



PLANNING COMMISSION REGULAR MEETING

July 6, 2022 - 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. Minutes of the May 4, 2022 Planning Commission Meeting - T. Conway, Deputy Town Clerk
2. Minutes of the June 1, 2022 Planning Commission Meeting - T. Conway Deputy Town Clerk

C. BOARD ACTION

1. Public Hearing - Request to Amend Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Residential Mixed Use - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
 - Legislative action
 - Staff presentation: Carlin Malone, Chief Planner
2. Resolution No. PC2022-01 - Amendment of Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Mixed Use Residential - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
 - Legislative action
 - Staff presentation: Carlin Malone, Chief Planner
3. Public Hearing - Request to Rezone from SF-1 (Single Family Residential One) to CB

(Central Business) zone district - Town of Windsor Subdivision Block 10 Lot 27 - Vern Rasmussen, owner/applicant.

- Quasi-judicial
- Staff Presentation: Sandra Mezzetti, Senior Planner

4. Recommendation to Town Board - Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district - Town of Windsor Block 10 Lot 27 - Vern Rasmussen owner/applicant.

- Quasi-judicial
- Staff Presentation: Sandra Mezzetti, Senior Planner

5. Recommendation to Town Board: 2020-2022 Downtown Parking Study

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison
3. Communications from Staff
 - a. Site Plan Review - Greenspire Subdivision 5th Filing Tract H
 - b. Site Plan Review - East Pointe Subdivision 3rd Filing

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: July 6, 2022
To: Planning Commission
From:
Re: Minutes of the May 4, 2022 Planning Commission Meeting - T. Conway, Deputy Town Clerk
Item #: B.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 05.04.22 PC Draft Minutes



Planning Commission Regular Meeting

May 4, 2022 - 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
Roger Colonnese
Maxwell Nader
Doug Dennison
Tim Reddick

Absent:

Jerry Bushelman
Jose Valdes
Cindy Beemer

Also Present:

Town Board Liaison Wilson
Carlin Malone, Chief Planner
Sandra Mezzetti, Senior Planner
Ben Bodiker, Visual Media Coordinator
Trisha Conway, Deputy Town Clerk

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

Commissioner Dennison moved to approve the agenda as presented, Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Schick, Colonnese, Reddick, Nader; Nays - None; Motion passed.

3. Public Invited to be Heard

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

B. CONSENT CALENDAR

Minutes of the April 20, 2022, Planning Commission Meeting – T. Conway Deputy Town Clerk

Commissioner Dennison moved to approve the minutes of the meeting of April 20, 2022, as presented, Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Schick, Colonnese, Reddick, Nader; Nays - None; Motion passed.

C. BOARD ACTION

1. Public Hearing – Conditional Use Permit (CUP) – Clearview Library District – CUP to allow a temporary use not specifically included as a use by right in the Single Family Residential (SF-1) zone district – Lot 2, Mountain View School – Ann Kling, Clearview Library District, applicant

Chairman Schick opened the public hearing.

Town Board Liaison read the following statement aloud "Mr. Chair, for the record, I would like to disclose that I am a sitting member of the Town Board and that I am here in my capacity as a nonvoting liaison to the Planning Commission. Although I will be present during this public hearing, I will not be giving my opinion or participating in the discussion. I will not let tonight's proceedings influence or affect my review of this matter when it comes before the Town Board. I will make my decision at the Town Board level based only on the evidence presented during the Town Board public hearing.

Proposal

The applicant, Clearview Library District, is requesting a Conditional Use Permit (CUP) to allow one temporary storage container in the SF-1 zone district until such time the library relocates to a new location. A conditional use permit is required because the proposed use is not specifically included as a permitted use or a permitted accessory use in the SF-1 zone district per Section 16-1-40(c) of the Town of Windsor Municipal Code.

The applicant is requesting that continued use of the existing storage container be allowed for storage of miscellaneous items such as special event and craft supplies that were previously stored in various locations onsite including the overcrowded basement and offsite at employee's homes due to insufficient storage space at the library. The container is currently located on the west side of the parking lot in the last two parking stalls leaving 44 off-street parking spaces, plus 9 on street parking spaces, available.

The applicant provided a brief presentation to the Commission.

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

Discussion ensued between the Commissioners and staff.

Commissioner Dennison moved to close the public hearing; Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Schick, Colonnese, Reddick, Nader; Nays - None; Motion passed.

2. Recommendation to Town Board - Conditional Use Permit (CUP) – Clearview Library District – CUP to allow a temporary use not specifically included as a use by right in the Single Family Residential (SF-1) zone district – Lot 2, Mountain View School – Ann Kling, Clearview Library District, applicant

Please refer to the public hearing item materials.

Commissioner Reddick moved to forward a recommendation of approval to the Town Board for the Conditional Use Permit for Clearview Library District to allow temporary use not specifically included as a use by right in the Single Family Residential zone district as presented by staff, Commissioner Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Schick, Colonnese, Reddick, Nader;

Nays - None; Motion passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

None

2. Communications from Town Board Liaison

Town Board Member Wilson reported that the Town Board approved the Trevena annexation, and the building height modification.

3. Communications from Staff

Ms. Malone asked for attendance for June 1st and the June 15th Planning Commission meetings.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:17 p.m.

Trisha Conway, Deputy Town Clerk



MEMORANDUM

Date: July 6, 2022
To: Planning Commission
From:
Re: Minutes of the June 1, 2022 Planning Commission Meeting - T. Conway Deputy Town Clerk

Item #: B.2.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 06.01.22 PC Draft Minutes



Planning Commission Regular Meeting

June 1, 2022 - 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 7:01 p.m.

1. Roll Call

Present:

Chairman Schick
Vice-Chair Bushelman
Doug Dennison
Tim Reddick
Jose Valdes
Cindy Beemer

Also Present:

Town Board Liaison Tallon
Scott Ballstadt, Planning Director
Sandra Mezzetti, Senior Planner
Doug Roth, Civil Engineer
Ben Bodiker, Visual Media Coordinator
Karen Frawley, Town Clerk

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

Commissioner Beemer moved to approve the agenda as presented, Vice-Chair Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Bushelman, Schick, Reddick, Valdes, Beemer; Nays - None; Motion passed.

3. Public Invited to be Heard

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

B. CONSENT CALENDAR

C. BOARD ACTION

1. Public Hearing - Request to Rezone from SF-1 (Single Family Residential) and RMU-1 (Residential Mixed Use) to SF-2 (Single Family Attached Residential) and create a PUD (Planned Unit Development) Overlay - Tacincala Subdivision - Patrick McMeekin, applicant, Hartford Acquisitions, LLC; and Ryan McBreen, applicant's representative, Norris Design

Chairman Schick opened the public hearing.

Town Board Liaison read the following statement aloud "Mr. Chair, for the record, I would like to disclose that I am a sitting member of the Town Board and that I am here in my capacity as

a nonvoting liaison to the Planning Commission. Although I will be present during this public hearing, I will not be giving my opinion or participating in the discussion. I will not let tonight's proceedings influence or affect my review of this matter when it comes before the Town Board. I will make my decision at the Town Board level based only on the evidence presented during the Town Board public hearing.

Proposal

The applicant, Mr. Patrick McMeekin, of Hartford Acquisitions LLC, represented by Mr. Ryan McBreen of Norris Design, has submitted a rezoning application to amend the existing SF-1 (Single Family Residential) zone district and RMU-1 (Residential Mixed Use) zone district to SF-2 (Single-Family Attached Residential) and create a Planned Unit Development (PUD) zoning overlay for 472.5 acres. The applicant has also submitted the Tacincala (aka, "Prairie Song") Master Plan Amendment, concurrent with the rezoning request.

The applicant provided a brief presentation to the Commission.

Chairman Schick opened the meeting for public questions or comments.

Laurel Schnell addressed the Commission regarding owning water rights in the area and not wanting to sign away any of their rights.

David Grove with 330 North Shore Circle addressed the Commission regarding the future plans for Highway 257 and 72 to accommodate all of the upcoming development.

Terese Beeth at 34429 CR 15 addressed the Commission about what the zoning types mean, where to find the packet online, and if there will be any fire retardant measures being put into place.

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to close the public hearing, Commissioner Beemer seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Bushelman, Schick, Reddick, Valdes, Beemer; Nays - None; Motion Passed.

2. Recommendation to Town Board - Request to Rezone from RMU-1 (Residential Mixed Use) to SF-2 (Single Family Attached Residential) and create a PUD (Planned Unit Development) Overlay - Tacincala Subdivision - Patrick McMeekin, applicant, Hartford Acquisitions, LLC; and Ryan McBreen, applicant's representative, Norris Design.

Please refer to the public hearing item materials.

Commissioner Beemer moved to forward a recommendation of approval to the Town Board for a request to rezone from SF-1 and RMU-1 to SF-2 and create a PUD Overlay as presented by staff, Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Bushelman, Schick, Reddick, Valdes, Beemer; Nays - None; Motion Passed.

3. Public Hearing - Tacincala Master Plan Amendment - Patrick McMeekin, applicant, Hartford Acquisitions, LLC; and Ryan McBreen, applicant's representative, Norris Design.

The applicant, Mr. Patrick McMeekin, of Hartford Acquisitions LLC, represented by Mr. Ryan McBreen of Norris Design, has submitted a master plan amendment application for 572 acres of land known as the Tacincala Annex. The Tacincala (Prairie Song) Rezone/PUD land use application was submitted concurrently with the master plan amendment.

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

Vice-Chair Bushelman moved to close the public hearing, Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Bushelman, Schick, Reddick, Valdes, Beemer; Nays - None; Motion Passed.

4. Recommendation to Town Board - Tacincala Master Plan Amendment - Patrick McMeekin, applicant, Hartford Acquisitions, LLC; and Ryan McBreen, applicant's representative, Norris Design_

Please refer to Item C.3 memorandum and Item C.1 attachments: Tacincala Rezone/PUD & Master Plan Project Narrative and Tacincala Rezone/PUD & Master Plan Presentation.

Discussion ensued between the Commission and staff.

Commissioner Beemer moved to forward a recommendation of approval to the Town Board for the Tacincala Master Plan Amendment, Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Dennison, Bushelman, Schick, Reddick, Valdes, Beemer; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

None

2. Communications from Town Board Liaison

Town Board Member Tallon reported that the Town Board had a work session on the Poudre Express service. The DDA also held a stakeholder meeting regarding the development in the backlots, there are currently no plans but was just an informational meeting.

3. Communications from Staff

Per Mr. Ballstadt, a reminder email about the APA conference was sent out and if anyone would like to attend, please let staff know. There is a budget for four Commission members to attend. There will be a joint work session with the Planning Commission and Town Board kicking off the comp plan update on June 20th.

Mr. Roth provided an explanation to the Commission about his role in the development review.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 8:17 p.m.

Karen Frawley, Town Clerk



MEMORANDUM

Date: July 6, 2022
To: Planning Commission
From: Carlin Malone, Chief Planner
Re: Public Hearing - Request to Amend Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Residential Mixed Use - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
Item #: C.1.

Background / Discussion:

The owner representative/applicant, Mr. Larry Buckendorf, of Village East II Investments LLC, represented by Mr. Morgan Kidder, applicant representative, also of Village East II Investments LLC, is requesting an amendment to the Town's Comprehensive Plan Land Use Map. The subject area is located northwest of the intersection of State Highway 392 and Weld County Road 21. The applicant is proposing to change the land use designation of "Neighborhood and General Commercial" to "Mixed Use Residential" for the purpose of pursuing a request to rezone the existing zoning district of GC (General Commercial) zone district to RMU-1 (Residential Mixed Use) zone district for developing multifamily residential apartments. The proposed amendment is shown in the staff presentation and in the draft resolution.

The subject area, now known as Village East Subdivision 8th Filing, is part of the Eastbrook Annexation No. 2, annexed in 2004. With the annexation, the property was zoned and master planned for commercial and industrial. The annexation, zoning and platting for this property has the following timeline (note: this does not include Windsor-Severance IGA and IGA amendments, which are highlighted later).

- In 2008, the Eastbrook Annexation No. One, Two and Three Master Plan was modified to include 45.26 acres of commercial and industrial.
- In 2009, the property was rezoned for 28.1 acres I-L (Limited Industrial) and 25.6 acres of GC (General Commercial), and 12.1 acres of Single-Family Attached (SF-2)
- In 2018, the property was rezoned to RMU (Residential Mixed Use), which included a LUMA, eliminating the I-L zoning, a portion of open space, and reducing most of the commercial acreage. The remaining commercial area is 8.74 acres (4.085 acres of which is developable).
- In 2021, Village East 8th Subdivision was platted for single-family, two parcels for future multifamily, and two parcels for neighborhood commercial; and land purchased by Village East II Investments, LLC.

Town Comprehensive Plan Land Use Plan Amendments

The Planning Commission approves the Town's Comprehensive Plan and proposed amendments to the Plan, per Colorado State Statutes. In the Town's 2021 Code Updates, a Town Board recommendation to Planning Commission for Land Use Map Amendments was included. The Town Board held a public hearing regarding the request and forwarded a recommendation to Planning Commission on June 27, 2022.

Windsor-Severance 392 Development Plan Intergovernmental Agreement (IGA)

The proposed land use plan amendment is located within the boundary of the cooperative planning area (CPA) of the IGA between the Town of Windsor and the Town of Severance. This agreement

includes permitted land uses, design standards, and revenue sharing. The Windsor-Severance IGA was first adopted in 2000, and amended in 2004, 2014, and 2017. The CPA area had previously been designated for commercial uses only. In 2017, the IGA was amended to allow a "flexible area" within the CPA, allowing for residential. The 2017 amendment was a result of a LUMA requested with the Town of Windsor. The history of this request follows this section of the staff memorandum.

Windsor Land Use Map and IGA Amendment Request (2016-2018)

In 2016, the previous owner of the subject property and staff held two work sessions with the Town Board to evaluate if the Town had interest in revisiting the Windsor-Severance IGA to allow residential uses in the cooperative planning area (CPA) of the agreement and amend the Town's Comprehensive Plan Land Use Map. Town officials were hesitant to reduce the amount of commercial in this corridor to residential; however, ultimately supported a reduction in the commercial area, along with shifting land use locations based upon:

- Physical constraints due to the location of the John Law Ditch and floodplain. Commercial was shifted from the SH 392 area to WCR 21.
- Land use proposal for this area that included a mix of residential uses, reserving a portion of the area for neighborhood commercial.

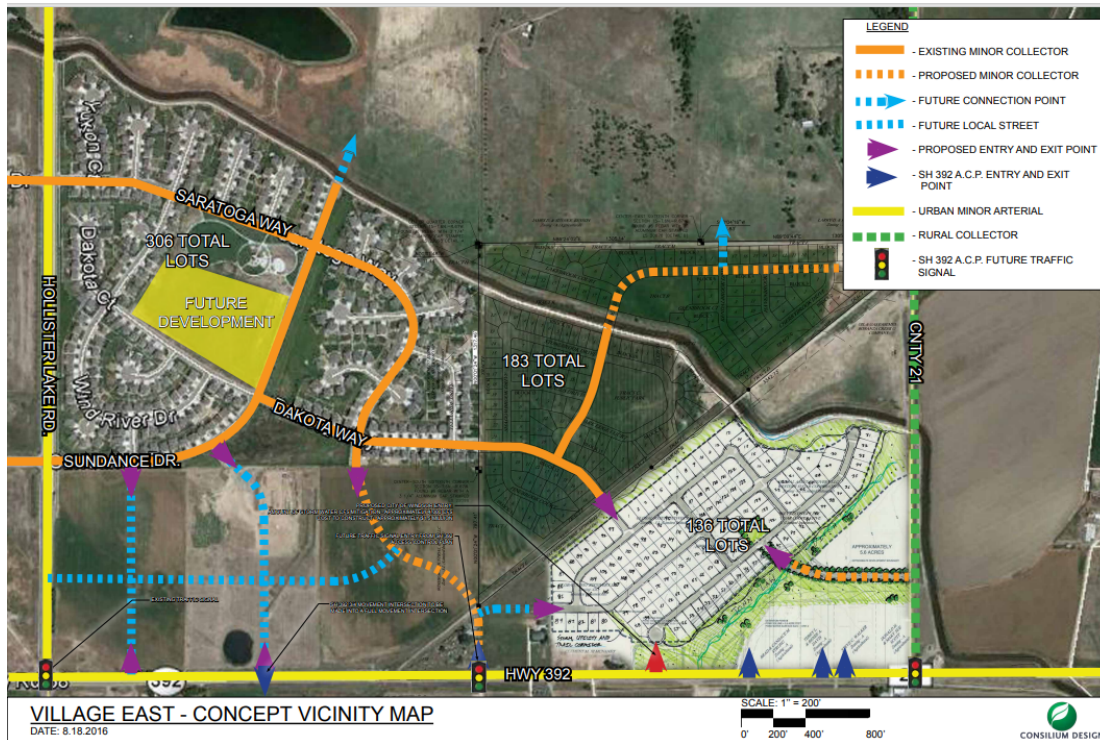
As such, in 2017, the Town proceeded with the request to amend the Windsor-Severance IGA, which was approved by both Windsor and Severance Town Boards, followed by a Planning Commission approval of a land use amendment (LUMA) in 2018. A timeline and summary of events is included below.

- August 8, 2016 – Work Session with Town Board – Amendment to IGA regarding allowance of residential uses in CPA
- October 3, 2016 – follow up Work Session with Town Board – Amendment to IGA regarding allowance of residential uses in CPA
- February 27, 2017 – Resolution for Amendment of Windsor-Severance IGA regarding allowance of residential uses in a portion of the CPA
- March 27, 2017 – Resolution for Amendment of Windsor Severance IGA regarding industrial.
- November 7, 2018 – Planning Commission approval of Land Use Plan Amendment (LUMA) – Neighborhood and General Commercial to Mixed Use Residential. A portion of residential land shifted southwest and a portion of commercial located in the southwest corner of the property shifted northeast (see 2018 LUMA exhibit).

The following two exhibits were presented at a 2016 Town Board Work Session illustrating reservation of a portion of commercial area within the CPA. The plan also included 136 residential units. Current plans include 229 residential units. The proposed LUMA would add 56 more residential units.



2016 Town Board Work Session

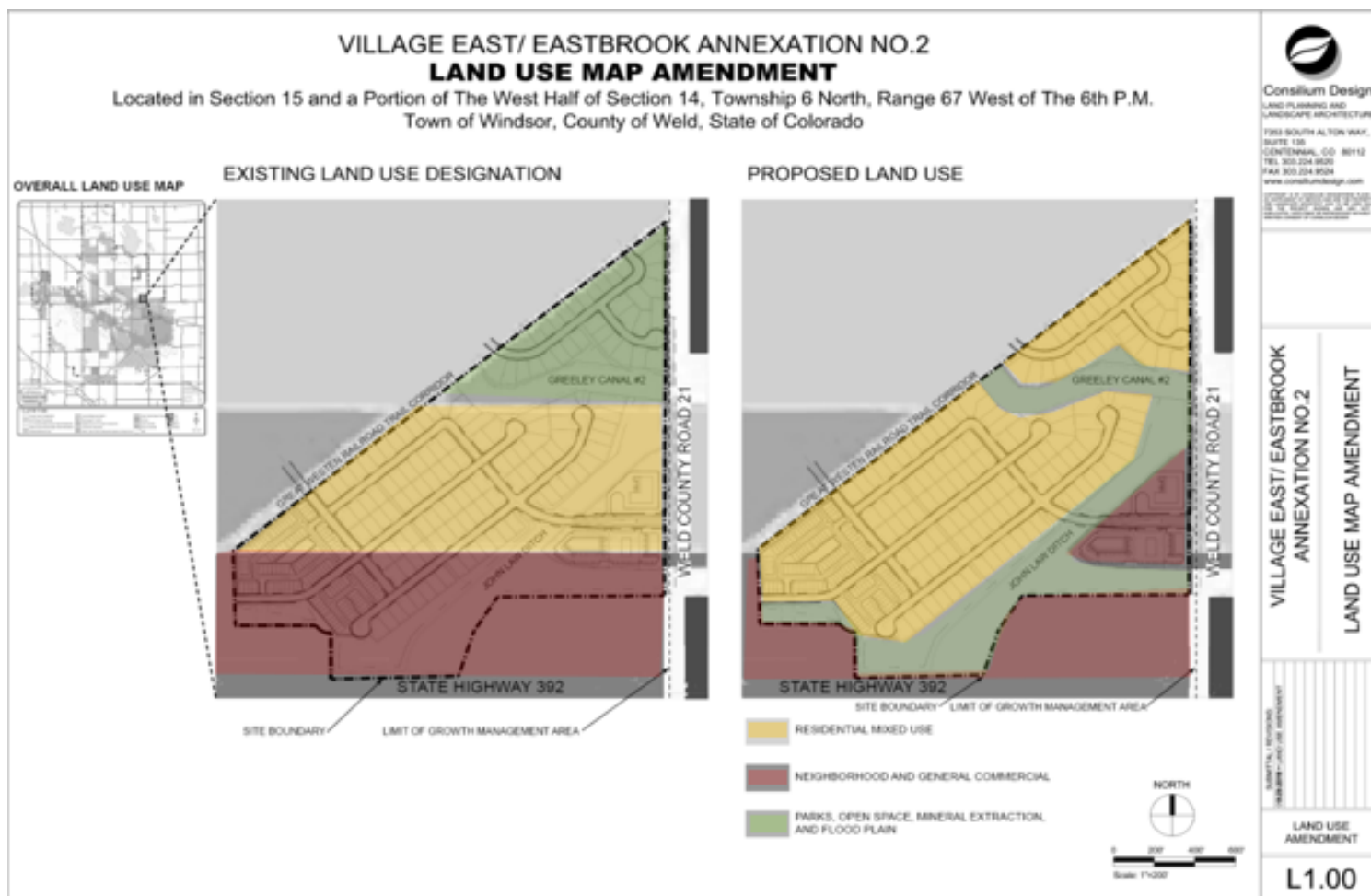


The next concept plan for Village East eliminated the open space and added multifamily residential in the commercially designated area and commercial shifted to northeast (shown here as "Parcel A").

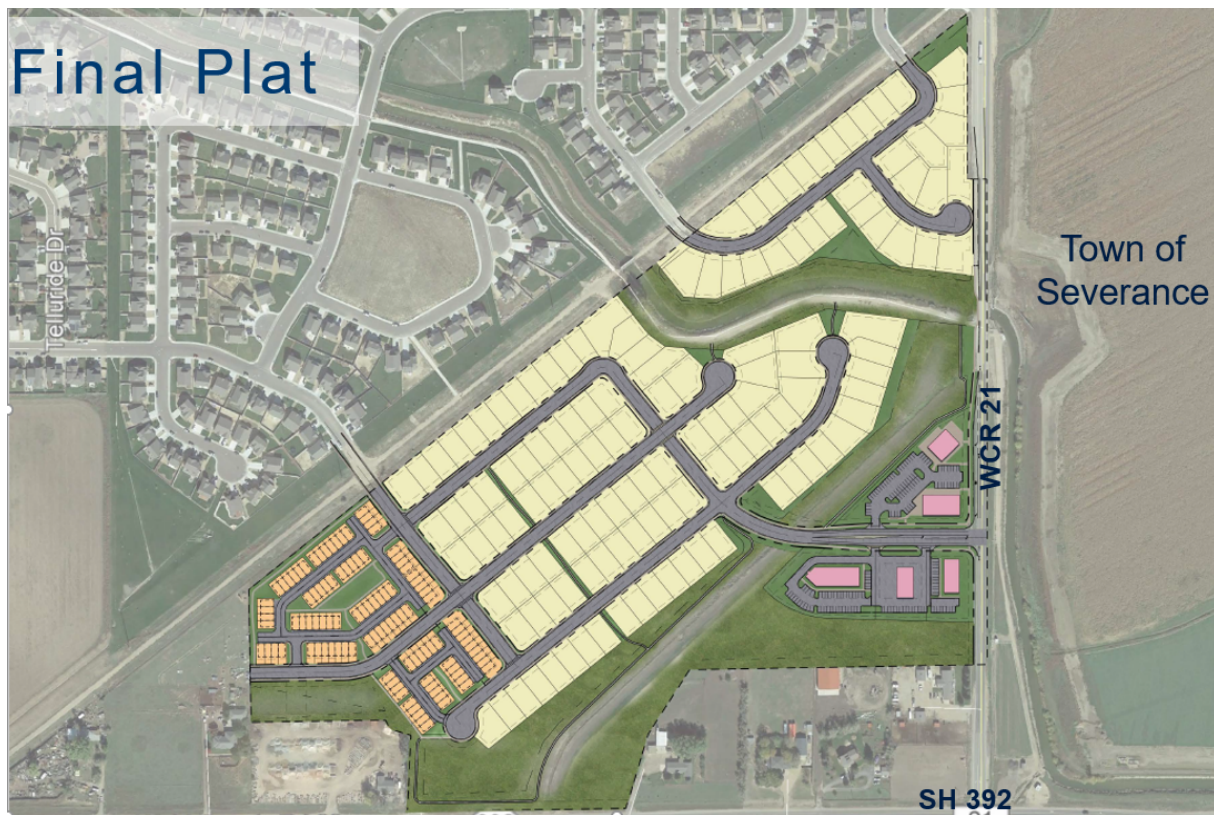


In 2018, after direction from the Town Board that there was support for reducing a portion of commercial in the CPA, shifting residential to the southwest in exchange for shifting commercial to the northeast, the below Land Use Map Amendment (LUMA) was approved by the Planning Commission.

2018 LUMA Exhibit



April 1, 2020, the Planning Commission approved the preliminary plat for Village East 8th Filing.
 June 14, 2021, the Town Board approved the final plat for Village East 8th Filing, as illustrated below,
 which included the neighborhood commercial for this subdivision.



Comprehensive Plan Amendments

The Town's Comprehensive Plan is a tool for guiding long-range planning decisions for the benefit of existing and future residents. The Town's Comprehensive Plan states that the Planning Commission shall consider the following criteria regarding the approval or rejection of any proposed amendment to the Plan:

- a. Conformance with the goals and policies outlined in the Comprehensive Plan
- b. Compatibility with existing and planned land uses;
- c. Minimizing detrimental impacts to the existing or planned transportation system; and
- d. Adequacy of existing or planned service capabilities (i.e., sanitary sewer water, etc.)

1. Conformance with the goals and policies outlined in the Comprehensive Plan

The proposed land use, residential, is inconsistent with the land use designation of Neighborhood and General Commercial. The use of residential is compatible with other residential uses; however, does not provide services in proximity for those residents.

Ninety-six proposed apartments (Village East Subdivision 10th and 11th Filings), applications currently under review, will be located immediately west of the subject area and 133 single-family homes will be developed north and west of the property (Village East Subdivision 8th Filing - platted, infrastructure completed, no building permits issued). At least 900 existing or proposed residential units surround the property to the west and northwest, in Windsor (north of SH 392, east of Hollister Lake Road). Over three thousand residential units, including existing and proposed, are located in Windsor, as well as east and northeast of the area in Severance. The nearest commercial development is located south of SH 392 and east of SH 257.

Chapter 5c – Residential Areas Framework Plan:

Objective 5: Support high-density residential near Downtown, commercial centers, and mixed-use

nodes.

The proposed land use of high-density residential is not near a commercial center, mixed-use node or downtown. The purpose of locating high-density in proximity to downtown, commercial centers and mixed-use node areas is to provide complimentary land uses, providing conveniences close to residents, promoting walkability, and reducing vehicular trips and miles traveled. Hundreds of residential units are near this area and thousands have yet to be built. No permits have yet been issued for the single-family and multifamily residential units within Village East Subdivision 8th, 9th, 10th or 11th. There are currently no commercial services north of SH 392 or east of Hollister Lake Road.

Chapter 5d – Commercial & Industrial Areas Framework Plan

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

Neighborhood commercial is fiscally responsible by providing opportunities for increased tax revenue, jobs, and services in proximity to an existing neighborhood, and encouraging trip reduction. Reducing commercially designated land in the Town's Comprehensive Plan and rezoning commercial land to residential reduces revenue generated while increasing infrastructure costs incurred by the Town.

2. Compatibility with existing and planned land uses

The use of residential is compatible with other residential uses; however, is inconsistent with the planned land use of "Neighborhood and General Commercial."

3. Minimizing detrimental impacts to the existing or planned transportation system; and

It is not anticipated that the proposal would create detrimental impacts to the planned transportation system. The area under consideration would have similar traffic patterns with anticipated traffic flow. The proposal would not change the road network from what has already been planned.

4. Adequacy of existing or planned service capabilities (i.e., sanitary sewer, water, etc.)

Town Engineering staff has reviewed the request and the site has adequate sanitary sewer capacity. Raw water is required to be dedicated prior to development.

Staff and Town Board Recommendations

At the June 27, 2022 Town Board meeting, staff recommended that the Town Board forward to the Planning Commission a recommendation of denial, finding that:

1. Adequate justification for the request has not been provided; and
2. Town Board has provided consistent direction to discourage conversion of commercially zoned property to residential.

The Town Board forwarded to Planning Commission a recommendation of approval of the LUMA request. The motion passed 4-3. Those voting against the motion expressed the following concerns regarding approval of the request:

- Compromising the integrity of the Comprehensive Plan
- Inconsistency with the Board's direction to discourage conversion of commercial land to residential
- The perception that such an approval would set a precedent, although all land use decisions are based upon the merit of the subject proposal

Notification

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

- June 13, 2022 – development sign posted on property
- June 13, 2022 – public hearing notice published to Town website
- June 16, 2022 - applicant mailed letters to surrounding property owners within 500 feet of the property.
- June 17, 2022 – public hearing notice published in Greeley Tribune

Financial Impact:

Converting commercially designated and zoned land to residential will result in less tax-generating property within the Town. The Windsor-Severance IGA includes revenue sharing; therefore, the conversion from commercial to residential will result in less revenue for the Town of Severance.

The request is to ultimately convert 4.085 acres of commercial to residential to build 56 multi-family rental units. The Town's Economic Development Department generated two versions of the Town's Economic Impact Model, which uses the current town budget to determine the net fiscal benefit to the town for any project and produced the following findings:

- **Multi-Family EIA:** Allowing 56 rental units to be built on the 4.085 acres there would create a total deficit **-\$364,525** to the town by year 10. Some assumptions of the model were made and are as follows: rent would be \$1,500 per unit, the cost of building each apartment would be \$180,000 with an occupancy rate of 97.3%.

- **Commercial EIA:** Economic impact model for commercial space on the 4.085 acres would create a fiscal benefit of \$3,421,543 to the town by year 10. The assumptions used in the model were as follows: Proposed 27,500 sq. ft. of commercial space, lease rate was estimated low at \$22.00 a sq. ft., and cost to build with tenant finish was \$300.00 sq. ft.

A memorandum from the Town's Economic Development Director, along with the above analyses, are included in the packet material for this item.

Relationship to Strategic Plan:

The application is *consistent* with the following:

- **Infrastructure** – The Town's Engineering staff have reviewed the request and adequate sewer capacity is available for multifamily residential in this area. Raw water is required to be dedicated prior to development.

The application is *inconsistent* with the following:

- **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.

Goals:

- Promote business diversification in the community

- Attract balanced commercial development that will sustain the future of Windsor
- The priorities in this area are economic sustainability and vibrancy, infrastructure.

Recommendation:

At the June 27, 2022 Town Board meeting, staff recommended that the Town Board forward to the Planning Commission a recommendation of denial, finding that:

1. Adequate justification for the request has not been provided; and
2. Town Board has provided consistent direction to discourage conversion of commercially zoned property to residential.

The Town Board voted 4-3 to forward to Planning Commission a recommendation of approval of the LUMA request.

CC:

Scott Ballstadt, Director of Planning
Stacy Miller, Director of Economic Development

Attachments:

1. Reso PC2022-01
2. LUMA - Applicant Narrative
3. Hwy 392 Development Plan - Windsor-Severance IGA Amend (2017)
4. Hwy 392 Development Plan - Windsor-Severance IGA Amend (2014)
5. Hwy 392 Development Plan - Windsor-Severance IGA Amend (2004)
6. Hwy 392 Development Plan - Windsor-Severance IGA (2000)
7. Economic Development Department - Memo & Impact Analysis
8. 2016 - Village East Commercial-Residential Conversion - Economic Impact Analysis
9. LUMA - Applicant Presentation
10. PC Item -Staff Powerpoint - LUMA

TOWN OF WINDSOR

PLANNING COMMISSION RESOLUTION NO. PC2022-01

A RESOLUTION APPROVING AND ADOPTING AMENDMENTS TO THE TOWN OF WINDSOR 2016 COMPREHENSIVE PLAN

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested in accordance with Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulation, the purpose of which is the protection of the public health, safety, and welfare; and

WHEREAS, the owner of the property within the Eastbrook Annexation No. 2 to the Town of Windsor (more commonly known as Village East Subdivision 8th Filing) has presented a Comprehensive Plan Amendment, depicted in **Exhibit A**, attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing on Comprehensive Plan Amendment was presented to the Windsor Town Board on June 25, 2022, and received a recommendation for Planning Commission approval; and

WHEREAS, a public hearing on the proposed Comprehensive Plan Amendment was presented to the Windsor Planning Commission, and has been reviewed in accordance with applicable planning criteria.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Windsor Planning Commission hereby approves and adopts the amendment to the 2016 Update to the Town of Windsor Comprehensive Plan, to amend the land use depictions of the areas depicted on Exhibit A within the Eastbrook Annexation No. 2 to the Town of Windsor (Village East Subdivision 8th Filing).
2. The Windsor Planning Commission hereby authorizes its Chair to execute this Resolution, and its Vice-Chair to attest thereto.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 6th day of July 2022.

TOWN OF WINDSOR PLANNING COMMISSION

ATTEST:

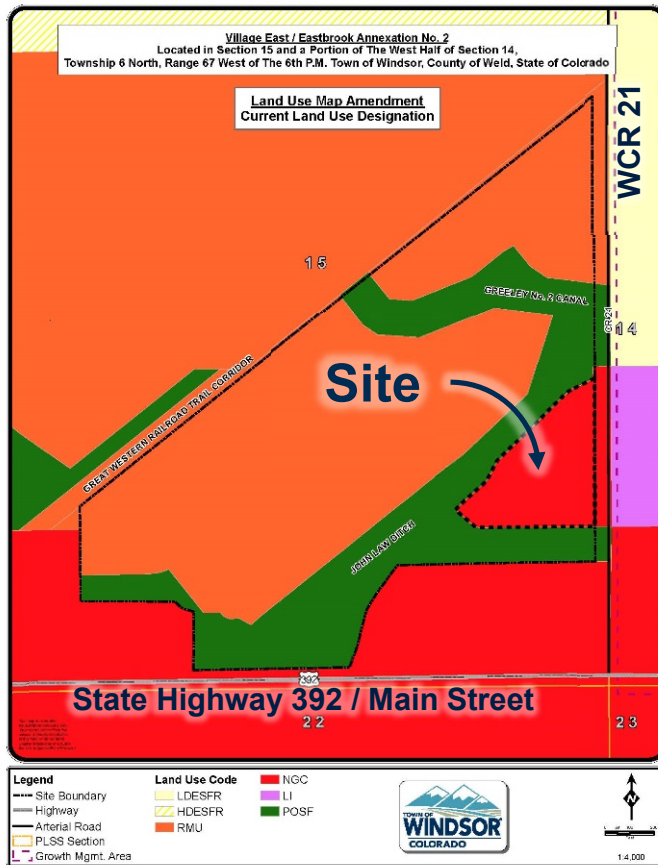
By: Gale Schick, Chair

By: Jerry Bushelman, Vice-Chair



Existing vs. Proposed Land Use

**Existing
Zoning:**
Neighborhood
General
Commercial
(NGC)



**Proposed
Zoning:**
Residential
Mixed Use -One
(RMU-1)

Village East II Investments, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634

July 1, 2022

Via email: cmalone@windsorgov.com

Town of Windsor Planning Department
Attn: Carlin Malone
301 Walnut Street
Windsor, CO 80550

RE: Land Use Amendment
Narrative

Dear Mrs. Malone:

The following describes the justification criteria for changing the Land Use Map for Village East 8th Filing Tracts B, C, and L. Overall Land Use Goals and Policies from the Town of Windsor, Colorado Comprehensive Plan, March 2016

Goals of the Comprehensive Plan:

1. Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible. (Land Use and Development section pg. 5.15)
2. Develop a land use pattern that provides a range and mix of housing options that contribute to a diverse and vibrant economy and high quality of life. (Land Use Development pg. 5.3)
3. Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels. (Land Use and Development pg. 5.21)
4. Windsor has more than 7,000 acres of potentially developable areas within its Growth Management Area. Taking a growth approach that incorporates a mix of housing types that includes both low and high density residential land uses, future housing development would consume no more than 30% of the developable area. (Land Use and Development pg. 5.16)
 - a. The change in use of 4.08 acres of useable Neighborhood Commercial to RMU is an insignificant impact on available commercial land.
5. Well-managed growth strategy that accommodates future populations while limiting adverse impacts associated with growth. (Land Use and Development p 5.16)
6. Future development should be prioritized within the Primary Grown Area to utilize existing infrastructure and services. (Land Use and Development p 5.17)

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7. Residential growth within the Primary Growth Area should prioritize the completion of existing subdivision. (Land Use and Development p 5.21)

Compatibility with existing and planned Land uses:

The proposed residential development integrates with adjacent land uses within the Primary Growth Area.

- The proposed zoning and residential development will integrate well with the existing residential subdivision to the North and East of the site.
- The proposed multi-family residential development provides an appropriate transition in land use from the single-family residential area from the small rural residential sites to the south that includes agricultural uses. These properties are in Weld County. However, the zoning overlay should they be annexed into the Town of Windsor shows these properties as General Commercial.

Minimizing detrimental impacts to the existing or planned transportation system.

- The proposed change in use will improve the transportation system in this area.
 - Multi-family developments will have traffic patterns that will align with the surrounding single-family with morning and afternoon traffic.
 - Commercial uses will have a greater impact on the traffic of this area. The commercial area will be under served due to a number of limiting factors.
 - The nearest major intersection to the project is County Road 21 and Highway 392. This intersection is not a signalized intersection. East bound traffic visiting any potential business located in the area currently zoned Neighborhood Commercial will inundate the left turn lane leading to traffic backups and accidents at this intersection.
 - The nearest location to the currently commercial zoned area is County Road 21 and Greenville Way. This is a tee intersection with stop sign control on Greenville Way. County Road 21 is a busy road that serves as a main access to the Town of Severance. Continued growth of the Town of Severance will only continue to increase in traffic volume. Anyone traveling from Highway 392 to Severance will bypass any commercial retailers that would potentially build at this site as they would have a difficult time making the left turn to continue north on County Road 21 to Severance.

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Adequacy of existing or planned service capabilities:

- The Town of Windsor Design Criteria and Construction Specifications Division II Water and Sewer Systems were utilized to conduct a comparison of conceptual water and sewer demand.
 - Based on the Town of Windsor Criteria, the proposed RMU zoning allows for an estimated average sanitary sewer demand of 1,490 gpd/acre. The General Commercial zoning assumes sanitary sewer demands of 2,100 gpd/acre, 1,500 gpd/acre (min.). The existing zoning assumes higher sanitary sewer demands than the proposed RMU zoning. This comparison shows that the sewer demand will decrease with rezoning.
 - Indoor potable water use is directly correlated with sewer demand, it is assumed that this change in zoning will produce lower indoor water use as well. Irrigation water use will not be a factor as this area has a non-potable irrigation system and the proposed rezoning will be connected to such system.
 - This property will be served by the Town of Windsor sewer network.
 - This property will be served by the Town of Windsor waterline network.

Should you have any questions regarding the foregoing, please do not hesitate to contact me.

Sincerely,



Morgan Kidder

TOWN OF WINDSOR

RESOLUTION NO. 2017 - 19

A RESOLUTION APPROVING AND ADOPTING THE FIRST AMENDMENT DATED FEBRUARY 6, 2017, TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR AND TOWN OF SEVERANCE DATED DECEMBER 11, 2000, REGARDING RESIDENTIAL LAND USE IN THE COOPERATIVE PLANNING AREA

WHEREAS, the Town of Windsor ("Town") is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town has a long history of cooperative relations with our municipal neighbor, the Town of Severance ("Severance"); and

WHEREAS, pursuant to the 2000 Intergovernmental Agreement, and the subsequent 2004 Comprehensive Development Plan expressing joint desires regarding development within the Cooperative Planning Area ("CPA"), adopted by both the Town of Windsor and the Town of Severance ("the parties"), the parties had agreed to prohibit residential development within the CPA; and

WHEREAS, the developer of Village East, a current residential development within the Town of Windsor, north of the CPA, requested that residential development be allowed in a certain portion, based on concerns that commercial and industrial development are not economically feasible under current market conditions; and

WHEREAS, the parties have agreed to allow more flexibility in the defined development areas bordering WCR 21, and depicted by the map in Exhibit "A" and approve limited residential development in those portions; and

WHEREAS, the parties acknowledge that residential development carries a greater net cost to municipalities in terms of municipal services and infrastructure maintenance; and

WHEREAS, Title 29, Article 1 of the Colorado Revised Statutes encourages and permits local governments to cooperate in the provision of any function, service, or facility lawfully authorized to each of the cooperating entities, including the sharing of costs, the imposition of taxes, or the incurring of debt, so long as such cooperation is authorized by each party thereto with the approval of its governing body; and

WHEREAS, the Town, having considered the requests of the developer and having received approval by the Town of Severance to enter into this amendment, wishes to allow for greater flexibility in allowing residential development in the portions of the CPA described herein.

NOW, THEREFORE, be it resolved by the Town Board for the Town of Windsor, Colorado, as follows:

1. The attached First Amendment dated February 6, 2017, to the Intergovernmental Agreement between the Town of Windsor and Town of Severance dated December 11, 2000, Regarding Residential Land Use in the Cooperative Planning Area, is hereby approved and adopted.
2. The Mayor is hereby authorized to execute the attached Intergovernmental Agreement on behalf of the Town.
3. The Town Attorney is authorized to make such modifications to the form of the attached Intergovernmental Agreement as may be necessary to carry out the intent of this Resolution.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 27th day of February, 2017.

TOWN OF WINDSOR, COLORADO

By: Kristie Melendez
Kristie Melendez, Mayor

ATTEST:

Patti Garcia
Patti Garcia, Town Clerk



**FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF WINDSOR AND TOWN OF SEVERANCE
DATED DECEMBER 11, 2000, REGARDING RESIDENTIAL LAND USE
IN THE COOPERATIVE PLANNING AREA**

THIS FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR AND TOWN OF SEVERANCE DATED DECEMBER 11, 2000, REGARDING RESIDENTIAL LAND USE IN THE COOPERATIVE PLANNING AREA ("Amendment") is entered into this 10 day of FEB, 2017, by and between THE TOWN OF WINDSOR, a home rule municipality and political subdivision of the State of Colorado ("Windsor") and THE TOWN OF SEVERANCE, a statutory town and political subdivision of the State of Colorado ("Severance"). The parties hereto, when referring to both, may also be referred to herein as "municipalities" or "parties." Either party may also be referred to as "municipality" or "party."

RECITALS

WHEREAS, the Windsor Town Board and the Severance Town Board have a long history of intergovernmental cooperation; and

WHEREAS, in 2000, the parties entered into an Intergovernmental Agreement dated December 11, 2000 ("2000 Agreement"), wherein development along a defined corridor lying on the north and south sides of State Highway 392 between Weld County Road (WCR) 19 and WCR 23 Windsor would be governed by a statutory Comprehensive Development Plan to be later adopted; and

WHEREAS, the parties adopted the Comprehensive Development Plan (2004 Development Plan) on January 12, 2004, where the parties expressed their understandings concerning development expected to occur within the Cooperative Planning Area ("CPA") established under the 2000 Agreement; and

WHEREAS, both the 2000 Agreement and 2004 Development Plan prohibit residential development in the CPA; and

WHEREAS, Windsor has seen significant residential development occurring in the first filing of a subdivision known as "Village East Subdivision", which lies north and outside of the CPA in Windsor; and

WHEREAS, the developer of Village East has requested that residential development be allowed to occur in a portion of the CPA, on the grounds that commercial and industrial development are not economically feasible under current market conditions; and

WHEREAS, Windsor desires to allow for more flexibility in the defined development areas depicted by the map in Exhibit "A" and approve limited residential development in a portion of the CPA, and Severance is willing to amend the Agreement to allow for more flexibility within the defined development area, to include allowing limited residential development as generally proposed by the developer of Village East; and

WHEREAS, in exchange, Severance shall be entitled to the same consideration by Windsor allowing for a flexible development area in a portion of the CPA for the identical portion of the property as reflected on the east side of WCR 21, and depicted by the map in Exhibit "A"; and

WHEREAS, the parties acknowledge that residential development carries a greater net cost to municipalities in terms of municipal services and infrastructure maintenance; and

WHEREAS, the statutes of the State of Colorado, specifically the Local Government Land Use Control Enabling Act, Colorado Revised Statutes, 29-20-101, *et seq.*, authorize the parties to enter into mutually binding and enforceable agreements regarding land use and the sharing of revenue under these circumstances; and

WHEREAS, this Amendment is entered into by Windsor and Severance pursuant to the aforesaid constitutional and statutory authority as well as other powers inherently granted to statutory and home rule municipalities by the State of Colorado;

NOW, THEREFORE, in consideration of the covenants and obligations expressed herein, it is hereby agreed by and between Windsor and Severance as follows:

1. **Preamble.** Both municipalities hereby acknowledge that the recitals set forth above are true and correct, and those recitals are incorporated into the body of this Amendment. Both municipalities, further, acknowledge and reaffirm the 2000 Agreement and the 2004 Development Plan adopted in accordance therewith.

2. **Residential Development within the CPA.** Attached and incorporated into this agreement is Exhibit A, that defines the flexible development land area within the CPA allowing for residential development to occur under this Amendment. Except as described in Exhibit A, no residential development shall be approved by either party in the CPA unless the parties specifically agree in writing.

3. The parties reaffirm the Intergovernmental Agreement (Sanitary Sewer Line Cost

Recovery) dated December 7, 2015, the requirements for revenue sharing under the 2000 Agreement, shall remain in full force and effect.

- (a) Nothing herein shall preclude the parties from reaching other agreements with respect to infrastructure cost-sharing, revenue sharing and other items of cooperation available under Colorado law.

4. **Parties to Exercise Good Faith.** Windsor and Severance agree to devote their best efforts and to exercise good faith in implementing and adhering to the provisions of this Amendment throughout its term.

5. **Intent of Amendment.** This Amendment is intended to describe rights and responsibilities only as between the above-named parties. It is not intended to and shall not be deemed to confer rights to any persons or entities not specifically named as parties nor to require Windsor or Severance to approve development of any property or to provide any services to any land within the CPA or otherwise. This Agreement is not intended to limit in any way the powers or responsibilities of Weld County or of any other political subdivision of the State of Colorado.

6. **Rights upon Default and Mediation provisions.** The Local Government Land Use Enabling Act, earlier referred to in this Amendment, provides that agreements between municipalities for the purposes set forth are mutually binding and enforceable. Both parties acknowledge the binding and enforceable nature of this Agreement. Should either party fail to comply with the provisions of this Amendment, the other party, after providing written notification to the non-complying party, and upon the failure of the non-complying party to achieve compliance within ninety (90) days after notice, may at its option, either terminate this Amendment or maintain an action in a court of competent jurisdiction for specific performance, injunctive, or other appropriate relief. In the event of such litigation, each party shall be responsible for its own costs, including attorney fees. It shall be the obligation of the parties to submit to mediation any issue of non-compliance prior to declaring this Amendment terminated or prior to commencing an action in court. The parties shall agree on the appointment of a mediator who shall be experienced in matters of local government and the legal obligations of local government entities. In the event the parties are unable to agree upon a mediator, each party shall appoint an independent third party, and the third parties so appointed shall select a single mediator. The procedures and methodology for mediation shall be determined by the mediator. Appointment of the mediator shall take place no later than thirty (30) days following written notification as provided in this paragraph, and mediation shall be completed no later than sixty (60) days thereafter.

By the provisions of this paragraph it is the express intention of the parties to establish fully enforceable consequences upon the breach of this Amendment, while not in any way limiting the ability of the parties to freely exercise legislative discretion.

7. **Effective Date.** This Amendment shall be presented to the governing board of the respective municipalities for adoption by resolution, following notice as required by the Colorado Open Meetings Law, § 24-6-401, *et. seq.* This Amendment shall become effective upon its adoption by both municipalities.

8. **Term.** The parties intend this Amendment to remain in full force and effect indefinitely.

9. **Modification.** All modifications to this Amendment must be made in writing and approved by the governing bodies of both municipalities by resolution.

10. **Notices.** Requirements of notice shall be deemed satisfied upon mailing to the parties as follows:

To Windsor:
Town Manager
301 Walnut Street
Windsor, CO 80550

Copy to:
Town Attorney
301 Walnut Street
Windsor, CO 80550

To Severance:
Town Administrator
3 South Timber Ridge Parkway
PO Box 339
Severance, CO 80546

Copy to:
Severance Town Attorney
Gregory Bell, Esq.
Bell, Gould, Linder & Scott, P.C.
322 East Oak Street
Fort Collins, CO 80524

11. **Effect of Invalidity.** If any portion of this Amendment is held invalid or unenforceable by a court of competent jurisdiction as to either party or as to both parties, such invalidity or unenforceability shall not affect the remainder of this Amendment, except that if a requirement or limitation is declared invalid as to one party, any corresponding requirements or limitation shall be deemed invalid as to the other party.

IN WITNESS WHEREOF, the above parties hereto have caused this Amendment to be executed the day and year first above written.

[Remainder of this page intentionally left blank - - signature page to follow]

TOWN OF WINDSOR



By: Kristie Melendez
Kristie Melendez, Mayor

ATTEST:

Patti Garcia
Patti Garcia, Town Clerk

APPROVED AS TO FORM:

Ian D. McCargar
Ian D. McCargar, Town Attorney

TOWN OF SEVERANCE

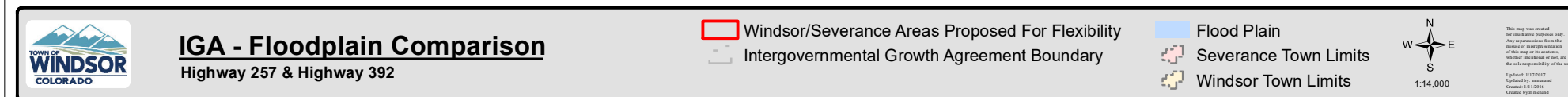
By: Donald Brookshire
Donald Brookshire, Mayor

ATTEST:

Betty Mauch
Betty Mauch, Town Clerk

APPROVED AS TO FORM:

Gregory Bell
Gregory Bell, Town Attorney



**INTERGOVERNMENTAL AGREEMENT
FOR
MODIFICATIONS TO THE JANUARY 12, 2004
WINDSOR-SEVERANCE DEVELOPMENT PLAN**

THIS INTERGOVERNMENTAL AGREEMENT is dated May 12, 2014, and is between the TOWN OF WINDSOR, COLORADO, a Colorado home rule municipal corporation (“Windsor”) and the TOWN OF SEVERANCE, COLORADO, a Colorado statutory municipality.

RECITALS

WHEREAS, the parties entered into that certain Intergovernmental Agreement dated December 11, 2000 (“Agreement”), under which certain understandings were reached with respect to development within a corridor defined therein, lying generally north and south of Colorado Highway 392 bounded on the west by Weld County Road 19/Colorado State Highway 257 and on the east by Weld County Road 23, further defined in the Agreement as the “Cooperative Planning Area”; and

WHEREAS, in accordance with the Agreement, the parties subsequently adopted the Windsor-Severance Development Plan dated January 12, 2004 (“2004 Development Plan”), under which very specific understandings were reached with respect to the expectations and standards for development within the Cooperative Planning Area; and

WHEREAS, with the benefit of experience, the parties have determined that the language used in the 2004 Development Plan should be reviewed and, in some cases, re-written; and

WHEREAS, each party has undertaken review of the proposed changes to the 2004 Development Plan at the administrative, Planning Commission and governing body levels; and

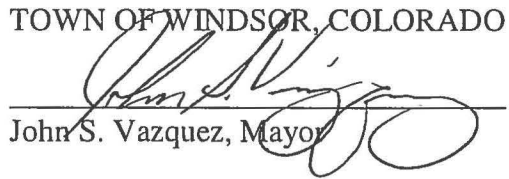
WHEREAS, the governing body for each party has approved the terms of this Intergovernmental Agreement, and has authorized their respective representatives to execute this Intergovernmental Agreement.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Section IX of the 2004 Development Plan ("Land Uses Within the Cooperative Planning Area") is hereby repealed, amended and superseded by the attached Exhibit A-1, consisting of four pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-1 shall take effect immediately.
2. Section III of Exhibit D to the 2004 Development Plan ("Site Planning") is hereby repealed, amended and superseded by the attached Exhibit A-2, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-2 shall take effect immediately.
3. Section IV of Exhibit D to the 2004 Development Plan ("Architectural") is hereby repealed, amended and superseded by the attached Exhibit A-3, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-3 shall take effect immediately.

Except as specifically amended as set forth herein, the Windsor-Severance Development Plan January 12, 2004, shall remain in full force and effect.

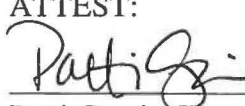
TOWN OF WINDSOR, COLORADO


John S. Vazquez, Mayor

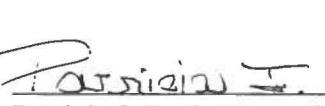
TOWN OF SEVERANCE, COLORADO


Donald Brookshire, Mayor

ATTEST:


Patti Garcia, Town Clerk




Patricia J. Lesh, Town Clerk/Treasurer



INTERGOVERNMENTAL AGREEMENT FOR MODIFICATIONS TO
THE JANUARY 12, 2004 WINDSOR-SEVERANCE DEVELOPMENT PLAN

Page 2 of 2

Exhibit "A-1"

IX. LAND USES WITHIN THE COOPERATIVE PLANNING AREA

Scope and Purpose. This Section addresses principal and accessory commercial and industrial uses that are permitted in the CPA.

Commercial Uses. All of the following types of principal and accessory commercial uses that are permitted as uses by right in the Commercial Corridor Area within the CPA as shown on Exhibit "A" attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D of the Windsor-Severance Development Plan dated January 12, 2004 recorded on 5/14/2004 under reception number 3180345 in the Office of the Weld County Clerk and Recorder.*

1. Retail establishments, including, but not limited to: supermarkets; bakeries; liquor stores; convenient stores; hardware stores; appliance stores; drug stores; jewelry stores; garden centers; new and used automobile sales; automobile parts stores; bicycle stores; lumber, building supply, and home improvement centers; and other similar types of retail uses.
2. Eating and drinking establishments, including, but not limited to: bars; lounges; restaurants; delicatessens; banquet facilities; private and public clubs and lodges; and other similar types of eating and drinking establishments.
3. Customer service establishments, including, but not limited to: hair styling salons, barber shops and beauty salons; laundromats; dry cleaners; interior decorating services; art studios and galleries; car washes; quick-service establishments for automotive oil changes, tune-ups, etc.; automobile and furniture rental outlets; gasoline service stations; and other similar types of customer service establishments.
4. Recreational and tourism activities, including, but not limited to: theaters; outdoor and indoor commercial recreational facilities; bowling alleys; hotels, motels, bed and breakfast inns, and other similar commercial lodging establishments; and other similar types of recreational and tourism activities (leased or month-to-month apartments or townhome types of dwelling units are not allowed).
5. Business and professional offices, including, but not limited to: banks, saving and loan offices, credit unions, and other financial institutions; real estate offices, surveying firms, engineering firms, architectural firms, and other similar types of consulting firms; medical and dental clinics; public administrative offices, buildings and installations; public utility offices, buildings and installations; and other similar types of business and professional offices and facilities.

6. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot.

* Any outdoor storage associated with any of these uses that are located in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence. This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D.

Industrial Uses. All of the following types of principal and accessory commercial and industrial uses are permitted as uses by right in the portions of the CPA that are located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto. All such uses, developments and site plans shall meet all site planning criteria and requirements set forth in said Exhibit D.

1. All principal and accessory uses outlined in the Commercial Uses section above.
2. Retail establishments, including, but not limited to: outdoor sales areas for recreational vehicles, modular and manufactured homes, boats, trailers, heavy equipment, farm implements, etc., and other similar types of retail uses.
3. Customer service establishments, including, but not limited to: rental outlets for trucks and recreational vehicles; transportation facilities such as light rail stations, transportation depots, etc. (truck stops and truck terminals are not allowed); fully enclosed automobile and appliance service and repair shops; commercial parking facilities; small package shipping and delivery services; printing and publishing facilities; and other similar types of consumer service establishments.
4. Limited industrial uses, including, but not limited to: fully enclosed storage facilities; warehouses; facilities for contractors; manufacturing, assembly, processing, and fabrication facilities; food preparation facilities; research and development facilities; scientific laboratories; and other similar types of limited industrial uses.
5. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot, including residential quarters for guards and caretakers.

6. Accessory outdoor storage: the total square footage of accessory outdoor storage shall not exceed sixty-five percent (65%) of the total square footage of the property.

Outdoor storage located within any side or rear yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed eight feet (8') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any side or rear yard which is adjacent to a public or private street.

Outdoor storage located within any front yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed six feet (6') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any front yard which is adjacent to a public or private street.

Chain-link fencing with slats shall be allowed in all other areas that are not adjacent to either a public or private street, subject to any such fencing not exceeding eight feet (8') in height in any rear or side yard and not exceeding six feet (6') in height in any front yard.

This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D, the more restrictive regulation shall apply.

Additionally, such outdoor storage areas may be surfaced with aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto. Such surface materials shall require a plan for perpetual maintenance and dust abatement to be approved by the Engineering Department. However, all areas which are designed to be used for parking of vehicles and all interior drives connecting such parking areas shall be paved with asphalt or concrete. For the purposes of this Section, portions of the aggregate surface outdoor storage area may be utilized for parking of company-owned vehicles with a valid state license plate upon identification and Town approval of a site plan application. Such areas for parking of company-owned vehicles as identified on the approved site plan shall not be included in the calculation of outdoor storage for the site.

EXHIBIT "A"
URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA

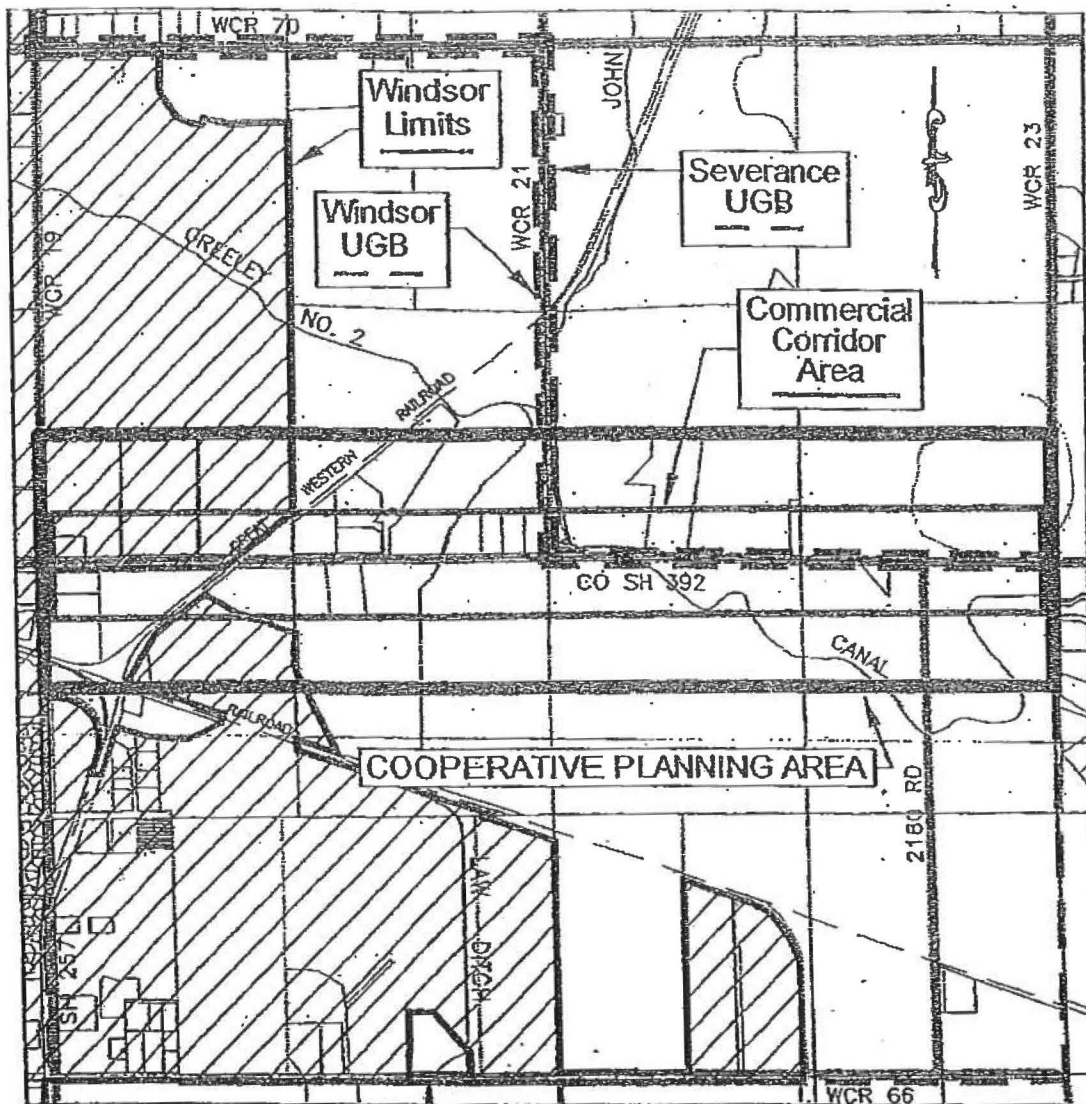




Exhibit "A-2"

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the CPA.

A. Setbacks and Coverage:

1. All minimum setback distances for commercial developments shall be as follows: thirty-five (35) feet from SH 392 or WCR 23; twenty-five (25) feet from all streets other than SH 392 or WCR 23; and setbacks from all other property lines other than from streets (offsets): to be determined by the Planning Commission of the respective reviewing jurisdiction through the Planning Unit Development process. (S)
2. All minimum setback distances for industrial developments shall be as follows:
 - a. For industrial developments abutting other industrial districts/uses: thirty-five (35) feet from SH 392 or WCR 23; thirty (30) feet from all streets other than SH 392 or WCR 23; and twenty (20) feet from all other property lines other than from streets (offsets) which abut other industrial zoning districts and/or uses. (S)
 - b. For industrial developments abutting residential districts/uses: any industrial use abutting a residential zoning district and/or any residential property shall maintain a minimum setback from all respective property lines which abut either the residential zoning district and/or any residential property of thirty (30) feet, with said 30-foot setback distance being used for a substantial landscape buffer that adequately protects the adjoining residential properties from any negative impacts associated with the limited industrial use. (S)
3. To allow for landscape buffers, all paving shall be set back from property lines a minimum of twenty-five (25) feet where abutting SH 392 or WCR 23, fifteen (15) feet abutting all other streets, and five (5) feet from all other property lines which do not abut streets. (S)
4. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
5. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)



6. All landscaping shall meet the following standards.

- a. Within the Windsor Growth Management Area: All landscaping shall comply with the standards set forth in the Town of Windsor's Tree and Landscape Standards, adopted by Resolution 2006-53 on October 23, 2006 and any subsequent updates thereto. (S)
- b. Within the Severance Growth Management Area: All landscaping shall comply with the Tree and Landscape Standards set forth in Section 6 of the Severance Municipal Code and any subsequent updates thereto. (S)

7. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)

8. All fences located on the street side of any site shall be recessed a minimum of two feet (2') back from the front building corners of any building elevation facing a street. (S)

Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings and adjacent fences. No fences shall be constructed within any front yards on any sites which front on SH 392 or WCR 23, and no chain link fences shall be visible from SH 392 or WCR 23. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking areas should be minimized between the street or driveway and building entries. (G)
4. All off-street loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, of forty-five (45) feet where abutting SH 392 or WCR 23, and thirty-five (35) feet where abutting all other streets. (S)



7. Landscape islands a minimum of fifteen (15) feet in length and eight (8) feet in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten (10) feet in width or greater. (S)
9. All utility services to facilities shall be installed underground. (S)
10. All areas of outdoor sales shall be contained either within a paved parking lot or on display pads constructed of concrete which are connected by a paved drive to a paved parking lot. All such display areas must be shown on the site plan and approved by the reviewing municipality. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty (30) feet in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations. (G)



Exhibit "A-3"

IV. ARCHITECTURAL

A. Developments Within the Commercial Corridor Area:

The following architectural standards and guidelines shall be established as a minimum for development within the Commercial Corridor Area of the CPA:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projections, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)
2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the facade. (S)
3. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
4. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.(G)
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)

10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades that face streets or public walkways, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties, (S)
14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
15. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

B. Developments Outside of the Commercial Corridor Area:

The following architectural standards and guidelines shall be established as a minimum for development not located within the Commercial Corridor Area of the CPA:

1. Building walls should be designed so as to add architectural interest to the façade. (G)
2. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
3. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
4. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail. (G)
5. Building materials consisting of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric are encouraged. (G)

6. Architectural grade metal panels will be allowed on prominent facades that face streets or public walkways, subject to a textured masonry wainscoting with a minimum profile of four inches (4") being applied to all such prominent facades. Any such textured masonry wainscoting shall (a) be a minimum of four feet (4') in height and shall be applied to the entire length of all such prominent facades, (b) consist of textured unit masonry such as brick, stone, or architectural grade concrete masonry units, and (c) wrap around the corners of all ends of all such prominent facades for a minimum distance of ten feet (10'). Other grades of metal siding panels shall be allowed on non-prominent facades, and except as otherwise specified above, the application of wainscoting on non-prominent facades is optional. (S)
7. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
8. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from streets and public walkways. (S)
9. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
10. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

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Steve Moreno, Clerk and Recorder, Weld County, CO



TOWN OF WINDSOR
RESOLUTION NO. 2004- 02

BEING A RESOLUTION APPROVING THE WINDSOR-SEVERANCE DEVELOPMENT PLAN PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT ENTERED INTO BETWEEN THE TOWN OF WINDSOR AND THE TOWN OF SEVERANCE ON DECEMBER 11, 2000.

WHEREAS, Windsor and Severance entered into an intergovernmental agreement on December 11, 2000, which created a cooperative planning area in a corridor measuring one-quarter mile north and south of Colorado State Highway 392 and bounded on the west by Colorado State Highway 257 and on the east by Weld County Road 23; and

WHEREAS, the aforesaid intergovernmental agreement provided for the creation of a comprehensive development plan for the cooperative planning area; and

WHEREAS, since the adoption of the aforesaid intergovernmental agreement, the parties have through their joint efforts developed such a plan, now known as the Windsor-Severance Development Plan; and

WHEREAS, the aforesaid plan has been adopted by Severance; and, by the provisions of this Resolution, its adoption is proposed by the Town of Windsor;

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

1. That the Town of Windsor hereby ratifies, approves and confirms the terms and conditions of the Windsor-Severance Development Plan dated the 12th day of January, 2004.
2. That a copy of said plan is attached hereto and made a part hereof.
3. That the Town of Windsor hereby authorizes the Mayor of the Town to execute said Intergovernmental Agreement on behalf of the Town.

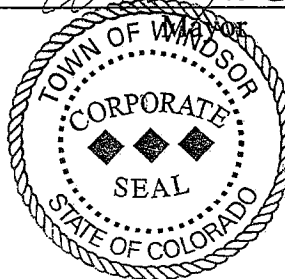
Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of January, 2004.

TOWN OF WINDSOR, COLORADO

By W. Wayne Miller

ATTEST:

Cathy M. Kennedy
Town Clerk



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RECORDER'S MEMORANDUM
THIS DOCUMENT WAS FOUND
TO BE INADEQUATE FOR
SCANNING PURPOSES.



WINDSOR-SEVERANCE DEVELOPMENT PLAN

January 12, 2004

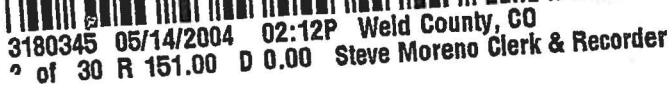
On December 11, 2000 the Towns of Windsor and Severance entered into an Intergovernmental Agreement (IGA) to provide for orderly and harmonious growth along the Colorado State Highway 392 (SH 392) Corridor. Section 3 of the IGA directed that a Comprehensive Development Plan for the Cooperative Planning Area along the SH 392 Corridor be developed to address all of the following issues: urban growth boundaries; land use restrictions; streets and highways; building permits; government services; drainage; parks, recreation and open space; setbacks, design standards, landscaping, and maintenance of rights-of-way; and land uses.

Lastly, and due to the facts that (a) any future development at or in the vicinity of the intersection of Weld County Road 23 (WCR 23) and SH 392 will be an integral part of the long-term development of the Town of Severance, and (b) the easternmost portion of the Cooperative Planning Area is contiguous to WCR 23, the same design and performance standards which have been included in this Development Plan for the SH 392 Corridor have also been included for all development along that portion of WCR 23 which is located within the Cooperative Planning Area.

I. URBAN GROWTH BOUNDARIES

Scope and Purpose. This Section addresses the resolution of conflicts between the municipalities and the establishment of consistent Urban Growth Boundaries (UGBs).

These boundaries were established and agreed upon by both municipalities when the IGA was adopted. These boundaries are depicted in Exhibit "A," attached hereto and incorporated herein by this reference. In order to make any amendments to these UGBs, both municipalities must agree to do so.



III. STREETS AND HIGHWAYS

As depicted in Exhibit "B," attached hereto and incorporated herein by this reference, the Windsor Roadway Classifications Map of the Windsor Comprehensive Plan and the Minimum Street Standards and Cross-Sections attachments outline the following road and street criteria which both municipalities shall require for the development of streets and highways within the CPA.

WCR 21: Location: Dissects the CPA Corridor going north.
 Design: 3-lane, Rural Collector.
 Right-of-way: 120' (Dedication required by developer)
 Construction: Required by developer.
 Financing: Required by Developer; Road Impact Fees; Reimbursement
 Agreements.
 Maintenance: Municipality after Final Acceptance of Road

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Other Streets: Location: To be determined at Platting, etc.
Design: Per each jurisdiction's Street Standards.*
Right-of-way: Per each jurisdiction's Street Standards.*
Construction: Per each jurisdiction's Street Standards.*
Financing: Required by developer.
Maintenance: Municipality after Final Acceptance of Streets

* In the event Severance does not have street standards in place at the time of development proposals, Windsor's Street Standards shall apply to all such development proposals.

IV. BUILDING PERMITS

Scope and Purpose. This Section addresses the issuance, approval and review of building permits within the CPA. Each municipality will review, approve and issue building permits within their respective corporate limits upon annexation to the respective municipality.

V. GOVERNMENT SERVICES

Scope and Purpose. This Section addresses provisions for government services within the CPA, including, but not limited to, utility services, law enforcement, fire and emergency services, and code enforcement.

Utility Services: Water and sewer services shall be provided in accordance with the terms and conditions of the IGA. Such services shall not be considered as use by Severance of any of its treatment capacity established by agreement with Windsor.

Utility Easements and Rights-of-way: In accordance with Section 9 of the IGA, within their respective jurisdictions in the CPA, each municipality shall provide the other municipality, without charge, utility easements and rights-of-way necessary for utility improvements.

Law Enforcement: Until such time properties within the CPA are annexed by either municipality, the Weld County Sheriff's Office will continue to provide law enforcement services within the CPA. At such time properties are annexed to Windsor, police services shall be provided by the Town of Windsor. At such time properties are annexed to Severance, police services shall be provided by Severance in accordance with the law enforcement policy of the Town of Severance.



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Fire and Emergency

Response Services: The Windsor-Severance Fire Protection District will provide fire and emergency response services within the CPA.

Code Enforcement: Until such time properties within the CPA are annexed by either municipality, the Weld County Code Enforcement Office will continue to provide code enforcement services within the CPA. At such time properties are annexed to Windsor, the Windsor Police Department will provide general code enforcement activities relative to violations of the Windsor Municipal Code, and the Windsor Planning Department will provide zoning code enforcement activities relative to violations of the zoning ordinance. At such time

properties are annexed to Severance, the Severance Code Enforcement Officer will provide general code enforcement activities relative to violations of the Severance Municipal Code, and the Severance Zoning Officer will provide zoning code enforcement activities relative to violations of the Severance Zoning Code.

VI. DRAINAGE MASTER PLAN

Scope and Purpose. This Section addresses provisions for a drainage master plan for the CPA including the planning, design, construction, maintenance, and financing of drainage improvements and facilities.

Law Basin:

Area 1:

Since the vast majority of the land area located within the CPA is situated within the Law Basin, as depicted in Exhibit "C," attached hereto and incorporated herein by this reference, the following criteria is recommended. Windsor has conducted a study of the Law Basin as well as all other drainage basins that either influence or are influenced by the drainage activities in and around Windsor, and these findings have been incorporated into the Windsor Master Drainage Plan that was adopted July 14, 2003. All development that is proposed within Areas "1" and "2" of the CPA as depicted in Exhibit "C" shall utilize the existing drainage facilities and improvements within the Law Basin and, likewise, all drainage activities within these areas shall comply with Windsor drainage standards, in accordance with the criteria set forth in the Windsor Master Drainage Plan.



Area 2: All development activities that occur within the CPA and which are located within Severance's UGB as depicted as Area 2 on Exhibit C shall be allowed on the condition that such development activities comply with and pay to Windsor all applicable storm water plant investment fees and any other relevant capital improvement fees associated with any storm water drainage improvements and facilities that have been constructed by Windsor for this area.

Area 3: Since the area that is depicted as Area "3" on Exhibit C is located wholly within Severance's UGB and is situated entirely outside of the Law Basin, Severance shall be responsible for all costs associated with the preparation and approval of all storm water drainage studies, reports, plans, drainage master plans, etc., and for all costs associated with the design and construction of all storm water drainage

improvements, facilities, appurtenances, etc. for all drainage activities and infrastructure necessary for development within Area 3 on Exhibit C.

Area 4: Since the area that is depicted as Area "4" on Exhibit C is located wholly within Windsor's UGB and is situated entirely outside of the Law Basin, Windsor shall be responsible for all costs associated with the preparation and approval of all storm water drainage studies, reports, plans, drainage master plans, etc., and for all costs associated with the design and construction of all storm water drainage improvements, facilities, appurtenances, etc. for all drainage activities and infrastructure necessary for development within Area 4 on Exhibit C.

**Drainage Easements
and Rights-of-way:**

In accordance with Section 9 of the IGA, within their respective jurisdictions in the CPA, each municipality shall provide the other municipality, without charge, storm water drainage easements and rights-of-way necessary for storm water drainage improvements.

VII. PARKS, RECREATION SERVICES AND OPEN SPACE

Scope and Purpose. This Section addresses provisions for the development and maintenance of parks, recreation services, and open space within the CPA. These criteria shall be met by each municipality when annexation to and development proposals for the respective municipality occurs, as outlined below.

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Windsor: All such development and maintenance of parks, recreation services and open space within Windsor shall be in accordance with all standards, policies, procedures, and guidelines that are outlined in the Windsor Parks and Recreation Master Plan and the Windsor Parks, Recreation, Trails, and Open Space Master Plan.

Severance: All such development and maintenance of parks, recreation services and open space within Severance shall be in accordance with the Town's standards, policies, procedures, and guidelines in effect at the time of such development.

VIII. SETBACKS, DESIGN STANDARDS, LANDSCAPING AND MAINTENANCE OF RIGHTS-OF-WAY

Scope and Purpose. This Section addresses provisions for the setbacks, design standards, landscaping, and maintenance of rights-of-way within the CPA.

Design standards, landscaping, paving setbacks, and the setback requirements have been established and are included in Exhibit "D," attached hereto and incorporated herein by this reference.

Rights-of-way shall be maintained by whichever governmental entity (CDOT, Severance or Windsor) has jurisdiction over the respective rights-of-way.

IX. LAND USES WITHIN THE COOPERATIVE PLANNING AREA

Scope and Purpose. This Section addresses the principal and accessory commercial and industrial uses that are permitted in the CPA.

Commercial Uses. All of the following types of principal and accessory commercial uses that are permitted as uses by right in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D attached hereto.*

1. **Retail establishments** including, but not limited to: supermarkets; bakeries; liquor stores; convenience stores; hardware stores; appliance stores; drug stores; jewelry stores; garden centers; new and used automobile sales; automobile parts stores; bicycle stores; lumber, building supply, and home improvement centers; and other similar types of retail uses.
2. **Eating and drinking establishments**, including, but not limited to: bars; lounges; restaurants; delicatessens; banquet facilities; private and public clubs and lodges; and other similar types of eating and drinking establishments.

3. Customer service establishments, including, but not limited to: hair styling salons, barber shops and beauty salons; laundromats; dry cleaners; interior decorating services; art studios and galleries; car washes; quick-service establishments for automotive oil changes, tune-ups, etc.; automobile and furniture rental outlets; gasoline service stations; and other similar types of customer service establishments.
4. Recreational and tourism activities, including, but not limited to: theaters; outdoor and indoor commercial recreational facilities; bowling alleys; hotels, motels, bed and breakfast inns, and other similar commercial lodging establishments; and other similar types of recreational and tourism activities (leased or month-to-month apartments or townhome types of dwelling units are not allowed).
5. Business and professional offices and facilities, including, but not limited to: banks, saving and loan offices, credit unions, and other financial institutions; real estate offices, surveying firms, engineering firms, architectural firms, and similar types of consulting firms; medical and dental clinics; public administrative offices, buildings and installations; public utility offices, buildings and installations; and other similar types of business and professional offices and facilities.
6. Accessory uses and structures: Any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot.

* Any outdoor storage associated with any of these uses that are located in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence. This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in Exhibit D attached hereto, the more restrictive regulation shall apply.

Industrial Uses. All of the following types of principal and accessory commercial and industrial uses that are permitted as uses by right in the portion of the CPA that is located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D attached hereto.**

1. All principal and accessory uses outlined in the Commercial Uses section above.

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2. Retail establishments including, but not limited to: outdoor sales areas for recreational vehicles, modular and manufactured homes, boats, trailers, heavy equipment, farm implements, etc.; and other similar types of retail uses.
3. Customer service establishments, including, but not limited to: rental outlets for trucks and recreational vehicles; transportation facilities such as light rail stations, transportation depots, etc. (truck stops and truck terminals are not allowed); fully enclosed automobile and appliance service and repair shops; commercial parking facilities; small package shipping and delivery services; printing and publishing facilities; and other similar types of customer service establishments.
4. Limited industrial uses, including, but not limited to: fully enclosed storage facilities; warehouses; facilities for contractors; manufacturing, assembly, processing, and fabrication facilities; food preparation facilities; research and development facilities; scientific laboratories; and other similar types of limited industrial uses.
5. Accessory uses and structures: Any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot, including residential quarters for guards and caretakers.

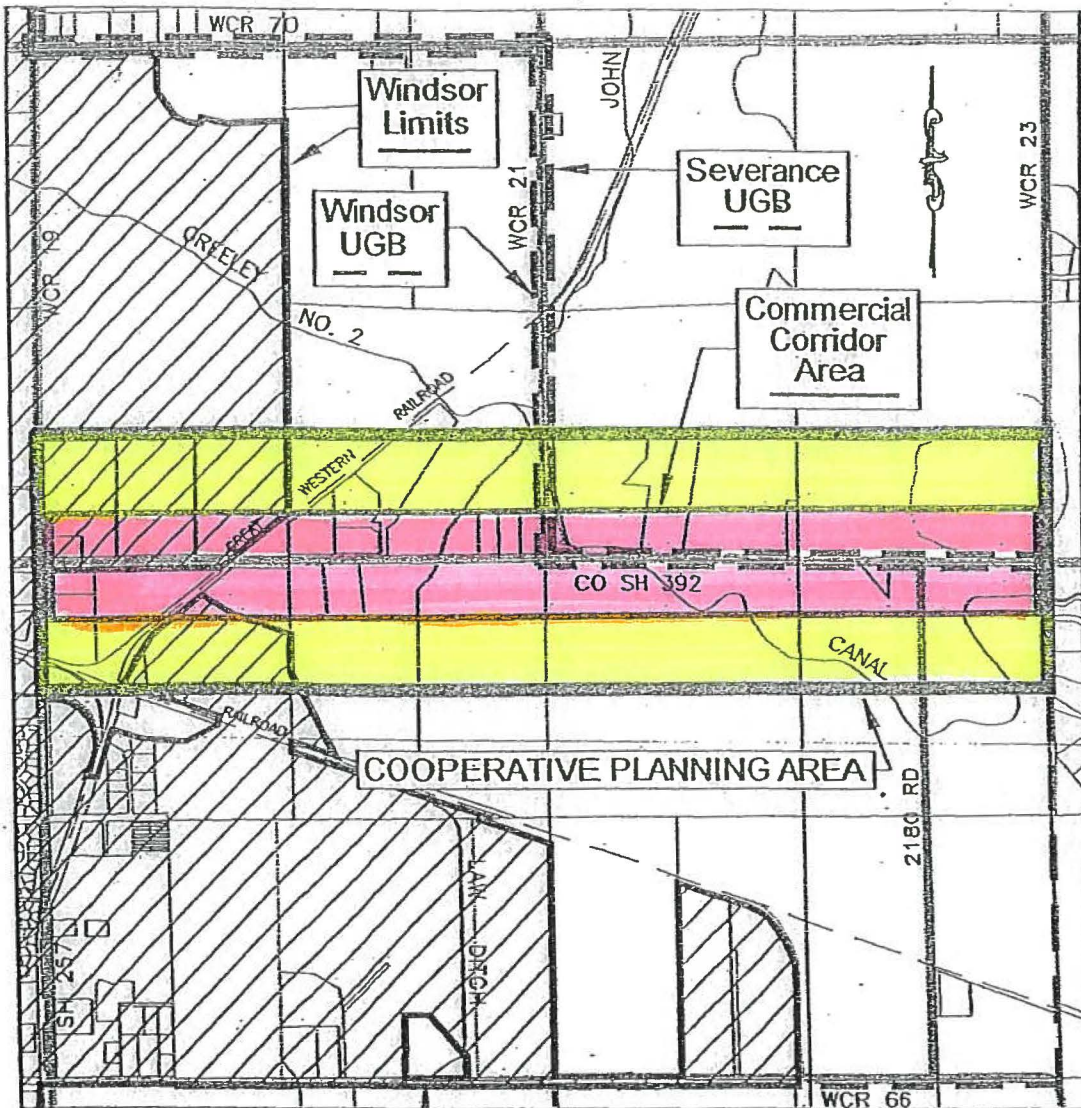
****** Any outdoor storage associated with any of these uses in the portion of the CPA that is (1) located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto, and (2) does not have street frontage along either SH 392 or WCR 23 (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed eight (8) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence.

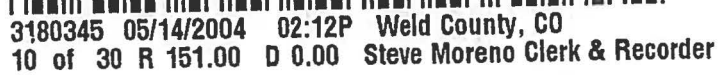
However, for any such use that is located within this portion of the CPA that is located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto but does have street frontage along WCR 23 (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence.

This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D attached hereto, the more restrictive regulation shall apply.

EXHIBIT "A"

URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA





ROADWAY CLASSIFICATIONS TOWN OF WINDSOR

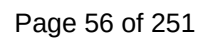


EXHIBIT "B"
(Continued)
MINIMUM STREET STANDARDS
TOWN OF WINDSOR
(Urban Standards)

<u>Type</u>	<u>Right-of-Way</u> (Feet)	<u>Pavement</u> (Feet)*	<u>Sidewalk</u> (Feet)
Major Arterial (7 Lanes)	135	104	5
Minor Arterial (5 Lanes)	110	80	5
Major Collector (3 Lanes)	80	52	5
Minor Collector (2 Lanes)	60	40	4
Local (2 Lanes)	50	36	4

* Measured from flow line of gutter to flow line of gutter.

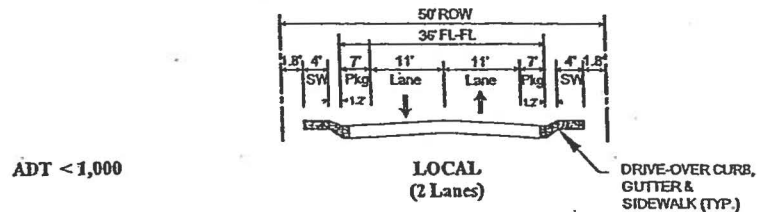
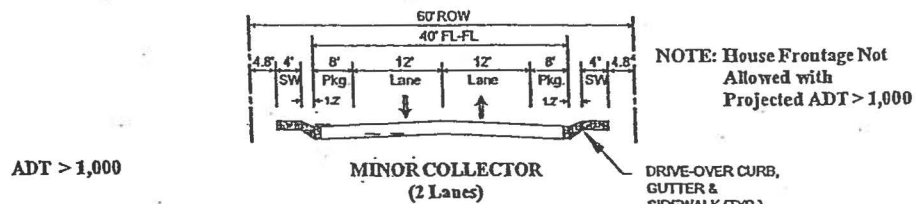
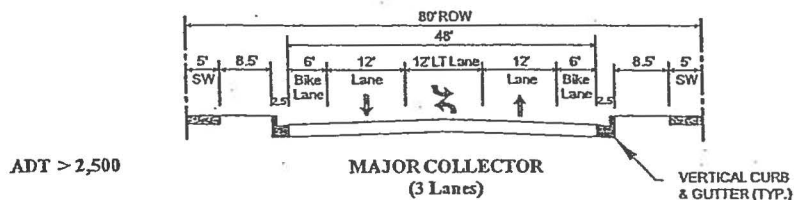
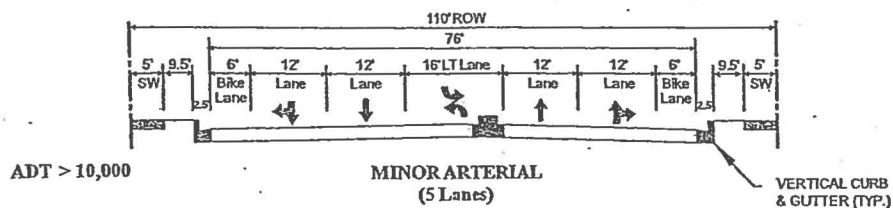
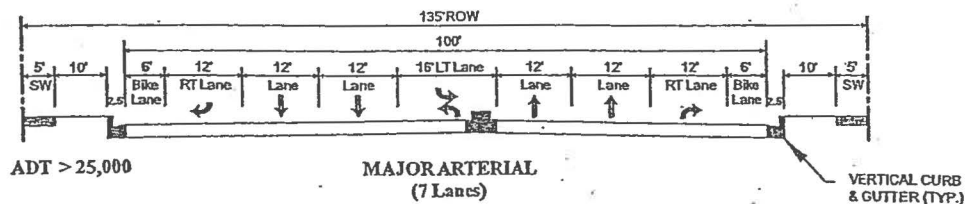
(Rural Standards)

<u>Type</u>	<u>Right-of-Way</u> (Feet)	<u>Pavement</u> (Feet)**	<u>Sidewalk</u>
Major Arterial (At Major Intersections) (7 Lanes)	150	100	N/A
Major Arterial (Not At Major Intersections) (5 Lanes)	150	76	N/A
Minor Arterial (At Major Intersections) (5 Lanes)	130	72	N/A
Minor Arterial (Not At Major Intersections) (3 Lanes)	130	48	N/A
Collector (At Intersections) (3 Lanes)	120	48	N/A
Collector (Not At Intersections) (2 Lanes)	120	36	N/A
Local (2 Lanes)	90	34	N/A

** Measured from edge of pavement to edge of pavement.
N/A - Not Applicable.



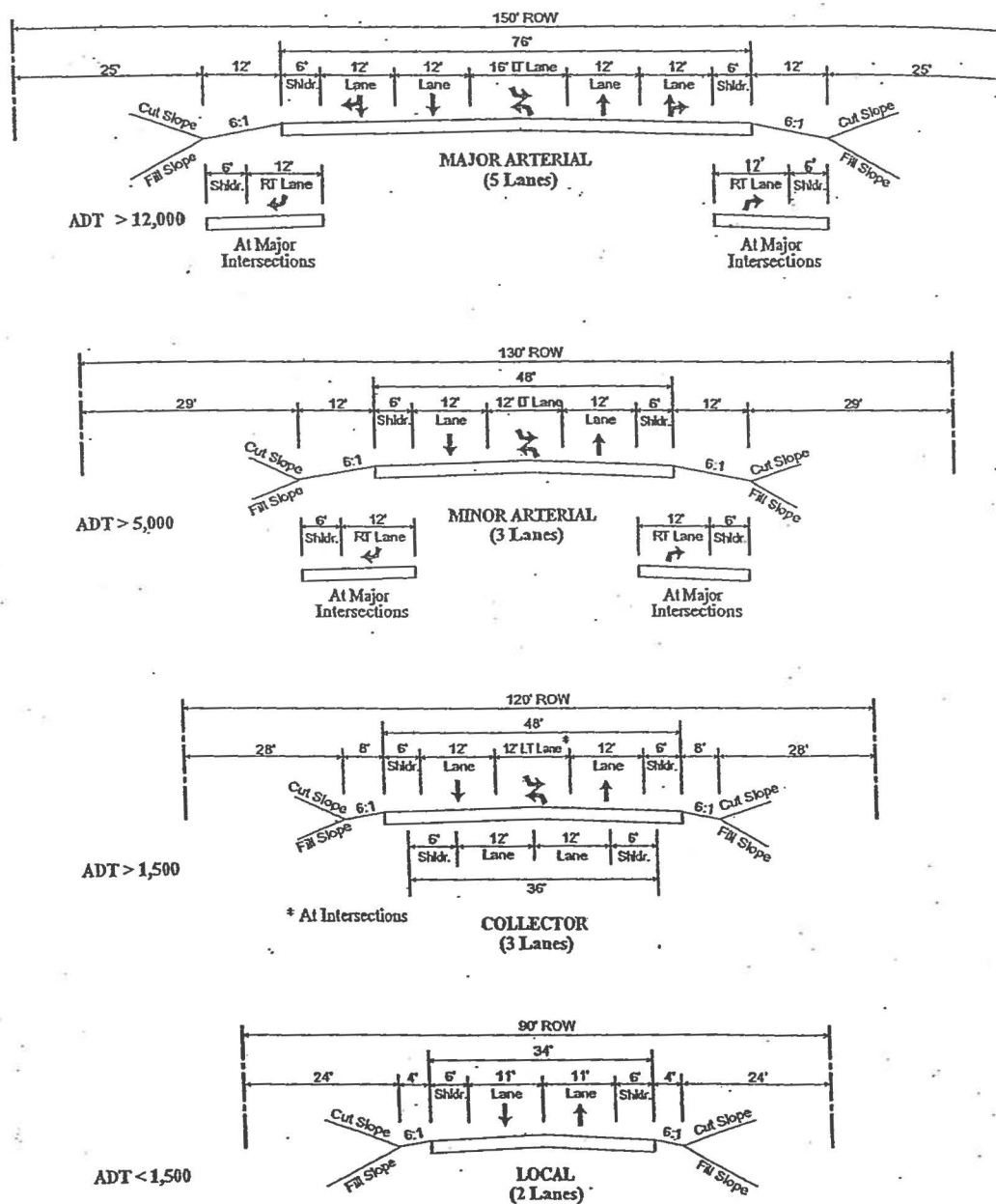
EXHIBIT "B"
(Continued)
URBAN STREET CROSS SECTIONS
TOWN OF WINDSOR



Urban Street Cross-Sections



EXHIBIT "B"
(Continued)
RURAL STREET CROSS SECTIONS
TOWN OF WINDSOR



Rural Street Cross-Sections

Revised 7-30-03



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EXHIBIT "C"

DRAINAGE MASTER PLAN

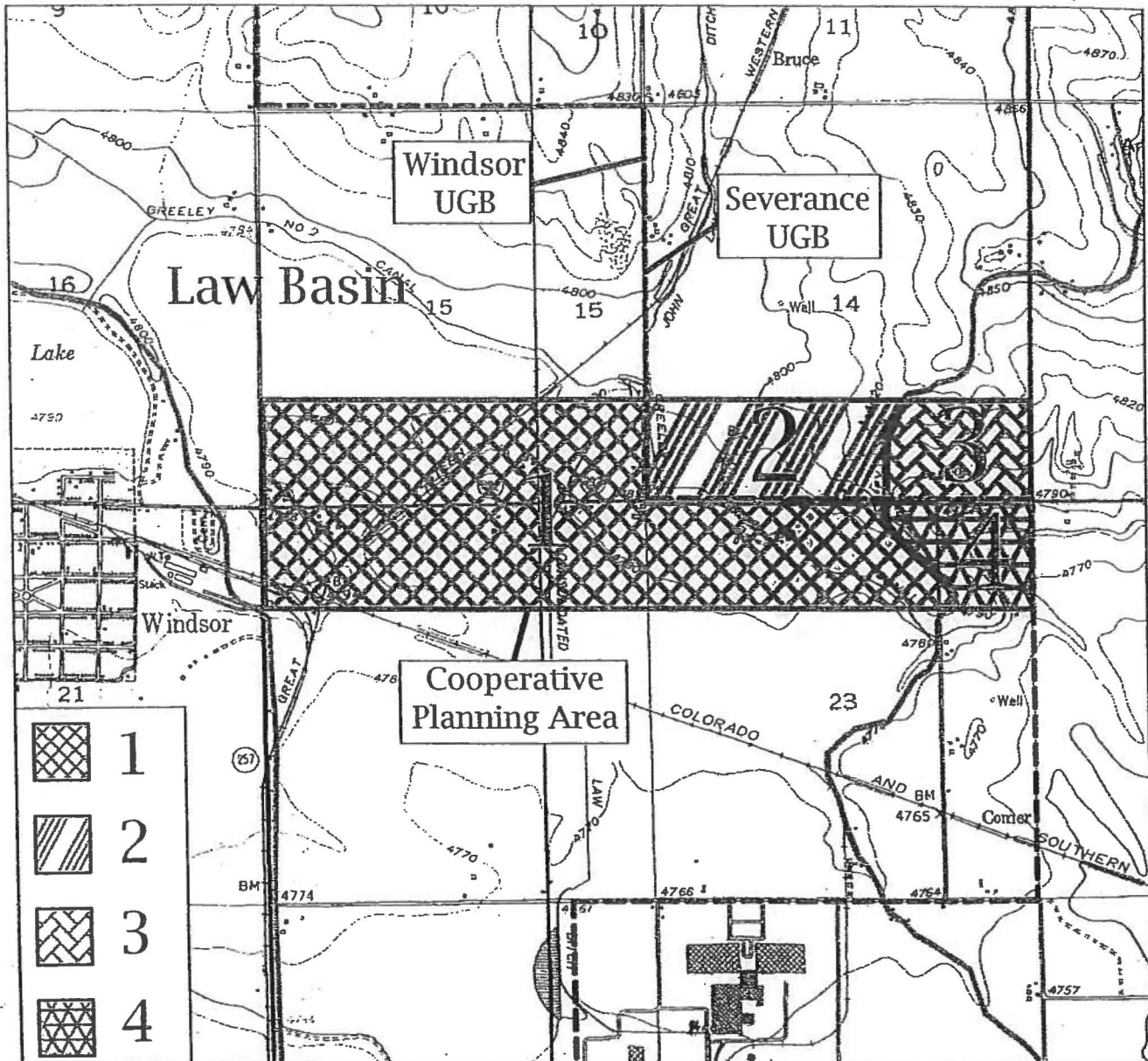


EXHIBIT "D"

WINDSOR-SEVERANCE DEVELOPMENT PLAN DESIGN STANDARDS AND GUIDELINES

I. INTRODUCTION

A. Purpose and Scope:

The Cooperative Planning Area (CPA) within the East Main Street Corridor (Corridor) has many unique qualities. Perhaps the most important quality is that this Corridor is the eastern "gateway" into the Town of Windsor and the southwestern "gateway" into the Town of Severance. The visual quality of this entryway is directly related to both communities' images, and positive community images are essential for economic development and the ability to attract quality developments.

The location and scope of the CPA within the Corridor is shown as the "Cooperative Planning Area" in Exhibit "A" of this Agreement.

B. Intent:

These standards and guidelines have been prepared in an effort to accomplish the following:

- To protect and enhance property values within the area; and
- To increase the opportunity for development and expansion of business and industry within the area.

II. PROCEDURE

A. Application of Standards:

These standards and guidelines shall apply to (a) all new development within the CPA, and (b) the remodeled portions of, or additions to, existing properties within the CPA. "Standards" denoted by (S) are mandatory; "Guidelines" denoted by (G) are not mandatory, but are provided in order to assist planners, design consultants, developers and the staff from both Towns concerning the design objectives of the Plan.

It is not intended that this document replace or supplant the existing requirements of either of the Towns, but merely supplement current requirements. Furthermore, all pertinent requirements of both Towns shall be followed in the development of a specific building site and shall be approved in accordance with all of the terms and conditions of this Agreement.

All zoning ordinances, building codes and regulations, and any other governmental restrictions, and requirements shall be observed. In the event of conflicts arise between this

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document and other governmental codes, regulations, restrictions, and/or requirements, the more restrictive standard shall apply.

B. Submittal Requirements:

1. SITE PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. The location of existing and proposed structures with the location of the entries noted.
 - b. The location and dimensions of all driveways, parking areas, loading areas, and pedestrian walkways.
 - c. The location and type of all outdoor storage or trash facilities with a description and/or indication of screening materials proposed.
 - d. The type and location of any ground signs.
 - e. The type and location of any accessory appurtenances such as scales, satellite dishes, antennae, gas pumps, etc.
 - f. The type and location of proposed site lighting.
 - g. A land use breakdown indicating total site area, total building area, building coverage area, parking and driveway coverage area and open space area.
 - h. The location of temporary model homes, sales offices, and/or construction facilities, including temporary signs and parking lots.
2. LANDSCAPING PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. Streetscape treatment.
 - b. General level of planting proposed, including an indication of planting beds, lawn areas and other proposed ground covers. All proposed plant materials should be drawn to scale at a size equivalent to ten (10) years maturity.
 - c. A plant material schedule indicating species, size and quantity of all plant material proposed. Plant material must be identified by direct labeling or by a clearly understandable legend.

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- d. A complete description of all proposed landscape accessory materials such as edging, planters, and mulches.
 - e. Planting details and/or specifications demonstrative of proper planting techniques, staking and mulching.
 - f. A note indicating that all landscaped areas, including parking lot islands, shall be irrigated by a fully automatic underground sprinkler system.
 - g. A note indicating that the owner shall be responsible for the maintenance of all landscape elements.
 - h. The position of existing trees on the site, if any, and a detailed plan for how these trees will be protected during construction.
3. SIGNAGE DETAILS drawn to scale containing the following:
- a. An indication and description of all materials to be used and the means of sign illumination as well as the dimensions of the sign.
 - b. An indication and description of all wordage and/or logos to be included on the sign.
4. BUILDING ELEVATIONS drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
- a. An indication and description of all materials to be used on all sides of the buildings.
 - b. An indication of signage locations.
 - c. The height of the buildings and any appurtenances, including all accessory buildings, trash enclosures, etc.
 - d. The indication, description and height of all trash enclosures.
5. BUILDING COLORS AND MATERIAL SAMPLES of the actual materials to be used on the buildings including the following:
- a. Roofing materials and color.
 - b. Exterior wall materials and colors.
 - c. Trim materials and colors.

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- d. Window and door materials and colors.
- e. All accessory structures.
- f. Trash enclosures.

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the CPA.

A. Setbacks and Coverage:

1. All minimum setback distances for commercial developments shall be as follows: thirty-five (35) feet from SH 392 or WCR 23; twenty-five (25) feet from all streets other than SH 392 or WCR 23; and setbacks from all other property lines other than from streets (offsets): to be determined by the Planning Commission of the respective reviewing jurisdiction through the Planned Unit Development process. (S)
2. All minimum setback distances for industrial developments shall be as follows:
 - a. For industrial developments abutting other industrial districts and/uses: Thirty-five (35) feet from SH 392 or WCR 23; thirty (30) feet from all streets other than SH 392 or WCR 23; and twenty (20) feet from all other property lines other than from streets (offsets) which abut other industrial zoning districts and/or uses. (S)
 - b. For industrial developments abutting residential districts and/or uses: Any industrial use abutting a residential zoning district and/or any residential property shall maintain a minimum setback from all respective properties lines which abut either the residential zoning district and/or the respective residential property of thirty (30) feet, with said 30-foot setback distance being used for a substantial landscape buffer that adequately protects the adjoining residential properties from any negative impacts associated with the limited industrial use. (S)
3. To allow for landscape buffers, all paving shall be set back from the property lines a minimum of twenty-five (25) feet where abutting SH 392 or WCR 23, fifteen (15) feet abutting all other streets, and five (5) feet from all other property lines which do not abut streets. (S)
4. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
5. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)

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6. Open landscape area on any site shall be twenty percent (20%) or greater. (S)
7. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)
8. All fences located on the street side of any site shall be recessed a minimum of two feet (2') back from the front building corners of any building elevation facing a street. (S) Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings and adjacent fences. No fences shall be constructed within any front yards on any sites which front on SH 392 or WCR 23, and no chain link fences shall be visible from SH 392 or WCR 23. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking areas should be minimized between the street or driveway and building entries. (G)
4. All off-street loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, of forty-five (45) feet where abutting SH 392 or WCR 23, and thirty-five (35) feet where abutting all other streets. (S)
7. Landscape islands a minimum of fifteen (15) feet in length and eight (8) feet in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten (10) feet in width or greater. (S)



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9. All utility services to facilities shall be installed underground. (S)
10. All areas for outdoor sales shall be contained either within a paved parking lot or on display pads constructed of concrete which are connected by a paved drive to a paved parking lot. All such display areas must be shown on the site plan and approved by the reviewing municipality. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty feet (30) in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations.

IV. ARCHITECTURAL

The following architectural standards and guidelines shall be established as a minimum for development in the CPA:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projections, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)
2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, arbors,



awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the façade. (S)

3. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
4. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)
10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties. (S)

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14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
15. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

V. LANDSCAPE

In addition to the landscape guidelines in effect for the Town, the following shall constitute additional minimum guidelines for landscaping within the CPA:

1. The density of landscaping need not be so dense as to completely cover or mask the building site, but will not be so sparse as to be perceived as a minimum or superficial effort at landscaping. (G)
2. Landscape materials shall be of long living varieties, and shall be permanent in nature. All plant material shall be vigorous and free from disease and insect infestation, in accordance with specifications outlined by the American Association of Nurseries (AAN) for number one grade, and well adapted to the Windsor area climate zone. Plants must be sized according to the following table: (S)

TYPE	SIZE
Standard deciduous	2" caliper measured 6" above ground
Small ornamental flowering trees	1 1/2" to 1 3/4" caliper measured 6" above ground
Evergreen Trees	6 foot in height
Shrubs and hedges	Five gallon or adequate size consistent with design intent

3. Short lived materials, such as annual flowers, are encouraged to be used to accent or supplement the basic permanent landscape plan. Such flowers are encouraged to be utilized in a bed or planter at project entries. (G)
4. No plant material with invasive roots shall be used. (S)
5. Artificial plant materials shall be prohibited. (S)
6. Landscape elements should relate to the building's structural elements and be used to interrupt extensive building surfaces. (G)
7. All parking lot islands shall be landscaped with at least one shade tree and some low ground cover and/or shrubbery. (S)

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8. Street trees: Along the SH 392 and WCR 23 Corridors (the Corridors), continuity is required to connect the diverse land use areas and provide an appealing "corridor" feel to the entrances to the Towns. The use of trees along the Corridor can create this unifying effect. The following standards shall be used to create this effect:
 - a. Trees planted along the Corridors shall be planted at a spacing of forty feet (40') and in straight rows to create a continuous street edge. (S)
 - b. Trees of varying species shall be planted to avoid drastic loss from insect or disease infestation. Different species with similar characteristics such as growth habit or color could be used to avoid over-use by one tree species yet maintain the desired look. (G)
 - c. In all new development projects the inclusion of a 5 foot (5') detached walk and a 10 foot (10') designated tree lawn, between the walk and the street, shall be required. Where such projects meet existing projects, new sidewalks shall be required. In the case of a redevelopment of an existing site which has a narrow frontage, the developer shall be required to post a bond equivalent to 110% of the value of such sidewalk and landscape improvements. Such bond will be utilized to construct the sidewalk improvements at the time there is enough adjacent redevelopment to allow for a substantial portion of new sidewalk to be constructed. (S)
 - d. Large size shade trees recommended along the Corridors include the following. (G)

Hackberry: *Celtis occidentalis*

Burr Oak: *Quercus macrocarpa*

American Elm: *Ulmus americana* (recommended only when varieties resistant to Dutch elm disease are available)

American Linden: *Tilia americana*

Northern Catalpa: *Catalpa speciosa*

Norway Maple: *Acer platanoides*

Ginkgo: *Ginkgo biloba*

English Oak: *Quercus robur*

Green Ash*: *Fraxinus pennsylvanica* (seedless varieties only such as 'Patmore' and 'Marshall Seedless')

White or American Ash: *Fraxinus americana*

Thornless Honeylocust*: *Gleditsia triancanthos inermis*

* Acceptable species but not recommended for planting in Windsor because of the large number of these tree species already planted. Over-planting of one species leaves the forest vulnerable to disease infestation.



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- e. Medium size shade trees recommended along the Corridors include the following: (G)
 - Littleleaf Linden: *Tilia cordate*
 - Ohio Buckeye: *Escudos glare*
- f. Small size trees recommended under power lines or where planting area width is only 5 to 6 feet include the following: (G)
 - Schubert Chokecherry: *Prunes Virginian* 'Schubert'
 - Japanese Lilac Tree: *Syringe reticulate*
 - Mayday Tree: *Prunes pads committee*
 - Serviceberry: *Amelanchier species*
 - Amur Maple: *Acer ginnala*
 - Crabapple: *Malus species*
 - Hawthorne species: *Crataegus species* (thornless varieties)
 - Tatarian Maple: *Acer tataricum*
 - Japanese Pagoda Tree: *Sophora japonica*
- g. Trees not recommended along the Corridors include the following: (G)
 - Evergreen Trees
 - Aspen: *Pupulus tremuloides*
 - Silver Maple: *Acer saccharinum*
 - Russian Olive: *Eleagnkus angustafolia*
 - Boxelder: *Acer negundo*
 - Mountain Ash: *Sorbus aucuparia*
 - Willows: *Salix species*
 - Birches: *Betula species*
 - Cottonwoods: *Populus species*
 - Siberian Elm: *Ulmus pumila*
 - Sunburst Honeylocust: *G. 'Sunburst' variety*
 - Hopa Crabapple: *Malus x Hopa*
- h. Street trees should be planted in the center of the tree lawn equidistant between the curb and sidewalk. (S)
9. Trees planted in areas of high pedestrian traffic shall be at least 3 inch caliper and be high branching. This size is required so that adequate branching height is achievable without severe pruning. (S)
10. All trees and shrubs must be maintained in healthy condition or be replaced at the expense of the owner. (S)

11. All visible areas which are not put to use as planting or tree beds, as parking or walkways or as building area shall be seeded or sodded with bluegrass or other high quality turf blend. Planting or tree beds shall be sized such that, at the time the plant material they contain is mature, a minimal amount of mulch area is visible. (S)
12. All landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system. (S)
13. Planting beds are encouraged around the perimeter of all buildings. (G)
14. The owner or developer shall, to the greatest extent possible, incorporate existing healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonable condition may be removed only if the owner or developer has satisfactorily demonstrated to the Town that site design restrictions necessitate their removal. Upon such demonstration, all removed trees or shrubs shall be replaced with new trees and shrubs in a quantity and size reasonably equivalent to those removed. An evaluation of the existing landscape proposed to be removed may be required. (S)
15. Existing plant material that is to remain as part of the permanent development or redevelopment of a property shall be protected during construction. Existing trees and shrubs shall be protected with a sturdy three foot (3') high construction fence that is placed at a distance from the tree equal to 40% of the height of the tree. If work is required closer than the construction fence, all work shall be done by hand with special care being given to minimizing disturbance to tree roots, and protecting the tree trunk from damage. (S)

VI. SIGNAGE

The following signage guidelines shall be established as a minimum for development in the Corridor:

1. All signs shall conform to the design criteria set forth herein as well as the criteria set forth in the Windsor Municipal Code. (S)
2. Project identification signage:
 - a. Each development, complex of buildings or large building complex shall be permitted to have one freestanding development identification sign. Such sign shall primarily identify the name of the development. Secondly, such sign may contain smaller signage for individual tenants which are housed within the development or complex. (S)



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- b. Each tenant which has at least 5,000 square feet of gross leasable area shall be classified as a "major tenant" and may have the following signage:

Building mounted signs shall be allowed on each building elevation, subject to all such signage meeting all of the requirements and standards outlined in subparagraph VI. 2. d. below of this Section; and

Either one freestanding sign for each street frontage which the property abuts or one sign which is a part of a development identification sign. (S)

- c. Each tenant which has less than 5,000 square feet of gross leasable area shall be classified as a "minor tenant" and may have the following signage:

Building mounted signs shall be allowed on each building elevation, subject to all such signage meeting all of the requirements and standards outlined in subparagraph VI. 2. d. below of this Section; and

One sign which is a part of the development identification sign. (S)

- d. The maximum, cumulative sign area on any individual building elevation shall not exceed ten percent (10%) of the total area of the respective building elevation. For major tenants, the height of any building mounted signs shall not exceed *either* 25 percent (25%) of the height of the building elevation upon which the sign is mounted *or* eight (8) feet in height, *whichever is less*. For minor tenants, the height of any building mounted signs shall not exceed *either* 25 percent (25%) of the height of the building elevation upon which the sign is mounted *or* five (5) feet in height, *whichever is less*. (S)

The height of the building elevation shall be measured as the vertical distance between the finished floor elevation of the building and the predominant roofline of the building elevation upon which the sign is mounted, not including architectural elements or appurtenances such as clock towers or cupolas.

Individual lettering is encouraged. Cabinet signs are permitted, however, if cabinet signs are utilized on multiple tenant buildings, written criteria describing uniform sign size, background color and general quality level is to be submitted, for approval, by the owner/landlord prior to the submittal of any tenant signage plans. Each tenant will be required to conform to such criteria. (S)

- e. Freestanding signs shall be "monument" type signs set on bases made of materials which are compatible with the architectural elements of the

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project. The height of the monument base of any sign shall not exceed 50 percent (50%) of the overall height of the sign. The width and length of such base shall be at least as wide and long as the bottom of the sign area. (S)

- f. Freestanding signs may not be located closer than fifteen (15) feet from SH 392 or WCR 23; ten (10) feet from any other streets; or five (5) feet from any other property lines not abutting any street, unless the total height of any such freestanding sign, including the monument base, does not exceed forty-two (42) inches-in height. (S)
- g. Freestanding signs are encouraged to be incorporated into a landscape planting bed with low landscape elements placed in front of signage to soften the sign and taller landscape placed behind single-sided signs to offer a backdrop. (G)
- h. Development Identification Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2 .a. above of this Section pertaining to development identification signs, all development identification signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed sixteen feet (16') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed fifty (50) square feet per side for each one hundred feet (100') of street frontage of the lot upon which the use is located, but no greater than one hundred (100) square feet per side, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)
- i. Individual Major Tenant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2 .b. above of this Section pertaining to major tenant signs, all major tenant signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed eight (8) feet in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed forty-eight (48) square feet per side, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)

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- j. Individual Minor Tenant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2. b. above of this Section pertaining to minor tenant signs, all minor tenant signs shall also comply with all of the following requirements:
 - (a) Minor tenant buildings which are freestanding on their own lot shall be allowed to erect one (1) freestanding monument sign to accommodate all tenants who occupy leasable space upon the subject lot;
 - (b) No such sign shall exceed six (6) feet in height; and
 - (c) No such sign shall exceed twenty-four (24) square feet in sign area per side of sign, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)
 - k. Signs may be illuminated. (G)
 - l. While canvas awnings are considered perfectly acceptable, acrylic or plastic awnings are discouraged. Interior illuminated awnings are also discouraged. (G)
3. Traffic Control and Directional Signage:
- a. Traffic control and directional signage shall be allowed as needed. Such signage shall be of a uniform character within each development. (S)
 - b. Such signage shall be constructed of steel, aluminum or alucabond, and shall not be larger than four (4) square feet in area. (S)
3. Prohibited signs.
- a. Pole mounted signs are prohibited. (S)
 - b. No sign shall be illuminated by or contain flashing, moving, blinking, fluctuating, intermittent rotating, or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature. (S)
 - c. No sign or part thereof shall contain or consist of strings of lights, ribbons, streamers, spinners or similar moving, fluttering or revolving devices. Inflatable signs such as blimps, animals, inflatable representations of a product for sale and other inflatable devices shall also be prohibited. Such devices shall not be used for the purposes of advertising or attracting attention. (S)

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- d. Searchlights, whether stationary or revolving, beacons or other similar devices used for the purposes of advertising or attracting attention shall be prohibited. (S)
- e. Unpainted signs, broken signs and signs on vacated buildings shall be removed from the premises or repaired or renovated by the owners of the premises on order of the Zoning Officer. (S)
- f. No sign shall obscure vision or views of the natural landscape or the larger urban area along arterial and collector streets and roads, nor shall any such sign be distracting to motorists. (S)
- g. No sign shall be erected at the intersection of any street or road in such manner as to obstruct clear vision, nor shall any sign be erected at a location where, by reason of its position, shape or color, it may interfere with, obstruct the view of or be confused with any traffic sign, signal or control device. (S)
- h. Off-premise signs. No outdoor advertising sign, billboard or other advertising media not directly related to the use of the premises upon which it is located is permitted. (S)
- i. No sign shall be erected on the roof of any building. (S)
- j. No sign shall be mounted to or otherwise applied to trees or other landscaping, regulatory traffic signage, utility and light poles or other similar structures, and shall not be located within road rights-of-way or private street easements.
- k. Mobile signs are prohibited.
 - (1) Mobile sign is defined as any sign painted or otherwise mounted on a vehicle, trailer or boat; fixed or attached to a device for the purpose of transporting from site to site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles such as buses, taxicabs or other commercial vehicles operating during the normal course of business. On-premise signs mounted to construction trailers directly related to construction on a site shall be allowed to be located on the site for the duration of construction, and shall be removed immediately upon the receipt of the last certificate of occupancy for the site. Trailers that are unrelated to the construction activities on the site



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shall not be allowed to be located on any site solely for the purpose of mounting signage; and

- (2) Any sign attached to, painted on, or mounted on any construction trailers that are permitted in paragraph "a" above shall be allowed if such signs meet the following conditions: The signs are magnetic, decals, or painted in a professional manner on an integral part of the construction trailer as originally designed by the manufacturer and do not extend beyond the profile of the construction trailer.

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is made and entered into this 11th day of December, 2000, by and between THE TOWN OF WINDSOR, a statutory town and political subdivision of the State of Colorado, hereinafter referred to as "Windsor," and THE TOWN OF SEVERANCE, a statutory town and political subdivision of the State of Colorado, hereinafter referred to as "Severance." The parties hereto, when referring to both, may also be referred to hereinafter as "municipalities" or "parties." Either party hereto may also be referred to as "municipality" or "party."

WITNESSETH:

WHEREAS, the Windsor Town Board and the Severance Town Board have recently participated in extensive discussions concerning the potential benefits to each of the municipalities resulting from a cooperative agreement regarding land use and development along certain portions of Highway 392 in Weld County, Colorado; and

WHEREAS, the Town of Severance now has under consideration the annexation of a parcel of property adjacent to Highway 392; and

WHEREAS, Highway 392 forms a natural boundary between Windsor and Severance and their present and future growth areas; and

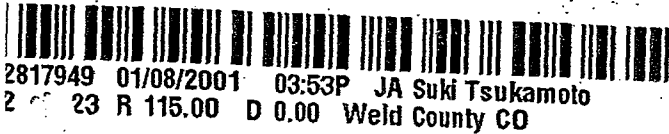
WHEREAS, growth and development pressures and demands for municipal services exist and will continue to exist in both municipalities; and

WHEREAS, the urban growth boundaries (UGB) of the municipalities conflict in part, creating difficulties for both municipalities, the result of which could lead to incompatible and inconsistent growth and development in both municipalities; and

WHEREAS, Windsor and Severance are both committed to planned and orderly growth; to regulating the location and activities of development which may result in increased demands for services; to providing for the orderly development and extension of urban services, facilities, and regulations; to avoiding unnecessary duplication of governmental services; to simplifying governmental structure when possible; to promoting economic viability of both municipalities; and to raising revenue sufficient to meet the needs of the citizens of both municipalities; and

WHEREAS, because of the proximity of the municipalities, the nature and quality of development within each of the municipalities, and along the affected portions of Highway 392 will affect the nature and quality of development in the other municipality and the revenues of each; and

WHEREAS, increased coordination and cooperation between the two municipalities, including planning for and managing growth and development of land, the resolution of conflict



regarding urban growth boundaries, the coordination of annexation policies and procedure, and coordination of the extension of services to areas of joint concern, will enhance the ability of the two municipalities to achieve their respective and common goals; and

WHEREAS, applicable provisions of the Colorado Constitution authorize municipalities to enter into agreements with one another concerning matters such as those set forth in this Agreement; and

WHEREAS, the statutes of the State of Colorado, specifically the Local Government Land Use Enabling Act, *Colorado Revised Statutes, 29-20-101 et seq.*, further authorizes statutory towns to enter into mutually binding and enforceable agreements regarding the joint exercise of planning, zoning and related powers; and

WHEREAS, this Agreement is entered into by Windsor and Severance pursuant to the aforesaid constitutional and statutory authority as well as other powers inherently granted to statutory municipalities by the State of Colorado;

NOW, THEREFORE, in consideration of the covenants and obligations expressed herein, it is hereby agreed by and between Windsor and Severance as follows:

1. **Preamble.** Both municipalities hereby acknowledge that the recitals set forth above are true and correct, and those recitals are incorporated into the body of this Intergovernmental Agreement.

2. **Definitions.**

(a) **Geographic Area.** *Geographic Area* shall refer to all lands depicted on "Exhibit A," which is attached hereto and incorporated herein by this reference.

(b) **Cooperative Planning Area.** *Cooperative Planning Area* (CPA) is a portion of Exhibit A and is specifically depicted thereon. The Cooperative Planning Area is a corridor defined as one-quarter ($\frac{1}{4}$) mile north and south of Colorado State Highway 392, bound on the west by Colorado State Highway 257/Weld County Road 19, and on the east by Weld County Road 23.

(c) **392 Corridor.** For purposes of this Agreement, references to *392 Corridor* shall be construed as references to the Cooperative Planning Area.

(d) **Commercial Corridor Area.** *Commercial Corridor Area* is a portion of the Cooperative Planning Area and is specifically depicted within the Cooperative Planning Area on Exhibit A. The Commercial Corridor Area is a corridor defined as one-eighth ($\frac{1}{8}$) mile north and south of Colorado State Highway 392, bound on the west by Colorado State Highway 257/Weld County Road 19, and on the east by Weld County Road 23.

3. **Comprehensive Development Plan for the Cooperative Planning Area.**

(a) Within twelve (12) months of their adoption of this Agreement, Windsor and Severance agree that they shall develop and implement a mutually acceptable comprehensive development plan, to be known as the Corridor Development Plan, for the development of land and for the provision of urban services and facilities within the CPA. It is anticipated that in the preparation of the Corridor Development Plan, the parties will consult with all other affected entities, including but not limited to, Weld County and all property owners within and adjacent to the CPA. It is understood and agreed that it may be necessary for the parties to elicit the assistance of outside consultants or other experts skilled in the preparation of such plans. The hiring of such consultants or other experts shall be subject to the approval of the board of trustees of each of the municipalities. In the event consultants or other experts are hired, all such outside costs will be borne by each of the parties on a per-capita basis.

It is further understood and agreed that the Corridor Development Plan, as prepared and adopted by Windsor and Severance, may address a wide variety of issues relating to cooperation between the municipalities; and, as such, the Corridor Development Plan may be adopted by the parties in stages. At a minimum, it is agreed that the Corridor Development Plan shall include provisions addressing the following:

- (1) Resolution of conflicts between the municipalities and the establishment of consistent UGBs.
- (2) Land use restrictions in the CPA, specifically including the prohibition of residential zoning within the CPA, unless such residential zoning is specifically agreed upon by both municipalities.
- (3) The location, design, construction, maintenance, and financing of streets and highways within the CPA.
- (4) The issuance, approval, and review of building permits within the CPA.
- (5) Provisions for government services within the CPA, including but not limited to, utility services, law enforcement, fire and emergency services, and code enforcement.
- (6) A drainage master plan for the CPA including the planning, design, construction, maintenance and financing of drainage improvements and facilities.
- (7) Provisions for the development and maintenance of parks, recreation services, and open space within the CPA.
- (8) Provisions for setbacks, design standards, landscaping, and



maintenance of rights-of-way within the CPA.

(b) Upon the adoption of the Corridor Development Plan, in whole or in part, no development proposals, which for purposes of this Agreement shall include conditional use grants, shall be approved by either of the parties which are inconsistent with the plan adopted by the municipalities without the specific written consent of the board of trustees of each of the municipalities. It is understood and agreed that upon the adoption of this Intergovernmental Agreement, all plans and specifications for any development proposal within the boundaries of the CPA, received by either of the parties after the effective date of this Agreement, shall be forwarded to the other party for review and comment at least thirty (30) days prior to any action being taken on said development proposal. The review and comment period provided for herein may be shortened or extended by the parties by mutual agreement.

4. **Amendment of the Cooperative Planning Area Boundaries.** The parties recognize that the boundaries of the CPA as established by this Agreement are reflective of current and projected land uses within the Geographic Area. The parties intend that the area to be contained within the CPA be limited to commercial and industrial development and that such development not be divided by the artificial boundaries established by this Agreement. The parties recognize that as annexations occur, and developments are proposed within the Geographic Area, it may be necessary to amend this Agreement to modify the boundaries of the CPA to include additional land that may be developed as commercial or industrial or to exclude land which will not be so developed. The parties agree that they shall fully cooperate with one another in adopting such amendments to this Agreement as may be necessary to effectuate the intentions of the parties as expressed in this paragraph.

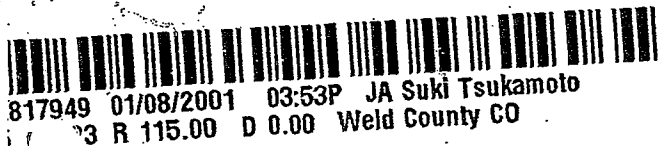
5. **Urban Growth Boundaries and Annexation.**

(a) The parties agree that upon the adoption of this Agreement, they shall forthwith make such adjustments to their respective comprehensive plans or other official documents to reflect the UGBs as set forth in the Geographic Area.

(b) Windsor shall have exclusive authority to exercise its annexation powers and to provide services within its UGBs as described on Exhibit A.

(c) Severance shall have exclusive authority to exercise its annexation powers and to provide services within its UGBs as described on Exhibit A, except as modified by the provisions for water and sewer services set forth in paragraph 6 of this Agreement.

(d) Both parties specifically agree that upon the receipt or preparation by either of them of any documents proposing annexation within the CPA, copies of all such documents shall



be submitted to the other party for review and comment at least thirty (30) days prior to any intended action thereon.

(e) In the event either Windsor or Severance elects not to exercise annexation powers or to extend services pursuant to this paragraph, the declining municipality shall notify the other party within thirty (30) days of that decision. Upon receipt of such notice, the other party may thereafter, in its sole discretion, exercise its annexation powers and/or extend services to such property.

(f) With the exception of the specific recitals contained herein, nothing in this Agreement shall otherwise be construed as limiting or otherwise restricting the annexation powers of the respective municipalities within each municipality's UGB as defined by this Agreement and reflected on Exhibit A.

6. **Adoption of the East Main Street Corridor Plan.** Windsor has adopted certain planning and design guidelines for portions of the 392 Corridor presently annexed to Windsor. These guidelines are collectively known as the East Main Street Corridor Plan. Those portions of the East Main Street Corridor Plan relevant to this Agreement are attached hereto and incorporated herein as "Exhibit B." The parties agree that it is in the best interest of both municipalities to extend the relevant portions of the East Main Street Corridor Plan to the Commercial Corridor Area as set forth in Exhibit B. Accordingly, the parties agree that the East Main Street Corridor Plan as set forth in Exhibit B shall be applicable to the Commercial Corridor Area of the CPA. Upon the adoption of this Agreement, development proposals not in compliance with these planning and design guidelines shall not be approved by either of the parties.

7. **Water and Sewer Service in the CPA.**

(a) It is specifically understood and agreed that no development proposing the use of septic systems in the CPA shall be approved by either municipality. Because of the location of their facilities and the topographical difficulties presented, the parties recognize that the CPA will most efficiently be served by the water and sewer services of Windsor. Accordingly, the parties agree that water and sewer service in the area identified as the CPA on Exhibit A shall be made available by Windsor, regardless of whether or not portions of that area are annexed to Windsor or to Severance. Such service shall be made available in accordance with the development standards and policies of Windsor. For those portions of the CPA annexed to Windsor, all customers therein will be charged in accordance with the water and sewer fees and charges in effect for other customers within the corporate limits of Windsor. The parties agree that for those portions of the CPA subsequently annexed to Severance, Windsor's fees and charges shall be determined after appropriate consultations with Severance, and unless the parties otherwise agree, Windsor's water and sewer fees and charges shall not exceed such fees and charges imposed upon regular customers located within Windsor's corporate limits. Nothing herein shall be construed as preventing the parties from entering into additional agreements which modify the provisions of this paragraph with regard to water and



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sewer service fees and charges. As is reflected elsewhere in this Agreement, both municipalities agree that in the absence of mutual written consent, no water and sewer service will be provided to any residentially zoned property within the CPA. This Agreement shall not affect current residential development which may exist in the CPA at the time of annexation by either of the municipalities. Windsor agrees that it shall make water and sewer service available to such existing residential development, in accordance with the development standards and policies of Windsor.

(b) Windsor has in design a plan which will expand Windsor's Eastside Sewer Interceptor to the north, thereby enabling Windsor to serve certain areas of the CPA before the end of calendar year 2001. Windsor acknowledges that it has sufficient funds to complete this expansion in 2001 and has specifically appropriated funds therefor.

8. Regional Sewer Treatment Facility. As is reflected elsewhere in this Agreement, Windsor and Severance recognize their mutual obligation to the citizens of the Geographic Area to cooperate with one another in providing efficient and cost effective utility services. Windsor currently operates a sewer treatment facility with capacity for expansion. Current and projected growth in Severance will require additional sewer service. Sound planning dictates that Severance join with Windsor in the expansion of Windsor's treatment facility to include discharge from Severance. The parties agree to commence negotiations forthwith to expand the capacity of Windsor's sewer treatment facility to transform the facility to a regional facility which will serve the present and future needs of the Severance.

9. Utility Easements and Rights-of-Way. Within their respective jurisdictions in the CPA, each party shall provide the other, utility easements and rights-of-way, without charge if previously granted to the providing party without charge, which are required to make water and sewer service available within their respective jurisdictions, and rights-of-way for necessary storm drainage improvements.

10. Shared Revenues.

(a) It is understood and agreed by the parties hereto that the implementation of this Agreement, and the achievement of its purposes, including planning for and regulating the use of land and the provision of urban services, facilities, rights-of-way, and other requirements, will require significant time and effort on the part of both parties, as well as the expenditure of substantial revenues. Accordingly, the parties agree that it is in the best interest of each that certain tax revenues generated within the CPA be shared between them. It is understood and agreed that all sales, use and property tax revenues collected by each of the municipalities within the CPA shall be shared and distributed between the municipalities, two thirds (2/3) to the collecting municipality and one third (1/3) to the other municipality.



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(b) At the time of the execution of this Agreement, the sales and use tax rates in Windsor are fixed at 3%, while those in Severance are fixed at 2%. The parties recognize that the equalization of these rates is important to the continued viability of this Agreement. It is the present intention of the Board of Trustees of Severance to place a proposal to increase sales and use tax rates by 1% before the electors of the Town at the next lawful election following the execution of this Agreement. The Board of Trustees agrees to use its best efforts to encourage the passage of this proposal by the citizens of Severance.

(c) At the time of the execution of this Agreement, neither of the municipalities has in effect an accommodations or lodging tax or a hotel/motel occupancy tax. In the event either of the municipalities adopts any such tax, all revenues generated thereby shall be retained by the taxing municipality. In the event both municipalities subsequently adopt any such tax in an equal amount, the revenues therefrom shall be shared by the parties in proportions provided for herein for sales, use and property taxes.

(d) All tax revenues subject to sharing pursuant to this Agreement shall be distributed between the two municipalities no later than thirty (30) calendar days following the end of the calendar quarter during which the revenue was collected or received.

(e) Each of the municipalities shall make every effort to standardize with the other municipality the procedures, ordinances and regulations applicable to the taxes to be shared pursuant to this Agreement.

(f) Each party and its authorized agents may, upon thirty (30) days' advance written notice to the other, audit the other's records of those taxes which are collected within the CPA and which are being shared pursuant to this Agreement.

(g) Neither of the municipalities shall impair the rights under this paragraph of the other municipality, without the other's consent, to share in the revenues as described in this paragraph.

(h) Notwithstanding anything herein to the contrary, the obligations of the parties hereunder shall be subject to and subordinate the parties' obligations, covenants, and representations contained in or incorporated in any ordinance, resolution, indenture, underwriting agreement, or other document pertaining to the authorization, issuance, payment, or sale of any bonds, notes, certificates, indentures, or other evidences of borrowing (except as may be specifically provided otherwise in any such document), whether now or heretofore in existence, executed, issued, or incurred, the intent being that such obligations, covenants, and representations have and will take precedence over those set forth herein, and will be met, complied with, satisfied, and discharged in accordance with such documents prior to any distribution of moneys hereunder.



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Neither party shall pledge or subordinate the revenues contemplated by this Agreement to any other person or entity, nor shall any party incur any obligation, debt, underwriting or adopt any resolution or ordinance subsequent to this Agreement which would impair such party's obligations created by this Agreement.

(i) In the event of a significant change in the Colorado tax structure, this Agreement shall be modified so as to accomplish its intended purpose of continuing the revenue sharing provisions of this Agreement in a manner that resembles those provisions as closely as possible.

(j) It is understood and agreed that for purposes of the application of the revenue limitations contained in Article X, Section 20, of the Colorado Constitution, commonly known as TABOR, all revenues collected and thereafter distributed to the other municipality, shall be deemed revenues collected solely for the purpose of passing those revenues through to the receiving municipality, and the receiving municipality shall be obligated to count and include such revenues for TABOR purposes.

11. **Parties to Exercise Good Faith.** Windsor and Severance agree to devote their best efforts and to exercise good faith in implementing and adhering to the provisions of this Agreement throughout its term.

12. **Intent of Agreement.** This Agreement is intended to describe rights and responsibilities only as between the named parties hereto. It is not intended to and shall not be deemed to confer rights to any persons or entities not named as parties hereto nor to require Windsor or Severance to annex any property or to provide any services to any land. This Agreement is not intended to limit in any way the powers or responsibilities of Weld County or of any other political subdivision of the State of Colorado not a party hereto.

13. **Rights upon Default and Mediation provisions.** The Local Government Land Use Enabling Act, earlier referred to in this Agreement, provides that agreements between municipalities for the purposes set forth herein, are mutually binding and enforceable. Both parties hereby acknowledge the binding and enforceable nature of this Agreement. Should either party fail to comply with the provisions of this Agreement, the other party, after providing written notification to the non-complying party, and upon the failure of the non-complying party to achieve compliance within ninety (90) days after said notice, may at its option, either terminate this Agreement or maintain an action in a court of competent jurisdiction for specific performance, injunctive, or other appropriate relief. In the event of such litigation, each party shall be responsible for its own costs, including attorney fees. It shall be the obligation of the parties to submit to mediation any issue of non-compliance prior to declaring this Agreement terminated or prior to commencing an action in court as aforesaid. The parties shall agree on the appointment of a mediator who shall be experienced in matters of local government and the legal obligations of local government entities. In the event the parties are unable to agree upon a mediator, each party shall appoint an independent third party,



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and the third parties so appointed shall select a single mediator. The procedures and methodology for mediation shall be determined by the mediator. Appointment of the mediator shall take place no later than thirty (30) days following written notification as provided in this paragraph, and mediation shall be completed no later than sixty (60) days thereafter.

By the provisions of this paragraph it is the express intention of the parties to establish fully enforceable consequences upon the breach of this Agreement, while not in any way limiting the ability of the parties to freely exercise legislative discretion.

14. **Effective Date.** This Agreement shall be presented to the board of trustees of the respective municipalities for adoption by resolution, following notice and public hearing. This Agreement shall become effective upon its adoption by both municipalities.

15. **Term.** The Parties intend this Agreement to remain in full force and effect in perpetuity. To the extent allowable by law, both parties further intend to be bound by the provisions hereof in perpetuity.

16. **Annual Appropriation of Funds.** While it is the clear intention of the parties that this Agreement continue in perpetuity, it is understood and agreed that with regard to the financial obligations imposed upon Windsor and Severance by the terms of this Agreement, it is specifically understood and agreed that those obligations are specifically subject to the annual appropriation of monies by the respective municipalities to fund those obligations. It is the intent of the parties to plan to appropriate monies to fulfill each party's obligations under this Agreement in perpetuity.

17. **Amendment.** All amendments to this Agreement must be made in writing and approved by the governing bodies of both municipalities by resolution.

18. **Notices.** Requirements of notice hereunder shall be deemed satisfied upon mailing to the parties as follows:

Town Administrator
Town of Windsor
301 Walnut Street
Windsor, CO 80550

copy to: John P. Frey, Esq.
P. O. Box 2283
Fort Collins, CO 80522-2283

Town Clerk
Town of Severance
336 1st Street
P.O. Box 122
Severance, CO 80546

copy to: Don Hoff, Esq.
1025 9th Avenue, #309
Greeley, CO 80631



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19. Effect of Invalidity. If any portion of any paragraph of this Agreement is held invalid or unenforceable by a court of competent jurisdiction as to either party or as to both parties, such invalidity or unenforceability shall not affect the other paragraph(s) of this Agreement except that if a requirement or limitation in such paragraph(s) is declared invalid as to one party, any corresponding requirements or limitation shall be deemed invalid as to the other party.

IN WITNESS WHEREOF, the above parties hereto have caused this Agreement to be executed the day and year first above written.



TOWN OF WINDSOR

By: W. Wayne Miller
W. Wayne Miller, Mayor

ATTEST:

Cathy M. Kennedy
Town Clerk

APPROVED AS TO FORM:

[Signature]
Town Attorney

APPROVED FOR CONTENT:

[Signature]
Town Administrator

TOWN OF SEVERANCE

By: Cherice Blehm
Cherice Blehm, Mayor

ATTEST:

[Signature]
Town Clerk

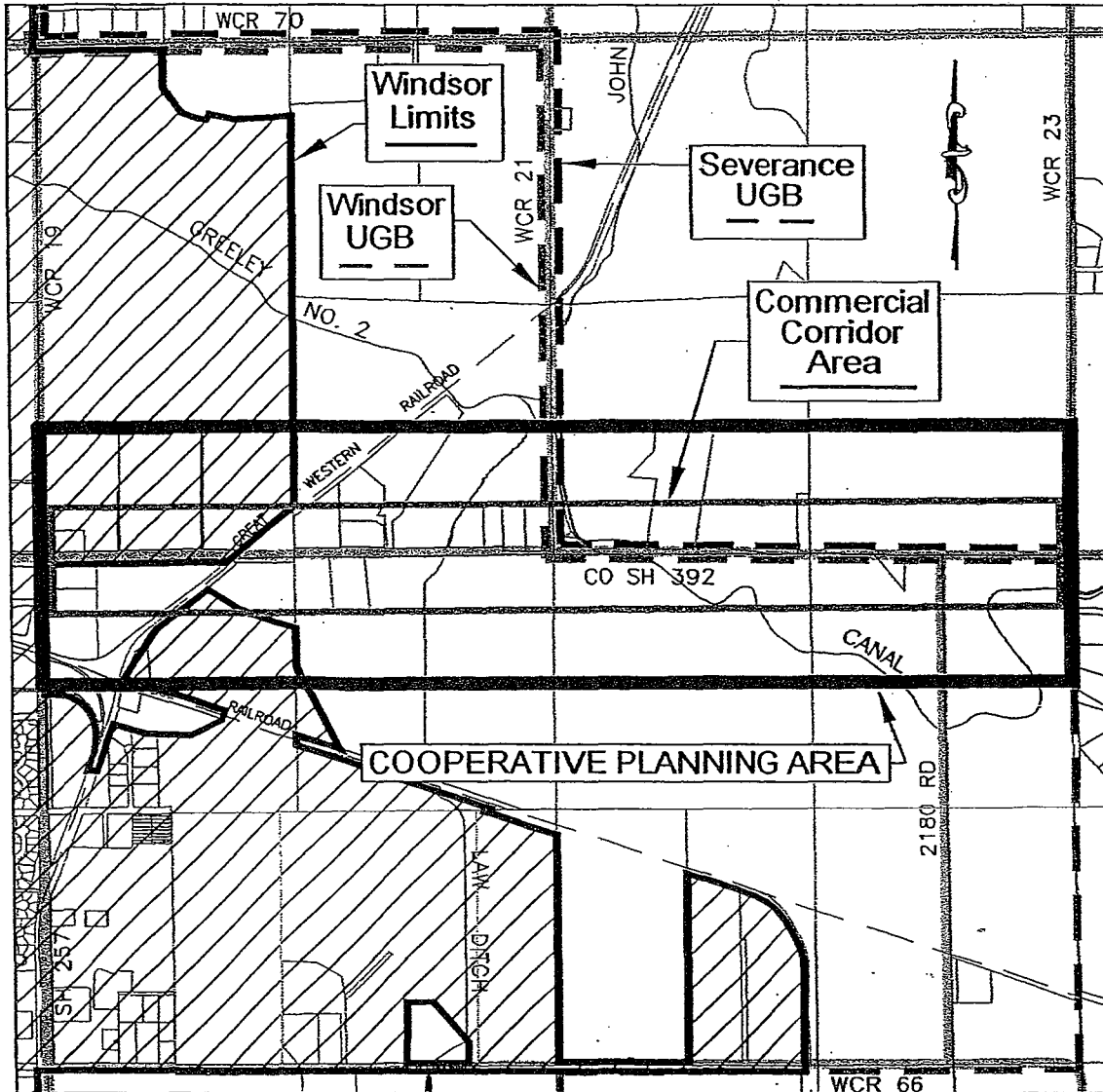
APPROVED AS TO FORM:

[Signature]
Town Attorney



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EXHIBIT "A"



Rev 11/20/00



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Exhibit "B"

East Main Street Corridor Plan

I. INTRODUCTION

A. Purpose and Scope:

The East Main Street Corridor (Corridor) holds many unique opportunities. Perhaps the most important one is that this Corridor is the eastern "gateway" to the Town of Windsor and the southwestern "gateway" to the Town of Severance. The visual quality of this gateway is directly related to both communities' images, and positive community images are essential for economic development and the ability to attract quality developments.

The location and scope of the Corridor is shown as the "Commercial Corridor Area" in Exhibit "A" of this Agreement.

B. Intent:

These standards and guidelines have been prepared in an effort to accomplish the following:

- To protect and enhance property values within the area.
- To increase the opportunity for development and expansion of business and industry within the area.

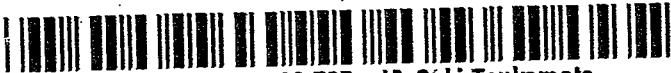
II. PROCEDURE

A. Application of Standards:

These standards and guidelines shall apply to (a) all new development within the Corridor, and (b) the remodeled portions of, or additions to, existing properties within the Corridor. "Standards" denoted by (S) are mandatory; "Guidelines" denoted by (G) are not mandatory, but are provided in order to provide assistance to planners, design consultants, developers, and the staff from both Towns concerning the design objectives of the Plan.

It is not intended that this document replace or supplant the existing requirements of either of the Towns, but merely supplement current requirements. Furthermore, all pertinent requirements of both Towns shall be followed in the development of a specific building site and shall be approved in accordance with all of the terms and conditions of this Agreement.

All zoning ordinances, building codes and regulations, and all other governmental codes, regulations, restrictions, and requirements shall be observed. In the event conflicts arise between this document and any other governmental codes, regulations, restrictions, and/or requirements, the more restrictive standard shall apply.



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B. Submittal Requirements:

1. SITE PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. The location of existing and proposed structures with the location of the entries noted.
 - b. The location and dimensions of all driveways, parking areas, loading areas, and pedestrian walkways.
 - c. The location and type of all outdoor storage or trash facilities with a description and/or indication of screening materials proposed.
 - d. The type and location of any ground signs.
 - e. The type and location of any accessory appurtenances such as scales, satellite dishes, antennae, gas pumps, etc.
 - f. The type and location of proposed site lighting.
 - g. A land use breakdown indicating total site area, total building area, building coverage area, parking and driveway coverage area and open space area.
 - h. The location of temporary model homes, sales office, and/or construction facilities, including temporary signs and parking lots.
2. LANDSCAPING PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. Streetscape treatment.
 - b. General level of planting proposed, including an indication of planting beds, lawn areas and other proposed ground covers. All proposed plant materials should be drawn to scale at a size equivalent to ten (10) years maturity.
 - c. A plant material schedule indicating species, size and quantity of all plant material proposed. Plant material must be identified by direct labeling or by a clearly understandable legend.
 - d. A complete description of all proposed landscape accessory materials such as edging, planters, and mulches.
 - e. Planting details and/or specifications demonstrative proper planting technique, staking and mulching.

- f. A note indicating that all landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system.
 - g. A note indicating that the owner shall be responsible for the maintenance of all landscape elements.
 - h. The position of existing trees on the site, if any, and a detailed plan for how these trees will be protected during construction.
3. SIGNAGE DETAILS drawn to scale containing the following:
- a. An indication and description of all materials to be used and the means of sign illumination as well as the dimensions of the sign.
 - b. An indication and description of all wordage and/or logos to be included on the sign.
4. BUILDING ELEVATIONS drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
- a. An indication and description of all materials to be used on all sides of the buildings.
 - b. An indication of signage locations.
 - c. The height of the buildings and any appurtenances.
5. BUILDING COLOR AND MATERIAL SAMPLES of the actual materials to be used on the building including the following:
- a. Roofing materials and color.
 - b. Exterior wall materials and colors.
 - c. Trim materials and colors.
 - d. Window and door materials and colors.

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the Corridor.

A Setbacks and Coverage:

1. All property line setbacks as established by the Windsor Municipal Code shall remain in full force and effect. In addition thereto, there shall be a thirty-five foot (35') minimum setback where sites adjoin Colorado State Highway 392. (S)
2. To allow for landscape buffers, all paving shall be setback from the property lines a minimum of twenty-five feet (25') where abutting Colorado State Highway 392, fifteen feet (15') abutting all other streets, and five feet (5') from all other property lines which do not abut streets. (S)
3. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
4. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)
5. Open landscape area on any site shall be twenty percent (20%) or greater. (S)
6. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)
7. All fences located on the street side of any site shall be recessed a minimum of two feet (2') beyond the plane of the building facing such street. Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings. No chain link fences shall be visible from Colorado State Highway 392. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking area should be minimized between the street or driveway and building entries. (G)
4. All offstreet loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)

6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, or forty-five feet (45') where abutting Main Street and thirty-five feet (35') where abutting all other streets. (S)
7. Landscape islands a minimum of fifteen feet (15') in length and eight feet (8') in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten feet (10') wide or greater. (S)
9. All utility services to facilities shall be installed underground. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty feet (30) in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations.

IV. ARCHITECTURAL

The following architectural standards and guidelines shall be established as a minimum for development in the Corridor:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projects, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)



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2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, arbors, awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the façade.
3. No blank wall that faces a public street or walkway shall exceed fifty feet in length. (S)
4. The predominant portion of any building shall not exceed thirty feet (30') in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty feet (40') in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)
10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties. (S)

14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)

V. LANDSCAPE

In addition to the landscape guidelines in effect for the Town, the following shall constitute additional minimum guidelines for landscaping within the Corridor:

1. The density of landscaping need not be so dense as to completely cover or mask the building site, but will not be so sparse as to be perceived as a minimum or superficial effort at landscaping. (G)
2. Landscape materials shall be of long living varieties, and shall be permanent in nature. All plant material shall be vigorous and free from disease and insect infestation, in accordance with specifications outlined by the American Association of Nurseries (AAN) for number one grade, and will adapted to the Windsor area climate zone. Plants must be sized according to the following table: (S)

TYPE	SIZE
Standard deciduous	2" caliper measured 6" above ground
Small ornamental flowering trees	1 ½ to 1 ¾" caliper measured 6" above ground
Evergreen Trees	6 foot in height
Shrubs and hedges	Five gallon or adequate size consistent with design intent

3. Short lived materials, such as annual flowers, are encouraged to be used to accent or supplement the basic permanent landscape plan. Such flowers are encouraged to be utilized in a bed or planter at project entries. (G)
4. No plant material with invasive roots shall be used. (S)
5. Artificial plant materials shall be prohibited. (S)
6. Landscape elements should relate to the building's structural elements and be used to interrupt extensive building surfaces. (G)
7. All parking lot islands shall be landscaped with at least one shade tree and some low ground cover and/or shrubbery. (S)
8. Street trees: Along the Main Street Corridor, continuity is required to connect the diverse land use areas and provide an appealing "corridor" feel to the entrance of Town. The use of trees along the Corridor can create this unifying effect. The following standards shall be used to create this effect:



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- a. Trees planted along Main Street shall be planted at a spacing of forty feet (40') and in straight rows to create a continuous street edge. (S)
- b. Trees of varying species shall be planted to avoid drastic loss from insect or disease infestation. Different species with similar characteristics such as growth habit or color could be used to avoid over-use by one tree species yet maintain the desired look. (G)
- c. In all new development projects the inclusion of a 5 foot (5') detached walk and a 10 foot (10') designated tree lawn, between the walk and the street, shall be required. Where such projects meet existing projects, new sidewalks shall be required. In the case of a redevelopment of an existing site which has a narrow frontage, the developer shall be required to post a bond equivalent to 110% of the value of such sidewalk and landscape improvements. Such bond will be utilized to construct the sidewalk improvements at the time there is enough adjacent redevelopment to allow for a substantial portion of new sidewalk to be constructed. (S)
- d. Large size shade trees recommended along Main Street include the following. (G)

Hackberry: *Celtis occidentalis*

Burr Oak: *Quercus macrocarpa*

American Elm: *Ulmus americana* (recommended only when varieties resistant to Dutch elm disease are available)

American Linden: *Tilia americana*

Northern Catalpa: *Catalpa speciosa*

Norway Maple: *Acer platanoides*

Ginkgo: *Ginkgo biloba*

English Oak: *Quercus robur*

Green Ash*: *Fraxinus pennsylvanica* (seedless varieties only such as 'Patmore' and 'Marshall Seedless')

White or American Ash: *Fraxinus americana*

Thornless Honeylocust*: *Gleditsia triacanthos inermis*

* Acceptable species but not recommended for planting in Windsor because of the large number of these tree species already planted. Over-planting of one species leaves the forest vulnerable to disease infestation.

- e. Medium size shade trees recommended along Main Street include the following: (G)

Littleleaf Linden: *Tilia cordata*

Ohio Buckeye: *Esculus glabra*

- f. Small size trees recommended under power lines or where planting area width is only 5 to 6 feet include the following: (G)



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Schubert Chokecherry: *Prunes Virginian* 'Schubert'
Japanese Lilac Tree: *Syringe reticulate*
Mayday Tree: *Prunes pads committee*
Serviceberry: *Amelanchier species*
Amur Maple: *Acer ginnala*
Crabapple: *Malus species*
Hawthorne species: *Crataegus species* (thornless varieties)
Tatarian Maple: *Acer tataricum*
Japanese Pagoda Tree: *Sophora japonica*

g. Trees not recommended along Main Street include the following: (G)

Evergreen Trees
Aspen: *Pupulus tremuloides*
Silver Maple: *Acer saccharinum*
Russian Olive: *Eleagnkus angustafolia*
Boxelder: *Acer negundo*
Mountain Ash: *Sorbus aucuparia*
Willows: *Salix species*
Birches: *Betula species*
Cottonwoods: *Populus species*
Siberian Elm: *Ulmus pumila*
Sunburst Honeylocust: *G. 'Sunburst' variety*
Hopa Crabapple: *Malus x Hopa*

- h. Street trees should be planted in the center of the tree lawn equidistant between the curb and sidewalk. (S)
9. Trees planted in areas of high pedestrian traffic shall be at least 3 inch caliper and be high branching. This size is required so that adequate branching height is achievable without severe pruning. (S)
10. All trees and shrubs must be maintained in healthy condition or be replaced at the expense of the owner. (S)
11. All visible areas which are not put to use as planting or tree beds, as parking or walkways or as building area shall be seeded or sodded with bluegrass or other high quality turf blend. Planting or tree beds shall be sized such that, at the time the plant material they contain is mature, a minimal amount of mulch area is visible. (S)
12. All landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system. (S)
13. Planting beds are encouraged around the perimeter of all buildings. (G)



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14. The owner or developer shall, to the greatest extent possible, incorporate existing healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonable condition may be removed only if the owner or developer has satisfactorily demonstrated to the Town that site design restrictions necessitate their removal. Upon such demonstration, all removed trees or shrubs shall be replaced with new trees and shrubs in a quantity and size reasonably equivalent to those removed. An evaluation of the existing landscape proposed to be removed may be required. (S)
15. Existing plant material that is to remain as part of the permanent development or redevelopment of a property shall be protected during construction. Existing trees and shrubs shall be protected with a sturdy three foot (3') high construction fence that is placed at a distance from the tree equal to 40% of the height of the tree. If work is required closer than the construction fence, all work shall be done by hand with special care being given to minimizing disturbance to tree roots, and protecting the tree trunk from damage. (S)

VI. SIGNAGE

The following signage guidelines shall be established as a minimum for development in the Corridor:

1. All signs shall conform to the design criteria set forth herein as well as the criteria set forth in the Windsor Municipal Code. (S)
2. Project identification signage:
 - a. Each development, complex of buildings or large building complex shall be permitted to have one freestanding development identification sign. Such sign shall primarily identify the name of the development. Secondly, such sign may contain smaller signage for individual tenants which are housed within the development or complex. (S)
 - b. Each major tenant or building occupant may have the following signage:

One building mounted sign for each street frontage the property abuts; and

Either one freestanding sign for each street frontage which the property abuts or one sign which is a part of a development identification sign. (S)
 - c. Each minor tenant may have the following signage:

One building mounted sign and

One sign which is a part of the development identification sign. (S)



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- d. Signs shall identify only the name of the building site, or the primary business or company on the premises or the company logo. A single additional signage entity such as a corporate sponsorship sign or signage advertising gasoline pricing shall be allowed only when such signage is a critical aspect of the business. (S)
- e. Freestanding signs may not be located closer than fifteen feet (15') from any property line, unless it is more than forty-two inches (42") high. (S)
- f. Building mounted signage shall consist of individual letters with thirty inches (30") being the maximum height of the copy area which can exist. Cabinet type signs may be used provided that they are properly integrated into the architecture of the building. If cabinet signs are utilized on multiple tenant buildings, written criteria describing uniform sign size, background color and general quality level is to be submitted, for approval, by the owner/landlord prior to the submittal of any tenant signage plans. Each tenant will be required to conform to such criteria. (S)
- g. Freestanding signs shall be "monument" type signs set on bases made of materials which are compatible with the architectural elements of the project. Pole mounted signs are prohibited. (S)
- h. Freestanding signs are encouraged to be incorporated into a landscape planting bed with low landscape elements placed in front of signage to soften the sign and taller landscape placed behind single-sided signs to offer a backdrop. (G)
- i. Development Identification Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI.2.a. above pertaining to development identification signs, all development identification signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed sixteen feet (16') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed fifty (50) square feet per side for each one hundred feet (100') of street frontage of the lot upon which the use is located, but no greater than one hundred (100) square feet per side. Such area shall be exclusive of the sign base. (S)
- j. Individual Major Tenant or Major Building Occupant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI.2.b. above pertaining to major tenant or major building occupant signs, all major tenant or major building occupant signs shall also comply with both of the following requirements:



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- (a) No such sign shall exceed six feet (6') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed twenty-four (24) square feet per side. Such area shall be exclusive of the sign base. (S)
- k. Signs may be illuminated, but shall not be moving, flashing, blinking or fluctuating. (S)
- l. While canvas awnings are considered perfectly acceptable, acrylic or plastic awnings are discouraged. Interior illuminated awnings are also discouraged. (G)

3. Traffic Control and Directional Signage:

- a. Traffic control and directional signage shall be allowed as needed. Such signage shall be of a uniform character within each development. (S)
- b. Such signage shall be constructed of steel, aluminum or alucabond, and shall not be larger than four (4) square feet in area. (S)



Carlin Malone
Chief Planner
Windsor Planning Department

RE: Request for conversion of commercial land to multi-family - Village East

Carlin,

The Windsor Economic Development Department is not in support of converting commercial land into residential use at this time. I have received and reviewed the information submitted to the planning department by the applicant. The request is to convert 4.085 acres (total usable area according to the applicant) located north of Hwy 392 & west of County Road 21 from general commercial to residential mixed use to build 56 multi-family rental units.

I have run two versions of our Economic Impact Model, which uses our current town budget to determine the net fiscal benefit to the town for any project.

Multi-Family EIA: Allowing 56 rental units to be built on the 4.085 acres there would create a total deficit **-\$364,525** to the town by year 10. Some assumptions of the model were made and are as follows: rent would be \$1,500 per unit, cost to build each apartment would be \$180,000 with an occupancy rate of 97.3%.

Commercial EIA: Economic impact model for commercial space on the 4.085 acres would create a fiscal benefit of \$3,421,543 to the town by year 10. The assumptions used in the model were as follows: Information pulled the approved subdivision improvement drawings show 27,500 sq. ft. of commercial space, lease rate was estimated low at \$20.00 a sq. ft., and cost to build including tenant finish was \$300.00 sq. ft.

I've included the full details of the summary of costs and benefits for both models. As you can see, the revenue to the town from the 4.085 acres of commercial land far outweighs the proposed multi-family development.

Best regards,

A handwritten signature in blue ink that reads "Stacy L. Miller".

Stacy L. Miller
Director of Economic Development

Summary of Costs and Benefits

Menu

Village East Commercial

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	
Windsor, Town of Summary by Impact Area											
Local Gov't Economic and Fiscal Benefits											
Construction	\$753,681	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$753,681
Business Operations	\$0	\$819,487	\$753,594	\$753,594	\$753,594	\$753,594	\$753,594	\$753,594	\$753,594	\$753,594	\$6,848,238
On-Site Residents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Off-Site Employees	\$0	\$52,127	\$53,442	\$53,442	\$53,442	\$53,442	\$53,442	\$53,442	\$53,442	\$53,442	\$479,663
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Gov't Economic and Fiscal Benefits	\$753,681	\$871,615	\$807,036	\$807,036	\$807,036	\$807,036	\$807,036	\$807,036	\$807,036	\$807,036	\$8,081,581
Local Government Revenues											
Construction	\$162,938	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$162,938
Business Operations	\$0	\$442,222	\$441,987	\$441,987	\$441,987	\$441,987	\$441,987	\$441,987	\$441,987	\$441,987	\$3,978,114
On-Site Residents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Off-Site Employees	\$0	\$10,777	\$12,092	\$12,092	\$12,092	\$12,092	\$12,092	\$12,092	\$12,092	\$12,092	\$107,511
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Government Revenues	\$162,938	\$452,999	\$454,078	\$454,078	\$454,078	\$454,078	\$454,078	\$454,078	\$454,078	\$454,078	\$4,248,563
Local Government Costs											
Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Business Operations	\$0	\$74,041	\$74,041	\$74,041	\$74,041	\$74,041	\$74,041	\$74,041	\$74,041	\$74,041	\$666,367
On-Site Residents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Off-Site Employees	\$0	\$17,850	\$17,850	\$17,850	\$17,850	\$17,850	\$17,850	\$17,850	\$17,850	\$17,850	\$160,653
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Government Costs	\$0	\$91,891	\$91,891	\$91,891	\$91,891	\$91,891	\$91,891	\$91,891	\$91,891	\$91,891	\$827,020
Net Economic Benefit											
(Gov't Econ & Fiscal Benefits less Gov't Costs)											
Construction	\$753,681	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$753,681
Business Operations	\$0	\$745,446	\$679,553	\$679,553	\$679,553	\$679,553	\$679,553	\$679,553	\$679,553	\$679,553	\$6,181,871
On-Site Residents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Off-Site Employees	\$0	\$34,277	\$35,592	\$35,592	\$35,592	\$35,592	\$35,592	\$35,592	\$35,592	\$35,592	\$319,010
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Annual Net Economic Benefit	\$753,681	\$779,724	\$715,145	\$715,145	\$715,145	\$715,145	\$715,145	\$715,145	\$715,145	\$715,145	\$7,254,561
Cumulative Net Economic Benefit	\$753,681	\$1,533,404	\$2,248,549	\$2,963,693	\$3,678,838	\$4,393,983	\$5,109,127	\$5,824,272	\$6,539,417	\$7,254,561	
Net Fiscal Benefit											
(Gov't Revenues less Gov't Costs)											
Construction	\$162,938	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$162,938
Business Operations	\$0	\$368,181	\$367,946	\$367,946	\$367,946	\$367,946	\$367,946	\$367,946	\$367,946	\$367,946	\$3,311,747
On-Site Residents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Off-Site Employees	\$0	(\$7,073)	(\$5,759)	(\$5,759)	(\$5,759)	(\$5,759)	(\$5,759)	(\$5,759)	(\$5,759)	(\$5,759)	(\$53,142)
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Annual Net Fiscal Benefit	\$162,938	\$361,108	\$362,187	\$362,187	\$362,187	\$362,187	\$362,187	\$362,187	\$362,187	\$362,187	\$3,421,543
Cumulative Net Fiscal Benefit	\$162,938	\$524,045	\$886,233	\$1,248,420	\$1,610,607	\$1,972,794	\$2,334,982	\$2,697,169	\$3,059,356	\$3,421,543	

Summary of Costs and Benefits

Menu

Village East Conversion 2016

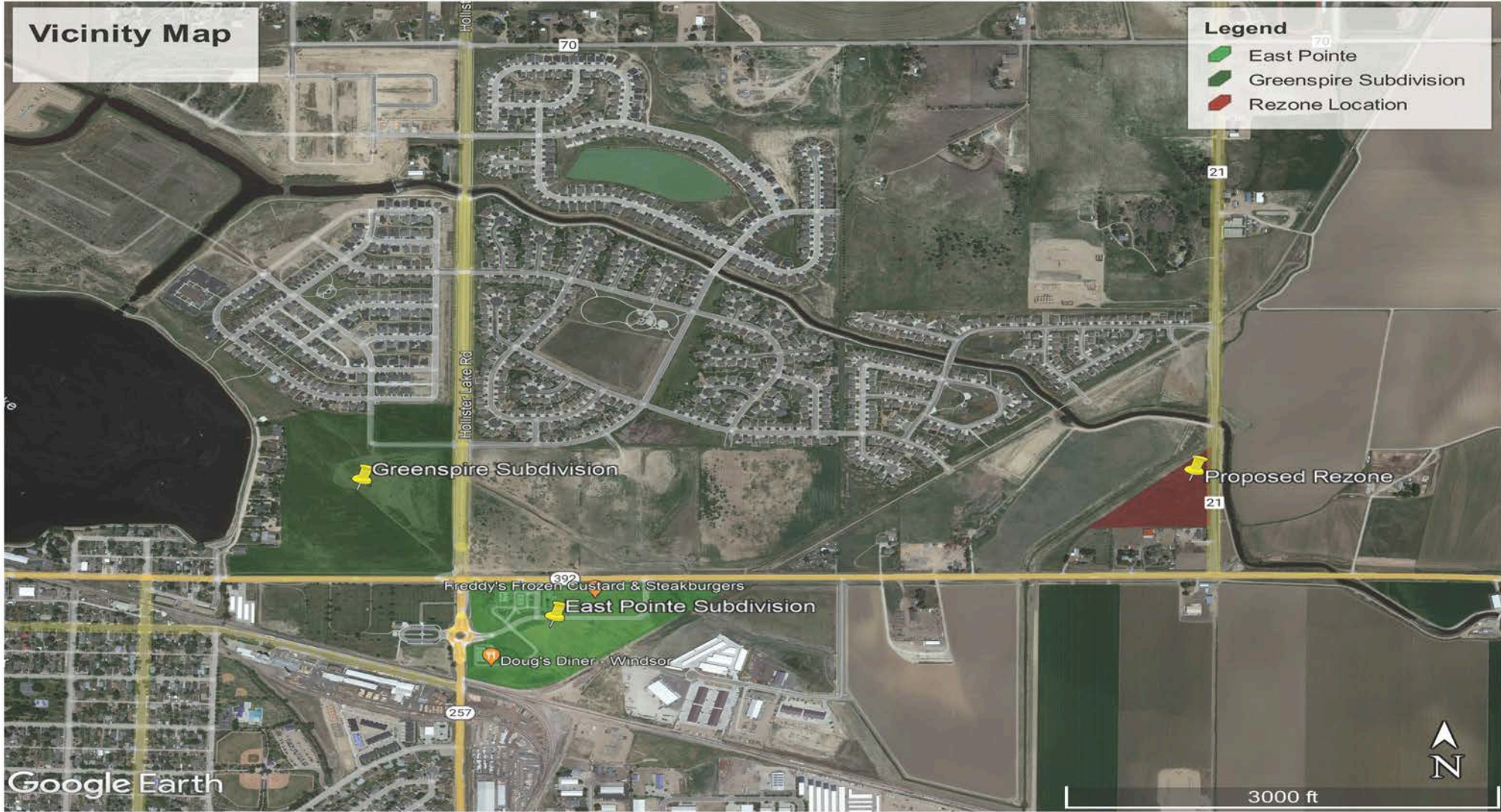
	2016 <i>Year 1</i>	2017 <i>Year 2</i>	2018 <i>Year 3</i>	2019 <i>Year 4</i>	2020 <i>Year 5</i>	2021 <i>Year 6</i>	2022 <i>Year 7</i>	2023 <i>Year 8</i>	2024 <i>Year 9</i>	2025 <i>Year 10</i>	<i>Total</i>
Town of Windsor Summary by Impact Area											
Local Gov't Economic and Fiscal Benefits											
Construction	\$2,767,329	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,767,329
Business Operations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Site Residents	\$0	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$21,805,033
Off-Site Employees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Gov't Economic and Fiscal Benefits	\$2,767,329	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$2,422,781	\$24,572,362
Local Government Revenues											
Construction	\$727,168	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$727,168
Business Operations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Site Residents	\$0	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$2,893,853
Off-Site Employees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Government Revenues	\$727,168	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$321,539	\$3,621,021
Local Government Costs											
Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Business Operations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Site Residents	\$0	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$4,084,118
Off-Site Employees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Local Government Costs	\$0	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$453,791	\$4,084,118
Net Economic Benefit (Gov't Econ & Fiscal Benefits less Gov't Costs)											
Construction	\$2,767,329	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,767,329
Business Operations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Site Residents	\$0	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$17,720,915
Off-Site Employees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Annual Net Economic Benefit	\$2,767,329	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$1,968,991	\$20,488,244
Cumulative Net Economic Benefit	\$2,767,329	\$4,736,319	\$6,705,310	\$8,674,300	\$10,643,291	\$12,612,282	\$14,581,272	\$16,550,263	\$18,519,253	\$20,488,244	
Net Fiscal Benefit (Gov't Revenues less Gov't Costs)											
Construction	\$727,168	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$727,168
Business Operations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-Site Residents	\$0	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$1,190,265)
Off-Site Employees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Visitor Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Annual Net Fiscal Benefit	\$727,168	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$132,252)	(\$463,097)
Cumulative Net Fiscal Benefit	\$727,168	\$594,916	\$462,665	\$330,413	\$198,161	\$65,910	(\$66,342)	(\$198,594)	(\$330,845)	(\$463,097)	

LAND USE MAP AMENDMENT

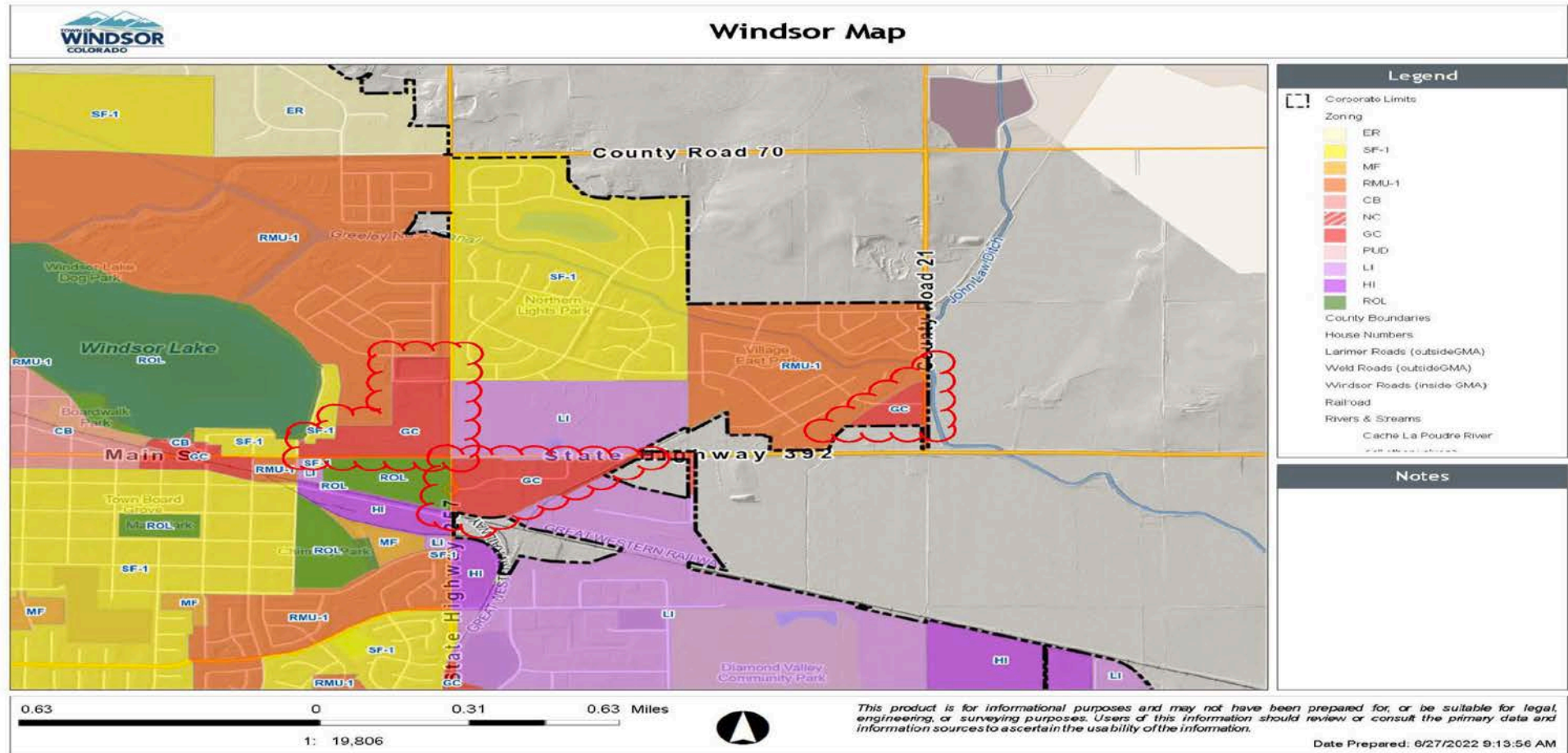
VILLAGE EAST 8TH FILING TRACTS B, C, AND A PORTION OF TRACT L

Town of Windsor Planning Commission
July 6, 2022

VICINITY MAP

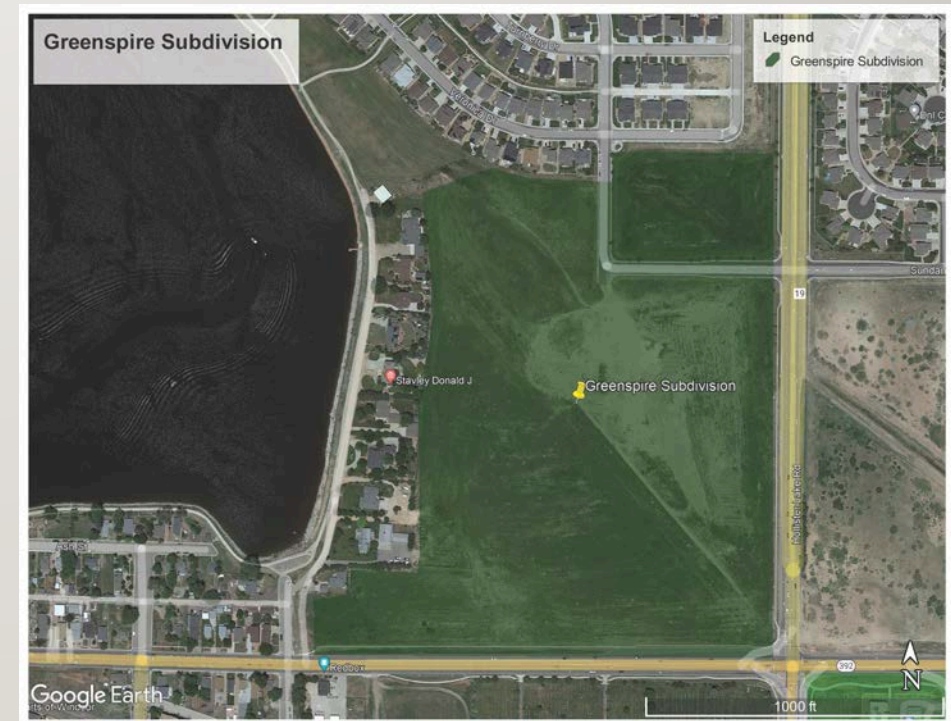


CURRENT ZONING



ADJACENT GENERAL COMMERCIAL LOCATIONS GREENSPIRE SUBDIVISION

- Plat recorded May 2005
- 41 Acres of total General Commercial
- Excellent access off Highway 392 and Hollister Lake Road.
- Site remains vacant with no indications of future development.



ADJACENT GENERAL COMMERCIAL EAST POINTE SUBDIVISION

- Former location of Champion Chevrolet
- Sat vacant for 20 years prior to redevelopment
- 25 Acres of General Commercial
- Excellent access off Highway 257 and Highway 392



VILLAGE EAST 8TH FILING TRACTS B, C, AND L

- Purchased August 12, 2021
- 1/4 mile North of Highway 392 and no access to Highway 392
- No visibility from Highway 392
- Limited access from County Road 21
- Intersection of CR 21 and US 392 is not a signalized intersection
- Rural single family homes/ livestock adjacent to the south

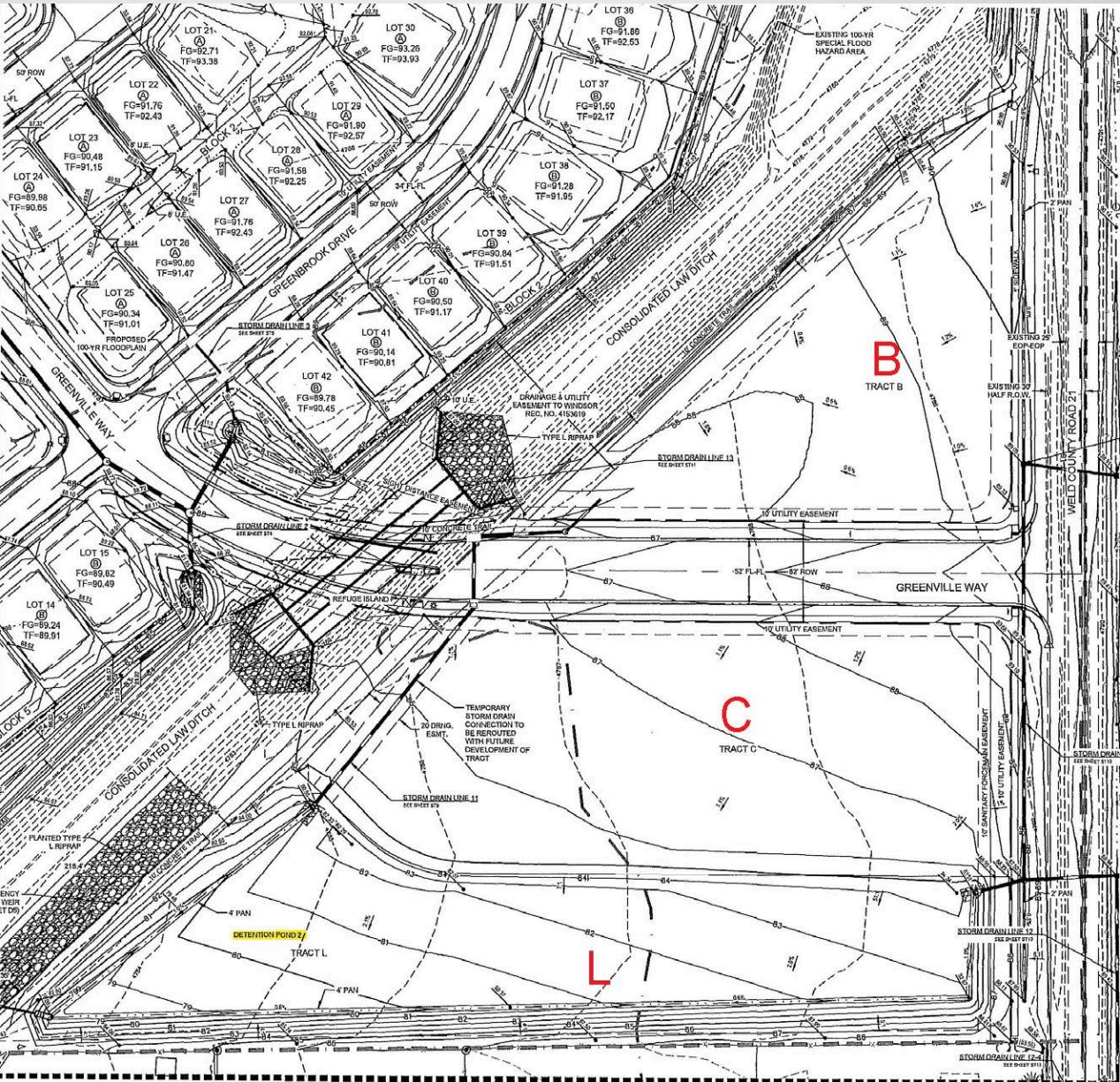


VILLAGE EAST 8TH FILING TRACTS B, C AND T

- Tract B is 1.655 Acres
- Tract C is 2.430 Acres
- Tract L is 2.589 Acres
 - Tract L is unusable as this is a detention pond that serves the subdivision



TRACT L



ECONOMIC ANALYSIS

COMMERCIAL BROKERS CONTACTED

- Aki Palmer, Cushman & Wakefield
- Jared Goodman, Cushman & Wakefield
- James Arnold, Cushman & Wakefield
- Travis Ackerman, Cushman & Wakefield
- Zander Rodriguez, David, Hicks and Lampert
- Ryan Schaeffer, NAI Affinity
- Jake Hallauer NAI Affinity
- Matt Haskell, Urealty

COMMERCIAL BROKER'S REMARKS

- Difficult location to attract commercial users
- Small commercial tract sizes difficult to develop meaningful commercial spaces
- No visibility
- Limited access

CONCLUSIONS

- This area will be difficult to develop due to the size and location of the tracts.
- Greater flexibility, access and visibility available within 1 mile to the West provided by both Greenspire and East Pointe
- This area will sit vacant for many years before they are developed due to the limiting factors of access, location and visibility

EXAMPLE MULTI-FAMILY BUILDINGS



THANK YOU

-
- We will be more than happy to answer any questions that the Town Board members have for our team present here tonight.



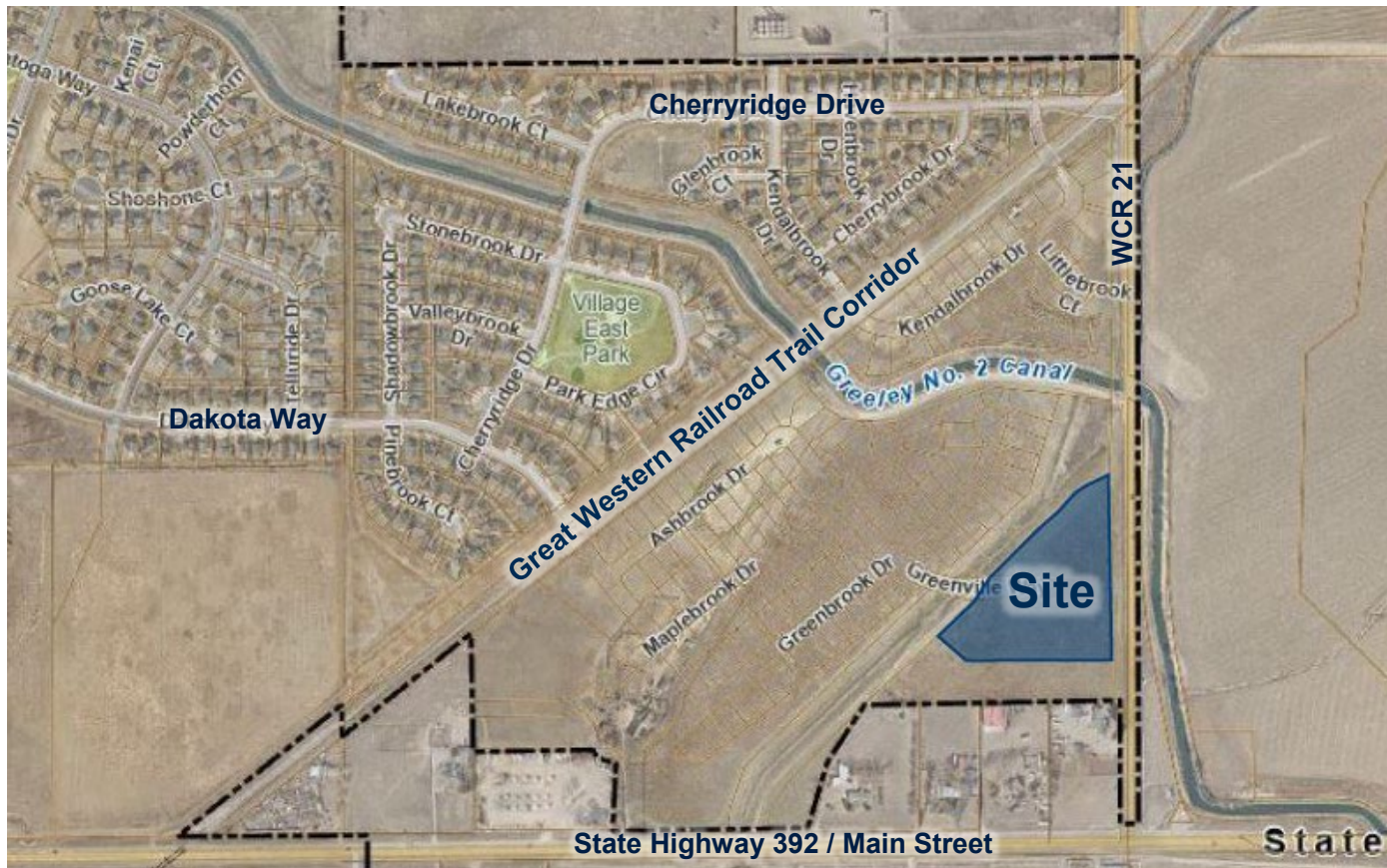
Land Use Map Amendment

Village East Subdivision 8th Filing

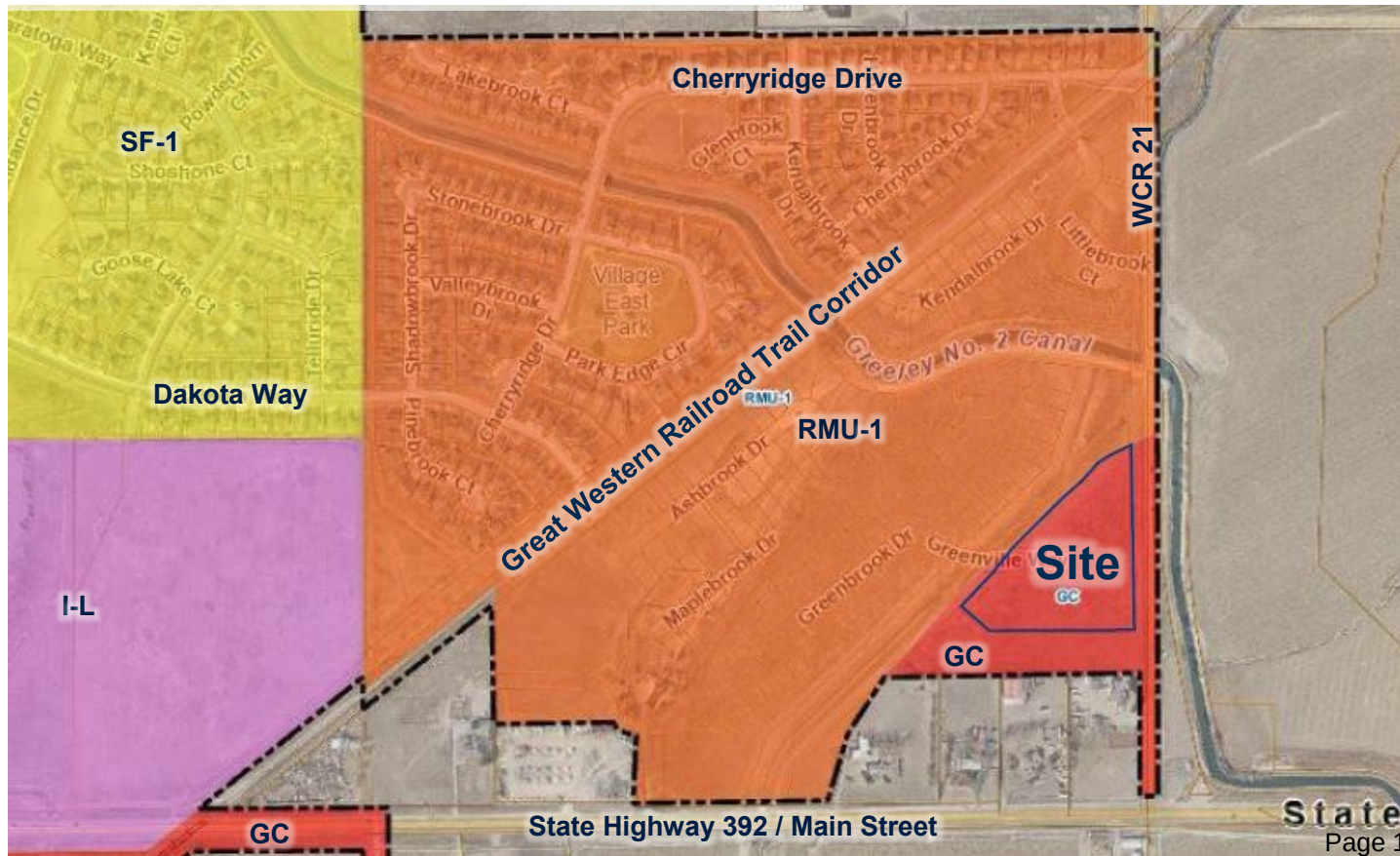
Carlin Malone, Chief Planner

Planning Commission - July 7, 2022

Site Vicinity Map



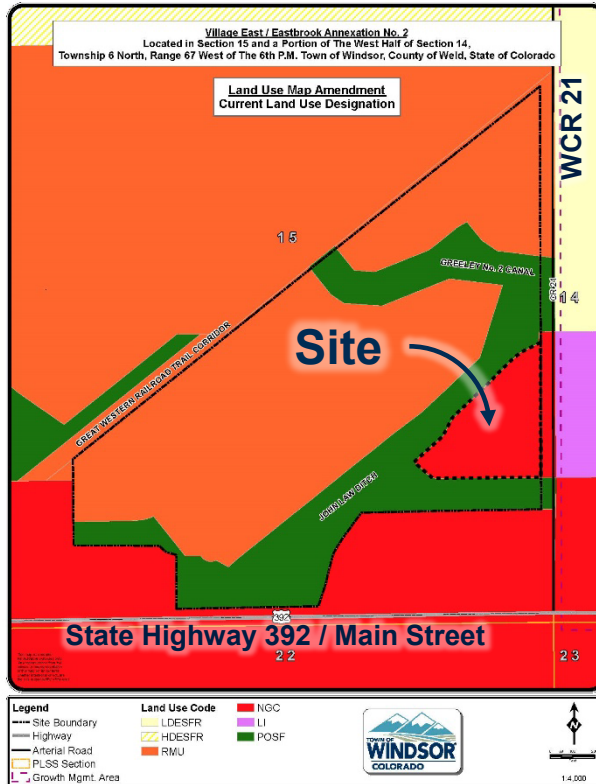
Zoning Map





Existing vs. Proposed Land Use

**Existing
Zoning:**
Neighborhood
General
Commercial
(NGC)

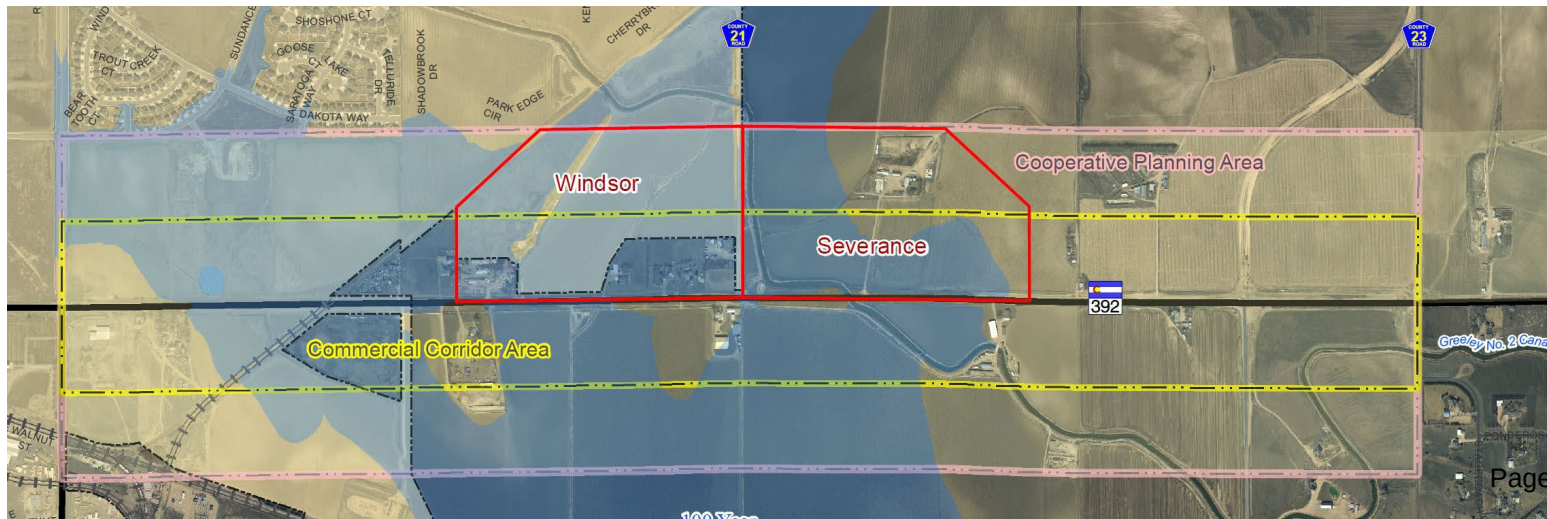


**Proposed
Zoning:**
Residential
Mixed Use -One
(RMU-1)



Windsor – Severance Intergovernmental Agreement (IGA)

The proposed land use plan amendment is part of the Intergovernmental Agreement (IGA) between the Town of Windsor and the Town of Severance. This agreement includes a cooperative planning area (“CPA”) outlining permitted land uses, design standards, and revenue sharing. The Windsor-Severance IGA was first adopted in 2000, amended in 2004, 2014, and 2017.

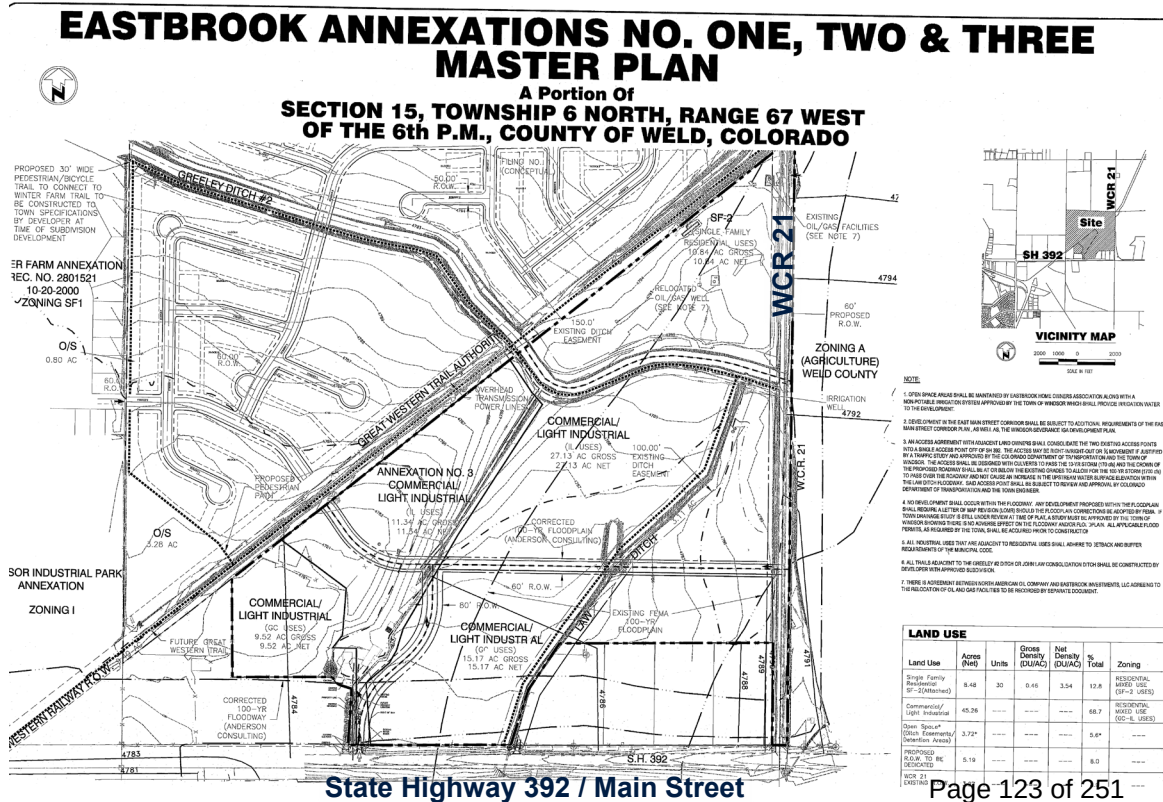




Background

2008 - Eastbrook Annexation No. 2, annexed in 2004 (now Village East 8th)

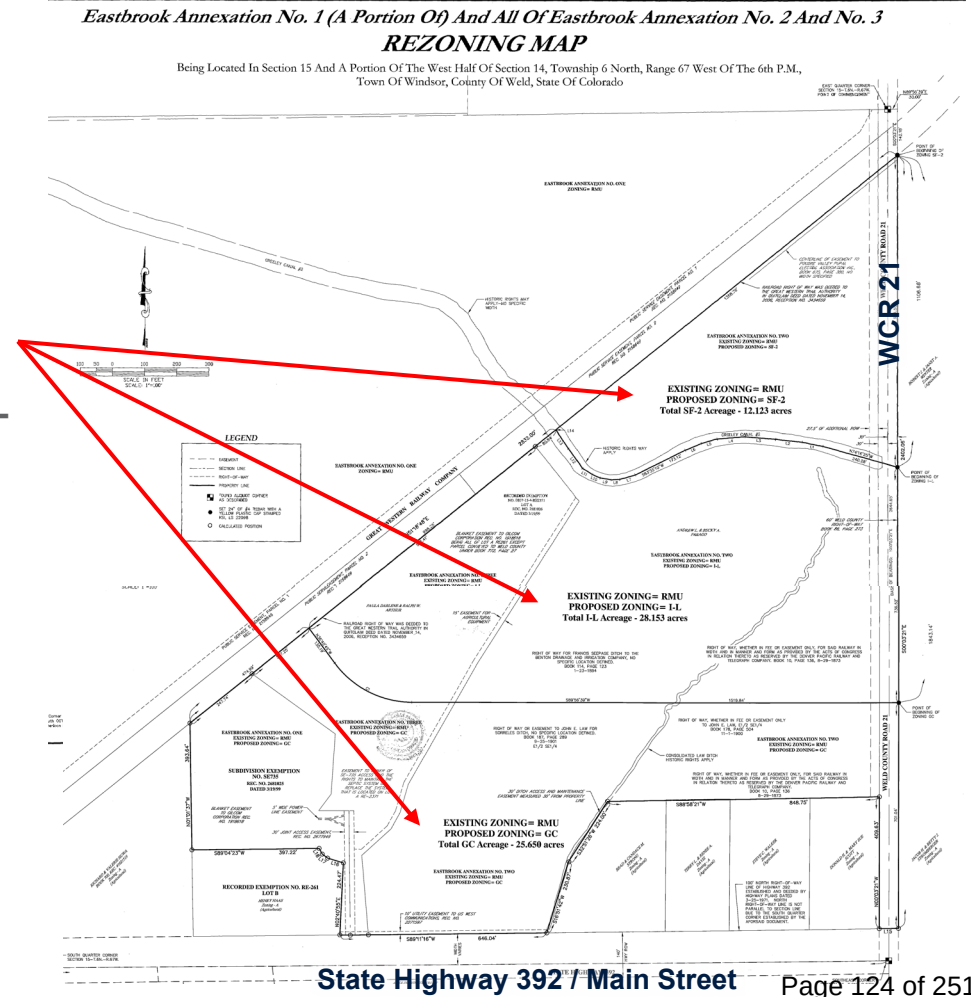
2008 - The Eastbrook Annexation No. One, Two and Three Master Plan was modified to include 45.26 acres of commercial and industrial.





Background

2009 - The property was rezoned for 28.1 acres I-L (Limited Industrial) and 25.6 acres of GC (General Commercial), and 12.1 acres of Single-Family Attached (SF-2)





Background

2016

- August 8, 2016 – Work Session with Town Board – Amendment to IGA regarding allowance of residential uses in CPA
- October 3, 2016 – follow up Work Session with Town Board – new concept

2017

- Windsor-Severance IGA amendment was approved by both Windsor and Severance Town Boards to allow residential uses in a portion of CPA

2018

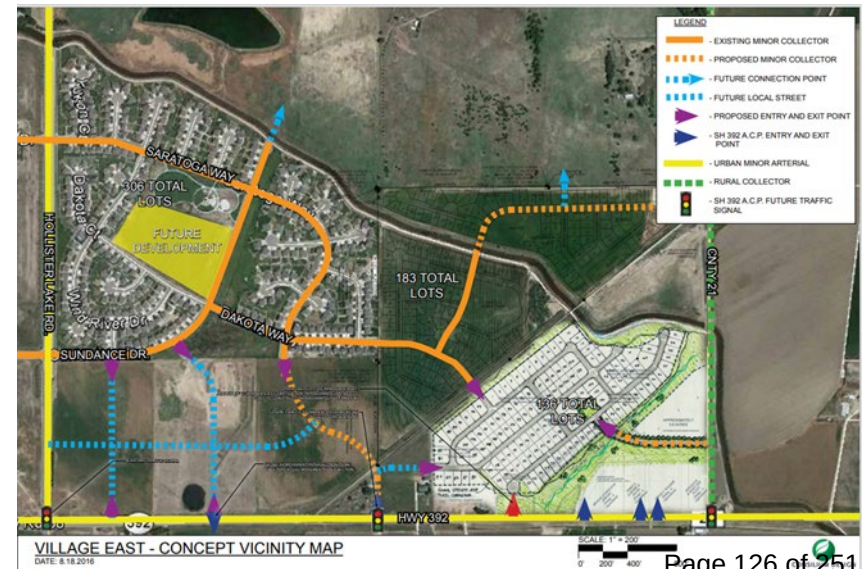
- Planning Commission approval of Land Use Plan Amendment (LUMA) – Neighborhood and General Commercial to Mixed Use Residential
- Rezone reducing most of GC zone district.

2021

- Village East Subdivision 8th Filing approved.

Background

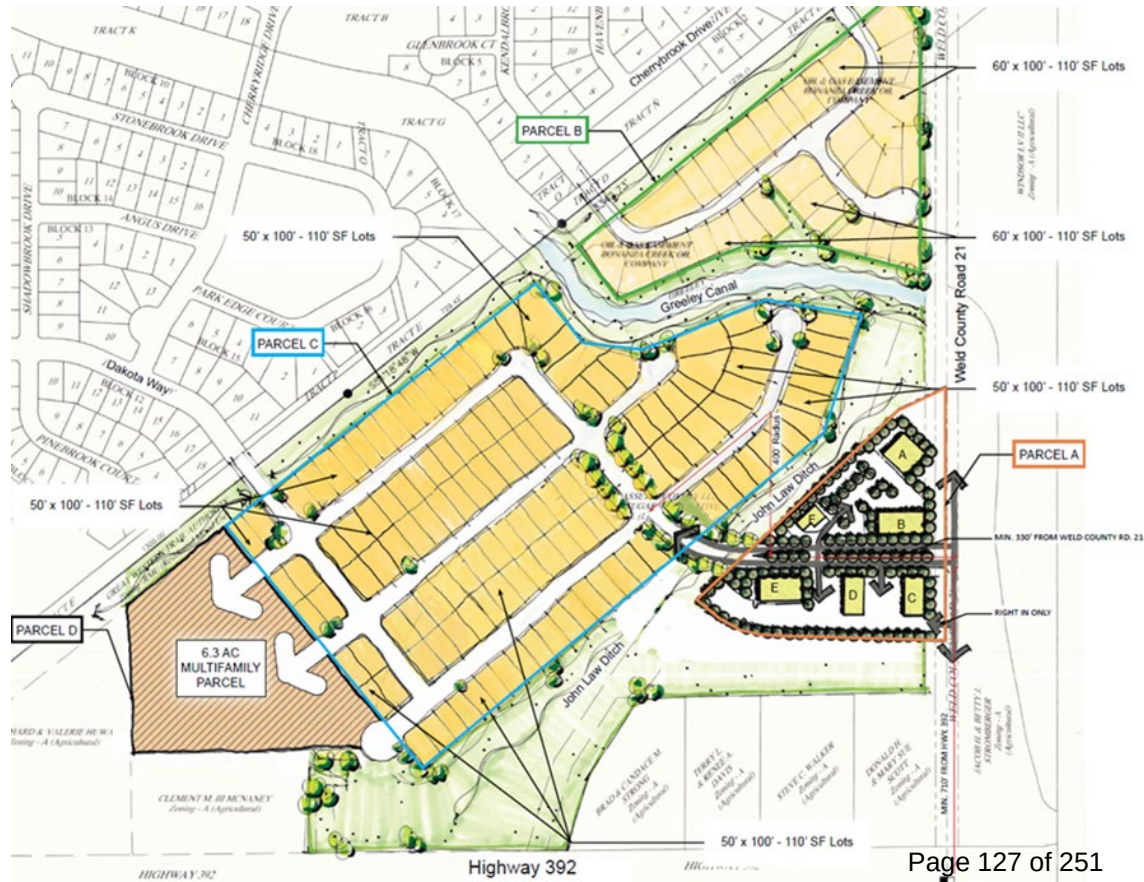
08/2016 - Town Board Work Session illustrating reservation of a portion of commercial area within the CPA. The plan also included 136 residential units. Current plans include 229 units (68% increase). If additional commercial converted to residential, potential for 285 units (110% increase).



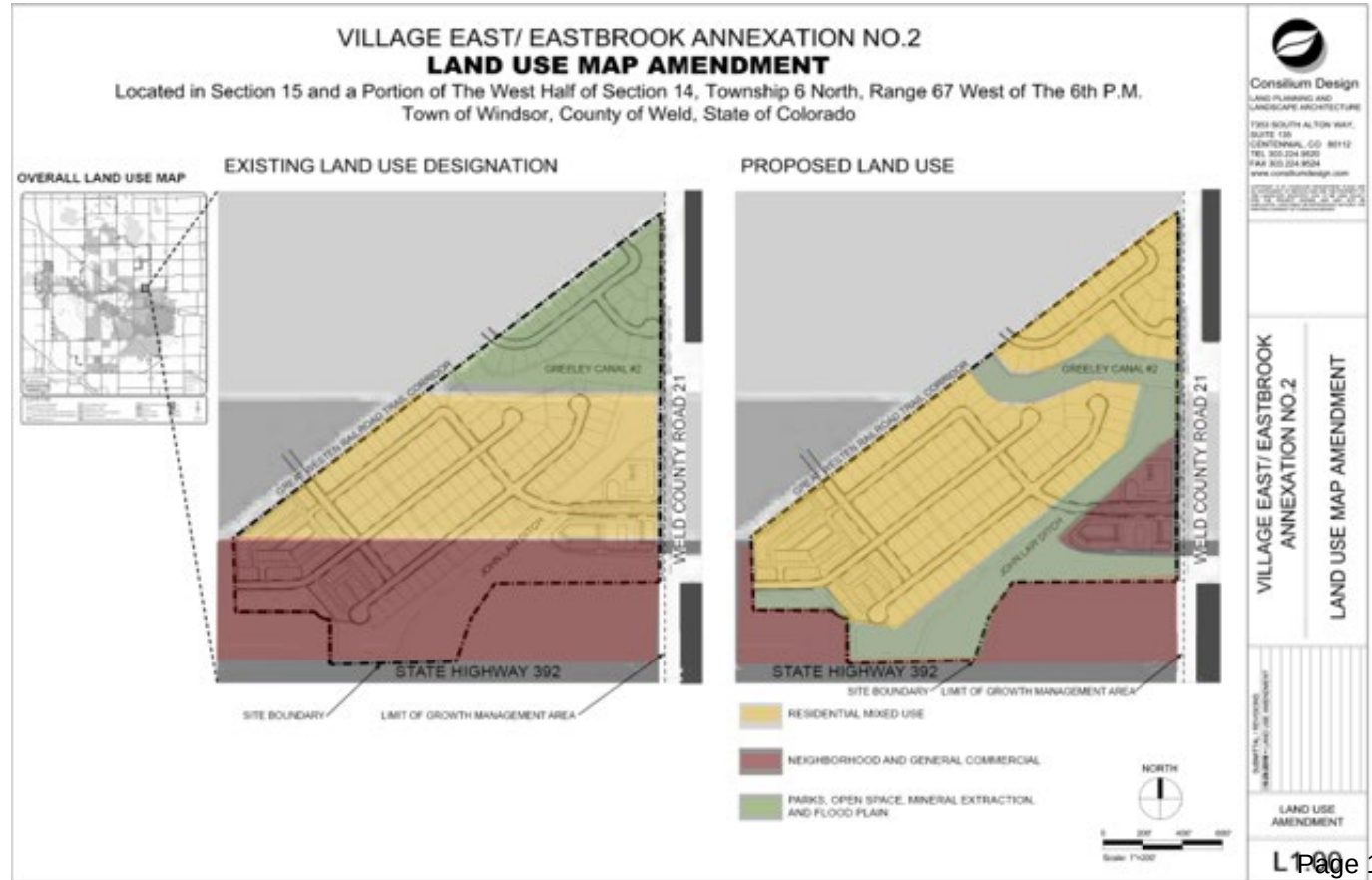
Background

10/2016 - Town Board Work Session illustration reducing open space and adding multifamily residential in the commercially designated area / shifting commercial to northeast (shown here as "Parcel A").

- Commercial shifted from SH 392 area to CR 21 due to John Law Ditch location / floodplain



Background – 2018 LUMA Exhibit

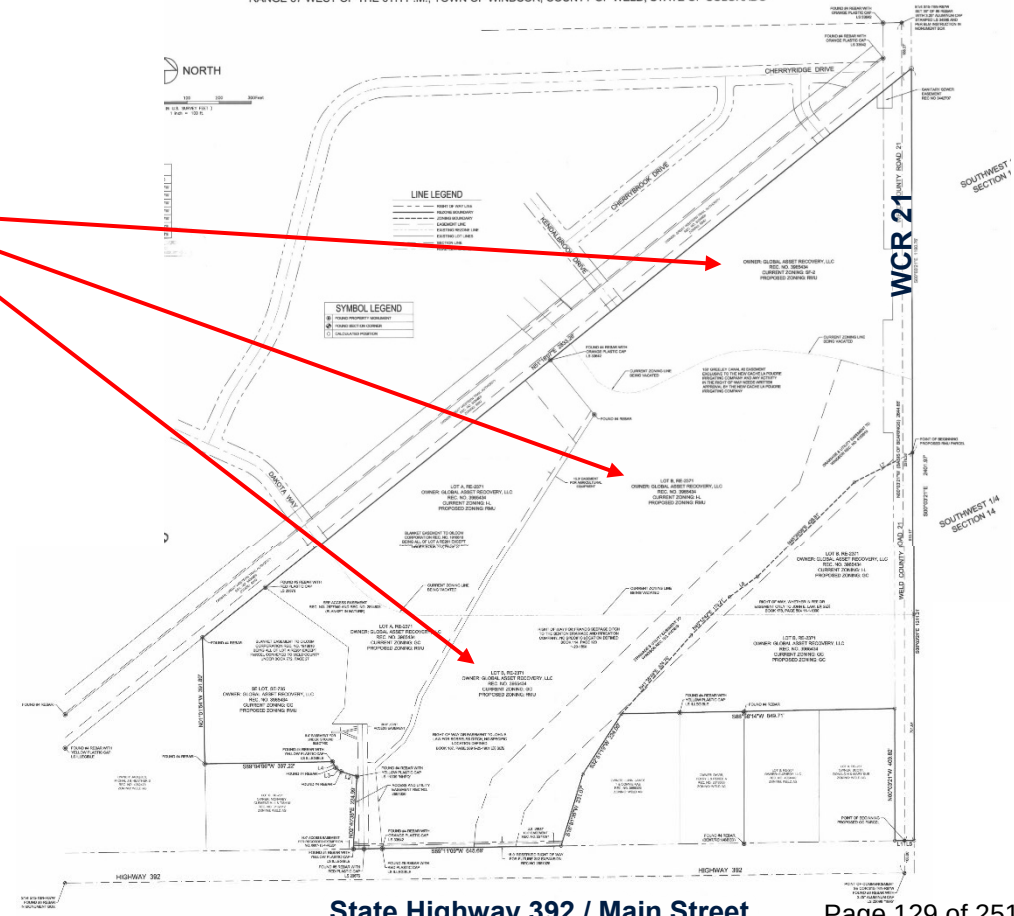




Background

2018 – The property was rezoned to RMU (Residential Mixed Use), eliminating the I-L zoning and reducing most of the commercial acreage.

EASTBROOK ANNEXATION NO. 1, NO. 2 AND NO. 3 REZONE LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15 AND THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO



Background

2021

- Village East 8th/9th Subdivision was platted for 133 single-family lots, two multifamily parcels, and two neighborhood commercial parcels
- Land purchased by Village East II Investments, LLC.



State Highway 392 / Main Street



Land Use Map Amendment Criteria

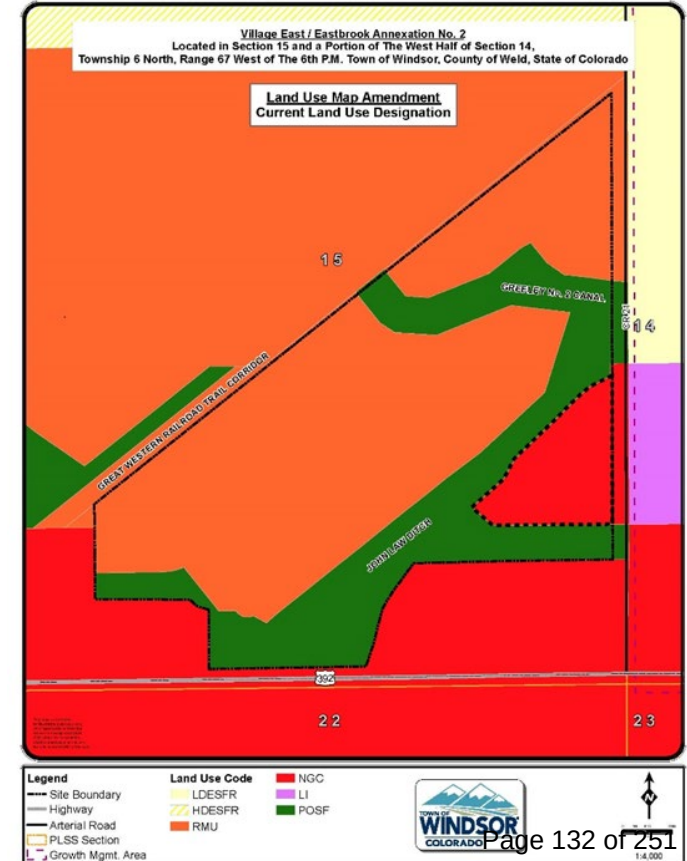
- Conformance with the goals and policies outlined in the Comprehensive Plan
- Compatibility with Existing and Planned Land Uses
- Minimizing Detrimental Impacts to Existing or Planned Transportation System
- Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)



Comprehensive Plan Conformance

Goals and Policies

- Conformance with Land Use Map. The proposed land use, residential, is inconsistent with the land use map designation of Neighborhood and General Commercial.
- The use of residential is compatible with surrounding proposed residential uses; however, would not provide services in close proximity for those future residents.





Comprehensive Plan Conformance

Chapter 5c – Residential Areas Framework Plan:

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

- High-density is further away from urban core/downtown, commercial centers, mixed-use nodes.
- The current land use designation of commercial is designed to compliment the surrounding residential development by providing neighborhood commercial within proximity of residential, providing conveniences for existing residents, reducing vehicular trips and miles traveled.



Comprehensive Plan Conformance

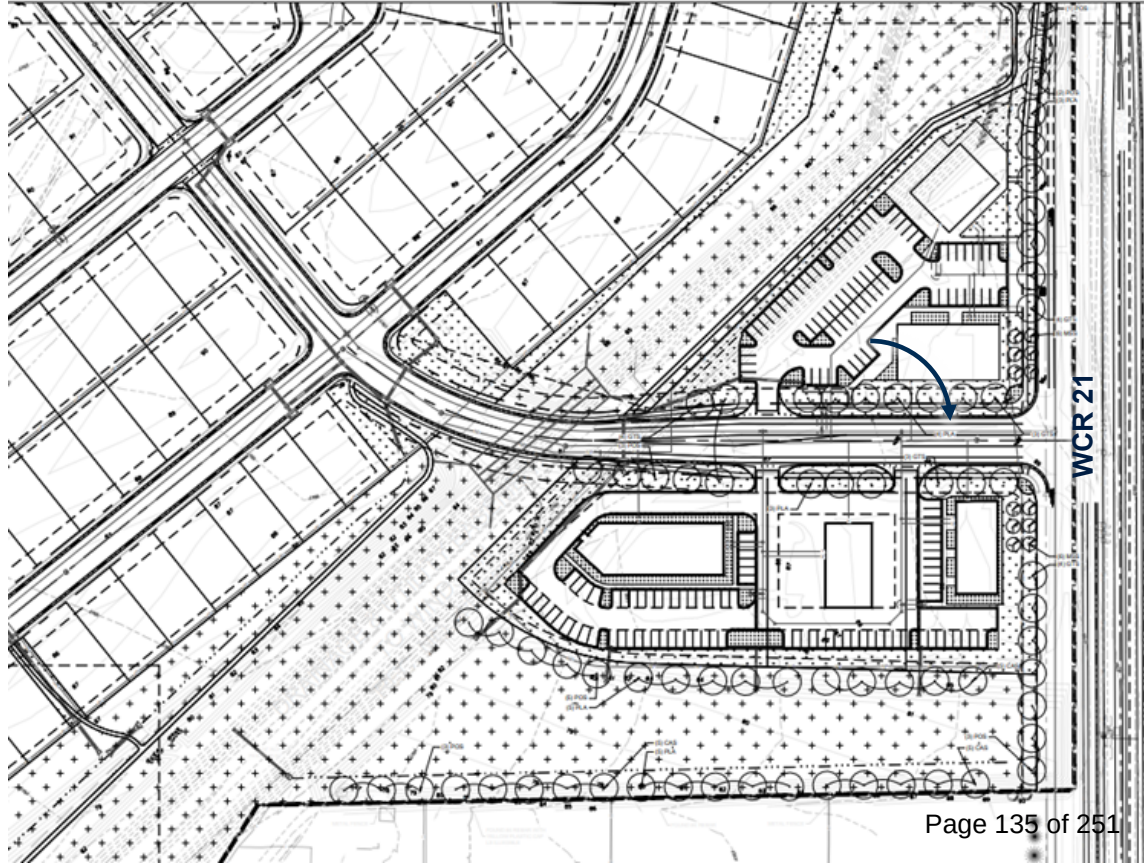
Chapter 5d – Commercial & Industrial Areas Framework Plan

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

- Neighborhood commercial is fiscally responsible by providing opportunities for increased tax revenue, jobs and services in proximity to an existing neighborhood, and encouraging trip reduction.
- Changing commercially-designated land in the Town's Comprehensive Plan to residential reduces opportunities for revenue-generating uses while increasing infrastructure costs incurred by the Town.

Compatibility with Existing and Planned Land Uses

The proposal is inconsistent with existing zoning and the approved final plan.

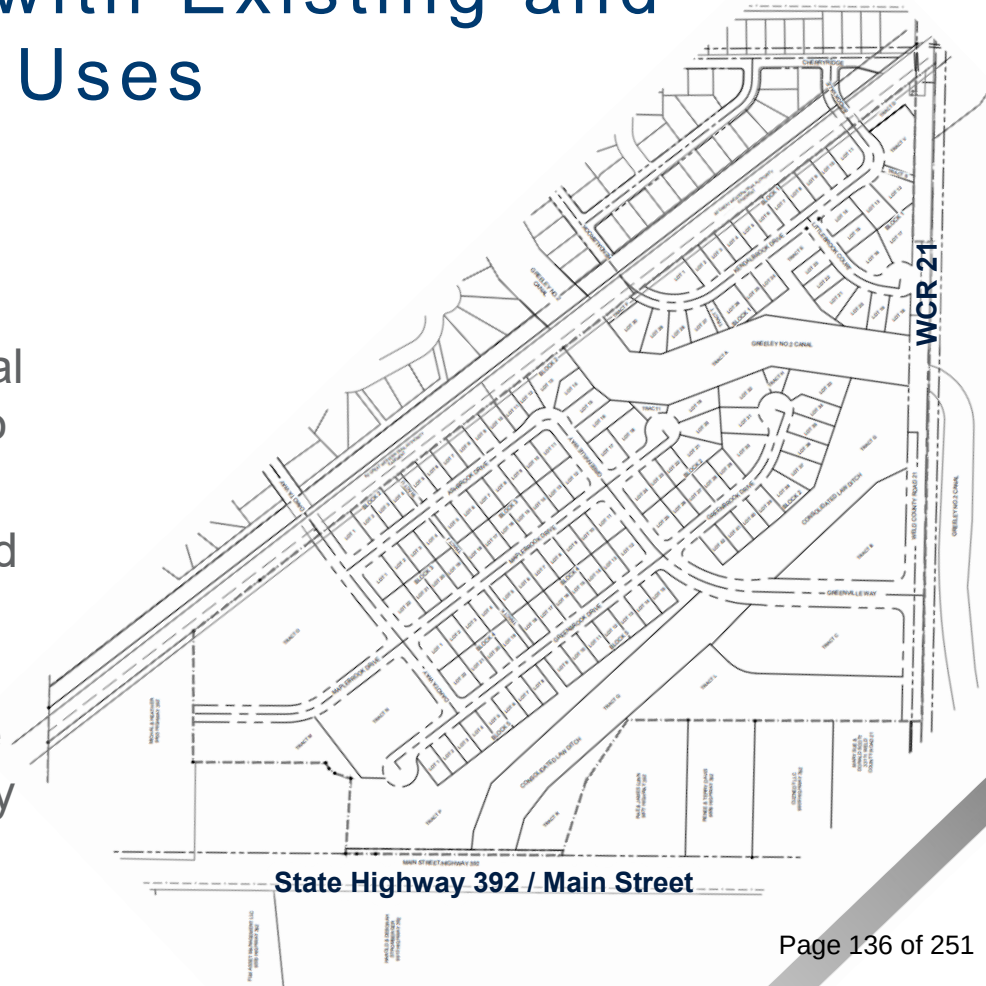




Compatibility with Existing and Planned Land Uses

Minimizing Detrimental Impacts to Existing or Planned Transportation System

- It is not anticipated that the proposal would create detrimental impacts to the planned transportation system.
- The area under consideration would have similar traffic patterns with anticipated traffic flow.
- The proposal would not change the road network from what has already been planned.

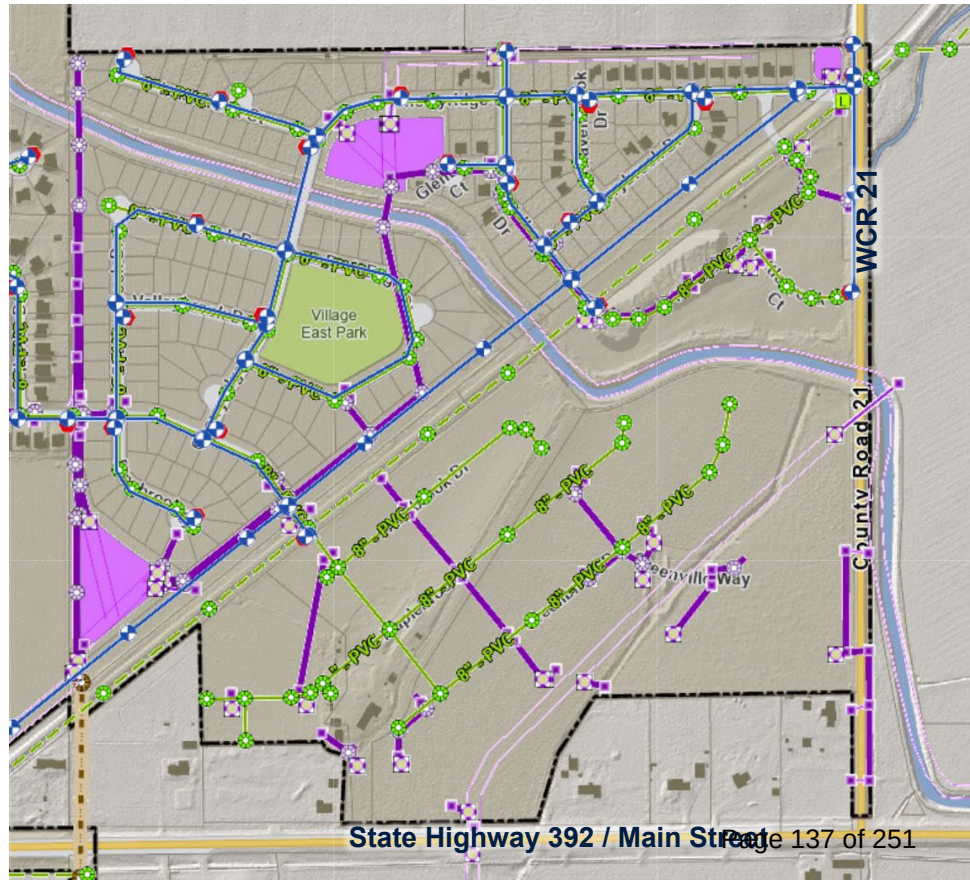




Compatibility with Existing and Planned Land Uses

Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)

- Town Engineering staff has reviewed the request and the site has adequate sanitary sewer capacity.
- Raw water must be dedicated prior to development.





Strategic Plan

The application is **consistent** with:

- **Infrastructure** – The Town’s Engineering staff have reviewed the request and adequate sewer capacity is available for multifamily in this area. Raw water dedication is required prior to development.

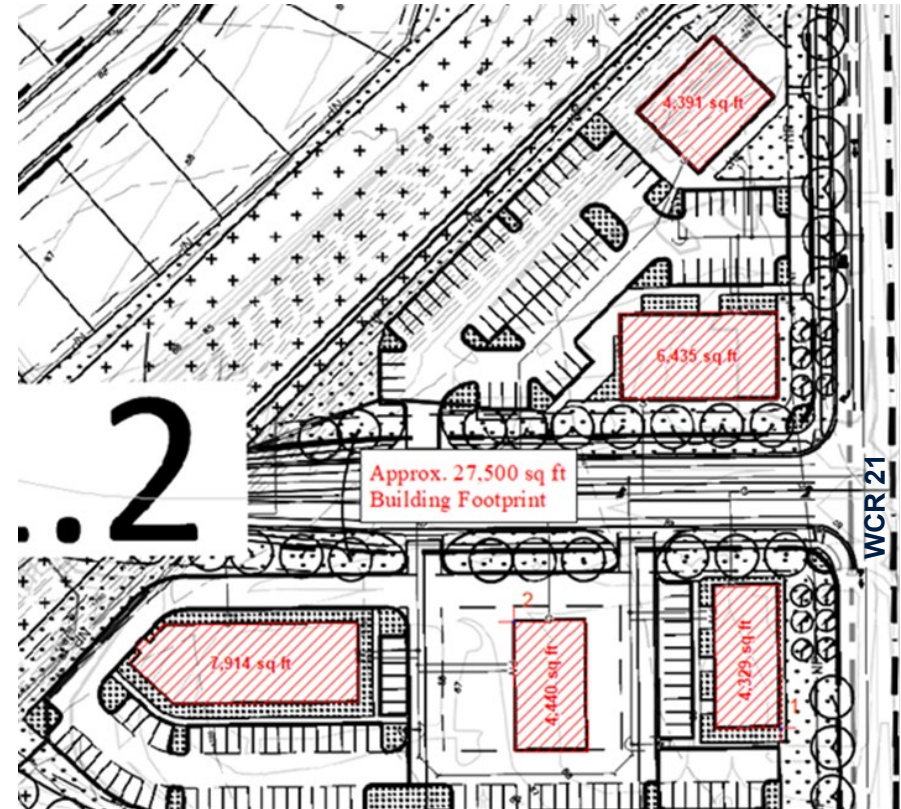
The application is **inconsistent** with:

- **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.
- **Goals:**
 - *Promote business diversification in the community*
 - *Attract balanced commercial development that will sustain the future of Windsor*
 - *The priorities in this area are economic sustainability and vibrancy, infrastructure.*



Compatibility with the Strategic Plan

The request is to ultimately convert 4.085 acres (useable parcels) from commercial land to residential.





Compatibility with the Strategic Plan

The Town's Economic Development department generated two versions of the Town's Economic Impact Model, which uses the current town budget to determine the net fiscal benefit to the town for any project.

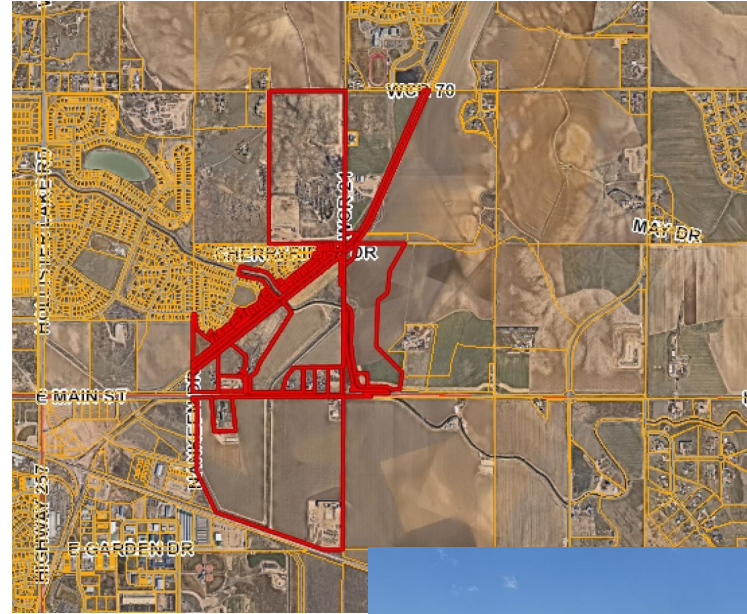
- **Multi-Family EIA:** Allowing 56 rental units to be built on the 4.085 acres there would **create a total deficit -\$364,525** to the town by year 10. Some assumptions of the model were made and are as follows: rent would be \$1,500 per unit, cost to build each apartment would be \$180,000 with an occupancy rate of 97.3%.
- **Commercial EIA:** Economic impact model for commercial space on the 4.085 acres would **create a fiscal benefit of \$3,421,543** to the town by year 10. The assumptions used in the model were as follows: Proposed 27,500 sq. ft. of commercial space, lease rate was estimated low at \$22.00 a sq. ft., and cost to build with tenant finish was \$300.00 sq. ft.

Notifications

Notifications were completed in accordance with the Municipal Code as follows:

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

- June 13, 2022 – development sign posted on property
- June 13, 2022 – public hearing notice published to Town website
- June 16, 2022 - applicant mailed letters to surrounding property owners within 500 feet of the property.
- June 17, 2022 – public hearing notice published in Greeley Tribune





Recommendation

At the June 27, 2022 Town Board meeting, staff recommended that the Town Board forward to the Planning Commission a recommendation of denial, finding that:

1. Adequate justification for the request has not been provided; and
2. Town Board has provided consistent direction to discourage conversion of commercially zoned property to residential.

The Town Board forwarded to Planning Commission a recommendation of approval of the LUMA request. The motion passed 4-3. Those voting against the motion expressed the following concerns regarding approval of the request:

- Compromising the integrity of the Comprehensive Plan
- Inconsistency with the Board's direction to discourage conversion of commercial land to residential
- The perception that such an approval would set a precedent, although all land use decisions are based upon the merit of the subject proposal



Land Use Map Amendment Review Criteria

- Conformance with the goals and policies outlined in the Comprehensive Plan
- Compatibility with Existing and Planned Land Uses
- Minimizing Detrimental Impacts to Existing or Planned Transportation System
- Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)



MEMORANDUM

Date: July 6, 2022
To: Planning Commission
From: Carlin Malone, Chief Planner
Re: Resolution No. PC2022-01 - Amendment of Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Mixed Use Residential - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
Item #: C.2.

Background / Discussion:

Please refer to public hearing item materials.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: July 6, 2022
To: Planning Commission
From: Sandra Mezzetti, Planning II
Re: Public Hearing - Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district - Town of Windsor Subdivision Block 10 Lot 27 - Vern Rasmussen, owner/applicant.
Item #: C.3.

Background / Discussion:

The applicant and property owner, Vern Rasmussen, has submitted a rezoning petition to rezone 0.07 acres (3,000 sq. ft.), from SF-1 (Single-Family Residential-One) to CB (Central Business) zone district. The subject property is located within the Town of Windsor Subdivision, Block 10, Lot 27, north of Walnut Street, south of Main Street and on the east side of 5th Street at 217 5th Street in the Town of Windsor.

The property contains one existing commercial building and is surrounded by the following zoning and land uses:

North: CB (Central Business) zoning district, existing commercial uses along Main Street

South: SF-1 (Single Family Residential-One) zone district; existing residential homes and religious buildings (First Methodist Church of Windsor, St. Albans Mission Episcopal Church)

East: SF-1 (Single Family Residential–One) zone district; existing residential homes and one religious building (Bethel American Lutheran Church) and Town Hall.

West: SF-1 (Single Family Residential – One) zone district; existing residential homes, the former Windsor Hospital currently used for multi-family dwelling units and one religious building (First Christian Church of Windsor).

The property owner has petitioned to rezone the property from SF-1 (Single Family Residential-One) to CB (Central Business) zoning to create more appropriate zoning for the historical use of the property which is directly adjacent to the CB zone district. The change in zoning would allow the property to continue to operate in the same manner it has historically without requiring a conditional use permit.

The property was first platted with the original Town of Windsor Plat in 1882. The existing building was constructed in 1909 and leased to Mountain States Telephone and Telegraph Company as the Town's original telephone company facility. Mountain States Telephone and Telegraph Company operated in the building until 1962, when it closed its doors. After the closure of the telephone company, the building was subsequently occupied with various commercial, retail and service types of businesses until February 2022. The most recent business occupying the building was Natural Therapyz which operated from 1995 to February 2022. Natural Therapyz was a service type business which offered massages, herbs, and aromatherapy.

The building construction in 1909 not only predates zoning in Windsor, which was first implemented in July of 1960, but it also predates the first zoning ordinance implemented in the country in 1916. At some point in time, the area south of the alley (between Main Street and Walnut Street) was zoned or rezoned to the single-family-one (SF-1) zoning district. The SF-1 zone district allows office and service uses within the zone district but only as a conditional use which requires a conditional use grant (CUG) now referred to as a conditional use permit (CUP). The previous owner of Natural Therapyz was

granted a CUG in October 1997 and continued to operate the business under this CUG until February 2022, when the business closed. The property was sold and the current owner, Mr. Rasmussen would like to continue to use the building as it has been used historically, for offices and service type businesses. However, as it currently exists within the SF-1 zone district, with each new tenant a new CUG is required. CUGs typically have a three-year limit at which time a renewal is required.

A summary of the principal land uses allowed within the Town's General Commercial zone district includes:

- All uses allowed in the NC (Neighborhood Commercial zone district)
- Retail stores, excluding the sale or rental of motor vehicles
- Customer service establishments.
- Business and professional offices.
- Banks and saving and loan offices.
- Medical and dental clinics.
- Public administrative offices and service buildings.
- Public utility offices and installations.
- Public libraries.
- Places of assembly (small).
- Commercial lodging.
- Theaters.
- Minor repair, rental and servicing establishments, excluding motor vehicle repair, rental and servicing.
- Passenger transportation terminals, not including truck terminals.
- One-family residential dwellings, subject to the regulations of the SF-1 zone district.
- Plumbing and heating contractors.
- Other similar uses as defined in this Code.
- Residential uses on the upper floors of commercial buildings.

The applicant has expressed the desire to continue using the property for office, service type of businesses and/or commercial uses. The applicant is also investigating having the property designated as a local historic landmark and has provided an architectural inventory and survey report from the Colorado Cultural Resource Survey.

Conformance with the Comprehensive Plan

The subject rezoning application constitutes an amendment to the Town's Official Zoning District Land Use Map. In accordance with Article II of Chapter 14 of the Municipal Code, the rezoning from SF-1 to CB is in compliance with the Town's 2016 Comprehensive Plan goals and objectives, as outlined below.

Chapter 5b: Growth Framework

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

Staff comment:

The character of this area of the community, 5th Street north of Walnut Street, has a more commercial character as shown in the photo below. The rezoning would be consistent with the character of 5th Street, north of Walnut Street and adjacent uses along Main Street.



5th Street looking north towards Main Street

Neighborhood Meeting

The applicant held a neighborhood meeting on June 7, 2022, at the Clearview Library located at 720 3rd Street. There were eleven attendees at the meeting. Notifications for the neighborhood meeting were as follows:

- May 27, 2022- display ad published in Greeley Tribune
- May 27, 2022 - applicant mailed letters to surrounding property owners
- May 27, 2022 – affidavit of mailing to property owners within 500 feet

Please refer to the enclosed meeting summary for all topics discussed at the meeting. The general concerns voiced by those property owners within the closest proximity to the subject property included:

- Rezoning of this parcel could possibly set a precedent for future rezoning attempts of residential properties in the immediate area, especially along Walnut Street.
- A Central Business zoning may allow usage that might not be compatible with the surrounding neighborhood at some time in the future.
- The prospect of the building being replaced at some future date with a multistory structure

Public Hearing

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

- June 13, 2022 - applicant mailed letters to surrounding property owners within 500 feet
- June 13, 2022 – affidavit of mailing to property owners within 500 feet
- June 15, 2022 – development signs posted on property

- June 17, 2022 – public hearing notice published on the Town's website
- June 17, 2022 – public notice published in newspaper

Financial Impact:

Relationship to Strategic Plan:

Conformance with the Strategic Plan

The application is consistent with the Town's Strategic Plan in the following areas:

Vibrant & Healthy Economy

Windsor is business friendly. 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.

Goals:

- ***Enhance and expand community and downtown vitality***
- ***Promote business diversification in the community***
- ***Attract balanced commercial development that will sustain the future of Windsor***
- ***The priorities in this area are economic sustainability and vibrancy, infrastructure.***

Staff comment:

The subject property has been a contributor to Windsor's business community since the existing building was built. Rezoning the property to the CB zone district allows the property to continue to be used in the commercial manner it has without the incumbrance of having to obtain a conditional use permit with each new tenant as is now required with the current zoning of SF-1. CB zoning will promote economic sustainability and vibrancy by not leaving the building empty for months while tenants obtain new conditional use permits.

Recommendation:

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

CC:

Attachments:

1. 6-29-22 DRAFT Ordinance approve Rezone from SF-1 to CB. 217 5th St
2. Rezone Application
3. Rezone Petition
4. Rezone Justification Statement
5. Public Comment - George Stolz - regarding 217 5th St
6. PC Staff Powerpoint TOW B10 L27 Rezone

TOWN OF WINDSOR

ORDINANCE NO. 2022-

AN ORDINANCE APPROVING A REZONE FROM SINGLE FAMILY RESIDENTIAL (“SF-1”) TO CENTRAL BUSINESS DISTRICT (“CB”) WITHIN THE WINDSOR TOWN SUBDIVISION, BLOCK 10, LOT 27 ALSO KNOWN AS 217 5TH STREET, TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulations, the purpose of which is to promote the public health, safety, and welfare; and

WHEREAS, the Town has adopted the zoning regulations set forth in Chapter 16 of the *Windsor Municipal Code* (“Zoning Code”), under which parcels of land are identified and classified for regulatory purposes; and

WHEREAS, the property located at 217 5th Street, Windsor, CO (“Property”), is presently zoned “Single Family Residential – SF-1”, pursuant to the regulations found in Chapter 16, Article I – Zone Districts; and

WHEREAS, the owner of the Property has requested approval for a rezone to the Central Business District (“CB”); and

WHEREAS, in accordance with the requirements for CB zoning approval, the request has been reviewed by staff and referred to the Planning Commission on July 6, 2022, for review and recommendation following a public hearing; and

WHEREAS, the Planning Commission has recommended that the Town Board approve the request for CB rezoning, subject to certain conditions to which the property owner has no objection; and

WHEREAS, pursuant to the requirements for rezoning approval found in Chapter 14, Article II of the Zoning Code, the Town Board has convened a public hearing and heard relevant evidence with respect to the merits of the rezoning; and

WHEREAS, based upon the evidence presented at the public hearing, the Town Board concludes that the rezoning should be approved.

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

1. The property located at 217 5th Street, Windsor, CO and depicted on the attached Rezone Plat is hereby approved for the rezoning from SF-1 to CB.

2. The rezoned portion of the Property shall be subject to the following additional condition:

All outstanding Planning Commission, Town Board and staff comments, if any, shall be addressed prior to recordation of the Rezone Plat.

Introduced, passed on first reading and ordered published this 11th day of July, 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading and ordered published this 25th day of July, 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

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 | ☐ Site Plan - Minor |
| ☐ Master Plan | ☐ Site Plan - Major |
| ☒ Rezoning | |
| ☐ Minor Subdivision | |
| ☐ Major Subdivision – Preliminary | |
| ☐ Major Subdivision – Final | |

Project Name*: 217 5th ST. WINDSOR, COLORADO

Legal Description*: NORTH 40 FT. LOT 27, 29, 31 BLOCK 10 TOWN OF WINDSOR

Address/Location*: 217 5th ST. WINDSOR, CO.

Existing Zoning: SF-1

Proposed Zoning: CENTRAL BUSINESS CB

Acres/Square Feet: 3000 Sq Ft.

Number of Dwelling Units: 1

3

Owner:

Name(s)*: VERN C. RASMUSSEN

Company: N/A

Address*: 428 WALNUT ST. WINDSOR, CO.

Phone #: 970-460-9469 Email*: VERNRASMUSSEN@YAHOO.COM.

Applicant (Owner or Owner's Representative):

Name*: VERN C. RASMUSSEN

Company: N/A

Address*: 428 WALNUT ST. WINDSOR, CO.

Phone #: 970-460-9469 Email*: VERNRASMUSSEN@YAHOO.COM.

Authorized Representative:

Name: N/A

Company:

Address:

Phone #:

Email:

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: *[Signature]*

Date: MARCH 7, 2022

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

Print Name: VERN C. RASMUSSEN

*Required fields

Revised 2/5/2021

Application Packet

Rezoning



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 14 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
_____	☒	A completed rezoning petition and justification statement
_____	☒	A deed or legal instrument identifying the applicant's interest in the property
_____	☒	All required drawings and supportive information per the Municipal Code
_____	☒	All submittals shall follow the Town's Submittal Requirements and File Naming Conventions available from the Planning Department

Rezoning 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
_____	☒	Vicinity map
_____	☒	Legal description (<i>township, range, section, lot, block, subdivision</i>)
_____	☒	Each ownership within and adjacent to the property
_____	☒	Existing and proposed zoning classification
_____	☒	Applicant revisions block (<i>includes fields for date, initials, description</i>)
_____	☒	Appropriate certification blocks as provided by the Planning Department
_____	☒	A description of all developed on-site property, including its use and total acreage
_____	☒	The location and dimensions of all existing and proposed easements and rights-of-way

Feb. 2022

REZONING PETITION

I, Vern C. Rasmussen, the undersigned, being the owner of the property described as; the north forty feet of lots 27, 29, and 31 block 10, Town of Windsor, Colorado, aka 217 fifth st. Windsor, Co. containing three thousand square feet, hereby request a change of zoning from Sf-1 [single family residential] to CBD[central business district] and hereby pay the required fee.



Vern C. Rasmussen
428 Walnut Street
Windsor, Colorado

**Application to rezone the north 40 ft. of lots 27, 29, and 31 block 10
Town of Windsor Colorado
Also known as 217 fifth street, Windsor Co.**

From existing SF-1 to Central Business District

JUSTIFICATION STATEMENT

February 2022

The property consists of a 3000 sq. foot lot [40 ft. x 75 ft., with 40 ft. frontage on 5th st.] The original structure[20ft x 50ft] was built in 1909 with the architectural style of the late 19th and early 20th Century 'American Movements Commercial Style' as described by Colorado Cultural Resource Survey. A 500 sq ft. [20ft x 25ft] addition was constructed at the rear of the building, at later date, for a total of 1500 sq ft.

Based on the style of the original structure, and that the history shows that the first occupant was Windsor's original Telephone Company Facility, with several other retail or service businesses to follow, it seems credible that the property has had only business occupants for the duration of its existence. In addition, the property is currently taxed as a commercial property and has had that property tax structure for at least the duration of the previous ownership. I believe that it would be reasonable and practicable that the zoning and tax structure should be necessarily consistent.

In general; given the structural style of the building; its apparent business type usage for the duration of its existence, its property tax burden and the close proximity to other CBD zoned properties across the alley to the north I believe a zoning change to CBD would be prudent. Albeit relatively small, I believe this property would be a viable amenity and asset to "Downtown Windsor" as well as the surrounding neighborhood.

Enclosed is a copy of Colorado Cultural Resource Survey/ Architectural Inventory Form, which may provide additional information.

Thank you for your consideration of this application

Vern Rasmussen



Architectural Inventory Form

Page 7

SKETCH MAP



Downtown Windsor Survey

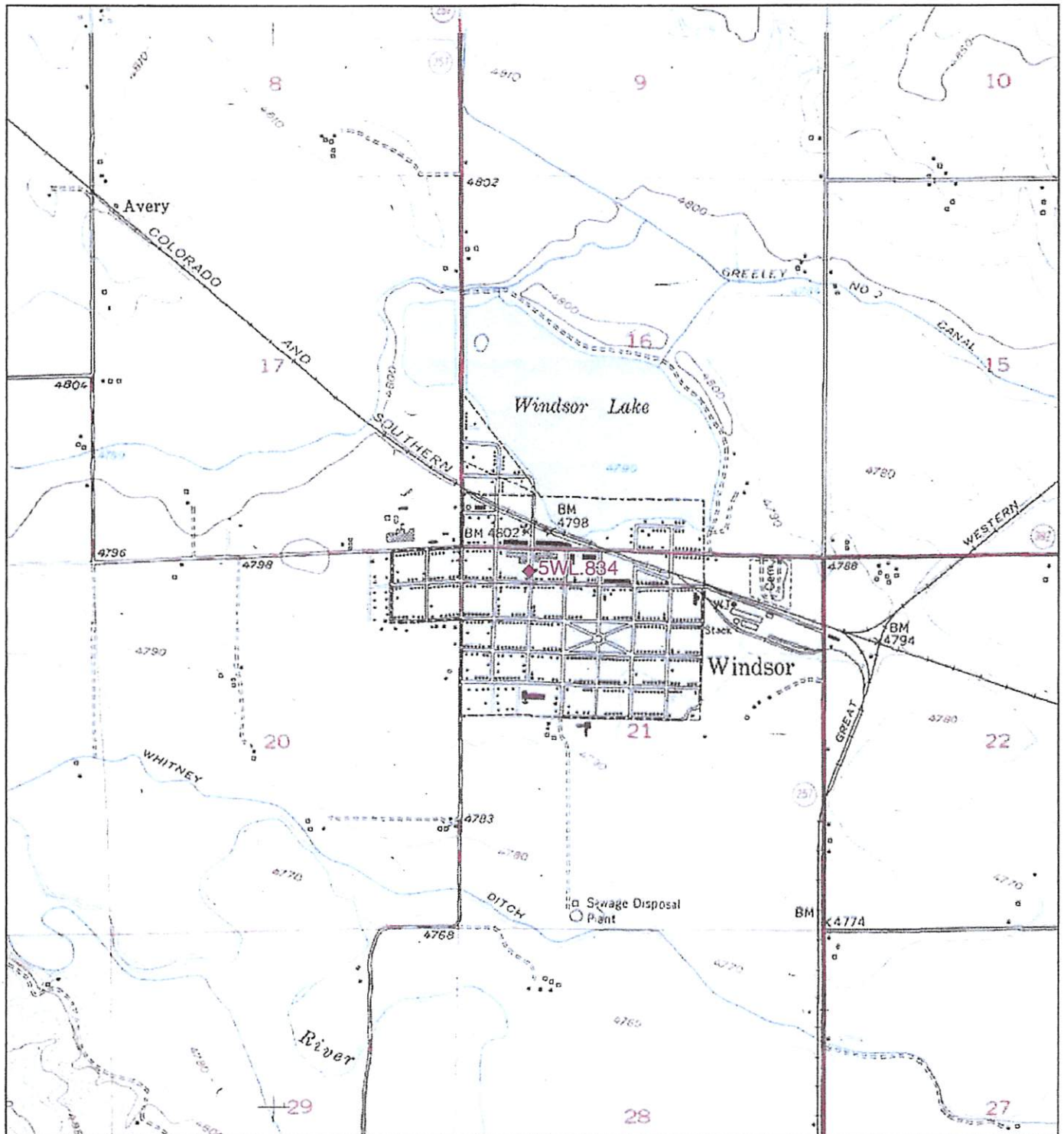
Historitecture, LLC

PO Box 419, Estes Park, CO 80517-0419 • (970) 586-1165 • www.historitecture.com

Architectural Inventory Form

Page 8

LOCATION MAP



Source: U.S. Geological Survey 7.5' Windsor - 1969

Downtown Windsor Survey

Historitecture, LLC

PO Box 419, Estes Park, CO 80517-0419 • (970) 586-1165 • www.historitecture.com

1/5/2010

Page 8



Please let me know if you have any questions.

Sincerely,

Sandra Mezzetti, AICP

Planner II

Town of Windsor | Planning

301 Walnut Street | Windsor, CO 80550

Dir: 970-674-2430 | Mobile: 970-388-2934

smezzetti@windsorgov.com

www.windsorgov.com

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Page 1

Date _____ Initials _____

- ☐ Determined Eligible- NR
☐ Determined Not Eligible- NR
☐ Determined Eligible- SR
☐ Determined Not Eligible- SR
☐ Need Data
☐ Contributes to eligible NR District
☐ Noncontributing to eligible NR District



I. IDENTIFICATION

1. Resource number: **5WL.834** Parcel number: **080721203002**
 2. Temporary resource number: **Not Applicable**
 3. County: **Weld**
 4. City: **Windsor**
 5. Historic building name: **Mountain States Telephone & Telegraph Company Windsor Telephone Exchange Building**
 6. Current building name: **Velasquez Building; Natural Therapy's**
 7. Building address: **217 5th Street**
 8. Owner name: **Michael E. and Geraldine M. Velasquez**
 Owner organization:
 Owner address: **834 Locust St
Windsor, CO 80550**

- | | | | | |
|---|---|--|------------------------------------|--|
| 44. National Register eligibility field assessment: | ☐ Individually eligible | ☒ Not eligible | ☐ Need data | ☐ Previously listed |
| State Register eligibility field assessment: | ☐ Individually eligible | ☒ Not eligible | ☐ Need data | ☐ Previously listed |
| Local landmark eligibility field assessment: | ☒ Individually eligible | ☐ Not eligible | ☐ Need data | ☐ Previously listed |

Downtown Windsor Survey

Historitecture, LLC

PO Box 419, Estes Park, CO 80517-0419 • (970) 586-1165 • www.historitecture.com

Architectural Inventory Form

Page 2

II. GEOGRAPHIC INFORMATION

9. P.M.: 6th Township: 6N Range: 67W
NE 1/4 NE 1/4 NW 1/4 NW 1/4 of section 21
10. UTM Reference Zone: 13
Easting: 508146 Northing: 4480950
11. USGS quad name: Windsor Scale: 7.5
Year: 1969
12. Lot(s): Northern 40 feet of Lots 27, 29, and 31; Block 10
Addition: Windsor Original Town Year of addition: 1882
13. Boundary description and justification: The boundary, as described above, contains but does not exceed the land historically associated with this property.
☐ Metes and bounds exist

III. ARCHITECTURAL DESCRIPTION

14. Building Plan (footprint, shape): Irregular Plan
Other building plan descriptions:
15. Dimensions in feet: 1,500 square feet
16. Number of stories: 1
17. Primary external wall material(s): Stucco
Synthetics/Vinyl
Other wall materials:
18. Roof configuration: Flat Roof
Other roof configuration:
19. Primary external roof material: Asphalt Roof/Composition Roof
Other roof materials:
20. Special features: Window/Segmental Arch
21. General architectural description:
Oriented to the west, this building rests on a rock-faced, sandstone foundation. It is painted red across the front elevation and white on all other elevations. White-painted stucco clads the exterior walls of most of the building. However, white-painted sheets of plywood cover the north and south elevations of an addition to the rear (east) elevation. White vinyl siding covers the rear elevation. A mural painted on the west end of the north elevation depicts white clouds in a blue sky. The façade features three parallel, corbelled belt courses between the tops of the windows and the parapet cap. The topmost band hosts a row of square recesses, painted in alternating colors of dark red, tan, and blue. Opening in two pairs in the façade are single-light casement windows, with red-painted wood frames, opening behind storm windows. Each window has a round-arch transom, but the pairs share a common, red-painted, rock-faced sandstone sill. Mimicking the front windows, round-arch alcoves punctuate a wing wall extending southward from the southwest corner. Three, round-arch window openings in the north elevation of the original portion of the building have been boarded shut and now host paintings of flowers. A third window opening, at the east end of the same elevation of the original building, has a 1-over-1-light, double-hung sash window, with brown-painted wood frames. It opens between a red-painted, rock-faced sandstone sill and a segmental arch. The north elevation of the rear addition hosts a 1-beside-1-light, sliding sash window, with an aluminum frame and a white-painted wood surround. A similar window opens near the center of the rear elevation and in the west elevation of the addition. The principal doorway opens in the south end of the asymmetrical façade. It hosts a wide, red-painted, 9-panel wood door, with a decoratively carved center panel. A small, concrete stoop, with a wrought-iron railing, approaches the doorway from the north and the south. A narrow, secondary doorway opens in the extreme north end of the original building's rear elevation, beneath a segmental arch. Approaching this doorway from the east is a concrete ramp, with a black-painted pipe railing. Opening east of center in the south elevation are three sets of sliding, plate-glass doors, with red-painted wood frames. White-painted sheets of asphalt cover the nearly flat roof.
22. Architectural style: Late 19th And Early 20th Century American Movements/Commercial Style
Other architectural style:
Building type:
23. Landscape or special setting features:
This commercial building is located on 5th Street, a north-south thoroughfare through downtown Windsor. It is situated on the east side of the street, between an east-west-oriented alley to the north and 430 Walnut Street to the

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south. Separating the building's front (west) facade from the street is red-brick sidewalk. A pair of planters integrated into the sidewalk host mature trees. A large cottonwood is located off the southwest corner of the building. A hedge spans from the cottonwood eastward to the southeast corner of the building.

24. Associated building, features or objects:

There are no other buildings associated with this property.

IV. ARCHITECTURAL HISTORY

25. Date of Construction: 1909 ☒ Actual ☐ Estimate

Source of information: Weld County Assessor Property Profile.

26. Architect: Unknown

Source of information:

27. Builder: Adam Hahn

Source of information: Ray, Roy. *Highlights in the History of Windsor, Colorado: Golden Jubilee Edition*. Windsor: Press of The Poudre Valley, 1940, p. 43.

28. Original Owner: Adam Hahn

Source of information: Ray, Roy. *Highlights in the History of Windsor, Colorado: Golden Jubilee Edition*. Windsor: Press of The Poudre Valley, 1940, p. 43.

29. Construction history:

According to Weld County Tax Assessor records, this building was constructed in 1909. An analysis of the style, materials, and historical records corroborates a 1909 date of construction. The most notable alterations have been the installation of stucco over the brick walls and the construction of the rear addition. Both modifications appear to date to after this building's closure as a telephone exchange in July 1962.

30. Location: Original Location Date of move(s):

V. HISTORICAL ASSOCIATIONS

31. Original use(s): Industry/Processing/Extraction/Communications Facility

32. Intermediate use(s): Industry/Processing/Extraction/Communications Facility

33. Current use(s): Health Care/Clinic

34. Site type(s): telephone exchange

35. Historical background:

This building was constructed in 1909 for Windsor pioneer Adam Hahn, who leased it to the Mountain States Telephone and Telegraph Company as its Windsor office and exchange. Telephone service first arrived in Windsor in November 1893, when the Colorado Telephone Company secured a franchise in the town and extended its line from Greeley. The line initially served three subscribers: the no. 2 headgate, the no. 2 reservoir, and the Windsor Mercantile Company.

In 1900 Windsor gained a 20-line drop megneto board telephone exchange, initially installed in the G.H. Peterson Hardware store (no longer extant). The first businesses to have phones with this new system were the Windsor Mercantile Company and the Windsor Mill. Dr. Thomas B. Gormly was the first resident to have a telephone installed in his own house. In 1902, the exchange moved to the second story of the recently completed Cobbs Block (418-420 Main Street, 5WL.5613), where it remained until moving to this 5th Street location in 1910.

Despite a more modern facility, telephone service remained relatively primitive in Windsor for decades. As a condition to renewing its franchise in 1916, the Town Board required Mountain States to install a common battery signal or "central energy" system, which would allow callers to connect directly to the operator rather than having to crank their own phones first. But Mountain States did not install the system until July 1922. After Windsor received this new equipment, the *Port Collins Courier* noted, "The Windsor office is under the management of James Scott, who, with his operating force of five young ladies, declares that he is now in a better position to give service to his customers than ever before."

Managing the Windsor telephone exchange between 1900 and 1940 were H.H. Croll, of Greeley, followed by F.E. Wilson. Resident managers included S.L. Purdy, James Scott, Ted Kirby, Roye Erickson, and Ramon S. Walker. From that time until Mountain States closed the Windsor exchange in 1962, the managers were Frank Moore, Asa McNabb, Thomas Sjoden, and Gerald Kinney. With the arrival of an automated, direct-dial telephone system, Windsor's telephone

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exchange became obsolete and Mountain States closed it in July 1962.

W.T. Boreing purchased this building from Adam Hahn around 1938. After its closure, the former telephone exchange served as a grocery store, a variety store, a beauty shop, a laundromat, and a thrift shop. By 1980 it was the offices of dentist Dr. Donald E. Heinkel. Heinkel sold his practice and this building to Dr. Patrick Weakland and his wife, Amanda Weakland. In 1995, they moved the practice across the street, to the former Windsor Public Library at 214 5th Street (5WL.5602). The Weaklands then sold the former telephone exchange to Michael E. and Geraldine M. Velasquez in 1997. They remain the current owners. At the time of this survey, the building hosted Natural Therapy's [sic], featuring massages, herbs, and aromatherapy.

36. Sources of information:

Weld County Assessor Property Profile.

Sanborn Fire Insurance Maps (for Windsor, Colorado). New York: Sanborn Map and Publishing Co., December 1900, January 1906, May 1911, and November 1921.

Mountain States Telephone and Telegraph Company. Telephone Directory [for Weld County]. Consulted 1927-28, 1929-30, Summer 1936, November 1941, November 1945, June 1950, Winter 1954-55, Summer 1960, and 1964.

Deeds 2235873 and 25695000. Weld County Clerk and Recorder.

Ray, Roy. *Highlights in the History of Windsor, Colorado: Golden Jubilee Edition*. Windsor: Press of The Poudre Valley, 1940, p. 43.

Lindblad, Mary Alice. *A Walk Through Windsor: 1940-1980*. Windsor, Colo.: by the author, 1980, pp. 111-112.

Rowe, George J. "New Windsor Tribune." *Greeley Tribune*, 2 November 1893, p. 8.

"Windsor Gets Better Telephone Equipment," *Fort Collins Courier*, 27 July 1922, p. 8.

VI. SIGNIFICANCE

37. Local landmark designation: ☐ Yes ☒ No

Designation authority:

Date of designation:

38. Applicable National Register criteria:

- ☒ A. Associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Associated with the lives of persons significant in our past.
- ☐ C. Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- ☐ D. Has yielded, or may be likely to yield, information important in prehistory or history.
- ☐ Qualifies under Criteria Considerations A through G (see manual).
- ☐ Does not meet any of the above National Register criteria.

Applicable Colorado State Register criteria:

- ☒ A. Associated with events that have made a significant contribution to history.
- ☐ B. Connected with persons significant in history.
- ☐ C. Has distinctive characteristics of a type, period, method of construction or artisan.
- ☐ D. Is of geographic importance.
- ☐ E. Contains the possibility of important discoveries related to prehistory or history.
- ☐ Does not meet any of the above Colorado State Register criteria.

Applicable Town of Windsor landmark criteria:

- ☐ 1. Architectural: a) Exemplifies specific elements of an architectural style or period.
- ☐ 1. Architectural: b) Example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally or locally.
- ☐ 1. Architectural: c) Demonstrates superior craftsmanship or high artistic value.
- ☐ 1. Architectural: d) Represents an innovation in construction, materials or design.
- ☐ 1. Architectural: e) Style is particularly associated with the Windsor/Northern Colorado area.

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- ☐ 1. Architectural: f) Represents a built environment of a group of people in an era of history.
- ☐ 1. Architectural: g) Pattern or grouping of elements representing at least one (1) of the above criteria.
- ☐ 1. Architectural: h) Significant historic remodel.
- ☐ 2. Social: a) Site of historic event that had an effect upon society.
- ☒ 2. Social: b) Exemplifies cultural, political, economic or social heritage of the community.
- ☐ 2. Social: c) An association with a notable person or the work of a notable person.
- ☐ 3. Geographic/Environmental: a) Enhances the sense of identity of the community.
- ☐ 3. Geographic/Environmental: b) An established and familiar natural setting or visual feature of the community.
- ☒ Physical Integrity 1. Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state or nation.
- ☐ Physical Integrity 2. Retains original design features, materials and/or character.
- ☒ Physical Integrity 3. Original location or same historic context after having been moved.
- ☐ Physical Integrity 4. Has been accurately reconstructed or restored based on documentation.
- ☐ Does not meet any of the above Town of Windsor landmark criteria.

39. Areas of significance: **Communications**40. Period(s) of Significance: **1910-1958**41. Level of Significance: ☐ National ☐ State ☒ Local ☐ Not Applicable

42. Statement of Significance:

This property is significant under Windsor Landmark Criterion 2b for its association with the development of telephone communications in Windsor. It served as the longtime home of the Mountain States Telephone & Telegraph Company's Windsor exchange. While the levels of architectural and historical significance, combined with physical integrity, are not to the extent that this property would qualify for individual listing in the National Register of Historic Places or the Colorado State Register of Historic Properties, it could be eligible as a Windsor Landmark.

43. Assessment of historic physical integrity related to significance:

Completed in 1909, this former telephone exchange exhibits a moderate level of physical integrity relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society: location, setting, design, materials, workmanship, feeling, and association. The installation of stucco, replacement or removal of some windows, and the construction of the rear addition have removed or altered some character-defining features. However, the original form of the building is still clearly visible and many of the masonry features are visible beneath the stucco.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment: ☐ Individually eligible ☒ Not eligible ☐ Need data ☐ Previously listed
- State Register eligibility field assessment: ☐ Individually eligible ☒ Not eligible ☐ Need data ☐ Previously listed
- Local landmark eligibility field assessment: ☒ Individually eligible ☐ Not eligible ☐ Need data ☐ Previously listed
45. Is there National Register district potential: ☐ Yes ☒ No

Discuss: Windsor's downtown district, surveyed as part of this project, represents a geographically definable area possessing a significant concentration of buildings united by their historical associations, particularly the commercial development of the community. However, the district lacks architectural integrity and, therefore, architectural association because more than half of the downtown façades were remade in the 1970s and later, mostly in the Windsor German Old-World style.

If there is National Register district potential, is this building contributing: ☐ Yes ☐ No ☒ N/A

46. If the building is in existing National Register district, is it contributing: ☐ Yes ☐ No ☒ N/A

VIII. RECORDING INFORMATION

47. Digital photograph file name(s): **5thst217 - 1 to 5thst217 - 4**
- Digital photographs filed at: **Town of Windsor
301 Walnut St
Windsor, CO 80550**
48. Report title: **Downtown Windsor Survey Report**
49. Date(s): **4/29/2008**

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50: Recorder(s): Adam Thomas, Jeffrey DeHerrera, and Rachel Kline
51: Organization: Historitecture, LLC
52: Address: PO Box 419
Estes Park, CO 80517-0419
53: Phone number(s): (970) 586-1165

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From: [George Stolz](#)
To: [PLANNING](#)
Subject: 217 5th St
Date: Wednesday, June 22, 2022 9:24:13 PM

Caution: **External Email**

Regarding "The Windsor Planning Commission will hold a PUBLIC HEARING on Wednesday, July 6, 2022, and the Windsor Town Board will hold a PUBLIC HEARING on Monday, July 11, 2022. These public hearings will be held at 7:00 p.m. The purpose of the public hearings is to receive public comment on a property known as Block 10, Lot 27 within the Town of Windsor Subdivision regarding a rezoning application from SF-1 (Single-Family residential-one) to CB (Central Business) Zone District for 0.05 acres, 2,000 square feet, parcel. The subject property is located at 217 5th Street, in the Town of Windsor."

I will not be able to attend the upcoming meeting, but would appreciate having my comment entered into the record:

Friends and neighbors, it came to my attention from conversations regarding the previous meeting on this subject that residents are concerned about possible businesses that could enter into the address and potential changes of use that could occur on the property in years to come. I would like to point out the following:

1. If you are concerned that a bar, skyscraper or house of ill repute could be opened, perhaps consider that there is nothing special about this particular address. Perhaps you should focus your intentions on the rules governing the community at large, and not focus on this one address. I do not profess to be versed on the community rules, as I have no interest at this time, but there is nothing peculiar to this address to warrant specific scrutiny.
2. The owner of this property has made a significant financial investment to acquire it, ostensibly for the purpose of controlling it as it borders his personal property. Negatively impacting the value of his investment by imposing arbitrary stipulations on its use by neighbors with zero financial stake in the property is unethical. If you wish to bind Vern with peculiar stipulations, you should at the same time feel obliged to produce your checkbook and compensate him for lost value from the outset of his endeavor.
3. Given the immaculate nature of Vern's personal residential property, there is no reason to expect anything less than the highest level of maintenance to also be employed in this commercial venture. Your property values should not experience any change that would give you standing to be concerned.
4. If you were to stand in front of the property and poll every pedestrian passing by whether the building is commercial or residential, I believe you all would agree that 100% would be dumbfounded that it is currently zoned residential. No record exists explaining this aberration, and there is no valid reason to inhibit correcting the zoning to match its outward appearance and historical use.

Thanks,
George Stolz
427 Walnut St, Windsor CO 80550
970.405.7323



Town of Windsor Subdivision Block 10 Lot 27 Rezoning

*Sandra Mezzetti, Senior Planner
Planning Commission July 06, 2022*



Rezoning Request

Article II of Chapter 14 of the Municipal Code outlines the amendment procedures to established zoning districts:

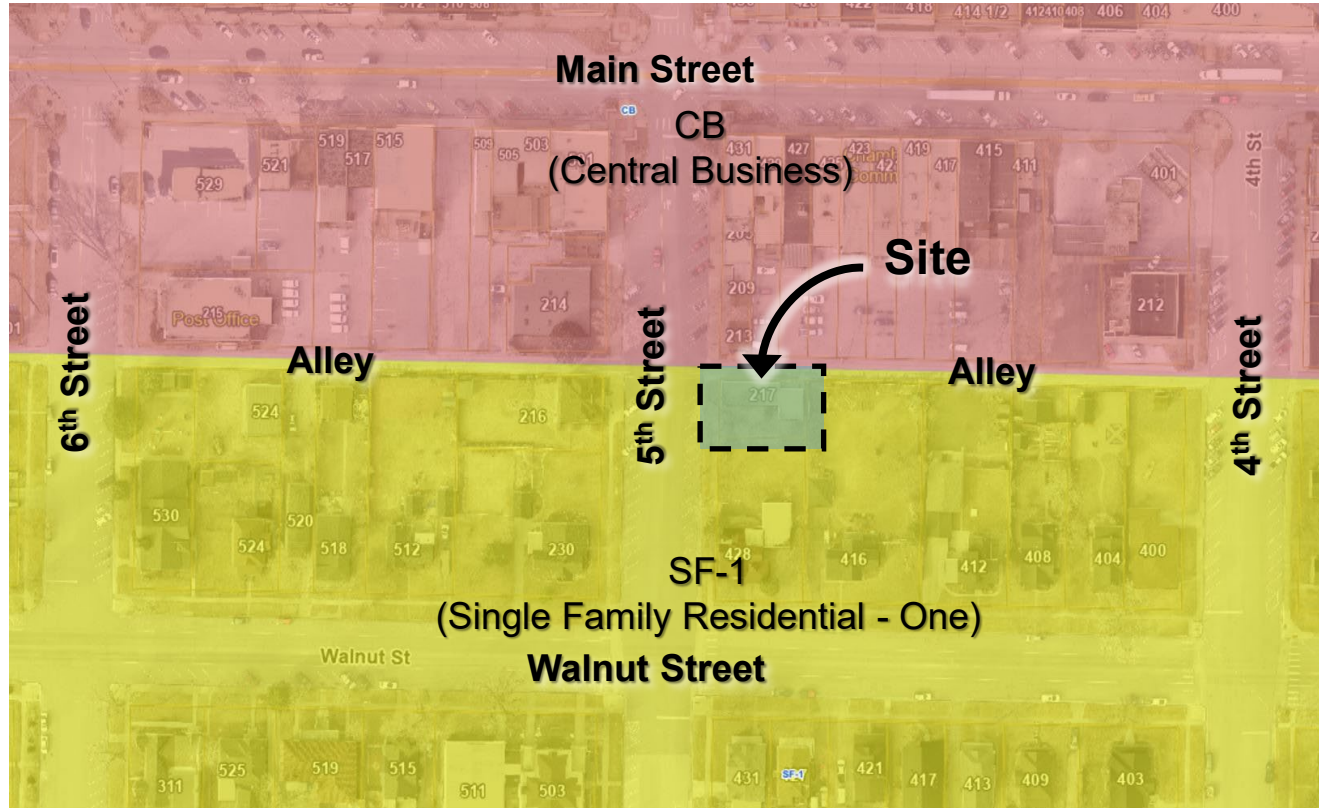
Sec. 14-2-70.- Rezoning.

Applicability: *The rezoning process provides review of changes to the boundary of zoning districts that may be necessary to implement the Comprehensive Plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development.*

Site Vicinity Map



Surrounding Zoning

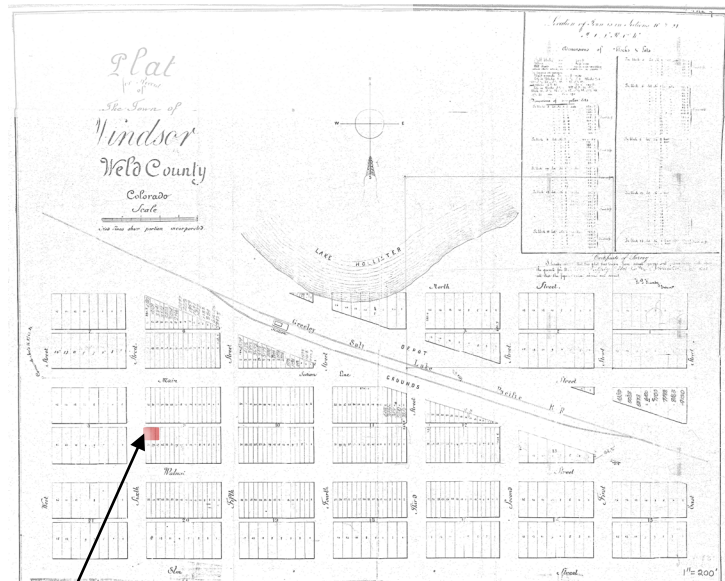




Background

The property was first platted with the original Town of Windsor Plat in 1882. The existing building was built in 1909 and leased to Mountain States Telephone and Telegraph Company as the Town's original telephone company facility.

In 1995 the building sold to a new owner and operated as Natural Therapyz, a massage, herbs, and aromatherapy business. Natural Therapyz operated the business with a conditional use permit until February 2022.



Site







Zone Districts

Town's **Central Business (CB)** zone district allowed uses include:

- Any principal use permitted by right in the Neighborhood Commercial District.
- Retail stores, excluding the sale or rental of motor vehicles
- Customer service establishments
- Business and professional offices
- Banks and saving and loan offices.
- Medical and dental clinics
- Public administrative offices and service buildings
- Public utility offices and installations
- Public libraries
- Places of assembly (small)
- Commercial lodging
- Theaters
- Minor repair, rental and servicing establishments, excluding motor vehicle repair, rental and servicing
- Passenger transportation terminals, not including truck terminals
- One-family residential dwellings subject to the regulations of the SF-1 zone district
- Plumbing and heating contractors
- Other similar uses as defined this Code
- Residential uses on the upper floors of commercial buildings.



Relationship to Municipal Code

Municipal Code Section 16-1-110 Central Business (CB) Zone

Purpose:

The Central Business CB District is intended to provide for the development of a concentration of commercial, office, recreational, cultural, entertainment and governmental facilities serving as a center of community activity. It is the further intent of this District to conserve and enhance the existing central business area and to promote an aesthetically pleasing and safe walkable environment for the benefit of the community as a whole.

Staff Comment: The proposed Central Business zoning is consistent with the intent of the district.



Relationship to 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 character of this area of the community, 5th Street north of Walnut Street, has a more commercial character feel as shown in the photo below. The rezoning would be consistent with character 5th Street north of Walnut Street and adjacent uses along Main Street.

Relationship to Comprehensive Plan



5th Street looking north from Walnut Street



Relationship to the Strategic Plan

The rezoning petition is consistent with the Town's Strategic Plan in the following areas:

Vibrant & Healthy Economy

Windsor is business-friendly. 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.



Relationship to the Strategic Plan

Goals:

- *Enhance and expand community and downtown vitality*
- *Promote business diversification in the community*
- *Attract balanced commercial development that will sustain the future of Windsor*
- ***The priorities in this area are economic sustainability and vibrancy, infrastructure.***

Staff comment: The subject property petitioning for the rezone has been a contributor to Windsor's business community since the existing building was built. Rezoning the property to the CB zone district allows the property to continue to be used in the commercial manner it has without the incumbrance of having to obtain a conditional use permit with each new tenant as is now required with the current zoning of SF-1. CB zoning will promote economic sustainability and vibrancy by not leaving the building empty for months while trying to obtain a new conditional use permit.

Notification Area – Neighborhood Meeting

The applicant held a neighborhood meeting on June 7, 2022:

- May 27, 2022- display ad published in Greeley Tribune
- May 27, 2022 - applicant mailed letters to surrounding property owners
- May 27, 2022 – affidavit of mailing to property owners within 500 feet





Notification Area – Public Hearing

Planning Commission and Town Board public hearing notifications:

- June 13, 2022 - applicant mailed letters to surrounding property owners within 500 feet
- June 13, 2022 – affidavit of mailing to property owners within 500 feet
- June 15, 2022 – development signs posted on property
- June 17, 2022 – public notice published in newspaper
- June 17, 2022 – public hearing notice published to Town website





Recommendation

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the rezoning petition and ordinance, subject to any outstanding Planning Commission and staff comments being addressed.



Rezone Records

Staff requests that the following be entered into the record:

- Application, petition and supplemental materials
- Any testimony received during the public hearing
- Staff memorandum and supporting documents
- Recommendation
- Ordinance



MEMORANDUM

Date: July 6, 2022
To: Planning Commission
From: Sandra Mezzetti, Planning II
Re: Recommendation to Town Board - Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district - Town of Windsor Block 10 Lot 27 - Vern Rasmussen owner/applicant.
Item #: C.4.

Background / Discussion:

Please refer to the public hearing information.

Financial Impact:

Relationship to Strategic Plan:

Please refer to the public hearing information.

Recommendation:

Please refer to the public hearing information.

CC:

Attachments:

Downtown Parking Study



July 2022

Presentation Agenda

- Study Area Overview
- Summary of Public Feedback
- Parking Forecasts
- Consensus Recommendations
- New Parking Facility Options
- Questions



Project Area Boundaries

- South: Walnut Street
- West: 7th Street
- East: 2nd Street
- North: Lakefront

- ■ ■ 2020 Parking Study Boundary
- ■ ■ 2012 Parking Study Boundary
- Town of Windsor Parks
- Downtown Development Authority

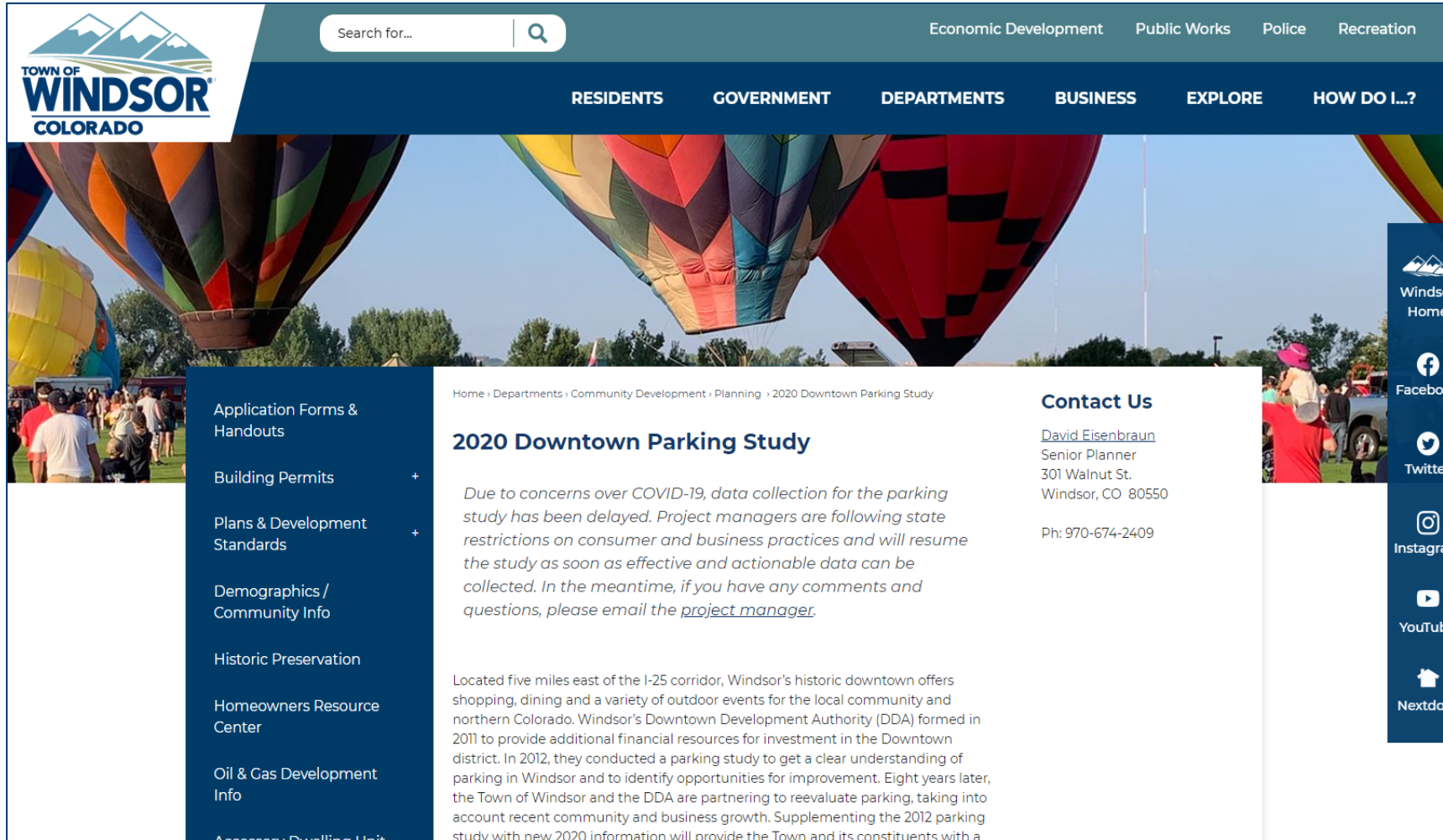


Study Purpose and Need

- ↗ Update 2012 parking study with larger survey area
- 👤 Conduct community meetings, surveys and interviews to engage business owners, community members and stakeholders
- 📅 Develop a two-, five- and ten-year parking outlook
- 🚗 Recommend downtown parking strategies to increase accessibility and decrease congestion
- 🔧 Research best practices for downtown parking management
- 🚶 Support multi-modal and complete streets initiatives



Project Website and Story Board



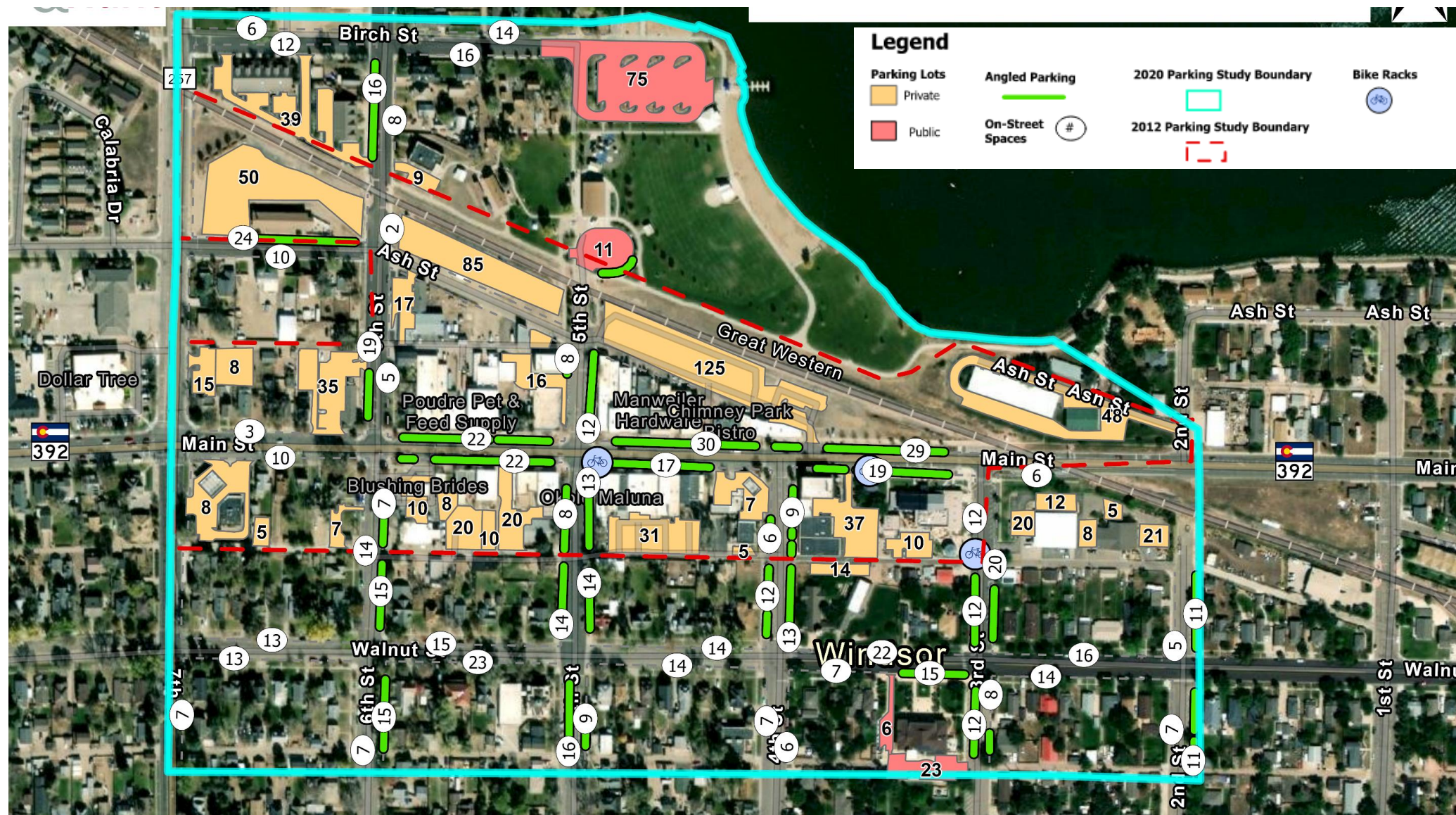
- Inventory
- Parking Generators
- Utilization Survey Results

Storyboard Map Link: <https://arcg.is/OLWzS5>

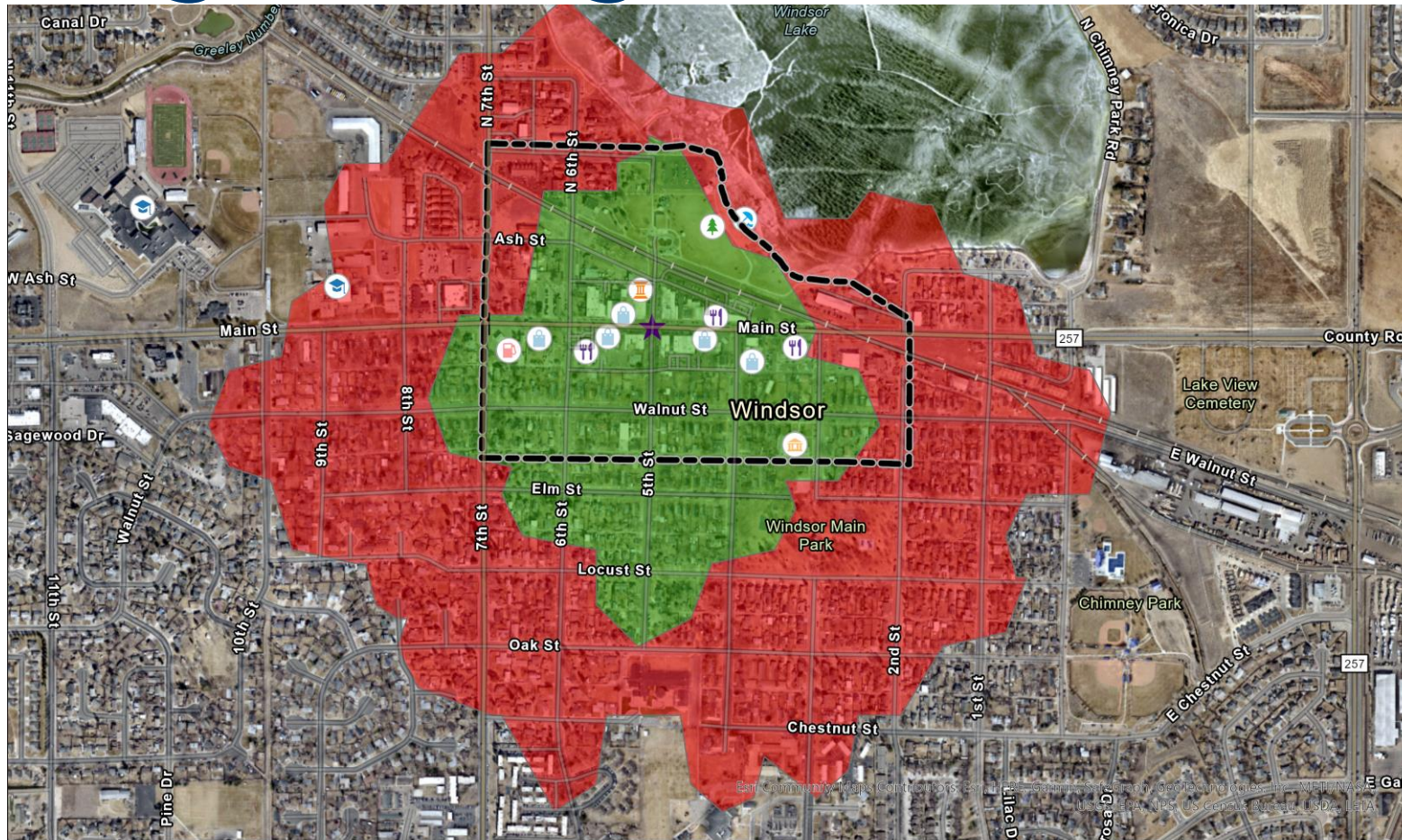
Downtown Parking Space Breakdown

Total Spaces	On-Street	Off-Street
1625	800	825
Residential blocks	475	
Commercial blocks	325	400
DDA lots		300
Public lots		125

Existing Parking Lot Mapping with Space Counts



Existing Parking Walksheds



Legend

Trip Generators

- Commercial
- Gas
- Government
- Green Space
- Museum
- Park
- Signal
- Restaurant
- Education

Parking Lots

- Private
- Public

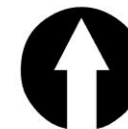
Downtown Walkshed

- Travel Time
- Five Minute Walk
- Ten Minute Walk

2020 Parking Study Boundary



Walkshed Intersection



0 0.1 0.2 0.4 Miles

Public Outreach

Public Meeting

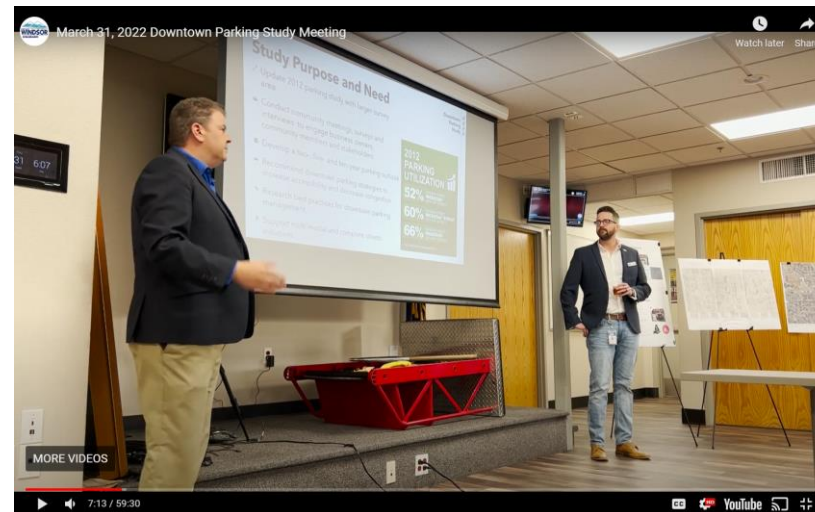
- October 14, 2021 - 25 attendees
- March 31, 2022 - 100+ attendees

Stakeholder/Parking Committee Meetings

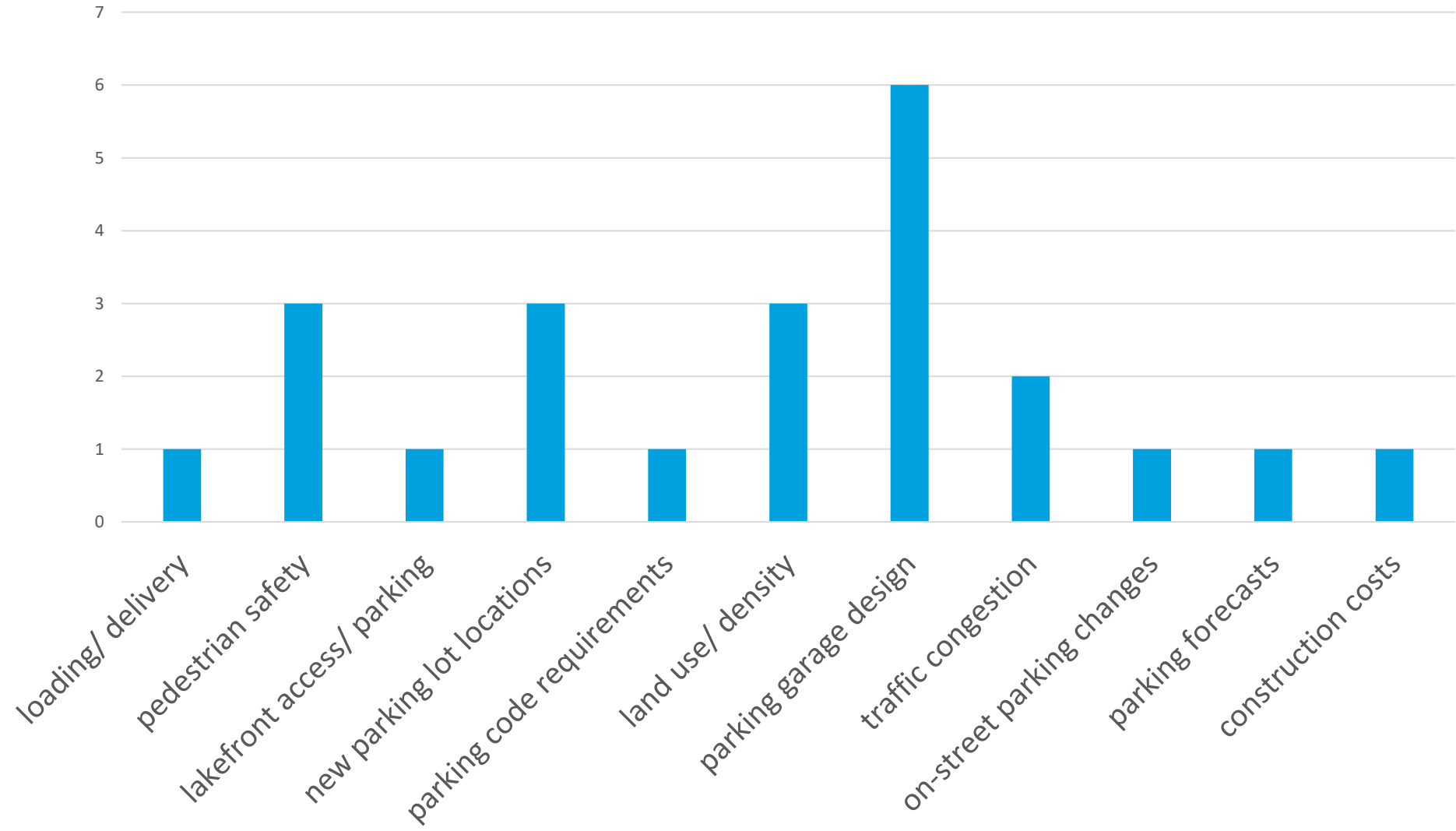
- October 12, 2021 - 7 attendees
- November 10, 2021 - 10 attendees
- December 15, 2021 - 12 attendees
- March 29, 2022 - 10 attendees
- May 2, 2022 - 10 attendees

Other Activities

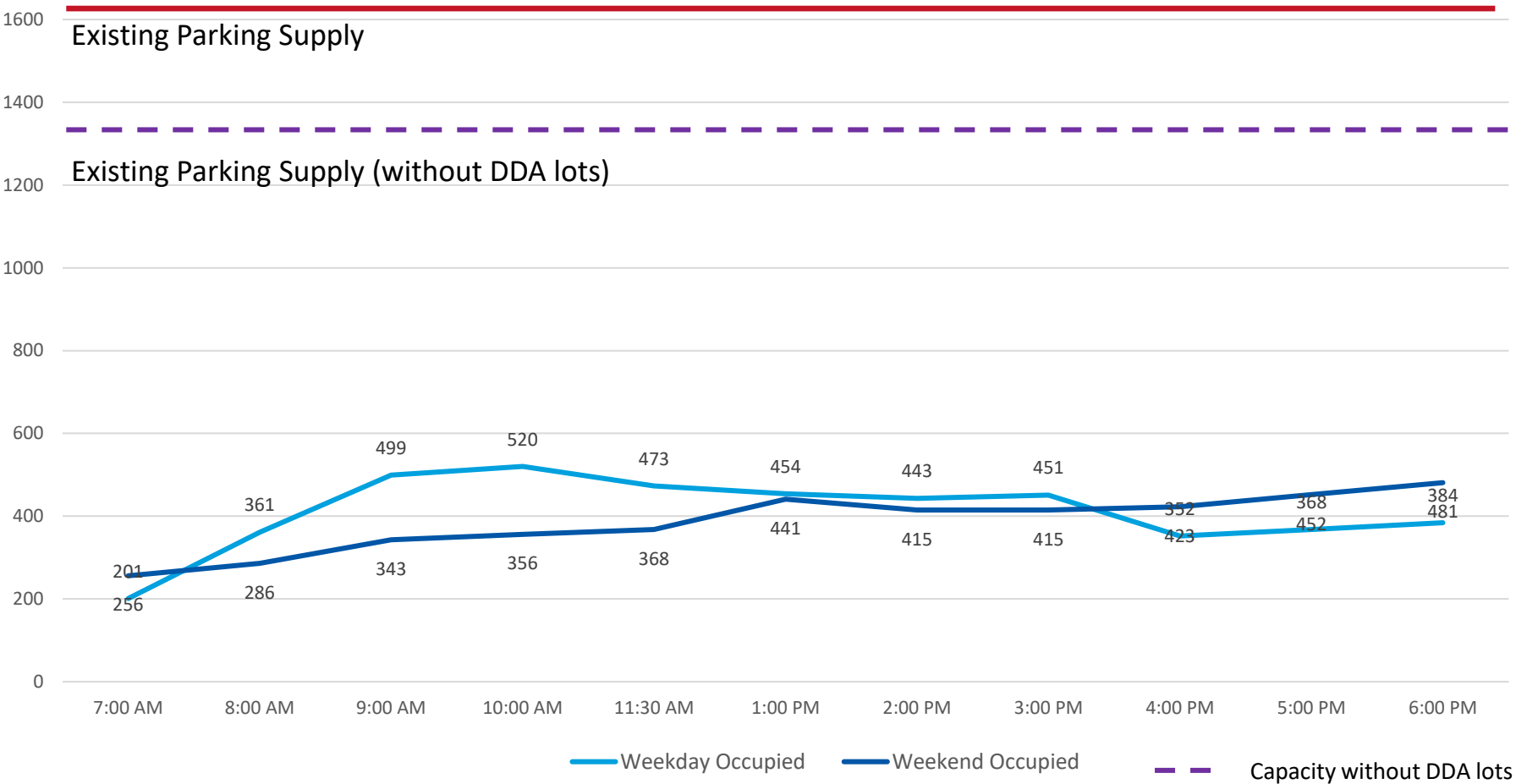
- Town webpage/
storyboard
- Harvest
Festival table
2021, 2022



Summary of Public Feedback

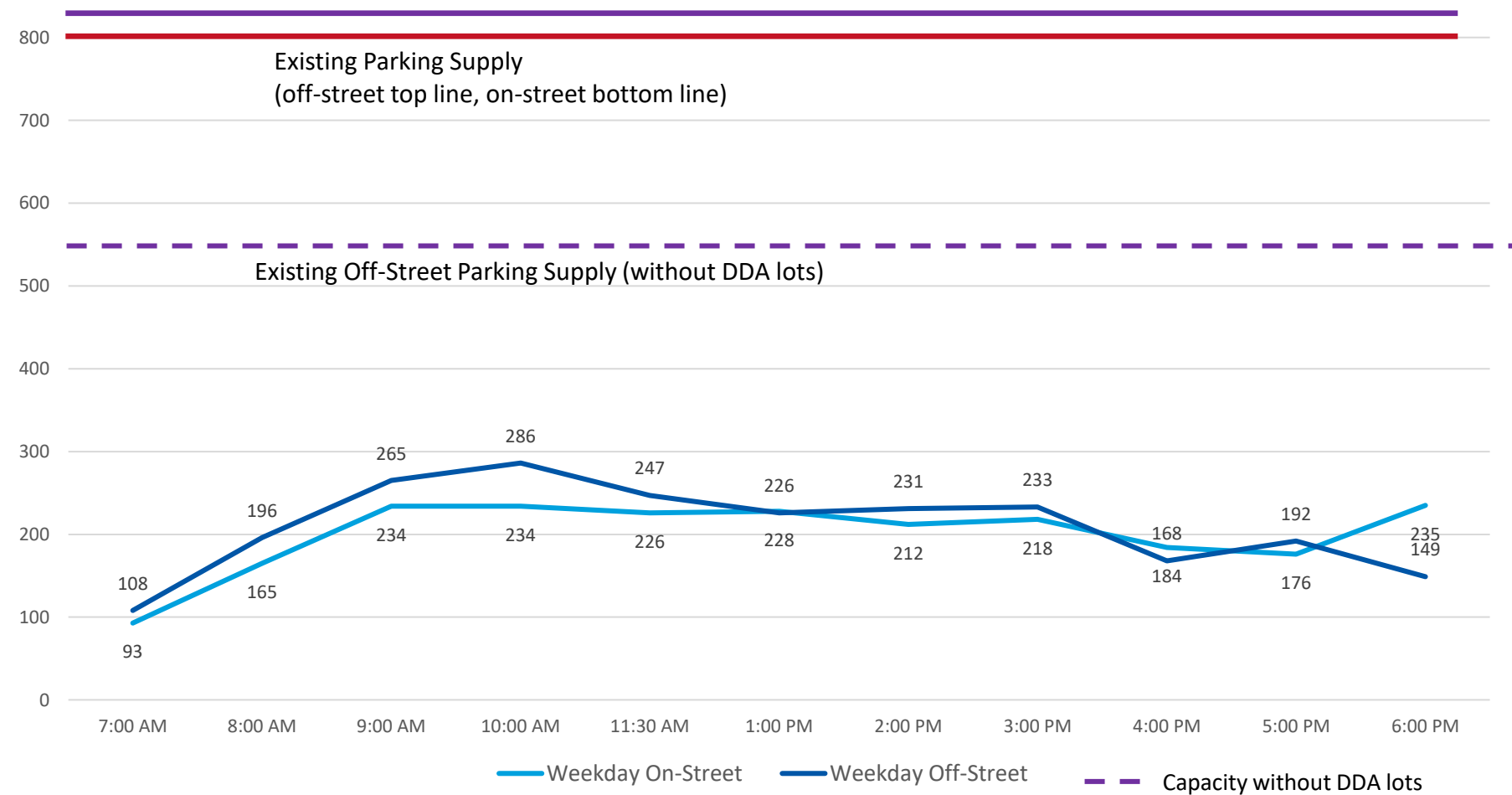


Existing Parking Demand Vs. Supply Weekday and Weekend (Non-Event)



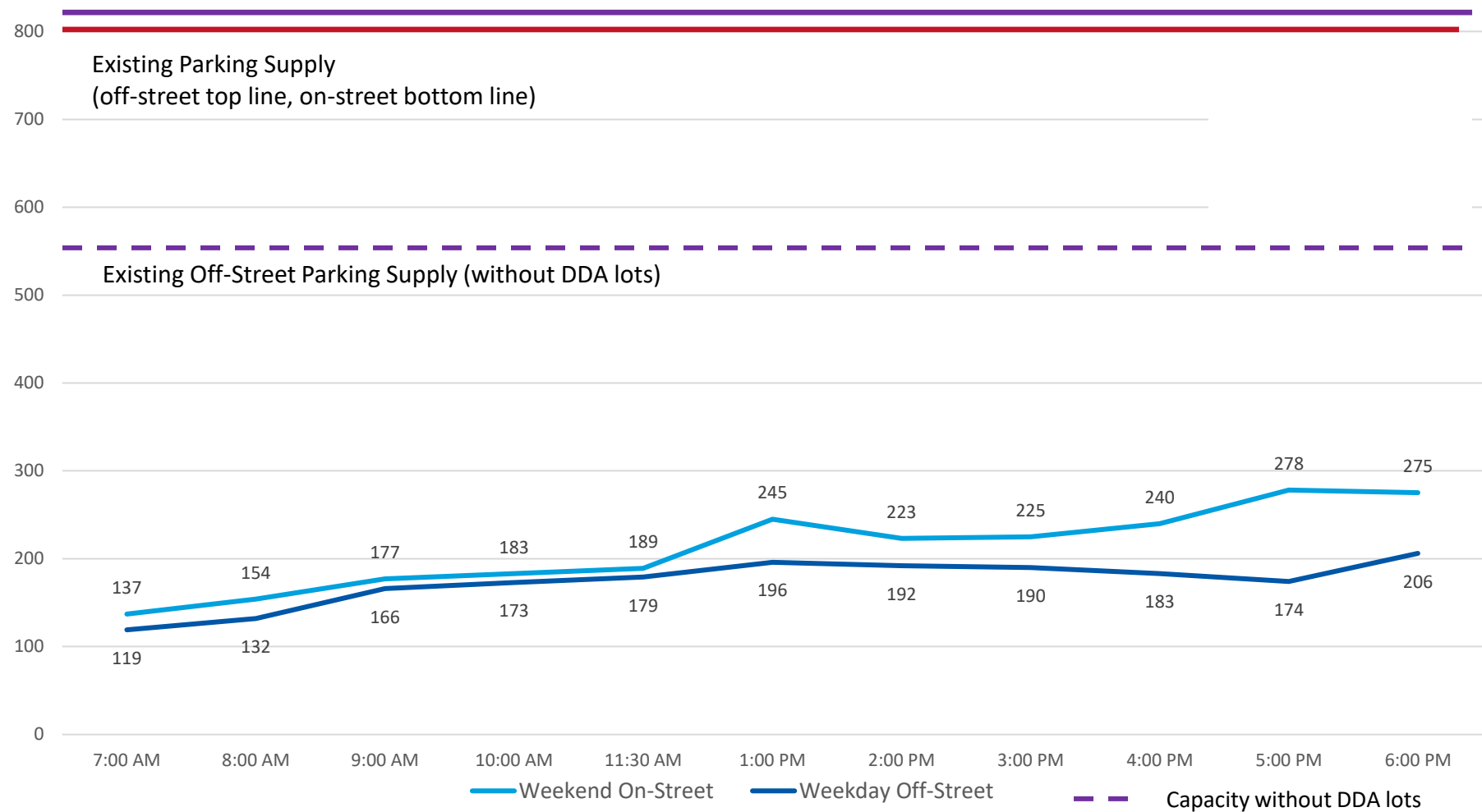
Existing Parking Demand Vs. Supply

Weekday On-Street Vs. Off Street



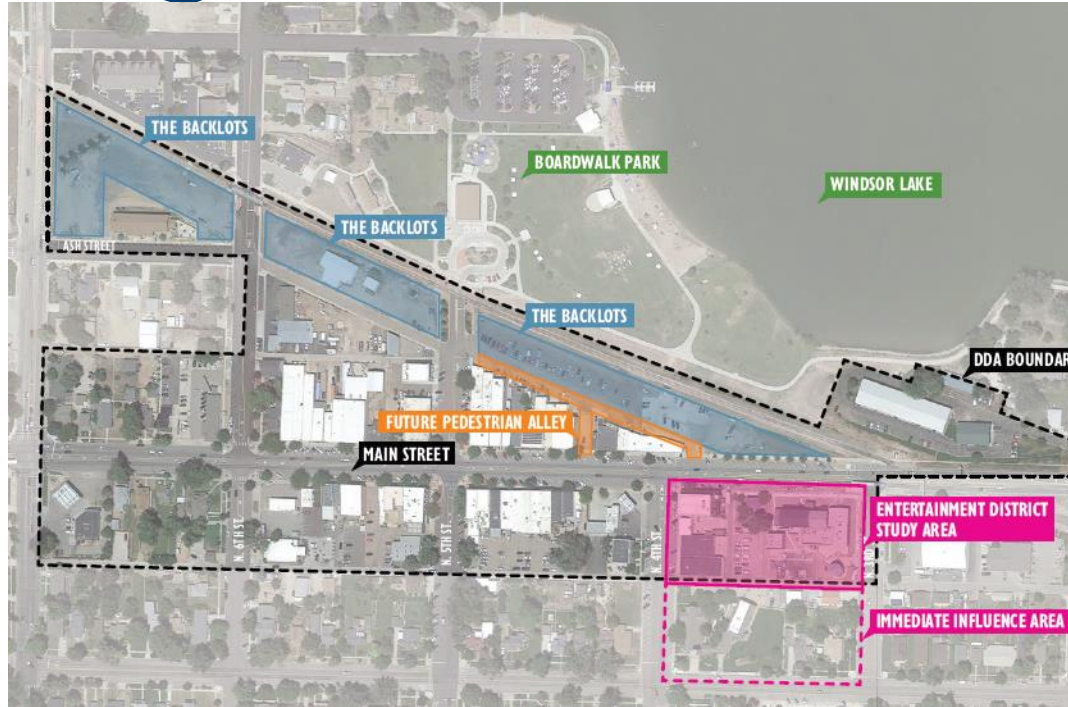
Existing Parking Demand Vs. Supply

Weekend On-Street vs. Off-Street



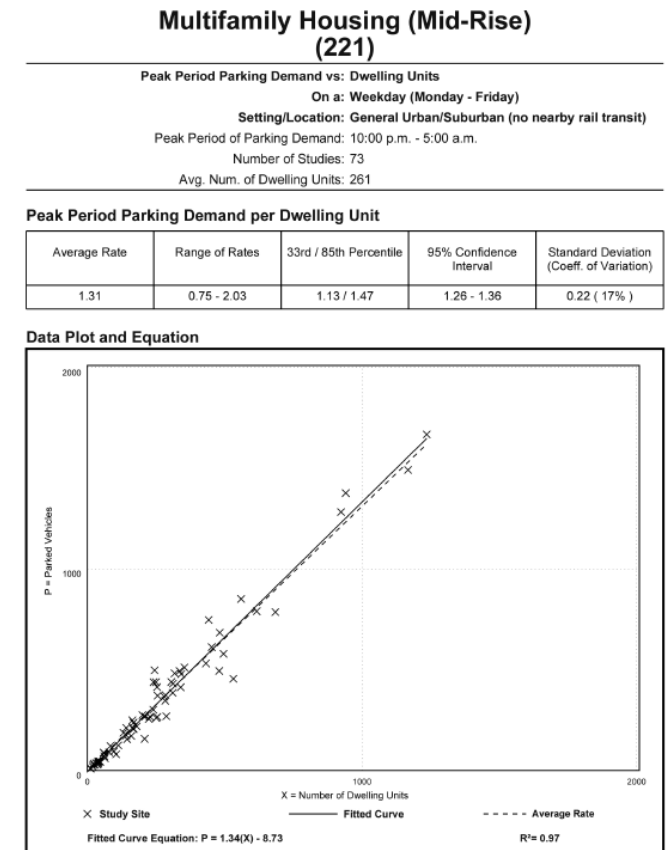
Key Variables for Future Parking Demand

- Downtown Development
 - Revitalization parcels
 - Windsor Entertainment District
- External Generators
 - Future Legends Sports Park
 - New Subdivisions

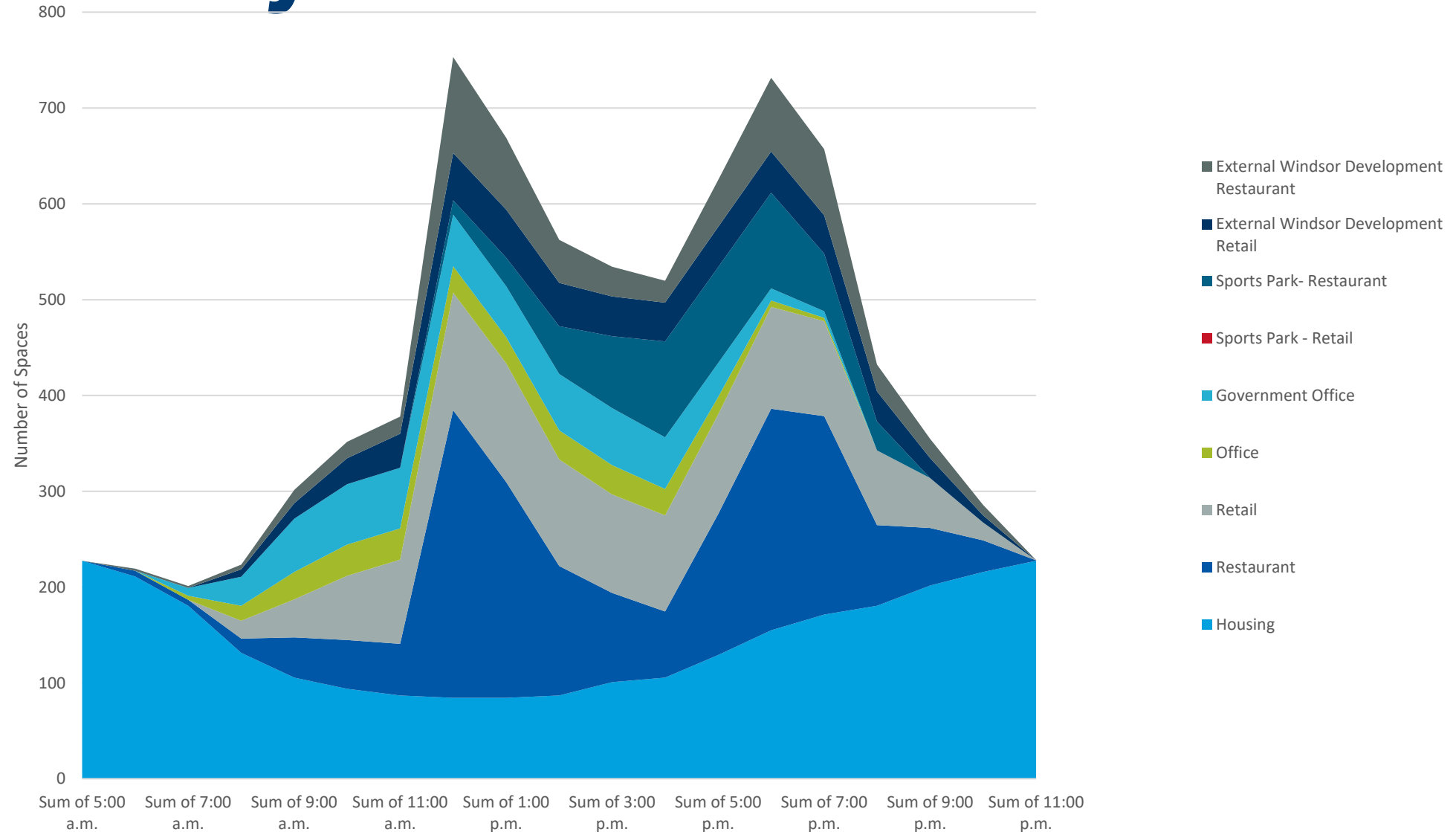


Future Parking Demand/ Requirements by Land Use

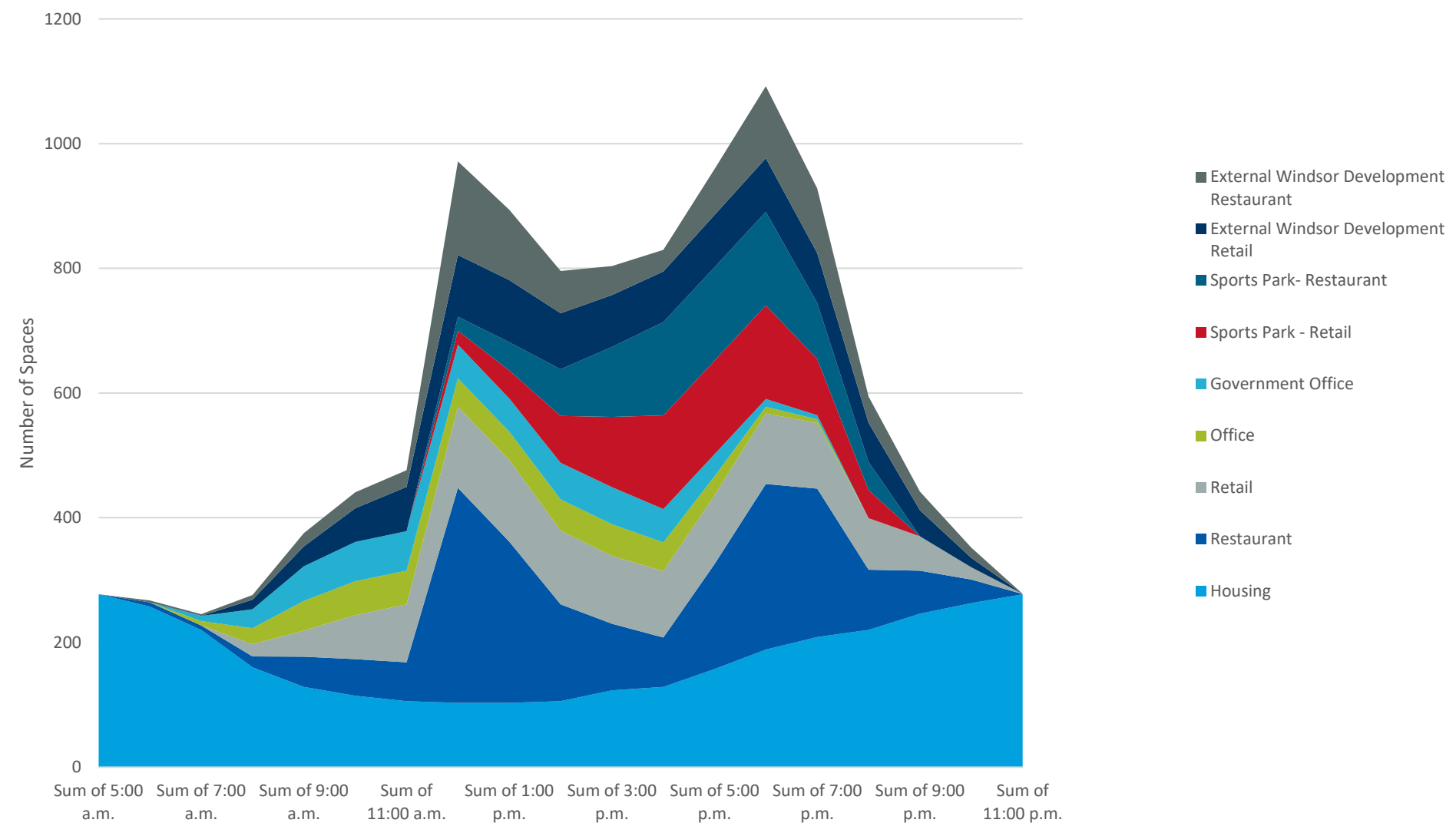
Land Use	ITE Parking Demand Estimates (weekday)	Town Code Requirement (Downtown Zone)
Multifamily Residential	1.25 spaces/ Unit	1 space (one bedroom) 2 spaces (two bedrooms)
Retail	2.5 spaces/ 1,000 SF	2 spaces per 1,000 SF <20,000 SF
Restaurant	10 spaces / 1,000 SF	2 spaces per 1,000 SF <20,000 SF
Office	2.5 spaces / 1,000 SF	2 spaces per 1,000 SF < 20, 000 SF



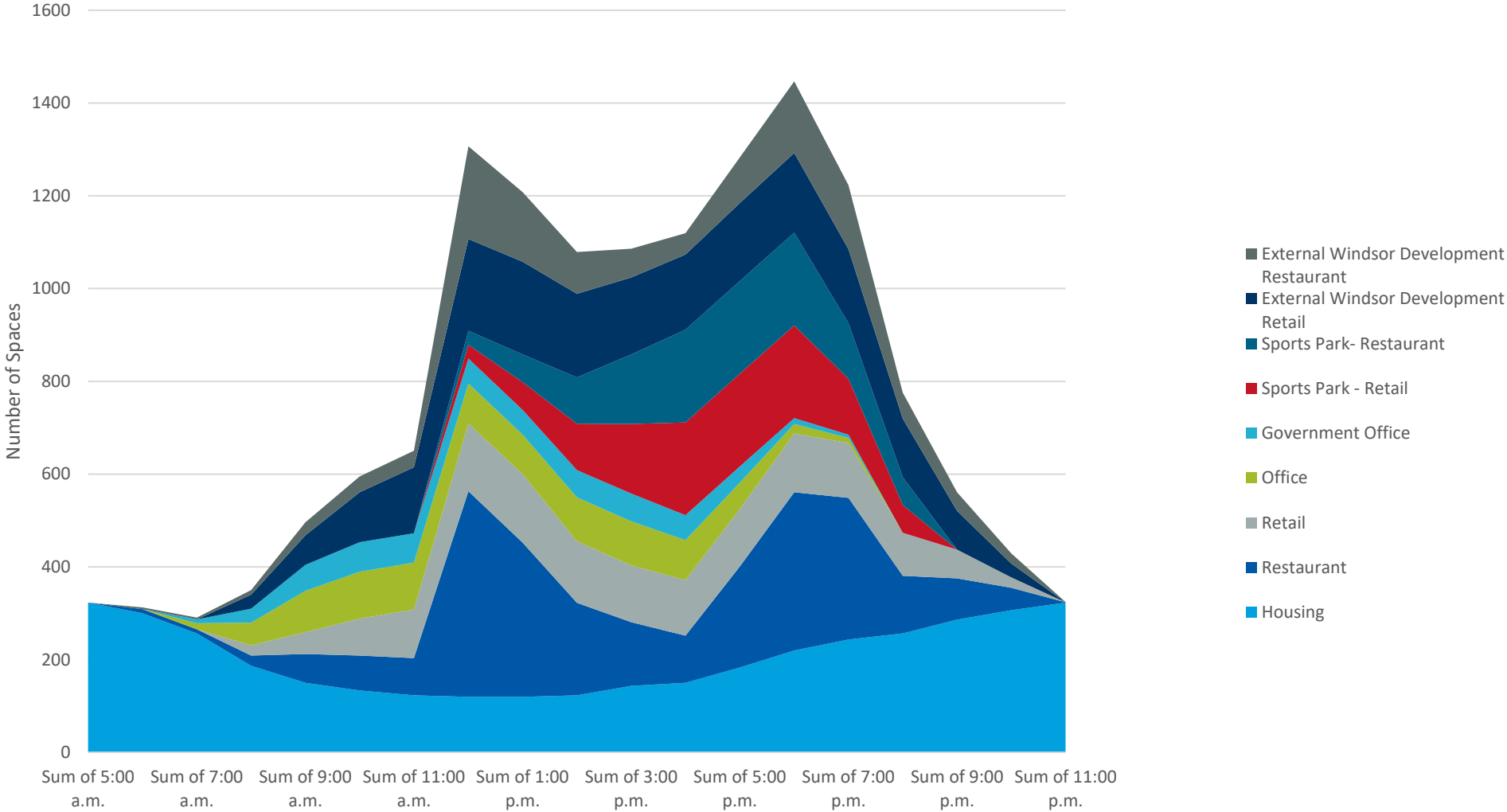
Future Parking New Demand 2-year Weekday



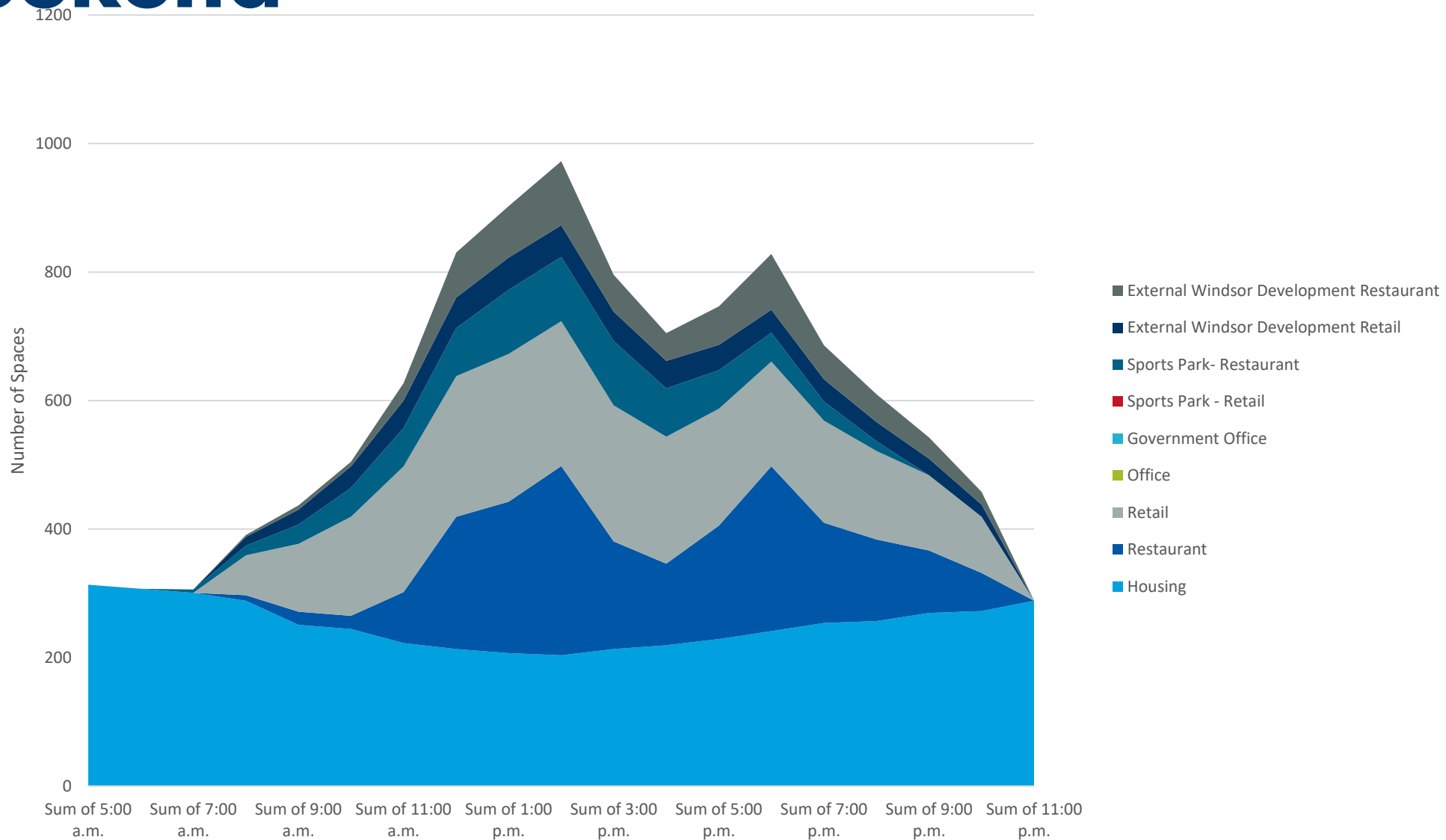
Future Parking New Demand 5 year Weekday



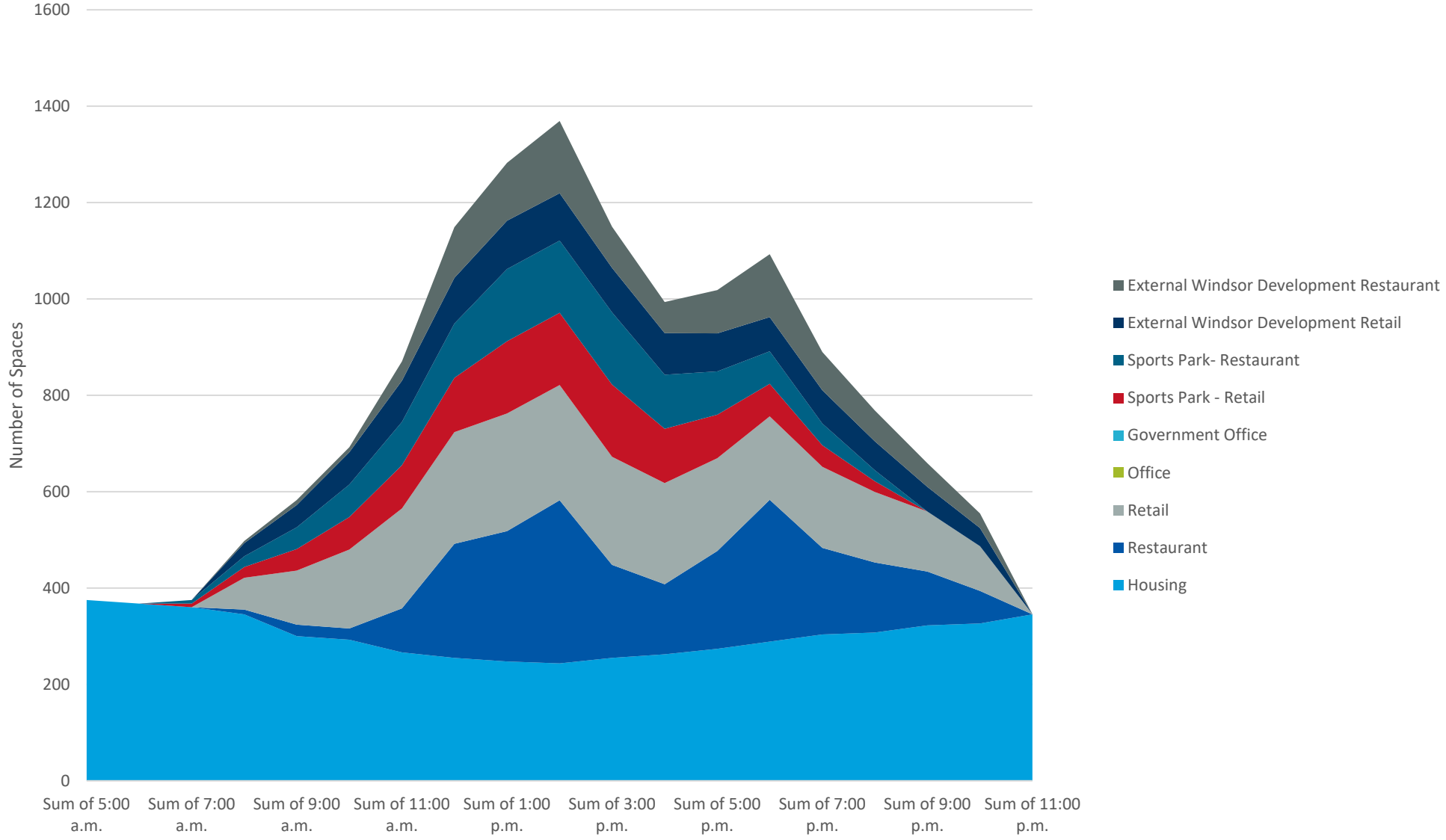
Future Parking New Demand 10 year Weekday



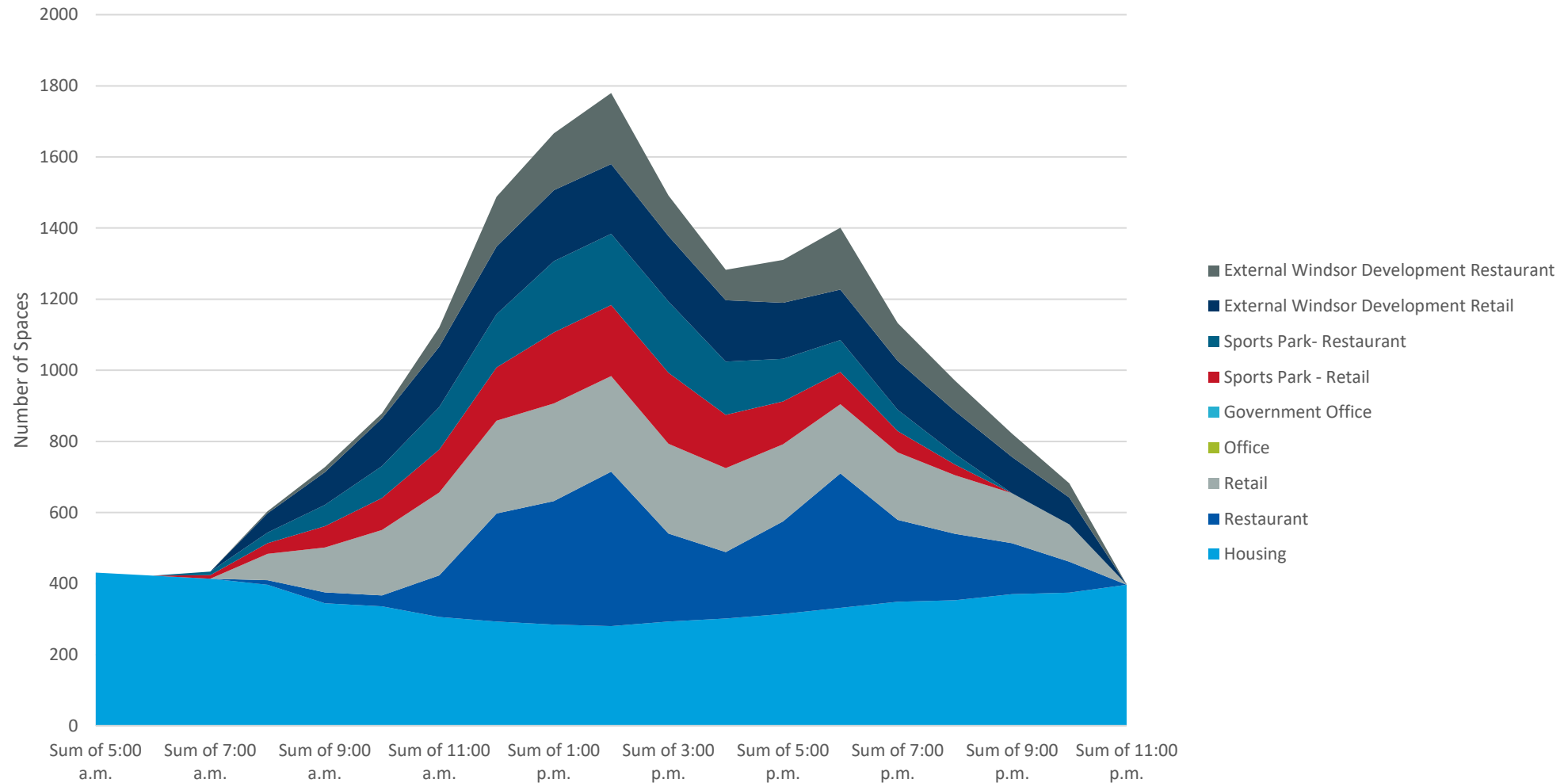
Future Parking New Demand 2-year Weekend



Future Parking New Demand 5 year Weekend



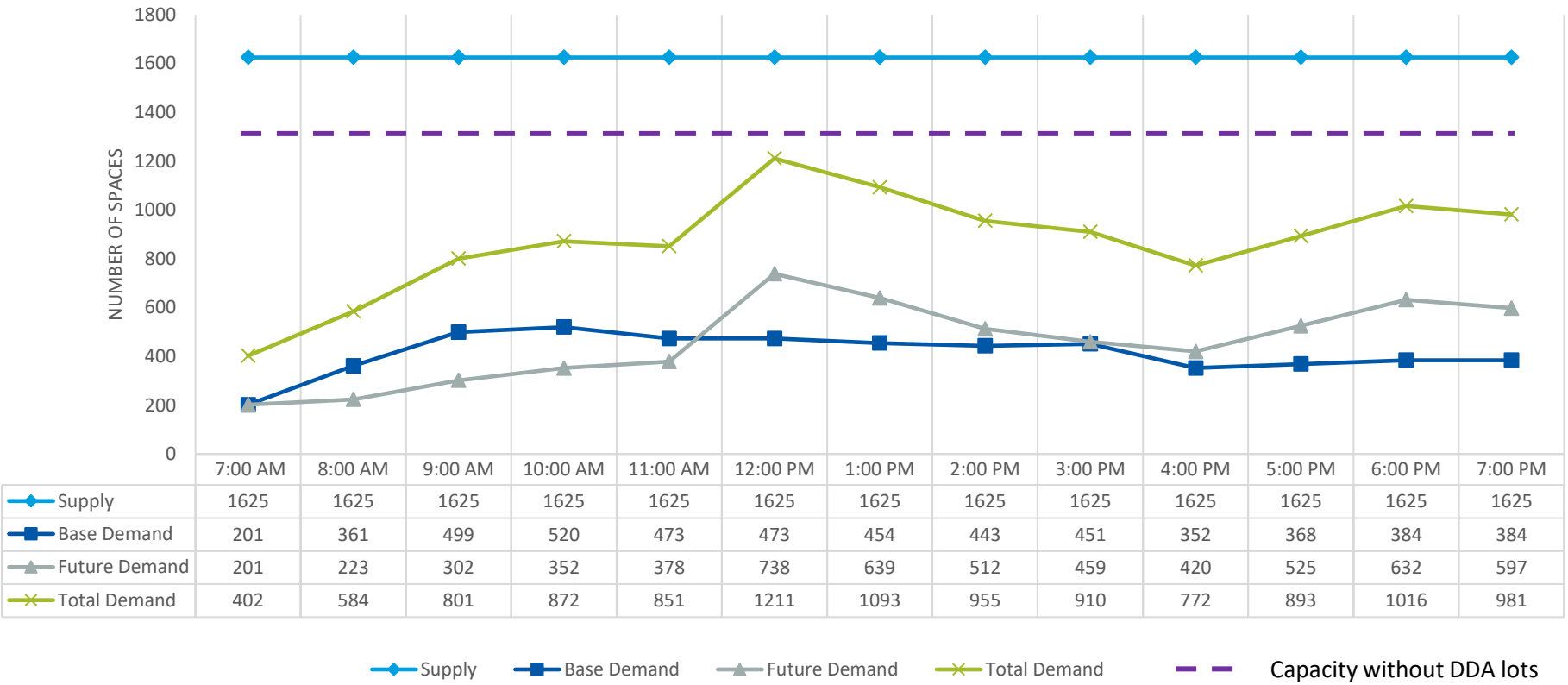
Future Parking New Demand 10 year Weekend



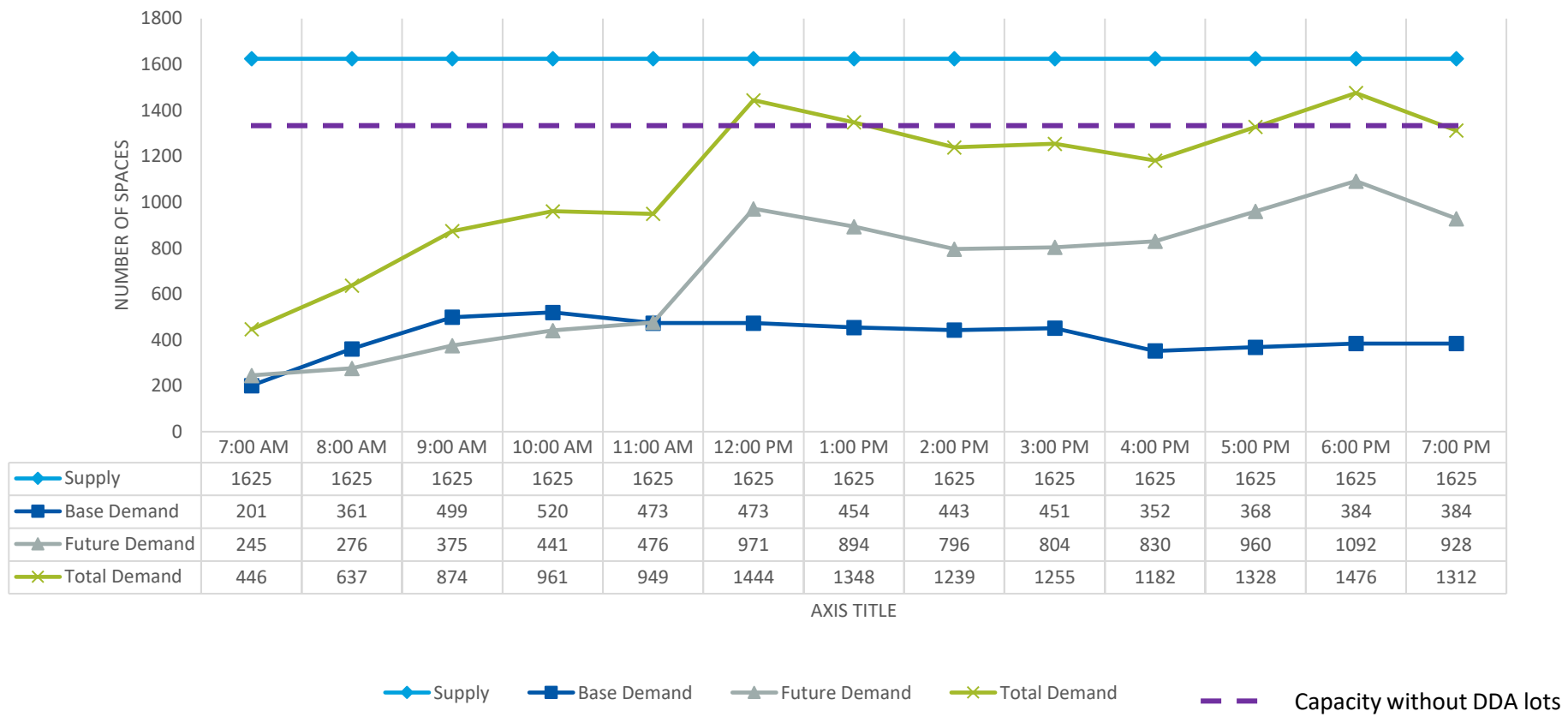
Parking Capacity Changes

- Redevelopment of backlots (Town/ DDA parcels)
 - Potential displacement of existing publicly used off-street surface parking (approximately 300 spaces)
- Other streetscape projects (e.g. Walnut Street Bike Lane)
 - Displacement of 20 on-street parking spaces)

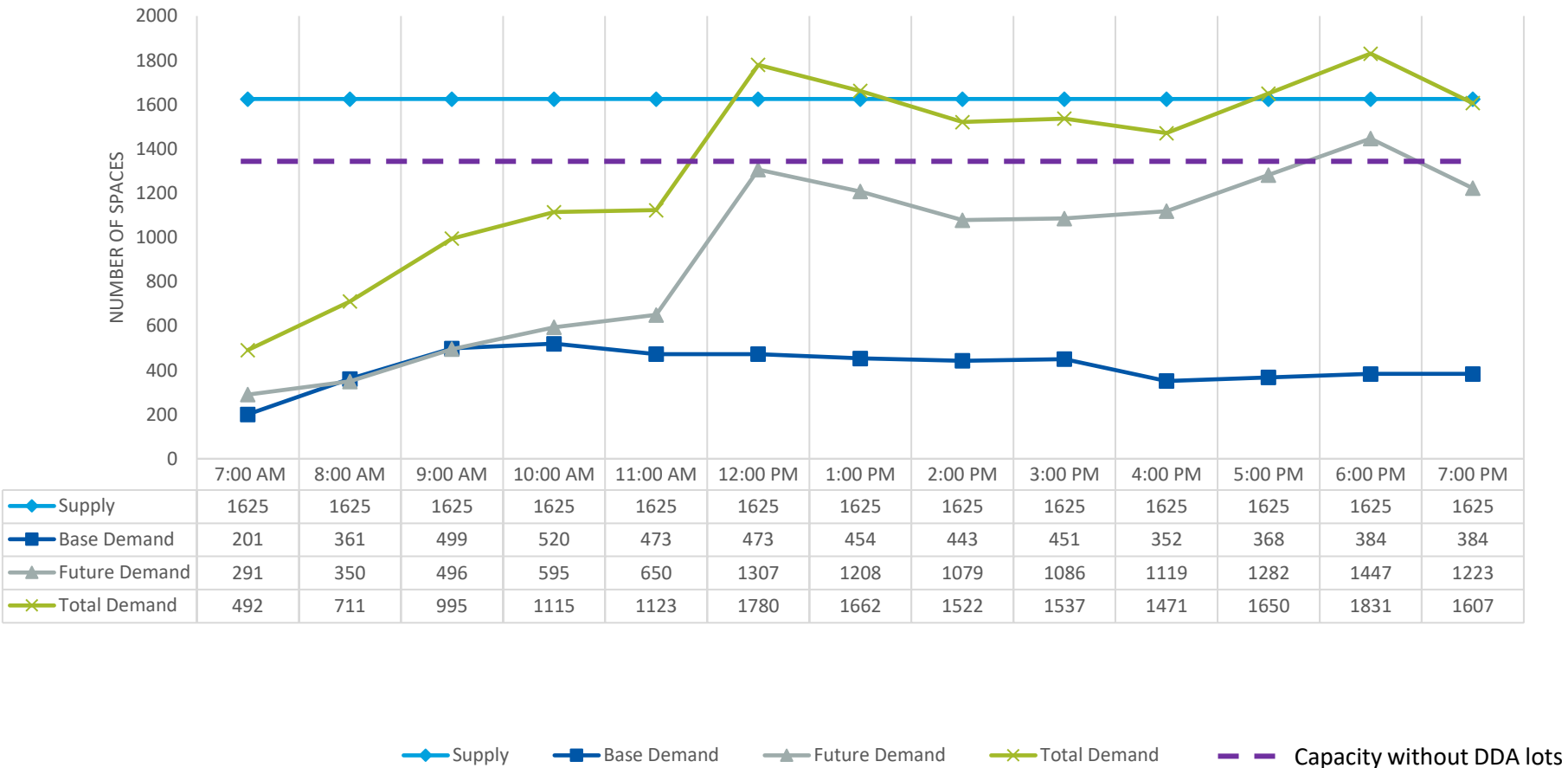
Future Parking Supply vs. Demand - Weekday 2-year



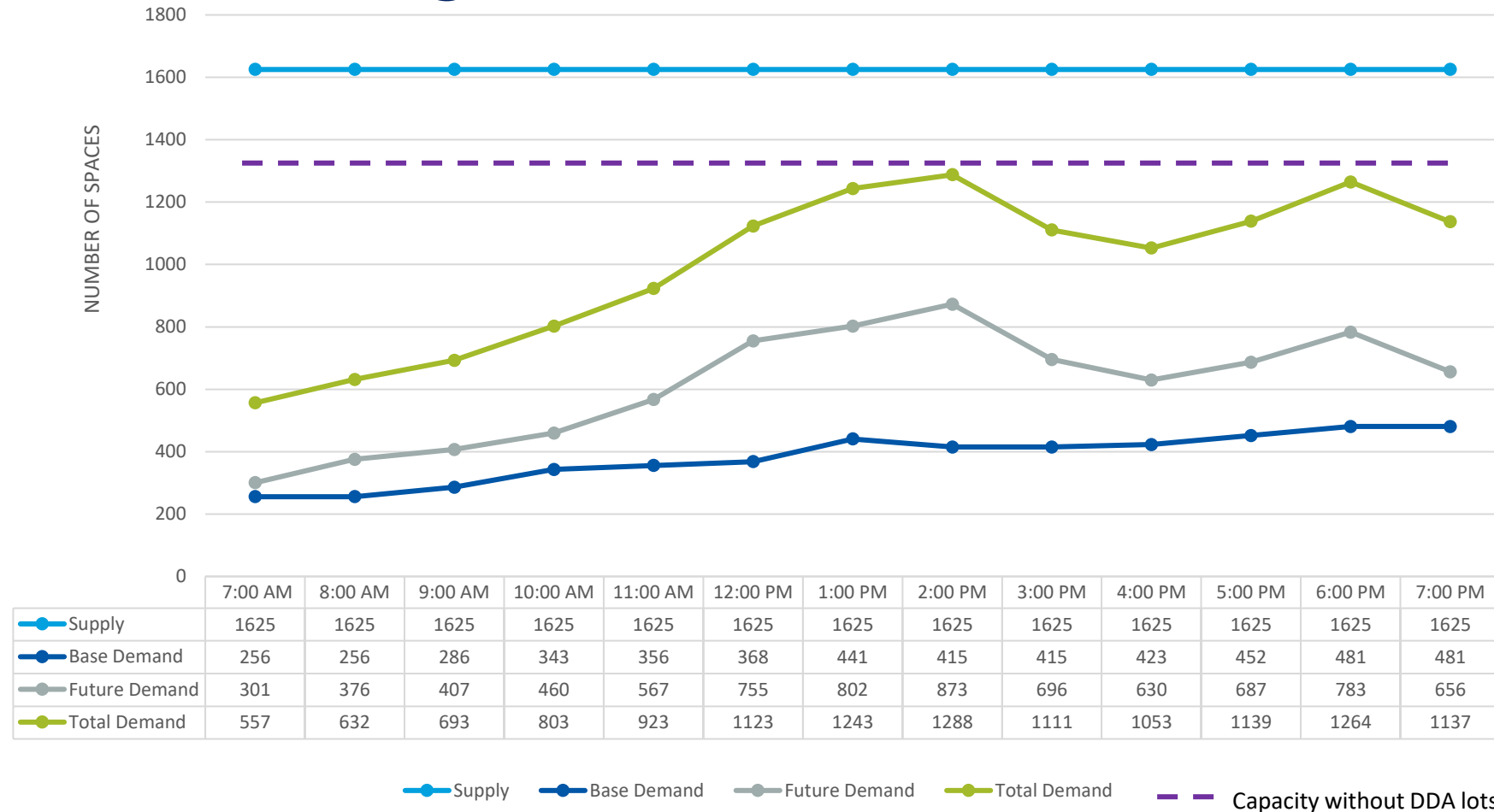
Future Parking Supply vs. Demand – Weekday 5-year



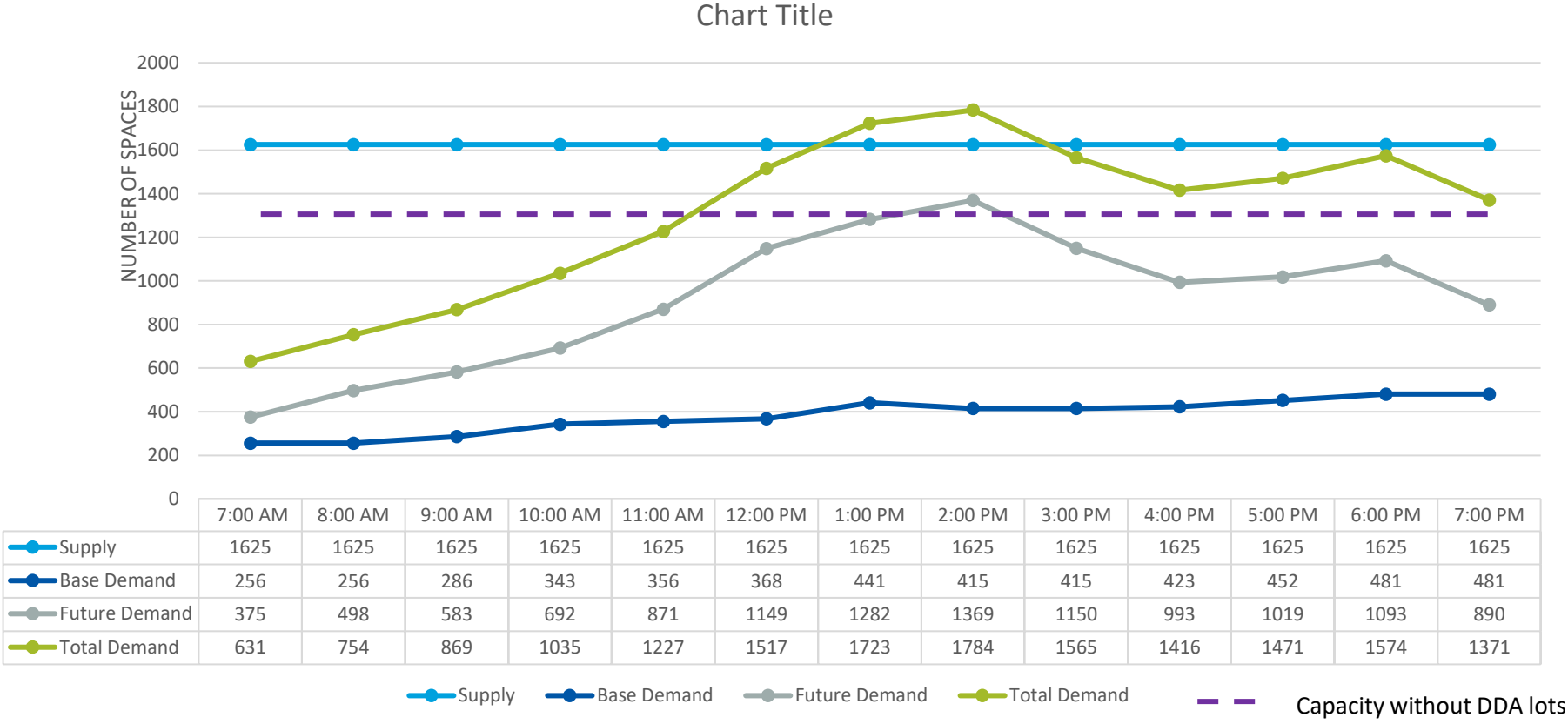
Future Parking Supply vs. Demand - Weekday 10-year



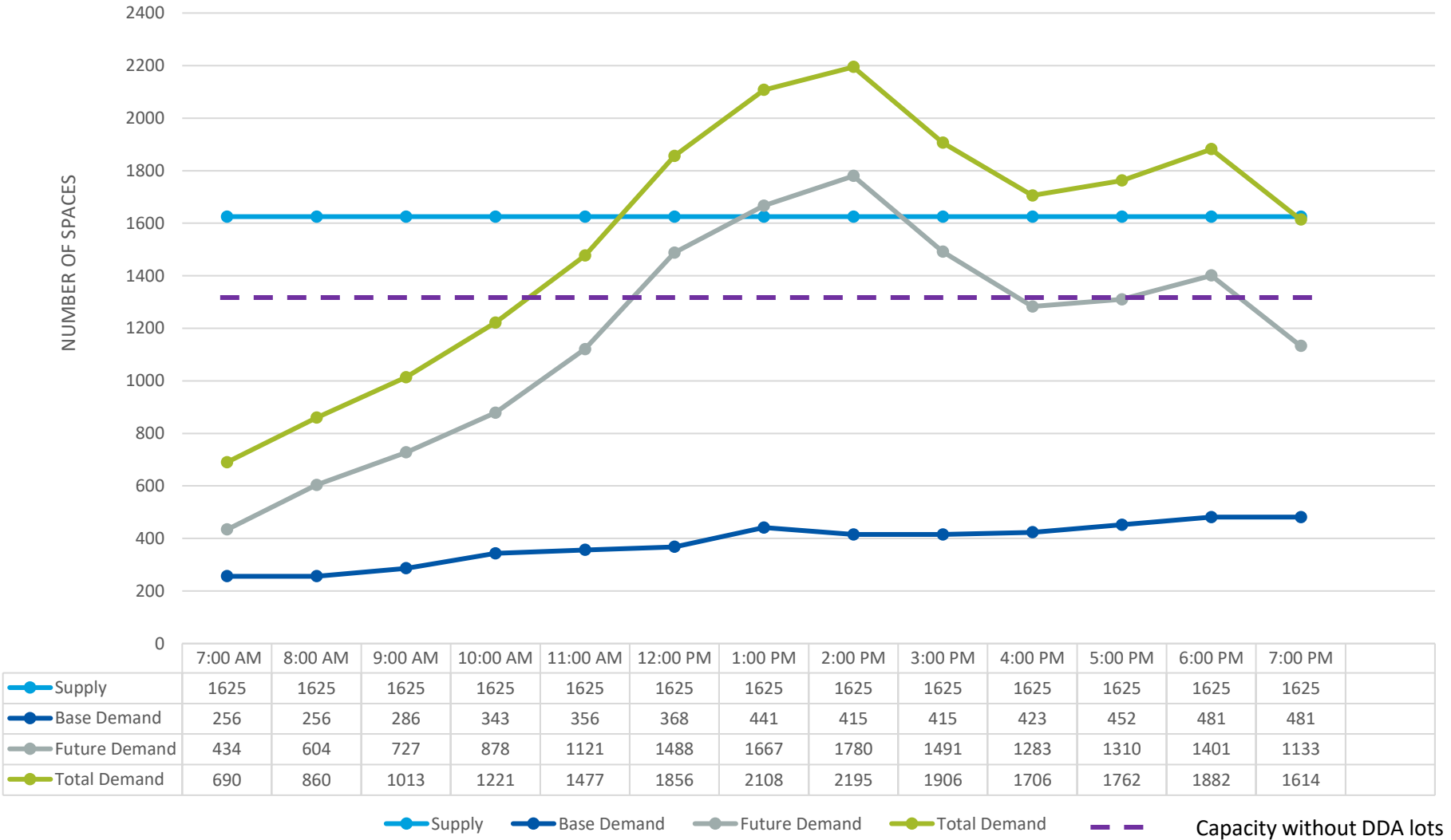
Future Parking Supply vs. Demand – Weekend 2-year



Future Parking Supply vs. Demand – Weekend 5-year

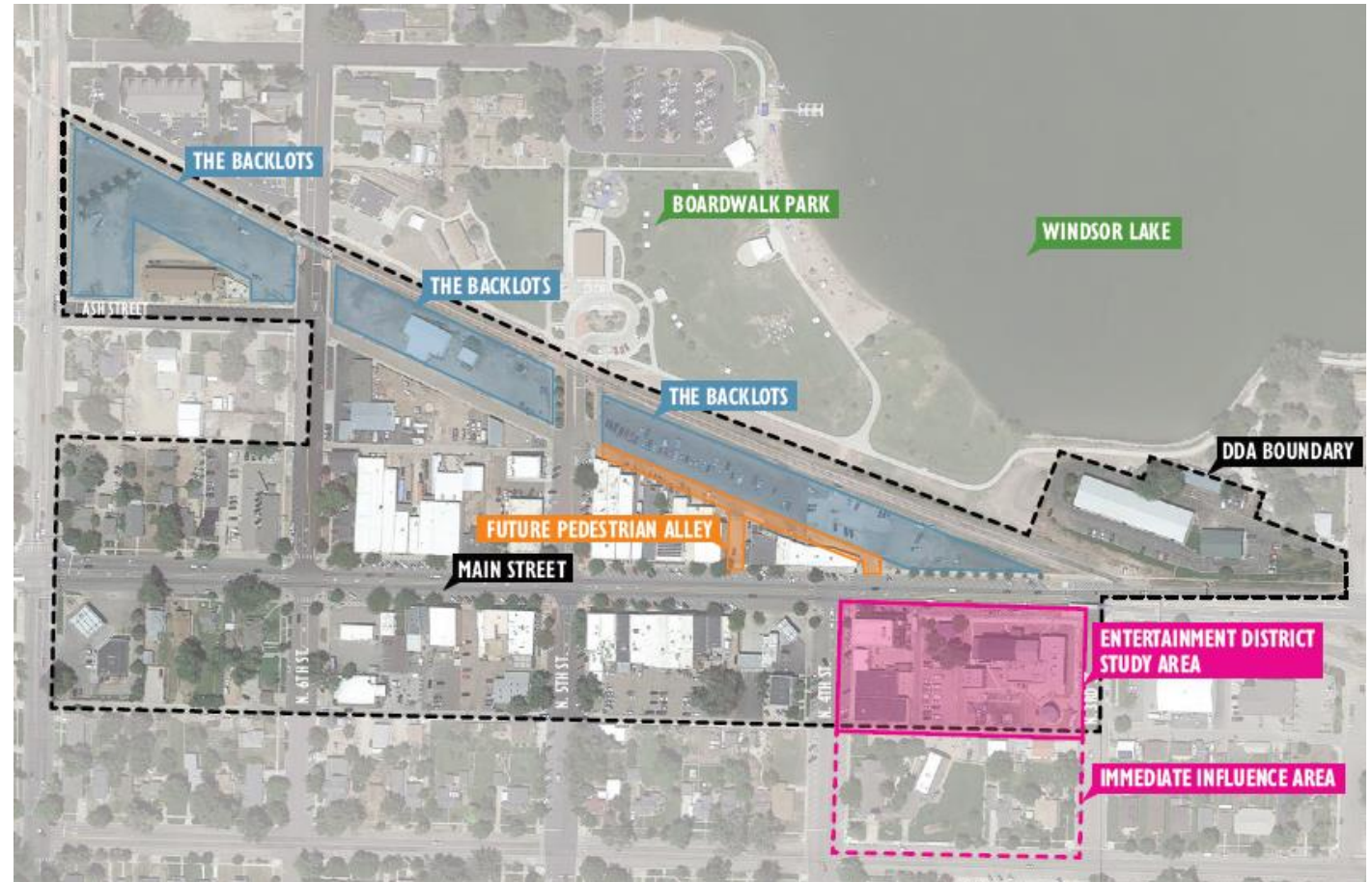


Future Parking Supply vs. Demand – Weekend 10-year



Backlot Status

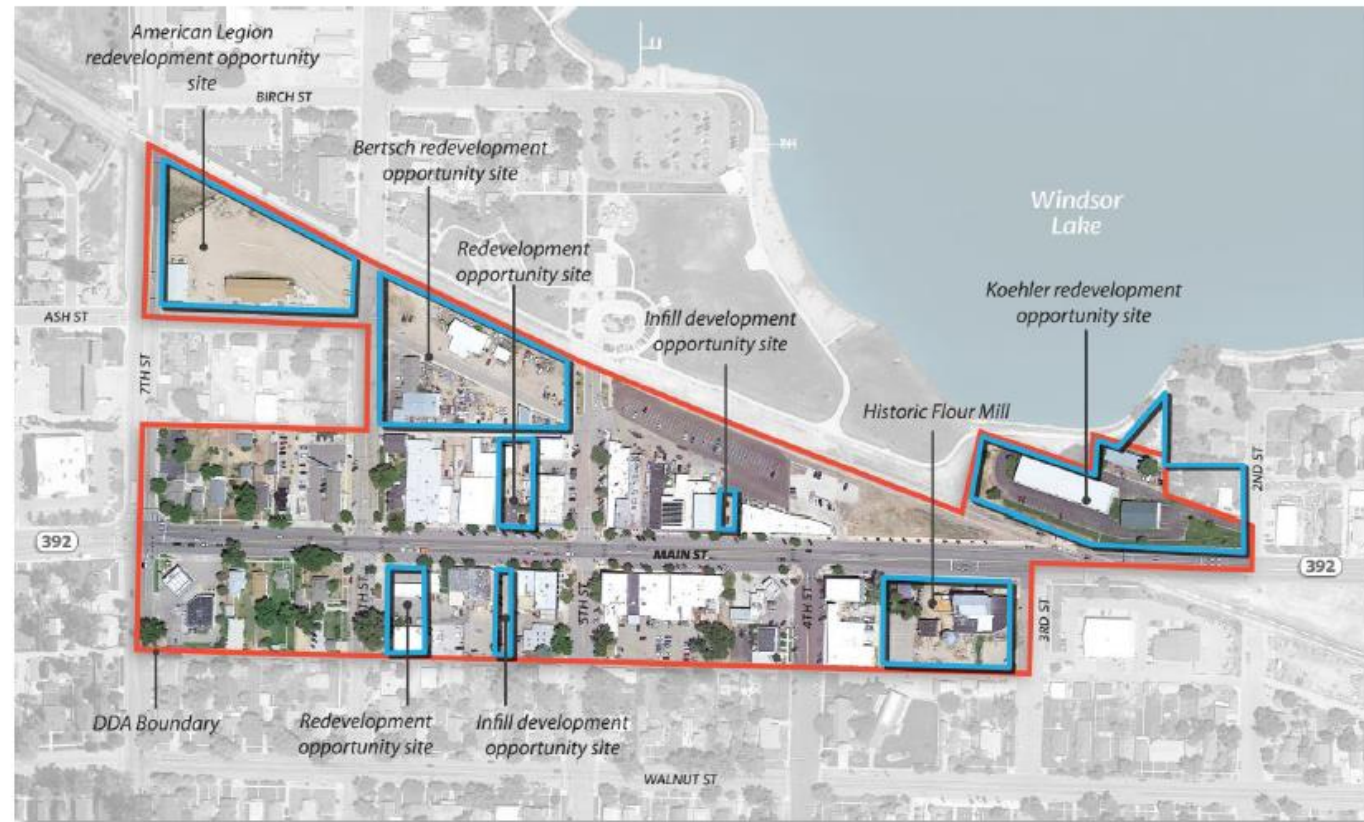
- Strategic land use/ zoning
- DDA Purchased and Owned
- Temporary use lease
- Future development self-park code requirements
- Engineering challenges



Comprehensive Plan 2016

Development & Improvement Opportunities

“Vibrant downtown areas generally have a mix of land uses to provide a lively atmosphere and 24/7 activity. The Town of Windsor has the potential to create a downtown with a greater mix of commercial and residential uses and continue to establish and elevate Downtown Windsor as a destination district that contributes considerably to the Town’s community image throughout Northern Colorado.”



Backlot Status

- In 2014, following public hearings, the DDA applied for and obtained conditional use approval from Planning Commission and Town Board for “Temporary Asphalt Parking” on their 400 block properties
- The application stated, “This request is for temporary use of a parking lot not to exceed five years as the DDA anticipates the lots to be developed for retail/residential use in the near future.”
- That conditional use approval expired on April 28, 2019 as the DDA was requesting temporary parking on their property to the west in the 500 block

Backlot Status

- In 2019, again following public hearings, the DDA applied for and obtained conditional use approval from Planning Commission and Town Board for similar temporary parking, this time on their 500 block properties
- The application stated, “This request is for temporary use of a parking lot not to exceed five years as the DDA anticipates the lot to be redeveloped in the near future.”
- That conditional use approval does not expire until January 28, 2024; however, the temporary parking lot improvements have not been installed

Projected Parking Deficits

- **2-year forecasts** – weekday – No deficit, 300 space surplus, localized hot spot deficits only near Mill/ Lakefront
- **2-year forecasts** – weekend day – No deficit, 200 space surplus, localized spot deficits only near Mill/ Lakefront
- **5-year forecasts** – weekday – at capacity
- **5-year forecasts**– weekend day – up to 300 space deficit
- **10-year forecasts** – weekday – up to 350 space deficit
- **10-year forecasts**– weekend day – up to 700 space deficit

Consensus Recommendations

- **Parking Regulations**

- Installing temporary or permanent resident parking only near Mill tavern
- Residential Permit Parking (primarily Walnut)
 - Evenings and weekends only
- Time Restricted Parking on Main Street
 - Evenings and weekends only

- **Education and Enforcement** of meters and permit parking
 - Notices, Warnings, Graduated fines



Consensus Recommendations

- **Event shuttles/ Satellite Parking**

- Chimney and Eastman Park, events and holiday weekends
- Curbside shared valet/ attendant assisted lots
- Introduce/ encourage new modes / multimodal – **pedicabs, scooters, golf carts**

- **Establish Parking Benefits District**

- Direct new parking revenue to funding to public streetscape improvements and shuttles

- **Parking code/ policy**

- Revise parking code requirements for new developments to self park
- Establish Fee-In-Lieu
 - New development can 'buy' off-site parking within the downtown
 - New development can get 'credit' for providing additional public parking beyond current Town code



Consensus Recommendations

- Additional On-Street angled parking spaces
 - **+100 to +125 spaces**
- Additional Interim off-street surface **or garage structure** parking spaces
 - **+150 to 250 spaces**
- Increase bicycle parking
 - Bicycle corrals (100+ bicycle parking spaces) replacing 5 vehicle parking spaces)
 - Bicycle / scooter share stations at satellite parking and downtown
- Improve pedestrian crossing of Main Street
 - Flashing beacon
 - Median refuge



Consensus Recommendations

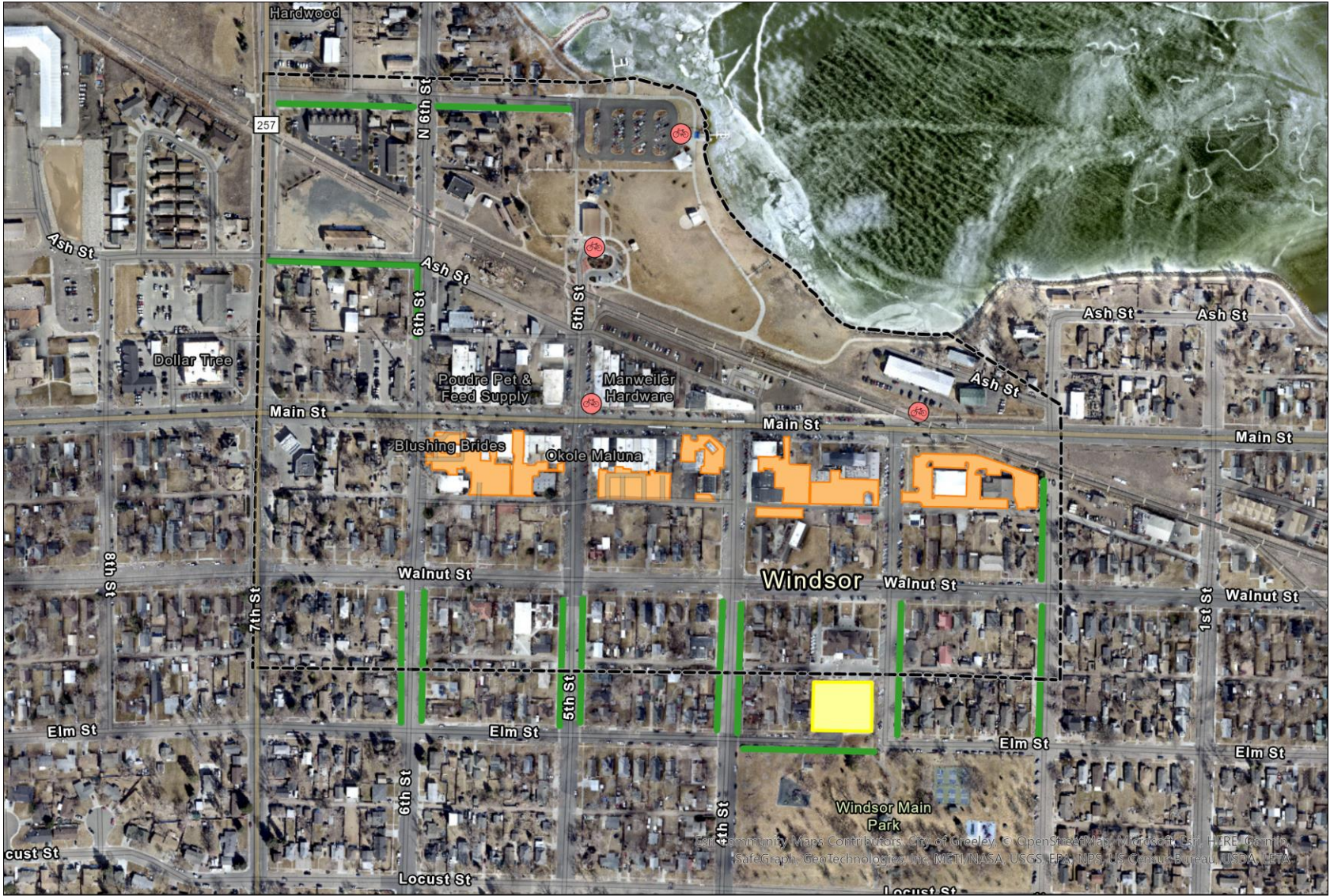
- Shared Parking Spaces south and north side of Main Street 200 to 600 blocks evenings and weekends.
- Capital Improvements -Town to enter MOA to resurfacing, re-stripe, light and sign lots
 - **+200 spaces**
- Satellite parking and downtown shuttle (DDA and Town joint operation)
 - **Chimney Park (200 spaces)**
 - **Windsor High/ Middle School (300 spaces)**
 - Thursday-Sunday, year round
 - Employee parking areas
 - Consider autonomous on-demand shuttle

Parking Committee Concerns

- **Proposed locations of new parking garage**
- **Proposed locations of new angled parking conversions**
- **Interim use of backlots for public parking**



Lower/Medium Cost Capacity Recommendations



Town of Windsor Downtown Parking Study: Low and Medium Cost Capacity Recommendations

- Convert Additional Blocks to Angled Parking

Shared Space Agreement

Bicycle Parking Corrals
- New Off-Street Parking Facility

Study Area



Potential Downtown New Parking Options



Northwest Quadrant

200 spaces
1 to 2 parcels,
surface lot

200 spaces 1
garage

Southwest Quadrant

0 spaces

Northeast Quadrant

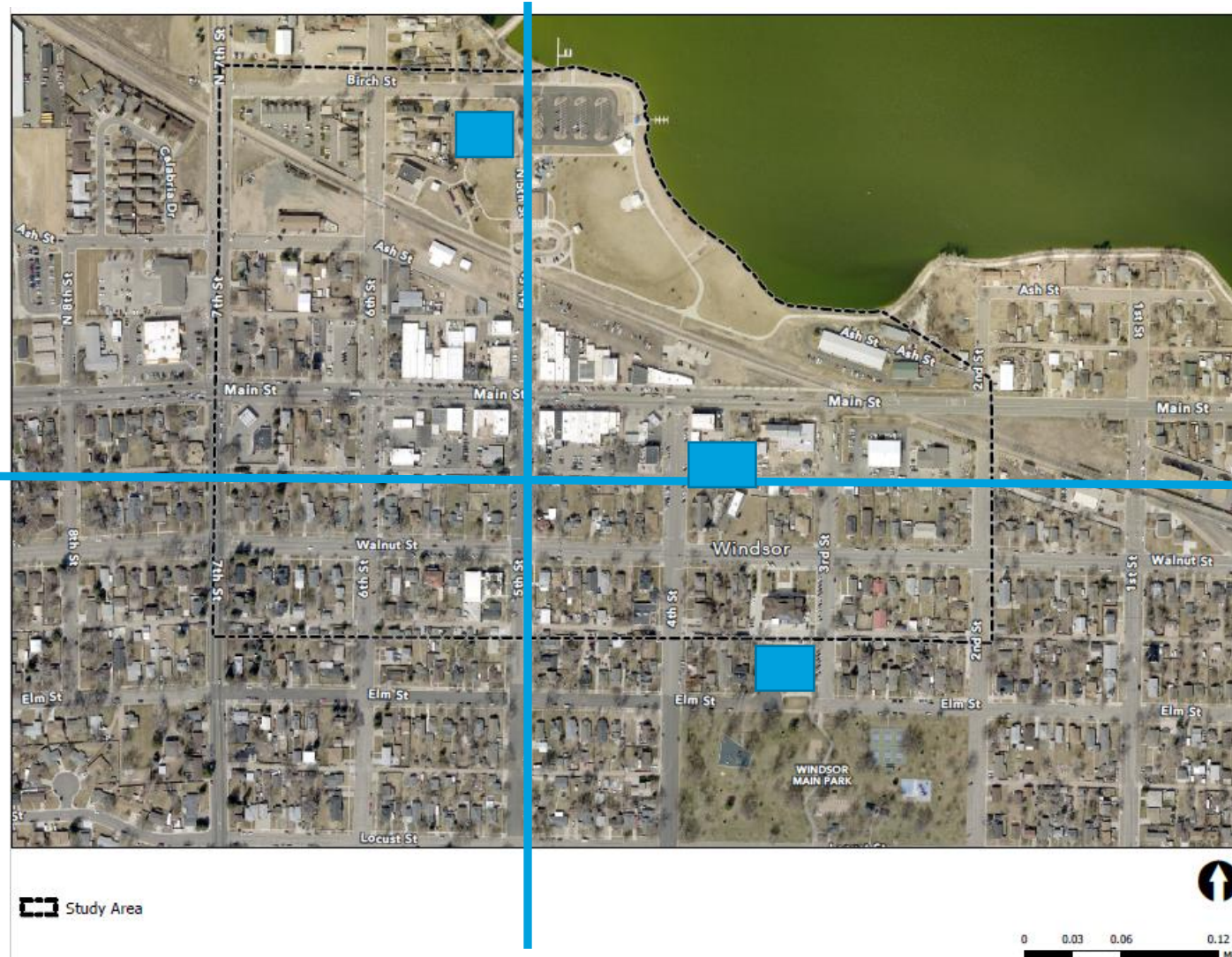
250 spaces
1 to 2 surface lots

250 spaces 1
parking garage

Southeast Quadrant

200 spaces,
1 to 2 surface
lots

325 spaces one
garage



Summary of Potential New Downtown Parking Facilities

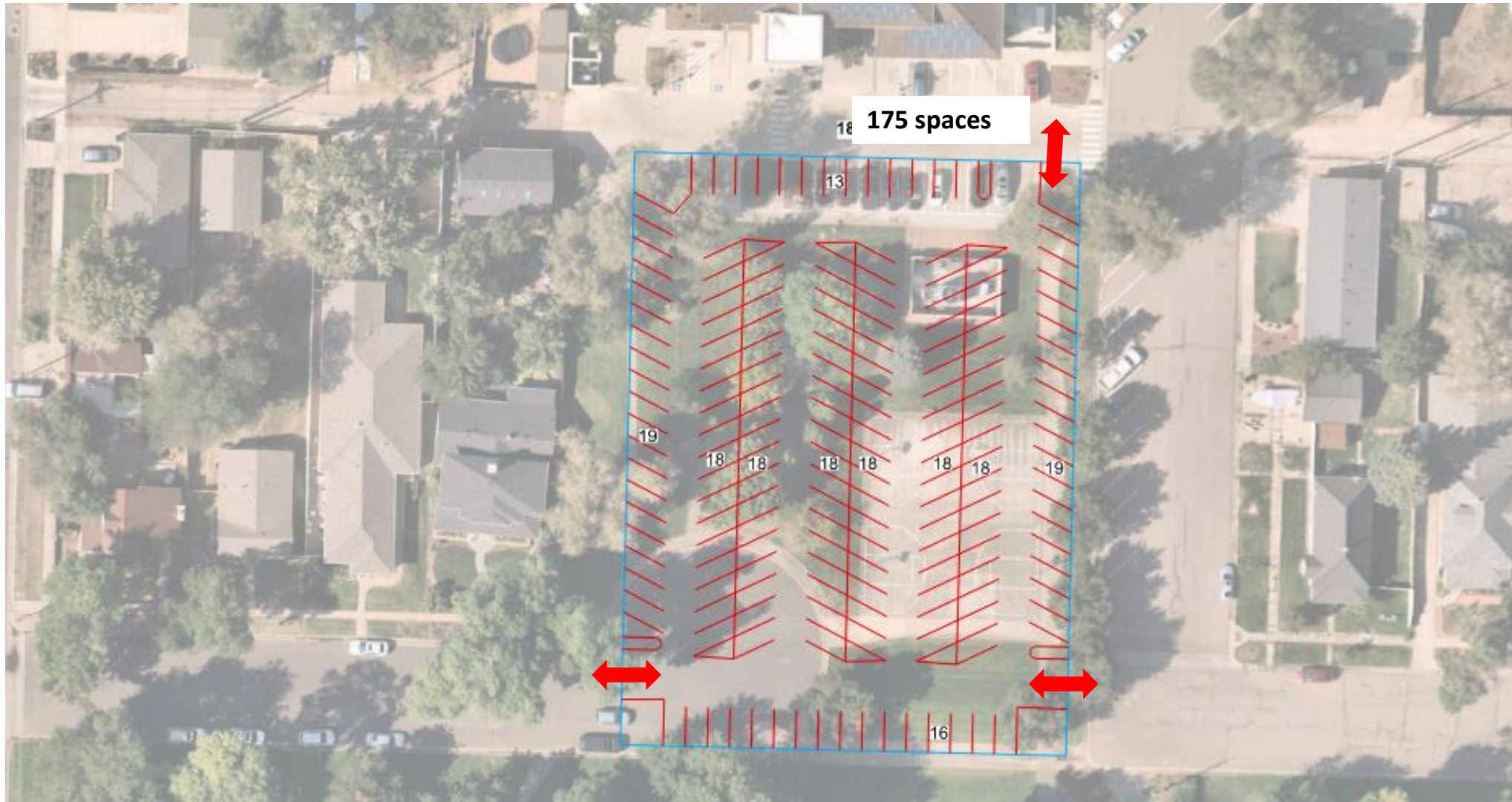
- Town Hall Annex / Board Grove – 3rd/ Elm
 - up to 175 spaces surface lot, 250 spaces in a garage (2 levels)
 - 215' X 190' parcel footprint
- 140 N. 5th Street
 - up to 225 spaces surface lot, 200 spaces in a garage (2 levels)
 - 200' X 175' parcel footprint
- 213-215 N. 4th Street
 - up to 150 spaces (2 levels above existing building)
 - up to 30 spaces in new north-south alley
 - 190' X 135' parcel footprint

Any new parking garage will require further structural feasibility assessment, financing and cost recovery.

Parking Facility Design and Cost Assumptions

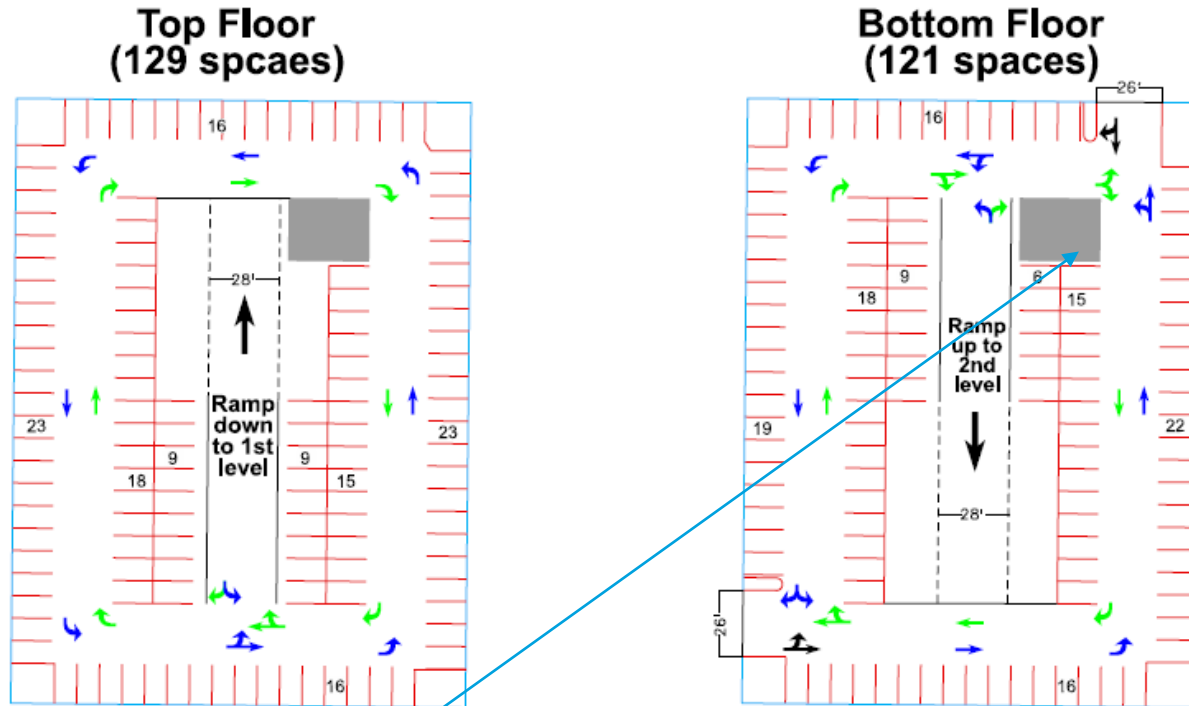
- 9' wide by 18' deep parking stall
- Two way 20' drive aisles in most cases
- One way 12' drive aisles where 45-degree or 60-degree parking
- Excludes ADA spaces/ walkways
- Assumed fully paved/ striped
- Costs
 - \$10,000/ space surface lot
 - \$30,000to \$40,000 / space parking garage

Town Hall Annex/ Board Grove Surface Lot Option – 175 Spaces



Town Hall Annex/ Board Grove 2 level Garage– 250 spaces

(250 spaces)



- Phased approach – surface lot first, then structure if needed
- Includes pedestrian improvements between Board Grove and Main Street along 3rd Street

HVAC/ potential elevator area

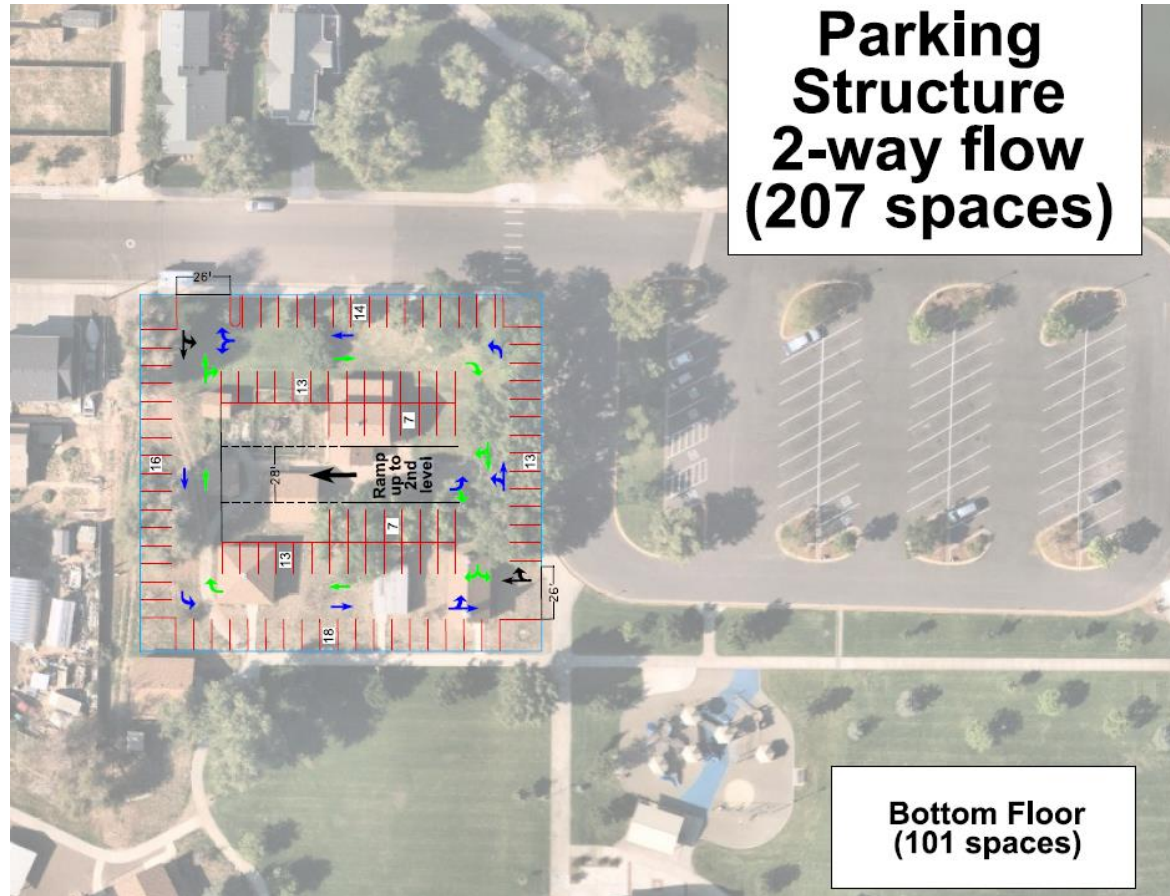
↑ Clockwise Flow

↑ Counterclockwise Flow

Town Hall Annex/ Board Grove Parking Garage

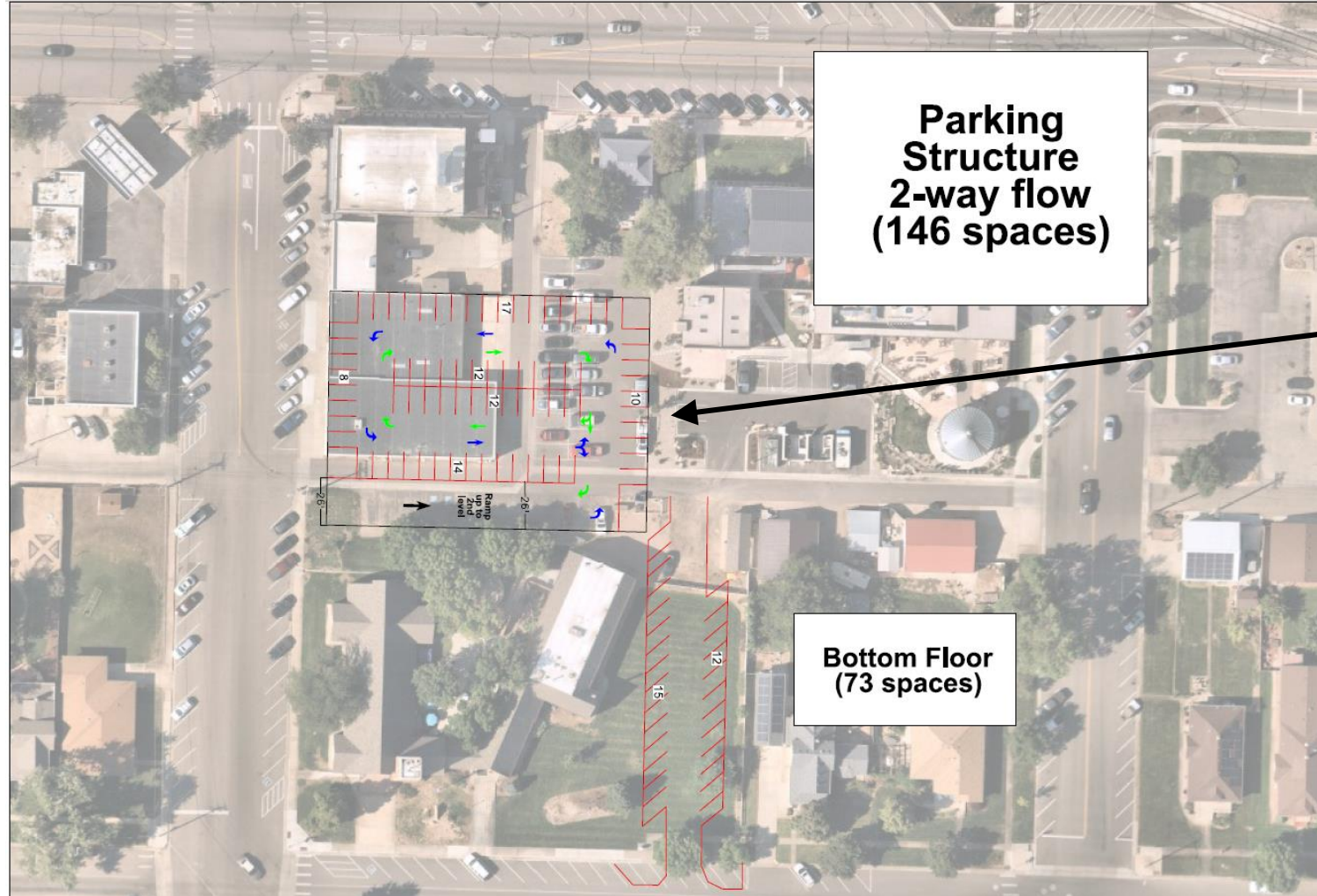


North 5th/ Birch Garage 2 levels – approx. 200 spaces



- Phased approach – surface lot first, then structure if needed
- Relocation of Eaton house to adjacent property to the south

North 4th/ Alley Garage 3 levels – approx. 225 spaces



- New north-south service alley with angled parking
- Existing building to remain

North 4th/ Alley Garage 3 levels – approx. 225 spaces

- Approximately 45' height (15' existing building plus 30' garage)
- Garage design requires further structural feasibility assessments



Advantages and Disadvantages

Location	Pros	Cons
Town Hall Annex/ Board Grove	• No acquisition costs • Largest footprint	• Distance from Main Street/ Lakefront • Loss of park space • Adjacent to residential blocks
North 4 th / Alley	• Adjacent to Main Street	• Cost of acquisition / structural feasibility • Impact to alley/ loading and delivery
North 5 th / Birch	• Adjacent to Lakefront	• Cost of acquisition • Resolution of historic property status

Residential Parking Protection Options



1) **curbside space numbering** - painting reservations by resident address would designate curbside space to each house on key blocks where Mill patrons now park. Unnumbered spaces would be open for visitors/ patrons
- low cost, low visibility and no statute for enforcement/ penalty

2) **temporary 'resident parking only' signs** – installing removable signs on key blocks during high demand weekday evenings/ weekends/ events- low cost, no statute for enforcement/ penalty

3) **permanent 'resident parking only' signs** – installing permanent signs on key blocks for all times – low cost, no statute for enforcement/ penalty

4) **Residential parking permit zone** – create a designated permit zone/ restrictions on key blocks with restrictions active during high demand times
- higher cost to create, manage, and enforce but allows for most targeted restrictions and enforcement



Interim Parking – DDA Lot

- 125 spaces
- 575' X 65' parcel footprint
- Temporary parking Conditional Use Permit status



A decorative graphic on the left side of the slide, consisting of a grid of thin blue lines that form a series of triangles and quadrilaterals, creating a sense of depth and perspective.

Questions?



1613 Pelican Lakes Point, Suite 201
Windsor, Colorado 80550
www.lotholding.com
(970) 460-9100

March 23, 2022

Project Narrative

Greenspire Tract - H

Preliminary Site Plan Application

Town of Windsor
Community Development
301 Walnut Street
Windsor, CO 80550

Applicant and Landowner: Lot Holding Investments, LLC

Weld County Parcel Nos.: [080716455003](#) and [080716455001](#)

Location: NW Corner of Highway 392 and Hollister Lake Road in Windsor Colorado

By:

Tyler Smith, Planner / John Hall, Manager
1613 Pelican Lakes Point, Suite 201
Windsor, CO 80550
(970) 397-4978
tsmith@lotholding.com

and

Erik Snyder, PLS
Snyder Land Surveying, Inc.
2061 Sandwater Ct.
Windsor, CO 80550
(970) 686-5157
SnyderLandSurveying@outlook.com

I. Introduction

The proposed project consists of two parcels totaling 15.5 acres in size and is located north-west of the intersection of Highway 392 (Main Street) and Hollister Lake Road (HWY 257) in Windsor, Colorado. The subject parcels are currently zoned GC.



II. Site Plan Application

The applicant seeks to submit a site plan for approval. The overall site area is 15.5 acres. The project will be developed in three phases. Phase one will have a temporary emergency access easement connecting to Sundance Drive. Phase two will be built after phase one is built out and will provide access to Hollister Lake Road. Phase three will be designed/developed in the future.





LOT HOLDING

1613 Pelican Lakes Point, Suite 201

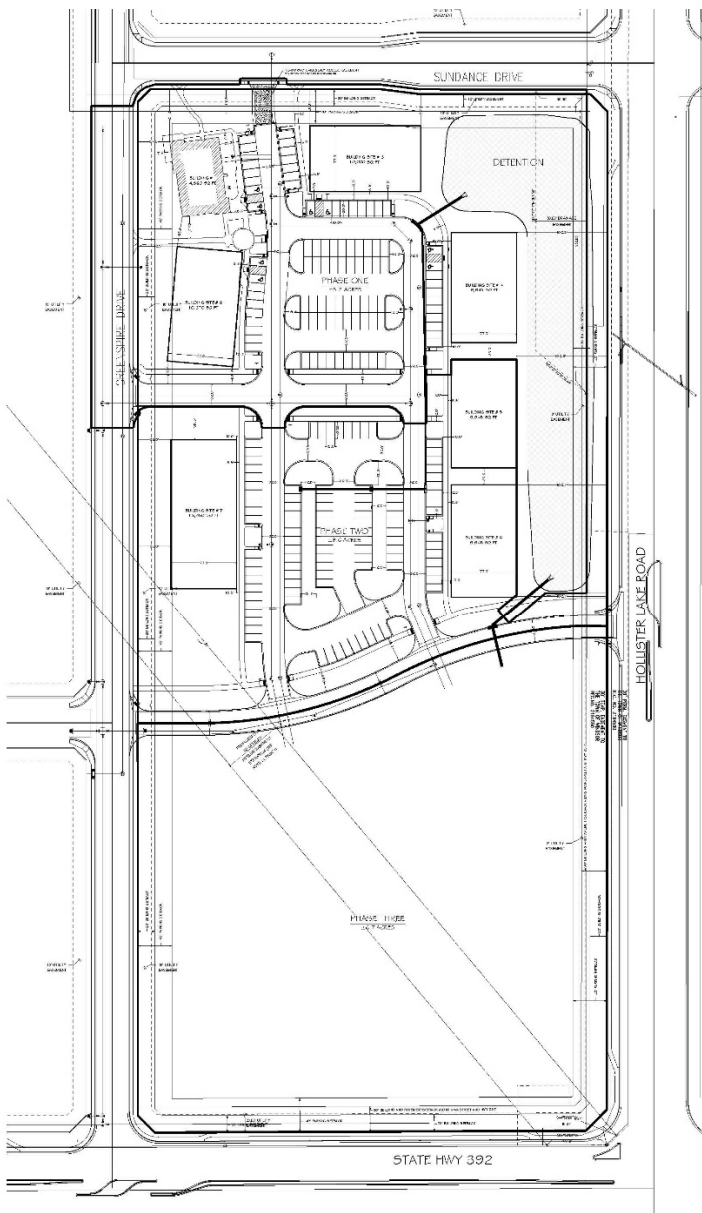
Windsor, Colorado 80550

www.lotholding.com

(970) 460-9100

III. Proposed Site plan:

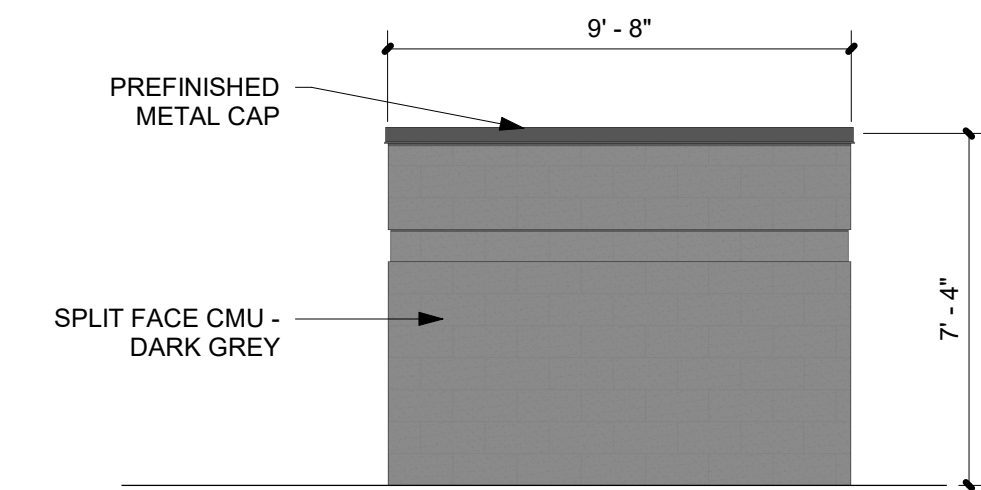
The site plan proposes a total of seven commercial/office building sites on phases one and two. Four building sites in phase one and three building sites in phase. The building sites will provide flexible building options to provide compatibility for multiple user's needs. Phase three will be designed and developed later to allow for flexibility with the ever-changing commercial market.



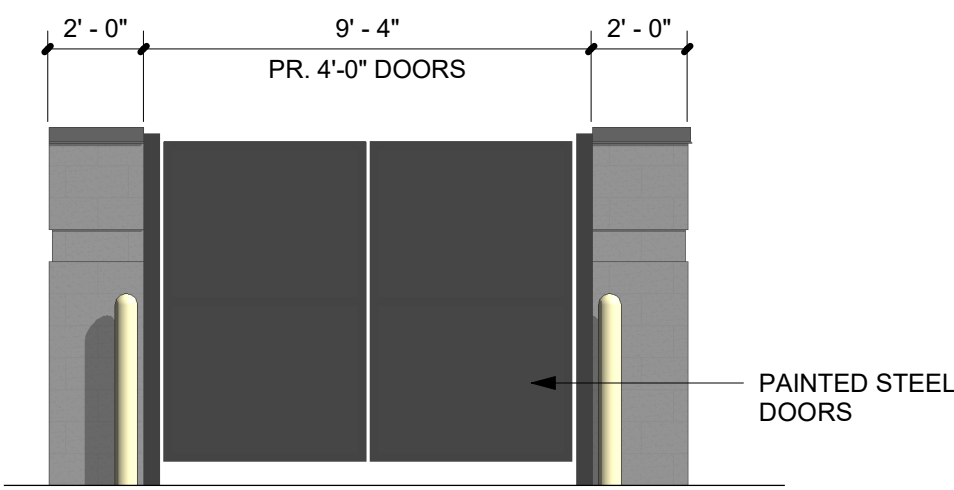
LAND USE CHART:

ZONING:		
EXISTING ZONING:	GC - GENERAL COMMERCIAL	
BUILDING SITE SUMMARY:		
MAXIMUM (GIA) AREA : (Phases one & two)		58,500 SF
PHASE 1 AREA		
BUILDING PAD SITE #1	10,370 SF	
BUILDING PAD SITE #2	10,370 SF	
BUILDING PAD SITE #3	10,000 SF	
BUILDING PAD SITE #4	9,845 SF	
PHASE 2 AREA		
BUILDING PAD SITE #5	13,450 SF	
BUILDING PAD SITE #6	9,845 SF	
BUILDING PAD SITE #7	9,845 SF	
BUILDING SETBACKS:		
BUILDING & PAVING ADJACENT TO 467/392 / MAIN STREET	REQUIRED: 30 FEET	PROVIDED: 30 FEET
BUILDING TO BUILDING	20 FEET	20 FEET
PARKING :	30 FEET	30 FEET
PARKING NON LANDSCAPED:	40 FEET	40 FEET
OPEN SPACE SUMMARY:		
TRACT 1 - 8.8 ACRES		
PHASE ONE : 5.2 ACRES		
REQUIRED: OPEN SPACE TOTAL SITE	PROVIDED:	
1.05 ACRES MINIMUM	1.92 ACRES / 36.9 %	
PHASE TWO : 3.6 ACRES		
REQUIRED: OPEN SPACE TOTAL SITE	PROVIDED:	
0.72 ACRES MINIMUM	0.76 ACRES / 21.1 %	
PHASE THREE : 6.7 ACRES		
REQUIRED: OPEN SPACE TOTAL SITE	PROVIDED:	
1.34 ACRES	TBD WITH FUTURE DESIGN	
PARKING SUMMARY:		
OVERALL PARKING	REQUIRED: 195 SPACES	PROVIDED: 197 SPACES
PHASE 1	97 SPACES	97 SPACES
PHASE 2	100 SPACES	100 SPACES
PHASE 3	TBD	TBD

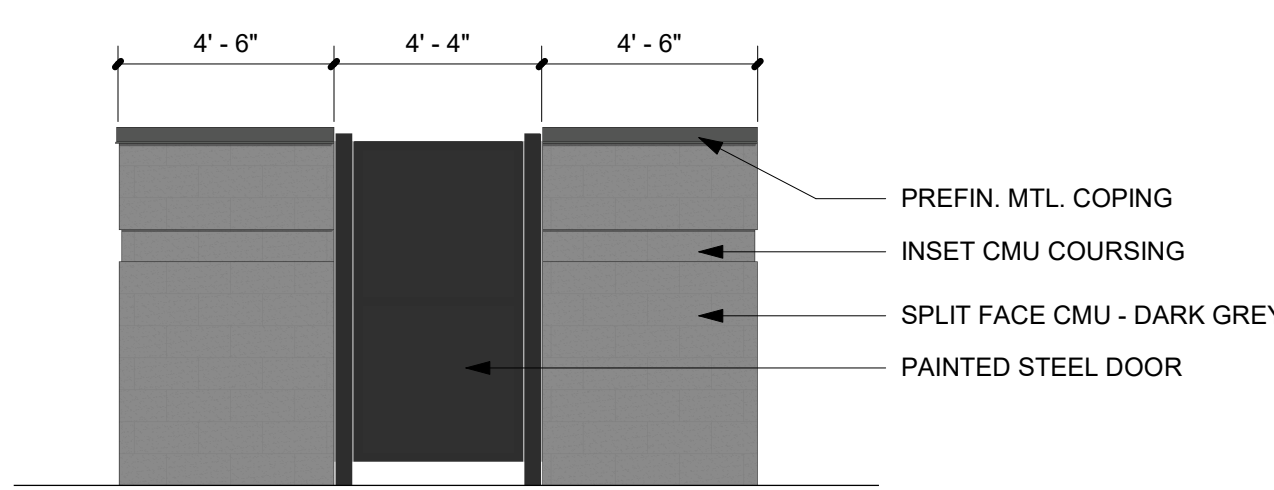
C:\Users\bolin\OneDrive - VFLA\Documents\Lot Holding Office Buildings R22_bolin\DWVVR.rvt 6/10/2022 2:08:02 PM



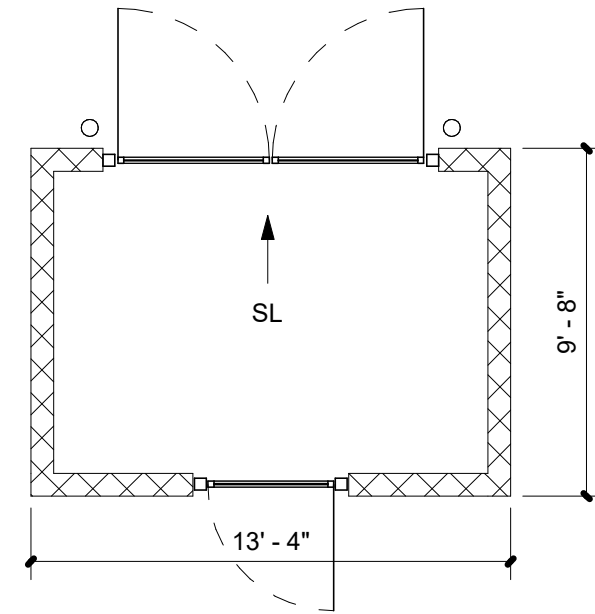
10 TRASH ENCLOSURE - SIDE ELEVATION.
SCALE: 1/4" = 1'-0"



9 TRASH ENCLOSURE - FRONT ELEVATION
SCALE: 1/4" = 1'-0"



8 TRASH ENCLOSURE - REAR ELEVATION
SCALE: 1/4" = 1'-0"

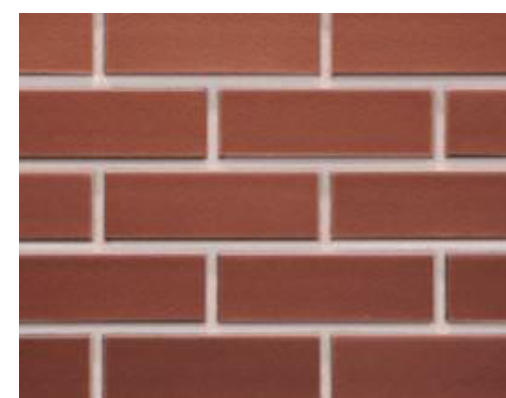


7 TRASH ENCLOSURE - PLAN
SCALE: 3/16" = 1'-0"

EXTERIOR FINISH SCHEDULE

CEMENTITIOUS SIDING - CHARCOAL GREY
CEMENTITIOUS SIDING - OFF-WHITE
BRICK - RED
STONE - BROWN / GREY MIX
STEEL SUNSHADES, CAPS & FASCIA - BLACK
ALUMINUM STOREFRONT FRAMES - BLACK
GENERAL NOTE
ALL EXTERIOR WALL-MOUNTED LIGHTS TO BE FULL CUT-OFF

EXTERIOR MATERIAL LEGEND:



BRICK



CEMENTITIOUS PANEL SIDING



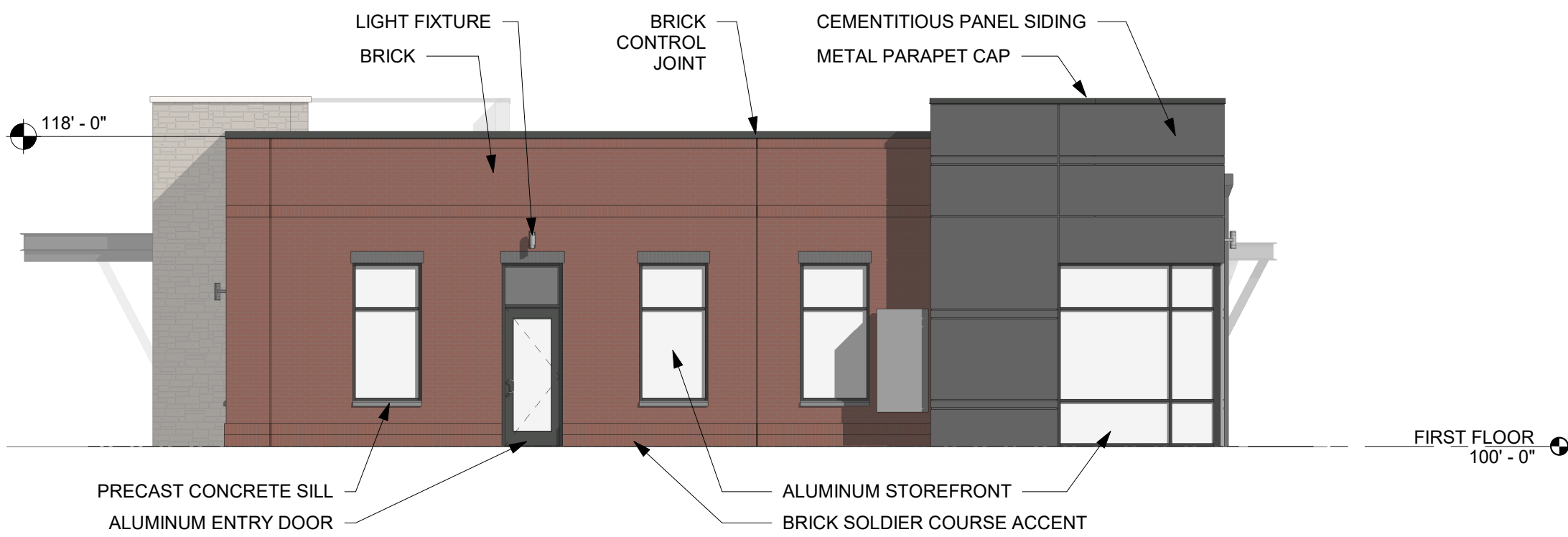
STONE



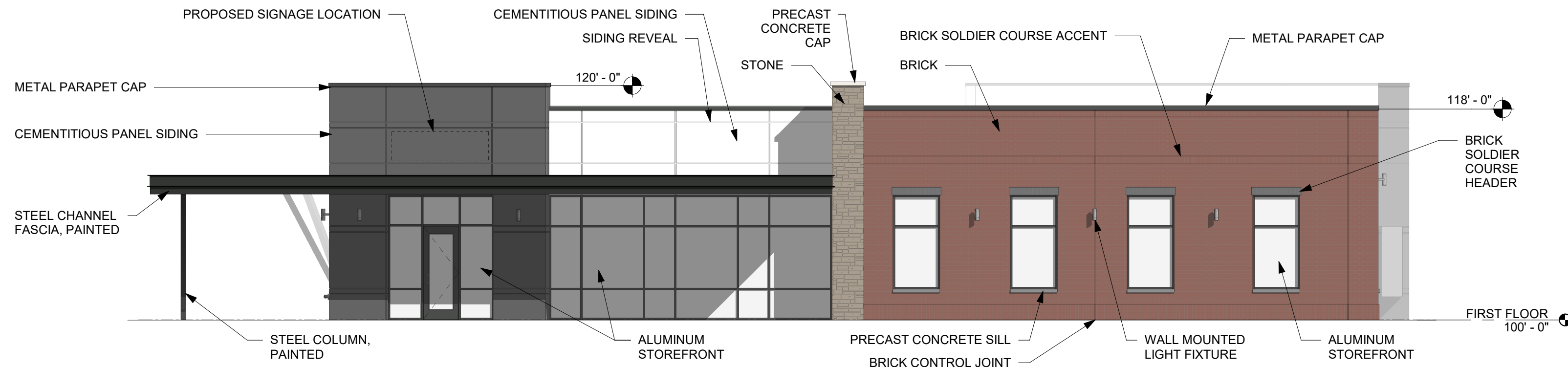
6 PERSPECTIVE VIEW - SE CORNER
SCALE:



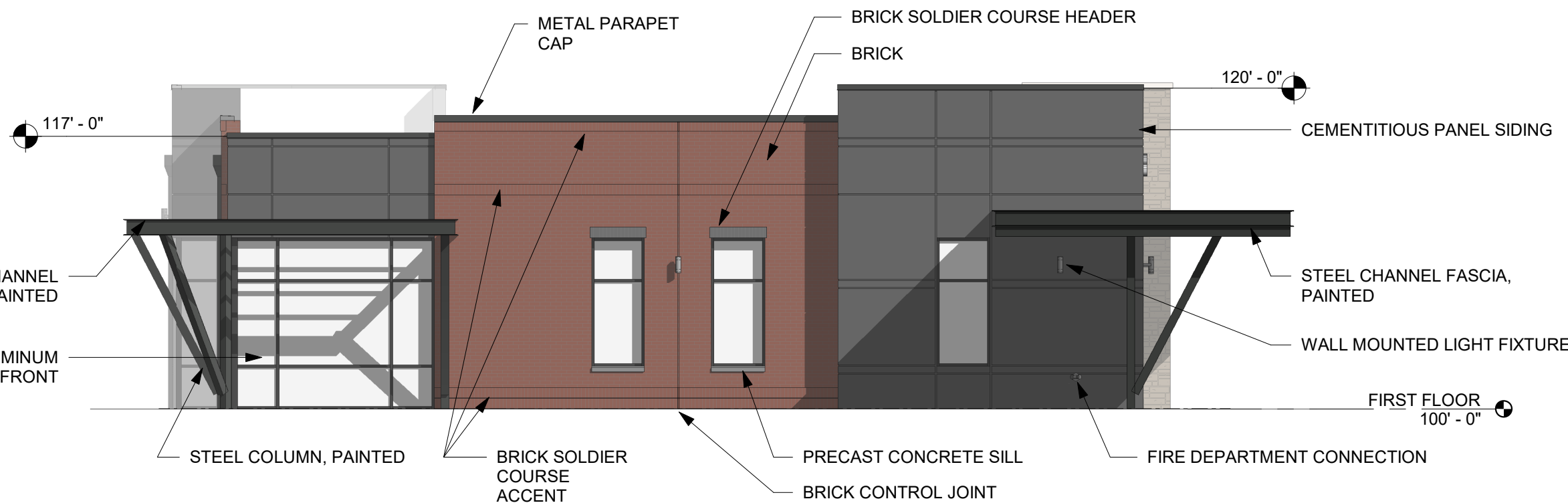
5 PERSPECTIVE VIEW - NE CORNER
SCALE:



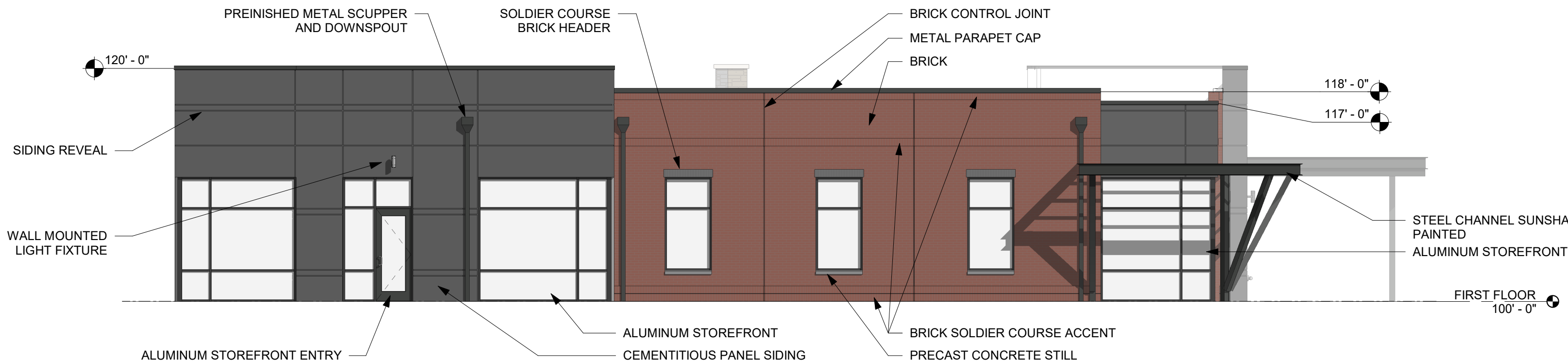
4 PLANNING ELEVATION - NORTH
SCALE: 1/8" = 1'-0"



3 PLANNING ELEVATION - EAST
SCALE: 1/8" = 1'-0"



2 PLANNING ELEVATION - SOUTH
SCALE: 1/8" = 1'-0"

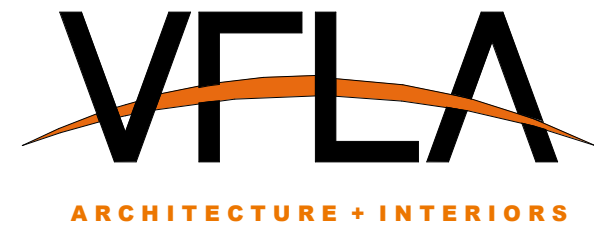


1 PLANNING ELEVATION - WEST
SCALE: 1/8" = 1'-0"

PROJECT NUMBER: 2021-69

GREENSPIRE 5TH
FILING

WINDSOR, CO.



Strength in design. Strength in partnership.
Strength in community.

419 Canyon Ave Suite 200, Fort Collins, CO 80521 | 970.224.1191
108 East Lincolnway, Cheyenne, WY 82001 | 307.635.5710
www.VFLA.com

IN ASSOCIATION WITH:

OWNER:
LOT HOLDING INVESTMENTS

CONTRACTOR:

MECHANICAL & PLUMBING ENGINEER:
INTEGRATED MECHANICAL, LLC

ELECTRICAL ENGINEER:
ADONAI PROFESSIONAL SERVICES, INC.

STRUCTURAL ENGINEER:
RAKER RHODES ENGINEERING, LLC

PLANNING SUBMITTAL #1

SHEET ISSUANCES

DESCRIPTION	DATE
PLANNING SUBMITTAL #1	06-13-2022

SEAL:

NOT FOR CONSTRUCTION
FOR REFERENCE ONLY

COPYRIGHT: 6/10/2022 2:08:02 PM

VAUGHT FRYE LARSON ARONSON ARCHITECTURE + INTERIORS, INC.
THIS DRAWING MAY NOT BE PHOTOGRAPHED, SCANNED, TRACED OR
COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF VFLA.

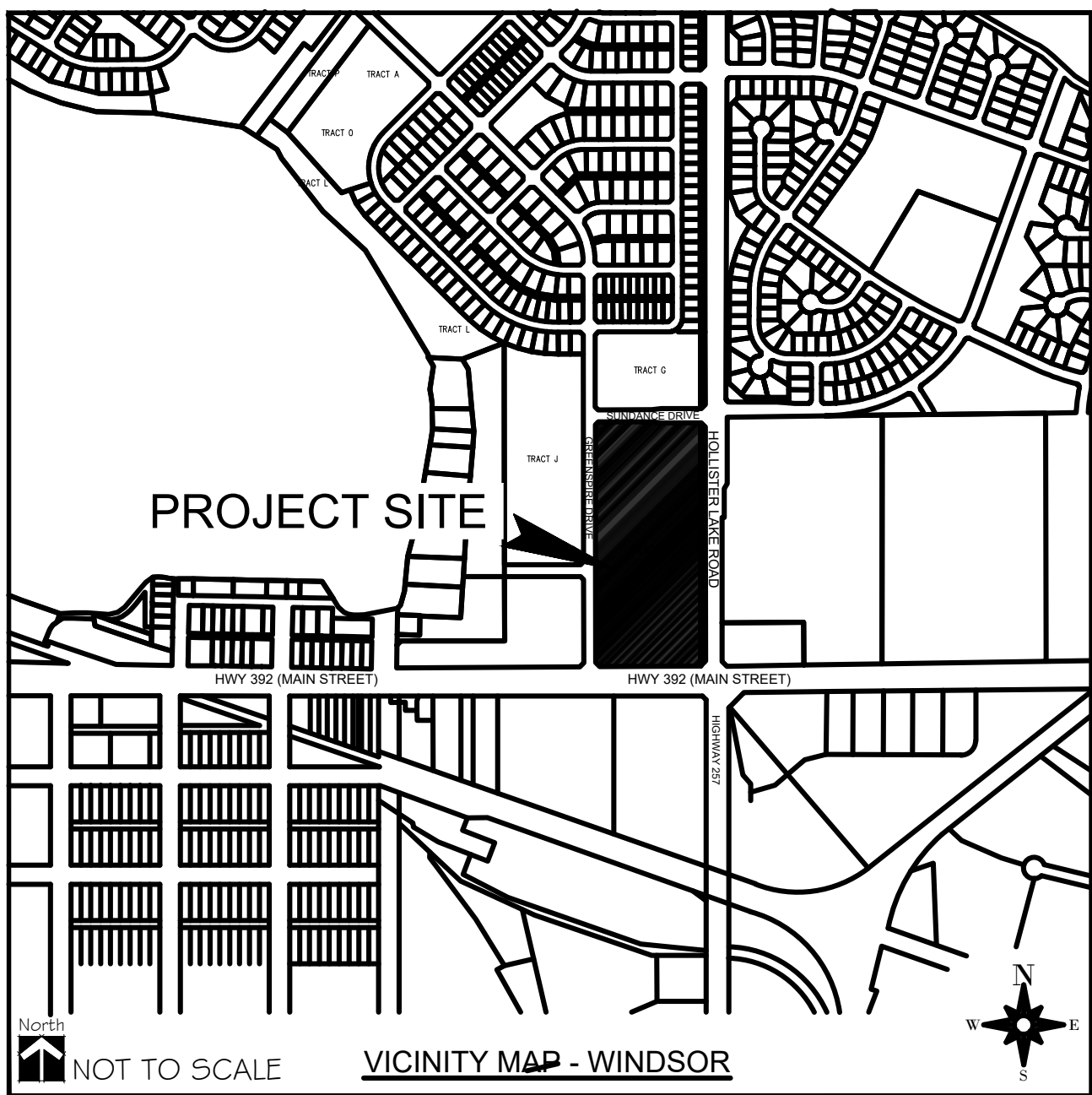
EXTERIOR
ELEVATIONS

DRAWING NUMBER:

A1

GREENSPIRE SUBDIVISION FIFTH FILING, TRACT H - SITE PLAN

VICINITY MAP: SCALE: NTS



LEGAL DESCRIPTION:

BEING A REPLAT OF TRACT H, GREENSPIRE SUBDIVISION SECOND FILING, LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF WINDSOR, WELD COUNTY, COLORADO.

DEVELOPMENT TEAM:

OWNER/DEVELOPER:	PLANNER:
LOT HOLDING INVESTMENTS LLC.	LOT HOLDING INVESTMENTS, LLC.
1613 PELICAN LAKES POINT	1613 PELICAN LAKES POINT
SUITE #201	SUITE #201
WINDSOR, CO 80550	WINDSOR, CO 80550
CONTACT: JOHN HALL	CONTACT: TYLER SMITH
ARCHITECT:	CIVIL ENGINEER:
VFLA ARCHITECTURE + INTERIORS	UNITED CIVIL DESIGN GROUP, LLC.
419 CANTON AVE. SUITE 200	19 OLD TOWN SQUARE #238
FORT COLLINS, CO 80521	FORT COLLINS, CO 80524
CONTACT: CHRIS ARONSON	CONTACT: SAM ELIASON

PROJECT PURPOSE / DESCRIPTION:

THIS PROJECT WILL PROVIDED A 15.5 ACRE COMMERCIAL RETAIL / OFFICE TRACT. THE SITE WILL BE BUILT OUT IN THREE PHASES FROM THE NORTH TO THE SOUTH. THE COMMERCIAL BUILDINGS WILL PROVIDE DIVERSE NEIGHBORHOOD SERVICES FROM GENERAL OFFICE TO GENERAL RETAIL.

PROJECT DATUM & DESCRIPTION :

PROJECT DATUM: NAVD 88
BENCHMARK #1: TOWN OF WINDSOR VERTICAL CONTROL POINT #24 BEING THE NORTHEAST BONNET BOLT ON A FIRE HYDRANT 145' NORTH OF THE INTERSECTION OF MAIN STREET AND CHIMNEY PARK DRIVE ON THE EAST SIDE OF THE ROAD. ELEVATION= 4794.13 (NAVD 88)

HORIZONTAL DATUM:
COLORADO STATE PLANE NORTH 0501 NAD 83 DATUM

TOWN OF WINDSOR - CERTIFICATE BLOCKS:

A. (2) DESCRIPTION

A plat of a parcel of land in the TOWN OF WINDSOR, County of (insert name of county), Colorado, located in the __ 1/4 __ 1/4, Section __ T __ N R __ W, of the __ P.M. and more particularly described as follows:

Lot(s) ____, Block __, Subdivision ____, recorded in the County of __.

Colorado, on ____, 20__, under Book __, Page __, Reception Number

C. (2) 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 site planned as indicated on this site plan. The within site plan is submitted in accordance with the *Windsor Municipal Code*. It is hereby acknowledged that all construction, use and development of this property will be in strict accordance with this site plan. It is further acknowledged that deviation from this site plan without the express written consent of the Town of Windsor may result in revocation of the Town's approval of the site plan, denial of building permits, refusal to issue certificates of occupancy, injunctive relief prohibiting use of the property and other remedies available to the Town under the *Windsor Municipal Code* and other applicable laws of the State of Colorado. Know all men by these presents that the undersigned have caused said land to be laid out and site planned under the name of (Insert exact name of site plan).

In witness whereof, we have hereunto set our hands and seals this the __ day of __, 2022.

Bret Hall _____

NOTARIAL CERTIFICATE (To be used in conjunction with all owner's signatures)

STATE OF COLORADO, COUNTY OF WELD

The foregoing instrument was acknowledged before me by _____, this __ day of __, 2022.

My commission expires: _____ (SEAL) Notary Public

C. EASEMENT APPROVAL

Utility easements are adequate as shown and are hereby approved.

Town of Windsor Public Works Department Xcel Energy Comcast Cable

D. ENGINEERING DEPARTMENT APPROVAL

Approved this the day of __, 2022.

Deputy Director of Engineering

D. PLANNING DEPARTMENT APPROVAL

Approved this the day of __, 2022.

Director of Planning

H. (3) MAYOR'S CERTIFICATE

This is to certify that a site plan of the property described herein is approved by the Town of Windsor passed and adopted on this the __ day of __, 20__, A.D. and that the Mayor of the Town of Windsor, on behalf of the Town of Windsor, hereby acknowledges and adopts the said site plan upon which this certificate is endorsed for all purposes indicated thereon. (Double space this paragraph)

Mayor/Town Clerk

H. TOWN MANAGER'S APPROVAL

Approved this the day of __, 20__.

Town Manager

I. PUBLIC WORKS DEPARTMENT APPROVAL

Approved this the day of __, 20__.

Director of Public Works

J. PREPARER'S CERTIFICATE

I certify that this (insert site plan or master plan, whichever is applicable) was prepared by me or under my direct supervision.

Print Name Signature

Preparer of (insert Site Plan or Master Plan, Preparer of (insert Site Plan or Master Plan, whichever is applicable) whichever is applicable)

K. 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.

L. GRADING, EROSION, AND SEDIMENT CONTROL PLAN PERMIT CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. This permit will be considered terminated upon my receipt of an acceptable Final Stabilization inspection notice from the Town of Windsor.

Owner Name (Print)

Signature

Date

M. OPEN SPACE PROTECTION

All areas depicted hereon as "Open Space" shall remain undeveloped, regardless of ownership and regardless of official zoning designation. No permanent structures of any kind may be erected upon areas depicted hereon as "Open Space" without the prior written consent of the Town Manager for the Town of Windsor.

SHEET INDEX:

SITE PLAN SHEETS

SHEET 1	- S 0.00	- COVER PAGE
SHEET 2	- S 0.01	- COVER PAGE cont.
SHEET 3	- S 1.01	- OVERALL SITE PLAN
SHEET 4	- S 1.02	- SITE PLAN - PHASE 1 & 2
SHEET 5	- S 1.03	- SITE PLAN - PHASE 3

CIVIL SHEETS

SHEET 4	- C 0.00	- COVER SHEET
SHEET 6	- C 0.01	- GENERAL NOTES
SHEET 7	- C 1.00	- EXISTING CONDITIONS & REMOVAL PLAN
SHEET 8	- C 2.00	- OVERALL HORIZONTAL CONTROL PLAN
SHEET 9	- C 2.01	- HORIZONTAL CONTROL PLAN LINE & CURVE TABLE
SHEET 10	- C 2.02	- PHASE 1 & PHASE 2 DETAILED HORIZONTAL CONTROL PLAN
SHEET 11	- C 2.03	- PHASE 1 & PHASE 2 DETAILED HORIZONTAL CONTROL PLAN
SHEET 12	- C 2.10	- HWY 392 & HOLLISTER LAKE ROAD IMPROVMENT PLAN
SHEET 13	- C 2.20	- HWY 392 & HOLLISTER LAKE ROAD SIGNAGE & STRIPING PLAN
SHEET 14	- C 3.00	- OVERALL UTILITY PLAN
SHEET 15	- C 3.10	- SANITARY PLAN & PROFILES
SHEET 16	- C 3.11	- SANITARY PLAN & PROFILES
SHEET 17	- C 3.20	- WATER PLAN & PROFILES
SHEET 18	- C 3.21	- WATER PLAN & PROFILES
SHEET 19	- C 3.22	- WATER PLAN & PROFILES
SHEET 20	- C 3.23	- WATER PLAN & PROFILES
SHEET 21	- C 3.30	- STORM SEWER PLAN & PROFILES
SHEET 22	- C 3.31	- STORM SEWER PLAN & PROFILES
SHEET 23	- C 4.00	- OVERALL GRADING & EROSION CONTROL PLAN

SHEET 24	- C 4.01	- DETAILED GRADING PLAN
SHEET 25	- C 4.02	- DETAILED GRADING PLAN
SHEET 26	- C 4.03	- DETAILED GRADING PLAN
SHEET 27	- C 4.04	- DETAILED GRADING PLAN
SHEET 28	- C 5.00	- DRAINAGE PLAN
SHEET 29	- C 6.00	- CONSTRUCTION DETAILS
SHEET 30	- C 6.01	- CONSTRUCTION DETAILS
SHEET 31	- C 6.02	- CONSTRUCTION DETAILS
SHEET 32	- C 6.03	- CONSTRUCTION DETAILS
SHEET 33	- C 6.04	- CONSTRUCTION DETAILS
SHEET 34	- C 6.05	- CONSTRUCTION DETAILS
SHEET 35	- C 6.06	- CONSTRUCTION DETAILS
SHEET 36	- C 6.07	- CONSTRUCTION DETAILS

BUILDING ELEVATIONS

SHEET 15	- A 1.00	- BUILDING ELEVATIONS
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PHOTOMETRIC PLAN

SHEET 15	- P 1.00	- BUILDING ELEVATIONS
SHEET 15	- P 2.00	- BUILDING ELEVATIONS

LANDSCAPE PLAN

SHEET 17	- L 1.00	- GENERAL NOTES/PLANTING SCHEDULE
SHEET 18	- L 2.00	- PLANTING SHEET INDEX PLAN

SHEET 19	- L 3.01	- PLANTING PLAN - SHEET # 1
SHEET 20	- L 3.02	- PLANTING PLAN - SHEET # 2
SHEET 21	- L 3.03	- PLANTING PLAN - SHEET # 3
SHEET 22	- L 3.04	- PLANTING PLAN - SHEET # 4
SHEET 23	- L 3.05	- PLANTING PLAN - SHEET # 5
SHEET 24	- L 3.06	- PLANTING PLAN - SHEET # 6
SHEET 25	- L 3.07	- PLANTING PLAN - SHEET # 7
SHEET 26	- L 3.08	- PLANTING PLAN - SHEET # 8
SHEET 27	- L 4.00	- DETAIL SHEET

GREENSPIRE TRACT H - SITE PLAN
COVER SHEET

WINDSOR, COLORADO

Lot Holding Investments, LLC

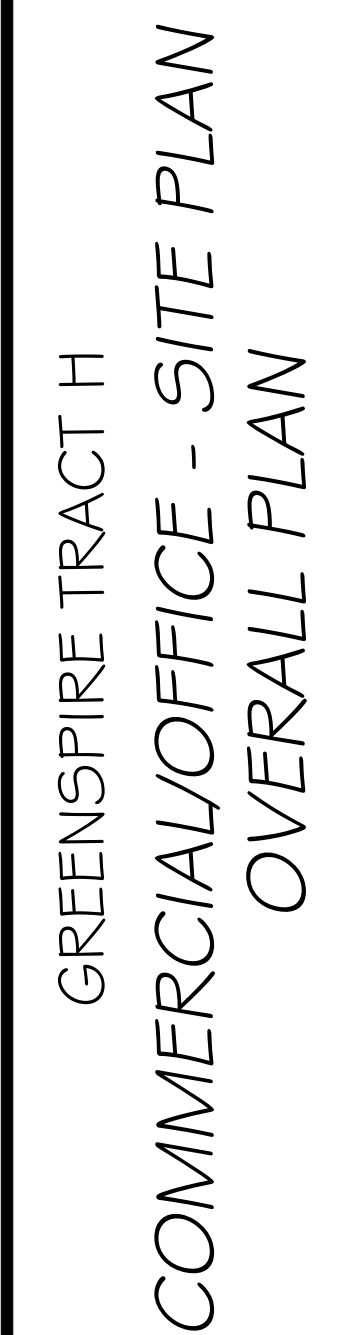
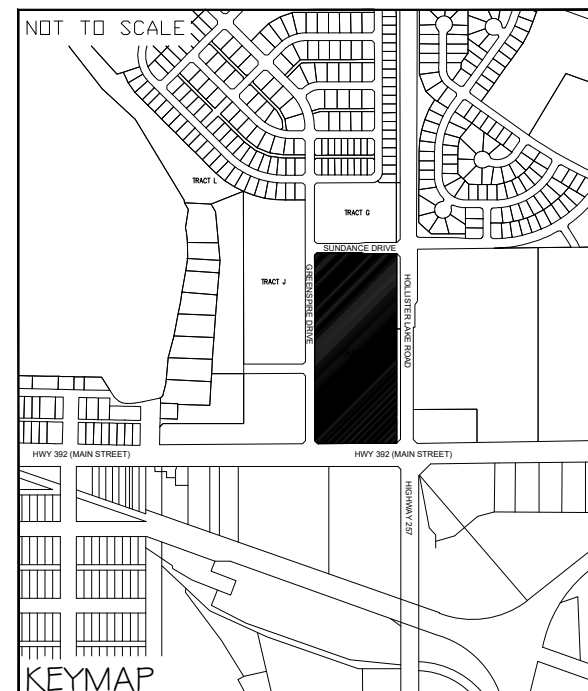


www.1800colorado811.com/
CALL 1-800-COLORADO-811 to request
for the location of underground
utility lines.

CAD File
Greenspire Tract H_5 FLG
Date 08-23-22
Revision
Project TRACT H

/
OF
5

	EXISTING CONTOURS
	PROPOSED CONTOURS
	SANITARY SEWER
	STORM SEWER
	EXISTING DITCH
	PROPERTY BOUNDARY
	WATER LINE
	TELEPHONE LINE
	POWER LINE
	EASEMENTS
	WATER QUALITY PONDS



Lot Holding Investments, LLC

[illegible]

<https://www.colorado811.org/>
CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES.

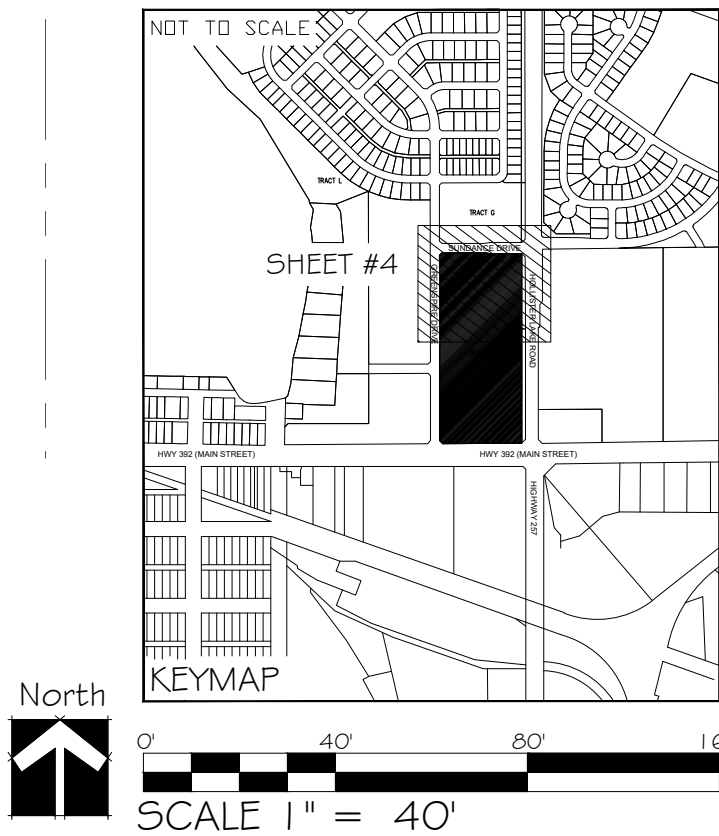
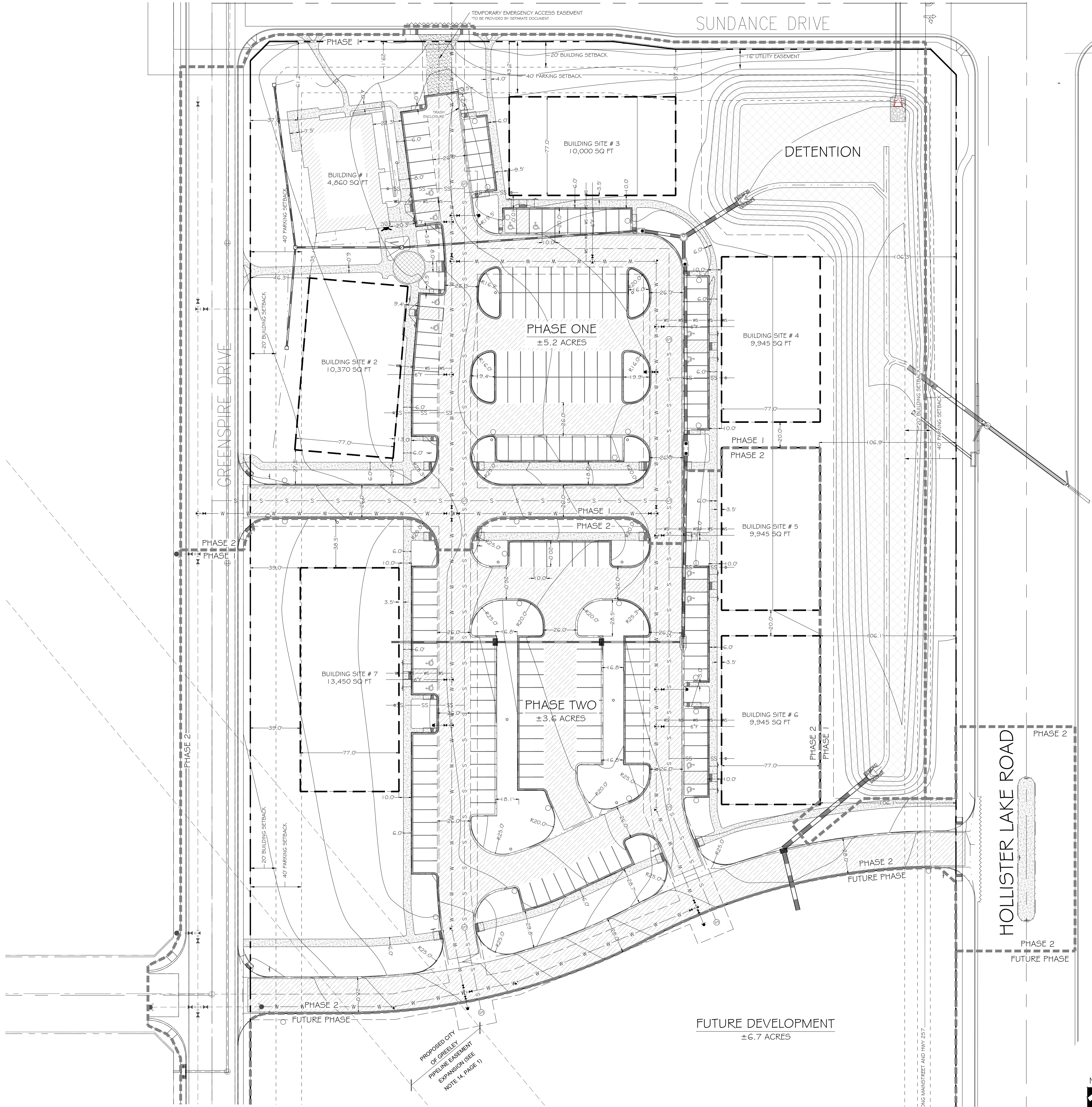
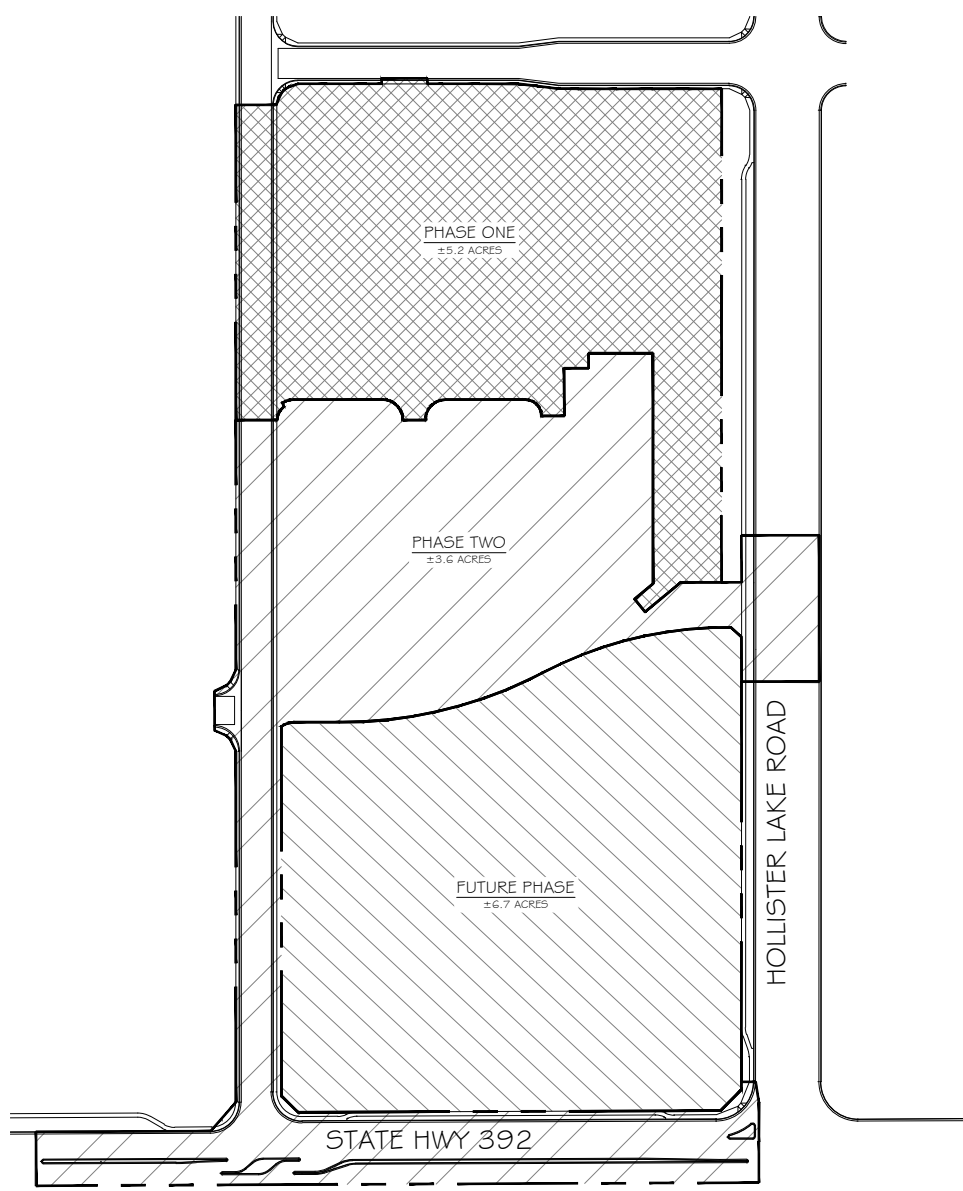
<i>CAD File</i>	
Greenspire Tract H_5 FLG	
<i>Date</i>	06-23-22
<i>Revision</i>	
<i>Project</i>	TRACT H

3 OF 5

LEGEND:

- EXISTING CONTOURS
- PROPOSED CONTOURS
- SAN SANITARY SEWER
- ST ST STORM SEWER
- EXISTING DITCH
- PROPERTY BOUNDARY
- WATER LINE
- TELEPHONE LINE
- POWER LINE
- EASEMENTS
- WATER QUALITY PONDS

PHASING DIAGRAM:



GREENSPIRE TRACT H
COMMERCIAL/OFFICE - SITE PLAN
PHASE ONE AND TWO

NO.	REVISION	DATE	APPROVED
1			



Lot Holding Investments, LLC
WINDSOR, COLORADO



CALL 7-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES.

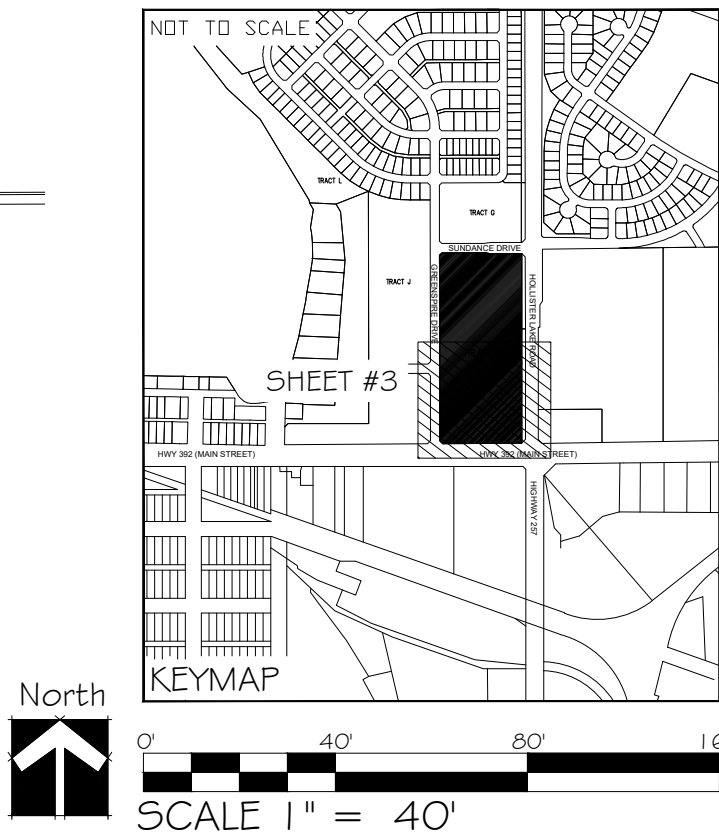
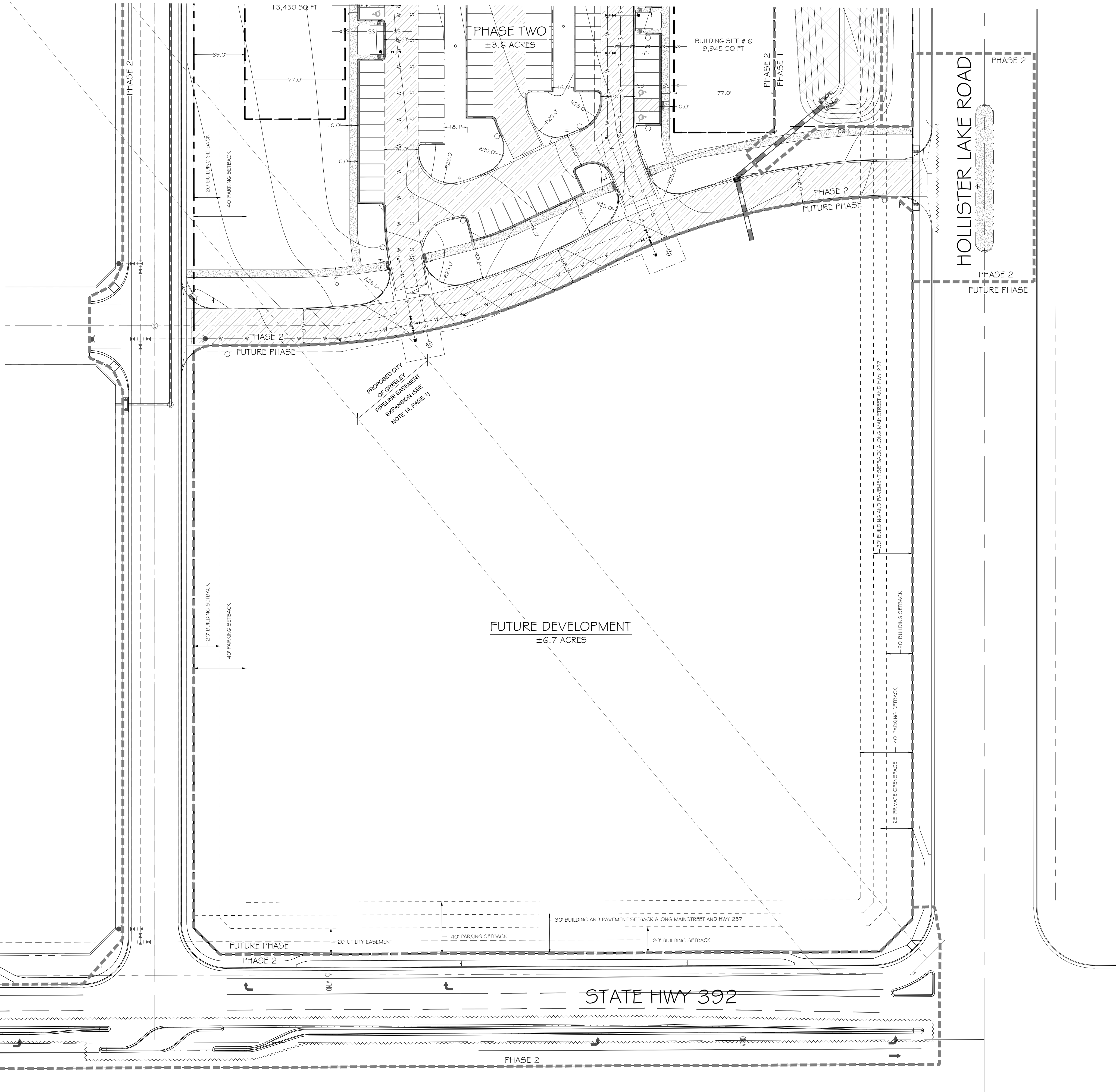
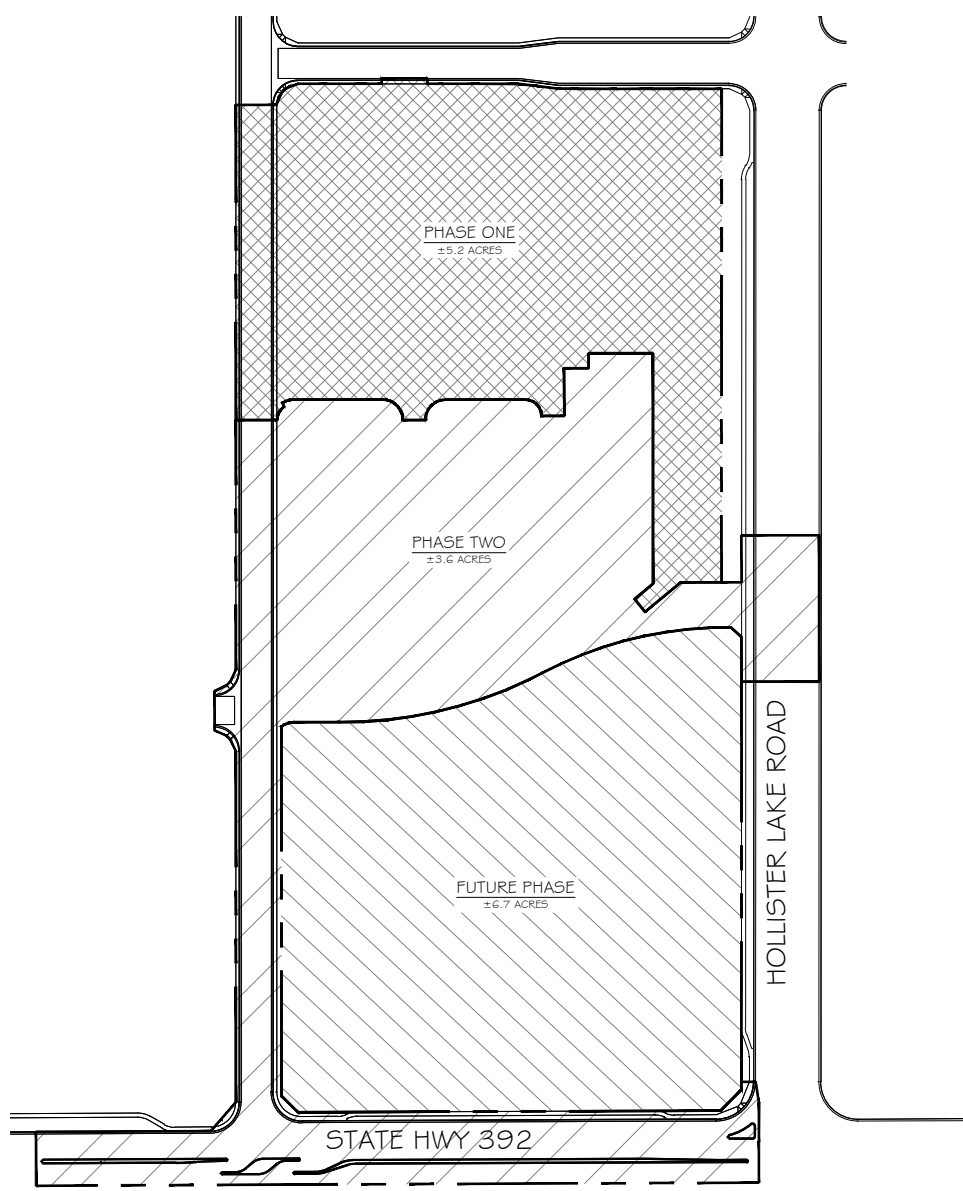
CAD File
Greenspire Tract H_5_FLG
Date 06-23-22
Revision
Project TRACT H

4
OF
5

LEGEND:

- EXISTING CONTOURS
- PROPOSED CONTOURS
- SAN SANITARY SEWER
- ST ST STORM SEWER
- EXISTING DITCH
- PROPERTY BOUNDARY
- WATER LINE
- TELEPHONE LINE
- OHE POWER LINE
- EASEMENTS
- WATER QUALITY PONDS

PHASING DIAGRAM:



GREENSPIRE TRACT H
COMMERCIAL/OFFICE - SITE PLAN
FUTURE PHASE

Lot Holding Investments, LLC WINDSOR, COLORADO



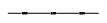
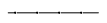
CAD File
Greenspire Tract H_5_FLG
Date 06-23-22
Revision
Project TRACT H

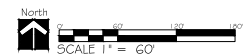
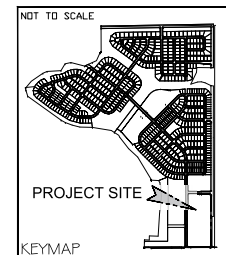
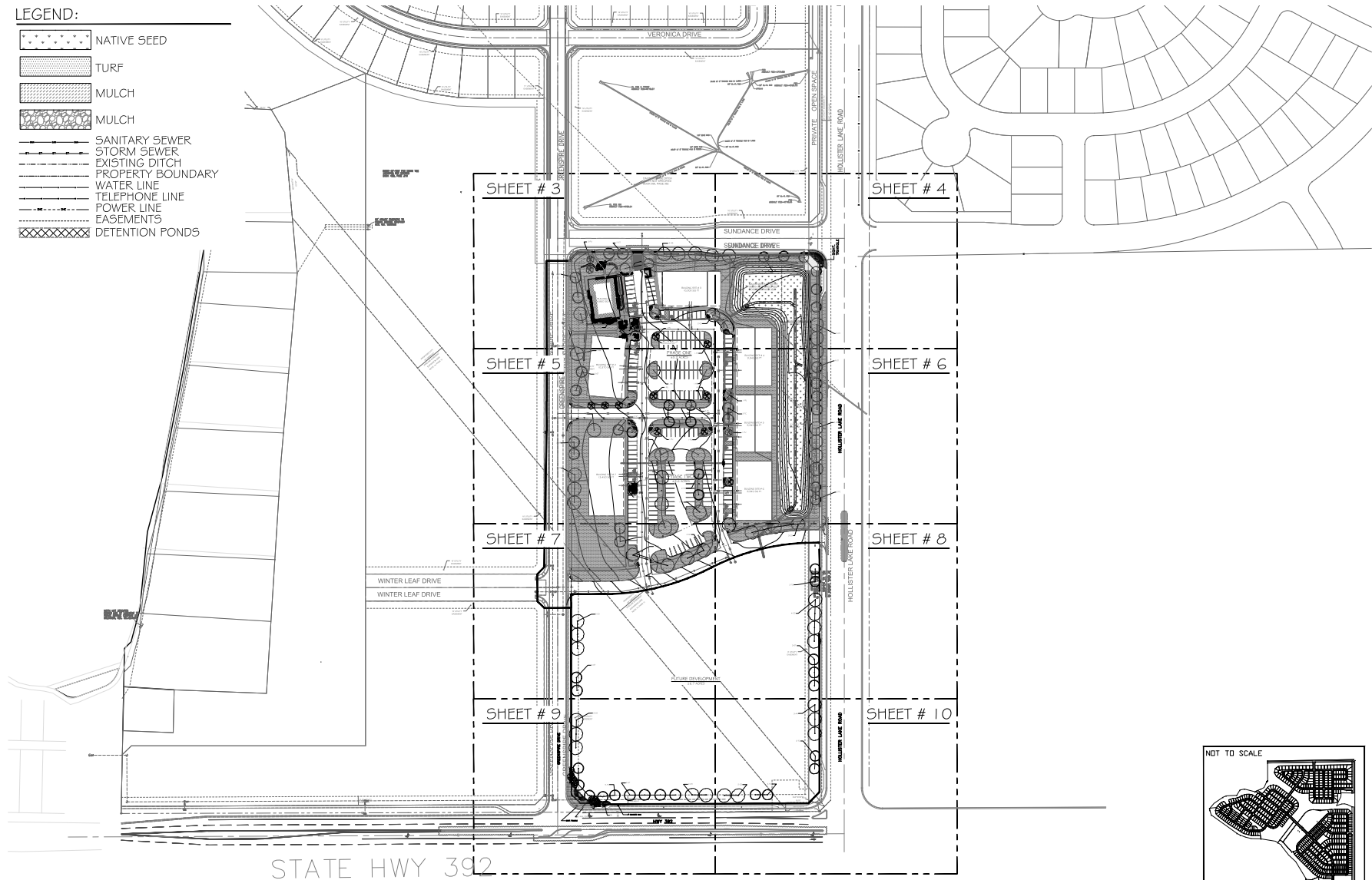
5
OF
5

NO.	REVISION	DATE	APPROVED
1			

PLANNER:
bLHI

LEGEND:

-  NATIVE SEED
-  TURF
-  MULCH
-  MULCH
-  SANITARY SEWER
-  STORM SEWER
-  EXISTING DITCH
-  PROPERTY BOUNDARY
-  WATER LINE
-  TELEPHONE LINE
-  POWER LINE
-  EASEMENTS
-  DETENTION PONDS



NOT FOR
CONSTRUCTION

NO.	REVISION	DATE	APPROVED

PLANNER:


GREENSPIRE TRACT H - SITE PLAN
Overall - Landscape Index Plan

WINDSOR, COLORADO

Lot Holding Investments, LLC



Website: www.colorado811.com
811 is a FREE SERVICE to locate underground utilities before you dig.

CAD File	GREENSPIRE SH PLAN
Date	09-23-22
Revision	
Project	Site Plan

2 OF 11

Project Narrative



Introduction

The following information is being submitted as a request for the Town to complete a site plan review of Lots 7 & 8 Block 1 of East Pointe Subdivision. The information is also being submitted to set the tone for the proposed Commercial Building. From the Applicant's perspective, the goal for the site plan submittal and review process will be to:

- Show design intent
- Provide details of the site, landscape, and building elevations
- Provide clarification of the major aspects of the facility

Ultimately, the Owner wishes to create a project that will meet their needs and be supported by the Town, which will expedite the review and approval process of the site plan.

Pre-Application Meeting

Roche previously participated in a pre-application meeting with the Town to satisfy the Pre-Application Meeting requirement.

Location

The site will be located on Lots 7 & 8 Block 1 of East Pointe Subdivision.

Land Use

See Site Plan.

Ownership

Roche Constructors, Inc.
361 71st Avenue
Greeley, CO 80634

Site Plan

See Site Plan.

Building Elevations

See Architectural Plans.

Signage

Signage will be in general compliance with the Town of Windsor Standards.

Circulation

Access to the site will be from a Private Drive to the South. See Site Plan.

Landscaping

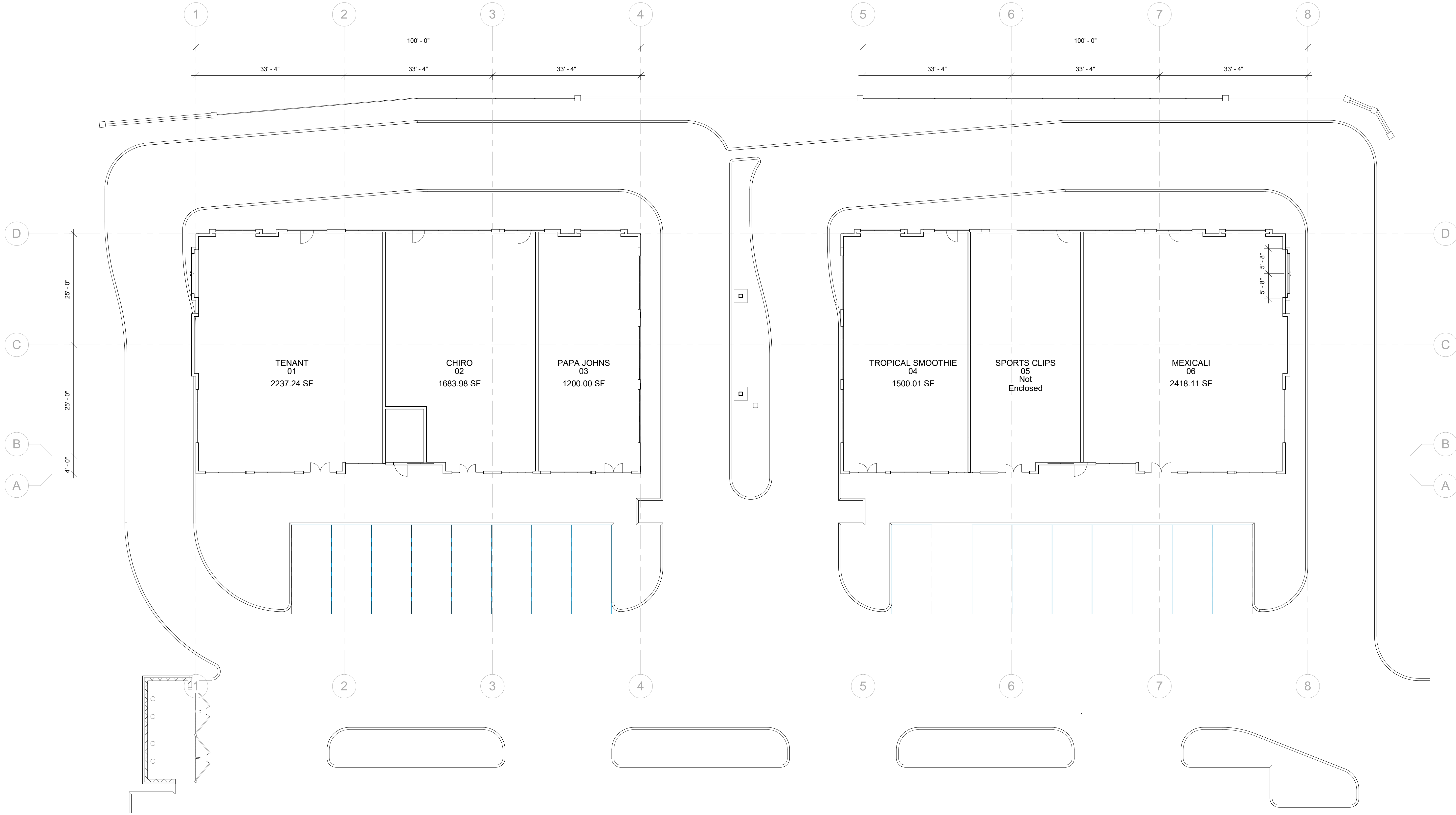
Landscaping has been completed to meet the intent of the Town's code. See Landscape Plans.

Potable Water

The development will connect to an existing 10" water main located in the private drive to the south.

Sanitary Sewer

The development will connect to existing 8" sanitary sewer main located in the private drive to the south.



1 MAIN FLOOR PLAN
3/32" = 1'-0"

AREA SCHEDULE		
Number	Name	Area
01	TENANT	2237.24 SF
02	CHIRO	1683.98 SF
03	PAPA JOHNS	1200.00 SF
04	TROPICAL SMOOTHIE	1500.01 SF
06	MEXICALI	2418.11 SF
07	FFR	103.21 SF

Markley

DESIGNS

ARCHITECTURE - PLANNING - CONSULTING

970.673.8248

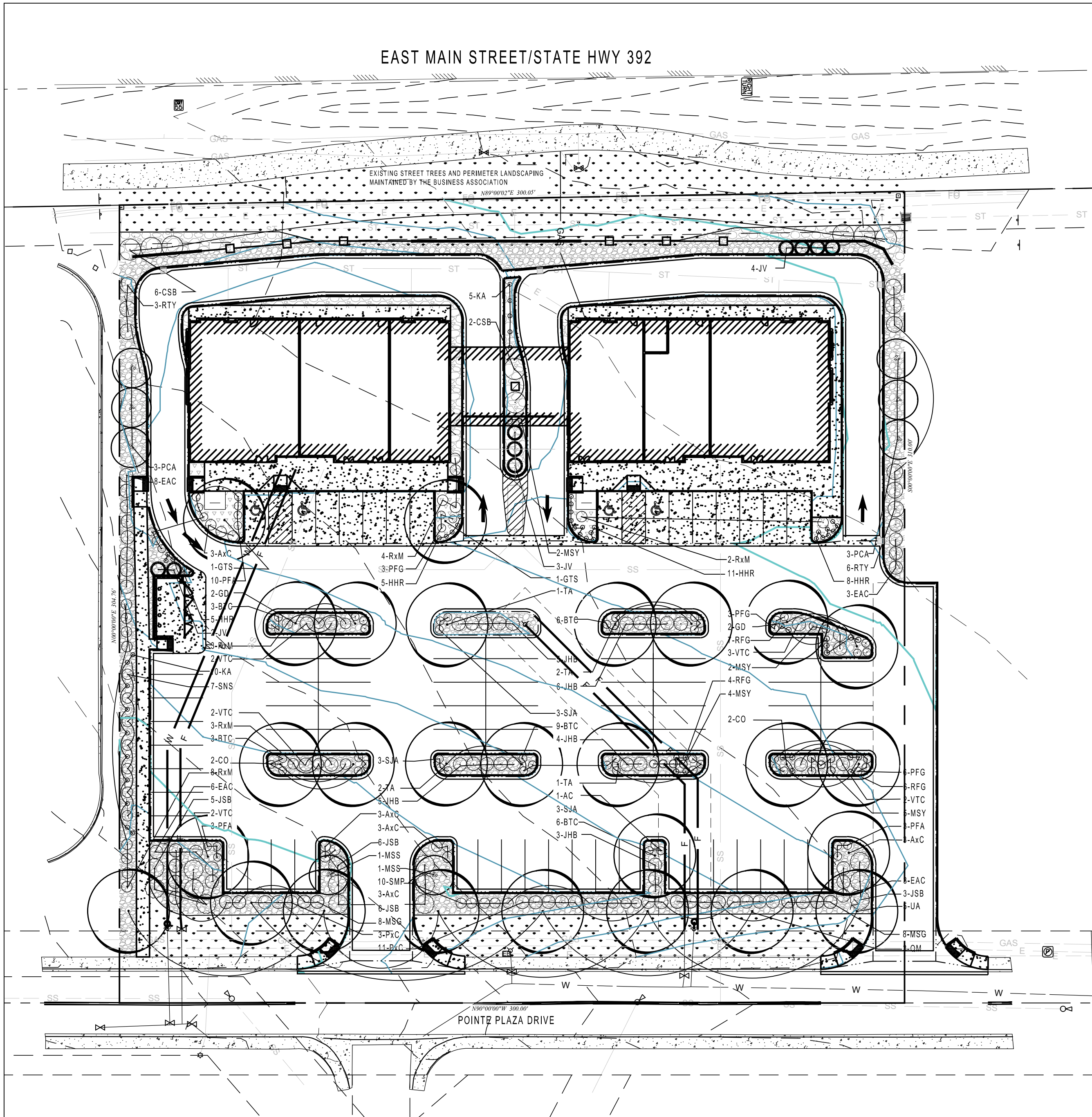
MARKLEYDESIGNS.COM

MASTER FLOOR PLAN

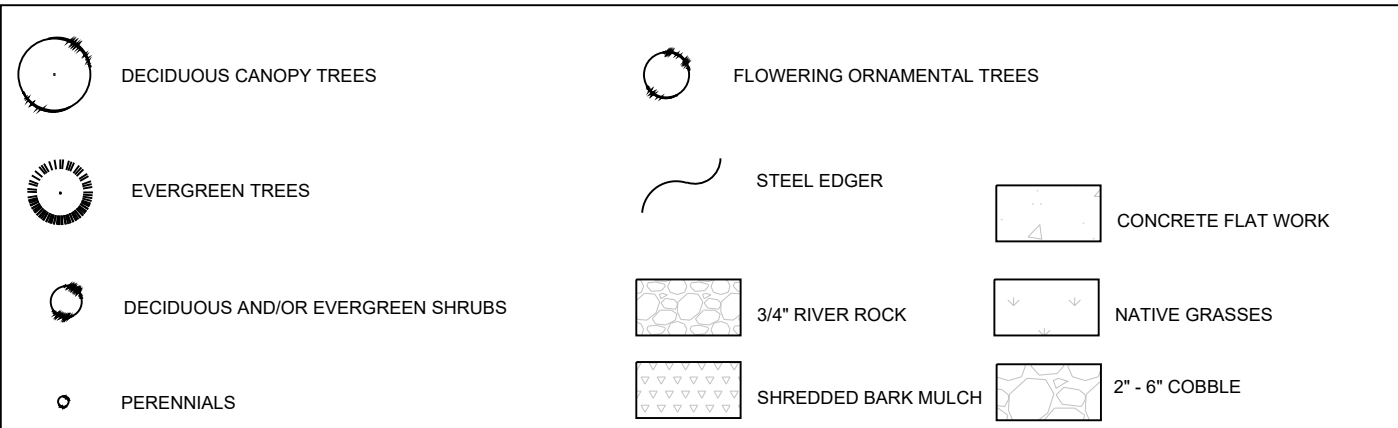
Giant Panda

456 & 475
East Main Street
Windsor, CO 80550

PROJECT TITLE:	2022-GP
DRAWN BY:	RMW



PLANT LEGEND



MINIMUM SITE LANDSCAPE CALCULATIONS LOT SIZE: 92,213 sf		
DESCRIPTION	REQUIRED	PROVIDED
LANDSCAPE AREA	20% = 18,442 sq ft	21,713 sq ft = 23.5%
1 TREE/750 sq ft of LANDSCAPING	18,442 sf / 750 = 24.59	23 SHADE TREES 8 ORNAMENTALS TREES
5 SHRUB/750 sq ft of LANDSCAPING	18,442sf / 750 = 24.59*5=123	144 SHRUBS 14 additional trees = 70 shrubs TOTAL = 214 shrubs
STREET TREES 1 TREE/40 linear feet of street frontage	289/40=7.5 TREES	8 TREES

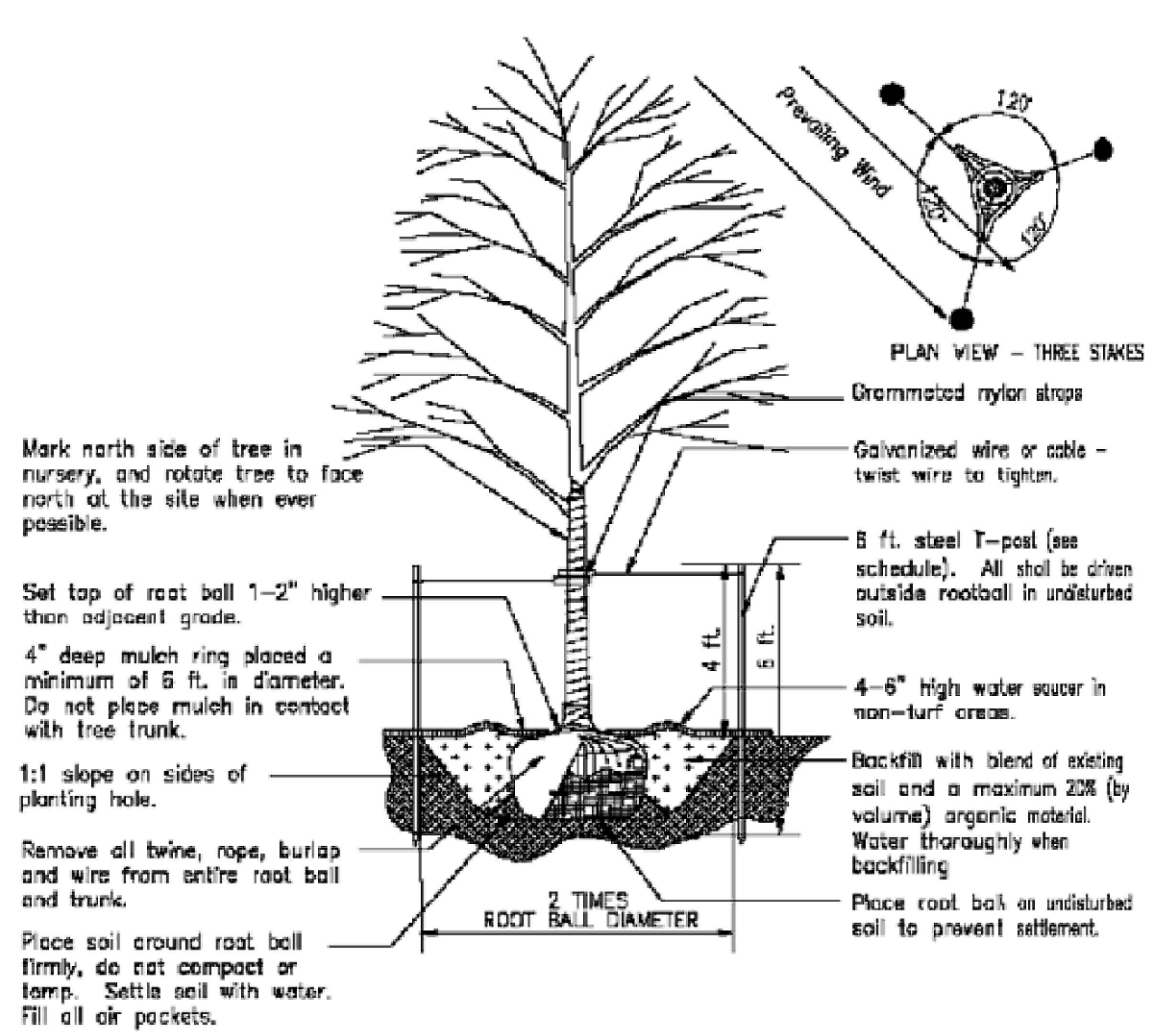
PROPOSED PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	NOTES	QTY	% OF TOTAL
DECIDUOUS TREES					
CO	Celtis occidentalis	Western Hackberry	2" cal B+B	4	16%
GTS	Gleditsia triacanthos inermis 'Shademaster'	Shademaster Honeylocust	2" cal B+B	2	8%
GD	Gymnocladus dioica	Kentucky Coffeetree	2" cal B+B	4	16%
AFA	Acer x freemannii 'Autumn Blaze Maple'	Autumn Blaze Maple	2" cal B+B	1	4%
QM	Quercus macrocarpa	Burr Oak	2" cal B+B	3	12%
TA	Tilia americana 'Redmond'	Redmond Linden	2" cal B+B	4	20%
AC	Phellodendron amorense	Amur Corktree	2" cal B&B	1	4%
UA	Ulmus x 'Cathedral'	Cathedral Elm	2" cal B&B	5	20%
				23	100%
ORNAMENTAL TREES					
MSS	Malus 'Spring Snow'	Spring Snow Crabapple	1.5" cal B&B	2	
PCA	Pyrus calleryana 'Chanticleer'	Chanticleer Pear	1.5" cal B&B	6	
EVERGREEN TREES					
JV	Juniperus scopulorum	Rocky Mountain Juniper	25 gal.	6" o.c.	9
EVERGREEN SHRUBS					
JHB	Juniperus horizontalis 'Bar Harbor'	Bar Hoarbor Juniper	5 gal.	6" o.c.	22
JSB	Juniperus sabina 'Buffalo'	Buffalo Juniper	5 gal.	6" o.c.	14
DECIDUOUS SHRUBS					
RTY	Rhus typhina	Staghorn Sumac	5 gal.	3" o.c.	9
CSB	Cornus sericea 'Bailey'	Bailey Redtwig Dogwood	5 gal.	8" o.c.	8
AXC	Arctostaphylos x coloradoensis	Pnchito Manzanita	5 gal.	5" o.c.	15
PxC	Prunus x cistena	Purple Leaf Plum	5 gal.	5" o.c.	14
BTC	Berberis thunbergii 'Crimson Pygmy'	Chimson Pygmy Japanese Barberry	5 gal.	4" o.c.	30
EAC	Euonymus alata 'Compactus'	Dwarf Burning Bush	5 gal.	5" o.c.	18
PFA	Potentilla fruticosa 'Abbotswood'	Abbotswood Potentilla	5 gal.	3" o.c.	16
RxM	Rosa 'Knockout'	Knock Out Rose	5 gal.	3" o.c.	20
SNS	Spiraea nipponica 'Snowmound'	Snowmound Spirea	5 gal.	5" o.c.	7
PGF	Potentilla fruticosa 'Gold Drop'	Gold Drop Potentilla	5 gal.	3" o.c.	12
SJA	Spiraea japonica 'Anthony Waterer'	Anthony Water Spirea	5 gal.	3" o.c.	9
SMP	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	5 gal.	4" o.c.	10
PERENNIALS AND ORNAMENTAL GRASSES					
KA	Calamagrostis x acutiflora 'Karl Forester'	Karl Forester Grass	1 gal.	18" o.c.	15
MY	Miscanthus sinensis 'Morning Lights'	Morning Lights Fountain Grass	2 gal.	4" o.c.	11
RFG	Rudbeckia fulgida 'Goldstrum'	Black-eyed Susans	1 gal.	24" o.c.	13
MSG	Miscanthus sinensis 'Gracillimus'	Chinese Silver Grass	2 gal.	4" o.c.	16
HHR	Hemerocallis 'Happy Returns'	Dwarf Yellow Daylily	1 gal.	24" o.c.	35

PLANT NOTES

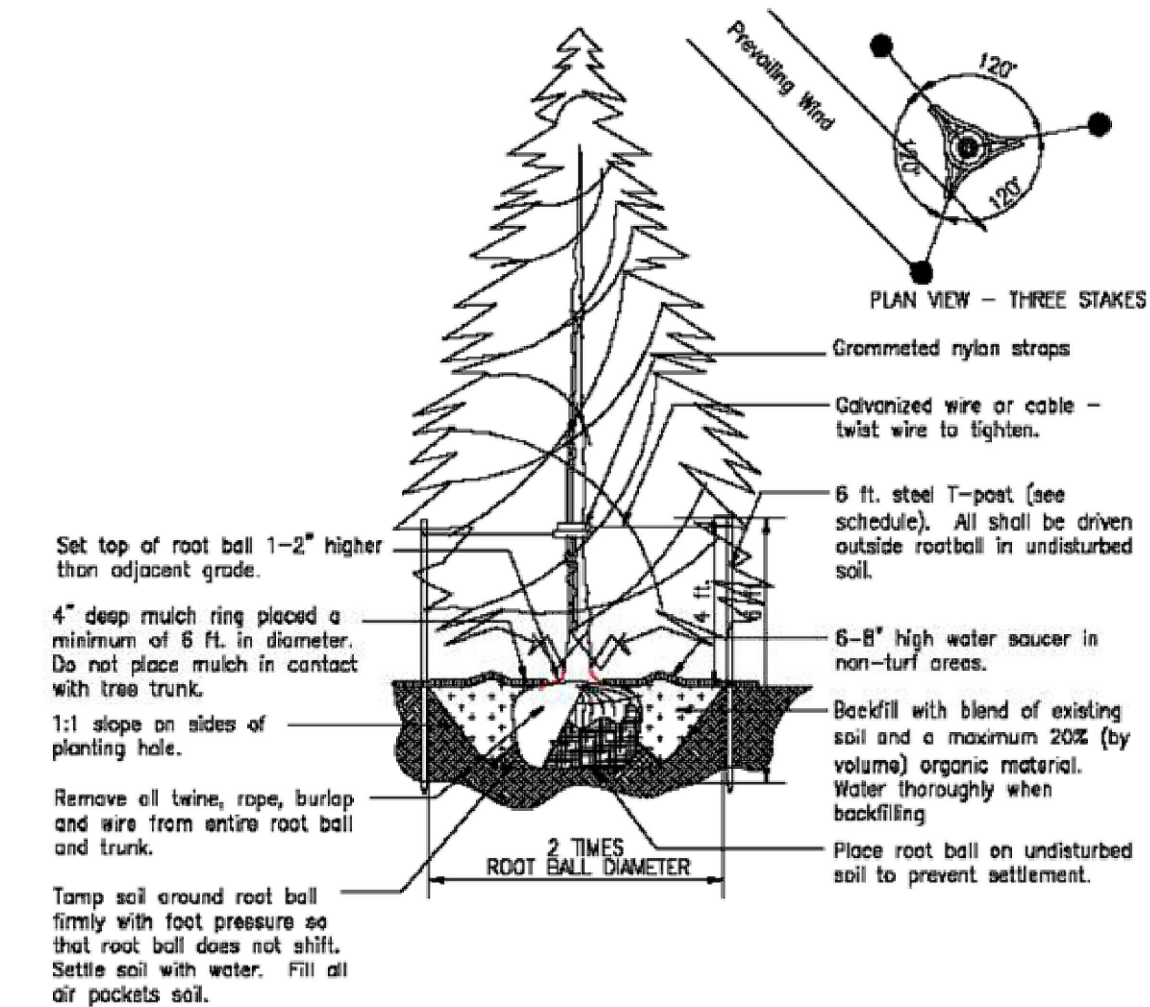
- All plant materials shall be in accordance with American Association of Nurserymen specification for number one grade.
- All turf areas to be irrigated with automatic pop-up irrigation system. All shrub beds and trees to be irrigated with an automatic drip (trickle) irrigation system, or acceptable alternative. The irrigation system is to be adjusted to meet the water requirements of the individual plant material.
- All trees to be balled and burlapped, root control bag, or containerized.
- All shrub beds to be mulched with wood mulch (3" average depth) on tytar filter fabric.
- Edging between grass and shrub beds shall be 1/ff x 4" steel set level with top of sod.
- Changes in plant species or plant locations from what is listed on the landscape plan will require the approval of the Town Forester prior to installation or replacement. Overall quantity and quality to be consistent with approved plans. In the event of conflict with the quantities included in the plant list, species and quantities shall be provided.
- Street and ornamental trees shall be planted no closer than forty (40) feet and fifteen (15) feet respectively from streetlights. No trees shall be planted within ten (10) feet from water and sewer lines, four (4) feet from gas, telephone, and electric utilities, and ten (10) feet from any driveway.
- Minimum clearance of three (3) feet on each side of fire department connection (FDC). No vegetation other than turf or ground covers planted in front of FDC.
- The irrigation system shall be reviewed and approved by the Town's Water Department prior to issuance of a building permit. The irrigation system must be installed or secured with a financial instrument deposited with the Town prior to issuance of a certificate of occupancy for the building.
- Developer shall ensure that the landscape plan is coordinated with the plans done by other consultants so the proposed grading, storm drainage, or other construction does not conflict nor preclude installation and maintenance of landscape elements on this plan.
- Prior to installation of plant materials, areas that have been compacted shall be thoroughly loosened. Organic amendments such as compost, peat, or aged manure shall be thoroughly incorporated at a rate of at least three (3) cubic yards per 1,000 square feet.
- Turf grass will be seeded or sodded with drought tolerant blend. Trees to be planted in turf areas will be installed with an organic mulch ring that has a radius of at least eighteen (18) inches.
- To the maximum extent feasible, topsoil that is removed during construction activity shall be conserved for later use on areas requiring revegetation and landscaping.
- Foundation shrubs beds to be designed and installed after completion of each building.
- Contact Town of Windsor Parks and Recreation Department prior to planting in order for Town to verify proper planting.

NOTE: SHORT GRASS PRAIRIE NATIVE SEED MIXTURE. THIS MIXTURE IS TO BE USED BETWEEN OCTOBER 15th AND March 30th ONLY AT A RATE OF 30.75 PLS LBS/ACRE



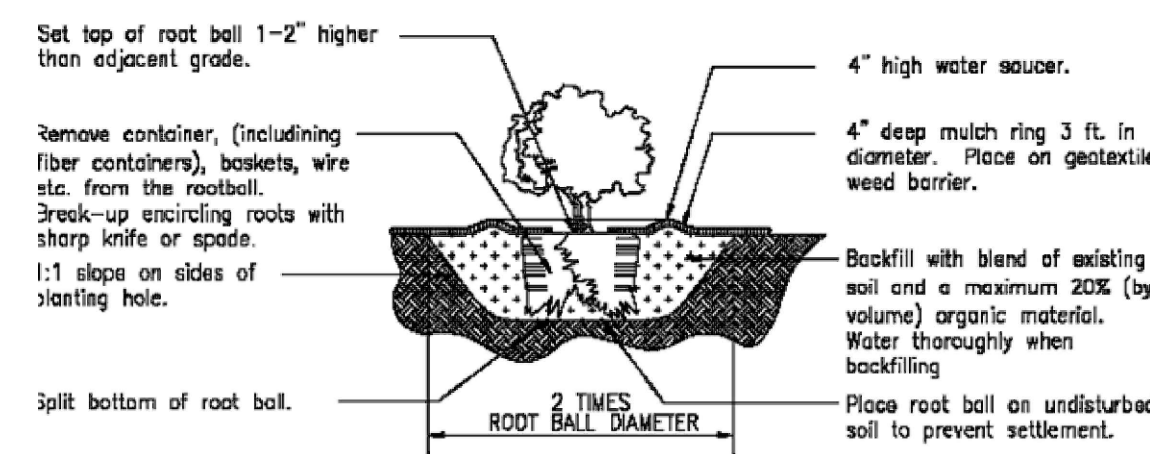
A TREE PLANTING - VERTICAL STAKES

NOT TO SCALE



B CONIFER TREE PLANTING - GUY WIRES

NOT TO SCALE



C SHRUB PLANTING

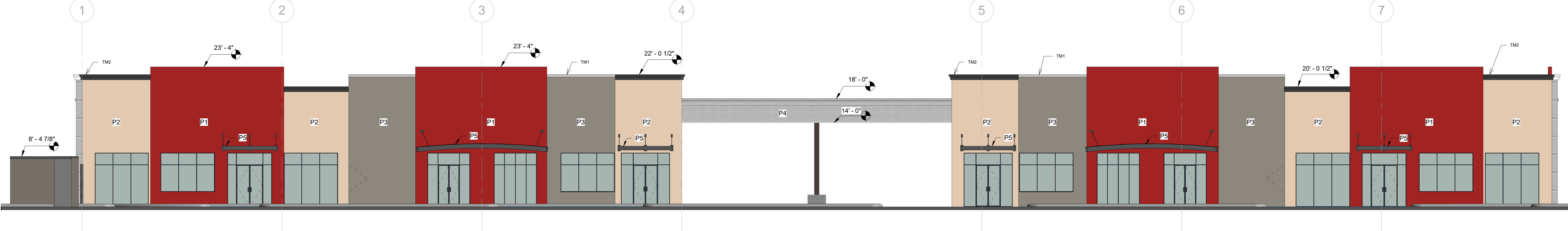
NOT TO SCALE

Pruning Notes:
Do not heavily prune the shrub at planting. Prune only dead or broken branches. If form is compromised by pruning, replace shrub.

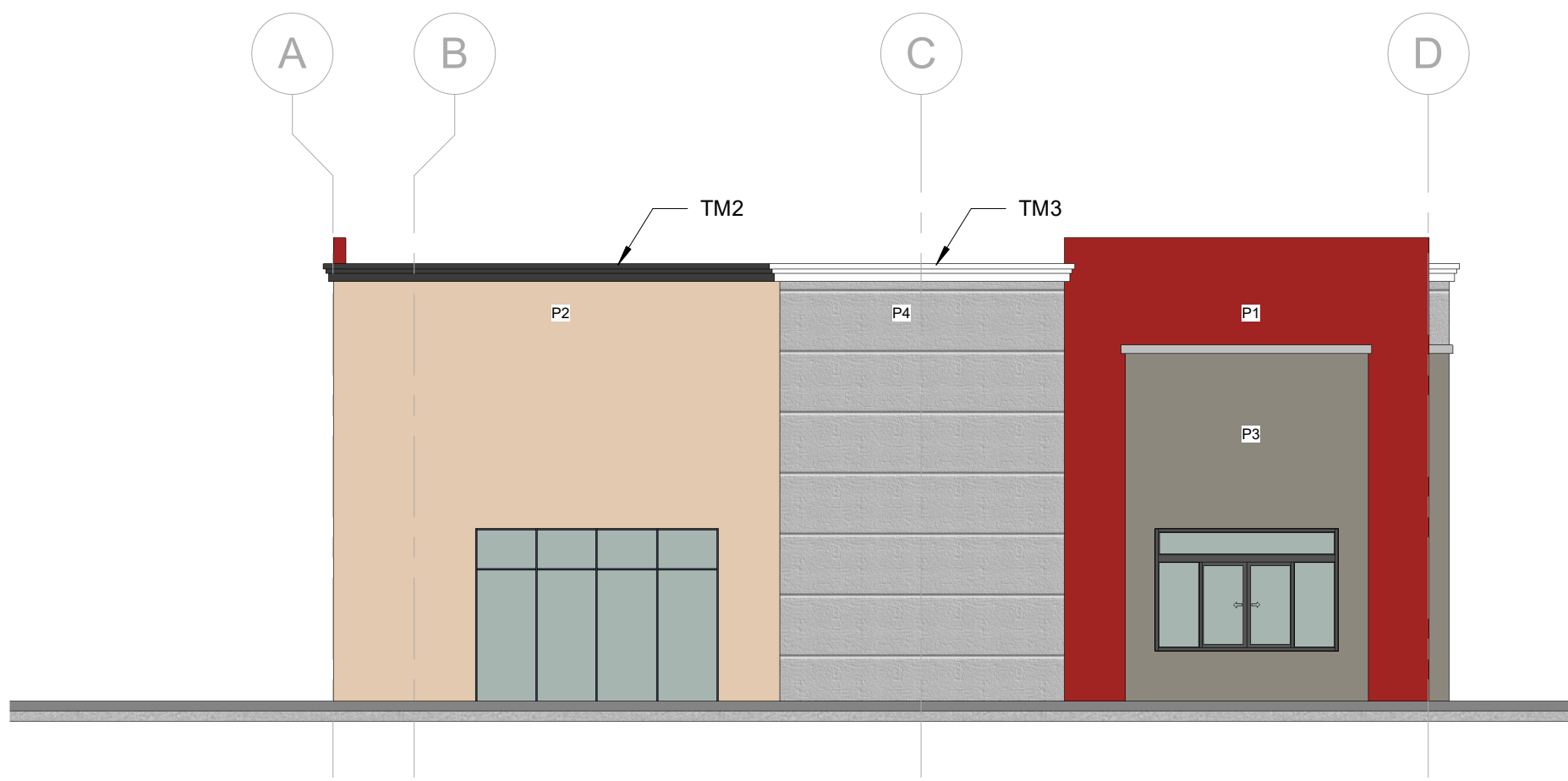
Placement Notes:
Set Shrub plumb. Space plants, and place for best effect.

Pruning Notes:
Do not heavily prune the tree at planting. Prune only crossover limbs, co-dominant leaders and broken branches. Some interior twigs and lateral branches may be pruned. However, do not remove the terminal buds of buds of branches that extend to the edge of the crown.

Staking Notes:
Stake trees per following schedule, then remove at end of first growing season, follows:
1-1/2\"/>

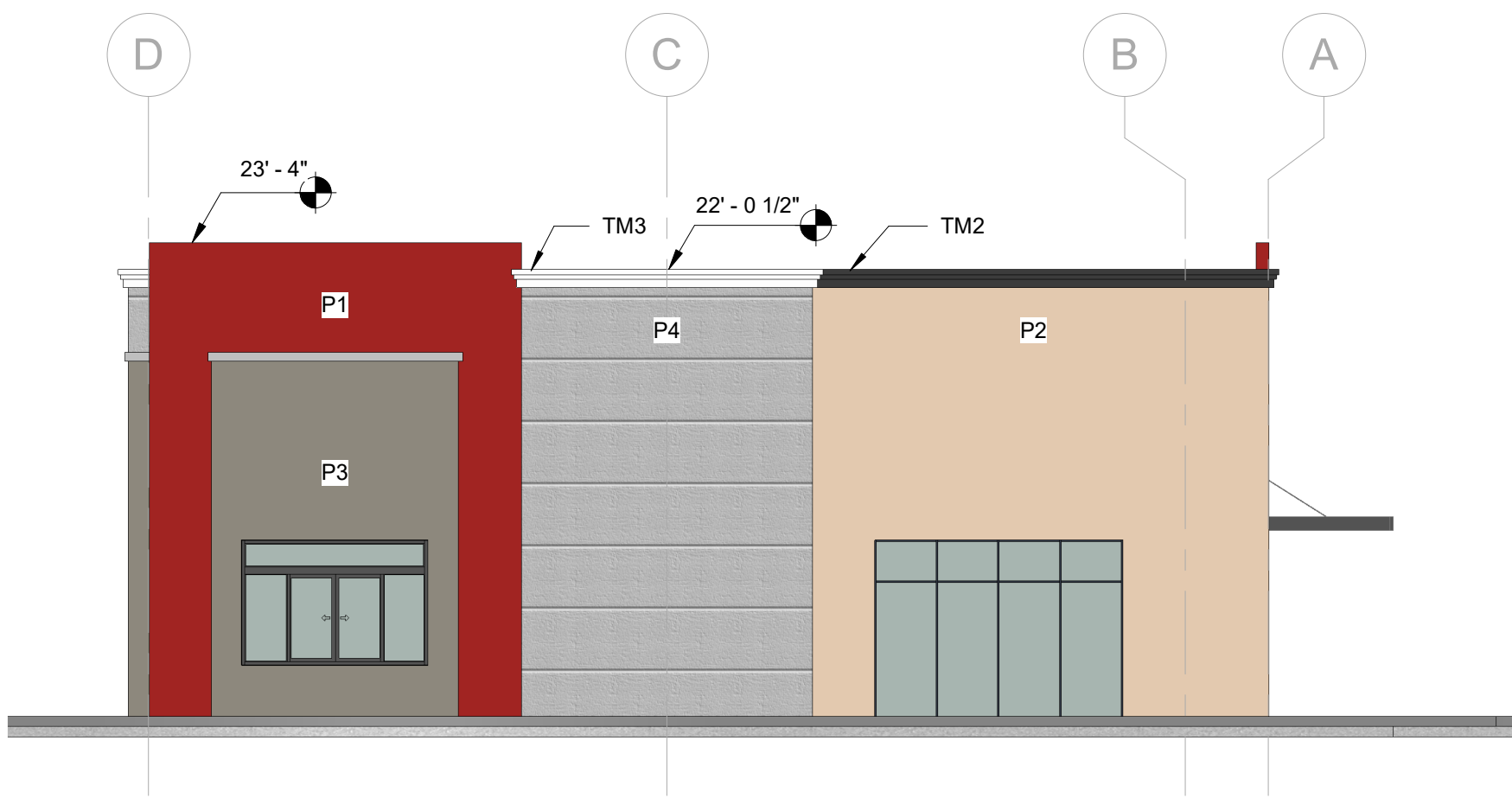


2 SOUTH ELEVATION
1/8" = 1'-0"

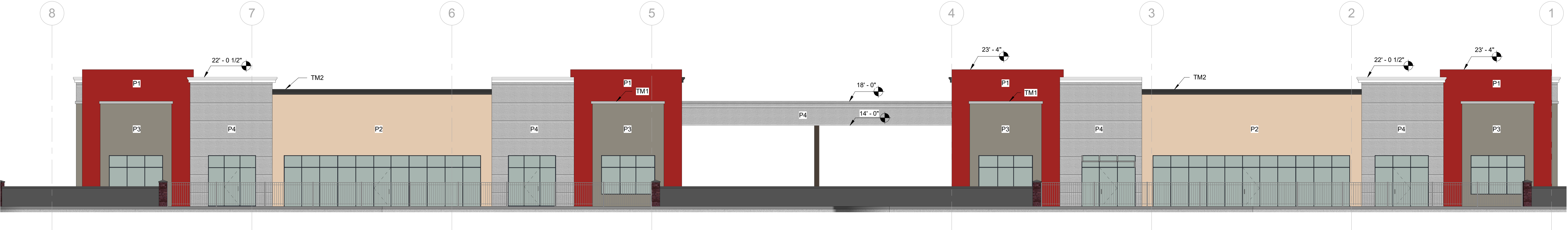


3 EAST ELEVATION
1/8" = 1'-0"

MATERIAL KEY
P1 - HARDCOAT STUCCO WITH 2'X4' PANEL RELIEF. COLOR:SW7591
P2 - FIBER CEMENT FAUX WOOD PANEL, COLOR - ANTIQUE SAWN
P3 - ASHLAND BRICK VENEER BY ELDORADO STONE
P4 - HARDCOAT STUCCO WIITH 24" HORIZ PANEL RIBBON COLOR: PUSSYWILLOW
P5 - BLACK BEAN SW6006
TM1 - LAZY GRAY SW6254
TM2 - GRIZZLING GRAY SW7068
TM3 - WHITE COLOR



4 WEST ELEVATION
1/8" = 1'-0"



1 NORTH ELEVATION
1/8" = 1'-0"

Markley
DESIGNS
ARCHITECTURE - PLANNING - CONSULTING
970.673.8248
MARKLEYDESIGNS.COM

BUILDING ELEVATIONS

GIANT PANDA

456 & 475
East Main Street
Windsor, CO 80550

PROJECT TITLE: 2022-GP
DRAWN BY: RMW

Sheet 5 of 27



1 SOUTH - WEST AXONOMETRIC VIEW

2 NORTH - EAST AXONOMETRIC VIEW



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MARKLEYDESIGNS.COM

PERSPECTIVE
GIANT PANDA
456 & 475
East Main Street
Windsor, CO 80550

PROJECT TITLE:	2022-GP
DRAWN BY:	RMW