



**PLANNING COMMISSION
REGULAR MEETING**

August 19, 2020 // 6:00 p.m. // Zoom Webinar

NOTE: This meeting was held virtually

A. CALL TO ORDER

Chairman Schick called the regular meeting of the Planning Commission to order at 6:00 p.m.

1. Roll Call

The following Planning Commission Members were present:

Chairman Gale Schick
Kelly Hall
Doug Dennison
Vice-Chair Jerry Bushelman
Cindy Scheuerman
Timothy Reddick

Also present:

Barry Wilson, Town Board Liaison
Paul Hornbeck, Senior Planner
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
Desa Blair, Engineer
McKenzie Paine, Visual Media Coordinator
Trisha Conway, Deputy Town Clerk
Roger Colonnese, New Commission Member
Jeff Katofsky, Future Legends, LLC
Kristen Turner, TB Group
Adam Boese

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. Bushelman seconded the motion. Roll call on the vote resulted as follows:
Yeas – Schick, Hall, Dennison, 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 July 15, 2020

**Mr. Bushelman moved to approve the consent calendar with an edit to Board Action item 4 summarizes the site selected is NOT covering residential homes; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows: Yeas – Schick, Hall, Dennison, Bushelman, Scheuerman, Reddick
Nays – None
Motion carried.**

BOARD ACTION

1. Preliminary Major Subdivision – The Ridge at Harmony Road 5th Filing – Jeff Mark, The Landhuis Company, owner/ Kristin Turner, TB Group, applicant
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Hornbeck, the applicant Ms. Kristin Turner of the TB Group submitted an application on behalf of the property owner The Landhuis Company for a preliminary major subdivision plat and a preliminary site plan for The Ridge at Harmony Road Subdivision 5th Filing. The subdivision encompasses approximately 16.5 acres and is zoned Residential Mixed Use (RMU). The site is located North of Harmony Road, and West of Duncroft Drive; part of the Windsor North Annexation original annexed in 1986 with additional land dedicated to The Ridge at Harmony development annexed in 2015. The Master plan was approved in 2015 encompassed approximately 428 acres, and designated 1,650. Residential single family, and multi family units. It included about 5 acres of commercial, school, and park sites. The first 3 filings have already been approved, and consist of 900 single family lots, and this is the first multi-family development that's proposed.

Development characteristics:

- 16.5 total acres
- 103 townhome lots/units in 21 buildings
- Two tracts (4.7 acres) for future commercial development
- Water Service: North Weld County Water District
- Sewer Service: Boxelder Sanitation District
- Privately owned & maintained internal road network
- Parking: 423 spaces (2 garage spaces and 2 driveway spaces per unit and 11 off-street spaces)

Building Characteristics:

- 8 four-unit buildings, 10 five-unit buildings, 3 seven-unit buildings
- Two story buildings
- Building materials: synthetic stone, 6" exposed lap siding, 8" vertical siding, vertical batten siding, and asphalt shingles

Vehicular Access is provided by street connections to Duncroft Drive and Rycroft Drive, which connect to Harmony Road and Latham Parkway/ WCR 13, respectively. A traffic memo, prepared by the applicant's traffic engineer, indicates the proposed townhomes and future commercial development will generate 1106 daily trips, with 90 morning peak hour trips and 100 afternoon peak trips. This trip generation is considerably less than originally anticipated when the traffic study for The Ridge at Harmony Road was prepared. No offsite transportation improvements are proposed with the development.

In addition to connections to surrounding sidewalks, bike and pedestrian access are provided on connections to the Town-maintained Harmony Road trail to the south and to the north-south trail through the neighborhood immediately to the west.

The site is located approximately ¼ mile south of the planned Town park site at The Ridge at Harmony Road. Two-small privately maintained green spaces with playground and barbeque amenities for residents are proposed within the development.

As required with a preliminary subdivision submittal, the applicant held a neighborhood meeting on July 7, 2020, in accordance with Chapter 16, Article XXXI, and Chapter 15, Article III, of the Municipal Code. The meeting was held digitally via the Zoom platform due to the ongoing pandemic. A summary of the meeting is attached.

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 was held on July 7, 2020, and notifications were as follows:

- June 16, 2020 – affidavit of mailing to property owners within 300 feet
- June 19 – display ad published in the Greeley Tribune

Notification of the Planning Commission public meeting for a preliminary major subdivision is not a requirement.

Recommendation

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

Chairman Schick asked whether the applicant had an additional presentation.

Kristen Turner, TB Group responded they are excited to present a new product type at The Ridge at Harmony Road. The Townhomes will be a rear-loaded product leaving a nice aesthetic appearance on all of the streets with open spaces on the green ports and park areas.

Chairman Schick asked for comments or questions from the Planning Commission.

Ms. Scheuerman asked Mr. Hornbeck that the sewer and water system capacity has been reviewed.

Mr. Hornbeck stated the referrals are sent to all departments for preliminary approvals, during review of the Master Plan the utilities sign off on capacity. The maximum number of units set on that plan, and The Ridge is under that number.

Mr. Bushelman asked Mr. Hornbeck is Duncroft, and Harmony Road going to be a traffic signal.

Mr. Hornbeck stated its currently a 3-way intersection, and it's planned there could be a signal installed in the future.

Ms. Hall asked Mr. Hornbeck why there is going to be less traffic than anticipated

Mr. Hornbeck stated that comment was referred to the overall density it was originally planned for.

Ms. Hall asked for clarification that it's less traffic forever or at the current development stage.

Mr. Hornbeck responded to this portion of the preliminary site plan, and he believes it will be less traffic.

**Mr. Dennison moved to approve the Preliminary Major Subdivision - The Ridge at Harmony Road 5th filing as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Hall, Dennison, Bushelman, Scheuerman, Reddick
Nays –
Motion carried.**

2. Preliminary Site Plan – The Ridge at Harmony Road 5th Filing – Jeff Mark, The Landhuis Company, owner/ Kristin Turner, TB Group, applicant
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Hornbeck please refer to agenda item C.1.a for background and discussion.

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.

Chapter 5c – Residential Areas Framework

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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.

Recommendation

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

Chairman Schick asked for comments or questions from the Commission. None

**Mr. Bushelman moved to approve the Preliminary Site Plan - The Ridge at Harmony Road 5th filing as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Hall, Dennison, Bushelman, Scheuerman, Reddick
Nays –
Motion carried.**

3. Public Hearing - Height Modification – Diamond Valley Subdivision 5th Filing, Tract A (Future Legends Sports Park) – Jeff Katofsky, Future Legends, LLC, owner/ Larry Thomas, Hensel Phelps, applicant
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

Chairman Schick 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, Mr. Larry Thomas of Hensel Phelps, representing Mr. Jeff Katofsky, primary owner of Future Legends LLC, is requesting approval of a height modification in order to exceed the maximum building height allowed in the Limited Industrial (IL) zoning district. The maximum height allowed in the IL zoning district is seventy-five (75) feet, in accordance with Municipal Code Section 16-10- 50(b)(3). The proposed facility includes a sports dome with a maximum height of ninety (90) feet, stadium light towers with a maximum height of one hundred (100) feet, and athletic field light towers with a maximum height of ninety (90) feet.

The requested height modifications are part of a sports campus. The surrounding land uses are generally industrial in nature, with the exception of the Windsor Charter Academy to the west and a single residence approximately 1000 feet south of the proposed stadium. The proposed sports dome is located in the north central part of the property, approximately 450' from the north property line, 950' from the east property line, 1200' from the west property line, and 2000' from the southernmost property line. The proposed lighting for the stadium and athletic fields are being reviewed as a part of the site plan application by the Town's lighting consultant, Clanton & Associates, to ensure best practices are followed to minimize light spill and glare. A shadow study was conducted, and the shadows are mainly contained to the Future Legends property, and the railroad.

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

- a) 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.
- b) 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
- c) 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.
- d) 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.

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.

Notifications

The following notifications were completed in accordance with the Municipal Code:

Public Hearing notifications for Planning Commission and Town Board public hearings were as follows:

- August 6, 2020 – affidavit of mailing to surrounding property owners
- August 7, 2020 – development review sign posted on the property
- August 7, 2020 – legal notices posted on the Town of Windsor website
- August 7, 2020 – legal ad published in the paper

Recommendation

Staff recommends that the Planning Commission forward to Town Board a recommendation of approval of the height modification as presented, with an allowance for increases in height up to 10% due to modifications needed during final design or construction.

Chairman Schick asked whether the applicant had a presentation.

Jeff Katofsky stated this is a key part to lighting the facility for safe play, and security on the site. The engineering called for this height while balls are in play on the field, and play the games safely.

Chairman Schick asked whether there was any public comment. None

Ms. Scheuerman ask Mr. Hornbeck about the 10% allowance for height modification.

Mr. Hornbeck stated a 10% increase from what they have already requested.

Ms. Scheuerman summarized for understanding the 100-foot lights could be increased to 110 feet with the 10% modification.

Mr. Hornbeck stated; correct.

Mr. Dennison asked Mr. Katofsky the height of the lights located at the High School football stadium.

Mr. Katofsky stated the lights are 75 feet at the High School football stadium.

**Mr. Bushelman moved to close the public hearing subject to all remaining Planning Commission and staff comments being addressed; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Hall, Dennison, Bushelman, Scheuerman, Reddick
Nays –
Motion carried.**

4. Recommendation to Town Board – Height Review – Diamond Valley Subdivision 5th Filing, Tract A (Future Legends Sports Park) – Jeff Katofsky, Future Legends, LLC, owner/ Larry Thomas, Hensel Phelps, applicant

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

Chairman Schick asked Mr. Bushelman whether he had anything additional to add.

Mr. Hornbeck stated; nothing further to add.

Chairman Schick asked whether the Commission had additional questions.

Ms. Hall asked Mr. Hornbeck whether a response was received from the resident.

Mr. Hornbeck stated; No

Ms. Hall asked Mr. Hornbeck whether the resident was contacted regarding this Height Review.

Mr. Hornbeck stated; Yes, they would be within the notification range.

Ms. Hall asked Mr. Hornbeck how 75 feet height was originally determined.

Mr. Ballstadt responded that the 75-foot maximum that is written in the code is old, and was common back in the 1970, and 1980 with neighboring city codes.

Mr. Ballstadt commented regarding the resident, they are well aware of the current project, and have spoken with the applicant & staff.

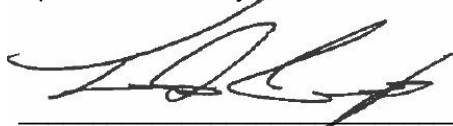
**Mr. Dennison moved to forward a Recommendation to Town Board; Height Review Diamond Valley Subdivision 5th Filing with the 10% modification to height as presented subject to all remaining Planning Commission and staff comments being addressed; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Hall, Dennison, Bushelman, Scheuerman, 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 started the budget process for the 2020-2021 year, and originally planned to cut the budget by 11.5 million. The revenue has been better than expected, and projects have been canceled are now delayed.
3. Communications from the Staff
 - Mr. Ballstadt stated building permits issued 117 New Home permits in July 2020. Mayor Rennemeyer and Pro Tem Bennett concluded interviews for new Planning Commissions members, and will be reappointed Chairman Schick, Scheuerman, and appointing Jose Valdes, Roger Colonnese.
 - Ms. Conway commented just a reminder to remit Voter Affirmation forms by 2:00pm tomorrow.

ADJOURN

Upon a motion duly made, the meeting was adjourned at 6:41 p.m.



Trisha Conway, Deputy Town Clerk