

CITY OF WOODLAND PARK NOTICE OF PUBLIC HEARING

Public Hearing on Ordinance No. 1470, Series 2024 will be held on January 18, 2024 at 6:30pm. The aforesaid Ordinance was posted on the City's website January 10, 2024 prior to the City Council meeting, passed on first reading January 4, 2024 ordered published, as required by Section 7.6 of the Charter of the City of Woodland Park.

**CITY OF WOODLAND PARK
ORDINANCE NO. 1470, SERIES 2024**

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT WITH A SITE PLAN REVIEW FOR THE PURPOSE OF ALLOWING A DRIVE-THRU RESTAURANT AND ASSOCIATED SITE IMPROVEMENTS ALONG WITH A COMMON DRIVEWAY OFF HIGHWAY 24 WITH A LEGAL DESCRIPTION OF LOT 3, BRECKEN HEIGHTS (19569 E. US 24) IN THE COMMUNITY COMMERCIAL (CC) ZONE

WHEREAS, the City of Woodland Park has received a request for a Conditional Use Permit with Site Plan Review for the purpose of allowing for drive-thru restaurant and associated site improvements along with a common lot ¼ driveway off Highway 24 with a legal description of Lot 3, Brecken Heights (19569 E. US 24) in the Community Commercial (CC) zone District; and

WHEREAS, an application to establish said conditional use has been accepted and considered pursuant to Municipal Code Chapter 18.57; and

WHEREAS, pursuant to Municipal Code Sections 18.57.050 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 December 14, 2023 and recommended approval based on evidence contained in the staff report and presented at public hearing; and

WHEREAS, City Council considered the request, the Planning Commission recommendation, the staff recommendation, and after holding a public hearing on January 18, 2023, hereby finds that based on evidence contained in the staff report and presented at the public hearing, the request meets the standards for granting a Conditional Use Permit; and

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

1. Prior to the issuance of a building permit, the applicant shall submit for and receive approval of a

Section 1. Approval. The Conditional Use Permit for the purpose of allowing a drive-thru restaurant and associated site improvements along with a common driveway off highway 24 with a legal description of Lot 3, Brecken Heights (19569 E. US 24) is hereby approved subject to the following conditions:

- 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
2. A final updated site plan, resolving all issues identified on the redlined plans must be approved by the City before any Zoning Development Permit (ZDP) will be issued.
 3. All development impact fees must be paid prior to any ZDP issuance including but not limited to tap fees, stormwater capital improvement fees, transportation capital fees, etc. Fees shall be calculated concurrent with the ZDP review.
 4. The applicant shall amend the proposed building façade to better harmonize with the Woodland Park “mountain western” aesthetic.
 5. The applicant must submit for and gain approval of an Access Permit from CDOT.
 6. The applicant must applicant must satisfy all requirements and gain approval from CORE Electric prior to final site plan approval.
 7. The applicant must gain approval from the Northeast Teller Fire Protection District (NETCFPD) prior to final site plan approval.
 8. Suitable access, easement, and maintenance agreements, approved by the City, including identification of at least four parking spaces for pedestrians accessing Lot 2 with appropriate signage, must be executed and recorded.

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 _____ DAY OF _____, 2024.

The Honorable Mayor Hilary LaBarre

ATTEST: _____
City Clerk Suzanne Leclercq