



**PLANNING COMMISSION  
REGULAR MEETING**

**April 3, 2019 // 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 7:00 p.m.

**1. Roll Call**

The following Planning Commission Members were present:

- |                    |                  |
|--------------------|------------------|
|                    | Gale Schick      |
|                    | Victor Tallon    |
|                    | Cindy Scheuerman |
|                    | Kelly Hall       |
|                    | Jerry Bushelman  |
|                    | Daniel Foreman   |
| Absent             | Travis Yingst    |
| Town Board Liaison | David Sislowski  |

- |               |                      |                 |
|---------------|----------------------|-----------------|
| Also Present: | Director of Planning | Scott Ballstadt |
|               | Senior Planner       | Paul Hornbeck   |
|               | Chief Planner        | Carlin Malone   |
|               | Town Clerk           | Krystal Eucker  |

**2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission  
**Ms. Tallon moved to approve the agenda as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Scheuerman, Hall, Bushelman, Foreman; 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 minutes of March 20, 2019**

**Mr. Tallon moved to approve the consent calendar as presented ; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Scheuerman, Hall, Bushelman, Foreman; Nays – None; Motion carried.**

C. BOARD ACTION

1. Public Hearing – Height Review – Highland Meadows Golf Course Subdivision 8<sup>th</sup> Filing, Lot 6 (Highland Meadows Tennis Center, 5725 Crooked Street Drive) – Jon Turner, Colorado 80 Holdings LLC, owner; Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Schick opened up the public hearing.

Mr. Sislowksi stated, “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.”

Per Mr. Hornbeck, the applicant is requesting approval of a proposed indoor tennis facility with a height to exceed the maximum allowed in the Residential Mixed Use (RMU) zoning district. The maximum height allowed in the RMU zoning district is thirty-five (35) feet, in accordance with Sec. 16-24-40(4). The building is proposed to have a ridge height of thirty nine (39) feet.

The application materials demonstrate the Municipal Code review criteria for height modifications of views, light and shadow, privacy, and neighborhood scale are not negatively impacted.

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

Notifications were completed in accordance with the Municipal Code.

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board for the proposed height to not exceed forty (40) feet to allow for minor variations in the field during construction, subject to compliance with all building and fire code requirements.

Staff requests the following be entered into the record:

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

Rich Stover, 5802 Bromborough Drive Windsor, CO 80550 addressed the Planning Commission and stated the elevations noted on the submittal on the North / East / West / South elevations are flipped 180 degrees. Intent for US Sanctioned events could occur there and Mr. Stover is concerned about parking. It does not appear there is an overall cohesive design for the area.

Mike Schroder, 5919 Bromborough Drive Windsor, CO 80550 addressed the Planning Commission and is in agreement with Mr. Stover and has concerns with

parking in the area, the overall design, blocking views and the project does not appear to be visually pleasing to a higher end neighborhood.

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

2. Recommendation to Town Board – Height Review – Highland Meadows Golf Course Subdivision 8<sup>th</sup> Filing, Lot 6 (Highland Meadows Tennis Center, 5725 Crooked Stick Drive) – Jon Turner, Colorado 80 Holdings LLC, owner; Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck stated the item before the Planning Commission is a height review as there has been no site plan submitted; parking will be addressed during the site plan process. The site plan will be included as a future packet communication item; not presentation.

Mr. Ballstadt stated a permanent parking lot for the Power to Play facility parking is being reviewed to replace the conditional use gravel lot with an asphalt lot. The Power to Play application is a separate review which will be shared with the Planning Commission as site plan communications item.

Mr. Turner, 6379 Crooked Stick Drive, Windsor, CO addressed the Planning Commission and stated a tennis facility was presented in 2015 at the encouragement of the previous Planning Director. Parking in the area will be addressed as we are currently working with Power to Play for an additional 150 parking spots.

**Mr. Tallon moved to forward a recommendation of approval to the Town Board for the proposed height to not exceed forty (40) feet to allow for minor variances in the field during construction; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Scheuerman, Hall, Bushelman, Foreman; Nays – None; Motion carried.**

3. Waiver request of Commercial Corridor Plan Section III.B.3.b.(1) – Highland Meadows Golf Course Subdivision, 8th Filing, Lot 6 - Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Hornbeck, the applicants are requesting a waiver from Section III.B.3.b.(1) of the Commercial Corridor Plan regarding building materials. The site is located on the northwest corner of the intersection of Crooked Stick Drive and Highland Meadows Parkway and is subject to the Commercial Corridor design criteria. The waiver request proposed building materials that are prohibited as follows:

Commercial Corridor Plan Section III.B.3.b.(1) states the following:

- b) The following building materials are prohibited as façade materials:
1. Vertical ribbed metal siding shall be prohibited. Only architectural grade metal panels will be allowed on non-prominent facades.

As seen on the enclosed renderings, the applicant is proposing a mix of synthetic stone masonry, stucco and, architectural grade metal panels on all building facades. All facades are enhanced by the use of differing colors, materials, accents (such as the faux windows) and varying roof lines.

Commercial Corridor Plan Section II.B.(2) states that requests for design criteria waivers shall be subject to review and determination by the Planning Commission. The Planning Commission may grant, conditionally grant or deny any waiver request brought under this sub-section. In order to receive a waiver, the applicant shall have the burden of establishing justification for waiver approval under the following criteria:

1. *Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.*  
Strict application of the Commercial Corridor standards would result in a practical difficulty as the use will be an athletic facility with certain corresponding design constraints and is not intended for retail use. The applicant has proposed a mix of building materials to minimize the impact of the use of metal panels.
2. *The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and*  
The proposed building design is consistent with the intent of the Commercial Corridor Plan, which is to convey an image of high quality development and community to residents, property owners and visitors (Commercial Corridor Plan - Purpose and Intent).
3. *Approval of the waiver request will not be detrimental to the public interest.*  
The public interest will not be detrimentally impacted by the proposed building materials.

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

Staff recommends that the Planning Commission approve the use of metal panels as depicted in the application materials, with the following conditions:

1. The site plan shall include substantial landscaping to reduce the visual impacts of the metal panels
2. Any substantial modification to building materials, colors, or accents during the site plan review process shall warrant an additional waiver request by the applicant from the Planning Commission.

Staff requests the following be entered into the record:

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

Mr. Turner, 6379 Crooked Stick Drive, Windsor, CO addressed the Planning Commission and stated it was presented to use vertical architectural grade metal siding along the band below the roof line. The I-25 Corridor Plan off of Fairgrounds Avenue recommended guidelines that's financially feasible for the 5 million dollar project. Mr. Turner agreed to provide a landscaping plan for further review

Mr. Tallon inquired if the supplemental panels used are classified as architectural grade.

Mr. Lago with Infusion Architects provide clarification that the corrugated panels are architectural grade but have a different vertical orientation texture. The landscape screening and landscaping plan have not been reviewed.

Mr Ballstadt stated the corridor plan allows for architectural grade panels, but not on prominent façades. A request to allow the use of supplemental panels on prominent façades as depicted in the renderings is allowed in the requirements that have been adopted in the agreement of the entire property.

**Mr. Tallon moved to approve the use of metal panels as depicted in the application materials, subject to staff conditions; Ms. Sheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Scheuerman, Hall, Bushelman, Foreman; Nays – None; Motion carried.**

4. Recommendation to Town Board - Final Site Plan for Multifamily Residential – Lakeview Addition to the Town of Windsor 4<sup>th</sup> Filing, Lot 2 (610 Cedar Street Apartments), – Joseph Shrader, owner/applicant, K. Merl Haworth, Hawk Architecture LLC, applicant's representative

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

Per Ms. Malone, the applicant has submitted a final site plan for a multifamily residential building including six dwelling units and covered parking located on an approximately 16,000 square-foot (.367 acres) lot. On November 7, 2018, the Planning Commission approved the preliminary site plan for the proposed development. The proposed final site plan is consistent with the approved preliminary site plan.

The property is located east of 7th Street/SH 257, north of Cedar Street, and west of Windsor Lake. The site is owned residential mixed use, property is currently vacant. A multifamily (4-plex) building to the west shares an alley with the subject property, single family residential is located to the south, and Town-owned land (Kern Reservoir and Ditch Company) is located north and east of the property. The property is zoned RMU (Residential Mixed Use) with RMU zoning to the east, west and north, and CB (Central Business) zoning to the south.

The property was previously occupied by a single-family home, built in 1957. Since 2014, the single-family building was demolished and the property has remained vacant since that time.

Proposed development characteristics include:

- 16,000 sf (.367 acres)

- six multifamily units within one, two-story 5,486-sf building
- one, two and three-bedroom units; averaging 900 sf/unit
- building heights of 28'3" (35 feet maximum height in RMU zone district)
- lot area per unit of 2,667 sf (1,400 sf required)
- livable open space per unit of 2,700 sf (1,093 sf required)
- 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 or deck.
- 10 parking spaces (9 required) – parking ratio of 1.5 spaces per dwelling unit:
  - 6 spaces covered, 4 spaces uncovered
- approximately 41% open space and landscaped area
- 17% building coverage; 59% lot coverage (building plus hardscape)
- access point from alley between Cedar Street and Cedar Court with an internal looped road/parking area
- alley improvements
- Adjacent to Windsor Lake and in close proximity to trail system, Boardwalk Park, downtown, services, and schools.
- Opening fencing alongside of trail, focusing on landscaping
- Building colors will be comparable with the neighborhood

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

- Prioritize new growth in areas currently served by Town infrastructure
- Incentive infill development to complete neighborhoods and leverage existing resources
- Develop new neighborhoods adjacent to the Town core

Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the final site plan, subject to staff conditions:

1. All remaining Planning Commission and staff comments shall be addressed.
2. The Town's standard site plan agreement is executed.

Staff requests the following be entered into the record:

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

**Mr. Tallon moved to approve the final site plan; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Scheuerman, Hall, Bushelman, Foreman; Nays – None; Motion carried.**

#### D. COMMUNICATIONS

1. Communications from the Planning Commission  
None.
2. Communications from the Town Board liaison  
Mr. Sislowksi informed the Planning Commission that at the Town Board Work Session, the Town Board discussed Senate Bill 181 regarding oil and gas development. Senate Bill 181 would give local governments the authority to develop their own regulations. The Bill has passed through the Senate and is

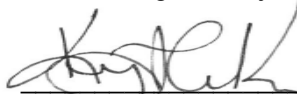
currently going through the House. If it should pass, there could be a significant amount of work that could go into what types of regulations Windsor could impose.

Ms. Malone informed the Planning Commission that Carrie Tremblatt has resigned from the Town of Windsor.

Mr. Ballstadt commented on changes in staff, the recent CDOT open house, and pointed out 3 commercial site plans under communications. Mr. Ballstadt received an email from the director of COGCC regarding implementation of required changes due to SB 19-181. Upcoming meeting dates include:

1. April 15<sup>th</sup> joint work session with the Town Board regarding the 2018 International Building Code, residential guidelines and contractor licensing
2. May 6<sup>th</sup> joint work session with the Town Board, Parks, Recreation and Culture Advisory Board regarding the Transportation Master Plan
3. Next regular Town Board meeting:
  - a. Public Hearing – Height Review – Highland Meadows Golf Course Subdivision 8<sup>th</sup> Filing, Lot 6 (Highland Meadows Tennis Center)
  - b. Waiver request of Commercial Corridor Plan Section III.B.3.b.(1) – Highland Meadows Golf Course Subdivision
  - c. Final Site Plan for Multifamily Residential – Lakeview Addition 4<sup>th</sup> Lot 2

E. ADJOURN  
The meeting was adjourned at 7:37 p.m.

  
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Krystal Eucker, Town Clerk