

The applicant proposes to open a family-style restaurant in the existing 4,860 square foot building located at 100 Morning Sun Drive near the southerly boundary of the City. The site is on the east side of US24 at the southwest corner of Morning Sun Drive and Sun Valley Drive. When originally constructed in 1987 for City Auto (a 5,940 SF auto service shop), the building was the first to be erected in the area. In September 2001, the Morning Sun Business Park plat submitted by Developer Allen Brown was approved by City Council and 2.16 acres was divided into 3 lots. Lot 2 (1.15 acres) was created to contain the existing City Auto building and surrounding site for parking. Upon platting, the City Auto building was renovated to a restaurant (Zak's Tavern and Grill began operation in 2002) and the other two lots proposed as office/medical



buildings to be developed at a later date. CUP 01-004/Site Plan SPR 01-011 was approved in 2001 for Zak's restaurant conversion and included the construction of a stormwater detention pond in the southwest corner of Lot 2, improvements to US24, and an improved parking lot offering 66 spaces. Zak's was replaced by Primo's restaurant in 2005. When Primo's left in 2009 the building remained vacant until 2011 when Mr. Pete LaBarre purchased it and received approval for CUP 11-003 for the Denny's restaurant. Denny's closed in mid-2017 and the building has been vacant ever since. Per MC 18.45.010 and City Charter 15.7(c), if a use is discontinued or abandoned for one (1) or more years, future uses shall conform to the provisions of the Code (i.e. a new CUP is required).

No exterior changes to the building (other than a new sign) or the site are proposed at this time. Municipal water and sewer service is provided to the building.

This parcel is subject to Municipal Code (MC) Chapter 18.20 Neighborhood Commercial District (NC). According to MC Section 18.09.090.P.2, "Traditional/Family Restaurants selling food and drink for immediate consumption on the premises and excluding all types of drive-in food services" is a conditional (C) use in the NC zone district.

II. SITE & SURROUNDING PROPERTIES



The subject site is surrounded by the following properties:

- North: Morning Sun Drive, Office Buildings (Coldwell Banker), Neighborhood Commercial (NC) zone
- East: Office Building, Sun Valley Drive (NC zone)
- South: Vacant land, Office Buildings (NC zone)
- West: US Highway 24, Wal-Mart (PUD zone)

III. CONDITIONAL USE PERMIT REVIEW CRITERIA

In the NC zone district, traditional/family restaurant uses are a conditional use. Section 18.57.040.A states: *“The standards for conditional use permits are intended only as a minimum necessary for review. An application for a conditional use permit, even though meeting the minimal standards of this chapter and code, may be denied, if it is determined that the development and use is not in the best interest of the city.”*

Section 18.57.040.B of the Code includes the following standards that all conditional uses must demonstrate compliance with (*followed in italics by a staff analysis of how the proposed use complies*):

1. The proposed development and use shall have a demonstrated direct need to be located at the location proposed and provide adequate mitigation measures to lessen all identified impacts.

Staff Analysis:

Complies.

The proposed family style restaurant will be located in an existing building and on a site that has accommodated numerous restaurants in the past and satisfies the needs of a restaurant in the future, including but not limited to availability of sufficient parking, good highway visibility, and within a commercial zone. No additional impacts are identified and mitigation is not required.



2. The proposed development and use shall not endanger the public health and welfare.

Staff Analysis: *Complies.*

The proposed restaurant use is located in an established building and commercial development. The equipment for the new restaurant must comply with all health codes in effect. If renovations are proposed to the building, they must comply with all building codes in effect (as applicable).

3. The proposed development and use shall not substantially injure the value of vicinity properties.

Staff Analysis: *Complies.*

The proposed restaurant use is located in a building that has traditionally housed a restaurant and is in a commercial development and adjacent to US Highway 24. Vicinity commercial property values should increase with the occupancy of a vacant building.

4. The proposed development and use shall be in harmony with the area in which it is to be located.

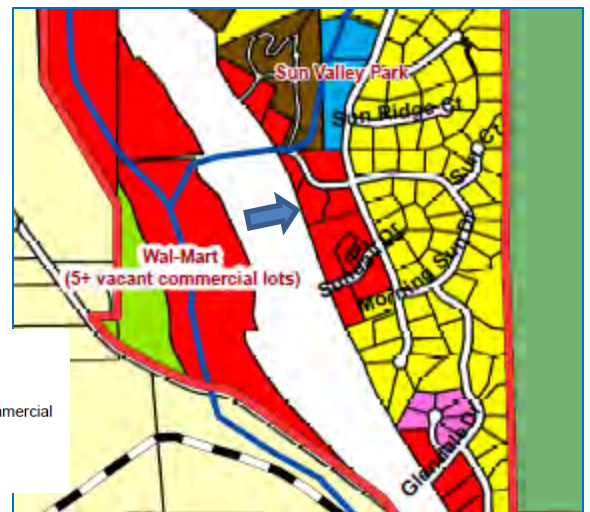
Staff Analysis: *Complies.*

No changes are being proposed to the exterior of the building or the site.

5. The proposed development and use shall conform to the provisions, objectives and policies of all city plans, adopted and in effect at the time of application, including but not limited to growth management, transportation, utilities, capital improvements and downtown redevelopment.

Staff Analysis: *Complies.*

The proposed development (restaurant use) complies with numerous policies, goals and objectives of the Woodland Park 2010 Comprehensive Plan: it provides job opportunities, adds a complementary business to a commercial cluster, facilitates critical commercial mass and reduces sales tax leakage. The future land use is commercial.



Legend

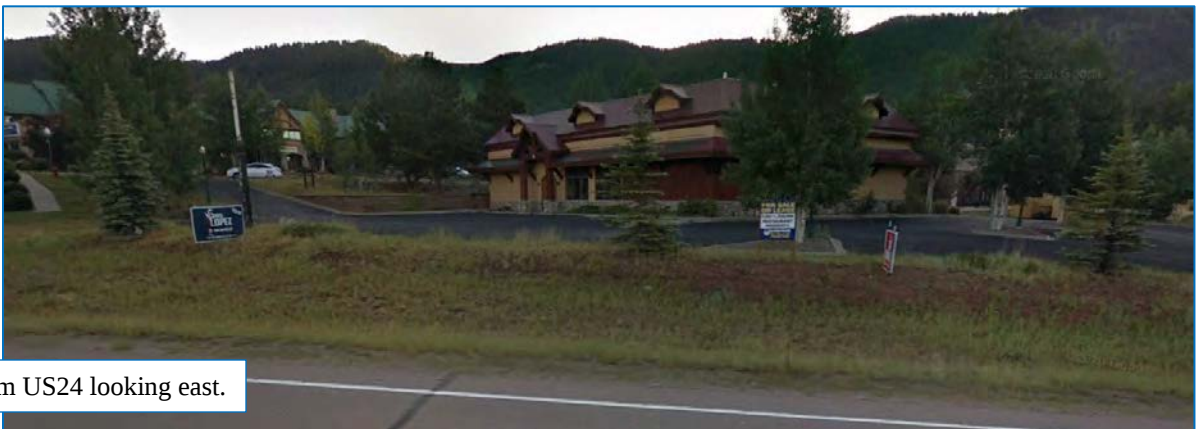
citylim	Open Space	Mixed-Use
Waterways	Teller County Rural Residential	Teller County Neighborhood Commercial
Wetlands	Single Family Residential	Commercial
Pike National Forest	Multi-Family Residential	Public/Semipublic Land

6. The proposed development and use shall conform to the provisions, standards and requirements of all city regulations, adopted and in effect at the time of application, including but not limited to zoning, subdivision, utilities, buildings and construction, business regulations and engineering specifications.

Staff Analysis: *Complies as conditioned.*

Per MC 18.39.050.H, the parking lot shall be upgraded to be free of potholes and trash, and re-striped so that parking space lines are clearly visible and distinct.

7. The proposed development and use shall be designed, constructed and maintained to accommodate the on-site and off-site traffic generated.
Staff Analysis: *Complies.*
The applicant submitted, and staff accepted, the trip generation letter prepared by LSC Transportation Consultants, Inc. for the Denny's restaurant (dated May 4, 2011). This letter indicated that the proposed Denny's restaurant should not generate any additional traffic over and above what the previous restaurant use created. Staff believes the same to be true for Stuft Foods – that traffic generated should be similar to the traffic generated with the Denny's restaurant – and mitigation is not required.
8. The proposed development and use shall be designed, constructed and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.
Staff Analysis: *Complies.*
The proposed expansion will utilize existing buildings and parking areas, so no changes are being made that will impact topography and other site features. The existing detention pond in the southwest corner of the site is privately held by the land owner and the land owner is responsible for regular maintenance.
9. The proposed development and use shall be designed, constructed and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods and surface water drainage.
Staff Analysis: *Complies as conditioned.*
The proposed development complies with this provision. Water and wastewater billing has been reactivated. The backflow prevention device has been tested and found satisfactory. Prior to opening, a fixture unit count shall be submitted to the Utility Department. It is the responsibility of the land owner/tenant to ensure that the lift station and grease interceptors are regularly maintained and functioning properly.
10. The proposed development and use shall be designed, constructed and maintained to not unduly increase the public danger of fire, explosion and other safety hazards upon the public, and persons residing or working on the site and vicinity.
Staff Analysis: *Complies.*
No significant safety hazards are created by reintroducing a restaurant to this site.
11. The development and use may be required to provide architectural design schemes and may also require amenities such as, but not limited to, fencing, landscaping, buffer areas and other aesthetic enhancement measures, as required by the city council. (Ord. 589-1993 § 6(part), 1993)
Staff Analysis: *Complies.*
No exterior changes are being proposed apart from a new sign which will be processed by separate permit. No additional amenities are required.



From US24 looking east.

IV. STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit CUP 2021-02 for §18.09.090.P.2 Traditional/Family Restaurant use at 100 Morning Sun Drive (Lot 2, Morning Sun Business Park) subject to the following conditions:

1. Prior to opening the restaurant:
 - a. A water fixture unit count shall be submitted to the Utilities Department; and
 - b. The parking lot shall be restriped.

ATTACHMENTS

- Denny's Site Plan



MAROVITCH CONCESSIONS LLC

100 MORNING SUN DR

WOODLAND PARK, CO 80863

WOODLAND PARK MAYOR & CITY COUNCIL

Dear Sirs and Madams,

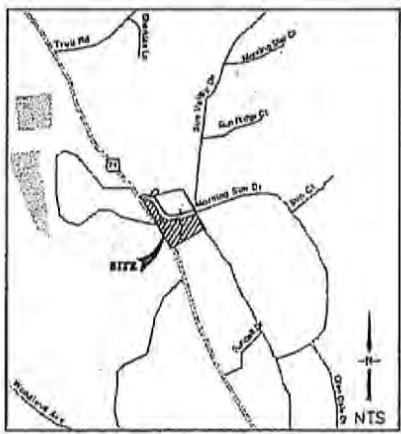
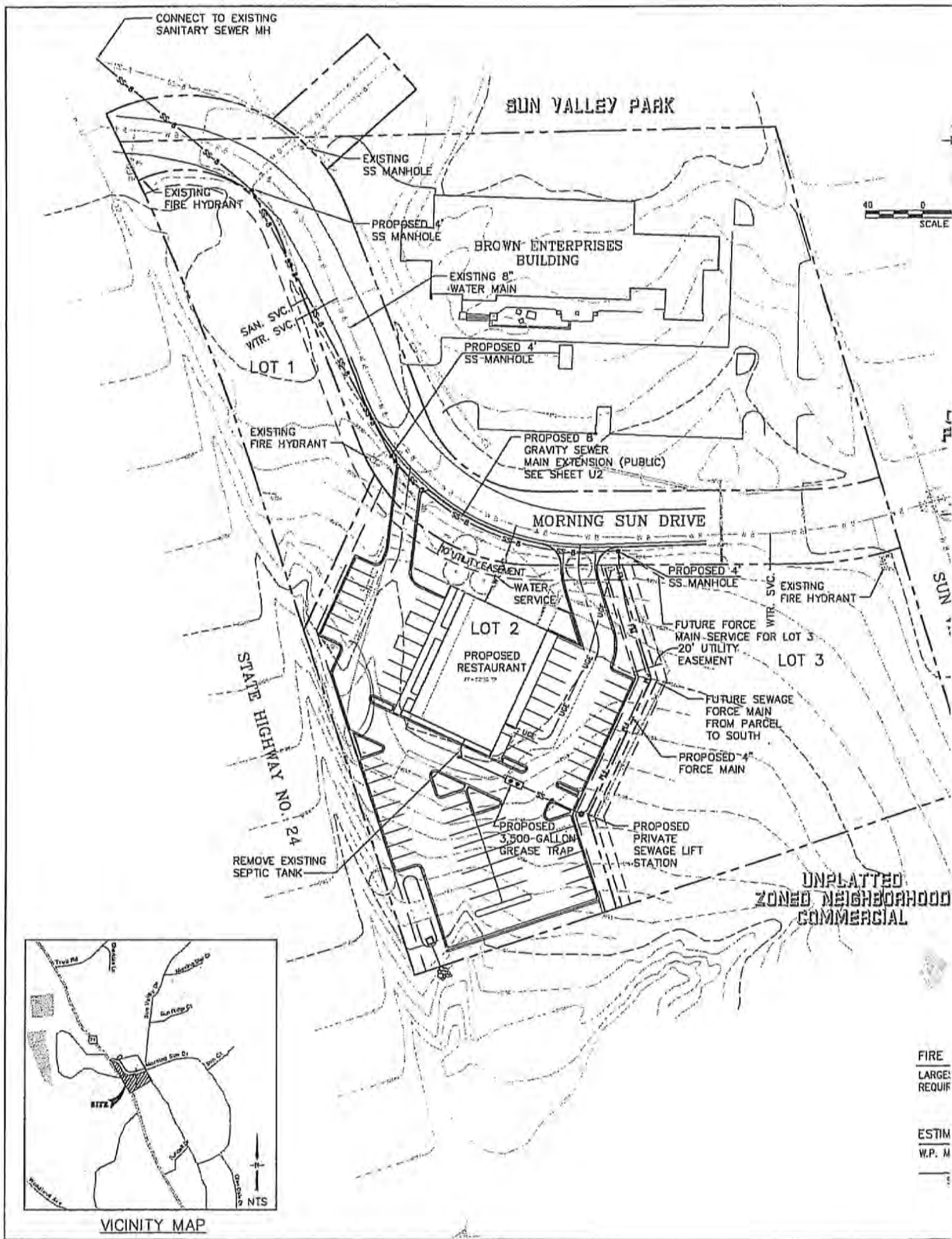
Marovitch Concessions LLC, sba The Stuft Food Emporium, is seeking a conditional use permit for the building located at 100 Morning Sun Drive, Lot 2, Morning Sun Business Park. This request is based on meeting the following criteria:

1. This location is conveniently located across the street from Walmart and is located by other business parks, making it a great location for a family style restaurant and for workers to have an option for lunch. The location helps ease the congestion in traffic from and to the downtown area and allows for separation from residential areas, as well as help with traffic impact issues.
2. With the layout of the location it allows for only entering the building from the side road, rather than creating potential issues with an entrance directly from the highway. The operations, as well as our standards for public health and safety, provide an environment designed to eliminate threats to public safety and wellness.
3. This building has been vacant for several years so having an occupied building will not injure, but enhance the surrounding property values.

4. This restaurant project is a wonderful option for Woodland Park and it's surrounding areas as it will bring the same energy and sense of family and comradery that Woodland Park treasures within its community. A safe space to enjoy family, friends, celebrate a special occasion, take the team players out after a great game night. This is a place to bring the community together under one roof that not only provides a safe but a uniquely wonderfully experience to the area.
5. This project conforms to the provisions, objectives and policies of all City plans, adopted and in effect at this time.
6. The project conforms to the provisions, objectives and policies of all City regulations, adopted and in effect at this time and will conform to the provisions, objectives, and policies of all City regulations, adopted and in effect at such time as the conditional use permit is granted.
7. The proposed development and use will accommodate any anticipated on and off site generated traffic.
8. The property will be maintained as constructed with appropriate regard to the topography, surface drainage, soil potentials, natural and man-made hazards, streams, and environmentally significant features.
9. The location has water and sewage lines provided by the City of Woodland Park. There is a 3,500 grease interceptor on site separating the property drain lines from the City's wastewater main.
10. The property has been designed, constructed, and maintained to not increase the public danger of fire, explosions, or other safety hazards and that proper procedures are in place.
11. Any changes to the design of the building will be done in a manner to comply with all City requirements including plan approval, permitting, and so forth.

Respectfully submitted by,

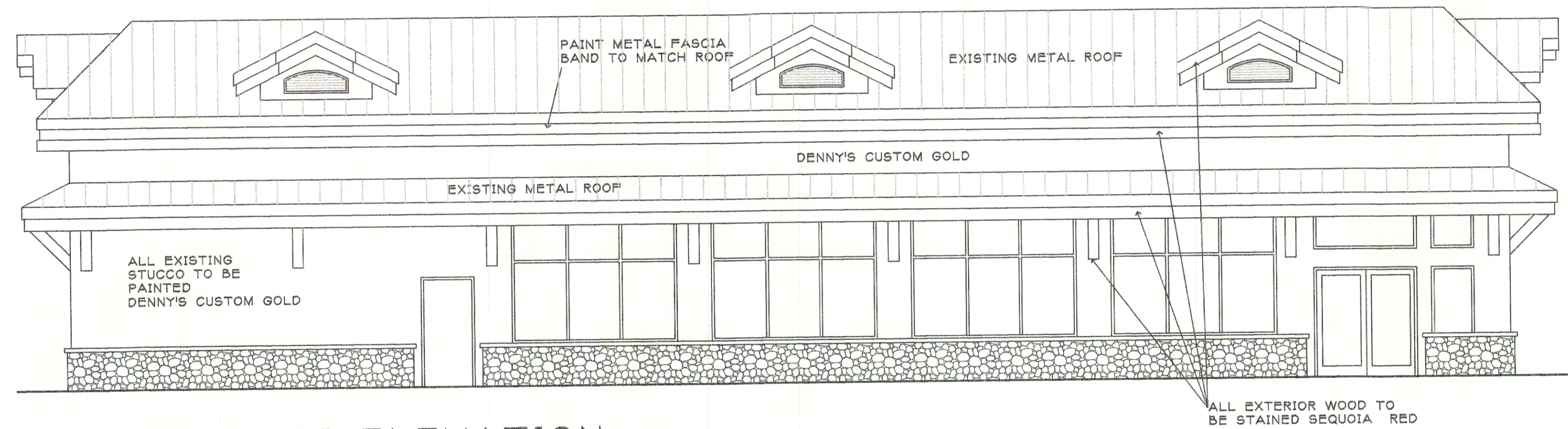
Mark Marovitch
Owner
Marovitch Concessions LLC
DBA The Stuff Food Emporium



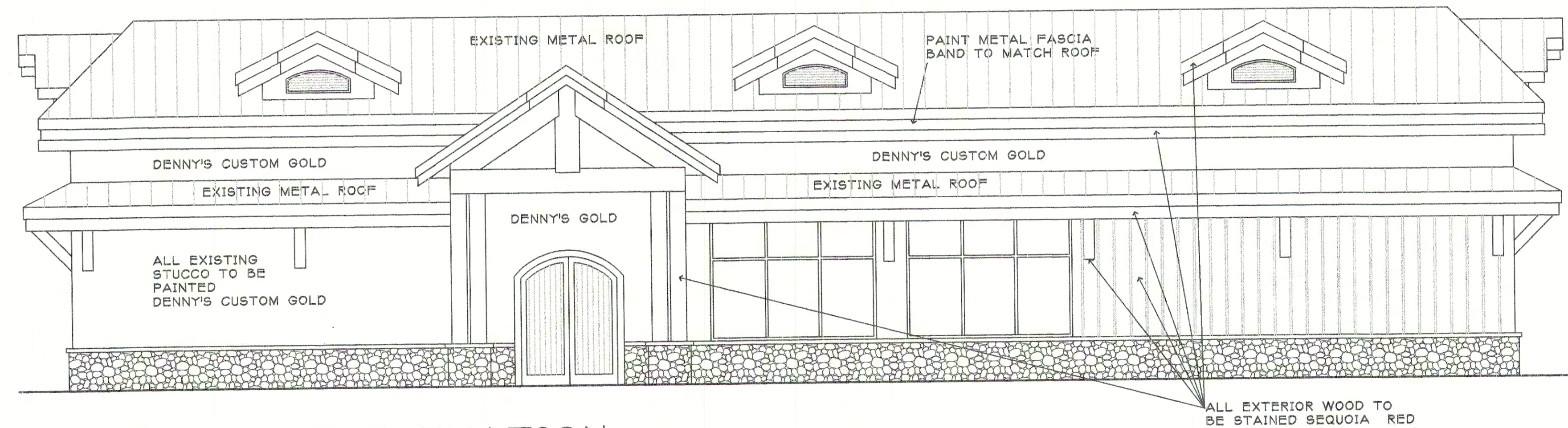
VICINITY MAP

FIRE
LARGE
REQUIR

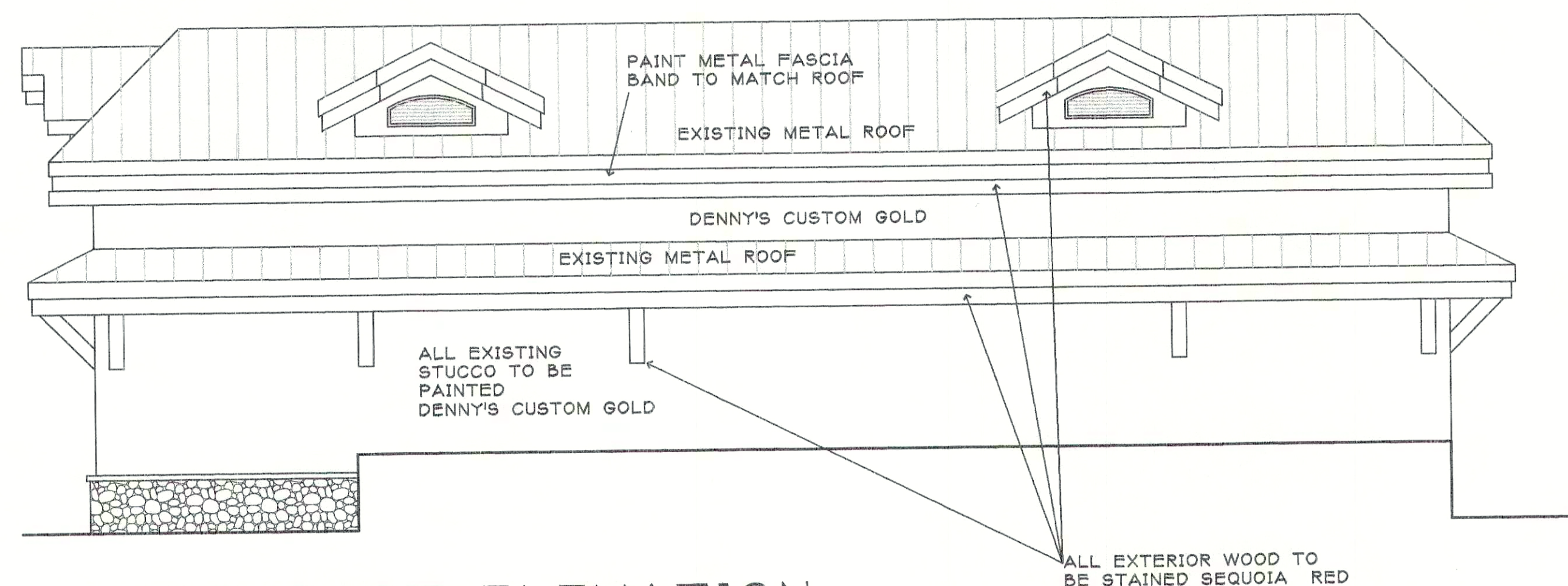
ESTIM
W.P. M



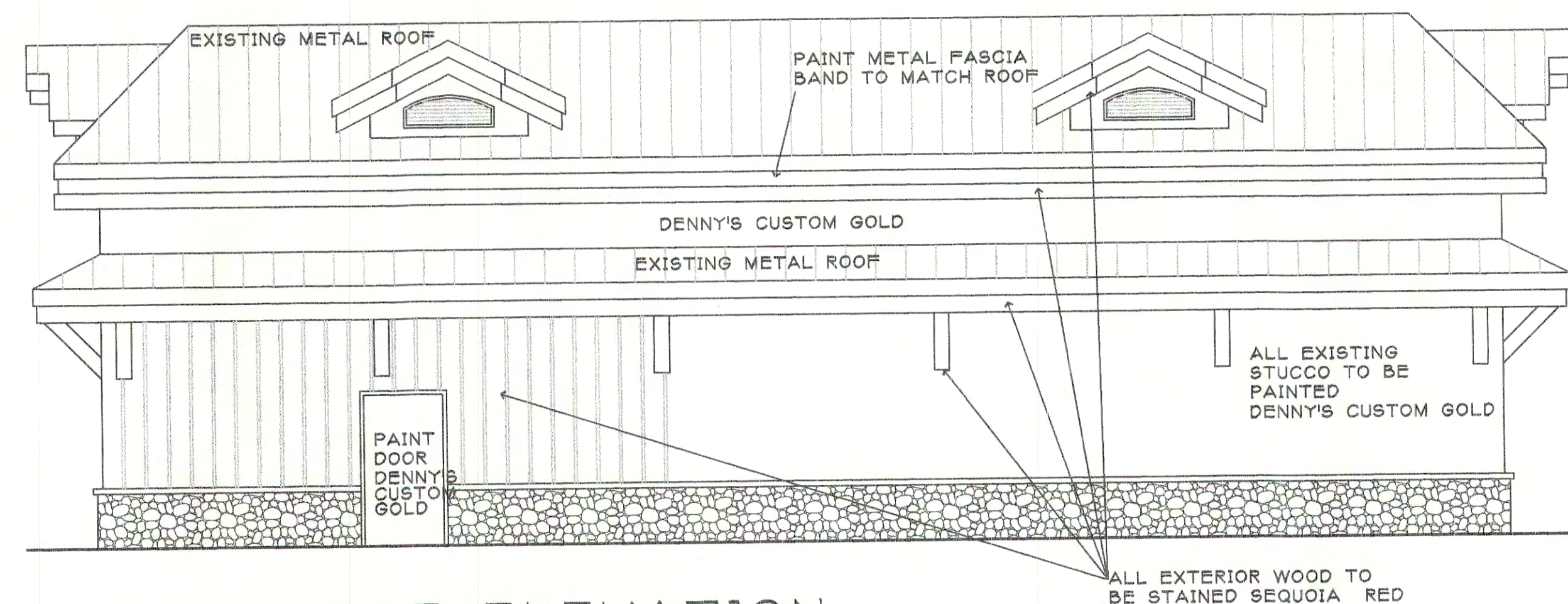
SOUTHEAST ELEVATION
SCALE 3/16" = 1'-0"



NORTHWEST ELEVATION
SCALE 3/16" = 1'-0"



NORTHEAST ELEVATION
SCALE 3/16" = 1'-0"

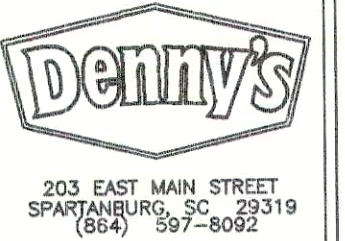


SOUHWEST ELEVATION
SCALE 3/16" = 1'-0"

SEAL

DATE
8-26-11

REVISIONS



DENNY'S RESTAURANT

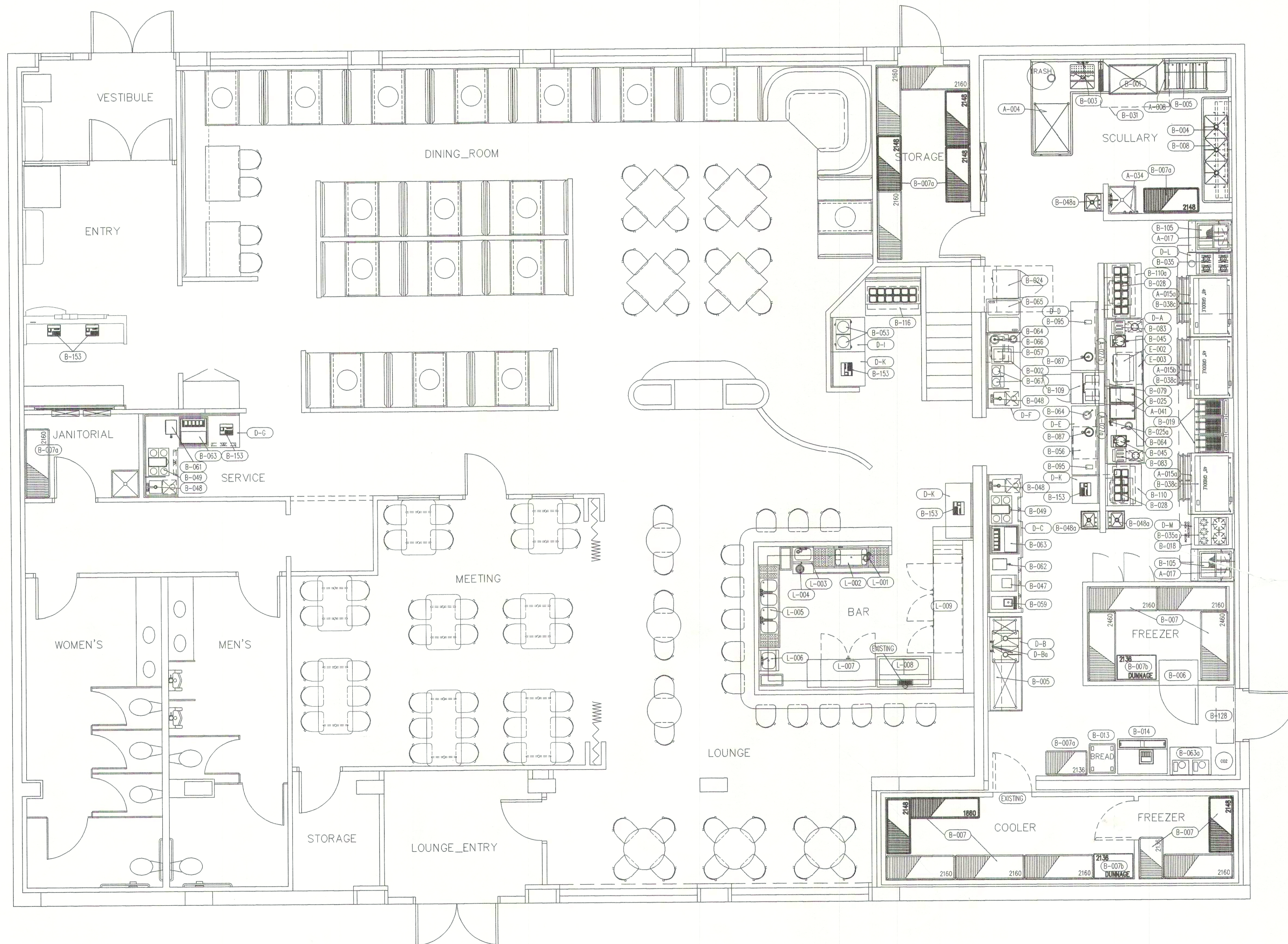
100 MORNING SUN DRIVE
LOT 2, MORNING SUN BUSINESS PARK
WOODLAND PARK, COLORADO

CRS Architects, LLC

1231 Rampart Range Road
Woodland Park, CO 80863
719-687-1787 719-687-1443 FAX

SHEET 1 OF 1

A1.2



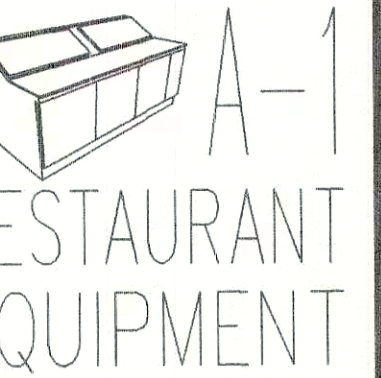
FOOD SERVICE EQUIPMENT FLOOR PLAN — 168 SEATS

REVISION

Δ	
Δ	
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FOOD SERVICE EQUIPMENT & FURNISHING DEALER

295 SOUTH 250 EAST
BURLY, ID 83318
PHONE - 208-677-3285
FAX - 208-677-9980
E-MAIL - justin@alreg.com

PROJECT:
DENNY'S RESTAURANT
WOODLAND PARK, CO

SHEET TITLE
EQUIPMENT FLOOR PLAN
JOB NUMBER
DRAWN BY
J. Slick
DATE
20 JUNE 2011
SCALE
1"=1'-0"
APPROVED BY
SHEET NUMBER

FS-1

T.C.B.D.
REVIEWED



Woodland Park

Planning and Building

Planning Commission Meeting: September 23, 2021

Department

Planning

Presenter

Lor Pellegrino, AICP
City Planner

PROJECT: VAC2021-05 Longman ROW VAC

FROM: City Planner Lor Pellegrino, AICP

REQUEST: Vacate 90 foot long by 15 foot wide part of the alley between Gunnison Avenue and County Road

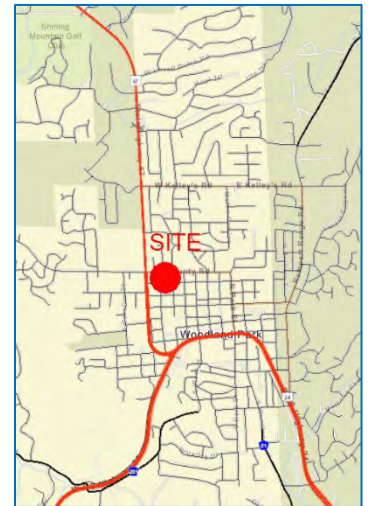
LOCATION: 640 W. Gunnison Avenue (Lot 4, B6, Elm Heights)
605 N. Walnut Street (Lots 6&7, B6, Lake Addition)

ZONING: Chapter 18.13 Urban Residential (UR)

APPLICANT: Longman, Anthony P. & Lisa M.

LAND OWNERS: Longman, Anthony P. & Lisa M. (Lot 4) and
Wester, Derin C. (Lots 6 & 7)

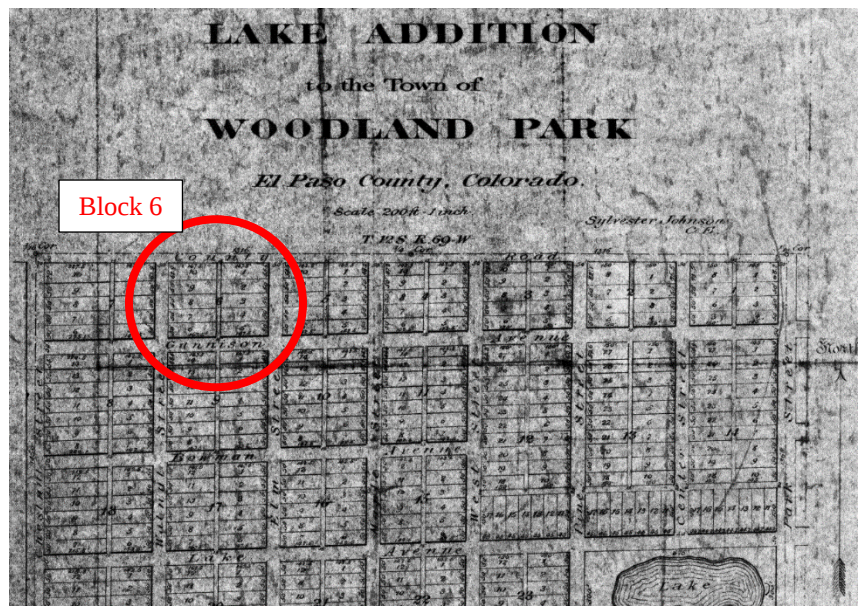
NEXT STEP: October 7, 2021 City Council First Reading Ord. 1406
October 21, 2021 City Council Public Hearing Ord. 1406



I. PROPOSAL

The Applicant (Longman) is requesting vacation of Parcel A – that part of the alley in Block 6 between Gunnison Avenue and County Road located between his lot and his neighbor to the west (Wester). Parcel A is 15 feet wide by 90 feet long for a total of 1,350 square feet. Mr. Longman wishes, and with Mr. Wester's concurrence, to own the entire vacated alley to facilitate and guarantee continued access to his garage.

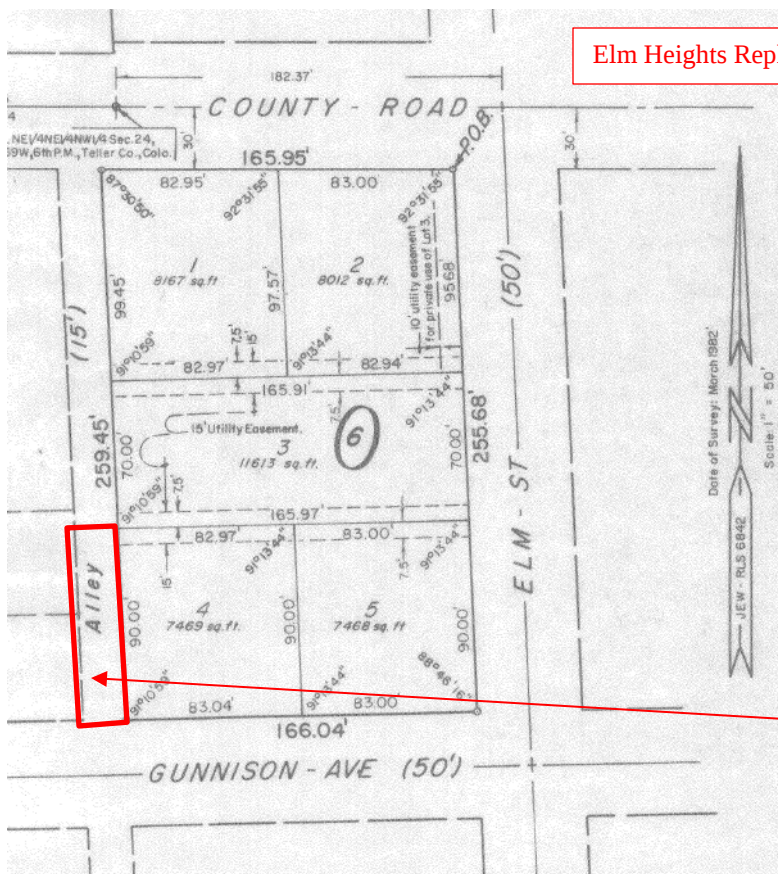
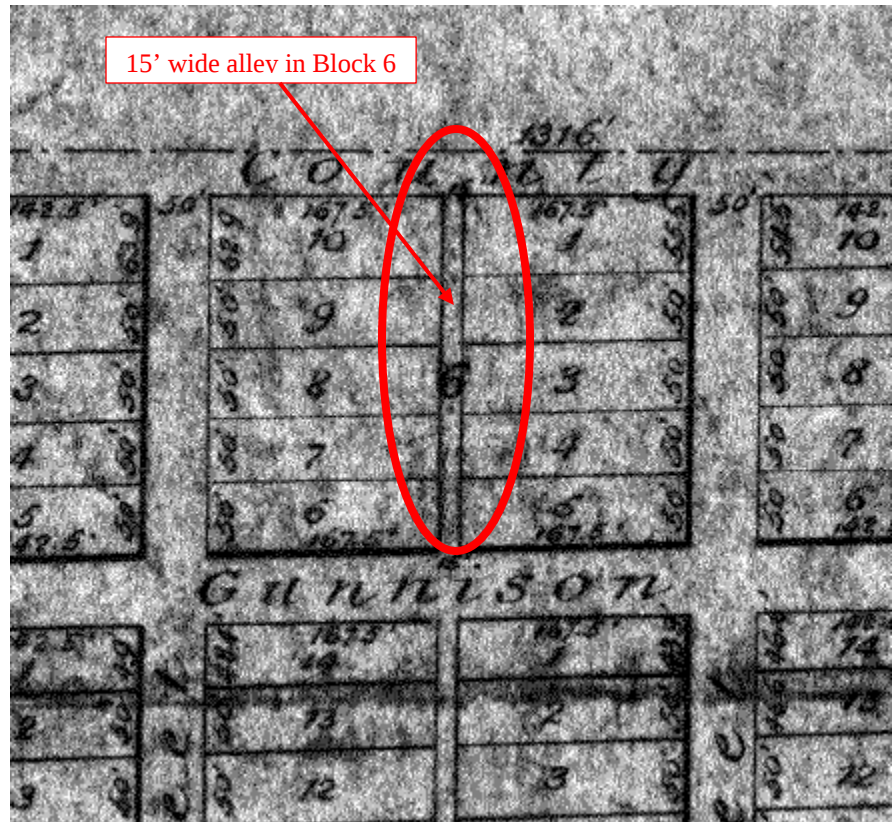
The 15' wide alley was originally platted in 1890 through all of Block 6 in the Lake Addition to the Town of Woodland Park. Lots 6 and 7 and the alley remain as originally platted but Mr. Longman's lot (Lot 4) was created in 1982 as part of



the Elm Heights subdivision which replatted and reconfigured Lots 1 through 5 of Block 6 (see below).

The entire alley is currently undeveloped. A power pole and Core (formerly IREA) power lines exist within Parcel A. The applicant's sewer line traverses the north end of Parcel A and a gas meter is located in the north end. The applicant uses Parcel A to access his garage. No other landowners in Block 6 use Parcel A and in fact, many have blocked the alley right-of-way with fences.

Core and the City Public Works Department have reviewed the request and do not object to the vacation so long as the 1,350 SF area is retained as a public access and utility easement.



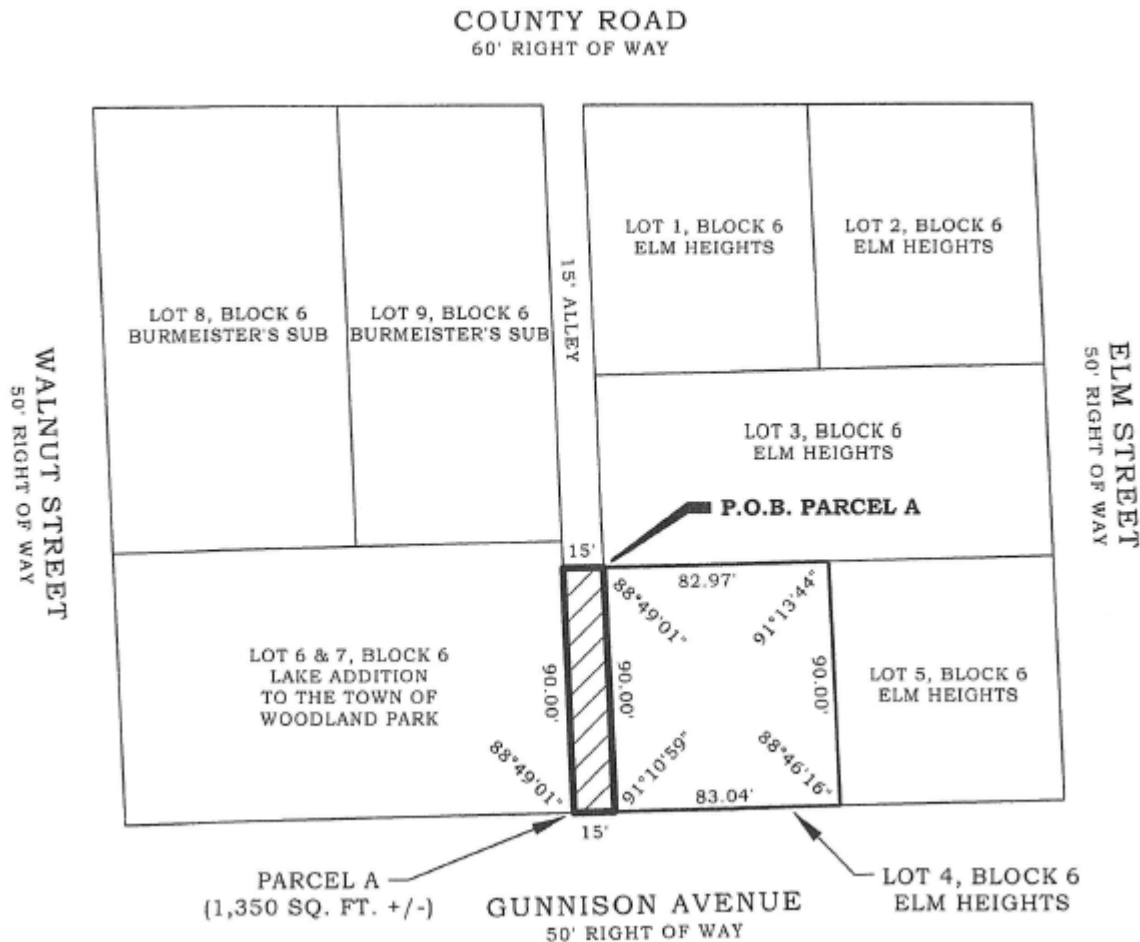
II. VACATION CRITERIA

This request is subject to Municipal Code (MC) Chapter 12.08 Vacation of Public Rights-of-Way and the City's right to vacate public rights of way is specified as follows:

12.08.030 City right to vacate.

The city council, by ordinance, may vacate any street, alley, easement or public right-of-way or part thereof located within the corporate limits of the city, subject to the provisions of the City Charter and the Constitution and statutes of the state.

The applicant would like to vacate that 1,350 SF area of land identified as Parcel A below:



This vacation request was reviewed and assessed to ensure compliance with the applicable sections of MC Chapter 12.08 as follows:

12.08.010 Policy declaration. The city declares the following to be its general policy regarding vacation of streets, alleys, easements and public rights-of-way: The vacation of streets, alleys, easements and public rights-of-way shall be considered based on its effect on utilities located in said rights-of-way, emergency services access, feasibility of road construction, access to lots abutting the vacation, area traffic patterns and adjacent landowners input.

Staff Analysis: *Complies.*



Currently, this alley is not used for access by emergency services; the feasibility of further road/alley construction is unlikely; access to abutting lots via the alley is not necessary; and, area traffic patterns would not be affected. The City would reserve the entire Parcel A as an easement ensuring access and future infrastructure development if needed. If vacated, there would be no detrimental effect on utilities since the reservation would allow access and the location of future public utilities. NETC Fire, Black Hills, Core (IREA), CenturyLink, TDS Telecom and Peak Internet have no objections to the vacation. Adjacent owner input was sought by the applicant. He sent out a letter and personally spoke to the four (4) landowners abutting the Block 6 alley (see copy in application) and no concerns were expressed by anyone.





12.08.020 Vesting of title upon vacation. Whenever any roadway has been conveyed to, or acquired by, the city for use as a street, alley, easement or public right-of-way, and thereafter is vacated, title to the lands included within such street, alley, easement or public right-of-way or so much thereof as may be vacated shall vest, subject to the same encumbrances, liens, limitations, restrictions, and estates as the land to which it accrues, as follows:

- A. In the event that a street, alley, easement or public right-of-way, which constitutes the exterior boundary of a subdivision or other tract of land, is vacated, title to the street, alley, easement or public right-of-way shall vest in the owners of the land abutting the vacated street, alley, easement or public right-of-way, at the time the street, alley, easement or public right-of-way was acquired for public use, was a part of the subdivided land, or was a part of the adjacent land.
- B. In the event that less than the entire width of a street, alley, easement or public right-of-way is vacated, title to the vacated portion shall vest in the owners of the land abutting such vacated portion.
- C. In the event that a street, alley, easement or public right-of-way bounded by straight lines is vacated, title to the vacated street, alley, easement or public right-of-way shall vest in the owners of the abutting land, each abutting owner taking to the center of the street, alley, easement or public right-of-way, except as provided in subsections A and B of this section. In the event that the boundary lines of abutting lands do not intersect the roadway at a right angle, the land included within such roadway shall vest as provided in subsection
- D. In all instances not specifically provided for, title to the vacated roadway shall vest in the owners of the abutting land, each abutting owner taking that portion of the vacated roadway to which his land or any part thereof is nearest in proximity.
- E. No portion of a roadway, upon vacation, shall accrue to an abutting roadway.

Staff Analysis: *Complies.*

If vacated, half of the 15 foot alley should vest with Mr. Wester and the other half should vest with Mr. Longman. However, Mr. Wester does not want his half and has agreed to give his half to Mr. Longman so that Mr. Longman will take ownership of the entire 1,350 SF Parcel A.

12.08.060 Reservation of land for utility uses. In the event of vacation, rights-of-way or easements may be reserved for the continued use of existing sewer, gas, water or similar pipelines and appurtenances, for ditches, canals or drainage and appurtenances, and for electric, telephone and similar lines and appurtenances.

Staff Analysis: *Complies.*

The draft ordinance attached reserves the entire 1,350 SF Parcel A as a public utility and access easement.

12.08.070 Procedure for requesting a vacation. Any person desiring the vacation of any street, alley, easement or other public rights-of-way, located within the city, shall file with the city clerk the following, at least thirty days prior to the next regular scheduled planning commission meeting:

- A. A completed application form;
- B. Plat and legal description of proposed vacation; plat shall be drawn by a registered land surveyor and shall be on eight and one-half inches by eleven-inch paper whenever possible;
- C. A processing fee as established by city council;
- D. The names and addresses of all adjacent property owners.

Staff Analysis: *Complies.*

The complete application has been accepted by staff and is attached to this staff report.

12.08.080 - Hearing—Planning commission and city council action.

- A. The planning commission shall hold a public hearing on the vacation request. Notice of the public hearing shall be published in the official city newspaper at least seven days prior to the public hearing. The property proposed to be vacated shall be posted at least ten days prior to the public hearing and notice shall be sent to adjacent property owners at least ten days prior to the public hearing. The planning commission shall recommend approval or disapproval to the council, or table the request until the next regularly scheduled meeting.
- B. The planning commission shall make its written recommendations to the city council.
- C. The city council shall conduct a public hearing concerning the proposed recommendations by the planning commission, which recommendation shall be part of the council records for such hearing. Notice of public hearing shall be published and posted at least seven days prior to the public hearing, the notice for the city council public hearing may be done at the same time as the notice for the planning commission hearings.

Staff Analysis: *Complies.*

The Planning Commission public hearing is scheduled for September 23, 2021 and the City Council public hearing is scheduled for October 21, 2021. All public hearing notices have been published, mailed and posted per Municipal Code requirements.

12.08.090 Vacation to be accomplished by ordinance. After the public hearing, if the council elects to proceed with the vacation, the actual vacation of any property within the street, alley, easement or other public right-of-way within the city shall be accomplished by ordinance.

Staff Analysis: *Complies.*

A draft ordinance has been created and is attached to this staff report.

12.08.100 - Recording of vacation ordinance. An ordinance for vacation of any street, alley, easement or public right-of-way, once duly passed and effective, shall be filed with the office of the county clerk and recorder for Teller County.

Staff Analysis: *Complies.*

If passed, the ordinance will be recorded with Teller County.

12.08.110 - Reimbursement to city. In addition to the processing fee, the applicant shall reimburse the city for all publishing, posting, ordinance drafting and filing costs.

Staff Analysis: *Complies.*

These are typical costs that all applicants are subject to and are billed upon closing the file.

III. STAFF RECOMMENDATION

Staff recommends approval of VAC2021-05 to vacate that 1,350 SF part (Parcel A) of the public ROW (alley) between Gunnison Avenue and County Road in Block 6, Lake Addition to the Town of Woodland Park as submitted by Mr. Longman (applicant) subject to the following conditions:

1. Reservation of a public access and utility easement to the City over the vacated portion (Parcel A).

ATTACHMENTS

Application
Ordinance 1406, 2021



**VACATION OF A PUBLIC
RIGHT-OF-WAY
2021 Application Form**
(Revised 1/1/2021)

MC § 12.08

Project # 202108249
Fees: VAC 2021-05
ROW Vacation=\$899.00
(Plus publication and recording fees)

Aug 23/21
3/0/3/30

1. Applicant Information (Include all property owners involved with the vacation request)

Property Owner (First and Last Name)	#1 Anthony Longman Lisa Longman	#2 Derin Wester
Mailing Address	640 W. Gunnison Avenue Woodland Park CO 80863	605 N. Walnut Street Woodland Park CO 80863
E-Mail Address	anthonylongman@mac.com	Sonnyderin@yahoo.com
Phone Numbers	(818) 481-8338	(619) 261-5000

2. Property Information

- a. Street Address 640 W. Gunnison Avenue, Woodland Park CO 80863
b. Legal Description (Lot, Block, Subdivision) Lot 4, Block 6, Elm Heights
c. Zone District UR

3. Vacation/Establish Easement Request Information

- a. Provide a General Description of the Area Requested to be Vacated/Established
That portion of the alley between Gunnison Avenue and County Road that lies between The West boundary of 640 W. Gunnison and the E. Boundary of 605 N. Walnut St.
- b. Reason for Request 640 W. Gunnison relies on use of this land to access its garage, and has done so since it was built on.
- c. What Utilities or Drainage Facilities Exist in the Area? Power pole, gas line, phone lines, probably a sewer connection.
- d. Will Any Lots Be Denied Street Access If This Vacation Is Approved?
Yes ☐ No ☒ If Yes, Please Describe _____

4. Submittal Requirements

The following information must be submitted with the application pursuant to Chapter 12.08 for the vacation of streets, alleys, easement, or other public rights of way.

Applicant Check	City Check	Submittal Requirements:
☐		Complete Application A completed application for a vacation upon forms supplied by the Planning Department.
☐		Application Fee As outlined on page one.
☐		Recording/Publication Fees Teller County Clerk and Recorder charges fees to record documents. You will be billed for these costs plus publication costs incurred by the Planning Department. <i>Recording fees: \$13.00 for the first page, \$5.00 for each page thereafter, plus \$2.00 e-file fee.</i>
☐		Adjoiners List (Required only for Vacation of Right of Way) A complete list of names and mailing addresses of all adjacent property owners within 150' of the subject property.
☐		Proof Of Ownership Warranty deed or title policy.
☐		Exhibit/Drawing An exhibit or drawing by a registered land surveyor showing the proposed easement or right of way vacation. The exhibit shall be drawn on 8 1/2" x 11" paper. A legal description of the subject property is also required.

5. Certification

I (we) do hereby declare and affirm that I (we) am (are) the owner(s) of the subject property(s) affected by this vacation request.

➡ Owner Anthony Langman Jim Langman Date 8/23/2021

➡ Owner Don P. Werbe Date 8/23/2021

City Use Only	
1.	Submission <u>Aug 23, 2021</u> , 20__, taken by <u>lor P.</u>
2.	Review and Approval from the Utility Service Companies IREA (electric) _____ Century Link (phone) _____ Black Hills (natural gas) _____ Baja (cable TV) _____
3.	Public Hearing Notices Posted On <u>Sep 13</u> , 20 <u>21</u> (PC+CC) Published on <u>Sep 15</u> , 20 <u>21</u> Property Owner Notification <u>Sep 10</u> , 20 <u>21</u>

PC PH Sep 23
 CC Ord IR Oct 7
 CC Ord PH Oct 21

LEGAL DESCRIPTION

PARCEL A

THE SOUTHERLY NINETY FOOT (90) OF THE FIFTEEN FOOT (15) WIDE ALLEY OF BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK, TELLER COUNTY, COLORADO, AS RECORDED IN PLAT BOOK EP AT PAGE 307 OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER, LOCATED IN THE NW ONE-QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH P.M., IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 6, ELM HEIGHTS, AS RECORDER UNDER RECEPTION NUMBER 301864 OF THE RECORDS OF THE TELLER COUNTY CLERK;

THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID LOT 4, BLOCK 6, ELM HEIGHTS, A DISTANCE OF 15.00 FEET MORE OR LESS TO THE EAST LINE OF LOT 7, BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK;

THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID LOT 7 AND LOT 6, BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK, A DISTANCE OF 90.00 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT OF WAY OF GUNNISON AVENUE;

THENCE EASTERLY, ALONG THE NORTHERLY RIGHT OF WAY OF GUNNISON AVENUE, A DISTANCE OF 15.00 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID LOT 4, BLOCK 6, ELM HEIGHTS;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 4, BLOCK 6, ELM HEIGHTS, A DISTANCE OF 90.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL A CONTAINS 1,350 SQUARE FEET (0.031 ACRES) OF LAND, MORE OR LESS.

PREPARED BY
JEFFREY L. OTTEN
COLORADO P.L.S. NO. 33199
FOR AND ON BEHALF OF:
HIGH COUNTRY LAND SERVICES LLC
4175 NORTH ROAD
DIVIDE, COLORADO 80814
719-687-0141



EXHIBIT A



0 30 60
FEET

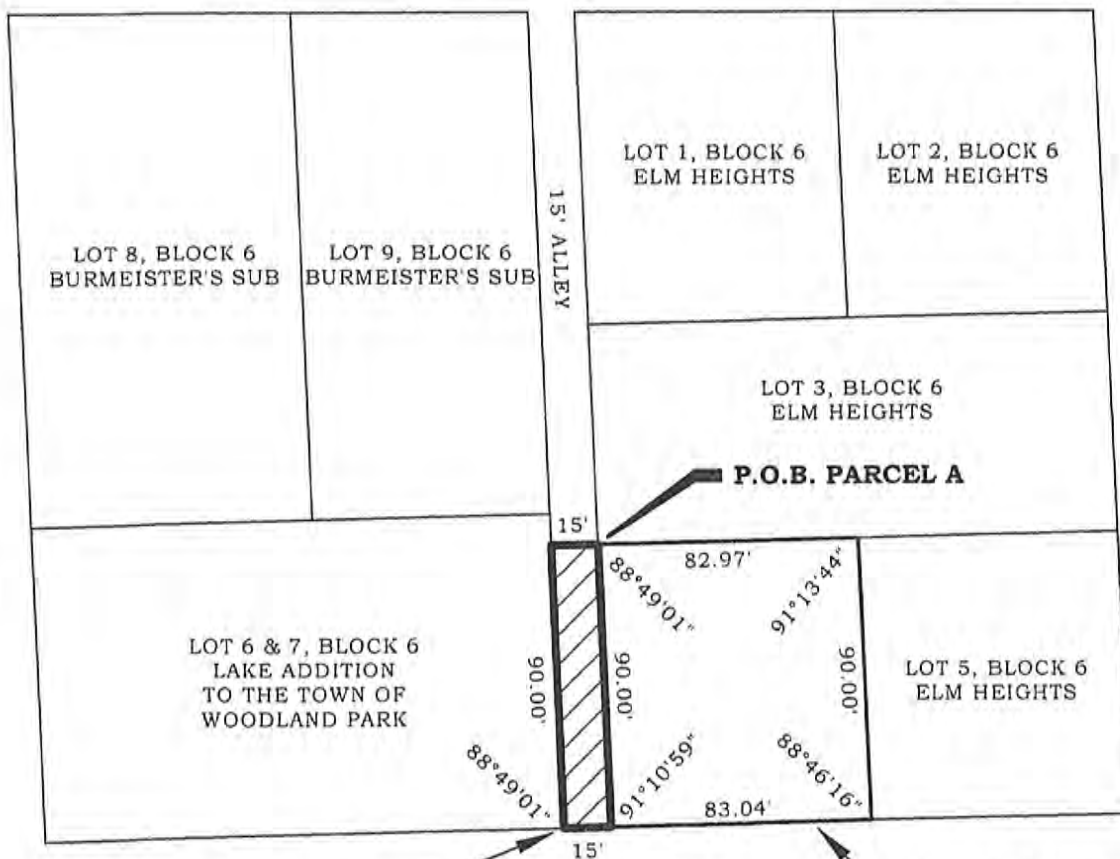
1 INCH = 60 FEET

AUGUST 16, 2021

COUNTY ROAD
60' RIGHT OF WAY

WALNUT STREET
50' RIGHT OF WAY

ELM STREET
50' RIGHT OF WAY

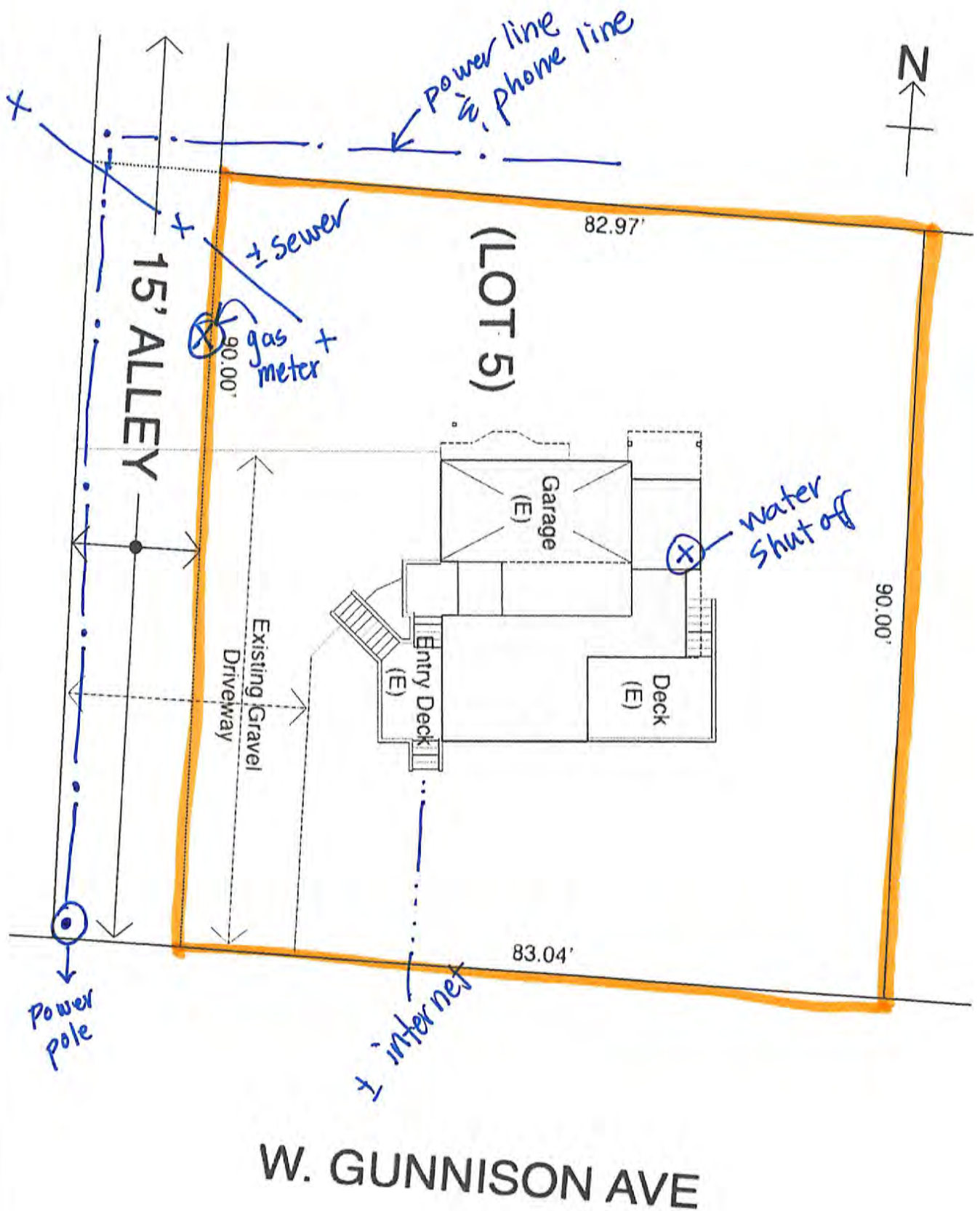


PARCEL A
(1,350 SQ. FT. +/-)

GUNNISON AVENUE
50' RIGHT OF WAY

LOT 4, BLOCK 6
ELM HEIGHTS
PLATTED ANGLES
AND
DISTANCES SHOWN

PREPARED BY
HIGH COUNTRY LAND SERVICES
LAND SURVEYING AND MAPPING
4175 NORTH ROAD DIVIDE, CO 80814
719-505-3576 719-687-0141



W. GUNNISON AVE

From: **Anthony P Longman** anthonylongman@me.com &
Subject: City of W.P. Planning Dept's requirement
Date: August 23, 2021 at 7:08 PM
To: Derin Wester sonnyderin@yahoo.com

Hi Derin,

I met with the City Planner Lor Pellegrino this afternoon to submit the documents regarding our requested vacation of the alley between our properties.

In compliance with her request at this meeting, I am sending you a document which I would be grateful if you would print and sign, and let me know when I can drop by to collect it from you for submittal to the City along with the rest of our documentation.

Many thanks again for your cooperation and help,

Anthony Longman

Planned vacation of paper alley between 640 W. Gunnison Avenue & 605 N. Walnut Street.

August 23rd, 2021.

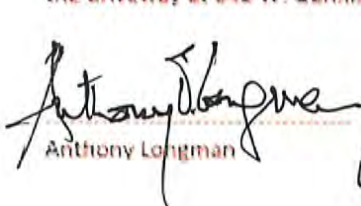
To whom it may concern:

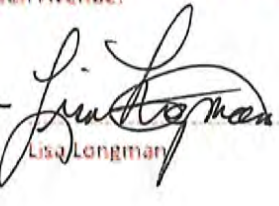
The undersigned parties, Anthony & Lisa Longman, and Derin Wester, are the owners respectively of the properties at 640 W. Gunnison Avenue and 605 N. Walnut Street, Woodland Park, Colorado.

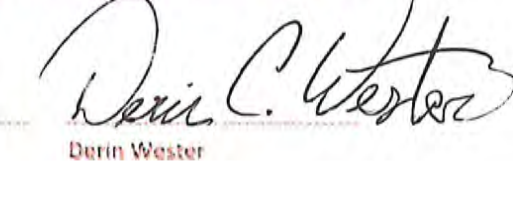
Between their properties is a portion of a 15ft wide paper alley owned by the City of Woodland Park. The property at 640 W. Gunnison Avenue is configured in such a way that from the time of its construction, access to the garage has only been possible by driving over this portion of the alley.

The normal practice of the City, where the vacation of a paper alley is requested, is to divide the vacated land into two equal width parcels that become the respective property of the owners of the lots on each side of the paper alley.

At the request of Anthony & Lisa, Derin has kindly agreed to participate, without any payment, in requesting the City to vacate the full width of the portion of the paper alley where it abuts 640 W. Gunnison Avenue, so that the entire width of the alley at this point becomes the property of Anthony & Lisa, in this way formalizing the de facto function of the land as part of the driveway at 640 W. Gunnison Avenue.


Anthony Longman


Lisa Longman


Derin Wester

640 W. Gunnison paper alley vacation proposal – synopsis of neighbor notification interactions.

The attached notice, explaining our intent, and offering the opportunity to participate in a vacation of the full length of the alley in this block, was delivered by hand to the owners listed below at their respective addresses, including a brief introductory face to face conversation explaining our intentions.

<u>Owner</u>	<u>Address</u>
Barlow, Robert A.	650 Elm Street
Earhart, Teresa J. and Gary M.	651 County Road
MacArthur, Johanna R.	641 County Road

In no case was there any expression of interest during the specified period or since then, in participating in this process, leading us to proceed with this application, as per the agreement between ourselves and Derin Wester, the owner whose property at 605 N. Walnut Street abuts the alley directly across from our property at 640 W. Gunnison Avenue.

Anthony & Lisa Longman
8.23.2021

Notice to Owners of Properties Bordering North-South Paper Alley, West of Elm Street Between West Gunnison Avenue and County Road.

The above referenced paper alley has shared boundaries with 5 Properties. Their addresses are 640 W. Gunnison Avenue, 605 N. Walnut Street, 651 County Road, 641 County Road and 650 Elm Street.

Because the portion of the alley that abuts W. Gunnison Avenue is in continual use to access their garage, Anthony and Lisa Longman (the owners of 640 W. Gunnison Avenue) and Derin Wester (who owns 605 N. Walnut Street) have reached an agreement between them to request that the City of Woodland Park vacate the portion of the alley that lies between their two properties, with ownership of this portion of the alley to be given entirely to Anthony and Lisa Longman. (In any vacation of the alley, the City would still retain an easement to preserve its right of access.)

The City has agreed in principle to this proposal, with the condition that the owners of the other 3 properties that border the alley are to be notified of this proposal, in case they all may wish to participate in the vacation of this alley and can agree among themselves on how the ownership of the land should be disposed. (The presumption of the City in all cases is to split ownership of a vacated paper alley down the centerline, but alternative arrangements that are agreed between the parties are acceptable to the City.)

A fee (on the order of \$1,000) is required by the City to process the vacation. The current plan is that Anthony and Lisa will pay this fee. However, in the event that the other owners agree to participate, we propose the fee would be shared among the properties that benefit from increased land area proportionately to the acquired land area. It should be noted that each lot that increases in size as a result will also end up paying a somewhat higher property tax.

Anthony and Lisa ask that the other owners notify them by July 20th 2021 if they can agree on how to participate. Otherwise, we will proceed at that point to request the City to vacate just the portion of the alley that concerns us.

If you wish to contact us, Anthony and Lisa can be reached at the following phone numbers:

Anthony	818-481-8338
Lisa	805-231-6082

A partial plot map with the alley down the left side is attached on the back of this notice.

Thank you for your time and attention.

With kind regards,

Anthony & Lisa Longman Derin Wester

AERIAL PHOTO



CITY OF WOODLAND PARK, COLORADO

ORDINANCE NO. 1406, SERIES 2021

AN ORDINANCE VACATING THAT PORTION OF THE ALLEY BETWEEN LOTS 6-7,
BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK AND LOT 4,
BLOCK 6, ELM HEIGHTS

WHEREAS, the City Council, after public hearing with notice as required by law, finds that it is in the best interest of the citizens of the City of Woodland Park to grant the requested vacation; and

WHEREAS, no land adjoining the public alley right-of-way requested to be vacated would be left, by reason of this vacation, without an established public road or public access easement connecting said land with another established public road.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

That the Ordinance entitled "AN ORDINANCE VACATING THAT PART OF THE ALLEY BETWEEN LOTS 6-7, BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK AND LOT 4, BLOCK 6, ELM HEIGHTS," be and is hereby adopted as follows:

Section 1. The portion of the alley labeled Parcel A as shown in Exhibit A and legally described in Exhibit B is hereby vacated by the City of Woodland Park.

Section 2. Title to the entirety of Parcel A, by agreement of all involved parties, shall vest with Lot 4, Block 6, Elm Heights.

Section 3. There is hereby reserved by and to the City:

- a. a 15' wide public access easement for ingress and egress in, across, over, through and under Parcel A; and
- b. a 15' wide utility easement in, across, over, through and under Parcel A. The City may assign an interest in such utility easement as appropriate to a utility service provider as the need arises.

Section 4. This Ordinance shall be in full force and effect from and after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING
PUBLIC HEARING THIS _____ DAY OF _____, 2021.

Mayor Pro-Tem Hilary LaBarre

ATTEST: _____
City Clerk Suzanne Leclercq

EXHIBIT A



0 30 60

FEET

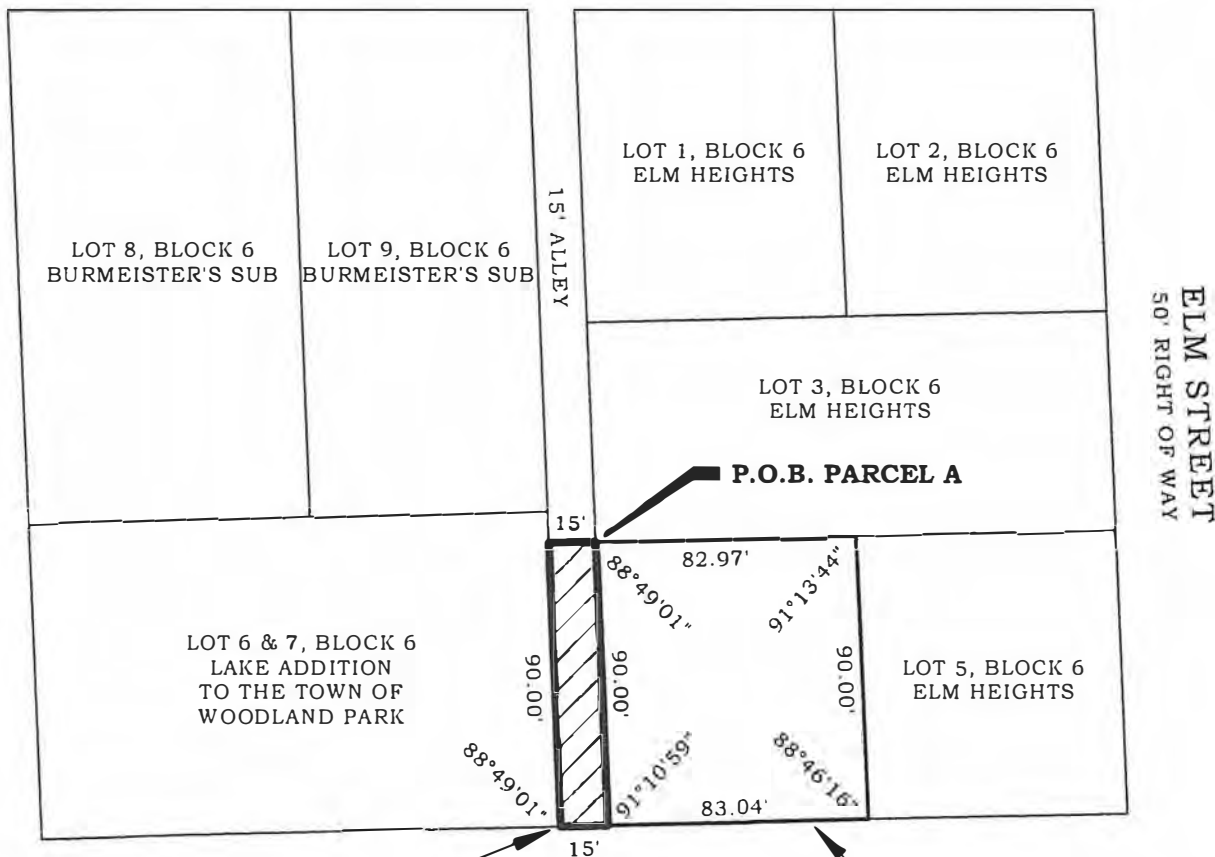
1 INCH = 60 FEET

AUGUST 16, 2021

COUNTY ROAD

60' RIGHT OF WAY

WALNUT STREET
50' RIGHT OF WAY



PARCEL A
(1,350 SQ. FT. +/-)

GUNNISON AVENUE
50' RIGHT OF WAY

LOT 4, BLOCK 6
ELM HEIGHTS
PLATTED ANGLES
AND
DISTANCES SHOWN

PREPARED BY
HIGH COUNTRY LAND SERVICES
LAND SURVEYING AND MAPPING
4175 NORTH ROAD DIVIDE, CO 80814
719-505-3576 719-687-0141

EXHIBIT B

LEGAL DESCRIPTION

PARCEL A

THE SOUTHERLY NINETY FOOT (90) OF THE FIFTEEN FOOT (15) WIDE ALLEY OF BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK, TELLER COUNTY, COLORADO, AS RECORDED IN PLAT BOOK EP AT PAGE 307 OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER, LOCATED IN THE NW ONE-QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH P.M., IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 6, ELM HEIGHTS, AS RECORDER UNDER RECEPTION NUMBER 301864 OF THE RECORDS OF THE TELLER COUNTY CLERK;

THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID LOT 4, BLOCK 6, ELM HEIGHTS, A DISTANCE OF 15.00 FEET MORE OR LESS TO THE EAST LINE OF LOT 7, BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK;

THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID LOT 7 AND LOT 6, BLOCK 6, LAKE ADDITION TO THE TOWN OF WOODLAND PARK, A DISTANCE OF 90.00 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT OF WAY OF GUNNISON AVENUE;

THENCE EASTERLY, ALONG THE NORTHERLY RIGHT OF WAY OF GUNNISON AVENUE, A DISTANCE OF 15.00 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID LOT 4, BLOCK 6, ELM HEIGHTS;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 4, BLOCK 6, ELM HEIGHTS, A DISTANCE OF 90.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL A CONTAINS 1,350 SQUARE FEET (0.031 ACRES) OF LAND, MORE OR LESS.

PREPARED BY
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COLORADO P.L.S. NO. 33199
FOR AND ON BEHALF OF:
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