



PLANNING COMMISSION REGULAR MEETING

October 16, 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 7:01 p.m.

1. Roll Call

The following Planning Commission Members were present:

Gale Schick
Victor Tallon
Doug Dennison
Kelly Hall
Jerry Bushelman
Tim Reddick
Cindy Scheuerman

Also Present:

Planning Director
Senior Planner
Town Clerk

Scott Ballstadt
David Eisenbraun
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. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Scheuerman, Reddick; 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 October 2, 2019

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

C. BOARD ACTION

1. Public Hearing – Conditional Use Grant (CUG) for a Public Utility Installation Including Transmission Lines and Substation – Public Service Company of Colorado, applicant; Nicole Korbe, applicant's representative.

Mr. Ballstadt informed the Commission that there was an error in the posting of the public hearing and recommended postponing the hearing to the November 6, 2019 Planning Commission meeting.

Mr. Tallon moved to postpone the public hearing to the November 6, 2019 regular Planning Commission meeting; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Scheuerman, Reddick; Nays – None; Motion carried.

2. Approval – Waiver of Section III.A.2.a of Commercial Corridor Plan regarding minimum building and paving setback – Westview Addition Subdivision, Lot 1 – Joe and Patty Pike, Pikes Auto Care, applicant; Sean Pike, Pikes Auto Care, applicant’s representative

Per Mr. Eisenbraun, Mr. and Mrs. Joe and Patty Pike, represented by Mr. Sean Pike, are requesting a waiver from Section III.A.2.a of the Commercial Corridor Plan regarding a 30’ building and paving setback from sites that abut Main Street. The site is located on the northeast corner of 8th and Main Street and is therefore subject to the Commercial Corridor Plan design criteria.

Section Section III.A.2.a of the Commercial Corridor Plan states:

“In addition thereto, there shall be a thirty foot (30’) minimum building and paving setback where sites adjoin Main Street.”

The existing building already lies within this setback and the proposed renovations will not change the historical footprint of the building. Additionally, the site plan application does not include any changes to the existing pavement which also lies within this setback.

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.
The building and paved drives already exist within the setback and to change this would be onerous and impractical on the property owner in an effort to come into compliance with the 30’ setback.
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 entry feature will add a clear and safe point of egress into the business while also providing more shelter from the elements than what currently exists on the building today. The entry feature and additional glazing also bolster the building’s architectural features which further add interest to the building façade along a primary commercial corridor.
3. Approval of the waiver request will not be detrimental to the public interest.

The public interest, public safety, and public welfare will not be detrimentally impacted by the proposed building materials or architectural renovations.

The waiver is consistent with various goals of the Comprehensive Plan as well as the Strategic Plan.

Staff recommends that the Planning Commission approve the waiver request with the following findings of fact:

- Strict application of the applicable standard will result in a practical difficulty;
- The proposed waiver will protect the public interest equally or better than the standard for which the waiver is requested; and
- Approval of the waiver request will not be detrimental to the public interest.

Staff requests the following be entered into the record:

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

Ms. Scheuerman confirmed that it is the change in façade that prompted the waiver and not just the change of tenant.

Mr. Eisenbraun stated anytime there is a site plan application, that basically changes the use or changes aspects of the site so in this case it is largely the exterior renovations that prompted the waiver.

Mr. Ballstadt stated it is specifically the new entry.

Mr. Tallon moved to approve the waiver request with the findings of fact as stated by staff; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Scheuerman, Reddick; Nays – None; Motion carried.

D. COMMUNICATIONS

1. Communications from the Planning Commission

Mr. Tallon commented that he has concern that there is going to be more traffic in the area of the Charter School with Diamond Valley expanding and the safety of kids walking to and from school.

Mr. Ballstadt stated the Sports Park will be turning in their plans over the winter for staff to review and they will also be turning in their traffic study. Windsor will also have a consultant review that study to come up with the best solution possible. The recreation programming and a lot of the use of the park will be opposite time of when school is in session. The master plan for the Sports Park, which will include a traffic study will come before the Planning Commission and Town Board.

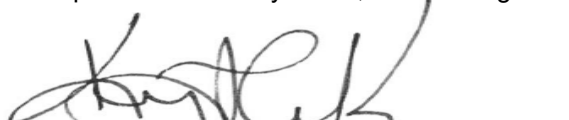
It is also determined that a corridor plan will need to be developed for the Eastman Park Drive segment from State Highway 257 to the Sports Park since the character of that area will be changing.

Mr. Eisenbraun stated he will be working with the Charter School regarding parking and traffic in the area.

2. Communications from the Town Board liaison
None; Absent
3. Communications from the staff
Mr. Ballstadt reminded the Planning Commission of the joint work session with the Town Board on November 4, 2019 beginning at 6:00 p.m.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:23 p.m.



Krystal Eucker, Town Clerk