



## PLANNING COMMISSION REGULAR MEETING

March 7, 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 7:02 p.m.

##### 1. Roll Call

The following Planning Commission members were present:

Gale Schick  
Charles Schinner  
Victor Tallon  
Tim Annable  
Jerry Bushelman  
Dan Foreman - A  
Travis Yingst - A

Town Board Liaison

Ken Bennett

Also Present:

Planning Director  
Chief Planner  
Senior Planner  
Senior Planner  
Deputy Town Clerk

Scott Ballstadt  
Carlin Malone  
Paul Hornbeck  
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. Tallon moved to approve the agenda as presented; Mr. Schinner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst**

**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 February 21, 2018

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

**Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst**

**Nays – None**

**Motion carried.**

## C. BOARD ACTION

- 1) Site Plan Presentation – River Valley Crossing Subdivision 1<sup>st</sup> Filing Lot 4 – Burger King Restaurant – Joe Lukas of Lukas Family, LP, owner/applicant; Ric Hattman of Hattman Associates, applicants representative
  - Staff presentation: Millissa Berry, Senior Planner

The owner/applicant, Mr. Joe Lukas, Lukas Family LP, represented by Mr. Ric Hattman of Hattman Associates, is proposing a new site development in the River Valley Crossing 1<sup>st</sup> Filing Subdivision. The site of the proposed Burger King Restaurant is located at the southwest corner of Main and 16<sup>th</sup> Streets and directly east of the Christian Brothers automotive site. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties.

Overall development characteristics include:

- total lot area of 1.3 acres
- approximately 43% landscaped area
- 3,443 square foot building
- 41 parking stalls (25 required)
- access from a private drive off of 16<sup>th</sup> Street

Building characteristics include:

- building facades
  - brick with an accent brick wainscot
  - vintage wood cement fiber board
- accent materials
  - ceramic tile around main entry
  - metal awnings
- colors: mix of tans for field with red and aluminum accents
- building height of 18'
- a flat roof with varied roofline
- drive-thru

Additional site details can be seen in the enclosed staff PowerPoint.

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 site plan will be reviewed and approved administratively by staff; however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Planning Commission for review.

Additionally, the applicant is hereby advised via this memorandum that another similar site plan presentation by the applicant is scheduled on March 12, 2018, for the Windsor Town Board.

No recommendation, as this item is for presentation purposes.

Mr. Gale Schick requested Ms. Berry clarify the color of the brick material.

Ms. Berry responded that the larger portion of the brick will be a light tan in color.

Mr. Schinner inquired about the height of the berm between the drive-through and Main Street.

Ms. Berry responded that the berm will be approximately 3 feet tall with landscaping on top.

Mr. Schinner inquired if the mechanical on the roof was screened.

Ms. Berry responded yes.

2) Preliminary Standard Site Plan – Jacoby Farm 7th Filing Tracts A and B  
Jacoby Farm Townhomes - Windsor CAR 1 LLC, owner; Russell Baker, Jacoby Farm Townhomes, LLC, applicant; Cathy Mathis of TB Group, applicants representative

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

The applicant, Mr. Russell Baker, Jacoby Farm Townhomes LLC, represented by Ms. Cathy Mathis of TBGroup, has submitted a preliminary site plan, known as Jacoby Farm Subdivision 7th Filing – Jacoby Farm Townhomes. The project occurs on two separate but adjacent tracts. The sites are located northeast and southeast of the intersection of 17th Street and Grand Avenue at the west end of the Jacoby Farm Subdivision.

The site plan consists of 61 townhomes on the two parcels (Tracts A and B of the 7th Filing), 31 townhomes on Tract A and 30 townhomes on Tract B. Tract A encompasses approximately 2.8 acres and Tract B encompasses approximately 2.3 acres; both are zoned Residential Mixed Use (RMU). The overall density for each site is 11.9 du/acre. A mix of five-, six-, and seven-unit buildings are proposed.

Other overall development characteristics include:

- Tract A - number of buildings = 5; number of units = 31; overall density = 11.6 du/acre
- Tract B - number of buildings = 5; number of units = 30 ; overall density = 12.9 du/acre
- 30 ' building heights
- pitched roof and articulated facades
- multiple façade colors
- asphalt shingles, painted lap siding, synthetic stone wainscot, covered entries
- 2-car garage per unit
- approximately 34% landscaped area
- common areas
- 164 parking spaces - 2 garage stalls per unit plus 44 (22 per Tract) surface stalls – parking ratio of
- 2.7 spaces per unit
- access off of Grand Avenue and Stoll Drive , both public streets
- individual trash pick-up; cluster mailbox units

The Jacoby Farm 2nd Filing established the multifamily use of the tracts as well as an allowed density of 15 units per acre (~ 76 units total).

Additional site details can be seen in the enclosed staff PowerPoint.

Staff recommends that the Planning Commission approve the preliminary site plan, subject to the following conditions:

- 1) All remaining Planning Commission and staff comments shall be addressed on the final site plan.

Staff recommends that the following be entered into record:

- Application and supplemental materials
- Staff Memorandum and supporting documents
- Recommendation

Mr. Bushelman inquired if the units will become rentals or will be sold.

Ms. Berry responded that the units will be sold.

Mr. Schick stated that the park land dedication was in the second filing and inquired how far away that was from this current filing.

Ms. Berry responded that this is currently the 7<sup>th</sup> filing as Jacoby Farm includes a very large area.

Mr. Schinner stated that the trees that were removed from the site was one of the most dense stands of trees along the Poudre River [Greeley No. 2 ditch] and encourages lots of trees be planted in order to supplement this space.

**Mr. Tallon moved to approve the Preliminary Site Plan - Jacoby Farm 7th Filing Tracts A and B Jacoby Farm Townhomes subject to the conditions presented by staff. Mr. Annable seconded the motion. Roll call on the vote resulted as follows: Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst  
Nays – None  
Motion carried.**

- 3) Preliminary Subdivision – Chimney Park Subdivision 4<sup>th</sup> Filing – Al Haar and Mike Zapf, property owners/applicant / Patricia Kroetch, North Star Design, Inc., applicant's representative

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

The applicants, Mr. Al Haar and Mr. Mike Zapf, represented by Ms. Patricia Kroetch of North Star Engineering, have submitted a preliminary subdivision for what is known as Chimney Park Subdivision 4<sup>th</sup> Filing. A site plan land use application, Chimney Park Townhomes Site Plan (Item C.4), is being reviewed concurrently with the subject preliminary subdivision application.

The site is located east of Chimney Park and a Town regional detention pond, zoned O (Recreation and Open Space); west of an existing service shop use (Windsor Auto Repair) zoned I-L (Limited Industrial) and State Highway 257; north of Chestnut Street and existing single-family residential, zoned RMU (Residential Mixed Use); and south of a Great Western Railroad spur and a lumber yard (Universal Forest Products), zoned I-H (Heavy Industrial).

The 5.6-acre site is undeveloped and zoned MF-2 (High-Density Multifamily Residential District). The subject preliminary subdivision proposes 51 residential lots and four tracts.

- Proposed preliminary subdivision characteristics include:
- 51 townhome lots
- Four tracts: three for additional garage buildings and one for open space/landscaping common areas.
- 58% of the property consists of common area
- Two access points on Chestnut Street with an internal looped road (private street)
- Adjacent to Chimney Park and in close proximity to schools, downtown, and services

Additional subdivision details can be seen in the enclosed staff PowerPoint.

A neighborhood meeting was held by the applicant on January 25, 2018, 6:00 p.m., at the Pelican Lakes Golf Course Banquet Room, 1625 Pelican Lakes Pointe. Notifications for this meeting were as follows:

- January 3, 2018 – affidavit of mailing to property owners within 300 feet
- January 5, 2018 – display ad published in the papers

There was one neighbor/property owner in attendance who stated he was strongly in favor of the proposal, noting there was a need for the type of development in the area, development of the property would improve the neighborhood, and the design proposed was well thought out.

Staff recommends that the Planning Commission approve the preliminary subdivision, subject to the following conditions:

1. All remaining Planning Commission and staff comments shall be addressed with the final subdivision.

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

Mr. Schick asked if the applicant or representative has anything further they wish to present.

There was none.

Mr. Tallon stated the area has been a sore spot for dumping and is glad to see that it will be cleaned up.

**Mr. Tallon moved to approve the Preliminary Site Plan – Chimney Park Townhomes - Chimney Park Subdivision 4<sup>th</sup> Filing subject to the conditions presented by staff; Mr. Schinner seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst  
Nays – None  
Motion carried.**

4) Preliminary Site Plan – Chimney Park Townhomes – Chimney Park Subdivision 4<sup>th</sup> Filing, Lot 1 – Al Haar and Mike Zapf, property owners/applicant / Patricia Kroetch, North Star Design, Inc., applicant’s representative

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

The applicants, Mr. Al Haar and Mr. Mike Zapf, represented by Ms. Patricia Kroetch of North Star Engineering, have submitted a preliminary site plan for Chimney Park Townhomes. A major subdivision land use application, Chimney Park Subdivision 4<sup>th</sup> Filing (Item C.3), is being reviewed concurrently with the subject preliminary site plan application.

The site is located east of Chimney Park and a Town regional detention pond, zoned O (Recreation and Open Space); west of an existing service shop use (Windsor Auto Repair) zoned I-L (Limited Industrial) and State Highway 257; north of Chestnut Street and existing single-family residential, zoned RMU (Residential Mixed Use); and south of a Great Western Railroad spur and a lumber yard (Universal Forest Products), zoned I-H (Heavy Industrial).

The 5.6-acre property is currently undeveloped and zoned MF-2 (High Density Multifamily Residential District). In the past, there was a metal storage shed on the property, which was destroyed in the 2008 tornado. The property was once a sugar beet dump for the Great Western Sugar Factory, located north of the subject site, and a large structure of concrete from this use remains in the ground. The subject site plan proposes 51 townhome units, with an overall density of 9.1 du/acre.

Proposed development characteristics include:

- 51 townhome units within eleven buildings: seven 4-unit buildings, one 5-unit building, three 6-unit buildings
- three and four-bedroom townhome units ranging in size from 812 s.f. to 1,224 s.f. finished area; with unfinished basements
- building heights of 19’6” (55 feet maximum height in MF-2 zone district)
- façade colors would be compatible with the surrounding neighborhood
- asphalt shingles, painted lap siding (horizontal and vertical), synthetic stone wainscot, front covered porch entry and rear covered patio.
- 163 parking spaces (109 required) – parking ratio of 3.2 spaces per dwelling unit:
  - 140 garage spaces, 23 surface spaces
  - 2-car garage per unit (two parking spaces required per unit = 102 spaces)
  - 23 guest parking spaces (one guest parking space per eight dwellings required = 7 spaces)
  - An additional 38 single-bay garages available, buffering the townhomes from the railroad spur along the northern property boundary.
- approximately 27% landscaped area
- 58% common area
- Two access points on Chestnut Street with an internal looped road (private street)
- Adjacent to Chimney Park and in close proximity to schools, downtown, and services

Additional site details can be seen in the enclosed staff PowerPoint.

Staff recommends that the Planning Commission approve the preliminary site plan, subject to the following conditions:

1. All remaining Planning Commission and staff comments shall be addressed on the final site plan.

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

Mr. Schinner inquired about the size of the parking spaces and if they were dedicated to the residents in that area or if an outside resident could rent a space.

Mr. Mike Zapf, 1855 E Seadrift Dr. Windsor, CO stated that the detached garages will be deeded for sale to the homeowners but could potentially be sold to outside residents if they were not absorbed and sat vacant. The detached garages are for a single car with a garage door width of 12'.

Mr. Schinner asked Mr. Zapf if he was concerned about the units that would sit closest to the railroad tracks.

Mr. Zapf stated that he was not concerned about the railroad tracks as the actual functioning track is located on the north side of the lumber yard. The tracks closest to the property are a holding spur primarily used to store lumber cars. Mr. Zapf stated that his concern would be regarding the movement in the lumberyard, however, he feels good regarding the buffer as the property sits lower with a fence along the backside.

Mr. Schick inquired about the park land dedication.

Ms. Malone stated that the park land was previously dedicated with the Chimney Park Subdivision and that there will not be park fees associated with this development.

Mr. Schinner added that the original detention pond that was a part of the property was traded for park land and detention pond area.

Ms. Malone added that there is an existing development agreement that documents these park and detention pond items.

**Mr. Tallon moved to approve the Preliminary Site Plan - Chimney Park Townhomes - Chimney Park Subdivision 4<sup>th</sup> Filing subject to the conditions presented by staff; Mr. Schinner seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst  
Nays – None  
Motion carried.**

- 5) Public Hearing – Final Major Subdivision – The Ridge at Harmony Road Subdivision 2nd Filing – Jeff Mark, The Landhuis Company, applicant
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Bennett stated for the record, "Mr. Chair, for the record I would like to disclose that I am a sitting member of the Town Board, and that I am here in my capacity as non-voting liaison to the Planning Commission. Although I will be present during this public hearing, I will not be giving my opinion or participating in the discussion. I will not let tonight's proceedings influence or affect my review of this matter when it comes before the Town Board. I will make my decision at the Town Board level based only on the evidence presented during the Town Board public hearing."

The applicant, Mr. Jeff Mark of The Landhuis Company, has submitted a final major subdivision plat, known as The Ridge at Harmony Road 2nd Filing. The subdivision encompasses approximately 283 acres and is zoned Residential Mixed Use (RMU).

Final Plat characteristics:

- 252 single-family residential lots;
- Average lot size of 7,461 square feet;
- Town of Windsor park site to be dedicated with this plat = 3.4 acres
- RE-4 school district site school site to be dedicated with this plat = 10 acres
- 16 acres of public right-of-way dedication
- 4 future development tracts = approximately 164 acres;
- 7 open space tracts for drainage, utilities, and access = 35 acres
- 10 acre tract for oil & gas development
- Offsite improvements will include widening of Harmony Road to four lanes with a landscaped median and improvements to Weld County Road 13

The applicant held a neighborhood meeting on April 18, 2017 in accordance with Chapter 16, Article XXXI of the Municipal Code. There were approximately ten neighbors in attendance. Please see the enclosed neighborhood meeting notes for discussion topics and responses.

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval, subject to the following conditions:

1. Applicant shall enter into a development agreement with the Town prior to recording of the subdivision plat
2. All outstanding staff comments on subdivision plat, improvement drawings, and related documents shall be addressed prior to recording of the subdivision plat

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony received during the public hearing
- Recommendation

Mr. Schick asked if anyone in the audience would like to speak on this matter  
There was none



**Mr. Tallon moved to close the public hearing; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst  
Nays – None  
Motion carried.**

- 6) Recommendation to Town Board – Final Major Subdivision – The Ridge at Harmony Road Subdivision 2nd Filing – Jeff Mark, The Landhuis Company, applicant

- Quasi-judicial
- Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck had nothing further to add.

Mr. Schinner inquired if the Town of Timnath has any comments or concerns regarding the development to the north.

Mr. Hornbeck stated that staff has worked with them in terms of improvements to the surrounding area; however, beyond that he could not address any concerns they may have.

Mr. Schinner inquired if there will be a traffic light planned for County Road 13 and Harmony.

Mr. Hornbeck responded that it would not be directly associated with this development, however, there is one in the works.

Mr. Ballstadt added that staff did get notification related to a separate project that the Town of Timnath has plans for the signal and will be working with the Town of Windsor Engineering Department.

**Mr. Tallon moved to forward a recommendation of approval of the Final Major Subdivision – The Ridge at Harmony Road Subdivision 2<sup>nd</sup> Filing to the Town Board; Mr. Annable seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst  
Nays – None  
Motion carried.**

- 7) Preliminary Subdivision – Raindance Subdivision 3rd Filing – David Nelson, Raindance Land Company LLC, owner / Martin Lind, Raindance Land Company LLC, owner/owner representative / Tom Siegel, Water Valley Land Company, applicant's representative

- Quasi-judicial
- Staff presentation: Paul Hornbeck, Senior Planner

The applicants, Mr. David Nelson and Mr. Martin Lind of Raindance Land Company, represented by Mr. Tom Siegel of Water Valley Land Company, have submitted a preliminary major subdivision plat, known as Raindance Subdivision 3<sup>rd</sup> Filing. The subdivision encompasses approximately 214 acres and is zoned PUD (Planned Unit Development) with an underlying zoning of RMU (Residential Mixed Use).

The site is currently undeveloped and located east of County Road 13, north of Crossroads Boulevard, and south of New Liberty Road. Access to the subdivision is provided via Crossroads Boulevard, CR 13, and New Liberty Road.

Proposed Preliminary Subdivision characteristics include:

- 233 lots for single-family residential
- Approximately 143 acres of tracts for future development
- Approximately 3.5 acres of tracts for open space, drainage, access, easements (owned and maintained by metro district)
- Approximately 15 acres for public right-of-way
- 10 acre tract for future Weld Country RE-4 school

Additional subdivision details can be seen in the enclosed staff PowerPoint.

A neighborhood meeting was held on January 18, 2018 at 6:00 p.m. at the Windsor Community Recreation Center, 250 11<sup>th</sup> Street. Notifications for this meeting were as follows:

- December 27, 2017 – affidavit of mailing to property owners within 300 feet
- January 3, 2018 – display ad published in the papers

There were five neighbors in attendance. The neighborhood meeting summary is included with this report.

A mineral owner's public hearing was held in accordance with the Colorado Revised Statutes on February 15, 2017, at the same meeting for a public hearing for the Raindance Subdivision 2<sup>nd</sup> Filing. At that hearing, an objection was filed by Anadarko but has since been withdrawn.

Staff recommends that the Planning Commission approve the preliminary subdivision subject to all remaining Planning Commission and staff comments being addressed with the final plat.

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

**Mr. Tallon moved to approve the Preliminary Subdivision – Raindance Subdivision 3<sup>rd</sup> Filing subject to conditions presented by staff; Mr. Schinner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Schinner, Tallon, Foreman, Annable, Bushelman, Yingst**

**Nays – None**

**Motion carried.**

## **D. COMMUNICATIONS**

1. Communications from the Planning Commission

Mr. Tallon expressed his concern regarding the inspection department. He indicated that he had received complaints regarding inspections and turnover. Mr. Tallon requested staff present numbers on what it would take to bring building inspections in-house.

Mr. Ballstadt stated he would follow up with SAFEbuilt regarding any changes in inspection activity. Mr. Ballstadt further stated from a preliminary feedback standpoint, the overhead and customer service would be a challenge if inspections were brought in-house. The department would not likely be large enough to maintain the 10 day or less turnaround time, whereas, SAFEbuilt is able to provide the needed staff depending on permit levels and needs.

Mr. Schick inquired how other communities handle their inspections.

Mr. Ballstadt responded that many jurisdictions are downsizing their in-house and contracting those services out, including some of the larger jurisdictions like Denver and Centennial, both of whom work with SAFEbuilt.

Mr. Schinner had comments and concerns regarding the density of housing in the Town of Windsor. Many tracts are zoned Residential Mixed Use (RMU) which allows for general commercial; however, the commercial aspect of RMU zoning doesn't seem to be utilized. Residents of Windsor have to funnel downtown or to other communities in order to get services. Mr. Schinner asked how the Town can encourage more commercial services closer to residential areas.

Mr. Ballstadt responded that the two developments on tonight's agenda; The Ridge at Harmony Road and Raindance, do include commercial components that will be built once the rooftops are there to support it. Mr. Ballstadt also stated that the Town of Windsor is looking at ways to incentivize RMU to be more mixed use rather than primarily residential. He also added that the Brands project will provide substantial services to the southwest portion of Windsor.

## 2. Communications from the Town Board liaison

Mr. Bennett informed the Board of a large concern regarding traffic patterns due to the rapid growth the Town of Windsor has seen. Mr. Bennett was very pleased with Mr. Ballstadt and his staff as the Town Board requested preliminary information as to how they might prioritize their roadway improvement budget. The approach that was taken included working together with the Police Department, Planning, Engineering and the Public Works Department. The Town Board is now using that information to look at cost and opportunities as well as working with other communities. The intent of the Town Board is to have up to three top priorities lined out for the next two years which they will discuss during their strategic planning session in May. Mr. Bennett stated that mail-in ballots will come out Monday for Districts 2, 5, 6, and 7 and encourages the public to please vote. On March 19, 2018 a meet and greet will be held for the finalists for the Town Manager position. This will take place at the Public Works facility from 5:30-7:30pm.

Mr. Ballstadt added that information regarding the four Town Manager candidates is available on the town website.

## 3. Communications from the staff

Ms. Malone informed the Board that in February a presentation was made by the Greeley Evans Transit director to the Town Board regarding a proposed bus service route from UNC through Windsor to CSU. Greeley will purchase a number of the buses and asked if

the Town of Windsor was interested in participating. The presentation was well received and the Town Board agreed to move forward.

Mr. Ballstadt made clear to the Board that the developer of The Ridge at Harmony Road had paid for their park fees with a check during the meeting. Mr. Ballstadt expressed gratitude toward the Board for their comments during the meeting to which he will take into advisement.

**E. ADJOURN**

Upon a motion duly made, the meeting was adjourned at 8:06 p.m.

  
Deputy Town Clerk, Amanda Mehlenbacher