

CITY OF WOODLAND PARK NOTICE OF PUBLIC HEARING

Public Hearing on Ordinance No. 1457, Series 2023, will be held on August 17, 2023 at 6:30pm. The aforesaid Ordinance was posted on the City's Website August 4, 2023 prior to the City Council meeting, passed on first reading August 3, 2023 ordered published, as required by Section 7.6 of the Charter of City of Woodland Park.

**CITY OF WOODLAND PARK
ORDINANCE NO. 1457, SERIES 2023**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WOODLAND PARK,
COLORADO APPROVING THE MODIFICATION OF THE ALLOWED USE OF LOT
4 OF THE WAL-MART PUD FROM "EATING/DRINKING PLACE, EAT-IN AND
DRIVE-THROUGH" TO ALSO ALLOW A CAR WASH**

WHEREAS, the City of Woodland Park, Colorado ("City") is a statutory City, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council ("Council"), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, pursuant to C.R.S. § 31-23-301 the Council also possesses the authority to adopt and enforce zoning regulations; and

WHEREAS, Ordinance No. 1017, Series 2005, zoned the subject property Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with the approved Wal-Mart Center Final Development Plan; and

WHEREAS, the City of Woodland Park has received an application from 78 Building & Development (Applicant) on behalf of Harman Property Management (Owner), requesting an amendment to the Planned Unit Development (PUD) to amend the allowed use from "Eating/Drinking place, Eat-in and Drive-through" to also allow a car wash on Lot 4, Wal-Mart Center, Woodland Park, Colorado and amend Building and Parking Data; and

WHEREAS, pursuant to Municipal Code Sections 18.30 and 18.72.060 and Charter Sections 7.6 and 15.7.b.1, a notice of the public hearings was published, a sign was posted, letters were mailed to adjacent property owners; and

WHEREAS, the Woodland Park Planning Commission considered the request on July 13, 2023 and based on evidence contained in the staff report and presented at public hearing recommended approval of the request; and

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

Section 1. Approval. The modification to the allowed uses for Lot 4 of the Wal-Mart PUD to include "Automated Express Style Car Wash" is hereby approved subject to the following conditions:

1. A final updated site plan, resolving all issued identified on the redlined plans must be approved by the City before and Zoning Development Permit (ZDP) will be issued.
2. Prior to the issuance of a building permit, the applicant shall submit for and receive approval of a:
 - a. Final Site Plan for a permitted use including landscaping, drainage, architectural elevations, access, etc.;
 - b. Infrastructure Zoning Development Permit;
 - c. ZDP's and Building Permits for all new construction, including:
 - i. All Civil/Construction Drawings
 - ii. Final Drainage Report
 - iii. Final Landscaping Plan
 - iv. Final Site Plan
 - v. Final Floor Plans and Elevations
 - vi. Final Grading, Sediment and Erosion Control Plan (with BMP's)
 - vii. Final Utility Plan (water, sewer, power, etc.)
 - viii. Final Photometric Plan
 - ix. CO Stormwater Permit/Stormwater Management Plan
3. An amended Page 1 of the PUD Plan of Development must be submitted with an updated Building and Parking Data Table to reflect the change in use and parking for Lot 4;
4. The *Private Access Drive* labeled on the site plan must be updated for consistency with the recorded subdivision plat;
5. The applicant shall amend the proposed building façade to better harmonize with the Woodland Park "mountain western" aesthetic.
6. The applicant shall provide fencing substantially the same as the fencing requirements within Section 18.42.070 of the Woodland Park Municipal Code as it were to apply to the subject parcel.

Section 2. Recitals. The recitals contained in this Ordinance constitute the findings of City Council and are incorporated herein by reference.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS 17th DAY OF AUGUST, 2023.

Hilary LaBarre, Mayor

ATTEST:

Suzanne Leclercq, City Clerk