



**PLANNING COMMISSION  
REGULAR MEETING**

**March 17, 2021 // 6:00 p.m. // Virtual Meetings Until Further Notice**

***NOTE: This meeting was held virtually***

**MINUTES**

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  
Vice-Chair Jerry Bushelman  
Doug Dennison  
Kelly Hall  
Cindy Scheuerman  
Roger Colonnese  
Jose Valdes

Absent: Eric Bernhardt  
Timothy Reddick

Also present: Barry Wilson, Town Board Liaison  
Carlin Malone, Chief Planner  
David Eisenbraun, Senior Planner  
Paul Hornbeck, Senior Planner  
Scott Ballstadt, Planning Director  
Doug Roth, Civil Engineer  
McKenzie Paine, Visual Media Coordinator  
Trisha Conway, Deputy Town Clerk  
Les Kaplan, The Kaplan Company  
Stephanie Thomas  
Garrett Scallon, Water Valley Land CO  
Tom Siegel, Applicants Rep, Water Valley  
Matt Delich, Delich Associates  
Kristen Turner, TB Group  
Melanie Foslien, Northern Engineering

2. Motion to move Board Action item C.2 Recommendation to Town Board - Final Site Plan – The Ridge at Harmony Road to item C.4. Move up item C.3 Public Hearing – Final Major Subdivision – The Ridge at Harmony to item C.2. Moving C.4 Recommendation to Town Board - Final Major Subdivision – The Ridge at Harmony to item C.3

**Ms. Scheuerman moved to approve the agenda change; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese**

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.

**Abstained - Valdes**  
**Nays – None**  
**Motion passed.**

3. 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, Bushelman, Dennison, Hall, Scheuerman Colonnese**  
**Abstained - Valdes**  
**Nays – None**  
**Motion passed.**

4. Public Invited to be heard  
Chairman Schick opened the meeting up for public comment to which there was none.

B. CONSENT CALENDAR\*

1. Approval of minutes of February 17, 2021 Planning Commission Meeting

**Ms. Scheuerman moved to approve the minutes of the meeting of February 17, 2021; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows:**  
**Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes**  
**Nays – None**  
**Motion passed.**

C. BOARD ACTION

1. Preliminary Major Subdivision – Raindance Subdivision 15<sup>th</sup> Filing – David Nelson/Martin Lind, owners/applicants; Tom Siegel, applicants' representative.

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. Eisenbraun the applicant, Mr. Lind, has submitted, on behalf of the owner Mr. David Nelson, a preliminary major subdivision plat known as Raindance Subdivision Fifteenth Filing. The subdivision encompasses approximately 81 acres and is zoned Planned Unit Development (PUD) and is designated for single family residential.

The site vicinity map is divided into North, and South lots all contained in the Raindance PUD. An overall context of the Raindance subdivision, 2088 lots plotted and approved. Under review in the unit analysis are 2511 lots, with an

approved PUD of 2792 lots. Projects currently under review total 423 lots, including this preliminary major subdivision.

**Preliminary Plat characteristics:**

- 81 total acres
- 285 detached single-family homes
- Density: 3.5 du/ac
- Total open space including drainage: ~ 9.6 acres (12%)
- Park areas include pedestrian amenities, open lawn area, and ornamental landscaping
- Parks: Two small pocket parks, for additional amenities, however, the overall park requirement is not applicable due to location proximity of Raindance Community Park (owned and maintained by metropolitan district).

**Preliminary Plat North:**

- 35 total acres
- 122 – 60', 70', and Custom single-family residential lots
- Includes a .22-acre park in Tract H

**Preliminary Plat South:**

- 46 total acres
- 163 – 50', and Custom single-family residential lots
- Includes a .63-acre park in Tract K

The purposes of the major subdivision are to divide or reconfigure a parcel or parcels of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.

As required with a preliminary subdivision submittal, the applicant held a neighborhood meeting on February 11, 2021 in accordance with Chapter 16, Article XXXI, and Chapter 15, Article III, of the Municipal Code. There were no attendees and no public comments have been received to date by the planning staff or the applicant.

A neighborhood meeting was held on February 11, 2021, and notifications were as follows:

- January 20, 2021 – affidavit of mailing to property owners within 300 feet
- January 22, 2021 and March 27, 2021 – display ad published in the Greeley Tribune and Windsor Beacon newspapers respectively.

Notification of the Planning Commission public meeting for a preliminary major subdivision is not a requirement as this was submitted under the old code.

**Financial Impact:**

None

**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.

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.

**Recommendation:**

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. Valdes asked Mr. Eisenbraun about additional need for water, power, or sewer services for this area.

Mr. Eisenbraun commented the Town is not a power provider, and there isn't an addition of sub or power stations. There have been discussions surrounding the need for a water tower in the Raindance PUD area servicing the community at large.

Ms. Scheuerman asked Mr. Eisenbraun about the project falling under the old code with a public hearing being held at the final subdivision.

Mr. Eisenbraun responded; Yes, the public hearing will be held at final subdivision.

Ms. Scheuerman asked Mr. Eisenbraun about the public comment from the neighborhood public hearing.

Mr. Eisenbraun stated there were no attendees.

**Ms. Scheuerman moved to approve the Preliminary Major Subdivision – Raindance Subdivision 15<sup>th</sup> Filing with the conditions presented by staff; Mr. Valdes seconded the motion. Roll call on the vote resulted as follows: Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman, Colonese, Valdes  
Nays – None  
Motion passed.**

2. Public Hearing – Final Major Subdivision – The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing – Jeff Mark, The Landhuis Company, applicant Kristen Turner, TB Group, applicant's representative.

Chairman Schick opened the public hearing.

Per Mr. Hornbeck the applicant Jeff Mark of the Landhuis Company, represented by Ms. Kristin Turner of the TB Group, has submitted an application for a final

major subdivision plat and a final site plan for The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing. The subdivision encompasses approximately 16.5 acres and is zoned Residential Mixed Use (RMU). The property is located North of Harmony Road, and West of Duncroft Drive.

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)
- Parks: 2 small green spaces combined with seating, BBQ area, and playground.

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 1,106 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 with 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

The applicant held a neighborhood meeting on July 7, 2020. The meeting was held digitally via the Zoom platform due to the ongoing pandemic. A summary of the meeting is attached.

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

Chapter 5b – Growth Framework

Goal: Maintain the character if 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.

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

Public Notification

Neighborhood Meeting (July 7, 2020):

- June 16, 2020 – notice sent to property owners within 300 feet
- June 19, 2020 – display ad published in newspaper

Public Hearings

- March 1, 2021 – notice sent to property owners within 300 feet
- March 2, 2021 – sign posted on property
- March 5, 2021 – legal ad published in newspaper

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

Ms. Hall asked Ms. Turner about any irrigation ditches needing to be relocated.  
Ms. Turner stated no irrigation ditches will need to be relocated.

Ms. Hall asked Mr. Hornbeck about the oil and gas located to the left of the project.

Mr. Hornbeck commented that's part of the previous filing at The Ridge at Harmony Road. There's a window of surface area the land owner has provided for the mineral owner for future use if desired.

Mr. Valdes asked Ms. Turner about the easement between the houses, and the concrete trail.

Ms. Turner commented that distance is estimated between 100' – 200' feet on the easement South of the property that cannot be developed.

Mr. Valdes asked Mr. Hornbeck about Rycroft Drive, and what will be developed North of the Townhomes.

Mr. Hornbeck commented there are existing single-family residential homes in that area.

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

**Mr. Dennison moved to close the public hearing; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes  
Nays – None  
Motion passed.**

3. Recommendation to Town Board – Final Major Subdivision – The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing – Jeff Mark, The Landhuis Company, applicant Kristen Turner, TB Group, applicant's representative.

Chairman Schick asked Mr. Hornbeck whether he had anything additional.  
Mr. Hornbeck stated; nothing further to add.

Chairman Schick opened the meeting for commissioner comment to which there was none

**Ms. Scheuerman moved to forward a recommendation of approval to Town Board for Final Major Subdivision – The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing as presented; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes  
Nays – None  
Motion passed.**

4. Recommendation to Town Board – Final Site Plan – The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing – Jeff Mark, The Landhuis Company, applicant Kristen Turner, TB Group, applicant’s representative.

Per Mr. Hornbeck the site plan has been reviewed in accordance with Article VII of Chapter 17 of the Municipal Code outlines the purpose and procedures of the site plan process, including:

The purposes of the site plan procedure is to:

- Develop land as a unit development
- Develop land zoned for multi-family, commercial or industrial uses

The site is zoned Residential Mixed Use (RMU); the property is located North of Harmony Road, and West of Duncroft Drive.

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

Mr. Valdes asked Mr. Hornbeck about the public comment from the neighborhood public hearing.

Mr. Hornbeck commented he could not characterize the public comment as negative or positive, but a general number of questions about the development proposal.

**Ms. Scheuerman moved to forward a recommendation of approval to Town Board for Final Site Plan – The Ridge at Harmony Road Subdivision 5<sup>th</sup> Filing as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes  
Nays – None  
Motion passed.**

5. Public Hearing – Rezone – Hoehne Subdivision 1<sup>st</sup> Filing, Block 2, Tract B – Cindy Hoehne, Property Owner/Co-Applicant and Les Kaplan, Co-Applicant.

Chairman Schick opened the public hearing.

Per Ms. Malone, the applicants Cindy Hoehne and Les Kaplan, represented by Melanie Foslien of Northern Engineering, have submitted a rezoning application to rezone 4.36 acres from GC (General Commercial) to RMU (RMU-1) (Residential Mixed Use) Zone District. The proposed rezoning is located west of and adjacent to 15th Street, south of and adjacent to Westwood Drive, and north of Walnut Street and Westwood Village Park. The subject rezoning plat includes a 3.79- acre parcel plus adjacent right-of-way to the centerline of 15th Street and centerline of Westwood Drive.

Per Ms. Malone, the application was received prior to the land use code update and clarified that any references to "RMU Zone District" in the public notifications and elsewhere are the same as the new name for this zone district, "RMU-1."

The property is currently agricultural with one single-family residence and is surrounded by the following zoning and land uses:

North: GC (General Commercial); Safeway shopping center (Hoehne Subdivision 1st Filing)

South: SF-1 (Residential, Single-family); Westwood Village Park and single-family residential (Westwood Village Subdivision 2nd Filing)

East: SF-1 (Residential, Single-family); single family residential (Westwood Village Subdivision)

Northeast: GC; Medical Facilities and Assisted Living – Columbine Health (Westwood Village Subdivision 5th Filing)

West: RMU-1 (Residential Mixed Use); agriculture (Hoehne Subdivision 1st Filing)

The property was zoned commercial at the time the Safeway shopping center was rezoned. The subject parcel has remained agriculture/undeveloped since this time. The property owner has petitioned to rezone the property to residential because there has been little interest for commercial development on the subject property due to the location behind the commercial center and rezoning to residential would tie into the existing residential development (east and south) and residentially zoned (to the west). Additionally, the RMU (RMU-1) zone district provides an appropriate transition from single-family residentially zoned property to the south to the GC (General Commercial) zoned property to the north.

The subject rezoning application constitutes an amendment to the Town's Official Zoning District Map. In accordance with Article XXIII of Chapter 16 of the Municipal Code, the rezoning from GC to RMU (RMU-1) is in compliance with the Town's 2016 Comprehensive Plan goals and objectives, as outlined below.

This project has been reviewed by the Town's Economic Development staff, and the Town does support the rezoning of this parcel. It has remained undeveloped since it was annexed several years ago. The property is surrounded by residential continuing the residential use on the same block.

The applicant held a neighborhood meeting on February 2, 2021. There were five attendees and two of the five attendees identified themselves as neighbors. The property recently sold on Friday, March 12<sup>th</sup>.

Refer to the enclosed meeting summary for topics discussed at the meeting. The main topic was the uses allowed in the GC zoning district as compared to the



proposed RMU (RMU-1) zoning district, and the RMU (RMU-1) zone district allowable building height and density. Other questions were related to future development.

The rezone petition is consistent with the following comprehensive plan goals and objectives:

Chapter 5b – Growth Framework

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

Staff comment: The property is located immediately south of a shopping center (Safeway) and further south of the New Windsor Marketplace, southwest of medical offices and assisted living, southeast of medical offices/urgent care (River Valley Crossing Subdivision), financial businesses, auto services, and restaurants; and north of an existing Town park (Westwood Village Park). The property is located within the Westwood Village neighborhood, located west and north of existing single-family residential. Future development within an area already served by utilities and services (“infill”) creates less of a fiscal burden on municipalities by having less utility and road infrastructure to maintain on a per unit basis. Additionally, the property is located within an area offering alternative forms of transportation such as walking, biking, and transit. The Poudre Express Route has two stops in close proximity to the subject site, a west-bound to Fort Collins stop on the north side of Main Street/SH 392, west of 15th Street, and an east-bound to Greeley stop on the south side of Main Street, also west of 15th Street.

Objective 3: Develop new neighborhoods adjacent to the Town core.

Staff comment: The proposed rezoning is in close proximity to the Town core, being approximately one mile west of downtown and within an established neighborhood.

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.

Objectives: 5. Support high density residential development near Downtown, commercial centers, and mixed-use nodes.

Staff comment: The proposed RMU (RMU-1) zoning allows for a mix of residential types. Future development of the property requires a site plan application and an administrative approval. A site plan application for the subject property has not been received at this time. As stated herein, the RMU (RMU-1) zone district offers an appropriate transition between the single-family residential located south of the subject property to the commercial center located to the north.

The applicant held a neighborhood meeting on February 2, 2021, virtually via Zoom. A link to this meeting was included in the mailing to adjacent property owners.

Notifications for this meeting were as follows:

- January 20, 2021- display ad published in papers
- January 15, 2021 – affidavit of mailing to property owners within 300 feet

Public Hearing notifications for the Planning Commission and Town Board meetings were completed in accordance with the Municipal Code as follows:

- February 19, 2021 - applicant mailed letters to surrounding property owners
- February 24, 2021 – development signs posted on property
- February 26, 2021 – public notice published in newspapers
- February 24, 2021 – public hearing notice published to Town website

Per Ms. Malone, HOA board member contacted the Planning Department for additional information to share with the neighborhood, and one resident emailed about the development plans not the rezoning plans itself.

The rezoning complies with the Strategic Plan.

Staff recommends that the Planning Commission forward a recommendation of approval of the rezone petition and ordinance to the Town Board subject to all Planning Commission and staff comments being addressed.

Mr. Kaplan commented the property is anomaly being zoned General Commercial. The adjoining (RMU) property is owned by Mr. Kaplan with plans to unify these two parcels to a larger property for a multi-family parcel.

Mr. Valdes asked Mr. Kaplan about the multi-family project.

Mr. Kaplan commented this parcel will not be a single-family residence.

Mr. Bushelman reported his concern about eroding away all of the general commercial rezoning to residential use parcels.

Ms. Scheuerman commented typically she shares Mr. Bushelman's concerns eroding away the general commercial to residential use parcels. The location of this site isn't conducive for general commercial, and Ms. Scheuerman supports the rezoning use.

Ms. Scheuerman asked Ms. Malone about the capacity use availability for this parcel being developed as multi-family use.

Ms. Malone stated capacity use concerns will be addressed once a development proposal has been submitted.

Mr. Kaplan commented the sewer for this location will be serviced by the Westwood Village lift station. Mr. Kaplan built the Westwood Village lift station during the development of River Ridge [Subdivision]. At the time the lift station was built with additional capacity for future development, and the Town of Windsor issued something called capacity units. Mr. Kaplan indicated that he owns 90% of the capacity that was originally built, and it would supply over 190 units.

Brian Haring Town of Windsor resident asked Mr. Kaplan what will be developed on the property.

Mr. Kaplan reported that information is not available at this time.

**Mr. Dennison moved to close the public hearing; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes  
Nays – None  
Motion passed.**

6. Recommendation to Town Board – Rezone – Hoehne Subdivision 1<sup>st</sup> Filing, Block 2, Tract B – Cindy Hoehne, Property Owner/Co-Applicant and Les Kaplan, Co-Applicant.

Chairman Schick asked Ms. Malone whether she had anything additional.  
Ms. Malone stated; nothing further to add.

Chairman Schick opened the meeting for commissioner comment to which there was none

**Mr. Dennison moved to forward a recommendation of approval to Town Board for Rezone – Hoehne Subdivision 1<sup>st</sup> Filing, Block 2, Tract B as presented; Mr. Valdes seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Bushelman, Dennison, Hall, Scheuerman Colonnese, Valdes  
Nays – None  
Motion passed.**

D. COMMUNICATIONS

1. Communications from the Planning Commission
  - None
2. Communications from the Town Board liaison
  - Mr. Wilson reported the Town Board received updates on the Museum projects primarily the Eaton House, and Homestead Farms. Town Board received updates on the Oil & Gas rules from the Colorado Oil and Gas Conservation Commission (COGCC). On Monday Town Board received an update on the water resources appeal. Town Board did approve the Windshire Subdivision, and the Dish Canisters on the Windsor High School. Economic Development is working with Coram Prosthetics, and working with the DDA we chose a tribe developer to help with the Backlot projects.
3. Communications from the staff
  - Mr. Eisenbraun reported on the Eastman Corridor envision workshop, and a follow-up email that will be coming with comments from almost 500 attendees.
  - Mr. Ballstadt reported we have other topics the Planning Commission would be interested in related to the Eastman Park Corridor, 7<sup>th</sup> Street project, and the future meetings update.
  - Ms. Conway reported that remote voting affirmations would be sent out to commissioners via Adobe Sign and requested they are returned by the following day.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:04 p.m.

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

Trisha Conway, Deputy Town Clerk