



TOWN BOARD REGULAR MEETING

February 11, 2019 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:07 p.m.

1. Roll call

Mayor Kristie Melendez
Mayor Pro Tem Ken Bennett
Myles Baker
Barry Wilson
Paul Rennemeyer
Tom Jones
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Eric Lucas, Director of Parks, Recreation and Culture
Rick Klimek, Chief of Police
Stacy Miller, Director of Economic Development
Millissa Berry, Senior Planner
Carlin Malone, Chief Planner
Krystal Eucker, Town Clerk

2. Pledge of Allegiance

Town Board Member Rennemeyer led the pledge of allegiance.

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

Town Board Member Rennemeyer moved to approve the agenda as presented, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Proclamation

- Windsor Kindness Week 2019

Mayor Melendez read the Windsor Kindness Week proclamation.

5. Board Liaison Reports

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

Town Board Member Baker reported a Tree Symposium is scheduled for February 23, 2019 at the Community Recreation Center.

- Town Board Member Wilson - Parks, Recreation and Culture Advisory Board; Poudre River Trail Corridor

Town Board Member Wilson reported Larimer County is working on the Poudre River Trail to put the natural bends back in that were straightened out years ago. This work will help the river flood more naturally and flow better.

Mr. Wilson also reported the Community Recreation Center had a record month in January with over 42,000 visitors.

- Mayor Pro Tem Bennett - Water and Sewer Board

Mayor Pro Tem Bennett reported the Water & Sewer Board meets on February 13, 2019 at 6:30 a.m.

- Town Board Member Rennemeyer - Chamber of Commerce

Town Board Member Rennemeyer had no report.

- Town Board Member Jones - Windsor Housing Authority; Great Western Trail Authority

Town Board Member Jones reported the Great Western Trail Authority met with County Commissioners regarding county road crossings when the trail is completed between Severance and Eaton. The Authority will work with the Public Works Department regarding areas of the Trail that cross county roads.

Dr. Jones reported the Windsor Housing Authority is in discussions with the Town Board regarding hiring an executive director.

- Town Board Member Sislowksi - Clearview Library Board; Planning Commission

Town Board Member Sislowksi reported there is one item from the Planning Commission meeting that is on the agenda this evening.

Mr. Sislowksi reported interviews were completed on February 2 and 9, 2019 for the open Library Board positions. There were 21 applicants interviewed.

- Mayor Melendez - Downtown Development Authority; North Front Range/MPO

Mayor Melendez reported the Downtown Development Authority along with the Town Board will be holding a special meeting on February 13, 2019 at 6:00 p.m.

Ms. Melendez attended the statewide MPO meeting and reported there is currently no regular funding mechanism that will fund transportation needs in Colorado. The group also discussed a Colorado aviation plan and talking with some airports. The Bustang fare may increase as ridership has increased as well as fuel costs. The MPO received a presentation from Doug Decker regarding the zero emission program and discussed the impacts it could have on Weld County. A presentation was also given on the study regarding Highway 257 and Highway 392 which they plan to do in June. Windsor was awarded \$544,000 for a Poudre River Trail realignment project.

6. Public Invited to be Heard

Mayor Melendez opened the meeting up for public comment.

Dawn Wiggett, 700 1st Street, Windsor, CO addressed the Board and informed them that she appreciates the Town Board's support in the community.

Ann Kling, Director of the Clearview Library District addressed the Board and commended the Board for proclaiming Windsor Kindness Week. The Library will be participating in Kindness Week and will have banners to sign for first responders.

B. CONSENT CALENDAR

1. Minutes of the January 28, 2019 Town Board Meeting - K. Eucker

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, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

C. BOARD ACTION

1. Public Hearing – Raindance 5th Filing Final Major Subdivision – Martin Lind of Raindance Land Company, LLC, owner / applicant, John Meyers of TST, INC Consulting Engineers, Applicant’s Representative

Town Board Member Rennemeyer moved to open the public hearing, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

Mr. Sislowski stated, "Madam Mayor, for the record, I would like to point out that in my capacity as Town Board liaison to the Planning Commission, I was present at the Planning Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceedings has in no way influenced me in my capacity as a Town Board Member this evening. I will make my decision and cast my vote this evening based solely on the evidence presented during this public hearing."

Per Ms. Barry, the applicant has submitted a final major subdivision plat, known as Raindance Subdivision Fifth Filing. The subdivision encompasses approximately 33.8 acres and is zoned Planned Unit Development (PUD). Approximately 11.74 acres is proposed for single-family lots and adjacent open space; and approximately 22.06 acres is intended for future development.

Final Plat characteristics:

- 53 single-family lots
- Lot size range: 5,500 sf to 8,726 sf (minimum lot size for single family lots with front loaded garage per PUD is 4,000 sf)
- Average lot size of 5,916 sf
- Typical (mode) lot size: 5,500 sf (36 of the 53 lots)
- Density: 4.52 dwelling units / acre
- Product: 1 & 2-story houses with attached garages
- Tracts for open space / agriculture use (4.6 acres) and future development (22.06 acres)
- Extension of trail system (Raindance and Town systems)
- Expansion of road and utility systems beyond existing infrastructure installed
 - o Public improvements along Autumn Moon and Night Fall Drives were constructed and a portion of the utility plan was installed with the construction work associated with Raindance 2nd Filing.

Two modifications were made since the preliminary plan review:

- The western lots located on Moon Rise Drive are approximately an additional 10 feet in depth from 110' to 120'
- 2 phases proposed
 - o Phase 1 - the lots created along Autumn Moon Drive
 - o Phase 2 – remaining subdivision lots, open space / trail

There is discussion that the City of Thornton is seeking an easement for a water pipeline along WCR 13 on the west edge of the proposed subdivision. The potential easement may be located in the immediate vicinity of the planned Town trail. If such an easement is granted for the water pipeline, the Town will want assurance that any new easements will not limit the Town's access and maintenance of the proposed trail along WCR 13. Additionally, the applicant is

responsible for any reconstruction of the trail and replanting of approved landscaping in Tract A if either is impacted during the installation of the waterline.

At its February 6, 2019, the Planning Commission forwarded a recommendation of approval of the final major subdivision to the Town Board, subject to staff comments prior to redecoration and that the applicant enter into a development agreement with the Town prior to redecoration of the subdivision plat.

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

Notifications were completed in accordance with the Municipal Code.

Staff requests the following be entered into the record:

- Application and supplemental material
- Staff memorandum and supporting documents
- Public hearing testimony
- Recommendation

Mr. Baker inquired as to the 22 acres and if that will be more single family or agricultural use.

Ms. Barry stated it is being referred to as future development at this time. According to the master plan, that area is being called out as residential use.

Mr. Sislowki inquired if the area will have a non-potable water system.

Mr. Hale stated he is certain there is a non-potable system in the subdivision.

Mr. Rennemeyer inquired if the space along County Road 13 is allowing for enough of an easement for potential future widening.

Ms. Barry stated when the proposal was reviewed, the amount of right-of-way was taken into consideration.

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, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

2. Resolution 2019-12 Major Subdivision – Raindance 5th Filing – Martin Lind of Raindance Land Company, LLC, owner / applicant, John Meyers of TST, INC Consulting Engineers, Applicant’s Representative

Ms. Barry had nothing further to add.

Mayor Pro Tem Bennett moved to approve Resolution No. 2019-12, Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

3. Ordinance No. 2019-1584 - A petition to rezone a portion of Windsor Manor 7th Filing

Per Ms. Malone, the applicant is requesting to rezone an approximately 1,614 square foot portion of Windsor Manor 7th Filing. The subject property is located generally east of 13th Street, north of Ash Street, and south of Honeysuckle Court.

The request is to rezone approximately 1,614 square feet from Multifamily Residential (MF-1) to General Commercial (GC) with a Planned Unit Development (PUD) overlay consistent with the remaining portion of Windsor Manor Subdivision 7th Filing Lot 3. This rezoning request is being considered concurrently with a minor subdivision request known as Windsor Manor Subdivision 7th Filing, to ensure that the property boundaries coincide with the zoning boundaries. The proposed zoning is consistent with the existing zoning of PUD (with underlying General Commercial) and the Town’s Land Use Map.

There have been no changes since first reading.

Staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Ordinance 2019-1584
- All testimony received during the public hearing
- Recommendation

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

Town Board Member Rennemeyer moved to approve Ordinance 2019-1584, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Ordinance No. 2019-1585 - An Ordinance Approving the Conveyance of Town-owned Real Property to Colorado National Sports Park, LLC

Per Mr. McCargar, before the Board is the second reading of Ordinance No. 2019-1585, the ordinance approving re-transfer of the Diamond Valley Park property to Colorado National Sports Park, LLC. The re-conveyance is called for under the Amended and Restated Agreement for Development and Use of Diamond Valley Property dated January 28, 2019.

The deeds attached to Ordinance No. 2019-1585 split the 100-acre Diamond Valley Property into two 50-acre parcels. The Restricted Parcel's deed contains a forfeiture clause that kicks in if the entire Restricted Parcel is not used for outdoor sports activity. The Unrestricted Parcel deed does not contain this limitation. However, the entire 100 acres is covered by the list of Permitted and Non-permitted Uses in Section VII of the Amended and Restated Agreement. In this sense, the use of the Unrestricted Parcel is *less restricted*, but not *entirely unrestricted*.

There have been no changes since first reading.

Mr. Hale informed the Board that a discussion took place with Mr. Chasteen regarding the size of the multi-purpose fields. There will be an area between the fields that will be constructed which is an area for parents to sit and watch games but that space increases the size of the field to approximately 400' X 600' so that will be more playable surface.

Town Board Member Rennemeyer moved to approve Ordinance 2019-1585, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Mr. McCargar informed the Board that he had attended the Colorado Mock Trial Regional Competition at the Weld County Courthouse. Mr. McCargar's team was the Fort Collins High School Mock Trial Team but Windsor High School brought two full teams to the competition. The Fort Collins High School Team did take first place and will be competing at the state competition in March.

2. Communications from Town Staff

Chief Klimek informed the Board that the new police patch was distributed to the Board and was designed by Sargent Darcy. Three new officers will be sworn in on February 13, 2018 at 1:30 p.m.

a. Site Plan - South Gate Business Park 6th Filing Lot 1 - Bobcat of the Rockies
Site Plan Summary

Owner: Randy Vickers, Berry Companies LLC

Applicant: Leon McCauley, McCauley Constructors
Applicant's Representative: Anna Fluckey, McCauley Constructors
Business: Bobcat of the Rockies
Location: 890 Champion Drive
Subdivision / Lot-Block: South Gate Business Park 6th Filing, Lot 1
Zoning: General Commercial, GC
Adjacent Zoning: GC
Special Planning Area: Windsor / Greeley US 34 IGA

Overall development characteristics:

- lot area = 5 acres
- 27,600 square foot (sf) building total
 - o includes offices, sales area, storage, and maintenance area
- 35 employees
- 52 parking spaces (parking by type of use within building and number of employees)
- bicycle parking
- ~24.38% landscaped area (20% required)
- access from Champion Drive and Performance Drive
- screened outdoor storage area on west side of building
- outdoor display areas

Building characteristics include:

- brick veneer exterior walls with split-face block wainscot and stone veneer entryway feature
- green roof, tan and gray walls
- covered entry
- pitched metal roof
- building height: 29'8"

Comment Period

The site plan will be reviewed and approved administratively by staff. However, if there are any comments please forward them to the Director of Planning by **February 28, 2019** either by email or at a regular meeting under the communications section of the agenda.

Staff will consolidate any comments received and provide them in a memo to the Town Board in the next meeting packet so that all members can review all of the comments received for each site plan project.

Attachments

project narrative
site plan, landscape plan and building elevations

3. Communications from Town Manager

Mr. Hale informed the Board that he attended the Colorado City and County Managers Association Conference and thanked the Board for allowing him to attend. A Special Meeting with the DDA is scheduled for Wednesday, February 13, 2019 at 6:00 p.m.

4. Communications from Town Board

Mayor Melendez gave a reminder of Coffee with the Mayor which is Saturday, February 16, 2019 at Coffee House 29 from 7:30-9:30 a.m.
Mayor and Chief were at the Skyview Elementary school visiting 4th graders today.

E. ADJOURN

Town Board Member Rennemeyer moved to adjourn, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowksi, Wilson; Motion Passed.

The meeting was adjourned at 7:55 p.m.

A handwritten signature in black ink, appearing to read 'Krystal Eucker', written in a cursive style. The signature is positioned above a horizontal line.

Krystal Eucker, Town Clerk