



## PLANNING COMMISSION REGULAR MEETING

Town Board Chambers July 21, 2021 - 7:00 PM

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### MINUTES

#### A. CALL TO ORDER

Chairman Schick called the meeting to order at 7:00 p.m

##### 1. Roll Call

Chairman Schick  
Cindy Beemer  
Roger Colonnese  
Kelly Hall  
Timothy Reddick  
Jose Valdes  
Doug Dennison

##### Absent

Vice-Chair Bushelman  
Eric Bernhardt

##### Also Present:

Scott Ballstadt, Director of Planning  
Paul Hornbeck Senior Planner  
Doug Roth, Civil Engineer  
Barry Wilson, Town Board Liaison  
McKenzie Payne, Visual Media Coordinator  
Trisha Conway, Deputy Town Clerk  
Robert Walker, Engineer  
Chris Pauley, Les Schwab  
Brian Horan  
James Prelog  
Landon Hoover  
Dave Thorpe, Hartford Homes  
Patrick McMeekin, Hartford Homes  
Ryan McBreen, Norris Design

##### 2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission

**Cindy Beemer moved to approve the agenda as presented, Timothy Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Beemer, Colonnese, Dennison, Hall, Reddick, Schick, Valdes;**

##### 3. Public Invited to be Heard

*Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to*

*the podium, state your name and address then speak to the Planning Commission.*

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three (3) minutes. Public Comments are expected to be constructive. Written comments are welcome and should be given to the Secretary prior to the start of the meeting. Written materials will not be accepted during the meeting in the interest of time.*

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

B. CONSENT CALENDAR

**Timothy Reddick moved to approve the minutes of the meeting of June 16, 2021 as presented, Jose Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Beemer, Colonnese, Dennison, Hall, Reddick, Schick, Valdes;**

C. BOARD ACTION

1. Parking Determination - Jacoby Farm Subdivision 5th Filing, Lot 5 (Les Schwab Tire Center) - David Gibson, Owner, SFP-E, LLC; Robert Walker, Applicant Representative, Cushing Terrell

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

The applicant, Mr. Robert Walker, of Cushing Terrell, is proposing a new site development in the Jacoby Farm Subdivision 5th Filing. The site of the proposed Les Schwab Tire Center is located at 1650 Main Street. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties. Plan details are included with this packet (note the building renderings and elevations do not depict all the landscaping which will be provided). The site plan depicts a 8,626 square foot building with six (6) service bays and 35 off-street parking stalls. Because Section 15-5-20, off-street parking requirements for uses outside of the downtown area, of the Municipal Code does not include a use category and associated parking requirement for auto repair and service, the applicant has requested a Planning Commission determination regarding parking requirements in accordance with Section 15-5-40(c) of the Municipal Code which states:

*Determination of need. The number of such spaces provided shall be based upon the operating characteristics of the individual use and shall be subject to approval by the Planning Commission upon submittal of site and operational plans.*

Upon review of site plans of similar type uses, such as tire shops, auto repair, and auto service, within Windsor, the parking requirement varied between the industrial category, the service category as well as a few without a requirement noted and whose count did not fall within these two category requirements but somewhere in between.

Section Sec. 15-5-20 (8) lists two uses that may be applicable: 1) "Customer Service Establishments", which requires one space per 250 s.f. gross floor area (GFA) or, 2) "Industrial", which requires one space per two employees.

The customer service parking requirement would equate to 38 spaces while the industrial use requirement would equate approximately four (4) or five (5) spaces. The applicant believes that neither requirement adequately reflects the actual need of the proposed tire center use. Based on similar sites, the applicant has proposed 35 spaces. Please refer to attached parking analysis and parking comparisons for further justification of this request.

In 2018, a previous applicant representing Les Schwab, had proposed a similar parking determination to the Planning Commission, which was approved. This approval was for 38 parking spaces for a 12,518 s.f. building with eight (8) service bays. At this time staff conducted a review of surrounding municipality requirements for similar uses (auto repair, tire shop). Upon reviewing codes of regional municipalities, all the communities identified vehicle repair and

service as a specific use category in their parking standards. Most required between one space per 400 s.f. to one space per 500 s.f. of building. Evaluating the subject site plan based on the requirements of these other communities, the parking requirement ranged from 10 to 63 stalls with the average requirement being between 30 and 36 spaces.

Upon reviewing site layouts of tire stores in the region, the parking ratio appeared to be similar of the one space per 400–450 s.f. range. Information collected for this review is attached (Parking Comparisons).

With the information included herein and in the packet material, and the Planning Department's professional experience with site plan review, staff recommends that the site plan provides adequate parking for the use. Additionally, if the site were to be adapted for reuse, the proposed 35 parking spaces would adequately service a future commercial user for this site.

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 a 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 discussions. 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."

Alternate Commissioners Colonnese, was seated as voting member during this item to fill in for absent regular members.

Chairman Schick opened the meeting for the applicants presentation.

Robert Walker, Cushing Terrell Architects & Engineers reported the square footage of the building has changed to 9,500 square feet due to moving the tire storage indoors as requested by the planning department. The client Les Schwab typically uses the criteria of two parking spaces per bay, plus one space for each employee for this site providing twenty-two parking spaces.

Chairman Schick opened the meeting for Commissioner questions or comment.

Commissioner Valdes asked Mr. Walker how the parking spaces were determined.

Mr. Ballstadt reported Mr. Walker provided the calculation from Les Schwab, and Mr. Hornbeck presentation was based on similar uses in Windsor / Region.

Mr. Walker reported Les Schwab model is to provide a minimum of twenty-two parking spaces, but this request includes thirty-five parking spaces.

**Doug Dennison moved to approve Parking Determination - Jacoby Farm Subdivision 5th Filing, Lot 5 (Les Schwab Tire Center), Timothy Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Beemer, Colonnese, Dennison, Hall, Reddick, Schick, Valdes;**

2. Public Hearing - Preliminary Major Subdivision - Tacincala Subdivision - Hartford Homes, owner/applicant; Patrick McMeekin, applicant's representative; Ryan McBreen, applicant's representative

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

The applicant Mr. Ryan McBreen of Norris Design has submitted an application on behalf of the property owner Hartford Homes, represented by Mr. Pat McMeekin, for a preliminary major subdivision plat for the Tacincala Subdivision (also known as Prairie Song). A Master Plan for the subject property and larger surrounding area was originally approved in 2006, with a subsequent amendment to a portion of the master plan area in 2011. This Master Plan has a few unique requirements that were based upon resident input at the time of approval, including a minimum lot size of one acre adjacent to SH 257 and a landscape buffer along SH 257. The proposed development is in conformance with these requirements.

The applicant has also submitted an application to amend the Master Plan for this area and the

surrounding property that Planning Commission can expect to see in the near future. Since the subject application is in conformance with the existing Master Plan and is being coordinated with the proposed amendments, this review is occurring ahead of the Master Plan. The proposed Master Plan under review calls for up to 2,288 units within the overall development. The subject application is the first of many expected subdivision plats and depicts the first 213 single family lots.

Development characteristics:

- 215 total acres
- 127 acres of future development tracts
- 39 acres of road right-of-way
- 213 single family lots on 39 acres
- A private park site of 3.5 acres
- A number of drainage, open space, utility, and access tracts
- Numerous trails throughout

Vehicular access for this filing is provided by a single street connection to SH 257, which aligns with the existing Ventana Way to the east, and one emergency-only access to SH 257. While future filings will include additional access points, developments of this size typically include at least two points of access, not including emergency access points. Providing multiple points of access is beneficial as it distributes traffic rather than funneling all traffic to one intersection and also provides alternative routes in case a crash or construction block one intersection. The traffic study for the proposed development does indicate a single point of access will safely function at an acceptable level of service. The applicant has agreed to a number of conditions to alleviate the concern associated with a single point of access, including:

- The developer or metro district will maintain all roads until a second point of access is provided;
- The developer will dedicate right of way for future access points; and
- The developer will design a second point of access and provide the Town with a bond for 110% of the cost of construction so that the Town can build the access if it becomes necessary.

Numerous trails are proposed throughout the subject development which will be built and maintained by the developer or metro district, including a trail paralleling SH 257. Also included is the first phase of a Town maintained trail to be built by the developer that parallels the Greeley waterline running southeast through the property, which could someday connect down SH 257 to Windsor Lake.

A school site will be dedicated with future filings of the subdivision, but is anticipated to be located south of the proposed development adjacent to the future alignment of WCR 70. A number of unique items will need to be addressed prior to consideration of the final subdivision plat, including agreements needed to convey ground and storm water offsite, CDOT approval of SH 257 improvements, permits, and potential reimbursement agreements for oversizing of utilities.

As required by the Municipal Code for a preliminary subdivision, the applicant held a neighborhood meeting. A summary of the May 26, 2021 meeting is attached.

### **Block Length Exception**

Municipal Code Section 17-1-10(e) limits the maximum length of a street block to 880' in order to ensure more connectivity within neighborhoods. The applicant has submitted a request to exceed this length in one location. Section 17-1-10(g) allows the decision maker (Planning Commission in this case) to grant exceptions to the block length standards, subject to the following criteria:

1. Criteria: To preserve or minimize impact to unique physical conditions such as topography or natural resources

*Staff Comment: The proposed development is bisected by a City of Greeley waterline, which will be used an open space and trail corridor. Minimizing the*

*number of road crossings is consistent with this criteria in order to preserve the unique natural resource of the greenbelt being provided.*

2. Criteria: When compliance is impractical due to buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels;

*Staff comment: Not applicable in this situation.*

3. Criteria: When compliance is impractical due to conflicting existing or planned street alignment or layout;

*Staff comment: Not applicable in this situation.*

4. Criteria: When necessary, to avoid creating inefficient use of land, such as when needed to avoid creating lots of a size or layout that cannot reasonably be developed;

*Staff comment: Open space bisected by numerous streets is an inefficient use of land when the land can instead remain as a contiguous open space tract.*

5. Criteria: When necessary, to avoid creating inefficient street layouts, including but not limited to block lengths less than 400'; or

*Staff comment: Not applicable in this situation.*

6. Criteria: When necessary, to accommodate unique land uses which require a campus layout without through traffic.

*Staff comment: Not applicable in this situation.*

Per Patrick McMeekin, Hartford Homes President 4801 Goodman Road, Timnath is a 2nd generation builder, building and developing in Northern Colorado for over 30 years. We currently have projects in Windsor, Timnath, Fort Collins, Wellington, and Greeley. Mr. McMeekin reported allot of the existing conditions that were placed on the property during the annexation agreement are maintaining. The maintenance of the acre lots on Hwy 257 in accordance with the subdivision to the East, and the larger lot on the Northside buffering on County Road 72 (CR 72). We are bringing the original master plan back together for a long term project building estimated for the next 15 years. The project will start to the North 2nd filing, back to the West along CR 72, over to County Road 15 (CR 15), wrapping back to the Southeast corner.

Ryan McBreen, Norris Design 244 N. College Avenue, Fort Collins reported everyone has known this project as Tacincala with rebranding to Prairie Song. Mr. McBreen reported there will be many phases to this project, first filing is 215 acres, 80 acres will be single family residential, and 135 acres that is part of a future phase. 80 acres will be single family detached homes with lots sizes ranging from 50 x 110 to 60 or 70 wide by 120 foot deep lots with 4 buffer lots towards the East of the development. The 3.5 acre park will be privately maintained, and a trail system connection to the Southeast section of the development eventually working it's way Northwest.

Chairman Schick opened the public hearing.

Isabel Zimmerman 310 Northshore Circle, Windsor reported she has lived in the Northshore neighborhood for 23 years, and the developer brought the water for those housing developments from irrigation, city, and other sources. Ms. Zimmerman commented on Colorado being the a desert, and the lack of water resources available that Northern Colorado is selling water we don't actually have. Ms. Zimmerman asked for assurances from the Town of Windsor that there will be water in the future.

Mr. Ballstadt reported Town of Windsor has a Water Resources, and Community Development

Director. Town of Windsor requires all development to bring raw water to serve the density they are intending to propose. The applicant will be required to dedicate the water, and this development proposes a non-potable irrigation system.

Mr. McMeekin reported that the development does have a non-potable irrigation system within the project that substantially reduces the raw water demand on the Town's water supply. New houses are showing a significant difference in water need as the building codes have changed, and plumbing fixtures are most efficient.

Mr. McMeekin reported it's his understanding that the Town of Windsor has switched it's policy to a cash in lieu for the Northern Integrated Supply project, Town of Windsor can generate the necessary cash resources in order to pay for the reservoir storage project.

Chairman Schick opened the meeting for Commissioner questions or comment.

Commissioner Beemer asked Mr. McBreen about the future development to the South development.

Mr. McBreen reported, yes there will be future development towards the South, and we have been working with the Weld RE4 school district to determine a school site.

Commissioner Beemer asked Mr. McBreen about the emergency access point to the subdivision.

Mr. McBreen identified the single emergency access point located on Hwy 257.

Commissioner Beemer asked Mr. Hornbeck what emergency access could be used if this access would become blocked or unavailable.

Mr. Hornbeck reported this emergency access would normally be gated off, and the fire department would have a lock and key access.

Commissioner Beemer reported residents from developments off of County Road 13 (CR 13) only have two access points that she finds concerning, even while this may be a short-term problem.

Mr. McBreen reported they understand it's not an ideal scenario, but it's how the development is designed. That why we have proposed this option for a single access point for an all-weather design. Hartford Homes is bonding to create the second access point in the future.

Chairman Schick reported his reservations about a single access point.

Commissioner Valdes reclude himself from voting on the item due to conflict of interest.

Commissioner Colonnese asked Mr. Hornbeck how far the Street extends from the 880 feet.

Mr. Hornbeck reported the Street distance is a total of 1200 feet.

Commissioner Beemer asked Mr. Hornbeck about dedicated right-of-way for future expansion of Hwy 257.

Mr. Hornbeck reported future expansion of Hwy 257 is being taken into consideration with adequate right-of-ways.

Commissioner Beemer asked Mr. Hornbeck about the future expansion of Hwy 257 affecting the landscape buffer.

Mr. Hornbeck reported future expansion would not affect the landscape buffer.

Chairman Schick asked Mr. Ballstadt about the requirement of the 110% bond, and the changed requirements to a 150% bond.

Mr. Ballstadt reported it was 25% bond, changed to a 100% bond for security of public improvements.

Mr. McMeekin reported the intersection functions fine with a single emergency access point, and the bond in place in conjunction with dedicating the right-of-way, over-lot grading, roadways, and the second access point will be constructed with the second phase of this development.

Chairman Schick reported the second phase of this project is all market driven.

Commissioner Dennison asked Mr. McMeekin about discussions with CDOT regarding this project,

turn lanes, acceleration lanes, and deceleration lanes.

Mr. McMeekin reported they are working with CDOT, and will have turn lanes, acceleration, and deceleration lanes.

Commissioner Reddick asked Mr. McBreen about the original annexation Master Plan about the 1 acre lots on Hwy 257.

Mr. McBreen reported on the original annexation Master Plan the lot sizes aren't specified on that side of the development. The lots to the North of the development have minimum lot size requirement.

Commissioner Colonnese asked Mr. McBreen about requiring a second access from Streets identified on the Preliminary Plat.

Mr. McBreen reported the road will extend to County Road 72 (CR 72), and County Road 70 (CR 70) doesn't exist yet.

Commissioner Colonnese asked Mr. McMeekin about a second access point being an early cost or an additional cost.

Mr. McMeekin reported building a second point access to the North would be a timing change. Phase two of the development will be building CR 70, and building up CR 72.

**Doug Dennison moved to close the public hearing, Timothy Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Beemer, Colonnese, Dennison, Hall, Reddick, Schick; Abstain - Valdes;**

3. Preliminary Major Subdivision - Tacincala Subdivision - Hartford Homes, owner/applicant; Patrick McMeekin, applicant's representative; Ryan McBreen, applicant's representative

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

Please refer to the previous agenda item for discussion and recommendation.

Chairman Schick asked Mr. Hornbeck whether he had anything additional.

Mr. Hornbeck reported he had nothing further to add.

Chairman Schick opened the meeting for commissioner comment.

Mr. Ballstadt asked Chairman Schick for clarification on the definition of an emergency access. Emergency access will normally have a locked chain access, and the fire department would have a key.

Commissioner Beemer reported should the fire department have to shut down normal access from the subdivision the fire department will make the emergency access available to residents.

**Cindy Beemer moved to approve the Preliminary Major Subdivision Tacincala Subdivision Hartford Homes with the following conditions; verification change use of the emergency access will be available to residents in the event of an emergency., Doug Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas - Beemer, Colonnese, Dennison, Hall, Reddick, Schick; Abstain - Valdes;**

#### D. COMMUNICATIONS

- Communications From Planning Commission

Commissioner Beemer asked Mr. Ballstadt to provide a large plat map of the different phases of Tacincala Subdivision.

Commissioner Colonnese asked Mr. Ballstadt about a single document containing assumption water levels created by a third party agency.

Mr. Ballstadt reported the Thornton pipeline is currently being litigated, and the Town of Windsor is a participant in the Northern Colorado Supply project which is the dam North of Horsetooth Reservoir.

Chairman Schick asked the Commissioner's for feedback on remote Zoom participation.

Commissioner Beemer reported alternate members that are present at the meeting should be seated as voting members prior to Zoom participation.

Mr. Ballstadt reported Mayor Rennemeyer has deferred the decision for remote participation to the Chairman, and Commissioner's of each of the advisory boards.

Mr. Ballstadt reported he will work with the Town Attorney to amend the Planning Commission bylaws, and present to the board at an upcoming meeting.

- From Town Board Liaison

Town Board Member Wilson reported on Town Board Work Session Larimer County Fairgrounds update putting over 240 million dollars into the facility realigning Arena Circle, ice rinks, new hotel, and a new convention center. Updates on 7th Street & Walnut project, Downtown Development Study, and a discussion on feral cats. Town Board is working with Tribe, and the Downtown Development Authority (DDA), and some potential larger corporations looking at moving business to Windsor with Economic incentives during Executive Session. Village East 8th Filing, Raindance 17th Filing, Greenspire 4th Filing, 2nd reading on the Community Art program, 2nd reading liquor license sidewalk service on Town owned property, approved a conditional use grant with Great Western Oil; all approved recently by Town Board.

Commissioner Beemer asked Town Board Member Wilson about Town Board discussion regarding Vestas Blades America downsize, and previous economic incentives given to them.

Town Board Member Wilson reported Town Board has not had any discussions regarding Vestas Blades America, and some of there downsizing has been at other locations.

Commissioner Beemer reported Vestas Blades America in Brighton, Colorado shut down, and heavy layoffs at the Windsor location.

- Communications From Staff

Doug Roth reported County Road 5 (CR 5), and County Road 13 (CR 13) have reopened.

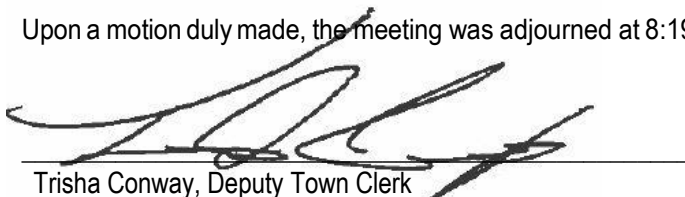
Mr. Ballstadt reported on future meetings agenda regarding water topic, and revisions to the bylaws for Chairman Schick to review. Town Board will be having a presentation on Monday, August 2nd @ 5:30p.m. Work Session regarding the Colorado Oil & Gas Conservation Commission (COGCC).

Commissioner Reddick asked Mr. Ballstadt about a vendor proposal for Eastman Corridor East of Hwy 257.

Mr. Ballstadt reported there will be a proposal presented in the future, and Mr. Eisenbraun is overseeing that project.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 8:19 p.m.



Trisha Conway, Deputy Town Clerk