



## PLANNING COMMISSION REGULAR MEETING

July 15, 2020 // 5:00 p.m. // Zoom Webinar

**NOTE: This meeting was held virtually**

A. CALL TO ORDER

Vice-Chairman Bushelman called the regular meeting of the Planning Commission to order at 5:00 p.m.

1. Roll Call

The following Planning Commission Members were present:

Kelly Hall  
Doug Dennison  
Vice-Chair Jerry Bushelman  
Daniel Foreman  
Timothy Reddick

Also present:

Barry Wilson, Town Board Liaison  
Paul Hornbeck, Senior Planner  
Carlin Malone, Chief Planner  
Sandra Mezzetti, Planner I  
Tara Fotsch, Acting Deputy Director, Parks,  
Recreation and Culture  
Eric Lucas – Public Service Director  
Desa Blair – Civil Engineer  
Wade Willis – Open Space and Trails Manager  
McKenzie Paine, Visual Media Coordinator  
Trisha Conway, Deputy Town Clerk

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

3. Public Invited to be heard

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

B. CONSENT CALENDAR\*

1. Approval of minutes of July 1, 2020

**Mr. Dennison moved to approve the consent calendar as presented; Mr. Reddick 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 – Hall, Dennison, Bushelman, Foreman, Reddick**  
**Nays – None**  
**Motion carried.**

BOARD ACTION

1. Public Hearing – Conditional Use Grant for a Gravel Parking Area – Eastman Park, Wade Willis, Trails and Open Space Manager – Parks, Recreation and Culture, Town of Windsor; applicant; and Roger Sherman, BHA Design, applicant’s representative.
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Bushelman opened the public hearing.

Mr. Wilson 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 nonvoting 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, Mr. Wade Willis, Open Space and Trails Manager for the Town of Windsor, is requesting a Conditional Use Grant (CUG) to allow the use of gravel parking as a part of the Eastman Park Riverwalk. The Riverwalk is a project to expand river access at Eastman Park by adding trails, a riverside plaza, put-in and take-out areas, and other amenities. Staff is currently reviewing a site plan submitted by the applicant for the parking area and Eastman Park Riverwalk. The site is zoned “O” Open Space & Recreation.

Mr. Hornbeck provided the Commission the following information in a presentation with slideshow:

The Municipal Code requires all parking areas to be paved and does not specially address gravel parking areas located within or adjacent to parks or natural areas; therefore, the entire parking area would need to be paved unless a CUG for the gravel parking lot is granted. There will be no expiration for the subject CUG.

Standards and Requirement for Conditional Use Grants

Section 16-7-50 of the Municipal Code outlines the factors to be evaluated prior to granting of a conditional use.

1. **The character and quality of the area in which the use will be located.**  
The subject property is located adjacent to the Poudre River and is generally surrounded by undeveloped land and open space.
2. **The physical appearance of the use, including suitability of architectural and landscaping treatment.**  
The subject site will be used as a parking area for the Eastman Park. The overall property is a mix of developed parkland and undeveloped natural open space. The gravel parking, as opposed to asphalt paving, preserves the natural aesthetic of the area. Accessible parking spaces, however, must be paved to comply with ADA (Americans with Disabilities Act) requirements.

Trees are proposed around the perimeter of the parking area; however, no landscape islands are proposed within the parking area.

3. **Appropriate location of the building or buildings on the lot.**  
No buildings are proposed as part of this CUG application.
4. **Adequate provision of parking, loading and circulation facilities.**  
80 new parking stalls are proposed in addition to the existing parking.
5. **Potential effect of the use upon off-site vehicular and pedestrian traffic circulation, with particular reference to potential traffic congestion.**  
The gravel parking area is mitigated by the paved apron reducing the possibility of gravel being tracked onto paved streets.
6. **Potential effect of the use on storm drainage in the area.**  
With the use of gravel parking, stormwater impacts will be less than an impervious surface such as concrete paving. Stormwater impacts will be fully reviewed with the site plan.
7. **Adequacy of planting screens where necessary.**  
The surrounding area is largely undeveloped natural open space; therefore, new landscaping is minimal, with trees proposed around the perimeter of the parking area.
8. **Provision of operational controls where necessary to avoid hazardous conditions or eliminate potential air or water pollutants or other noxious influences.**  
The proposal does not include use or storage of hazardous or noxious material.
9. **The general compatibility of the proposed use with the area in which it is to be located.**  
Subject property is zoned Recreation and Open Space (O) district. The layout and general compatibility of the proposed use is consistent with the existing zoning and surrounding area uses.

#### **Relationship to Comprehensive Plan**

The Comprehensive Plan does not specifically address the gravel parking use.

#### **Relationship to Strategic Plan**

There are no relevant areas of the Strategic Plan regarding the gravel parking use.

#### **Recommendation**

Staff recommends that the Planning Commission forward a recommendation of approval of the Conditional Use Grant application to the Town Board as presented. Notification The Municipal Code requires a public hearing notification for a CUG.

#### **Notifications**

The Municipal Code requires a public hearing notification for a CUG. Notifications were provided as follows:

- June 29, 2020 – legal notices posted on the Town of Windsor website
- July 2, 2020 – development review sign posted on the property

- July 3, 2020 – legal ad published in the paper
- June 29, 2020 -- affidavit of letters mailed to property owners within 100 feet

Mr. Bushelman asked whether the applicant had an additional presentation.  
Mr. Roger Sherman stated; No.

**Mr. Dennison moved to close the public hearing; Mr. Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

2. Recommendation to Town Board – Conditional Use Grant for a Gravel Parking Area – Eastman Park, Wade Willis, Trails and Open Space Manager – Parks, Recreation and Culture, Town of Windsor; applicant; and Roger Sherman, BHA Design, applicant’s representative.

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

Mr. Dennison asked Mr. Hornbeck will the existing sidewalk surrounding the adjacent park be retained.

Mr. Hornbeck stated that sidewalk might be reconstructed, but there will still be trail access along that route.

Mr. Bushelman asked Mr. Hornbeck about the no expiration clause.

Mr. Hornbeck stated the code does not require an expiration date. Often times when it’s a temporary use, we would implement an expiration date for the approval. If you want to require a look back period, that can be included in the recommendation.

Mr. Reddick asked Mr. Hornbeck what would the requirement be for future development of this site.

Mr. Hornbeck stated administrative approval would be conducted for the site to be paved.

Mr. Bushelman asked Mr. Hornbeck whether the adjacent road would be gravel to the parking lot.

Mr. Sherman stated the road will be recycled asphalt road base leading up to the parking lot.

**Mr. Dennison moved Recommendation to Town Board the Conditional Use Grant for a Gravel Parking Area Eastman Park as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

3. Public Hearing – Conditional Use Grant for a Telecommunications Facility – Kyger Reservoir, Pamela Goss, Verizon Wireless, applicant

- Quasi-judicial
- Staff presentation: Sandra Mezzetti, Planner I

Mr. Bushelman opened the public hearing.

Ms. Mezzetti provided the Commission the following information in a presentation with slideshow:

Per Ms. Mezzetti the applicant, Ms. Pam Goss, on behalf of Verizon Wireless, is requesting a Conditional Use Grant (CUG) to allow a wireless telecommunications tower to be located on Town of Windsor property located west of Colorado Boulevard (County Road 13), south of County Road 68.5 (Jacoby Road) and north of SH 392/Main Street. Town's Municipal Code allows for the establishment of wireless telecommunication towers for the propose and intent of accommodating the communication needs of the Town's residents and businesses. The proposed location of the new telecommunications tower and equipment facility are currently located with a designated "floodway". Therefore, the project will be built in two phases. Phase one will include the tower, a temporary equipment platform and landscaping on the east side of the site. Phase two includes the equipment garage and landscaping on the north and west sides of the site. Phase two will be delayed until the FEMA flood maps are revised.

Approval of the CUG request, along with an approved site plan, would allow for the construction of a 75' monopole wireless communications tower. Staff is currently reviewing a site plan submitted by the applicant.

Ms. Mezzetti presented slides illustrating the standards and requirements for Conditional Use Grants, per Section 16-7-50 of the Municipal Code, which outlines the factors to be evaluated prior to granting of a conditional use:

**The character and quality of the area in which the use will be located.**

The subject property is located west of Colorado Boulevard (County Road 13) and south of County Road 68.5 (Jacoby Road), and north of SH 392/Main Street. The subject site is generally surrounded by undeveloped land, open space and the Kyger Reservoir to the west. The east side of Colorado Boulevard consists of undeveloped parcels within unincorporated Weld County. Properties to the north and west are undeveloped parcels within unincorporated Larimer County.

**The physical appearance of the use, including suitability of architectural and landscaping treatment.**

The overall property is undeveloped natural open space and will remain in an undeveloped state, with the exception of the tower and site improvements required, including an equipment garage. The site is adjacent to the Kyger Reservoir trailhead gravel parking area and will share access with the trailhead. The subject site will be used to locate a 75' tall (with additional 5' lightning rod extending beyond the monopole) telecommunications tower. The tower will contain twelve (12) antennas and six (6) radio units with supporting equipment initially located on a raised platform (phase 1) and then concealed within a new adjacent equipment garage (phase 2). Proposed architectural materials for the equipment garage consist of asphalt shingles, lap siding and an insulated fiberglass garage door. Proposed fencing materials shall consist of vertical Hardie battens and panels attached to wood posts. Landscaping is proposed on the east side of the site (phase 1) as screening from Colorado Boulevard and the entry drive for the Kyger trailhead, and is proposed along the north and west side of the site (phase 2) as screening from the Kyger Trail.

- 1. Appropriate location of the building or buildings on the lot.**  
The exact location on the property has been determined by a collaborative effort between Verizon, Wright Water Engineers and the Town of Windsor Engineering, Planning, Parks and Open Space. The proposed tower and supporting equipment garage will be located approximately 56' north of the Kyger trailhead parking area and approximately 228' from the right-of-way of Colorado Boulevard.
- 2. Adequate provision of parking, loading and circulation facilities.**  
Access to the facility from Colorado Boulevard will be from the existing Kyger trailhead drive and a new 20' wide and 56' long proposed gravel drive north of the Kyger parking area to the tower site. The project will be fenced around the perimeter of the site with a restrictive access gate installed at the entry of the new proposed gravel drive to prevent any public access. There will be parking on site next to the facility and within the equipment garage for routine maintenance visits. No permanent parking is proposed.
- 3. Potential effect of the use upon off-site vehicular and pedestrian traffic circulation, with particular reference to potential traffic congestion.**  
The facility is unmanned and does not permit public access. After construction, the facility will only be accessed for routine maintenance and servicing. The site will not contribute to increased vehicular traffic congestion.
- 4. Potential effect of the use on storm drainage in the area.**  
The existing access drive is gravel base. The proposed new drive area will also be a gravel base, for consistency with the existing drive. The gravel base will allow for storm water infiltration; therefore, reducing impacts on area storm drainage. Minimal stormwater impact from the proposed equipment garage is expected.
- 5. Adequacy of planting screens where necessary.**  
The subject property is undeveloped natural open space; however, additional landscaping is proposed as part of this CUG application. Additional landscaping is proposed on the east side of the site (phase 1) as screening from Colorado Boulevard and the entry drive for the Kyger trailhead and along the north and west sides of the site (phase 2) as screening from the Kyger Trail. Proposed landscaping includes mature evergreen pine trees which provide year-round screening from Colorado Boulevard and the Kyger Trail.
- 6. Provision of operational controls where necessary to avoid hazardous conditions or eliminate potential air or water pollutants or other noxious influences.**  
The facility does not include the use or storage of hazardous or noxious material.
- 7. The general compatibility of the proposed use with the area in which it is to be located.**  
Subject property is zoned Recreation and Open Space (O) district. The exact location on the property has been determined by a collaborative effort between Verizon, Wright Water Engineers and the Town of Windsor Engineering, Planning, Parks and Open Space. The site has been designed

with ample landscape screening to mitigate views from Colorado Boulevard, the Kyger Trail and entry drive. The proposed site will become a critical component for seamless service, providing LTE/4G/AWS technologies, as well as future 5G technology, for the Town of Windsor, as well as, the surrounding community. E911 services, public safety and residents of the area will all benefit from the additional technologies requested for this site by enhancing speed, accuracy in locating mobile 911 callers, increased capacity for current and future users, and off-loading neighboring sites to prevent blocked calls, busy signals or no service at all. During the review of the proposed tower, a Windsor business owner sent an email to the Town asking if Verizon would consider adding a tower in the area to increase the level of service.

### **Relationship to Comprehensive Plan Chapter 7 – Community Facilities & Infrastructure**

**Goal:** Maintain and enhance Windsor as a safe and healthy community that is served by quality facilities and infrastructure that support a high quality of life.

#### **Objectives:**

- 7 - Maintain interagency communication and partnerships to ensure cooperative use and distribution of services and facilities. – Yes, I agree with this objective since this site is shared.
- 10 – Coordinate with private utility providers to identify coordinated/synergistic project opportunities.

### **Relationship to Strategic Plan**

The application is consistent with the Strategic Plan Mission Statement: The Town of Windsor promotes 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.

### **Recommendation**

Staff recommends that the Planning Commission forward a recommendation of approval of the Conditional Use Grant application to the Town Board as presented.

### **Notification**

The Municipal Code requires a public hearing notification for a CUG. Notifications were provided as follows:

- June 29, 2020 – legal notices posted on the Town of Windsor website
- July 1, 2020 -- affidavit of letters mailed to property owners within 100 feet
- July 2, 2020 – development review sign posted on the property
- July 3, 2020 – legal ad published in the paper

Mr. Bushelman asked whether the applicant had any further presentations.

Ms. Pam Goss stated, “We have additional slides showing how this area was chosen.”

Ms. Goss explained the process on how they selected a location and presented slides. She explained and showed a network coverage and capacity gap map prepared by Verizon’s radio frequency engineers. Other alternative locations were not feasible. She stated that they felt that this design for this property was the least intrusive. She further stated:

We have already covered the maps from the RF engineers, and what you can see is the green areas that are covered by existing Verizon cell sites. The map is defined as green good coverage, yellow moderate coverage, and grey limited or no coverage. The search area provided was right at the intersection of HWY 392, and Colorado Blvd. The objectives for this particular location were to provide enhanced coverage, and there has been a lot of increase in demand. We looked at (8) different sites, and number (6) on the map is the Kyger Reservoir property. The other properties were zoned residential or the tower site was not permitted by the zoning code. This property was technically feasible, leasable, and buildable. We are completing a 2-phase approach because the site is located in a floodway.

Mr. Bushelman asked whether there was any public comment.  
Ms. Malone stated; None.

**Mr. Dennison moved to close the public hearing; Ms. Hall seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

4. Recommendation to Town Board - Conditional Use Grant for a Telecommunications Facility – Kyger Reservoir, Pamela Goss, Verizon Wireless, applicant

- Quasi-judicial
- Staff presentation: Sandra Mezzetti, Planner I

Ms. Hall asked Ms. Mezzetti about the readjustment of the FEMA flood maps.  
Ms. Mezzetti stated they expect a 2021-2022 adoption window of the revised mapping ordinance.

Ms. Hall asked Ms. Mezzetti what would happen if the adoption of the flood map wasn't revised.

Ms. Mezzetti stated they will not be able to continue with Phase 2 because the project is located in the floodway. The Tower would still be operational and is located on a platform one-foot above the floodway.

Mr. Dennison asked Ms. Mezzetti about irrigation for all of the landscaping.  
Ms. Mezzetti stated they will be required to irrigate the landscaping until the trees are established. This will be required in accordance with the conditional use grant.

Mr. Dennison asked Ms. Goss what type of consideration is taken to protect wildlife, and about the Federal Communications Commission (FCC) requirements.

Ms. Goss stated this process passes through several different wildlife groups, and regulatory agencies to provide feedback for approval.

Mr. Dennison asked Ms. Goss has there been any consideration to camouflaging the tower.

Ms. Goss stated; Yes, we did have conversations about this early in the process, but decided it was better to utilize less space.

Ms. Hall asked what types of towers were considered.

Mr. Lucas responded that they considered a pine tree, and a silo for the tower.



Ms. Hall asked Ms. Goss how often the Town of Windsor would be paid.

Ms. Goss stated their monthly lease is currently under review, and there will also be payment to provide landscaping for upfront costs. If additional towers are placed or if an additional carrier would co-locate, they would require additional ground space. That property would need to be obtained from the Town of Windsor, and could be leased for an additional fee.

Ms. Hall asked Ms. Goss for the amount of the leased premise.

Ms. Goss stated that is still under review, and should have a final amount in the next month or two.

Mr. Bushelman stated it appears the increased coverage will be all undeveloped land and lakes. It appears area number (8) is zoned I-3, and asked why that property wasn't selected.

Ms. Goss responded that the area is all water.

Mr. Bushelman stated there is a land area between the Poudre River, and the lake.

Ms. Goss stated the land owners were contacted with no response, and it's her understanding the said property is still part of an active floodway. The property selected was reevaluated by FEMA, and they are purposing to take certain areas out of the floodway.

Mr. Bushelman summarized the site selected is not covering the southwest coverage area, which currently is unsupported, and it is full of residential homes.

**Mr. Dennison moved Recommendation to Town Board the Conditional Use Grant for a Telecommunications Facility Kyger Reservoir as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick Nays – Motion carried.**

5. Public Hearing – Final Major Subdivision – Raindance Subdivision – Raindance Subdivision 11<sup>th</sup> Filing – David Nelson, Raindance Development, owner; Patrick McMeekin, Hartford Homes, applicant, and Ryan McBreen, Norris Design, authorized representative.

- Quasi-judicial
- Staff presentation: Sandra Mezzetti, Planner I

Mr. Bushelman opened the public hearing.

Ms. Mezzetti provided the Commission the following information in a presentation with slideshow:

Per Ms. Mezzetti the applicant, Mr. Patrick McMeekin, has submitted, on behalf of the owner Mr. David Nelson, a final major subdivision plat known as RainDance Subdivision Eleventh Filing. The subdivision encompasses approximately 11.7 acres and is zoned Planned Unit Development (PUD). Tract Z of the PUD designates the land use for this area as residential mixed use. The subject property is located South of Bounty Drive, North Iron Wheel, and West of Autumn Moon Drive adjacent to the Raindance Community Park.

Final Plat characteristics:

- 11.7 total acres
- 20 building envelopes for multi-family residential (160 condominium units)
- Density: 13.4 du/ac
- Total open space including drainage: ~ 4.98 acres (42%)
- Parks: Not applicable due to location proximity of Raindance Subdivision 7th Filing, RainDance Community Park (owned and maintained by metropolitan district).

As required with a preliminary subdivision submittal, the applicant held a neighborhood meeting on April 2, 2020, in accordance with Chapter 16, Article XXXI, and Chapter 15, Article III, of the Municipal Code. There were no attendees and no public comments were received. Planning staff has received one email from a concerned citizen to date. Furthermore, there have been no substantive design changes to the 11th filing since the preliminary plat approvals by the Planning Commission on May 6, 2020.

#### **Relationship to Comprehensive Plan**

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.

#### **Objectives**

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

#### **Chapter 5c – Residential Areas Framework**

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

#### **Objectives**

4. Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

#### **Relationship to Strategic Plan**

The application is consistent with the Strategic Plan Mission Statement: The Town of Windsor promotes 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.

#### **Notifications**

The Municipal Code requires a public hearing notification for a final major subdivision. Notifications were provided as follows:

- June 29, 2020 – legal notice posted on the Town of Windsor website
- June 30, 2020 – affidavit of letters mailed to property owners within 300 feet
- July 2, 2020 – development review sign posted on the property
- July 3, 2020 – legal ad published in the paper

### **Recommendation**

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision as presented, subject to all remaining Planning Commission and staff comments being addressed.

Mr. Bushelman asked whether the applicant had a presentation.

Mr. McMeekin stated we have Omar Lopez, and Ryan McBreen to answer any additional questions.

Mr. Bushelman asked Ms. Malone whether there was any public comment.

Ms. Malone stated we did receive an email this evening right before the meeting referencing Raindance Filing 12 apartments that were reviewed the last Planning Commission meeting. The email also mentioned the Townhomes Raindance 11<sup>th</sup> Filing, and the citizen's concern was related to increase in traffic and asking about putting a roundabout in another location. The Town of Windsor contracted a 3<sup>rd</sup> party traffic engineer to review the traffic study that was completed for the area north of New Liberty Road when some of the densities shifted and it was found that there would not be a significant impact that would require either more access points or different traffic mediation other than what was proposed.

**Mr. Dennison moved to approve Final Major Subdivision Raindance 11<sup>th</sup> Filing as presented subject to all remaining Planning Commission and staff comments being addressed; Ms. Hall seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

6. Recommendation to Town Board – Final Major Subdivision – Raindance Subdivision – Raindance Subdivision 11<sup>th</sup> Filing – David Nelson, Raindance Development, owner; Patrick McMeekin, Hartford Homes, applicant, and Ryan McBreen, Norris Design, authorized representative.

- Quasi-judicial
- Staff presentation: Sandra Mezzetti, Planner I

Ms. Hall asked Ms. Malone about the site plan changing, and how the public was notified.

Ms. Malone stated the Raindance 11<sup>th</sup> Filing area has not changed from the original proposal. The Raindance 12<sup>th</sup> Filing area has changed, and some density has shifted from south of New Liberty to north of New Liberty. The overall density of the master plan and number of units has not been proposed to change. There has been some confusion on which application was Raindance 11<sup>th</sup> Filing, and which application was Raindance 12<sup>th</sup> Filing. The 525 apartments building proposal was incorrectly labeled as Raindance 11<sup>th</sup> Filing. We did receive some inquiries regarding that, and we let the developer of that project know the neighborhood to the west has a lot of concerns about the density shifting. The developer is planning on doing some type of follow-up, and public outreach. The comments gained from neighbors will be included with the application materials of the Final Site Plan. That process is a review and recommendation from the Planning Commission to Town Board, but it's not a public hearing item.

Mr. McMeekin stated for clarity that's another project at another location other than what we are discussing tonight.

Ms. Malone stated; correct, ordinarily we would stick to the agenda item; however, since it was mislabeled we want to make it known for those who wish to provide public comment, that we are not taking public comment for the other project tonight.

Mr. Reddick stated for clarification, regarding the public comment letter included in the packet of information for tonight's Planning Commission hearing, it references Raindance 12<sup>th</sup> Filing, and we are discussing Raindance 11<sup>th</sup> Filing. Raindance 12<sup>th</sup> Filing has been moved to North of New Liberty Road.

Ms. Malone stated; Correct, it wasn't clear on who was going to finish their projects first, so the subject item tonight started out with the 12<sup>th</sup> Filing name and changed to the 11<sup>th</sup>. We try to stick with the filing numbers established during the review process and we have shifted some filing numbers around due to developers discontinuing the process or timing of subdivision application completion. Weld County will not record out of order; therefore, we have to change the filing numbers during the process, prior to when they are recorded.

Ms. Hall stated she wanted to confirm if changes were made the public had a chance to comment.

Ms. Malone reiterated that this was referring to a different project, not on tonight's agenda, but the other developer is planning on holding a public outreach in the form of a neighborhood meeting.

Mr. Dennison asked Ms. Malone: based on the developments proposed in the area, the traffic engineer stated nothing additional was needed on Colorado Blvd. If traffic becomes a problem in the area, would Town of Windsor have to front those costs of infrastructure development.

Ms. Malone stated the 3<sup>rd</sup> party traffic engineer reviewed the proposed shift in density from this area to the north of New Liberty and those potential impacts on the area of New Liberty Road and Colorado Blvd, not road improvements that are proposed for Crossroads Blvd. The subject request is consistent with the land uses proposed at the time the traffic study was done with the Raindance Master Plan.

Mr. Bushelman stated during the initial PUD plan they reviewed the traffic study.

Ms. Malone stated; correct.

**Mr. Dennison moved Recommendation to Town Board the Final Major Subdivision Raindance 11<sup>th</sup> Filing as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

7. Recommendation to Town Board – Final Major Site Plan – Raindance Subdivision – Raindance Subdivision 11<sup>th</sup> Filing – David Nelson, Raindance Development, owner; Patrick McMeekin, Hartford Homes, applicant, and Ryan McBreen, Norris Design, authorized representative.
  - Quasi-judicial
  - Staff presentation: Sandra Mezzetti, Planner I

Ms. Mezzetti provided the Commission the following information in a presentation with slideshow:

Per Ms. Mezzetti the applicant, Mr. Patrick McMeekin, has submitted, on behalf of the owner Mr. David Nelson, a final site plan for a multi-family residential development known as RainDance Subdivision Eleventh Filing. The site plan encompasses approximately 11.7 acres and is zoned Planned Unit Development (PUD). Tract Z of the PUD designates the land use for this area as residential. The final site plan has been reviewed concurrently with the final major subdivision land use application. The subject property is located South of Bounty Drive, North Iron Wheel, and West of Autumn Moon Drive adjacent to the Raindance Community Park.

Final Site Plan characteristics:

- 11.7 total acres
- 160 condominium units
  - 20 - two-story buildings (29%)
  - 8 units per building
- Product Type:
  - 1-3-bedroom units with attached garages, 1 and 2 parking spaces per unit, 11 spaces per building, 220 total garage spaces
  - Three building styles
  - Painted board and batten siding, shingle siding, stucco
  - Asphalt shingles (primary roof), standing seam metal roof
  - Covered porches and balconies
  - Building height – 32'-0"max. (35' max. PUD zone district)
- 69 parking spaces provided (not including garage parking)
- Density: 13.4 du/ac
- Total open space including drainage: ~ 4.98 acres (42%)
- Parks: Not applicable due to location proximity of Raindance Subdivision 7<sup>th</sup> Filing, RainDance Community Park (Owned and maintained by metropolitan district)

### **Relationship to Comprehensive Plan**

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.

#### **Objectives**

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

#### **Chapter 5c – Residential Areas Framework**

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

#### **Objectives**

4. Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

**Relationship to Strategic Plan**

The application is consistent with the Strategic Plan Mission Statement: The Town of Windsor promotes 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.

**Notifications**

A neighborhood meeting is not required with a preliminary site plan. In conjunction with the preliminary subdivision, a neighborhood meeting was held on April 2, 2020. A public hearing is not required with a final site plan; however, notifications were provided with the public hearing for the final major subdivision.

**Recommendation**

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision as presented, subject to all remaining Planning Commission and staff comments being addressed.

Mr. Reddick asked on behalf of Ms. Scheuerman regarding a question of inadequate parking for this development. At the preliminary sight review we have total of 329 parking spaces overall for 160 units.

Mr. McBreen stated; Yes, we believe the parking is sufficient, and we meet Town of Windsor’s code. We are counting on some of the parking being on surrounding streets, but not on Bounty Drive.

**Mr. Dennison moved Recommendation to Town Board the Final Major Site Plan Raindance 11<sup>th</sup> Filing as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas – Hall, Dennison, Bushelman, Foreman, Reddick  
Nays –  
Motion carried.**

C. COMMUNICATIONS

1. Communications from the Planning Commission
  - None
2. Communications from the Town Board liaison
  - Mr. Wilson stated Town Board has been discussing moving to updated State traffic codes, Town of Windsor is currently operating on 2010. The police department explained those updates to coincide with new technology in the vehicles. We are reviewing the door to door solicitation, and there are somethings in our code that are an infringement of 1<sup>st</sup> amendment rights. We cannot discriminate on content, and we cannot implement a curfew. The Town of Windsor is moving to uniform unclaimed property act state bill 19-088 determining what happens to unclaimed funds & property. We are revising Town of Windsor sales tax code, and collect sales tax with internet-based transactions. Lastly Friday, July 17<sup>th</sup> @ 3:00 p.m. Town Board has a meeting with Downtown Development Authority (DDA) as well as an executive session to discuss the 4<sup>th</sup> Street property.
3. Communications from the Staff

- Ms. Malone stated our next meeting is Thursday, August 5<sup>th</sup>, and currently we don't have anything scheduled. The meeting time will be moved to 6:00 p.m. still utilizing Zoom.

ADJOURN

Upon a motion duly made, the meeting was adjourned at 6:21 p.m.

A handwritten signature in black ink, appearing to read 'Trisha Conway', is written over a horizontal line.

Trisha Conway, Deputy Town Clerk