



PLANNING COMMISSION REGULAR MEETING

September 20, 2023 - 7:00 PM

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

To view Planning Commission meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

A. CALL TO ORDER

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

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. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.

B. CONSENT CALENDAR

1. Approval of the September 6, 2023 Planning Commission Regular Meeting Minutes- K. Cinnamon, Deputy Town Clerk

C. BOARD ACTION

1. Public Hearing - Recommendation to Town Board for the Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative
 - Quasi-judicial action
 - Staff Presentation: David Eisenbraun, Senior Planner
2. Recommendation to Town Board - Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative
 - Quasi-judicial action
 - Staff Presentation: David Eisenbraun, Senior Planner

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison
3. Communications from Staff

E. ADJOURN

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.



MEMORANDUM

Date: September 20, 2023
To: Planning Commission
From:
Re: Approval of the September 6, 2023 Planning Commission Regular Meeting Minutes- K. Cinnamon, Deputy Town Clerk
Item #: B.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 09.06.23 Planning Commisison Draft Minutes



Planning Commission Regular Meeting

September 6, 2023 - 7:00 PM

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

To view Planning Commission meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

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
Jose Valdes

Absent:

Cindy Beemer
Ben Kirch
Maxwell Nadar

Also Present:

Town Board Liaison Tallon
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
Daniel Money, Town Attorney
Rhonda McCracken, IT Business Operations Supervisor
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 presented, Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Gale Schick, David Hassard, Nathan Kinney; Nays - None; Motion Passed.

3. Public Invited to be Heard

Chairman Schick opened the meeting up for public comment on any non-agenda item.

Ryan Langin at 204 Whitney Bay Windsor, CO spoke to the Commission regarding concerns about item one on the agenda. Chairman Schick stated that this time is for any non-agenda item but that the item being spoken about is proposed to be continued tonight to the Planning Commission Meeting on October 18, 2023.

B. CONSENT CALENDAR

1. Approval of the August 2, 2023 Planning Commission Regular Meeting Minutes- K. Cinnamon, Deputy Town Clerk

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

C. BOARD ACTION

1. Continuance of a Public Hearing for a Rezoning - A PUD (Planned Unit Development) Overlay to the GC (General Commercial) Zoning District - Water Valley Subdivision 13th Filing, Lots 5, 6 and 7 (The Lofts at Water Valley Village) - Garrett Scallon and Austin Lind, applicant, The Water Valley Company, LLC, on behalf of Eagle Crossing Inc., property owner; and Brian Williamson, applicant's representative, TST Inc. Consulting Engineers

Staff is requesting that the public hearing is continued to the Planning Commission's regular meeting on October 18, 2023.

Planning Commissioner Reddick moved to grant a continuance to the October 18, 2023, Planning Commission Meeting for a Rezoning - A PUD (Planned Unit Development) Overlay to the GC (General Commercial) Zoning District - Water Valley Subdivision 13th Filing, Lots 5, 6 and 7 (The Lofts at Water Valley Village), Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Gale Schick, David Hassard, Nathan Kinney; Nays - None; Motion Passed.

2. An Ordinance Amending the Windsor Municipal Code, Planned Unit Development (PUD) District, Section 16-1-170(c) - PUD Restrictions and General Requirements - C. Malone, Chief Planner

Staff proposes an amendment to the PUD Restrictions and General Requirements as it pertains to a 40-acre minimum acreage requirement for a PUD zoning overlay. This 40-acre figure was an arbitrary number included in the latest land use code update which is proving to prevent appropriate use of a PUD for property under 40 acres. The original intent behind the 40-acre minimum requirement was to limit the use of PUD overlays to the larger master-planned projects that specifically met the PUD intent statement. Furthermore, the acreage requirement ensured that PUD overlays were not created to simply circumvent land use code requirements on a lot-by-lot basis.

The unintended consequence of the acreage requirement has been appropriate PUD overlay concepts merely infeasible due to the acreage requirement. For example, this section of the code currently precludes the opportunity for a lesser acreage mixed-use PUD proposal, although consistent with the intent of the PUD section. Additionally, this requirement prevents innovative approaches to infill or redevelopment for properties of lesser acreage. The proposed modification would be consistent with the intent of the PUD section, while continuing to support the goals and objectives of the Town's Comprehensive Plan, allowing for a variety of uses and mixed-use through high-quality design.

As such, staff proposes allowing the Community Development Director or their designee to review and adjust this requirement when a proposal is consistent with the PUD criteria outlined within the subject land use code section's intent statement, Section 16-1-170(c) PUD Restrictions and General Requirements.

Staff held a work session with the Town Board on August 21, 2023, to receive feedback and direction from the board on the proposed land use code amendment. As such, staff was directed to process the attached ordinance, forwarding to the Planning Commission for

recommendation to the Town Board. The Town Board will consider the ordinance on September 11, with the second reading of the ordinance on September 25, 2023.

Carlin Malone, Chief Planner, presented to the Planning Commission.

Commissioners Reddick, Valdez and Hassard asked questions of staff regarding the Planned Unit Development.

Planning Commissioner Reddick moved to forward a recommendation of approval to Town Board for an Ordinance Amending the Windsor Municipal Code, Planned Unit Development (PUD) District, Section 16-1-170(c) - PUD Restrictions and General Requirements, Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Gale Schick, David Hassard, Nathan Kinney; Nays - None; Motion Passed.

3. Public Hearing - Conditional Use Permit to allow a temporary modular classroom in the Residential Mixed Use-One (RMU-1) Zone District - Water Valley South Subdivision 6th Filing, Lot 2 (360 Crossroads Boulevard) - Josh Savage, Timberline Church, Applicant

The applicant, Timberline Church, represented by Mr. Josh Savage, is requesting a Conditional Use Permit (CUP) to allow one temporary modular classroom in the RMU-1 zone district for a three-year period.

A conditional use permit is required because the proposed temporary use is not specifically included as a use-by-right in any zoning district per Section 14-2-130(a) of the Town's Municipal Code, Conditional Use Permit Applicability. The applicant is requesting allowance for a mobile classroom for Timberline Church while the church prepares to relocate to another site. The same CUG request was approved on March 27, 2017, and expired on March 27, 2020. The same CUG request, processed via a new CUG application, was approved for three (3) years on October 12, 2020. Therefore, the existing CUG (now referred to as a Conditional Use Permit) will expire on October, 12, 2023.

Staff is recommending the Planning Commission forward to the Town Board a recommendation of approval of the CUP, as reflected in the staff recommendation section of the memorandum.

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

- September 22, 2023 – legal notices posted on the Town of Windsor website
- September 25, 2023 – development review sign posted on the property
- September 25, 2023 – legal ad published in the local newspaper
- September 25, 2023 – affidavit of letters mailed to property owners within 500 feet

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."

Chairman Schick opened the public hearing for the Conditional Use Permit to allow a temporary modular classroom in the Residential Mixed Use-One (RMU-1) Zone District - Water Valley South Subdivision 6th Filing, Lot 2 (360 Crossroads Boulevard).

Carlin Malone, Chief Planner, presented to the Planning Commission.
Josh Savage, the applicant, stated he did not have anything further to add to the staff presentation.

Commissioners Valdez and Reddick asked questions of the applicant.
Commissioner Hassard asked questions of staff, to which Scott Ballstadt and Daniel Money answered.

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

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

4. Recommendation to Town Board - Conditional Use Permit to allow a temporary modular classroom in the Residential Mixed Use-One (RMU-1) Zone District - Water Valley South Subdivision 6th Filing, Lot 2 (360 Crossroads Boulevard) - Josh Savage, Timberline Church, Applicant

Please refer to public item hearing item materials.

Planning Commissioner Reddick moved to forward a recommendation of approval to Town Board for Conditional Use Permit to allow a temporary modular classroom in the Residential Mixed Use-One (RMU-1) Zone District - Water Valley South Subdivision 6th Filing, Lot 2 (360 Crossroads Boulevard), Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Gale Schick, David Hassard, Nathan Kinney; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison

Town Board Liaison Tallen spoke to the Commission about the successful Windsor Harvest Festival that was held over Labor Day weekend.

3. Communications from Staff

Daniel Money spoke briefly to the Commission regarding open meetings law.

Scott Ballstadt addressed the Planning Department's booth that was set up at the Windsor Harvest Festival for residents to visit over Labor Day weekend.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:47 p.m.

Kaitlyn Cinnamon, Deputy Town Clerk



MEMORANDUM

Date: September 20, 2023
To: Planning Commission
From: David Eisenbraun, Senior Planner
Re: Public Hearing - Recommendation to Town Board for the Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative
Item #: C.1.

Background / Discussion:

Please see the attached staff memorandum and supporting documents.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board for the Smith Farm Annexation and Zoning, subject to any outstanding Planning Commission and Staff comments being addressed.

CC:

Attachments:

1. PC Staff Memo - Smith Farm Annexation
2. Annexation Application
3. Annexation Petition
4. Annexation Map
5. Annexation Impact Statement Packet
6. Neighborhood Meeting Attendee List
7. PC - Smith Annexation - Staff Presentation

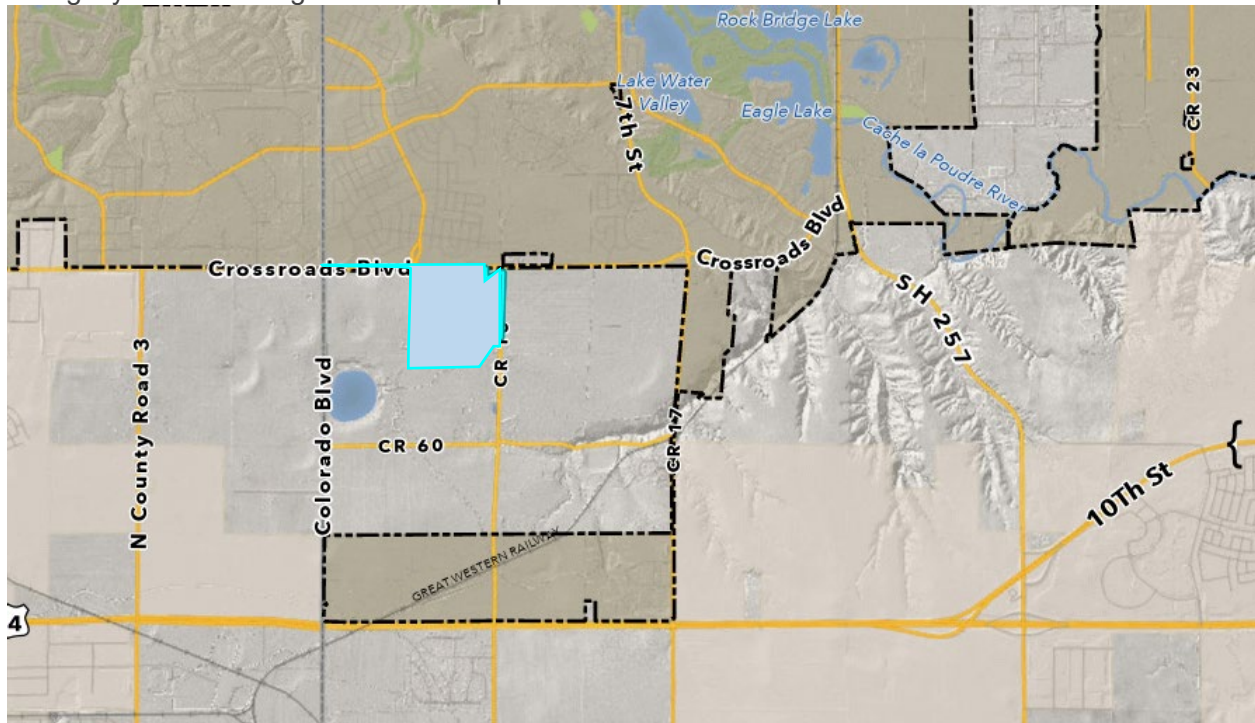
Vima Partners, LLA, owned by Martin Lind, has filed a Petition to Annex approximately 133.87 acres of property adjacent to and immediately south of Crossroads Blvd, to the Town of Windsor. The petition to annex approximately 133.87 acres to the Town of Windsor has a proposed zoning of Estate Residential (ER), which is in conformance with the Town's Land Use Map. Although the legal notices, impact report and petitions all refer to a requested zoning designation of RMU-1, the parties have agreed to zone the property Estate Residential (ER), in conformance with the Town's future land use map. Therefore, this property is being proposed to be zoned in conformance with the Town's Comprehensive Plan land use map of Estate Residential (ER). No master plan or other future development plans outside of the reservoir being built and permitted by Weld County and the state are being contemplated at this time.

This application requires a public hearing before the Planning Commission and, therefore, one action item. Staff has included the following recommendation for the Planning Commission's consideration, to forward to the Town Board:

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

The Town Board will hold a public hearing and consider the application on September 25, 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 October 9, 2023.

The property is contiguous with the Town of Windsor Corporate Limits, bordering Crossroads and is within the Town's Growth Management Area (GMA), meaning the Town has anticipated this area being annexed to the Town. Per C.R.S., the perimeter of the proposed annexation meets the 1/6 contiguity to the existing Town limits requirement.

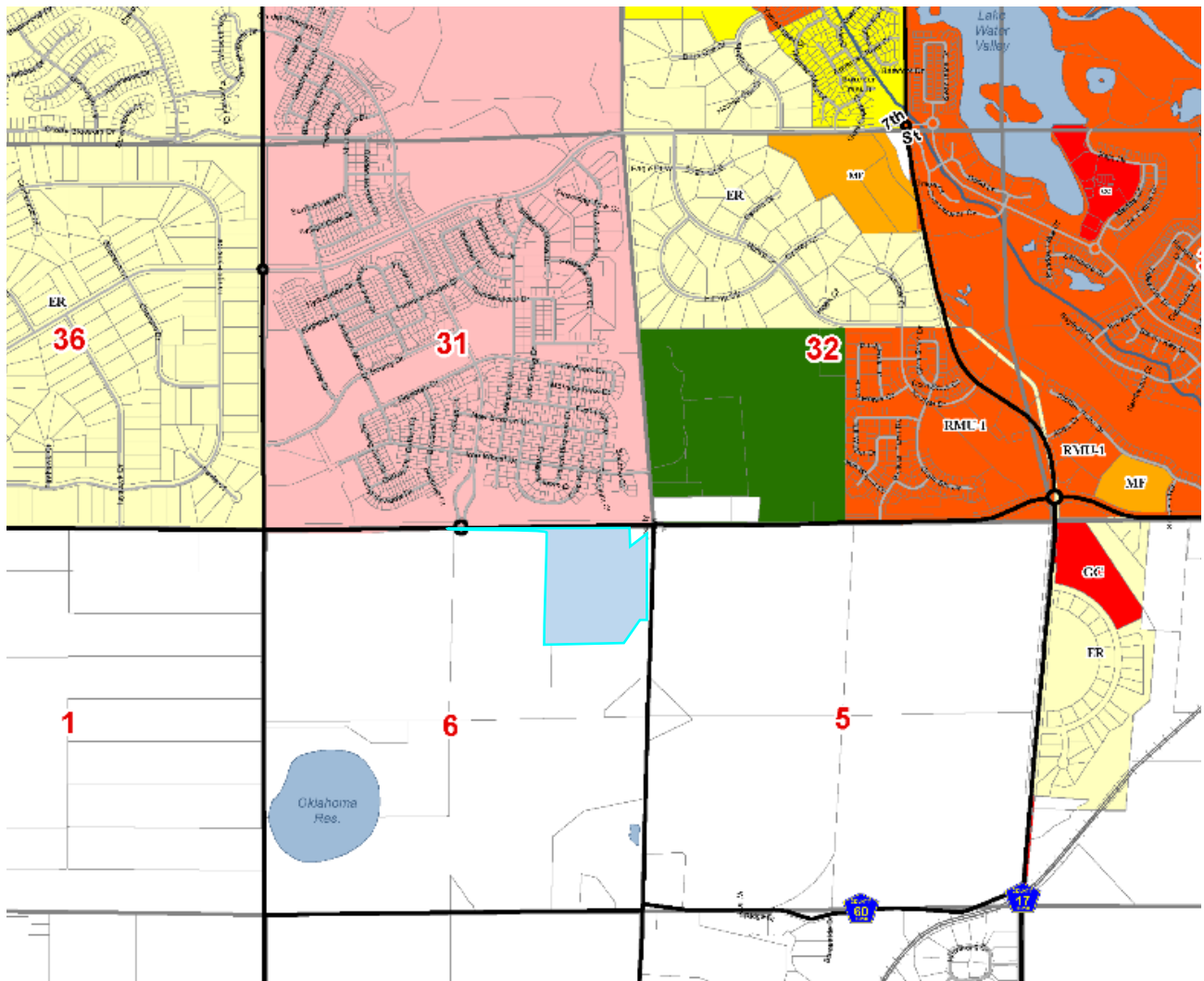


The Land Use Map of the 2016 Comprehensive Plan is the guiding document used to assess the appropriate zoning for the property. This map has designated the property as Estate High Density

Residential. The proposed zoning for the property is Estate Residential (ER), which allows for a purposefully select range of residential uses, such as single-family and proportionately limited open space uses. The Town's ER zoning districts have been designed to provide an estate transition from higher urban densities in the Town to outlying rural densities and preserve environmentally sensitive areas. The proposed ER zoning is in *alignment with the goals and objectives of the Comprehensive Plan*. The proposed ER zoning will provide continuity and compatibility with the existing adjacent Town land uses and zoning to the north, 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	Town of Windsor – RMU-1/PUD (Planned Unit Development)	Single-family residential (Raindance Subdivision)
East	Weld County – Agriculture	Undeveloped agricultural land
South	Weld County – Agriculture	Undeveloped agricultural land
West	Weld County – Agriculture	Undeveloped agricultural land



Outside of the reservoir being built through the state, 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. 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. 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 5c – Residential Areas Framework

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

Objectives:

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

Staff comment: Future development of the property will provide increased buffering and small-town character consistent with community edges.

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

Staff comment: Estate Residential (ER) lends itself to a few housing types and clustering of 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 will be a part of this 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 Smith Farm Annexation to be in conformance with the review criteria as outlined in the Municipal Code.

Project Timeline:

On July 26, 2021, the Town Board Accepted the Petition for Annexation to the Town of Windsor, initiating the annexation proceedings (Resolution No. 2021-42). On August 14, 2023, the Town Board adopted Resolution No. 2023-40 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:

- September 20, 2023 – Planning Commission Public Hearing
- September 25, 2023 – Town Board Public Hearing and Annexation Ordinance First Reading
- October 9, 2023 – Town Board Second Reading

Neighborhood Meeting

A neighborhood meeting was held on August 7, 2023, at the Community Recreation Center.

Notifications for this meeting were as follows:

- July 25, 2023 – letters mailed to property owners within 500 ft.
- July 25, 2023 – ad published in the newspaper

Twelve (12) households attended at the neighborhood meeting. The discussion revolved around generally on the following topics: the need for the reservoir, future land uses, density, traffic and the large piles of dirt on the adjacent property. In general, the residents who attended, including the directly adjacent property owners did not have any major concerns related to the reservoir or prospective future uses. No outstanding issues or follow-up were needed after the neighborhood meeting. All email inquiries since public hearings have gone out have only been interested in the dates and times, no specific issues.

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:
 - August 18, 2023 – first week legal ad
 - August 25, 2023 – second week legal ad
 - September 1, 2023 – third week legal ad
 - September 8, 2023 – fourth week legal
- August 16, 2023– (1) Development Under Review signs posted on property
- August 18, 2023 – public hearing notice published to Town website
- August 18, 2023 – applicant mailed letters to surrounding property owners
- August 18, 2023 – staff mailed certified packets to relevant taxing districts



APPLICATION PACKET ANNEXATION

The following checklist is intended to provide an outline for applicants to ensure a complete submittal and to avoid processing delays due to inadequate information. Land use applications shall include all items listed in the following checklist. If an item is not checked as included in the submittal, a detailed narrative statement outlining reasons why the item has not been submitted shall be included. Lack of such statement or required item shall constitute an incomplete submittal and shall be rejected by the Town. Please review Chapter 15 Article I of the [Town of Windsor Municipal Code](#) for complete application and procedural requirements.

APPLICATION SUBMITTAL REQUIREMENTS:

1

Planning
Department
Checklist

Applicant
Checklist

☐
☒

Completed checklist. Items not checked are explained in the narrative

☐
☒

Completed Land Use Application (attached)

☐
☒

Application fee consistent with the Town of Windsor [Fee Schedule](#)

☐
☒

Annexation petition (example attached) and statement of community need

☐
☒

All required drawings and supportive information per the Municipal Code [Windsor Municipal Code Sections 15-1-30\(b\), 15-1-30\(c\), and 15-1-30\(d\)](#)

☐
☒

All submittals shall follow the Town's [Submittal Requirements](#) and [File Naming Conventions](#) available from the Planning Department

ANNEXATION MAP REQUIREMENTS:

2

Planning
Department
Checklist

Applicant
Checklist

☐
☒

Drawing dimensions shall be twenty-four by thirty-six (24x36) inches. All drawings shall be made with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet

☐
☒

Date of preparation, the scale, a symbol designating true north and zoning

☐
☒

Name of the annexation

☐
☒

Names and contact information of applicant and firm or person preparing map

☐
☒

Vicinity map

☐
☒

Legal description (*township, range, section, lot, block, subdivision*)

☐
☒

Each ownership within and adjacent to the property

☐
☒

Length and distinction of the boundary that is contiguous to the Town

☐
☒

Applicant revisions block (*includes fields for date, initials, description*)

☐
☒

Appropriate [certification blocks](#) as provided by the Planning Department

☐
☒

Existing and requested zoning and acreage of each requested zone

☐
☒

The location and dimensions of all existing and proposed easements and rights-of-way

Revised 9/7/2016



APPLICATION PACKET LAND USE APPLICATION

1

The Town of Windsor Planning Department reserves the right to reject incomplete submittals, per the application checklist and Municipal Code requirements for all applications. Please submit completed application and materials to planningtechs@windsorgov.com. Staff will review the submittal and advise you of its completeness for processing.

2

APPLICATION TYPE:

- ☒ Annexation
☐ Master Plan
☐ Rezoning
☐ Minor Subdivision
☐ Lot Line Adjustment
☐ Major Subdivision
☐ Site Plan

SUBTYPE:

(for Major Subdivisions and Site Plans only)

- ☐ Preliminary
☐ Final
☐ Qualified Commercial/Industrial
☐ Administrative

Project Name*:

Smith Farm Annexation

Legal Description*:

North half of Section 6, Township 5 North, Range 67 West

Address/Location*:

South of Crossroads Blvd, between WCR 13 and 15

Existing Zoning:

Proposed Zoning:

3

OWNER:

Name(s)*:

Martin Lind

Company:

Lind Land Company Inc., VIMA Partners, LLC

Address*:

1625 Pelican Lakes Point, Suite 201, Windsor, CO, 80550

Phone #*:

970-686-5828

Email*:

mlind@watervalley.com

APPLICANT (Owner or Owner's Representative):

Name*:

John Meyers

Company:

TST, Inc. Consulting Engineers

Address*:

748 Whakers Way, Suite 200, Fort Collins, CO, 80525

Phone #*:

970-226-0557

Email*:

jmeayers@tstinc.com

AUTHORIZED REPRESENTATIVE:

Name:

Garrett Scallon

Company:

WaterValley Land Company

Address:

1625 Pelican Lakes Point Ste 201 Windsor CO 80615

Phone #:

970-686-5828

Email:

gscallon@watervalley.com

4

All correspondence will only be sent to those listed above. It is the sole responsibility of those listed to distribute correspondence to other applicable parties.

I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

Signature:

Date: 3/30/2021

(Proof of owner's authorization is required with submittal if signed by Applicant)

Print Name:

Martin Lind

*Required fields

ANNEXATION PETITION
C.R.S. 31-12-107(1)

(I, We) the landowner(s) of more than 50% of the territory, excluding public streets and alleys, described as ... *insert your legal description here* ... containing_ acres more or less, allege the following to be true and correct:

The perimeter of the proposed annexation has a distance of 14,702.3 feet, of which 4805.7 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

1. It is desirable and necessary that said territory be annexed to the TOWN OF WINDSOR.
2. A community of interest exists between the said territory and the TOWN OF WINDSOR.
3. Said territory is urban or will be urbanized in the near future.
4. Said territory is integrated or capable of being integrated with the TOWN OF WINDSOR.
5. No land held in identical ownership is divided into separate parcels unless the owner of said tract has consented in writing or joins in this Petition.
6. No land held in identical ownership comprises 20 acres and together with improvements had an assessed valuation in excess of \$200,000.00 in the year preceding the filing of this Petition.
7. No proceedings for annexation of the territory have been commenced for annexation to another municipality.
8. The signers hereof comprise the landowners of more than 50% of the territory proposed to be annexed exclusive of streets and alleys, and are in fact owners of 100% of the hereinafter described property.

Therefore, the undersigned hereby request that the TOWN OF WINDSOR approve the annexation of the area described above and do herewith pay the required fees.

In addition to the annexation, the undersigned request the zoning of Rmu for the above described property.

Date

Owners Signature

Mailing Address

ANNEXATION PETITION
C.R.S. 31-12-107(1)

(I, We) the landowner(s) of more than 50% of the territory, excluding public streets and alleys, described as

CROSSROADS BOULEVARD ROW DEDICATION PER RECEPTION NO. 4341821,
AND A PARCEL OF LAND AS FURTHER DESCRIBED BELOW.

A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF SECTION 6,
TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE 6TH P.M; COUNTY OF WELD,
STATE OF COLORADO

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 6
NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF WINDSOR,
COUNTY OF WELD, STATE OF COLORADO.

THENCE, S 11°41'46" W A DISTANCE OF 176.14 FEET TO A POINT ON THE EAST
RIGHT OF WAY LINE OF WELD COUNTY ROAD 15 AND TO THE **POINT OF
BEGINNING**;

THENCE, S 01°54'04" W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF
1505.03 FEET;

THENCE, S 48°26'43" W A DISTANCE OF 903.43 FEET TO A POINT ON A LINE;

THENCE S 89°06'02" W A DISTANCE OF 2025.54 FEET TO A POINT ON A LINE;

THENCE, N00°37'10" E A DISTANCE OF 2198.40 FEET TO A POINT ON THE SOUTH
RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE, N 89°16'58" E A DISTANCE OF 43.10 FEET TO A POINT ON THE SOUTH
RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF
116.00 FEET, A CENTRAL ANGLE OF 95°08'37", AN ARC LENGTH OF 192.63 FEET
AND A CHORD THAT BEARS N 89°17'06" E A DISTANCE OF 171.24 FEET TO A POINT
ON THE SOUTH RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE, N 89°17'06" E A DISTANCE OF 2039.63 FEET TO A POINT THE WEST LOT
LINE OF PARCEL #095706000030;

THENCE, S 01°47'32" W A DISTANCE OF 289.66 FEET ALONG THE WEST LOT LINE
OF PARCEL #095706000030;

THENCE, N 65°31'57" E A DISTANCE OF 450.22 FEET ALONG THE SOUTH LOT LINE
OF PARCEL #095706000030;

THENCE, N 80°43'05" E A DISTANCE OF 73.95 FEET ALONG THE SOUTH LOT LINE
OF PARCEL #095706000030 TO THE **POINT OF BEGINNING**;

containing 133.87 acres more or less, allege the following to be true and correct:

The perimeter of the proposed annexation has a distance 14,875.51 feet, of which 4,805.83 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

1. It is desirable and necessary that said territory be annexed to the TOWN OF WINDSOR.
2. A community of interest exists between the said territory and the TOWN OF WINDSOR.
3. Said territory is urban or will be urbanized in the near future.
4. Said territory is integrated or capable of being integrated with the TOWN OF WINDSOR.
5. No land held in identical ownership is divided into separate parcels unless the owner of said tract has consented in writing or joins in this Petition.
6. No land held in identical ownership comprises 20 acres and together with improvements had an assessed valuation in excess of \$200,000.00 in the year preceding the filing of this Petition.
7. No proceedings for annexation of the territory have been commenced for annexation to another municipality.
8. The signers hereof comprise the landowners of more than 50% of the territory proposed to be annexed exclusive of streets and alleys and are in fact owners of 100% of the hereinafter described property.

Therefore, the undersigned hereby request that the TOWN OF WINDSOR approve the annexation of the area described above and do herewith pay the required fees.

In addition to the annexation, the undersigned request the zoning of RMU-1 for the above-described property.

Date

Owners Signature

Mailing Address

5/12/2003

VIMA PARTNERS, LLC


Martin Lind, Manager

1625 Pelican Lakes Point # 201
Windsor, CO 80550

SMITH FARM ANNEXATION

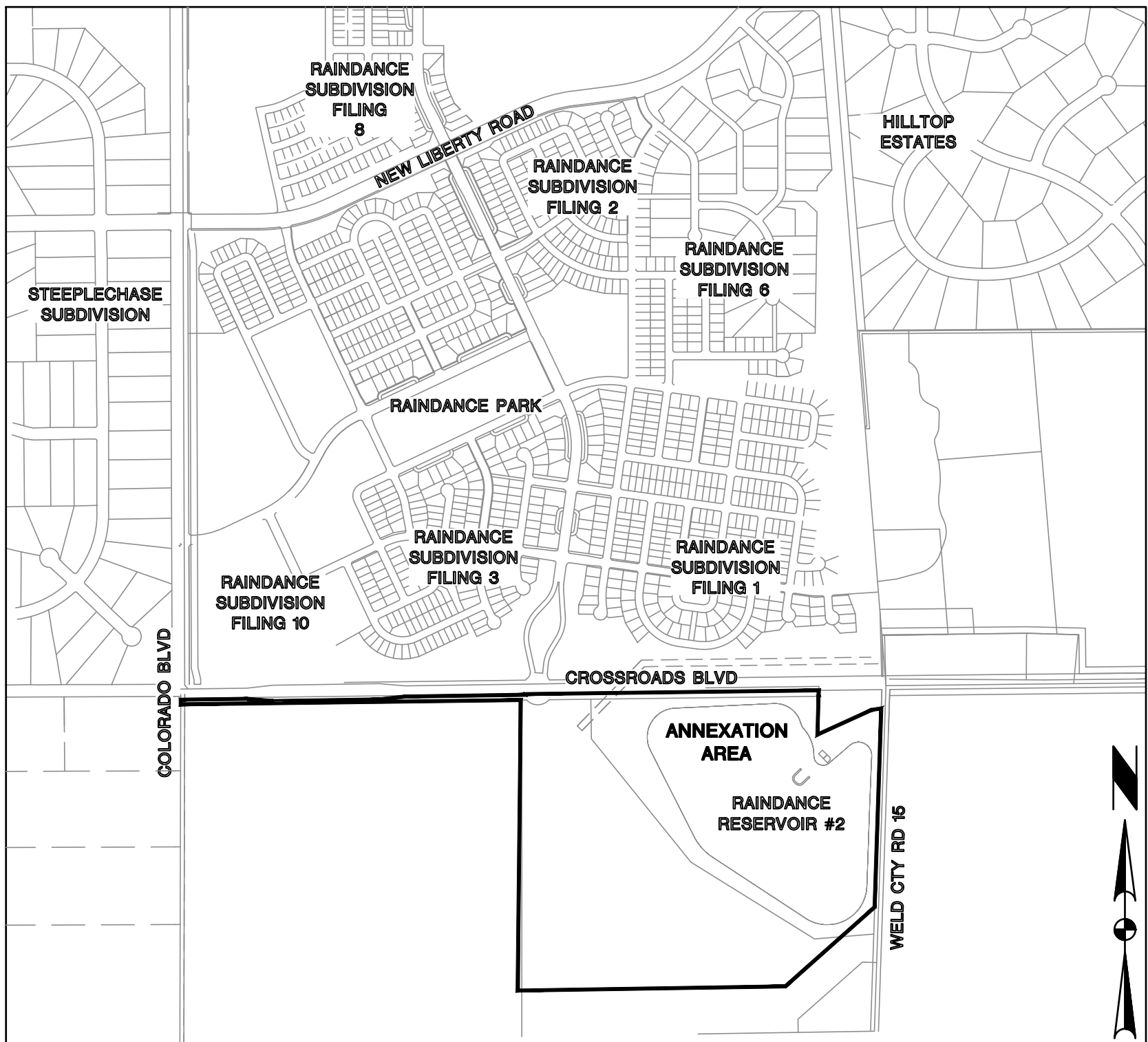
A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE 6TH P.M; COUNTY OF WELD, STATE OF COLORADO

OWNER:

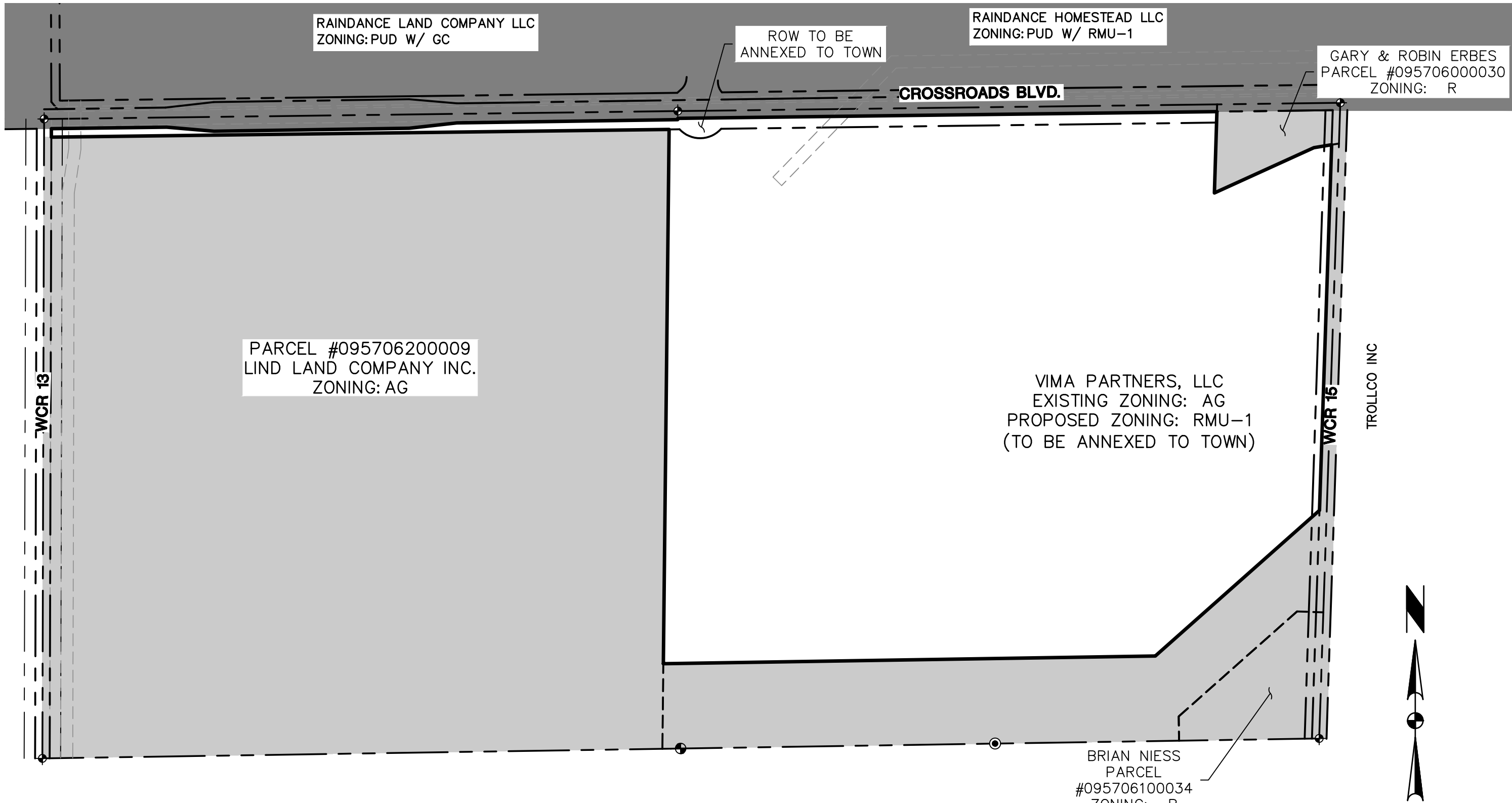
VIMA PARTNERS, LLC
1625 PELICAN LAKES POINT
WINDSOR, COLORADO 80550
(970) 686-5828

ENGINEERING & SURVEYING:

TST, INC. CONSULTING ENGINEERS
748 WHALERS WAY, SUITE 200
FORT COLLINS, CO 80525
(970) 226-0557



VICINITY MAP
NOT TO SCALE



SURVEYOR CERTIFICATE:

I, CHAD R. WASHBURN, CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

DATED THIS THE ____ DAY OF _____, 20__.



CHAD R. WASHBURN
COLORADO PROFESSIONAL
LAND SURVEYOR PLS#37963

NOTES:

- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED IN THE SURVEYOR'S CERTIFICATE IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EXPRESS OR IMPLIED.
- FOR ALL INFORMATION REGARDING TITLE, EASEMENTS, RIGHTS-OF-WAY OF RECORD, AND TERMS OR CONDITIONS AFFECTING THIS PROPERTY, TST, INC. CONSULTING ENGINEERS, AND THE SURVEYOR OF RECORD RELIED UPON TITLE COMMITMENTS NO. FOIF25186133 AND NO. FOIF25186134 PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY EFFECTIVE MARCH 11, 2021 AT 5:00 PM. THIS DOES NOT CONSTITUTE A TITLE SEARCH BY TST, INC. OR THE SURVEYOR OF RECORD.
- THIS ANNEXATION MAP DOES NOT CONSTITUTE A MONUMENTED LAND SURVEY.

BASIS OF BEARING STATEMENT

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6 AS BEARING S89°17'06"W A DISTANCE OF 2727.60 FEET, BEING MONUMENTED ON THE WEST END BY A 2" ALUMINUM CAP, LS 31169, AND ON THE EAST END BY AN ALUMINUM CAP, LS 22098 AND CONSIDERING ALL BEARINGS HEREIN RELATIVE THERETO.

ANNEXATION CONTIGUITY

THE PERIMETER OF THE PROPOSED ANNEXATION HAS A DISTANCE OF 14,875.51 FEET, OF WHICH 4,805.83 FEET (32.3%) ARE CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF WINDSOR. MINIMUM REQUIRED 1/6 (16.7%).

LAND USE					
	CURRENT ZONE	PROP. ZONE	SIZE (AC)	M&O	% TOTAL
LOT B	AG	RMU-1	129.73	OWNER	97%
ROW	AG	RMU-1	4.14	TOWN	3%
TOTAL			133.87		100%

LEGAL DESCRIPTION - PARCEL #095706100011 & ROW ANNEXATION:

A PARCEL OF LAND LOCATED IN WELD COUNTY, COLORADO; BEING A PORTION OF THE NORTH HALF OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL #095706100011 AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, ON THE ____ DAY OF _____, 20__ UNDER RECEPTION NO. _____

AND

THE CROSSROADS BLVD. - ROW DEDICATION AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, ON THE 16TH DAY OF MAY, 2018 UNDER RECEPTION NO. 4399607.

SEE WELD COUNTY RECEPTION NO. 4399607

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

THE UNDERSIGNED, BEING ALL THE OWNERS, LIENHOLDERS, AND HOLDERS OF ANY OWNERSHIP INTEREST AS DEFINED BY THE TOWN OF WINDSOR, OF THE LAND DESCRIBED HEREON, HAVE CAUSED SUCH LAND TO BE ANNEXED AND MASTER PLANNED AS INDICATED ON THIS PLAT UNDER THE NAME OF PARCEL #095706100011 ANNEXATION. IN COMPLIANCE WITH THE TOWN OF WINDSOR REGULATIONS AND BY CONTRACTUAL AGREEMENT, THE LANDOWNERS SHALL BEAR ALL EXPENSES INVOLVED IN IMPROVEMENTS.

OWNER: VIMA PARTNERS, LLC

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE ____ DAY OF _____, 20__.

MARTIN LIND

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)^{SS}

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____

THIS ____ DAY OF _____, 20__.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT AN ANNEXATION MAP OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY ORDINANCE NO. _____

____ OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THE ____ DAY OF _____, 20__, A.D. AND

THAT THE MAYOR OF THE TOWN OF WINDSOR, AS AUTHORIZED BY SAID ORDINANCE, ON BEHALF OF THE TOWN OF WINDSOR, HEREBY

ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES

INDICATED THEREON.

____ MAYOR ATTEST: _____ TOWN CLERK

ENGINEERING DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF ENGINEERING

PLANNING COMMISSION APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

CHAIRMAN,
WINDSOR PLANNING COMMISSION

PLANNING DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF PLANNING

PUBLIC WORKS DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF PUBLIC WORKS

TOWN MANAGER'S APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

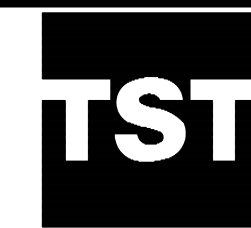
TOWN MANAGER

NOTICE OF OTHER DOCUMENTS

ALL PERSONS TAKE NOTICE THAT CERTAIN DOCUMENTS HAVE BEEN EXECUTED PERTAINING TO THIS DEVELOPMENT, WHICH CREATE CERTAIN RIGHTS AND OBLIGATIONS OF THE DEVELOPMENT. THE DEVELOPER AND/OR SUBSEQUENT OWNERS OF ALL OR PORTIONS OF THE DEVELOPMENT SITE, MANY OF WHICH OBLIGATIONS CONSTITUTE PROMISES AND COVENANTS THAT RUN WITH THE LAND. THESE DOCUMENTS ARE OF RECORD AND ARE ON FILE WITH THE DIRECTOR OF PLANNING OF THE TOWN OF WINDSOR AND SHOULD BE CLOSELY EXAMINED BY ALL PERSONS INTERESTED IN PURCHASING ANY PORTION OF THE DEVELOPMENT SITE.

SMITH FARM ANNEXATION

COVER SHEET



TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

JOB NO. 0732.0387.00

SCALE N.T.S.

DATE MAY 16, 2023

SHEET

1 of 2

RAINDANCE LAND COMPANY LLC
ZONING: PUD W/ GC

RAINDANCE HOMESTEAD LLC
ZONING: PUD W/ RMU-1

CROSSROADS BLVD.

LOT BOUNDARY & ROW LINE

ROW (TO BE ANNEXED TO TOWN)

WCR 13

WCR 15

TROLLCO INC

PARCEL #095706200009
LIND LAND COMPANY INC.
ZONING: AG

PARCEL #095706000030
GARY & ROBIN ERBES
ZONING: R

PARCEL #095706100034
BRIAN NIESS
ZONING: R

VIMA PARTNERS, LLC
EXISTING ZONING: AG
PROPOSED ZONING: RMU-1
(TO BE ANNEXED TO TOWN)

WEST QUARTER CORNER
SECTION 6, T.5N., R.67W.
ALUMINUM CAP PLS 38512

SOUTHWEST CORNER
SECTION 31, T.6N., R.67W.
ALUM CAP LS 22098 IN
MON. BOX

NORTH QUARTER CORNER
SECTION 6, T.5N., R.67W.
FOUND ALUMINUM CAP LS 22098

CROSSROADS BLVD. ROW DEDICATION
PER RECEPTION NO. 4341821

50.00' BIVOL AIR ESENT

LOT BOUNDARY & ROW LINE

BASIS OF BEARING
S89°17'06"W 2727.60

SOUTHEAST CORNER
SECTION 31, T.6N., R.67W
ALUM CAP LS 22098

EX. 60.00' ROW

PROP. 150.00' FUTURE ROW

EX. LOT LINE

EX. LOT LINE

40.00' WITNESS CORNER TO THE
CENTER QUARTER CORNER OF SECTION 6,
T.5N., R.67W. SET 30' OF NO. 6 REBAR
WITH 3 1/2" DIAMETER ALUMINUM CAP
STAMPED AS PER BLM INSTRUCTIONS AND
LUND LS 34995, 2009, WC 40'

CENTER QUARTER CORNER
SECTION 6, T.5N., R.67W.
ACTUAL POSITION FALLS
IN STEEL FENCE CORNER POST

CENTER-EAST SIXTEENTH CORNER
SECTION 6, T.5N., R.67W.
FOUND #5 REBAR WITH
3 1/2" ALUMINUM CAP
LS 22098, 2003

EAST QUARTER CORNER
SECTION 6, T.5N., R.67W.
FOUND 2 1/2" PIPE WITH
3 1/2" ALUMINUM CAP
LS 20685, 1990

30.1 RIGHT OF WAY
BOOK 86, PAGE 273

1"=200'

scale

0

200

200

<u>LEGEND</u>	
EX. LOT LINE	----
PROPOSED LOT LINE	=====
EX. EASEMENT	----
EX. RIGHT-OF-WAY	-----
SURVEY BOUNDARY	-----
EXISTING SECTION LINE	-----
SECTION CORNER MONUMENT (AS DESCRIBED)	
FOUND SV MONUMENT (AS DESCRIBED)	
FOUND SV MONUMENT (ILLEGIBLE)	
WELD COUNTY	
TOWN OF WINDSOR	
CONTIGUOUS TO TOWN OF WINDSOR	

[illegible]

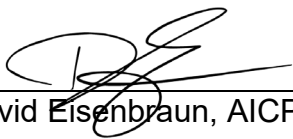
ANNEXATION IMPACT REPORT

SMITH FARM ANNEXATION

Please see the enclosed Annexation Plat for a full legal description on the subject property.

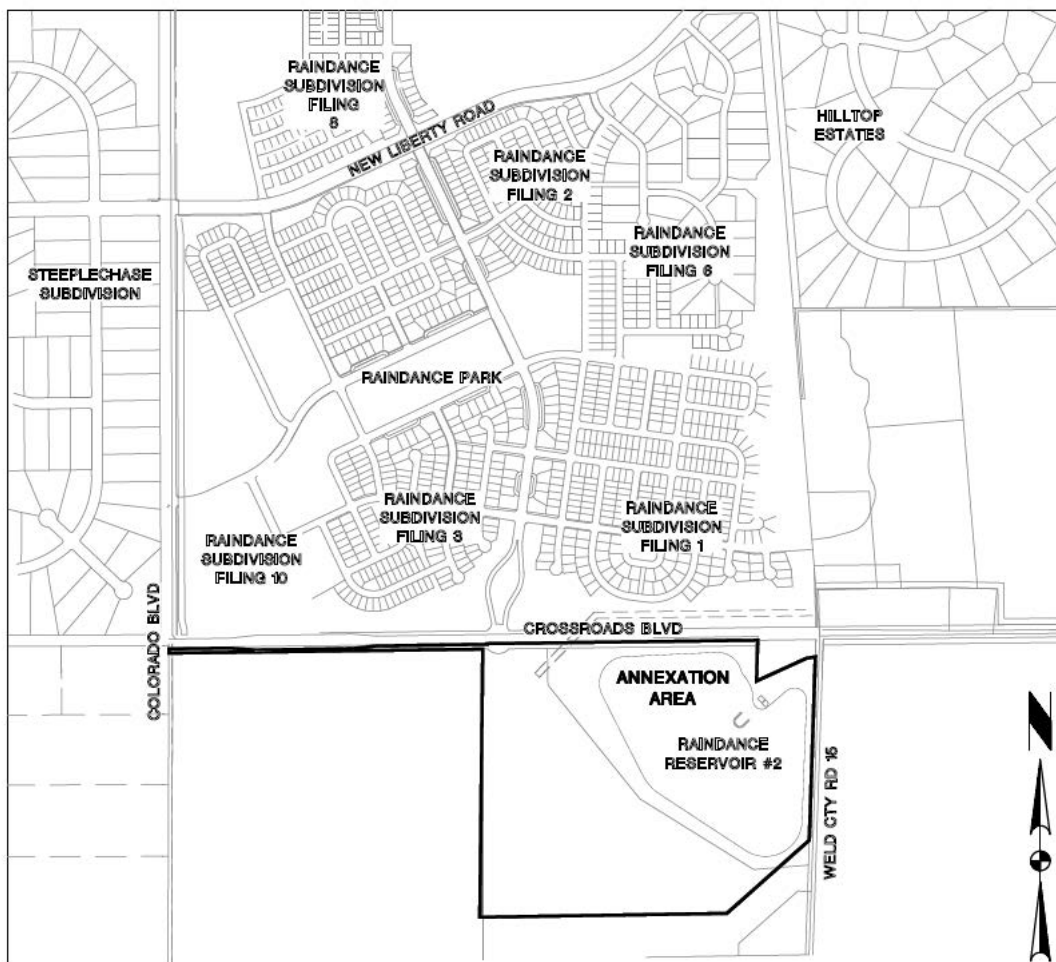
- 1)
 - (a) Please see the enclosed Annexation Plat and Vicinity Map for current and proposed municipal boundaries.
 - (b) Please see item #3 below for information regarding provision of utility services.
 - (c) Please see the enclosed annexation map and master plan for the current and proposed land use patterns of the proposed annexation and the enclosed Town of Windsor Land Use Plan map for the proposed land use patterns for the subject property to be annexed and for surrounding properties..
- 2) The application materials did not include a draft or final pre-annexation agreement as the Town of Windsor does not typically require a pre-annexation agreement unless such an agreement is determined to be necessary during the initial review. An Annexation Agreement will be drafted in conjunction with approval of the annexation of the property.
- 3) Municipal services will be provided as follows:
 - Water – The proposed development will be served by the Town of Windsor.
 - Sewage Disposal – The proposed development will be served by the Town of Windsor.
 - Drainage Facilities – Drainage infrastructure per the Town's requirements is to be constructed by the developer solely at the developer's expense.
 - Fire Protection – Windsor-Severance Fire and Rescue (WSFR) District.
 - Police Protection – Town of Windsor Police Department.
 - School – Weld County RE-4 School District (Windsor)
- 4) Installation and financing of any municipal infrastructure extensions shall be the sole responsibility of the developer.
- 5) Please find the enclosed list identifying all existing districts within the area to be annexed.
- 6) The Weld County School District RE-4 provided comments regarding the application materials (see attached).

All development proposals are required to comply with the Town of Windsor Comprehensive Plan, Zoning and Subdivision Ordinances and applicable Corridor Plans.



David Eisenbraun, AICP | Senior Planner

Date: August 17, 2023



VICINITY MAP

NOT TO SCALE

ANNEXATION PETITION
C.R.S. 31-12-107(1)

(I, We) the landowner(s) of more than 50% of the territory, excluding public streets and alleys, described as

CROSSROADS BOULEVARD ROW DEDICATION PER RECEPTION NO. 4341821,
AND A PARCEL OF LAND AS FURTHER DESCRIBED BELOW.

A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF SECTION 6,
TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE 6TH P.M; COUNTY OF WELD,
STATE OF COLORADO

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 6
NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF WINDSOR,
COUNTY OF WELD, STATE OF COLORADO.

THENCE, S 11°41'46" W A DISTANCE OF 176.14 FEET TO A POINT ON THE EAST
RIGHT OF WAY LINE OF WELD COUNTY ROAD 15 AND TO THE **POINT OF
BEGINNING**;

THENCE, S 01°54'04" W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF
1505.03 FEET;

THENCE, S 48°26'43" W A DISTANCE OF 903.43 FEET TO A POINT ON A LINE;

THENCE S 89°06'02" W A DISTANCE OF 2025.54 FEET TO A POINT ON A LINE;

THENCE, N00°37'10" E A DISTANCE OF 2198.40 FEET TO A POINT ON THE SOUTH
RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE, N 89°16'58" E A DISTANCE OF 43.10 FEET TO A POINT ON THE SOUTH
RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF
116.00 FEET, A CENTRAL ANGLE OF 95°08'37", AN ARC LENGTH OF 192.63 FEET
AND A CHORD THAT BEARS N 89°17'06" E A DISTANCE OF 171.24 FEET TO A POINT
ON THE SOUTH RIGHT OF WAY LINE OF CROSSROADS BOULEVARD;

THENCE, N 89°17'06" E A DISTANCE OF 2039.63 FEET TO A POINT THE WEST LOT
LINE OF PARCEL #095706000030;

THENCE, S 01°47'32" W A DISTANCE OF 289.66 FEET ALONG THE WEST LOT LINE
OF PARCEL #095706000030;

THENCE, N 65°31'57" E A DISTANCE OF 450.22 FEET ALONG THE SOUTH LOT LINE
OF PARCEL #095706000030;

THENCE, N 80°43'05" E A DISTANCE OF 73.95 FEET ALONG THE SOUTH LOT LINE
OF PARCEL #095706000030 TO THE **POINT OF BEGINNING**;

containing 133.87 acres more or less, allege the following to be true and correct:

The perimeter of the proposed annexation has a distance 14,875.51 feet, of which 4,805.83 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

1. It is desirable and necessary that said territory be annexed to the TOWN OF WINDSOR.
2. A community of interest exists between the said territory and the TOWN OF WINDSOR.
3. Said territory is urban or will be urbanized in the near future.
4. Said territory is integrated or capable of being integrated with the TOWN OF WINDSOR.
5. No land held in identical ownership is divided into separate parcels unless the owner of said tract has consented in writing or joins in this Petition.
6. No land held in identical ownership comprises 20 acres and together with improvements had an assessed valuation in excess of \$200,000.00 in the year preceding the filing of this Petition.
7. No proceedings for annexation of the territory have been commenced for annexation to another municipality.
8. The signers hereof comprise the landowners of more than 50% of the territory proposed to be annexed exclusive of streets and alleys and are in fact owners of 100% of the hereinafter described property.

Therefore, the undersigned hereby request that the TOWN OF WINDSOR approve the annexation of the area described above and do herewith pay the required fees.

In addition to the annexation, the undersigned request the zoning of RMU-1 for the above-described property.

Date

Owners Signature

Mailing Address

5/12/2003

VIMA PARTNERS, LLC


Martin Lind, Manager

1625 Pelican Lakes Point # 201
Windsor, CO 80550

SMITH FARM ANNEXATION

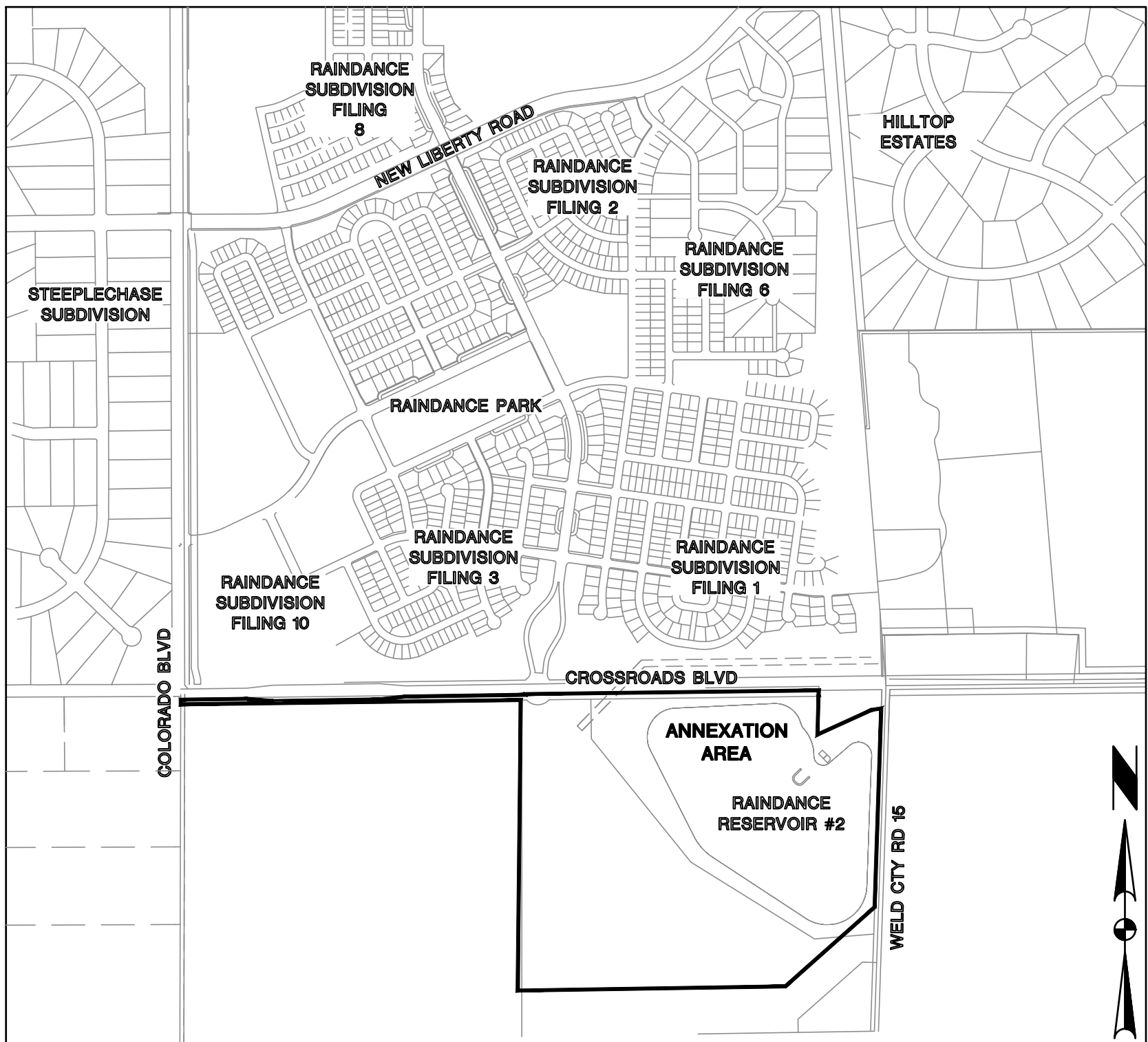
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OWNER:

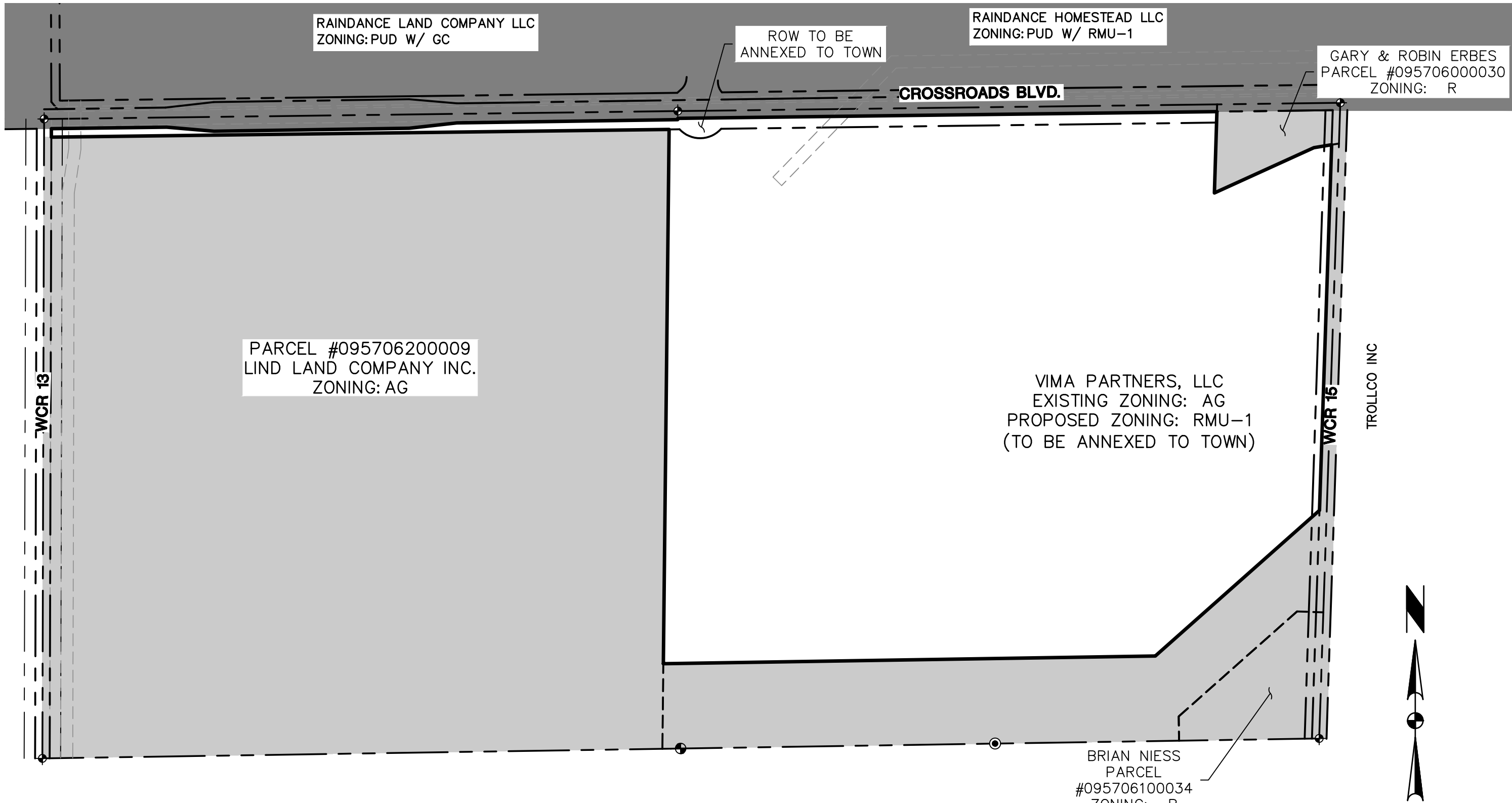
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1625 PELICAN LAKES POINT
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ENGINEERING & SURVEYING:

TST, INC. CONSULTING ENGINEERS
748 WHALERS WAY, SUITE 200
FORT COLLINS, CO 80525
(970) 226-0557



VICINITY MAP
NOT TO SCALE



SURVEYOR CERTIFICATE:

I, CHAD R. WASHBURN, CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

DATED THIS THE ____ DAY OF _____, 20__.

CHAD R. WASHBURN
COLORADO PROFESSIONAL
LAND SURVEYOR PLS#37963



NOTES:

- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
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BASIS OF BEARING STATEMENT

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6 AS BEARING S89°17'06"W A DISTANCE OF 2727.60 FEET, BEING MONUMENTED ON THE WEST END BY A 2" ALUMINUM CAP, LS 31169, AND ON THE EAST END BY AN ALUMINUM CAP, LS 22098 AND CONSIDERING ALL BEARINGS HEREIN RELATIVE THERETO.

ANNEXATION CONTIGUITY

THE PERIMETER OF THE PROPOSED ANNEXATION HAS A DISTANCE OF 14,875.51 FEET, OF WHICH 4,805.83 FEET (32.3%) ARE CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF WINDSOR. MINIMUM REQUIRED 1/6 (16.7%).

LAND USE					
	CURRENT ZONE	PROP. ZONE	SIZE (AC)	M&O	% TOTAL
LOT B	AG	RMU-1	129.73	OWNER	97%
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TOTAL			133.87		100%

LEGAL DESCRIPTION - PARCEL #095706100011 & ROW ANNEXATION:

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PARCEL #095706100011 AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, ON THE ____ DAY OF _____, 20__ UNDER RECEPTION NO. _____

AND

THE CROSSROADS BLVD. - ROW DEDICATION AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, ON THE 16TH DAY OF MAY, 2018 UNDER RECEPTION NO. 4399607.

SEE WELD COUNTY RECEPTION NO. 4399607

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

THE UNDERSIGNED, BEING ALL THE OWNERS, LIENHOLDERS, AND HOLDERS OF ANY OWNERSHIP INTEREST AS DEFINED BY THE TOWN OF WINDSOR, OF THE LAND DESCRIBED HEREON, HAVE CAUSED SUCH LAND TO BE ANNEXED AND MASTER PLANNED AS INDICATED ON THIS PLAT UNDER THE NAME OF PARCEL #095706100011 ANNEXATION. IN COMPLIANCE WITH THE TOWN OF WINDSOR REGULATIONS AND BY CONTRACTUAL AGREEMENT, THE LANDOWNERS SHALL BEAR ALL EXPENSES INVOLVED IN IMPROVEMENTS.

OWNER: VIMA PARTNERS, LLC

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE ____ DAY OF _____, 20__.

MARTIN LIND

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)^{SS}

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____.

THIS ____ DAY OF _____, 20__.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT AN ANNEXATION MAP OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY ORDINANCE NO. _____

_____ OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THE ____ DAY OF _____, 20__, A.D. AND

THAT THE MAYOR OF THE TOWN OF WINDSOR, AS AUTHORIZED BY SAID ORDINANCE, ON BEHALF OF THE TOWN OF WINDSOR, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES

INDICATED THEREON.

MAYOR ATTEST: _____
TOWN CLERK

ENGINEERING DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF ENGINEERING

PLANNING COMMISSION APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

CHAIRMAN,
WINDSOR PLANNING COMMISSION

PLANNING DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF PLANNING

PUBLIC WORKS DEPARTMENT APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

DIRECTOR OF PUBLIC WORKS

TOWN MANAGER'S APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__.

TOWN MANAGER

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SMITH FARM ANNEXATION

COVER SHEET



JOB NO. 0732.0387.00

SCALE N.T.S.

DATE MAY 16, 2023

SHEET

1 of 2

RAINDANCE LAND COMPANY LLC
ZONING: PUD W/ GC

RAINDANCE HOMESTEAD LLC
ZONING: PUD W/ RMU-1

CROSSROADS BLVD.

LOT BOUNDARY & ROW LINE

ROW (TO BE ANNEXED TO TOWN)

WCR 13

WCR 15

TROLLCO INC

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LIND LAND COMPANY INC.
ZONING: AG

PARCEL #095706000030
GARY & ROBIN ERBES
ZONING: R

VIMA PARTNERS, LLC
EXISTING ZONING: AG
PROPOSED ZONING: RMU-1
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PARCEL #095706100034
BRIAN NIESS
ZONING: R

WEST QUARTER CORNER
SECTION 6, T.5N., R.67W.
ALUMINUM CAP PLS 38512

SOUTHWEST CORNER
SECTION 31, T.6N., R.67W.
ALUM CAP LS 22098 IN
MON. BOX

NORTH QUARTER CORNER
SECTION 6, T.5N., R.67W.
FOUND ALUMINUM CAP LS 22098

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PER RECEPTION NO. 4341821

50.00' BIVOL AIR ESENT

LOT BOUNDARY & ROW LINE

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S89°17'06"W 2727.60

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EX. 60.00' ROW

PROP. 150.00' FUTURE ROW

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WITH 3 1/2" DIAMETER ALUMINUM CAP
STAMPED AS PER BLM INSTRUCTIONS AND
LUND LS 34995, 2009, WC 40'

CENTER QUARTER CORNER
SECTION 6, T.5N., R.67W.
ACTUAL POSITION FALLS
IN STEEL FENCE CORNER POST

CENTER-EAST SIXTEENTH CORNER
SECTION 6, T.5N., R.67W.
FOUND #5 REBAR WITH
3 1/2" ALUMINUM CAP
LS 22098, 2003

EAST QUARTER CORNER
SECTION 6, T.5N., R.67W.
FOUND 2 1/2" PIPE WITH
3 1/2" ALUMINUM CAP
LS 20685, 1990

30.1 RIGHT OF WAY
BOOK 86, PAGE 273

1"=200'

scale

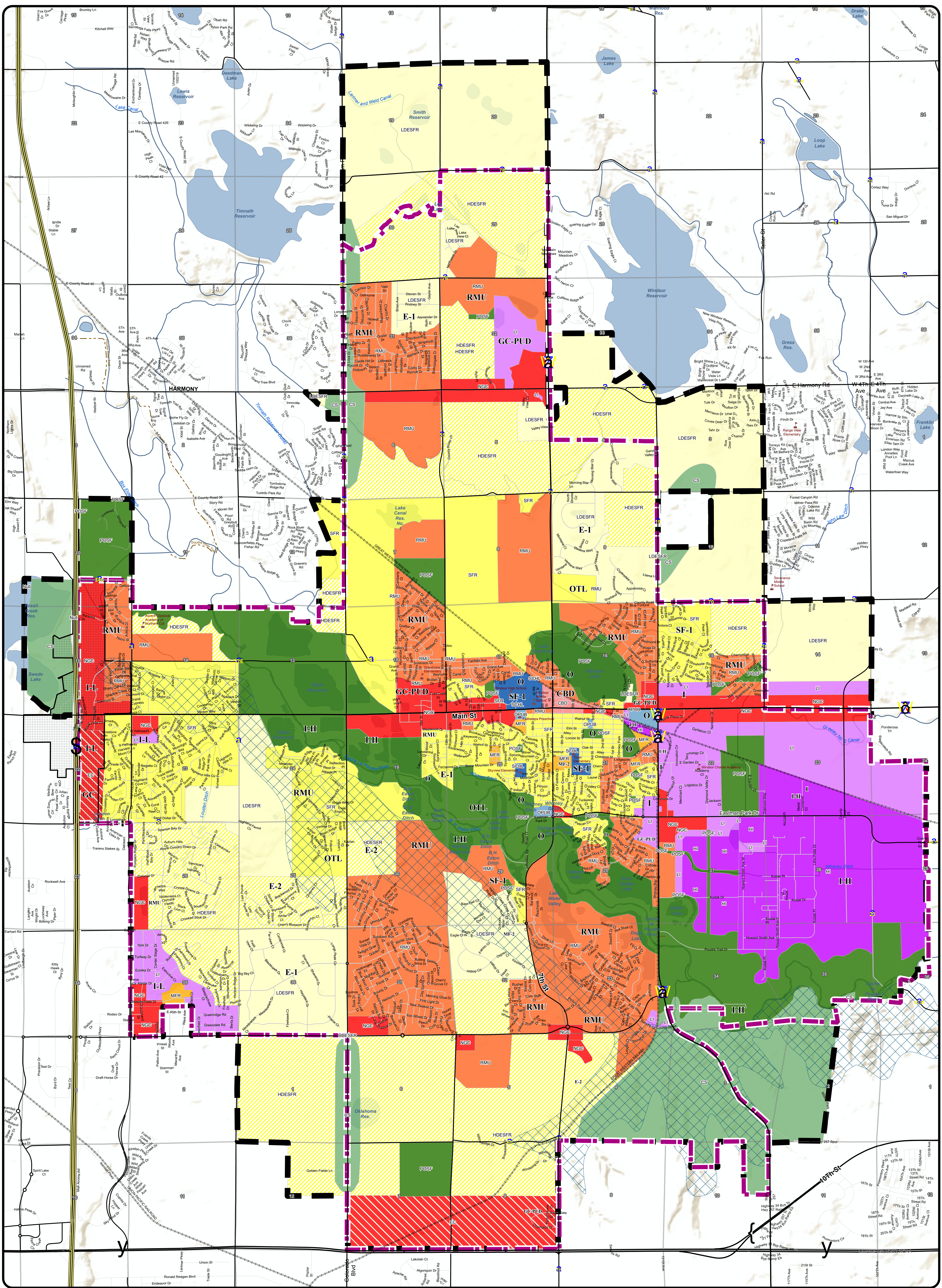
0

200

200

<u>LEGEND</u>	
EX. LOT LINE	----
PROPOSED LOT LINE	_____
EX. EASEMENT	----
EX. RIGHT-OF-WAY	----
SURVEY BOUNDARY	----
EXISTING SECTION LINE	----
SECTION CORNER MONUMENT (AS DESCRIBED)	
FOUND SV MONUMENT (AS DESCRIBED)	
FOUND SV MONUMENT (ILLEGIBLE)	
WELD COUNTY	
TOWN OF WINDSOR	
CONTIGUOUS TO TOWN OF WINDSOR	

REVIEWS			
	DATE		
BY			
DRAWN	JRN		
CHECKED	DAP		
DESIGNED	JRN		
FILENAME 0387_Annexation Exhibit			
SMITH FARM ANNEXATION		ANNEXATION MAP	
 Washburn LAND SURVEYING TST TST, INC. CONSULTING ENGINEERS 748 Whalers Way Suite 200 Fort Collins Colorado 80525 Phone: 970.226.0557			
JOB NO. 0732.0387.00			
SCALE 1" = 200'			
DATE MAY 16, 2023			
SHEET 2 of 2			



LAND USE



- CAC Boundary
- GMA
- CIA
- Bluffs Area
- LandUse
- Single Family Residential

- Multi-Family Residential
- Low Density Estate Single Family Residential
- High Density Estate Single Family Residential
- Residential Mixed Use
- Central Business District
- Employment Corridor

- Neighborhood & General Commercial
- Community Separator
- Parks, Open Space, Mineral Extraction & Flood Plain
- Other Public/Semi-Private
- Schools
- Light Industrial

- Heavy Industrial
- EXTGIS.DBO.LARIMER_COUNTY_PLSS
- EXTGIS.DBO.WELD_COUNTY_PLSS



This map was created for illustrative purposes only. Any repercussions from the misuse or misrepresentation of this map or its contents, whether intentional or not, are the sole responsibility of the user.

Updated: 9/15/2022
Updated by: spspearson
Created: 10/28/2009
Created by: File: Landuse

1:24,000

TOWN OF WINDSOR

RESOLUTION NO. 2021-42

A RESOLUTION INITIATING ANNEXATION PROCEEDINGS FOR THE SMITH FARM ANNEXATION TO THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town Clerk has received an Annexation Petition and Application for Annexation dated March 30, 2021 ("Petition"), a copy of which is attached hereto and incorporated herein by this reference, seeking annexation of certain real property described therein and proposed as the "Smith Farm Annexation to the Town of Windsor"; and

WHEREAS, the Town Board desires to accept the Petition and initiate annexation proceedings in accordance with the requirements of the *Windsor Municipal Code* and the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

The filing of the aforementioned Petition is hereby accepted, and annexation proceedings for the Smith Farm Annexation to the Town of Windsor are hereby initiated.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 26th day of July, 2021.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

Trisha Conway



TOWN OF WINDSOR

RESOLUTION NO. 2023-40

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT CONCERNING THE SMITH FARM ANNEXATION TO THE TOWN OF WINDSOR, COLORADO; DETERMINING SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-101, *ET SEQ.*, C.R.S., "THE MUNICIPAL ANNEXATION ACT OF 1965"; AND ESTABLISHING DATES FOR PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, WITH REGARD TO THE SMITH FARM ANNEXATION

WHEREAS, the Town Clerk has received an Annexation Petition dated March 30, 2021 ("Petition"), a copy of which is attached hereto and incorporated herein, seeking annexation of certain real property described therein and proposed as the "Smith Farm Annexation"; and

WHEREAS, pursuant to The Municipal Annexation Act of 1965 ("Act"), the Town Board is required to determine whether or not the Petition is in substantial compliance with the requirements of the Act; and

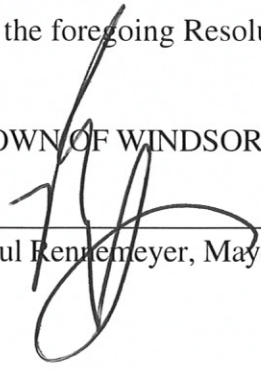
WHEREAS, upon such determination, the Town Board is required to set public hearing dates in accordance with the requirements of the Act; and

NOW, THEREFORE, IT IS FOUND AND RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. Pursuant to Section 31-12-107, C.R.S., the Petition has been filed with the Town Clerk for the annexation of certain real property known as the "Smith Farm Annexation", more fully and particularly described within the Petition.
2. The Town Board finds that the Petition is in substantial compliance with Section 31-12-107(1), C.R.S.
3. In accordance with the Town Board's determination, public hearings shall be held before the Planning Commission and the Town Board to determine if the proposed annexation complies with Sections 31-12-104 and 105, C.R.S.
4. A public hearing shall be held before the Planning Commission at 7:00 p.m. on September 20, 2023, at Windsor Town Hall, 301 Walnut Street, Windsor, Colorado.
5. A public hearing shall be held before the Town Board at 7:00 p.m. on Monday, September 25, 2023, at Windsor Town Hall, 301 Walnut Street, Windsor, Colorado.
6. The Town Clerk, or her designee, shall give notice of the aforesaid hearings in compliance with the Act.

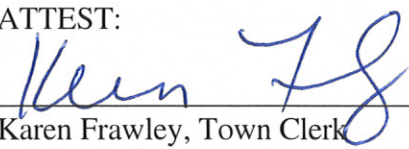
Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14th day of August, 2023.

TOWN OF WINDSOR, COLORADO



Paul Renne Meyer, Mayor

ATTEST:



Karen Frawley, Town Clerk



NOTICE OF PUBLIC HEARINGS

The Windsor Planning Commission will hold a **PUBLIC HEARING** on Wednesday, September 20, 2023, at 7:00 p.m., and the Windsor Town Board will hold a **PUBLIC HEARING** on Monday, September 25, 2023, at 7:00 p.m.

The purpose of these public hearings is to receive public comment on the Smith Farm Annexation, totaling approximately 133.87 acres, to the Town of Windsor; zoning to the Residential Mixed Use One (RMU-1) zoning district; and the Smith Master Plan. The subject property is located southeast of the intersection of Weld County Road 13 (Colorado Blvd) and Crossroads Blvd, and is an area of land being a part of the North Half of the Section 6, Township Five North (T.5N), Range Sixty-seven West (R.67W) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado.

These public hearings are held in the Town Board Chambers on the third floor of Town Hall at 301 Walnut Street, Windsor, Colorado. (Please enter on the south side of the building.)

If you wish to receive further information regarding this proposal, please send an email to the Planning Department: planning@windsorgov.com. To view the public hearing item material, please visit: <https://www.windsorgov.com/83/Boards-Commissions>. The Public Hearing materials will be posted on the Friday before each of the above meeting dates. Interested citizens are invited to participate in the public hearings and provide comments on the proposal.

To view the meeting only, LIVE stream through the Town of Windsor's Meetings On Demand website: www.windsorgov.com/MeetingsOnDemand.

Karen Frawley
Town Clerk

Published in the Greeley Tribune:
Friday, August 18, 2023
Friday, August 25, 2023
Friday, September 1, 2023
Friday, September 8, 2023

NOTE TO GREELEY TRIBUNE:

LEGAL NOTICE CONTACT:

David Eisenbraun
Senior Planner
Town of Windsor
(970) 674-2409

E-mail to Greeley Tribune Wednesday, August 16, 2023



Weld RE-4 School District

1020 Main Street
Windsor, Colorado 80550
970-686-8000
weldre4.org

August 17, 2023

Town of Windsor Planning Department
301 Walnut Street
Windsor, CO 80550

RE: Smith Farm Annexation

Dear Planning Department Staff:

The above referenced annexation application is proposed for a multi family and single family residential units. Weld RE4 requests to be included on any additional information or development applications once the Town of Windsor has made a determination towards the request of this application.

Weld RE-4 School District Cash In Lieu fees are:

- Single Family (detached) - \$2,916
- Single Family (attached) - \$1,213
- Multi-Family - \$1,304
- Mobile Homes - \$2,457

Student School (Grades)	Core Capacity	Enrollment (10/22)
Skyview ES (Pre-K-5)	600	776
Windsor Middle School (6-8)	700	819
Windsor High School (9-12)	1,290	1120

Capacities of the schools that would serve this proposed development are rapidly approaching their design limit.

Recommendations

The School District requests to be notified of any proposed land use changes. Cooperation of all parties is necessary in offsetting the adverse fiscal impacts of rapid residential growth upon the School District's statutorily limited resources.

Your continuing cooperation is sincerely appreciated, as is the opportunity to comment upon issues of interest to the County, the School District and our mutual constituents. Should you have questions or desire further information, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike", is written over a horizontal line.

Michael McCullar
Chief Operating Officer


Account: R8952547
August 17, 2023

Account Information

Account	Parcel	Space	Account Type	Tax Year	Buildings	Actual Value	Assessed Value
R8952547	095706100011		Agricultural	2023		47,667	12,580

Legal

PT E2NE4 6-5-67 LOT B REC EXEMPT RE-3566 EXCEPT A PIECE OF LAND DESCRIBED AS N2 6-5-67 COMM NW COR N89D16E 2608.98 N89D16E 30 S00D09W 39.96 POB S00D09W 35.05 N89D16E 2586.46 THENCE ALNG CURVE L (R= 116.01 CH= N89D17E) N89D17E 2026.64 N00D08E 45.01 S89D17W 2205.6 S00D37W 5.29 S89D09W 909.01 S89D37W 197.97 S89D08W 803.41 N85D08W 195.4 S89D16W 474.86 TPOB

Subdivision	Block	Lot	Land Economic Area
			W GREELEY RURAL

Property Address	Property City	Zip	Section	Township	Range
			06	05	67

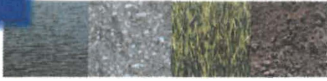
Owner(s)

Account	Owner Name	Address
R8952547	VIMA PARTNERS LLC	1625 PELICAN LAKES PT STE 201 WINDSOR, CO 805506236

Tax Authorities

Tax Area	District ID	District Name	Current Mill Levy
0429	0700	AIMS JUNIOR COLLEGE	6.307
0429	1051	CLEARVIEW LIBRARY	3.553
0429	0301	NORTHERN COLORADO WATER (NCW)	1.000
0429	0204	SCHOOL DIST RE4-WINDSOR	50.879
0429	0100	WELD COUNTY	15.038
0429	1200	WEST GREELEY CONSERVATION	0.414
0429	0521	WINDSOR-SEVERANCE FIRE	8.250
0429	0533	WINDSOR-SEVERANCE FIRE (BOND 2023)	0.000
Total	-	-	85.441

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August 17, 2023

Mr. David Eisenbraun
Town of Windsor
301 Walnut Street
Windsor, CO 80550

Re: ***Smith Annexation – Statement of Community Need***

Dear Planning Commission / Town Board,

The Smith Annexation is approximately 133.87 acres and is located within the Town's Growth Management Area and adjacent to Town boundaries. The property is located at the SW corner of Crossroads Blvd. (WCR 62) and WCR 15. The property is planned to be zoned as Residential Mixed Use One (RMU-1). RMU-1 zoning will provide a good mix of housing opportunities, which in turn supports commercial and retail growth. In addition, the applicant believes this is the best fit for the neighborhood and community given current housing needs.

Lastly, the site is currently under construction to complete Raindance Reservoir #2, which will supply Town residents in the adjoining neighborhood with non-potable water. Annexing the Reservoir into the Town will help tie everything together.

We look forward to discussing this annexation with you.

Sincerely,

Derek Patterson, P.E.
Project Manager
For and on behalf of VIMA Partners, LLC

NEIGHBORHOOD MEETING SIGN IN SHEET
SMITH FARM ANNEXATION – 08.07.23

NEIGHBORHOOD MEETING SIGN IN SHEET
SMITH FARM ANNEXATION – 08.07.23

[illegible]



Smith Farm Annexation, and Establishment of Zoning

To the Town of Windsor

*David Eisenbraun, Senior Planner
Planning Commission – September 20,
2023*



Annexation

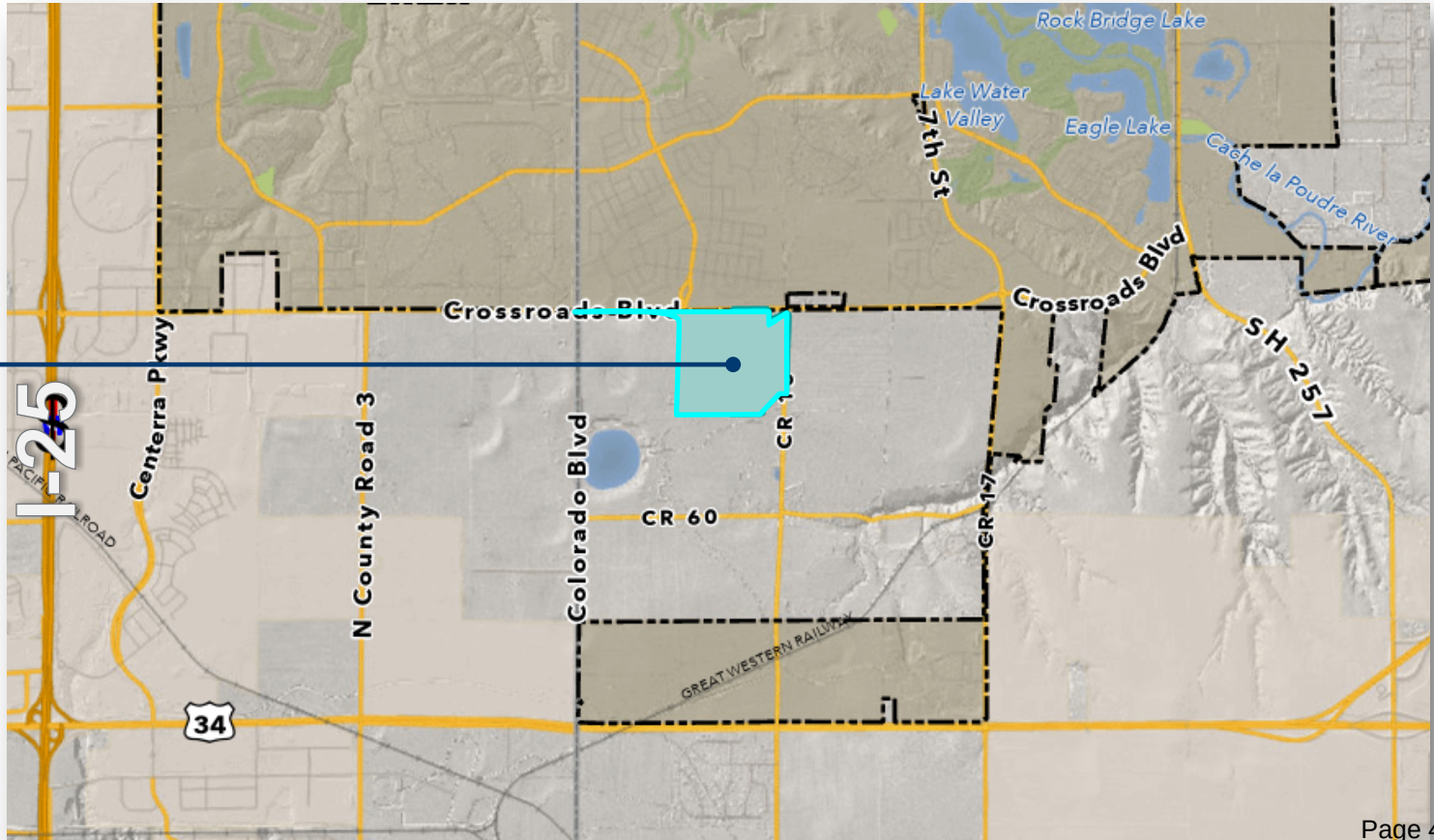
Chapter 14, Article II of the Municipal Code outlines the purpose and procedures of the annexation process, including:

Sec. 14-2-30. Annexation.

The purpose of this Article is to establish a procedure to bring land under the jurisdiction of the Town in compliance with the Colorado Municipal Annexation Act of 1965, as amended...

Vicinity Map

PROJECT
SITE

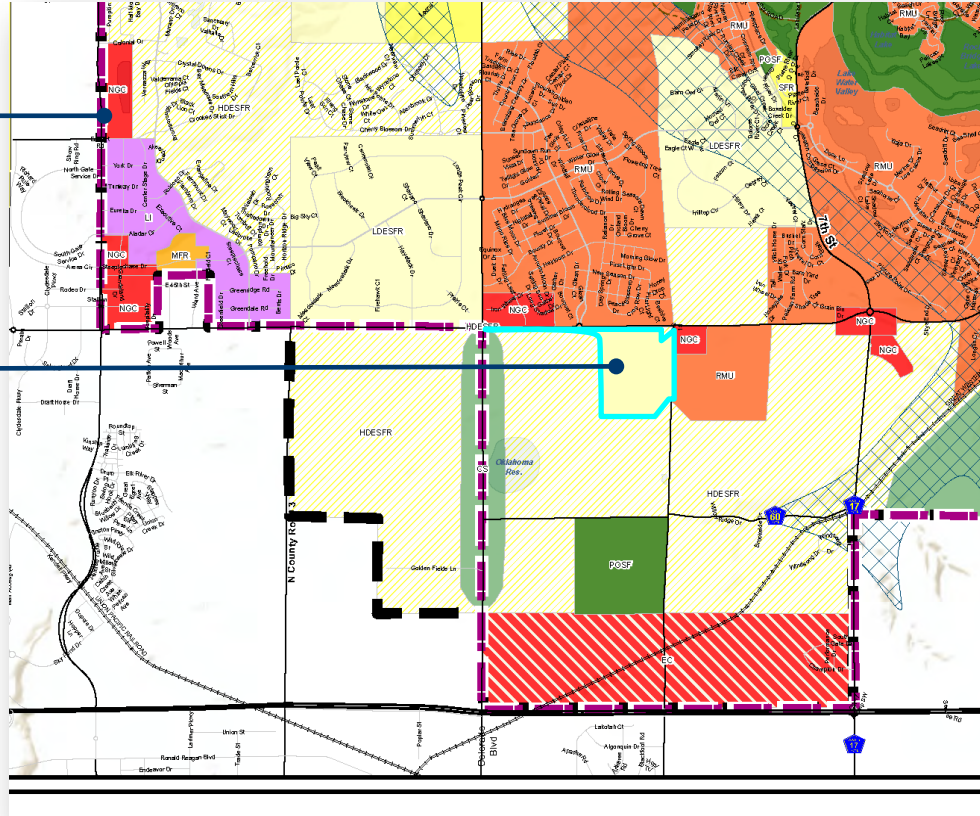




Land Use Plan

TOWN
GMA

PROJECT
SITE



CAC Boundary



GMA



CIA



Bluffs Area

LandUse



Single Family Residential



Multi-Family Residential



Low Density Estate Single Family Residential



High Density Estate Single Family Residential



Residential Mixed Use



Central Business District



Employment Corridor



Neighborhood & General Commercial



Community Separator



Parks, Open Space, Mineral Extraction & Flood Plain



Other Public/Semi-Private



Schools



Light Industrial



Heavy Industrial



EXTGIS.DBO.LARIMER_COUNTY_PLSS



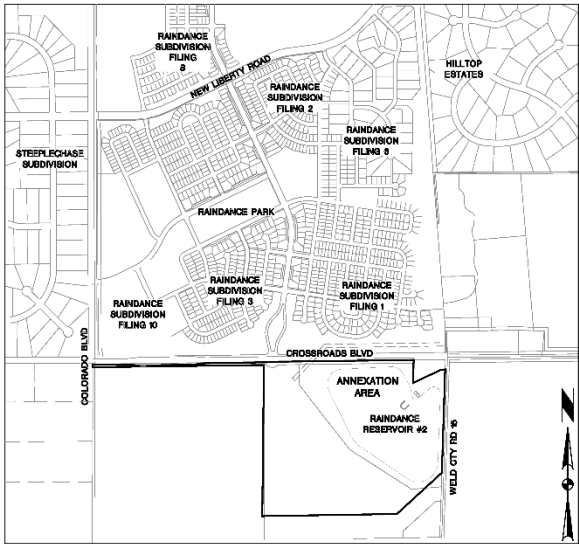
EXTGIS.DBO.WELD_COUNTY_PLSS



Annexation Map

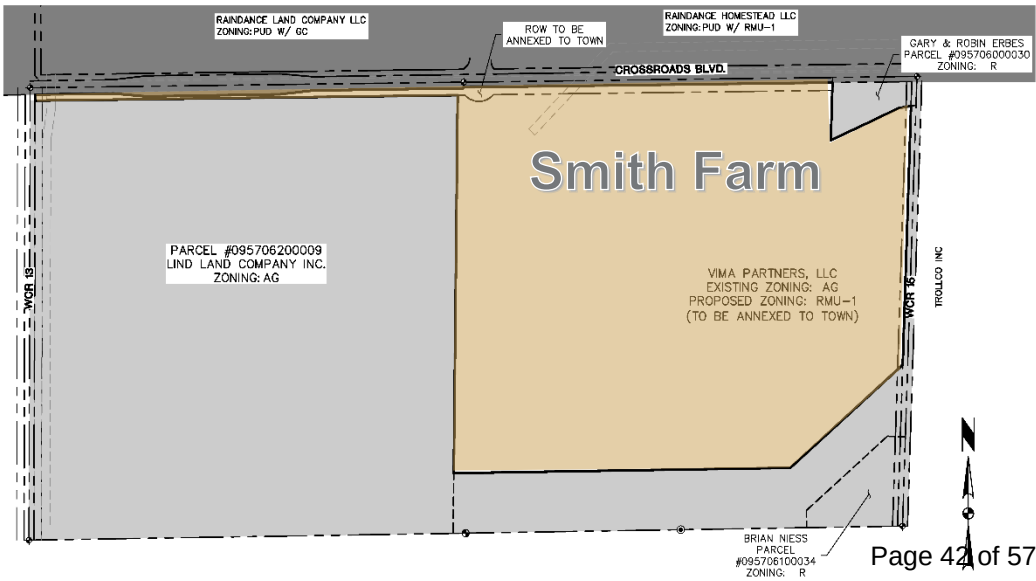
SMITH FARM ANNEXATION

A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE 6TH P.M; COUNTY OF WELD, STATE OF COLORADO



VICINITY MAP

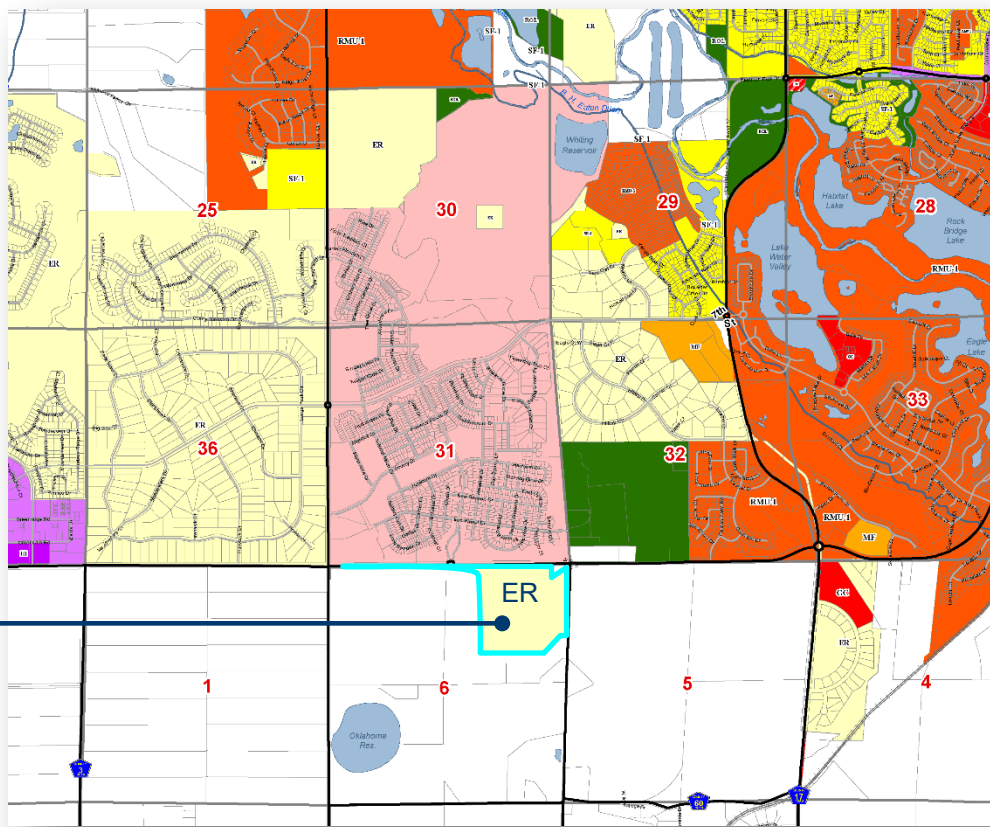
NOT TO SCALE





Zoning Map

**PROPOSED
ZONE: ESTATE
RESIDENTIAL**



- ER Estate Residential
- SF-1 Single Family Residential
- MF Multi-Family Residential
- RMU-1 Residential Mixed Use-One
- CB Central Business District
- NC Neighborhood Commercial
- GC General Commercial
- PUD Planned Unit Development
- LI Limited Industrial
- HI Heavy Industrial
- ROL Recreation & Open Lands



Relationship to 2022 Strategic Plan

Mission: The Town of Windsor promotes community and hometown pride through sustainable, excellent and equitable delivery of services in a fiscally responsible manner.

This project reinforces the **Guiding Principles** of *Community Safety and Quality of Life*

Areas of Focus:

Vital Infrastructure: Windsor places significant value on building and maintaining a safe multi-modal public transportation network, consistent communication systems, efficient wastewater and stormwater management, reliable water delivery and storage systems, and accessible and equitable public facilities that provide a high quality of life for our community.

Vibrant & Healthy Economy: We maintain a viable, stable, diverse and strategic economic base which supports the needs and enhances the lifestyles of those living and working in our community.



Comprehensive Plan Conformance

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:

1. Utilize conservation design and traditional neighborhood design for new residential growth areas and promote overall community livability.
 - *Future development of the property will provide increased buffering and small-town character consistent with community edges*
4. Foster a diversity of housing types and sizes through coordinated land use planning and zoning.
 - *Estate Residential (ER) lends itself to a few housing types and clustering of densities to provide transitions between lower densities and higher intensity uses.*



Comprehensive Plan Conformance

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.

- *Improvements to adjacent streets, extension of water and sewer utilities and extension of the will be a part of this development.*



Findings

At their July 26, 2021 meeting, the Town Board adopted Resolution 2021-42 that accepted the Annexation Petition, thus initiating annexation proceedings.

At their August 14, 2023 meeting, the Town Board adopted Resolution 2023-40 that declared these certain ***findings of fact*** and set public hearing dates for the annexation:

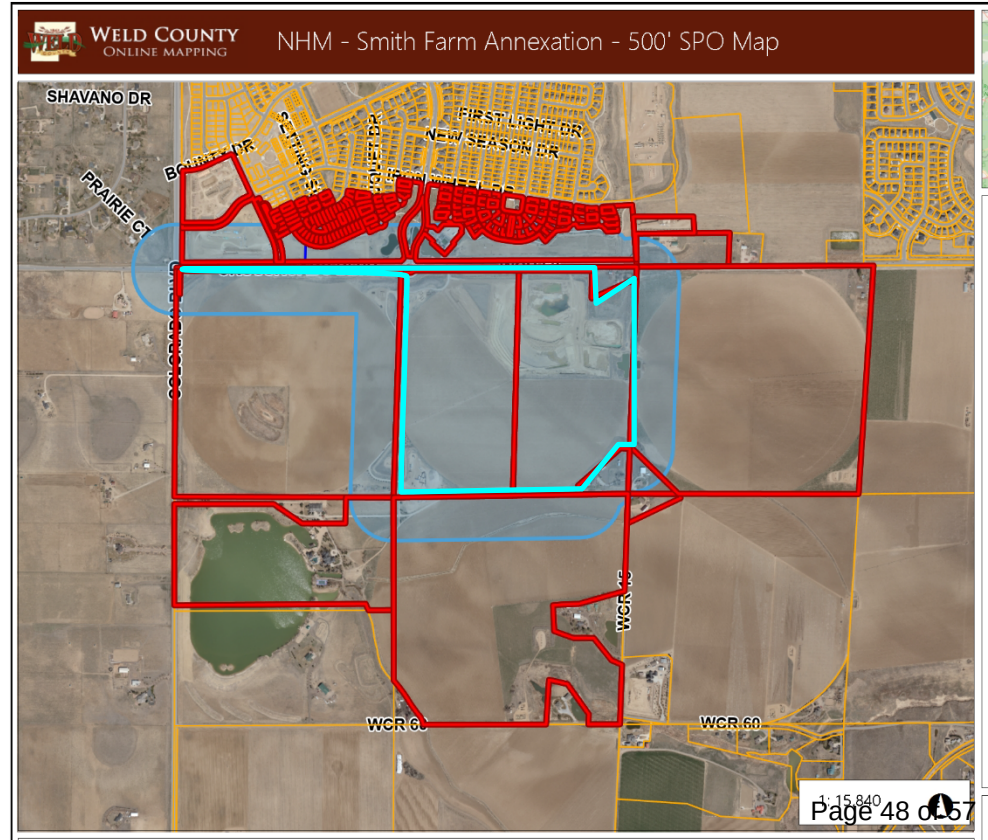
1. September 20, 2023 – Planning Commission
2. September 25, 2023 – Town Board (1st Reading)



Neighborhood Meeting

A Neighborhood Meeting was held on August 7, 2023 at Water Valley:

- July 25, 2023 – Letters sent to surrounding property owners
- July 25, 2023 – Ad published in the newspaper





Neighborhood Meeting

Meeting Summary:

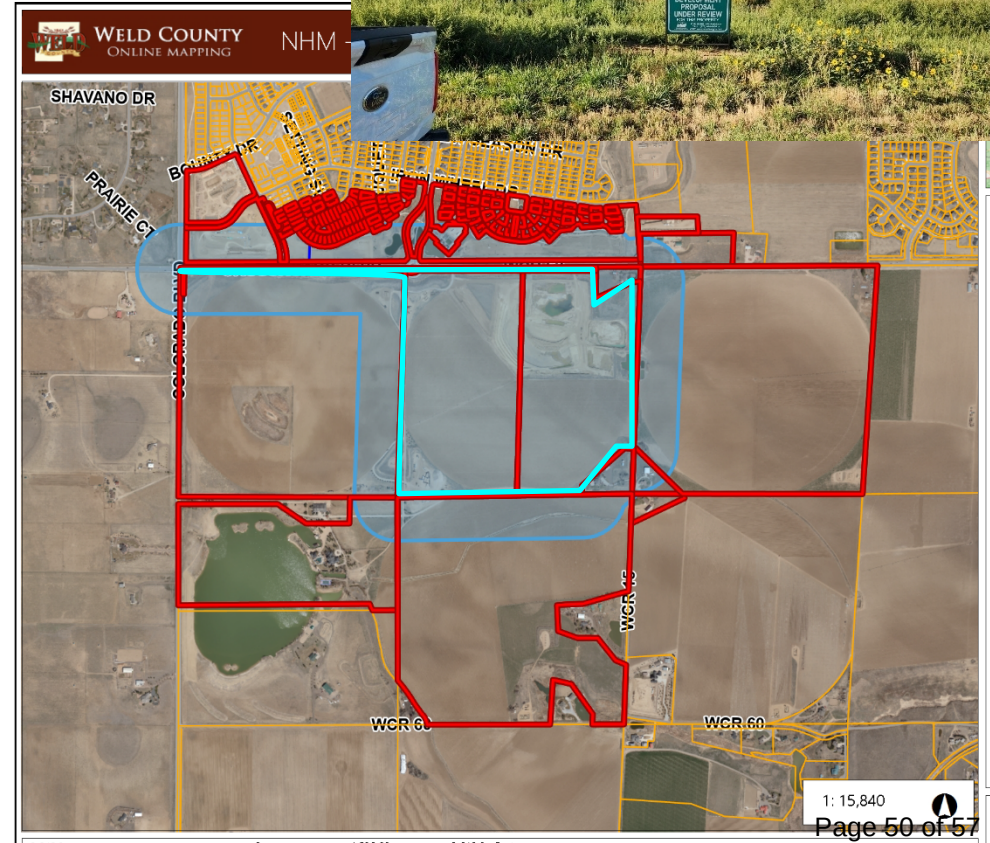
- There were approximately 12 members of the public that spoke generally on the following topics: the need for the reservoir, future land uses, density, traffic and the large piles of dirt on the adjacent property.
- In general, the residents who attended, including the directly adjacent property owners did not have any major concerns related to the reservoir or prospective future uses.
- No outstanding issues or follow-up were needed after the neighborhood meeting. All email inquiries since public hearings have gone out have only been interested in the dates and times, no specific issues.



Notification Area

Planning Commission and Town Board public hearing notifications:

- Legal ad ran for four consecutive weeks in newspaper:
 - August 18, 2023 – first week legal ad
 - August 25, 2023 – second week legal ad
 - September 1, 2023 – third week legal ad
 - September 8, 2023 – fourth week legal ad
- August 16, 2023– (1) Development Under Review signs posted on property
- August 18, 2023 – public hearing notice published to Town website
- August 18, 2023 – applicant mailed letters to surrounding property owners
- August 18, 2023 – staff mailed Certified Packets to relevant taxing districts





Recommendation: Annexation

Staff recommends that the Planning Commission forward a recommendation of ***approval*** to the Town Board for the Smith Farm Annexation and Zoning, subject to any outstanding Planning Commission and Staff comments being addressed.



Record

Staff requests that the following be entered into the record:

- Staff memorandum
- Applications and supplemental materials
- Annexation Petition
- Annexation Impact Statement
- Testimony received at the Public Hearing
- Recommendations



Annexation Review Considerations

- Annexation is a discretionary act by Town Board
- Compliance with Annexation Act of 1965
- Consistency with Comprehensive Plan



Annexation Review Criteria

- (1) The annexation complies with the Municipal Annexation Act of 1965, as amended (C.R.S. § 31-12-101 et seq.).
- (2) The proposal complies with the Comprehensive Plan's goals and objectives, this Code, and all other applicable adopted plans or policies.
- (3) The proposed zoning complies with the Rezoning Review Criteria in Section 14-2-70(b).
- (4) The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements, or that arrangements are made to mitigate such impacts.
- (5) The applicant shall demonstrate that the proposed annexation of land is in compliance with all pertinent intergovernmental agreements to which the Town is a party.
- (6) All existing and proposed streets in newly annexed territory shall be constructed in compliance with all current Town standards unless the Town determines that the existing streets will provide appropriate access during all seasons of the year to all lots fronting on each street; and that the curbs, gutters, sidewalks, bike lanes, culverts, drains, and other structures necessary to the use of such streets or highways are satisfactory or not necessary to promote public safety.



Annexation Review Criteria

- (7) The annexation shall comply with the water rights requirements of the Town.
- (8) The property is within the Growth Management Area. No property outside of the Growth Management Area shall be considered for annexation unless the Town Board finds that, consistent with the comprehensive plan, the best interests of the Town would be served by annexation of such property, and a land use plan for the area proposed to be annexed is submitted together with the annexation application.
- (9) The annexation will not limit the ability to integrate surrounding land into the Town or cause variances or exceptions to be granted if the adjacent land is annexed or developed.
- (10) Unless otherwise agreed to by the Town, the landowner has waived in writing any preexisting vested property rights as a condition of such annexation.
- (11) Town-initiated annexations shall conform to C.R.S. § 31-12-106 and the annexation ordinance shall include an annexation map meeting the requirements of C.R.S. § 31-12-107(1)(d).



Smith Farm Annexation and Establishment of Zoning

To the Town of Windsor

Thank you!



MEMORANDUM

Date: September 20, 2023
To: Planning Commission
From: David Eisenbraun, Senior Planner
Re: Recommendation to Town Board - Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative
Item #: C.2.

Background / Discussion:

See public hearing item materials.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board for the Smith Farm Annexation and Zoning, subject to any outstanding Planning Commission and Staff comments being addressed.

CC:

Attachments: