

**WOODLAND PARK BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
City of Woodland Park Council Chambers
January 23, 2006
6:30 PM**

I. CALL TO ORDER AND ROLL CALL

Chairman, Dernbach, called the meeting to order at 6:32pm. Members present were Dernbach, Crane, Propes, and Schultz. Staff members present were Napoleon, Riley, and Weien. Members absent were Gordon and Rasmussen. Rasmussen had contacted staff and was delayed in a traffic jam and would be in attendance as soon as possible.

II. APPROVAL OF MINUTES

November 21, 2005 Regular Meeting Propes moved to accept the minutes as written. Scholtz seconded the motion. Dernbach had a correction on page 3 in the paragraph beginning with "Bob DeCaro" changing the word "conversation" to "conservation". Propes amended motion to approve the minutes with the correction. Scholtz seconded amended motion. Approved 4-0.

III. ELECTION OF OFFICERS

Discussion took place to move this agenda item until later in the meeting when Rasmussen was in attendance. General consent to move forward with the other agenda items and return to this item.

IV. REQUEST/PUBLIC HEARINGS

CASE VAR05-010 Keller Williams Realty Setback Variance:

Request for review and approval of a 15' setback variance from Foster Avenue ROW and 10' setback variance from Scott Avenue ROW rather than the 25' front yard setback requirement within the Community Commercial zoning district on a tract of land with a legal description of Parcel A, Block 10, Bergstrom Addition except the southerly 300 feet of Block 10, Bergstrom Addition to the town of Woodland Park more specifically 651 Scott Avenue, Woodland Park, Colorado for the purpose of constructing a 13,000 square foot office building as requested by the co-owner of the Woodland Exchange Building, Scott Downs.

Riley's PowerPoint presentation began with the zoning map, which illustrated, Residential Zoning to the West and Community Commercial to the North, East, and South. Riley's report showed

neighboring business as well as residential areas including multi family and single-family dwellings. She reviewed the various constraints this parcel has including the narrow width and the sidewalk adjacent to Hwy 24 constructed on the site. Riley's presentation showed the Foster Avenue road right-of-way that is leased from the City by Peak Photo for additional parking. The on street parking proposed by this project would be angled parking which would be an improvement to the existing right-of-way.

Scott Downs, co-owner, residing at 1005 Sun Valley Dr. addressed the Board. Downs introduced the two architects that have been involved with this project, Bruce Smith and Lowell Ross of the Larsen Group. Downs had distributed a brochure showing various projects that this group has been involved in to show the concept of the design of the building to have more of a mining look. A color rendering of the proposed Keller Williams building was presented as well as a three dimensional model.

The Board addressed questions to Mr. Downs concerning the amount of trees that would be lost during construction; the drainage and underground storm water issues; location of the proposed building reflecting the request of the variances; what other options are available for the placement of the building other than the current proposed site plan; affect of this size of building on the neighborhood; parking spaces needed; design of landscaping and parking lot; as well as details on how the retaining wall will blend with the building.

Dernbach opened the public hearing. Barry Mateson, homeowner at 512 Scott Avenue for 18 years addressed the Board. Mr. Mateson stated that he was ok with the proposed project but was concerned about the parking as Scott Avenue is already a narrow road. Mateson asked if the building is going to be sprinklered? Mateson felt that the building would actually block some of the highway noise as well as the lights from the McDonald's parking lot. If given a choice, he would be in favor of moving the building closer to Hwy 24.

James and Marilyn Miller, owners of the Pike Peak Photo building wanted to have the record show that they were in attendance and in support of the project.

Riley shared that no phone calls or comments have been received by staff regarding this project.

Hearing no further comment, Dernbach closed the public hearing.

Dernbach expressed concern that the neighborhood may be negatively impacted by granting a variance along Scott Avenue and that a variance adjacent to Hwy 24 may be more appropriate.

Joe Napoleon reviewed some of the concerns addressed by staff with the developer and architect to make a more pleasing building with streetscape and enhancements to allow a friendly neighborhood feel. Napoleon emphasized some of the restraints on this parcel of land that has basically 3 front yards. Napoleon addressed the narrowness of Scott Avenue and possibly the City Engineer will consider a one-way street or no parking on the West side. The site plan and complete details are only in the preliminary process.

Riley noted that Rasmussen joined the meeting at 7:35pm. Since the meeting had been in process for one hour, Rasmussen was asked if he felt comfortable voting on this project since he had missed so much of the presentation. Rasmussen felt that he should abstain from voting.

More discussion took place as to the type of businesses that would be housed in this building; parking lot lighting; estimated number of people on a daily basis coming and going; elevations of the building in relation to Hwy 24; storm water and sewer line easements; and possible variances granted by moving building closer to Hwy 24.

Napoleon addressed applicant's options at this point in the process as the voting members were only 4 and the vote for approval would need to be all 4 members. Scott Downs, applicant, chose to move forward in the meeting.

MOTION: Crane moved to approve **CASE VAR05-010 Keller Williams Realty Setback Variance:** Request for review and approval of a 15' setback variance from Foster Avenue ROW and 10' setback variance from Scott Avenue ROW. The hardship for granting a variance is due to the lot size and narrow width. Scholtz seconded this motion. Motion failed 3-1 (Dernbach voting against the motion due to the possible option of locating the structure closer to Hwy 24 and protect the 25' setback on the residential side of the project).

Election of Officers:

MOTION: Propes moved to retain Dernbach as Chairman and Crane as Vice-Chair for the 2006 year. Rasmussen seconded this motion. Motion failed with 2 Yes and 3 No votes.

MOTION: Crane moved to retain Dernbach as Chairman. Propes seconded. Approved 4-1 (Scholtz casting the No Vote)

MOTION: Crane moved to elect Scholtz as Vice-Chair for 2006. Rasmussen seconded. Approved 4-1 (Scholtz casting the No Vote)

V. STAFF REPORT

Riley shared with the Board that Public Notices have been posted in the newspaper as well as on Channel 10 to advertise for the vacancies/end of terms on the Board of Adjustment, Historic Preservation Committee; as well as the Planning Commission. The Mayor and City Manager felt that the general public should have an opportunity to submit letters of interest for all openings. Presently two letters have been received for the Board of Adjustment. The submittal deadline is Wednesday, January 25th. Interviews will be held on February 2nd with the City Council.

VI. ADJOURNMENT

Chairman, Dernbach adjourned the meeting at 8:00PM.

Recorded by,

Maggie Weien

Approved this _____ day of _____, 2006

_____ Chairperson