



Planning Commission Regular Meeting

August 2, 2023 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

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MINUTES

A. CALL TO ORDER

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

1. Roll Call

Present: Chairman Schick
Vice-Chair Reddick
Nathan Kinney
David Hassard
Ben Kirch
Cindy Beemer

Absent: Jose Valdes

Also Present: Town Board Liaison Tallon
Scott Ballstadt, Planning Director
Kim Lambrecht, Senior Planner
Kim Emil, Deputy Town Attorney
Dan Money, Town Attorney
Ben Bodiker, Visual Media Coordinator
Kaitlyn Cinnamon, Deputy Town Clerk

2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Planning Commissioner Reddick moved to approve the agenda as written, Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

3. Public Invited to be Heard

Chairman Schick opened the meeting up for public comment on any non-agenda item, to which there were none.

B. CONSENT CALENDAR

1. Approval of the July 5, 2023 Planning Commission Regular Meeting Minutes- K. Frawley, Town Clerk

Planning Commissioner Reddick moved to approve the consent calendar as presented, Planning Commissioner Beemer seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

Town Board Liaison Tallon gave a statement to the Commission.

"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 all public hearings tonight, I will not be giving my opinion or participating in any of the discussions. I will not let tonight's proceedings influence or affect my review of these matters when they come 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 hearings."

C. BOARD ACTION

1. Public Hearing – Haas Annexation to the Town of Windsor and Establishment of Zoning – Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

Harland Haas (Owner/Applicant), represented by Kris Pickett with JKP Consulting, LLC (Applicant's Representative), has submitted:

- A petition to annex approximately 15.85 acres to the Town of Windsor as Residential Mixed Use One (RMU-1) zoned property.
- A Master Plan for the subject property

These two applications require two separate public hearings before the Planning Commission and, therefore, two separate Planning Commission action items. Staff has included the following recommendations for the Planning Commission's consideration, to forward to the Town Board:

A recommendation of approval for the annexation and establishment of zoning, subject to any outstanding Planning Commission and Staff comments being addressed;

A recommendation of approval for the master plan, subject to any outstanding Planning Commission comments being addressed, and approval of the annexation and master plan.

The Town Board will hold a public hearing and consider the two applications on August 14, 2023. This date is the first reading of annexation and establishment of zoning ordinance. Provided the Town Board approves the first reading of the ordinance, the Town Board will consider the second reading of the ordinance on August 28, 2023. Therefore, the master plan approval is subject to the approval of the second reading of the ordinance.

The subject property is approximately 15.85 acres and is located adjacent to and immediately west of 17th Street, and immediately south of Weld County Road 68.5. The property is contiguous with the Town of Windsor Corporate Limits, bordering 17th Street and is within the Town's Growth Management Area (GMA), meaning the Town has anticipated this area would be annexed to the Town. Per Colorado Revised Statutes (C.R.S.), the perimeter of the proposed annexation meets the 1/6 contiguity requirement to the existing Town limits.

The Land Use Map of the 2016 Comprehensive Plan is the guiding document used to assess the appropriate zoning for the property. This map has designated the property as Single Family Residential. The proposed zoning for the property is Residential Mixed Use One (RMU-1), which allows for a wider range of residential uses than only single-family and proportionately limited commercial uses. The Town's RMU zoning districts have been designed to encourage a neighborhood with housing options and commercial services.

While RMU-1 is not in direct alignment with the Single Family Residential land use depiction on the Town's Land Use Map, RMU-1 zoning is complimentary to and compatible with the single family land use designation, as well as single family zoning. RMU-1 offers flexibility in permitted uses to promote a complete neighborhood - one with a variety of housing types and neighborhood services. Therefore, the proposed RMU-1 zoning is in alignment with the goals and objectives of the Comprehensive Plan. The proposed RMU-1 zoning will provide continuity and compatibility with the existing adjacent Town land uses and zoning to the east, and is appropriate zoning for the size, configuration and location of the subject property.

Zoning and land uses for the adjacent properties include the following:

	Zoning	Current Land Uses
North	Weld County – Agriculture	Agriculture and Self & RV Storage
East	RMU-1	Multi-family and Single Family Residential
South	Weld County – Agriculture	Undeveloped agricultural land
West	Weld County – Agriculture	Undeveloped agricultural land

The Master Plan characteristics are summarized as follows:

- 182 dwelling units (maximum), over a net of 10.35 acres, based on density allowed by the RMU-1 zone district. The actual developed amount will depend on the applicable lot development standards such as maximum lot coverage, parking, and open space required by the RMU-1 zone district.
- A variety of housing types will be allowed, per the RMU-1 zoning designation.
- A minimum of 1.25 acres of commercial located at the corner of 17th Street and WCR 68.5 (Jacoby Road) will be required. This could increase to approximately 3 acres, the maximum allowed by the RMU-1 zone.
- Approximately 1.4 acres of public right-of-way will connect the property to Weld County Road 68.5 (Jacoby Road) and to 17th Street.
- Approximately 1.2 acres are set aside for the extension of the Greeley No. 2 Canal Trail from 17th Street to the west.
- Approximately 1.02 acres of open space, encompassing the 50-foot Sinclair Pipeline Easement which bisects the property. No building is allowed over the easement, and minimal road crossings will be allowed.

Note, these are the development parameters that will be allowed by the Master Plan. There is not a site-specific development proposal for the property currently. Site-specific proposals require further steps in the planning/engineering process, including subdivision, improvement plan, and site plan approvals.

The site is not currently served by Windsor water or sewer services, so future development will require extension of these utilities. Although sewer is near the site, this sewer line may not be in the ideal sewer basin for any future development. Extension of the utilities, regardless of the location, would be the responsibility of the developer with the possibility of Town reimbursement for any oversizing which adds system capacity. Based on the land use designation of single family residential, the project can support a sewer capacity for approximately 52 units. The applicant has provided a study outlining opportunities for a greater capacity. Refer to the Hass Property Utility Report for more information regarding the water and sewer capacity discussion. Additionally, the Town is undergoing a Town Master Sewer Study which may provide opportunities for additional sewer capacities within the existing system. Specific sewer availability and capacity will be determined at the time of site-specific development.

An Annexation Impact Statement has been prepared (attached), outlining the provisions for utilities and services to the property, maintenance of infrastructure, and a statement from the Weld RE-4 School District. This statement, along with supporting information, has been sent to the applicable taxing authorities. At the time of publication of this memo, Staff has not received any concerns regarding the annexation from those entities.

Relationship to the Comprehensive Plan

The application is consistent with the following goals and objectives of the 2016 Comprehensive Plan:

Chapter 5b – Growth Framework

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

Staff comment: The Master Plan proposes development consistent in character with the community by providing a mix of housing types, opportunities for commercial development, and open space/trail development. The Master Plan is fiscally and environmentally responsible by proposing compact development, known to create less of a fiscal burden on municipalities by having less utility and road infrastructure to maintain, as well as less water use, on a per unit basis. Similarly, compact development has been shown to be more environmentally responsible, as it takes less resources to construct and maintain, and it can provide more viable accessibility to alternative forms of transportation such as walking, biking, and transit due to the compact layout. Additionally, the Master Plan proposes an area of commercial development, thus providing opportunities for neighborhood conveniences, services, and/or employment, in addition to opportunities for tax revenue.

Objectives:

Develop new neighborhoods adjacent to the Town core.

Staff comment: The development is adjacent to arterial/collector roads, providing connections to the Town street/bike lane network leading to the Town core. The development will also provide an additional segment of the Greeley No. 2 Ditch trail system, providing connectivity to a key piece of the Northern Colorado trails system, providing pedestrian and bicycle connections throughout the Town open space and parks.

Chapter 5c – Residential Areas Framework

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

Staff comment: Residential Mixed Use-One (RMU-1) zoning and associated Master Plan allow for a diverse style of housing types including multifamily dwellings, which can help meet the needs of varying family sizes, lifestyles, and income levels.

Objectives:

Promote multi-modal connectivity to increase neighborhood access and resident mobility.

Staff comment: Future development of the property will provide increased multi-modal connectivity within the neighborhood via a connection to the surrounding trail network.

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

Staff comment: Residential Mixed Use One (RMU-1) lends itself to a diversity of housing types and densities to provide transitions between lower densities and higher intensity uses.

Chapter 7 – Community Facilities and 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:

Coordinate annexation and development with community service and utility providers to ensure adequate levels of service area are extended to new growth areas and maintained in existing service areas.

Staff comment: Improvements to adjacent streets, extension of water and sewer utilities and extension of the Greeley No. 2 Ditch Trail will be part of the developer's obligations specific to the subject property at the time of development.

Annexation and Review Considerations:

- Annexation is a discretionary act by the Town Board
- Compliance with the C.R.S. Annexation Act of 1965
- Consistency with Comprehensive Plan

Staff has found the submitted applications for the Haas Annexation and Master Plan to be in conformance with the review criteria as outlined in the Municipal Code.

Project Timeline:

On November 28, 2022, the Town Board Accepted the Petition for Annexation to the Town of Windsor, initiating the annexation proceedings (Resolution No. 2022-69). On July 10, 2023, the Town Board adopted Resolution No. 2023-30 that declared certain findings of fact concerning the annexation, determined substantial compliance with the Colorado Municipal Annexation Act (1965) and established the dates for the public hearings before the Planning Commission and the Town Board. The dates set were:

- August 2, 2023 – Planning Commission Public Hearing
- August 14, 2023 – Town Board Public Hearing and Annexation Ordinance First Reading
- August 28, 2023 – Town Board Second Reading

Neighborhood Meeting

A neighborhood meeting was held on June 13, 2023, at the Community Recreation Center. Notifications for this meeting were as follows:

- May 30, 2023 – letters mailed to property owners within 500 ft.
- May 31, 2023 – ad published in the newspaper

Eight (8) households attended at the neighborhood meeting. The discussion included topics related to the land uses allowed in the RMU-1 zone, maximum height allowed, the trail extension along the Greeley No. 2 Canal, and the project timeline. No major concerns were voiced, and attendees were informed that there would be future mailings of upcoming public hearings.

Notifications

The following notifications for the public hearings were completed in accordance with the Municipal Code as follows:

- Legal ad ran for four consecutive weeks in the Greeley Tribune newspaper:
 - July 14, 2023 – first week legal ad
 - July 21, 2023 – second week legal ad
 - July 28, 2023 – third week legal ad
 - August 4, 2023 – fourth week legal ad
- July 12, 2023 – Two (2) Development Under Review signs posted on property.
- July 14, 2023 – public hearing notice published on the Town's website
- July 14, 2023 – letters mailed to surrounding property owners within 500 ft.
- July 14, 2023 – Staff mailed Certified Packets to relevant taxing districts.

Chairman Schick opened the public hearing for Haas Annexation to the Town of Windsor and Establishment of Zoning.

Kimberly Lambrecht, Senior Planner, presented to the Planning Commission.

Kris Pickett with JKP Consulting, LLC spoke to the Planning Commission and added to the staff presentation.

Chairman Schick opened the meeting up for public questions or comments, to which there were none.

Commissioners Beemer, Hassard, Reddick and Kirch asked questions to staff and the applicants representative regarding trails, sewer capacity, commercial use and zoning.

Planning Commissioner Reddick moved to close the public hearing, Planning Commissioner Beemer seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

2. Recommendation to Town Board – Haas Annexation to the Town of Windsor and Establishment of Zoning – Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

Please refer to information provided in the previous agenda item.

Planning Commissioner Beemer moved to forward a recommendation of approval to Town Board for Haas Annexation to the Town of Windsor and Establishment of Zoning, Planning Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

3. Public Hearing – Haas Master Plan – Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

Please refer to information provided in the previous agenda item.

Chairman Schick opened the public hearing for the Haas Master Plan.

Chairman Schick opened the meeting up for public questions or comments, to which there were none.

Planning Commissioner Beemer moved to close the public hearing, Planning Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

4. Recommendation to Town Board – Haas Master Plan – Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

Please refer to information provided in the previous agenda item.

Planning Commissioner Reddick moved to forward a recommendation of approval to Town Board for the Haas Master Plan, Planning Commissioner Kirch seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

Commissioner Beemer will be absent during the two September meetings.
Commissioner Hassard will be absent during the August 16, 2023 meeting.

2. Communications from Town Board Liaison

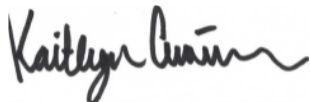
3. Communications from Staff

Kim Lambrecht, Senior Planner, spoke to the Planning Commission about being a staff liaison for the Historic Preservation Commission.

Scott Ballstadt introduced Dan Money, the town's new Town Attorney. Mr. Ballstadt stated that ground breaking for the new Police Department will be on Friday August 11, 2023 at 10:00 a.m.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:49 p.m.



Kaitlyn Cinnamon, Deputy Town Clerk