



PLANNING COMMISSION REGULAR MEETING

April 17, 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
Doug Dennison
Kelly Hall
Jerry Bushelman
Daniel Foreman

Town Board Liaison David Sislowksi

Also Present: Director of Planning Scott Ballstadt
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
Mr. Tallon moved to approve the agenda as presented; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, 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*

There were no items on the consent calendar.

C. BOARD ACTION

1. Preliminary Major Subdivision – Water Valley South Subdivision 27th Filing – Gary Kerr, Trollco, Inc., owner/applicant; John Meyers, TST, INC. Consulting Engineers, applicant’s representative

- Quasi-judicial
- Staff presentation: Scott Ballstadt, Director of Planning

Per Mr. Ballstadt, the applicant has submitted a preliminary major subdivision plat, known as Water Valley South 27th Filing also known as Pelican Shores. The proposal is the replot of Tract F of the Water Valley South Subdivision. The site is located directly northeast of the intersection of New Liberty Road and 7th Street.

The subject subdivision encompasses approximately 17.33 acres and is zoned Residential Mixed Use (RMU), surrounding by other Residential Mixed Use (RMU) other single family detached use. The master plan for Water Valley South is Multi-family condominiums, up to 226 dwelling units on 9.68 acres. The proposal is for 70 patio home lots, one clubhouse lot, and associated open space and access. The platting will allow for individual ownership of the patio home lots. The remaining property will be managed by a metro district.

Preliminary Plat characteristics (please see project presentation for plat):

- 17.33 acres total – 71 lots
- Residential Mixed Use Zone (RMU)
- 70 patio home lots (covering 6.64 acres)
- 7.84 acres common area tracts, landscaping, open space, access drives, utility corridors
- Clubhouse lot

The applicant held a neighborhood meeting on March 27, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were three neighbors in attendance, all with general questions about the development.

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

Notifications were completed as follows accordance with the Municipal Code.

- March 13, 2018 – Published ads in newspapers
- March 14, 2019 – Affidavit of mailing to property owners within 300 feet

Staff requests the following be entered into the record:

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

Mr. Williamson TST Consulting Engineers 748 Whalers Way, Ste. 200 Fort Collins, CO 80525 - engineer and planner on the project. Identifying placement of plat in the rendering overview. Patio home lots are not attached to right-of-way, common spaces will be maintained by Sub Association HOA. Driveways attached to the right-of-way all have access easements.

Pelican Shores – Land Use Zoned (RMU)

- New ROW 2.86 AC – 17%
- Lots 6.65AC – 38%
- Open Space – 7.8AC – 45%
- Total Area 17.33AC – 100%

- 54 Interior Single Family Lots
 - Size 3,696sf – (84' x 44')

- 16 Lake Front Single Family Lots
 - Size 5,431sf – (85' x 54' x 116')
- 1 Lot – Club House Size 3,400sf

Pelican Shores – Land Use Tables
Open Space Break Down

• Landscape Area	303,026sf	6.95ac	89%
• Driveways	37,407sf	0.86ac	11%
Total Area	340,433sf	7.82ac	100%

Lot Comparison Table – Proposal compared to RMU standard

	Lot#	Avg Area	Total Area	Net Density	Lot Coverage
Proposed At RMU	70 Lots	4141	289,880	4.03 DU/AC	38%
	70 Lots	6000	420,000	4.03 DU/AC	56%

Pelican Shores – Small Lot Plans

- (3) Interior Lots floor plans that can be mirrored to change the driveway or patio orientation.
- Lot Dimensions 4 foot easement with 12 foot separation allowing for mechanical; access to property

Pelican Shores – Large Lot Plans

- (2) floor plans diagonal lot line showing the different lot sizes
- Lot Dimensions 4 foot easement with 12 foot separation allowing for mechanical; access to property

Pelican Shores – Elevations

1. Rear Elevations – Lake Lots
 - Focus on big patio, covered outdoor kitchen with view of the lake
2. Front Elevation – Interior Lots
 - Small courtyard in the front, and back to open space or 7th Street with a landscaped boundary buffering between the street

Mr. Dennison inquired if the access off 7th Street will be right in right out.
 Mr. Williamson confirmed the access off of 7th Street will be right in right out.

Staff recommends that the Planning Commission approve the preliminary major subdivision as presented subject to all remaining Planning Commission and staff comments shall be addressed on the final major subdivision plat.

Mr. Tallon moved to approve the preliminary major subdivision as presented subject to all remaining Planning Commission and staff comments; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Foreman; Nays – None; Motion carried.

2. Public Hearing – Height Review – Great Western Industrial Park Subdivision 4th Filing, Lot 1 Block 1 (Intersand) – Dean Brown, Great Western Industrial Park, LLC, applicant; Mark Cevall, Redland, applicant’s representative

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

Mr. Schick opened the public hearing.

Per Mr. Ballstadt, the applicant is requesting approval of a height modification in order to exceed the maximum building height allowed in the Heavy Industrial (HI) zoning district. Property is located in the Great Western Industrial Park northeast of Eastman Park Drive and Great Western Drive. The maximum height allowed in the HI zoning district is seventy-five (75) feet in accordance with Sec. 16-10-50(b)(3). The facility proposed includes a tower with a height of 140 feet.

Section 16-10-50(c)(2) of the Municipal Code states, in part:

- Views. A building or structure shall not substantially alter the opportunity for, and quality of, desirable views from public places, streets and parks within the community.*
- Light and shadow. Any building or structure proposed to be greater than the maximum building height allowed in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be designed so as not to have a substantial adverse impact on the distribution of natural and artificial light on adjacent public and private property*
- Privacy. Any building or structure proposed to be greater than the maximum building height allowed in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be designed to avoid infringing on the privacy of adjacent public and private property, particularly adjacent residential areas and public parks.*
- Neighborhood scale. Any building or structure proposed to be greater than the maximum building height allowed in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be compatible with the scale of the neighborhoods in which it is situated in terms of relative height, height to mass, length to mass and building or structure scale to human scale.*

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.

Quick Reference Example – Height Modification Guide

The Owens Illinois Bottling Facility went through the site plan process in unincorporated Weld County before being annexed to the Town of Windsor standing at 150 feet tall.

Halliburton went through a height modification with the Town of Windsor, which exceeds 119 feet tall.

Front Range Energy Silo on the adjacent property stands at 147 feet tall for a similar scale.

Water tanks out by Walmart Distribution Center stand at 158 feet tall.

This 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 one hundred forty (140) feet.

Staff requests the following be entered into the record:

- Application and supplemental material
- Staff memorandum and supporting documents
- Testimony received during the public hearing
- Recommendation

Mr. Sislowski stated, "I am a sitting member of the Town Board, here as liaison to the Planning Commission. While present, I will not be giving my opinion or participating in discussion. I will not let tonight's proceeding 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 solely based on the evidence presented during the Town Board public hearing."

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

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

3. Recommendation to Town Board – Height Review – Great Western Industrial Park Subdivision 4th Filing, Lot 1 Block 1 (Intersand) – Dean Brown, Great Western Industrial Park, LLC, applicant; Mark Cevall, Redland, applicant's representative

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

Mr. Ballstadt had nothing further to add.

Mr. Brown, Vice President of Broe Real Estate Service commented that this is a good project for the community and it was evaluated with similar facilities.

Ms. Hall questioned about why the maximum height allowed in the HI zoning district is seventy-five (75) feet.

Mr. Ballstadt stated the regulation has been in the Municipal Code since the 1970s. Staff is currently working on an update of the Municipal Code as it relates to planning related items and this may be an area that warrants consideration.

Mr. Tallon moved to forward a recommendation of approval to the Town Board for the proposed height to not exceed one hundred forty (140) feet; Mr. Foreman seconded the motion. Roll call on the vote resulted as

follows; Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Foreman; Nays – None; Motion carried.

D. COMMUNICATIONS

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

Mr. Ballstadt asked that any questions regarding the site plans be directed to Planning staff.

 - a. Site Plan: Windsor Commons 3rd Filing L5 B3 (Show Shine Detail)
 - b. Site Plan: Kang Subdivision Site Plan (101 Main St.)
 - c. Site Plan: Windshire Annex (Public Works Campus, 922 15th St.)

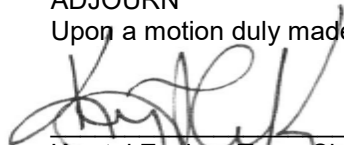
Mr. Ballstadt informed the Commission that he is following up with SAFEbuilt on outstanding questions from Monday night's work session regarding Building Code and Contractors License. Mr. Ballstadt stated he will be reaching out to the building community with the direction Windsor is headed before scheduling a public hearing.

Upcoming Meeting Dates

- May 6th Joint Meeting – Transportation Master Plan
- May 30th – Windsor Advisory Boards / Commission Appreciation Dinner
- June 6th Concert in Park – Outreach Transportation Master Plan

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:00 p.m.



Krystal Eucker, Town Clerk