



**CITY OF WOODLAND PARK  
BOARD OF ADJUSTMENT AGENDA  
August 19, 2019 – 6:30 pm  
Woodland Park Council Chambers  
220 W. South Avenue, Woodland Park, CO**

**(REVISED)**

1. ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE

*If no quorum exists, this meeting will be rescheduled to 6:30 pm August 21, 2019.*

3. APPROVE MINUTES: June 17, 2019
4. PUBLIC HEARINGS
  - A. APPEAL #APL19-001 (#19080208): Consider an appeal by Paul B. Neal III, et al/ from the administrative decision regarding “SPR #19-001 The Village at Tamarac Site Plan” for 53 detached single family units on Lot 5, Tamarac Tech Park Filing No. 5 (Tamarac Parkway) in the Multi-Family Residential Suburban (MFS) zone.
  - B. APPEAL #APL19-002 (#19080214): Consider an appeal by Citizens in Opposition to Village at Tamarac (c/o Frances Maria Sinel) from the administrative decision regarding “SPR #19-001 The Village at Tamarac Site Plan” for 53 detached single family units on Lot 5, Tamarac Tech Park Filing No. 5 (Tamarac Parkway) in the Multi-Family Residential Suburban (MFS) zone.
5. REPORTS
6. ADJOURNMENT

*Possible additional meeting dates include 6:30 pm August 21 & 23 & September 6 & 9.  
For more information, call Planning Department 719-687-5202*

# WOODLAND PARK BOARD OF ADJUSTMENT

## MEETING MINUTES – June 17, 2019

---

*City of Woodland Park Council Chambers, 220 W. South Avenue, Woodland Park, CO*

**1. ORDER AND ROLL CALL.** Order was called at 5:30 p.m. with attendance as follows:

|               |                                                         |
|---------------|---------------------------------------------------------|
| Present       | Chairperson Louis Ramon                                 |
| Present       | Vice-Chairperson Lois DeVaux                            |
| Present       | Regular Member Kerri Kilgore                            |
| Present       | Regular Member Randy Carlson                            |
| Present       | Regular Member Larry Larsen                             |
| Present       | Alternate Member Jerry Smith                            |
| Absent        | Alternate Member Carroll Trader                         |
| Staff Present | City Planner Lor Pellegrino, City Attorney Jason Meyers |

**2. PLEDGE OF ALLEGIANCE.** All recited the Pledge of Allegiance.

**3. APPROVAL OF MINUTES.** The May 20, 2019 minutes were approved as written.

**4. SITE VISIT to 220 N. Highland Street (VAR#19-003) (5:45 p.m.)** – The City Planner distributed a map with directions to the site. The Chairman recessed the meeting and all departed for the site. At the site, the Applicant had flagged the four proposed building corners and the midpoint of the north and south sides of the building. Two balloons were set up, one at 20 feet high and the other at 25 feet high. Board members walked through and around the site, along Highland Street, and in the alley.

**5. RECONVENE at Woodland Park Council Chambers (220 W. South Avenue) (6:30 p.m.)** – The Chairman reconvened the meeting at 6:30 p.m. and mentioned that the BOA had just returned from a site visit to 220 N. Highland Street (VAR#19-003).

**6. PUBLIC HEARINGS.** All Board members stated no conflicts of interest or biases with respect to all of tonight's scheduled cases.

**A. VAR#19-003: A request by Cheryl Six and Andrew Greci (property owner) to vary the height (\$18.13.030) from 20' to 25' for a detached garage with an accessory dwelling unit (ADU) above on Lot 12, Block 7, Green's Addition (220 N. Highland St.) in the Urban Residential (UR) zone. (tabled from May 20, 2019).**

The City Planner presented the staff report supplement complete with a recommendation of conditional approval of the 5-foot height variance (from 20 to 25 feet) request based on the 50-foot wide shallow corner lot; the site topography and how the finished grade affects the height calculation; the requirement that an ADU be the second level where the permitted maximum height of the structure is 20 feet; the low traffic/impact within the Highland Street cul-de-sac; and, the ability to retain existing healthy on-site mature trees where possible.

The Applicant (Skip Howes, Scott Homes Ltd., 300 Sunny Glen Court) explained the new submittals which included wall sections showing a 4:12 roof pitch 24'-8 7/8" total height, 3:12 roof pitch showing a 23'-9 7/8" and low slope roof pitch showing 22'-6 7/8" total height and a sightline analysis showing the proposed building height relative to the floor of surrounding buildings showing 3 feet higher than the house to the north and 5 feet higher than the house to the south. He stated that an accessory building with an ADU above cannot not be constructed within the 20 foot height maximum and requests a 5-foot height variance (from 20 feet to 25) would not impact the character of the neighborhood.

The Chairperson opened the public comment portion of the meeting.

Mr. Scott Mosher (225 Highland Street), the neighbor immediately to the east, spoke opposed to the height variance proposed, citing concerns about inconsistency with the aesthetics of the surrounding neighborhood and visual impact. He presented a slide showing what he believed to be the visual impact of a 25-foot building.

Seeing no others wishing to speak, the Chairperson closed the public comment portion of the meeting.

The Applicant clarified that the purpose of the accessory building is a garage with an ADU above and that the property owners stay at the house for a number of weeks through any given year.

The Board deliberated, commenting that the 5-foot variance does not appear to produce a significant impact, that the 20-foot height restriction on accessory buildings may not make sense for ADUs, that the site's slope does restrict the total height of buildings, that while preserving view is not a criterion for variance applications, it does not appear that the requested 5-foot variance does not impact the view significantly more than a 20-foot tall structure would, and that each variance case is adjudicated based on its own merits and circumstances.

MOVED BY Kilgore, and SECONDED BY Ramon, THAT: the Board of Adjustment grant a variance from Municipal Code §18.13.030 for the proposed accessory building on Lot 12, Block 7, Green's Addition (220 N. Highland Street) based on the findings contained in the May 20 and June 17, 2019 staff reports and testimony presented at the May 20 and June 17, 2019 public hearings subject to the following condition:

1. This variance applies only to the accessory building as shown on application VAR #19-003.
2. That the accessory building does not exceed 24 feet high.

Yes - Kilgore, Ramon, DeVaux ; No - Carlson, Larsen. Motion fails.

MOVED BY Larsen, and SECONDED BY Carlson, THAT: the Board of Adjustment grant a variance from Municipal Code §18.13.030 to increase the maximum height from 20 to 25 feet for the proposed accessory building on Lot 12, Block 7, Green's Addition (220 N. Highland Street) based on the findings contained in the May 20 and June 17, 2019 staff reports and testimony presented at the May 20 and June 17, 2019 public hearings subject to the following condition:

1. This variance applies only to the accessory building as shown on VAR #19-003.

All voted in favor. Motion passes.

**B. VAR#19-004: A request by Carol Barbeau (owner) to vary the required front setback (§18.13.040.A) from 25' to 17' for a kitchen remodel on an existing dwelling on Lots 11 and 12, Block 12, Lake Addition (410 N. Pine St.) in the Urban Residential (UR) zone.**

The City Planner presented the staff report complete with a recommendation of conditional approval of the Pine Street front setback, based on the shallow corner lot with two 25-foot front setbacks and the location of the existing house and kitchen.

The Applicant (Carol Barbeau, 410 N. Pine Street) explained that she wishes to add a modest 10-foot wide addition to expand her 7-foot wide kitchen so that she can comfortably move around. Further, she stated that the washer and dryer when open, obstruct the exit and is a safety hazard.

In response to questions from the Board, Staff stated that a sidewalk, although it can fit on the west side of Pine Street, is neither required nor warranted given the sidewalk on the east side of Pine Street and City priorities; that the addition will not obstruct Kansas alley or the existing driveway.

The Chairperson opened the public comment portion of the meeting.

Mr. Greg Marshall (411 Pine Street), the neighbor to the east, spoke in support of the variance citing no problem with the proposal.

Seeing no others wishing to speak, the Chairperson closed the public comment portion of the meeting.

MOVED BY Carlson, and SECONDED BY DeVaux, THAT:

The Board of Adjustment grant a 8-foot variance from the Pine Street front setback from 25 feet to 17 feet for a kitchen expansion of an existing single family residence on Lot 11-12, Block 12, Lake Addition (410 N. Pine Street) subject to the following conditions:

1. Prior to pouring the foundation, the builder must string a line clearly demarking the 17 foot setback line from the east property line and the 25-foot setback from north property line.
2. No part of the building (overhang, gutters, etc.) may project into the Pine Street front setback. This 17-foot setback must remain clear and unobstructed from the ground up except for landscaping or hardscaping.
3. Prior to issue of a Building Permit, the applicant shall vacate the interior common property line between Lots 11 and 12.

All voted in favor. Motion passes.

**C. VAR#19-005: A request by Michael Crouse (owner) to vary the required front setback (§18.13.040.A) from 25' to 14' for a dwelling and detached garage on Lot 7, Block 13, Foster's Addition (315 S. Fairview St.) in the Urban Residential (UR) zone.**

The City Planner presented the staff report complete with a recommendation of conditional approval of the 11-foot variance of the Fairview Street front setback based on the lot's current narrow configuration and the greater setbacks applied to a corner lot. A 60-foot wide shallow lot is narrow and with the imposition of setbacks, the buildable area is further narrowed (roughly 27 feet wide). She stated that all other setbacks can be satisfied and that the edge of the house would be at least 30 feet from the edge of the Fairway Street asphalt.

The Applicant (Mrs. Karen Crouse, 315 S. Fairview Street) explained that the site is currently a vacant lot and that they would like to build a 1,134 SF house (32 feet wide) single family dwelling with a detached garage that would fit on this narrow lot with consideration given to the property (and existing house) they own next door (to the east). She stated the house and garage footprints are conceptual at this point - designed, sized and located with some built-in flexibility while still matching other houses in the neighborhood with access from the north alley. She stated that her lot to the east will need to be modified so that the garage door is moved from the west to the north side.

The Chairperson opened the public comment portion of the meeting.

George Christian (Cottage Creek Living, LLC) stated he is a builder and not a developer. He is coordinating with the property owner to construct the house and garage but that a contract has yet to be signed, that the curb cut along Pine Street already exists and will provide access to both of the Crouse lots, that the higher part of the house is proposed on the east side of the lot. He commented that his construction projects increase the value of neighborhoods.

Ms. Melanie Canary (305 S. Fairview Street), the neighbor and property owner immediately to the north, objects to the variance for several reasons: she believes too many variances in the neighborhood are producing homes that are too close to each other; the house design is not in character with Woodland Park or the neighborhood and looks more like the row houses you would see in downtown Detroit or Chicago; development has resulted in the loss of trees within the neighborhood; many buildings and sheds have been built within the alley right-of-way in the middle of this block; and views will be blocked. She does not understand why the City has codes if variances are always granted and stated that people are moving out as a result of all the variances that are granted and the neighborhood changes that has resulted.

The Chairperson closed the public comment portion of the meeting.

After The Chairperson announced the public comments portion of the meeting was closed, Eldrich Carlson (210 Chester Avenue) stated that he did speak with Staff on this variance and is concerned about opening up the alley.

Seeing no others wishing to speak, the Chairperson closed the public comment portion of the meeting.



The Board deliberated on the case, appreciating comments submitted by neighbors and, noticing that Ms. Canary's house is roughly 32 feet from the edge of Fairview Street while the new house is proposed at roughly 33 feet from the edge of Fairview Street; that on average homes are roughly 38 feet from the edge of nearby streets; that if granted the variance would be a maximum of 11 feet regardless of where the house is actually sited; that infill on corner lots is challenging; that variances are judicially reviewed and some are granted and others are not; that this is the first time that the Board has heard from neighbors in this area; that growth issues should be brought before City Council.

MOVED BY Kilgore, and SECONDED BY Larsen, THAT:

The Board of Adjustment grant a maximum 11-foot variance for the single family dwelling and detached garage (from the 25 feet to 14) from the Fairview Street front setback of Lot 7, Block 13, Foster's Addition (315 S. Fairview Avenue) subject to the following conditions:

1. Prior to pouring the foundation, the builder must string a line clearly demarking the approved setback lines from all property lines.

All voted in favor. Motion passes.

7. **REPORTS.** Staff invited the Board and the public to the June 27 Planning Commission worksession to discuss proposed revisions to the Municipal Code related to setback encroachments and variance procedures. Staff distributed the May 2019 Building and Planning Department Report.
8. **ADJOURNMENT.** The meeting was adjourned at 9:00 p.m.

Minutes by: \_\_\_\_\_  
*City Planner Lor Pellegrino, AICP*

Approved by: \_\_\_\_\_  
*Mr. Louis Ramon, Chairperson* *Date*

**Submission of Certified Record**

**1 page follows this cover sheet**

|                                                                                                                                                                                                            |  |                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------|
| CITY OF WOODLAND PARK BOARD OF ADJUSTMENT                                                                                                                                                                  |  | <b>▲BOA USE ONLY▲</b><br><br>Case Number: APL 19-001<br>(19080208) |
| Board Address: 220 W. South Avenue<br>Woodland Park, CO 80903                                                                                                                                              |  |                                                                    |
| <b>Petitioners:</b> Paul B. Neal III, Dawn C. Neal, Carole Molden,<br>Brooke Smith and Karolyn Smith                                                                                                       |  |                                                                    |
|                                                                                                                                                                                                            |  |                                                                    |
| <b>SUBMISSION OF CERTIFIED RECORD<br/>         IN THE MATTER OF<br/>         THE APPEAL FROM THE ADMINISTRATIVE ORDER APPROVING<br/>         SPR 19-001 THE VILLAGE AT TAMARAC SITE PLAN (the "ORDER")</b> |  |                                                                    |

I, Lor Pellegrino, AICP, City Planner with the City of Woodland Park, pursuant to Woodland Park Municipal Code Section 18.54.020, do hereby certify that the attached and foregoing papers and documents are true copies of the papers constituting the record in this matter and do hereby submit this record to the City of Woodland Park Board of Adjustment.

Attachment A: Appeal Application submitted by Petitioners on August 1, 2019

Attachment B: Staff Response to Appeal

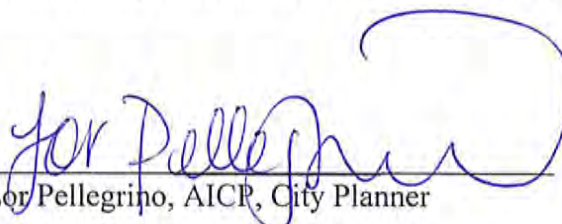
Attachment C: Review Letter to Developer dated June 17, 2019 and public comment received in June

Attachment D: Certified Letter of Approval (Order) to Developer dated July 23, 2019

Attachment E: SPR 19-001 The Village at Tamarac Site Plan - Application and Associated Documents submitted May 16, 2019

Attachment F: Additional Public Comment received in July

IN WITNESS WHEREOF, I have hereunto set my hand, this 9<sup>th</sup> day of August 2019.

  
 Lor Pellegrino, AICP, City Planner

**ATTACHMENT 'A'**

**17 pages following this cover sheet**

# ATTACHMENT 'A'



## 2019 GENERAL APPLICATION City of Woodland Park (Revised 12/26/2018)

Project # 19080208  
Case # APL19-001  
Fee(s): See City of Woodland Park  
Fees Sheet (Plus publication/recording  
fees, as applicable)

**received**  
8/1/19 2:45 pm  
See Rile

### Type of Application (Check one or more as applicable)

- |                                                           |                                                         |                                           |
|-----------------------------------------------------------|---------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Site Plan Review Permitted Use   | <input type="checkbox"/> Special Use Permit             | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Site Plan Review Conditional Use | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Exemption Plat   |
| <input type="checkbox"/> Conditional Use Permit           | <input type="checkbox"/> PUD Amendment                  | <input type="checkbox"/> Final Plat       |
| <input type="checkbox"/> Zoning Change                    | <input checked="" type="checkbox"/> Appeal              | <input type="checkbox"/> Townhouse Plat   |
| <input type="checkbox"/> Extension of CUP or PUD          | <input type="checkbox"/> Variance                       | <input type="checkbox"/> Condominium Plat |

Appellants: Paul B. Neal III, Dawn C. Neal, Carole Molden, Brooke Smith and Karolyn Smith

### 1. Applicant Information

- a. Applicant Name Eric Smith and Jason Alwine / Matrix Design Group
- b. Project Coordinator ☐ Property Owner ☐
- c. Mailing Address 2435 Research Parkway, Suite 300, Colorado Springs, CO 8092
- d. E-mail Address eric-smith@matrixdesigngroup.com
- e. Phone Numbers Home \_\_\_\_\_ Work \_\_\_\_\_ Mobile \_\_\_\_\_

### 2. Property Owner Information (if different from above)

- a. Name Pete LeBarre / Village at Tamarac, LLC Project Contact? Yes ☐ No ☐
- b. Mailing Address 720 E. US Hwy 24, Woodland Park, CO 80863
- c. E-mail Address PLaBarre@rare.earthdev.com
- d. Phone Numbers Home \_\_\_\_\_ Work 719-502-7431 Mobile \_\_\_\_\_

### 3. Site Information

- a. Site Address \_\_\_\_\_
- b. Lot 5 Block \_\_\_\_\_ Subdivision Tamarac Tech Park 5
- c. Property Zoning MFS Lot Size 6.68 Acres ☒ Square Feet ☐

### 4. Project Information

- a. Project Name Village at Tamarac
- b. Brief Description of Project/Request 53 Single Family units on 6.68 acres with a density of 7.93 units per acre. The units are classified as manufactured modular homes built to International Residential Codes (IRC) by Champion homes in Nebraska. The homes will be transported to Woodland Park and set on permanent foundations.
- c. Project Narrative (On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.) (Continue on Back)



with a 5' crawlspace in accordance with the PPRBD building codes and IRC standards. The homes are 532 SF (38' x 14') with a front porch (10' x 14' = 140 SF), cement board siding, gabled metal roofs with dormers, composite decking and decorative railing around the porch. The units will be sold to individuals and placed on leased land owned and maintained by the property owner.

#### Description of Objection and Requests.

See attachment A

**ATTACHMENT 'A'**



**ATTACHMENT 'A'**

**5. Consultant Information** (if applicable)

**d. Architect**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**e. Engineer**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**f. Planner**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**g. Surveyor**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**h. Other** (specify role) \_\_\_\_\_

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

## ATTACHMENT 'A'

### 2. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

| Type of Application | 24" x 36" Plan Set | 11" x 17" Plan Set | Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive | Warranty Deed or Title Policy | List of adjoining property owners within 150' | Copies of reports (narrative, traffic study, drainage, etc.) |
|---------------------|--------------------|--------------------|------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------|--------------------------------------------------------------|
| All Types           | 1                  | 1                  | 1                                                                                  | 1                             | 1                                             | 1                                                            |

### 3. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at [www.city-woodlandpark.org/Charter&Code](http://www.city-woodlandpark.org/Charter&Code). Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

| Type of Application              | Applicable Code Sections                                                                                                                                         |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Plan Review Permitted Use   | Chapters 18.34, 18.33 and 18.39                                                                                                                                  |
| Site Plan Review Conditional Use | Chapters 18.34, 18.57, 18.33 and 18.39                                                                                                                           |
| Conditional Use Permit           | Chapter 18.57 plus applicable site plan regulations                                                                                                              |
| Zoning Change                    | There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan |
| Special Use Permit               | Chapter 18.61 plus applicable site plan regulations                                                                                                              |
| Planned Unit Development         | Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080                                                                                                  |
| Appeal                           | Chapter 18.54                                                                                                                                                    |
| Variance                         | Chapter 18.60                                                                                                                                                    |
| Preliminary Plat                 | Chapter 17.20 plus applicable subdivision sections                                                                                                               |
| Exemption Plat                   | Section 17.52.030 plus applicable subdivision sections                                                                                                           |
| Final Plat                       | Chapter 17.24 plus applicable subdivision sections                                                                                                               |
| Townhouse Plat                   | Chapter 17.32 plus applicable subdivision sections                                                                                                               |
| Condominium Plat                 | Chapter 17.32 plus applicable subdivision sections                                                                                                               |

### 1. Certification of Ownership

I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.



Owner \_\_\_\_\_ Date \_\_\_\_\_



Owner \_\_\_\_\_ Date \_\_\_\_\_

### 2. Certification: The undersigned <sup>Appellant</sup> ~~applicant~~ certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

~~I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.~~



Paul B. Neale <sup>Appellant</sup> ~~Applicant~~ for all below signed Appellants \_\_\_\_\_ Date August 1, 2019



**ATTACHMENT 'A'**

**City Use Only**

1. Submission 8/1/19, 20\_\_, taken by SUR 3 City Clerk  
Fee Received 8/1/19, 20\_\_, taken by SUR
2. Application is deemed complete – OR – deemed incomplete and returned to applicant to complete on 8/8/19.
3. Public Hearing Notice  
Published 8/7, 2019  
Posted 8/6, 2019  
Adjacent Property Notification 8/6, 2019.
4. Planning Commission Public Hearing N/A, 20\_\_  
Board of Adjustment Public Hearing (when applicable) 8/19, 2019.
5. City Council First Reading of Ordinance (if applicable) N/A, 20\_\_.  
City Council Public Hearing N/A, 20\_\_.  
Notes \_\_\_\_\_  
\_\_\_\_\_
6. Letter of Approval/Denial to applicant sent \_\_\_\_\_, 20\_\_.
7. Additional Information  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ATTACHMENT 'A'

### OBJECTION TO DECISION REGARDING THE PROJECT KNOWN AS “THE VILLAGE AT TAMARAC”

Paul B. Neal III, Dawn C. Neal, Brooke Smith, Karolyn Smith and Carole Molden (hereinafter referred to as “We” or “Our”), the undersigned citizens and residents of Woodland Park, Colorado (hereinafter referred to as “the City”), Object to the Decision made regarding the application for the proposed development of the project known as “The Village at Tamarac” (hereinafter referred to as “the Project”) in the City of Woodland Park, County of Teller, State of Colorado. We Appeal to the Board of Adjustment, per Title 18, Chapter 54 – APPEALS for the reasons that are stated beginning in Paragraph B.

#### A. DEFINITIONS AND TERMS:

1. Applicants: Collectively the entities listed as the Owner/Developer/Registered Agent (Village at Tamarac, LLC) and The Applicants (Matrix Design Group).
2. Site Plan Review Letter: City of Woodland Park – Review Letter, dated June 17, 2019, RE: Village at Tamarac Site Plan Review – Staff Review Comments (SPR#19-001)
3. Letter of Approval: City of Woodland Park Certified Letter of Approval, dated July 23, 2019, RE: Village at Tamarac SPR#19-001 – Site Plan Review Report and Certified Letter of Approval with Conditions.

#### B. SPECIFIC OBJECTIONS

1. We have chosen to remain objective regarding the vision of this Project, but there are several conditions that would need to be met before we support it. The second Plan submitted on July 3, 2019 made adjustments that satisfied many Planning Department recommendations, hence removing most of the City’s objections. One notable recommendation that was ignored was the recommendation to remove a number of units so that a larger separation could be obtained between units; specifically, the City recommended a minimum of 15 feet, the same as a Mobile Home Park. The City cited several reasons for their recommendation, none of which have been mitigated by the new submission. The visual difference between plans is that the first proposal had yard separations that reflected a measurement at the eaves, 10 feet. The second proposal had the same yard separations but the measurements were indicated at the ground level, 12 feet. The Applicants did not make any adjustments other than to the north lot line to mitigate the City’s objection.

In paragraph 18.33.180, Design Standards – Intent and Purpose, sub-paragraph G.1.d., of the municipal code requires that “The pattern of spaces between buildings of new construction shall be consistent with existing construction.” The City must compare the space between all other Single-Family Dwellings in all adjacent areas. The Applicant chose to build Single-Family Dwellings in the Multi-Family Residential – Suburban zoned area, but the City must not forfeit the



## ATTACHMENT 'A'

requirement that the new development be consistent with existing construction of like type. We suggest that the City requires the Applicants to redraw their plan and do what is necessary, including a reduction in the number of dwelling units so they meet the side yard separations required when Single-Family Dwelling are built. The minimum possible separation between two side-by-side Single-Family Dwellings is 16 feet, 8 feet per each house. Otherwise, the paragraph on zero lot line developments, which the Business Model uses because the only land that comes with the lease is the foundation on which the modular homes are attached, would be appropriate as a guide and the required separation would be 20 feet. One could even argue that the business model is that of a Mobile Home Park and those codes should be applied (15 feet) but We don't believe the business model should be more influential than the dwelling type's influence on the code's application. In the absence of a clear Municipal Code to apply, the City is obligated to make the best judgement call based on which code is most closely represented by the Project. Our recommendation is to use the Single-Family model and require 16 feet separation between units. We believe that without this separation between units, the stated intent of the Applicants to provide Woodland Park with a showcase community by which to model other future developments is a fallacy. To be a showcase, the neighborhood must look attractive and desirable; homes placed closer to each other than what a mobile home park requires negates that attractiveness and creates a nonsensible business plan.

(Note: The distributed Plan Review Letter, dated June 17, 2019, prepared by the City, incorrectly cites paragraph 18.33.180.G.1.c., then incorrectly states that the multifamily duplexes at Longs Point are spaced 10 feet apart. The physical separation of the existing duplexes at Longs Point are 14 feet apart as measured at ground level. The correct paragraph is 18.33.180.G.1.d.)

Further, if the City would research the reasons that 8 feet per house is used across many states, counties, and cities, they will easily find that it is for two primary reasons: Environment and Safety. Environmental reasons include conditions such as air flow, noise pollution, sunshine flow, and general aesthetics. Safety reasons include the necessity of adequate separation in the event of a catastrophe, such as an earthquake or fire. A building collapsing laterally needs its own height so that an adjacent building is not damaged during a collapse. The City never mentioned Safety from fire or building collapse in their initial Plan Review. This is a significant oversight by the City.

The City must recognize that the Project does NOT completely or cleanly fall into any category in the Municipal code. The City should have applied a subjective application of all paragraphs as they pertain to this unique development model. The Project's business model suggests that the Project should follow rules of a Mobile Home Park (15 feet separation between units is required). The Project's use of 53 single family dwellings with the only "lots" being the pads that the homes rest on, makes the rules surrounding "zero lot line" dwellings partially appropriate (20 feet separation becomes the minimum). But the fact that these are all Single-Family homes, one can argue that the rules around Single Family homes should be the rules followed (16 feet is the minimum possible with any



## ATTACHMENT 'A'

other two Single Family homes). Any one of these three zoning styles could and should be the governing principle that the City should use to enforce spacing. The one position that is inappropriate for the City to take is the position that they can't enforce any spacing rules simply because the Municipal Code doesn't address this Project's model. Since the Project has more characteristics with the Single-Family zoning rules, We ask the City to apply the minimum separation possible between two Single Family dwellings in Woodland Park. Sixteen feet should be the standard for this Project. Our expectation is that the City Manager will oversee the Planning Department and stand firmly on the original Partial Compliance finding and then work with the Applicants to come into Full Compliance. Our strong recommendation is to use the 16 feet separation rule.

Finally, a reminder to the Board of Adjustments of previous testimony by the City Council during the September 4, 2014 City Council Meeting when the topic of Rezoning to Multi-Family Residential - Suburban was discussed and approved. (See Enclosure 1) The City Council received a motion by Carol Harvey to include a 25-foot landscaped buffer along the west side of Lot 5, the same as is required on the east side of Tamarac Tech Park along Hwy 67. The motion was discussed and finally removed because the discussion by the City Council pointed out that the Sundance at Shining Mountain style homes will be "apples to apples" to what would be built. The single-family dwellings are in no way to be considered as "apples to apples" to an expensive townhouse. The obvious opinion by the City Council was that future development was going to consist of some form of attached dwellings, i.e., townhouses, condos, apartments, or duplexes, not single-family dwellings. We have not put forth the argument that the City's ruling that the zoning was not intended for multiples of detached dwellings, per the definition paragraph of paragraph 18.09.010. C., "MFS—Multifamily residential with attached units having a density level from two to eight dwelling units per acre." (The requirement for attached units is restated in section 18.14.005, the Purpose paragraph of this zoning designation, "This land use designation is intended to accommodate attached residential dwelling units with residential density levels from two to eight dwelling units per acre.) We insist that the Project's spacing between dwellings be made safe and comply with "The pattern of spaces between buildings of new construction shall be consistent with existing construction," i.e., match the spacing requirement of surrounding single-family homes, or match the existing style of attached multi-family homes.

2. The City did not interpret the Applicants' plan properly when changing the building separation measurements from 10' to 12'. The separation between buildings is always measured by the closest parts of a building's design; this includes eaves, porches, railings, steps. All the Applicant did was submit the same spacing plan as the original but drew new measurement arrows between walls at ground level. Additionally, the Applicant did not provide factual renderings that have side porches and steps, all of these that encroach on the "12 feet" drawn representations. They are not factually accurate.



## ATTACHMENT 'A'

3. The City's review of the Project completely dismissed the City's own Municipal Code, paragraph 18.39.010, "The city recognizes that inadequate off-street parking and loading areas may lead to traffic congestion, parking violations in adjacent streets, loss of economic opportunities, as well as unauthorized parking in adjacent lots." It dismisses most of Colorado's Department of Land Use guides, provided by the Department of Local Affairs (DOLA) on this Project. While the zoning is Multi-Family Residential by name, the fact is that the IRC Modular homes is a subcategory of MANUFACTURED homes by definition (See enclosure 2). While the Woodland Park Municipal Code has never been brought up to date to address the many subcategories of manufactured homes that have been designed recently, the mere naming of the Project's manufactured homes as IRC Modular does not remove their true defined categorization by Colorado. Therefore, The DOLA guide should be used by the City in evaluating certain aspects of any project when the Municipal Code is lacking in guidance. DOLA recommends, "Every manufactured home space shall have two (2) off-street parking spaces adjacent to the manufactured home. There shall be one (1) additional parking space for each manufactured home space within one hundred (100) feet for use of occupants and guests." The Project originally provided 23 guest parking spaces, less than 50% of the DOLA recommendation to Municipalities. However, the second Project submission not only failed to improve on the City's Review recommendation, but it made it worse by reducing the number to 17 with the bulk of the spaces far exceeding the 100 feet proximity requirement.
4. The City in their review letter of June 17<sup>th</sup> stated that, "Staff recommends that handicap parking stalls within the southern and northern guest areas." The Applicant did not add any handicap parking to the north guest area, and in order to create 2 handicapped spaces to the south, they removed 4 guest spaces so that there will be only 3 guest spaces. More than a 50% reduction in space.
5. CDOT made a request for the City to "consider requiring a second, emergency access to serve the property through the existing roadway system." This CDOT request comes from the DOLA model code Article 12.4, E., "A Manufactured Home Park Development shall have two means of access to public streets at the perimeter of the site." These are for obvious safety reasons that Colorado has provided these guides for Municipalities.

Additionally, the 2015 International Fire Code (IFC), which replaces the IFC of 2003, states in Section D107.01, "Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads."

To completely disregard specific guidelines provided by two government bodies' recommendations without any justification or comment borderlines on Gross Negligence. If a fire were to occur and some form of injury were a result, there would be significant evidence for Criminal Negligence on the part of the City. Concerned Citizens of Woodland Park have highlighted these recommendations, yet they go unaddressed.



## ATTACHMENT 'A'

6. The Applicants failed to submit required documents per the initial Site Plan Review Letter (page 5, Architectural Exhibit (AE01), paragraph a.), “Elevations need to show more realistic representation of multiple units with scaled spacing, colors and materials. Specifically, a rendering to scale that depicts at least six units of different colors, design and porch styles shall be submitted.”
7. The City did not respond properly to the Colorado Department of Transportation (CDOT) letter dated June 6, 2019. CDOT specifically asked for “turning movement volumes and analysis of Hwy 67 and Research Dr/CR 72 intersection in order to demonstrate the constraints of the necessary northbound left turn lane at Tamarac Parkway. Without this information, CDOT is unable to determine potential impacts to southerly intersections.” This information has not been provided by Matrix Design Group, yet the City removed the “Partially” to the compliance finding.
8. The City’s determination of what constitutes the Front Lot Line is not to be found in any Internet search We have conducted. We have found numerous examples of Flag Lots (Lot 5 is a non-contested Flag Lot) in which the Front Lot Line extends across the entire Front Yard, not just the width of the flag. (See examples 1-3) We have not found an example of a Front Lot Line to be drawn as the front of just the flag. We challenge the City’s rational for drawing the Lot Lines as they did. We believe the Front Lot Line should be changed to extend across the entire southern boundary. The Rear Lot Line, the two Side Lot Lines should be as drawn in the Project’s second submission.
9. The Project is Noncompliant with the 2010 Comprehensive Plan. Per Land Use and Growth Action 1.1.7 – Evaluate contemplated projects as to their location and conformance with the Comprehensive Plan to “help the City’s housing inventory to become more diverse, and less reliant on single family residential which has historically been the core focus of new development.” The zoning for this tract of land was made into Multi-family Residential with the stated intent of “attached” dwellings, i.e., the intent of this zoning was to help diversify by allowing for condominiums, townhouses and apartments. The very thing that the City is lacking in comparison to the stated ‘Action’ of the Comprehensive Plan is attached dwellings to add diversity for housing options. The Project added 53 Single Family dwellings exacerbating the exact problem the Zone was created to correct. Yet the City removed the “Partially Complies” finding on 18.34.070 and converted it to Complies without comment in violating the City’s Comprehensive Plan Action list.

### C. SPECIFIC REQUESTS OF THE BOARD OF ADJUSTMENT

We request that the July 23, 2019 Planning Department Staff Report and Certified Letter of Approval be rejected as written and ask that the following items be required for any Approval to be granted:

1. Increase minimum spacing distance between dwellings from 10 feet to 16 feet, the minimum possible for any other side-by-side single family dwelling development. (Require 8 feet minimum side spacing per dwelling, i.e. 16 feet total.) Otherwise



## ATTACHMENT 'A'

apply minimum separation of 15 feet, as required in all other manufactured home parks. As a final option, use “zero lot line” requirements from Clustered Developments (20 feet).

2. Show all measurements of separation based on how actual measurements are taken, i.e., the closest distance of any part of a dwelling (e.g. eaves, porch, patio) taken at a 90-degree measurement to the adjoining superimposed “yard” line, as described in the Projects leased land arrangement.
3. Increase the guest parking space number from 17 to 53, as per Colorado Department of Local Affairs (DOLA) recommendation for Colorado Municipalities for manufactured home parks.
4. Provide 2 handicap parking spaces on north side of development to be within 100 feet of dwellings, per original Planning Directors recommendation in her 17 June 2019 Review Letter.
5. Require a 2nd access to a public street per: Colorado DOLA requirement for a manufactured home park development (Article 12.4, E); as recommended by Colorado Department of Transportation (CDOT) in their 6 June 2019 Review Letter; and per 2015 IFC, Section D107.01.
6. Require the Developer/Applicant to produce Elevations “to show more realistic representations of multiple units with scaled spacing, colors and materials. Specifically, a rendering to scale that depicts at least six units of different colors, design and porch styles” as originally required by the Planning Director in her 17 June 2019 Review Letter.
7. Request a final decision on the Project be stayed until the Traffic Analysis Information that was required by CDOT is provided by the Developer/Applicant. This was required in the Planning Director’s 17 June 2019 Review Letter.
8. Require the City to provide authoritative training materials that City Planners’ use across the nation, which shows that the City’s determination of only the front of the Flag be used as a lot’s Front Lot Line. (Note: The City’s original Lot Line determination had the west lot line established as “the Rear Lot Line”, which goes directly against Colorado guidance that the Rear Lot Line is the line directly opposite the Front Lot Line. For that reason, we do not believe that the City is applying authoritative rulings on Lot Lines.)

We, the Appellant, hereby reserve the right to add, amend to, and/or modify Our appellate Objections and Requests, and/or addend to same, if We should obtain further information, and to file further amendments for consideration by the Board of Adjustment.

ATTACHMENT 'A'

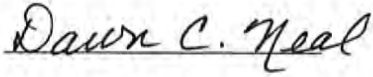
Respectfully Submitted,



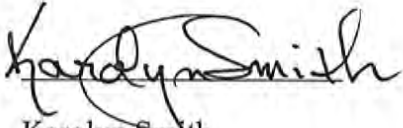
Brooke Smith  
Appellant



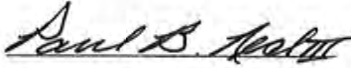
Carole Molden  
Appellant



Dawn C. Neal  
Appellant



Karolyn Smith  
Appellant



Paul B. Neal III  
Appellant



10 Sep 2014

# WP Council approves Tamarac Tech

**Lichina Automotive gets nod on expansion project**

**By Norma Engelberg**  
Contributing writer

Laurence Sheerin, owner of Mountain Starr Investments, is hoping that reconfiguring and rezoning eight lots in Tamarac Tech Park will make them more saleable. The lots were zoned heavy service commercial/light industrial.

"I haven't sold any properties in Tamarac since 2007," Sheerin said.

On Sept. 4, Woodland Park City Council approved his requests unanimously.

With the exception of Lot 3, all of the lots, located south of Shining Mountain Golf Course, were reconfigured with new ingress/egress points and new lot lines. Lot 3 and three other lots will remain heavy service commercial. New Lot 5, 6.68 acres, was rezoned multi-family residential suburban, with a density of 2-8 units per acre. New Lots 6 and 7, 7 acres and 5.44 acres respectively, were rezoned multi-family residential urban, with densities set at 9-20 units per acre. Lot 8 was rezoned neighborhood commercial.

Reserve at Tamarac is located across Colorado 67 from Tamarac Tech Park. Several of its residents spoke against the rezoning at the July 24 Woodland Park Planning Commission meeting. Reserve resident Dave Tanis spoke against the rezoning at the council meeting.

"I don't believe (rezoning the properties to) multi-family residential urban would be in harmony with the neighbors," he said. "And I think that would cause substantial harm to property values. ... I don't object to residential just to multi family."

"Many of these multi-family units will be senior housing," said Councilmember Bob Carlsen. "They need to go from their 3,500-square-foot homes to 1,800-square-foot homes. These are the folks who will be using the golf course, the fitness center and the post office. They'll be happy to have the police department nearby."

Sheerin said that, while there are no development proposals at this time, some of these multi-family units might also fill the needs of Woodland Park's workforce — police officers, firefighters and teachers. Carlsen added that "workforce housing is not derelict housing."

The two eastside properties that were rezoned multi-family residential urban back up to Colorado 67. These will have a 25-foot landscaped buffer along the highway. On the west side, Lot 5 is located across a street from Sundance at Shining Mountain patio homes where Brooke

Smith lives. He also spoke out against the rezoning and suggested that to make it more palatable, council should include the same kind of buffer that is required on the Colorado 67 side of the property.

At first, Mayor Pro Tem Carol Harvey made Smith's suggestion part of her motion. However, Planning Director Sally Riley pointed out that a 50-foot utility easement and power lines run along the street between Sundance at Shining Mountain and Lot 5. She also said that requiring the additional buffer as a condition would set it in stone.

Carlsen and Sheerin both questioned why there should be a buffer between two residential properties.

"It's apples to apples," Carlsen said.

Harvey agreed to withdraw her initial motion and trust that the planning staff will make sure any development on these lots will be in harmony with city standards. She made a second motion to approve the rezoning as presented.

The council also gave unanimous approval to Tom Lichina's plan to expand his automotive repair business on Park Street. He will be building an 800-square-foot building that will add a fourth bay to his business. He will also make parking and drainage improvements.

Lichina had a lot to say against Woodland Hardware's service entrance, which he said shouldn't have been approved, because it hinders his customers' parking and also against the open drainage ditches on his side of Park Street, which also cause parking problems.

Councilmember Ken Matthews agreed that the ditches are dangerous and should be fixed.

"When our drainage study is done we'll be bringing the bills to council," said Public Works Director William Alspach. "If you put the money there, we'll get it done."

Mayor Neil Levy told Lichina that his business and Woodland Hardware will be neighbors for years to come. "I hope you can find ways to work together to benefit both of you," he said.

The council also heard a presentation from Mike DeWall, Woodland Park School District athletic director. He said his theme for Woodland Park High School sports is "Let's do it better." He brought hats, bumper stickers, water bottles and seat cushions to give to council. These were handed out by Brendan Bowman, son of RE-2 Superintendent Jed Bowman, who was also in attendance. Councilmembers could not accept Metro League Sports passes because their value exceeded \$50.

For a complete athletic schedule, visit [www.csmleague.org](http://www.csmleague.org) and click on the Woodland Park High School link.



At the Sept. 4 Woodland Park City Council meeting, Superintendent Jed Bowman, his son Brenda, and the school district an opportunity to encourage a by Norma Engelberg



Brendan Bowman passes out Woodland Park High School District athletic schedule. His father, Woodland Park School District athletic director Mike DeWall, came to the council meeting with an



# ECOCABINS: FACTORY-BUILT DWELLINGS MADE SIMPLE



## "TINY" HOMES



## PARK MODELS



## MANUFACTURED



## MODULAR



| FEDERAL BUILDING CODE STANDARD?                 | ANSI - RVIA (Think "RV")                                                                | ANSI - RVIA (Think "RV")                                                               | HUD (Think "Mobile Home")                                                        | IRC (or UBC. Think "Site Built Code")                                            |
|-------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| TYPICAL SIZE OPTIONS?                           | < 200 SQ. FEET (Typical)<br>< 400 SQ. FEET (By Code)                                    | < 400 SQ. FEET (By Code). MAXIMUM OUTSIDE BOX DIMENSION IS 16'x76'                     | 600 - 3500 SQUARE FEET (Typical).<br>MAXIMUM OUTSIDE BOX DIMENSION IS 16'x80'    | ANY                                                                              |
| PRIMARY USE?                                    | TRAVEL OR SEMI-PERMANENT DWELLING                                                       | SEMI-PERMANENT DWELLING                                                                | PRIMARY HOUSING                                                                  | PRIMARY HOUSING                                                                  |
| POTENTIAL LEVELS                                | 1 MAXIMUM<br>1 (Not counting sleeping loft)                                             | 1 MAXIMUM<br>1 (Not counting sleeping loft)                                            | 3 MAXIMUM<br>1 (No Lofts allowed)                                                | ANY                                                                              |
| PLACEMENT / SET OPTIONS                         | DESIGNED FOR MOBILITY                                                                   | DESIGNED FOR SEMI-PERMANENT PLACEMENT IN RV PARKS, RESORTS, LAND OR OTHER APPLICATIONS | DESIGNED FOR SEMI-PERMANENT OR PERMANENT PLACEMENT                               | DESIGNED FOR PERMANENT PLACEMENT ON REAL ESTATE. DRIVEN OR CRANED ON FOUNDATION. |
| DOES IT NEED INSPECTIONS?                       | NOT APPLICABLE                                                                          | IF PLACED PERMANENTLY, C.O. WOULD APPLY AND POSSIBLE MODIFICATIONS WOULD APPLY         | INCLUDED IN CODE FROM FACTORY. ONLY C.O. NEEDED ON SITE IS PLACEMENT AND HOOK-UP | INCLUDED IN CODE FROM FACTORY. ONLY C.O. NEEDED ON SITE IS PLACEMENT AND HOOK-UP |
| HOW IS IT TRANSPORTED?                          | BY HEAVY DUTY PICKUP                                                                    | SEMI-TRUCK, CDL & TRANSPORT LICENSES APPLY                                             | SEMI-TRUCK, CDL & TRANSPORT LICENSES APPLY                                       | SEMI-TRUCK, CDL & TRANSPORT LICENSES APPLY                                       |
| COMES WITH A TITLE?                             | YES, AS AN RV TITLE (Not a trailer title) IF BUILT BY PROFESSIONAL & CERTIFIED FACTORY. | YES.                                                                                   | YES*<br>(*Title must be purged if made as part of real estate)                   | NO.<br>(Must be placed as a part of real estate)                                 |
| HOW IS IT TAXED / FINANCED?                     | AS AN RV                                                                                | AS AN RV                                                                               | AS PERSONAL PROPERTY (Chattel), REGULAR REAL ESTATE IF TITLE IS PURGED.          | AS NORMAL REAL ESTATE                                                            |
| FOLLOWS MORTGAGE RULES & SAFE ACT REQUIREMENTS? | DOES NOT APPLY                                                                          | DOES NOT APPLY                                                                         | APPLIES                                                                          | APPLIES                                                                          |
| PLACED AS REAL ESTATE?                          | NOT TYPICAL WITHOUT CODE INSPECTIONS & POSSIBLE MODIFICATIONS                           | NOT TYPICAL WITHOUT CODE INSPECTIONS & POSSIBLE MODIFICATIONS                          | YES IN MOST CASES, IF TITLE IS PURGED                                            | YES                                                                              |
| FRAME TYPE?                                     | FIXED FLATBED TRAILER, ONE OR MULTIPLE AXLES                                            | PERMANENT "I" BEAMS & FRAME                                                            | PERMANENT "I" BEAMS & FRAME                                                      | REMOVABLE "I" BEAMS & FRAME OR TEMPORARY TRANSPORT (if used)                     |
| AXLES, TIRES & TONGUE?                          | YES. FIXED & PERMANENT                                                                  | YES. REMOVABLE                                                                         | YES. REMOVABLE                                                                   | NONE, OR REMOVABLE (if Used)                                                     |
| DESIGNED & BUILT FOR FOUNDATION OR BASEMENT?    | NO                                                                                      | FOUNDATION RARELY                                                                      | OPTIONS READILY AVAILABLE                                                        | YES                                                                              |

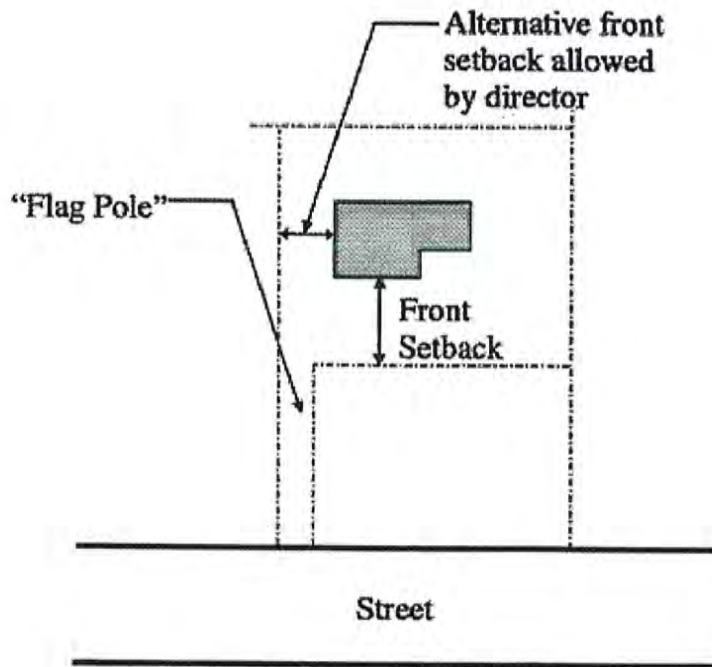
**OVERVIEW ONLY:** This overview is designed as a simple reference of Factory-built dwelling options, and does not cover every possible aspect of zoning and placement issues.  
**CODE & JURISDICTION CONSIDERATIONS:** Before purchasing any type of Factory-built dwelling you must be familiar with the areas codes, including State, County, City, Zoning, Covenants/HOA's.  
**PLACEMENT CONSIDERATIONS:** Placement options, and/or land development has many factors depending on type of unit and zoning requirements, and are quoted separately.  
**NEED HELP?** Please refer to one of our specialists, and we would be more than happy to assist you!

ECOCABINS.COM

INFO@ECOCABINS.COM

TOLL FREE 844.ECO.CBNS (844.326.2267)

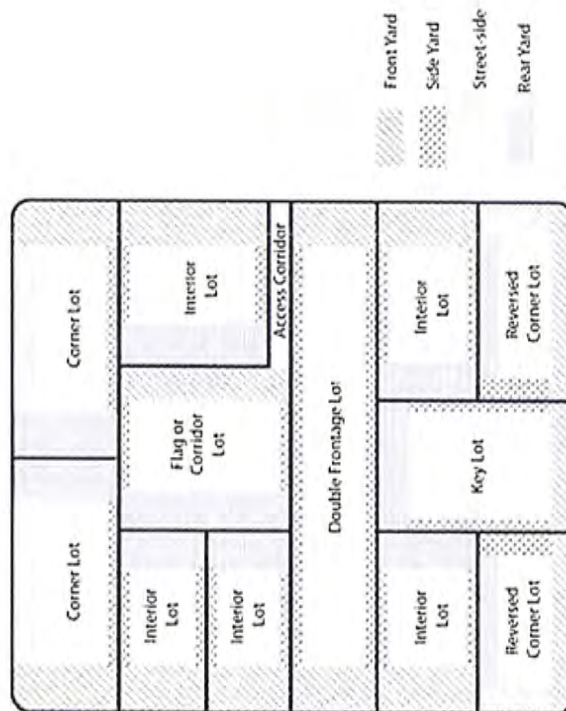
ATTACHMENT 'A'



Example 1

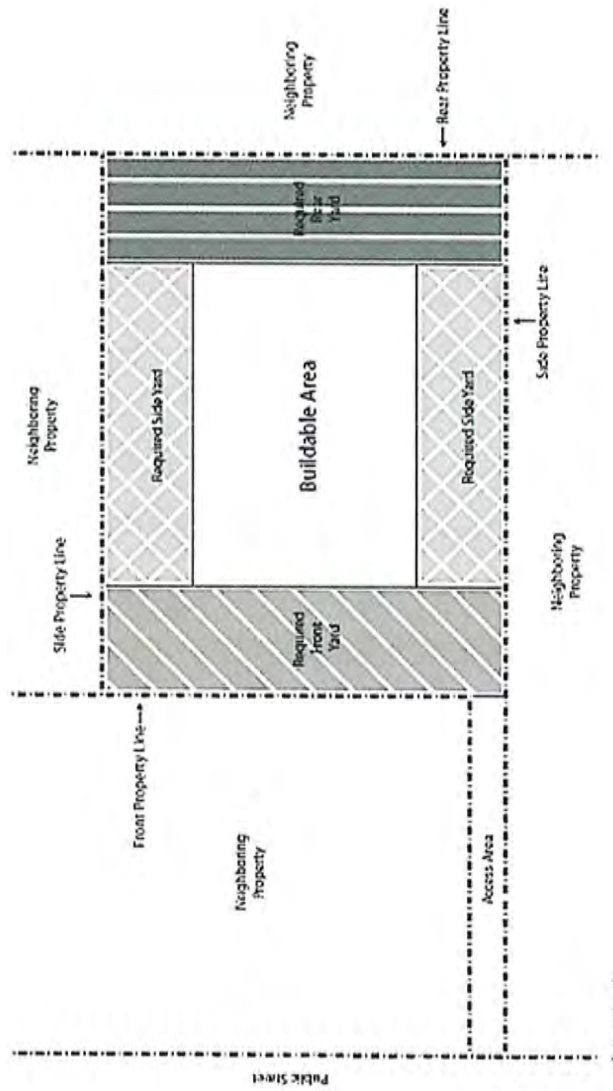


# ATTACHMENT 'A'



Example 2

## ATTACHMENT 'A'





**ATTACHMENT 'B'**

**7 pages following this cover sheet**

**ATTACHMENT ‘B’**

|                                                                                                                                                                                                                                                              |  |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------|
| CITY OF WOODLAND PARK BOARD OF ADJUSTMENT                                                                                                                                                                                                                    |  | <b>▲BOA USE ONLY▲</b>               |
| Board Address:           220 W. South Avenue<br>Woodland Park, CO 80863                                                                                                                                                                                      |  |                                     |
| <b>Petitioners:</b> Paul B. Neal III, Dawn C. Neal, Carole Molden,<br>Brooke Smith and Karolyn Smith.                                                                                                                                                        |  |                                     |
|                                                                                                                                                                                                                                                              |  | Case Number: APL19-001<br>#19080208 |
| <b>CITY RESPONSE TO PAUL B. NEAL III, DAWN C. NEAL, CAROLE MOLDEN,<br/>BROOKE SMITH AND KAROLYN SMITH APPEAL<br/>IN THE MATTER OF<br/>THE APPEAL FROM THE ADMINISTRATIVE ORDER APPROVING (SPR-19-001)<br/>THE VILLAGE AT TAMARAC SITE PLAN (the “ORDER”)</b> |  |                                     |

THE CITY OF WOODLAND PARK through its City Attorney and Planning Department, submits the following response to the Objection to Decision Regarding the project known as “The Village at Tamarac” submitted by Paul B. Neal III, Dawn C. Neal, Carole Molden, Brooke Smith and Karolyn Smith (“Petitioners”) or (“Appellants”) dated August 1, 2019 (the “Appeal”) (Attachment A) AND REQUESTS THAT THE BOARD OF ADJUSTMENT AFFIRM THE ADMINISTRATIVE ORDER (Attachment D) based on the following:

**I.       PROCEDURAL BACKGROUND**

The Applicant, Matrix Design Group c/o Eric Smith and owners, Village at Tamarac c/o Peter LaBarre, pursuant to Woodland Park Municipal Code (MC) (the “Code”) §18.34.058 applied for approval of the Village at Tamarac (the “Project”) Site Plan (Attachment E) The Project is located at the north end of Tamarac Parkway on Lot 5, Tamarac Tech Park Filing No. 5 in the Multi-Family Residential-Suburban (MFS) District. Pursuant to Municipal Code (MC) §18.09.090. N.1, the Project is classified as a permitted use by right as listed in the table of permitted uses. The Project shows 53 single family units on 6.68 acres with a density of 7.93 units per acre. The units are small, manufactured, modular homes built to comply with the International Residential Code (IRC) standard and installed on permanent foundations. The Project includes site grading, drainage facilities, private roadways, underground utilities, parking, sidewalks, landscaping and all necessary improvements to serve the future residents.

Pursuant to the Code §18.34.058. A.5, the City of Woodland Park Planning Department issued an



## ATTACHMENT 'B'

Administrative Order approving the request on July 23, 2019, Site Plan Review Report and Certified Letter of Approval with Conditions (the "Order") (Attachment D). Subsequently, the City Planning Department received an Appeal from the Neals, Smiths, and Molden on August 1, 2019. Pursuant to Codes Chapter 18.54, the Board of Adjustment has jurisdiction over Appeals of Administrative Orders. The Order is incorporated into and made a part of this Response by reference.

### II. SUMMARY OF PETITIONERS' AREAS OF DISAGREEMENT/REASONS FOR APPEAL

- A. Paul B. Neal III and Dawn C. Neal are residents in the Fairway Pines subdivision located west of the Project. Carole Molden, Brooke Smith and Karolyn Smith are residents in the Sundance at Shining Mountain Townhomes located west of and adjacent to the Project.
- B. The Petitioners specific objections/contentions are summarized as follows:
1. The pattern and spacing between the buildings should be increased from 12 feet to 16 feet.
  2. The City did not interpret the Applicant's plan properly regarding the separation and measurements between buildings.
  3. Seventeen (17) guest parking spaces are inadequate pursuant to the parking intent described in MC §18.39.010 and Department of Local Affairs (DOLA) recommendation for manufactured home parks.
  4. The two handicapped parking spaces are both located on the southern portion of the site and at least one handicapped space should be located on the northern portion of the site.
  5. A second, emergency access should be considered per CDOT's request, DOLA model code and 2015 International Fire Code.
  6. Require the developer to produce elevations that depicts at least six units.
  7. Request a final decision on the Project to be stayed until the Traffic Analysis Information regarding traffic counts/movements at Research Drive is provided as requested by CDOT.
  8. A front setback of 25' should be applied to the entire southern boundary line of the Project.
  9. Project is noncompliant with the Comprehensive Plan Land Use and Growth Action 1.1.7.

### III. STANDARD OF REVIEW

Petitioners have the burden of convincing the Board of Adjustment that the Order should be reversed, in whole or in part, or modified. Disagreement with Staff (Planning Department) analysis does not justify reversal of an Administrative Order. The Board of Adjustment should affirm the Order unless the Board of Adjustment finds that the Planning Department erred in applying the Code or that there is no evidence to support the Order.

## ATTACHMENT 'B'

### IV. THE PLANNING DEPARTMENT DID NOT ERR IN APPLYING THE CODE

The Planning Department reviewed the Project against each applicable standard contained in the Code including provisions in *Chapter 18.14 Multi-Family Residential-Suburban (MFS)*, *Chapter 18.33 Use Regulations – Performance Standards* and *Chapter 18.34 Site Plan*. With regard to every applicable standard, the Planning Department performed an analysis of whether the Project complied. See the section titled “Compliance with Applicable Standards” on pages 2 through 12 of the Order. The Planning Department responds to each of the summarized allegations above with:

1. The suggested standard of 16' spacing is pulled from a portion of the Code that is not applicable to the use at issue in this appeal.
2. Staff has interpreted the drawings correctly and staff had access to the developer to explain the plans if necessary.
3. The Municipal Code does not require “guest parking”. The appellant is referring to standards that are not applicable to the review process.
4. Appellant shows no portion of the code that was violated or misapplied. However, the designation of an additional ADA space can easily be accomplished.
5. Emergency access was evaluated by the appropriate local authority who authorized the current plan. Model DOLA requirements are not applicable to the City of Woodland Park.
6. There is no requirement in the Municipal Code that requires this rendering.
7. The traffic study is completed and shows CDOT's requirements. The plan was approved subject to the incorporation of these requirements. The Municipal Code does not require a stay of proceedings on an application pending this study.
8. This application would be inconsistent with other applications of front setbacks for flagpole lots throughout the community.

### V. THE ORDER IS SUPPORTED BY EVIDENCE

There is overwhelming evidence supporting the Order. The Appeal by the Neals, Smiths and Molden states nine (9) specific objections and eight (8) specific requests of the Board of Adjustment. The City's specific Responses to Appeal by the Neals, Smiths and Molden is attached as Appendix A.

IN WITNESS WHEREOF, I have hereunto set my hand, this 12<sup>th</sup> day of August 2019.

  
Jason Meyers, City Attorney

## ATTACHMENT 'B'

### APPENDIX A CITY'S RESPONSES TO NEAL, SMITH AND MOLDEN APPEAL

The following are summaries of nine (9) areas of objections (disagreement) cited in the Appeal which Petitioners disagree with the Planning Department analysis contained in the Order. The Petitioner's claim and relevant Code reference (*in italics*), is followed by the City's response and analysis.

#### **Petitioner's Objection (disagreement) and Request #1:**

Petitioner disagrees that §18.33.180 *Gd.*, Building Placement and Site Layout has been met. The Petitioners disagree with the Planning Department's analysis and findings regarding the spacing between units. The Petitioners provide a lengthy explanation (Attachment A) that the applicant's proposed spacing of 10' measured from eave to eave or 12' from foundation to foundation is not safe or environmentally acceptable. The Petitioners request a minimum of 16' between units in order to comply with "*The pattern of spaces between buildings of new construction shall be consistent with existing construction.*"

#### ➤ **City's response to Petitioners Objection and Request #1**

The City's zoning regulations do not specify a required distance between each unit for building separation of single-family homes on one large lot without a subdivision. The IRC building code requires a minimum of 5' between structures. The Projects proposed "side yards" of 10 feet essentially doubles the minimum building code standards. Furthermore, the Fire Chief has reviewed the spacing and finds the building separation to be acceptable from a safety and fire perspective as long as the separation exceeds the building code. Since the Zoning Code is silent on building separation in the MFS zone, the Planning Department cannot arbitrarily require a certain separation (i.e., 16'). The Project meets the IRC building code and is acceptable to the Fire Chief.

#### **Petitioner's Objection (disagreement) and Request #2:**

Petitioner states that the City did not interpret the Applicants' site plan properly when changing the building separation from 10' to 12'.

#### ➤ **City's response to Petitioners Objection and Request #2**

It is not uncommon to measure building separation from foundation to foundation. There was no intent by the City to mislead the representation of this measurement. The final site plan and elevation measurements can be revised to add a notation to specify how the measurements are made (i.e., foundation to foundation with a 1' eave on each side wall).

#### **Petitioner's Objection (disagreement) and Request #3:**

Petitioner claims that the guest parking is inadequate based on §18.39.010 *Intent* of the Parking standards which state, "*The City recognizes that inadequate off-street parking and loading areas may lead to traffic congestion, parking violations in adjacent streets, loss of economic opportunities, as well as unauthorized parking in adjacent lots.*" In addition the Petitioners cites the Land Use guides by the Division of Local Affairs (DOLA) for manufacture home parks. This guide recommends one additional guest parking space for each unit.



## ATTACHMENT 'B'

### ➤ **City's response to Petitioners Objection and Request #3**

DOLA's Land Use guides do not govern the parking standards for the City of Woodland Park. The City's parking standards *Chapter 18.39* require two (2) off-street parking spaces per single-family home. The developer meets the standard of two (2) off-street parking spaces per single-family home plus 17 additional guest parking spaces. Multi-family apartments are based upon the number of bedrooms (i.e., 1 bedroom = 1.5 spaces; 2 bedrooms = 2 spaces. No guest parking is required for single-family homes or for multi-family developments. Therefore, the overall parking requirement for the Project has exceeded the City's standard with 17 additional guest parking spaces as shown by the Site Plan.

Furthermore, the parking intent *MC §18.39.010* states, "*Excessive parking and loading areas may waste money and valuable space for development or open space and increase the potential of drainage problems. This chapter seeks to balance the public and private needs for off-street parking and loading areas.*" Increasing the guest parking from 17 to 53 would be excessive and the Planning Department finds that the intent for adequate parking has been met with the Applicant's proposal.

### **Petitioner's Objection (disagreement) and Request #4:**

Petitioners notes that handicap parking stalls are only provided within the southern guest parking areas.

### ➤ **City's response to Petitioners Objection and Request #4**

A handicap stall can be easily added to northern guest parking area as part of the Final Site Plan resubmittal.

### **Petitioner's Objection (disagreement) and Request #5:**

Petitioner noted that CDOT's request to "consider requiring a second, emergency access to serve the property through the existing roadway system" has not been addressed. Also Petitioner cites the DOLA model code for access and 2015 International Fire Code.

### ➤ **City's response to Petitioners Objection and Request #5**

This is a suggestion by CDOT to consider, not a requirement or regulatory issue. Condition #2 of the certified Site Plan approval letter (the Order) states, "Applicant shall resubmit a revised traffic study to CDOT and shall make the necessary improvements to SH 67 in accordance with CDOT requirements prior to Certificate of Occupancy of any new home or acceptable security guarantee provided to the City." Furthermore, DOLA's model code does not govern the access standards for the City of Woodland Park. The City's current access standards are governed by the 2003 International Fire Code not 2015 IFC.

### **Petitioner's Objection (disagreement) and Request #6:**

Petitioner states that the Applicant failed to submit required building elevations as requested by the Staff.

### ➤ **City's response to Petitioners Objection and Request #6**

The Staff's request for a color rendering depicting six (6) units to scale was an additional

## **ATTACHMENT 'B'**

request to supplement Architectural Exhibit (Sheet AEO1). A color rendering of the elevations is not a City Code requirement and it was determined by the Staff that a rendering depicting two units side by side in 4 different color schemes was adequate.

### **Petitioner's Objection (disagreement) and Request #7:**

Petitioner states that the Applicants did not properly respond to CODT's request for additional data regarding the turning movement volumes at Research Drive & SH 67.

#### **➤ City's response to Petitioners Objection and Request #7**

Condition #2 of the certified Site Plan approval letter (the Order) states, "Applicant shall resubmit a revised traffic study to CDOT and shall make the necessary improvements to SH 67 in accordance with CDOT requirements prior to Certificate of Occupancy of any new home or acceptable security guarantee provided to the City." This condition satisfies the Petitioners concern since all CDOT requirements for additional data and SH 67 improvement will be accomplished in a timely manner.

### **Petitioner's Objection (disagreement) and Request #8:**

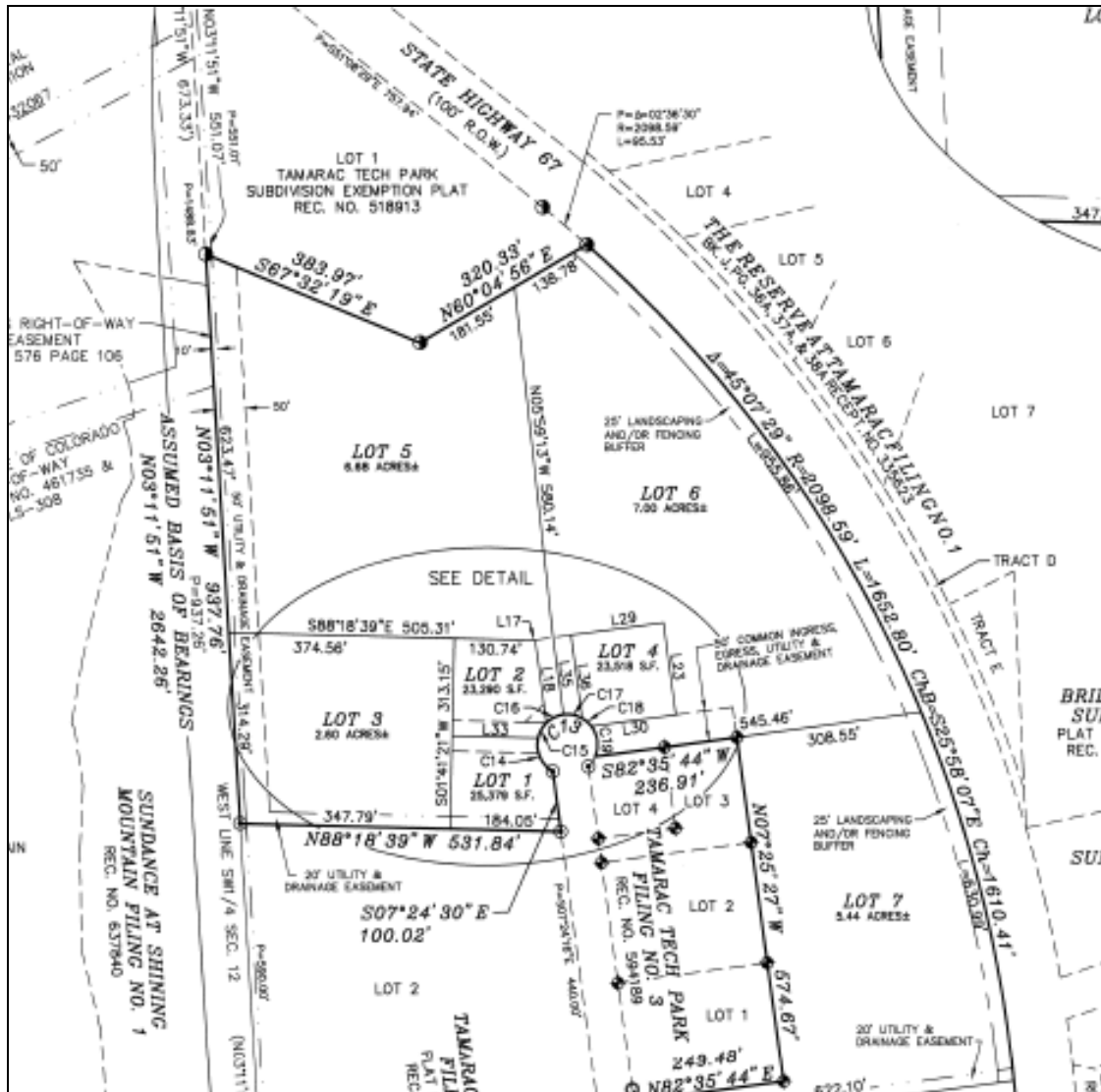
Petitioner claims that the determination of the front lot line and setback is incorrect. The Petitioner requests that a front setback be extended beyond the flag portion to include the southern property boundary of Lot 5.

#### **➤ City's response to Petitioners Objection and Request #8**

Setbacks for MFS developments are established around the perimeter of the lot at the professional discretion of the Staff. The Staff uses basic principles and common sense when determining front, side and rear lot lines. Flag lots typically located at the end of cul-de-sacs are unique due to their configuration and relationship to the surrounding lots. The principles include: front typically fronts a street ROW; rear is typically opposite the front; and side lot lines connect the front and rear. The Planning Department's practice is to match sides with sides, and rear with rear. A corner lot has two street frontages and two side lot lines since each side abuts the adjoining lot's side. A flag lot is not a typical lot nor is it a corner lot. Therefore, at the discretion of the Staff, the setbacks for Lot 5 are designated as follows (see final plat drawing on page 7):

- the flag portion is the front and provides access to the public street;
- the southern lot line of is considered a side because it abuts the sides of Lots 3 and 2;
- the northern lot line is considered the rear since it is opposite the street frontage;
- the western lot line is also considered the rear since it aligns with the rear of Lot 3;
- the eastern lot line is considered a side since it adjoins the side of Lot 6 to the east.

## ATTACHMENT 'B'



Tamarac Tech Park Filing No. 5 portion of the Final Plat

### Petitioner's Objection (disagreement) #9

Petitioner claims that the Project is noncompliant with the 2010 Comprehensive Plan. Specifically, Land Use and Growth Action 1.1.7 – Evaluate contemplated projects as to their location and conformance with the Comp Plan to *“help the city’s housing inventory to become more diverse, and less reliant on single family residential which has been the core focus of new development.”*

#### ➤ City’s response to Petitioners Objection #9

The Order cites Land Use Growth Action 1.1.7 as conforming to MC §18.34.070. *A* because the Village at Tamarac provides diversity in Woodland Park’s housing options at an affordable price. Although the units are not attached, the small manufactured homes are a permitted use within the MFS district. It is important to understand that the Comp Plan is not a regulatory document but used as an aspirational guiding document.



**ATTACHMENT 'C'**

**122 pages following this cover sheet**

**ATTACHMENT 'C'**  
**CITY OF WOODLAND PARK - REVIEW LETTER**



June 17, 2019

Mr. Pete LaBarre (Owner)  
Village at Tamarac, LLC  
720 E. US Hwy 24  
Woodland Park, CO 80863

Mr. Eric Smith and Mr. Jason Alwine (Applicants)  
Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920

**RE: Village at Tamarac Site Plan Review – Staff Review Comments**

Dear Mr. LaBarre, Mr. Smith, and Mr. Alwine:

At this time, the Staff has determined that we are unable to approve or deny the Village at Tamarac application due to a lack of certain information detailed below. As a result, the City staff is issuing a **review letter**. Please make the necessary revisions to the site plan and associated documents, and resubmit to the Planning Department to continue our review. Upon re-submittal, staff will require a minimum of 10 working days to re-route, re-review and issue a decision for approval, approval with conditions, or denial.

**APPLICATION:** On May 16, 2019, the Planning Department received an application that was initially deemed complete, in order to begin the agency referrals and Staff's review. The Village at Tamarac review is based upon the following plans and reports:

- Title Sheet, TSO1 prepared by Matrix Design Group dated May 2019
- Site Plan, SP01 prepared by Matrix Design Group dated May 2019
- Grading Plan, GP01 prepared by Matrix Design Group dated May 2019
- Utility Plan, UT01 prepared by Matrix Design Group dated May 2019
- Landscaping Plan, L-1 prepared by Matrix Design Group dated May 2019
- Landscaping Details, L-2 prepared by Matrix Design Group dated May 2019
- Landscaping Notes, L-3 prepared by Matrix Design Group dated May 2019
- Architectural Exhibit (& lighting), AE01 prepared by Matrix Design Group
- Project Narrative of the Site Plan Review Criteria submitted May 16, 2019
- Traffic Impact Study prepared by LSC Transportation Consultants dated October 4, 2018
- Final Drainage Report prepared by Matrix Design Group dated May 2019
- Property Values Letter by Michael Harper Real Estate dated May 14, 2019
- Village at Tamarac Community Rules
- Champion Manufactured Homes; 4 floorplan styles w/ 1 bedroom, 1 bath; 14' x 48'

**PROPOSAL:** The Applicant and Owners are requesting approval of the Village at Tamarac Site Plan Review (SPR) located at the north end of Tamarac Parkway on Lot 5, Tamarac Tech Park, Filing No. 5 in the Multi-family Residential Suburban (MFS) District. The proposed development shows 53 single family units on 6.63 acres with a density of 7.93 units per acre. The units are



## ATTACHMENT 'C'

classified as manufactured modular homes built to International Residential Codes (IRC) by Champion homes in Nebraska. The modular homes will be transported to Woodland Park and set on permanent foundations with a 5' crawlspace in accordance with the PPRBD building codes and IRC standards. The homes are 532 SF (38' x 14') with a front porch (10' x 14' = 140 SF), cement board siding, gabled metal roofs with dormers, composite decking and decorative railing around the porch. The units will be sold to individuals and placed on leased land owned and maintained by the property owner. Households earning 70% of Area Median Incomes (100% of AMI = \$72,000) may qualify for a bank mortgage and land lease for the home according to the Applicant.

**PROCESS:** Pursuant to §18.09.090, N. 1, the Village at Tamarac development is classified as a permitted use by right as listed in the Table of permitted uses for business, industrial and residential districts. A permitted use follows the procedure for administrative Site Plan Review (SPR) as described in §18.34.058, which means the review is performed by the City staff and referral agencies. The public may contact the City within a 15-day period upon posting and mailing notices to inquire or comment on the proposal. Between May 22, 2019 and June 7, 2019, the City received 34 written comments from various members of the public which were given to the Owners and Applicant on June 8, 2019.

**COMPLIANCE WITH APPLICABLE STANDARDS:** Projects within the Multi-family Residential Suburban (MFS) District must comply with the provisions in Chapter 18.14 MFS, Chapter 18.34 Site Plan Review, and Chapter 18.33 Use Regulations – Performance Standards. The applicable standards are written in italics followed by the staff's analysis beginning with Chapter 18.14.

*§18.14.005 Purposes. This land use designation is intended to accommodate attached residential dwelling units with residential density levels from two to eight dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.*

**Partially Complies:** Although the intent of the MFS District is to accommodate attached units, §18.09.090 N. 1. Table of permitted uses for business, industrial and residential districts states that single-family within the MFS District is a "permitted use" by right as long as no subdivision of land is needed. Lot 5, Tamarac Tech Park Filing No. 5 Vacation and Replat was approved by City Council on December 4, 2014 to create a 6.68 acre lot and zoned MFS at the same time. There is no further subdivision of land proposed.

The 7.93 units per acre density is slightly under 8 units per acre; the maximum density allowed in MFS zone. Staff believes that maximizing the density of 53 single-story units compromises safety, livability and aesthetics. Homes are spaced only 10' apart which is a slightly wider than a 9' parking space. Homes arranged in this compacted fashion reduce livability, limit yard area to a very small space for each resident, do not mitigate for noise, increase air pollution with increased traffic, restrict sunshine, and reduce privacy. Staff strongly recommends that the Applicant consider: reducing the total number of units to provide for greater spacing between units; adding an adequate visual buffer around the perimeter of the site to protect the surrounding property values; preserving as many of mature trees on the perimeter of the site as possible; and redesigning the layout by including more space separation for a more livable neighborhood.



## ATTACHMENT 'C'

Even the City's Mobile Home Park standards require 15' minimum spacing for HUD manufactured homes. This project should consider a similar standard.

The water system is not adequately looped for fire protection and reliable service. Please revise the Utility Plan to loop a water main to connect to the existing main located on the south side of Lot 3. The sanitary sewer plan is adequate and the City can accommodate a population of 14,100 with the recent expansion of the wastewater treatment plant.

According to the Traffic Impact Study (TIS), 53 units are estimated to generate 350 average daily trips. CDOT has reviewed the TIS and they are requesting additional information (see attached letter from Valerie Sword). The City understands that the existing traffic conditions on SH 67 currently warrant various improvements (i.e., left turn lanes, deceleration and acceleration lanes). These improvements will be designed and completed as soon as State and Federal funding is available through the PPACG Transportation Improvement Program (TIP) and State Improvement Program (SIP). The applicant is responsible to pay their applicable Transportation Capital Fees to the City which will be used toward the necessary match for future SH 67 improvements.

Pedestrian facilities are provided on-site with sidewalks connecting parking spaces and units; however, the sidewalks do not meet the City's 5' minimum width and need to be redesigned. The site is located near pedestrian access, parks, schools, and commercial centers for employment.

***§18.14.010 - Permitted uses.*** Within the multi-family residential-suburban district, buildings, structures, and land may be used for any of the purposes designated under MFS in the table of permitted uses for business, industrial and residential districts located in Section 18.09.090.

The proposed development is classified under Subsection N. 1. Single-family residences within the MFS District are a "permitted use" by right.

***§18.14.030 - Height.*** Maximum height requirements in the MFS district shall be: Any main building hereafter erected or structurally altered shall not exceed thirty feet in height and no accessory building shall exceed twenty feet in height.

**Complies:** The height of the single-story residential units will not to exceed 30' and are likely to be less than 20' in height. According to the Village at Tamarac Community Rules, accessory buildings (i.e., sheds, detached garages, & outbuildings) are not allowed within the development. Storage space is provided within a 5'tall crawlspace below each unit that will be accessed through an exterior bulkhead.

***§18.14.040 - Setback requirements.*** Setback requirements in the MFS district shall be:

*A. Front. Twenty-five feet.*

*B. Rear. Twenty-five feet for the main building and four feet for accessory buildings.*

*C. Side. Eight feet for the main building and four feet for accessory buildings. In the case of reversed corner lots that face an intersecting street, the side yard abutting the street shall maintain front setback.*



## **ATTACHMENT 'C'**

**Complies:** Staff has designated the 25' front setback as the flag portion of Lot 5 and access point to Tamarac Parkway. The southern, east/west property line of Lot 5 is considered a side with an 8' setback since this lot line abuts the side of Lot 3. The western property line is considered a 25' rear setback since it aligns with Lot 3's rear setback. The west property line also has an existing utility easement that offsets all units by 50'. However, the Staff requires that the west side of this development shall provide mitigation to the visual impact and shall include additional landscaping and fencing to reduce the impact to the adjoining townhomes on Longs Point. Lot 5's northern property boundary is considered an 8' side setback since it abuts the side of the golf course driving range. Lot 5's eastern property boundary is considered an 8' side setback since it abuts the side of Lot 6.

***§18.14.060 - Frontage.*** *There shall be a minimum lot frontage in the MFS district of forty feet as measured at the street line.*

**Complies:** On December 4, 2014, the City Council approved a variance for Lot 5 Tamarac Tech Park Filing No. 5 with a 32' frontage rather than a 40' of frontage on a public right-of-way. The final plat is recorded with an ingress/egress easement 60' wide on Lots 5 and 6 which is intended to serve as a common driveway.

***§18.14.070 - Parking requirements.*** *Parking requirements in the MFS district shall be as prescribed in Chapter 18.39 of this title.*

**Partially Complies:** Single-family units require 2 off-street parking spaces. The applicant has provided 106 parking stalls with 23 guest stalls which are also used for snow storage. Staff recommends that handicap parking stalls within the southern and northern guest areas.

***§18.14.080 - Fencing and shrubbery.*** *Fencing and shrubbery requirements in the MFS district shall be as prescribed in Chapter 18.42 of this title.*

**Need More Information:** The applicant proposes 4.3 acres (64%) of open space which meets the minimum of 40% open space in MFS zone. The Landscape Plan show trees and shrubs along the roadways but does not provide for trees between and/or behind the homes. In order to protect the adjoining property values, adequate screening and landscaping shall be provided on the western and southern property boundaries of Lot 5. Staff strongly encourages the applicant to modify the Grading Plan and layout of structures to preserve trees around the perimeter of Lot 5 and install low maintenance privacy fencing adjacent to the properties on Longs Point.

**SITE PLAN REVIEW CRITERIA AND STANDARDS:** Site Plan Review is required whenever a tract of land or structure is being proposed for new development or substantial improvement within the City. According to §18.34.060 and §18.34.070 of the Code, a site plan shall comply with the following minimum criteria and standards.

**§18.34.060 A., B. 1-33 and C.** This is a long list of information and plans required for SPR.

**Partially Complies.** The following plan set items shall be revised and resubmitted:



## ATTACHMENT 'C'

### Title Sheet (TSO1)

- a. General Notes #4, add after porch lights “with full cutoffs and no more than 3000 Kelvin bulbs.”
- b. Add new Note #7, “The owner of the land shall be responsible for the replacement of the asphalt, sidewalks, curb, gutters, fences, landscaping and other surface improvements should the City need to repair, maintain or replace public utilities lines, hydrants and appurtenances.”
- c. Add new Note #8, “The owner of the land shall be responsible for routine maintenance and capital replacement of all private roads, curbs, gutters, sidewalks, detention pond, stormwater facilities, landscaping, signage and other site improvements.”
- d. Replace signature block with administrative review language.
- e. Replace Typical Unit Layout Detail with 5' sidewalks, show bulkheads to crawlspaces, and consider greater separation between structures.

### Site Plan (SPO1)

- a. Show tree preservation, fencing and larger buffer on western and southern property boundary. Provide low maintenance fencing detail.
- b. Revise structure layout to provide greater spacing (i.e., 12' to 15') where possible.
- c. Show at least two handicap spaces within the guest area parking lots.
- d. Remove the word “yard” in all setback labels.
- e. Revise Typical Road Sections to include appropriate easement widths.
- f. Show electric easements according to IREA's requirements
- g. Add a location and pull-out area for neighborhood mailbox unit if required by USPS.
- h. Consider reducing the size/area of the detention pond by using retaining walls or reduce “over-detention” for Lot 6.
- i. Locate and preserve the “Wildlife tree” and other trees on the perimeter of the site.

### Grading Plan (GP01)

- a. Revise to reduce the surface area disturbance in order to preserve significant perimeter trees and natural vegetation.

### Utilities Plan (UP01)

- a. Show water main looping to southern boundary of Lot 3 and adjust all easements accordingly.
- b. Add the existing fire hydrant at the end of Tamarac Parkway.
- c. Provide a fire flow analysis for Fire Chief's approval.

### Landscape Plan (L-1, L-2 and L-3)

- a. Provide a more robust plan that includes tree preservation of significant trees around the perimeter of the site.
- b. Add new trees between homes and in the rear of the structures where feasible.
- c. Include the fencing and screening on the western and southern property boundaries.

### Architectural Exhibit (AE01)

- a. Elevations need to show more realistic representation of multiple units with scaled spacing, colors and materials. Specifically, a rendering to scale that depicts at least six units of different colors, design and porch styles shall be submitted.

Final Drainage Report – The City Engineer's review is not complete at this time. Comments will be forthcoming.

Traffic Impact Study – CDOT has reviewed the TIS and they are requesting additional information (see attached letter from Valerie Sword).



## ATTACHMENT 'C'

**§18.34.070 A.** *The proposed development 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.*

**Partially Complies.** The 2010 Comprehensive Plan encourages and supports quality development that meets the needs of the community, including;

- a. Housing Section 2 - Identifies a number of goals and objectives related to new affordable housing including the integration of affordable housing for a diverse workforce and concentrating new neighborhoods into the downtown core area. The section also describes a number of objectives related to facilitating multi-family development through changes in fee structures, updating design standards and increasing densities to “facilitate multi-family development”.
- b. Land Use and Growth Action 1.1.7 – Evaluate contemplated projects as to their location and conformance with the Comprehensive Plan to help the City’s housing inventory to become more diverse, and less reliant on single family residential which has historically been the core focus of new development.
- c. Economic Development Objective 1.6: Increase desirability of Woodland Park as a place to live and work by providing diverse housing options, expanded educational opportunities and additional community amenities.
- d. The Comp Plan Map identifies the Tamarac Tech Park as Mixed Use which can be commercial, residential or mixed use and encourages complementary uses located close together.

The Applicant is required to request water tap reservations in accordance with the City’s growth management plan. The PPACG 2045 Long Range Transportation Plan includes improvements to SH 67 which will be completed when funding becomes available.

If the applicant satisfactorily addresses Staff’s comments and concerns regarding screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design comments, then this standard can be met.

**§18.34.070 B.** *The proposed development 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, mobile homes, utilities, buildings and construction, business regulations, and engineering specifications.*

**Partially Complies.** Again, if the applicant satisfactorily addresses Staff’s comments and concerns regarding screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design comments, then this standard can be met. Building Codes and Engineering Specifications will be applied when final construction drawings and plan review for Zoning Development Permits (ZDPs) and Building Permits are submitted and reviewed.

**§18.34.070 C.** *The proposed development shall be designed, constructed, and maintained to accommodate the traffic generated and not unduly increase congestion or traffic on the site and in the vicinity of the site.*



## ATTACHMENT 'C'

**Partially Complies.** According to the Traffic Impact Study (TIS), 53 units are estimated to generate 350 average daily trips. On site congestion is mitigated with a looped, private road system and adequate parking. CDOT has reviewed the TIS and they are requesting additional information regarding the turning movement volumes at SH 67 and Research Drive (see attached letter from Valerie Sword). The City understands that the existing traffic conditions on SH 67 currently warrant various improvements (i.e., left turn lanes, deceleration and acceleration lanes). These improvements will be designed and completed as soon as State and Federal funding is available through the PPACG Transportation Improvement Program (TIP) and State Improvement Program (SIP). The applicant is responsible to pay their applicable Transportation Capital Fees to the City which will be used toward the necessary match for future SH 67 improvements.

**§18.34.070 D.** *The proposed development shall be designed, constructed, and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and manmade hazards, streams, and environmentally significant features.*

**Partially Complies.** The proposed development is designed with regard to the existing topography (i.e., the site grading balances); however, the Staff believes that the Grading Plan can be improved to limit disturbance on the perimeter of the site. Surface drainage is addressed in the Final Drainage Report which is currently under review by the City Engineer. The stormwater facilities must be designed to adequately convey runoff to an on-site detention pond. Soils are addressed through soils studies and taken into account when designing the foundations, roadways and parking areas. There are no natural or manmade hazards, or streams. An environmentally significant feature is a “wildlife tree” marked with USFS plate and located near the northern boundary of the property, and Staff recommend preserving.

**§18.34.070 E.** *The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.*

**Partially Complies.** The proposed development has adequate water supply through the City’s multi-family water tap management plan, although, the water system will need to be looped and MF taps approved by City Council from the MF bank. There is adequate capacity at the wastewater plant to serve the project. Solid waste will be collected in a central dumpster location and disposed of by a local trash removal company. Air quality will be protected by paving the roads and parking spaces to keep particulates out of the air. Surface drainage will be adequately conveyed and treated in the on-site detention pond described above.

**§18.34.070 F.** *The proposed development 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.*

**Complies.** There should not be any safety hazards created for the public or persons residing or working in the vicinity. Construction shall conform to the applicable building and fire codes.



## ATTACHMENT 'C'

**§18.34.070 G.** *The proposed development shall be designed, constructed and maintained to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property. To such end the development may be required to provide architectural design schemes and fixtures such as, but not limited to, fencing, landscaping, and buffer areas. (Ord. No. 966-2003, § 2, 4-3-2003)*

**Need More Information.** The homes in the proposed development are arranged in a compact fashion, which reduces livability, limits yard area to a very small space for each residence, amplifies noise, increases air pollution with increased traffic, restricts sunshine, and reduces privacy. Staff recommends that the Applicant consider reducing the total number of units to provide for greater spacing. At a minimum, the applicant shall add an adequate visual buffer with privacy fencing, tree preservation and more robust landscaping around the perimeter of the site to protect and buffer surrounding properties. To ensure that the architectural schemes are acceptable, a rendering to scale shall be submitted to depict at least six units of different colors, design and porch styles.

Furthermore, Staff is concerned with the execution of routine and long-term maintenance of this compact development. The Village at Tamarac Community Rules are a good start but there is no guarantee that management will enforce these rules and take pride in a robust maintenance program. For example, it is not realistic to require the homeowner to maintain the sides and rear of property when residents do not own a mower nor have the means to mow and groom their yard. The management company should take responsibility for the entire grounds of the development as with any townhouse or apartment project. Please consider re-drafting and recording more enforceable and realistic covenants, conditions and restrictions (CCRs). At a minimum, the community rules or CCRs will become a condition of approval to this SPR.

### **DESIGN STANDARDS (LOT USE REGULATIONS):**

These following use regulations from §18.33.180 B through H provide performance standards and design guidelines for the development and redevelopment of property. Most of these code provisions have already been addressed in the MFS and SPR standards/criteria, so I will only address those regulations that have not been previously discussed.

**§18.33.180 B. Site Density and Open Space Requirements.** Partially complies, see page 2 and 2<sup>nd</sup> paragraph above.

**§18.33.180 C. Walkways and Bike/Pedestrian Paths.** Partially complies, see page 3, 3<sup>rd</sup> paragraph.

**§18.33.180 D. Tree retention.** Noncompliant, see pages 4 and 6, Landscape Plan comments.

**§18.33.180 E. Parking lot landscaping.** Partially complies, see pages 4 and 6, Landscape Plan comments.

**§18.33.180 F. Lighting.** Complies, see TS01 General Note #4 and Sheet AE01.

### **§18.33.180 G. Building Placement and Site Layout.**

#### **1. Building Siting.**



## **ATTACHMENT 'C'**

- a. *The siting of a building shall fit the existing topography, relate to climatic conditions, and consider on-and-off-site structures, streets and pedestrian ways.*

**Partially Complies.** The site grading balances the cut and fill, yet staff believes the applicant can improve the grading and building layout as previously discussed.

- b. *Building orientation and placement shall minimize overall cut and fill depths.*

**Partially Complies.** The cut and fill balance, yet staff believes the Grading Plan can be improved to preserve significant trees on the perimeter of the site.

- c. *The pattern of spaces between buildings of new construction shall be consistent with existing construction.*

**Partially Complies.** Staff suggests that the Applicant increase the spacing between homes that will make the neighborhood more livable as previously discussed. The multi-family duplexes along Longs Point are spaced 10' apart; however, their site design has significantly more open space on the east side of Longs Point and the Loy Gulch floodplain and golf course behind the duplexes.

### **2. Orientation.**

- a. *Building orientation shall, to the extent reasonably possible, face the street frontage, and preserve view corridors. Building heights of new structures shall, to the extent reasonably possible, not interfere with view corridors of existing structures. Buildings shall be carefully sited for climate control and to minimize casting shadows onto adjacent structures.*

**Partially Complies.** The buildings are oriented with their front doors toward the internal roadway. Due to a relatively low-profile buildings, the view corridors will be largely preserved. The majority of the homes take advantage of an east, west and south facing direction to locate their entry and parking lot. Building heights will be well below the 30' maximum height. Since the spacing is compact, Staff is concerned about shadowing the adjacent homes.

- b. *When integrating with existing neighborhoods and/or dissimilar adjoining land uses, buildings and other site plan elements shall, to the extent possible, be oriented on the lot in a manner which is consistent with the adjoining use. Where there is a predominant pattern of siting characteristics established on surrounding lots, this pattern shall be continued on the subject lot.*

**Noncompliant.** The proposed development does not mirror Sundance at Shinning Mountain PUD townhomes. However, this dissimilar pattern of siting characteristics can be mitigated with privacy fencing, tree preservation and landscaping as previously discussed.

### **3. Massing, Scale, and Proportion.**

## ATTACHMENT 'C'

- a. *The design of the building or buildings shall consider the building proportions, building mass and height and the potential for grouping buildings together so as to be compatible with adjacent existing and proposed uses.*

**Need More Information.** The individual units have a small mass but the dense clustering is not compatible with the adjacent uses on Longs Point. Adequate screening can help mitigate the lack of compatibility with Longs Point duplexes and wider side yard spacing can help mitigate the tight grouping of homes.

- b. *If the proposed building or buildings is to be larger than adjacent structures, architectural elements shall be incorporated into the design of the larger building such that the scale of the larger building's facade is compatible with the adjacent smaller buildings. Scale of the elements of the existing and proposed buildings, and existing rhythm of buildings along the street shall be considered. Landscaping shall also be designed to integrate the structures into the surroundings.*

**Partially Complies.** The manufactured homes are smaller than the adjacent structures and a more robust Landscape Plan is required to integrate the structures into the surroundings.

- c. *A transition in scale, and appropriate quantities of open space and landscaping shall be utilized to create an attractive, compatible edge in areas where larger scale buildings are sited next to smaller ones, such as office complexes next to single-family residences.*

**Partially Complies.** The development provides an appropriate quantity of open space; however, more spacing between units, tree preservation on the perimeter and new trees in the side and rear yards will help soften the scale and density of the small homes.

### A. *Architectural Design Guidelines.*

1. *When building groups or multiple structures are planned for a single project, they shall be designed in a unified architectural and spatial manner with reference to building placement, exterior finish, materials and design details.*

**Complies.** A unified architectural style is provided with reference to building materials and design on Sheet AEO1. Due to Staff's concern about the density and repetitive nature of the building layout, a rendering to scale that depicts at least six units of different colors, design and porch styles is required.

2. *Brick, sandstone, wood, stucco, colored and textured concrete masonry units for facing materials are encouraged.*

**Complies.** The applicant proposes cement board siding, decorative porch railings, and metal roofs with small dormers and windows.

3. *The primary use of prefabricated metal for an entire structure, panelized flat plywood and highly reflective materials for facing materials is prohibited.*



## ATTACHMENT 'C'

**Complies.** The buildings are not made of prohibited materials.

4. *The design of facades visible from the street shall include building materials that are similar or identical with the surroundings and provide an appearance of quality and permanence.*

**Partially Complies.** The facades that are visible from the road network provide a pleasing appearance with quality building materials. The stone bases as shown by one of the conceptual elevations is strongly recommended for each unit to provide an appearance of quality and permanence.

5. *Colors which blend well with adjoining architectural styles and the natural surrounding environment shall be the predominant ones used on the exterior of the buildings, with bright colors used only for accents and detailing of the architecture.*

**Complies.** The primary colors are earth toned tan and green which will blend well with the small homes' architectural styles and help it fit into the mountain environment.

6. *Surface or facade details to enrich the architectural character and enhance the streetscape shall be used. These may include, but are not limited to awnings, special entry details, lights, and bay or specially designed windows, cornices or molding details.*

**Partially Complies.** The front porches, the faux timber columns, roof dormers and windows are façade details which help enhance the architectural character and streetscape. Again, the Staff strongly recommend stone veneer around the base.

7. *Blank building walls that are visible to the public shall, to the extent possible, be avoided. Blank walls shall be designed to be less oppressive through the use of interesting details, design patterns and features that diminish the scale of the structure. For an expansive wall, consideration shall be given to implementing a pattern on the wall with a different color or type of the same material, or creating an area of the wall that is a different texture, color and material. Jogging the walls of the building shall be considered to break up large building facades.*

**Complies.** There are no completely blank walls visible to the public. A rendering with varying colors and styles will help demonstrate this standard.

8. *Lighting, paving, and street furnishings such as benches and planters shall be integrated into the overall building concept and design.*

**Complies.** The front porch provides outdoor seating and social interaction with neighbors. Lighting as shown on Sheet AE01 will be sufficient to illuminate each front porch. Landscaped islands break up the parking stalls at each unit.

9. *Mechanical equipment mounted on the building including but not limited to vents, flues, and flashing shall be painted to match the color of the building and/or screened with materials compatible with the architectural design of the building.*

**Complies.** Mechanical equipment will be located in the crawlspace and out of sight.



### ATTACHMENT 'C'

In summary, this Review Letter details the pertinent Multi-family Residential District and Site Plan Review zoning standards and provides staff's analysis of the proposal in accordance with the applicable regulations. The Applicant has as much time as he needs to make revisions and resubmit the Site Plan package. After the Planning Department received the revised plans/reports from the Applicant, then Staff has 10 working days to review and issue a certified letter of approval, approval with conditions or denial. After the staff's certified letter is issued, the Applicant/Owner or any person aggrieved by the staff's decision may have the opportunity to appeal the staff's final decision in accordance with §18.34.090 and Chapter 18.54 of the Municipal Code.

Please contact me at 719.687.5283, if you have any questions regarding the above comments. I look forward to receiving your resubmittal.

Sincerely,



Sally Riley, AICP  
Planning Director

Cc: Darrin Tangeman, City Manager

34 Letters of Objection provided electronically on June 7, 2019  
CDOT letter dated June 7, 2019  
NETCFPD email dated May 30, 2019  
IREA email dated May 22, 2019

OBJECTION TO PROJECT KNOWN AS  
 "THE VILLAGE AT TAMARAC,"  
 DEMAND FOR CHANGES TO APPROVAL PROCESS BEING USED

I, Paul B. Neal III, and my wife, Dawn C. Chapelle Neal, (hereinafter referred to as "We" or "Our"), the undersigned citizens and residents of Woodland Park, Colorado, Object to the APPROVAL PROCESS being used for the project known as "The Village at Tamarac" (hereinafter referred to as "the Project") in the City of Woodland Park, County of Teller, State of Colorado,;

I. OBJECTION TO APPROVAL PROCESS

1. It is Our understanding that the Director, Planning and Zoning Department, in consultation with the City Attorney, are of the opinion that the Project is a permitted use and therefore should follow Title 18, Chapter 34, Section 050 – Procedure for administrative review.
2. We disagree and feel that the Project does not meet the intent of the Municipal Zoning code and therefore should follow Title 18, Chapter 34, Section 058 – Procedure for public hearing process.
3. The US legal system is heavily based on European law, especially the legal system of Great Britain (England). We believe that in the great majority of legal cases that have been heard and decided in the United States when there is a discrepancy or inconsistencies between parts of a legal document, that the courts have traditionally used a very old rule (which remains good law) and that is to look at the contract as a whole to understand its overall commercial purpose. As stated by Lord Halsbury, in *Glyn v Margetson* [1893] A.C. 351, said
  - a. **"Looking at the whole of the instrument and seeing what one must regard...as its main purpose, one must reject words, indeed whole provisions, if they are inconsistent with what one assumes to be the main purpose of the contract."**
  - b. It is a serious error to interpret contract clauses in isolation. The context of the whole contractual agreement between the parties is key. Only a full understanding of the whole agreement will provide clarity as to each party's intentions when they entered into the contract.
  - c. <https://www.lexology.com/library/detail.aspx?g=a3daf093-efcc-4223-b569-4e736f5fad17>
4. The Director, Planning and Zoning Department is relying on a single table entry from Title 18, Chapter 09, Section 090 – Table of permitted uses for business, industrial and residential districts. Row N - Residential Dwelling Units, 1. Single Family is permitted in the Multi-Family Residential – Suburban district. A single-family structure is detached.



## ATTACHMENT 'C'

5. This single entry must be weighed against the document as a whole. Title 18, Chapter 09 establishes the districts in the city of Woodland Park. Paragraph 18.09.010 provides the description of the Multi-Family Residential – Suburban (MFS), “MFS—Multifamily residential with attached units having a density level from two to eight dwelling units per acre.” And Multi-Family Residential – Urban (MFU), “MFU—Multifamily residential with attached units having a density level from nine to twenty dwelling units per acre.” The latter clauses of each description are to explain the differences between Suburban (S) and Urban (U), while the first clause of both sentences, “Multifamily residential with attached units” is to establish what the “MF” is to mean.  
Furthermore, Title 18, Chapters 14 & 15, repeat and amplify the purpose of these districts. In both sections’ subparagraph .005, the Purpose paragraphs, the language is specific and consistent, “This land use designation is intended to accommodate attached residential dwelling units...”. We believe the intent when the code was written was for these districts to accommodate duplexes, townhomes, apartments, and condominiums.
6. If the Director, Planning and Zoning, and the City Attorney had applied the “Looking at the whole of the instrument...” rule, it would not be difficult to compare the Project’s Site Plan, with its submitted business model to see that a more appropriate district designation for the Project would be the Mobile Home Park (MHP), per 18.18.005, “Housing in this designated land use category is intended to facilitate manufactured housing opportunities located exclusively in mobile home parks.” The difference between the single-family detached manufactured homes presented in The Project and single-family detached manufactured mobile homes appropriate for a Mobile Home Park is the extent of the attachment to the foundation. Both Mobile Homes, often referred to as manufactured homes, and the Project’s manufactured homes will arrive by truck and be lifted by crane and set on a permanent foundation. The Project will then follow an identical business model that is present with Mobile Home Parks, i.e., manufactured homes owned by the occupant, the pad that the manufactured home sits on is leased.

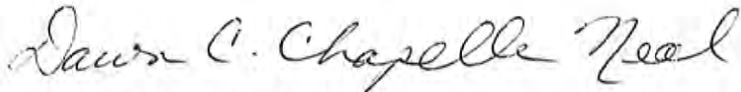
### II. DEMAND

1. There is an inconsistency in the Municipal Code. It can be argued that the Project is not a Permitted Use based on the above argument. For that reason, We demand that a Public Hearing be arranged and the process established in section 18.34.058 be followed. The inconsistency must be vetted before any decisions are made.

Respectfully submitted:



Paul B. Neal III



Dawn C. Chapelle Neal

RECEIVED  
6/6/19  
DDP

## ATTACHMENT 'C'

### OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR PUBLIC HEARING ON ZONING AND OBJECTION TO THE BUILDING OF THE PROJECT KNOWN AS "THE VILLAGE AT TAMARAC"

We, the undersigned citizens and residents of Woodland Park, Colorado (hereinafter referred to as "People"), having been advised, to the limited extent that the City of Woodland Park (hereinafter referred to as "City") has been willing to provide information regarding the zoning, proposed building, and character of the project known as "The Village at Tamarac" (hereinafter referred to as "the Project") in the City of Woodland Park, County of Teller, State of Colorado, as well as compliance to all relevant laws, codes, ordinances, and the like, hereby state, demand, and protest in this, our "Objection to Project Known as the Village at Tamarac, Demand for Public Hearing on Zoning, and Objection to the Building of the Project Known as the Village of Tamarac" (hereinafter referred to as "Objection") as follows:

#### I. OBJECTION TO ZONING AND DEMAND FOR HEARING

1. We vigorously disagree that the Project meets the zoning required by the property upon which the Project is proposed to be built.
2. The development group for this Project is, upon information and belief, is led by Peter LaBarre, and that he is financially invested therein and a participant in some or all aspects of the development Project, and various other investors and/or partners. The developer, and/or development group, will be henceforth referred to as "Developers."
3. The zoning for the parcel of land on which the Project is proposed to be built is Multi-Family Suburban (hereinafter referred to as "MFS"), which includes permitted uses that include single family homes, and attached dwellings such as condominiums and apartment complexes, but is largely applicable to attached, multifamily dwellings.
4. The zoning for the proposed Project, pursuant to the zoning ordinances and the building code of the City of Woodland Park (hereinafter referred to, collectively, as "Code") should be that of a trailer park, mobile homes, and/or manufactured homes, inasmuch as the details and plans for the project reflect the need for mobile home/trailer park zoning. The differences between the description of the Project and a project which would require zoning for a mobile home park are negligible, and largely a product of the Developer's fabricated distinctions and minor modifications, in an attempt to build a trailer -park, mobile-home type complex based on fictions invented by the developer to avoid building within the existing zoning requirements for the parcel of land upon which said Developer proposes that his complex be built upon.



## ATTACHMENT 'C'

5. It is well known in the community of Woodland Park that certain developers have history of investments involving real estate and structures in Woodland Park, Colorado, which include various unsightly community parks, in and or about the City of Woodland Park, and in or about the county of Teller, Colorado.
6. The signatories to this Objection are of one accord that the developers are not suitable to develop a project in the best interests of the City of Woodland Park, its residences, citizens, and inhabitants, and that previous projects speak for themselves in that regard. The undersigned believe that any such developer must advance the best interests of all affected people and entities, and as such, the undersigned do not have confidence in the developers, to develop the Project for that reason. The People herein are concerned with the suitability of the developer team, and/or each of them, but have only personal knowledge of what is and has been documented in those respects and categories.
7. As such, the People hereby object to the Project, inasmuch as it does not comport with the zoning and usage requirements for the parcel of land upon which the Project will ostensibly be located, and the People demand a hearing before the Planning Commission and the City Council en banc, with the exclusion of any and all employees of the City who have a conflict of interest in terms of relationships with the Developer group and/or the Project itself, and the People hereby demand that all such conflicts of interests be disclosed in writing and made part of the records of the proceedings, and that relationships that bear the appearance of impropriety as regards this Project be disclosed.
8. The People are vigorously opposed to reckless development and/or development that will damage the character of our community, not only as defined by the overall City plan, including the City's Comprehensive Plan, but in terms of common-sense issues such our right to maintain our community standards, beauty, order, well-being, integrity, and convenience, among other things.
9. The People have been advised that Sally Riley (hereinafter referred to as "Ms. Riley") has made a determination that the Project is an approved use of the existing zoning on the parcel of land in question. The People disagree.
10. It is clear that communications between Ms. Riley and City Employees have been conducted, not administratively, but substantively, in terms of the suitability of the Project as it pertains to zoning, and the details of the Project. Said substantive discussions are violative of the Colorado "Sunshine Laws," which require that all such communications occur in a public forum with notice to the People pursuant to the Due Process Clause of the Constitution of the United States of America.

## ATTACHMENT 'C'

11. As such, and for other reasons to be taken up at a properly-conducted City hearing before said Planning Commission and City Council, the People OBJECT TO THIS PROJECT, AND DEMAND A HEARING AS REQUIRED BY LAW AS PERTAINS TO ZONING, and as set forth hereinbelow, issues with the details of the Project itself.
12. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit proposed project that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, slightly increasing the size of these tiny structures, and the non-substantive "creative verbiage" of the Developer re-naming what any reasonable person would conclude is a "Tiny Home," which requires mobile-home park zoning.
13. The character of the Project is almost entirely consistent with a mobile home park, not a project which would qualify under the MFS designation, or any other relevant designation. The Developer's minor modifications and fictions in name what is a "tiny home" a "small home" does not justify applying the appropriate zoning standards.
14. The People state that they have no information pertaining to the zoning history of the parcel of land in question, inasmuch as in that area, the majority of parcels as zones as business, commercial, technical, and/or other designations that are not residential in nature. The People demand inspection and copying of all relevant zoning documents, inasmuch as the People are unaware of any zoning hearings, variances, or modifications to the character of the parcel of land in question.
15. The People wish to express their dismay with the City, inasmuch as the elected officials are not making reasonable effort to involve the People as a whole in the determination of zoning, building, and expansion projects, and it is the wish of the People that any and all elected members bring changes to remedy that, considering that the People do not wish to suffer the elected officials who are unable or unwilling to abide by the wishes of the People.

## II. OBJECTION TO PROJECT AND DEMAND FOR HEARINGS

16. The people hereby object to the Project, and state that the Project will cause the following:
  - a. Existing property values in the area, and outside of the immediate area, will be negatively impacted.
  - b. Will have no benefit, or negligible benefit to the People, and the negative impact to the People will exceed any benefit that the Project would be unlikely to provide.
  - c. The 53 units proposed constitute EXACTLY the maximum number of units permitted when computing the allocation for each unit within the scope of the site's acreage, which will create undue crowding,



### ATTACHMENT 'C'

- inconvenient access, and maintenance issues, including whether sidewalks and other building and space issues will be in compliance with all code, ordinance, and zoning.
- d. The project does not comport with the requirements of the building code, to include but not be limited to complex design, ingress and egress, parking, handicapped access, easements and clearances, visitor parking, etc.
  - e. Traffic will be negatively impacted and considering the stretch of Highway 67 which will be affected, ingress and egress cannot be structured and constructed in such a manner as will promote the maximum highway, road, and thoroughfare safety.
  - f. Left and right turns lanes which would be required for ingress and egress to the Project complex would be unlikely to be approved by thoroughfare authorities, especially, the Colorado Department of Transportation (CDOT).
  - g. The People will be significantly inconvenienced by the Project, considering all factors noted herein, as well as other factors of consequence to the Project.
  - h. The Project will create, both in the construction phases and the post-completion of the Project, pollution, which includes but is not limited to the following: Noise pollution; congestion pollution; air pollution, visual pollution, and light-requirement pollution.
  - i. Considering the established and well-known multi-unit development history of Peter LaBarre, the People are reasonably concerned about this Project similarly becoming a insufficiently-maintained eyesore, and be unkempt and unsanitary.
  - j. There is a likelihood that the People will suffer financial damage, consistent with losses suffered by the community by the projects owned, in whole or in part, and/or managed by Peter LaBarre.
  - k. The units proposed will be wholly owned, but permanently affixed to the foundation (as are many units which are defined as "trailer homes" such as those that exist in Peter LaBarre's existing developments), however, the land will be wholly owned by the Developer, which is contrary to the rights of the purchasers, and contrary to laws and regulations pertaining to fair housing. The Project, as proposed, could divest purchasers of their ownership of their purchased units, inasmuch as the Developer would have significant rights of foreclosure, and there is a real threat that the Developer would foreclose upon missed rental and/or maintenance/HOA-type payments, and gradually acquire the units for himself as windfalls, at the expense of well-intended homeowners who will be at the mercy of the significant fluctuations of the Colorado real estate market. In addition, good-faith purchasers have a significantly greater probability of losing these units with no recompense, due to the hybrid nature of their owned structure/rented land homes.
  - l. Considering the unfair aspects of the unit purchase/site rented model proposed, the Project's only significant beneficiary is the developer, and all purchasers will be placed in untenable ownership/renter models, which

## ATTACHMENT 'C'

- significantly increase the likelihood of losing their homes, and because of this, the Developer stands to be the recipient of windfalls for each unit that may be difficult to sell on the open market, because the Developer will have, under multiple theories, the first right to foreclose on these units.
- m. There is no pertinent financial information provided by the specifications for this Project, and the Developer may benefit by imposing usury-like increases in rents and expenses, making the units unaffordable post-purchase, and putting the Developer in the position of profiting from financial hardship that was CAUSED BY THE DEVELOPER.
  - n. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, and re-naming what any reasonable person would conclude is a "Tiny Home," which requires mobile-home park zoning.
  - o. Many believe that the City is not in need of unduly expensive homes, such as these units with a square footage of 500 feet, more or less (and unknown at this juncture) which would be limited to one-to-two bedrooms, would carry mortgages based upon the purchase prices of each structure which begin at approximately \$125,000, plus taxes and insurance, plus the Developer-stated cost of \$700 in rental for the site for each unit, plus any additional assessments for utilities, trash removal, complex maintenance, etc. Therefore, for 500 square, these units will be among the most expensive per square foot, far exceeding \$2,000 per month to live in a 500 square feet dwelling. This is not representative of the housing needs that presently exist in the City.
  - p. As a general objection the People demand that the signage notifications for all such projects be within a larger perimeter to this and any such projects, such that it is unreasonable for signage notifications to be 150 feet or less from any development or project, inasmuch as the People of the City of Woodland Park is, in most or all circumstances, are directly affected by any and all projects and developments, and modifications therefore. The signage distance of 150 feet from any of these projects of modifications thereof, is unconscionable, inconsistent with the needs and the interests of the People.
17. The People hereby demand studies for pertinent issues for the following, to be conducted by non-aligned, conflict-of-interest-free individuals and/or entities, for the following:
- a. Emergency services, including ingress and egress, and resources, for law enforcement, first responders, fire department, and other emergency agencies;
  - b. Necessary resources and utilities, such as water, power, waste, sewage, and all other issues pertaining to habitability, and impact on the surrounding community, such as tearing up and/or modifying existing roads, easements, and the like;
  - c. Compliance with the Americans With Disabilities Act, including parking;



## ATTACHMENT 'C'

- d. Easement compliance;
  - e. Negative impact in terms of traffic, ingress, and egress;
  - f. Modifications of existing modes of ingress and egress;
  - g. Study addressing the permanence and/or transience that a complex such as the Project may create, including whether the units will ultimately become, for the most part, rental units;
  - h. Fair housing standards in terms of structure, site, and expense; and
  - i. Any and all such studies that are just and necessary pertaining to the Project.
18. The People reserve the right to object further to the Project as further information becomes known about said Project, including variances and change orders, should the Project go forward at all.
19. The People hereby demand hearings for each and every issue raised herein, and each and every pertinent issue raised in the future, related to all aspects of the project.
20. The People demand that the proposed Project be stayed until such time as all of the objections and protests of the people may be heard.
21. The People expressly state that the foregoing constitutes an overall description of their objections to the Project, and the People hereby reserve their right to add, amend to, and/or modify this document, and/or addend to same, as justice requires.

## Village at Tamarac

19



## Village at Tamarac

20



## Village at Tamarac

21



## Village at Tamarac

22



**ATTACHMENT 'C'**

Jenavie Brandt  
P.O. Box 744  
Woodland Park, CO 80866  
719-687-7008

**received**  
6/4/19 sub

June 1, 2019

Re: OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC"

Dear City Planning Director:

I am a property owner in the Woodland Valley Ranch neighborhood and have been observing and concerned with the proposed project known as The Village at Tamarac. It's my understanding that the property has already been zoned as MFS, and that Mr. LaBarre is proposing the construction of 53 detached small/tiny homes on this less than 7-acre parcel.

I have the following objections, concerns and requests:

1. The MFS zoning (Municipal Code 18.14.005) allows for "Multi-Family Residential Suburban" housing which pertains to attached dwellings such as condominiums and apartment complexes. Everything I have seen shows that The Village at Tamarac in no way fits within the zoning.
2. It seems to me that Mr. LaBarre's project is actually a trailer park, mobile home park, or some other type of housing that is not allowed by MFS zoning. The proposed use would require some other type of zoning. The proposed homes are detached, not attached.
3. I am very concerned that Mr. LaBarre's stated intentions may result in a type of housing development that is not owner-occupied, but more likely short-term rental or other type of residency that is in no way consistent with the nature, desire, character and environmental wishes of Woodland Park as a thriving, wonderful and desirable community.
4. We live in a natural and beautiful environment, understand that progress is inevitable, but I truly believe that this project in no way reflects the desires of the community, its citizens, and is in no way consistent with Woodland Park's land use regulations, existing zoning, and vision.
5. It's hard for me to believe that this project, no matter where in Woodland Park it would be located, is consistent with the desires of the community and its citizens.
6. Highways 24 and 67 are already highly traveled and potentially dangerous roads. There are days and times when entering Highway 67 from Woodland Valley Ranch Drive/Research is difficult, challenging, and at times dangerous. Adding significant additional residential traffic from Tamarac Parkway would only increase those problems.
7. If the Village at Tamarac project could in any way be deemed legal, it seems to me with the significant increased vehicle traffic, including likely rental/VRBO/Air BnB folks without any personal knowledge of our Woodland Park surroundings, would result in significant traffic and other hazards.
8. In all respects, I firmly believe that development should pay for itself, and that whatever Highway 67 infrastructure, traffic control, or other improvements that would be needed would of necessity be paid by the developer, and not Woodland Park or us tax-paying citizens.
9. As I understand it, the owner of each tiny/small home would own only the home, and not the land on which it sits. I can envision all kinds of problems that could arise from that, including lack of concern for visual, noise, odor, lighting and other impacts not only to the tiny/small home community but for the neighboring residential areas.



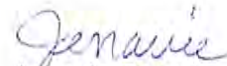
### ATTACHMENT 'C'

10. Following up on that, what happens when an owner fails to care for, maintain, keep clean and attractive, or then accumulates "stuff" around the outside of the home, on that particular rented parcel. It doesn't appear the HOA will be strong enough to require necessary remedies.
11. While I don't live next to this project, and would not be immediately impacted by what I foresee as significant environmental, property value, and other impacts, I just don't believe that this project is in any way good for this particular property, the surrounding area, or Woodland Park as a whole.
12. It's my understanding that this project is being sold/marketed/represented as a partial solution to the lack of affordable housing in Woodland Park. But with all the information I have, including initial costs, uncontrolled rental costs, I think that is simply not true. It seems to me that this is more likely a commercial project to benefit the developers, and that very, very few people needing affordable housing would be able to afford, or would be even interested, in living in this project. If the City is relying on the developers to keep this as a high-level affordable housing development, good luck with that. It's apparent from the trailer park by Walmart that there is no desire by the developers to ensure a quality environment.
13. It appears that this is no different than the project that Pete LaBarre had proposed by Morning Sun, and that the reasons why that project was not approved in that location are as, or probably even more so, applicable to this Village at Tamarac proposal.
14. If this is supposed to be full-time residential, family living, where are the parks, playgrounds and amenities for families.

Do we really believe that these 53 units are going to be owned by people that consider this their home and care for it and respect their neighbors like the rest of us in Woodland Park do?

Thank you for your time and consideration of my thoughts.

Respectfully,

  
Jenavie Brandt

Cc: Neil Levy, Val Carr, Kellie Case, Carrol Harvey, Hilary LaBarre, Paul Saunier, Noel Sawyer, Jon DeVaux, Darrin Tangeman.

**ATTACHMENT 'C'**

June 5, 2019

Sally Riley  
Planning Director

**received** via email  
SUR 6/5/19

Subject: CASE #SPR19-001, Village at Tamarac

Sally,

With regard to CASE #SPR19-001, Village at Tamarac, and your emailed memo of May 21, 2019, I have concerns that the proposed development is not consistent with the applicable zoning requirements. If I am correct even in part, it would seem that anticipated administrative review of the site plan is not appropriate either. While we spoke by telephone about my concerns on Monday, I thought you would find it useful for me to summarize below my analysis regarding the permissibility of the proposed development under the Woodland Park zoning ordinance.

**MFS Developments Must Be Attached Dwelling Units**

First, the proposed development is not consistent with the stated purpose of the Multi-Family Residential-Suburban (MFS) District. The city zoning ordinance states:

“This land use designation is intended to accommodate attached residential dwelling units with residential density levels from two to eight units per acre.” Sec 18.14.005 (emphasis added).

Note particularly the requirement that the dwelling units be attached. Since the site plan does not anticipate “attached” dwelling units, but rather some 53 separate dwelling units, the proposed development is not appropriate in a MFS district.

You suggested that the Table of Permitted Uses addressing Residential Dwelling Units, sec 18.09.090, might cause a change that authorizes this sort of development. I believe that the provisions of the table addressing use in an MFS district do not override the ordinance quoted above addressing the physical structure rather than use. Although the table in row N.1. authorizes a single-family use as a matter of right if no subdivision or replat is required, the use here is not a single-family use, but a 53 family (i.e., multi-family) use proposed to be in separate (not attached) dwelling units. Rows N.1. and N.2. relate to uses and not to a manner of construction of the proposed development. Accordingly, the most reasonable reading of Row N.1. is that it provides that if the owner wishes to use an existing MFS-zoned lot for a single-family use, the owner may do so. Row N.2. reflects in the use table the provisions of sec 18.14.090 requiring that even such a “single-family project” is a conditional use in a multi-family RS zoning district if a subdivision or replat is required.



## **ATTACHMENT 'C'**

This treatment of single-family use seems to reflect a policy that MFS developments should actually be multi-family such that an MFS-zoned lot can only be used as a single family residence as a matter of right if no replatting is involved. This would proscribe, for instance, subdividing a multi-acre MFS lot into smaller lots for single family use without approval by the City. The provisions of the use table address use and should not be read to establish the type of structures that may be used to implement the permitted multi-family use. The table of uses referenced for MFS districts in sec 18.14.010 is surely not intended to override the stated description in the immediately prior section of the type of structures to be placed in MFS districts, i.e., attached dwelling units.

### **Multiple Manufactured Homes on a Lot Are a Mobile Home Park**

Second, the proposed development should be within a Mobile Home Park (MHP) district. I reach this conclusion for several reasons. The stated purpose of the MHP district reads:

“Housing in this designated land use category is intended to facilitate manufactured housing opportunities located exclusively in mobile home parks.” Sec 18.18.005.

Note particularly the stated intent that manufactured housing be located exclusively in such parks. I understand the application to be expressly for “manufactured homes.” The following definition in the zoning ordinance of “mobile home” also covers manufactured homes:

“‘Mobile home’ means a single family dwelling unit designed to be transported on public or private thoroughfares by external or incidental motive power....” Sec 18.06.320.

Manufactured homes are so transported to the site and otherwise meet the definition of “mobile home.” There is no implication in the definition of any necessity of a plan subsequently to move or not move the manufactured home. Thus, the installation of the dwelling unit on a permanent foundation is not material to the initial classification of the manufactured home as a “mobile home.”

I recognize that the manufactured home industry has for many years been seeking to make a distinction between mobile homes and manufactured homes. Such a distinction could be useful, but it has not been reflected in the City ordinance. Since any lot or parcel “used for the location or habitation of mobile homes” (note, plural, i.e., two or more) is a “mobile home park” (Sec 18.06.330), the proposed development with multiple manufactured homes is a “mobile home park” authorized only in areas zoned for that purpose. The requirement for MHP zoning applies even if the proposed detached dwelling units would otherwise be permitted in an MFS district.

### **Insufficient Frontage Requires a Replat**

Third, while I have not seen the entire package which could raise technical issues, I note from the drawing you circulated that the proposed frontage (Curve C1) is only 32 feet despite the

## **ATTACHMENT 'C'**

required minimum frontage of forty feet. Sec 18.14.060. While it is proposed that an access easement be granted widening to 60 feet the access route to this 53-unit development, an easement fails to satisfy the frontage requirement that is measured along “that part of the property” (Sec 18.06.230). Access based on an easement does not create additional frontage under the ordinance. It appears that there is common ownership of the adjacent lots suggesting ease in revising the lot lines to provide the minimum frontage.

I am not familiar with the history of the platting in this area, but it seems to me that for a significant project such as this, matters such as insufficient frontage should be explicitly addressed and, if not corrected, variances should be sought. Clearly the current plat does not provide adequate access with only a 30-foot wide strip. The proposal of an easement from the adjacent property should not be accepted as a means to avoid satisfying the minimum frontage or the public review associated with a replat.

### **Precedence**

It appears that there is common or overlapping ownership of this site with the property that was the subject last year of case ZON18-001 in which the applicant proposed (but later withdrew) that rezoning as MHP to accommodate a development of multiple small manufactured dwelling units. I am not aware of any relevant ordinance changes since that time suggesting a changed interpretation of the City ordinances even by the developer.

The development as proposed is not appropriate in an MFS district and fails to satisfy other requirements even if it were appropriately zoned. In a development of this magnitude, I suspect that many citizens (and even Planning Commission members) would be surprised that no public hearings and non-administrative approvals were required. Certainly the absence of such public review makes it especially incumbent upon all City reviewers to assure strict conformance with all applicable requirements and avoid administrative approval of a matter subject to significant doubt. Moreover, if administrative approval is available due to the interpretation of the City staff that this project conforms to the zoning ordinance, it would suggest that a similar development would be permitted as a matter of right in any property in an MFS district, a result likely at odds with desired City policy.

As you recognize, the zoning ordinance provides an appeal process for the applicant in the event that the applicant disagrees with a determination by the Planning Department regarding the applicable zoning or availability of administrative review of the site plan. Such an appeal would provide an opportunity for a public airing of the issues.

In any event, as I mentioned during our telephone conversation, I encourage you to review this matter with the City Attorney. Please do not hesitate to call if you have questions.

Lee Brown



ATTACHMENT 'C'

received  
6/4/19 CH

To Whom it May Concern:

I am writing to express my disapproval of any type of Mobile Home Park being erected in the City of Woodland Park, especially near the golf course, and surrounding neighborhoods. This type of development is not sustainable and will always end up looking just like the one near Walmart. Below are the reasons this type of development was denied near the Morning Sun subdivision. How is it any different than what is proposed at Tamarac? I suspect there is a much more sinister agenda at work here, especially considering there is a someone close to the developer on the City Council.

- Incompatibility of intensive uses allowed conditionally in the zone.
- Potential injury to surrounding property values.
- Loss of neighborhood character by the nature of their operations and design.
- Lack of harmony with existing uses, to enhance WP's identity as a small mountain community and protect the environment, wildlife and scenic beauty.
- Non-conformance with the Comprehensive Plan policies and map.
- Loss of the unique and natural topographic features and woodlands adjacent to the proposed development
- The increase in traffic congestion, noise, litter, and light pollution. -Diminishment of the use and enjoyment of vicinity property.

It amazes me that those in charge of such a beautiful city would ever consider allowing more of these to go up. If you don't have policies in place already (which apparently you do, based on the above reasons,) then make them. You should all be ashamed.

Sincerely,



Terry P Duplantis JR  
1420 Eagle Trace CT  
Woodland Park CO 80863  
719-602-9234

## ATTACHMENT 'C'

June 6, 2019

Woodland Park City Mayor  
Attn: Neil Levy  
220 West South Avenue  
Woodland Park, CO 80863



Reference: SPR-19-001

I, Jesse D. Elliott, submit the following objections and comments for consideration and/or action regarding the Notice for Public Comment pertaining to Site Plan Application SPR-19-001, The Village at Tamarac.

1. While planned, measured, and sustainable growth that maintains and enhances the character of the City is to be expected and welcomed in the best interests of the City and its residents, I feel that there is precedence to show that the developers of this Project do not have these best interests in mind. Peter LaBarre who is believed to be an investor, owner, or partial owner in Woodland Park Village is also believed to be a member of this Project; Woodland Park Village does not, I argue, set a precedence of maintaining and enhancing the character of the City, nor does it provide a measurable value to the City and its residents; in fact, it could be argued that it could be viewed as a deterrent to attracting additional business and investment. In order to help preserve the current community aesthetics, I ask that the approval of this Application stipulates:
  - a. The Champion Park Model IRM Modular (See Photo 1, attached) be the approved model, and as such, each unit would:
    - i. Have metal roofs, as depicted in the application photo;
    - ii. Have dormers, as depicted in the application photo;
    - iii. Have wood or cedar siding, as depicted in the photo.
  - b. That each unit also have the following architectural characteristics:
    - i. Stone siding from ground level to a height of three (3) feet around the entire base perimeter of the unit;
    - ii. Timber frame accents or wood trim, as depicted in the application photo;
    - iii. Secure, architecturally cohesive storage for waste and recycling bins be made at each unit, if secure, architecturally cohesive waste and recycling access has not been provided for in a central location within the development.
  - c. That all lighting plans include provision for mitigating light pollution, to include but not be limited to:
    - i. Maximum allowable wattage of exterior unit lighting;
    - ii. Maximum allowable wattage of development lighting;
    - iii. Directives to ensure that all lighting fixtures are downward-facing and angled in such a way to minimize any light being directed towards the sky.
  - d. That all landscaping plans include provisions including but not be limited to:
    - i. Maintaining as much of the existing natural landscape as possible;
    - ii. Installation of sufficient new landscaping to maintain the current wooded status of the property;
    - iii. Creating a buffer zone of trees and plantings between the development and Highway 67.
2. As preliminary approval for the Application is understood to have been granted under Code paragraph 18.14, *Multi-Family Residential – Suburban* which states in 18.14.005, "This land use designation is intended to accommodate attached residential dwelling units ....", I would like to call attention to the fact that there is a substantial deviation between the intent of the Code and the application of it to the approval of this Application. As this statement clearly calls out, approval under this section of the Code would require that the units would be multi-family and have at least one common shared wall; the Application details that the proposed 53 structures would be single-family detached units. The objection



## ATTACHMENT 'C'

to this is that it approval of this Application under non-pertinent Code does not provide for a clear, fair, repeatable application of the criteria to future Applications, and I ask that the current Application SPR-19-001 be approved under relevant, applicable Code.

3. The application includes "The Village at Tamarac Community Rules," written without any binding language as noted in extracts from the Community Rules:
  - a. "Your cooperation is greatly appreciated."
  - b. "We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live."

I request that any approval of this Application be conditional on:

1. The Applicants change the non-binding Community Rules to a form and format that is legally binding on all current and future Homeowners, creating a formal Home Owners' Association (HOA) in which the residents of the development are members of the Board and have decision-making capability within the guidance of the HOA covenant, rules and regulations, and will either be able to enforce or provide recommendation for enforcement to the developers or their third-party property management firm;
2. That the language of the Community Rules be amended to language appropriate to the unique business model of this Application, being ownership of a unit on a rented lot, such as:
  - a. No sub-leasing without management approval;
  - b. If sub-lease approved, lease terms to be no less than 6 months in duration;
  - c. Renters and all other users of the property are liable for all property damage;
  - d. No short-term rentals, such as Airbnb, VRBO, bed and breakfasts, or other such rentals allowed;
  - e. No individual, corporation, trust, or other single tax entity may own, lease, manage, or otherwise be involved in a financial manner with more than two units within the development, including the developers of the project who are understood to act as one entity in regard to the development.
3. The City have reviewed, by a competent legal real estate expert, the split ownership business model and sign off on the language attesting to the adequate ability of the City to enforce such a legal document in cases outlined by the Community Rules:
  - a. Second page, fifth paragraph of the Community Rules states, "Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules." As I believe is it not possible to evict and/or restrict an owner from entering their property other than through mortgage default, this presents a difficult situation as the property owner does not own the ingress/egress to their home, and must pass through areas wholly owned by the developers to access their property.
    - i. As this statement can only be enforced through the City refusing entry under criminal trespassing codes, and with this understanding, I request an outline of how the City Enforcement will address this situation should it arise, along with an overview of the potential complications and mitigation efforts of such situations.
    - ii. In such a case, Homeowners may be forced to sell or default on their homes due to restricted entry and/or the inability to remove the unit from the rented lot. Should such a circumstance arise, I ask that the developers include language in the Community Rules that:
      1. Explicit criteria for disallowing access be contained in the Community Rules;
      2. Homeowners be given reasonable accommodation to resolve any issues with the developers before steps to block them from their property are taken;

## ATTACHMENT 'C'

3. Clear processes to enable the Homeowner to lease or sell their property should access be blocked, ensuring that the Homeowner not suffer materially from being unable to enter the property, such as:
  - a. Appointing a third-party mediator or other entity with power of attorney for the Homeowner that will be granted full access to the property for the purpose of maintaining, marketing and selling the unit in the best interests of the Homeowner.
4. The Woodland Park Comprehensive Plan states that "As Woodland Park's housing inventory evolves over time, the City will continue its past efforts and emphasis on respecting individual property rights, preserving residential property values and ensuring that neighborhood integrity, character and design are key considerations." An identical plan for homes in the Morning Sun Drive neighborhood was denied for the following reasons, and as the Morning Sun neighborhood is defined as an "established outlying neighborhood" is exceedingly similar to my own, The Reserve at Tamarac, same objections apply to this Application:
  - a. Incompatibility of intensive uses allowed conditionally in the zone;
  - b. Potential injury to surrounding property values;
  - c. Loss of neighborhood character by the nature of their operations and design;
  - d. Lack of harmony with existing uses, to enhance Woodland Parks's identity as a small mountain community and protect the environment, wildlife and scenic beauty;
  - e. Non-conformance with the Comprehensive Plan policies and map;
  - f. Loss of the unique and natural topographic features and woodlands adjacent to the proposed development;
  - g. An increase in traffic congestion, noise, litter, and light pollution;
  - h. Diminishment of the use and enjoyment of vicinity property.

I thank you for your consideration and due diligence in reviewing this Application.

Best regards,



Jesse D. Elliott  
410 Oxford Lane  
Woodland Park, CO 80863

623.670.3591

el03je@gmail.com



## ATTACHMENT 'C'

### ATTACHMENTS

Photo 1





6/3/2019

**ATTACHMENT 'C'**



**Jennifer L. Erdley**  
Broker Associate

Planning Department  
City of Woodland Park  
Woodland Park, Colorado 80863

To Whom it may Concern,

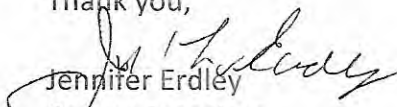
It is my understanding that the Developer of The Village at Tamarac is submitting application for the development of a small home community at the end of Tamarac Parkway in Woodland Park.

The purpose of this letter is to express my professional opinion of a negative impact of values to the neighboring homes and future development on the adjacent property at Shining Mountain and specifically Longs Point. The requirements from the City of Woodland Park should include low lighting, landscaping and a berm with fencing. This will lessen, not eliminate, the negative impact on adjoining properties.

The letter submitted on 5/14/2019 by Michael Harper states the recruitment of an Opinion of a Real Estate Appraiser. This is a clear violation of USPAP Standards 1 & 2 related to value. USPAP, Uniform Standards of Professional Appraisal Practice, is very specific as to the requirements of an Appraiser to provide such an opinion. Furthermore, no individuals were named in this Testimony. Attainable housing is also not defined and should be included.

My experience and expertise of over 27 years in our Community of Woodland Park provides me with an opinion that this development will negatively affect the property values of the existing residents and future developments should the City of Woodland Park not require and enforce the items listed above.

Thank you,

  
Jennifer Erdley  
Broker Associate  
Re/Max Performance



**RE/MAX Performance, Inc.**  
300 Sunny Glen Ct, PO Box 5044, Woodland Park, CO 80866  
Cell (719) 339-4583, Office (719) 687-4772, Fax (719) 687-4790  
jenpro2@msn.com, www.jenpro.com



# RE: Village @ Tamarac Development

## ATTACHMENT 'C'

Sally Riley

Tue 7/9/2019 5:16 PM

To: Lorena Franklin <crjgirl116@q.com>;

Cc: David Burgess <dburgess@city-woodlandpark.org>;

 4 attachments (13 MB)

Review Letter 6.17.2019.pdf; THE VILLAGE AT TAMARAC.pdf; Applicant's Response Letter 7.2.19.pdf; Community Rules.pdf;

Good afternoon, Lorena:

Thank you for taking time to provide your feedback regarding the Village at Tamarac project.

I've attached my review letter from June 17th so you can learn about the zoning and design standards with which I'm obligated to judge the project. Since this is a multifamily project on multifamily zoned (MFS) property, it is a permitted use and must be approved by staff if it meets all the standards. I've attached the applicants response letter and revised plans so you can review how the project addresses most of your concerns. Your city staff is also concerned about the future maintenance and upkeep of this development. As a result, their Community Rules (attached) will be made part of the conditions of the Site Plan approval so if the manager/owners are in violation of their rules then they may be summons into Municipal Court and face fines and harsher penalties. Please know that the Woodland Village Mobile Home Park was developed prior to the city adopting our zoning regulations in 1969 and the MHP is a "legal non-conforming" that will be redeveloped in the future. I have passed your comments onto the applicants.

Respectfully,

Sally Riley, AICP

Planning Director

City of Woodland Park

(719)687-5283

-----Original Message-----

From: Lorena Franklin [<mailto:crjgirl116@q.com>]

Sent: Tuesday, July 9, 2019 8:53 AM

To: Sally Riley <sriley@city-woodlandpark.org>

Subject: Village @ Tamarac Development

Good morning Sally,

I'm not sure how to go about this since I've never done this. My husband and I live in The Reserve Tamarac subdivision and we 100% are opposed to Mr. Eric's developmental plans of Village at Tamarac. We believe it will drive existing home values down, add more traffic and going by the track record that Mr. Eric W. Smith has it just doesn't sound like a good idea. Looking at his other properties (next to Walmart for example) I can only assume that in short time it will also be neglected and make our neighboring subdivisions look bad. Not to mention, it may drive customers away from the golf course. Thank you for your time in reading my email and I hope my two cents can count for something. Have a great day!

Lorena Franklin

The Reserve at Tamarac resident

## ATTACHMENT 'C'

City of Woodland Park  
220 W. South Avenue  
Woodland Park, CO 80863

6 June 2019

To: City Planning Director

City Manager

City Council

City Planning Commission and City Board of Adjustment

Subject: **Objection to the Proposed Project Known as the Village at Tamarac**

1. I strongly object to the proposed subject development. My wife and I own a home and pay taxes in the City of Woodland Park. We have lived here for over 28 years. The city must not be **tricked** by the developer into approving a mobile home park project in an area not zoned for mobile home parks. Our objections include the following reasons:

1.1 The project **does not comply** with the Multi-Family Residential Suburban (MFS) zoning designation despite the **erroneous opinion of the City Attorney** and possibly other city government personnel. Chapter 18.14 is entitled "Multi-Family..." and states in the Purposes that it is for "attached" residential dwelling units. The proposed project is for **single** family units that are **not attached** – so it is not compliant with **both the title and the text**. The referenced table conflicts with the title and text by allowing **non-compliant unattached single-family** structures. The table is in error and must be corrected to match the MFS title and text.

1.2 The proposed structures are mobile homes. The definition of a mobile home in City Code 16.04 is: "Mobile home" means a single-family dwelling built on a permanent chassis designed for a long-term residential occupancy and containing complete electrical, plumbing and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation, which is capable of being drawn over public highways as a unit, or in sections ...

The proposed structures meet the definition – they are built on a chassis and will be transported to the site by being transported over public highways as an intact unit. Therefore, the proposed project is for a mobile home park for which this land is **NOT** zoned for. The omission of wheel axles is inconsequential to the intent of zoning.

1.3 Attachment 1, Figure 1, is an overhead view of a portion of a mobile home park in Colorado Springs near south Powers Blvd. Attachment 1, Figure 2, is the plot plan of the proposed project. There is no difference between the two. The project looks exactly like a mobile home park.

1.4 Attachment 2, Figure 3, is an overhead view of the project location and surrounding area. There is nothing that looks like a mobile home park, like this project does, in the surrounding neighborhoods. This project is an intensive use which is out of character with the existing neighborhood.

1.5 Single family homes and condominiums are purchased with the owner owning both the structure and the land it sits on. Mobile homes are in parks where owners own the structure but rent the land it sits on. This project follows the mobile home park model where the structure



## ATTACHMENT 'C'

is 'owned' but the land it sits on is RENTED. This is further evidence that this project is actually a mobile home park which should not be allowed in this MFS zone.

1.6 This mobile home project, does not belong in this location. It is surrounded by 'high-end' condominiums, a golf course, a school and high-end single-family home neighborhoods. It will result in increased noise and light pollution, and concentrated increased traffic congestion. Residents of these structures will inevitably store material and property outside due to the lack of inside space resulting in a trashy, unsightly appearance - out of character for a small mountain community.

1.7 This mobile home park, will devalue the homes in the surrounding neighborhoods. We, and all our neighbors, expect the City of Woodland Park to prevent that through the city planning process.

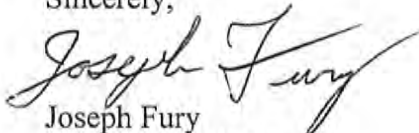
1.8 The business model for this project does not result in affordable housing. Loan payments for the structures plus rent payments for the plots of land will be approximately \$2,000.

1.9 This land was originally zoned for light industrial. That was changed at the request of some developer land owner to MFS, against the objections of surrounding neighbors. Now the developer wants the city to essentially change the zoning again in practice, if not in writing, to allow a mobile home park. **If the city approves this project**, it demonstrates that the city is **biased towards** developers and **biased against** the citizens who will suffer financial loss in the devalued properties and loss of quality of life. It would also demonstrate that the city planning staff and processes exhibit no reasonable judgement, provide no value-added and are a waste of taxpayer money.

2. It is known in the community that the Mayor is good friends with the developer. Councilwoman LeBarre is related to one of the developers. Therefore, both must be recused from any involvement or influence in decisions or actions related to this project. Any other city staff or elected city officials who are friends with any of the developers must also be recused in this matter.

3. For the reasons listed above, plus others specified in other communications by my fellow citizens I request that the City of Woodland Park **NOT** approve the subject proposed development. I also request that the City Planning Commission and the City Council take whatever actions are needed to prevent this project from moving forward. Disapproval of water tap recharacterizations by the City is Council is one such action.

Sincerely,



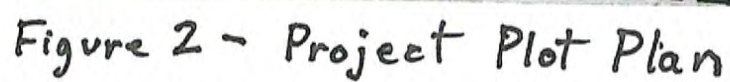
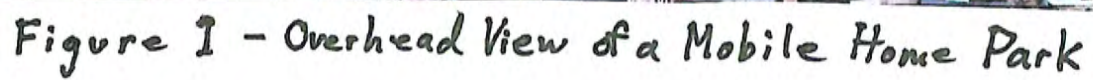
Joseph Fury

565 Pembroke Dr

Woodland Park, CO 80863



**ATTACHMENT 'C'**





Google Maps

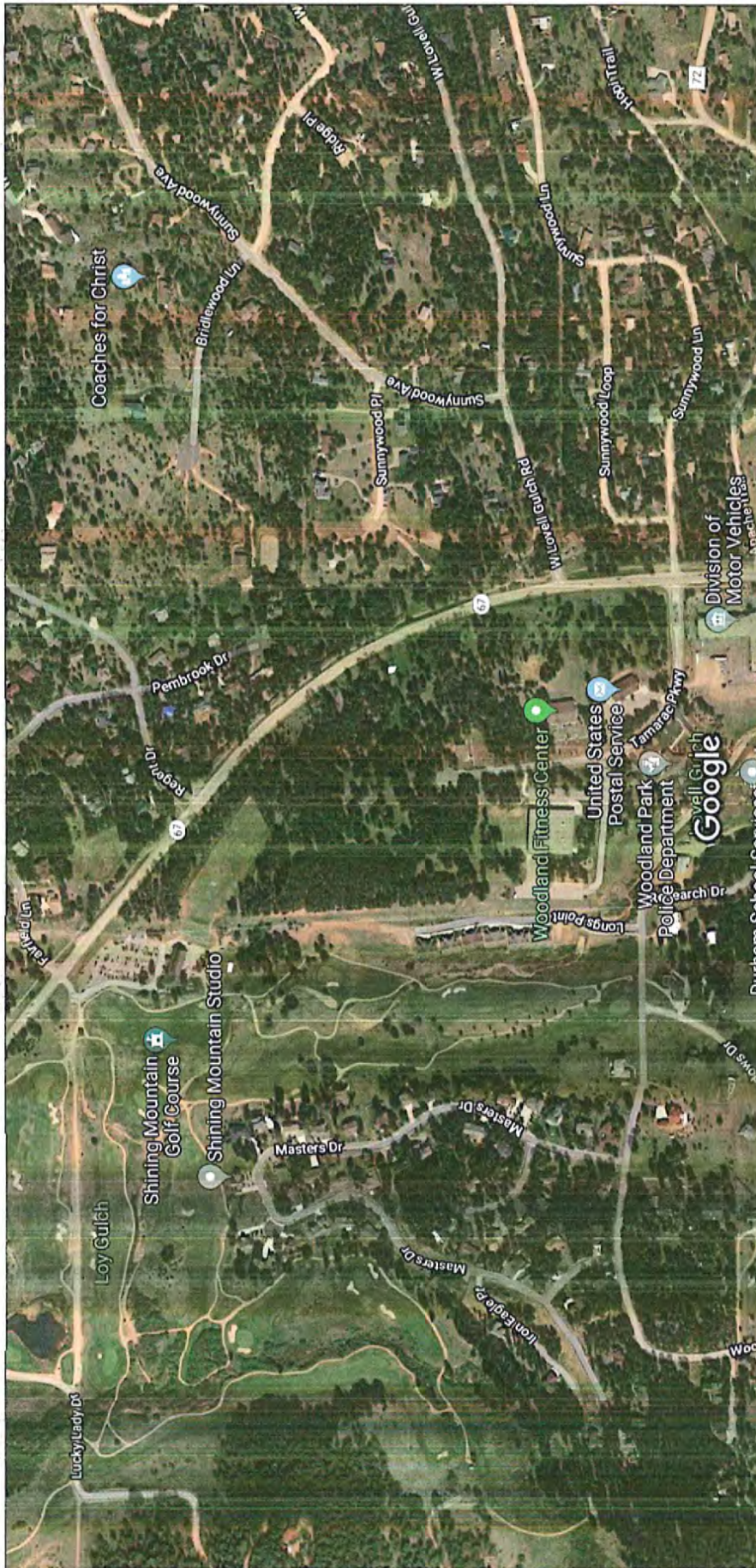


Figure 3 - Overhead View of Neighborhood Surrounding Project



Vickie Good - planning, commissioner  
1005 Sun Valley Drive  
Woodland Park CO 80863  
Contact information on file

17.04.040 Purpose:

A: To protect and provide  
for the public health,  
safety, and general  
welfare of the city;

I understand the need for  
affordable housing in  
Woodland Park. Developments  
need to meet zoning requirements,  
subdivision requirements, safety,  
and must be based on city  
planning and ordinances.

This subdivision with a name,  
designated lot sites is not an  
administrative decision. This  
is setting a precedence to  
bypass the planning commission.

06/06/2019 [Signature]



## ATTACHMENT 'C'

Section 17.08.370 Subdivision, major:

- requiring New streets
- current 35' New street

does this subdivision meet?

see 17.40.050 Requires Planning Commission

Section 17.20.020 Hearing

- Needs to have a hearing with planning commission

MFS / MFU - Subdivision - Not Attached home

- not allowed 18.09.090 Table - <sup>manuf.</sup> Homes

Manufactured housing:

18.18.005

Located Exclusively IN  
mobile home parks

This may be 1 lot, but has New streets, Lots with numbers with pads for manufactured homes and a Name of subdivision therefore Needs to go to the planning commission.

The said Lot is zoned MFS and needs to have a zoning change.



ATTACHMENT 'C'

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Title.
- 17.04.020 Policy.
- 17.04.030 Compliance.
- 17.04.040 Purpose.
- 17.04.050 Approval requirements.
- 17.04.060 Withdrawal of plat approval.
- 17.04.070 Jurisdiction.
- 17.04.080 Interpretation.
- 17.04.090 Schedule of fees.

17.04.010 Title.

These regulations shall be known and may be cited as the "Subdivision Regulations of the City of Woodland Park." (Ord. 327 § 2 (Sec. 1(A)), 1984)

17.04.020 Policy.

A. It is declared to be the policy of the city to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the city pursuant to the comprehensive plan for the city.

B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Land shall not be subdivided until provision has been made for drainage, water, sewage and public improvements such as schools, parks, recreation facilities, open space, trails and trail connections, transportation facilities and improvements.

C. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the comprehensive plan and other city adopted plans of the city. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, the zoning ordinance, the comprehensive plan, other adopted plans (i.e. Parks, Trails and Open Space Master Plan) and the engineering specifications of the city. (Ord. 894-2001 § 1 (part); Ord. 327 § 2 (Sec. 1(B)), 1984)

17.04.030 Compliance.

Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state of Colorado to the city of Woodland Park. The subdivider has

the duty of compliance with reasonable conditions laid down by the city for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the city and to the safety and general welfare of the future lot owners in the subdivision and to the community at large. (Ord. 327 § 2 (Sec. 1(C)), 1984)

17.04.040 Purpose.

These regulations are designed and enacted for the following purposes:

A. To protect and provide for the public health, safety, and general welfare of the city;

B. To guide the future growth and development of the city in accordance with the comprehensive plan and other city adopted plans;

C. To provide for adequate light, air and privacy, to secure safety from fire, flood and other danger, and to prevent overcrowding of the land and undue congestion of population;

D. To protect and conserve the value of land throughout the city and the value of buildings and improvements upon the land;

E. To provide the most beneficial relationship between the uses of land and building and the circulation of traffic throughout the city and the pedestrian and bicycle (non-motorized) traffic movements appropriate to the various uses of land and buildings;

F. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of the land;

G. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision, and to provide for open spaces, trails and trail connections through the most efficient design and layout of the land;

H. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table, and to encourage the wise use and management of natural resources throughout the city in order to preserve the integrity, stability and beauty of the community. (Ord. 894-2001 § 1 (part); Ord. 327 § 2 (Sec. 1(D)), 1984)

17.04.050 Approval requirements.

A. Whoever divides, or participates in the combining or division of lots, tracts, or parcels of land for the purpose, whether immediate or future, of sale or building development, whether residential, commercial, industrial, or any other use shall make the transaction subject to the provisions of these regulations and a plat therefore must be



ATTACHMENT 'C'

B. The public acquisition of land for widening or opening streets, sidewalks, public trails, parks, open space; or

C. The vacation or change of a boundary line of an easement or right-of-way;

D. The division of land by court-ordered or court-approved partition except where the parties contemplate development for resale. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.370 Subdivision, major.**

"Major subdivision" means all subdivisions not classified as minor subdivisions including any size subdivision requiring any new street or extension of municipal facilities, or the creation of any public improvements. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.380 Subdivision, minor.**

"Minor subdivision" means any resubdivision of any existing subdivision fronting on an existing street, not involving any new street, or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the comprehensive plan zoning ordinance or these regulations. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.390 Through street.**

"Through street" means every street or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which other vehicular traffic from intersecting streets is required by law to yield the right-of-way to vehicles on such through streets in obedience to a stop sign, yield sign, or other official traffic control device. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.400 Townhouse.**

"Townhouse" is an arrangement whereby individual owner/owners of a townhouse dwelling unit or business unit within a townhouse dwelling building own both the unit and the townhouse lot on which the unit is built. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.410 Townhouse building.**

"Townhouse building" means a single building containing two or more individually owned dwelling units or business units connected by a common fire wall. An

individual townhouse dwelling or business unit includes ownership of a townhouse lot on which the dwelling or business unit is located. Land adjacent to the dwelling or business unit may also be included in the townhouse lot or may be owned jointly. To qualify as a townhouse building, the structure must comply in all respects with the city building code, including fire separation requirements for each unit. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.420 Townhouse lot.**

"Townhouse lot" is a portion of a parcel of land, known as a "townhouse tract," on which is located a dwelling unit or a business unit of a townhouse building. To qualify as a townhouse lot, the property must be owned by the same person who owns the dwelling unit or the business unit of a townhouse building situated on the townhouse lot and any airspace units contained in that portion of the townhouse building situated on the townhouse lot. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.430 Townhouse tract.**

"Townhouse tract" means a parcel of land which includes two or more townhouse lots and any common area associated with said townhouse lots. The size of the townhouse tract shall have at least as much land area per townhouse building as required by the lot area for the zone in which it is located. (Ord. 796-1999 § 1 (part); Ord. 327 § 2 (Sec. 6(B) (part)), 1984)

**17.08.440 Trails.**

"Trails" are a pathway designed for and used by equestrians, pedestrians, cyclist and other non-motorized uses. Various types, designs or designations of trails are described in the Parks, Trails, and Open Space Master Plan including regional trails, trail corridors, primitive trails, cross-county skiing trails, equestrian trails, trailheads and trail access points. (Ord. 894-2001 § 2 (part))



5 of 6

## Chapter 17.20 PRELIMINARY PLAT

### Sections:

|           |                                                             |
|-----------|-------------------------------------------------------------|
| 17.20.010 | Preparation process.                                        |
| 17.20.020 | Hearing.                                                    |
| 17.20.030 | Approval or denial.                                         |
| 17.20.040 | Proposed subdivision field trip.                            |
| 17.20.050 | Planning commission review.                                 |
| 17.20.060 | Design and drawing.                                         |
| 17.20.070 | Information.                                                |
| 17.20.080 | Supplemental material.                                      |
| 17.20.090 | Approval—Extension.                                         |
| 17.20.100 | Conformance to existing zoning and subdivision regulations. |
| 17.20.110 | Conditional minor subdivision.                              |

### 17.20.010 Preparation process.

After the subdivider has received written comments from the city planner, a preliminary plat shall be prepared by a surveyor, architect, professional planner or professional engineer for presentation to the planning commission. A preliminary plat for a clustered development must be submitted concurrently with a site plan. The preliminary plat shall be processed as follows:

Twenty-five blue-line copies and one reproducible copy of the preliminary plat shall be presented to the city planner along with the required supplemental material at least twenty days prior to a regular planning commission meeting. If the plat is in compliance with these regulations, the city planner will furnish the following agencies with a copy for their review and comments; all public utilities companies, the school district, Teller County, and the State Highway Department (where a subdivision borders on a state highway). The city planner may delay a preliminary plat for one regularly scheduled planning commission meeting if further processing is required. (Ord. 327 § 2 (Sec. 2(C) (part) (1)), 1984; Ord. No. 1111-2009, § 8, 3-19-2009)

### 17.20.020 Hearing.

The planning commission shall hold a hearing on the preliminary plat. Notice of the hearing shall be sent to the owners of the property to be subdivided, to adjacent property owners, and to the appropriate agencies at least ten days prior to the date fixed therefore. Such notice shall be for information purposes but failure of any adjacent property owner to receive such notice shall not affect the validity of the hearing. A notice of public hearing shall be published in the official city newspaper at least seven days prior to said hearing and posted on the

proposed subdivision at least ten days prior to said hearing. (Ord. No. 327 § 2 (Sec. 2 (C)(2)), 1984; Ord. No. 1170-2012, § 5, 1-3-2013)

### 17.20.030 Approval or denial.

At the planning commission meeting, the planning commission shall approve or deny the preliminary plat subject to any modifications. If the plat is disapproved, the reasons shall be noted in writing and if possible, recommendations made whereby the plat might gain approval. If, in the opinion of the planning commission, the subdivider has not submitted sufficient information on which to base their decision, the planning commission may table the plat until the next regular meeting to allow the subdivider time to obtain the required information. (Ord. 327 § 2 (Sec. 2 (C)(3)), 1984)

### 17.20.040 Proposed subdivision field trip.

Prior to the regular planning commission meeting at which the subdivision is first discussed, the city may schedule a field trip to the site of the proposed subdivision accompanied by the applicant or his representative. In order to facilitate field inspection and review of the site of the proposed subdivision, temporary flagging along the approximate center line of all proposed streets in the subdivision may be required of the applicant. (Ord. 327 § 2 (Sec. 2 (C)(4)), 1984)

### 17.20.050 Planning commission review.

Within six days after a preliminary plat is approved or disapproved by the planning commission, the subdivider or the city staff may request in writing a review before the city council. Said review shall be held at the next regularly scheduled council meeting. (Ord. 327 § 2 (Sec. 2 (C)(5)), 1984)

### 17.20.060 Design and drawing.

The preliminary plat shall be prepared as follows:

A. The design should be in accordance with the subdivider's plans for actual development and therefore, should be a true representation of the subdivision which may eventually be recorded.

B. The drawing shall be made at a scale of one inch equals one hundred feet. A map of twenty-four inches by twenty-six inches is required. If more than one page is required, then an index page shall be provided. (Ord. 327 § 2 (Sec. 2 (C)(6)), 1984)

### 17.20.070 Information.

The preliminary plat shall contain the following information:

A. Proposed name of subdivision;



**Chapter 18.18 MOBILE HOME PARK (MHP)  
DISTRICT****Sections:**

|                  |                          |
|------------------|--------------------------|
| <b>18.18.005</b> | <b>Purposes.</b>         |
| <b>18.18.010</b> | <b>Permitted uses.</b>   |
| <b>18.18.020</b> | <b>Conditional uses.</b> |

**18.18.005 Purposes.**

Housing in this designated land use category is intended to facilitate manufactured housing opportunities located exclusively in mobile home parks. Municipal water and sewer and accessibility to adequate transportation routes must be available to all areas considered for development of this type and density.

**18.18.010 Permitted uses.**

Appendix 1 of the ordinance codified in this title is Ordinance 41-1969, found at Title 16 of this code. It is known as the mobile home ordinance, and it shall apply, as amended, to this chapter. Within the mobile home park district, the city council may authorize buildings, structures and land to be used for any of the purposes designated under MHP in the table of permitted uses for business, industrial and residential districts located in Section 18.09.090. (Ord. 705-1997 § 8(part); Ord. 12-1973 § 2(part); Ord. 46-1969 § 203.1)

**18.18.020 Conditional uses.**

Within the mobile home park district, the city council may authorize buildings, structures and land to be used for any of the purposes designated under MHP in the table of permitted uses for business, industrial and residential districts located in Section 18.09.090, and issue conditional use permits therefor in accordance with Chapter 18.57. (Ord. 705-1997 § 8(part); Ord. 589-1993 § 13; Ord. 12-1973 § 2(part); Ord. 46-1969 § 203.2)

ATTACHMENT 'C'

received  
6/6/19 sur

June 5, 2019

Woodland Park

Planning Commission

City Planner Sally Riley

Dear Sally,

I wish to thank you again for meeting with me on Monday, June 3, 2019 concerning Village at Tamarac, Case #SPR19-001. You were most informative and helpful in addressing my concerns and questions. Please note this is to confirm our meeting and please feel free to call on me at any time to discuss this further as to my concerns of this development.

The list of questions and concerns were as follows:

- 1 - Current Zoning codes
- 2 - Multi Family or Single Family
- 3 - Density
- 4 - 10' side set backs
- 5 - Wall or fencing of said development
- 6 - Number of water taps

We did not discuss the plans for the existing trees on the property. It is, however, a topic of concern to me as an adjacent homeowner.

Jack met with Kip while I was meeting with you concerning the water taps as well. We are a bit confused on how they will be allocated. Will they be allocated from single family taps or multi-family taps.

I do look forward to your review and recommendations of this development.

Thank you again, a concerned Resident,  
  
Sandra Gordon

1332 Longs Point, Woodland Park



## ATTACHMENT 'C'

June 6, 2019

City of Woodland Park Planning Department  
Attn: Sally Riley, Planning Director  
Woodland Park, CO 80863

Dear Sally,

This letter is in response to the Site Plan Review Application submitted by The Village at Tamarac on May 16, 2019. This proposed development is directly to the east of the Longs Point Townhome project, with currently 12 occupied units, 2 under construction, and a final 12 units yet to be built, with the future units most impacted by the proposed development. I represent Mark McNab, the builder currently constructing two and the owner of the land and the builder for the final 12 units. The Village at Tamarac, if allowed to proceed under the conditions requested in the application, will have direct impact on the marketability of the future townhomes and the financial viability of construction for Mark McNab as the landowner and builder.

It is not our objective to prevent the development, but rather to ensure that sufficient conditions are put in place from the onset to preserve the value and marketability of the Longs Point Townhomes. I would like to express our concerns sequentially, based on statements made by the applicant. Please see below for our perspective on the narrative statements in the application, as well as concerns with contradiction between these narrative statements and the actual site plan drawings.

***A. The proposed development 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.***

Though this MFS zoning allows up to 8 units per acre, the code actually states 2-8 units per acre. Were the units attached or multi-story, the 8 per acre guide would be reasonable. Since they are detached, single level, single family homes, this density does not conform with the intended density of this zoning. We would request the Planning Department use a lower density ratio in approving this site plan.

***B. The proposed development 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, mobile homes, utilities, buildings and construction, business regulations, and engineering specifications.***

Though this development is not a mobile home park, it has the feel and look of a mobile home park and should at least conform to the minimum density and spacing requirements used in other similar projects. We would request that the Planning Department require the site plan to be revised to include a minimum of 15' of spacing between each unit.

## ATTACHMENT 'C'

One additional point of concern is the actual model type and cost of each home permanently installed in this development. Though the application contains pictures of several prototypes, there is nothing currently to hold them to a certain level of value. The pictures appear to be top of the line models with many added features. We'd like to request that the Planning Department require a final review of exactly the model, features, upgrades and cost that are being installed and set minimum requirements for each. The substantial disparity between home value of these models and the neighboring townhomes, particularly in such close proximity with no planned barrier, cannot help but impact the long-term value and appeal of townhomes.

***D. The proposed development shall be designed, constructed, and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and manmade hazards, streams, and environmentally significant features.***

The application states, “Existing vegetation and trees will be retained as much as possible, especially along the perimeter of the site to help buffer the development from adjacent parcels.” This statement contradicts the site plan drawings included in the application. There are very dense trees on the site currently and in order to achieve the layout of the engineering drawings, almost all of those trees must be removed. In addition, the site plan drawings show the back of the structures at the current tree line, eliminating the natural buffer that currently exists. The utility easement is vacant of trees. If construction is allowed to go to the boundary currently shown in the site plan, there will be no remaining natural buffer.

We would ask the Planning Department to: 1) insist that the site plan be redrawn, moving the structures in from the western and southern boundaries to allow for some tree retention, and 2) that the approval be contingent upon the developers constructing a solid barrier fence around the perimeter of the development. Because of the impact of the raised topography, an 8' barrier wall will provide not only a visual buffer but also a sound buffer from 100+ new residents in a very compressed area. Another option would be a 6' wall on a berm, which would provide additional sound buffering. Attached are pictures of the type wall we'd like to see required, and locations where a similar wall protects not only the neighboring properties, but also protects the residents of the development itself. It would certainly lend to the elegance and appeal of the Village at Tamarac project itself. Product of this type can be found here under “Stucco Wall Alternatives”:

<https://aftec.com/concrete-textures/stucco/>

Please see other examples and manufacturer websites at the end of this letter.

***E. The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.***

We also have concerns about drainage from the project into the Longs Point TOA owned culvert but will leave addressing those specific concerns to other experts weighing in on the engineering quality and available easements.



## ATTACHMENT 'C'

***F. The proposed development 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.***

The application states, “*Outdoor storage of materials and accessory structures will not be allowed and are strictly prohibited. This prohibition will be stated and governed by the individual unit sales/leases.*” Due to the small square footage of each home, we are concerned that exterior storage of miscellaneous items will be a natural result and without strict enforcement will lead to a very disjointed appearance. If Code Enforcement is frequently called upon to enforce this requirement, it will create an undue financial burden for the City. One need only look to other mobile home and tiny home developments in town to see how quickly the order disappears from the original intent. With a solid perimeter fence in place, blocking view into the development from neighboring subdivisions, it will limit the involvement of Code Enforcement.

***G. The proposed development shall be designed, constructed and maintained to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property. To such end the development may be required to provide architectural design schemes and fixtures such as, but not limited to, fencing, landscaping, and buffer areas.***

The application states, “*The proposed development is designed to be compatible with the use and architectural design scheme of surrounding parcels. There is adequate open space provided on site along with landscape setbacks along the perimeter. There are no proposed fences along the property boundary and proposed landscaping will meet or exceed city requirements.*”

Here we encounter the crux of our concern with this project. The landscape setbacks along the perimeter are an empty, grassy hill. Without Planning Department requirements, the view into the backside of this development will be not only unobstructed but elevated from the Longs Point Townhomes. Due to the topography, no barrier constructed on Longs Point property will be effective. It is critical that the Village at Tamarac developers be required not only to install perimeter fencing, but that it be solid, tall, and maintenance free or endowed for permanent maintenance.

We are suggesting an 8’ prefabricated concrete wall, built to appear as the more costly stucco and stone. Because of the loss of trees during construction, the natural rise in the topography, and the substantial disparity between home values and lot sizes, a solid sound and vision barrier is the only thing viable to prevent significant loss of value and appeal in the current and future Longs Point Townhomes. We implore the Planning Department to take extra measures to ensure that the use of a perimeter wall, even one requiring a building permit, goes beyond normal development standards to protect surrounding landowners. Because there is such a significant rise in the topo, the placement of this wall is critical to ensure its effectiveness. Please see attached photograph examples of cost-effective solutions for this development.

The Longs Point property is a narrow strip of private land separating this development from the golf course. It will be a natural temptation, if there’s easy access, to cut through private land to walk on the course after hours. A solid barrier wall, without access points, will discourage

trespassing across private property and keep ingress and egress to the designated points in the development.

We would request that the Planning Department condition their approval of this project with approval of the perimeter wall material and its expected long-term maintenance needs, and that the City would ensure that once installed, it is in full compliance.

### **Real Estate Professionals' Opinions**

In addition to the narrative section of the application, we'd like to address the letter submitted by Michael Harper as a part of the application package. He states that he is a primary investor in the project, making it difficult to consider this an objective opinion. In addition, the three individuals he references are not named, so appear to be unwilling to go on record with their opinions.

His letter states that *"the community doesn't encroach physically or visually on surrounding existing commercial and residential areas of Woodland Park"*. The site plan calls for removal of almost all existing trees, and as drawn, now will be in direct view of the current and future Longs Point Townhomes.

The letter goes on to state that *"Woodland Park has well defined subdivisions"*. The issue at stake here is whether this subdivision will be "well defined" from its neighbors across Longs Point. As drawn in the application, there is no definition, no barrier, minimal trees and no fence, only a short open area, a rise in topography and the back side of homes valued at 1/5 or less of the Longs Point Townhome values.

With my letter, we are submitting a letter from a real estate professional who is willing to be named, is not an investor in the development, and has been selling properties in this area for over 27 years, including several of the Longs Point Townhomes. Jennifer Erdley clearly states that, at a minimum, the Planning Department should require low lighting, landscaping and a berm with fencing. She believes this will only lessen, not eliminate, the negative impact on the Longs Point Townhome values.

April Denio, another local residential real estate professional with many years' experience and the realtor who has sold more Longs Point townhomes than any other, is also willing to be named and states this in reference to deterioration of value for Longs Point Townhomes:

*"I feel definitely the City needs to require preferably a fence blocking the entire community from the Longs Point townhomes. These are high-end homes and definitely a concern."*

*Repeatedly when trying to sell these, the topic came up of what could be developed on that land. It even came up again as I was marketing the latest townhome due to close this month. In fact, one buyer specifically said no to the townhomes due to the possibility of what could be placed on that vacant land."*

April went on to say, *"I remember back when we built out the last eight, Sally Riley mentioning the City possibly requiring some kind of barrier to obstruct the view of anything that could*



**ATTACHMENT 'C'**

*negatively impact the townhomes. I do hope they do that at a minimum because it could definitely negatively impact the future development/sales of that subdivision.”*

Sharon Roshek, a local realtor for 37 years, also wanted to express her opinion of the impact of this development. I've attached her email, clearly expressing a need for lighting, landscaping and perimeter fencing to be critical to maintaining value for all the surrounding neighborhoods.

Clearly, three of the most familiar realtors with this project see impact to value on surrounding properties and suggest the best option for minimizing that deterioration is to add conditions for approval to this application which include a barrier wall, landscaping and lighting conditions.

We thank you for addressing each of these concerns by adding conditions for approval of this site plan and for maintaining vigilance in the future to ensure that the developer maintains conformance to all conditions required by your department.

Respectfully,



Kathryn Perry  
Development Liaison  
Highmark Development, LLC

See attached pictures of developments with tall, solid barrier walls, as well as the manufacturer websites.

## ATTACHMENT 'C'



<https://aftec.com/concrete-textures/stucco/>



<https://www.permacastwalls.com/tag/permasand>



## ATTACHMENT 'C'



<https://future-outdoors.com/fencing/precast-concrete-fencing/>

<https://stonetreefence.com/homeowner-association-fence-walls.html>

<http://www.concretefence.com/products/superior-fence/>

**ATTACHMENT 'C'**

**received**  
6/6/19 sub

**HOLCROFT**  
**518 Pembroke Drive**  
**Woodland Park, CO 80863**  
**(719) 278-2259**

June 6, 2019

City of Woodland Park  
220 W. South Avenue  
Woodland Park, CO 80863

Attn: Ms. Sally Riley

Reference: Notice for Public Comment  
Site Plan Application SPR19-001  
Project known as The Village at Tamarac

Dear Ms. Riley:

The intent of this letter is to formally give Comment on the above project as per the notice posted.

My husband I vigorously disagree that the project would be a good addition to the City of Woodland Park. We are opposed to reckless development and/or development that will damage the character of our community, not only as defined by the overall City plan, including the City's Comprehensive Plan, but in terms of common-sense issues such as our right to maintain our community standards, beauty, order, well-being, integrity, and convenience, among other things.

We believe this project will cause the existing property values in the area to be negatively impacted and that the project will have no benefit, or negligible benefit to the community. Also, the project is not representative of the housing needs that presently exist in the City of Woodland Park.

The development group for this project is, upon information and belief, led by Mr. Peter LaBarre, that he is financially invested therein and a participant in some or all aspects of the project. Mr. LaBarre is also believed to be an investor, owner or partial owner of Woodland Park Village, a manufactured home development. This manufactured home development is in a condition of disrepair, insufficiently maintained, an eyesore, and a



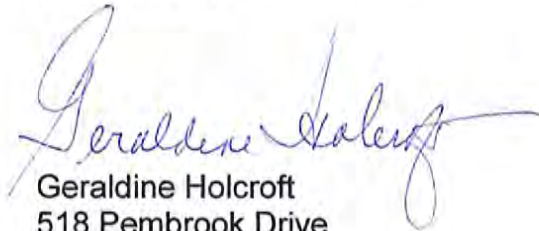
## ATTACHMENT 'C'

blight on the City. We believe the citizens of Woodland Park would argue that this development does not add value to the City, and in fact is a significant deterrent to attracting the kinds of businesses and residents that will keep or improve Woodland Park's value and reputation. We are not trying to disparage Mr. LeBarre, but only point out the level of quality of his management.

The application for the Village at Tamarac includes "The Village at Tamarac Community Rules". These "Rules" are written without any binding language and not in any legally acceptable standard. As a result of this, there would be no way the "Rules" could be enforced, possibly allowing yet another unsightly property here in our City.

We implore you, the entire City Council, and the Planning Commission to vote against allowing this project to go forward. You must consider the needs of all the residents of Woodland Park, not just the few. Thank you for your time.

Respectfully,



Geraldine Holcroft  
518 Pembroke Drive  
Woodland Park  
(719) 278-2259  
[ggholcroft@msn.com](mailto:ggholcroft@msn.com)



George Holcroft  
518 Pembroke Drive  
Woodland Park  
(719) 278-2259  
[ggholcroft@msn.com](mailto:ggholcroft@msn.com)

## ATTACHMENT 'C'

Sally Riley

---

**From:** ptkwings@aol.com  
**Sent:** Wednesday, June 5, 2019 7:55 AM  
**To:** Sally Riley  
**Subject:** A concerned resident against the Village at Tamarac development

My name is Patrick Kaufmann and I am a resident living near the Shining Mountain neighborhood. I am writing to you out of concern for the request to develop a high density housing development in the Tamarac area adjacent to our neighborhood.

One of the reasons why I chose to live where I do is because of the quality of neighborhoods and its homogeneous nature and uniformity. The Tamarac and Shining Mountain neighborhoods are one of the nicest and most expensive parts of our community to live and there is no refuting that.

So why would a developer want to put a high density development literally in the very middle of this part of town? The developer and other investors claim that it will be "compatable" with its surrounding communities and that it would somehow "benefit" us whom live here. They state vague implications and provide low end numbers that their development would not impact the local community we live in. They also state it would not impact the property values of the area. I disagree. Their backers are only people invested in this development and would be those whom would in one way or another profit from such a thing. The Village at Tamarac does not in any way fit into the low density neighborhoods with its high density housing. Frankly it contradicts and takes away from our neighborhoods. My question to you is this: Does this development truly fit in with the surrounding communities? Does a community of high density housing belong elsewhere in which it would fit in with more appropriate zoning and similar character? Would you want this very same development in your neighborhood?

I ask you to please look at this issue of location honestly and intelligently and to reject the location of the Village at Tamarac. Surely there are better locations in our county to both match and support such high density housing.  
Respectfully,

Patrick Kaufmann  
1312 Longs Pt.  
Woodland Park, CO 80863  
(719) 244-3571



## ATTACHMENT 'C'

June 6, 2019

Woodland Park City Mayor  
Attn: Neil Levy  
220 West South Avenue  
Woodland Park, CO 80863



Reference: SPR19-001

I, Karen Mitchell Kremer, submit the following objections and comments for consideration and/or action regarding the Notice for Public Comment pertaining to Site Plan Application SPR-19-001, The Village at Tamarac.

1. While planned, measured, and sustainable growth that maintains and enhances the character of the City is to be expected and welcomed in the best interests of the City and its residents, I feel that there is precedence to show that the developers of this Project do not have these best interests in mind. Peter LaBarre who is believed to be an investor, owner, or partial owner in Woodland Park Village is also believed to be a member of this Project; Woodland Park Village does not, I argue, set a precedence of maintaining and enhancing the character of the City, nor does it provide a measurable value to the City and its residents; in fact, it could be argued that it could be viewed as a deterrent to attracting additional business and investment. In order to help preserve the current community aesthetics, I ask that the approval of this Application stipulates:
  - a. The Champion Park Model IRM Modular (See Photo 1, attached) be the approved model, and as such, each unit would:
    - i. Have metal roofs, as depicted in the application photo;
    - ii. Have dormers, as depicted in the application photo;
    - iii. Have wood or cedar siding, as depicted in the photo.
  - b. That each unit also have the following architectural characteristics:
    - i. Stone siding from ground level to a height of three (3) feet around the entire base perimeter of the unit;
    - ii. Timber frame accents or wood trim, as depicted in the application photo;
    - iii. Secure, architecturally cohesive storage for waste and recycling bins be made at each unit, if secure, architecturally cohesive waste and recycling access has not been provided for in a central location within the development.
  - c. That all lighting plans include provision for mitigating light pollution, to include but not be limited to:
    - i. Maximum allowable wattage of exterior unit lighting;
    - ii. Maximum allowable wattage of development lighting;
    - iii. Directives to ensure that all lighting fixtures are downward-facing and angled in such a way to minimize any light being directed towards the sky.
  - d. That all landscaping plans include provisions including but not be limited to:
    - i. Maintaining as much of the existing natural landscape as possible;
    - ii. Installation of sufficient new landscaping to maintain the current wooded status of the property;
    - iii. Creating a buffer zone of trees and plantings between the development and Highway 67.
2. As preliminary approval for the Application is understood to have been granted under Code paragraph 18.14, *Multi-Family Residential – Suburban* which states in 18.14.005, "This land use designation is intended to accommodate attached residential dwelling units ....", I would like to call attention to the fact that there is a substantial deviation between the intent of the Code and the application of it to the approval of this Application. As this statement clearly calls out, approval under this section of the Code would require that the units would be multi-family and have at least one common shared wall; the Application details that the proposed 53 structures would be single-family detached units. The objection

## ATTACHMENT 'C'

to this is that it approval of this Application under non-pertinent Code does not provide for a clear, fair, repeatable application of the criteria to future Applications, and I ask that the current Application SPR-19-001 be approved under relevant, applicable Code.

3. The application includes "The Village at Tamarac Community Rules," written without any binding language as noted in extracts from the Community Rules:
  - a. "Your cooperation is greatly appreciated."
  - b. "We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live."

I request that any approval of this Application be conditional on:

1. The Applicants change the non-binding Community Rules to a form and format that is legally binding on all current and future homeowners, creating a formal Home Owners' Association (HOA) in which the residents of the development are members of the Board and have decision-making capability within the guidance of the HOA covenant, rules and regulations, and will either be able to enforce or provide recommendation for enforcement to the developers or their third-party property management firm;
2. That the language of the Community Rules be amended to language appropriate to the unique business model of this Application, being ownership of a unit on a rented lot, such as:
  - a. No sub-leasing without management approval;
  - b. If sub-lease approved, lease terms to be no less than 6 months in duration;
  - c. Renters and all other users of the property are liable for all property damage;
  - d. No short-term rentals, such as Airbnb, VRBO, bed and breakfasts, or other such rentals allowed.
  - e. No individual, corporation, trust, or other single tax entity may own, lease, manage, or otherwise be involved in a financial manner with more than two units within the development, including the developers of the project who are understood to act as one entity in regard to the development.
3. The City have reviewed, by a competent legal real estate expert, the split ownership business model and sign off on the language attesting to the adequate ability of the City to enforce such a legal document in cases outlined by the Community Rules:
  - a. Second page, fifth paragraph of the Community Rules states, "Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules." As I believe is it not possible to evict and/or restrict an owner from entering their property other than through mortgage default, this presents a difficult situation as the property owner does not own the ingress/egress to their home, and must pass through areas wholly owned by the developers to access their property.
    - i. As this statement can only be enforced through the City refusing entry under criminal trespassing codes, and with this understanding, I request an outline of how the City Enforcement will address this situation should it arise, along with an overview of the potential complications and mitigation efforts of such situations.
    - ii. In such a case, homeowners may be forced to sell or default on their homes due to restricted entry and/or the inability to remove the unit from the rented lot. Should such a circumstance arise, I ask that the developers include language in the Community Rules that:
      1. Explicit criteria for disallowing access be contained in the Community Rules;
      2. Homeowners be given reasonable accommodation to resolve any issues with the developers before steps to block them from their property are taken;



## ATTACHMENT 'C'

3. Clear processes to enable the homeowner to lease or sell their property should access be blocked, ensuring that the Homeowner not suffer materially from being unable to enter the property, such as:
  - a. Appointing a third-party mediator or other entity with power of attorney for the Homeowner that will be granted full access to the property for the purpose of maintaining, marketing and selling the unit in the best interests of the Homeowner.
4. The Woodland Park Comprehensive Plan states that "As Woodland Park's housing inventory evolves over time, the City will continue its past efforts and emphasis on respecting individual property rights, preserving residential property values and ensuring that neighborhood integrity, character and design are key considerations." An identical plan for homes in the Morning Sun Drive neighborhood was denied for the following reasons, and as the Morning Sun neighborhood is defined as an "established outlying neighborhood" is exceedingly similar to my own, The Reserve at Tamarac, same objections apply to this Application:
  - a. Incompatibility of intensive uses allowed conditionally in the zone;
  - b. Potential injury to surrounding property values;
  - c. Loss of neighborhood character by the nature of their operations and design;
  - d. Lack of harmony with existing uses, to enhance Woodland Parks's identity as a small mountain community and protect the environment, wildlife and scenic beauty;
  - e. Non-conformance with the Comprehensive Plan policies and map;
  - f. Loss of the unique and natural topographic features and woodlands adjacent to the proposed development;
  - g. An increase in traffic congestion, noise, litter, and light pollution;
  - h. Diminishment of the use and enjoyment of vicinity property.

I thank you for your consideration and due diligence in reviewing this Application.

Best regards,



Karen Kremer  
410 Oxford Lane  
Woodland Park, CO 80863

502.468.3944

Kim.kremer.elliott@gmail.com

ATTACHMENTS

ATTACHMENT 'C'

Photo 1





June 5, 2019

ATTACHMENT 'C'

received  
6/5/19 SGR  
Hand delivered

Dear Ms. Riley,

We are writing this letter to oppose the building of the tiny home village off of Highway 67. It is our understanding that the property in question is zoned multi-family residual, not mobile home park. Doesn't multi-family mean that the "homes" are connected?

The addition of this many homes in this space is going to negatively impact traffic on highway 67. It is already difficult to get out of our housing development at times, from the post office and all other business off of hwy. 67. The traffic involving the Christian school is already congested. Has a traffic survey been done for this area and will the property owner be responsible for any costs? It should not be paid for by taxpayers.

We have worked very hard to keep the value of our property up and feel that the tiny homes village would lower our value. We are a small mountain community and this would not fit in with the required architecture of most homes in this area. Allowing this type of home in this area does not comply with Woodland Park's Comprehensive Plan (see page 39). This is a nice wooded area and will be subjected to lots of cement which will result in lots of trees being removed and natural habitat being disturbed.

Is the trailer park out by Walmart being kept up according to city code? What's to keep this village from the same demise?

Wasn't there a proposal for "cluster homes" to be developed in the Morning Sun neighborhood and it was denied? I would think some of the same reasons for denial could be applied here. Would you want this village built in your neighborhood or surrounding area?

Please keep the future of Woodland Park in mind when making your decision on whether or not to approve this "tiny home park."

Thank you.

Scott and Marva Laudert

445 Oxford Lane

Woodland Park, CO 80863

Scott Laudert  
Marva Laudert

ATTACHMENT 'C'

City of Woodland Park Planning Staff

220 W. South Avenue

Woodland Park, CO 80863

Kip and Susan Madsen

785 Sunnywood Loop

Woodland Park, CO 80863

May 29, 2019

Re: Site Plan Application SPR19-001

To Whom It May Concern:

The purpose of this letter is to outline my concerns about the proposed parcel development which has been label "The Village at Tamarac."

I have serious concerns as to how the development of this 6.68 acre plot of pristine, natural habitat into 53 single family "tiny houses", installed on permanent foundations will impact the surrounding area.

Please consider the following points as you consider whether or not to approve this proposed development:

- **Municipal Code 18.4** defines a MULTI-FAMILY RESIDENTIAL-SUBURBAN (MFS) DISTRICT as such: "This land use designation is intended to accommodate attached residential dwelling units with residential density levels from two to eight dwelling units per acre." Clearly, the proposed development is not compliant with this definition. This definition is zoned for multi-family residential units that are ATTACHED homes such as condos, townhomes and apartment buildings. The propose development is nothing more than a gloried mobile home park. 53 units on 6.68 acres results in just over .1 of an acre each!
- **Fire Safety:** Studies of forest fire dangers have proven that congested home sites, situated close to each other, results in high spread of fires, with very little accommodating space to allow firefighting equipment to battle at fire. Fire mitigation is impossible and having such crowded conditions in a forest is a disaster waiting to happen. Studies from the Black Forest fire showed that the more crowded neighborhoods were the ones that were consumed quickly, with little ability from the first responders to fight the inferno.
- **Traffic Concerns:** With the potential of each unit having 2 vehicles, that would mean approximately 100 more cars exiting and entering Highway 67 at the intersection with Tamarac. The speed limit at that section of Hwy 67 is 50 mph. There would be significant congestion and





## ATTACHMENT 'C'

danger at that point. The added number of cars coming into and out of the Village poses a significant concern for the Colorado Christian Elementary school, which is located at the entrance. Each morning, dozens of cars drive in to the school to drop off young children, and then return to pick them up in the afternoon. With the potential of a hundred more cars driving in and out of the area, there is significant danger to the children.

- **Home values:** The addition of 53 low-income units, in a "trailer park" setting would seriously devalue the worth of the homes in the surrounding neighborhoods. Potential buyers would be discouraged from purchasing homes so close to the development. Mobile home parks are far more "transient", and are susceptible to higher crime rates.
- **Comprehensive plan for Woodland Park:** I purchased my home in a traditional neighborhood with the expectations it would stay as a typical Woodland Park community. "Tiny homes" are a contemporary fad, initiated for different purposes. These homes are manufactured for transporting to various locations similar to a trailer park. These homes should be located out of the city in a more recreational setting, more like a campground atmosphere, not in an established neighborhood of larger lots with traditional homes.
- **Precedent has already been set:** Pete LeBarre is aligned with other developers who have little regard for the integrity of our Woodland Park Community. So many residents are continually under siege as they put their neighborhoods at risk. Fortunately, through a collaborative effort, Tiny and Cluster homes were voted down through the Planning Commission previously in our city. Logic reasoning and a lot of concerned citizens representing the cause actuated this end. Why should this development be allowed to go forward when similar developments have been turned down?

I urge you to seriously consider the impact of this proposed development. In a recent communication, city councilwoman Kelly Case stated that this is private property, and the owner can do whatever he wants on his private property. This does not, however, give him the freedom to ignore established zoning laws. Unless the zoning requirements are changed, he must abide by the established mandate, as do all of us.

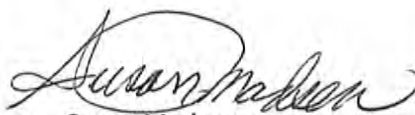
Please read the attached note concerning the denial of a "Cluster Homes" development in the Morning Sun neighborhood, and note the similarities with this proposed development.

Thank you for your consideration in regards to this matter,

Sincerely,



Kip Madsen



Susan Madsen

## ATTACHMENT 'C'

Recently a proposal for a "Cluster Homes" development in the Morning Sun Drive neighborhood was denied. Planning Director Sally Riley outlined the reasons for the denial. The Morning Sun subdivision is defined as a "established outlying neighborhood" similar to our area. The development was denied for the following reasons:

- Incompatibility of intensive uses allowed conditionally in the zone.
- Potential injury to surrounding property values.
- Loss of neighborhood character by the nature of their operations and design.
- Lack of harmony with existing uses, to enhance WP's identity as a small mountain community and protect the environment, wildlife and scenic beauty.
- Non-conformance with the Comprehensive Plan policies and map.
- Loss of the unique and natural topographic features and woodlands adjacent to the proposed development
- The increase in traffic congestion, noise, litter, and light pollution.
- Diminishment of the use and enjoyment of vicinity property.

According to the Woodland Park Comprehensive Plan "Respecting and preserving individual property values" it states, "As Woodland Park's housing inventory evolves over time, the City will continue its past efforts and emphasis on respecting individual property right, preserving residential property values and ensuring that neighborhood integrity, character and design are key consideration. (WP Comprehensive Plan pg. 39)

"In accordance with local real estate professionals it has been determined that the property value in the Morning Sun Subdivision will decrease by 15% by the re-zoning allocation alone. If the crime rate increases with the addition of 207 possible people in the neighborhood (90 homes time 2.3 people per household), then property values will decline by 10-15% more." The same will happen to our area.

The Planning Committee denied the Cluster Homes idea in the Morning Sun neighborhood . To be consistent with their policies, this development should also be denied.



**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Don Mansfield <Don.Mansfield@nau.edu>  
**Sent:** Thursday, June 6, 2019 1:40 PM  
**To:** Sally Riley  
**Subject:** Tamarac building proposal

We are residents of Shining Mountain townhomes. We are very concerned about the proposed development behind our townhomes. A community of tiny homes would significantly reduce the value of our property and that of the new townhomes being built in our development. We hope the city will reconsider the proposed development and hopefully find a developer that will build units that more closely fit the neighborhood. Thank you for your consideration.

Don and Susan Mansfield

ATTACHMENT 'C'

received  
6/6/19 SUR  
Hand Delivered

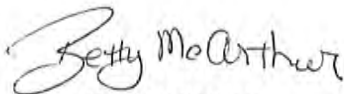
June 4, 2019

Woodland Park Planning Commissioners:

The proposed Village at Tamarac is a poor idea without the inclusion of a plan to deal with the preexisting safety concerns surrounding the 2 lane intersection of Highway 67 and Tamarac Parkway. Currently there are no acceleration or deceleration lanes for this intersection, and no left turn lanes exist. Being a resident of Sunnywood Manor directly across from the access to this development, the number of near miss accidents is visible most days in correlation with the location of a host of already existing establishments to include: the Woodland Park Police Department, the U.S. Post Office, Colorado Springs Christian School, Teller County employees, and Woodland Fitness Center.

The addition of 53 new homes will increase the turning traffic count by no less than 100 cars per day, inviting a dramatically unsafe condition to an already dangerous US Highway intersection. Construction of the Village at Tamarac development should not be approved until The City of Woodland Park and the Colorado Department of Transportation have agreed upon improvements to the above mentioned intersection and made public the highway improvement construction schedule.

Thank you.



Betty McArthur  
585 Sunnywood Lane  
Woodland Park, CO 80863



received  
6-6-19 CH

ATTACHMENT 'C'

June 6, 2019

Woodland Park City Planner  
Attn: Lou Pellegrino  
220 West South Avenue  
Woodland Park, CO 80863

Reference: SPR-19-001

I, Elizabeth H. Miller, submit the following objections and comments for consideration and/or action regarding the Notice for Public Comment pertaining to Site Plan Application SPR-19-001, The Village at Tamarac.

1. While planned, measured, and sustainable growth that maintains and enhances the character of the City is to be expected and welcomed in the best interests of the City and its residents, I feel that there is precedence to show that the developers of this Project do not have these best interests in mind. Peter LaBarre who is believed to be an investor, owner, or partial owner in Woodland Park Village is also believed to be a member of this Project; Woodland Park Village does not, I argue, set a precedence of maintaining and enhancing the character of the City, nor does it provide a measurable value to the City and its residents; in fact, it could be argued that it could be viewed as a deterrent to attracting additional business and investment. In order to help preserve the current community aesthetics, I ask that the approval of this Application stipulates:
  - a. The Champion Park Model IRM Modular (See Photo 1, attached) be the approved model, and as such, each unit would:
    - i. Have metal roofs, as depicted in the application photo;
    - ii. Have dormers, as depicted in the application photo;
    - iii. Have wood or cedar siding, as depicted in the photo.
  - b. That each unit also have the following architectural characteristics:
    - i. Stone siding from ground level to a height of three (3) feet around the entire base perimeter of the unit;
    - ii. Timber frame accents or wood trim, as depicted in the application photo;
    - iii. Secure, architecturally cohesive storage for waste and recycling bins be made at each unit, if secure, architecturally cohesive waste and recycling access has not been provided for in a central location within the development.
  - c. That all lighting plans include provision for mitigating light pollution, to include but not be limited to:
    - i. Maximum allowable wattage of exterior unit lighting;
    - ii. Maximum allowable wattage of development lighting;
    - iii. Directives to ensure that all lighting fixtures are downward-facing and angled in such a way to minimize any light being directed towards the sky.
  - d. That all landscaping plans include provisions including but not be limited to:
    - i. Maintaining as much of the existing natural landscape as possible;
    - ii. Installation of sufficient new landscaping to maintain the current wooded status of the property;
    - iii. Creating a buffer zone of trees and plantings between the development and Highway 67.
2. As preliminary approval for the Application is understood to have been granted under Code paragraph 18.14, *Multi-Family Residential - Suburban* which states in 18.14.005, "This land use designation is intended to accommodate attached residential dwelling units ....", I would like to call attention to the fact that there is a substantial deviation between the intent of the Code and the application of it to the approval of this Application. As this statement clearly calls out, approval under this section of the Code would require that the units would be multi-family and have at least one common shared wall; the Application details that the proposed 53 structures would be single-family detached units. The objection to this is that it approval of this Application under non-pertinent Code does not provide for a clear, fair, repeatable application



## ATTACHMENT 'C'

of the criteria to future Applications, and I ask that the current Application SPR-19-001 be approved under relevant, applicable Code.

3. The application includes "The Village at Tamarac Community Rules," written without any binding language as noted in extracts from the Community Rules:
  - a. "Your cooperation is greatly appreciated."
  - b. "We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live."

I request that any approval of this Application be conditional on:

1. The Applicants change the non-binding Community Rules to a form and format that is legally binding on all current and future homeowners, creating a formal Home Owners' Association (HOA) in which the residents of the development are members of the Board and have decision-making capability within the guidance of the HOA covenant, rules and regulations, and will either be able to enforce or provide recommendation for enforcement to the developers or their third-party property management firm;
2. That the language of the Community Rules be amended to language appropriate to the unique business model of this Application, being ownership of a unit on a rented lot, such as:
  - a. No sub-leasing without management approval;
  - b. If sub-lease approved, lease terms to be no less than 6 months in duration;
  - c. Renters and all other users of the property are liable for all property damage;
  - d. No short-term rentals, such as Airbnb, VRBO, bed and breakfasts, or other such rentals allowed.
  - e. No individual, corporation, trust, or other single tax entity may own, lease, manage, or otherwise be involved in a financial manner with more than two units within the development, including the developers of the project who are understood to act as one entity in regard to the development.
3. The City have reviewed, by a competent legal real estate expert, the split ownership business model and sign off on the language attesting to the adequate ability of the City to enforce such a legal document in cases outlined by the Community Rules:
  - a. Second page, fifth paragraph of the Community Rules states, "Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules." As I believe is it not possible to evict and/or restrict an owner from entering their property other than through mortgage default, this presents a difficult situation as the property owner does not own the ingress/egress to their home, and must pass through areas wholly owned by the developers to access their property.
    - i. As this statement can only be enforced through the City refusing entry under criminal trespassing codes, and with this understanding, I request an outline of how the City Enforcement will address this situation should it arise, along with an overview of the potential complications and mitigation efforts of such situations.
    - ii. In such a case, homeowners may be forced to sell or default on their homes due to restricted entry and/or the inability to remove the unit from the rented lot. Should such a circumstance arise, I ask that the developers include language in the Community Rules that:
      1. Explicit criteria for disallowing access be contained in the Community Rules;
      2. Homeowners be given reasonable accommodation to resolve any issues with the developers before steps to block them from their property are taken;
      3. Clear processes to enable the homeowner to lease or sell their property should access be blocked, ensuring that the Homeowner not suffer materially from being unable to enter the property, such as:
        - a. Appointing a third-party mediator or other entity with power of attorney for the Homeowner that will be



## ATTACHMENT 'C'

granted full access to the property for the purpose of maintaining, marketing and selling the unit in the best interests of the Homeowner.

4. The Woodland Park Comprehensive Plan states that "As Woodland Park's housing inventory evolves over time, the City will continue its past efforts and emphasis on respecting individual property rights, preserving residential property values and ensuring that neighborhood integrity, character and design are key considerations." An identical plan for homes in the Morning Sun Drive neighborhood was denied for the following reasons, and as the Morning Sun neighborhood is defined as an "established outlying neighborhood" is exceedingly similar to my own, The Reserve at Tamarac, same objections apply to this Application:
  - a. Incompatibility of intensive uses allowed conditionally in the zone;
  - b. Potential injury to surrounding property values;
  - c. Loss of neighborhood character by the nature of their operations and design;
  - d. Lack of harmony with existing uses, to enhance Woodland Park's identity as a small mountain community and protect the environment, wildlife and scenic beauty;
  - e. Non-conformance with the Comprehensive Plan policies and map;
  - f. Loss of the unique and natural topographic features and woodlands adjacent to the proposed development;
  - g. An increase in traffic congestion, noise, litter, and light pollution;
  - h. Diminishment of the use and enjoyment of vicinity property.

I thank you for your consideration and due diligence in reviewing this Application.

Best regards,



Elizabeth H. Miller  
610 Pembroke Drive  
Woodland Park, CO. 80863  
719-260-9406  
ehm.miller@gmail.com

ATTACHMENTS

ATTACHMENT 'C'

Photo 1





**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Carole Molden <carole@mountaingoods.biz>  
**Sent:** Thursday, June 6, 2019 1:41 PM  
**To:** Sally Riley  
**Subject:** Re: Case #SPR-001 Village at Tamarac.

Hello Sally,

I just wanted to get in another comment (and, question) before the deadline today.

I was shown pictures of possible walls which could be built as a buffer between the Longs Point property and the Village at Tamarack. They look nice, and would coordinate well with the architecture and design of our townhomes. However, can a permanent structure be built within/on a public utility easement? If yes, then could it be torn down if it ever interferes with utility company access?

Also, while a wall would define our neighborhood, a 6' wall would not do much to visually buffer us from the development, unless the buildings on the western edge of the 50' easement are moved in enough to also include a landscaped buffer of trees. What will be the height of the buildings, placed on a foundation (with crawl space?)? Certainly more than twice the height of an 8' wall. The plan shows a maximum building height of 30'. We would still see the rear of a row of buildings which would look much like storage units or outbuildings...certainly not architecturally compatible with the homes in our neighborhood.

A few more questions. The submitted plan shows top of the line Champion manufactured home models, but also says that can change, depending on the buyer's choice. Are there any requirements made in regard to the minimum value and design of the houses to be placed on the property? Are there any provisions or requirements being made by the developer/landlord for maintaining the buildings, since they will be private property?

It was nice to see you this morning. You have a thankless job (never pleasing everyone!), so I would like to thank you now for your dedication and effort to make and keep Woodland Park the wonderful community it is. You have always been very accessible and helpful in dealing with the questions and concerns of its citizens.

Respectfully and with thanks,

Carole Molden  
1330 Longs Point

Sent from my iPad

On Jun 5, 2019, at 5:01 PM, Sally Riley <[sriley@city-woodlandpark.org](mailto:sriley@city-woodlandpark.org)> wrote:

Thank you, Carole.  
Sally Riley, AICP  
Planning Director  
City of Woodland Park  
(719)687-5283  
<image001.png>



## ATTACHMENT 'C'

Sally Riley

---

**From:** Carole Molden <carole@mountaingoods.biz>  
**Sent:** Wednesday, June 5, 2019 4:50 PM  
**To:** Sally Riley  
**Subject:** RE: Case #SPR-001 Village at Tamarac.

To Sally Riley and the Woodland Park Planning Department,

In regards to Village at Tamarac, Case #SPR-001, I am commenting as an adjacent homeowner on Longs Point, a member of the Sundance at Shining Mountain TOA Board, and a 27 year resident of Woodland Park

Much effort on the part of our TOA has gone into making our neighborhood a beautiful, enjoyable place to live, but the Village at Tamarac, if built as planned, does not comply with many of it's stated objectives, and will have an extremely negative impact on the Longs Point homeowners.

The Site Plan Application and other supporting documents submitted for approval to the City include the following statements:

1. *"The Village at Tamarac will have no negative impact on property values of surrounding neighborhoods."* This is a false assertion by Paul Harper, an investor in Village at Tamarac, and contradicted by his own appraiser who concludes that there would be no negative impact on property values *"so long as the development doesn't encroach visually on surrounding residential areas"*; Sundance at Shining Mountain and Longs Point are not just in the surrounding areas, they are directly adjacent to the planned development, and separated only by a 50', cleared, treeless utility easement.

This development, if it goes forward as planned, will have a very negative impact, not only on home values, but also on the sustainability and financial health of our TOA, and the quality of life of its members. Sundance at Shining Mountain went into foreclosure less than 2 years after my purchase in 2010. At that time, there were only two completed duplex buildings, 2 partial foundations, and a streetscape of utility pedestals. It has taken 9 years to finally reach a 50% buildout, but it has been slow, and a struggle, to provide the required amenities and services with so few homeowners. We finally have a builder who has purchased the remaining homesites, and is slated to bring the PUD to completion in the next 1 1/2 to 2 years. It would be harmful to our neighborhood, our TOA, and the homeowners on Longs Point, if the planned construction is dropped because of lowered home values due to the Village at Tamarac development.

2. *"The proposed development shall be designed...with appropriate regard to topography...and environmentally significant features."* and *"There are no natural environmentally significant features associated with the site"*, and *"Existing vegetation and trees will be retained as much as possible, especially along the perimeter of the site to help buffer the development from adjacent parcels"*. This parcel of land is covered with beautiful old growth ponderosa, gently rolling topography, and abundant forest ground cover and wildflowers. The site plan gives no evidence of regard for, appreciation of, or attempt to retain much of the beautiful existing forestland which is a very "significant environmental feature" of Woodland Park and its neighborhoods. Nearly the entire site is to be leveled, and cleared of about 90% of its trees and vegetation. There is nearly no landscaped setback or buffer of trees or vegetation around the perimeter of the property, especially on the west property line. Even in the designated "open spaces", most of the trees and vegetation will have been cleared. Most of the treed areas shown around the perimeter are on the remaining two parcels, and may no longer exist once they are developed.



## ATTACHMENT 'C'

3. *"The proposed development shall be designed...to not unduly diminish or impair but to become compatible with the use and enjoyment [and architectural design scheme] of vicinity property. There are landscape setbacks along the perimeter"* There are no planned landscape setbacks along the perimeter. Additionally, 500 sq.ft. manufactured homes on leased concrete pads, with a value of \$115,000 or less, in a mobile home park layout, could never be considered compatible with the architectural design scheme (or use) of 3000 sq. ft., custom built townhomes, currently being sold for the upper \$400,000s to lower \$500,000s.

4. *"The Village at Tamarac will provide affordable housing"*. This is questionable. The stated reason for the zoning change to MFRS was to provide affordable housing (smaller, more modest, less costly duplexes, townhomes, cluster homes, etc.) for the Woodland Park work force...teachers, police officers, nurses, etc. and their families. 500sq.ft. tiny homes would be neither suitable nor desirable for families, and will not meet this need. The cost per sq. ft. of purchasing one of these homes and leasing the space will be very high. I question just who is the most likely purchaser/renter? Investors intending to VRBO them, or rent them out to groups of students needing short term lodging? Or, as according to Pete La Barre, "those wanting a change in lifestyle, where they can devote time and money to other things rather than supporting and sustaining a house" (KOAA News 5, 2/1/19). This is not to say that there shouldn't be a place for them in Woodland Park, but that this was not the intended use of the multi-family property, and may not be the best location for this type of development. And as a homeowner who will be living within 150' of the property, I have a few questions. Will there be a limit on the number of sublets? Will there be a limit on the number of people allowed to occupy one of the small houses? Will there be a limit on the number of cars per unit allowed to park on the property?

Whether you decide to approve, disapprove, or change the plans for the Village at Tamarac, I am hopeful that you can reach a decision that will benefit many, but injure none (including our beautiful forests!).

Respectfully,

Carole Molden  
1330 Longs Point  
Woodland Park

**ATTACHMENT 'C'**

June 1, 2019

**received**  
6/5/19 via  
certified mail

220 W. South Avenue  
Woodland Park, CO 80863

Reference: APR19-001

Introduction. I, Paul B. Neal III, and my wife, Dawn C. Chapelle Neal, (hereafter referred to as “We” or “Our”) submit the following objections and comments for consideration and/or action regarding the Notice for Public Comment pertaining to Site Plan Application SPR19-001 by Order of Municipal Code Title 18, Chapter 34, Section 058.3 (hereafter referred to as “The Notice”). The Notice seems to imply that the referenced application is being treated as a Permitted Use and therefore is not being referred to the Planning Commission for review. Per The Notice, “The applicant plans to begin clearing and grading the site as soon as their approval is certified by the Planning Staff and multi-family water tap reservations are granted by City Council scheduled for June 26, 2019.” Our objection is that this application is considered a Permitted Use when there appears to be a conflict in the municipal code between Sections 18.14 and 18.14.005 verses Section 18.09.090, N.1. The conflict would be Multi-Family attached verses Single-Family detached. Because of a possible inconsistency between sections of the municipal code, We request Section 18.34.050 be followed rather than Section 18.14.058. The purpose for having the Planning Commission would be to evaluate and render opinions on situations like this where the Public may want to provide Comment about the whole application, not simply a single area regarding a Water Tap decision.

We have reviewed the applicant’s documents at some level of detail and We feel the project has potential to be good for the city of Woodland Park (hereafter referred to as “The City”) and its residents. However, there is equal potential that this project could deviate from the quality represented in the application to a condition that would be a great detriment to The City and its residents. For that reason, it is Our desire that through Our objection We may have the City Council place certain stipulations or conditions on any approval that may be granted. These Stipulations or Conditions do go outside the purpose (Water Taps decision) of the Council Meeting; however, in the absence of any Public Meetings prior to the project approval being granted on what appears to be a deviation of The City’s Municipal Zoning Codes, that our objections, comments and requests may still be entertained.

General. It is the responsibility of the Planning Commission and City Council to ensure that applications for new projects meet both the permitted uses (located in Section 18.09.090) and the purpose (normally paragraph 18.xx.005 in all defined districts) of any municipal zone. If an application deviates from any part of the code, normally a public forum is used to vet the deviation. However, we were verbally told by a member of the Planning and Zoning department, Lor Pelligrino, that there is precedence for deviating from the written codes without a public vetting process. We acknowledge a precedence does exist without further exploration in to the precedence.

We request prior to any further approvals being granted on this particular application, that a clear, public statement be read and entered into public record at the June 26, 2019 water tap decision meeting that provides all Woodland Park residents, investors and developers an understanding of the criteria used by any member of the Planning and Zoning Department when a departure from any Section of the code is allowed. This is to ensure that a repeatable process can be followed that is fair, unambiguous, and equally applied to all applications submitted in the future.

Further explanation for this request: Application SPR19-001 pertains to a parcel of land that is coded Multi-Family Residential – Suburban (paragraph 18.14), the title of the section. Paragraph 18.14.005 – Purpose, states, “This land use designation is intended to accommodate attached residential dwelling units



## ATTACHMENT 'C'

....". The key word(s) in 18.14 are "Multi-Family" and in 18.14.005 is "attached". The applicant has submitted a plan for Single-Family detached dwellings that was approved by the Planning Director, Sally Riley, without a public meeting nor vote by the Planning Commission. If the Planning Director has the authority to approve development projects that deviate from any part of the municipal code without Planning Commission vote or full documentation as to why the deviation was allowed for public review, the public needs to know what general principle she is using to make approval or disapproval decisions, especially when it could be argued that the decision is a 180-degree departure from the code. (Multi-Family vs Single-Family is self evident. An attached dwelling consists of more than one complete (kitchen, bedroom, bathroom) unit attached by at least one common/shared wall. A detached structure has no wall requirement.) In this way all future applications submitted by any other applicant can use the same guidance and have an equal application of the code. We repeat- we are not challenging that a deviation from the purpose paragraph of the code was allowed. We simply want the repeatable, fair criteria documented publically for all future applications.

### Specific Comments and Requests.

1. The application submitted shows Champion made "Tiny Home" floorplans and photographs to indicate what will be sold and placed on the foundation slabs in this zone. These are well made, nationally recognized manufactured homes. However, the application indicates they are, "Subject to Change per final design" (See Architectural Exhibit AE01). Champion makes many levels of homes. The pictures of the representative models are the Park Model (see photo 1), sold under the Athens Park brand name. They have great eye appeal and therefore great potential to add value to The City. Champion also makes a basic model (see photo 2) that more closely resembles an entry level trailer park. Request that conditions of application approval include a mandate that they be Champion Park Model IRC Modular and that their appearance must at least be reasonably similar to the photographs and:

- have metal roofs, as depicted in application photos,
  - have dormers, as depicted in the application photos,
  - have wood or cedar siding, as depicted in application photos,
- And have at least one of the following two architectural characteristics:
- stone siding up to three feet, as depicted in application photos,
  - timber frame accents or wood trim, as depicted in application photos.

Further explanation for this request: The investors in this development project have precedence in Woodland Park. Eric Smith, believed to be an investor, owner or partial owner of Trail Ridge, a quality apartment complex that adds value to all of Woodland Park. Peter LeBarre is believed to be an investor, owner or partial owner of Woodland Park Village, a manufactured home development that we believe the average citizen would argue does not add value to Woodland Park and in fact is a significant deterrent to attracting the kinds of businesses and residents that will keep or improve Woodland Park's value and reputation. We are not trying to disparage Mr LeBarre but only point out that he manages this complex and the level of quality of this village is associated with Mr LeBarre. We want approvals granted with conditions that will prevent any changes from the application with associated quality to what exists at the entry way of Woodland Park via US Highway 24. Stipulate a Conditional approval based on Final Design submittal and City Council final approval that includes the above items.

2. The application includes "The Village at Tamarac Community Rules". These are written without any binding language (Extracts from the Community Rules, "Your cooperation is greatly appreciated." and "We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live.") and not in any legally acceptable standard. Request that any approvals for this development project be conditional on:

- the applicants change the non-binding Community Rules to a form and format that they become legally binding on all current and future home owners (similar to many Home Owners Agreements (HOAs)),



## ATTACHMENT 'C'

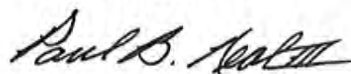
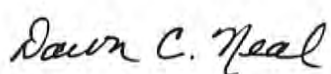
- the Community Rules language be revised from its present state that would be appropriate for rental properties to language appropriate for this unique business model of home ownership on a rented foundation. (examples, "No Sub-Leasing without management approval", "Renters and all other users of this property are liable for all property damages") Further, request that The City have reviewed by a competent legal expert on split ownership business models dealing with real estate, and sign off on the language attesting to adequate ability of the city to enforce such a legal document,
- the project owners add a restriction in the HOA or Covenants that limit the number of units an individual or single tax entity can own in whole or in part to be no more than two units.

Further explanation for this request: Three points. First, development projects that sell residential dwellings traditionally include land that are called "Lots". These are fully owned by the buyers. Lots, with all legal responsibilities are clearly established with boundary lines. The issue with the Community Rules being optional and the only enforcement paragraphs for a violation of these voluntary rules is eviction or refusal of entry (Second page, 5<sup>th</sup> paragraph of Community Rules state, "Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules."). We believe it is not possible to evict an owner from their own home (other than through mortgage default.) which means the only option the City and/or applicant has is through refusing entry (Trespassing criminal codes). This project could become a legal nightmare for the City Enforcement divisions. We request all these issues be addressed before final approvals be granted so that everyone understands what challenges the community may face and mitigation actions be taken prior to final approvals. Second, We understand that it is at the discretion of the land owner and developer whether binding HOAs or Covenants be a part of any project, it is the owners prerogative. In this case, a deviation from The City municipal code was granted. When a deviation occurs, normally there is an "in return for this deviation, the developers agree to these additional terms...." negotiations. We ask that this leverage The City has been exercised and require the HOA with above suggested changes to the "Committee Rules". Third, Our interest is in the preservation of Our home value and that of the value of The City. We are fearful that this project could quickly turn into a Commercial situation, which is not the intent of the zone, nor the deviation. This is a point in time where The City can establish the most likely outcome for the future.

3. We acknowledge the Testimonial submitted by Michael Harper as a part of the application packet and further acknowledge and appreciate that he stated for the record that he was a Co-Investor so the testimonial was weighed appropriately. However, we are going to request that the two professionals that provided the opinions as to how property values will be affected submit their own written testimonial along with their Brokerage name(s) and license number(s). If the City Council does not feel that it is necessary for the two unknown individuals provide separate written testimony, we request that they be identified and their license(s) be provided.

4. A power easement will be required by IREA but the location has not been identified in the application. Request that as part of any full or conditional approval, the Developers identify where the easement will be located and Public Comment be allowed.

Respectfully yours,

Paul B. Neal III

Dawn C. Chapelle Neal

1470 Masters Drive  
Woodland Park, CO 80863  
719-505-8170



ATTACHMENT 'C'



Photo 1



Photo 2



**ATTACHMENT 'C'**

June 1, 2019



City Attorney  
Attention: Jayson Meyers  
220 W. South Avenue  
Woodland Park, CO 80863

Reference: APR19-001

Introduction. I, Paul B. Neal III, and my wife, Dawn C. Chapelle Neal, (hereafter referred to as "We" or "Our") submit the following comments to the Public Records for consideration and/or action regarding the Special Meeting decision on Water Taps in reference to development project SPR19-001. We have reviewed the applicant's documents at some level of detail and We feel the project has great potential to be good for the city of Woodland Park (hereafter referred to as "The City") and its residents. However, there is equal potential that this project could deviate from the quality represented in the application to a condition that would be a great detriment to The City and its residents. For that reason, it is Our intent to have the City Council place certain stipulations or conditions on any approval that may be granted. These Stipulations or Conditions do go outside the purpose of the Special Meeting; however, in the absence of any Public Meetings prior to the project approval being granted on what is clearly a deviation of The City's Municipal Zoning Codes, that our comments and requests may still be entertained.

General. It is the responsibility of the Planning Commission and City Council to ensure that applications for new projects meet both the permitted uses (located in Section 18.09.090) and the purpose (normally paragraph 18.xx.005 in all defined districts) of any municipal zone. If an application deviates from any part of the code, normally a public forum is used to vet the deviation. However, we were verbally told by a member of the Planning and Zoning department, Lor Pelligrino, that there is precedence for deviating from the written codes without a public vetting process. We acknowledge a precedence does exist without further exploration in to the precedence.

We request prior to any further approvals being granted on this particular application, that a clear, public statement be read and entered into public record at the June 26 2019 water tap decision meeting that provides all Woodland Park residents, investors and developers an understanding of the criteria used by any member of the Planning and Zoning Department when a departure from any code is allowed. This is to ensure that a repeatable process can be followed that is fair, unambiguous, and equally applied to all applications submitted in the future.

Further explanation for this request: Application SPR19-001 pertains to a parcel of land that is coded Multi-Family Residential – Suburban (paragraph 18.14), the title of the section. Paragraph 18.14.005 – Purpose, states, "This land use designation is intended to accommodate attached residential dwelling units ....". The key word(s) in 18.14 are "Multi-Family" and in 18.14.005 is "attached". The applicant has submitted a plan for Single-Family detached dwellings that was approved by the Planning Director, Sally Riley, without a public meeting nor vote by the Planning Commission. If the Planning Director has the authority to approve development projects that deviate from any part of the municipal code without Planning Commission vote or full documentation as to why the deviation was allowed for public review, the public needs to know what general principle she is using to make approval or disapproval decisions, especially when it could be argued that the decisions is a 180-degree departure from the code. (Multi-Family vs Single-Family is self evident. An attached dwelling consists of more than one complete (kitchen, bedroom, bathroom) unit attached by at least one common/shared wall. A detached structure has no wall requirement.) In this way all future applications submitted by any other applicant can use the same guidance and have an equal application of the code. We repeat- we are not challenging that a



## ATTACHMENT 'C'

deviation from the purpose paragraph of the code was allowed. We simply want the repeatable, fair criteria documented publically for all future applications.

### Specific Comments.

1. The application submitted shows Champion made "Tiny Home" floorplans and photographs to indicate what will be sold and placed on the foundation slabs in this zone. These are well made, nationally recognized manufactured homes. However, the application indicates they are, "Subject to Change per final design" (See Architectural Exhibit AE01). Champion makes many levels of homes. The pictures of the representative models are the Park Model (see photo 1), sold under the Athens Park brand name. They have great eye appeal and therefore great potential to add value to The City. Champion also makes a basic model (see photo 2) that more closely resembles an entry level trailer park. Request that the language be added that mandates that they be Champion Park Model IRC Modular and that their appearance must at least be reasonably similar to the photographs and:

- have metal roofs, as depicted in application photos,
- have stone siding up to three feet, as depicted in application photos,
- have timber frame accents or wood trim, as depicted in application photos,
- have wood or cedar siding, as depicted in application photos,
- have dormers, as depicted in the application photos.

Further explanation for this request: The investors in this development project have precedence in Woodland Park. Eric Smith, believed to be an investor, owner or partial owner of Trail Ridge, a quality apartment complex that adds value to all of Woodland Park. Peter LeBarre is believed to be an investor, owner or partial owner of Woodland Park Village, a manufactured home development that we believe the average citizen would argue does not add value to Woodland Park and in fact is a significant deterrent to attracting the kinds of businesses and residents that will keep or improve Woodland Park's value and reputation. We are not trying to disparage Mr LeBarre but only point out that he manages this complex and the level of quality of this village is associated with Mr LeBarre. We want approvals granted with conditions that will prevent any changes from the application with associated quality to what exists at the entry way of Woodland Park via US Highway 24. Stipulate a Conditional approval based on Final Design submittal and City Council final approval that includes the above items.

2. The application includes "The Village at Tamarac Community Rules". These are written without any binding language (Extracts from the Community Rules, "Your cooperation is greatly appreciated." and "We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live.") and not in any legally acceptable standard. Request that any approvals for this development project be conditional on:

- the applicants change the non-binding Community Rules to a form and format that they become legally binding on all current and future home owners (similar to many Home Owners Agreements (HOAs)),
- the Community Rules language be revised from its present state that would be appropriate for rental properties to language appropriate for this unique business model of home ownership on a rented foundation. (examples, "No Sub-Leasing without management approval", "Renters and all other users of this property are liable for all property damages") Further, request that the City Attorney review or have reviewed by a competent legal expert on split ownership business models dealing with real estate, and sign off on the language attesting to adequate ability of the city to enforce such a legal document,
- the Community Rules language be revised to include unambiguous descriptions about where the lines of ownership start and end between the home owners verses the development owners.

We also request that the project owners add a restriction in the HOA or Covenants that limit the number of units an individual or single tax entity can own in whole or in part to be no more than two units.

## ATTACHMENT 'C'

Further explanation for this request: Three points. First, development projects that sell residential dwellings traditionally include land that are called "Lots". These are fully owned by the buyers. Lots, with all legal responsibilities are clearly established with boundary lines. The issue with the Community Rules being optional and the only enforcement paragraphs for a violation of these voluntary rules is eviction or refusal of entry (Second page, 5<sup>th</sup> paragraph of Community Rules state, "Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules."). We believe it is not possible to evict an owner from their own home (other than through mortgage default,) which means the only option the City and/or applicant has is through refusing entry (Trespassing criminal codes). This project could become a legal nightmare for the City Enforcement divisions. We request all these issues be addressed before final approvals be granted so that everyone understands what challenges the community may face and mitigation actions be taken prior to final approvals. Second, We understand that it is at the discretion of the land owner and developer whether binding HOAs or Covenants be a part of any project, it is the owners prerogative. In this case, a deviation from The City municipal code was granted. When a deviation occurs, normally there is an "in return for this deviation, the developers agree to these additional terms..." negotiations. We ask that this leverage The City has been exercised and require the HOA with above suggested changes to the "Committee Rules". Third, Our interest is in the preservation of Our home value and that of the value of The City. We are fearful that this project could quickly turn into a Commercial situation, which is not the intent of the zone, nor the deviation. This is a point in time where The City can establish the most likely outcome for the future.

3. We acknowledge the Testimonial submitted by Michael Harper as a part of the application packet and further acknowledge and appreciate that he stated for the record that he was a Co-Investor so the testimonial was weighed appropriately. However, we are going to request that the two professionals that provided the opinions as to how property values will be affected submit their own written testimonial along with their Brokerage name(s) and license number(s). If the City Council does not feel that it is necessary for the two unknown individuals provide separate written testimony, we request that they be identified and their license(s) be provided.

4. A power easement will be required by IREA but the location has not been identified in the application. Request that as part of any full or conditional approval, the Developers identify where the easement will be located.

Respectfully yours,

Paul B. Neal III

Dawn C. Chapelle Neal

703 405-4308



ATTACHMENT 'C'



Photo 1



Photo 2



**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Kathryn Perry <akperry2014@yahoo.com>  
**Sent:** Thursday, June 6, 2019 4:45 PM  
**To:** Sally Riley  
**Cc:** MBI Office  
**Subject:** Comments on the Village at Tamarac Site Plan Review Application  
**Attachments:** Erdley letter re The Village at Tamarac SPR.pdf; Roshek letter re The Village at Tamarac SPR.pdf; Highmark Development letter re Village at Tamarac SPR.pdf

Hi Sally,

Attached are the comments I'm submitting on behalf of Mark McNab, as owner of the land directly east of this proposed project, where he plans to build 12 more units of the Longs Point Townhomes.

I've also attached a signed letter from Jennifer Erdley, a local real estate professional, and an email received from Sharon Roshek. April Denio, another real estate professional, gave me permission to incorporate her comments into my letter. Among these professionals, there is a unified perspective that a solid barrier wall is a minimum requirement for this project, along with complementary landscaping and lighting to minimize impact.

Please let me know if you have any questions.

Kathryn Perry  
Development Liaison  
Highmark Development, LLC



## ATTACHMENT 'C'

June 6, 2019

City of Woodland Park Planning Department  
Attn: Sally Riley, Planning Director  
Woodland Park, CO 80863

Dear Sally,

This letter is in response to the Site Plan Review Application submitted by The Village at Tamarac on May 16, 2019. This proposed development is directly to the east of the Longs Point Townhome project, with currently 12 occupied units, 2 under construction, and a final 12 units yet to be built, with the future units most impacted by the proposed development. I represent Mark McNab, the builder currently constructing two and the owner of the land and the builder for the final 12 units. The Village at Tamarac, if allowed to proceed under the conditions requested in the application, will have direct impact on the marketability of the future townhomes and the financial viability of construction for Mark McNab as the landowner and builder.

It is not our objective to prevent the development, but rather to ensure that sufficient conditions are put in place from the onset to preserve the value and marketability of the Longs Point Townhomes. I would like to express our concerns sequentially, based on statements made by the applicant. Please see below for our perspective on the narrative statements in the application, as well as concerns with contradiction between these narrative statements and the actual site plan drawings.

***A. The proposed development 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.***

Though this MFS zoning allows up to 8 units per acre, the code actually states 2-8 units per acre. Were the units attached or multi-story, the 8 per acre guide would be reasonable. Since they are detached, single level, single family homes, this density does not conform with the intended density of this zoning. We would request the Planning Department use a lower density ratio in approving this site plan.

***B. The proposed development 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, mobile homes, utilities, buildings and construction, business regulations, and engineering specifications.***

Though this development is not a mobile home park, it has the feel and look of a mobile home park and should at least conform to the minimum density and spacing requirements used in other similar projects. We would request that the Planning Department require the site plan to be revised to include a minimum of 15' of spacing between each unit.



## ATTACHMENT 'C'

One additional point of concern is the actual model type and cost of each home permanently installed in this development. Though the application contains pictures of several prototypes, there is nothing currently to hold them to a certain level of value. The pictures appear to be top of the line models with many added features. We'd like to request that the Planning Department require a final review of exactly the model, features, upgrades and cost that are being installed and set minimum requirements for each. The substantial disparity between home value of these models and the neighboring townhomes, particularly in such close proximity with no planned barrier, cannot help but impact the long-term value and appeal of townhomes.

***D. The proposed development shall be designed, constructed, and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and manmade hazards, streams, and environmentally significant features.***

The application states, "Existing vegetation and trees will be retained as much as possible, especially along the perimeter of the site to help buffer the development from adjacent parcels." This statement contradicts the site plan drawings included in the application. There are very dense trees on the site currently and in order to achieve the layout of the engineering drawings, almost all of those trees must be removed. In addition, the site plan drawings show the back of the structures at the current tree line, eliminating the natural buffer that currently exists. The utility easement is vacant of trees. If construction is allowed to go to the boundary currently shown in the site plan, there will be no remaining natural buffer.

We would ask the Planning Department to: 1) insist that the site plan be redrawn, moving the structures in from the western and southern boundaries to allow for some tree retention, and 2) that the approval be contingent upon the developers constructing a solid barrier fence around the perimeter of the development. Because of the impact of the raised topography, an 8' barrier wall will provide not only a visual buffer but also a sound buffer from 100+ new residents in a very compressed area. Another option would be a 6' wall on a berm, which would provide additional sound buffering. Attached are pictures of the type wall we'd like to see required, and locations where a similar wall protects not only the neighboring properties, but also protects the residents of the development itself. It would certainly lend to the elegance and appeal of the Village at Tamarac project itself. Product of this type can be found here under "Stucco Wall Alternatives":

<https://aftec.com/concrete-textures/stucco/>

Please see other examples and manufacturer websites at the end of this letter.

***E. The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.***

We also have concerns about drainage from the project into the Longs Point TOA owned culvert but will leave addressing those specific concerns to other experts weighing in on the engineering quality and available easements.



## ATTACHMENT 'C'

***F. The proposed development 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.***

The application states, “Outdoor storage of materials and accessory structures will not be allowed and are strictly prohibited. This prohibition will be stated and governed by the individual unit sales/leases.” Due to the small square footage of each home, we are concerned that exterior storage of miscellaneous items will be a natural result and without strict enforcement will lead to a very disjointed appearance. If Code Enforcement is frequently called upon to enforce this requirement, it will create an undue financial burden for the City. One need only look to other mobile home and tiny home developments in town to see how quickly the order disappears from the original intent. With a solid perimeter fence in place, blocking view into the development from neighboring subdivisions, it will limit the involvement of Code Enforcement.

***G. The proposed development shall be designed, constructed and maintained to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property. To such end the development may be required to provide architectural design schemes and fixtures such as, but not limited to, fencing, landscaping, and buffer areas.***

The application states, “The proposed development is designed to be compatible with the use and architectural design scheme of surrounding parcels. There is adequate open space provided on site along with landscape setbacks along the perimeter. There are no proposed fences along the property boundary and proposed landscaping will meet or exceed city requirements.”

Here we encounter the crux of our concern with this project. The landscape setbacks along the perimeter are an empty, grassy hill. Without Planning Department requirements, the view into the backside of this development will be not only unobstructed but elevated from the Longs Point Townhomes. Due to the topography, no barrier constructed on Longs Point property will be effective. It is critical that the Village at Tamarac developers be required not only to install perimeter fencing, but that it be solid, tall, and maintenance free or endowed for permanent maintenance.

We are suggesting an 8’ prefabricated concrete wall, built to appear as the more costly stucco and stone. Because of the loss of trees during construction, the natural rise in the topography, and the substantial disparity between home values and lot sizes, a solid sound and vision barrier is the only thing viable to prevent significant loss of value and appeal in the current and future Longs Point Townhomes. We implore the Planning Department to take extra measures to ensure that the use of a perimeter wall, even one requiring a building permit, goes beyond normal development standards to protect surrounding landowners. Because there is such a significant rise in the topo, the placement of this wall is critical to ensure its effectiveness. Please see attached photograph examples of cost-effective solutions for this development.

The Longs Point property is a narrow strip of private land separating this development from the golf course. It will be a natural temptation, if there’s easy access, to cut through private land to walk on the course after hours. A solid barrier wall, without access points, will discourage



## ATTACHMENT 'C'

trespassing across private property and keep ingress and egress to the designated points in the development.

We would request that the Planning Department condition their approval of this project with approval of the perimeter wall material and its expected long-term maintenance needs, and that the City would ensure that once installed, it is in full compliance.

### **Real Estate Professionals' Opinions**

In addition to the narrative section of the application, we'd like to address the letter submitted by Michael Harper as a part of the application package. He states that he is a primary investor in the project, making it difficult to consider this an objective opinion. In addition, the three individuals he references are not named, so appear to be unwilling to go on record with their opinions.

His letter states that *"the community doesn't encroach physically or visually on surrounding existing commercial and residential areas of Woodland Park"*. The site plan calls for removal of almost all existing trees, and as drawn, now will be in direct view of the current and future Longs Point Townhomes.

The letter goes on to state that *"Woodland Park has well defined subdivisions"*. The issue at stake here is whether this subdivision will be "well defined" from its neighbors across Longs Point. As drawn in the application, there is no definition, no barrier, minimal trees and no fence, only a short open area, a rise in topography and the back side of homes valued at 1/5 or less of the Longs Point Townhome values.

With my letter, we are submitting a letter from a real estate professional who is willing to be named, is not an investor in the development, and has been selling properties in this area for over 27 years, including several of the Longs Point Townhomes. Jennifer Erdley clearly states that, at a minimum, the Planning Department should require low lighting, landscaping and a berm with fencing. She believes this will only lessen, not eliminate, the negative impact on the Longs Point Townhome values.

April Denio, another local residential real estate professional with many years' experience and the realtor who has sold more Longs Point townhomes than any other, is also willing to be named and states this in reference to deterioration of value for Longs Point Townhomes:

*"I feel definitely the City needs to require preferably a fence blocking the entire community from the Longs Point townhomes. These are high-end homes and definitely a concern."*

*Repeatedly when trying to sell these, the topic came up of what could be developed on that land. It even came up again as I was marketing the latest townhome due to close this month. In fact, one buyer specifically said no to the townhomes due to the possibility of what could be placed on that vacant land."*

April went on to say, *"I remember back when we built out the last eight, Sally Riley mentioning the City possibly requiring some kind of barrier to obstruct the view of anything that could*



## ATTACHMENT 'C'

*negatively impact the townhomes. I do hope they do that at a minimum because it could definitely negatively impact the future development/sales of that subdivision."*

Sharon Roshek, a local realtor for 37 years, also wanted to express her opinion of the impact of this development. I've attached her email, clearly expressing a need for lighting, landscaping and perimeter fencing to be critical to maintaining value for all the surrounding neighborhoods.

Clearly, three of the most familiar realtors with this project see impact to value on surrounding properties and suggest the best option for minimizing that deterioration is to add conditions for approval to this application which include a barrier wall, landscaping and lighting conditions.

We thank you for addressing each of these concerns by adding conditions for approval of this site plan and for maintaining vigilance in the future to ensure that the developer maintains conformance to all conditions required by your department.

Respectfully,



Kathryn Perry  
Development Liaison  
Highmark Development, LLC

See attached pictures of developments with tall, solid barrier walls, as well as the manufacturer websites.

## ATTACHMENT 'C'



<https://aftec.com/concrete-textures/stucco/>



<https://www.permacastwalls.com/tag/permasand>



## ATTACHMENT 'C'



<https://future-outdoors.com/fencing/precast-concrete-fencing/>

<https://stonetreefence.com/homeowner-association-fence-walls.html>

<http://www.concretefence.com/products/superior-fence/>

## **ATTACHMENT 'C'**

Comments on Neighborhood and adjacent properties.

From: Sharon Roshek (sharon@theroshekgroup.com)

To: akperry2014@yahoo.com; jenpro2@msn.com

Date: Thursday, June 6, 2019, 04:23 PM MDT

**From:** Sharon Roshek

**Sent:** Thursday, June 06, 2019 4:21 PM

**To:** akperry2014@yahoo.com

**Subject:** FW: Comments on Neighborhood and adjacent properties.

With regards to the proposed project of The Village at Tamarac, and in consideration of the adjacent neighborhoods of The Reserve at Tamarac and Longs Point, it might be very important to understand the impact of any new project.

Neighborhoods have a significant effect on the pricing of real estate. Views, noise and night lighting are 3 of the areas which could impact value on any real estate project.

**Views:** Where possible, it is highly desirable to maintain a sense of privacy between neighboring properties. Berms and walls can be an effective way to accomplish a barrier which maintains privacy. Good fencing makes for good neighbors.

**Noise:** Covenants and the enforcement thereof can provide an effective tool to controlling close proximity noise as well as the berm and/or wall which could serve to mitigate both intrusive views and noise.

**Lighting:** Particularly in Colorado, our night sky is treasured and is a premium. The use of downward directing lighting and/or timed public lighting would help to preserve this feature.



**ATTACHMENT 'C'**

**Sharon Roshek**

**Coldwell Banker 1<sup>st</sup> Choice**

**719-237-0391**



6/3/2019

**ATTACHMENT 'C'**



**Jennifer L. Erdley**  
Broker Associate

Planning Department  
City of Woodland Park  
Woodland Park, Colorado 80863

To Whom it may Concern,

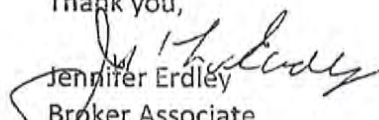
It is my understanding that the Developer of The Village at Tamarac is submitting application for the development of a small home community at the end of Tamarac Parkway in Woodland Park.

The purpose of this letter is to express my professional opinion of a negative impact of values to the neighboring homes and future development on the adjacent property at Shining Mountain and specifically Longs Point. The requirements from the City of Woodland Park should include low lighting, landscaping and a berm with fencing. This will lessen, not eliminate, the negative impact on adjoining properties.

The letter submitted on 5/14/2019 by Michael Harper states the recruitment of an Opinion of a Real Estate Appraiser. This is a clear violation of USPAP Standards 1 & 2 related to value. USPAP, Uniform Standards of Professional Appraisal Practice, is very specific as to the requirements of an Appraiser to provide such an opinion. Furthermore, no individuals were named in this Testimony. Attainable housing is also not defined and should be included.

My experience and expertise of over 27 years in our Community of Woodland Park provides me with an opinion that this development will negatively affect the property values of the existing residents and future developments should the City of Woodland Park not require and enforce the items listed above.

Thank you,

  
Jennifer Erdley  
Broker Associate  
Re/Max Performance



**RE/MAX Performance, Inc.**  
300 Sunny Glen Ct, PO Box 5044, Woodland Park, CO 80866  
Cell (719) 339-4583, Office (719) 687-4772, Fax (719) 687-4790  
jenpro2@msn.com, www.jenpro.com



## **ATTACHMENT 'C'**

Comments on Neighborhood and adjacent properties.

From: Sharon Roshek (sharon@theroshekgroup.com)

To: akperry2014@yahoo.com; jenpro2@msn.com

Date: Thursday, June 6, 2019, 04:23 PM MDT

**From:** Sharon Roshek

**Sent:** Thursday, June 06, 2019 4:21 PM

**To:** akperry2014@yahoo.com

**Subject:** FW: Comments on Neighborhood and adjacent properties.

**With regards to the proposed project of The Village at Tamarac, and in consideration of the adjacent neighborhoods of The Reserve at Tamarac and Longs Point, it might be very important to understand the impact of any new project.**

**Neighborhoods have a significant effect on the pricing of real estate. Views, noise and night lighting are 3 of the areas which could impact value on any real estate project.**

**Views: Where possible, it is highly desirable to maintain a sense of privacy between neighboring properties. Berms and walls can be an effective way to accomplish a barrier which maintains privacy. Good fencing makes for good neighbors.**

**Noise: Covenants and the enforcement thereof can provide an effective tool to controlling close proximity noise as well as the berm and/or wall which could serve to mitigate both intrusive views and noise.**

**Lighting: Particularly in Colorado, our night sky is treasured and is a premium. The use of downward directing lighting and/or timed public lighting would help to preserve this feature.**

**ATTACHMENT 'C'**

**Sharon Roshek**

**Coldwell Banker 1<sup>st</sup> Choice**

**719-237-0391**



ATTACHMENT 'C'

received  
6/4/19 CH

June 4, 2019

Dear Ms Riley,

I am writing this letter to express my dismay that a project such as the mini homes at Tamarac are being allowed to be built next to the Golf Course at Shining Mountain and the high end homes that surround it. I live in the neighborhood adjacent to the Golf Course and feel like this would effect my property value and the value of the whole neighborhood.

How can a project like this be approved without any input from the citizens or the City Council which supposedly represent the people? I am dismayed that the city continues to be more dictatorial in it's decision making than working with the people who are directly affected by their decisions.

I have no information on this but it seems like there is a network of people in this city who can do whatever they want because of their connections, this is disgusting to me. I have seen this play out in other places where I have lived and did not expect it to be like that here in Woodland Park.

Another consideration that is crucial to this development is the increased traffic that it will bring to Hwy 67. It is hard enough turning out of my neighborhood onto 67 without adding a high density development that will make this even worse – we don't even have any turning lanes or traffic lights to rely on, this is a safety issue to be sure!

I just had to express my thoughts on this. I don't know one person in my neighborhood who thinks this is a good idea. Just some food for thought.

Sincerely,

*Lylah Saunier*

Lylah Saunier  
1280 Windflower Ln.  
WP CO 80803

*Please forward a copy of this letter to the  
City Manager + members of the City Council.*

received  
6/3/19 sur

ATTACHMENT 'C'

TO: Woodland Park Planning Department and City Council  
FROM: Nitia Schroeder, 1365 Masters Drive Woodland Park, CO  
DATE: June 3, 2019  
SUBJECT: The Village at Tamarac

I am putting together a brief list of my concerns for the proposed Village at Tamarac. I realize that there are other objections being put forward, but I wanted my voice heard in a simple way based on zoning concerns. Below is a summary:

To say these "tiny homes" are not mobile homes under a fad name is misleading. The overall implementation with "lot rent" and possible high-interest vehicle-type loans for the "homes" show that these tiny homes should be considered mobile homes.

A mobile home park does not fall under the multi-family zoning of this property. I am concerned that the planning department moved on this without appropriate public hearings to address the following:

- a. Potential injury to surrounding property values
- b. Lack of harmony of surrounding homes
- c. Diminishment of the use and enjoyment of vicinity property.
- d. Horrible impacts to traffic on Hwy 67
- e. Impacts to Woodland Park water taps with such a high-density implementation

I am not one of those people who want Woodland Park "closed" to new people – the "I am here but now close the door" mentality. What I hope is that new properties be approved and implemented in an open way with participation with planning department and the public who have a right to know and provide input. New properties that do not negatively impact values for the people who are already here.

I reference the following to enforce my objection to the way this proposal has moved forward in the city of Woodland Park:

*According to the Woodland Park Comprehensive Plan "Respecting and preserving individual property values" it states, "As Woodland Park's housing inventory evolves over time, the City will continue its past efforts and emphasis on respecting individual property right, preserving residential property values and ensuring that neighborhood integrity, character and design are key consideration. (WP Comprehensive Plan pg. 39)*

I request that Planning reconsider and hold public meetings to determine the appropriateness of this Village.



Nitia Schroeder



**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Brooke Smith <brooke.txco@gmail.com>  
**Sent:** Thursday, May 30, 2019 4:01 PM  
**To:** Sally Riley  
**Cc:** Warren, Marshall; Molden, Carole; Carl Hunt; Smith, Karolyn; Sims, Smith  
**Subject:** Case #SPR-001 Village at Tamarac.

*(provided by the applicant)*

Comments on City of Woodland Park Planning Department, Project Narrative for Site Plan Review (Planning Department statements in each section are shown inside quote marks):

A. "The proposed detached single family is a permitted use within the existing zoning of Multi-Family Residential Suburban." *Comment: This statement is misleading at best as 18.14.005 states that the MFS Zoning is "... intended to accommodate attached residential dwelling units ..." This proposal of 100% detached single family units does not meet the opening sentence of 18.14.005.*

"Public services will not be overburdened as these were designed and planned for based on the MFS zoning." *Comment: This is an incorrect statement as this property was not initially zoned for Multi-Family. The zoning was changed from Heavy Service Commercial/Light Industrial (HSC/LI) by City Council on 10 Sep 2014. It is not known if the existing Public Services were analyzed to determine whether they are adequate for a larger population.*

B. "The proposed development conforms with the standards and requirements as outlined in Chapter 18 of the City's Municipal Code." *Comment: There appears to be non-conformance with both sections 18.14.040 - Yard Requirements and 18.14.060 - Frontage. See comments from Brooke Smith to Sally Riley dated 28 May 2019.*

D. "Stormwater [sic] from the site will be collected and treated in an onsite detention/water quality pond and flows will be discharged at historic rates in the northwest corner of the site." *Comment: Per the Matrix Design Group Final Drainage Report for The Village at Tamarac, discharge of storm water will not be in the northwest corner of the site, but instead will be about midway along the westerly property line. See additional comments from Brooke Smith to Sally Riley dated 29 May 2019.*

"There are no ... environmentally significant features associated with the site." *Comment: Most Woodland Park area residents would consider the trees on this heavily wooded site to be an environmental feature. This proposal plans the removal of most of the trees which could certainly be considered environmentally significant.*

"Existing vegetation and trees will be retained as much as possible, especially along the perimeter of the site to help buffer the development from adjacent parcels." *Comment: One need only look at the Grading Plan Drawing GP01 to see that essentially the entire site surface will be subject to over-grading and other earthwork, meaning removal of essentially all existing vegetation and trees. Landscape Plan Drawing L-1 shows very few trees remaining after development and most of these are shown on the adjacent properties. Of specific interest is the western side of the development where the rear of the proposed detached homes will be located essentially on the east line of the 50 ft cleared power line easement. So, to say that the trees on the west side of the development will buffer it from the Sundance at Shining Mountain Townhome development to its west is certainly incorrect.*

E. "Water and wastewater services will be public [sic] and provided by the City of Woodland Park Utility Department." *Comment: The Utility Plan Drawing UT01 indicates connections to existing City of Woodland*



## ATTACHMENT 'C'

*Park water and sewer mains. However, these mains are located on Tract A, Sundance at Shining Mountain TOA private property. Should the Sundance at Shining Mountain TOA receive a request for utility easements and construction access in order to make these connections?*

*"The proposed development does not alter the existing surface drainage patterns for the site." Comment: This statement is incorrect as the development certainly does alter existing drainage patterns for the site. See additional comments from Brooke Smith to Sally Riley dated 29 May 2019.*

F. *"The buildings will not will not duly increase the danger of fire and the site will be protected with fire hydrants ..."* Comment: *This development should be reviewed by the Northeast Teller County Fire Department to determine the validity of the Planning Department statement. In addition, fire flow calculations should be provided to assure that required fire flows are available from the proposed on site water mains.*

G. *"The proposed development is designed to be compatible with the use and architectural design scheme of surrounding parcels."* Comment: *The primary adjacent parcel is the existing Sundance at Shining Mountain Townhome development adjoining this project's west property line. When comparing the elevations of the proposed homes as shown on Architectural Exhibit AE01 with the existing Townhomes, significant differences are obvious rendering compatibility impossible. Each existing Townhome unit (about 2,600 sq ft finished) is constructed as a duplex with each unit on owned (not rented) land. Each unit has a walk out lower level, two car garage with a stone/stucco exterior. Roof runoff is via gutters and downspouts routed away from the home perimeters. Each Townhome lot (front and rear) is provided with 100% coverage professional landscaping including grass lawn areas and landscaped beds with year round maintenance provided by the TOA. Finally, there is the value of the Townhomes versus the proposed homes. Each Townhome unit is currently valued by the Teller County Assessor at an average of over \$400,000 per unit.*

*Due to the architectural incompatibility of the two developments, it is requested that some type of solid architectural barrier or fencing be provided as a visual buffer to the Sundance at Shining Mountain Townhome development. This solid barrier would need to be at least 6 feet high and located along the 50 ft power line east easement line and along the entire south property line. It is requested that design of the barrier be coordinated with the Sundance at Shining Mountain TOA.*

Brooke Smith  
1324 Longs Point  
Woodland Park, CO 80863  
719.651.5670



**From:** Brooke Smith <brooke.txco@gmail.com>  
**Sent:** Tuesday, May 28, 2019 4:56 PM  
**To:** Sally Riley; Warren, Marshall; Molden, Carole; Carl Hunt; Smith, Karolyn; Sims, Smith  
**Subject:** Case #SPR19-001 Village at Tamarac.

Comments on the above project concerning compliance with Chapter 18.14, Multi-Family Residential-Suburban (MFS) District:

1. 18.14.005 - Purposes. "This land use designation is intended to accommodate attached residential dwelling units ..." *Comment: This first sentence of the MFS Zone sets forth a basic requirement which is not being met by this proposed project. Even though 18.14.090 permits single-family use in this zone, it seems that having the project as exclusively unattached single-family units would not meet the basic requirement nor the spirit of the MFS Zone.*
2. 18.14.040 - Yard requirements. Front yard - 25 feet, Rear yard - 25 feet & Side yards - 8 feet. *Comment: This 6.68 parcel is shaped as a flag lot, with the flag giving access to the Tamarac Parkway cul-de-sac. When establishing yards on a flag lot, it is typical that the designated front yard is the one that abuts the access flag. In the case of this proposed project the 25 ft front yard set back requirement would be along the south property line. This is currently proposed as an 8 ft side yard. In fact, this proposed project is shown with three of the four yards as side yards without any of the principle property lines being designated as a front property line. This arrangement does not seem to meet the requirements of the MFS Zone.*
3. 18.14.060 - Frontage. There shall be a minimum lot frontage in the MFS district of 40 feet as measured at the street line. *Comment: The arc length of the property line adjoining the Tamarac Parkway cul-de-sac is shown on Drawing SP01 as 31.78 feet. Even though there is a proposed access easement of 60 feet adjoining the cul-de-sac, the actual property frontage of this proposed project is less than the 40 ft requirement of the MFS Zone.*

Comments on the general arrangement of the manufactured homes in this proposed project as shown on Drawing SPO1: When viewing this plan, the arrangement of the 53 homes seems to look like what one would expect to see in a mobile home park. But, would this proposed project meet the zoning requirements for a mobile home park? *Comment: Answer is, no it would not. Section 16.16.010 for mobile home spacing requires 15 feet between homes and at least 50 feet from exterior boundaries. This project proposes 10 feet between homes and 8 feet to the exterior boundaries on three sides of the development.*

Brooke Smith  
1324 Longs Point  
Woodland Park, CO 80863  
719.651.5670

## ATTACHMENT 'C'

Sally Riley

---

**From:** Brooke Smith <brooke.txco@gmail.com>  
**Sent:** Wednesday, May 29, 2019 3:32 PM  
**To:** Sally Riley  
**Cc:** Warren, Marshall; Molden, Carole; Carl Hunt; Smith, Karolyn; Sims, Smith  
**Subject:** Case #SPR19-001 Village at Tamarac.

Comments on the Final Drainage Report for The Village at Tamarac prepared by Matrix Design Group, May 2019:

Drainage Facility Design, section V, paragraph C - Conclusions, subparagraph c, second sentence states "Proposed flows, as detailed in this report, will follow the historic drainage patterns ... " The Drainage Report shows these historic drainage conditions on Drawing DP01, Existing Conditions Drainage Map. *Comment: From a review of this drawing and an on-site topography review, the report's existing drainage basins should be reviewed and may need to be revised. A depiction of possible basin revisions are shown on the Attachment. Three basins are shown labeled A, B & C.*

1. Basin A conveys runoff overland toward the northwest corner of the proposed development. A ridge between Basins A & B directs the historic runoff to the north side of the Sundance at Shining Mountain Townhomes development and onto the Shining Mountain golf course property.
2. Basin B conveys runoff overland to the west and into an existing 30 inch culvert through the Sundance at Shining Mountain Townhomes development. This culvert discharges just behind the 8th green on the Shining Mountain golf course.
3. Basin C conveys runoff overland to the northwest and then to the west onto the property of the Sundance at Shining Mountain Townhomes development.

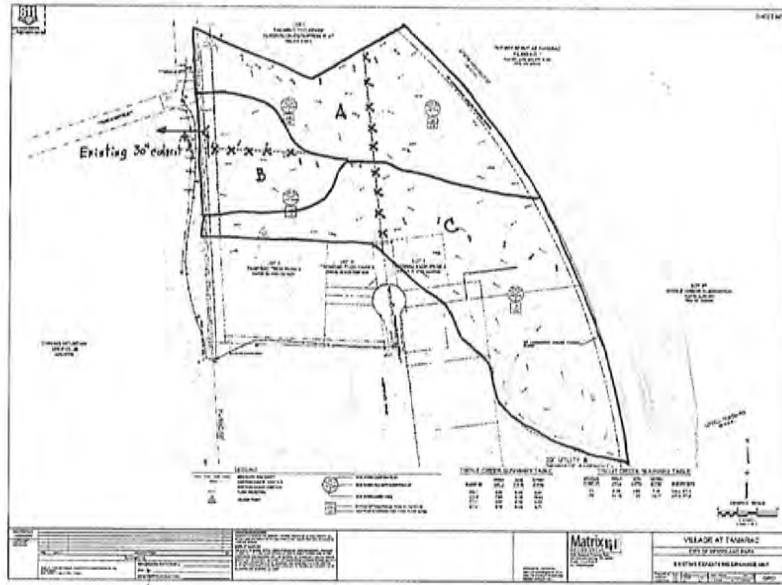
The Drainage Report sizes a detention basin at the northwest corner of the proposed development with on-site drainage structures that route all developed runoff to this detention basin. Discharge from this detention basin is shown on Drawing DP02, Proposed Conditions Drainage Map as an outlet structure to be located just east of the existing 30 inch culvert, as described in paragraph 2. above. This arrangement will direct all drainage flows from the proposed development through this culvert. *Comment: If the historic drainage patterns as shown the Attachment are correct, runoff from Basins A, B & C (after detention) would be directed to and through the existing 30 inch culvert. By observation, this culvert currently handles only the historic runoff from Basin B. This historic runoff is quite low due to the small size of Basin B and the highly permeable existing soils. An examination of the ground at the outlet of the existing 30 Inch culvert shows little evidence of historic discharge.*

In conclusion, it seems questionable that flows from the proposed development are following the historic drainage patterns. It also seems that the existing 30 inch culvert is being proposed to handle all runoff from the developed property when historically this culvert only handled a small portion of the runoff.

Brooke Smith  
1324 Longs Point  
Woodland Park, CO 80863  
719.651.5670



# ATTACHMENT 'C'



ATTACHMENT 'C'



1390 Windflower Lane  
Woodland Park, CO 80863  
May 27, 2019

Woodland Park City Planning Dept.  
200 W. South Street  
Woodland Park, CO 80866

This letter is in response to the Tamarac Village discussions. I do not feel that the Tamarac Village is conducive to this neighborhood and/or this area. I don't see how this is proper development for this area.

Sincerely,

*Arlyne Thomas*

Arlyne Thomas  
1390 Windflower Lane  
Woodland Park, CO 80863



Dated 6/5/2019

ATTACHMENT 'C'

RECEIVED  
6.6.19  
lor f.

To:

City of Woodland Park, Woodland Park Planning Commission, Woodland Park City Council and Woodland Park City Manager Darrin Tangeman

Re:

Objection to Project and Development known as "The Village at Tamarac".

1. Water taps: According to information we received The Developer of The Village at Tamarac has reserved 53 water taps. We also received information from our city planner, Sally Riley that a contractor can only reserve 3 water taps at a time. The area this proposed development is in an area that is on a separate well and that a separate reservoir is to be placed in area of Rampart Reservoir to reserve water for backup in case this well becomes too low.

With the amount of new homes already being built in this area including the new homes coming in around Shining Mountain Golf Course and now a proposed 53 units with individual water taps, there is already going to be a shortage before this reservoir is even built. From my understanding Charis has 190 water taps. This poses a real shortage of water in our future as more and more developments of multiple homes in small subdivisions pop up.

2. Planning: From my understanding, any and every new development needs to go before the Planning Commission especially if there are roads, easements, utilities, property lines and structures. It requires a Public meeting before it gets approved or disapproved.

From January of 2019 when the developer boasts about this new "little house" development in the January 12 issue of The Gazette. He states these homes will be 500 sq ft of living space. The article also states "No rezoning will be needed". This article states there will be no Planning Commission meeting needed.

So if this is clearly a Subdivision with a name "The Village at Tamarac" with 53 homes placed on what they call permanent foundations or pads with roadways, easements, utilities etc., THEN WHY IS THIS PARTICULAR DEVELOPMENT NOT REQUIRED TO GO BEFORE A PUBLIC PLANNING COMMISSION MEETING??? Permitted use is not going to answer our

## ATTACHMENT 'C'

question! From January of this year the word got out to the public, the tax paying citizens and the surrounding homes to where this mini home park is to be placed. We as the homeowners surrounding this among hi-end homes around a golf course are indeed opposed to this! Therefore the city leaders decided to detour the citizens from commenting by speaking at a necessary planning meeting! We call this DERELICTION OF DUTY!

3. Safety: According to the report from LSC Transportation Consultants on a Traffic Impact Study for the proposed Tamarac 53 unit residential development it seems to imply there is not going to be an impact and it is not feasible given the intersection spacing between Tamarac Parkway and Research drive. It also concludes there is no reason to have a right turn deceleration lane into Tamarac Parkway.  
Living so close to this intersection and as many trips we make onto Tamarac Parkway we have never seen anyone doing a study on this intersection nor any pavement count strips this year or even last year. In fact we have done our own study on the amount of traffic that enters and exits Tamarac Parkway just from the existing businesses there.
  - a. Tamarac Post Office: There are 1736 post office boxes in the building. Even though they are not all rented the amount of people entering and exiting daily can exceed the amount of post office boxes used. Let us not forget the increase of traffic during the Holiday months.
  - b. CSCS: This school will have an increase of students this year to 120 students. If 120 vehicles enter the school in the morning and 120 vehicles enter the school in the afternoon then that amount could be 240 vehicles daily. This does not include the 20 staff members at this school. There is no bus usage for this school.
  - c. Woodland Fitness Center: They estimated over 150 people per day use this facility. This is all day and into the evening traffic.
  - d. Rampart Surveyors: 25 employees excluding any visitors daily.
  - e. Woodland Park Police Department has over 75 people entering and exiting the facility daily.
  - f. The Village at Tamarac: With the proposed 53 homes and visitors we estimated around 350 vehicles possibly entering and exiting daily. (This is an average based on two vehicles per home, delivery vehicles and visitors).



## ATTACHMENT 'C'

Our total number based on the amounts of vehicles is 2596 vehicles after the development is completed and homes are filled.

On a 10 hour average per day that equals 600 minutes. Divided into 2596 vehicles it averages to 4.31 vehicles per minute.

Added to the vehicles exiting Tamarac Parkway it averages to 8.62 vehicles per minute daily.

Our conclusion to this study it is highly necessary to have the proper ingress and egress to an intersection that has a great possibility to this many vehicles entering and exiting Tamarac Parkway on a daily basis making the existing Hwy 67 North and Tamarac Parkway a very dangerous intersection. CDOT is already at this time doing a study on the possibility of lowering the speed limit from the existing 50mph to a much safer speed limit due to the amount of traffic accidents that occur in the area of 67 North From Kelly's Road to Shining Mountain Golf course due to improper turn lanes, increase of new residences and a high amount of wildlife on the HWY.

This intersection to the proposed subdivision should have a proper CDOT study and if concluded for safety reason the necessary ingress and egress lanes are needed then it should be completed before any subdivision proceeds to be built.

4. Zoning: According to a current zoning map dated 2016, the 6.68 acre plot is zoned Multi-Family Residential MFS. The language on this zoning states 2-8 multi family ATTACHED units per acre. Multi- Family Attached are townhomes, condos and apartments. These tiny homes are slated to be DETACHED Single Family 500 to 600 sq ft homes with 10 ft space between each home. From what we see it appears these are like Park Model homes that are basically Park Model Recreational Vehicles. There are no current properties in the City of Woodland Park zoned for these. Also, it appears the Planning Commissioner bypassed our current zoning on this property to allow the developer to put in a mobile, manufactured home park! If I recall, last year the developer attempted to put in a Park Model RV (Tiny Home) park at the entrance to Morning Sun Drive on Hwy 24. But because of the way the city land-use rules classify tiny homes, the property needed to be re-zoned.

So on that property it was currently zoned Multi-Family Residential and because it was not going to have ATTACHED multi-family homes it needed



## ATTACHMENT 'C'

to be rezoned. Our question is: WHY DID THIS HAVE TO BE REZONED AND NOT THE VILLAGE AT TAMARAC? Still, they are claiming permitted use?? So if the city is going to allow tiny home villages then why aren't they zoned here? Changing the language isn't going to fly with the citizens especially those living around this proposed development.

Putting in these tiny homes that are still considered mobile homes to the homeowners surrounding this development is going to eventually lower the value of the surrounding homes. This is still considered a bad decision on the City Planners to not allow public input on something that can actually destroy a pristine area in Woodland Park.

According to the Woodland Park Comprehensive Plan, it states:

### LAND USE AND GROWTH OBJECTIVE 1.1 :

Ensure that new development fits with the intent of the Comprehensive Plan Map and uses the land and community resources/facilities efficiently and in an environmentally sensitive manner. All new development, expansion and redevelopment should contribute to Woodland Park's mountain-western identity and help the City achieve it's goals of diversifying the housing supply WHILE RESPECTING INDIVIDUAL PROPERTY RIGHTS, PRESERVING RESIDENTIAL AND COMMERCIAL REAL ESTATE PROPERTY VALUES, UPHOLDING NEIGHBORHOOD INTEGRITY AND CHARACTER, strengthening downtown and commercial vitality, protecting the mountain environment, providing opportunities for life-long learning and keeping Woodland Park safe.

This Comprehensive Plan took many hours, days and months caringly created by our City Leaders. This is not law but it is an important guideline that was much needed in preserving what Woodland Park is noted for. Its beauty and cleanliness nestled in a mountain area surrounded by historic homes and desirable subdivisions along with estates nestled in the mountains overlooking our historic downtown and the nearby Pike's Peak.

We are not against affordable housing at all. But if The Comprehensive Plan and our citizens input can lead our City Planning Department in a cohesive effort to allow affordable housing that can also be desirable and compatible to surrounding communities, then why cant it be done? And why are the City leaders fighting against their own lovingly composed Comprehensive Plan??



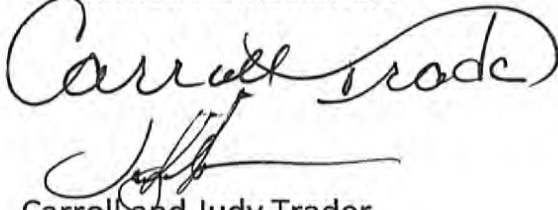
**ATTACHMENT 'C'**

It is apparent to most citizens here in Woodland Park by the great number of opposing homeowners and such that attend meetings such as the one we just had at The Shining Mountain Golf Course to oppose poor developments such as this Village at Tamarac, that the City Leaders including The City Planner is NOT well liked and cannot be trusted because of the sneaky doings to pass a development that generally angers the citizens and devalues their properties. Again, this is Dereliction of Duty!

I am sure if the City Leaders are concerned about the taxpayers who pay their salary and can vote them out shortly, then they would do what is necessary to LISTEN TO OUR CONCERNS when it come to this city which we so dearly do not want to see ruined by poor developments.

Remember CITY LEADERS, YOU WORK FOR US! And we are NOT Happy about how we are being treated!

Concerned Homeowners

A handwritten signature in black ink, appearing to read 'Carroll and Judy Trader', written in a cursive style.

Carroll and Judy Trader  
425 Pembroke Ln  
The Reserve at Tamarac  
Woodland Park, CO 80863

ATTACHMENT 'C'

received  
6-6-19 C.H.

To Whom it may concern,

I was recently made aware of this development billed as a "Tiny House development" that is being sold as "affordable housing". Although I have concerns regarding my own property value decreasing, my larger concern is the predatory nature of this development. Let's review the cost of ownership for these poor devils that decide to buy into this affordable housing:

Assume a 30 year loan at 4% on a 125k balance and assume no rent increase for 360 months:

1. 125,000.00 @ 4% for 30 years payback amount = 214,837.00
2. 700.00 X 360 months = 252,000.00

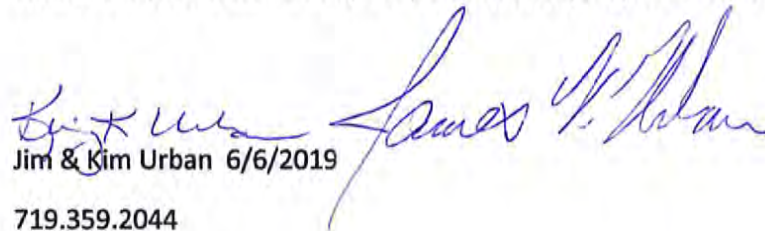
Total cost of ownership = 466,837.00 (this equates to **778.06 a sq ft.** divide 466,837/600 sq ft)

At the end of this period, they own no land and have at great expense finally paid off what is more than likely a depreciating asset. In addition, many predatory corporations have gotten involved in this type of arrangement and awful things happen to these usually older or poorer people living on a tight budget. There are instances where the rent is raised by as much as 60%. The tenant cannot afford the increase. They also cannot afford to move the home to another location since that also costs thousands of dollars. This forces them to abandon the property whereby the corporation assumes ownership and can then resell this again. One of the biggest owners of this type of development in the country was quoted as saying to his employees "This is like owning a restaurant where all of the customers are chained to the table". It is probably the very essence of being a predatory corporation or arrangement designed to extract the maximum amount of money from the working poor and the financially uneducated.

I believe our community to be better than this; that we should not allow an unscrupulous situation like this to exist. I also believe "Habitat of Humanity" is also opposed to the predatory nature of this on the poor and uneducated. Here is a humorous summary of this situation from John Oliver on HBO that profiled the evil nature of this arrangement; it is worth a look:

<https://www.youtube.com/watch?v=jCC8fPQOaxU>

Thanks for your time and in your position always try to have the mantra "First do no evil".

  
Jim & Kim Urban 6/6/2019  
719.359.2044



**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Marshall Warren <hmwarren@centurylink.net>  
**Sent:** Tuesday, June 4, 2019 11:45 AM  
**To:** Sally Riley  
**Cc:** Marshall Warren; 'Angie Warren'  
**Subject:** SPR-001 Village at Tamarac

Sally,  
I am one of twelve home owners on Longs Point and act as president of the Sundance @ Shining Mountain TOA. I am responding and or commenting as an individual owner who has resided here since 2011 as a full time resident. I purchased my home in 2012 out of foreclosure and have watched homes on this street appreciate in value since that time to an approximate price of \$499,000. My wife and I intend to die here but it is reassuring to know that our initial investment was prudent. I fear that the intended development to the east of Longs Point will adversely affect the values of existing and planned homes due to the nature of the intended structures which will be built across the street and in plain view of our homes. We will be directly affected by this.

Since 2011 we have struggled to see the completion of this PUD. As an association we have been challenged through budget concerns every year to maintain our buildings, landscaping, and commons and meet our obligations to each home owner and the association as set forth in our by-laws. We have been hopeful that once the town homes and street are completed and we have 26-28 home owners, we can put aside adequate reserves to meet present and future needs of our community. I fear that the Village of Tamarac will have a negative impact on the build out that Mark McNabb has planned.

It sounds like the Village at Tamarac could proceed in spite of our concerns but I would offer a solution to some of our issues. We need a buffer to include a perimeter wall around the development to lessen the impact on all of us on Longs Point. A permanent wall of sufficient height(6-8 feet) around the west, south, and north sides of the village would alleviate some of our concerns of view and noise and light pollution, and provide a separation of the two developments. It is sad that so many natural trees will be removed for this development and especially the trees that are at the west side perimeter that we now see. I would hope that the city can control the unnecessary removal of trees and or require the buffer to include these trees.

I know that you face a difficult task in your review of this case and I trust you will make decisions based on our mutual concerns. I thank you in advance and trust your experience and professionalism in this matter.

Sincerely,

Marshall and Angie Warren  
1326 Longs Point  
Woodland Park, CO 80863

**ATTACHMENT 'C'**

June 5<sup>th</sup>, 2019

**received**  
6/6/19 *SR*

Sally Riley  
Planning Director  
City of Woodland Park  
220 W. South Avenue  
Woodland Park, Colorado. 80863

Reference SPR19-001

Ms. Riley,

This will serve as our formal complaint and opposition to the proposed Village at Tamarac located on Lot 5, Tamarac Tech Park for the following reasons:

1. This development does not meet the purpose of the current zoning. Multi -Family Residential-Suburban (MFS) District 18.14.005- Purposes clearly states, "This land use designation is intended to accommodate ATTACHED residential dwelling units with residential density levels from two to eight units per acre" Clearly the proposed development of "53 single family detached units" does not meet this standard.
2. Section 18.14.010 – Permitted uses states "Within the multi-family residential-suburban district, buildings, structures, and land may be used for any of the purposes designated under MFS in the table of permitted uses for business, industrial and residential districts located in section 18.09.090." This table allows single family residential units and is the reason the planning department is allowing the development to proceed without public discussion. The key word of this paragraph is may, implying that it also may not be allowed depending on the proposal.
3. The character of this development is almost entirely consistent to that of a mobile home park and does not conform with the surrounding homes, business and golf course.
4. The development does not preserve the unique woodlands of the area. This lot is heavily treed as is surrounding properties. Almost all of these trees would have to be removed leaving an unsightly island of 53 "tiny homes" spaced 10 feet apart.
5. This development will increase traffic, congestion, noise, litter and light pollution
6. The development does not conform to the 2010 Comprehensive Plan objective to enhance Woodland Park's identity as a small mountain community and protect the environment, wildlife and scenic beauty.



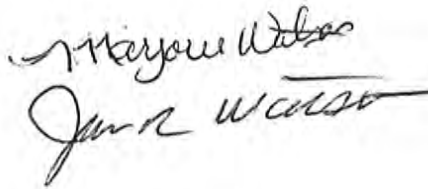
## ATTACHMENT 'C'

7. Woodland Park's Comprehensive Plan Land Use and Growth Objective 1.1 states in part "preserving residential and commercial real estate property values, upholding neighborhood integrity and character" received a 90% support from respondents. This proposed development will have negative impact on both property values and neighborhood integrity. In denying a similar development next to Morning Sun Subdivision one of the reasons given was that the property values would decline by 15% with an additional decline of 10-15% if crime rates increase. This proposed development will equally affect the surrounding property values.
8. What our community needs is affordable family housing, not 500-600 square foot one bedroom tiny homes that will likely end up being VRBO rentals or student housing for Charis Bible College. Condominiums, Townhouses and or apartments would be more appropriate to serve as affordable family housing for our community.
9. If this plan is approved then the city of woodland park will have set a precedence that tiny home villages are allowed anywhere zoning MFS exist in the city. This will likely lead to multiple future developments of this kind and will forever change the character of Woodland Park.

We request that this plan be denied or at a minimum a public hearing be held to disclose all details and receive public comments. Additionally, the city must develop a zoning plan to address this specific type of house to include restrictions on where these can be built. Many cities are dealing with this specific issue and until it is specifically addressed through the zoning process these disagreements will continue to cause division within our community.

Respectfully

John R. Watson  
Marjorie A. Watson  
1423 Masters Drive  
Woodland Park, CO. 80863  
719-331-2590



CC: City Council members  
City Manager

**Sally Riley**

**ATTACHMENT 'C'**

---

**From:** c.wingers@yahoo.com  
**Sent:** Monday, June 3, 2019 4:06 PM  
**To:** Sally Riley  
**Subject:** Oppose 50 Small Housing Development on HWY 67

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms Riley,

I live near the Golf Course on HWY 67 off of Lucky Lady Drive and this is notification I strongly oppose the proposed small housing development on HWY 67 north of the Post Office. Please let me know if I can attend other hearings or provide written notice opposing this development, which would decrease the overall property value.

Regards,

Cameron Wingers



ATTACHMENT 'C'

received  
6-6-19

OBJECTION TO PROJECT KNOWN AS  
"THE VILLAGE AT TAMARAC,"  
DEMAND FOR PUBLIC HEARING ON ZONING  
AND OBJECTION TO THE BUILDING OF THE PROJECT KNOWN AS  
"THE VILLAGE AT TAMARAC"

We, the undersigned citizens and residents of Woodland Park, Colorado (hereinafter referred to as "People"), having been advised, to the limited extent that the City of Woodland Park (hereinafter referred to as "City") has been willing to provide information regarding the zoning, proposed building, and character of the project known as "The Village at Tamarac" (hereinafter referred to as "the Project") in the City of Woodland Park, County of Teller, State of Colorado, as well as compliance to all relevant laws, codes, ordinances, and the like, hereby state, demand, and protest in this, our "Objection to Project Known as the Village at Tamarac, Demand for Public Hearing on Zoning, and Objection to the Building of the Project Known as the Village of Tamarac" (hereinafter referred to as "Objection") as follows:

I. OBJECTION TO ZONING AND DEMAND FOR HEARING

1. We vigorously disagree that the Project meets the zoning required by the property upon which the Project is proposed to be built.
2. The development group for this Project is, upon information and belief, is led by Peter LaBarre, and that he is financially invested therein and a participant in some or all aspects of the development Project, and various other investors and/or partners. The developer, and/or development group, will be henceforth referred to as "Developers."
3. The zoning for the parcel of land on which the Project is proposed to be built is Multi-Family Suburban (hereinafter referred to as "MFS"), which includes permitted uses that include single family homes, and attached dwellings such as condominiums and apartment complexes, but is largely applicable to attached, multifamily dwellings.
4. The zoning for the proposed Project, pursuant to the zoning ordinances and the building code of the City of Woodland Park (hereinafter referred to, collectively, as "Code") should be that of a trailer park, mobile homes, and/or manufactured homes, inasmuch as the details and plans for the project reflect the need for mobile home/trailer park zoning. The differences between the description of the Project and a project which would require zoning for a mobile home park are negligible, and largely a product of the Developer's fabricated distinctions and minor modifications, in an attempt to build a trailer-park, mobile-home type complex based on fictions invented by the developer to avoid building within the existing zoning requirements for the



## ATTACHMENT 'C'

parcel of land upon which said Developer proposes that his complex be built upon.

5. It is well known in the community of Woodland Park that certain developers have history of investments involving real estate and structures in Woodland Park, Colorado, which include various unsightly community parks, in and or about the City of Woodland Park, and in or about the county of Teller, Colorado.
6. The signatories to this Objection are of one accord that the developers are not suitable to develop a project in the best interests of the City of Woodland Park, its residences, citizens, and inhabitants, and that previous projects speak for themselves in that regard.. The undersigned believe that any such developer must advance the best interests of all affected people and entities, and as such, the undersigned do not have confidence in the developers, to develop the Project for that reason. The People herein are concerned with the suitability of the developer team, and/or each of them, but have only personal knowledge of what is and has been documented in those respects and categories.
7. As such, the People hereby object to the Project, inasmuch as it does not comport with the zoning and usage requirements for the parcel of land upon which the Project will ostensibly be located, and the People demand a hearing before the Planning Commission and the City Council en banc, with the exclusion of any and all employees of the City who have a conflict of interest in terms of relationships with the Developer group and/or the Project itself, and the People hereby demand that all such conflicts of interests be disclosed in writing and made part of the records of the proceedings, and that relationships that bear the appearance of impropriety as regards this Project be disclosed.
8. The People are vigorously opposed to reckless development and/or development that will damage the character of our community, not only as defined by the overall City plan, including the City's Comprehensive Plan, but in terms of common-sense issues such our right to maintain our community standards, beauty, order, well-being, integrity, and convenience, among other things.
9. The People have been advised that Sally Riley (hereinafter referred to as "Ms. Riley") has made a determination that the Project is an approved use of the existing zoning on the parcel of land in question. The People disagree.
10. It is clear that communications between Ms. Riley and City Employees have been conducted, not administratively, but substantively, in terms of the suitability of the Project as it pertains to zoning, and the details of the Project. Said substantive discussions are violative of the Colorado "Sunshine Laws,"



## ATTACHMENT 'C'

which require that all such communications occur in a public forum with notice to the People pursuant to the Due Process Clause of the Constitution of the United States of America.

11. As such, and for other reasons to be taken up at a properly-conducted City hearing before said Planning Commission and City Council, the People OBJECT TO THIS PROJECT, AND DEMAND A HEARING AS REQUIRED BY LAW AS PERTAINS TO ZONING, and as set forth hereinbelow, issues with the details of the Project itself.
12. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit proposed project that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, slightly increasing the size of these tiny structures, and the non-substantive “creative verbiage” of the Developer re-naming what any reasonable person would conclude is a “Tiny Home,” which requires mobile-home park zoning.
13. The character of the Project is almost entirely consistent with a mobile home park, not a project which would qualify under the MFS designation, or any other relevant designation. The Developer’s minor modifications and fictions in name what is a “tiny home” a “small home” does not justify applying the appropriate zoning standards.
14. The People state that they have no information pertaining to the zoning history of the parcel of land in question, inasmuch as in that area, the majority of parcels as zones as business, commercial, technical, and/or other designations that are not residential in nature. The People demand inspection and copying of all relevant zoning documents, inasmuch as the People are unaware of any zoning hearings, variances, or modifications to the character of the parcel of land in question.
15. The People wish to express their dismay with the City, inasmuch as the elected officials are not making reasonable effort to involve the People as a whole in the determination of zoning, building, and expansion projects, and it is the wish of the People that any and all elected members bring changes to remedy that, considering that the People do not wish to suffer the elected officials who are unable or unwilling to abide by the wishes of the People.

## II. OBJECTION TO PROJECT AND DEMAND FOR HEARINGS

16. The people hereby object to the Project, and state that the Project will cause the following:
  - a. Existing property values in the area, and outside of the immediate area, will be negatively impacted.

## ATTACHMENT 'C'

- b. Will have no benefit, or negligible benefit to the People, and the negative impact to the People will exceed any benefit that the Project would be unlikely to provide.
- c. The 53 units proposed constitute EXACTLY the maximum number of units permitted when computing the allocation for each unit within the scope of the site's acreage, which will create undue crowding, inconvenient access, and maintenance issues, including whether sidewalks and other building and space issues will be in compliance with all code, ordinance, and zoning.
- d. The project does not comport with the requirements of the building code, to include but not be limited to complex design, ingress and egress, parking, handicapped access, easements and clearances, visitor parking, etc.
- e. Traffic will be negatively impacted and considering the stretch of Highway 67 which will be affected, ingress and egress cannot be structured and constructed in such a manner as will promote the maximum highway, road, and thoroughfare safety.
- f. Left and right turns lanes which would be required for ingress and egress to the Project complex would be unlikely to be approved by thoroughfare authorities, especially, the Colorado Department of Transportation (CDOT).
- g. The People will be significantly inconvenienced by the Project, considering all factors noted herein, as well as other factors of consequence to the Project.
- h. The Project will create, both in the construction phases and the post-completion of the Project, pollution, which includes but is not limited to the following: Noise pollution; congestion pollution; air pollution, visual pollution, and light-requirement pollution.
- i. Considering the established and well-known multi-unit development history of Peter LaBarre, the People are reasonably concerned about this Project similarly becoming an insufficiently-maintained eyesore, and be unkempt and unsanitary.
- j. There is a likelihood that the People will suffer financial damage, consistent with losses suffered by the community by the projects owned, in whole or in part, and/or managed by Peter LaBarre.
- k. The units proposed will be wholly owned, but permanently affixed to the foundation (as are many units which are defined as "trailer homes" such as those that exist in Peter LaBarre's existing developments), however, the land will be wholly owned by the Developer, which is contrary to the rights of the purchasers, and contrary to laws and regulations pertaining to fair housing. The Project, as proposed, could divest purchasers of their ownership of their purchased units, inasmuch as the Developer would have significant rights of foreclosure, and there is a real threat that the Developer would foreclose upon missed rental and/or maintenance/HOA-type payments, and gradually acquire the units for himself as windfalls, at the expense of well-intended homeowners who will be at the mercy of the



### ATTACHMENT 'C'

significant fluctuations of the Colorado real estate market. In addition, good-faith purchasers have a significantly greater probability of losing these units with no recompense, due to the hybrid nature of their owned structure/rented land homes.

- l. Considering the unfair aspects of the unit purchase/site rented model proposed, the Project's only significant beneficiary is the developer, and all purchasers will be placed in untenable ownership/renter models, which significantly increase the likelihood of losing their homes, and because of this, the Developer stands to be the recipient of windfalls for each unit that may be difficult to sell on the open market, because the Developer will have, under multiple theories, the first right to foreclose on these units.
  - m. There is no pertinent financial information provided by the specifications for this Project, and the Developer may benefit by imposing usury-like increases in rents and expenses, making the units unaffordable post-purchase, and putting the Developer in the position of profiting from financial hardship that was CAUSED BY THE DEVELOPER.
  - n. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, and re-naming what any reasonable person would conclude is a "Tiny Home," which requires mobile-home park zoning.
  - o. Many believe that the City is not in need of unduly expensive homes, such as these units with a square footage of 500 feet, more or less (and unknown at this juncture) which would be limited to one-to-two bedrooms, would carry mortgages based upon the purchase prices of each structure which begin at approximately \$125,000, plus taxes and insurance, plus the Developer-stated cost of \$700 in rental for the site for each unit, plus any additional assessments for utilities, trash removal, complex maintenance, etc. Therefore, for 500 square, these units will be among the most expensive per square foot, far exceeding \$2,000 per month to live in a 500 square feet dwelling. This is not representative of the housing needs that presently exist in the City.
  - p. As a general objection the People demand that the signage notifications for all such projects be within a larger perimeter to this and any such projects, such that it is unreasonable for signage notifications to be 150 feet or less from any development or project, inasmuch as the People of the City of Woodland Park is, in most or all circumstances, are directly affected by any and all projects and developments, and modifications therefore. The signage distance of 150 feet from any of these projects of modifications thereof, is unconscionable, inconsistent with the needs and the interests of the People.
17. The People hereby demand studies for pertinent issues for the following, to be conducted by non-aligned, conflict-of-interest-free individuals and/or entities, for the following:

## ATTACHMENT 'C'

- a. Emergency services, including ingress and egress, and resources, for law enforcement, first responders, fire department, and other emergency agencies;
  - b. Necessary resources and utilities, such as water, power, waste, sewage, and all other issues pertaining to habitability, and impact on the surrounding community, such as tearing up and/or modifying existing roads, easements, and the like;
  - c. Compliance with the Americans With Disabilities Act, including parking;
  - d. Easement compliance;
  - e. Negative impact in terms of traffic, ingress, and egress;
  - f. Modifications of existing modes of ingress and egress;
  - g. Study addressing the permanence and/or transience that a complex such as the Project may create, including whether the units will ultimately become, for the most part, rental units;
  - h. Fair housing standards in terms of structure, site, and expense; and
  - i. Any and all such studies that are just and necessary pertaining to the Project.
18. The People reserve the right to object further to the Project as further information becomes known about said Project, including variances and change orders, should the Project go forward at all.
19. The People hereby demand hearings for each and every issue raised herein, and each and every pertinent issue raised in the future, related to all aspects of the project.
20. The People demand that the proposed Project be stayed until such time as all of the objections and protests of the people may be heard.
21. The People expressly state that the foregoing constitutes an overall description of their objections to the Project, and the People hereby reserve their right to add, amend to, and/or modify this document, and/or addend to same, as justice requires.

*\* Cameron Winger 06/06/2019*





**COLORADO**  
Department of Transportation  
Region 2 Permits

5615 Wills Blvd.  
Pueblo, CO 81008-2349

**received**  
June 10, 2019

June 6, 2019

SH 67D  
City of Woodland Park

Sally Riley, Planning Director  
City of Woodland Park  
220 W. South Ave.  
Woodland Park, CO 80866

RE: Village at Tamarac  
SPR19-01 - Site Plan Review

Dear Sally,

I am in receipt of a referral request for comment on a proposed 53-lot manufactured home park located on the west side of SH 67D and south of Fairfield Lane. Our comments are as follows;

- The Traffic Impact Study dated October 2018 from Matrix Design Group has been reviewed by a CDOT Traffic Operations Engineer. Their comments follow:
  - The study should include turning movement volumes and analysis of the Hwy 67 & Research Dr/CR 72 intersection in order to demonstrate the constraints of the necessary northbound left turn lane at Tamarac Pkwy. Without this information, CDOT is unable to determine potential impacts to the southerly intersection.
- The Final Drainage Report dated May 2019 has been submitted to a CDOT Hydraulic Engineer for review. Additional comments will be forthcoming upon completion of that review.
- The SWMP also dated May 2019 has been submitted to a CDOT Water Quality Specialist. Additional comments will be forthcoming upon completion of that review.
- It has been noted that only a singular point of access has been proposed, CDOT respectfully requests the City to consider requiring at a minimum, a second, emergency access to serve the property through the existing roadway system.
- An access permit will be required at the SH 67D/Tamarac Pkwy intersection to document the addition of this traffic generator and if any highway improvements are required.

Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Todd Ausbun at (719) 696-1403 for any questions regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Ausbun.



June 6, 2019  
Village at Tamarac - SPR19-01

**ATTACHMENT 'C'**

SH 67D  
City of Woodland Park

Please contact me in Pueblo at (719) 546-5407 with any questions.

Sincerely,



Valerie Sword  
R2 Permits Manager

Xc: Andrew  
Davis  
Rice  
Stecklein/Lyons  
Biren  
Gonzales/file





RE: "The Village at Tamarac" - SPR Application Review

Tyler Lambert

Thu 5/30/2019 11:41 AM

To: David Burgess <dburgess@city-woodlandpark.org>; Sally Riley <sriley@city-woodlandpark.org>; Kip Wiley <kwiley@city-woodlandpark.org>; Phillip Pyles <ppyles@city-woodlandpark.org>;

Cc: Tyler Lambert <tlambert@netellerfire.org>;

Site plan from LSC design does not match Matrix designed site plan.

Roadways are adequate as drawn on site plan. Verify that this development and the future roadway connection will be designed to accommodate the vacant land area traffic when developed. (One way and one way out.)

Will the roadway will be completed before construction begins on the homes?

Hydrant system:

Engineering on the water system to show it has enough fire flow for residential.

Max hydrant spacing 450' starting with the existing hydrant at the current culdsac.

Minimum 10' apart for structures. See Building code.

Fire mitigation plan of entire property and finished before final plat is completed. Community should be designed to meet the Fire Wise program.

Thank you,

Tyler



**Tyler Lambert, Fire Chief**

Northeast Teller County FPD

[1010 Evergreen Heights Dr.](#)

[Woodland Park, CO 80863](#)

(719) 687-1866 x 4

[tlambert@netellerfire.org](mailto:tlambert@netellerfire.org)

[www.netellerfire.org](http://www.netellerfire.org)

**From:** David Burgess <dburgess@city-woodlandpark.org>

**Sent:** Thursday, May 16, 2019 11:41 AM

**To:** Adam Kleinfieldt <Adam.Kleinfieldt@tdstelecom.com>; bkaufman@irea.coop; Dorie Slaughter <dslaughter@city-woodlandpark.org>; Benjamin Schmitt <bschmitt@city-woodlandpark.org>; Cindy Keating <ckeating@city-woodlandpark.org>; jayson@corp.peakinter.net; Kandy McDaniel <kmcdaniel@city-woodlandpark.org>; Kelly Simpkins <ksimpkins@city-woodlandpark.org>; Kip Wiley <kwiley@city-woodlandpark.org>; Lor Pellegrino <lpellegrino@city-woodlandpark.org>; Phillip Pyles <ppyles@city-woodlandpark.org>; Rick Serrano <rick.serrano@centurylink.com>; Sally Klein <sally.klein@centurylink.com>; Sally Riley <sriley@city-woodlandpark.org>; santiago.tijerina@blackhillscorp.com; Thor Libkie <thor.libkie@tdstelecom.com>; Tyler Lambert <tlambert@netellerfire.org>; Valerie Sword <valerie.sword@state.co.us>; Arthur Gonzales <arthur.gonzales@state.co.us>; Andrew Lewis <andrew.lewis@state.co.us>

**Subject:** "The Village at Tamarac" - SPR Application Review

Dear Site Plan Review Team -

**ATTACHMENT 'C'**

**Sally Riley**

---

**From:** Brooks Kaufman <BKaufman@Irea.Coop>  
**Sent:** Wednesday, May 22, 2019 6:27 AM  
**To:** David Burgess; Adam Kleinfieldt; Dorie Slaughter; Benjamin Schmitt; jayson@corp.peakinter.net; Kandy McDaniel; Kelly Simpkins; Kip Wiley; Lor Pellegrino; Phillip Pyles; Rick Serrano; Sally Klein; Sally Riley; santiago.tijerina@blackhillscorp.com; Thor Libkie; Tyler Lambert; Valerie Sword; Arthur Gonzales; Andrew Lewis  
**Cc:** Eric Smith; Pete LaBarre  
**Subject:** RE: The Village at Tamarac - Grading Permit Application

Dear Ms. Riley;

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association will require utility easements during the Association's electrical design phase. In addition the applicant will be required to acquire offsite easements for the Association to extend facilities to the site.

Respectfully

Brooks Kaufman  
Intermountain Rural Electric Association  
Lands and Rights of Way Manager  
5496 N. US Hwy 85  
Sedalia, CO 80135  
Direct : 720.733.5493  
Cell : 303.912.0765  
[bkaufman@irea.coop](mailto:bkaufman@irea.coop)



---

**From:** David Burgess [mailto:dburgess@city-woodlandpark.org]  
**Sent:** Monday, May 20, 2019 1:25 PM  
**To:** Adam Kleinfieldt; Brooks Kaufman; Dorie Slaughter; Benjamin Schmitt; jayson@corp.peakinter.net; Kandy McDaniel; Kelly Simpkins; Kip Wiley; Lor Pellegrino; Phillip Pyles; Rick Serrano; Sally Klein; Sally Riley; santiago.tijerina@blackhillscorp.com; Thor Libkie; Tyler Lambert; Valerie Sword; Arthur Gonzales; Andrew Lewis  
**Cc:** Eric Smith; Pete LaBarre  
**Subject:** The Village at Tamarac - Grading Permit Application (email 1 of 2)

---

CAUTION:

---



**ATTACHMENT 'C'**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Development Review Team -

Pete LaBarre and Eric Smith have submitted their Grading Permit application for "The Pines at Tamarac". This application is in conjunction with their SPR application, which I sent out for review on 5/16/2019.

This application will consist of 2 separate emails, due to the size of the files. This first email will include the combined application, and the second will include the Stormwater Management Plan (SWMP). Please comment and respond to our Planning Director, Sally Riley, at [sriley@city-woodlandpark.org](mailto:sriley@city-woodlandpark.org) by June 3.

Thank you for your help and input in reviewing this application.

**David Burgess**

Planning Technician

City of Woodland Park

Planning & Building Department

[dburgess@city-woodlandpark.org](mailto:dburgess@city-woodlandpark.org)

(719) 687-5202

**ATTACHMENT 'D'**

**13 pages following this cover sheet**



**ATTACHMENT 'D'**  
**CITY OF WOODLAND PARK**  
**CERTIFIED LETTER OF APPROVAL**  
**FOR THE VILLAGE AT TAMARAC**



July 23, 2019

Mr. Pete LaBarre (Registered Agent)  
Village at Tamarac, LLC  
720 E. US Hwy 24  
Woodland Park, CO 80863

SENT VIA EMAIL

Mr. Eric Smith and Mr. Jason Alwine (Applicants)  
Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920

**RE: Village at Tamarac SPR#19-001 – Site Plan Review Report and Certified Letter of Approval with Conditions**

Dear Mr. LaBarre, Mr. Smith, and Mr. Alwine:

Pursuant to the Procedure for Administrative Review §18.34.058, the Village at Tamarac application is **approved with conditions** on July 23, 2019. The purpose of this correspondence is to report on the detailed evaluation of the applicable zoning regulations and standards within Title 18 of the Municipal Code.

**APPLICATION (SPR19-001):** On May 16, 2019, the Planning Department received a Site Plan Review application that was initially deemed complete, in order to begin the agency referrals and Staff's review. On June 17, 2019, the Staff issued a "Review Letter" which required the Applicant to revise and resubmit their plans. On July 2<sup>nd</sup>, the Applicant submitted a "Response to Comments" and revised plans for a second administrative review of the following plans and reports:

- Title Sheet, TSO1 prepared by Matrix Design Group dated May 2019 & July 2019
- Site Plan, SP01 prepared by Matrix Design Group dated May 2019 & July 2019
- Grading Plan, GP01 prepared by Matrix Design Group dated May 2019 & July 2019
- Utility Plan, UT01 prepared by Matrix Design Group dated May 2019 & July 2019
- Landscaping Plan, L-1 prepared by Matrix Design Group dated May 2019 & July 2019
- Landscaping Details, L-2 prepared by Matrix Design Group dated May 2019 & July 2019
- Landscaping Notes, L-3 prepared by Matrix Design Group dated May 2019 & July 2019
- Architectural Exhibit (& lighting), AE01 prepared by Matrix Design Group & July 2019
- Color rendering of 4 units with building dimensions submitted on July 11, 2019
- Project Narrative of the Site Plan Review Criteria submitted May 16, 2019
- Traffic Impact Study prepared by LSC Transportation Consultants dated October 4, 2018
- Final Drainage Report prepared by Matrix Design Group dated May 2019
- Property Values Letter by Michael Harper Real Estate dated May 14, 2019
- Village at Tamarac Community Rules
- Champion Manufactured Homes; 4 floorplan styles w/ 1 bedroom, 1 bath; 14' x 48'



## ATTACHMENT 'D'

**PROPOSAL:** The Applicant and Owners are requesting approval of the Village at Tamarac Site Plan Review (SPR) located at the north end of Tamarac Parkway on Lot 5, Tamarac Tech Park Filing No. 5 in the Multi-Family Residential-Suburban (MFS) District. The proposed development shows 53 single family units on 6.68 acres with a density of 7.93 units per acre. The units are classified as manufactured modular homes built to International Residential Code (IRC) by Champion Homes in Nebraska or other supplier. The modular homes will be transported to Woodland Park and set on permanent foundations with a 5' deep crawlspace in accordance with the PPRBD building codes and IRC standards. The homes are approximately 506 SF (approximately 38' x 14') with a front porch (approximately 10' x 14' = 140 SF), fire rated siding, gabled metal roofs with dormers, composite decking and decorative railing around the porch. The units will be sold to individuals and placed on leased land owned and maintained by the landowner. Households earning 70% of area median incomes (100% of AMI = \$79,000) may qualify for a mortgage and land lease for the home, according to the applicant.

**PROCESS:** Pursuant to §18.09.090 N.1, the Village at Tamarac development is classified as a permitted use by right as listed in the Table of permitted uses for business, industrial and residential districts. A permitted use follows the procedure for administrative Site Plan Review (SPR) as described in §18.34.058, which means the review is performed by the City Staff and referral agencies. The public may contact the City within a 15-day period upon posting and mailing notices to inquire or comment on the proposal. Between May 22, 2019 and June 7, 2019, the City received 34 written comments from various members of the public which were given to the Owners and Applicant on June 8, 2019. On June 18, 2019, the Staff provided a "Review Letter" which required the Applicant to revise and resubmit their plans and provide additional information. The Applicant resubmitted on July 2, 2019 and provided a response letter. The public was notified of the resubmittal and was provided a second comment period between July 2 and July 17, 2019. The City received eight (8) written comments and two (2) petitions signed by members of the community and provided to the developer.

**COMPLIANCE WITH APPLICABLE STANDARDS:** Projects within the Multi-Family Residential-Suburban (MFS) District must comply with the provisions in Chapter 18.14 MFS, Chapter 18.34 Site Plan, and Chapter 18.33 Use Regulations – Performance Standards. The applicable standards are written in italics followed by the staff's analysis beginning with Chapter 18.14. *Changes in the staff's analysis of the review letter to the approval letter are shown in red.*

*§18.14.005 Purposes. This land use designation is intended to accommodate attached residential dwelling units with residential density levels from two to eight dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.*

**Partially Complies:** Although the intent of the MFS District is to accommodate attached units, §18.09.090. N 1. Table of permitted uses for business, industrial and residential districts states that single-family within the MFS District is a "permitted use" by right as long as no subdivision of land is needed. Lot 5, Tamarac Tech Park Filing No. 5 Vacation and Replat was approved by City Council on December 4, 2014 to create a 6.68 acre lot and zoned MFS at the same time. There is no further subdivision of land necessary or proposed.



## ATTACHMENT 'D'

The 7.93 units per acre density is slightly under 8 units per acre maximum density allowed in MFS zone. Staff believes that maximizing the density of 53 single-story units compromises safety, livable and aesthetics. Homes are spaced only ~~40'~~ 12' apart which is ~~a slightly~~ wider than a 9' parking space. Homes arranged in this compacted fashion reduce livability, limit yard area to a very small space for each resident, do not mitigate noise, increase air pollution with increased traffic, restrict sunshine, and reduce privacy. Staff strongly recommends that the Applicant consider: reducing the total number of units to provide for greater spacing between units; adding an adequate visual buffer around the perimeter of the site to increase protection of the surrounding property values; preserving as many of mature trees on the perimeter of the site as possible boundary; and redesigning the layout by including more space separation for a more livable neighborhood. The revised Site Plan added a visual buffer of a 7' tall privacy fence constructed of a durable composite material. The revised Grading Plan shows approximately 33 trees protected on the west and north property boundaries. The revised Landscape Plan shows new tree planting in the rear of the units where feasible.

The water system is ~~not adequately~~ looped for fire protection and reliable service. Please revise the Utility Plan to loop a water main to connect to the existing main located on the south side of Lot 3. (Completed as shown on the revised Utilities Plan) The sanitary sewer plan is adequate and the City can accommodate a population of 14,100 with the recent expansion of the wastewater treatment plant.

According to the Traffic Impact Study (TIS), 53 units are estimated to generate 350 average daily trips. CDOT has reviewed the TIS and they are requesting ~~additional information~~. The City understands that the existing traffic conditions on SH 67 currently warrant various improvements (i.e., left turn lanes, deceleration and acceleration lanes). ~~These improvements shall be designed and completed by the Applicant as required by CDOT~~. Furthermore, the Applicant is responsible to pay their applicable Transportation Capital Fees and these fees may be used toward the future SH 67 improvements.

Pedestrian facilities are provided on-site with sidewalks connecting parking spaces and units; the ~~sidewalks meet the City's 5' minimum width~~. The site is located near pedestrian access, parks, schools, and commercial centers for employment.

***§18.14.010 Permitted uses.** Within the multi-family residential-suburban district, buildings, structures, and land may be used for any of the purposes designated under MFS in the table of permitted uses for business, industrial and residential districts located in Section 18.09.090.*

The proposed development is classified under Subsection N 1. Single-family residences within the MFS District are a "permitted use" by right.

***§18.14.030 Height.** Maximum height requirements in the MFS district shall be: Any main building hereafter erected or structurally altered shall not exceed thirty feet in height and no accessory building shall exceed twenty feet in height.*

**Complies:** The height of the single-story residential units will not to exceed 30' and are likely to be less than 20' in height. According to the Village at Tamarac Community Rules, accessory buildings (i.e., sheds, detached garages, & outbuildings) are not



## ATTACHMENT 'D'

allowed within the development. Storage space is provided within a 5' tall crawlspace that will be accessed through an exterior bulkhead. ~~The color rendering shows a maximum height of approximately 14'.~~

***§18.14.040 - Setback requirements.*** *Setback requirements in the MFS district shall be:*

*A. Front. Twenty-five feet.*

*B. Rear. Twenty-five feet for the main building and four feet for accessory buildings.*

*C. Side. Eight feet for the main building and four feet for accessory buildings. In the case of reversed corner lots that face an intersecting street, the side yard abutting the street shall maintain front setback.*

**Complies:** Staff has designated the 25' front setback as the flag portion of Lot 5 and access point to Tamarac Parkway. The southern, east/west property line of Lot 5 is considered a side with an 8' setback since this lot line abuts the side of Lot 3. The western property line is considered a 25' rear setback since it aligns with Lot 3's rear setback. The west property line also has an existing utility easement that offsets all units by 50'. However, the Staff requires that the west side of this development shall provide mitigation to the visual impact and shall include additional landscaping and fencing to reduce the impact to the adjoining townhomes on Longs Point. Lot 5's northern property boundary is considered ~~an 8' side~~ a 25' rear setback and is opposite the front. Lot 5's eastern property boundary is considered an 8' side setback since it abuts the side of Lot 6.

***§18.14.060 - Frontage.*** *There shall be a minimum lot frontage in the MFS district of forty feet as measured at the street line.*

**Complies:** On December 4, 2014, the City Council approved a variance for Lot 5 Tamarac Tech Park Filing No. 5 with a 32' frontage rather than 40' of frontage on a public right-of-way. The final plat is recorded with an ingress/egress easement 60' wide on Lots 5 and 6 which is intended to serve as a common driveway.

***§18.14.070 - Parking requirements.*** *Parking requirements in the MFS district shall be as prescribed in Chapter 18.39 of this title.*

**~~Partially Complies:~~** Single-family units require 2 off-street parking spaces. The applicant has provided 106 parking stalls with ~~23~~ 17 guest stalls which are also used for snow storage. ~~Staff recommends that at least two handicap parking stalls within southern and northern guest areas.~~ Two handicap parking stalls are located within the guest parking area.

***§18.14.080 - Fencing and shrubbery.*** *Fencing and shrubbery requirements in the MFS district shall be as prescribed in Chapter 18.42 of this title.*

**~~Need More Information~~ Complies:** The applicant proposes ~~4.3~~ 4.6 acres (~~64%~~ 69%) of open space which meets the minimum of 40% open space in the MFS zone. The Landscape Plan show trees and shrubs along the roadways ~~but~~ and does ~~not~~ provide for trees between and/or behind the homes. In order to protect the adjoining property values, adequate screening and landscaping ~~shall be~~ is provided on the western and southern



## ATTACHMENT 'D'

property boundaries of Lot 5. ~~Staff strongly encourages~~ The applicant ~~to modify~~ has ~~modified~~ the Grading Plan and layout of structures to preserve trees around the perimeter of Lot 5 and install low maintenance privacy fencing adjacent to the properties on Longs Point.

**SITE PLAN REVIEW CRITERIA AND STANDARDS:** Site Plan review is required whenever a tract of land or structure is being proposed for new development or substantial improvement within the City. According to §18.34.060 and §18.34.070 of the Code, a site plan shall comply with the following minimum criteria and standards.

**§18.34.060 A., B. 1-33 and C.** This is a long list of information and plans required for SPR.

~~Partially-Complies.~~ The following plan set items shall be revised and resubmitted:  
Title Sheet (TSO1)

- a. General Notes #4, add after porch lights “with full cutoffs and no more than 3000 Kelvin bulbs.” ~~Completed.~~
- b. Add new Note #7, “The owner of the land shall be responsible for the replacement of the asphalt, sidewalks, curb, gutters, fences, landscaping and other surface improvements should the City need to repair, maintain or replace public utilities lines, hydrants and appurtenances.” ~~Completed.~~
- c. Add new Note #8, “The owner of the land shall be responsible for routine maintenance and capital replacement of all private roads, curbs, gutters, sidewalks, detention pond, stormwater facilities, landscaping, signage and other site improvements.” ~~Completed.~~
- d. Replace signature block with administrative review language. ~~Completed.~~
- e. Replace Typical Unit Layout Detail with 5’ sidewalks (~~completed~~), show bulkheads to crawlspace, and consider greater separation between structures. ~~The bulkheads are 5’ from the foundation and are not critical to the site plan. The rendering shows a 4’ tall solid fence between each unit which will provide a private side yard 12’ in width for each homeowner.~~

Site Plan (SPO1)

- a. Show tree preservation, fencing and larger buffer on western and southern property boundary. Provide low maintenance fencing detail. ~~Completed.~~
- b. Revise structure layout to provide greater spacing (i.e., 12’ to 15’) where possible. ~~A minimum of 12’ separation is provided on each side.~~
- c. Show at least two handicap spaces within the development. ~~Completed.~~
- d. Remove the word “yard” in all setback labels. ~~Completed.~~
- e. Revise Typical Road Sections to include appropriate easement widths. ~~Completed.~~
- f. Show electric easements according to IREA’s requirements. ~~Completed. A 10’ utility easement is shown around the perimeter of Lot 5.~~
- g. Add a location and pull-out area for neighborhood mailbox unit if required by USPS. ~~Completed.~~
- h. Consider reducing the size/area of the detention pond by using retaining walls or reduce “over-detention” for Lot 6. ~~The area of disturbance was slightly reduced to protect a few existing trees.~~
- i. Locate and preserve the “Wildlife tree” and other trees on the perimeter of the site. ~~A 25’ rear setback was achieved in this area and it may not be feasible to preserve the Wildlife tree.~~



## ATTACHMENT 'D'

### Grading Plan (GP01)

- a. Revise to reduce the surface area disturbance in order to preserve significant perimeter trees and natural vegetation. **Completed. On the western property boundary, the units were moved 30' eastward to reduce the disturbance and protect a row of existing trees.**

### Utilities Plan (UP01)

- a. Show water main looping to southern boundary of Lot 3 and adjust all easements accordingly. **Completed.**
- b. Add the existing fire hydrant at the end of Tamarac Parkway. **Completed.**
- c. Provide a fire flow analysis for Fire Chief's approval. **Submitted on July 18, 2019.**

### Landscape Plan (L-1, L-2 and L-3)

- a. Provide a more robust plan that includes tree preservation of significant trees around the perimeter of the site. **Completed.**
- b. Add new trees between homes and in the rear of the structures where feasible. **Completed.**
- c. Include the fencing and screening on the western and southern property boundaries. **Completed.**

### Architectural Exhibit (AE01)

- a. Elevations need to show more realistic representation of multiple units with scaled spacing, colors and materials. Specifically, a rendering to scale that depicts at least six units of different colors, design and porch styles shall be submitted. **Completed with a rendering with four units to scale.**

Final Drainage Report – The City Engineer's review is not complete at this time.

Comments will be forthcoming. **Has been reviewed & requires revisions (See Condition No.3).**

Traffic Impact Study – CDOT has reviewed the TIS and they are requesting additional information (see attached letter from Valerie Sword). **No update has been provided as of July 23, 2019. See condition No. 2 which requires the Applicant to resubmit additional information and revised traffic study to CDOT and make the necessary improvements to SH 67 in accordance with CDOT requirements.**

**§18.34.070. A.** *The proposed development 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.*

**Partially Complies.** The 2010 Comprehensive Plan encourages and supports quality development that meets the needs of the community, including;

- a. Housing Section 2 - Identifies a number of goals and objectives related to new affordable housing including the integration of affordable housing for a diverse workforce and concentrating new neighborhoods into the downtown core area. The section also describes a number of objectives related to facilitating multi-family development through changes in fee structures, updating design standards and increasing densities to "facilitate multi-family development".
- b. Land Use and Growth Action 1.1.7 – Evaluate contemplated projects as to their location and conformance with the Comprehensive Plan to help the City's housing inventory to



## ATTACHMENT 'D'

become more diverse, and less reliant on single family residential which has historically been the core focus of new development.

- c. Economic Development Objective 1.6: Increase desirability of Woodland Park as a place to live and work by providing diverse housing options, expanded educational opportunities and additional community amenities.
- d. The Comp Plan Map identifies the Tamarac Tech Park as Mixed Use which can be commercial, residential or mixed use and encourages complementary uses located close together.

The Applicant is required to request water tap reservations in accordance with the City's growth management plan. (See Condition No. 8.) Improvements to SH 67 shall be made by the Applicant as described by the Traffic Impact Study and determined by CDOT. (See Condition No. 2.)

If the Applicant satisfactorily addresses Staff's comments and concerns regarding screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design comments, then this standard can be met. Applicant has satisfactorily addressed screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design concerns.

**§18.34.070. B.** *The proposed development 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, mobile homes, utilities, buildings and construction, business regulations, and engineering specifications.*

**Partially-Complies.** Again, if the applicant satisfactorily addresses Staff's comments and concerns regarding screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design comments, then this standard can be met. Building Codes and Engineering Specifications will be applied when final construction drawings and plan review for Zoning Development Permits (ZDPs) and Building Permits are submitted and reviewed. Applicant has satisfactorily addressed these concerns.

**§18.34.070. C.** *The proposed development shall be designed, constructed, and maintained to accommodate the traffic generated and not unduly increase congestion or traffic on the site and in the vicinity of the site.*

**Partially Complies as conditioned.** According to the Traffic Impact Study (TIS), 53 units are estimated to generate 350 average daily trips. On site congestion is mitigated with a looped, private road system and adequate parking. CDOT has reviewed the TIS and they are requesting additional information regarding the turning movement volumes at SH 67 and Research Drive (see attached letter from Valerie Sword). The City understands that the existing traffic conditions on SH 67 currently warrant various improvements (i.e., left turn lanes, deceleration and acceleration lanes). Applicant is required to resubmit additional information and a revised traffic study to CDOT and make the necessary improvements to SH 67 in accordance with CDOT requirements. The applicant is responsible to pay their applicable Transportation Capital Fees to the City which will be used toward the necessary match for future SH 67 improvements.



## ATTACHMENT 'D'

**§18.34.070. D.** *The proposed development shall be designed, constructed, and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and manmade hazards, streams, and environmentally significant features.*

**Partially Complies.** The proposed development is designed with regard to the existing topography (i.e., the site grading balances); however, the Staff believes that the Grading Plan can be improved to limit disturbance on the perimeter of the site. Land disturbance has been reduced. Surface drainage is addressed in the Final Drainage Report which is has been reviewed by the City Engineer and shall be revised and approved prior to issuance of a Grading Permit (Condition No. 3). The stormwater facilities must be designed to adequately convey runoff to an on-site detention pond. Soils are addressed through soils studies and taken into account when designing the foundations, roadways and parking areas. There are no natural or manmade hazards, or streams. An environmentally significant feature is a “wildlife tree” marked with USFS plate and located near the northern boundary of the property, and Staff recommend preserving. A 25' rear setback was achieved in this area and it may not sure be feasible to preserve the wildlife tree.

**§18.34.070 E.** *The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.*

**Partially Complies.** The proposed development has adequate water supply through the City's multi-family water tap management plan; although, the water system will need to be looped (completed) and MF taps approved by City Council from the MF bank (to be determined). There is adequate capacity at the wastewater plant to serve the project. Solid waste will be collected in a central dumpster location and disposed of by a local trash removal company. Air quality will be protected by paving the roads and parking spaces to keep particulates out of the air. Surface drainage will be adequately conveyed and treated in the on-site detention pond described above and as approved by the City Engineer.

**§18.34.070 F.** *The proposed development 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.*

**Complies.** There should not be any safety hazards created for the public or persons residing or working in the vicinity. Construction shall conform to the applicable building and fire codes.

**§18.34.070 G.** *The proposed development shall be designed, constructed and maintained to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property. To such end the development may be required to provide architectural design schemes and fixtures such as, but not limited to, fencing, landscaping, and buffer areas. (Ord. No. 966-2003, § 2, 4-3-2003)*

**Need More Information Complies.** The homes in the proposed development are arranged in a compact fashion, which reduces livability, limits yard area to a very small space for each residence, amplifies noise, increases air pollution with increased traffic, restricts sunshine, and reduces privacy. (Units are spaced 12' apart.) Staff recommends that the



## ATTACHMENT 'D'

Applicant consider reducing the total number of units to provide for greater spacing. At a minimum, the applicant shall add an adequate visual buffer with privacy fencing, tree preservation and more robust landscaping around the perimeter of the site to protect and buffer surrounding properties (completed). To ensure that the architectural schemes are acceptable, a rendering to scale shall be submitted to depict at least six units of different colors, design and porch styles.

Furthermore, Staff is concerned with the execution of routine and long-term maintenance of this compact development. The Village at Tamarac Community Rules are a good start but there is no guarantee that management will enforce these rules and take pride in a robust maintenance program. For example, it is not realistic to require the homeowner to maintain the sides and rear of property when residents do not own a mower nor have the means to mow and groom their yard. The management company should take responsibility for the entire grounds of the development as with any townhouse or apartment project. Please consider re-drafting and recording more enforceable and realistic covenants, conditions and restrictions (CCRs). At a minimum, the community rules or CCRs will become a condition of approval to this SPR. (See Condition No. 7.)

### PERFORMANCE STANDARDS (USE REGULATIONS):

These following use regulations from §18.33.180. B through H provide performance standards and design guidelines for the development and redevelopment of property. Most of these code provisions have already been addressed in the MFS and SPR standards/criteria, so I will only address those regulations that have not been previously discussed.

*§18.33.180 B. Site Density and Open Space Requirements.* Partially complies, see pages 2 and 4.

*§18.33.180 C. Walkways and Bike/Pedestrian Paths.* Partially complies, see page 5.

*§18.33.180 D. Tree retention.* Nonecompliant complies see pages 3 and 6, Landscape Plan comments.

*§18.33.180 E. Parking lot landscaping.* Partially complies, see pages 3 and 6, Landscape Plan comments.

*§18.33.180 F. Lighting.* Complies, see TS01 General Note #4 and Sheet AE01.

### *§18.33.180 G. Building Placement and Site Layout.*

#### *1. Building Siting.*

- a. The siting of a building shall fit the existing topography, relate to climatic conditions, and consider on-and-off-site structures, streets and pedestrian ways.*

**Partially Complies.** The site grading balances the cut and fill, yet staff believes the applicant can improve the grading and building layout as previously discussed. Revised Grading Plan shows reduced land disturbance.

- b. Building orientation and placement shall minimize overall cut and fill depths.*

**Partially Complies.** The cut and fill balance, yet staff believes the Grading Plan can be improved to preserve significant trees on the perimeter of the site. The revised Grading Plan shows approximately 33 trees protected on the west and north property.



## ATTACHMENT 'D'

- c. *The pattern of spaces between buildings of new construction shall be consistent with existing construction.*

**Partially Complies.** Staff suggests that the Applicant increase the spacing between homes that will make the neighborhood more livable as previously discussed. (12' between units is provided.) The multi-family duplexes along Longs Point are spaced 10' apart; however, their site design has significantly more open space on the east side of Longs Point and the Loy Gulch floodplain and golf course behind the duplexes.

### 2. Orientation.

- a. *Building orientation shall, to the extent reasonably possible, face the street frontage, and preserve view corridors. Building heights of new structures shall, to the extent reasonably possible, not interfere with view corridors of existing structures. Buildings shall be carefully sited for climate control and to minimize casting shadows onto adjacent structures.*

**Partially Complies.** The buildings are oriented with their front doors toward the internal roadway. Due to relatively low-profile buildings, the view corridors will be largely preserved. The majority of the homes take advantage of an east, west and south facing direction to locate their entry and parking lot. Building heights will be well below the 30' maximum height. Since the spacing is compact, Staff is concerned about shadowing the adjacent homes. Twelve feet (12') between units is provided.

- b. *When integrating with existing neighborhoods and/or dissimilar adjoining land uses, buildings and other site plan elements shall, to the extent possible, be oriented on the lot in a manner which is consistent with the adjoining use. Where there is a predominant pattern of siting characteristics established on surrounding lots, this pattern shall be continued on the subject lot.*

**Noncompliant.** The proposed development does not mirror Sundance at Shining Mountain PUD townhomes. However, this dissimilar pattern of siting characteristics can be mitigated with privacy fencing, tree preservation and landscaping as previously discussed. Privacy fencing, tree preservation and new trees have been added.

### 3. Massing, Scale, and Proportion.

- a. *The design of the building or buildings shall consider the building proportions, building mass and height and the potential for grouping buildings together so as to be compatible with adjacent existing and proposed uses.*

**Need More Information Complies.** The individual units have a small mass but the dense clustering is not in harmony with the adjacent uses on Longs Point. Adequate screening can help mitigate the lack of compatibility with Longs Point duplexes and wider side yard spacing can help mitigate the tight grouping of homes. Adequate screening in form of a 7' high fence, existing and new trees, and larger setback.

- b. *If the proposed building or buildings is to be larger than adjacent structures, architectural elements shall be incorporated into the design of the larger building such that the scale of the larger building's facade is compatible with the adjacent smaller buildings. Scale of the elements of the existing and proposed buildings, and existing rhythm of buildings along the street shall be considered. Landscaping shall also be designed to integrate the structures into the surroundings.*



## ATTACHMENT 'D'

**Partially Complies .** The manufactured homes are smaller than the adjacent structures and a more robust Landscape Plan is required to integrate the structures into the surroundings. **Landscaping Plan is improved with additional trees in the rear and between units where feasible.**

- c. *A transition in scale, and appropriate quantities of open space and landscaping shall be utilized to create an attractive, compatible edge in areas where larger scale buildings are sited next to smaller ones, such as office complexes next to single-family residences.*

**Partially Complies.** The development provides an appropriate quantity of open space; however, more spacing between units, tree preservation on the perimeter and new trees in the side and rear yards will help soften the scale and density of the small homes. **Units are 12' apart and trees have been added between and behind some of the units.**

### A. *Architectural Design Guidelines.*

1. *When building groups or multiple structures are planned for a single project, they shall be designed in a unified architectural and spatial manner with reference to building placement, exterior finish, materials and design details.*

**Complies.** A unified architectural style is provided with reference to building materials and design on Sheet AEO1. Due to Staff's concern about the density and repetitive nature of the building layout, a rendering to scale that depicts at least six units of different colors, design and porch styles is required. **A rendering was provided on July 18, 2019 with four units of different colors and designs.**

2. *Brick, sandstone, wood, stucco, colored and textured concrete masonry units for facing materials are encouraged.*

**Complies.** The applicant proposes cement board siding, decorative porch railings, and metal roofs with small dormers and windows.

3. *The primary use of prefabricated metal for an entire structure, panelized flat plywood and highly reflective materials for facing materials is prohibited.*

**Complies.** The buildings are not made of prohibited materials.

4. *The design of facades visible from the street shall include building materials that are similar or identical with the surroundings and provide an appearance of quality and permanence.*

**Partially Complies.** The facades that are visible from the road network provide a pleasing appearance with quality building materials. The stone bases as shown by one of the conceptual elevations is strongly recommended for each unit to provide an appearance of quality and permanence. **A 4'tall solid fencing has been added to connect units and provide each homeowner a private side yard. This fencing also grounds the units and stone bases are not necessary.**

5. *Colors which blend well with adjoining architectural styles and the natural surrounding environment shall be the predominant ones used on the exterior of the buildings, with bright colors used only for accents and detailing of the architecture.*

**Complies.** The primary colors are earth toned tan and green which will blend well with the small homes' architectural styles and help it fit into the mountain environment.



## ATTACHMENT 'D'

6. *Surface or facade details to enrich the architectural character and enhance the streetscape shall be used. These may include, but are not limited to awnings, special entry details, lights, and bay or specially designed windows, cornices or molding details.*

**Partially Complies.** The front porches, the faux timber columns, roof dormers and windows are façade details which help enhance the architectural character and streetscape. Again, the Staff strongly recommend stone veneer around the base. *As noted above, stone veneer is not necessary since a 4' tall solid fence has been added between each unit.*

7. *Blank building walls that are visible to the public shall, to the extent possible, be avoided. Blank walls shall be designed to be less oppressive through the use of interesting details, design patterns and features that diminish the scale of the structure. For an expansive wall, consideration shall be given to implementing a pattern on the wall with a different color or type of the same material, or creating an area of the wall that is a different texture, color and material. Jogging the walls of the building shall be considered to break up large building facades.*

**Complies.** There are no completely blank walls visible to the public. A rendering with varying colors and styles will help demonstrate this standard. *An adequate rendering and color pallet was submitted on July 18, 2019.*

8. *Lighting, paving, and street furnishings such as benches and planters shall be integrated into the overall building concept and design.*

**Complies.** The front porch provides outdoor seating and social interaction with neighbors. Lighting as shown on Sheet AE01 will be sufficient to illuminate each front porch. Landscaped islands break up the parking stalls at each unit.

9. *Mechanical equipment mounted on the building including but not limited to vents, flues, and flashing shall be painted to match the color of the building and/or screened with materials compatible with the architectural design of the building.*

**Complies.** Mechanical equipment will be located in the crawlspace and out of sight.

In summary, this Certified Letter details the pertinent MFS and Site Plan zoning standards and provides staff's analysis of the proposal in accordance with the applicable regulations. Please be advised that any person aggrieved by the Staff's decision may have the opportunity to appeal the Staff's decision in accordance with §18.34.090 and Chapter 18.54 of the Municipal Code within 10 days of the issuance of this letter.

### ADMINISTRATIVE APPROVAL WITH CONDITIONS:

Pursuit to §18.34.058 Administrative Review, the City Staff approves the Village at Tamarac Site Plan (SPR19-001) for 53 small modular homes on Lot 5, Tamarac Tech Park, Filing No. 5 (generally located at the northern end of Tamarac Parkway) subject to the following conditions:

1. Prior to City of Woodland Park approval of a Zoning Development Permit (ZDP) for Grading and Land Disturbing activity, the applicant shall submit four large format FINAL copies (City keeps 2 sets and returns 2 sets to the applicant) to the City for signature:
  - a. Title Sheet, TSO1 (signed by the owners' representative)
  - b. Site Plan, SP01
  - c. Grading Plan, GP01
  - d. Utility Plan, UT01

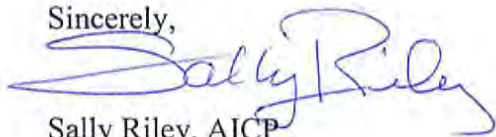


**ATTACHMENT 'D'**

- e. Landscaping Plan, L-1
  - f. Landscaping Details, L-2
  - g. Landscaping Notes, L-3
  - h. Architectural Exhibit (& lighting), AE01
2. Applicant shall resubmit a revised traffic study to CDOT and shall make the necessary improvements to SH 67 in accordance with CDOT requirements prior to Certificate of Occupancy of any new home or acceptable security guarantee provided to the City.
  3. Applicant shall revise and resubmit a Final Drainage Report for the Village at Tamarac for the City Engineer's approval prior to issuance of a Grading Permit ZDP.
  4. Prior to the installation of water, sewer, roads, curb, gutters, sidewalks, stormwater facilities, detention pond and other infrastructure and issuance of an Infrastructure ZDP, a set of Construction Drawings (CDs) including plans a profile shall be submitted and approved by the City Engineer.
  5. Prior is issuance of a ZDP for grading and/or infrastructure improvements, the applicant shall pay Parks Capital Fees in the amount of \$1,934 per unit (or current fee amount) in accordance with Section 17.36.045. of the Municipal Code.
  6. At the time of issuance of a ZDP for each unit, the landowner shall pay the following fees: Tap Fees for water and sewer service based upon fixture unit counts; Transportation Capital Fee based upon number of bedrooms; Regional Park fee based upon number of bedrooms; and Stormwater Capital Fee based impervious surface area.
  7. Prior to City of Woodland Park approval of a Certificate of Occupancy of any new home, all infrastructure (water, sewer, drainage, roads, sidewalks, and appurtenance) shall be installed, inspected and obtain an "initial acceptance" letter from the City Engineer.
  8. In lieu of recorded covenants and regulations, the Community Rules (as amended from time to time) shall be attached to the approval of this development. If the landowners and/or managers are in violation of said Community Rules than a citation into Municipal Court may be issued in conjunction with a violation of this zoning approval pursuant to Chapter 18.75.
  9. Prior to issuance of a ZDP for grading or infrastructure improvements, water taps for the project shall be secured.

Please contact me at 719.687.5283, if you have any questions regarding the above conditions.

Sincerely,



Sally Riley, AICP  
Planning Director

Cc: Darrin Tangeman, City Manager

**ATTACHMENT 'E'**

**52 pages following this cover sheet**



ATTACHMENT 'E'



2019 GENERAL APPLICATION  
City of Woodland Park  
(Revised 12/26/2018)

Project # 19050133  
Case # SPR19-001  
Fee(s): See City of Woodland Park  
Fees Sheet (Plus publication/recording  
fees, as applicable)

received  
5/16/19

Type of Application (Check one or more as applicable)

- |                                                                    |                                                         |                                           |
|--------------------------------------------------------------------|---------------------------------------------------------|-------------------------------------------|
| <input checked="" type="checkbox"/> Site Plan Review Permitted Use | <input type="checkbox"/> Special Use Permit             | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Site Plan Review Conditional Use          | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Exemption Plat   |
| <input type="checkbox"/> Conditional Use Permit                    | <input type="checkbox"/> PUD Amendment                  | <input type="checkbox"/> Final Plat       |
| <input type="checkbox"/> Zoning Change                             | <input type="checkbox"/> Appeal                         | <input type="checkbox"/> Townhouse Plat   |
| <input type="checkbox"/> Extension of CUP or PUD                   | <input type="checkbox"/> Variance                       | <input type="checkbox"/> Condominium Plat |

1. Applicant Information

- a. Applicant Name Matrix Design Group Attn: Jason Alwine
- b. Project Coordinator ☒ Property Owner ☐
- c. Mailing Address 2435 Research Parkway, Suite 300 Colorado Springs, CO 80920
- d. E-mail Address jason\_alwine@matrixdesigngroup.com
- e. Phone Numbers Home \_\_\_\_\_ Work (719) 575-0100 Mobile \_\_\_\_\_

2. Property Owner Information (if different from above)

- a. Name Village at Tamarac, LLC Attn: Peter LaBarre Project Contact? Yes ☒ No ☐
- b. Mailing Address 750 E US Hwy 24, Suite 202 Woodland Park, CO 80863
- c. E-mail Address c3peteo@aol.com
- d. Phone Numbers Home \_\_\_\_\_ Work \_\_\_\_\_ Mobile (719) 502-7431

3. Site Information

- a. Site Address Vacant Land
- b. Lot 5 Block \_\_\_\_\_ Subdivision Tamarac Tech Park 5
- c. Property Zoning MFS Lot Size 6.68 Acres ☒ Square Feet ☐

4. Project Information

- a. Project Name Village at Tamarac
- b. Brief Description of Project/Request Site Plan submittal for 53 single family detached units on 6.68 acres.  
The parcel will remain platted as one lot with the single-story houses set on permanent foundations.  
The units will be sold to individuals and placed on leased land owned/ maintained by the owner.  
Open space and buffer areas have been provided as required.
- c. Project Narrative (*On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.*)

**ATTACHMENT 'E'**

**5. Consultant Information** (if applicable)

**d. Architect**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**e. Engineer**

- i. Project Contact Eric Smith
- ii. Firm Name Matrix Design Group
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address 2435 Research Parkway, Suite 300
- v. E-mail Address eric\_smith@matrixdesigngroup.com
- vi. Phone Numbers: Business (719) 575-0100 Mobile \_\_\_\_\_

**f. Planner**

- i. Project Contact Jason Alwine
- ii. Firm Name Matrix Design Group
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address 2435 Research Parkway, Suite 300
- v. E-mail Address jason\_alwine@matrixdesigngroup.com
- vi. Phone Numbers: Business (719) 575-0100 Mobile \_\_\_\_\_

**g. Surveyor**

- i. Project Contact \_\_\_\_\_
- ii. Firm Name \_\_\_\_\_
- iii. Physical Address \_\_\_\_\_
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address \_\_\_\_\_
- vi. Phone Numbers: Business \_\_\_\_\_ Mobile \_\_\_\_\_

**h. Other** (specify role) Traffic Consultant

- i. Project Contact Jeff Hodsdon
- ii. Firm Name LSC Transportation Consultants, Inc.
- iii. Physical Address 545 E Pikes Peak Ave., Suite 210, Colorado Springs, CO 80903
- iv. Mailing Address \_\_\_\_\_
- v. E-mail Address jeff@lsctrans.com
- vi. Phone Numbers: Business (719) 633-2868 Mobile \_\_\_\_\_



## ATTACHMENT 'E'

### 2. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

| Type of Application | 24" x 36" Plan Set | 11" x 17" Plan Set | Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive | Warranty Deed or Title Policy | List of adjoining property owners within 150' | Copies of reports (narrative, traffic study, drainage, etc.) |
|---------------------|--------------------|--------------------|------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------|--------------------------------------------------------------|
| All Types           | 1                  | 1                  | 1                                                                                  | 1                             | 1                                             | 1                                                            |

### 3. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at [www.city-woodlandpark.org/Charter&Code](http://www.city-woodlandpark.org/Charter&Code). Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

| Type of Application              | Applicable Code Sections                                                                                                                                         |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Plan Review Permitted Use   | Chapters 18.34, 18.33 and 18.39                                                                                                                                  |
| Site Plan Review Conditional Use | Chapters 18.34, 18.57, 18.33 and 18.39                                                                                                                           |
| Conditional Use Permit           | Chapter 18.57 plus applicable site plan regulations                                                                                                              |
| Zoning Change                    | There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan |
| Special Use Permit               | Chapter 18.61 plus applicable site plan regulations                                                                                                              |
| Planned Unit Development         | Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080                                                                                                  |
| Appeal                           | Chapter 18.54                                                                                                                                                    |
| Variance                         | Chapter 18.60                                                                                                                                                    |
| Preliminary Plat                 | Chapter 17.20 plus applicable subdivision sections                                                                                                               |
| Exemption Plat                   | Section 17.52.030 plus applicable subdivision sections                                                                                                           |
| Final Plat                       | Chapter 17.24 plus applicable subdivision sections                                                                                                               |
| Townhouse Plat                   | Chapter 17.32 plus applicable subdivision sections                                                                                                               |
| Condominium Plat                 | Chapter 17.32 plus applicable subdivision sections                                                                                                               |

### 1. Certification of Ownership

I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.


3 MAY 2019  
 Owner Date


Date  
 Owner Date

### 2. Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.


8 MAY 2019  
 Applicant Date



ATTACHMENT 'E'

City Use Only

1. Submission 5/16, 2019, taken by SEUR  
Fee Received 5/13/19, 20  , taken by SEUR
2. Application is deemed complete – OR – deemed incomplete and returned to applicant to complete on 5/16/19.
3. Public Hearing Notice  
Published N/A, 20    
Posted 5/21, 2019 and again on 7/3/19  
Adjacent Property Notification 5/21, 2019 and again 7/3/19
4. Planning Commission Public Hearing N/A, 20  .  
Board of Adjustment Public Hearing (when applicable)   , 20  .
5. City Council First Reading of Ordinance (if applicable)   , 20  .  
City Council Public Hearing N/A, 20  .  
Notes
6. Letter of Approval Denial to applicant sent July 23, 2019
7. Additional Information  
\* Review Letter was issued on June 17, 2019





## ATTACHMENT 'E'

### 2019 SITE PLAN REVIEW SUBMITTAL REQUIREMENTS CITY OF WOODLAND PARK (Revised 12/27/2018)

The site plan and application shall contain and include the following criteria and information (please check completed boxes). This completed form **MUST** be submitted with the application:

| Applicant Check                                                                                               | City Check | Submittal Requirement                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/>                                                                           |            | <b>Complete Application.</b> A completed application for site plan review upon forms supplied by the Planning Department                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                           |            | <b>Application Fee.</b><br>Zero – One (1) Acre: \$486.00<br>Additional per Acre (1+ to 5 Acres): \$84.00<br>Additional per Acre (over 5 Acres): \$36.00                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/>                                                                           |            | <b>Adjoiners List.</b> A complete list of names and mailing addresses of all adjacent property owners within 150' of the subject property.                                                                                                                                                                                                                     |
| <input checked="" type="checkbox"/>                                                                           |            | <b>Warranty Deed or Title Policy.</b> Documents proving ownership of subject property.                                                                                                                                                                                                                                                                         |
| <input checked="" type="checkbox"/>                                                                           |            | <b>Plans.</b><br>One (1) set of 24" x 36" sheet(s)                                                                                                                                                                                                                                                                                                             |
| <input checked="" type="checkbox"/>                                                                           |            | One (1) set of 11" x 17" sheet(s)                                                                                                                                                                                                                                                                                                                              |
| <input checked="" type="checkbox"/>                                                                           |            | Adobe Portable Document Format (.pdf) formatted for printing on 24"x36" sheet(s). Can be submitted on compact flash drive. Alternatively, the .pdf file can be emailed to:<br><a href="mailto:lpellegrino@city-woodlandpark.org">lpellegrino@city-woodlandpark.org</a><br>or to <a href="mailto:sriley@city-woodlandpark.org">sriley@city-woodlandpark.org</a> |
| <b>Supplemental Materials.</b><br>Supplemental materials to be included with all applications are as follows: |            |                                                                                                                                                                                                                                                                                                                                                                |
| <input type="checkbox"/>                                                                                      |            | Architectural drawings, renderings, or other graphic illustrations of structures, landscaping, and accessory infrastructure                                                                                                                                                                                                                                    |
| <input checked="" type="checkbox"/>                                                                           |            | Drainage plan (3 copies)                                                                                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                           |            | Grading plan                                                                                                                                                                                                                                                                                                                                                   |
| <input checked="" type="checkbox"/>                                                                           |            | Landscape plan                                                                                                                                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/>                                                                           |            | Traffic report/study (3 copies)                                                                                                                                                                                                                                                                                                                                |
| <b>Site Plan.</b><br>A site plan containing and including the following criteria and information:             |            |                                                                                                                                                                                                                                                                                                                                                                |
| <input checked="" type="checkbox"/>                                                                           |            | Prepared by a qualified individual with appropriate signature, date and seal affixed;                                                                                                                                                                                                                                                                          |
| <input checked="" type="checkbox"/>                                                                           |            | Indicate the name of the proposed development, submittal phase, and the words "Site Plan";                                                                                                                                                                                                                                                                     |

**ATTACHMENT 'E'**

| Applicant Check                                                              | City Check | Submittal Requirement                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Site Plan, continued.</b>                                                 |            |                                                                                                                                                                                                                                                   |
| A site plan containing and including the following criteria and information: |            |                                                                                                                                                                                                                                                   |
| <input checked="" type="checkbox"/>                                          |            | Be drawn at a scale to clearly show the entire project and site characteristics [one inch equals thirty feet (1" = 30') is preferred];                                                                                                            |
| <input checked="" type="checkbox"/>                                          |            | A vicinity map indicating the location of the site;                                                                                                                                                                                               |
| <input checked="" type="checkbox"/>                                          |            | Date of preparation, scale, and north arrow (designated as true north);                                                                                                                                                                           |
| <input checked="" type="checkbox"/>                                          |            | The location, exterior horizontal dimensions and height of all existing and/or proposed structures and/or uses with reference to property lines;                                                                                                  |
| <input checked="" type="checkbox"/>                                          |            | Property lines, dimensions, and known monuments;                                                                                                                                                                                                  |
| <input checked="" type="checkbox"/>                                          |            | Location, dimensions and names of on-site and adjacent streets, trails, public rights-of-way and sidewalks;                                                                                                                                       |
| <input checked="" type="checkbox"/>                                          |            | Location, dimensions and intent of existing and proposed easements;                                                                                                                                                                               |
| <input checked="" type="checkbox"/>                                          |            | Location, number, and dimensions of all parking areas, driveways, driving lanes, loading areas and parking formula used;                                                                                                                          |
| <input checked="" type="checkbox"/>                                          |            | Locations of existing and proposed utilities, including: water, sewer, drainage, fire, electricity, gas, phone, and cable television infrastructure;                                                                                              |
| <input checked="" type="checkbox"/>                                          |            | General direction of off-site topography;                                                                                                                                                                                                         |
| <input type="checkbox"/>                                                     |            | Location and extent of streams, watercourses, and floodplains or other hazards;                                                                                                                                                                   |
| <input checked="" type="checkbox"/>                                          |            | Landscaped areas;                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/>                                          |            | Location of existing and proposed signs;                                                                                                                                                                                                          |
| <input checked="" type="checkbox"/>                                          |            | Areas for solid waste disposal containers and typical enclosure detail, if applicable;                                                                                                                                                            |
| <input checked="" type="checkbox"/>                                          |            | Zoning district, special district and city boundaries;                                                                                                                                                                                            |
| <input checked="" type="checkbox"/>                                          |            | Area and extent of snow storage areas;                                                                                                                                                                                                            |
| <input checked="" type="checkbox"/>                                          |            | Adjacent existing and proposed uses;                                                                                                                                                                                                              |
| <input checked="" type="checkbox"/>                                          |            | On-site topography at two-foot (2') contour intervals referenced to U.S. Geological Survey datum;                                                                                                                                                 |
| <input checked="" type="checkbox"/>                                          |            | Location and extent of all traffic control devices and signs;                                                                                                                                                                                     |
| <input type="checkbox"/>                                                     |            | Location and extent of exterior lighting fixtures and a typical detail diagram;                                                                                                                                                                   |
| <input checked="" type="checkbox"/>                                          |            | Location and extent of fences and buffer areas, if applicable. For purposes of this section, a buffer area shall be defined as a strip of land or appropriate method to separate one type of land use from another use which may be incompatible; |
| <input type="checkbox"/>                                                     |            | Location and extent of areas in excess of thirty percent (30%) slope;                                                                                                                                                                             |



**ATTACHMENT 'E'**

| Applicant Check                                                                                                                                       | City Check | Submittal Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p align="center"><b>Site Plan, continued.</b></p> <p align="center">A site plan containing and including the following criteria and information:</p> |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/>                                                                                                                   |            | Indicate any lands or areas to be retained as open space and/or future expansion;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <input type="checkbox"/>                                                                                                                              |            | Additional reasonable site plan information requested by the Planning Department to aid in the review and evaluation of the development;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <input checked="" type="checkbox"/>                                                                                                                   |            | Minimum four by four inch (4" x 4") box for listing of approval conditions and restrictions;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <input checked="" type="checkbox"/>                                                                                                                   |            | Indicate the total square footage of new impervious surface area and existing impervious surface area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <input type="checkbox"/>                                                                                                                              |            | <p>The following certifications shall be shown and executed on site plans through the <u>public hearing</u> process:</p> <p align="center"><i>(I, we) hereby certify that (I am, we are) the owners of this property and that (I, we) shall abide by the provisions as specified upon this site plan, as presented, and any conditions and requirements that are specified by the City of Woodland Park in rendering its approval.</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Date</p> </div> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Owner(s)</p> </div> </div> <p align="center"><i>I hereby certify that I am the City Planner for the City of Woodland Park, Colorado, and that I attest that this site plan was approved, subject to conditions, as contained herein, City of Woodland Park, Planning Department, by the City of Woodland Park Planning Commission on _____ 20____, after a properly conducted Public Hearing by the City Council held on _____, 20____.</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Date</p> </div> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>City Planner<br/>City of Woodland Park</p> </div> </div> |
| <input checked="" type="checkbox"/>                                                                                                                   |            | <p>The following certifications shall be shown and executed on the permitted use site plans through the administrative review process:</p> <p align="center"><i>(I, we) hereby certify that (I am, we are) the owners of this property and that (I, we) shall abide by the provisions as specified upon this site plan, as presented, and any conditions and requirements that are specified by the City of Woodland Park in rendering its approval.</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Date</p> </div> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Owner(s)</p> </div> </div> <p align="center"><i>I hereby certify that I am the City Planner for the City of Woodland Park, Colorado, and that I attest that this site plan was approved after a properly conducted administrative review, subject to conditions, as contained herein.</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>Date</p> </div> <div style="width: 45%; text-align: center;"> <p>_____</p> <p>City Planner<br/>City of Woodland Park</p> </div> </div>                                                                                                                                 |
| <input type="checkbox"/>                                                                                                                              |            | <p><b>Waivers or Modifications.</b> The above stated criteria and standards may be amended, waived or modified upon a written request with a recommendation by the planning commission to city council resulting in a the favorable vote of the majority of the members present of the city council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



SECURITY CHECK

M3XP2, LLC  
750 E US HWY 24  
WOODLLAND PARK, CO 80863

1043  
0270003070

5-9-2019  
Date

Pay to the  
Order of

City of Woodland Park \$882.48

Eight Hundred Eighty Two & 48/100 — Dollars

ENT CREDIT UNION

submittal Protect  
Village @ Tamarac

For

307070005100071598110311043



**ATTACHMENT 'E'**

**PROJECT NARRATIVE  
Site Plan Review Criteria**

---

**APPLICANT:** Village at Tamarac, LLC

**PROJECT:** The Village at Tamarac

---

**SITE PLAN REVIEW CRITERIA:**

The Section 18.34.101 Purpose of the Site Plan: *In order to ensure a quality development in the city, it is essential that new development meet minimum standards for the design, construction and the use of such developments to complement existing uses, to insure adequate utility and service systems, and to promote the health, safety and welfare of the city's citizens.*

The proposed project meets the purpose and intent by following Section 18.340.60 as it outlines the site plan review criteria checklist identifying the required information needed on the drawings and within the supplemental reports such as drainage and traffic. Please refer to the drawings and provided reports for more detailed information regarding the site plan.

Per section 18.34.070 the following criteria shall apply to all site plan under consideration for review and approval:

- A. The proposed development 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.***

The proposed detached single family is a permitted use within the existing zoning of Multi-Family Residential Suburban. The designed density of 7.93 DU/Acre meets the MFS zoning requirement of 2-8 DU/ Acre. The proposed development is in conformance with the City's Comprehensive Plan, which addresses growth management, transportation, utilities, capital improvements, etc. Public services will not be overburdened as these were designed and planned for based on the MFS zoning.

- B. The proposed development 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, mobile homes, utilities, buildings and construction, business regulations, and engineering specifications.***

The proposed development conforms with the standards and requirements as outlined in Chapter 18 of the City's Municipal Code. There are no waiver or variance request.

## **ATTACHMENT 'E'**

***C. The proposed development shall be designed, constructed, and maintained to accommodate the traffic generated and not unduly increase congestion or traffic on the site and in the vicinity of the site.***

At full build-out of the project, The Tamarac residential development is projected to generate about 349 vehicle-trips on the average weekday during a 24-hour period, with approximately half entering and half exiting the site. During the morning peak hour, approximately 6 entering vehicles and 19 exiting vehicles would be generated by the developed site. During the school peak hour, approximately 22 vehicles will enter and 13 vehicles will exit the site. Approximately 21 entering vehicles and 12 exiting vehicles would be generated by the site during the evening peak hour. A traffic study was completed for the proposed development and, based on the limited trips generated by the proposed development, it was concluded that the existing transportation network will support the proposed development. Refer to the Traffic Impact Study for more detailed information.

***D. The proposed development shall be designed, constructed, and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and manmade hazards, streams, and environmentally significant features.***

The proposed development will require grading operations to ensure slopes suitable for construction and roadways. The site will be utilize the slope and fall of the topography to create buildable pad sites for the structures while utilizing open space areas to take up grading with vegetated slopes. Stormwater from the site will be collected and treated in an onsite detention/water quality pond and flows will be discharged at historic rates in the northwest corner of the site.

There are no natural or man-made hazards on or adjacent to the site and there are no environmentally significant features associated with the site.

Existing vegetation and trees will be retained as much as possible, especially along the perimeter of the site to help buffer the development from adjacent parcels.

***E. The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.***

Water and wastewater services will be pubic and provided by the City of Woodland Park Utility Department. Individual units will have their own water and wastewater connections with a separate water tap provided for the irrigation for landscaping. Fire hydrants are located on the site for fire suppression per the requirements of the International Fire Code.

Trash will be provided through an on-site trash dumpster as shown on the drawings for use by the entire development. There will not be individual trash pick-up services.



## ATTACHMENT 'E'

The finished development will have no impact to air quality.

The proposed development does not alter the existing surface drainage patterns for the site. Stormwater from the site will be collected and treated in an onsite detention/water quality pond and flows will be discharged at historic rates in accordance with City requirements/codes.

***F. The proposed development 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.***

The buildings will be designed/constructed in accordance with the requirements of the International Building Code. The buildings will not unduly increase the danger of fire and the site will be protected with fire hydrants per the requirements of the International Fire Code.

Outdoor storage of materials and accessory structures will not be allowed and are strictly prohibited. This prohibition will be stated and governed by the individual unit sales/ leases.

***G. The proposed development shall be designed, constructed and maintained to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property. To such end the development may be required to provide architectural design schemes and fixtures such as, but not limited to, fencing, landscaping, and buffer areas.***

The proposed development is designed to be compatible with the use and architectural design scheme of surrounding parcels. There is adequate open space provided on site along with landscape setbacks along the perimeter. There are no proposed fences along the property boundary and proposed landscaping will meet or exceed city requirements.



## ATTACHMENT 'E'

**LSC TRANSPORTATION CONSULTANTS, INC.**  
545 East Pikes Peak Avenue, Suite 210  
Colorado Springs, CO 80903  
(719) 633-2868  
FAX (719) 633-5430  
E-mail: [lsc@lsctrans.com](mailto:lsc@lsctrans.com)  
Website: <http://www.lsctrans.com>

October 4, 2018

M3XP2, LLC  
Eric Smith  
Managing Member  
750 East US 24, Suite 202  
Woodland Park, CO 80863

RE: Tamarac Residential Development  
Woodland Park, CO  
Traffic Impact Study  
LSC #184790

Dear Eric,

LSC Transportation Consultants, Inc. has prepared this traffic impact study for the proposed Tamarac 53-unit residential development in Woodland Park, Colorado. The site is located at the north end of Tamarac Parkway. The Teller County parcel number is 6229.123210050. Currently, the 6.68-acre site is vacant. A single access point at the end of the cul-de-sac is proposed. This report has been prepared for submittal to the City of Woodland Park and the Colorado Department of Transportation (CDOT).

### REPORT CONTENTS

The preparation of this report included the following:

- An inventory the existing adjacent and nearby area roadway system, including roadway surface conditions, functional classifications, roadway widths, lane configurations, traffic controls, posted speed limits, pavement markings, intersection and access spacing, roadway and intersection alignments, auxiliary left- and right-turn lanes, intersection sight distances, etc.
- Morning, mid-afternoon, and evening afternoon peak-hour turning movement traffic counts at the intersection of State Highway 67/Tamarac Parkway.
- CDOT annual average daily traffic (AADT) volume data for State Highway 67 north and south of the Tamarac Parkway intersection.
- Projections of 20-year background (baseline) traffic volumes on State Highway 67 north and south of the Tamarac Parkway intersection
- The proposed site land use and access plan.



- Estimates of average weekday and weekday peak-hour trip generation for the proposed Tamarac residential development and the estimated directional distribution of site-generated vehicle-trips on the roadways and intersections serving the site.
- Estimates of the directional distribution of site-generated vehicle-trips on the area roadway system, including the intersection of State Highway 67/Tamarac Parkway.
- Projections of site-generated turning movement traffic volumes and estimated short- and long-term background traffic volumes at the intersection of State Highway 67/Tamarac Parkway.
- Calculations of the total traffic (site traffic plus background traffic) at the intersection of State Highway 67/Tamarac Parkway for the short and long term.
- Level of service analysis at the State Highway 67/Tamarac Parkway intersection.
- Preliminary evaluation (based on the peak period counts conducted) of potential traffic signal volume warrants at the State Highway 67/Tamarac Parkway intersection.
- Evaluation of existing, short-term, and long-term projected intersection volumes to determine the requirements for auxiliary right-/left-turn lanes on State Highway 67 at Tamarac Parkway based on the criteria in the *Colorado State Highway Access Code*.
- Determination of this project's estimated relative traffic impacts at the intersection of SH 67/Tamarac Parkway.
- A summary of findings and recommendations.

## LAND USE AND ACCESS

Figure 1 shows the site location relative to the adjacent and nearby roadways. Currently, the 13.68-acre site is vacant. The Tamarac residential development is proposed to consist of 53 "tiny home" dwelling units. This property is zoned MFS and the proposed use (small modular homes on permanent foundations on leased land) is a permitted use within the MFS zone.

Figure 2 contains the proposed site plan showing the dwelling unit building envelopes, site circulation, and the access point to Tamarac Parkway. A copy of the site plan is also attached for reference.

## ROAD AND TRAFFIC CONDITIONS

Figure 1 shows the streets and roads adjacent to and in the vicinity of the site. Roads serving the site are identified below followed by a brief description of each:

**State Highway 67 (SH 67)** is a north/south state highway extending through Teller County. The segment of SH 67 in the vicinity of the site begins in Woodland Park at US 24 and extends north through the city. It continues north through the community of Deckers and Douglas County. In the vicinity of Tamarac

Parkway, SH 67 is classified as NR-B (Non-Rural Arterial). The posted speed limit through the intersection with Tamarac Parkway is 50 miles per hour (mph).

**Tamarac Parkway** is a two-lane City street extending west from SH 67. The posted speed limit on Tamarac Parkway is 25 mph. The intersection of SH 67/Tamarac Parkway is a two-way, Stop-sign-controlled, full-movement intersection.

**Research Drive** is a two-lane City street extending west from SH 67 about 470 feet south of the SH 67/Tamarac Parkway intersection. The intersection of SH 67/Research may be signalized in the future as recommended in the *Access Control Plan Report* for State Highway 67. The report states that ultimately SH 67/Research or SH 67/Tamarac Parkway (455 feet north of Research Drive) will be signalized and the determination will be made based on future land uses and traffic studies.

### 2018 Existing Traffic Volumes

Vehicular turning movement counts were conducted at the intersection of SH 67/Tamarac Parkway on Tuesday, August 28, 2018 from 6:30 - 8:30 a.m. and from 2:00 - 6:00 p.m. Existing morning, school afternoon, and evening weekday peak-hour traffic volumes at these two intersections are shown in Figure 3. Raw count reports are attached.

Figure 3 shows the estimated 2018 annual average daily traffic (AADT) volumes adjacent to the site. The 2018 AADT has been estimated using the CDOT 2016 AADT factored to 2018 using the CDOT growth factor. LSC also reviewed 2018 CDOT traffic data for count station 102905 located adjacent to the site (volumes are attached). In addition to the factored AADT volumes, Figure 3 also shows a 2018 CDOT short-duration count for State Highway 67 just north of Tamarac Parkway.

### TRIP GENERATION

Estimates of the vehicle-trips projected to be generated by the Tamarac residential development have been made using the nationally published trip generation rates from *Trip Generation, 10<sup>th</sup> Edition, 2017* by the Institute of Transportation Engineers (ITE). Land use category “220 – Multifamily Housing (Low-Rise),” along with corresponding trip generation rates, have been used to develop the trip generation estimates for the site development. Land use 220 has been used instead of land use 210 - “Single Family Detached,” considering the size and type of the proposed “tiny home” housing product.

Table 1 below presents a summary of the estimated site trip generation. The detailed trip generation estimate for the development, including ITE rates for the proposed land use, is presented in Table 4 (attached).

The Tamarac residential development is projected to generate about 349 vehicle-trips on the average weekday during a 24-hour period, with approximately half entering and half exiting the site. During the morning peak hour, approximately 6 entering vehicles and 19 exiting vehicles would be generated by the developed site. During the school peak hour, approximately 22 vehicles will enter and 13 vehicles will exit the site. Approximately 21 entering vehicles and 12 exiting vehicles would be generated by the site during the evening peak hour.



**Table 1: Estimated Site External Vehicle-Trip Generation**

| Analysis Period     | Weekday |     |       |
|---------------------|---------|-----|-------|
|                     | In      | Out | Total |
| Morning Peak Hour   | 6       | 19  | 25    |
| School Peak Hour    | 22      | 13  | 35    |
| Afternoon Peak Hour | 21      | 12  | 33    |
| Daily/24-hour       | 174     | 175 | 349   |

## TRIP DISTRIBUTION AND ASSIGNMENT

### Trip Directional Distribution

An estimate of the directional distribution of site-generated vehicle-trips to the study area roads and intersections is a necessary component in determining the site's traffic impacts. Figure 4 shows the directional distribution estimate for the site-generated trips. The figure shows the percentages of the site-generated vehicle-trips projected to be oriented to and from the site's major approaches. Estimates have been based on the following factors: the proposed land use, the area road system serving the site, and the site's geographic location relative to the city of Woodland Park.

Figure 4 includes the anticipated percentage of trips that would remain "internal" to the Tamarac business park area. This business park area served by Tamarac Parkway contains a parochial school, a fitness club and vacant parcels that have the potential to be developed with other businesses serving the local area residents. LSC has estimated that three percent of the site-generated trips would be distributed to businesses along Tamarac Parkway.

### Site-Generated Traffic

Site-generated traffic volumes on Tamarac Parkway and at the intersection of SH 67/Tamarac Parkway have been calculated by applying the directional distribution percentages estimated by LSC (from Figure 4) to the trip generation estimates (from Table 4). Figure 5 shows the projected site-generated traffic volumes for the weekday evening peak hour.

### 2018 Existing-Plus-Site-Generated Traffic Volumes

Figure 6 shows the sum of the existing traffic volumes (from Figure 3) and site-generated peak-hour traffic volumes (shown in Figure 5). These volumes represent the projected short-term total traffic following the completion of the Tamarac residential development.

### Estimated Future 2038 Background Traffic Volumes

Figure 7 shows the projected 20-year background traffic volumes for the year 2038. The estimated 2038 background/baseline northbound and southbound through traffic volumes on State Highway 67 are based on the CDOT 20-year growth factor of 1.54.

Traffic from the proposed Tamarac residential development is not included in the **background** traffic volumes. Estimates of additional long-term background traffic has been added to the intersection of SH 67/Tamarac, as vacant parcels along Tamarac Parkway are projected to be developed. These projections are LSC estimates only and are subject to change with actual future development and its associated trip generation.

### Future 2038 Total Traffic Volumes

Figure 8 shows the sum of 2038 background traffic volumes (from Figure 7) plus the site-generated traffic volumes (from Figure 5).

### LEVEL OF SERVICE ANALYSIS

Level of service (LOS) is a quantitative measure of the level of congestion or delay at an intersection and is indicated on a scale from "A" to "F." LOS A is indicative of little congestion or delay. LOS F indicates a high level of congestion or delay. Table 2 shows the level of service delay ranges for signalized and unsignalized intersections.

**Table 2: Intersection Levels of Service Delay Ranges**

| Level of Service                                                                                                                                                 | Signalized Intersections                       |                    | Unsignalized Intersections                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|--------------------|---------------------------------------------------------------|
|                                                                                                                                                                  | Average Control Delay<br>(seconds per vehicle) | V/C <sup>(1)</sup> | Average Control Delay<br>(seconds per vehicle) <sup>(2)</sup> |
| A                                                                                                                                                                | 10.0 sec or less                               | less than 0.60     | 10.0 sec or less                                              |
| B                                                                                                                                                                | 10.1-20.0 sec                                  | 0.60-0.69          | 10.1-15.0 sec                                                 |
| C                                                                                                                                                                | 20.1-35.0 sec                                  | 0.70-0.79          | 15.1-25.0 sec                                                 |
| D                                                                                                                                                                | 35.1-55.0 sec                                  | 0.80-0.89          | 25.1-35.0 sec                                                 |
| E                                                                                                                                                                | 55.1-80.0 sec                                  | 0.90-0.99          | 35.1-50.0 sec                                                 |
| F                                                                                                                                                                | 80.1 sec or more                               | 1.00 and greater   | 50.1 sec or more                                              |
| (1) Source: Transportation Research Circular 212                                                                                                                 |                                                |                    |                                                               |
| (2) For unsignalized intersections if V/C ratio is greater than 1.0 the level of service is LOS F regardless of the projected average control delay per vehicle. |                                                |                    |                                                               |

The intersection of State Highway 67/Tamarac Parkway has been analyzed to determine the projected levels of service for the key intersection turning movements. A summary of all 2018 and 2038 traffic scenario levels of service during the weekday morning, school afternoon, and evening peak hours are shown in Table 3. Detailed Synchro reports are attached. Please refer to the Synchro reports for additional details.



**Table 3: Unsignalized Intersection\* Level of Service (LOS) Analysis Results**

| Scenario                                                                                                                                                                           | NB | NBL <sup>1</sup> | EBL | EBR | WB | SB | SBL <sup>2</sup> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------|-----|-----|----|----|------------------|
| <b>A.M. Peak Hour</b>                                                                                                                                                              |    |                  |     |     |    |    |                  |
| 2018 Existing                                                                                                                                                                      | A  | -                | B   |     | C  | A  | -                |
| 2018 Existing + Site                                                                                                                                                               | -  | A                | B   |     | C  | -  | A                |
| 2038 Background                                                                                                                                                                    | -  | A                | C   |     | E  | -  | A                |
| 2038 Background (w/ modified EB approach) ^                                                                                                                                        | -  | A                | C   | B   | D  | -  | A                |
| 2038 Background + Site                                                                                                                                                             | -  | A                | D   |     | F  | -  | F                |
| 2038 Background + Site (w/ modified EB approach) ^                                                                                                                                 | -  | A                | C   | B   | D  | -  | A                |
| <b>School Afternoon Peak Hour</b>                                                                                                                                                  |    |                  |     |     |    |    |                  |
| 2018 Existing                                                                                                                                                                      | A  | -                | B   |     | C  | A  | -                |
| 2018 Existing + Site                                                                                                                                                               | -  | A                | B   |     | C  | -  | A                |
| 2038 Background                                                                                                                                                                    | -  | A                | D   |     | F  | -  | A                |
| 2038 Background (w/ modified EB approach) ^                                                                                                                                        | -  | A                | D   | B   | E  | -  | A                |
| 2038 Background + Site                                                                                                                                                             | -  | A                | E   |     | F  | -  | A                |
| 2038 Background + Site (w/ modified EB approach) ^                                                                                                                                 | -  | A                | D   | B   | E  | -  | A                |
| <b>P.M. Peak Hour</b>                                                                                                                                                              |    |                  |     |     |    |    |                  |
| 2018 Existing                                                                                                                                                                      | A  | -                | B   |     | C  | A  | -                |
| 2018 Existing + Site                                                                                                                                                               | -  | A                | B   |     | C  | -  | A                |
| 2038 Background                                                                                                                                                                    | -  | A                | C   |     | D  | -  | A                |
| 2038 Background (w/ modified EB approach) ^                                                                                                                                        | -  | A                | D   | B   | D  | -  | A                |
| 2038 Background + Site                                                                                                                                                             | -  | A                | C   |     | E  | -  | A                |
| 2038 Background + Site (w/ modified EB approach) ^                                                                                                                                 | -  | A                | D   | B   | D  | -  | A                |
| NB = northbound, EB = eastbound, WB = westbound, SB = southbound                                                                                                                   |    |                  |     |     |    |    |                  |
| * Two-way, Stop-sign intersection traffic control (TWSC) was assumed for all scenarios.                                                                                            |    |                  |     |     |    |    |                  |
| <sup>1</sup> Exclusive/separate NB left-turn lane assumed with site buildout scenarios and all 2038 scenarios.                                                                     |    |                  |     |     |    |    |                  |
| <sup>2</sup> Exclusive/separate SB left-turn lane assumed with site buildout scenarios and all 2038 scenarios.                                                                     |    |                  |     |     |    |    |                  |
| ^ Analysis assumes modification of the eastbound intersection approach to provide an exclusive eastbound right (EBR) turn lane (currently shared, single-lane approach eastbound). |    |                  |     |     |    |    |                  |

### Morning Peak Hour

The projected side-street LOS for the existing plus site scenario is LOS C for the three weekday peak periods analyzed. The 2038 side-street level of service is projected to be E or F for some background and total traffic scenarios. The analysis results for the scenarios with a modification to the eastbound approach laneage indicate improvement in the LOS. Laneage was modified then analyzed after converting Tamarac Parkway to a two-lane approach eastbound with a separate right-turn lane and a shared through/left lane. This could potentially be accomplished with narrowing or removal of the raised center median island on the west leg (Tamarac Parkway) of the intersection.

If State Highway 67 is converted to a two-lane approach eastbound with a separate right-turn lane and a shared through/left lane, all turning movements at the intersection of State Highway 67/Tamarac

Parkway are projected to operate at LOS D or better through the 2038 horizon year during the morning peak hour. If not, the eastbound and westbound approaches are projected to operate at LOS E or worse during the long-term morning peak-hour, with or without site buildout.

### **School Afternoon Peak Hour**

Assuming no changes are made to the eastbound shared right-left turn lane, all turning movements at the intersection of State Highway 67/Tamarac Parkway are projected to operate at LOS C or better during the school afternoon peak hour in the short term.

The westbound approach is projected to operate at LOS E in 2038, with or without site buildout. However, the volume-to-capacity (v/c) ratio for the westbound approach is projected to be less than 0.2. Once the intersection of State Highway 67/Research Drive, located 375 feet to the south, is signalized, signal phase timings will allow for sufficient gaps for westbound vehicles to turn onto State Highway 67.

### **Evening Peak Hour**

If State Highway 67 is converted to a two-lane approach eastbound with a separate right-turn lane and a shared through/left lane, all turning movements at the intersection of State Highway 67/Tamarac Parkway are projected to operate at LOS D or better through the 2038 horizon year during the evening peak hour. If not, the eastbound and westbound approaches are projected to operate at LOS E during the long-term evening peak hour upon site buildout.

### **TRAFFIC SIGNAL WARRANTS**

Based on the projected short- and long-term peak-hour volumes (not including the eastbound right turning volumes – assuming the LSC recommendation for a separate eastbound right-turn lane is implemented), the traffic volume thresholds in the MUTCD four- and eight-hour signal warrants would not be exceeded. Therefore, traffic signal warrants based on vehicular volumes would not be met.

### **AUXILIARY TURN LANE ANALYSIS**

#### **Right-Turn Deceleration Lane**

A southbound right-turn deceleration lane on State Highway 67 at the Tamarac Parkway intersection would not be necessary based on the projected existing plus site-generated volumes and criteria in the *State Highway Access Code*. However, with additional development within the Tamarac Business Park, the code threshold of 25 vehicles per hour (vph) requiring a dedicated southbound right-turn lane could be exceeded in the future. The threshold would be exceeded based on LSC 2038 background traffic estimates, which assume building out the Tamarac Business Park. A future southbound right-turn lane at the intersection of SH 67/Tamarac Parkway would consist of:

- 500 feet of deceleration length including 180 feet of transition taper (15:1 ratio)



**Right-Turn Acceleration Lane**

A southbound right-turn acceleration lane is **not** required at the intersection of State Highway 67/Tamarac Parkway based on projected volumes and criteria in the *State Highway Access Code*.

**Left-Turn Deceleration Lane**

State Highway 67 is categorized as an NR-B Non-Rural Arterial in the vicinity of the site. According to the criteria contained in section 3.11(4) in the Colorado *State Highway Access Code*, exclusive left-turn lanes shall be provided for access (including public street/road connections to the state highway) on RB-B arterials with a projected peak-hour ingress left turning volume of greater than 10 vehicles per hour (vph) if the posted speed limit exceeds 40 mph. The threshold above which a dedicated northbound left-turn lane **is** required is currently exceeded at the intersection of SH 67/Tamarac Parkway (existing deficiency) as the current northbound turning volume is 96 vehicles per hour. This project is projected to add 18 vph and the estimated 2038 volume is 209. The code-specified requirements for a northbound left-turn lane include:

- 500 feet of deceleration length including 180 feet of transition taper (15:1 ratio)
- Applicable storage length

However, a full-length dedicated northbound left-turn deceleration lane is not feasible given the intersection spacing between Tamarac Parkway and Research Drive (centerline spacing is about 475 feet). The potential total available back-to-back left-turn lane and shared taper length that would fit between these two intersections would be about 375 feet. Back-to-back lane configuration means a northbound left-turn lane approaching Tamarac Parkway, a southbound left-turn lane approaching the Research Drive/Apache Trail intersection, and a shared transition taper between the lanes, all within a 12- to 16-foot-wide center median between the two intersections.

The following potential laneage and tapers would accommodate back-to-back turn lanes and stacking for projected left-turning volumes at each intersection.

- The following lane and taper dimensions would fit within the estimated 375-foot distance between the intersections:
  - o State Highway 67/Tamarac Parkway – northbound left
    - 200 feet of storage length
    - 100 feet of transition taper (shared with southbound left)
  - o State Highway 67/Research Drive/Apache Trail -- southbound left
    - 75 feet of storage length
    - 100 feet of transition taper (shared with northbound left)
- Redirect tapers at a 50:1 ratio on the north side of the Tamarac Parkway/SH 67 intersection would be close to fitting if widening occurs equally on each side between this intersection and West Lovell Gulch Road so that the redirect taper would not need to extend through that intersection.
- Redirect tapers for the back-to-back left-turn lanes south of the Tamarac Parkway/SH 67 intersection would need to occur south of the Research Drive intersection as there would not be

sufficient distance north of Research Drive to accommodate redirect tapers. To further complicate matters, a northbound left-turn lane is currently warranted at the SH 67/Research Drive intersection. Therefore, the redirect tapers would need to occur south of a northbound left-turn lane and transition taper at Research Drive. Given the location of the next intersection to the south, Valley View Drive/SH 67, this redirect taper would need to be shifted to the south of Valley View Drive. Depending on the timing of the planned future Stone Ridge Village commercial access, redirect tapers south of Valley View Drive could potentially be “throwaway” because with the likely need for a northbound left-turn lane at this commercial access, the full-width center painted median would likely just connect north to Valley View Drive.

- The above demonstrates the complexity of this corridor with respect to turn lanes. In the past, the concept of a collective solution for corridor improvements involving a partnership between developers, the city, and CDOT was discussed.

### **Eastbound Approach**

Based on the results of the 2038 level of service analysis, LSC recommends that in the future (if/when necessary to maintain acceptable traffic operations) the existing single-lane eastbound approach at the intersection of Tamarac Parkway/State Highway 67 be expanded to a two-lane approach with one shared left/through lane and an exclusive right-turn lane. A raised, 22-foot-wide entry island/median separates the eastbound and westbound lanes on Tamarac Parkway. the total roadway width, including this median island, is 54 feet. LSC recommends the following:

- No modifications to existing 16-foot-wide westbound lane.
- Remove the south half (approximately half) of the raised median, reducing the raised median width from 22 feet to about 10 feet.
- Construct a 12-foot-wide, shared left/through turn lane.
- Restripe existing eastbound approach for 12-foot right-turn-only lane. A paved outside multi-use shoulder could also be added depending on the extent of the median width reduction.

### **CONCLUSIONS**

- The site is projected to generate about 349 new driveway vehicle-trips on the average weekday.
- During the weekday evening peak hour of adjacent street traffic, 6 vehicles would enter the site while 19 vehicles would exit.
- During the afternoon school peak hour of adjacent street traffic, 22 vehicles would enter the site while 13 vehicles would exit.
- During the weekday evening peak hour of adjacent street traffic, 21 vehicles would enter the site while 12 vehicles would exit.



- In order to improve level of service operational performance, as necessary, LSC recommends that the eastbound approach be modified from a single-lane approach to a separate left/through lane and right-turn lane. Please refer to the Auxiliary Turn Lane section above for recommended modifications to existing striping for this turn lane.
- All approaches at the intersection of SH 67/Tamarac Parkway are projected to operate at LOS D or better through the 2038 horizon year during the morning and evening peak hours.
- The westbound approach is projected to operate at LOS E during the 2038 school afternoon peak hour, with or without site buildout. However, the volume-to-capacity (v/c) ratio for the westbound approach is projected to be less than 0.2. Once the intersection of State Highway 67/Research Drive, located 375 feet to the south, is signalized, signal phase timings will allow for sufficient gaps for westbound vehicles to turn onto State Highway 67.
- The following auxiliary turn lanes are required at the intersection of SH 67/Tamarac Parkway based on projected volumes and criteria in the *State Highway Access Code*. Please see the Auxiliary Turn Lane Analysis section above for recommended modifications to existing striping for this turn lane:
  - o Southbound right-turn deceleration lane
  - o Northbound left-turn deceleration lane
- A Colorado State Highway Access Permit Application will be required to be submitted by the applicant.

\* \* \* \* \*

Please contact me if you have any questions regarding this report.

Respectfully Submitted,

LSC TRANSPORTATION CONSULTANTS, INC.

By: Jeffrey C. Hodsdon, P.E., PTOE  
Principal

JCH/JAB:bjwb

Enclosures: Table 4  
Figure 1 – Figure 8  
Traffic County Reports  
Level of Service Reports

## ATTACHMENT 'E'

### Table 4: Detailed Trip Generation Estimate

| ITE                                                                                                |                                 |    |                   | Trip Generation Rates <sup>(1)</sup> |       |                           |      |      |      |      |      | Driveway Trips Generated |                           |      |     |      |     |      |     |
|----------------------------------------------------------------------------------------------------|---------------------------------|----|-------------------|--------------------------------------|-------|---------------------------|------|------|------|------|------|--------------------------|---------------------------|------|-----|------|-----|------|-----|
|                                                                                                    |                                 |    |                   | Value                                | Units | Avg<br>Weekday<br>Traffic | A.M. |      | Noon |      | P.M. |                          | Avg<br>Weekday<br>Traffic | A.M. |     | Noon |     | P.M. |     |
| Code                                                                                               | Description                     | In | Out               |                                      |       |                           | In   | Out  | In   | Out  | In   | Out                      |                           | In   | Out | In   | Out | In   | Out |
| 220                                                                                                | Multi-family Housing (Low-Rise) | 53 | DU <sup>(2)</sup> | 6.79                                 | 0.11  | 0.38                      | 0.24 | 0.14 | 0.40 | 0.23 | 349  | 6                        | 19                        | 12   | 7   | 21   | 12  |      |     |
| (1) Source: Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers (ITE) |                                 |    |                   |                                      |       |                           |      |      |      |      |      |                          |                           |      |     |      |     |      |     |
| (2) DU = dwelling units                                                                            |                                 |    |                   |                                      |       |                           |      |      |      |      |      |                          |                           |      |     |      |     |      |     |



ATTACHMENT 'E'



## ATTACHMENT 'E'

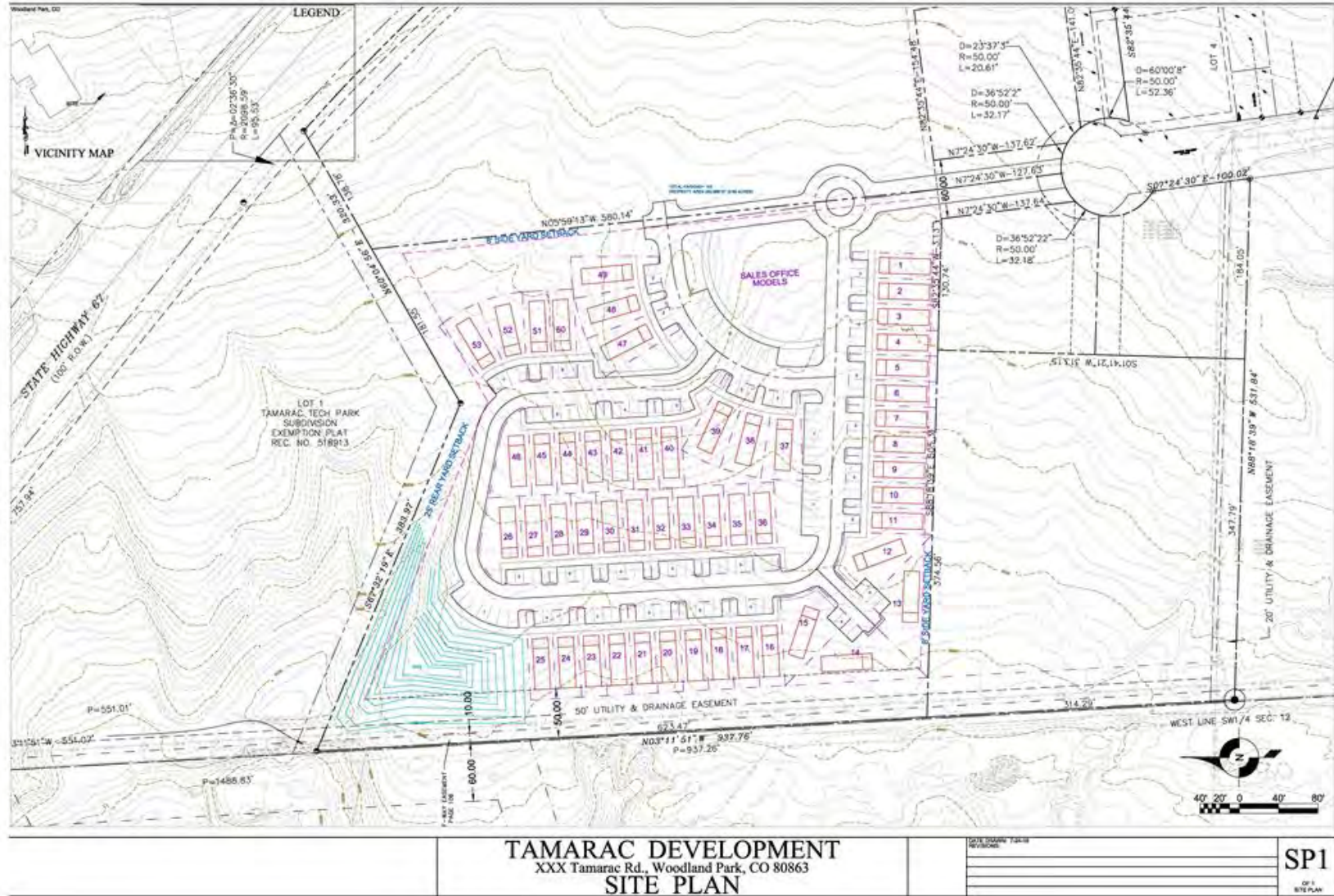
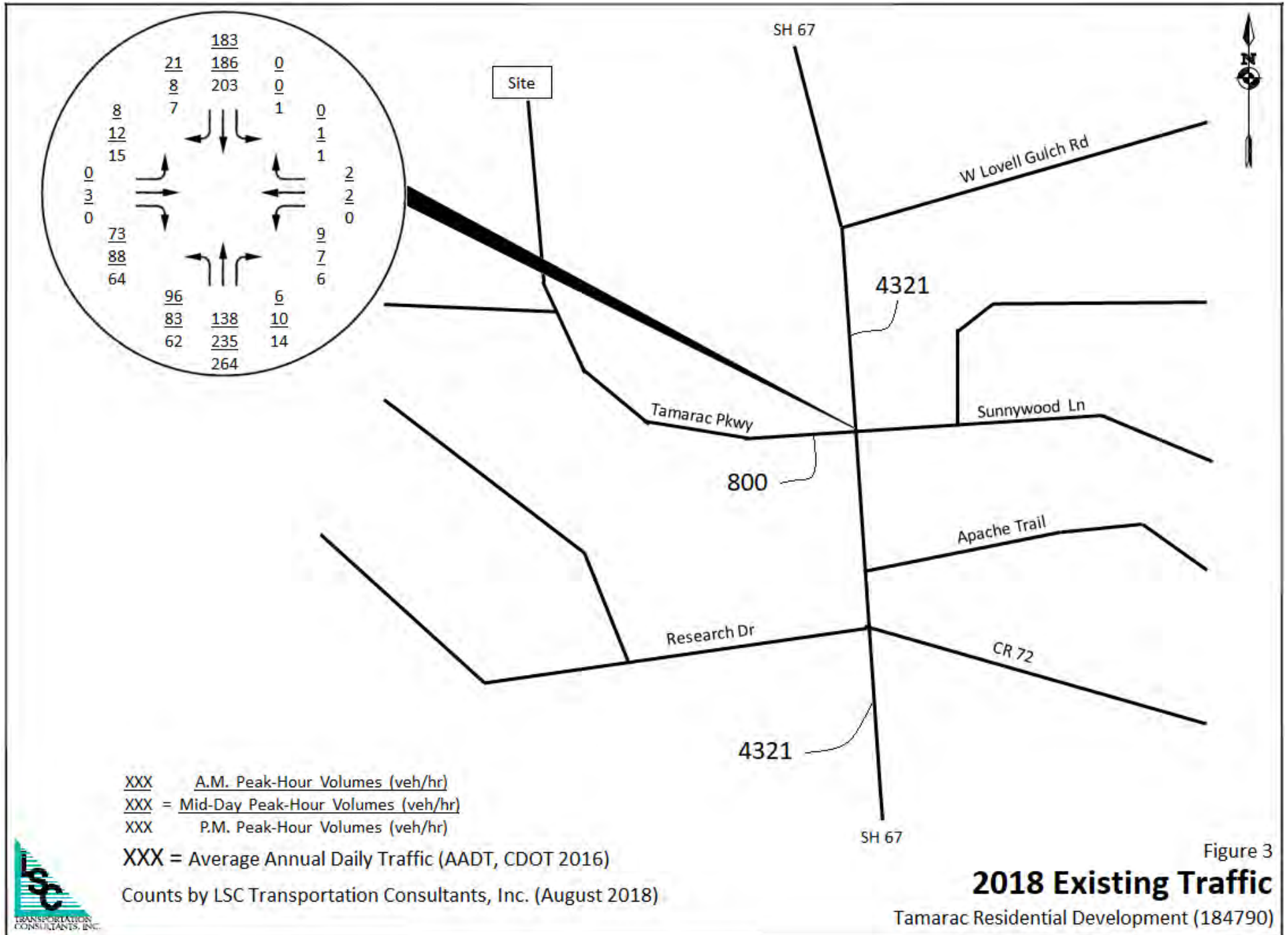


Figure 2  
**Site Plan**

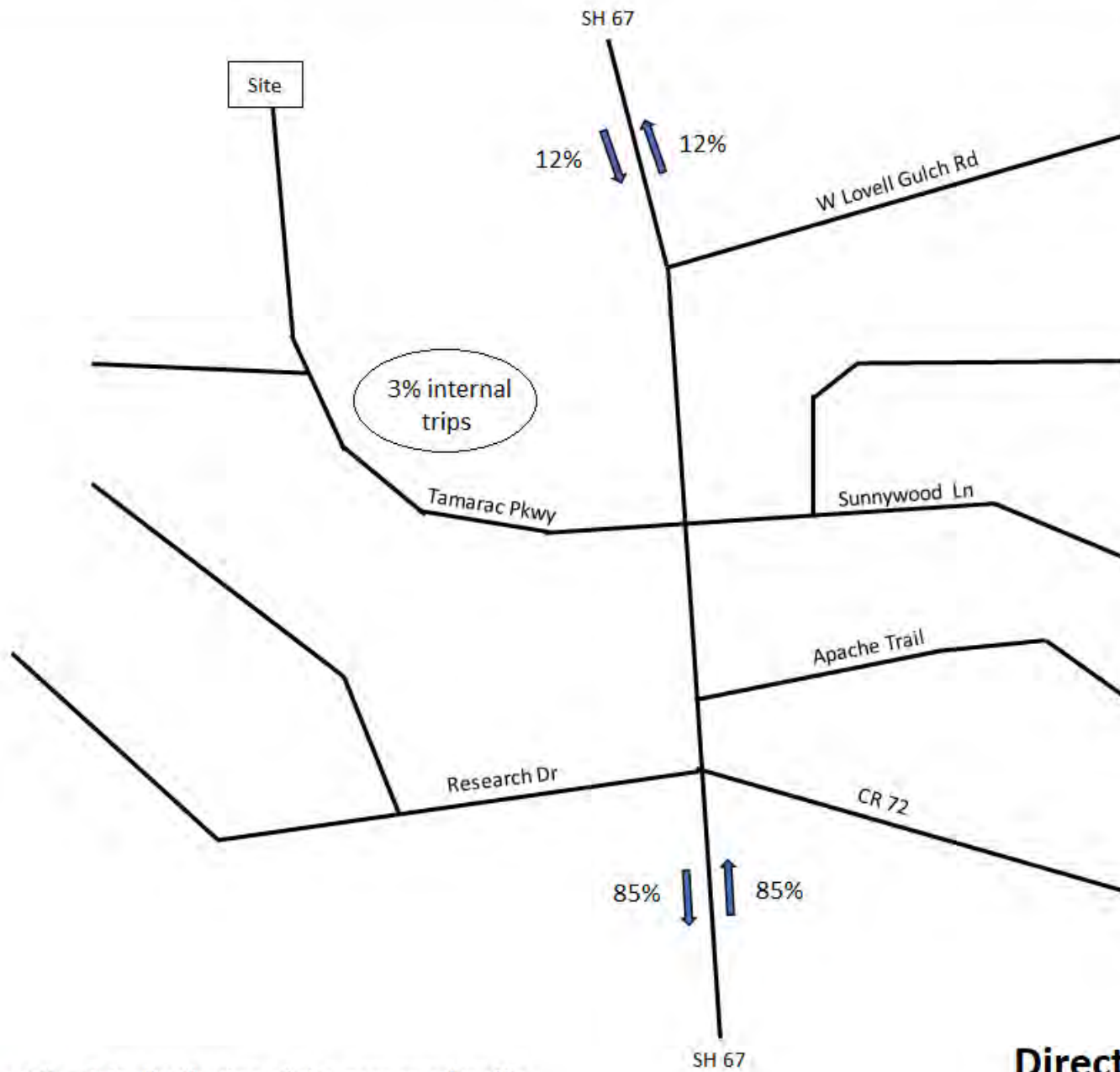
Tamarac Residential Development (184790)



# ATTACHMENT 'E'



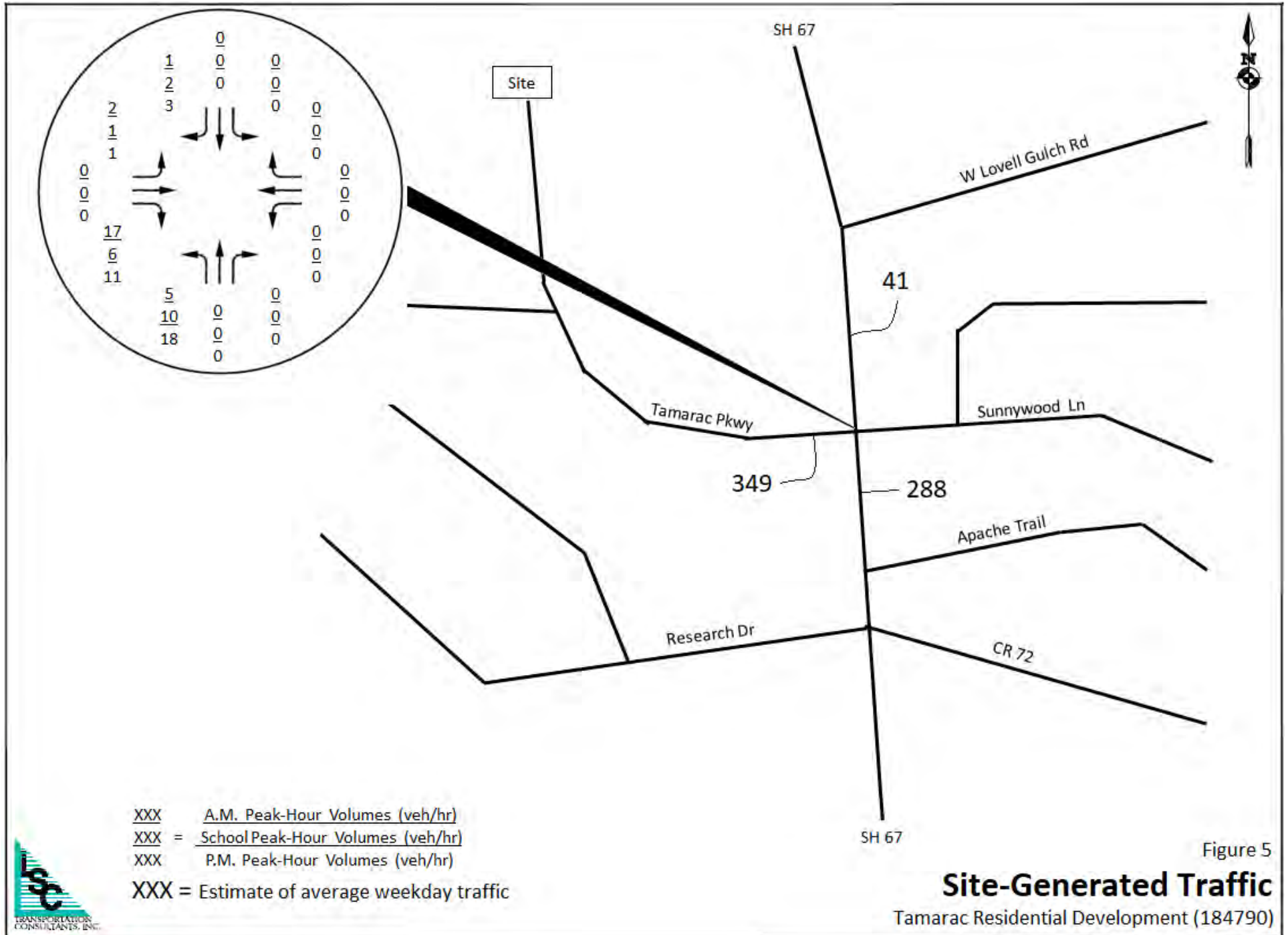
ATTACHMENT 'E'

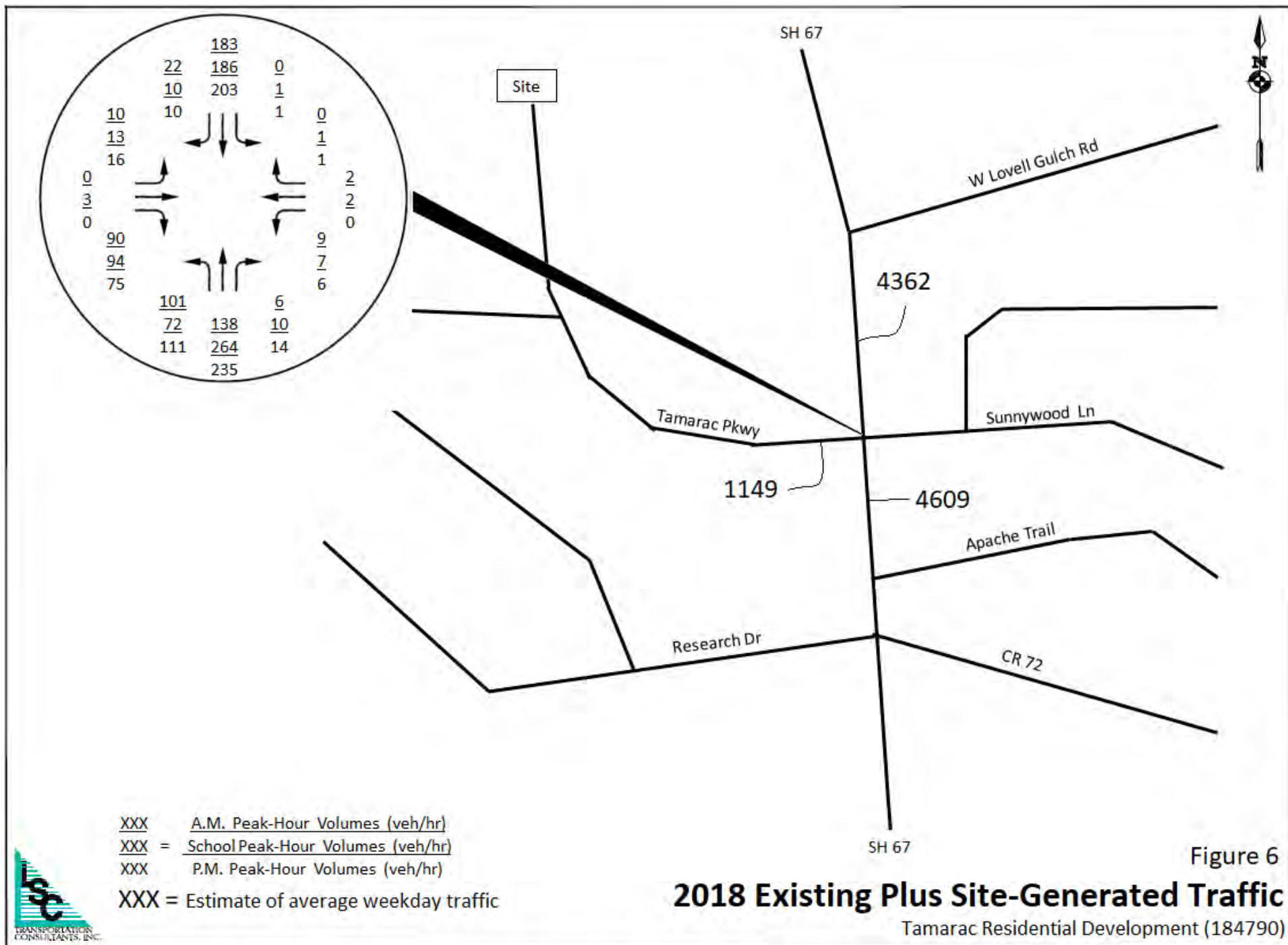


XX% = Trip distribution of site-generated traffic

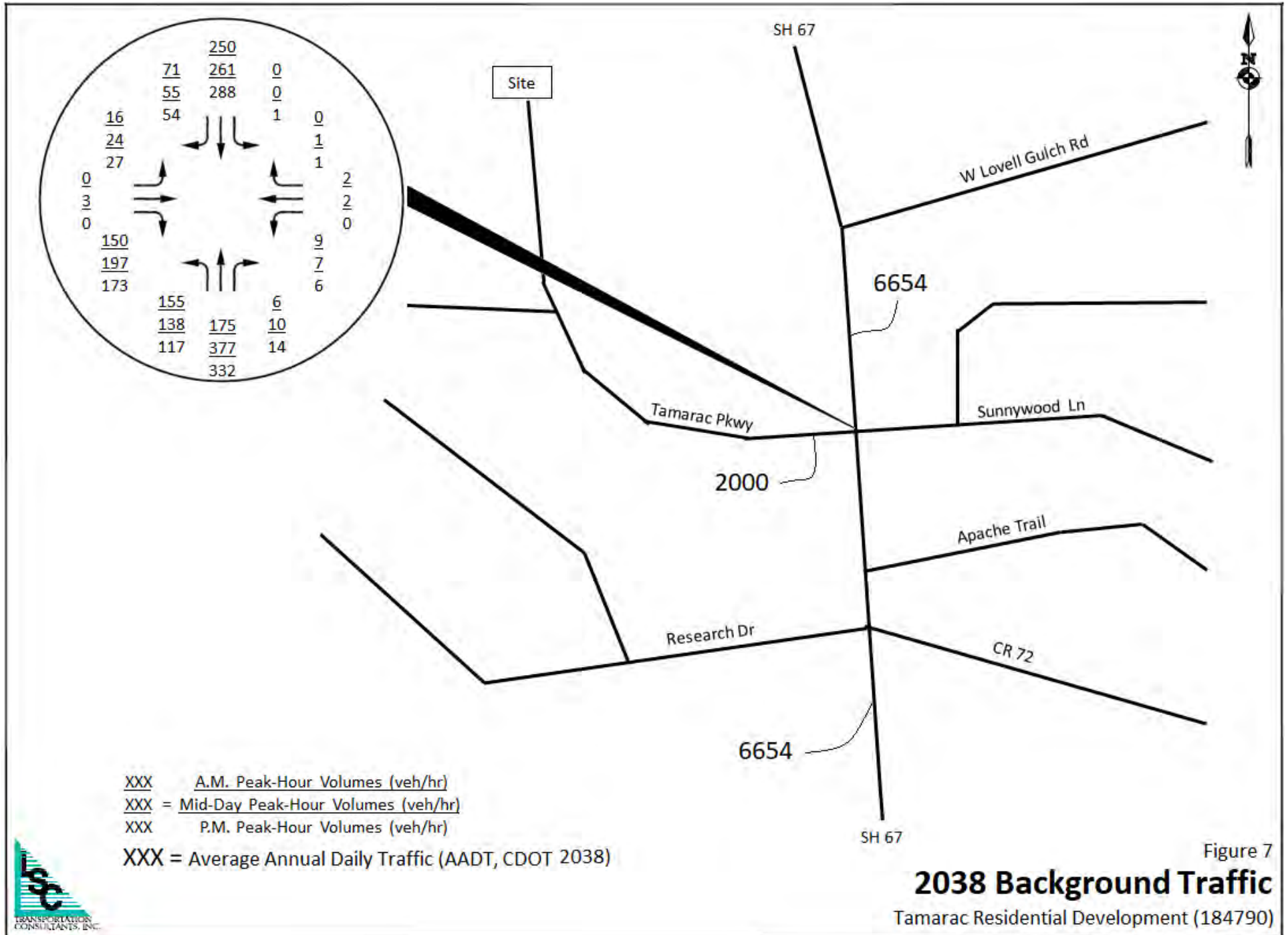
Figure 4  
**Directional Distribution**  
Tamarac Residential Development (184790)

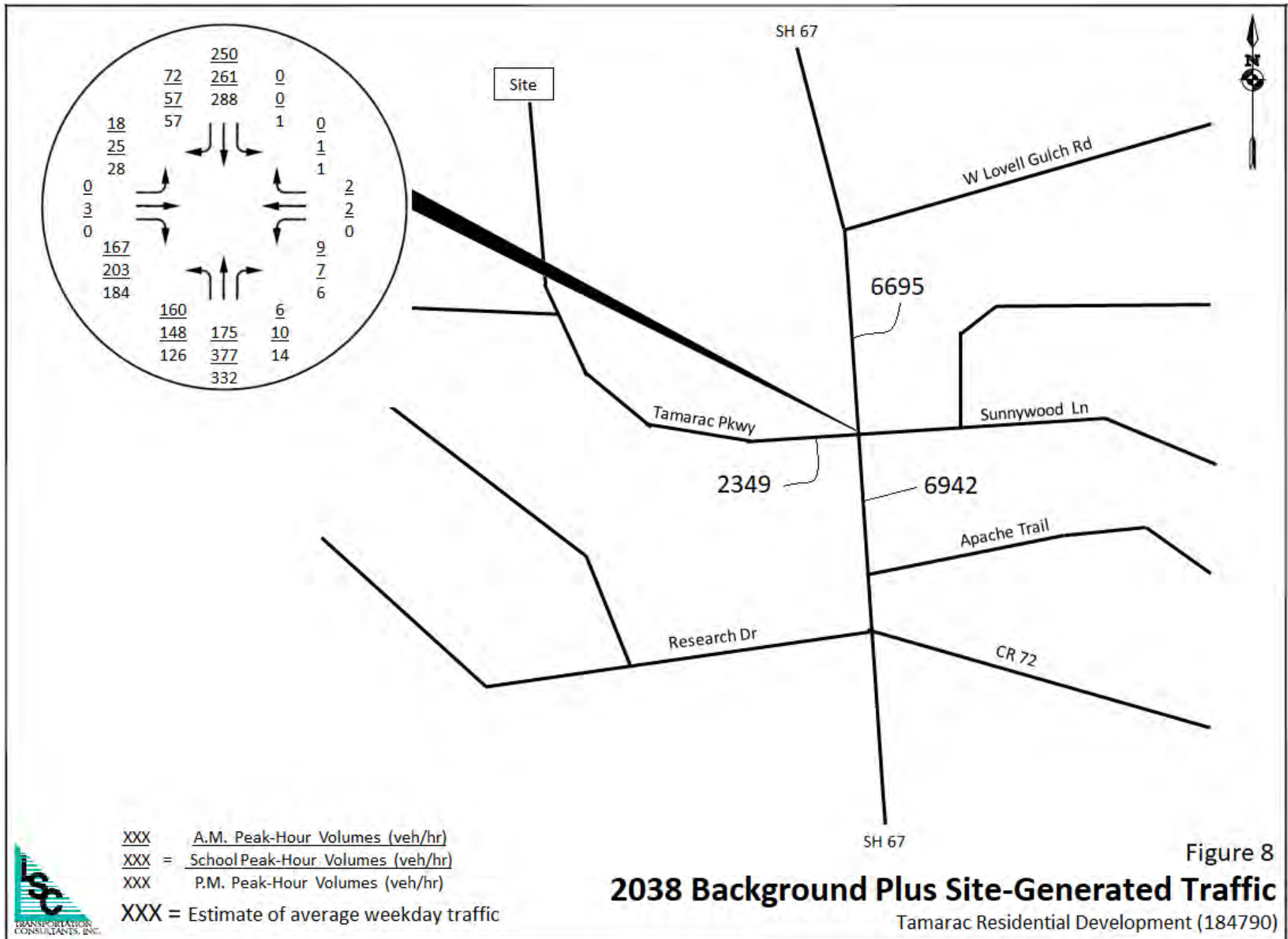
















received  
5/15/19  
SWR

5/14/2019

Planning Department

City of Woodland Park

Woodland Park, CO 80863

To who it concerns;

**Disclosure:** It is my understanding the Developer of The Village at Tamarac is submitting application for development of a small home community at end of Tamarac Parkway, Woodland Park. In posture of full disclosure, I want to make it clear that a company in which I am a member is the primary investor in the Village at Tamarac.

**Purpose:** The purpose of this letter is to express a professional opinion and testimony of no harm to property values, by the development of The Village at Tamarac.

**Summary:** As you know this community is being developed from the ground up within a zoning designation allowing the permitted use for this type development. The small footprint design of the homes within the development and layout of the community offers a new, clean, well lit, community with established rules and management. The benefits of the design and rules will benefit the residents of the community and the surrounding Woodland Park residents that will assure a controlled environment that will always look the same in the future with the only exception being the growth of landscape within the boundaries of the development. All this to say it is the intention of the developer to offer a quality living environment for residents and a pleasing presentation of the community from views to the city residents of Woodland Park.

**Testimony:** In developing an opinion whether The Village at Tamarac will affect the property values of residents of Woodland Park it was necessary to go beyond my own opinion. I recruited the opinions of a Real Estate Appraiser, an additional Real Estate Sales Professional, and a non licensed Real Estate Professional to receive a broad view of this question. **The Real Estate Appraiser** comments were that if

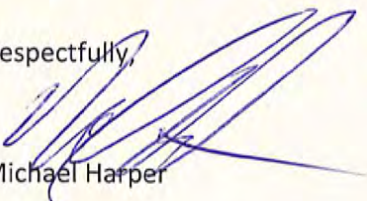


## ATTACHMENT 'E'

the community is developed within a planned zoning that allows for this use and the community doesn't encroach physically or visually on surrounding existing commercial and residential areas of Woodland Park they could see no negative impact of this community upon the surrounding property owners values. **The Real Estate Sales Professional comments** were that this type of residential product offers an additional option and price point to buyers that may be first time buyers seeking to live within Woodland Park. Additionally, the areas workforce in a variety of job descriptions who do not have a pay scale to buy a home of the single-family residential lot description will now have the ability to do so. Further comments from this professional were that the location of The Village at Tamarac is a good transition and blend with other residential properties, both single and multifamily along North Highway 67. Finally, their opinion is that the Village at Tamarac will have no negative impact on surrounding property owners' values. From the **non licensed Real Estate Professional the** comments were that there are already examples of existing mixed use along N. Highway 67 and if there was to be negative impact on property owners values it seems that it would have already happened. It has not to date.

**My Opinion:** reflects the comments of those expressed above. Further, property values historically follow sales within subdivisions, cities and areas and are not determined by microcosms in mixed use areas. Woodland Park has well defined subdivisions that offer sales value by comparison. In other words, a property in Tamarac subdivision, or the Golf Course community will not use a nearby multifamily or community such as The Village at Tamarac as comparative sales to determine value. I believe The Village at Tamarac is a fitting addition to the city of Woodland Park and offers a price point of residential living that is very limited at the present. Finally, with the evidence submitted above it is my opinion the Village at Tamarac will have no negative impact on property values within the City of Woodland Park or surrounding communities.

Respectfully,



Michael Harper

Owner, Broker



# VILLAGE AT TAMARAC

## CITY OF WOODLAND PARK

### DEVELOPMENT PLAN



VILLAGE AT TAMARAC  
WOODLAND PARK, CO  
SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN  
CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

PROJECT NO: 19.104.202

DRAWN BY: JASON ALWINE

CHECKED BY: GREG SHANER

APPROVED BY: GREG SHANER

SHEET TITLE:

# TITLE SHEET

CITY PLANNING FILE NO:

## TS01

SHEET 1 OF 8

#### GENERAL NOTES:

THE SITE PLAN REVIEW AND USE FOR "18.09.090.N.1 SINGLE-FAMILY" AS A PERMITTED USE UNDER THE MFS (MULTI-FAMILY RESIDENTIAL) IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

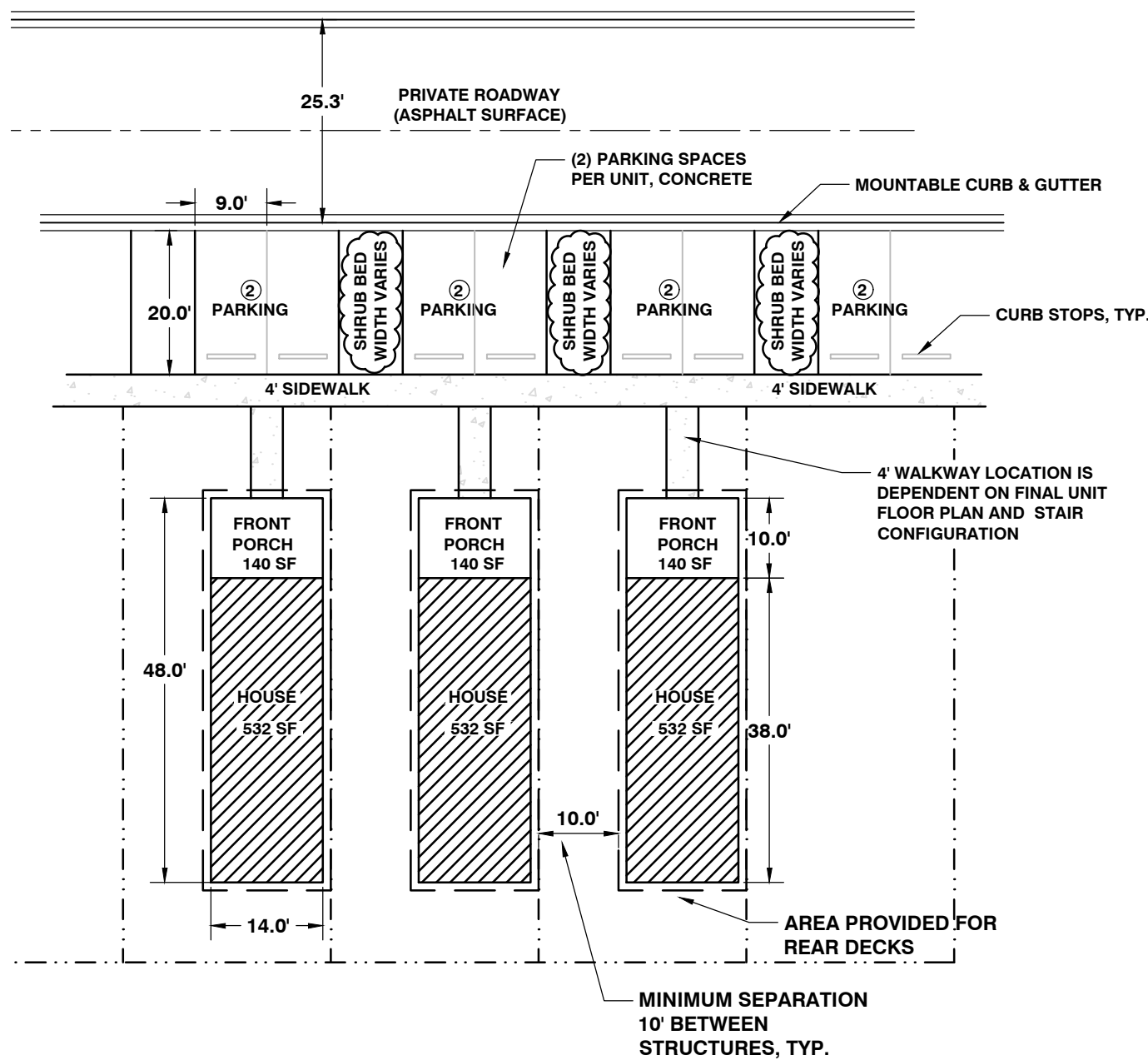
- ALL HOMES ARE ONE OR TWO BEDROOM, SINGLE-FAMILY MODULAR PRE-FABRICATED, SINGLE-STORY HOUSES SET ON PERMANENT FOUNDATIONS. THEY WILL BE INTERNATIONAL RESIDENTIAL CODE (IRC) CERTIFIED. HOMES WILL BE SOLD TO INDIVIDUALS AND PLACED ON LEASED LAND BY THE OWNER/ DEVELOPER. THERE ARE NO REQUIREMENTS FOR HANDICAP UNITS.
- ALL ON-SITE LANDSCAPING PROVIDED AS PART OF THIS SPR APPROVAL SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER OR MANAGEMENT COMPANY.
- SIGNAGE SHALL BE APPROVED BY SEPARATE ZONING DEVELOPMENT PERMIT APPLICATION.
- THERE IS NO PROPOSED EXTERIOR SITE OR PARKING LOT LIGHTING. ANY LIGHTING WILL BE BUILDING MOUNTED TYPICAL OF SINGLE FAMILY RESIDENTIAL PORCH LIGHTING.
- ALL DEVELOPMENT IMPACT FEES, IF ANY, SHALL BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT INCLUDING, BUT NOT LIMITED TO: TAP FEES, STORMWATER CAPITAL IMPROVEMENT FEES, TRANSPORTATION CAPITAL FEES, ETC.
- ALL STREETS ARE PRIVATE, TO BE PRIVATELY OWNED AND MAINTAINED. NO PARKING IS PERMITTED ALONG PRIVATE STREETS.

#### LEGAL DESCRIPTION:

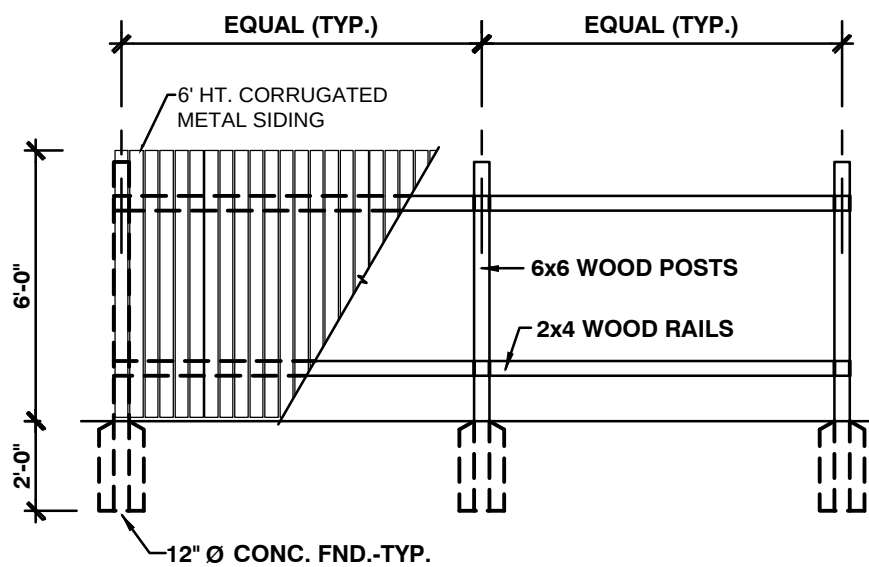
LOT 5 TAMARAC TECH PARK 5.

#### FLOODPLAIN STATMENT

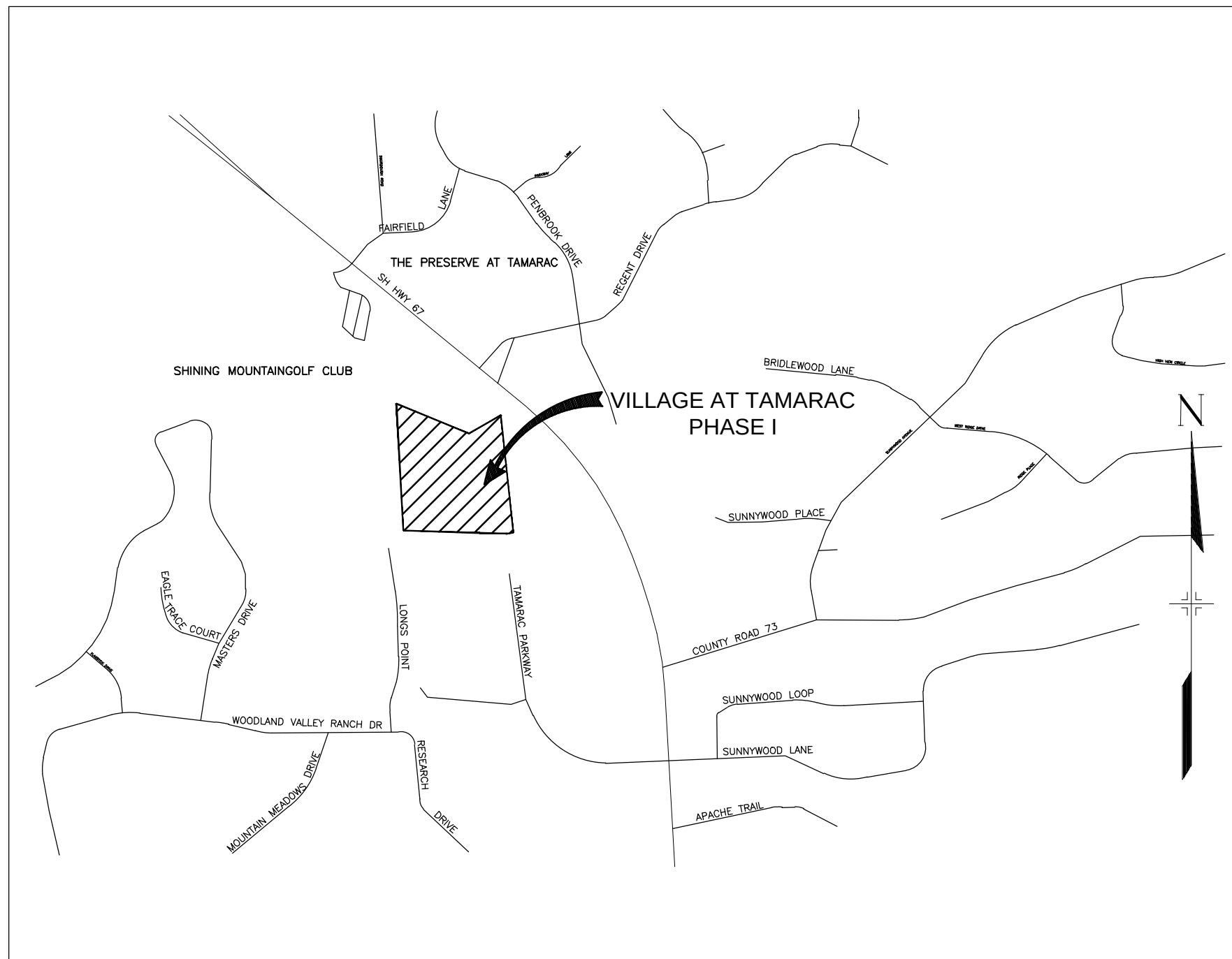
THIS PROPERTY IS NOT LOCATED WITHIN A FLOODPLAIN ZONE ACCORDING TO THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 08119C013D EFFECTIVE SEPTEMBER 25, 2009.



TYPICAL UNIT LAYOUT & DIMENSIONS  
SCALE: 1"=20'



TRASH ENCLOSURE  
SCALE: NOT TO SCALE



VICINITY MAP  
NTS

| SITE SUMMARY DATA             |                                                                   |
|-------------------------------|-------------------------------------------------------------------|
| SITE ACREAGE                  | 6.68 ACRES (290,953.287 SF)                                       |
| EXISTING LAND USE             | VACANT                                                            |
| PROPOSED LAND USE             | DETACHED SINGLE FAMILY RESIDENTIAL                                |
| EXISTING SITE ZONING          | MULTI-FAMILY RES. SUBURBAN (MFS)                                  |
| PROPOSED NO. OF UNITS         | 53 TOTAL UNITS                                                    |
| ACCOUNT NO.                   | R0055825                                                          |
| PARCEL ID:                    | 6229.123210050                                                    |
| PERMITTED DENSITY             | 2-8 DU/ ACRE                                                      |
| PROPOSED DENSITY              | 7.93 DU/ ACRE (53 UNITS)                                          |
| SETBACKS                      | FRONT YARD 25'<br>REAR YARD 50'<br>SIDE YARD 8'                   |
| PARKING                       |                                                                   |
| REQUIRED PARKING              | 2 SPACES PER UNIT= 106 STALLS                                     |
| PROVIDED PARKING              | 106 UNIT PARKING STALLS + 23 GUEST STALLS                         |
| STRUCTURES SITE COVERAGE      | 35,616 SF (0.82 ACRES)                                            |
| SITE PAVED AREA (TOTAL)       | 68,203 SF (1.57 ACRES)                                            |
| TOTAL IMPERVIOUS SURFACE AREA | 103,819 SF ( 3.06 ACRES)                                          |
| OPEN SPACE (40% REQ.)         | 187,134 SF (4.30 ACRES) (64%)                                     |
| MAXIMUM BUILDING HEIGHT       | 30' MAIN STRUCTURE<br>20' ACCESSORY BUILDINGS                     |
| REQUIRED SNOW STORAGE         | 3,572 SF (10% OF 35,727 SF OF GUEST PARKING AND ASPHALT ROADWAYS) |
| PROVIDED SNOW STORAGE         | 3,572 SF                                                          |

#### CITY OF WOODLAND PARK SIGNATURE BLOCK:

"(I, we) hereby certify that (I am, we are) the owners of this property and that (I, we) shall abide by the provisions as specified upon this site plan, as presented, and any conditions and requirements that are specified by the City of Woodland Park in rendering its approval."

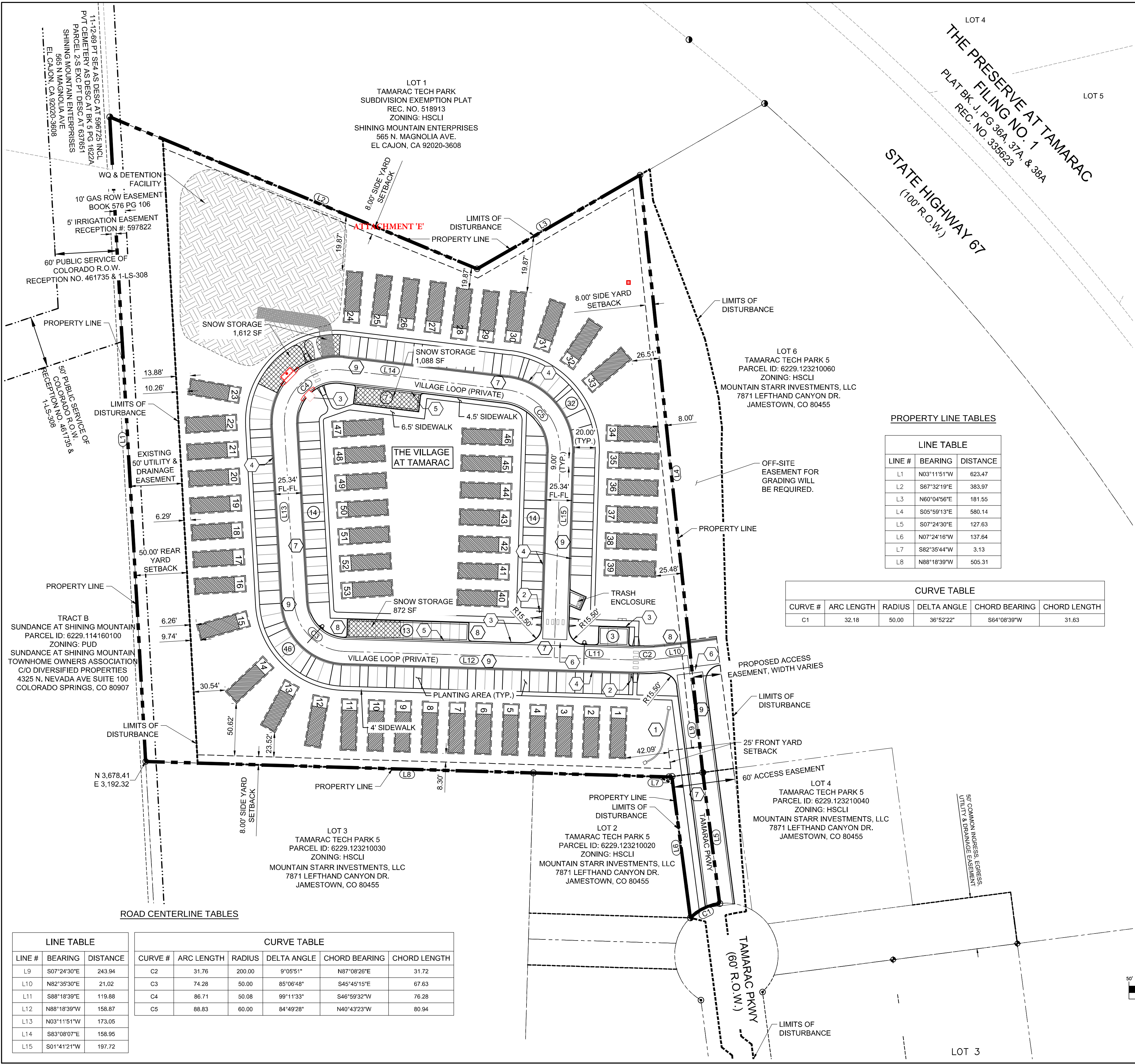
Date: Owner(s):

"I hereby certify that I am the City Planner for the City of Woodland Park, Colorado, and that I attest that this site plan was approved, subject to conditions, as contained herein by, City of Woodland Park, Planning Department, and by the City of Woodland Park Planning Commission on \_\_\_\_\_, 2019, after a properly conducted Public Hearing by the City Council held on \_\_\_\_\_, 2019."

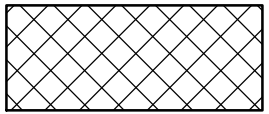
Date: City Planner  
City of Woodland Park

| Sheet List Table |                       |              |
|------------------|-----------------------|--------------|
| Sheet Title      | Sheet Description     | Sheet Number |
| TS01             | TITLE SHEET           | 1            |
| SP01             | SITE PLAN             | 2            |
| GP01             | GRADING PLAN          | 3            |
| UT01             | UTILITY PLAN          | 4            |
| L-1              | LANDSCAPE PLAN        | 5            |
| L-2              | LANDSCAPE DETAILS     | 6            |
| L-3              | LANDSCAPE NOTES       | 7            |
| AE01             | ARCHITECTURAL EXHIBIT | 8            |





LEGEND:



SNOW STORAGE

DETENTION POND AREA

PROPERTY LINE

BUILDING SETBACK

LIMITS OF DISTURBANCE

PARKING SPACE COUNT

MONUMENT SIGN

R-1 STOP SIGN 24" x 24" (TYP.)

VERTICAL CURB

RAMP CURB

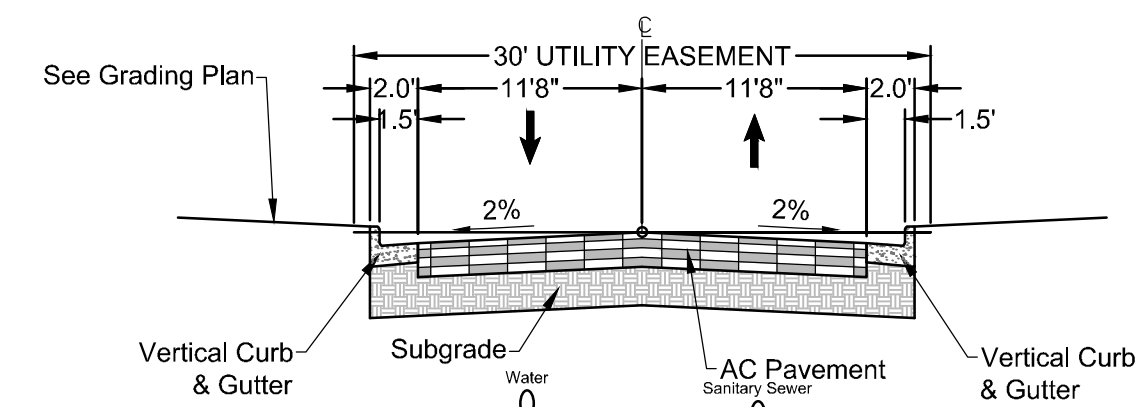
3' CROSS PAN

6' CROSS PAN

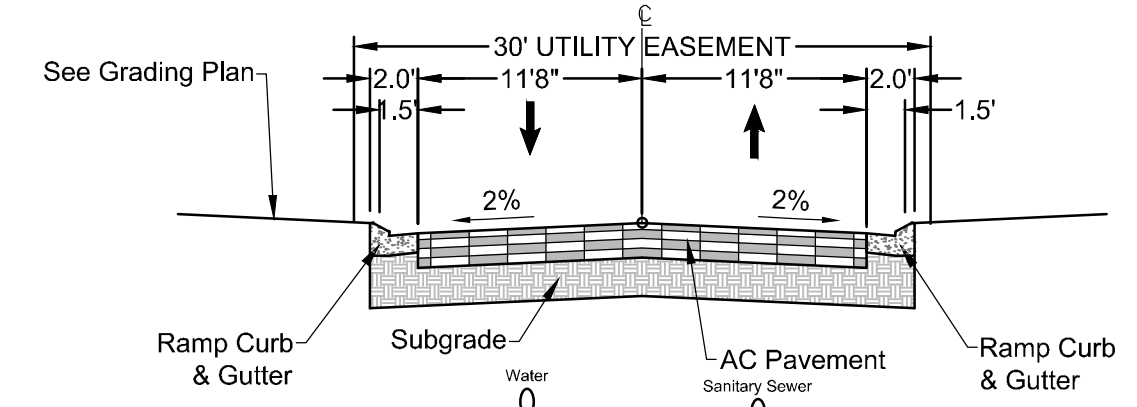
ASPHALT PER GEOTECH REPORT

TYPICAL ROAD SECTION A-A

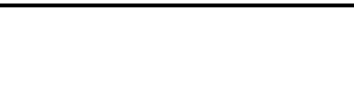
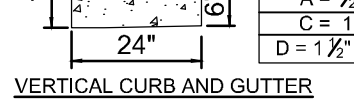
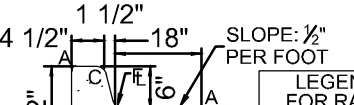
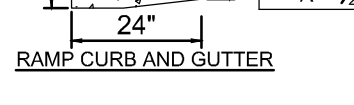
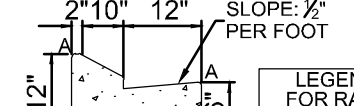
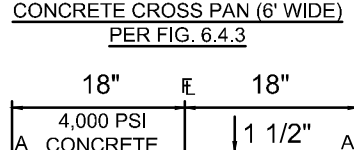
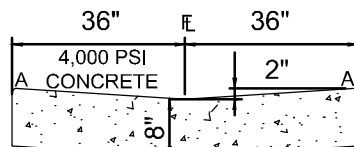
TYPICAL ROAD SECTION B-B



8 TYPICAL SECTION (SECTION A-A) NOT TO SCALE



9 TYPICAL SECTION (SECTION B-B) NOT TO SCALE



VILLAGE AT TAMARAC  
WOODLAND PARK, CO  
SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN  
CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

PROJECT NO: 19.104.202

DRAWN BY: JASON ALWINE

CHECKED BY: GREG SHANER

APPROVED BY: GREG SHANER

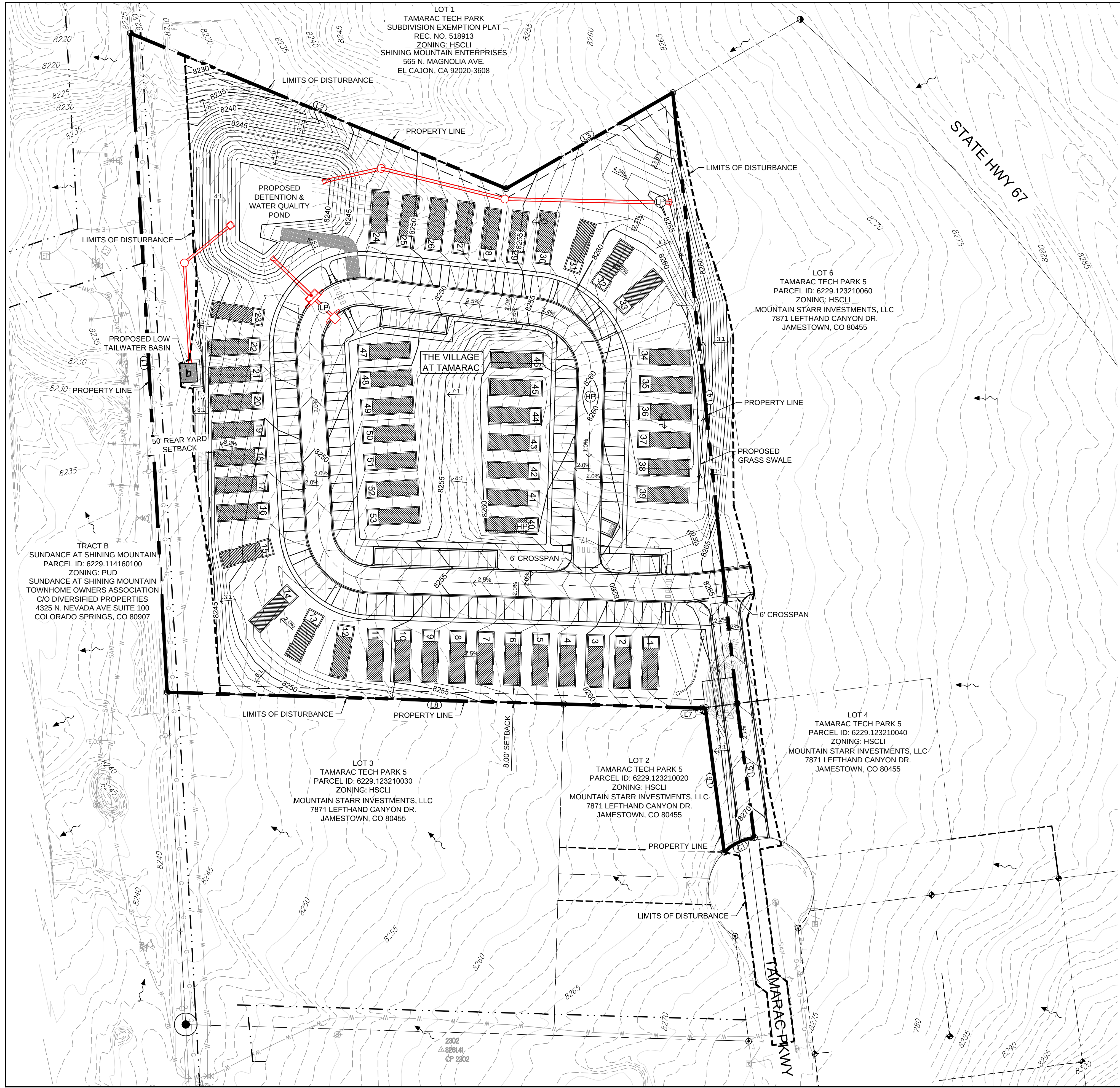
SHEET TITLE:

SITE  
PLAN

CITY PLANNING FILE NO:

SP01





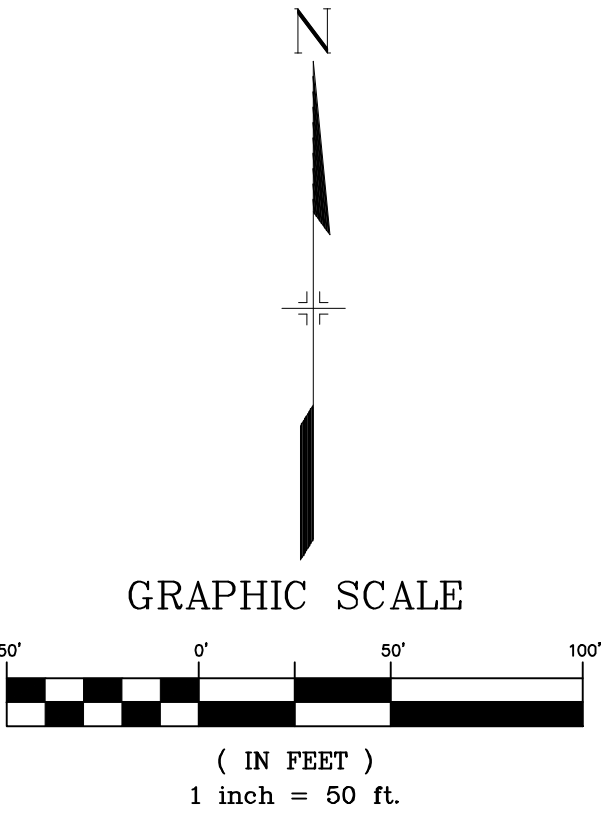
**LEGEND:**

|      |                       |
|------|-----------------------|
| ---  | PROPERTY LINE         |
| ---  | LIMITS OF DISTURBANCE |
| →    | GRASS SWALE           |
| 8295 | EXISTING CONTOURS     |
| 8285 | PROPOSED CONTOURS     |
| LP   | LOW POINT             |
| HP   | HIGH POINT            |
| ←    | OVERLAND FLOW ARROW   |
| 2.3% | SLOPE ARROW           |

PROPERTY LINE TABLES

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE #     | BEARING     | DISTANCE |
| L1         | N03°11'51"W | 623.47   |
| L2         | S67°32'19"E | 383.97   |
| L3         | N60°04'56"E | 181.55   |
| L4         | S05°59'13"E | 580.14   |
| L5         | S07°24'30"E | 127.63   |
| L6         | N07°24'16"W | 137.64   |
| L7         | S82°35'44"W | 3.13     |
| L8         | N88°18'39"W | 505.31   |

| CURVE TABLE |            |        |             |               |              |
|-------------|------------|--------|-------------|---------------|--------------|
| CURVE #     | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
| C1          | 32.18      | 50.00  | 36°52'22"   | S64°08'39"W   | 31.63        |



NOTE:  
ANY CONSTRUCTION LOCATED WITHIN CDOT RIGHT OF WAY  
WILL REQUIRE PERMIT



Know what's below.  
Call before you dig.

VILLAGE AT TAMARAC  
WOODLAND PARK, CO  
SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN  
CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

|              |              |
|--------------|--------------|
| PROJECT NO:  | 19.104.202   |
| DRAWN BY:    | JASON ALWINE |
| CHECKED BY:  | GREG SHANER  |
| APPROVED BY: | GREG SHANER  |
| SHEET TITLE: |              |

GRADING  
PLAN

CITY PLANNING FILE NO:

GP01





VILLAGE AT TAMARAC  
WOODLAND PARK, CO  
SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN  
CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

|              |              |
|--------------|--------------|
| PROJECT NO:  | 19.104.202   |
| DRAWN BY:    | JASON ALWINE |
| CHECKED BY:  | GREG SHANER  |
| APPROVED BY: | GREG SHANER  |
| SHEET TITLE: |              |

UTILITY  
PLAN

CITY PLANNING FILE NO:

UT01

SHEET 4 OF 8

LEGEND:

|  |                            |
|--|----------------------------|
|  | PROPERTY LINE              |
|  | PROPOSED EASEMENT          |
|  | PROPOSED 8" WATER LINE     |
|  | PROPOSED 8" SANITARY SEWER |
|  | PROPOSED FIRE HYDRANT      |
|  | PROPOSED STORM LINE        |

NOTES:

1) ALL CLEANOUTS & VALVES LOCATED IN ASPHALT OR CONCRETE TO BE PLACED IN VALVE BOX PER WOODLAND PARK "TYPICAL VALVE BOX SETTING" DETAIL.

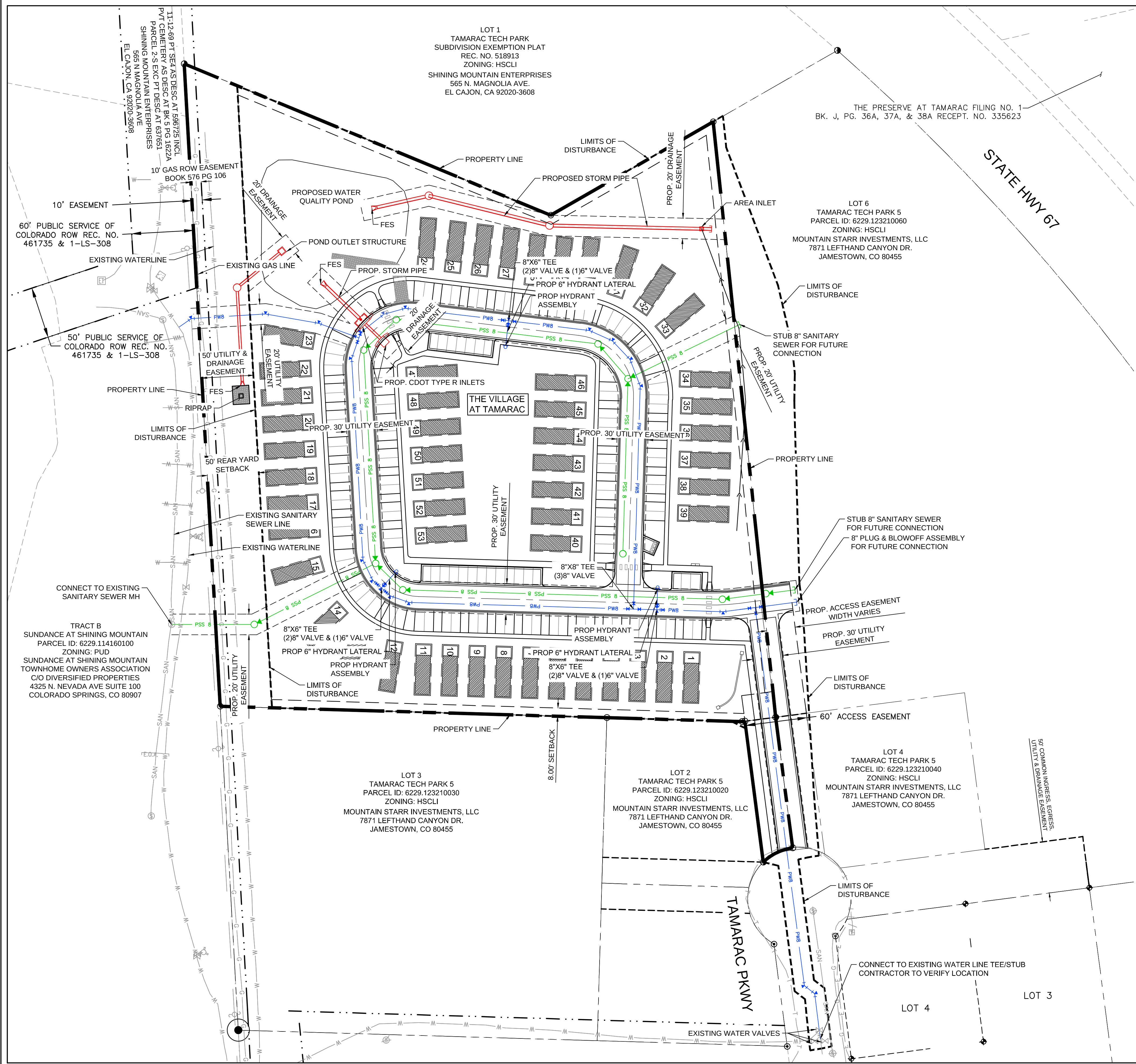
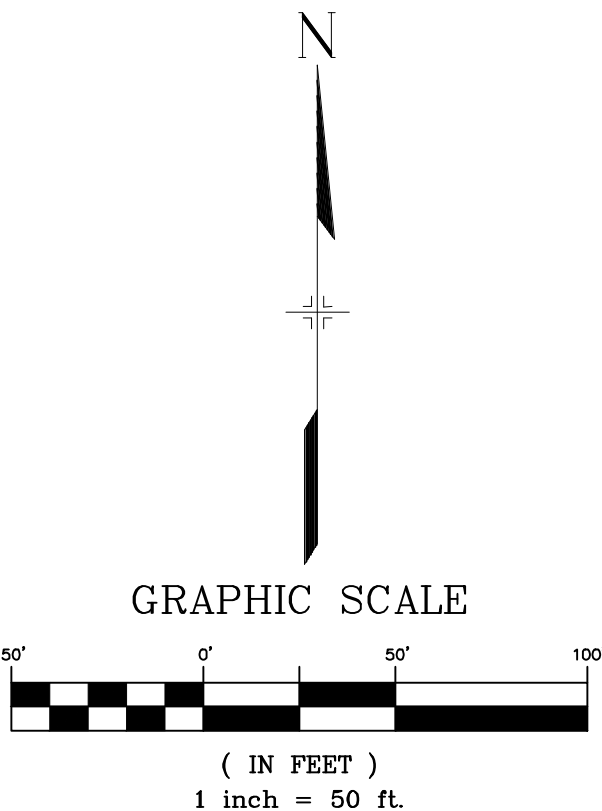
2) ALL VALVE BOXES, CLEANOUTS, MANHOLES, GUYWIRES, SHALL BE ADJUSTED TO FINAL GRADE.

3) CONTRACTOR TO COORDINATE RELOCATION OF DRY UTILITIES W/D RY UTILITY OWNERS AS REQUIRED.

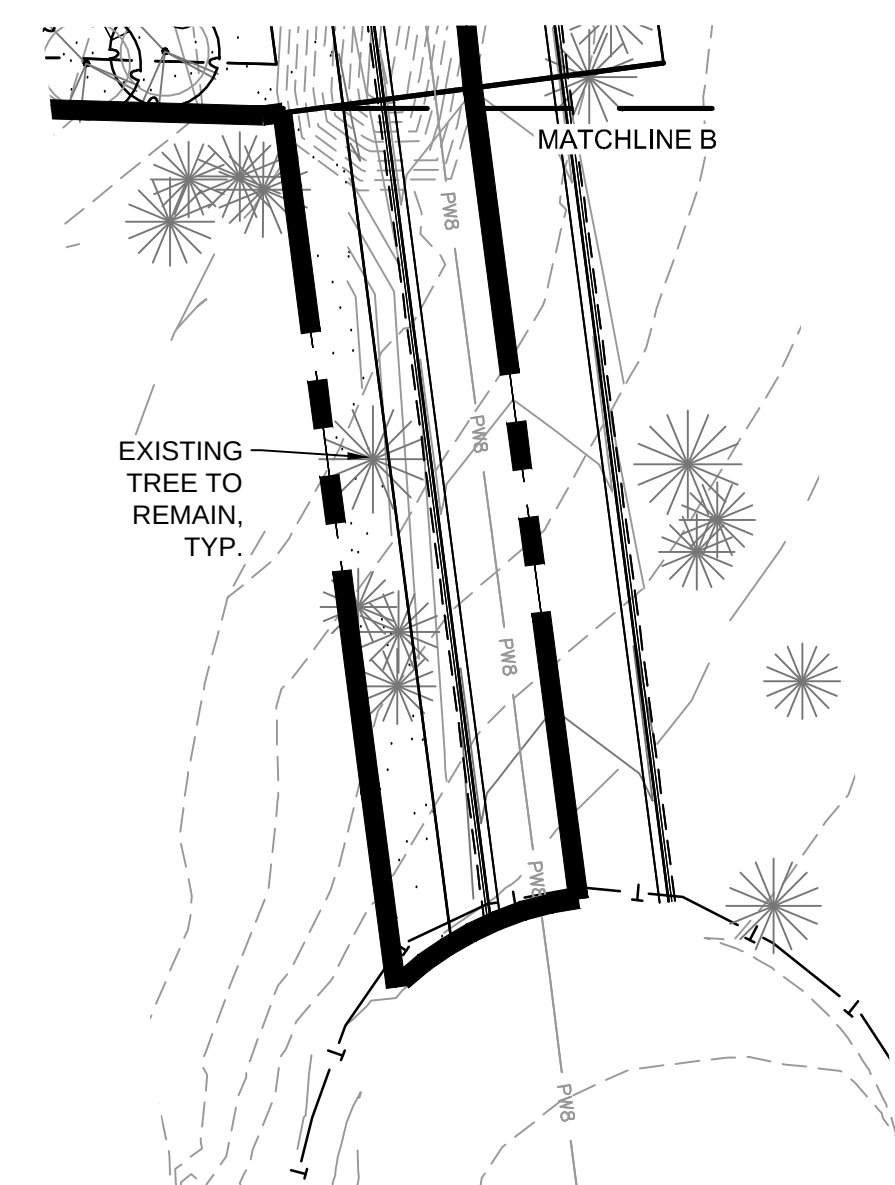
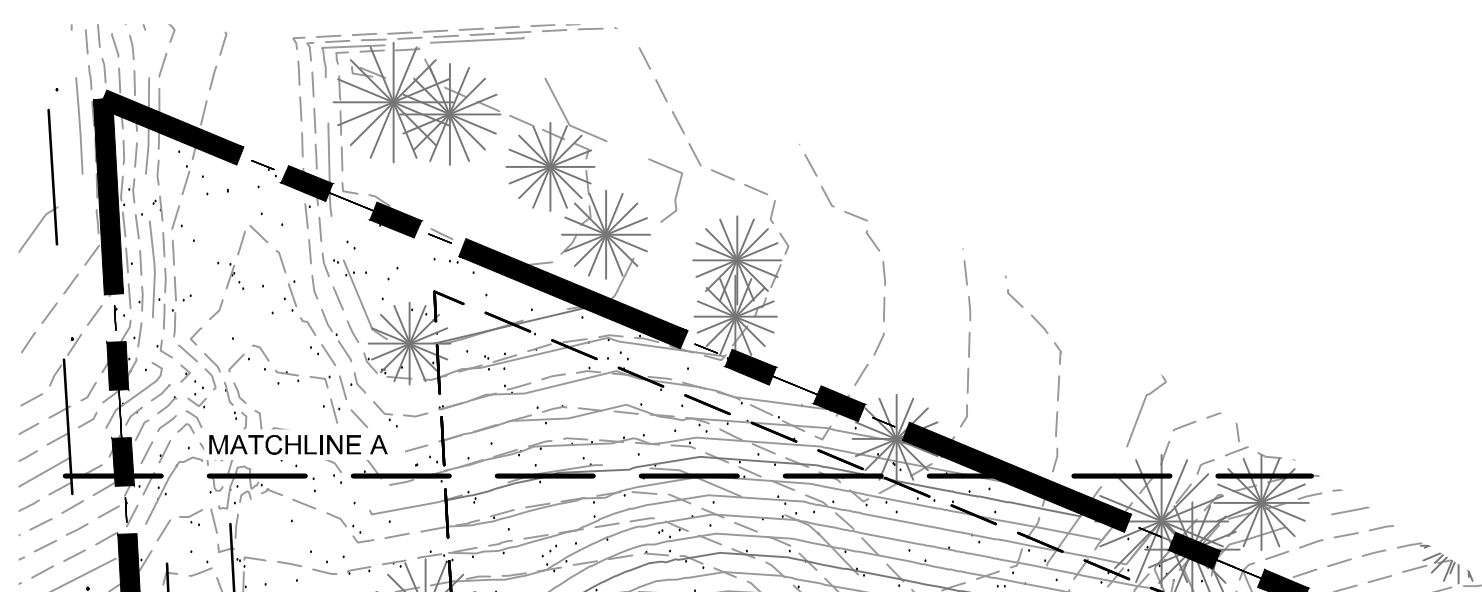
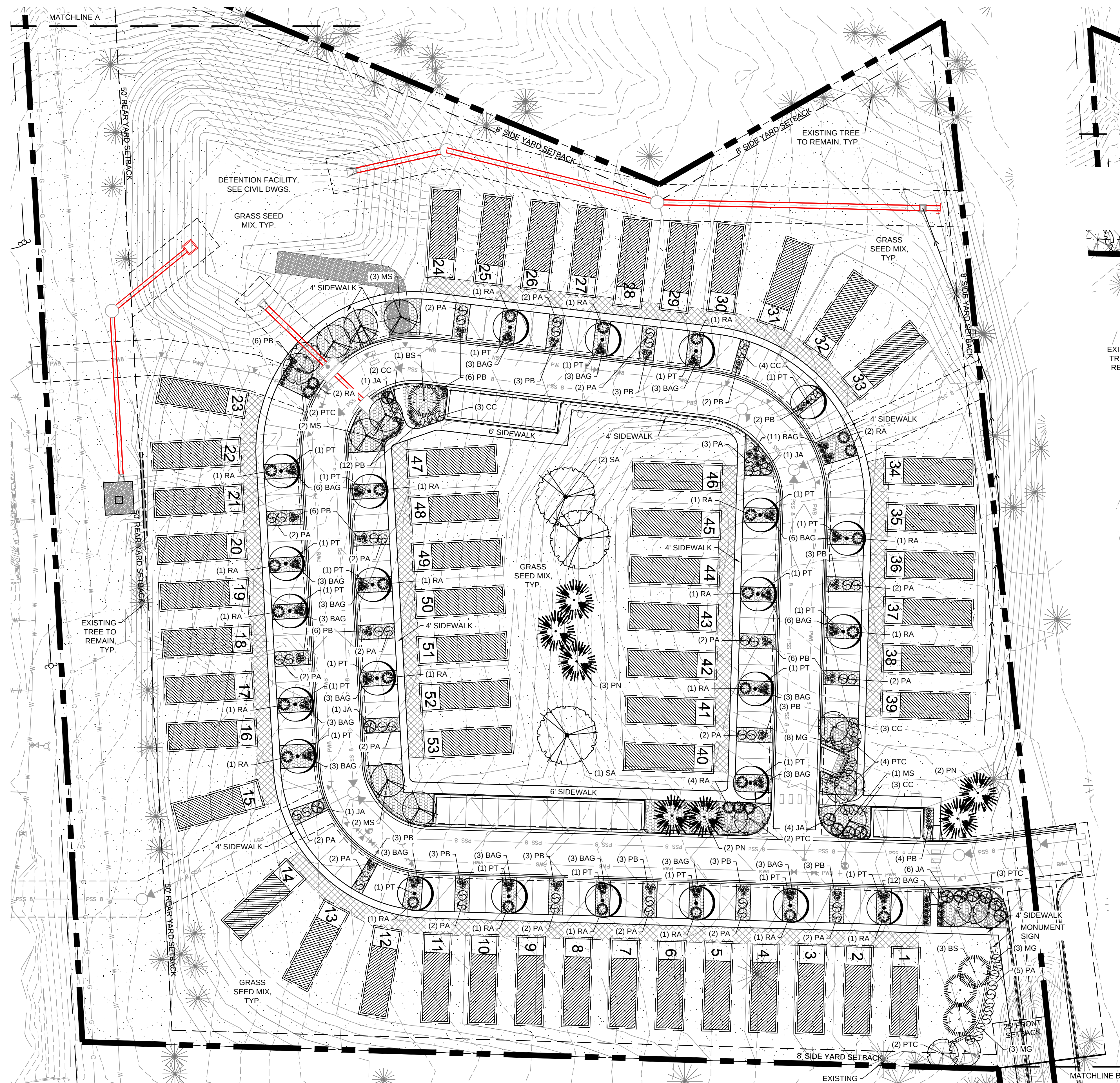
4) WATER METERS AND BACKFLOW VALVES ARE LOCATED INSIDE BUILDINGS.

5) WATERMAIN EXTENSIONS AND SERVICES DESIGN BASED ON ALTA/ACSM LAND TITLE SURVEY BY RAMPART SURVEYS, INC. DATED AUGUST 6, 2013. CONTRACTOR TO FIELD VERIFY LOCATION AND DEPTH OF EXISTING 8" WATERMAIN AND 8" SANITARY SEWER MAIN.

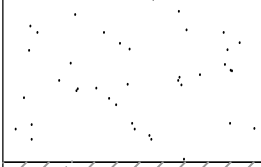
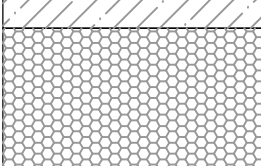
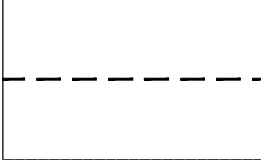
6) EASEMENT TO BE PROVIDED FOR WATER MAIN (20' IN WIDTH) AND FIRE HYDRANT LATERALS (10' IN WIDTH)

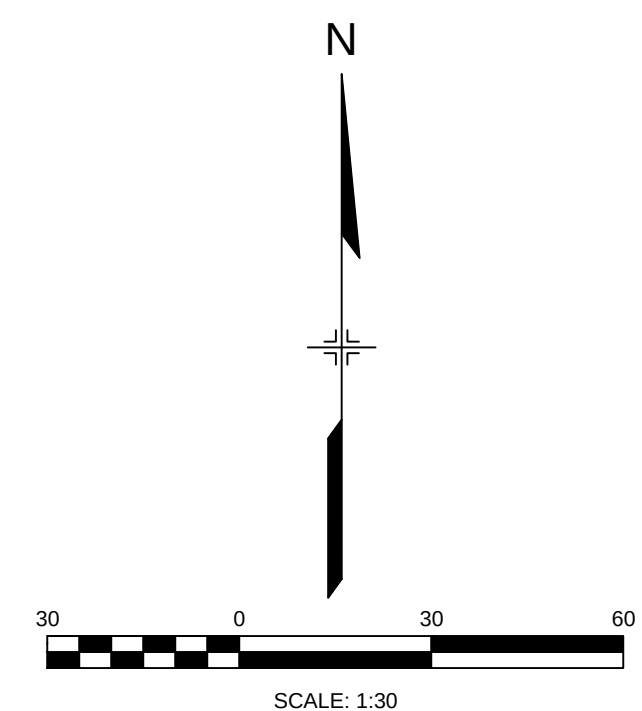






## LEGEND

|                                                                                       | PROJECT BOUNDARY                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | GRASS SEED MIX: To be pre-blended Arkansas Valley Seed Mix "Triathlawn" submit blend installed per suppliers Specifications. Submit cut sheet for review and approval prior to installation.                                       |
|  | COBBLE A: To be located in all landscape areas between sidewalk and unit (Ref. sheet L-2); 1" to 3" Grey Rose Cobblestone (or approved equal) mulch over weed fabric. Submit sample for review and approval prior to installation. |
|  | COBBLE B: 3" to 6" Grey Rose Cobblestone (or approved equal) mulch over weed fabric. Submit sample for review and approval prior to installation.                                                                                  |
|  | STEEL EDGE: To be located between any planting bed and seeded area. Steel edge to be DURAEDGE 1/2" Thick X 5" Wide Rolled Top Steel Edge. Color to be "Brown". Install per manufacturer's specifications.                          |
|  | TYPICAL UNIT LANDSCAPING SCHEME: Ref. Typical Unit Landscaping Scheme, sheet L-2, for landscaping in this area.                                                                                                                    |



# VILLAGE AT TAMARAC

WOODLAND PARK, CO

## SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:

**Matrix**  
DESIGN GROUP

The logo for Matrix Design Group features the word "Matrix" in a large, bold, blue sans-serif font. To the right of the text is a stylized graphic of three stacked, isometric cubes in a light tan color. Below the word "Matrix" is the text "DESIGN GROUP" in a smaller, blue, all-caps sans-serif font.

2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

|                                                 |
|-------------------------------------------------|
| PROJECT:                                        |
| VILLAGE AT TAMARAC<br>DEVELOPMENT PLAN          |
| CITY OF WOODLAND PARK<br>PROJECT NO. 19.987.002 |

**OWNER/ DEVELOPER:**  
VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80866  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

|                                                                            |
|----------------------------------------------------------------------------|
| ISSUE:                                                                     |
| MAY 2019<br>ISSUED FOR CITY OF WOODLAND PARK<br>DEVELOPMENT PLAN REVIEW 01 |

|                      |              |
|----------------------|--------------|
| DRAWING INFORMATION: |              |
| PROJECT NO:          | 19.104.202   |
| DRAWN BY:            | JASON ALWINE |
| CHECKED BY:          | GREG SHANER  |
| APPROVED BY:         | GREG SHANER  |
| SHEET TITLE:         |              |

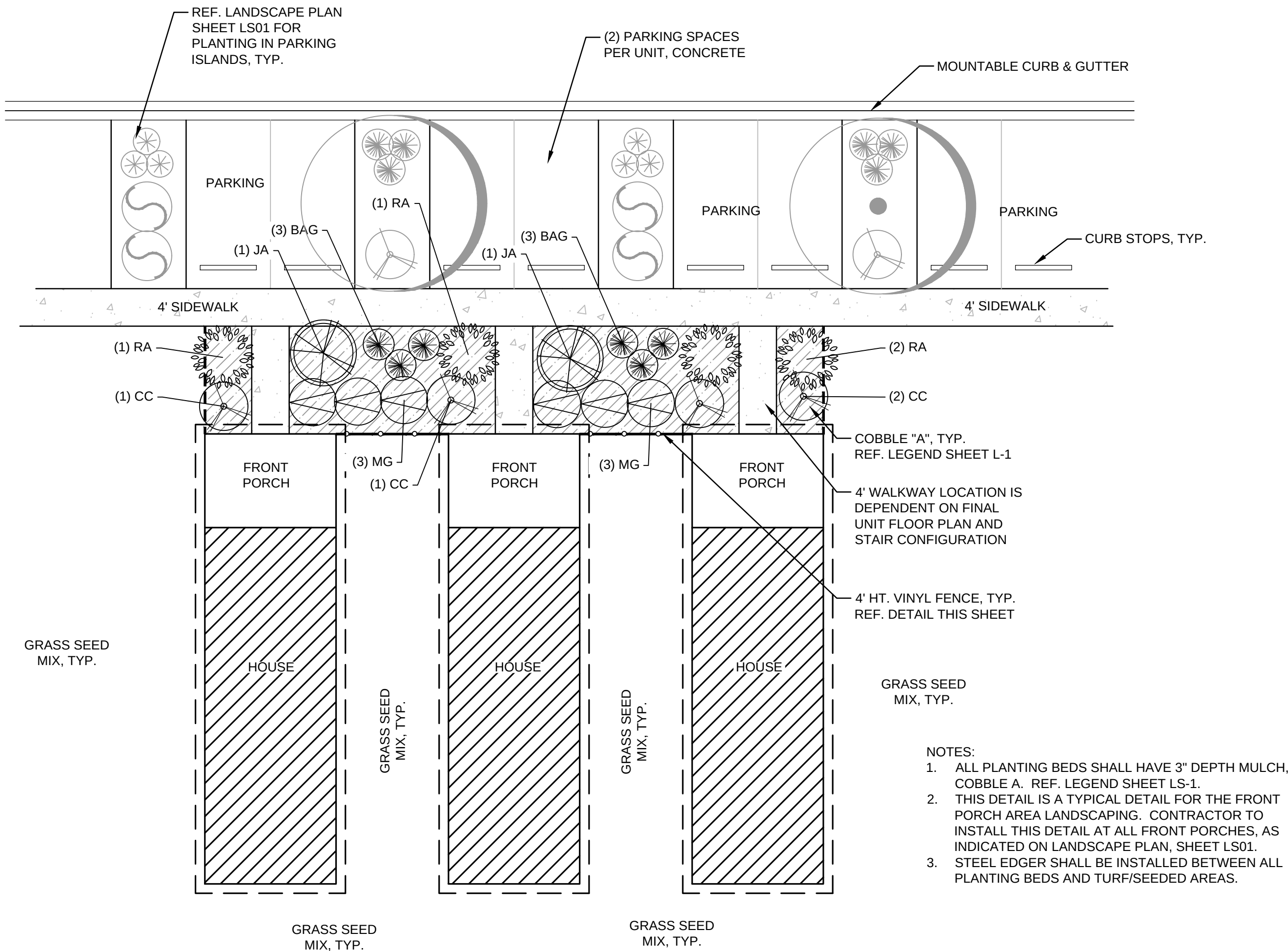
# LANDSCAPE PLAN

CITY PLANNING FILE NO:

L-1

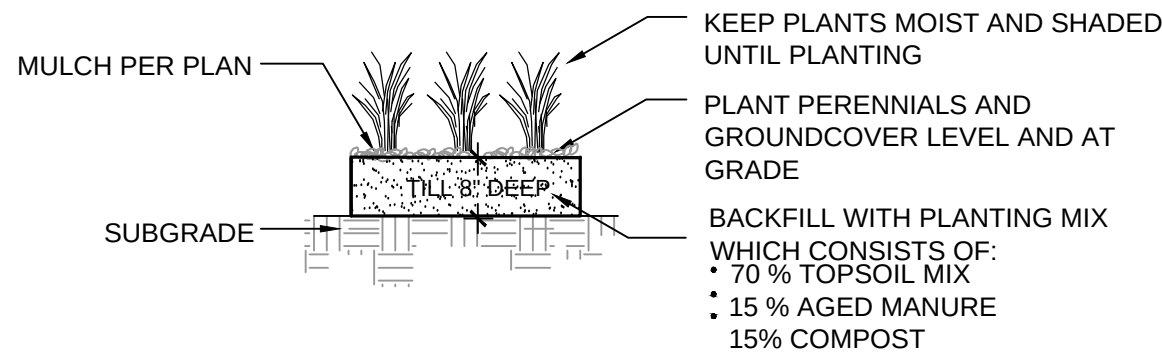
SHEET 5 OF 8





TYPICAL UNIT LANDSCAPING SCHEME

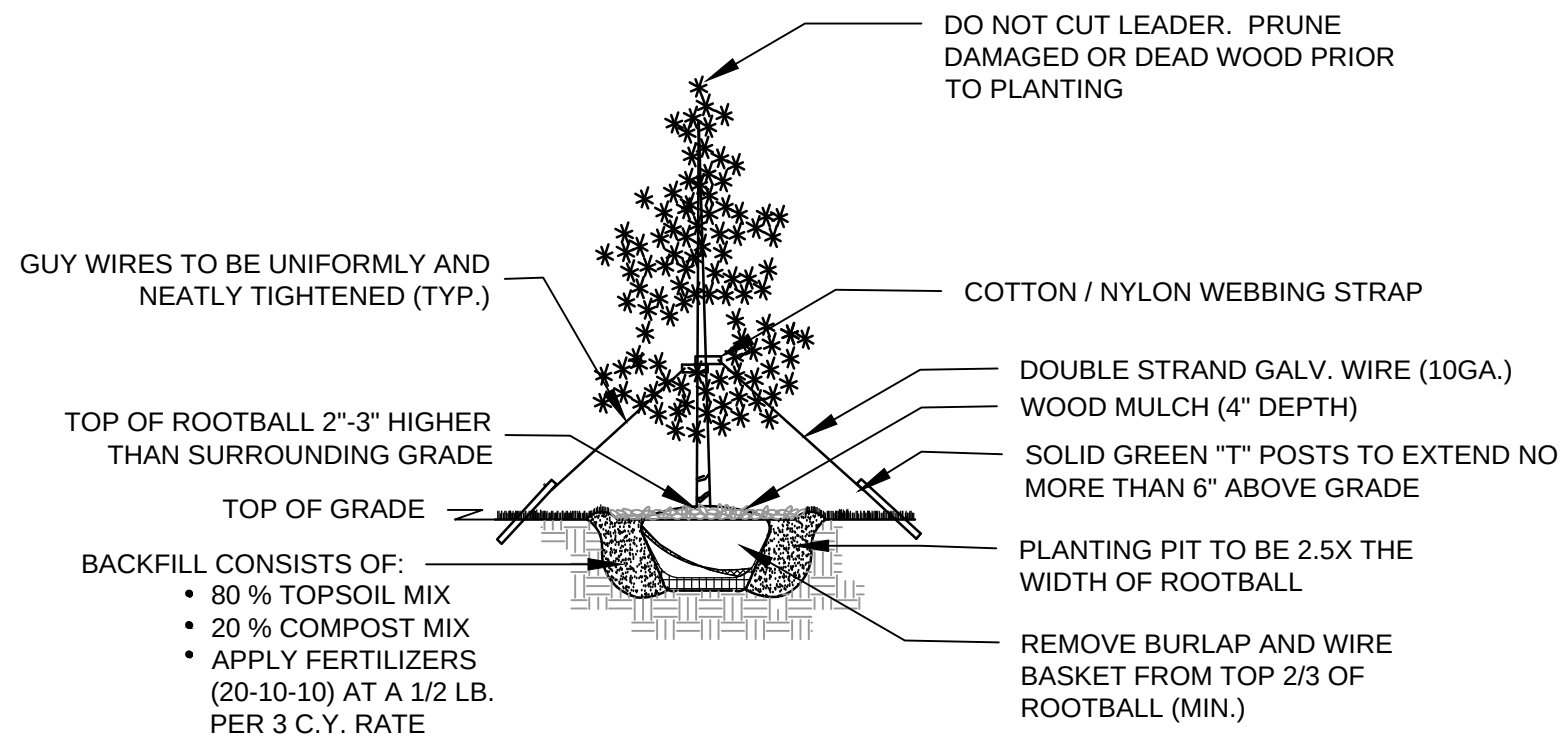
1" = 10'



NOTES:

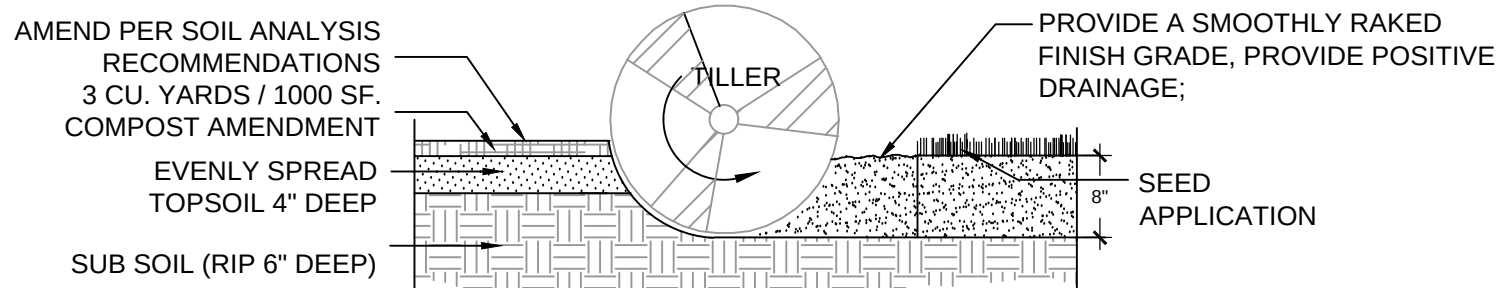
1. CONTRACTOR TO WATER PLANT MATERIAL DAILY UNTIL AN AUTOMATIC IRRIGATION SYSTEM IS OPERATIONAL.
2. THE FINISH GRADES SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM WALLS AND BUILDINGS.
3. THE TILLING OF PLANTING BEDS AND PLACEMENT OF BACKFILL IS TO OCCUR JUST PRIOR TO PLANTING; THEREAFTER, PROTECTION FROM COMPACTION AND CONSTRUCTION TRAFFIC SHOULD BE PROVIDED.

1 GRASSES AND PERENNIALS  
NTS



4 EVERGREEN TREE  
PLANTING DETAIL

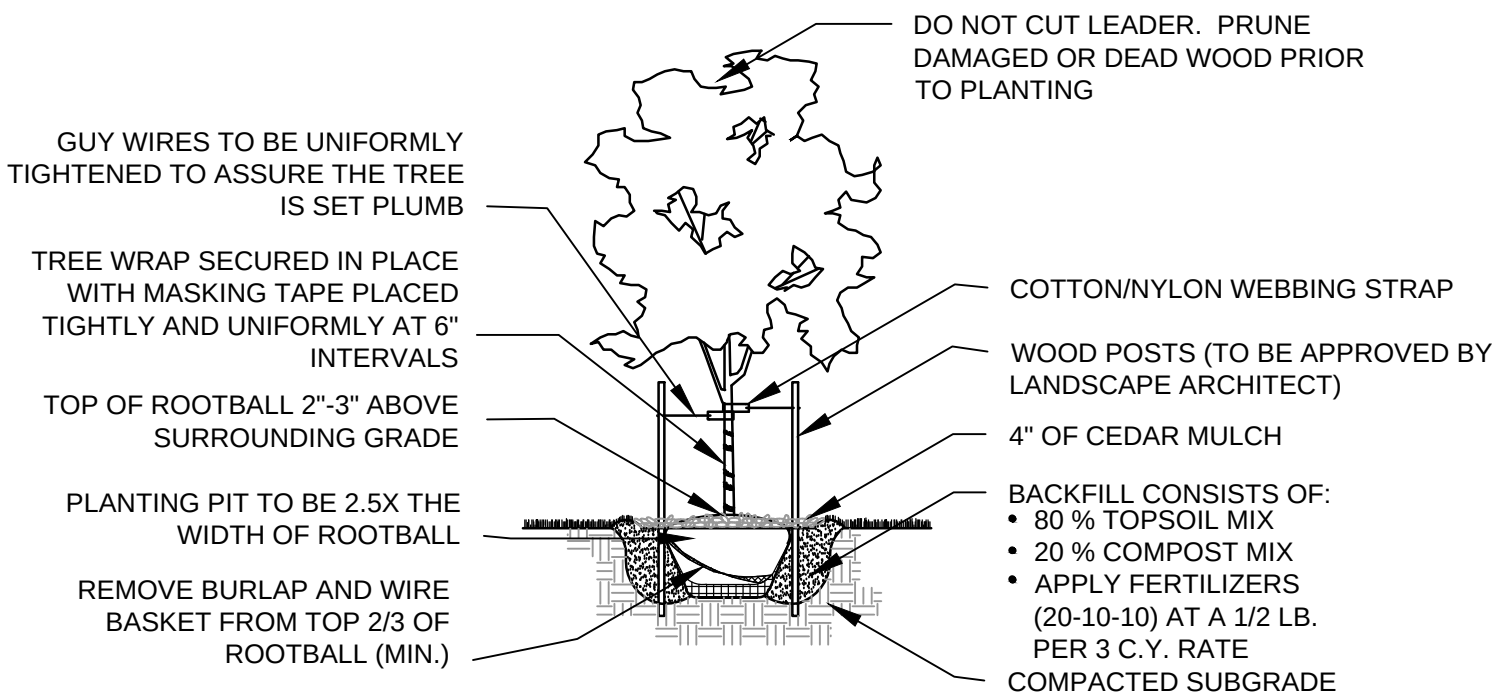
NTS



NOTES:

1. TOPSOIL TO CONSIST OF DARK, LIGHT LOAM SOIL FREE OF ROCKS, ROOTS, AND FOREIGN MATERIALS.
2. THE FERTILIZER APPLICATION SHOULD BE DELAYED IF PLANTING DOES NOT OCCUR WITHIN 2-3 DAYS OF FERTILIZING.
3. COMPOST TO CONSIST OF 1-YEAR OLD ORGANIC MATERIAL AND SHOULD NOT INCLUDE CHICKEN MANURE.
4. FROZEN MATERIALS OR MATERIALS GREATER THAN 1\"/>
5. REFER TO SPECS FOR COMPLETE SOIL PREPARATION REQUIREMENTS.

2 SOIL PREP- ALL AREAS  
NTS



5 DECIDUOUS TREE  
PLANTING DETAIL

NTS

| PLANT LEGEND                  |        |          |                                        |                                     |           |                  |
|-------------------------------|--------|----------|----------------------------------------|-------------------------------------|-----------|------------------|
|                               | SYMBOL | QUANTITY | BOTANICAL NAME                         | COMMON NAME                         | SIZE      | NOTES            |
| DECIDUOUS TREES               |        |          |                                        |                                     |           |                  |
|                               | MS     | 8        | Malus 'Spring Snow'                    | SPRING SNOW CRABAPPLE               | 2' CAL.   | B&B              |
|                               | PT     | 24       | Populus tremuloides                    | QUAKING ASPEN (NURSERY GROWN)       | 2.5" CAL. | B&B              |
|                               | PTC    | 13       | Populus tremuloides (Clump)            | QUAKING ASPEN CLUMP (NURSERY GROWN) | 6' HT.    | B&B; MULTI-STEM  |
|                               | SA     | 3        | Sorbus aucuparia                       | EUROPEAN MOUNTAIN ASH               | 2' CAL.   | B&B              |
| EVERGREEN TREES               |        |          |                                        |                                     |           |                  |
|                               | BS     | 4        | Pinus ponderosa                        | PONDEROSA PINE                      | 6' HT.    | B&B              |
|                               | PP     | 7        | Picea pungens                          | COLORADO BLUE SPRUCE                | 6' HT.    | B&B              |
| SHRUBS AND ORNAMENTAL GRASSES |        |          |                                        |                                     |           |                  |
|                               | BAG    | 194      | Bouteloua gracilis 'Blonde Ambition'   | BLONDE AMBITION GRASS               | 5 GAL.    | SPACING AS SHOWN |
|                               | CC     | 58       | Caryopteris x clandonensis 'Blue Mist' | BLUE MIST SPIREA                    | 5 GAL.    | SPACING AS SHOWN |
|                               | JA     | 49       | Juniperus sabina 'Arcadia'             | ARCADIA JUNIPER                     | 5 GAL.    | SPACING AS SHOWN |
|                               | MG     | 119      | Miscanthus sinensis 'Gracillimus'      | MAIDEN GRASS                        | 5 GAL.    | SPACING AS SHOWN |
|                               | PA     | 46       | Perovskia atriplicifolia               | RUSSIAN SAGE                        | 5 GAL.    | SPACING AS SHOWN |
|                               | PB     | 80       | Schizachyrium scoparium 'Prairie Blue' | PRAIRIE BLUES LITTLE BLUESTEM GRASS | 5 GAL.    | SPACING AS SHOWN |
|                               | RA     | 73       | Rhus aromatica 'Gro-Low'               | DWARF FRAGRANT SUMAC                | 5 GAL.    | SPACING AS SHOWN |

LANDSCAPE SITE DATA:

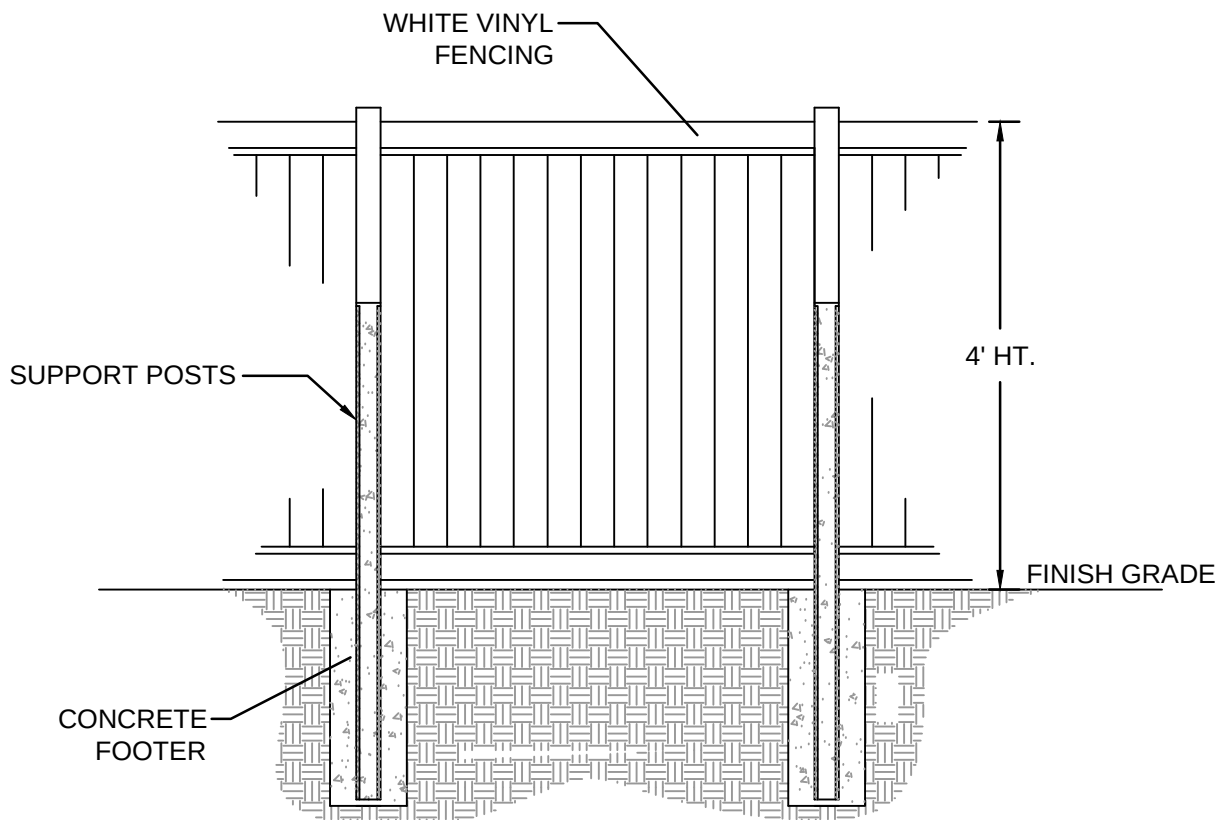
TOTAL DEVELOPMENT AREA: 290,953 SF (6.68 AC)

OPEN SPACE REQUIRED: 116,381 SF (2.67 AC) (40%)

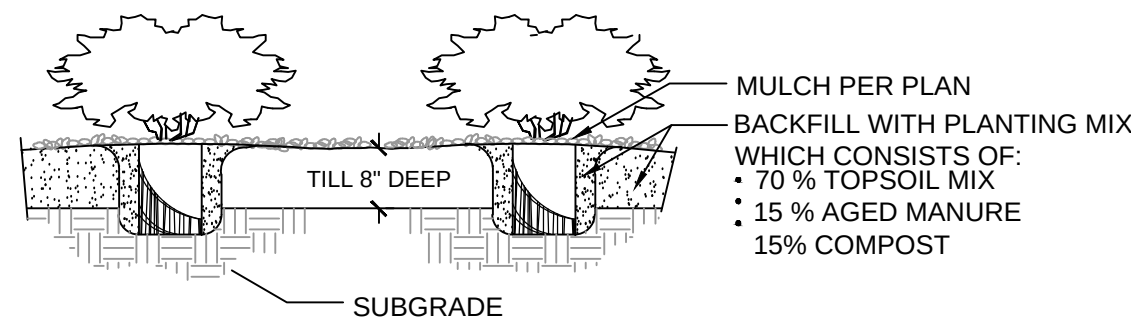
OPEN SPACE PROVIDED: 187,134 SF (4.30 AC) (64%)

TREES REQUIRED (1 / 7,000 SF): 116,381 SF / 7,000 = 16 TREES REQ.

TREES PROVIDED: 59



3 4' HEAVY DUTY VINYL FENCING  
NTS



NOTES:

1. CONTRACTOR TO WATER PLANT MATERIAL DAILY UNTIL AN AUTOMATIC IRRIGATION SYSTEM IS OPERATIONAL OR OTHER IRRIGATION PROVISIONS ARE PROVIDED.
2. THE FINISH GRADES SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM WALLS AND BUILDINGS.
3. THE TILLING OF PLANTING BEDS AND PLACEMENT OF BACKFILL IS TO OCCUR JUST PRIOR TO PLANTING; THEREAFTER, PROTECTION FROM COMPACTION AND CONSTRUCTION TRAFFIC SHOULD BE PROVIDED.

6 SHRUBS  
PLANTING DETAIL

NTS

VILLAGE AT TAMARAC

WOODLAND PARK, CO

SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN

CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

PROJECT NO: 19.104.202

DRAWN BY: JASON ALWINE

CHECKED BY: GREG SHANER

APPROVED BY: GREG SHANER

SHEET TITLE:

LANDSCAPE  
DETAILS

CITY PLANNING FILE NO:

L-2

SHEET 6 OF 8



GENERAL NOTES:

1. PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE OFFICE OF THE OWNER'S REPRESENTATIVE FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
2. READ THOROUGHLY AND BECOME FAMILIAR WITH THE DRAWINGS, NOTATIONS, DETAILS AND SPECIFICATIONS FOR THIS AND RELATED WORK PRIOR TO CONSTRUCTION.
3. LANDSCAPE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND SERVICES NECESSARY TO FURNISH AND INSTALL LANDSCAPE ELEMENTS AND PLANTINGS AS SPECIFIED HEREIN AND AS SHOWN ON THESE PLANS.
4. REPORT ANY DISCREPANCIES IN THE LANDSCAPE PLANS IMMEDIATELY TO THE OWNER/ OWNER'S REPRESENTATIVE.
5. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT LANDSCAPE ARCHITECT'S APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED. OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REVISE PLANT LIST AS DEEMED NECESSARY.
6. ALL PLANT LOCATIONS ARE APPROXIMATE, ADJUST AS NECESSARY TO AVOID CONFLICTS.
7. QUANTITIES OF MATERIALS SHOWN ON THE PLANTING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON THE PLANT MATERIAL SCHEDULE. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN.
8. CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE WORK. UTILITIES HAVE BEEN SHOWN ON PLAN FOR ROUGH LOCATION OF SERVICES. LOCATE EXACT UTILITY LOCATIONS BY CONTACTING "CALL BEFORE YOU DIG" AT (800) 922-1987 OR 811. CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE HE MAY CAUSE TO UTILITIES.
9. REMOVE ALL RUBBISH, EQUIPMENT AND MATERIAL AND LEAVE THE AREA IN A NEAT, CLEAN CONDITION EACH DAY. MAINTAIN PAVED AREAS UTILIZED FOR HAULING EQUIPMENT AND MATERIALS BY OTHER TRADES IN A CLEAN AND UNOBSTRUCTED CONDITION AT ALL TIMES.
10. STORAGE OF ANY MATERIALS, BUILDINGS, VEHICLES OR EQUIPMENT, FENCING AND WARNING SIGNS SHALL BE MAINTAINED THROUGHOUT THE SITE WORK AND CONSTRUCTION PERIODS BY THE CONTRACTOR.
11. ALL COMMON LANDSCAPE AND STREETSCAPE PLANTINGS WITHIN THIS DEVELOPMENT SHALL BE OWNED AND MAINTAINED BY OWNER OR OWNER REPRESENTATIVE.

SHRUB/ TREE PLANTING NOTES:

1. ALL TREE AND SHRUB LOCATIONS ARE APPROXIMATE; ADJUST AS NECESSARY TO AVOID CONFLICTS. PLANTING LOCATIONS OF SHRUBS, GRASSES, AND PERENNIALS AS SPECIFIED. OBTAIN OWNER'S REPRESENTATIVE'S APPROVAL OF LOCATIONS PRIOR TO PLANTING TREES AND SHRUBS.
2. ALL PLANT MATERIAL SHALL BE WELL-FORMED AND DEVELOPED IN GOOD CONDITION, HEALTHY AND DISEASE-FREE, AND BE TYPICAL OF THE SPECIES. PLANTS SHALL COMPLY IN ALL APPLICABLE RESPECTS WITH ACCEPTABLE STANDARDS AS SET FORTH IN THE COLORADO NURSERY ACT OF 1965 - TITLE 35, ARTICLE 25, CRS 1974 (SEE LANDSCAPE THE NURSERY ACT).
3. OWNER AND OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT AT ANY TIME OR PLACE PRIOR TO FINAL ACCEPTANCE OF WORK, ANY AND ALL PLANTS WHICH, IN THEIR OPINION, FAIL TO MEET THE REQUIREMENTS OF THE SPECIFICATIONS.
4. AT THE COMPLETION OF PLANTING OPERATIONS ALL PLANTS SHALL BE INSPECTED BY THE OWNER AND OWNER'S REPRESENTATIVE. CONTRACTOR SHALL REPLACE IMMEDIATELY ANY PLANTS NOT IN HEALTHY AND VIGOROUS CONDITION AT THAT TIME AT NO EXPENSE TO THE OWNER. ANY PLANT NOT IN HEALTHY CONDITION DURING THE WARRANTY PERIOD SHALL BE REPLACED AS PER THE ORIGINAL SPECIFICATIONS, AT NO CHARGE TO THE OWNER.
5. PLANTS ARE TO BE SELECTED AND SIZED AS SHOWN ON THE PLANT SCHEDULE.
6. PLANTING BEDS RECEIVING MULCH ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE. DO NOT APPLY HERBICIDE IN PERENNIAL BEDS.
7. POROUS WEED BARRIER FABRIC, AS NOTED IN THE SPECIFICATIONS, SHALL BE INSTALLED WHERE NOTED IN THE DETAILS.
8. IF CONDITIONS WHICH ARE UNFAVORABLE TO PLANT GROWTH ARE ENCOUNTERED, NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY. DO NOT CONTINUE TO PLANT UNTIL RESOLVED.
9. PLANT GROUND COVER WITHIN ONE FOOT (1') OF TRUNK OF TREES OR SHRUBS PLANTED WITHIN AREA. PLANTING ARRANGEMENT SHALL BE PER DRAWINGS, WITH PROPER ON-CENTER SPACING BETWEEN PLANTS.
10. USE TRIANGULAR SPACING IN ALL GROUNDCOVER AND PERENNIAL BEDS.
11. ALL PLANT MATERIALS SHALL HAVE BACKFILL CAREFULLY PLACED AROUND BASE AND SIDES OF BALL TO TWO-THIRDS (2/3) DEPTH OF BALL, THEN THOROUGHLY SOAKED WITH WATER TO ALLOW SETTLEMENT. ALL WIRE, BURLAP FASTENERS AND LOOSE BURLAP AROUND BASE OF TRUNK SHALL BE REMOVED AT THIS TIME. REMAINDER OF PIT SHALL THEN BE BACKFILLED, ALLOWING FOR DEPTH OF MULCH, SAUCER AND SETTLEMENT OF BACKFILL. BACKFILL SHALL THEN BE THOROUGHLY WATERED AGAIN.
12. LANDSCAPE CONTRACTOR TO REMOVE TREE STAKES, TREE WRAP, AND ALL DEAD WOOD ON TREES AND SHRUBS ONE YEAR AFTER PROVISIONAL ACCEPTANCE.
13. ALL WORK ON TREES TO REMAIN, INCLUDING CROWN AND ROOT PRUNING SHALL BE PERFORMED BY A TREE SERVICE LICENSED BY THE CITY FORESTER.
14. THE CONTRACTOR SHALL PROVIDE ALL WATER, WATERING DEVICES AND LABOR NEEDED TO IRRIGATE PLANT MATERIALS UNTIL AUTOMATIC IRRIGATION SYSTEMS ARE OPERATIONAL AND ACCEPTED. THE CONTRACTOR SHALL SUPPLY ENOUGH WATER TO MAINTAIN THE PLANT'S HEALTHY CONDITION BASED ON SEASONAL CONSIDERATIONS.
15. ALL PLANT MATERIALS SHALL BE PROTECTED FROM THE DRYING ACTION OF THE SUN AND WIND AFTER BEING DUG, WHILE BEING TRANSPORTED, AND WHILE AWAITING PLANTING. BALLS OF PLANTS THAT CANNOT BE PLANTED IMMEDIATELY SHALL BE PROTECTED FROM DRYING ACTION BY COVERING THEM WITH MOIST MULCH. PERIODICALLY, APPLY WATER TO MULCH-COVERED BALLS TO KEEP MOIST. IF PLANTING SHOULD OCCUR DURING GROWING SEASON, APPLY ANTI-DESSICANT TO LEAVES BEFORE TRANSPORT TO REDUCE LIKELIHOOD OF WINDBURN. REAPPLY ANTI-DESSICANT AFTER PLANTING TO REDUCE TRANSPIRATION.
16. AFTER PLANTING IS COMPLETED, REPAIR INJURIES TO ALL PLANTS AS REQUIRED. LIMIT AMOUNT OF PRUNING TO A MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE NATURAL HABIT OR SHAPE OF PLANT. CENTRAL LEADERS SHALL NOT BE REMOVED.
17. AT THE COMPLETION OF PLANTING OPERATIONS ALL PLANTS SHALL BE INSPECTED BY THE OWNER AND OWNER'S REPRESENTATIVE. CONTRACTOR SHALL REPLACE IMMEDIATELY ANY PLANTS NOT IN HEALTHY AND VIGOROUS CONDITION AT THAT TIME AT NO EXPENSE TO THE OWNER. ANY PLANT NOT IN HEALTHY CONDITION DURING THE WARRANTY PERIOD SHALL BE REPLACED AS PER THE ORIGINAL SPECIFICATIONS, AT NO CHARGE TO THE OWNER.

SOILS ANALYSIS RECOMMENDATIONS :

1. APPLY 3 CY/ 1,000 SF ORGANIC MATTER COMPOST AMENDMENT. TILL INTO TOP 6-8" OF SOIL. COMPOST TO CONSIST OF 1-YEAR OLD ORGANIC MATERIAL AND SHALL NOT INCLUDE CHICKEN MANURE.

SODDING & SEEDING:

1. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING EXISTING EROSION CONTROL MEASURES DURING THE DURATION OF WORK ON-SITE.
2. ALL PROPOSED TURF AND PLANTING AREAS ARE TO BE ROTO-TILLED TO A DEPTH OF 8". FINE GRADE, AND REMOVE ALL CONSTRUCTION DEBRIS AND ROCKS OVER 1" IN DIAMETER FROM THE SITE.
3. AFTER TILLING APPLY SOIL AMENDMENTS & FERTILIZERS TO ALL TURF AND PLANTINGS AREAS AS SPECIFIED IN THE SOIL ANALYSIS.
4. GENERAL CONTRACTOR SHALL PROVIDE 4" OF TOPSOIL AT ALL SOD AND PLANTING AREAS. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. ALL FINISH GRADING SHALL BE PERFORMED BY LANDSCAPE CONTRACTOR.
5. FINE GRADE SOD AREAS TO ELIMINATE IRREGULARITIES ON THE SURFACE. ROLL OR PERFORM ADDITIONAL FINE GRADING.
6. ALL AREAS TO BE SEEDED SHALL BE TILLED AS SPECIFIED AND THEN HARROWED, RAKED OR ROLLED TO PRODUCE A FIRM SEED BED FOR PLANTING. IMPORTED TOPSOIL MAY BE REQUIRED TO PROVIDE AN ACCEPTABLE PLANTING MEDIUM. LARGE ROCKS (1 INCH DIAMETER) AND DEBRIS THAT MAY IMPEDE SEEDING SHALL BE CLEARED FROM THE SITE. ANY REQUIRED EROSION CONTROL FEATURES (E.G., WATER BARS, BERMS, BASINS, TURNOUTS) SHALL BE CONSTRUCTED PRIOR TO SEEDING. SITES THAT ARE NOT ADEQUATELY PREPARED PRIOR TO SEEDING (E.G., COMPACTED SOIL, INSUFFICIENT TOPSOIL, ROCKY, ERODED SURFACE, ETC.) SHALL BE REJECTED.
7. ALL SPECIFIED SEED MIXES SHALL CONSIST OF CERTIFIED SEED VARIETIES THAT ARE FREE OF NOXIOUS WEEDS AND HAVE BEEN TESTED FOR PURITY AND GERMINATION WITHIN SIX MONTHS OF THE PLANTING DATE. CERTIFICATION LABELS WHICH INDICATE THE SPECIES, PURITY, GERMINATION, WEED CONTENT, ORIGIN, AND TEST DATE SHALL BE SUBMITTED FOR ALL SEED MATERIALS.
8. SEEDING SHALL OCCUR DEPENDING ON THE PROJECT SCHEDULE, IT IS PREFERABLE THAT SEEDING OCCUR DURING THE FALL (SEPTEMBER-NOVEMBER) OR SPRING (MARCH-MAY) TO MAXIMIZE PLANTING SUCCESS. IF THE PROJECT SCHEDULE DOES NOT COINCIDE WITH THE PREFERRED SEEDING PERIODS, OR THERE ARE UNSUITABLE SITE CONDITIONS (I.E. FROZEN GROUND), THEN SOIL STABILIZATION AND/OR STORM WATER BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED TO STABILIZE THE AREA UNTIL THE NEXT APPROPRIATE SEEDING DATE.
9. ANY SEEDING CONDUCTED OUTSIDE THE PREFERRED MONTHS SHALL BE APPROVED BY THE OWNER.
10. SEEDING METHOD: DRILL SEEDING OR BROADCAST SEEDING SHALL BE USED FOR REVEGETATION. AS OUTLINED BELOW, THE SIZE AND SLOPE OF THE DISTURBED AREA SHALL DETERMINE WHICH SEEDING METHOD(S) IS APPROPRIATE AND ACCEPTABLE. WHERE FEASIBLE, RANGELAND DRILL SEEDING COMBINED WITH A COVER OF CRIMPED HAY MULCH OR HYDRO-MULCH IS THE REQUIRED METHOD
  - 10.1. SLOPES LESS THAN 3:1 - SEED SHALL BE PLANTED USING A RANGELAND DRILL WITH A SMALL SEED/LEGUME BOX AND AN AGITATOR BOX FOR FLUFFY OR BULKY SEED. SEED ROWS SHALL BE SPACED 7-10 INCHES APART, AND PLANTED 0.5 TO 0.75 INCHES DEEP. THE DRILL SHALL HAVE DOUBLE-DISK FURROW OPENERS WITH DEPTH BANDS AND PACKER WHEELS. SEEDING SHALL BE ACCOMPLISHED USING BI-DIRECTIONAL DRILLING AND FOLLOWING THE SLOPE CONTOUR. THE DRILL EQUIPMENT SHALL BE CALIBRATED EACH DAY OR WHENEVER THERE IS A CHANGE IN THE SEED MIX TO ENSURE PROPER SEED DISTRIBUTION AND RATE.
  - 10.2. SLOPES GREATER THAN 3:1 OR AREAS LESS THAN 0.10 ACRE - SEED SHALL BE BROADCAST BY HAND, MECHANICAL SPREADER, OR HYDRO-SEEDING EQUIPMENT. BROADCAST SEEDED AREAS SHALL BE RAKED OR HARROWED TO INCORPORATE THE SEED INTO THE SOIL AT A DEPTH NOT EXCEEDING 0.75 INCHES.
    - 10.2.1. FOR AREAS LARGER THAN 0.1 ACRE- HYDRO-SEEDING SHALL BE USED. THE SEED SHALL NOT BE TANK MIXED WITH THE HYDRO-MULCH AND BROADCAST.
    - 10.2.2. BROADCAST SEEDING SHALL BE AVOIDED WHEN WIND SPEED EXCEEDS 15 MILES PER HOUR.
11. MULCHING: WEED-FREE NATIVE HAY, WEED-FREE STRAW, OR VIRGIN WOOD FIBER HYDRO-MULCH SHALL BE USED TO CONTROL EROSION AND PROMOTE SEED GERMINATION AND PLANT ESTABLISHMENT. NATIVE HAY, STRAW, OR HYDRO-MULCH SHALL BE APPLIED AT 2,000 POUNDS/ACRE ON SLOPES LESS THAN 3:1. ON STEEPER SLOPES, A MULCHING RATE OF 2,500 POUNDS/ACRE SHALL BE USED.
12. NATIVE HAY OR STRAW SHALL BE CRIMPED INTO THE SOIL TO A DEPTH OF AT LEAST 3 INCHES, AND SHALL PROTRUDE ABOVE THE GROUND AT LEAST 3 INCHES. AN ORGANIC TACKIFIER SHALL BE USED TO HOLD THE HAY OR STRAW IN PLACE IF THE CRIMPING RESULTS ARE INSUFFICIENT. HYDRO-MULCH SHALL BE APPLIED USING A COLOR DYE AND THE MANUFACTURER RECOMMENDED RATE OF AN ORGANIC TACKIFIER.
13. FINE GRADE SEED TO ELIMINATE IRREGULARITIES ON THE SURFACE. ROLL OR PERFORM ADDITIONAL FINE GRADING. SEED AREAS BY MEANS OF APPROVED BROADCAST OR HYDRAULIC-TYPE SPREADERS. DO NOT SEED DURING WINDY WEATHER. MULCH SEEDED AREAS WITH WOOD CELLULOSE FIBER MULCH WITHIN 24 HOURS OF SEEDING. APPLY MULCH TACKIFIER AT RATE RECOMMENDED BY MANUFACTURER'S RECOMMENDATIONS.
14. SUPPLEMENTAL IRRIGATION SHALL NORMALLY NOT BE NECESSARY OR REQUIRED IF THE SEEDING IS ACCOMPLISHED DURING THE PREFERRED PLANTING PERIODS. HOWEVER, IF A WATER HOOK-UP IS AVAILABLE A SPRINKLER SYSTEM MAY BE USED TO PROMOTE RAPID PLANT ESTABLISHMENT. GENERALLY, WATERING AT 0.75-1.0 INCHES/WEEK IS RECOMMENDED DURING THE APRIL-OCTOBER GROWING SEASON DEPENDING ON NATURAL RAINFALL. THE USE OF WATER TRUCKS FOR IRRIGATION IS PROHIBITED DUE TO TRAFFIC IMPACTS ON THE SEEDED AREAS AND TYPICAL POOR WATER DISTRIBUTION OBSERVED WITH THIS TYPE OF WATERING.
15. APPROVAL OF SEEDED TURF AREAS SHALL BE BASED UPON THE SEED PRODUCERS GUARANTEED SEEDING GERMINATION RATE FOR A ONE SQUARE FOOT AREA. IF GUARANTEED GERMINATION RATE IS NOT ACHIEVED, THE CONTRACTOR SHALL OVERSEED UNTIL THE GERMINATION RATE IS ACHIEVED. REVEGETATION SHALL HAVE AT LEAST 3 NATIVE GRASS SEEDLINGS/SQUARE FOOT AND NO BARE AREAS EXCEEDING ONE SQUARE METER AFTER THE SECOND GROWING SEASON. FOR DRILL SEEDED AREAS, PLANTING ROWS SHALL BE NOTICEABLE BY THE END OF THE FIRST FULL GROWING SEASON. IF A PARTIAL OR TOTAL SEEDING FAILURE IS APPARENT AFTER THE SECOND GROWING SEASON, POORLY VEGETATED AREAS SHALL BE RESEEDED IN THE SAME MANNER DESCRIBED ABOVE. APPROPRIATE SITE PREPARATION PRACTICES SHALL BE USED TO CREATE A SUITABLE SEEDED FOR PLANTING, BUT ANY ESTABLISHED NATIVE VEGETATION SHALL BE UNDISTURBED TO THE EXTENT POSSIBLE. AREAS THAT ERODE BEFORE GERMINATION AND ESTABLISHMENT CAN OCCUR SHALL BE REPAIRED AND IMMEDIATELY RESEEDED DURING THE SAME SEASON.

VILLAGE AT TAMARAC

WOODLAND PARK, CO

SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN

CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

PROJECT NO: 19.104.202

DRAWN BY: JASON ALWINE

CHECKED BY: GREG SHANER

APPROVED BY: GREG SHANER

SHEET TITLE:

LANDSCAPE  
NOTES

CITY PLANNING FILE NO:

L-3



VILLAGE AT TAMARAC  
CITY OF WOODLAND PARK  
DEVELOPMENT PLAN



VILLAGE AT TAMARAC  
WOODLAND PARK, CO  
SITE PLAN

CONSULTANT:

PLANNER/ CIVIL ENGINEER/ LANDSCAPE:



2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920 Phone  
719-575-0100  
Fax 719-575-0208  
Contact: Greg Shaner/ Jason Alwine

PROJECT:

VILLAGE AT TAMARAC  
DEVELOPMENT PLAN  
CITY OF WOODLAND PARK  
PROJECT NO. 19.987.002

OWNER/ DEVELOPER:

VILLAGE AT TAMARAC, LLC  
750 E US HWY 24, SUITE 202  
WOODLAND PARK, CO 80863  
CONTACT: PETE LABARRE  
719-502-7431

SHEET INDEX:

ISSUE:

MAY 2019  
ISSUED FOR CITY OF WOODLAND PARK  
DEVELOPMENT PLAN REVIEW 01

DRAWING INFORMATION:

PROJECT NO: 19.104.202

DRAWN BY: JASON ALWINE

CHECKED BY: GREG SHANER

APPROVED BY: GREG SHANER

SHEET TITLE:

ARCHITECTURAL  
EXHIBIT

CITY PLANNING FILE NO:

AE01



CONCEPTUAL ARCHITECTURAL ELEVATIONS  
(SUBJECT TO CHANGE PER FINAL DESIGN)



CONCEPTUAL ARCHITECTURAL ELEVATIONS  
(SUBJECT TO CHANGE PER FINAL DESIGN)



CONCEPTUAL ARCHITECTURAL ELEVATIONS  
(SUBJECT TO CHANGE PER FINAL DESIGN)



CONCEPTUAL ARCHITECTURAL ELEVATIONS  
(SUBJECT TO CHANGE PER FINAL DESIGN)

ARCHITECTURAL NOTES:

- ALL HOMES WILL BE BUILT AND INSPECTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE (IRC).
- ALL HOMES WILL BE PLACED ON PERMANENT FOUNDATIONS.
- ELEVATIONS ARE REPRESENTATIVE OF PROPOSED HOMES WITHIN THE DEVELOPMENT. COLORS AND SPECIFIC ELEVATIONS TO BE DETERMINED AT THE TIME OF HOME PURCHASE. COLORS AND EXTERIOR SIDING PATTERNS/STYLES WILL VARY THROUGHOUT THE DEVELOPMENT.
- ALL HOMES WILL HAVE CEMENT BOARD SIDING AND METAL ROOFS. ALL DECK SURFACES WILL CONSIST OF COMPOSITE MATERIALS.
- ALL HOMES WILL HAVE FULL CUTOFF PORCH LIGHTING SIMILAR TO LIGHT SHOWN HEREON. PORCH LIGHT COLOR TEMPERATURE NOT TO EXCEED 3000K. SPECIFIC MODELS OF PORCH LIGHTS MAY VARY FROM HOME TO HOME BUT WILL MEET THE AFOREMENTIONED CRITERIA.

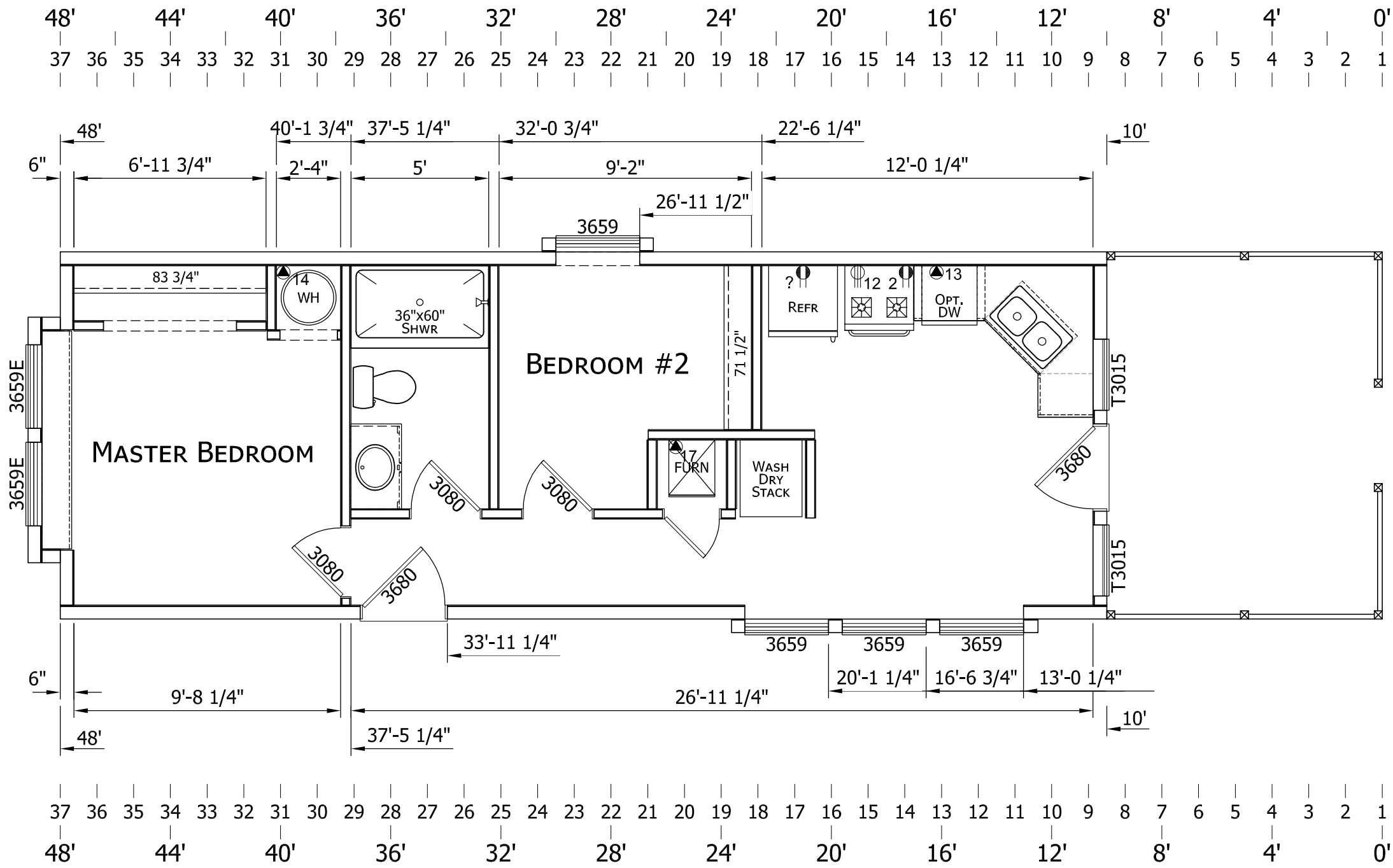


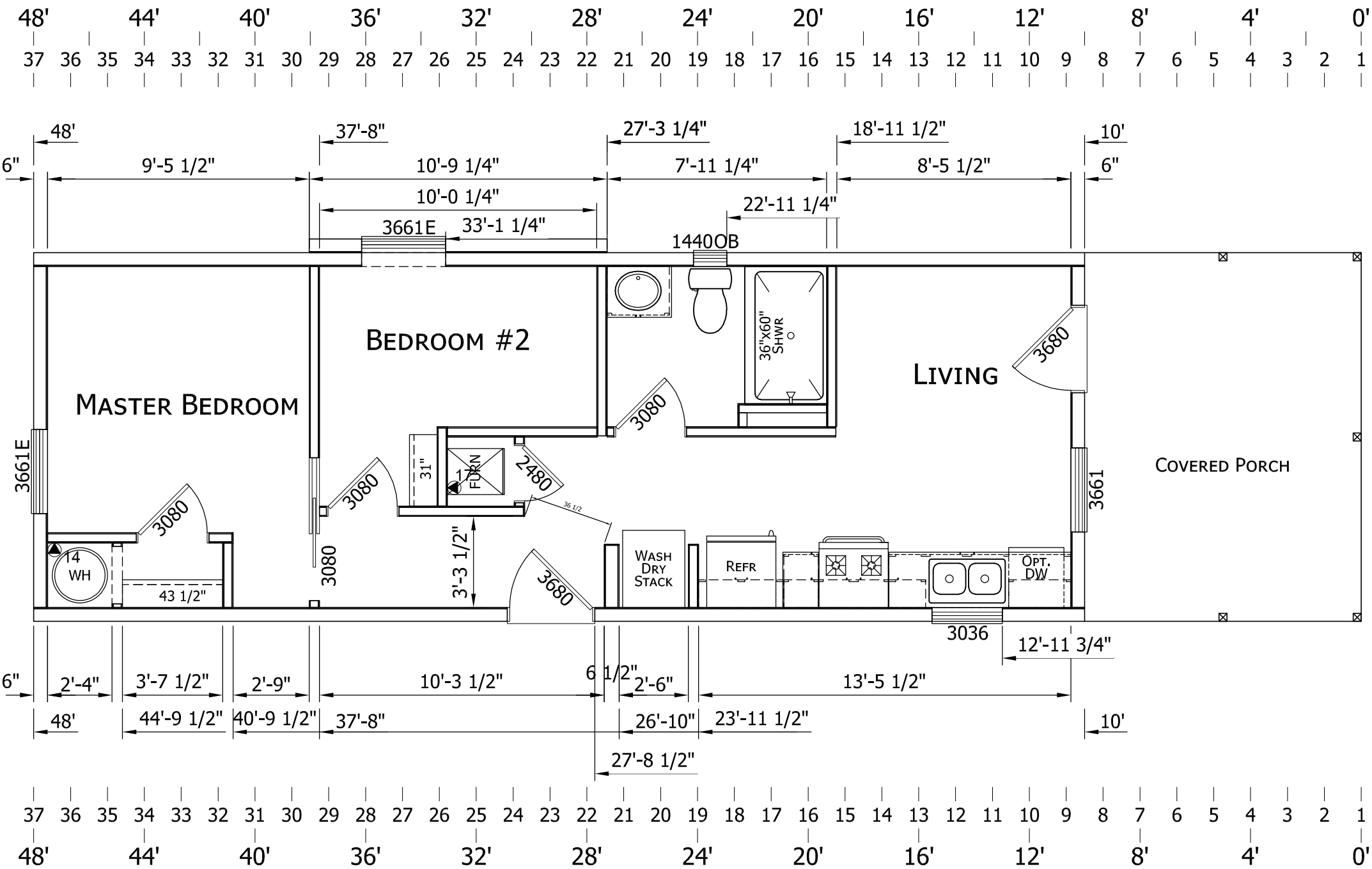
CONCEPTUAL PORCH LIGHT FIXTURE:

LIGHT FIXTURE NOTES

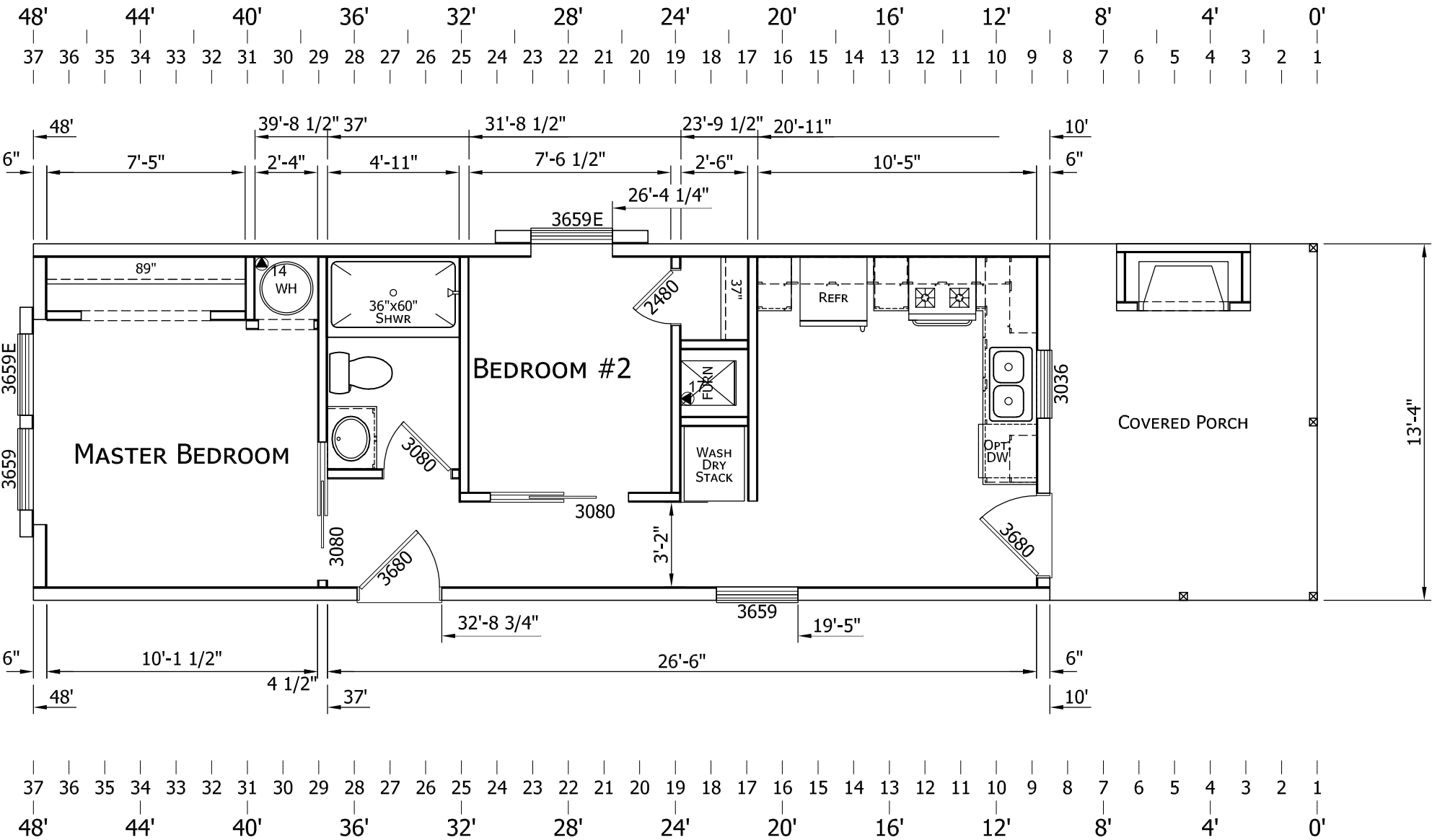
- 8 1/2" HIGH X 7 1/4" WIDE. EXTENDS 8 1/2" FROM THE WALL. BACKPLATE IS 5" WIDE X 1" HIGH. WEIGHS 1.23 LBS.
- 13 WATT BUILT-IN LED MODULE HAS A LIGHT OUTPUT COMPARABLE TO A 75 WATT INCANDESCENT BULB. 1150 LUMENS. 3000K. 80 CRI. LED IS NOT DIMMABLE.
- A DARK SKY DESIGN OUTDOOR LIGHT THAT DIRECTS LIGHT TO THE GROUND, NOT THE SKY.
- BLACK FINISH WALL PLATE, GOOSENECK ARM, AND LIGHT. STEEL CONSTRUCTION.



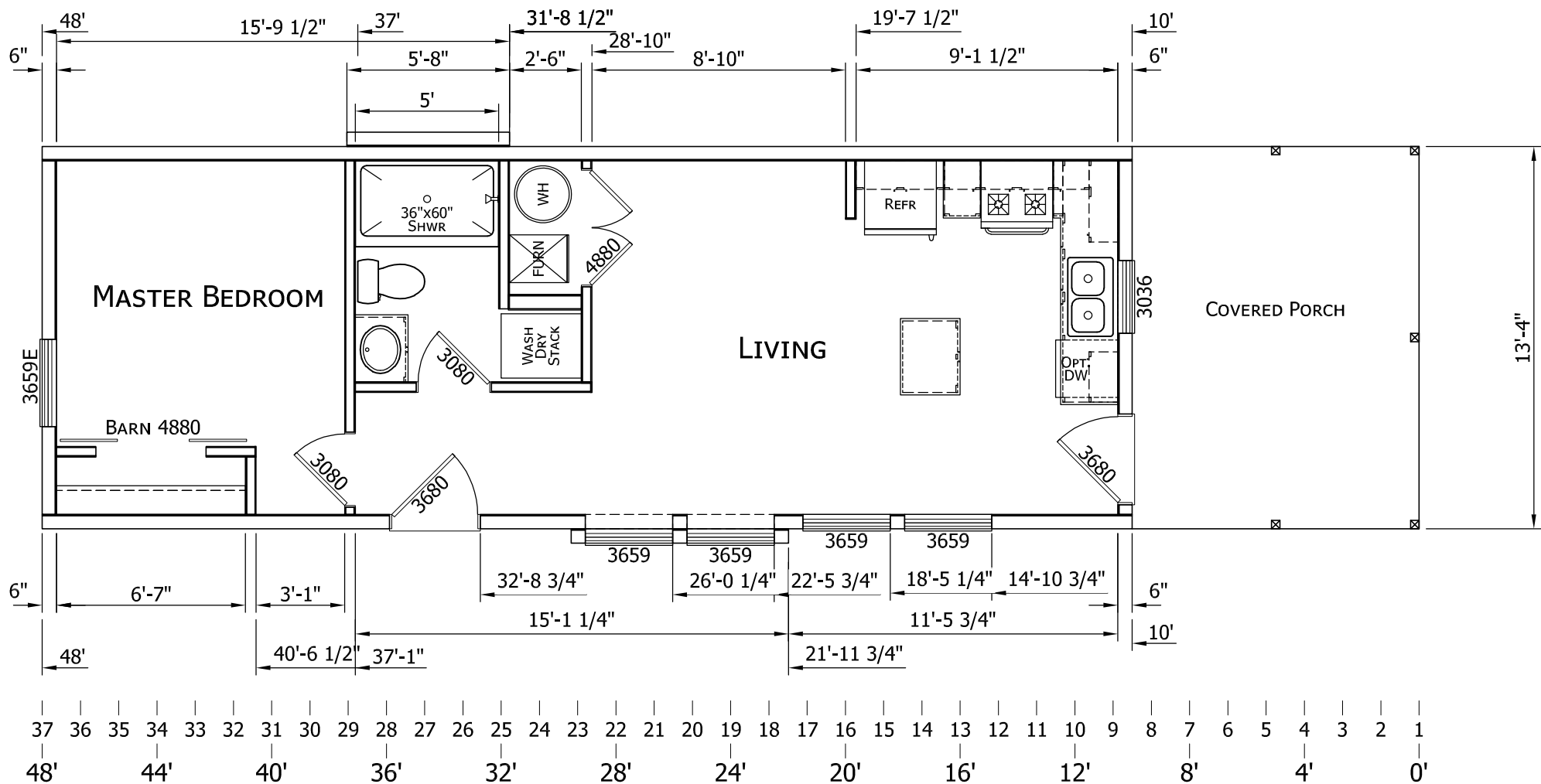






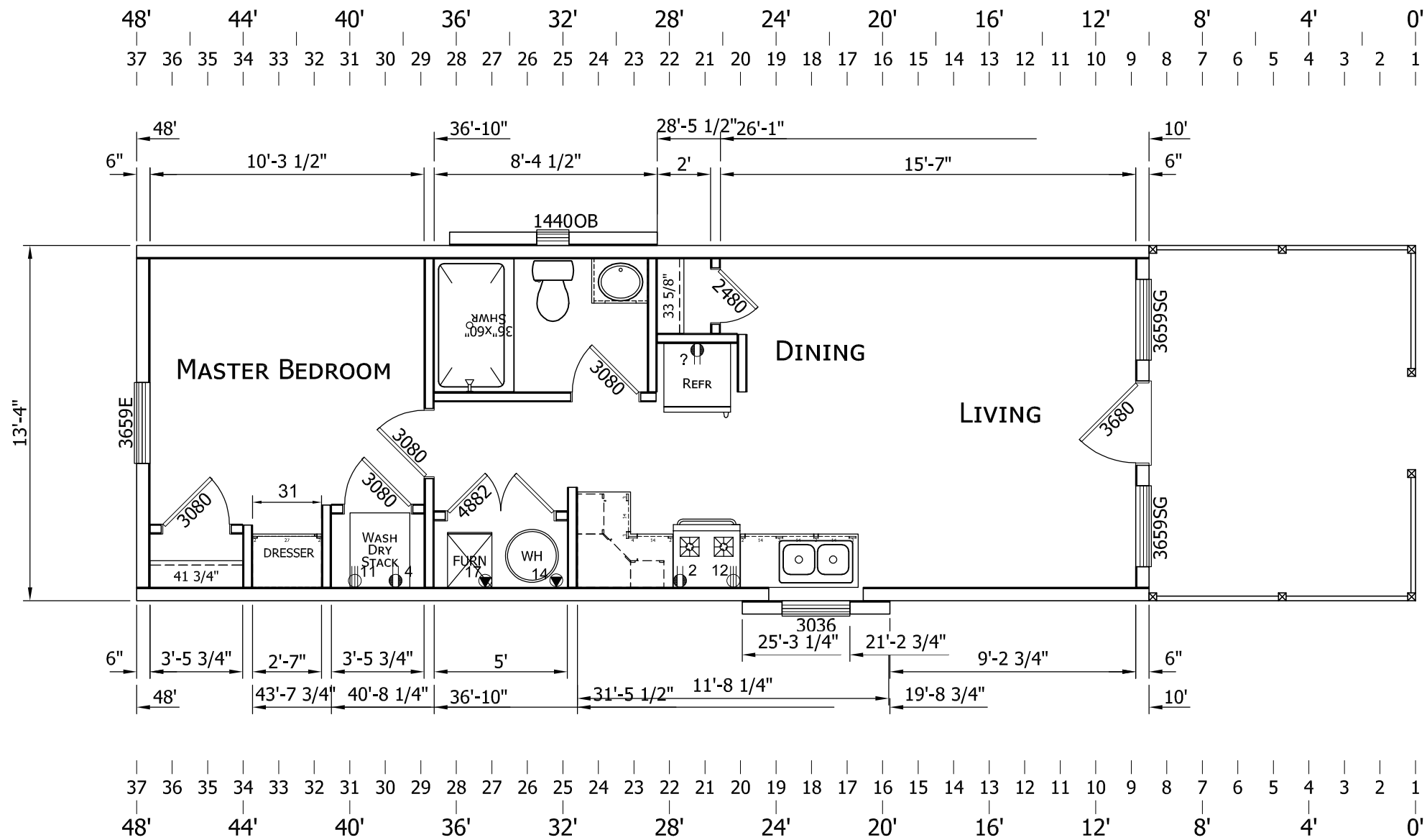


ATTACHMENT 'E'





ATTACHMENT 'E'



CHAMPION

MANUFACTURED BEAUTIFULLY™

755 W. BIG BEAVER ROAD, SUITE 1000 TROY, MI 48064  
PHONE: 248-614-8200

MODIFICATIONS

PROJECT: 05-IH48A MOD  
13'-4" x 48'-0" 1 BD 1 BTH  
10' PORCH

DRAWN BY:  
DATE:  
SCALE: 5/32" = 1'-0"

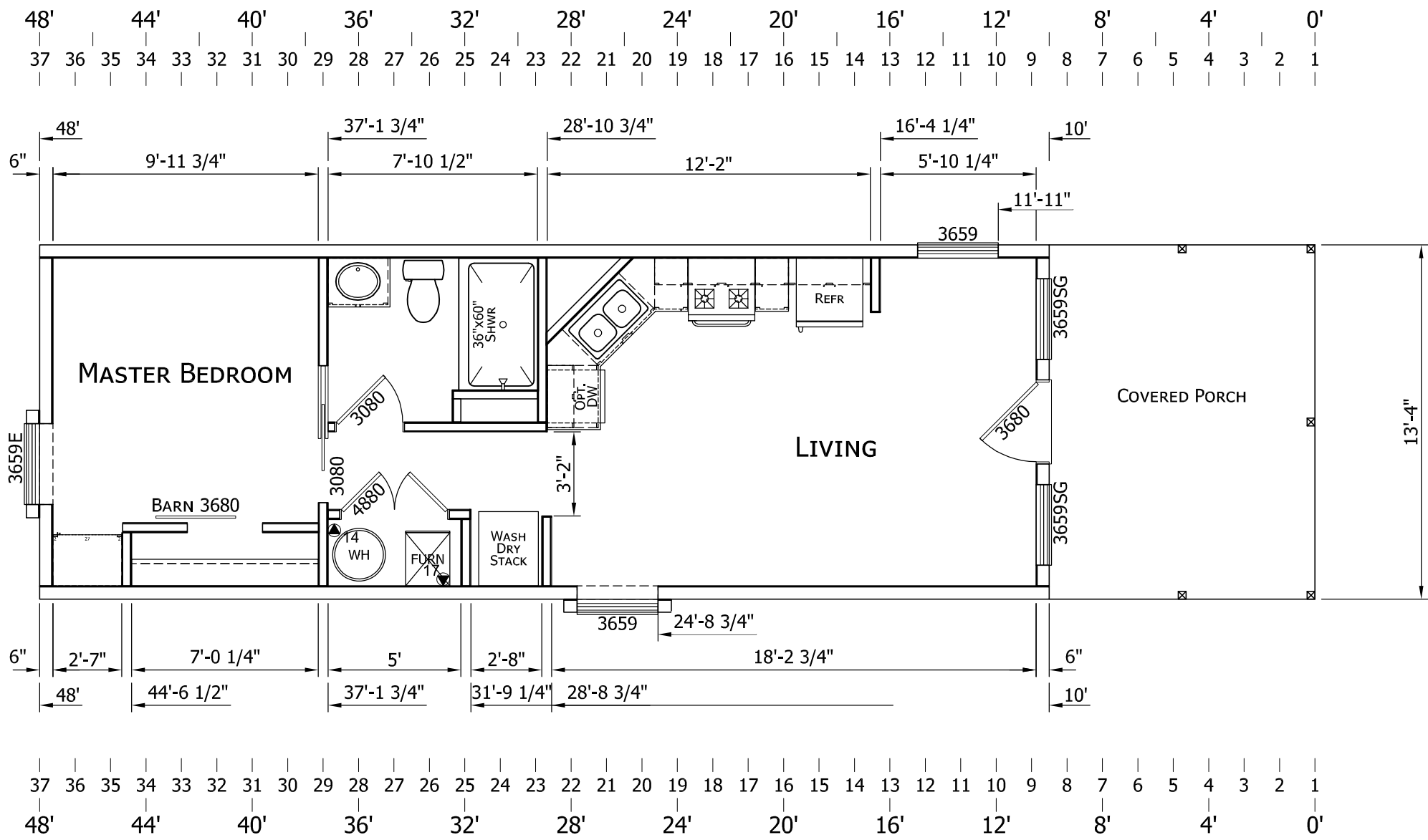
TITLE: FLOOR PLAN  
ELECTRICAL PLAN

FILENAME: 05-IH48A MOD

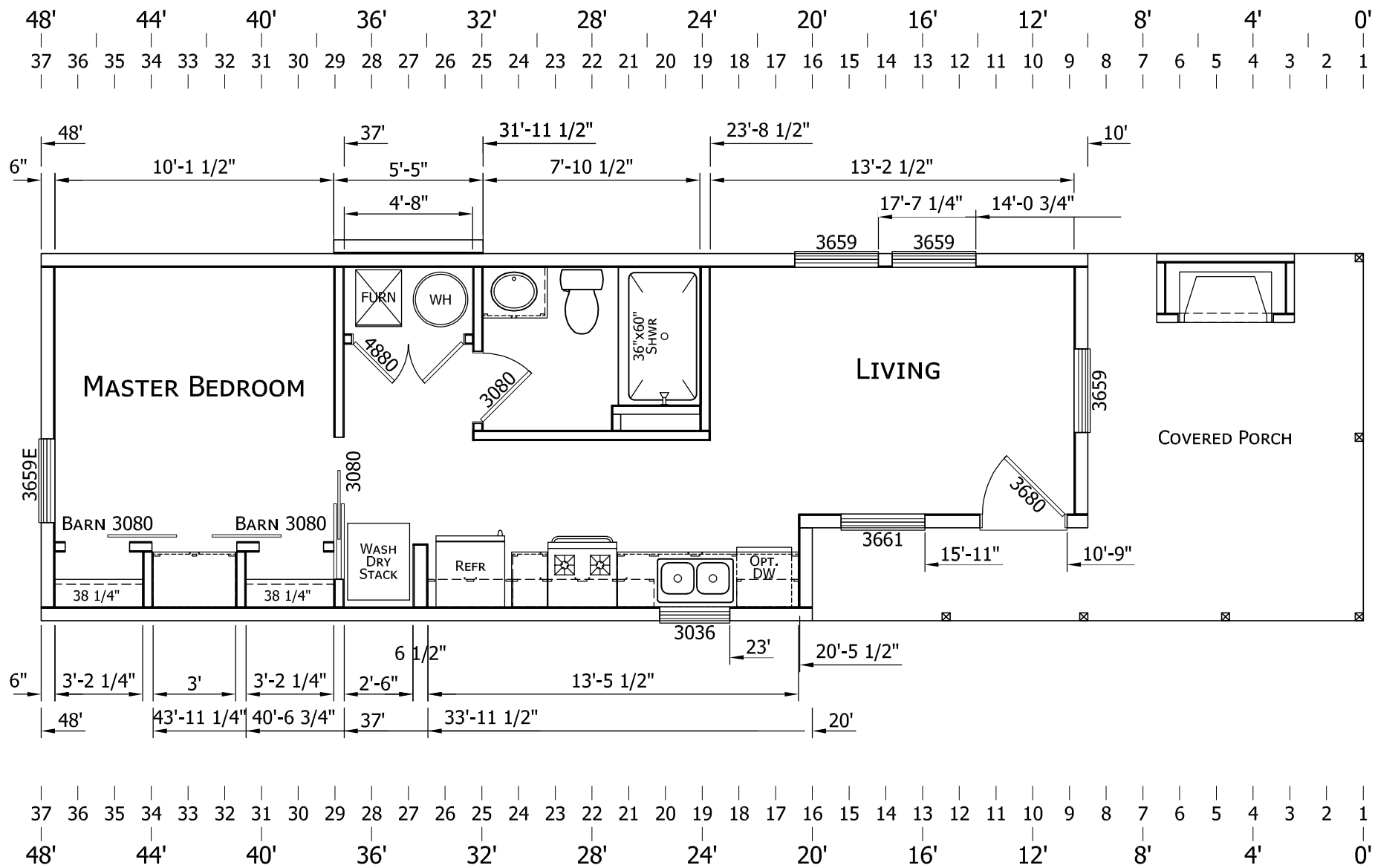
SHEET:

AE-101

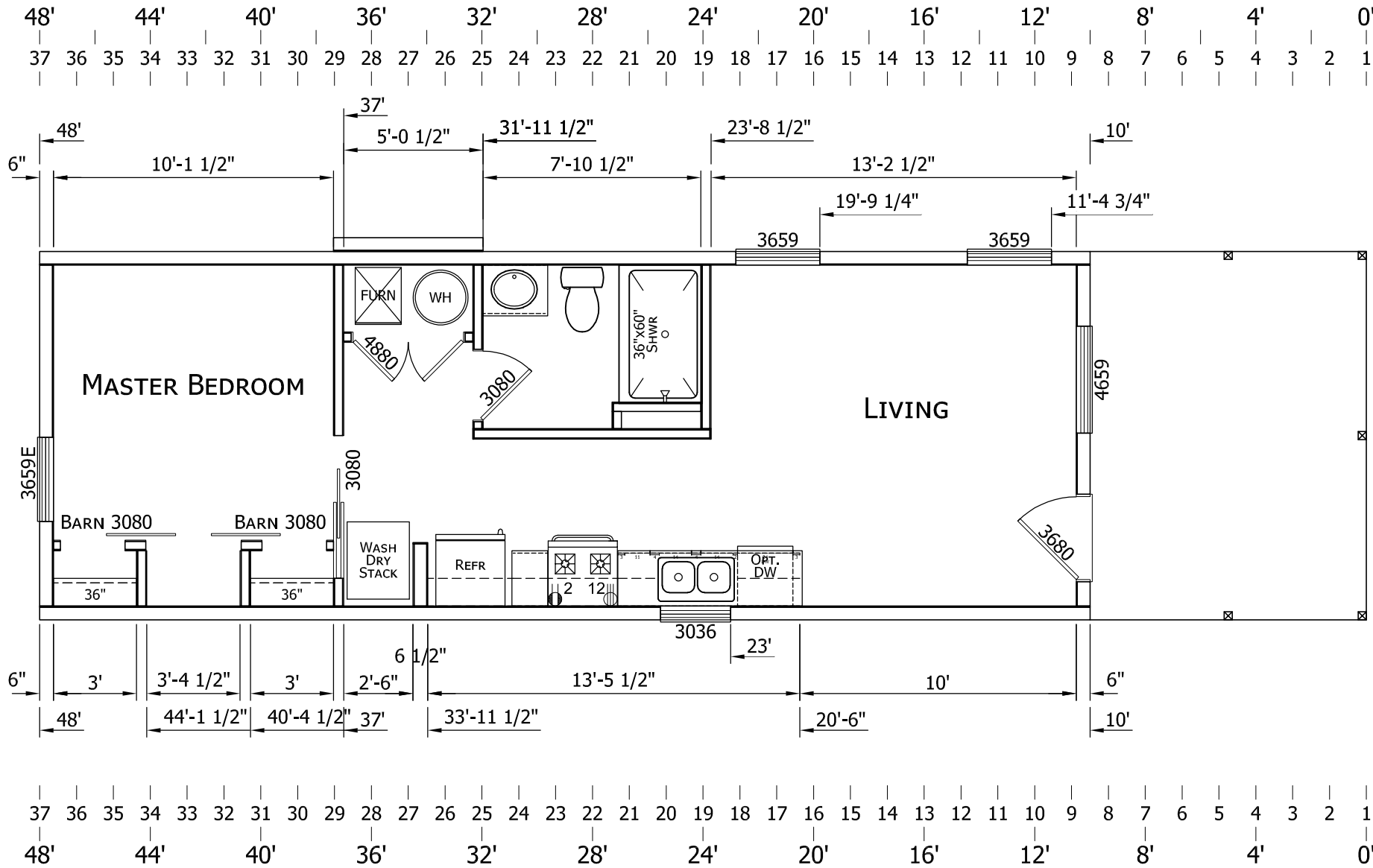
PROPRIETARY AND CONFIDENTIAL  
THESE DRAWINGS AND SPECIFICATIONS ARE ORIGINAL  
PROPRIETARY AND CONFIDENTIAL MATERIALS OF CHAMPION.  
COPYRIGHT © 1976-2017 BY CHAMPION







ATTACHMENT 'E'



MODIFICATIONS



ATTACHMENT 'E'

THE VILLAGE AT TAMARAC  
COMMUNITY RULES

received  
7/5/19

The purpose of these rules is to keep the community safe and make it a desirable place for you and your neighbors to live. Your cooperation is greatly appreciated.

Speed Limit is 10 MPH

Quiet Hours are from 9:00 PM to 7:00 AM.

Maximum of 2 vehicles per site. Additional vehicles, trailers, and boats must be stored off site.

All vehicles must be operational with current tags and registration.

No vehicle maintenance, oil changes or repairs allowed. Emergency repairs allowed with manager approval. See management prior to starting any emergency repairs.

All storage items must be contained in the crawlspace below the house. Patio Furniture, grills, potted plants are allowed as long as site looks neat and uncluttered. No outbuildings or structures may be constructed.

Community landscaping (located between the street and the house) will be maintained by management. No changes are allowed in these areas. The side yard is the responsibility of the resident and can be altered with approval from management

Visitors are the responsibility of the resident and must abide by the Community rules.

Parents are responsible for the supervision, conduct, and behavior of their children at all times.

Outside clothes lines may not be used.

It is not uncommon for wildlife to transit through the property. Deer, fox, raccoons, and an occasional bear and skunk have been seen on the property. **DO NOT FEED THE ANIMALS. DO NOT APPROACH THE ANIMALS.**

A maximum of <sup>1 pet?</sup> 2 pets per home <sup>is</sup> are allowed. All pets must be registered with management prior to bringing pet into park. Additional pet restrictions apply, see pet rules below.

Visitors are not allowed to bring any pets into the community.

No Soliciting or any commercial activity.

No Sub-Leasing without management approval.

No fireworks allowed. **EVER.**

Renters and all other users of this property are liable for all property damages.

All Local, State and Federal laws are applicable to all persons on the premises.



## ATTACHMENT 'E'

Rowdiness, loud music, abusive language, violent behavior, and drunkenness, possession or use of drugs will not be tolerated.

Vandalism in any form will not be permitted.

Smokers please do not throw cigarette butts on the ground.

Off road, all terrain or unlicensed vehicles are not permitted to be ridden in the community.

Management reserves the right to evict or refuse entry to any person who has evidenced a disregard for the rules. Guests and their visitors use the site at their own risk.

Rent is due on your due date. Three days grace period will be given for late rent payments. Anyone later than three days will be charged \$10.00/day late fee.

**Occupants and their vehicles may be removed without a judicial hearing by law enforcement officers upon 72 hours written notice for failure to pay full amount of space rental when due or for failure to comply with written rules and regulations of the community.**

Management assumes no responsibility for accidents, injuries, or losses from any cause. The resident will carry property insurance at all times.

We reserve the right to make changes to the rules, regulations and fees that we deem necessary.

We cannot emphasize strongly enough the necessity of each tenant's conformance with the rules. Your cooperation will make the community a better and neater place for you and your neighbors to live.

It is your responsibility to maintain positive control of your vehicle at all times regardless of the weather. If you cannot safely operate your vehicle park in place where your vehicle won't be a hazard to others or obstruct the ability for other vehicles to drive in the community.

**Pet Rules:** Special permission to keep a house pet in the community must be obtained from Management. A house pet is defined as a pet that spends its primary existence within the home. Management reserves the right to deny a Resident a pet if a proposed pet would pose a threat to the health and safety of Residents of the community. No more than one (1) pet, dog or cat is permitted .

A) The types of pet permitted are: a domesticated bird, cat, dog, or aquatic animal kept within an aquarium. Only medium sized cats or dogs (which, at maturity, do not exceed 50 pounds in weight) are permitted. Pit Bulls, Chow Chows, Rottweilers, Doberman Pinschers and other aggressive breeds are expressly prohibited unless specifically approved by management.

B) Non-house pets (including farm animals) are prohibited under any circumstances. Strange and exotic pets are not permitted.

C) After moving into the community, a pet may not be acquired without written permission from the community Management. Management must approve all pets before application to rent is accepted.

D) If a pet is lost or dies, written permission to acquire a new pet must be obtained from Management.



**ATTACHMENT 'E'**

**CITY OF WOODLAND PARK – RESPONSE TO REVIEW LETTER**

June 21, 2019

Sally Riley, AICP  
Planning Director  
City of Woodland Park

**RE: Village at Tamarac Site Plan Review –Response to Staff Review Comments**

Dear Ms. Riley,

Thank you for taking the time to discuss and work through the initial review comments issued for the Village at Tamarac Site Plan dated June 17, 2019. We believe we have satisfactorily addressed the major comments of concern. These concerns are highlighted below with a brief description how each comment was addressed.

**COMPLIANCE WITH APPLICABLE STANDARDS:** Projects within the Multi-family Residential Suburban (MFS) District must comply with the provisions in Chapter 18.14 MFS, Chapter 18.34 Site Plan Review, and Chapter 18.33 Use Regulations – Performance Standards. The applicable standards are written in italics followed by the staff's analysis beginning with Chapter 18.14.

***§18.14 & 18.34 Partially Complies:***

- Homes are spaced only 10' apart
- Add an adequate visual buffer (screening & fencing) around the perimeter of the site to protect the surrounding property value
- Preserving as many of mature trees on the perimeter of the site as possible
- The water system is not adequately looped for fire protection and reliable service.
- Sidewalks do not meet the City's 5' minimum width
- Grading Plan can be improved to limit disturbance on the perimeter of the site.

The Village at Tamarac site plan has been revised to address all the major concerns outlined within the review comments. The site plan was revised along the western portion of the site to move the units eastward 25' expanding the buffer area along the western boundary to approximately 80'. In addition, a 7' screen fence is being provided along the western and southern edges of the units to help shield the site from adjacent parcels. The grading has been revised throughout the project to help save as many of the existing trees as possible most notably to the west, northwest corner, and northeast corner.

The detail of the unit configuration has been updated to illustrate that all units are spaced a minimum 12' apart. The sidewalks throughout the project have also been widened to 5' as requested. Additional landscape trees have been added in those areas where existing trees must be removed to help mitigate the loss of these trees.

To help alleviate concerns regarding the style and materials of the proposed units, architectural renderings of the units will be provided illustrating the building type, recommended materials,

**ATTACHMENT 'E'**

colors, and detail features such as the porch. These illustrations are in process and will be provided at a later date.

**§18.34.060 A., B. 1-33 and C.**

RESPONSE: Revised the drawings, notes, graphics, etc. per the individual sheet comments.

**§18.34.070 A.**

**§18.34.070 B.**

If the applicant satisfactorily addresses Staff's comments and concerns regarding screening, tree preservation, grading, density, utility looping, fire protection, landscaping, and various site design comments, then these standards can be met.

RESPONSE: The site plan has been revised to address staff's comments and concerns. This includes adding two handicap parking stalls, parking for the mail kiosk, and a looped water main. Refer to the response to comments above and to the revised site plan drawings.

Please contact me at 719-575-0100, if you have any questions regarding the above comments. Thank you.

Sincerely,

Mr. Eric Smith (Applicants)  
Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920



**ATTACHMENT 'F'**

**40 pages following this cover sheet**



July 14, 2019

Dear Woodland Park City Council members:

My husband and I retired to our home state of Colorado after many years of living and working overseas. After a stressful four month search, we found our perfect home in Woodland Park, which seemed to offer the quiet mountain lifestyle we'd been longing for.

Before we purchased, we did our due diligence; we looked over the plans for the neighboring Stone Ridge development, discussed these plans with Sally Riley, and also researched planned 'improvements' to Highway 67. Convinced that we'd made a good choice, we bought our house.

The first few years were as we'd hoped, quiet and peaceful. However, during the last two years we've watched our mountain community explode with development. The birdsong has been replaced with the sound of heavy equipment back up alarms. The traffic on Highway 67 has grown exponentially and with it has come considerable road noise and ever-increasing difficulty and danger when attempting to make a left turn from Research Drive onto Highway 67.

It has recently come to our attention that in addition to a handful of thoughtful, well planned development projects, there seem to be many more rushed and irresponsible projects on the horizon, such as The Village at Tamarac, a trailer park disguised as an 'affordable' tiny home community.

As homeowners we object to this project for many reasons including, but not limited to 1) increased traffic, 2) the adverse effect a tiny home trailer park will have on the property values of homes in the vicinity, 3) the potential transient nature of renters and the very real possibility that owners will turn their homes into short term AirBnB type rentals, and 4) the proximity of said potential transient renters *to a school*.

It seems that those in charge of approving development projects in Woodland Park have little interest in the concerns of residents and homeowners, but instead choose to favor the developers, some of whom are held to higher standards than others.

Everyone in Woodland Park has seen the eyesore of a trailer park that is owned by the same individual who is leading the charge for The Village at Tamarac.

Once is enough. Please don't let this happen again.

Sincerely,

Bill & Melanie Kasischke

1149 Windflower Lane, Woodland Park

cc: Sally Riley, Planning Director



## ATTACHMENT 'F'

Sally Riley

---

**From:** Carole Molden <carole@mountaingoods.biz>  
**Sent:** Tuesday, July 16, 2019 9:02 PM  
**To:** Sally Riley  
**Subject:** Revised Site Plan for the Village at Tamarac

The following comments are in regards to the revised Site Plan for the Village at Tamarac, which is adjacent to my home on Longs Point .

While the revised Site Plan addresses some of the issues or concerns, it does not adequately, in part or in whole, address them all.

1. In its June 17 letter of review, the Planning Committee Staff stated “Staff believes that maximizing the density of 53 single-story units compromises safety, livability, and aesthetics”, “amplifies noise, increases air pollution and traffic, and reduces privacy”. And also, “the dense clustering is not compatible with the adjacent uses on Longs Point.” In numerous places within the review letter, the Staff advises that the number of units and the density should be decreased. But this has not been done...the plan still calls for 53.

The Staff also repeatedly advised an increase in the space between units, which was done, but by only 2' ...still less than the 15' required for mobile homes, and less than the 14'-15' space between the townhomes on Longs Point (not the 10' which was inaccurately given in the Review Letter). *Building Standards, 1.c. The pattern of spaces between buildings of new construction shall be consistent with existing construction.*

2. City code requires that new development “*be designed to not unduly diminish or impair but to become compatible with the use and enjoyment of vicinity property.*” The buildings and neighborhood design of the Village at Tamarac are not compatible in any way...in size, in architectural style and material, in value, in use...with the townhomes on Longs Point. The Planning Staff in its Site Plan Review, either suggests or requires 8 different times that the development provide adequate visual buffering, robust landscaping, and screening to mitigate these incompatibilities and “reduce the impact to the adjoining townhomes on Longs Point”.

In the Revised Site Plan, the setback was increased, some existing trees are retained, and a 7' privacy fence will be installed. This is certainly an improvement over the original design. However, a 7' wood fence is not nearly adequate to screen a tightly spaced row of 14' wide by 15'-16' tall buildings....looking very much like a mobile home park...nor will it be a sound buffer for upwards of 200 residents in a close space. And while a wood fence may be architecturally consistent with the buildings and design of the Village, it is not consistent with the quality stucco and stone townhomes. A 10' stucco or stucco-like wall would adequately delineate 2 very incompatible neighborhoods, be consistent with the design of the Sundance at Shining Mountain PUD, while providing an attractive visual and sound barrier. At a minimum, a 10' fence with trex wood panels and stucco or stone posts, (as is surrounding the Reserve at Tamarac) would have a substantial and architecturally compatible look, and be tall enough to provide an adequate visual barrier.

3. Also, in regards to the fence. The revised plan shows a passage break, or corridor in the fence near the Southwest corner. This is very unacceptable, and will funnel people (and dogs) onto Longs Point (a private street), and through our yards, in order to access the golf course. There is plenty of unfenced area in the Village, giving the residents adequate access to the golf course or the centennial trail. I would also anticipate that there will be those using Longs Point as convenient overflow parking.

**ATTACHMENT 'F'**

4. I was very happy to see that the Development was advised to make changes in the site plan in order to retain as many of the beautiful, mature trees and forest vegetation as possible. They have agreed to do so, but will there be any oversight, or means to assure that this is actually done? Before grading is begun, will the trees which are to be saved marked? Will there be supervision at the time of grading, or will it be turned over to a subcontractor with whom the developer has signed a "no fault" agreement? Once the trees are gone, they're gone!

5. It was requested that enforceable and realistic CCRs be re-drafted and recorded as a condition of Site Plan approval. Has this been done? If so, is it available to the public? I would like to know who will be responsible for the maintenance of the homes, and how it will be enforced. Will there be an on-site Manager? Will there be any restrictions on how many units can be rental, on how many can occupy a home, on the length of a lease (daily?, weekly?, monthly?)? My concern would be that it becomes an off-campus dormitory, or a tourist village of VRBOs.

6. Architectural Design. The plan calls for earth toned tan and green to fit in with the mountain environment. However, the requested rendering shows 4 houses, three of which are bright red or blue...only one is earth toned. I'm hoping this is in error? Also, are there any back elevation renderings? Any architectural trim or detail to the rear?

Thank you for your consideration of all my comments. I know you've had a lot of pushback on the proposed project...some of it not very civil, and some from individuals not nearly so directly affected as we on Longs Point will be. But, I hope that you will give extra weight to the feelings and comments from those of us who worked very hard to make our neighborhood what it is, whose property values are in jeopardy...and even more so, our lifestyle and enjoyment of our homes.

Respectfully,  
Carole Molden  
1330 Longs Point

Sent from my iPad



**ATTACHMENT 'F'**

Jenavie Brandt  
P.O. Box 744  
Woodland Park, CO 80866  
719-687-7008  
Cjbrandt07@msn.com



July 16, 2019

Re: OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC"

Dear City Planning Director:

You have my June 1, 2019 response to the original Village at Tamarac submittal. I've now had an opportunity to review the July 2, 2019 revised submittal and your June 17, 2019 review letter. I have also seen responses from other concerned citizens, and for the most part, agree with their objections, comments and concerns as well. I continue to strongly object to this application, don't believe it in any way complies with the City's regulations, and believe that it should be denied. The following are my specific supplemental comments and responses (in addition to those in my June 1, 2019 letter):

- A. The following are requirements you included in your June 17, 2019 review letter that have not been complied with by the Applicant:
1. You stated that maximizing the density at 53 units compromises safety, livability and aesthetics. The applicant has not reduced the density. It needs to be significantly reduced.
  2. You strongly recommended that the area between structures be increased to 15 feet. The applicant has only included your minimum comment of 12 feet. (You suggested between 12 and 15 feet—not unexpectedly this Developer elected to incorporate only your absolute minimal requirement.) You commented that even mobile home parks are required to have 15 feet between units, and this is truly a mobile home park. Remember that you were also concerned with the shadowing of adjacent homes.
  3. You appropriately commented that the average daily traffic trips would increase significantly. Nothing I see would require the very significant traffic impacts to be dealt with, mitigated and resolved prior to any commencement of development. It needs to be ameliorated before the project is completed.
  4. You required adequate screening and landscaping between and/or behind the homes. You also required new trees between homes and in the rear of the structures. Although it appears there might be some token additional landscaping, it avoids your concern, and in no way ameliorates the significant density issues.
  5. You required that the Layout Detail show the bulkheads to crawlspaces. I don't see that that has been included. The location and spacing of those could even more negatively significantly impact the already poor livability of the proposed development.
  6. You required that tree preservation, fencing, and larger buffer area be included on the southern property boundary. I don't see that that has occurred.
  7. You required the plan to show all of IREA's requirements. I can't tell whether that has been done.
  8. You required the plans to locate and preserve the "Wildlife Tree" and other trees on the perimeter of the site. I don't see that this has been done.



## ATTACHMENT 'F'

9. You required the Utilities Plan to incorporate the fire flow analysis by the Fire Chief. I don't see that this has been done.
  10. You required elevations to be shown depicting, to scale, at least six units. That was not included in the applicant's resubmittal. At the 11<sup>th</sup> hour the applicant provided some elevations, but provided less than you required in order to evade your requirements. You required the developer to provide at least six depictions. A reasonable developer would have provided more than six, but this developer only provided four. Further, the new depiction shows a 12 foot minimum height, but no maximum height.
  11. You required the City Engineer's review of the Drainage Report. I don't see that anything has been resolved on this.
  12. You required CDOT's review and approval of the Traffic Impact Study. I don't see that anything has been accomplished. Although reading between the lines, there might be some thought that the significant traffic impacts might be resolved in the future, the neighborhood, we resident citizens, the neighboring property owners including the police department, a church, a school, a gym, the post office, will be required to tolerate, deal with, and incur the public safety, inconvenience, and day-to-day life impacts of significant increased traffic without thought or consideration of this proposed development's immediate impact on the community and businesses. The traffic impacts need to be dealt with before this project's increases to traffic occur. In a worst case, that might go on forever if the theoretically contemplated improvements never occur. (Exacerbating that concern are two other proposed developments--one north and one south of the Tamarac Village development--that only add to this concern. Have the cumulative impacts been considered and dealt with?)
  13. You required specific provisions regarding routine and long-term maintenance of this proposed compact development. That included the requirement for the management company to mow, maintain, and take responsibility for the entire grounds. I don't see that the developer has committed to do any of that, nor that it is set forth in binding documentation.
  14. You strongly recommended that each of the six depictions require stone bases. Even the Applicant's last-minute Architectural Elevations submittal (of only four units) doesn't show stone on any of them.
  15. The Architectural Exhibit requires depiction of the tiny homes that will be incorporated in this project. The Applicants' submittals specifically state they will be Champion Homes. It's my understanding that none of the four homes depicted on Exhibit AE01 are Champion Homes. Indicative of that is the last-minute submittal attached to Exhibit AE01 showing the exterior paint colors are not only dated (2016), but more importantly are Atlantic Home's colors.
- B. The following are suggestions, recommendations, improvements, necessities expressed in your June 17, 2019 Review Letter, in order to comply with your regulations and satisfy all requirements applicable to this proposed development, that have either been avoided or not directly and adequately satisfied:
1. You commented that no sheds, outbuildings, etc. would be allowed. I don't see anything that specifically precludes that.
  2. I continue to believe that staff's designation of the "front setback" as only applying to the flag portion of Lot 5 is illogical, insupportable, and disingenuous.
  3. Although you recommended handicapped parking in both the northern and southern guest areas, it appears that handicapped parking (only 2 spaces) has only been designated in the north. I have two comments: a. Are only four spots really



## ATTACHMENT 'F'

reasonable? b. Only designating those in the north area seems disingenuous—are those folks visiting units in the south expected to wheelchair to the south, a long way away, even more so in winter.

4. You commented on the Comprehensive Plan requirements, goals and objectives related to new affordable housing. I don't see any way that this housing is affordable, in the absence of which this proposed development loses its primary justification as alleged by the developer.
5. You commented on the requirement for solid waste collection in a central dumpster location. Is that depicted on the plans, and just as importantly, how will that be enforced? Finally, in order to avoid trash, litter and other adverse effects in a development of this density, is it really realistic to have only one dumpster location?
6. As stated above, the applicant has not reduced the number of units. You recommended he do so to provide for greater spacing. He has not done so, instead, any open space has been greatly reduced exacerbating concerns about livability.

In light of the above, as a concerned citizen of Woodland Park, and a nearby property owner, I don't see any conceivable way that the City can find that this proposed development complies with all of the City's regulations, much less is the type of quality, community, and beneficial type of development that improves Woodland Park and the quality of life of its citizenry. I respectfully request that you deny this application in its current form, and carefully and diligently review any proposed modification of it, which in my mind almost certainly will have the same deficiencies, problems and shortcomings.

Please keep me advised. My email is listed above.

Sincerely,

  
Jenavie Brandt

Cc: Neil Levy, Val Carr, Kellie Case, Carrol Harvey, Hilary LaBarre, Paul Saunier, Noel Sawyer, Jon DeVaux, Darin Tangeman.

**ATTACHMENT 'F'**

**Sally Riley**

---

**From:** John Watson <jrwatson400@gmail.com>  
**Sent:** Tuesday, July 16, 2019 6:25 PM  
**To:** Sally Riley; Darrin Tangeman; David Burgess; Lor Pellegrino  
**Cc:** marjorieannwatson@gmail.com  
**Subject:** Village at Tamarac comments

July 16, 2019

Sally Riley

PLANNING DEPARTMENT

CITY OF WOODLAND PARK

220 W. South Avenue

Woodland Park, Colorado. 80863

Reference Village at Tamarac revised application.

Ms. Riley,

This will serve as our formal complaint and opposition to the proposed Village at Tamarac located on Lot 5, Tamarac Tech Park. We disagree that the Project meets the zoning required by the property upon which the Project is proposed to be built. The zoning for the parcel of land on which the Project is proposed to be built is Multi-Family Suburban which includes permitted uses that include single family homes, and attached dwellings such as condominiums and apartment complexes, but is largely applicable to attached, multifamily dwellings.

1. This development does not meet the purpose of the current zoning. Multi -Family Residential-Suburban (MFS) District 18.14.005- Purposes clearly states, "This land use designation is intended to accommodate ATTACHED residential dwelling units with residential density levels from two to eight units per acre" Clearly the proposed development of "53 single family detached units" does not meet this standard.



## ATTACHMENT 'F'

2. Section 18.14.010 – Permitted uses states “Within the multi-family residential-suburban district, buildings, structures, and land may be used for any of the purposes designated under MFS in the table of permitted uses for business, industrial and residential districts located in section 18.09.090.” This table allows single family residential units and is the reason the planning department is allowing the development to proceed without public discussion. The key word of this paragraph is may, implying that it also may not be allowed depending on the proposal.
3. The character of this development is almost entirely consistent to that of a mobile home park and does not conform with the surrounding homes, business and golf course.
4. The development does not preserve the unique woodlands of the area. This lot is heavily treed as is surrounding properties. Almost all of these trees would have to be removed leaving an unsightly island of 53 “tiny homes” spaced 12 feet apart. Additionally, the proposed development does not comply with the requirements as stated in 18.14.040 - yard requirements of at least 8 feet on each side. These homes would need to be spaced a minimum of 16 feet apart to comply with this requirement.
5. This development will increase traffic, congestion, noise, litter and light pollution
6. The development does not conform to the 2010 Comprehensive Plan objective to enhance Woodland Park’s identity as a small mountain community and protect the environment, wildlife and scenic beauty.
7. Woodland Park’s Comprehensive Plan Land Use and Growth Objective 1.1 states in part “preserving residential and commercial real estate property values, upholding neighborhood integrity and character” received a 90% support from respondents. This proposed development will have negative impact on both property values and neighborhood integrity. In denying a similar development next to Morning Sun Subdivision one of the reasons given was that the property values would decline by 15% with an additional decline of 10-15% if crime rates increase. This proposed development will equally affect the surrounding property values.
8. If this plan is approved than the city of woodland park will have set a precedence that tiny home villages are allowed anywhere zoning MFS exist in the city. This will likely lead to multiple future developments of this kind and will forever change the character of Woodland Park.

We request that this plan be denied.

**ATTACHMENT 'F'**

Respectfully

John R. Watson

Marjorie A. Watson

1423 Masters Drive

Woodland Park, CO. 80863

719-331-2590



received  
7/19/19  
Hand delivered  
to Judy Bandy

17 July 2019

City of Woodland Park  
220 W. South Avenue  
Woodland Park, CO 80863

To: City Planning Director  
City Manager  
City Council  
City Planning Commission and City Board of Adjustment

Subject: **Renewed Objection to the Proposed Project Known as the Village at Tamarac**

1. I still strongly object to the proposed subject development even with the minor changes in the revised July 2019 application. My wife and I own a home and pay taxes in the City of Woodland Park. We have lived here for over 28 years. The city must not be **tricked** by the developer into approving this mobile home park/tiny home project in an area not zoned for mobile home parks. Our objections include the following reasons:

1.1 The project **does not comply** with the intent of the Multi-Family Residential Suburban (MFS) zoning designation. Chapter 18.14 is entitled "Multi-Family..." and states in the Purposes that it is for "attached" residential dwelling units. The proposed project is for **single** family units that are **not attached** – so it is not compliant with **both** the **title** and the **text**. The referenced table **conflicts** with the title and text by allowing **non-compliant unattached single-family** structures. The table is in error and must be corrected to match the MFS title and text. **If this project is approved then the zoning process in this city serves no purpose as anything is allowed to go anywhere – we taxpayers would demand that the planning department be disbanded as a waste and abuse of taxpayer money.**

1.2 The proposed structures are mobile homes. The definition of a mobile home in City Code 16.04 is: "Mobile home" means a single-family dwelling built on a permanent chassis designed for a long-term residential occupancy and containing complete electrical, plumbing and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation, which is capable of being drawn over public highways as a unit, or in sections ..." The proposed structures meet the definition – they are built on a chassis and will be transported to the site by being transported over public highways as an intact unit. Therefore, the proposed project is for a mobile home park for which this land is **NOT** zoned for. **The omission of attached wheel axles is inconsequential.** Even if one considers the structures to be 'tiny homes', tiny homes must comply with mobile home park requirements. In the July 17<sup>th</sup> 2019 Pikes Peak Courier newspaper, an article about this project states that the developer group "...seeks a zoning change from multi-family use to trailer-park...", yet again more evidence that this project is really a trailer park.

1.3 The proposed project is worse than a mobile home park because **it is more densely packed than allowed for mobile homes**. The proposed structures will only be 12 feet apart (actually the revised application shows **less than 12 feet** between roof overhangs) vice the **15 feet** required for mobile homes **as recommended by the city's own review letter**. The



## ATTACHMENT 'F'

proposed project does not even come close to compliance with the **50 foot setback from the property line requirement that applies to mobile homes.**

**1.4** There is no difference between overhead views of existing mobile home parks and the plot plan of this project, except this project is more densely-packed than most mobile home parks. This project looks exactly like a mobile home park.

**1.5** In an overhead view of the project location and surrounding area there is nothing that looks like a mobile home park, like this project does, in the surrounding neighborhoods. This project is a very dense, intensive use which is completely out of character with the existing surrounding neighborhoods.

**1.6** Single family homes and condominiums are purchased with the owner owning both the structure and the land it sits on. Mobile homes are in parks where owners own the structure but rent the land it sits on. This project follows the mobile home park model where the structure is 'owned' but the land it sits on is RENTED. This is further evidence that this project is actually a mobile home park which should not be allowed in this MFS zone.

**1.7** This mobile home project, does not belong in this location. It is surrounded by 'high-end' condominiums, a golf course, a school and high-end single-family home neighborhoods. It will result in increased noise and light pollution, and concentrated increased traffic congestion. Residents of these structures will inevitably store material and property outside due to the lack of inside space resulting in a trashy, unsightly appearance - out of character for a small mountain community.

**1.8** This mobile home park, **will devalue the homes in the surrounding neighborhoods** despite the ineffective attempts to hide it. We, and all our neighbors, expect the City of Woodland Park to prevent that through the city planning process.

**1.9 The business model for this project does not result in affordable housing.** Loan payments for the structures plus rent (as stated in the application) payments for the plots of land will be approximately \$2,000 per month. Predatory aspects of this project, 99-year land leases and developer liens on the manufactured structures upon default of rental payments are horrific.

**1.10** This land was originally zoned for 'heavy service commercial light industrial'. That was changed at the request of some developer land owner to MFS, **against the objections of surrounding neighbors.** Now the developer wants the city to essentially change the zoning again in practice, if not in writing, to allow a mobile home park. **If the city approves this project,** it demonstrates that the city is **biased towards** developers and **biased against** the citizens who will suffer financial loss in the devalued properties and loss of quality of life. It would also demonstrate that the city planning staff and processes exhibit no reasonable judgement, provide no value-added and are a waste of taxpayer money.

**1.11** The city disapproved a near identical project on the city's east side – **all of the reasons for disapproval for that location apply to this project at this location.**

**1.12** The city's 'review letter' and the revised application make limited, ineffective attempts to **HIDE** this project. Common sense dictates that **if a project has to be hidden, then it does not belong in this area.** There is no attempt to 'mitigate' exposure on the east side of the project site. This trailer park will be easily visible from Highway 67 and the homes on the other side of the highway. Since most of the highway and existing homes are higher than the



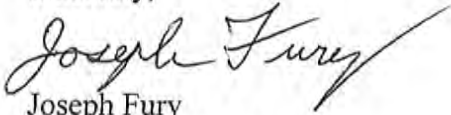
## ATTACHMENT 'F'

project land, a visual barrier privacy fence would have to be at least 30 feet tall on the east side of the property.

2. It is known in the community that the Mayor is good friends with the developer. Councilwoman LeBarre is related to one of the developers. Therefore, both must be recused from any involvement or influence in decisions or actions related to this project because of their conflict-of-interest. Any other city staff or elected city officials who are friends with any of the developers must also be recused in this matter.

3. For the reasons listed above, plus others specified in other communications by my fellow citizens, I request that the City of Woodland Park **NOT** approve the subject proposed development. I also request that the City Planning Commission and the City Council take whatever actions are needed to prevent this project from moving forward. Disapproval of water tap recharacterizations by the City is Council is one such action.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Fury". The signature is written in dark ink and is positioned above the printed name.

Joseph Fury

565 Pembroke Dr

Woodland Park, CO 80863

RECEIVED  
7/17/19  
Hand delivered to  
Planning

**ATTACHMENT 'F'**

**AMENDED OBJECTION TO PROJECT KNOWN AS  
"THE VILLAGE AT TAMARAC,"  
DEMAND FOR PUBLIC HEARING ON ZONING  
AND AMENDED OBJECTION TO THE BUILDING OF THE  
PROJECT KNOWN AS  
"THE VILLAGE AT TAMARAC"**

We, the undersigned citizens and residents of Woodland Park, Colorado (hereinafter referred to as "People" or "We"), having been advised, to the limited extent that the City of Woodland Park (hereinafter referred to as "City") has been willing to provide information regarding the zoning, proposed building, and character of the project known as "The Village at Tamarac" (hereinafter referred to as "the Project") in the City of Woodland Park, County of Teller, State of Colorado, as well as compliance to all relevant laws, codes, ordinances, and the like, hereby state, demand, and protest in this, our "Amended Objection to Project Known as the Village at Tamarac, Demand for Public Hearing on Zoning, and Amended Objection to the Building of the Project Known as the Village of Tamarac" (hereinafter referred to as "Objection") as follows:

**I. AMENDED OBJECTION TO ZONING AND DEMAND FOR HEARING**

1. The People vigorously disagree that the Project meets the zoning required by the property upon which the Project is proposed to be built.
2. The people demand proof of the history of the zoning, to include but not be limited to all applications, determinations, deliberations, public hearings, private hearings, City hearings (whether via any quorum or not).
3. The development group for this Project, upon information and belief, is led by Peter LaBarre, and that he is financially invested therein and a participant in some or all aspects of the development Project, and various other investors and/or partners. The Developers, and/or development group, will be henceforth referred to as "Developers," upper or lower case.
4. The zoning for the parcel of land on which the Project is proposed to be built is Multi-Family Suburban (hereinafter referred to as "MFS"), which includes permitted uses that include single family homes, and attached dwellings such as condominiums and apartment complexes, but is largely applicable to attached, multifamily dwellings (NOTE: current property tax assessments indicate different zoning).
5. The zoning for the proposed Project, pursuant to the zoning ordinances and the building code of the City of Woodland Park (hereinafter referred to, collectively, as "Code") should be that of a trailer park, mobile homes, and/or manufactured homes, inasmuch as the details and plans for the Project reflect the need for mobile home/trailer park zoning. The differences between the description of the Project and a project which would require zoning for a mobile home park are negligible, and largely a product of the Developer's fabricated distinctions and minor modifications, in an attempt to build a trailer-park, mobile-home type complex based on fictions invented by the Developers to avoid building within the existing

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR  
PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT  
KNOWN AS "THE VILLAGE AT TAMARAC"

Page 7 of 10



## ATTACHMENT 'F'

zoning requirements for the parcel of land upon which said Developers proposes that the complex be built upon.

6. It is well known in the community of Woodland Park that certain developers have history of investments involving real estate and structures in Woodland Park, Colorado, which include various unsightly community parks, in and or about the City of Woodland Park, and in or about the county of Teller, Colorado.

7. Furthermore, it is the opinion of many signatories hereto that said developer, Peter LaBarre, has received preferential treatment consistently, for reasons unknown to the People, but that said preferential treatment in money-making real estate ventures have been defended and protected by the City and/or others. It is the opinion of many of the signatories hereto that no other developer has received such preferential treatment with the frequency and regularity as Mr. LaBarre has enjoyed.

8. Furthermore, Mr. LaBarre owns significant parcels of land, including three (3) that consist of (1) a 35-acre parcel, (2) a 36+ acre parcel, and (3) a 10.2-acre parcel, for which he pays in YEARLY property taxes the ANNUAL sums of, respectively, (1) \$9.58 PER YEAR, (2) \$9.58 per year and (3) \$2.52 per year. Said cannot be anything but a result of egregious malfeasance, misfeasance, and/or non-feasance of various departments, and/or individual departments, of the City of Woodland Park. The People ascribing their names hereto pay hundreds, if not thousands, more in property taxes for smaller parcels of land and/or land with improvements thereon.

9. The signatories to this Amended Objection are of one accord that the Developers are not suitable to develop a project in the best interests of the City of Woodland Park, its residents, citizens, and inhabitants, and that previous projects speak for themselves in that regard. The undersigned believe that any such developer must advance the best interests of all affected people and entities, and as such, the undersigned do not have confidence in the Developers, to develop the Project for that reason. The People herein are concerned with the suitability of the developer team, and/or each of them, but have only personal knowledge of what is and has been documented and seen in those respects and categories.

10. As such, the People hereby object to the Project, inasmuch as it does not comport with the zoning and usage requirements for the parcel of land upon which the Project will ostensibly be located, and the People DEMAND a hearing before the Planning Commission and the City Council en banc, with the exclusion of any and all employees of the City who have a conflict of interest in terms of relationships with the Developers group and/or the Project itself, and the People hereby demand that all such conflicts of interests be disclosed in writing and made part of the records of the proceedings, and that relationships that bear the appearance of impropriety as regards this Project be disclosed.

11. The People are vigorously opposed to reckless development and/or development that will damage the character of our community, not only as defined by the overall City plan, including the City's Comprehensive Plan, but in terms of common-sense issues such our

## ATTACHMENT 'F'

right to maintain our community standards, beauty, order, well-being, integrity, and convenience, among other things.

12. The People have been advised that Sally Riley (hereinafter referred to as "Ms. Riley") had previously made a determination that the Project is an approved use of the existing zoning on the parcel of land in question. The People disagree with her opinion.

13. It is clear that communications between Ms. Riley and City personnel have been conducted, not administratively, but substantively, in terms of the suitability of the Project as it pertains to zoning, and the details of the Project. Said substantive discussions are violative of the Colorado "Sunshine Laws," which require that all such communications occur in a public forum with notice to the People pursuant to the Due Process Clause of the Constitution of the United States of America.

14. Furthermore, upon information and belief, before May 19, 2019, Developers submitted the original plans for this project. On or about May 19, 2019, Ms. Riley, in her role as the coordinator of the Planning Commission in the City of Woodland Park, State of Colorado, approved said plans without condition, modification, changes, or alterations. Upon information and belief, and considering her actions on June 17, 2019, as well as her self-proclaimed vast experience and years in city planning, Ms. Riley knew or should have known that the plans were significantly deficient in numerous areas, including but not limited to the laws and ordinances of the State of Colorado, and in particular, the ordinances and building codes for the City of Woodland Park. Thereafter, on June 6, 2019, Ms. Riley received this Amended Objection in its previous petition-styled format, in addition to approximately three (3) dozen individual objections and comments from the People. Eleven (11) days later, Ms. Riley submitted a twelve (12) page remediation letter to the Developers, enumerating a mere fraction of the issues that cause the project to be in violation of said laws, ordinances, and codes, enumerated herein. Ms. Riley even provided remedial verbiage to the Developers. It is NOT Ms. Riley's job to "fix" the Developers' project, nor is it appropriate for ANY city official to suggest language of remediation that would be approved. The matter was tabled at that time pending the Developers responding to the requests for remediation.

15. It is evidence, per se, of the impropriety of the entire process described hereinabove, inasmuch as the coordinator of the City's Planning Commission had NO objections, questions, concerns, conditions, and/or alterations on May 19, 2019, when she, an unelected city servant, approved the plans for this Project, and after objections filed by non-city planner citizens, she discovered twelve (12) pages of necessary remediation that she should have known about on and before May 19, 2019. Such power by unelected public servants would serve to deprive the people of redress through the Board of Adjustment and elected City Officials, and other appellate entities.

16. On or about July 2, 2019, the Developers re-submitted plans that were insignificantly modified, and essentially submitted the same plans as the original, to Ms. Riley. Thereafter, Ms. Riley scheduled a deadline of July 17, 2019, for public comments and/or objections. Considering the interim State and Federal holiday of Independence Day

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR  
PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT  
KNOWN AS "THE VILLAGE AT TAMARAC"

Page 3 of 10



## ATTACHMENT 'F'

on July 4, 2019, the People should have been given through and including the close of business on July 18, 2019, but more appropriately July 19, 2019, considering the last hour of day that that the documents were made available to the People.

17. No unelected city official should ever have the utilitarian power that exists in the City Planning Commission. Furthermore, it is against public policy for an unelected public servant to make final decisions, based upon interpretation of intent, or any other ambiguity. This only serves to deprive the citizenry of their right to have the matters heard by the elected public servants, whose job it is to consider all such matters.

18. As such, and for other reasons to be taken up at a PROPERLY-conducted City hearing before said Planning Commission and City Council, the People OBJECT TO THIS PROJECT, AND DEMAND A HEARING AS REQUIRED BY LAW AS PERTAINS TO ZONING, and as set forth hereinbelow, as well as all issues with the details of the Project itself set forth herein.

19. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit proposed project that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, slightly increasing the size of these tiny structures, and the non-substantive "creative verbiage" of the Developer re-naming what any reasonable person would conclude is a "Tiny Home," which requires mobile-home park zoning.

20. The character of the Project is almost entirely consistent with a mobile home park, NOT a project which would qualify under the MFS designation, or any other relevant designation. The Developer's minor modifications and fictions in naming a "tiny home" a "small home" does not justify applying the appropriate zoning standards.

21. The People state that they have no information pertaining to the zoning history of the parcel of land in question, inasmuch as in that area, the majority of parcels are zoned as business, commercial, technical, and/or other designations that are not residential in nature. The People demand inspection and copies of all relevant zoning documents, inasmuch as the People are unaware of any zoning hearings, variances, or modifications to the character of the parcel of land in question.

22. The People wish to express their dismay with the City, inasmuch as the elected officials are not making reasonable effort to involve the People as a whole in the determination of zoning, building, and expansion projects, and it is the wish of the People that any and all elected members bring changes to remedy this, considering that the People do not wish to suffer the elected officials who are unable or unwilling to abide by the wishes of the People, any longer.

23. The People are well-aware of their remedies concerning all issues set forth herein, and intend to pursue any and all remedies as may be just, appropriate, and necessary, should the City continue to operate in violation of the Colorado "Sunshine" laws, and outside of the realm of what is fair and reasonable in terms of the rights of the residents and citizens of the

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR  
PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT  
KNOWN AS "THE VILLAGE AT TAMARAC"

Page 4 of 10

## **ATTACHMENT 'F'**

City of Woodland Park to give their input such that the City decision-makers are largely elected representatives who are bound by their duties and responsibility of giving the utmost consideration, to listen to and consider the wishes of the residents and citizens, not oppose its own citizens.

### **II. AMENDED OBJECTION TO PROJECT AND DEMAND FOR HEARINGS**

24. The people hereby object to the Project, and state that the Project will cause the following:

- a. Existing property values in the area, and outside of the immediate area, will be negatively impacted and home values will decrease. That is evidenced by the Developer's admitted necessity of a 7-foot privacy fence so that citizens are spared from having to look at the Project. But the Developer fails to acknowledge that many homes affected by the Project are above the Project, and have to look down at it, thereby negatively affecting their view, and causing property values to drop, or even plummet.
- b. The Project will have no benefit, or negligible benefit, to the People, and the negative impact to the People will exceed any benefit that the Project would be ever to be likely to provide.
- c. The 53 units proposed constitute EXACTLY the maximum number of units permitted when computing the allocation for each unit within the scope of the site's acreage. This will create undue crowding, inconvenient access, and maintenance issues, including whether sidewalks and other building and space issues will comply with all code, ordinances, and zoning.
- d. The Project does not comport with the requirements of the building code, to include but not be limited to complex design, ingress and egress, parking, handicapped access, easements and clearances, visitor parking, etc.
- e. Traffic will be negatively impacted, and considering the stretch of Highway 67 which will be affected, ingress and egress cannot be structured and constructed in such a manner as will promote the maximum highway, road, and thoroughfare safety.
- f. Left and right turns lanes which would be required for ingress and egress to the Project complex would be unlikely to be approved by thoroughfare authorities, especially, the Colorado Department of Transportation (CDOT).
- g. The People will be significantly inconvenienced by the Project, considering all factors noted herein, and other factors of consequence to the Project.
- h. The Project will create, both in the construction phases and the post-completion of the Project, pollution, which includes but is not limited to the following: Noise pollution; congestion pollution; air pollution, visual pollution, and light-requirement pollution.
- i. Considering the established and well-known development history of Peter LaBarre, the People are reasonably concerned about this Project similarly becoming an insufficiently-maintained eyesore, and are concerned that same will be unkempt and unsanitary.

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR  
PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT  
KNOWN AS "THE VILLAGE AT TAMARAC"

Page 5 of 10



## ATTACHMENT 'F'

- j. There is a likelihood that the People will suffer financial damage, consistent with losses suffered by the community by the projects owned, in whole or in part, and/or managed by Peter LaBarre.
- k. The units proposed will be wholly owned, but permanently affixed to the foundation (as are many units which are defined as "trailer homes" such as those that exist in Peter LaBarre's existing developments), however, the land will be wholly owned by the Developer, which is contrary to the rights of the purchasers, and contrary to laws and regulations pertaining to fair housing. The Project, as proposed, could divest purchasers of their ownership of their purchased units, inasmuch as the Developer would have significant rights of foreclosure, and there is a real threat that the Developer would foreclose upon missed rental and/or maintenance/HOA-type payments, and acquire the units for himself as windfalls, at the expense of well-intended homeowners who will be at the mercy of the significant fluctuations of the Colorado real estate market. In addition, good-faith purchasers have a significantly greater probability of losing these units with no recompense, due to the hybrid nature of their owned structure/rented land homes.
- l. Considering the unfair aspects of the unit purchase/site-rented model proposed, the Project's only significant beneficiary is the developer, and all purchasers will be placed in untenable ownership/rented land models, which significantly increase the likelihood of losing their homes, and because of this, the Developer stands to be the recipient of windfalls for each unit due to difficulty in selling on the open market, because the Developer will have, under multiple theories, the first right to foreclose on these units.
- m. There has been no pertinent financial information provided by Developer as to the specifications for this Project in terms of financing and qualification for government-insured and conventional loans, as opposed to higher-interest, shorter-term loans for wholly manufactured homes.
- n. The Developer may benefit by imposing usury-like increases in rents and expenses, making the units unaffordable post-purchase, and putting the Developer in the position of profiting from financial hardship CAUSED BY THE DEVELOPERS' permanent possession of the permanently-attached homes that the Developers don't own.
- o. This Project is unsuitable and unlawful in terms of zoning and overall plan, similar to the 80-unit that was deemed earlier this year to be unsuitable for MFS designation. There are no differences except for removing parts of the structures, and re-naming what any reasonable person would conclude is a "Tiny Home," which requires mobile-home park zoning.
- p. Many believe that the City is not in need of unduly expensive homes, such as these family-unfriendly units with a square footage of 532 feet, more or less (and unknown at this juncture) which would be limited to one-to-two bedrooms, would carry mortgages based upon the purchase prices of each structure which begin at approximately \$115,000 (plus likely transportation and assemblage costs of at least \$10,000), plus taxes and insurance, plus the Developer-stated cost of \$700 in rental for the site for each unit, plus any additional assessments for utilities, trash removal, complex maintenance, etc.

## ATTACHMENT 'F'

Therefore, for 532 square, these units will be among the most expensive per square foot, far exceeding \$2,000 per month to live in a 532 square feet dwelling. This is not representative of the housing needs that presently exist in the City. That is neither rentable nor reasonable, particularly when the unit sold by Champion homes (upon which these home are based) retail in the range of \$59,000.

- q. As a general objection, the People demand that the signage notifications for all such projects be within a larger perimeter to this and any such projects, such that it is unreasonable for signage notifications to be 150 feet or less from any development or project, inasmuch as the People of the City of Woodland Park is, in most or all circumstances, are directly affected by any and all projects and developments, and modifications therefore. The signage distance of 150 feet from any of these projects of modifications thereof, is unfair, unconscionable, and inconsistent with the needs and the interests of the People.

25. The People hereby demand studies for pertinent issues for the following, to be conducted by non-aligned, conflict-of-interest-free individuals and/or entities, for the following:

- a. Emergency services, including ingress and egress, and resources, for law enforcement, first responders, fire department, and other emergency agencies;
- b. Necessary resources and utilities, such as water, power, waste, sewage, and all other issues pertaining to habitability, and impact (financial or otherwise) on the surrounding community, such as tearing up and/or modifying existing roads, easements, and the like;
- c. Compliance with the Americans With Disabilities Act, including parking;
- d. Easement compliance;
- e. Impact in terms of traffic, ingress, and egress, reaching from all reasonable geographical points along and off of Highway 67, including existing, future, and proposed housing areas;
- f. Modifications of existing modes of ingress and egress, as well as traffic impact in the Project are, in all areas affected by said Project;
- g. Study addressing the permanence and/or transience that a complex such as the Project may create, including whether the units will ultimately become, for the most part, rental units;
- h. Fair housing standards in terms of structure, site, predatory nature, lending, expenses, and the Developers' responsibilities;
- i. Significant reductions in the values of existing homes as a result of the Project; and
- j. Any and all studies that are just and necessary pertaining to the Project.

26. The People reserve the right to object further to the Project as further information becomes known about said Project, including variances and change orders, should the Project go forward at all.

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT KNOWN AS "THE VILLAGE AT TAMARAC"

Page 7 of 10



## **ATTACHMENT 'F'**

27. The People hereby demand hearings for each and every issue raised herein, and each and every pertinent issue raised in the future, related to all aspects of the Project.

28. The People demand that the proposed Project be stayed until such time as all of the objections and protests of the people may be heard.

29. The People expressly state that the foregoing constitutes an overall description of their objections to the Project, and the People hereby reserve their right to add, amend to, and/or modify this document, and/or addend to same, as justice requires.

### **III. ADDITIONAL AFFECT ON RESIDENTS AND COMMUNITY**

30. The People strongly believe that, as a community, the best interests of future residence of this City will advance the best interests of the City as a whole, and that any unlawful, egregiously unfair, and/or developments can and will have a devastating effect on the whole of the City, including existing and new residents alike.

31. The People state and aver that these "small houses" (a meaningless, fictitious characterizing of what are truly tiny homes) that will be permanently, irrevocably affixed to the foundation, to be owned and rented by the Developers as landlords, will have a negative, possibly devastating effect on all of Woodland Park, especially the new residents in such Project, if it in fact is approved. Pursuant to the statements of Peter LaBarre, each home will cost the purchasers about \$115,000 (a markup of about 100% from nearly-identical wheeled version of the same tiny whom being manufactured by Champion homes), plus, the homeowners will likely incur \$10,000 or more in delivery and assembly of these 100% off-site, out-of-state manufactured homes, installing utilities such as water, sewer, electricity, and the like.

32. Plus, the 532 square foot home will be rendered immobile by not installing axles to the chassis, however, the remainder of the manufactured and constructed portions are identical to tiny homes. It is the scheme of the Developers to avoid having to apply for mobile home or alternate zoning which truly represents the nature of the Project. Mr. LaBarre's previous (but rare) failure in this regard has prompted him to make minor modifications to defeat the existing zoning, although, overall, these units are just tiny homes. It is a fiction to get around the zoning.

33. Additionally, the Developers intend to maintain ownership of the land, charging rent of \$700+ per unit, pursuant to 99-year leases, and the rent will continue to go up. This is a predatory and egregiously unfair practice, and the structure owners will be bound to a 99-year lease, past their life expectancies and binding their heirs and assigns..

34. And, the Developers have jammed the maximum number of units (53) into acreage that is far too small, getting in by the "skin of the teeth" of the Developers, having 7.93 homes per acre, when 8 homes is the maximum number pursuant to the ordinances of this City. The community will be extraordinarily congested, and there is barely room for parking

## ATTACHMENT 'F'

spaces, and emergency vehicles. Nothing in the new plans submitted make ANY meaningful changes to that.

35. The owners of these small homes (they're really tiny homes) will NEVER own the land on which their homes sit, nor will they EVER be able to take their homes with them if they no longer wish to live there or their circumstances change. These are 53 foreclosures waiting to happen, and the Developers will acquire a prime foreclosure position, inasmuch as the rent, and home owner's association (HOA) dues (confirmed by Peter LaBarre), having 2 or the 3 financial encumbrances upon which foreclosure is a remedy. The purchasers will be stuck with what is actually a tiny home that they can NEVER move, and considering the length of the lease, their heirs will to be burdened with those legally-enforceable 99-year leases.

36. In a macro view, the \$125,000+ installed price tag on a 532 square foot home that the purchasers will likely NEVER be able to sell (primarily because the Project requires NEVER removing the structure, and the structure will be forever [at least for 99 years] attached to leased land with ever-increasing rent prices and HOA dues, they will be burdened with a net cost of over \$2,200 per month initially (inasmuch as the type of structure cannot be financed as a stand-alone home on land that is owned by the structure owner), and as such, the Developers' figures of just over \$1,200 for a total cost of owning the home (including the \$700 rent) is nothing but a fiction.

37. The foregoing is a massive windfall FOR ONLY THE DEVELOPERS, to the detriment of the beauty, and most importantly, the safety, of our community. Peter LaBarre purchased the land for \$680,000 yet stands to take in revenues of \$450,000+ per year, with little or no out-of-pocket expenses, inasmuch as the units are purchaser-owned, and the Developers/Landlords have no standard out-of-pocket maintenance expenses for items such as exteriors, roofs, yards, etc.

38. And if the tenant is a penny short on their HOA fees, then, theoretically, the Developers takes first position on the foreclosure ladder, and, without the mortgage holder for the structure ever knowing about it (until it's too late), and can wind up owning all 53 structures for a song, even if the mortgage payments on the structures are current.

39. This Project will benefit 3 PEOPLE, is completely unaffordable for the purchasers of the structures, cannot accommodate families, and once the purchasers are owners, they're burdened with these the structures for 99 years and can NEVER move them from the rented land.

40. Upon information and belief, neither the City of Woodland Park nor Teller County will benefit from property tax revenues, because these units are manufactured completely off-site, and are only assembled on-site. The City of Woodland Park and Teller County MIGHT get a one-time sales tax revenue from the purchase of the structures, NOT yearly property taxes (except a very small contribution thereto from Mr. LaBarre as the land-owner), which is the bread and butter of how our City, and our County, actually pay for our services like public works, fire and law enforcement. So it will have a negative financial impact upon

AMENDED OBJECTION TO PROJECT KNOWN AS "THE VILLAGE AT TAMARAC," DEMAND FOR  
PUBLIC HEARING ON ZONING AND AMENDED OBJECTION TO THE BUILDING OF THE PROJECT  
KNOWN AS "THE VILLAGE AT TAMARAC"

Page 9 of 10



## ATTACHMENT 'F'

Woodland Park and Teller County, will bring in little to NO revenues, cost our community its beauty, its integrity, its established character, and will serve as a financial drain on our City and our County. We citizens will bear this cost, and we object wholeheartedly to being forced to do so.

41. There are significant unknowns, including but not limited to the following, and it was incumbent on the Developers to give specifics, particulars, and facts, in order for the City of Woodland Park to determine whether this Project in fact meets, or undermines, the needs of this City, and they include but are not limited to the following:

- a. There are insufficient reports, or no reports at all, from UNBIASED THIRD PARTY EXPERTS in each and every area set forth hereinabove, as demanded by the People;
- b. Any reports, such as traffic impact, are insufficient, inasmuch as they do not consider other developments in need of ingress and egress turn lanes in the same area of Highway 67 and roadways and thoroughfares impacted by the Project;
- c. Actual water usage and availability, computed at the time of highest usage;
- d. Whether the Developers intend to construct a city-water-in to series of pipes that will serve to route water into the individual dwellings;
- e. An accurate, unbiased assessment of the traffic going in and out of the area as a direct and/or proximate result of the construction of the Project, including the need for traffic controls, the mail pullout, the woefully insignificant and inadequate allocation of 2 handicapped traffic spaces;
- f. Unbiased, expert reports concerning ALL emergency services, and the impact of this Project plus the other projects currently being built and/or considered;
- g. Fiscal impact to the City, County, and State of Colorado;
- h. The status of each structure, in terms of characterization, taxation, requirements, and all other such impactful consequences of dwellings that can NEVER be removed from rented land;
- i. The full details of the subsequent project known as "Phase 2,"
- j. The names and the locations of contractors responsible for all aspects of assembling any and all structures, and the Project in general, to include but limited to assemblage, building, utilities, paving and sidewalks, etc.;
- k. Whether owner-occupation is a requirement, the whether the units may be sublet, and other such requirements and/or restrictions applicable to each unit;
- l. The proposed contents of the covenants, by-laws, and HOA requirements;
- m. And any other detail(s) required by law or ordinance, or any relevant codes and/or body of authority.

42. Insignificant changes and fictions to get around zoning, and concocting justifications by ludicrous interpretations of "intent" may fool some governmental entities, but the People aren't fooled at all.



# ATTACHMENT 'F'

| Village at Tamarac |                        |              |                |                        |
|--------------------|------------------------|--------------|----------------|------------------------|
| Name               | Address                | Phone#       | Signature      | Comments               |
| Chuck Morgan       | 202 Fox Mountain       | 202-813-9533 | Charles Morgan | VIAPCA                 |
| Clara Morgan       | 202 Fox Mountain       | 203-810-8806 | Clara J Morgan |                        |
| 6001 Holbrook      | 151 E Pembroke Dr      | 228-2251     | [Signature]    |                        |
| F.M. SINEI         | 1804 COLUMBINE VILLAGE | 719 377-4511 | [Signature]    |                        |
| L.P. Fung          | 565 Pembroke Dr        | 719 439-6170 | [Signature]    |                        |
| Joseph A. Fung     | 565 Pembroke Dr        | 719 439-6170 | [Signature]    |                        |
| TERRY SCOTLAND     | 627 LEBLANC DR         | 719 473-8869 | [Signature]    |                        |
| GERARDINE HOLCROFT | 518 Pembroke Dr        | 719 278-2259 | [Signature]    |                        |
| Raig Miller        | 610 Pembroke Dr        | 719 260-9406 | [Signature]    |                        |
| ELIZABETH MILLER   | 610 Pembroke Dr        | 719 332-2243 | [Signature]    |                        |
| Shirley D. Smith   | 1860 Research Dr       | 719-687-1036 | [Signature]    |                        |
| Donna D. Smith     | 1860 Research Dr       | 719-687-1036 | [Signature]    |                        |
| Kim R. King        | 229 E. LANCELOT        | 815/260-7095 | [Signature]    |                        |
| Cameron Wingers    | 741 Lucky Lady Dr      | 913-220-8414 | [Signature]    |                        |
| Sharon Wingers     | 741 Lucky Lady Dr      | 913-744-7328 | [Signature]    |                        |
| Bonnie Jones       | 545 Pembroke Dr        | 719-271-8695 | [Signature]    |                        |
| Roz Mack           | 545 Pembroke Dr        | 719-271-8696 | [Signature]    |                        |
| Christina Whitney  | 3350 Regent Dr.        | 719 687-4103 | [Signature]    |                        |
| Mark Whitney       | 3350 " "               | 719 687-4103 | [Signature]    | Mark Whitney           |
| Christina Whitney  | 711 Valley View Dr     | 719 964-5872 | [Signature]    |                        |
| Barbara L.         | 223 Kiva Ave           | 620-214-0155 | [Signature]    |                        |
| William D.         | 715 Valley View Dr.    | 719/465-0110 | [Signature]    |                        |
| LON RUST           | 1045 S.W. MASON TR     | 719 963-0474 | [Signature]    |                        |
| Angela S. S.       | 10310 W. C. P. S.      | 719 432 7965 | [Signature]    |                        |
| Richard Kobson     | 415 CRAIG CT.          | 719 568 4501 | [Signature]    | NEVER BOUGHT T1719!!   |
| Carol Kobson       | 415 CRAIG CT.          | 719-319-9994 | [Signature]    |                        |
| TIM TAYLOR         | 1440 EAGLE TRACE       | 719-964-7925 | [Signature]    | NOT AFFORDABLE HOUSE!! |
| SEAN COLEMAN       | 914 STENEARCH LANE     | 970-483-7100 | [Signature]    |                        |
| Barbara Blake      | 196 Summer Haven       | 660-5493     | [Signature]    |                        |
| Sheri B.           | 341 Tishy View         | 387-5457     | [Signature]    |                        |
| Petris H.          | 550 Tropicana          | 682-1312     | [Signature]    |                        |
| JAMES HOSKINS      | 966 Forest Edge Rd W   | 223-2566     | [Signature]    |                        |
| INGEBORG MERTLIK   | 806 MULY PINE CIRCLE   | 271 6890     | [Signature]    |                        |
| DANNA WEBER        | 806 MULY PINE CIRCLE   | 949 235-2376 | [Signature]    |                        |
| Lilah Sannier      | 1280 Windflower LN     | 303-909-8006 | [Signature]    |                        |
| SANDRA CORDA       | 1332 LONGS PT.         | 719 649-1899 | [Signature]    |                        |
| JACK GORDON        | 1332 LONGS PT.         | 321 848 4477 | [Signature]    |                        |
| Jenny Cosner       | 505 Regent Lane        | 719-660-5419 | [Signature]    |                        |
| Ann D. Anderson    | 1283 Masters Dr.       | 719-488-0026 | [Signature]    |                        |
| ED G. ANDERSON     | 1393 MASTERS DR        | 719-488-0026 | [Signature]    |                        |
| Scott Park         | 808 N. Walnut W        | 719 930 8528 | [Signature]    |                        |
| Joseph Gordon      | 9730 W. Hwy 24         | 719-684-6261 | [Signature]    |                        |
| Kent Gordon        | 9730 W. Hwy 24         | 719-684-3936 | [Signature]    |                        |
| Colleen Reinert    | 665 Pembroke Dr        | 316-254-7501 | [Signature]    |                        |



## Village at Tamarac

2

## ATTACHMENT 'F'

[illegible]

|                           |
|---------------------------|
| Unfair housing for people |
|---------------------------|



## ATTACHMENT 'F'

[illegible]

## ATTACHMENT 'F'

[illegible]



**ATTACHMENT 'F'**

RECEIVED  
7/17/19  
Hand delivered  
to Planning

City of Woodland Park  
220 W. South Avenue  
Woodland Park, CO 80863

13 July 2019

To: City Manager, Mr. Darrin Tangeman  
Cc: City Council (each councilperson)

**Subject: The City of Woodland Park Planning Process is Broken**

Reference: "RE: Village at Tamarac Site Plan Review – Staff Review Comments" dated June 17, 2019

1. The city planning process is either incompetent or unreasonably biased in favor of developers to the detriment of homeowner citizens. The review letter, referenced above, proves this.
2. The review letter states on page 1 that "On May 16, 2019, the Planning Department received an application that was **initially deemed complete**..." However, after receiving 34 objections from neighborhood residents, the Planning Department issued a review letter that states, on page 1, "...the Staff has determined that we are unable to approve or deny the Village at Tamarac application due to a lack of certain information detailed below." The review letter goes on to list findings of 16 Partially Complies, 3 Need More Information and 1 Noncompliant area. **Such a deficient application should have not been originally accepted, nor should the public postings and comment period have been initiated.**
3. Page 2, section 18.14.005 of the review letter states that the applicant should consider "...adding an adequate visual buffer around the perimeter of the site to protect the surrounding property values..." **This statement, which essentially says to try to hide this project from view, demonstrates that the city knows that this project is inappropriate for this neighborhood area and, if seen, will hurt home values in the surrounding neighborhoods.** It would take a solid wall at least 50 feet tall on the east side to completely hide this inappropriate project.
4. Page 3, begins with the statement that "Even the city's Mobile Home Park standards require minimum 15' spacing for HUD manufactured homes. This project should consider a similar standard." These sentences taken together, are **a clear admission that the city knows this project is identical to a mobile home park which is not allowed in this MFS zoning.** Continued consideration of this project by the Planning Department demonstrates a complete lack of judgement or an underlying actual zoning policy of "anything can go anywhere."
5. Further findings in the top half of page 3 include "The water system is not adequately looped for fire protection and reliable service."; and, "...sidewalks do not meet the City's 5' minimum width..." **These findings are actually noncompliances, but are portrayed as 'partially compliant' - further proof of a bias toward developers.**
6. The top of page 4, under section 18.14.050, contains the statement "...shall include additional landscaping and fencing to reduce the impact to the townhomes on Long's Point." Further down

## ATTACHMENT 'F'

page 4, under section 18.14.080, is the statement “..install low maintenance privacy fencing adjacent to the properties on Long’s Point.” These statements are **additional acknowledgements by the Planning Department that this project will be detrimental to the existing adjoining neighborhoods and demonstrates extreme poor judgement on the part of the Planning Department biased in favor of a developer** and against a large number of tax-paying residents.

7. Page 8, under section 18.34.070G, contains statements “The homes in this development are arranged in a compact fashion..limits yard area to a very small space..**add an adequate visual buffer with privacy fencing..around the perimeter of the site to protect and buffer surrounding properties.**” These statements are again, further acknowledgements that this project has all the characteristics of a mobile home park.

8. Page 10 contains the statements: “..the dense clustering is not compatible with the adjacent uses on Long’s Point. Adequate screening can help mitigate the lack of compatibility with Long’s Point duplexes and wider side yard spacing can help mitigate the tight grouping of homes.” **These statements are outright admissions that this project is not compatible with the surrounding neighborhoods and does not belong in this area.**

9. This review letter is nothing more than an extensive recipe for how the developer can obtain Planning Department approval for his ‘mobile home park’ by trying to hide it in an area where mobile home parks are not allowed by zoning. This project cannot be adequately hidden – the trailer park adjacent to Walmart has a ‘privacy fence’ and is still a visible eyesore.

10. The taxpaying citizens of Woodland Park expect city staff to exercise good judgement. In this case the Planning Department is scheming with the developer and abdicating their responsibilities to the vast majority of taxpayers. The proposed Village at Tamarac violates several of the goals and objectives of the city’s Comprehensive Plan. Examples include: “Land Use and Growth Action 1.1.8: Ensure that contemplated projects: ..Maintain the overall integrity and character of Woodland Park neighborhoods..; Are sufficiently harmonious with adjacent land uses, to preserve and protect the property values of those properties in the same or adjacent zone.”

11. For the reasons stated above, especially the lack of judgement and the favoring of developers at the expense of existing homeowners, **as documented in the referenced review letter**, we request that the current Woodland Park Planning Director be removed and replaced with a new director that will exercise good judgement, respect the intent of the city’s zoning plan and not favor developers at the expense of existing homeowners.

Sincerely,

(Signatures attached)



## ATTACHMENT 'F'

| The City of Woodland Park Planning Process is Broken – Letter 12 Jul 2019 - Signatures |                    |                               |                                 |
|----------------------------------------------------------------------------------------|--------------------|-------------------------------|---------------------------------|
| Signature                                                                              | Printed Name       | Address                       | Phone or Email                  |
|                                                                                        | M. KRISISCHE       | 1149 W. RATHBURN              | Billmelke@yahoo.com             |
|                                                                                        | C. Morgan          | 202 Fox Mt                    | Claire.morgan@gmail.com         |
|                                                                                        | G. Holdcroft       | 518 Pembroke Dr               | gshelcroft@msn.com              |
|                                                                                        | Shirley Dookhit    | 1060 Searched Dr              | shirleydookhit@gmail.com        |
|                                                                                        | Don Dookhit        | 1060 Ranch Dr                 |                                 |
|                                                                                        | Ben Hunge          | 1251 Woodland Valley Ranch Dr | 719-64-2775                     |
|                                                                                        | Cameron Wingers    | 741 Lucky Lady Dr             | c.wingers@yahoo.com             |
|                                                                                        | Sharon Wingers     | 741 Lucky Lady Dr             | Sharon.Wingers@yahoo.com        |
|                                                                                        | Rolan Haupe        | 1251 Woodland Valley Ranch Dr | (719) 641-409                   |
|                                                                                        | Roy Nevels         | 545 Pembroke Dr               | 555-nevels@gmail.com            |
|                                                                                        | Roxanne Jo Nevels  | 545 Pembroke Dr.              | 719-271-3695                    |
|                                                                                        | Max Whitney        | 3350 Regent Dr                | 719 687 4103                    |
|                                                                                        | Annette Whitney    | 3350 Regent Dr                | 719 687 4103                    |
|                                                                                        | ANGELA BESSADA     | 15310 Alamo Rd                | 719 432-7615                    |
|                                                                                        | TIM TAYLOR         | 1440 Eagle Trace Ct.          | 719-964-3925                    |
|                                                                                        | Rhylah Saunier     | 1280 Windflower Ln            | 303-909-8006 / BUZZ287@Live.Com |
|                                                                                        | SANDRA CORDOVA     | 1332 LONES PT                 | 719 699-1899                    |
|                                                                                        | JACK CORDOVA       | 1332 LONES PT                 | 321-848-8447                    |
|                                                                                        | Callaghan          | 1125 Pix Ridge                | 719-313-9054                    |
|                                                                                        | CHAD YARBUCK       | 250 RANCH DR                  | 719-439-0853                    |
|                                                                                        | Christopher Gordon | 7130 West 1st St              | a resident in El Paso           |

## ATTACHMENT 'F'

[illegible]



## ATTACHMENT 'F'

[illegible]

## ATTACHMENT 'F'

### RESPONSE TO REQUEST FOR PUBLIC COMMENT REGARDING THE PROJECT KNOWN AS “THE VILLAGE AT TAMARAC”

I, Paul B. Neal III, and my wife, Dawn C. Neal, (hereinafter referred to as “We” or “Our”), the undersigned citizens and residents of Woodland Park, Colorado (hereinafter referred to as “the City”), offer the following comments and partial objection to the proposed development of the project known as “The Village at Tamarac” (hereinafter referred to as “the Project”) in the City of Woodland Park, County of Teller, State of Colorado.

#### I. GENERAL

A. We have been interested in the Project since the first Public Notice was posted on or about May 24, 2019. We see potential for an innovative community concept as a way to meet a need for affordable housing in Woodland Park, but, conversely, We see the potential for 1) harming the reputation of Woodland Park as an enticing city in which to settle, and 2) a real possibility of lowering Our home values. For these reasons, We have taken the time to meet with the following members of Teller County and the City to gather facts regarding the Project so that Our final position would be based on accurate information, not rumors or hearsay:

1. David Burgess, Planning Technician, Planning and Building Department, to learn general information about the project and to get copies of relevant documents.
2. Kip Wiley, Utilities Director, to learn about the Water Tap decision that was originally scheduled for June 26, 2019.
3. Steve Scandura, Manager, Above Treeline Construction, to learn about Champion manufactured homes.
4. Sally Riley, Planning Director, to learn about setbacks, spacing and more detailed information about the Project.
5. Colt Simmons, Teller County Assessor, and Mike Akana, Teller County Chief Deputy Appraiser, to learn about how the manufactured homes would be taxed, how the land would be taxed, and find out if there was the possibility that there could be tax exemptions granted if the homes were purchased by entities that have tax exemption status.
6. Pete LaBarre, the land owner, and Eric Smith, the co-investor for the Project (hereafter referred to as the Applicants) to learn about their vision and direction the Applicants had for the Project. Additionally, to understand who the potential buyers of the homes would be and whether they were open to input from concerned citizens of Woodland Park.



## ATTACHMENT 'F'

7. Darrin Tangeman, City Manager, and Jason Meyers, City Attorney to show support for the City and Planning Director in making a fair decision and applying logical rules where there were gaps in the City Municipal Codes in dealing with the uncommon buyer/renter business model for the Project where subjectivity does come into play. Specifically, the physical separation between units where there are no individual yards nor specifications for “yardless” developments.

B. After gathering as much information as possible and applying this information to the new plan submitted by the Applicants on July 3, 2019, We agree with trepidation to the City granting a Conditional Approval for the Project. The major concerns We had were mitigated through our discussions with only one exception, the spacing between individual units.

The International Residential Code (IRC) built Champion modular homes will exceed the quality of any site-built home and the new floor plans with the upscale design features that the Applicants have created should attract residents that will contribute positively to the City. Also, the limit which the Applicants have had imposed on them by their lenders on the percentage of homes that can be sold as non-owner occupied (20 percent) should draw citizens who will be invested in residing and maintaining the dwellings to a high standard. In addition, the Applicants assured us that there have been no discussions with any non-profit entity that might claim tax exemption status regarding the purchase of any of the homes.

Small modular home developments have been successfully added to several cities across the country. There is a clear need for affordable housing in the demographic group targeted by this project. Examples we can imagine are professionals that haven't reached the financial ability or desire to purchase larger homes; retirees that are downsizing; and families or individuals that desire small vacation homes. There is a market for vacation rentals but the lenders' constraints on the Applicants limit this number to 20 percent. The City would be well advised to codify this limit to the present and future in any approvals granted.

## II. CONDITION FOR APPROVAL

A. While We generally support the vision of the Project, it is with one condition. The second Plan submitted on July 3, 2019 made adjustments that satisfied many Planning Department recommendations, hence removing most of the City's objections. The one notable recommendation that was ignored was the recommendation to remove a number of units so that a larger separation could be obtained between units; specifically, the City recommended a minimum of 15 feet, the same as a Trailer Park. The City cited several reasons for their recommendation, none of which have been mitigated by the new submission. The visual difference between plans is that the first proposal had yard separations that reflected a measurement at the eaves, 10 feet. The second proposal had the same yard separations but the measurements were indicated at the ground level, 12

## ATTACHMENT 'F'

feet. The Applicants did not make any adjustments other than to the north lot line to mitigate the City's objection.

B. In paragraph 18.33.180, Design Standards – Intent and Purpose, sub-paragraph G.1.d., of the municipal code that requires “The pattern of spaces between buildings of new construction shall be consistent with existing construction,”; the City must compare the space between all other Single-Family Dwellings in all adjacent areas. The Applicant chose to build Single-Family Dwellings in the Multi-Family Residential – Suburban zoned area, but the City must not forfeit the requirement that the new development be consistent with existing construction of like type. We suggest that the City conditionally approve the application with a requirement that the Applicants redraw their plan and do what is necessary, including a reduction in the number of dwelling units so they meet the side yard separations required when Single-Family Dwelling are built. The minimum possible separation between two side-by-side Single-Family Dwellings is 16 feet, 8 feet per each house. Otherwise, the paragraph on zero lot line developments, which the Business Model uses because the only land that comes with the lease is the foundation on which the modular homes are attached, would be appropriate as a guide and the required separation would be 20 feet. One could even argue that the business model is that of a Trailer Park and those codes should be applied (15 feet) but We don't believe the business model should be more influential than the dwelling type's influence on the code's application. In the absence of a clear Municipal Code to apply, the Planning Director is obligated to make the best judgement call based on which code is most closely represented by the Project. Our recommendation is to use the Single-Family model and require 16 feet separation between units. We believe that without this separation between units, the stated intent of the Applicants to provide Woodland Park with a showcase community by which to model other future developments is a fallacy. To be a showcase, the neighborhood must look attractive and desirable; homes placed closer to each other than what a mobile home park requires negates that attractiveness and creates a nonsensical business plan.

(Note: The distributed Plan Review Letter, dated June 17, 2019, prepared by the Planning Director, incorrectly cites paragraph 18.33.180.G.1.c., then incorrectly states that the multi family duplexes at Longs Point are spaced 10 feet apart. The physical separation of the existing duplexes at Longs Point are 14 feet apart as measured at ground level. The correct paragraph is 18.33.180.G.1.d.)

Further, if the City would research the reasons that 8 feet per house is used across many states, counties, and cities, they will easily find that it is for two primary reasons: Environment and Safety. Environmental reasons include conditions such as air flow, noise pollution, sunshine flow, and general aesthetics. Safety reasons include the necessity of adequate separation in the event of a catastrophe, such as an earthquake or fire. A building collapsing laterally needs its own height so that an adjacent building is not damaged during a collapse. The City never mentioned Safety from fire or building collapse in their initial Plan Review. This is a significant oversight by the Planning Department.



## ATTACHMENT 'F'

Finally, the City must recognize that the Project does NOT completely or cleanly fall into any category in the Municipal code. The Planning Director must apply a subjective application of all paragraphs as they pertain to this unique development model. The Project's business model suggests that the Project should follow rules of a Trailer Park (15 feet separation between units is required). The Project's use of 53 single family dwellings with the only "lots" being the pads that the homes rest on, makes the rules surrounding "zero lot line" dwellings partially appropriate (20 feet separation becomes the minimum). But the fact that these are all Single Family homes, one can argue that the rules around Single Family homes should be the rules followed (16 feet is the minimum possible with any other two Single Family homes). Any one of these three zoning styles could and should be the governing principle that the City should use to enforce spacing. The one position that is inappropriate for the City to take is the position that they can't enforce any spacing rules simply because the Municipal Code doesn't address this Project's model. Since the Project has more characteristics with the Single Family zoning rules, We ask the City to apply the minimum separation possible between two Single Family dwellings in Woodland Park. Sixteen feet should be the standard for this Project. Our expectation is that the City Manager will oversee the Planning Department and stand firmly on the original Partial Compliance finding and then work with the Applicants to come into Full Compliance. Our strong recommendation is to use the 16 feet separation rule.

### III. Conclusion

We request that the City Conditionally Approve this Project based on a required separation between units of at least 16 feet.

Respectfully yours,

Paul B. Neal III and Dawn C. Neal



July 16, 2019

Ms. Sally Riley, Planning Director  
City of Woodland Park  
220 W. South Ave.  
Woodland Park, CO 80866

RE: Village at Tamarac  
SPR19-01 – Site Plan Review

Dear Ms. Riley:

I am Dr. Roland DeRenzo, Superintendent of Colorado Springs Christian Schools, and I am writing to you in regards to the project that is being proposed near our campus of Colorado Springs Christian Schools – Woodland Park at 1003 Tamarac Parkway in Woodland Park.

While we certainly understand the need for growth and development of residential homes in Woodland Park, we do have a serious concern regarding the increased volume of traffic this would bring, without the needed road improvements including a left turn lane.

I am writing to bring this concern to the Planning Department's attention solely on the basis of the safety of our school's families, especially our students. My understanding is that the Traffic Study that was conducted estimated an increase of approximately 350 trips on a daily basis. My concern is for the morning peak hour and our CSCS-WP school families attempting to make a left turn from Highway 67 onto Tamarac Parkway.

Once again, we do support the Woodland Park community and its growth but we definitely want to ensure that this concern is presented to the Planning Department's attention solely due to the safety and security of our CSCS-Woodland Park students.

Thank you for presenting this letter at your next meeting.

Warm regards,

Roland F. DeRenzo, Ed.D.  
Superintendent, Colorado Springs Christian Schools  
1003 Tamarac Parkway  
Woodland Park, CO 80863

Excellent Education \* Biblical Perspective \* Lifelong Service  
4855 Mallow Road • Colorado Springs, CO 80907  
Voice: (719) 599-3553 • Fax: (719) 268-2158 • [www.ccselions.org](http://www.ccselions.org)





**ATTACHMENT 'F'**

1450 Eagle Trace Ct.  
Woodland Park, CO 80863  
July 17, 2019

RECEIVED  
7/17/19

Hand-delivered Planning  
Aur

Mayor and City Council Members  
Attention: Neil Levy  
220 W. South Avenue  
Woodland Park, CO 80863

Reference: Case SPR19-001 Village at Tamarac

Subject: **OBJECTION TO THE BUILDING OF THE PROJECT KNOWN AS "THE VILLAGE AT TAMARAC"**

I, Valerie Lundy, submit the following objections and comments for consideration and/or action regarding the Notice for Public Comment pertaining to revised Site Plan Application SPR19-00, dated July 3, 2019, by Order of Municipal Code Title 18, Chapter 34, Section 058.3 (hereafter referred to as "The Notice"). The Notice implies that the referenced application is still not being referred to the Planning Commission for review. There are inconsistencies in the Public Notice and the revised Development Plan generated by Matrix Design Group. These inconsistencies are further exacerbated by the comments made by Ms. Riley and Mr. LaBarre in today's Pikes Peak Courier. These issues/inconsistencies need to be addressed in a public forum.

**Specific Comments and Requests**

1. In the Public Notice, it states that "The project proposes to develop 53 single family, detached units (600 SF each)....". In an article on the front page of the Pikes Peak Courier, dated today, quotes Sally Riley stating that "Each manufactured home is 506 sq ft". Further the Title Sheet (TS01) of the July 2019 Development Plan Review 02 indicates that the units will be 532 sq ft.

These discrepancies can be readily resolved by requiring the Developer to provide the actual floor plans of the units to be built. Architectural Exhibit AE01 only shows photographs of the Champion Home Park Model RV tiny home. That unit is only 399 sq ft. Yes, there is a "storage loft" in some units; however, that loft would not be included in the square footage calculation.

The American National Standards Institute (ANSI) adopted a standard for measuring single-family residential buildings. American National Standard Z765-1996 was developed through a process of consensus among a wide variety of participants. These included the American Institute of Architects, the Appraisal Foundation, the Building Owners and Managers Association, the Manufactured Housing Institute, the National Association of Realtors, Fannie Mae, Freddie Mac, HUD and others. According to these guidelines, to count in the square footage equation, a ceiling must be 7 feet tall, or 6 feet 4 inches (1.9 m) with beams or anything else that might hang down. Further, "lofts and finished attics must be accessible by a conventional stairway or other access to be counted. If you can only reach the loft by climbing a ladder, it's not part of the finished floor area regardless of the ceiling height."



## ATTACHMENT 'F'

Also, porches may not be included in a sq ft calculation unless it is enclosed. The ANSI standards define "finished area" as "an enclosed area in a house suitable for year-round use, embodying walls, floors, and ceilings that are similar to the rest of the house."

The Champion Home Builder's web site contain the floor plans to all of the models that they currently manufacture. This includes tiny homes plus manufactured single and double wide units. Review of that site does not show ANY floor plan consistent with the dimensions shown on the development plan. The closest is the Advantage 1444 201 unit, which is a single width, 1 bedroom, manufactured home the is 13' 4" W x 40' L (without porch). Champion also does not have ANY unit less than 640 sq ft that is 2 bedroom.

2. There is also a discrepancy in the size of the side yard. the Title Sheet (TS01) of the July 2019 Development Plan Review 02 shows 12' between structures in the Typical Unit Layout & Dimensions. The original plan only had 10' between structures with the SAME number of units. Based on the graphic scale on the drawings, it does not appear that the spacing was modified. The addition of 2 ft between structures would result in space for a little more than one unit per 10 structures. Thus, it is not mathematically logical that it would even be possible to still include 53 units.

I request that the modified site layout be provided in an overlay format in public to validate it's accuracy.

3. In the Pikes Peak Courier article, Mr. LaBarre stated "We've got a program for qualified buyers, through Park State Bank & Trust, and guaranteed by USDA, which can do 100 percent financing if potential buyers make less than \$91,000 per year". According to the USDA Rural Development website the requirements are:

According to the USDA, Sec. 3555.208: "Loans may be guaranteed for manufactured homes if all the requirements in this section are met."

Rural Development may guarantee a loan used for the following purposes related to manufactured homes when a real estate mortgage covers **both the unit and the site**:

(1) Purchase of a new manufactured home, transportation, permanent foundation, and installation costs of the manufactured home, and purchase of an eligible site if not already owned by the applicant; and

(2) Site development work properly completed to HUD, state and local government standards, as well as the manufacturer's requirements for installation on a permanent foundation.

The operative words are highlighted in red. It requires that the unit and the land are owned by the person taking out the loan. I do not understand how these loans could apply if Mr. LaBarre maintains ownership of the land without subdivision. Note that this type of loan also requires owner that the units be owner occupied.

I request that Mr. LaBarre and Park State Bank & Trust publically present this "program."

4. The required CDOT traffic impact and NE Teller County Fire Department independent reviews have not been completed and provided to the public.

5. The IREA utility easements have not been completed.



**ATTACHMENT 'F'**

In my opinion, the proposed development is not beneficial to the residents of Woodland Park. The process utilized to get the proposal to this point is questionable. I believe that this development would negatively impact the property values in Woodland Park. Finally, this development has been "promoted" as low income housing for the city and families. That is certainly NOT the case.

Respectfully,



Valerie Lundy  
1450 Eagle Trace Ct.  
Woodland Park, CO 80863  
719-687-2669