

WOODLAND PARK PLANNING COMMISSION
REGULAR MEETING AGENDA
WOODLAND PARK CITY COUNCIL CHAMBERS
January 10, 2008
7:00 PM

I. CALL TO ORDER AND ROLL CALL Chairman Hartsfield called the meeting to order at 7:00PM. Commissioners present were Hartsfield, Harvey, Millard, Miller, Morrison, Scott and Todd. Staff present were Buttery, Riley, Schofield and Weien. Absent commissioners were Smith and Ullo. Hartsfield welcomed Carrol Harvey as the newly appointed member to the Planning Commission.

II. PLEDGE OF ALLEGIANCE

III. ELECTION OF CHAIRMAN AND VICE CHAIR FOR 2008: Hartsfield addressed the matter of electing a new chair and vice chair for the 2008 term. MOTION: Bill Miller nominated Eric Smith for the position of chair. Seconded by John Todd. Approved 7-0. MOTION: Miller nominated Dave Morrison for the position of vice chair. Seconded by Todd. Approved 7-0.

Since Eric Smith was not in attendance to take over the meeting, the newly elected Vice Chair, Morrison, took the chair position. Todd thanked Ken Hartsfield for the excellent job he had done for the Planning Commission as the Chairman in 2007.

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the October 25, 2007 meeting were approved as presented by general consent.

V. REQUESTS AND/OR PUBLIC HEARINGS –

A. **CASE FHDP 07-003 People's National Bank Flood Hazard Development**

Permit: Request for the City's review and approval of Flood Hazard Development Permit for the purpose of constructing a 3,600 square foot bank building and 3 drive-thru lanes within the Special Flood Hazard Area of the East Fork of Fountain Creek on a tract of land with a legal description of Lots 1-6, Block 1, Hemings Subdivision in Teller County, Woodland Park, Colorado, more specifically 651 Scott Avenue, as requested by the People's National Bank representative, John P. Nelson Associates.

Riley informed the Commission that the applicant had requested this case be tabled until the January 24, 2008 regular Planning Commission meeting. Additional engineering information was needed in order for the applicant to present all of the application information for this FHDP. MOTION: Stephan Millard moved to approve the request for tabling. Seconded by Hartsfield. Approved 7-0.

B. Municipal Code Amendment to the Subdivision Regulation:

An Ordinance repealing and reenacting Chapter 17.32 of the Woodland Park Municipal Code to amend Subdivision regulations pertaining to Townhouse and Condominium.

Riley gave a background as to the reasoning for the amendment to the existing ordinance pertaining to Townhouse and Condominium. This final plat is a technical plat that details all of the information that had been approved during the site plan review process. This plat characteristic is more like an “as-builts” document and is usually limited to technical issues.

The primary purpose for the amendment to the Townhouse or Condominium Subdivision code is to implement an administrative review process for approval, approval with conditions or denial of the final plat. As part of the administrative process, a public notice and appeals procedure will also be implemented as follows:

- Within 7 days of receiving a complete Subdivision application, the staff will mail letters to the adjacent property owners. The purpose of the notice is to inform them of the application and the parameters for submitting written objections within a 15-day window.
- Also within 7 days of receiving a complete application, the property will be posted for no less than 15 days.
- If written objections are received then the staff will discuss these issues with the objector and applicant to mitigate or resolve any pertinent issues. The Planning Director or his duly designated representative will approve, approve with conditions or deny the plat and notice of this decision will be sent to the applicant as well as any objectors. The applicant or objectors have the option to appeal the Director’s decision to the City Council.

Additionally, the proposed amendments include the clarification to utilize the Site Plan Review process prior to development of a Townhouse or Condominium project as outlined in section 18.34 of the zoning regulations. Also several language improvements are proposed for each subsection including: plat requirements (17.32.030); separate plat statements (17.32.040) for Townhouse and Condominium plats; drawings required (17.32.050); certificate of approval (17.32.055) language; emergency access (17.32.060); and association required (17.32.070).

The proposed administrative review for Townhouse or Condominium Plats simplifies the process and is an acceptable practice utilized in other municipalities. If these amendments to Chapter 17.32 are adopted, the Townhouse and Condominium plat process will be more streamlined through a technical review process that is more appropriately applied to an “as-built” plat.

Commissioners had questions regarding the language requesting scale to be used on final plat; site drainage information; parking requirements, as well as handicap parking information. Request for a change of wording to “standard” instead of “typical” with regard to parking stall dimensions.

Morrison opened the public comment portion of the meeting.

Arnie Sparnins of 2621 Vista Glen Drive addressed the commission with his concerns. When existing apartments are being converted into condominiums, the current ordinance requires that this change go through the public hearing process. If this ordinance amendment is approved, then there would not be a public hearing for this type of change. Mr. Sparnins is concerned about this direction of review which limits the public’s input to the decision making process. A recent case for apartments to be converted into condominiums was reviewed and there were not enough parking spaces for this change. Mr. Sparins wished to have this ordinance revision tabled at this time. Chairman Morrison closed the public comment as no other individuals in the audience wished to comment.

Commissioner Mallard had a question about projects that are new construction and meeting parking requirements. Riley explained that all new construction projects would be required to meet current parking standards. The case that Mr. Sparnins was referring to was an apartment building that was built under old parking requirements and was limited by space for additional parking. If inadequate parking were unavoidable then the plat would be denied by the Director and appealed to the City Council. The applicant would also have the option to seek a subdivision variance from the City Council through the public hearing process.

Commissioner Hartsfield requested clarification that this amendment is dealing only with the final plat. The preliminary plat that created the multi-family tract would continue to go through the public hearing process. Riley confirmed that this is specific to the final plat review process.

MOTION: Miller moved to approve this ordinance as presented with the language change of “standard” to replace “typical”. Millard seconded the motion. Approved 7-0. Riley stated that this case would move onto City Council for first reading on January 17, 2008. The public hearing City Council meeting will be held on February 7, 2008.

VI. SIGN ORDINANCE WORKSHOP

Review and Discussion of the proposed amendments to Chapter 18.48 and Sections 18.06.435 through 18.06.485.

City Manager, David Buttery, made welcoming comments to the public and shared a little history as to the reason for the proposed sign ordinance changes. The original ordinance was written and approved in 1969 with some revisions in

1994, 1996 and 1997. This document has been proven to be outdated and in need of changes to be more user friendly and enforceable. Tonight's workshop can be the beginning of a review process that will hopefully conclude in a much better code that will be of benefit to our community overall.

Buttery introduced Debbie Miller, Chamber of Commerce Executive Director. Miller requested a two-week postponement of this workshop, as many business owners did not receive a draft copy of this document until December 28, 2007. In addition to the short timeline available for reviewing these proposed changes, Miller sited that this is an extremely busy time of year for business owners with the holidays and 4th quarter inventory.

Discussion took place as to the request for postponement and it was determined to continue with the work session. MOTION: Bill Miller moved to begin the process and start with the definitions. Seconded by Ken Hartsfield. Approved 6-1. Scott was the "no" vote stating that she felt the request for a 2-week postponement was valid.

The definition portion of the draft was decided to be the starting point for the workshop and review. The Chairman asked for the staff to provide their presentation. Riley began with an overview of the Goals for the Work Session and Goals for the Sign Revisions. The presentation was turned over to the City Planner, Amanda Schofield who emphasized that this is the first draft and the review of the definitions is to obtain the commissioners input.

Discussion began with the basic definition of "sign" with the staff offering an alternative definition from the American Planning Association model code as follows: "A lettered, numbered, symbolic, pictorial, or illuminated visual display that is designed to identify, announce, direct or inform and is visible from a public right-of-way". It was agreed to include the alternative with the next draft and that the commissioners would reconsider this definition after they had reviewed the entire code.

Schofield's PowerPoint included the current ordinance language with the proposed changes to the language, as well as photos, which gave visual examples of signs that would fit in each sign definition.

Next the definition of "awning sign" was discussed with an alternative from the model code provided "as a cloth, plastic or other nonstructural covering that is either permanently attached (to the wall of) a building or can be raised or retracted to a position against the building when not in use."

The Chairman called for a 10-minute recess.

Schofield apologized to the commissioners and the public for the new information of alternative definitions and stated that there would not be any additional new information.

Upon return to the review of each definition, the Commissioners offered their comments and suggestions. These suggestions are reflected in the draft attached to these minutes.

Upon completion of the commissioners review of the definitions the Chairman opened the public comment portion of the work session regarding the sign definitions.

Arnie Sparrins of 2621 Vista Glen Drive shared his concerns about the up coming elections in our community. He wanted to make sure handheld campaign messages would be allowed.

Chris Konczak of 333 High View Court raised a question regarding the phrase “visual display” and window signs. He was concerned that the alternative/proposed definition would include merchandise in windows as signs, which he felt is not fair.

Alan Jensen, attorney of law license #1869 of 88 Inverness Circle East in Centennial, CO. He suggested that changing the sign code at this time might be bad, considering the current economic situation. He suggested that the language regarding awning material is too specific as well as terms such as “usual” that cannot be enforced. Further comments included the regulation of art should not be attempted as intended by the inclusion of mural in the definition. In reference to non-conforming signs, he asked how could a non-conforming sign become legal?

Mike Parrish of 200 Stacy Lane representing the Mountain Jackpot shared comments on the diversity of signs and architecture in the community and asked how anyone could establish or define that a sign is not within the character of the community.

The Chairman called for a 10-minute recess. After the recess, the Chairman asked that public comment might be related to any aspect of the sign code.

William Brown of 720 W. Hwy 24 commented on the trade offs of calculating the sign area. He asked whether the intent is to increase or decrease allowable signage. Brown commented on the three criteria that are very important to create community image: architecture; signage; and landscaping. Brown feels that the City has made great strides in the architecture and landscaping requirements for new development. He supports improving the signage for our community to complete the desired image that is trying to be created.

Steve Roschek of 18401 Hwy 24 would have liked the pictures used as examples of signs for the definitions to be pictures from our community so that conforming and non-conforming signs could be better understood.

Mike Triebold of 1849 Edlow Road questioned the reasoning behind trying to regulate signage at all within the City. As a business owner, he was not aware that there were any problems with signage. He supports more simplification and clarity with regulations that are more accommodating and less restrictive.

Alan Jensen, attorney of law license #1869 of 88 Inverness Circle East in Centennial, CO., shared comments regarding: 1) height of letters does make a difference especially with the speed limit of the adjoining highway; 2) there is no universal standard code; and 3) planners are controllers with specific points of view. Who is to determine what is pretty or not? What credentials are needed to establish aesthetic purpose of each sign? Some communities refer this decision to an arts council which includes Planning Commissioners, Historical Society, City Council and local artists as members. This arts council provides a broader view than the opinion of just one person.

Chicken Man character from Wild Wings 'n Things approached the Chair with a note for the Chair to read: "Chicken=Advertisement; Advertisement=Job; Job=Paycheck; Don't choke the Chicken!"

Merry Jo Larson of the Cowhand spoke on behalf of the Woodland Retail Alliance. She stated that this sign ordinance would be a break through. Please stay open minded. Simple is better. Her family has been in business in our community for 43 years and she believes that the code does need to be updated.

Steve Roschek of 18401 Hwy 24 shared a brief history of the years and number of realtors in the community while he has been in business. Roschek commented on lack of enforcement for a number of years regarding signs. Some franchises dictate the logo, color, and design for signs.

Ron Clausen of 1430 Crestview Way wanted to know how all of this sign ordinance changes began and who started it. David Buttery explained that he was responsible for initiating the sign revision. Mr. Clausen wanted to know why the City was allowing such an ugly fence at the Travelers Gourmet. David Buttery explained that this fence was installed by the bank involved with the foreclosure and was required to install the fence for insurance reasons. Clausen's wife, Carla, had suggested that a business group present a counter proposal for sign changes.

Susanne Brown of Flutterbys & Party Bugs at 110 W. Midland Avenue shared her frustration with going through the sign permitting process and after permits were issued, she was later informed that the new signs were non-conforming. For her business, the process did not work and caused a difficult situation with the new

property owner and resulted in her moving her business after a few short months. Her hope is that the process can be refined so that it truly works as intended.

Scott Sears of Dirt Cheap Offroad, LLC at 813 W. Lorraine Avenue shared his feelings that Woodland Park is a bedroom community for Colorado Springs and a wonderful place to live. There are many businesses that are not tourist orientated and are for the residents' daily needs. Many of these businesses are not located directly on the Hwy 24 corridor and struggle to be visible within the community. The Hwy 24 corridor will eventually be built out and if a bypass is built, how will the sign ordinance allow businesses to have off-premise signage to direct customers?

Jamie Capperton of 107 W. Henrietta, Charitable Treasures feels that now is the time to fix the ordinance to be more useful to the growing business community. Before businesses open their doors in our community a marketing study is usually done. She encouraged business owners to step back and take a long-range view of these changes and not just a quick fix that is short term. She suggested that there be a committee established that would collaborate with staff to make these changes.

The Chairman stated that Planning Commission would fully support a business committee that would give input to the Planning Commission. The Planning Commission agreed it would support input from a purely business sign committee or from a committee that is a collaborative effort among staff and the Chamber of Commerce and local businesses.

At 10:55PM, Chairman Morrison asked how many more people wished to speak so that the commissioners could decide if the meeting would be continued for a time certain or continued on January 24, 2008. Only two individuals from the audience requested permission to speak. David Buttery requested closing comments.

MOTION: Bill Miller moved to extend the meeting until 11:15pm. Seconded by John Todd. Approved 7-0.

Mike Parish of 200 Stacy Lane representing the Mountain Jackpot emphasized that all of the information presented this evening is mind numbing. He felt that the focus of these changes must reflect that we are a retail and service community. Any changes should be user friendly for the business community.

Dan Archer of 1219 Stone Ridge Village Drive spoke as a citizen of the community and not as a business owner. In his opinion, many people move to Woodland Park because they like the small town, safe community feel. He suggested that the main object of signage would be safety and not design. He would not be in favor of huge signs that distract from the unique downtown architecture and feel.

David Buttery thanked all of the audience for attending and for sharing their ideas with staff and the commissioners. He assured everyone that their input is very valuable and felt that the evening was a positive constructive exchange of ideas.

Buttery's closing remarks asked staff and commissioners what would be a reasonable next step of the draft for review. It was determined to review the first 3 sections 18.48.010, 18.48.020, and 18.48.030 at the January 24, 2008 meeting

The Chairman thanked the audience for their participation and encouraged them to stay involved.

VII. REPORTS

- a. Chairman's Report - None
- b. Planning Director's Report - None

VI. DISCUSSION AND COMMENT

John Todd asked staff about the opportunity to call special meetings if needed to move forward with this ordinance amendment. Riley responded that special meetings could be an option.

VII. ADJOURNMENT – The Chair adjourned the meeting at 11:20pm.

Recorded by,

Maggie Weien

This _____ day of _____, 2008.

Dave Morrison, Vice Chair