

Woodland Park City Council
Council Chambers - City Hall
June 17, 2021
7:00 PM
(In Person/Via Zoom)

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video. Time stamp after each item is noted for your convenience and corresponds with recorded video.

1. CALL TO ORDER AND ROLL CALL

Mayor Pro-tem LaBarre called the meeting to order at 7:00 PM.

City Clerk Leclercq called roll with the following members of Council present:

Mayor Pro-tem LaBarre, Councilmember Alfieri, Councilmember Case, Councilmember Neal, and Councilmember Zuluaga.

The following staff members appeared in person: City Manager Michael Lawson, City Attorney Geoff Wilson, City Clerk Suzanne Leclercq, Planning Director Sally Riley, Management Analyst Rob Felts and Utilities Director Kip Wiley.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS: (.57)

A. Appointments to the Historical Preservation Committee, Parks and Recreation Advisory Board and the Utility Advisory Committee.

Motion: To appoint Michelle Harris to the Historical Preservation Committee. Zuluaga/Neal. Motion carried 5-0.

Motion: To appoint Danuta Brown to the Parks and Recreation Advisory Board. Case/Alfieri. Motion carried 5-0.

Motion: To appoint Tim Rhatigan to the Utility Advisory Committee. Neal/Case. Motion carried 5-0.

City Clerk administered the Oath of Office to Brown and Rhatigan who were in the audience. Harris appeared via zoom and Leclercq will administer the Oath of Office at a later time to her.

B. Oath of Office to Deputy Judge Ronald Carlson. (14.57)

Municipal Judge Elizabeth McClintock introduced Ronald Carlson who was appointed by the City Council last month to the position of Deputy Municipal Judge. Council welcomed Carlson to the City and City Clerk Leclercq administered the Oath of Office to Carlson.

C. Discussion around amending the DDA 2021 Budget Appropriation. (19.53)

Councilmember Neal and Councilmember Case led a discussion regarding the DDA 2021 Budget Appropriation.

City Attorney Geoff Wilson will be sending a private memo to the City Council regarding an overview and/or risks of City Council managing the DDA Budget. Once the feedback from Attorney Wilson is received and reviewed Council agreed to look at bringing the \$30,000 allocated to the DDA for Woodland Station back to a future City Council agenda.

DDA Treasurer, Tanner Coy, Duane Carter and Attorney for the DDA Paul Benedetti all spoke regarding the DDA Budget.

Councilmember Zuluaga liaison to the DDA shared the following:

- The DDA statute requires the affairs of the DDA shall be under the direct supervision and control of its board. City Council does not qualify.
- The Board is required to exercise supervisory control over the director and staff of the DDA.
- The Board (and only the Board) shall exercise supervisory control over the activities of the director and staff of the DDA.
- The City's attempt to assume control of the DDA violates the statute and its covenants with Vectra.
- The fact that the DDA has no staff concerns me because, among its other duties, the DDA is required under its loan covenants to monitor and cooperate with the County to ensure that the TIF revenue is collected and deposited in the bond revenue fund.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR: (1.28.11)

A. Approval of the May 26, 2021 Special Meeting Minutes and June 3, 2021 Regular City Council Meeting Minutes.

B. Approval of the April and May 2021 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

Following Council's questions on the Statement of Expenditures the following motion was made:

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

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

- No Public Comment

7. UNFINISHED BUSINESS:

A. None

8. ORDINANCES ON INITIAL POSTING (1:33:42)

A. Approve Ordinance No. 1399, Series 2021 on initial posting, eliminating the school related distance restrictions applicable to premises holding a Liquor License located in the Gold Hill South Shopping Center with addresses of 701 through 797 Gold Hill Place and 519 West US 24 and set the public hearing for July 1, 2021.

Planning Director Sally Riley presented this Ordinance on initial posting. Concerns were addressed by the Council as to why the school would want to be in an area with liquor establishments.

Following Council discussion the following motion was made:

Motion: To approve Ordinance No. 1399, Series 2021 on initial posting, eliminating the school related distance restrictions applicable to premises holding a Liquor License located in the Gold Hill South Shopping Center with addresses of 701 through 797 Gold Hill Place and 519 West US 24 and set the public hearing for July 1, 2021. Alfieri/Case. Motion carried 4 - 1 with Zuluaga voting no.

The time being 9:04 PM the Council took a short recess.

9. PUBLIC HEARINGS (2:15:46)

A. Approve Yuyo Subdivision Final Plat a request by N.E.S. Inc. (Applicant) and New Life Holding Corporation (Property Owner) for a minor subdivision for a (1) lot plat of 10 acres located at 1121 Sturman Parkway in the Planned Unit development (PUD).

Planning Director Riley reviewed this Final Plat with Council. After ahring the location and background of the project Riley shared the following staff review.

Subdivisions must conform to Chapter 17.24 Final Plat of the City of Woodland Park Municipal Code and the Sturman PUD zone district limitations. The Sturman PUD is attached to this staff report as Appendix B. In italics below are the relevant plat and design standards applicable to this final plat application followed by staff findings.

CHAPTER 17.24 FINAL PLAT

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

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

Complies. A preliminary plat neither exists nor is required for a 1-lot minor subdivision. A mylar of the Final Plat will be prepared for recordation with the Teller County Recorder pending all applicable revisions, approvals, and executions.

§17.24.080 Information.

Complies. This plat has been prepared by licensed professional land surveyor Eric Simonson, Rampart Surveys, LLC, PLS No. 38560 and contains all the technical information listed in this section including subdivision name, vicinity map, owner and subdivider names, date of preparation, north arrow, dedication/certification and other statements, etc. Any revisions to the plat are listed as conditions in the staff recommendation.

§17.24.090.B Supplemental Material. Minor Subdivision.

Complies. The following supplemental material was supplied with the application: letter of intent; list of adjoining land owners; reduced size map; title commitment; and a drainage report and stormwater management plan.

§17.24.100 Other documents to be filed.

Complies. The applicant submitted a site plan sketch showing the proposed residence well outside all existing or proposed easements. As the property is enrolled in the Colorado Forest Agriculture Program, a Wildfire Mitigation Plan produced by a qualified forester was also submitted. All wildfire mitigation proposed is referenced on the Plat. A Subdivision Development Agreement for the water main extension is required prior to consideration by City Council. A set of architectural drawings was also submitted.

§17.28 IMPROVEMENT GUARANTEE

Complies. In lieu of completion of the water main extension, the subdivider shall agree to enter into a contract to guarantee completion of the roughly 700 foot long water main extension. This contract must be secured by a guarantee (cash in escrow or a letter of credit from a financial institution) in the amount of 150% of the cost of installation. The applicant, prior to Certificate of Occupancy, is required to extend the water main from the north point of the main under Sturman Parkway all the way to Lot 1. A service line will connect from the water main to the single family home proposed on Lot 1. The applicant will be submitting the Subdivision Development Agreement (SDA) complete with estimate and guarantee for the cost of this sewer main extension prior to City Council review.

§17.36 DEDICATIONS

§17.36.010 Dedication of Right-of-Way.

Complies. Public right-of-way (ROW) dedication is neither proposed nor required at this time. The only dedication required with this plat is for perimeter public utility easements, as shown on the plat.

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

Complies. The applicant is proposing to submit fees-in-lieu of the required 0.027 acres (1,176 SF) of park land dedication per residential dwelling unit. The Parks and Recreation Advisory Board, at their meeting on May 12, 2021, agreed to accept the fees-in-lieu for this 1-lot residential subdivision. The 2021 Park Capital Fee is established by City Council for 2021

at \$2,133.00 per each new residential lot created. The total amount of Park Capital fee due for this 1-lot subdivision is \$2,133.00 and must be paid prior to recording of the plat by the City.

§17.40 DESIGN STANDARDS. The design standards contain specifications for a reasonable layout and design to ensure an efficient, orderly, well planned suitable subdivision ready for future construction in keeping with the character and environment of the City. All relevant applicable standards in this section were reviewed and those requiring additional information or conditioned are listed below.

§17.40.050 Streets - Frontage.

Complies. There is no frontage requirement in the Sturman PUD zone. Lot 1 has approximately 500 feet of frontage along Sturman Parkway (60-foot wide private access, ingress/egress easement).

§17.40.150 Street Names and Numbers.

Complies. An address of 1121 Sturman Parkway has been assigned.

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

Complies. This plat shows 10-foot wide public utility and drainage easements along the north, south and east property boundaries and a 20-foot wide public utility and drainage easement along the west property boundary.

§17.44. IMPROVEMENTS. No improvements shall be made until all plans, profiles and specifications have been reviewed and approved by the city engineer. The city engineer is authorized to promulgate rules and regulations governing the design, materials used, and construction practices for all public improvements.

§17.44.030 Utilities.A.1. Water Lines and Fire Hydrants

Complies. Connection of Lot 1 to City water will require a 700 foot long extension of the water main. A Zoning Development Permit for public infrastructure including the plan and profile of the water main extension has been submitted and is in review to ensure conformance with all applicable City engineering specifications. Since the installation of the water main extension is proposed to occur after the approval of the plat, the subdivider will be required to submit a Subdivision Development Agreement complete with a 150% security guarantee (i.e., irrevocable letter of credit, escrow agreement or cash) to ensure installation.

§17.44.040.A Other Improvements - Telephone, Television, Electric services and lines

Complies. A service lines shall be placed underground and shown as such with the submittal of the subsequent Zoning and Building Permits.

§17.44.050 Subdivision Agreement

Complies. Prior to approval of the plat by City Council, the subdivider shall submit a signed subdivision development agreement (SDA) agreeing to install the water main extension.

Planning Director Riley shared that staff received no objections to the proposed final plat from the City departments or the public. Planning Commission held a public hearing on May 27, 2021 and recommended approval of the plat.

Mayor Pro-tem LaBarre opened up the Public Comment. There being no Public Comment Mayor Pro-tem LaBarre closed the Public Hearing. Following Council discussion the following two motions were made:

MOTION 1. THAT the City Council approve the Yuyo Subdivision based on findings of conformance to the Subdivision and Zoning regulations as described in the staff report and as presented at public hearings, subject to the following condition:

1. Prior to recording the mylar, the subdivider shall submit a Park Capital fee totaling \$2,133. Zuluaga/Case. Motion carried 5 - 0.

MOTION 2: THAT City Council accept the Subdivision Development Agreement for the YuYo Subdivision complete with the guarantee in the amount of \$55,030.50 as attached. Neal/Case. Motion carried 5 -0.

10. NEW BUSINESS

- A. None

11. REPORTS (2:41:27)

- A. Mayor’s Report - Mayor Pro-tem LaBarre shared the upcoming events for the next two weeks.
- B. Council Reports - Councilmembers Case, Neal and Zuluaga updated the Council on the various boards and committees that they are liaisons to.
- C. City Attorney’s Report - none
- D. City Manager’s Report
 1. Planning Director Riley updated the Council on the Comp Plan.
 2. City Manager Lawson updated the Council on the Sales and Lodging Report for April 2021.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the Council Meeting at 10:00 PM.

Respectfully submitted:

 Suzanne Leclercq MMC, City

Clerk
 APPROVED THIS 1st DAY OF July, 2021


 Hilary LaBarre, Mayor Pro-tem