



Planning Commission Regular Meeting

October 18, 2023 - 7:00 PM

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

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www.windsorgov.com/MeetingsOnDemand.

MINUTES

A. CALL TO ORDER

Vice-Chair Reddick called the meeting to order at 7:00 p.m.

1. Roll Call

Present:

Vice-Chair Reddick
Nathan Kinney
David Hassard
Jose Valdes
Cindy Beemer
Maxwell Nader

Absent:

Chairman Schick
Ben Kirch

Also Present:

Victor Tallon, Town Board Liaison
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
David Eisenbraun, Senior Planner
Mark Price, Planner I
Doug Roth, Civil Engineer IV
Benjamin Bodiker, Visual Media Coordinator
Katrina Haley, Administrative Analyst

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

Planning Commissioner Beemer moved to approve the agenda as written, Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

3. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Approval of the September 20, 2023 Planning Commission Regular Meeting Minutes- K. Cinnamon, Deputy Town Clerk

Planning Commissioner Beemer 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, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

Victor Tallon, Town Board Liaison, 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 - Rezoning for a PUD (Planned Unit Development) Overlay to the GC (General Commercial) Zoning District - Water Valley South 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

Eagle Crossing Development, Inc., owned by Martin Lind, has filed a Petition to Rezone approximately 9 acres of property adjacent to and immediately south of Eastman Park Drive, to include a Planned Unit Development overlay on top of the existing General Commercial zone district.

The Lofts at Water Valley Village will provide a mixed-use neighborhood environment supporting commercial growth, urban connectivity, with a residential component mixed into the project. The emerging trends of working from home and creating a work / life balance is a primary focus for this development. Uses will range from pure commercial pad sites to a commercial mixed-use product providing commercial space on the first floor and a residential space on the second floor.

Vice-Chair Reddick opened the public hearing for Water Valley South Subdivision 13th Filing, Lots 5, 6 and 7 (The Lofts at Water Valley Village).

David Eisenbraun, Senior Planner, presented to the Planning Commission.

Vice-Chair Reddick opened the meeting up for public comment. Mark Anderson, of 217 Whitney Bay, Windsor, CO 80550 came to the podium to speak regarding this item.

Planning Commissioner Beemer 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, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

2. Recommendation to Town Board - Rezoning for a PUD (Planned Unit Development) Overlay to the GC (General Commercial) Zoning District - Water Valley South 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

Please refer to public hearing item materials.

Planning Commissioner Beemer moved to forward a recommendation of approval to Town Board for Rezoning for a PUD (Planned Unit Development) Overlay to the GC (General Commercial) Zoning District - Water Valley South 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, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

3. Public Hearing - An Ordinance for Municipal Code Amendments, Chapter 15-14-50 and 15-14-70, Concerning an Ordinance Amending Windsor Municipal Code Section 15-14-50 and Section 15-14-70 Concerning Flood Damage Prevention and Related Definitions, Adoption of a Flood Insurance Study, and Adoption of New Flood Insurance Mapping

Over a decade ago FEMA launched a project to restudy the Poudre River floodplain. New Flood Insurance Rate Maps (FIRM) and a new Flood Insurance Study (FIS) for Weld County was the result of over 12 years of work. A FIRM typically shows the 100-year floodplain boundary, and many times includes a floodway boundary. The last major floodplain mapping change took place in January of 2016 when the digital flood insurance rate map (DFIRM) was adopted.

The Letter of Final Determination was issued by FEMA on May 30, 2023, notifying communities that they have a six-month period to adopt the FIRM mapping and associated Flood Insurance Study (FIS). In order to adopt the FIRM mapping, the Town Floodplain Ordinance will need to be amended to adopt the Weld County FIRM mapping and FIS as the official Town floodplain mapping. The Town of Windsor must adopt the new FIRM and FIS before November 30th in order to demonstrate to FEMA that the Town is compliant with National Flood Insurance Program regulations.

Colorado Water Conservation Board (CWCB) has reviewed Windsor Municipal Code Chapter 15 Article XIV – Flood Damage Prevention. CWCB has requested that two additional definitions be added to Sec. 15-14-50.

Vice-Chair Reddick opened the public hearing for an Ordinance for Municipal Code Amendments, Chapter 15-14-50 and 15-14-70, Concerning an Ordinance Amending Windsor Municipal Code Section 15-14-50 and Section 15-14-70 Concerning Flood Damage Prevention and Related Definitions, Adoption of a Flood Insurance Study, and Adoption of New Flood Insurance Mapping.

Doug Roth, Civil Engineer IV, presented to the Planning Commission.

Vice-Chair Reddick opened the meeting up for public comment, to which there were none.

Planning Commissioner Beemer 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, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

4. Recommendation to Town Board - An Ordinance for Municipal Code Amendments, Chapter 15-14-50 and 15-14-70, Concerning an Ordinance Amending Windsor Municipal Code Section 15-14-50 and Section 15-14-70 Concerning Flood Damage Prevention and Related Definitions, Adoption of a Flood Insurance Study, and Adoption of New Flood Insurance Mapping

Please refer to public hearing item materials.

Planning Commissioner Beemer moved to forward a recommendation of approval to Town Board for an Ordinance for Municipal Code Amendments, Chapter 15-14-50 and

15-14-70, Concerning an Ordinance Amending Windsor Municipal Code Section 15-14-50 and Section 15-14-70 Concerning Flood Damage Prevention and Related Definitions, Adoption of a Flood Insurance Study, and Adoption of New Flood Insurance Mapping, Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Maxwell Nader; Nays - None; Motion Passed.

5. Public Hearing - Conditional Use Permit Renewal [Case No. CUG23-004] to allow a temporary use not specifically included as a use by right in any zone district, located on a portion of Lot 5 of Great Western Industrial Park Subdivision 7th Filing (30755 Great Western Drive) – Ben Goldwasser, Central Oceans, applicant

The applicant, Central Oceans, represented by Mr. Ben Goldwasser, is requesting a Conditional Use Permit (CUP) to allow an existing approved temporary use for a shipping container storage yard for a period of one year, with the right to extend (administratively, by the Director of Planning) for an additional one-year term, if necessary, to facilitate the conclusion of the project. 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 Conditional Use Permit for their existing storage yard. The original CUG (prior code referred to as a "Conditional Use Grant") request was for a term of four years, expiring December 31, 2023.

Vice-Chair Reddick opened the public hearing for Conditional Use Permit Renewal to allow a temporary use not specifically included as a use by right in any zone district, located on a portion of Lot 5 of Great Western Industrial Park Subdivision 7th Filing (30755 Great Western Drive).

Mark Price, Planner I, presented to the Planning Commission.

Vice-Chair Reddick opened the meeting up for public comment.

Collene Blanks, of 30523 CR23, Greeley, CO 80631 and Greg Stephens, of 30801 CR23, Greeley, CO 80631 spoke to the Commission regarding this item.

Property owner Nate Weigel, no address specified, spoke regarding this item and responded to resident and Planning Commission comments, along with Central Oceans applicant Ben Goldwasser.

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

6. Recommendation to Town Board - Conditional Use Permit Renewal [Case No. CUG23-004] to allow a temporary use not specifically included as a use by right in any zone district, located on a portion of Lot 5 of Great Western Industrial Park Subdivision 7th Filing (30755 Great Western Drive) – Ben Goldwasser, Central Oceans, applicant

Please refer to public hearing item material.

Commissioner Beemer's initial motion did not receive a second. Beemer moved to withdraw her initial motion.

Discussion between the Planning Commission ensued. Varying opinions regarding container height requirements, permit length and issuance, and allowance for the administrative extension were discussed.

Planning Commission Member Valdes moved to forward a recommendation of approval to Town Board for Conditional Use Permit Renewal to allow a temporary use not specifically included as a use by right in any zone district, located on a portion of Lot 5 of Great Western Industrial Park Subdivision 7th Filing (30755 Great Western Drive) with modification of a one year conditional use, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney; Nays - Maxwell Nader; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

Commissioner Kinney spoke about a recent conference in Colorado Springs he attended and how beneficial the information was as a new commissioner.

2. Communications from Town Board Liaison

Mr. Tallon spoke to the commission regarding rate increases for water and sewer utilities due to maintenance costs and overall price increases.

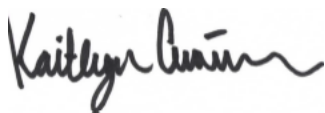
3. Communications from Staff

David Eisenbraun, spoke to the commission about the Parking Management Plan and that it will be in the town's 2024 budget.

Eisenbraun also spoke regarding the Comprehensive Plan update and Downtown Master Plan.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 9:15 p.m.



Kaitlyn Cinnamon, Deputy Town Clerk