



## PLANNING COMMISSION REGULAR MEETING

January 17, 2018 // 7:00 p.m. // Town Board Chambers  
301 Walnut Street, Windsor, CO 80550

### MINUTES

#### A. CALL TO ORDER

Chairman Schick called the regular meeting of the Planning Commission to order at 7:03 p.m.

##### 1. Roll Call

The following Planning Commission members were present:

Gale Schick  
Victor Tallon  
Doug Dennison  
Jerry Bushelman  
Mike McWilliams  
Tim Annable  
Travis Yingst - A  
Dan Foreman - A

Town Board Liaison

Ken Bennett

Also Present:

Planning Director  
Chief Planner  
Senior Planner  
Utility Billing Clerk

Scott Ballstadt  
Carlin Malone  
Millissa Berry  
Amanda Mehlenbacher

##### 2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission

**Mr. Annable moved to approve the agenda as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Dennison, Yingst, Bushelman, McWilliams, Annable**

**Nays – None**

**Motion carried.**

##### 3. Public Invited to be Heard

Mr. Schick opened the meeting up for public comment to which there was none.

#### B. CONSENT CALENDAR\*

##### 1. Approval of the minutes of December 6, 2017

**Mr. Tallon moved to approve the consent calendar as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Dennison, Yingst, Bushelman, McWilliams, Annable**

**Nays – None**  
**Motion carried.**

**C. BOARD ACTION**

1. Weld County Referral Recommendation –Change of Zone – Hermitage Planned Unit Development (PUD), application PUDZ17-0007 – Charles and Tina Schinner, Yes Investments, LLC, property owners/Deanne Frederickson, AGRO professionals, applicant representative

- Quasi-Judicial
- Staff presentation: Carlin Malone, Chief Planner

Per Ms. Malone, Weld County has referred a change of zone application to the Town for review and comment. The property includes four lots with a total of 22.9 acres zoned A (agriculture). The property is located approximately 275 feet west of Weld County Road 17 (WCR 17)/Town of Windsor corporate limits, approximately .62 miles (3,260 feet) north of U.S. Highway 34. The change of zone application requests a rezoning from agriculture (A) to E (estate) for single-family residential.

On June 18, 2014, staff presented a Weld County referral for the subject property [Planned Unit Development (PUDK14-0001)] for the Planning Commission's recommendation. The request was for creating three agricultural type lots (single family agricultural residential) from a 25-acre lot created by a previous recorded exemption. At the time of the request, there were two existing homes on the property. The property was located within the Town's Growth Management Area (GMA) and Community Influence Area (CIA). The property was also eligible for annexation, contiguous with the Town's corporate limits (Weld County Road 17) along the eastern property line. Therefore, the Planning Commission recommended approval of the proposed PUD to Weld County with the condition that "any future land use proposals on the site shall be referred to the Town of Windsor with a petition and application for annexation of the subject properties." The excerpt from the June 18, 2014 Planning Commission meeting minutes is included with this memorandum.

On April 15, 2015, staff presented Weld County referral PUDK15-001, an amendment to PUDK14-001, for the Planning Commission's recommendation. The amendment request was for increasing the total number of single family agricultural residential lots within the PUD from three to five. The property conditions remained the same as the previous application, with the property still eligible for annexation. As such, staff recommended that the Planning Commission recommend denial of the proposed PUD to Weld County, further recommending that the applicant submit a petition and application for annexation of the subject property to the Town of Windsor. The Planning Commission discussed and concluded that the request was generally consistent with the surrounding area, forwarding a recommendation of approval of the application to Weld County, noting that any changes to the proposal be referred back to the Planning Commission for further consideration and recommendation.

The four lots included in the subject request were part of the previous five-lot PUD zoned A. The lot that is no longer a part of the Hermitage PUD was the only lot within the PUD

that was contiguous to the Town's corporate limits (WCR 17). Therefore, the subject property is no longer eligible for annexation.

Based upon the referral history on the property, it appears as though the appropriate subdivision process is being evaded by utilizing consecutive minor subdivision processes to incrementally create additional residential lots. This results in a piecemeal development pattern that creates additional demands on infrastructure and services and creates challenges for long-term development of the area. If the applicant's ultimate goal is a larger residential subdivision, a more holistic subdivision application should be required.

The application is not consistent with the Comprehensive Plan nor the Strategic Plan.

Mr. Bushelman expressed his concern with the amount of times the applicant has come before the commission for changes.

**Mr. Tallon moved to forward a recommendation of approval of the proposed PUPZ17-0007 application to the Weld County Department of Planning Services subject to the following conditions:**

- 1. Any change of use and any work associated with WCR 17 is subject to Windsor Street Standards and right-of-way permitting;**
- 2. Analyze the total traffic volume to determine the need for auxiliary lanes;**
- 3. Provide storm water detention consistent with county requirements;**
- 4. Adherence to the CPA design standards, as adopted between Windsor and Weld County;**

**Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – None**

**Nays – Schick, Tallon, Dennison, Yingst, Bushelman, McWilliams, Annable**

**Motion failed.**

2. Site Plan Presentation - Jacoby Farm 5<sup>th</sup> Filing Lot 5 – Les Schwab Tire Center, George Bunting, SFP-E LLC, applicant / Aaron McLean, Galloway & Company, Inc., applicant's representative

- Staff presentation: Millissa Berry, Senior Planner

Per Ms. Berry, the applicant is proposing a new site development in the Jacoby Farm Subdivision 5th Filing. The site of the proposed Les Schwab Tire Center is located at 1650 Main Street. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties. It is also located along a designated commercial corridor.

Overall development characteristics include:

- total lot area of 1.48 acres
- approximately 28.8% landscaped area
  - a 12,518 square foot building
  - 8 service bays
- Sales area
- 38 parking stalls (request for parking determination on agenda)

Building characteristics include:

- building materials are a mix of ground face CMU (3 varieties and colors) in earth tone colors, a stone veneer wainscot, and metal panel accents (material and color board submitted)
- the prominent building colors are a mix of tans; accent colors include gray, maroon, and bronze
- building height of 25' 4"
- a flat roof with varied roofline
- treatment of the western façade to break up building mass

The current presentation is intended for the Planning Commission's information. Should the Planning Commission have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project.

The application is consistent with various goals of the Comprehensive Plan as well as the Strategic Plan.

Mr. Annable inquired if there will be landscaping on the west end of the facility to deter fisherman from using the parking lot.

Erin McClain, 6162 S. Willow Dr. Suite 320, Greenwood Village, CO, addressed the Planning Commission and informed the Planning Commission that Les Schwab Tire Center could help mitigate potential parking issues with their customer service approach.

Ms. Berry commented that Les Schwab's typical use of the parking is not as much as the parking lot display suggests.

Mr. McWilliams inquired if the Les Schwab Tire Center will be a locally owned business.

Mr. McClain stated that the Les Schwab business model is to have locally owned store managers. The stores are 50% owned by the local store managers and their employees.

3. Determination of Off-street Parking Requirement in Accordance with Section 16-10-30(7) of the Municipal Code - Jacoby Farm 5<sup>th</sup> Filing Lot 5 – Les Schwab Tire Center, George Bunting, SFP-E LLC, applicant / Aaron McLean, Galloway & Company, Inc., applicant's representative

- Quasi-judicial
- Staff presentation: Millissa Berry, Senior Planner

Per Ms. Berry, the applicant is proposing a new site development in the Jacoby Farm Subdivision 5th Filing. The site of the proposed Les Schwab Tire Center is located at 1650 Main Street. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties. Plan details are presented in a separate memo with this packet. The site plan depicts a 12,518 square foot building with 8 service bays and 38 off-street parking stalls.

Because Section 16-10-30(a)(7) of the Municipal Code does not include a use category and associated parking requirement for auto repair and service, the applicant has requested a Planning Commission determination regarding parking requirements in accordance with Section 16-10-30(a)(7) of the Municipal Code which states: *Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall determine the appropriate application of the parking requirements to the specific situation.*

The two categories within Section 16-10-30(a)(7) that may be applicable are “customer service establishments” that require 1 space per every 250 square feet of gross leasable area and “industrial” which require 1 space per 2 employees. If the former was applied, 50 stalls would be required. If the latter was applied, approximately 10 to 15 spaces would be required.

Upon review of site plans of similar type uses, such as tire shops, auto repair, and auto service, within Windsor, the parking requirement varied between the industrial category, the service category as well as a few without a requirement noted and whose count did not fall within these two category requirements but somewhere in between.

Upon reviewing codes of regional municipalities, all of the communities identified vehicle repair and service as a specific use category in their parking standards. Most required between 1 space per 400 sf to 1 space per 500 sf of building. Evaluating the subject site plan based on the requirements of these other communities, the parking requirement ranged from 10 to 63 stalls with the average requirement being between 30 and 36 spaces.

Upon reviewing site layouts of tire stores in the region, the parking ratio appeared to be similar to the 1 space per 400 – 450 sf range.

With these information sources and the Planning Department's professional experience with site plan review, staff feels that the site plan provides adequate parking for the use.

**Mr. Tallon moved to determine the parking is adequate as purposed; Mr. McWilliams seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Tallon, Dennison, Yingst, Bushelman, McWilliams, Annable  
Nays – None  
Motion carried.**

4. Election of Officers (chairman, vice-chairman and secretary) for the 2018 calendar year
  - Staff presentation: Scott Ballstadt, Director of Planning

**Mr. Annable moved to nominate Mr. Schick as Chairman, Mr. Tallon as Vice-Chairman and Mr. Dennison as Secretary; Mr. McWilliams seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Tallon, Dennison, Yingst, Bushelman, McWilliams, Annable  
Nays – Schick  
Motion carried.**

**D. COMMUNICATIONS**

1. Communications from the Planning Commission  
None
2. Communications from the Town Board liaison  
None
3. Communications from the staff  
None

**E. ADJOURN**

Upon a motion duly made, the meeting was adjourned at 7:23 p.m.



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Utility Billing Clerk, Amanda Mehlenbacher