



## TOWN BOARD REGULAR MEETING

September 24, 2018 // 7:00 p.m. // Town Board Chambers  
301 Walnut Street, Windsor, CO 80550

### MINUTES

#### A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:01 p.m.

##### 1. Roll Call

Mayor  
Mayor Pro Tem

Kristie Melendez  
Absent- Ken Bennett  
Myles Baker  
Barry Wilson  
Paul Rennemeyer  
Thomas Jones  
Absent- David Sislowski

##### Also Present:

Town Manager  
Town Attorney  
Assistant Town Attorney  
Director of Economic Development  
Director of Parks, Recreation and Culture  
Director of Engineering  
Director of Planning  
Chief of Police  
Director of Finance  
Water Resource Manager  
Chief Planner  
Planner 1  
Human Resource Manager  
Town Clerk

Shane Hale  
Ian McCargar  
Kim Emil  
Stacy Miller  
Eric Lucas  
Dennis Wagner  
Scott Ballstad  
Rick Klimek  
Dean Moyer  
John Thornhill  
Carlin Malone  
Devin King  
Jaci Kremser  
Krystal Eucker

##### 2. Pledge of Allegiance

Town Board Member Baker led the pledge of allegiance.

##### 3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

**Town Board Member Rennemeyer moved to approve the agenda as presented, Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

##### 4. Certificate of Recognition – Mike Schwan, Weld County Department of Public Health and Environment and Northern Colorado Breastfeeding Coalition

Mr. Mike Schwan from Weld County recognized Human Resources Manager, Jaci Kremser on her efforts to promote nursing employees of the Town of Windsor.

##### 5. Board Liaison Reports

- Town Board Member Baker – Tree Board, Historic Preservation Commission

The Town of Windsor will make reasonable accommodations for access to town services, programs, and activities, and will make special communication arrangements for persons with disabilities. Please call 970-674-2400 by noon on the prior to the meeting to make arrangements.

Town Board Member Baker reported the Tree Board meets on September 25, 2018 at 5:00 p.m.

- Town Board Member Wilson – Parks, Recreation & Culture Advisory Board; Poudre River Trail Corridor Board  
Town Board Member Wilson reported there is a section of the Poudre River Trail that is closed and will be closed until approximately October 16<sup>th</sup>. The section that is closed is east of Highway 257. The Human Bean gave a portion of their proceeds from their grand opening to the Poudre River Trail Corridor which amounted to almost \$3,000.  
Mr. Wilson reported the National Recreation and Parks Association named the Windsor Parks, Recreation and Culture Department as a top 10 finalist.
- Mayor Pro Tem Bennett – Water & Sewer Board  
Mayor Pro Tem Bennett - Absent
- Town Board Member Rennemeyer – Chamber of Commerce  
Town Board Member Rennemeyer reported the Annual Chamber Dinner is scheduled for October 18, 2018 at 5:00 p.m.
- Town Board Member Jones – Windsor Housing Authority; Great Western Trail Authority  
Town Board Member Jones reported the Windsor Housing Authority met and they will be closing at the end of October on the Windshire Senior Housing Development. Also, the Governor's Farm purchase is in the works again as the property owner is willing to reconsider the original offer by the Windsor Housing Authority.
- Town Board Member Sislowksi –Clearview Library Board; Planning Commission  
Town Board Member Sislowksi – Absent
- Mayor Melendez – Downtown Development Authority; North Front Range/MPO  
Mayor Melendez reported the Downtown Development Authority met and the budget was presented to the Town Board on September 17<sup>th</sup> 2018. There is still discussions taking place regarding the back lots and there will be an open house on October 23, 2018 from 4:00 – 7:00 p.m. at the old town hall. The wayfinding project has commenced. The Mill has started moving forward and activity will become more active at the beginning of October. Small business Saturday is the Saturday after Thanksgiving; the Elf on Shelf will also begin on Small Business Saturday and run through the Windsor Wonderland event.

6. Public Invited to be Heard

Mayor Melendez opened the meeting up for public comment to which there was none.

B. **CONSENT CALENDAR**

1. Minutes of the September 10, 2018 Regular Meeting – Krystal Eucker
  2. Resolution No. 2018-88 – Adopting the Strategic Plan – Kelly Houghteling
  3. Cancellation of November 12, 2018 Regular Town Board Meeting – Krystal Eucker
  4. Resolution No. 2018-89 – A Resolution in Support for the Northern Integrated Supply Project Preferred Alternative as Described in the Final Environmental Impact Statement – John Thornhill
- Town Board Member Rennemeyer moved to approve the consent calendar as presented. Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

C. BOARD ACTION

1. Ordinance No. 2018-1570 – An Ordinance Approving the Transfer of Real Property from the Town of Windsor to Colorado National Sports Park, LLC

*Super majority vote required on second reading*

- Second Reading
- Legislative action
- Staff presentation: Shane Hale, Town Manager; Stacy Miller, Director of Economic Development; Ian D. McCargar, Town Attorney

Mr. Hale informed the Board that on September 10, 2018, the Town Board approved Resolution No. 2018-84, authorizing the execution of the Agreement for Cooperative Development and Use of Diamond Valley Property between the Town and Colorado National Sports Park, LLC (“Agreement”), and approved on first reading of Ordinance No. 2018-1570, which authorized the legal transfer of the Diamond Valley Property through the Special Warranty Deed attached to the Agreement.

Mr. Baker commented that it is really big decision for the Town although there are a lot of safeguards in place to protect the Town and believes this will be a win for Windsor.

Mr. Rennemeyer is in support of the ordinance.

Ms. Melendez ensured the citizens that the Town Board has done their due diligence regarding this agreement.

Ms. Melendez opened the meeting up for public comment to which there was none.

**Town Board Member Rennemeyer moved to approve Ordinance No. 2018-1570 Approving the Transfer of Real Property from the Town of Windsor to Colorado National Sports Park, LLC. Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed**

2. Ordinance No. 2018-1571 – An Ordinance Approving an Amendment to a Planned Unit Development (PUD) for a Sign Criteria Plan, Raindance Subdivision – David Nelson, Raindance Land Company LLC, owner; Martin Lind, Raindance Land Company LLC; owner/owner’s representative / Tom Siegel, Water Valley Land Company LLC, applicant’s representative

*Super majority vote required on second reading*

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

Per Ms. Malone, the first reading of Ordinance 2018-1571 was approved by the Board on September 10, 2018 which will approve an overall design package that is cohesive for the planned unit development. There have been no changes since first reading

Staff recommends approval of Ordinance 2018-1571.

Mr. Wilson inquired about the identity features and that not everyone will be happy with it in the future.

Ms. Malone stated there are no locations proposed for the feature but the ideas would go through a permit process.

Ms. Melendez opened the meeting for public comment to which there was none.

**Town Board Member Wilson moved to approve Ordinance No. 2018-1571 Approving an Amendment to a Planned Unit Development (PUD) for a Sign Criteria Plan, Raindance Subdivision. Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

3. Public Hearing – Ordinance No. 2018-1572 – An Ordinance Amending Section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district

- First Reading
- Legislative
- Staff presentation: Devin King, Planner I

**Town Board Member Rennemeyer moved to open the public hearing. Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

Per Mr. King, the included amended language addressing outdoor storage and display is in response to the need from commercial users for accessory outdoor storage in the General Commercial zone district and the effort to accommodate that need while maintaining the “small town feel” that citizens, Town Board and Planning Commission have expressed as important. As Windsor continues to grow and larger retail establishments look to our commercial areas to locate, the code will need to appropriately address such accessory outdoor uses in the General Commercial zone district to maintain the character of our commercial corridors while allowing the incidental storage and display that is common with retail establishments.

This language would require that these accessory uses be reviewed during the site plan process to ensure compliance.

The following shows a comparison of the screening language that was changed per the direction given by Town Board at the August 27, 2018 work session:

Presented at August 27 work session:

- d. Shall be permanently and fully screened from residential uses, rights-of-way and private drives by screening that is incorporated into the overall design theme and is continuous with the architectural design of the principal building.

Current Ordinance language:

- d. Items located in outdoor storage areas shall be permanently and fully screened from adjacent residential property, public rights-of-way and private drives by opaque structural walls, opaque fencing and/or a combination thereof that is at least as tall as the tallest items in storage. Screening materials shall

conceal all items in storage, shall be opaque and consist predominately of colors and materials generally matching the principal building on the premises. Chain link screening material, with or without slats, is prohibited.

Three categories of accessory uses are proposed to distinguish the difference in storage versus display versus seasonal sales. Storage is pertaining only to the materials or equipment used in the course of business, such as pallets, loading equipment and inventory of goods. Display is pertaining to the incidental display of merchandise, an example of which would be grills or lawnmowers outside along the wall of the principal building. Lastly, seasonal sales is in relation to the seasonal sales specifically related to a season such as plant, Christmas tree or pumpkin sales.

At the September 19, 2018 Planning Commission meeting, commissioners questioned whether or not 60 days is adequate time for seasonal sales to be displayed. Staff followed up to this question by contacting some of the local businesses that tend to have seasonal sales, Ace Hardware and King Soopers, to discuss the typical duration of their seasonal sales. It was determined from these conversations that 90 consecutive days would be a more appropriate timeframe and the ordinance before you was revised to reflect this.

The proposed code amendment is consistent with the 2016 Comprehensive Plan, particularly Goal 8 in the Commercial & Industrial Areas Framework Plan, "Create a distinct sense of place for the Town's commercial and industrial districts."

At its September 19, 2018 regular meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of Ordinance 2018-1572 amending Section 16-19-10(b) to allow accessory outdoor storage and display in the General Commercial zone district subject to any Town Board direction.

Mr. Jones inquired as to accessory seasonal sales of 5%.

Mr. King stated the outside storage can use up to 5% of the required parking spaces.

**Town Board Member Rennemeyer moved to close the public hearing. Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

4. Ordinance No. 2018-1572 – An Ordinance Amending Section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district

- First Reading
- Legislative
- Staff presentation: Devin King, Planner I

Mr. King had nothing further to add

**Town Board Member Rennemeyer moved to approve Ordinance No. 2018-1572 Amending Section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district. Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

5. Public Hearing – Ordinance No. 2018-1568 – An Ordinance Amending Section 16-10-30 of the Town of Windsor Municipal Code regarding multifamily residential off-street parking requirements
- First Reading
  - Legislative
  - Staff presentation: Paul Hornbeck, Senior Planner

**Town Board Member Rennemeyer moved to open the public hearing. Town Board Member Jones the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

Per Mr. Ballstadt, the Town has experienced multifamily residential development in record numbers over the past few years and this has brought to light the need to re-examine the parking ratio required for multifamily residential uses. Code Section 16-10-30 requires 1.5 parking spaces per multifamily unit. This requirement does not appear to adequately account for visitor and overflow parking, particularly when on-street parking is not available.

Staff has reviewed parking ratios for regional jurisdictions and looked at national studies by the Institute of Transportation Engineers in determining the proposed parking ratios listed in the table below alongside regional jurisdictions.

To measure the impact of the proposed amendment staff compared the parking requirements under the existing and proposed parking codes using two case studies of recent multifamily developments, as shown in the tables below. In both cases, the new parking ratio would have increased the minimum parking required by approximately 10%.

This amendment is primarily targeted at multifamily projects that do not have on-street parking available so a credit is given when on-street parking is available adjacent to the development. The credit proposed is one parking space for every 25' of linear frontage on a street with on-street parking, up to 10% of the required parking. This credit is similar to a credit allowed for all uses within the downtown area and would largely mitigate any increase in parking requirements under the proposed amendment when on-street parking is available.

A question that came up during the last work session was ensuring adequate flexibility to keep up with evolving trends in transportation or for projects with unique parking demands. A review of the current code language shows that such flexibility can be easily addressed with a minor change to the title of Municipal Code Section 16-10-30(a)7 which provides Planning Commission the ability to make determinations regarding parking when there is a question:

At their July 18, 2018, meeting the Planning Commission forwarded to Town Board a recommendation of approval of the proposed amendment to Municipal Code Section 16-10-30 to modify the multifamily parking requirements as outlined.

Mr. Baker inquired as to future technologies that may not require as many parking spaces.

Mr. Ballstadt stated the current goal is to make the parking match the need but that code can be reviewed in the future as new or other modes of transportation develop.

Mr. Rennemeyer inquired as to how these new regulations will affect the projects that are currently in the approval process.

Mr. McCargar stated there is no specific exception or special language on the effective date so the Ordinance would take effect 10 days after publication following final adoption.

Mr. Ballstadt stated normally it would not be applied to any projects that are already in the review process.

Mr. Baker confirmed that the Ordinance will become effective on all new submittals.

Mr. McCargar stated the Ordinance will take effect immediately unless the application has been submitted under the previous requirements.

**Town Board Member Rennemeyer moved to close the public hearing. Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

6. Ordinance No. 2018-1568 – An Ordinance Amending Section 16-10-30 of the Town of Windsor Municipal Code regarding multifamily residential off-street parking requirements

- First Reading
- Legislative
- Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Ballstadt, staff recommends the language regarding the effective date be added between first and second reading.

**Town Board Member Jones moved to approve Ordinance 2018-1568 Amending Section 16-10-30 of the Town of Windsor Municipal Code regarding multifamily residential off-street parking requirements. Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

7. August Financial Report

- Staff presentation: Dean Moyer, Director of Finance

Mr. Moyer presented the financial report that was included in packet material.

8. Community Development Report

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt presented the Community Development Report that was included in packet material.

Mr. Rennemeyer inquired as to Severance and all of their growth, how does Windsor monitor their waste and with Windsor's waste to not overload the treatment facility.

Mr. Ballstadt stated the IGA with Severance has a master meter cap of how much flow that they are allowed.

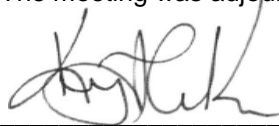
D. COMMUNICATIONS

1. Communications from the Town Attorney  
None
2. Communications from Town Staff  
Mr. Lucas informed the Board that the Gold Medal Award will be live on Facebook tomorrow morning at 8:00 a.m.
3. Communications from the Town Manager  
None
4. Communications from Town Board Members  
Ms. Melendez stated she attended the Mayor's Conference on September 13<sup>th</sup> and 14<sup>th</sup>  
Ms. Melendez stated that after hearing stories of how different Boards work or don't work together and thanked the Windsor Town Board for their professionalism, caring for their community and implementing the best policies for the citizens.

ADJOURN

**Town Board Member Rennemeyer moved to adjourn. Town Board Member Jones second the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

The meeting was adjourned at 7:52 p.m.



---

Krystal Eucker, Town Clerk