



**PLANNING COMMISSION
REGULAR MEETING**

**January 15, 2020 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550**

MINUTES

A. CALL TO ORDER

Vice-Chairman Tallon 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:

- Victor Tallon
- Kelly Hall
- Doug Dennison
- Jerry Bushelman
- Daniel Foreman
- Cindy Scheuerman

Town Board Liaison David Sislowksi

Also Present:

- Planning Director Scott Ballstadt
- Senior Planner Paul Hornbeck
- Deputy Town Clerk Trisha Conway

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

3. Public Invited to be heard

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

B. CONSENT CALENDAR*

- 1. Approval of minutes of November 6, 2019
- 2. Approval of minutes of December 4, 2019
- 3. Approval of minutes of December 18, 2019

Ms. Scheuerman moved to approve the consent calendar as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows;

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 Thursday prior to the meeting to make arrangements.

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

BOARD ACTION

1. Preliminary Major Subdivision – Raindance Subdivision 8th Filing – David Nelson and Martin Lind, Raindance Development LLC, owner/applicant / Garrett Scallon, Raindance Development LLC, applicant’s representative

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

Per Mr. Paul Hornbeck the applicant, Mr. Martin Lind of Raindance Land Company, LLC, has submitted two preliminary major subdivision plats, known as Raindance Subdivision Eighth and Ninth Filings in accordance with Article IV, Chapter 17. The subdivisions encompass approximately 113.6 acres and are zoned Planned Unit Development (PUD). Located North of New Liberty Road, and East of Weld County Road 13 / Colorado Blvd. The remainder of the 576 acres are platted as future development tracts, largely being designated for the future golf course.

Preliminary Plat characteristics for 8th filing:

- 40.16 total acres
- 138 single-family lots
 - Lot sizes:
 - 52: 5,500 sf lots
 - 86: 6,600 sf lots
- Density: 3.4 dwelling units per acre
- Product: 1 & 2-story houses with attached garages
- Parks (owned and maintained by metropolitan district)
 - Not applicable due to location proximity of Raindance Subdivision 2nd Filing parks.
- Tracts for open space / agriculture use = ~ 3 acres
- Extension of trail system

The applicant held a neighborhood meeting on December 3, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. Two neighbors attended.

The application is consistent with the following goals and objectives of the Comprehensive Plan:

Chapter 5b – Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c – Residential Areas Framework

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

The application is consistent with the Strategic Plan, particularly promoting community and hometown pride through sustainable, excellent and equitable delivery of services in a fiscally responsible manner; and quality of life, vitality and small-town feel.

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

Ms. Scheuerman asked Mr. Hornbeck about the small highlighted square identified on the Site Vicinity Map.

Mr. Hornbeck stated it was a conservation easement that has since gone away, and it's now part of the Raindance development.

Mr. Bushelman asked Mr. Hornbeck whether Covered Bridge Road would tie into County Road 13.

Mr. Hornbeck stated; Yes it will continue North, and tie into Cherry Blossom.

Mr. Bushelman asked Mr. Hornbeck whether there would be a roundabout or traffic signal at Cherry Blossom and Covered Bridge Road.

Mr. Hornbeck stated; It's assumed there will be a traffic signal, but it could possibly become a roundabout.

Mr. Bushelman moved to approve the preliminary major subdivision Raindance Subdivision 8th Filing in accordance with all staff recommendations; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Tallon, Hall, Dennison, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

2. Preliminary Major Subdivision – Raindance Subdivision 9th Filing – David Nelson and Martin Lind, Raindance Development LLC, owner/applicant / Garrett Scallon, Raindance Development LLC, applicant's representative

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

Per Mr. Paul Hornbeck the applicant, Mr. Martin Lind of Raindance Land Company, LLC, has submitted two preliminary major subdivision plats, known as Raindance Subdivision Eighth and Ninth Filings in accordance with Article IV, Chapter 17. The subdivisions encompass approximately 113.6 acres and are zoned Planned Unit Development (PUD). Located North of New Liberty Road, and East of Weld County Road 13 / Colorado Blvd. The remainder of the 576 acres are platted as future development tracts, largely being designated for the future golf course.

Preliminary Plat characteristics for 9th filing:

- 73.44 total acres
- 239 single-family lots
 - Lot sizes:
 - 122: 5,500 sf lots
 - 117: 6,600 sf lots
- Density: 3.2 dwelling units per acre
- Product: 1 & 2-story houses with attached garages
- Parks (owned and maintained by metropolitan district)
 - One small pocket park with two additional pocket parks (location to be determined).
 - Limited additional parks due to location proximity of Raindance Subdivision 2nd Filing Parks.

- Tracts for open space / agriculture use = ~ 16.6 acres
- Extension of trail system

The applicant held a neighborhood meeting on December 3, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. Two neighbors attended.

The application is consistent with the following goals and objectives of the Comprehensive Plan:

Chapter 5b – Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c – Residential Areas Framework

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

The application is consistent with the Strategic Plan, particularly promoting community and hometown pride through sustainable, excellent and equitable delivery of services in a fiscally responsible manner; and quality of life, vitality and small town feel.

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

Mr. Bushelman moved to approve the preliminary major subdivision Raindance Subdivision 9th Filing in accordance with all staff recommendations; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Tallon, Hall, Dennison, Scheurman, Bushelman, Foreman; Nays – None; Motion carried.

3. Recommendation to Town Board – Master Plan Amendment – Future Legends – Jeff Katofsky, Future Legends, LLC., owner/applicant; Rob Van Uffelen, Galloway & Company, applicant’s representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Paul Hornbeck the owner/ applicant Mr. Jeff Katofsky of Future Legends, LLC., represented by Mr. Rob Van Uffelen of Galloway & Company, Inc., is requesting to amend a portion in accordance Article II, Chapter 15 of the Altergott Farms Annexation Master Plan, specifically Lot 1, Block 3 of the Diamond Valley Subdivision and Tract A of Diamond Valley Subdivision Fifth Filing for the project known as Future Legends. The property is located North of Eastman Park Drive, and East of Diamond Valley Drive Tract A was transferred from the Town of Windsor to the property owner earlier in 2019, and is the former Diamond Valley Park. The site is approximately 132 acres in size and is zoned Limited Industrial (IL).

The Master Plan depicts the following uses:

- Stadium (3,400 seats)
- Two inflatable domes with multiuse sports fields (94,000 square feet each)

- 8 baseball fields
- 1 baseball miracle field
- 8 soccer/multiuse fields
- Sand volleyball
- Dormitory (30,000 square feet)
- Two hotels (270 total rooms)
- Extended stay facility (50 rooms)
- Medical office building (40,000 square feet)
- General retail uses (80,000 square feet)
- E-Gaming/ Theatre (280 seats)
- Parking (1200+/- stalls)

Other elements on the site include:

- Town master drainage channel to convey storm-water north to south through the site
- Town trail following the general alignment of the drainage channel
- Major Greeley waterlines traversing the site

Two primary access points are proposed as follows:

- An intersection on Eastman Park Drive
- An intersection with Diamond Valley Drive between Jackson Ct. and Logistics Dr.

Additional access points proposed include:

- Parking lot accessed from Diamond Valley Drive
- Emergency access from the Garden Drive which could serve as an additional public exit during events

A traffic study is currently being prepared for the site and subsequent site plans will need to adhere to the findings of the study. The Master Plan shows four phases of construction:

- Phase 1 – two soccer/ multiuse fields approved by administrative site plan in November, 2019 and currently under construction
- Phase 2 – stadium, hotels, and inflatable domes
- Phase 3 – remainder of sports fields
- Phase 4 – retail uses, medical office building, e-gaming/ theatre facility, extended stay facilities to adhere to the findings of the study.

The application is consistent with the following Goals and Objectives of the Comprehensive Plan:

Chapter 5b: Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Objective: 1. Prioritize new growth in areas currently served by the Town infrastructure and services.

Chapter 8: Open Space, Recreation, & Environmental Features

Goal: Support a comprehensive park and recreation system that provides active and passive recreational opportunities while preserving Windsor's natural assets.

Objective: 3. Develop community partnerships to expand recreational programming and services

The application is consistent with the Strategic Plan, particularly the Facilities focus of economic sustainability and vibrancy, and infrastructure.

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the Master Plan amendment subject to the following conditions:

1. All outstanding staff and Planning Commission comments shall be addressed.
2. Master Plan approval shall not be deemed to release any portion of the Property from the requirements and limitations of the First Amended and Restated Agreement for Cooperative Development and Use of Diamond Valley Property dated January 28, 2019. Release of any such requirements and restrictions shall be effective only upon official action of the Windsor Town Board taken at a regular or special meeting in accordance with the Town's Home Rule Charter.
3. Due to the absence in the record of a transportation impact study (TIS), the type and extent of access improvements to the property from Eastman Park Drive shall be determined based upon the Town's transportation consultant review of the applicant's forthcoming TIS. All other traffic study findings as determined by the Town's transportation consultation review shall be incorporated into the Master Plan as recommended.
4. Permanent structures shall be setback from plugged and abandoned oil and gas wells in accordance with any such setback requirement in place at the time of site plan submittal.
5. As a condition of the first subdivision approval for the Property, the portion of "Area E" providing east-west access to the site as depicted in this Master Plan shall be dedicated as a privately-maintained permanent public access easement to remain open for street and parking purposes associated with Town of Windsor Parks and Recreation-related uses.
6. A 20-foot-wide easement for a future Town-owned 12-inch water line along the eastern property boundary of Area D shall be dedicated to the Town as a condition of the first subdivision approval for the Property. The water line, if installed, shall be installed at the expense of the Town or parties benefitted by the water line.

Mr. Bushelman asked Mr. Hornbeck whether Future Legends would contribute to the road fund.

Mr. Hornbeck stated at building permit stage Future Legends would be subject to road impact fees.

Mr. Bushelman asked Mr. Hornbeck about phased completion.

Mr. Hornbeck deferred to the applicant to discuss their phasing plan.

Mr. Tallon requested the applicant come up to discuss timeline of the phasing plan. Mr. Ryan Spilborghs, representing Future Legends first thanked Mr. Hornbeck and Mr. Ballstadt for all of their work and help getting the project to this point. He then deferred to Mr. Tim Nelson, Senior Planner Galloway & Company in Greenwood Village, Colorado. Mr. Nelson stated Phase 1 consists of the two soccer fields that meet the agreement with the town, and those started construction on November 2019 for an estimated completion Spring 2020. Phase 2 includes the stadium, and the two inflatable domes, parking, and access from Eastman Park Drive has been submitted for review to the Town of Windsor. Phase 3, and Phase 4 will follow immediately afterwards, and the retail will be the final phase.

Mr. Dennison asked Mr. Spilborghs where the hotels, commercial, and retail shops will be located.

Mr. Spilborghs stated the hotels will be adjacent to the stadium. Mr. Nelson stated the hotels will border the stadium following right field, and the first base line. The dormitory is the L-shaped building shown outside of the stadium. The retail plaza is shown in Phase 4 immediately outside of the entrance. The Greeley waterline runs under the plaza so there will be no buildings in the grand plaza area.

Ms. Hall asked Mr. Nelson will hotel construction start at the same time as the stadium.

Mr. Nelson stated; Yes, it's all part of Phase 2, and has been submitted to the Town of Windsor for initial review.

Ms. Hall asked Mr. Hornbeck whether it's standard to make a recommendation for plugged oil and gas wells.

Mr. Hornbeck stated its unique to the situation for two reasons, knowing there is a plugged abandoned well onsite, and secondly the Town Board is going to be considering an ordinance for setback from plugged and abandoned wells in the near future.


Mr. Bushelman moved to forward a recommendation of approval to the Town Board for the Master Plan Amendment for Future Legends as presented by staff and subject to recommendations by staff; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas – Tallon, Hall, Dennison, Scheurman, Bushelman, Foreman; Nays – None; Motion carried.

C. COMMUNICATIONS

1. Communications from the Planning Commission
 - None
2. Communications from the Town Board liaison
 - None
3. Communications from the staff
 - Upcoming Town Board Work Session meetings: January 20, 2020, at 6:00 p.m. - topic land use code update followed by oil and gas location standards and January 27, 2020, at 6:00 p.m. - topic air quality related to oil and gas.

ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:27 p.m.



Trisha Conway, Deputy Town Clerk