



City of Woodland Park

November 18, 2021 at 7:00 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

- A. Presentation of the Flag by Cub Scout Pact #20.

Cub Scout Pack #20 of the City of Woodland Park performed the presentation of the Flag and led the City Council in the Pledge of Allegiance.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Thank you from the Salute to Veteran's Rally organizers to the City of Woodland Park.
(Presenter, Committee Chairman Ray McPeck)

Ray McPeck, Chairman of the Salute to Veteran's Rally, shared a video of past Salute to Veteran's rallies and thanked the City of Woodland Park and the City Council for all of their help with 2021 Rally. He presented a framed photo to the City.

- B. Presentation regarding Envida (formerly Amblicab) and their services now offered in Woodland Park.
(Presenter Leslie Patterson, Health Care Mobility Manager)

Leslie Patterson, Health Care Mobility Manager from Envida shared their services that are now being offered in the City of Woodland Park.

- C. Thank you to the Greater Woodland Park Chamber of Commerce and President Debbie Miller for all of their hardwork and dissemination of information during the COVID-19 pandemic.
(Presenter Mayor Pro-tem Hilary LaBarre)

Mayor Pro-tem LaBarre and the City Council thanked Debbie Miller, President of the Greater Woodland Park Chamber of Commerce, and the Chamber Board for all of their hard work and dissemination of information during the COVID-19 pandemic. Mayor Pro-tem LaBarre presented Debbie Miller with a Mayors' pin.

- D. Presentation of the 2030 Envision Woodland Park Comprehensive Plan by consultant Jennifer Gardner, Senior Planner with Logan Simpson.
(Presenter, Planning Director Sally Riley)

Planning Director Sally Riley introduced the 2030 Envision Woodland Park Comprehensive Plan. Riley thanked the Council and the Community for their support and participation during the 10 month process. Riley introduced Jennifer Gardner, Senior Planner, with consultants Logan and Simpson. Gardner shared that after 10 months of community engagement, subcommittee meetings, drafting and editing, the update to the 2010 Comprehensive Plan is

complete. Gardner shared an overview of the process with the audience which included public engagement, questionnaires, sub-committee meetings, strategic planning, goals and objectives and future land use planning to come up with the final plan.

At this time, Mayor Pro-tem LaBarre asked that Council consider item 10. a on the agenda - the approval of Resolution No. 882, Series 2021 to endorse Envision 2030 Woodland Park Comprehensive Plan as requested by the Woodland Park Planning Commission. Council approved this resolution. The vote is reflected under 10 a. of the minutes. Councilmember Zuluaga stated that he really appreciated the language Sally used, stating that the Plan is an "aspirational document" Council thanked Riley and the Planning Commission for all of their hard work on the Comprehensive Plan.

- E.** Consider the appointment of Shawn Marie Nielsen to the Planning Commission.
(Presenter, Deputy City Manager/City Clerk Suzanne Leclercq)

City Clerk Leclercq shared that there are currently two openings on the Planning Commission. Leclercq shared that the Clerk's office had received an application from Shawn Marie Nielsen interested in applying for the position. Leclercq shared that Miss Nielsen was in the audience and Mayor Pro-tem LaBarre called her up to the podium. Following the Council interview, the following motion was made.

MOTION: To appoint Shawn Marie Nielsen to the Planning Commission for the term ending 1-1-2024. Zuluaga/Case. Motion carried 5-1.

- F.** Proclamation declaring Saturday, November 27, 2021 as Shop Small Saturday.
(Gail Wingerd, Program Manager Main Street)

Gail Wingerd, Program Manager for Main Street, shared the events happening on November 21, 2021 Shop Small Saturday. Mayor Pro-tem LaBarre read a proclamation into the record declaring Saturday, November 21, 2021 as Shop Small Saturday.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A.** Approval of the October 21, 2021 *(tabled from the November 4, Council Meeting)* and November 4, 2021 Regular City Council Meeting Minutes.
(Presenter, Deputy City Manager/City Clerk Suzanne Leclercq)

Council combined the Consent Calendar into one vote approving the minutes of the October 21, 2021 and November 4, 2021 Council Meetings and the Statement of Expenditures for August 2021.

MOTION: To approve the Consent Calendar as presented. Case/Nakai. Motion carried 5-0.

- B.** Approve the August 2021 Statement of Expenditure Report and authorize the Mayor to sign Warrants in payment thereof. *(Tabled from the November 4, 2021 City Council Meeting)*

Motion was combined and the full Consent Calendar was approved.

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

Rosemary Myers appeared before Council to suggest that Council do a work session, study group with the Community regarding Short Term Rentals.

7. UNFINISHED BUSINESS

(Public Comment may be heard (1))

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard (1))

- A. Consider on initial posting Ordinance No. 1407, Series 2021 an Ordinance Appropriating Sums of Money to the Various Funds, in the amounts and for the purpose as set forth below, for the City of Woodland Park, Colorado for the 2022 Budget Year for General Fund (100) **(A)**
(Presenter Finance Director Aaron Vassalotti)

Following Council questions the Council made the following motion.

MOTION: Approve Ordinance No. 1407, Series 2021 on initial posting and set the Public Hearing for December 2, 2021. Case/Nakai. Motion carried 5-0.

- B. Consider on initial posting Ordinance No. 1408, Series 2021 an Ordinance Appropriating Sums of Money to the Various Funds, In the Amounts and for the purpose as set forth below, for the City of Woodland Park, Colorado for the 2022 Budget Year for all funds except the General Fund (100). **(A)**
(Presenter Finance Director Aaron Vassolotti)

Council held discussion on the DDA Attorney fees presented in the portion of the DDA budget which is included in Ordinance No. 1408, Series 2021. Councilmember Neal and Councilmember Case felt the attorney fees should be reduced. Following Council discussion, the Council decided they would pass the Ordinance if line item 3210 (legal services) was reduced to \$6,250. The following motion was made.

MOTION: Approve Ordinance No. 1408 on initial posting amending the legal fees line item to \$6,250 and set the Public Hearing for December 2, 2021. Neal/Case Motion carried 5-0.

THE TIME BEING 9:03 PM MAYOR PRO-TEM LABARRE CALLED FOR A SHORT RECESS.

THE TIME BEING 9:17 PM MAYOR PRO-TEM LABARRE CALLED THE COUNCIL METING BACK INTO SESSION.

MAYOR PRO-TEM LABARRE ASKED COUNCIL IF THEY WOULD CONSIDER REARRANGING THE AGENDA TO HEAR THE PUBLIC MEETING CASES FIRST, SO THOSE INDIVIDUALS DO NOT HAVE TO CONTINUE TO WAIT. COUNCIL AGREED WITH THAT. AT THIS TIME COUNCIL HEARD ITEMS 9A AND 9B. THOSE DICUSSIONS AND VOTES ARE REFLECTED IN THE MINUTES COINCIDING WITH THOSE AGENDA ITEMS.

- C. Consider on initial posting Ordinance No.1409, Series 2021 for a Conditional Use Permit, Preliminary Plat and Site Plan Review for Tamarac Parc, a multi-family residential development consisting of 55 townhomes and 3 apartment buildings (112 units) on 12.44 acres with a gross density of 13.46 dwelling units / acre on Lots 6 and 7, Tamarac Tech Park Filing No. 5 (adjacent to SH 67 and Tamarac Parkway) in the Multi-Family Residential Urban (MFU) zone as requested by Jack Bestall (Applicant) and Mountain Starr Investments LLC (Property Owner) and set the public hearing for December 2, 2021. **(QJ)**
(Presenter, Planning Director Sally Riley)

Planning Director Riley introduced Ordinance No.1409, series 2021 on initial posting. Councilmember Zuluaga shared that he watched the Planning Commission meeting

regarding this ordinance. Councilmember Case stated that she felt he should not have done this, because this item is a quasi-judicial hearing. Councilmember Zuluaga shared that he would abstain from the vote as a result of this. The following motion was made.

MOTION: To approve Ordinance No.No.1409, Series 2021 for a Conditional Use Permit, Preliminary Plat and Site Plan Review for Tamarac Parc, a multi-family residential development consisting of 55 townhomes and 3 apartment buildings (112 units) on 12.44 acres with a gross density of 13.46 dwelling units / acre on Lots 6 and 7, Tamarac Tech Park Filing No. 5 (adjacent to SH 67 and Tamarac Parkway) in the Multi-Family Residential Urban (MFU) zone as requested by Jack Bestall (Applicant) and Mountain Starr Investments LLC (Property Owner) and set the public hearing for December 2, 2021. Case/Neal. Motion carried 4-0 with Zuluaga not voting.

9. PUBLIC HEARINGS

(Public comment may be heard (1))

- A.** Approval of an Off Premise Fermented Malt Beverage Liquor License for Alpine Highlands Inc., dba Valero located at 520 West US Highway 24, Woodland Park, Colorado. **(QJ)**

(Presenter Deputy City Manager/City Clerk, Suzanne Leclercq)

City Clerk Leclercq reviewed the Liquor License submitted by Alpine Highlands, Inc. dba Valero located at 520 West US Highway 24, Woodland Park, Co. Leclercq reported that Alpine Highlands meets all of the requirements and has paid all of the applicable fees to be considered for this liquor license. Mayor Pro-tem LaBarre invited them to the podium and they introduced themselves to the Council.

Mayor Pro-tem LaBarre opened up the public comment portion of the public hearing and there were no public comments made. LaBarre closed the public hearing and the following motion was made.

MOTION: Zuluaga/Nakai. Motion carried 5-0.

- B.** Approval of Foster's Addition, Filing No. 4 minor subdivision as requested by Stacked Hands, LLC (David Mijares, applicant and property owner) for a replat of Lots 10, 11 & 12, Block 14, Foster's Addition (110 Chester Avenue) in the Urban Residential (UR) zone. **(QJ)**

(Presenter, Planning Director Sally Riley)

Planning Director Riley reviewed SUB 2021-10 Foster's Addition Filing No.4 Subdivision with Council. Riley shared that the request is to replat Lots 10,11 &12, Block 14, Foster's Addition into two residential lots and Tract A to include Fountain Creek Floodplain. The applicant for this project is Stacked Hands, LLC and David Mijares Engineer. Riley shared that the configuration of Lot 1 (8,476 SF) and Lot 2 (8,470 SF) are located on the southwest and northeast sides of Fountain Creek, respectively. Tract A contains the FEMA regulated floodway and zone AE of Fountain Creek. In 1999, public funds were used to make improvements to stabilize the channel and carry the 100-year storm within this section of Fountain Creek. Tract A is intended to be owned and maintained by the City, similar to other sections of Fountain Creek downstream. It is reasonable that this small channel section ought to be under the City's control and maintenance to protect the neighborhood's safety. Riley shared the following Staff Review.

CHAPTER 17.24 FINAL PLAT

The subdivision regulations contain platting standards relating to the form and content of the plat mylar.

§17.24.070 Completed Plat Preparation. The completed final plat acceptable for recording shall be prepared as follows: A. The design should conform to the preliminary plat, if applicable, as conditionally approved, except that the final plat may constitute only that portion of the approved preliminary plat which is proposed for immediate recording. B. The drawing shall be made at a scale no less than one inch equals one hundred feet, by the use of India ink or other equally substantial solution, on a mylar or other equivalent medium with outer dimensions of twenty-four inches by twenty-six inches. Maps of two or more sheets shall be referenced to an index map on the first sheet.

Complies. A preliminary plat does not exist for this area and is not required for a 2-lot, one tract minor subdivision. A mylar of the Final Plat will be prepared for recordation with the Teller County Recorder pending all applicable revisions, approvals, and executions.

§17.24.080 Information. (This is a long list of technical plat requirements.)

Complies. This plat has been prepared by licensed professional land surveyor Eric Simonson, Rampart Surveys, LLC and contains all the technical information listed in this section including subdivision name, vicinity map, owner and subdivider names, date of preparation, north arrow, dedication/certification and other statements, etc. Minor revisions to the plat are listed as conditions in the staff recommendation.

§17.24.090.B Supplemental Material. Minor Subdivision.

Complies. The following supplemental material was supplied with the application: letter of intent; list of adjoining land owners; reduced size map; title commitment; and, site drainage was adequately addressed with the Flood Hazard Development Permit approved on October 14th.

§17.24.100 Other documents to be filed.

Complies. The applicant submitted all necessary and applicable documents to review and approve the minor final plat submittal.

§17.36 DEDICATIONS

§17.36.010 Dedication of Right-of-Way.

Complies. The only dedication required with this plat is for public utility easements. All public utility easements are as dedicated and shown on the plat.

§17.36.020 - 180. Park Capital Fees or dedication of land.

Complies. Since the Foster's Addition was platted previously in the 1890s, the applicant is not required to pay park capital fees or provide a dedication of land. Cavalier Park is one block from the site and serves as the neighborhood park with playground, basketball court, a small segment of the American Discovery Trail and Fountain Creek greenway. As conditioned, the dedication of Tract A to the City requires title insurance commitment or policy showing that the subdivider is the lawful owner and the amount of such title insurance is equal to \$24,000 per acre of the dedicated land.

§17.40 DESIGN STANDARDS. The design standards contain specifications for a reasonable layout and design to ensure an efficient, orderly, well planned suitable subdivision ready for

future construction in keeping with the character and environment of the City. All relevant applicable standards in this section were reviewed and those requiring additional information or conditioned are listed below.

§17.40.050 Streets - Frontage.

Complies. The UR zone district requires a minimum of 40 feet of frontage along the street line. Lot 1 has 160 feet along Chester Avenue (60 foot wide right of way) while Lot 2 has 150 feet of frontage along Fairview Street (60 foot wide right of way).

§17.40.150 Street Names and Numbers.

Complies. New street numbers have been assigned by the City.

§17.40.170 Easements. Where required, easements for all utilities other than public sewer and water lines shall be a minimum of twenty feet wide, ten feet of which shall be on each side of common rear lot lines where said lines abut. ... Side lot easements, where necessary shall be at least ten feet in width, five feet of which shall be on each side of a common lot line.

1. Complies as amended. The plat shows the typical public utility and drainage easements.

Also included is a private easement for the benefit of Lot 2 to extend a water service line under Fountain Creek and through Tract A. Revise the public utilities easement on the northern property boundary adjacent to the alley from 10' to 15' per CORE's comments.

§17.40.250 Lots dimensions. Lot dimensions shall comply with the minimum standards of the zoning ordinance, etc.

Complies. Each lot is greater than the minimum 7,500 SF lot area in the UR zone.

Riley noted that the Final Plat was referred to the following City and external agencies for review and comment: WP Public Works, WP Utilities, City Inspector, NETCFPD, CORE, Black Hills, CenturyLink, and TDS Telecom. All comments have been incorporated into this staff report. Detailed comments related to building, utility installation, BMPs, grading, erosion, etc. will be addressed with subsequent ZDP, building, or other applications.

On October 28, 2021, the Planning Commission held a public hearing and, based upon the evidence, voted unanimously to recommend approval of this minor subdivision with the following conditions:

Prior to recording the final plat:

2. The subdivider shall provide the City title insurance equal to \$24,000 per acre in order to dedicate Tract A to the City.

3. Revise the public utilities easement on the northern property boundary adjacent to the alley from 10' to 15' per CORE's comments.

At this time, Mayor Pro-tem LaBarre opened the public comment portion of the public hearing. There being no public comment, Mayor Pro-tem LBarre closed the public comment porting and the following motion was made.

MOTION: To approve the Foster's Addition, Filing No. 4 as requested by Stacked Hands. Neal/Case.Motion carried 5-0.

10. NEW BUSINESS

(Public comment may be heard (1))

- A.** Approve Resolution No. 882, Series 2021 to endorse Envision 2030 Woodland Park Comprehensive Plan as requested by the Woodland Park Planning Commission. **(A)**

(Presenter, Planning Director Sally Riley)

Motion: To approve Resolution No. 882, Series 2021 to endorse Envision 2030 Woodland Park Comprehensive Plan as requested by the Woodland Park Planning Commission. Nakai/Neal. Motion carried 5-0.

- B.** Approve the Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) to obtain Stimulus Relief Funds in the amount of \$200,000 to be used for the resurfacing of Baldwin Street and Rampart Range Road from US24 to Kelley's Road and direct the Mayor Protem to execute the IGA. **(A)**

(Presenter, Planning Director Sally Riley)

Planning Director Riley shared the background of this project - Several months ago, PPACG was allocated several million dollars in Stimulus Relief funding from the State of Colorado. The majority of these funds were allocated and used for the completion of the interchange on Powers Blvd and Research Road. A portion of these funds were split up among the PPACG member jurisdictions. As a result, Woodland Park was awarded \$200,000 for any eligible roadway project within our community. Staff recommends that the funds be used toward the resurfacing (full-depth reclamation) of Baldwin Street and Rampart Range Road from US24 to Kelley's Road since this project was in design and slated for construction in 2022. There is no match required from the City; however, the City's design engineer has estimated the project at \$1,016,306 and is proposed in the 410 fund of the 2022 budget. The project is considered a "maintenance project" from edge of asphalt to edge of asphalt which does not require clearance for ROW, utilities and environmental.

Councilmember Zuluaga shared that he was concerned with some of the language in the contract and that he was just "sounding caution". Riley shared that this is a standard contract.

MOTION: To approve the Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) to obtain Stimulus Relief Funds in the amount of \$200,000 to be used for the resurfacing of Baldwin Street and Rampart Range Road from US24 to Kelley's Road and direct the Mayor Pro Tem to execute the IGA. Case/Neal. Motion carried 5-0.

11. REPORTS

(Public comment not necessary)

- A.** Mayor's Report

Mayor Pro-tem LaBarre shared the upcoming events for the next two weeks. LaBarre also shared that since Councilmember Alfieri has been absent from several Charter Review Committee meetings, she would like for Councilmember Nakai to take on the role of Council liaison for this Committee. Council agreed by consensus.

- B.** Council Reports

Councilmember Case shared information on the Lighter Side of Christmas Parade.

Councilmember Nakai shared an update on Main Street and the Charter Review Committee.

Councilmember Neal had no reports.

Councilmember Zuluaga shared updates on PPACG and a Neumont Mine meeting that he attended.

C. City Attorney's Report

No report.

D. City Manager's Report

City Manager Lawson thanked Planning Director Sally Riley for all of her work on the Comprehensive Plan. Lawson shared that the recruiting firm held a Town Hall meeting with the public regarding the hiring of a Police Chief.

Planning Director Riley shared that on December 9 at 7 PM Charis/Andrew Wommack Ministries would like to have a joint worksession with the City Council and the Planning Commission to review their ministry and expansion plans.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the meeting at 10:11 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2021

Hilary LaBarre, Mayor Pro-tem