

WOODLAND PARK PLANNING COMMISSION
REGULAR MEETING MINUTES
WOODLAND PARK CITY COUNCIL CHAMBERS
March 9, 2006
7:00 PM

- I. CALL TO ORDER AND ROLL CALL
Commissioners present were Todd, Hartsfield, Hunsicker, Matthews, Miller, Smith, and Ullo. Staff present were Napoleon and Riley. Absent commissioners were Maluschka and Scott.
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
Minutes of the February 23, 2006 meeting were approved as presented.
- IV. REQUESTS AND/OR PUBLIC HEARINGS
 - A. **Case #SUB06-001, 2601011, The Village Final Plat:** Request for the City's review and approval of a subdivision of 7 lots for Neighborhood Commercial property that is a vacation and replat of Lot 3R in "A replat of Lots 2 and 3, Sunny Glen Filing No. 2", said tract lying in the NE ¼ of Section 31, T12S, R68W of the 6th PM, in the City of Woodland Park, County of Teller, State of Colorado, more specifically 106, 107, 116, 117, 126, 127, and 137 Village Terrace as requested by the owner/developer, Lynn D. Colligan.

Riley presented a staff report to the commissioners stating that the final plat is consistent with the preliminary plat that had been previously presented and approved. The Village Terrace road right of way will be dedicated to the City as part of the recording of this final plat along with the appropriate easements to serve the infrastructure that has already been installed.

There is a retail facility on lot #7 which is vacant and still under construction that will be completed in the near future. Surrounding this property is Neighborhood Commercial and Suburban Residential Zones. There are three conditions of approval for this project. Staff recommends approval.

Commissioners asked questions relating to sidewalks and drainage. Sidewalks are a requirement for commercial developments but not for final plat of this subdivision. As each lot is developed then the sidewalks will be installed and connected. Discussion took place

regarding run-off/drainage. Master Plan for drainage was approved at the time of the preliminary plat. Staff explained that as each parcel is developed, the drainage would be addressed on a per lot basis as part of the normal site plan review process. Discussion took place regarding easements and the need for individual septic systems for each lot. These components were addressed during the preliminary plat phase of this development.

Owner, Lynn D. Colligan, was present but did not address the commission.

The Chair, Todd, opened the public hearing portion of the meeting. Awanna Nettal of 194 Glen Dale Drive did not see the homes to the North and West of this subdivision in the PowerPoint presentation and questioned the use and value. Staff explained the zoning and subdivision process. Neighborhood Commercial was a softer use than what it was zoned prior to 1996. Suggested they get a matrix to learn what the use options are for The Village.

Staff shared the zoning map to review the Nettal's property. Prior to re-zoning in 1996, this property had been zoned commercial, as it is highway frontage. The subdivision of Morning Sun was built up around the commercial tract. Neighborhood meetings were held in the past to answer zoning questions for the property owners when the preliminary plat for this project went through the public hearing process.

Questions were asked as to the potential heights of future structures. Napoleon stated that the maximum height allowed is 35' at mean grade. The matrix that is part of Chapter 18 Zoning in the City's Municipal Code, would be a helpful tool to understanding the allowable uses in Neighborhood Commercial zones. This matrix is available for review in the Planning Department.

Discussion on the process of preliminary plat and final plat issues and how they are approved and degree of importance in the process in Woodland Park took place between commissioners and staff.

MOTION: Smith moved to approve Case #SUB06-001, The Village Final Plat with the conditions noted in the staff report. Motion seconded by Hartsfield. Approved 7-0.

B. Case # ZON06-001, 2602023, Loft Village Subdivision

Rezoning: Request for the City's review and approval of a zoning change to Multifamily Urban (MFU) for Lots 1 through 18 and

Tract A of the Loft Village Subdivision from Neighborhood Commercial (NC) in the City of Woodland Park, Teller County, State of Colorado, more specifically 209, 211, 229, 231, 249, 251, 269, 271, 289, 291, 303, 305, 307, 309, East Lake Ave. containing 1.52 acres, as initiated by the City of Woodland Park.

Riley presented a PowerPoint showing the Loft Village Subdivision that was final platted November 7, 1985, at that time it was zoned C-1. In 1996 when the City was totally re-zoned a Neighborhood Commercial zoning district was established. Prior to this re-zoning, 9 duplexes were approved by the Board of Adjustment for conditional use permits. Recently it came to the City's attention that in order to convey these lots, the loan officers and mortgage companies were a little nervous with these townhomes being zoned commercial as opposed to them being zoned a straightforward residential multi-family zoning. The City has initiated a re-zoning of this area. There has been an open meeting for the residents and property owners. The president of the homeowners' association is present this evening. Letters were also sent to all of the property owners of the 18 lots.

Photos of existing units that were build in the mid 1980s. Four lots have not been constructed. Only 14 units have been constructed. Riley's power point showed the surrounding properties adjacent to the Loft Village Subdivision and the various zonings of these properties.

Commissioners questioned support or opposition from owners or residents about this proposed zoning change. Riley shared that everyone that attended the meeting or that spoke to staff was in support of this change from Neighborhood Commercial to Multi-Family Urban Residential. Commissioners questioned if the change in zoning would affect the Mill Levy on these properties? Riley responded that the Mill Levi would not be affected as various government jurisdictions or districts set it. Would property taxes be affected? Tax assessor bases the property tax by use, so it is not affected by zoning. Discussion took place as to the history of this property. Prior to the 1996 citywide re-zoning, this property was zoned commercial. The re-zoning to Neighborhood Commercial is a softer commercial zoning limiting commercial uses to uses more compatible with the neighborhood. This was a compromise within specific areas of the community to down zone commercial to neighborhood commercial for softer uses within the city.

Susan Gunney, President of the Homeowners' Association, addressed the commissioners' questions as to the support of the

homeowners for this zoning change. Many of the residents were not aware that their property had a commercial zoning designation and not a residential zoning. Susan is in the mortgage business and knows what a hardship this situation can be for lenders even when a conditional use permit has been issued.

MOTION: Miller moved to approve Case # ZON06-001. Matthews seconded this motion. Approved 7-0.

V. REPORTS

- a. Chairman's Report - none
- b. Planning Director's Report
February Monthly Planning Commission Report was disturbed.

VI. DISCUSSION AND COMMENT

VII. ADJOURNMENT

Chairman, Todd, adjourned the meeting at 7:53pm.

Recorded by,

Maggie Weien

This _____ day of _____, 2006.

John Todd, Chairman