PLANNING COMMISSION
REGULAR MEETING

March 6, 2019 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

AGENDA

A. CALL TO ORDER

1. Roll Call

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

3. Public Invited to be heard

   Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Planning Commission.

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

B. CONSENT CALENDAR*

1. Approval of minutes of February 20, 2019

C. BOARD ACTION

1. Public Hearing – Conditional Use Grant – Harmony First Annex – Chris Serbousek, Harmony Gardens, owner/applicant; Kristin Turner, TB Group, applicant's representative
   - Quasi-judicial
   - Staff presentation: Carlin Malone, Chief Planner

2. Recommendation to Town Board - Conditional Use Grant – Harmony First Annex – Chris Serbousek, Harmony Gardens, owner/applicant; Kristin Turner, TB Group, applicant's representative
   - Quasi-judicial
   - Staff presentation: Carlin Malone, Chief Planner

3. Determination of Off-street Parking Requirement – Westgate Commercial Subdivision Lot 2 (4650 Royal Vista Circle) – Chief Cornerstone Properties, LLC, Ryan Behm, owner/applicant; Katy Thompson, Ripley Design Inc., applicant's representative

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.

- Quasi-judicial
- Staff presentation: Carlin Malone, Chief Planner

D. COMMUNICATIONS

1. Communications from the Planning Commission

2. Communications from the Town Board liaison

3. Communications from the staff

E. ADJOURN

* *Please note that items on the Consent Calendar will not be discussed unless requested by the Planning Commissioners or by applicants who have business listed on the Consent Calendar.*

Upcoming Meeting Dates

Wednesday, March 6, 2019	7:00 P.M.	Regular Planning Commission meeting**
Wednesday, March 13, 2019	4:00-6:30 P.M.	Public Open House – CDOT Windsor Area Network Study, WSFR Station #1, Windsor
Wednesday, March 20, 2019	7:00 P.M.	Regular Planning Commission meeting**
Monday, March 25, 1019	5:30 P.M.	Joint Work Session with Town Board – Land Use Code Updates
Wednesday, April 3, 2019	7:00 P.M.	Regular Planning Commission meeting**
Wednesday, April 17, 2019	7:00 P.M.	Regular Planning Commission meeting**

** Does not include any Planning Commission work sessions which may be requested and may also be scheduled for these dates.

PLANNING COMMISSION
REGULAR MEETING

February 20, 2019 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER
Chairman Schick called the regular meeting of the Planning Commission to order at 7:00 p.m.

1. Roll Call
The following Planning Commission members were present:

		Gale Schick
		Kelly Hall
		Victor Tallon
		Jerry Bushelman
		Dan Foreman
	Alternate	Cindy Scheuerman
	Alternate	Scott Ready
	Absent	Travis Yingst
	Absent	Doug Dennison
	Town Board Liaison	David Sislowski
Also Present:	Planning Director	Scott Ballstadt
	Senior Planner	Millissa Berry
	Deputy Town Clerk	Amanda Mehlenbacher

2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission
Ms. Scheuerman moved to approve the agenda as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Scheuerman, Hall, Tallon, Bushelman, Foreman, Ready; Nays – None Motion carried

3. Public Invited to be heard
Mr. Schick opened the meeting up for public comment to which there was none.

B. CONSENT CALENDAR*

1. Approval of minutes of February 6, 2019
Ms. Scheuerman moved to approve the consent calendar as presented; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Scheuerman, Hall, Tallon, Bushelman, Foreman, Ready; Nays – None Motion carried

C. BOARD ACTION

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.

1. <u>Commercial Corridor Plan Waiver Request – Section III.A.2.a – Building and Paving Setback – Kang Building - Kang Subdivision Lot 1 – Jong Kang, owner; Cathy Mathis, TB Group, applicant</u>
    - Quasi-judicial
    - Staff presentation: Millissa Berry, Senior Planner

Ms. Berry introduced the applicant and presented the PowerPoint presentation included in packet material, with the following information. The applicant, Mr. Jong Kang, is proposing a new commercial building at the property addressed as 101 Main Street. The subject property is located on a designated commercial corridor where design criteria of the Commercial Corridor Plan (CCP) are required. Due to the constraints on the site, the application is requesting a waiver from Section III.A.2.a of the CCP to allow for a lesser setback for paving and the building than what is required by the CCP. Section III.A.2.a of the CCP states:

> *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 foot (30') minimum building and paving setback where sites adjoin Main Street...*

The subject site plan proposes a building setback of 25' and paving setback of 10'4" from the property line fronting the Main Street right-of-way.

The site is zoned General Commercial (GC). Properties to the west and south are also zoned GC. The property to the east is zoned Residential Mixed Use and the properties to the north are zoned Single- Family Residential (SF-1). Building setback requirements for the GC zone are 25' for frontages and 20' for (side and rear) offsets. There are no paving setback requirements in the GC zone.

Building characteristics include:

- 0.96 acre / 41,864 square foot (sf) lot
- 5,100 sf building (6,334 sf footprint with patio 25')
    - 2,500 sf restaurant
    - 2 1,300 square foot office areas
- The applicant is considering adding one residential unit on the second floor which would add approximately 2,500 sf
- 33 parking spaces; bicycle parking
- building height of 30'
- a flat roof with varied roofline
- outdoor patio area
- 31% landscaping

The site plan is currently under review and the applicant has received direction on adjusting the building façade to meet the CCP guidelines as well as adding landscaping to screen the parking area. However, it is important to ensure the proposed building and paving setbacks are acceptable early in the process rather than later. Therefore, this review is focused on the waiver request. Details of the site plan will be provided in a later agenda packet.

The Commercial Corridor Plan states that, in order to receive a waiver, the applicant shall have the burden of establishing justification under the following criteria:

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- Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship; and
- The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and
- Approval of the waiver request will not be detrimental to the public interest.

Requests for design criteria waivers shall be subject to review and determination by the Planning Commission. The Planning Commission may grant, conditionally grant, or deny any waiver request.

In this case, the site has a number of constraints that are dictating the placement of the building and parking. The first is that the lot is a triangular shape with the deeper section on the eastern portion of the lot. The frontage along 1st Street is approximately 172' and it narrows down to a frontage of approximately 47' at 2nd Street. In addition to the shape of the lot, a 20' wide City of Greeley water line easement and a 10' wide Public Service Company of Colorado cover the southern half or the lot. These easements are not adjacent to one another (there is about a 10' gap between them), so the area influenced by the easement is approximately 40' wide for the length of the lot east to west. The parking area can be developed over the easements but not the structure. These two factors limit where the building and parking can be sited.

The width of the Main Street right-of-way and where the road is located versus the edge of the right-of way does reduce the perceived impact of the lesser setbacks. The road is built approximately 21' from the southern edge of the right-of-way creating additional space between the edge of pavement for the road and the proposed building and parking lot pavement. The building would appear to be approximately 46 feet from the road and approximately 32' from the sidewalk. The parking lot pavement would be approximately 30 feet from the road and 18 feet from the sidewalk.

The proposed building setback meets what is allowed in the GC zone. The Central Business zone district is located two blocks west of the subject site where many buildings are built with a zero setback. The Mill property, also in the GC zone, received a variance to allow for reduced front setbacks beyond what is allowed in the GC zone. The buildings across the street to the north and on the block to the east are all built with a lesser setback from Main Street. These setbacks vary from 0' to approximately 20'.

Through the site plan review, staff will ensure that the other aspects of the site plan meet the CCP. However, staff feels that the applicant has shown that a burden that justifies granting the waiver request. Due to the unique conditions of the site's shape and easement reservations, practical difficulties for building exist. The width of the land between the property line and the roadway creating the appearance of a greater setback and the existing setback found in the neighborhood assist in protecting the public interest. Landscaping required with the site plan review will also reduce impacts of the parking area being less than 30 feet from the property line.

Staff also feels that the purpose and intent of the CCP will be retained while granting the waiver request:

1. Maintain and enhance the quality of existing commercial development.

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2. Provide guidance and direction for renovations and proposed new construction.
3. To protect and enhance property values in the Town's corridors and ensure the long-term economic vitality of the Town through quality development and redevelopment.
4. To increase the opportunity for development and expansion for business.
5. To ensure that redevelopment and new development compliments the positive and unique character of surrounding properties.
6. To integrate new development so that the transition to surrounding residential neighborhoods is accomplished sensitively.

Staff recommends approval of the waiver request to allow a paving setback of 10'4" and a building setback of 25' along the north property line fronting Main Street as proposed in the submitted site plan.

Mr. Schick asked if there were any questions from the Commission.

Mr. Schick stated that he did not see any issues with the request and will vote to approve it.

Ms. Scheuerman moved to approve the Commercial Corridor Plan Waiver Request as presented; Mr. Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Scheuerman, Hall, Tallon, Bushelman, Foreman, Ready; Nays – None Motion carried

2. <u>Parking Determination – Bobcat of the Rockies - South Gate Business Park Subdivision 6th Filing Lot 1 – Randy Vickers, Berry Companies, LLC, Business Owner; Leon McCauley, McCauley Constructors, Applicant; Anna Fluckey, McCauley Constructors, Applicant's Representative</u>
   - Quasi-judicial
   - Staff presentation: Millissa Berry, Senior Planner

Ms. Berry introduced the applicant and presented the PowerPoint presentation included in packet material, with the following information. The applicant, Mr. Leon McCauley, has submitted a qualified commercial / industrial site plan for Bobcat of the Rockies to be located on Lot 1 of the South Gate Business Park 6th Filing (890 Champion Drive).

Bobcat of the Rockies is a sales and maintenance facility for large equipment. Per the site plan, a total of 29,000 square feet (sf) of building is proposed. The 24,000 sf main building contains the following components:

- 4,786 sf sales and parts
- 3,211 sf office
- 4,063 sf warehouse
- 10,540 sf shop / maintenance
- 1,400 sf covered area / wash

A separate 5,000 sf storage building is also proposed on the site.

The applicant is proposing 52 standard parking spaces (2 being ADA accessible) and 4 truck / trailer spaces. The applicant is basing the proposed parking count

on 1 space per employee (maximum of 35 employees declared) and 1 space per 500 sf of office and sales area or 16 spaces for customers.

The property is zoned General Commercial (GC). With the categories listed in the municipal code, the most applicable use category for the GC property would be “retail stores, customer service establishments, shopping centers, and other similar uses” which requires 1 space for every 250 sf of Gross Leasable Area (GLA). With this calculation, the required parking would be 116 spaces. Comparing the actual use of the site (heavy equipment sales and service) and the required parking, 116 parking stalls is seen as significantly more than necessary to meet the parking demand of the use in actual day-to- day function. Therefore, the applicant is requesting a Planning Commission determination for a more appropriate parking requirement for the use. This request is done in accordance with Section 16-10- 30(a)(7) of the Municipal Code, which states:

> *Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall determine the appropriate application of the parking requirements to the specific situation.*

To assess whether the proposed parking is sufficient to meet the parking demands of the use, staff evaluated the parking demand associated with the individual uses proposed for the facility, the parking provided for similar uses in the region, and parking requirements of nearby communities.

<u>Parking Per Individual Uses</u>
The individual components of the facility include:

- 4,786 sf sales and parts
- 3,211 sf office
- 9,063 sf warehouse
- 10,540 sf shop / maintenance
- 1,400 sf covered area / wash

The industrial use parking requirement of 1 space per 2 employees would be applied to the warehouse and maintenance areas. According to the applicant, a maximum of 35 employees is anticipated for the facility. This would result in 18 spaces for these uses.

The total parking requirement by use results in the need for 48 spaces.

<u>Parking of Similar Uses in Region</u>
The Wagner Equipment property located at 7260 Crossroads Blvd is likely the most comparable built use in the area. The property includes a 34,394 sf building and 60 parking spaces on a 7 acre site. The parking requirement for the Wagner Equipment site plan was based on the number of employees (80 employees reported) at 1 per 2 employees and then additional 20 stalls for customer parking for the total of 60 parking spaces. In this case, the site is located in the Limited Industrial zone district where parking is based on the number of employees at 1 per 2 employees. The proposed Bobcat facility is planned to provide 1 stall per employee and 30 stalls for customers. This appears to be compatible for what was approved for the Wagner Equipment site though different parking requirement standards were applied.

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The Bobcat of the Rockies in Parker appears to be of similar scale to the subject proposal. Aerials for facility show approximately 30 spaces for the use.

Parking Requirements of Near-by Communities
A few nearby communities have a more expansive list of categories for determining parking demand. Staff reviewed the parking standards for Greeley, Loveland, Fort Collins and Longmont. Applying the different standards resulted in a parking requirement in the range of what is being proposed by the applicant.

The applicant researched the City of Greeley categories and applied a land use that appears to more closely reflect the proposed Bobcat of the Rockies use in operation. The applicable land use applied is “truck, trailer, and large equipment rental” which requires 1 space per 500 sf of sales. Another applicable use listed in the Greeley code is “farm equipment, implement, and diesel and bus sales and repair” which requires 1 space per 500 sf of showroom, office, vehicle repair and parts are plus 1 space per 1,000 sf of outdoor display area. With this calculation, 37 spaces would be required for the building and allow for 15,000 sf of outdoor display area which is reflective of what is being proposed.

City of Longmont applicable uses of auto sales and low intensity retail sale and the associated requirements resulted in a requirement of over 80 parking stalls (3 per 1,000 sf GLA) which also appeared to be more than what is necessary to meet the parking demand for this type of use. Fort Collins has a similar description of low intensity retail with a requirement of at least 1 space per 1,000 sf but no more than 2 spaces per 1,000 sf of GLA. This would require parking 29 to 58 stalls. Loveland’s “heavy motor vehicle sales or rental” requires 1 space per 500 sf of showroom, office, service area, and parts which would result in a requirement of 48 spaces.

Based on this research of basing the parking on the individual uses in the building, the requirements of nearby communities and what is found in developed properties with a similar us, the parking proposed by the applicant appears to be adequate to meet the parking demand anticipated and is comparable to what would be required in other communities.

In accordance with Section 16-10-30(a)(7) of the Municipal Code and the aforementioned justification, staff recommends that the Planning Commission determine that the parking for the proposed Bobcat of the Rockies facility is adequate as proposed.

Mr. Schick asked if there were any questions from the Commission.

Mr. Bushelman requested clarification on the amount of parking spaces being proposed**.**

> Ms. Berry responded that the applicant is requesting 52 standard parking spaces and 4 trailer spaces.

Mr. Bushelman stated that he feels the amount of spaces being requested will be more than adequate.

Mr. Schick concurred.

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Mr. Tallon moved to approve the Parking Determination as presented; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Scheuerman, Hall, Tallon, Bushelman, Foreman, Ready; Nays – None Motion carried

D. COMMUNICATIONS

1. Communications from the Planning Commission
   None

2. Communications from the Town Board liaison
   None

3. Communications from the staff

   a. Site Plan Review – South Gate Business park 6th L1 – Bobcat of the Rockies

   Ms. Berry reported that the plan will be reviewed and approved administratively by staff; however, if there are any comments to please forward them to staff at your earliest convenience.

   Mr. Ballstadt wished to remind the Commission that CDOT will be having an open house on March 13, 2019 starting at 4:00 p.m. at the Windsor Fire station No. 1. Mr. Ballstadt further stated that the Planning Commission will be having a joint work session with the Town Board regarding the code updates and building code adoption, however, the date is still to be determined.

E. ADJOURN
Upon a motion duly made, the meeting was adjourned at 7:23 p.m.

_____
Deputy Town Clerk, Amanda Mehlenbacher

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MEMORANDUM

Date:	**March 6, 2019**
To:	**Planning Commission**
From:	**Carlin Malone, Chief Planner**
Re:	**Public Hearing and Recommendation to Town Board – Conditional Use Grant (CUG) for a Retail Garden Center with Plant Nursery and Greenhouses – Harmony First Annex – Chris Serbousek, Harmony Gardens, Owner/Applicant; Kristin Turner, TB Group, Applicant's Representative**
Location:	**East of Weld County Road 13 and south of Harmony Road/WCR 74**
Item #:	**C.1 & C.2**

Background

The applicant, Chris Serbousek, represented by Kristin Turner, is requesting a Conditional Use Grant (CUG) to allow a retail garden center with supporting nursery and greenhouses on the Harmony Annex property, a 121-acre property located on the southeast corner of WCR 13 and Harmony Road. The property is zoned GC (General Commercial) and RMU (Residential Mixed Use) which allows garden centers as a commercial use; however the Town's Municipal Code does not address the agricultural uses that may be associated with a garden center.

The applicant has submitted a site plan application, which has been reviewed concurrently with the CUG request. The site plan information is included with this CUG request.

The property has been master planned for a commercial area within a neighborhood. The proposed uses are intended to be long-term interim uses until the time the market demands higher intensity commercial use of the property, as anticipated and planned with the existing zoning and approved master plan. The proposed CUG would allow the proposed uses, as well as provide a mechanism for the long-term interim use on the property. This conditional use grant considers the uses as well as the design of the greenhouse structures proposed, as the design standards for this area include those of the Town's Commercial Corridor Plan, which does not address greenhouse structures.

An existing tree farm is located on the northwest portion of the site, located directly southeast of the WCR 13/Harmony Road intersection. The garden center, nursery, and greenhouses would be located east of the tree farm and the site will be accessed from Harmony Road on the northeastern corner of the property, with a road (to be named in the future) extending south from Harmony Road along the eastern boundary of the property, leading to the driveway of the site. The proposed roadway is consistent with the road alignment approved with the master plan for the property and will only serve this property in the interim. Please see the presentation materials

for location of the proposed site. If approved, the applicant's intention is to move his existing business, Harmony Gardens, currently located in Fort Collins on the southwest corner of Harmony Road and Interstate 25, to the subject property.

Please see the presentation and application materials for additional details on the proposal.

The conditional use would not have an expiration date. Harmony Gardens is planned to operate for the long-term until the market demands a higher intensity commercial use.

Standards and Requirements for Conditional Use Grants

Section 16-7-50 of the Municipal Code outlines the factors to be evaluated prior to the granting of a conditional use.

1. **The character and the quality of the area in which the use will be located.**
   The Harmony Annex property includes 121 acres. It currently has an agriculture use (tree farm), which will continue, as well as new agricultural uses to support the retail garden center. The property is surrounded by existing agricultural uses and developing residential and future commercial north of Harmony Road. No development is currently proposed to the east of the property and it is not anticipated that development will occur in the near future.

2. **The physical appearance of the use, including suitability of architectural and landscaping treatment.**
   The proposed use and structures are consistent with the surrounding agricultural uses and the compatible with the developing neighborhood to the north:
   - Proposed garden center will provide landscape buffer along Harmony Road, eastern boundary of the property and adjacent to parking lot area, as well as plant material adjacent to the structures.
   - Variety of plant material and garden areas will be located throughout the site as buffering/screening, as well as display.
   - Garden center building and greenhouses designed with architectural wainscot along the base of the buildings and architectural columns on the corners of the buildings to provide different building material on the façades.
   - Existing tree farm will remain on the property.

3. **Appropriate location of the building or buildings on the lot.**
   The buildings would be located around the proposed parking area and the garden center would be located closest to Harmony Road. The site has a lower elevation than Harmony Road, so will be visible from the roadway. Buildings have been designed for compatibility with the commercial corridor, while keeping the agricultural nature of the business and the agricultural feel of the area.

4. **Adequate provision of parking, loading and circulation facilities.**
   The parking meets the retail parking requirements for a garden center. The proposed roadway leading into the driveway of the business is consistent with the proposed roadway alignment shown on the approved master plan.

5. **Potential effect of the use upon off-site vehicular and pedestrian traffic circulation, with particular reference to potential traffic congestion.**

In 2018, the applicant dedicated right-of-way for the future buildout of Harmony Road and will be adding a right turn lane on the south side of Harmony Road leading to the site. Improvements will be consistent with the future design of Harmony Road and the approved master plan for the property.

6. **Potential effect of the use on storm drainage in the area.**
   Construction of the portion of the site will comply with the Town's standards and is not expected to create run off in excess of previous site levels and would not change existing topography or drainage patterns.

7. **Adequacy of planting screens where necessary.**
   Landscaping on the site includes the existing tree farm, buffer along Harmony Road, and screening adjacent to buildings visible from Harmony Road and screening of the proposed parking area.

8. **Provision of operational controls where necessary to avoid hazardous conditions or eliminate potential air or water pollutants or other noxious influences.**
   Enclosed containment would be provided for all trash. The proposal does not include use or storage of hazardous or noxious material.

9. **The general compatibility of the proposed use with the area in which it is to be located.**
   The layout and general compatibility of the proposed use is consistent with the surrounding area uses. The general use of a garden center is permitted in the GC and RMU zone districts; however, the supporting greenhouse, plant nursery, and agricultural uses are not included within these districts and greenhouse structures were not included in the commercial corridor standards. The CUG would allow these uses and greenhouse structures with the garden center use. The existing and proposed agricultural uses on the property are consistent with surrounding agricultural uses.

A neighborhood meeting is not required for this CUG application; however, a public hearing is a requirement of a CUG and notices were sent to surrounding property owners within 100 feet of the property. No comments on the proposal have been received.

Conformance with Comprehensive Plan

The 2016 Comprehensive Plan does not specifically address the proposed use; however, it does discuss the importance of maintaining and enhancing quality facilities and infrastructure to support the community. The development would continue improvements along Harmony Road and provide a business that would support and compliment new development in the area.

Conformance with Strategic Plan

The proposal supports the Strategic Plan in the area of adequate infrastructure.

Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the Conditional Use Grant application to the Town Board as presented with the following conditions:

1. The final site plan and accompanying development agreement is approved by Town Staff prior to building permit issuance.

Notification

The following Planning Commission and Town Board public hearing notifications were completed in accordance with the Municipal Code:

- February 15, 2019 – affidavit of letter mailed to property owners within one hundred (100) feet of site
- February 20, 2019 – property posted with a notification sign
- February 22, 2019 – legal ad published in the newspaper

A neighborhood meeting was not required for this proposal.

Attachments

- Application materials
- Staff PowerPoint

cc: Kristin Turner, applicant's representative

APPLICATION FOR CONDITIONAL USE

TOWN OF WINDSOR
301 Walnut Street
Windsor, CO 80550

Office: (970) 674-2415
Fax: (970) 674-2456
www.windsorgov.com

(Please see Town of Windsor Fee Schedule for Application Fees)

TO BE COMPLETED BY APPLICANT

(Type or print in black ink)

Street Address*: SE Corner of Harmony Road and CR 13 Lot: NA Block: NA

Subdivision: NA

*****Conditional Use Grant approval is only valid for the applicant(s) who receive the original approval and is not transferable to subsequent occupants of the property.*****

*Describe the non conforming use or home occupation. Include activity description, average number of clients, need for parking, hours of operation, size of area to be used, justification of continuance of non conforming use and result of any communication with neighbors. (use back or additional sheets if necessary)

Please see attached sheet.

Windsor Municipal Code Section 16-7 and Section 16-31.

- Legible, accurate drawings (drawn to an appropriate scale, which cannot be smaller than 1"=30') and specifications necessary for the proper consideration of this grant shall be submitted with this application.
- Conditional use grant evaluation criteria are detailed in Windsor Municipal Code Section 16-7-50.
- Notification requirements are detailed in Windsor Municipal Code Section 16-31.

*Present use of land:	Agriculture	Size:	122 AC
*Present use of structure:	NA	Size:	NA
*Proposed use of land:	Garden Center/Agriculture	Size:	122 AC
*Proposed use of structure:	Garden Center	Size:	Approx. 5,000 SF

If granted this conditional use grant, I/We the undersigned, agree to comply with the Code of the Town of Windsor, Colorado and any other stipulations as determined by the Town Board. I hereby depose and state under penalties of perjury that all statements and proposal submitted within this application are true and correct to the best of my knowledge.

Submitted this 20th **day of** November, **20** 18

Chris Serbousek	Chris Serbousek
Applicant (please print)	**Property Owner* (please print)**
Applicant's Signature	**Property Owner's Signature***
(303) 419-6781 / NA	(303) 419-6781 / NA
Phone (daytime) / **Fax**	**Phone*** (daytime) / **Fax***
serbousekhomes@msn.com	serbousekhomes@msn.com
Email	**Email***

Applicant's Representative (if any) Name Kristin Turner

Phone 970.532.5891 Fax Email kristin@tbgroup.us

* indicates required fields

Project Description:

Harmony Gardens is a retail/wholesale plant nursery proposed at this site. The development will include: a sales center and greenhouse, sprinkler building and storage, production greenhouses and cold-frame hoop houses. The remainder of the site will be used for agricultural purposes (growing and storing plan inventory).

The property is approximately 121 acres and is located at the southeast corner of Harmony Road and Weld County Road 13. Uses adjacent to the project include future commercial development within the Timnath Ranch subdivision to the west, existing agricultural land to the east and future commercial and residential development within The Ridge at Harmony Road subdivision to the north. The site is zoned General Commercial (GC) adjacent to Harmony Road and Residential Mixed Use (RMU) to the south.

The proposed site plan is considered a long-term temporary use. While we are not able to provide specific timing, this land-use could remain in place for five years or more. It is anticipated that the site will redevelop in the future when the market demands the highest and best use of this land. One benefit of this temporary use is to provide a service for nearby residents as well as tax revenue for the Town.

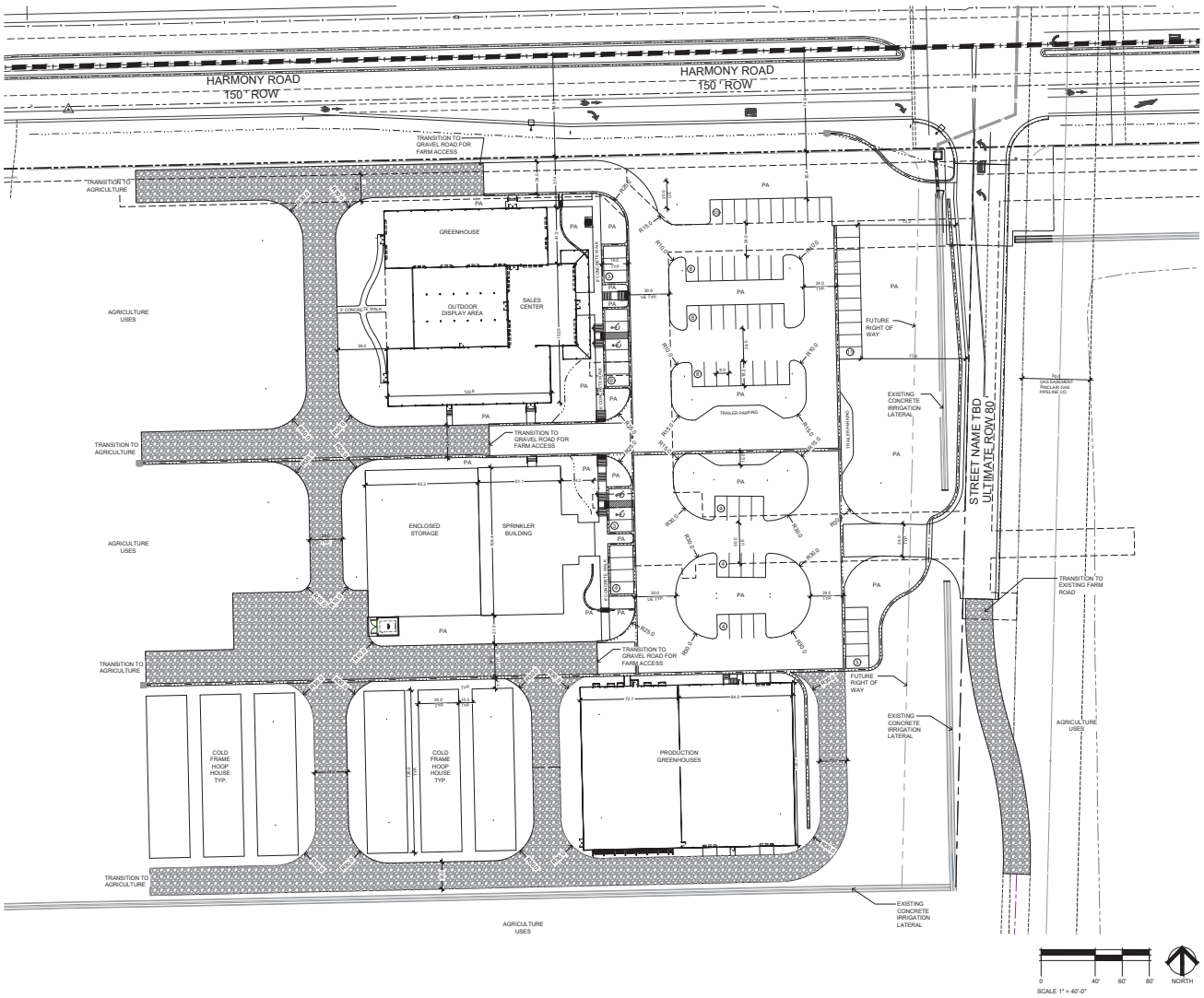
*Describe the non-conforming use or home occupation. Include activity description, average number of clients, need for parking, hours of operation, size of area to be used, justification of continuance of non-conforming use and result of any communication with neighbors. (use back or additional sheets if necessary)

A plant nursery is not currently a use included in the zoning description for General Commercial (GC). In addition, while this use is generally consistent with the master plan, the permanent future uses are anticipated to be different. A plant nursery is a use that wasn't anticipated at the time the master plan was created.

The proposed site plan is considered a long-term temporary use. It is anticipated that the site will redevelop in the future when the market demands the highest and best use of this land.

The plant nursery (the retail portion of the site) is a use that is compatible within the General Commercial zone district. It is consistent with surrounding uses and will help to support the growth of the community.

The portion of the property zoned RMU is proposed for agricultural uses. This is not a listed land use within the RMU zone district but is compatible with surrounding uses. It is a supporting use for the retail portion of the site located in the General Commercial zone district.



Land-Use Statistics

EXISTING ZONING:	GC - GENERAL COMMERCIAL	
GROSS LAND AREA:	5,318,303 SF	122.0 AC
DEVELOPED LAND AREA:	352,580 SF	8.1 AC
NUMBER OF BUILDINGS:	3	
LAND USE:	RETAIL/WHOLESALE PLANT NURSERY & AGRICULTURE	
TOTAL BUILDING GROSS S.F.:	48,768 SF	
SALES CENTER	8,197 SF	
SALES CENTER GREENHOUSE	5,158 SF	
SPRINKLER BUILDING	7,436 SF	
SPRINKLER WAREHOUSE	9,073 SF	
PRODUCTION GREENHOUSES	18,904 SF	
MAXIMUM BUILDING STORIES:	1	

GROSS AREA COVERAGE

	SQUARE FEET	ACRES	% OF DEVELOPED AREA
BUILDING FOOTPRINT	48,768	1.11	13.8%
LANDSCAPE	84,658	1.94	24.0%
RIGHT OF WAY	10,207	0.23	2.9%
PAVED DRIVE AND PARKING	56,093	1.29	15.9%
GRAVEL DRIVE	51,745	1.18	14.7%
SIDEWALKS/HARDSCAPE	3,038	0.07	0.8%
OPEN SPACE/AGRICULTURE	5,063,794	116.24	95.2%
TOTAL AREA:	5,318,303	122.0	100%

PARKING:

EMPLOYEES OFF-SEASON (SEPTEMBER-APRIL): 10 VEHICLES
EMPLOYEES PEAK-SEASON (MAY-AUGUST): 20 VEHICLES

PROVIDED: 78 SPACES INCLUDING 4 ACCESSIBLE SPACE

Legend

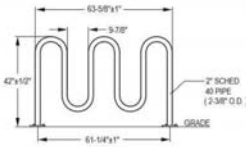
- HANDICAP PARKING STALL
- EASEMENT LINE
- PROPERTY LINE
- FUTURE RIGHT OF WAY
- PA — PLANTING AREA
- GRAVEL ROAD
- BIKE RACK

Bike Rack

BELSON OUTDOORS
111 North River Road
North Aurora, IL 60542
Phone: (866) 323-5664
Fax: (630) 897-0573
sales@belson.com

Model # HW238-7-SF-G — **Dimension Sheet**

HEAVY-DUTY WINDER | 5 LOOPS 7 BIKES



Bike Rack- 5 Loop
Quantity: 1 - Color: Powder-Coated Black
Surface Mount

FURNISHING AND INSTALLATION NOTES

1. CONTRACTOR TO OBTAIN ALL INSTALLATION AND STRUCTURAL INFORMATION OR DRAWINGS FROM MANUFACTURER PRIOR TO INSTALLATION.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SUBMIT ALL NECESSARY PERMIT DOCUMENTS AS REQUIRED BY THE LOCAL JURISDICTIONS FOR THESE PRODUCTS.
3. CONTRACTOR TO SUBMIT PRODUCT INFORMATION FOR OWNER'S REVIEW AND APPROVAL PRIOR TO ORDERING
4. COORDINATE FINAL LOCATION OF ALL FURNISHINGS AND EQUIPMENT WITH OWNER PRIOR TO FINAL INSTALLATION / MOUNTING.
5. SUBSTITUTIONS ARE ALLOWED, FOR SPECIFIED PRODUCTS THAT ARE NO LONGER AVAILABLE, OR IF A SUBSTANTIAL COST SAVINGS CAN BE REALIZED FOR THE OWNER BY USE OF AN ALTERNATE AND EQUAL PRODUCT. IF SUCH SUBSTITUTION OCCURS IT MUST BE SUBMITTED IN WRITING AND APPROVED BY THE OWNER OR ANY GOVERNING AGENCIES.

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Harmony Gardens

WINDSOR, CO

PREPARED FOR

TOWN OF WINDSOR
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970.674.2400

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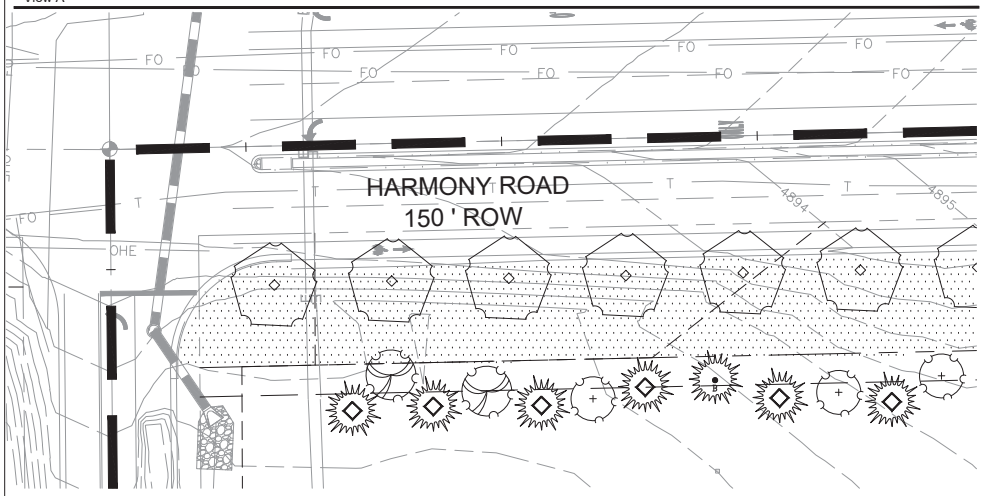
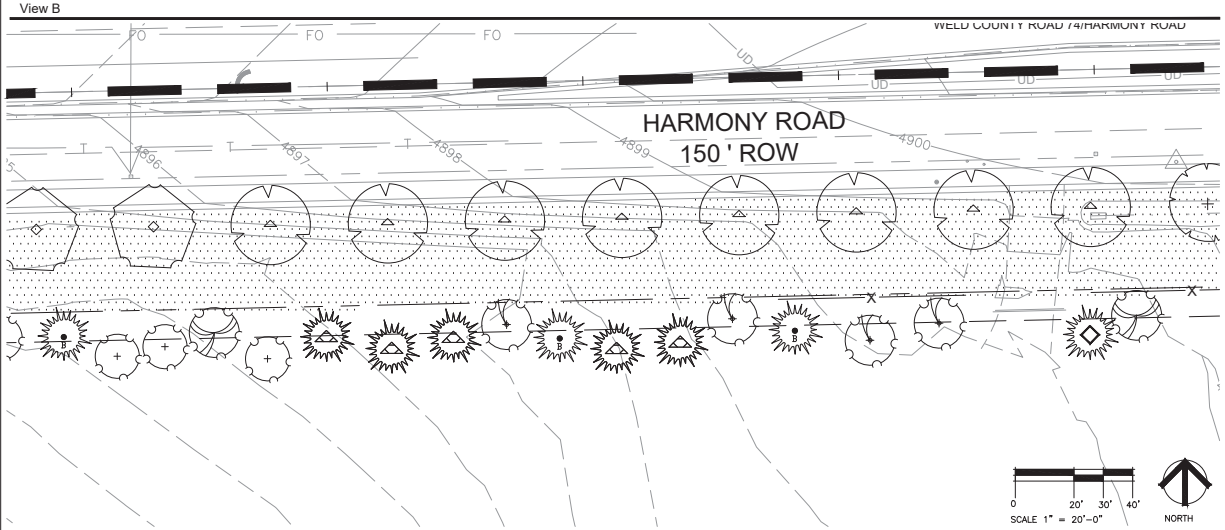
Sheet Number: 2

View A



View B



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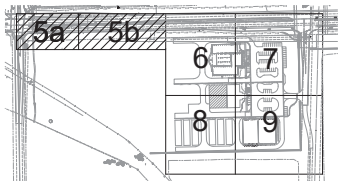

Landscape Legend

66,840 S.F. IRRIGATED TURF
BLUE GRASS BLEND SOD

32,126 S.F. SHRUB BED AREA
INCLUDES PERENNIAL PLANTING AREAS AND ¾" COBBLE AREAS

EXISTING TREES

STEEL EDGER, ROUNDED TOP

PERENNIAL PLANTING MATRIX
CONSISTING OF LARGE DRIFTS OF VARIOUS TYPES OF PERENNIALS SUCH AS THE FOLLOWING BUT NOT LIMITED TO:
DAISIES
HUECHERA
SIBERIAN IRIS
BLACK EYED SUSAN
PENSTEMON VARIETIES
CONEFLOWER VARIETIES

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	8	Tilia americana 'Redmond' REDMOND LINDEN
	7	Tilia cordata, 'Greenspire' GREENSPIRE LINDEN
	33	ORNAMENTAL TREES -
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	6	Malus x 'Spring Snow' CRABAPPLE, SPRING SNOW
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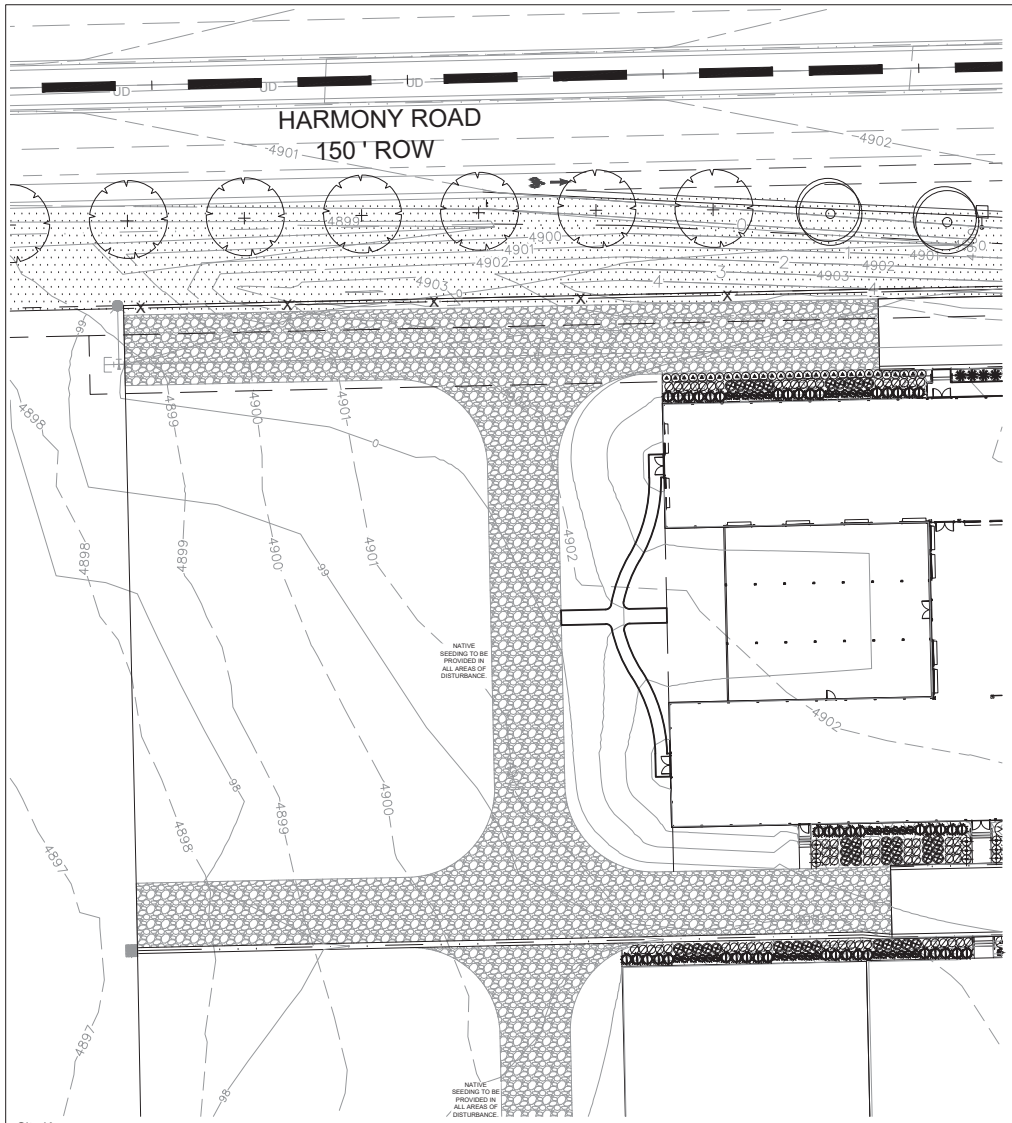
Sheet Number: 5



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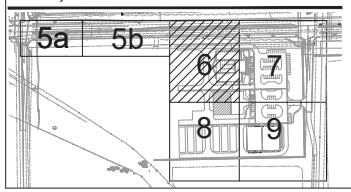

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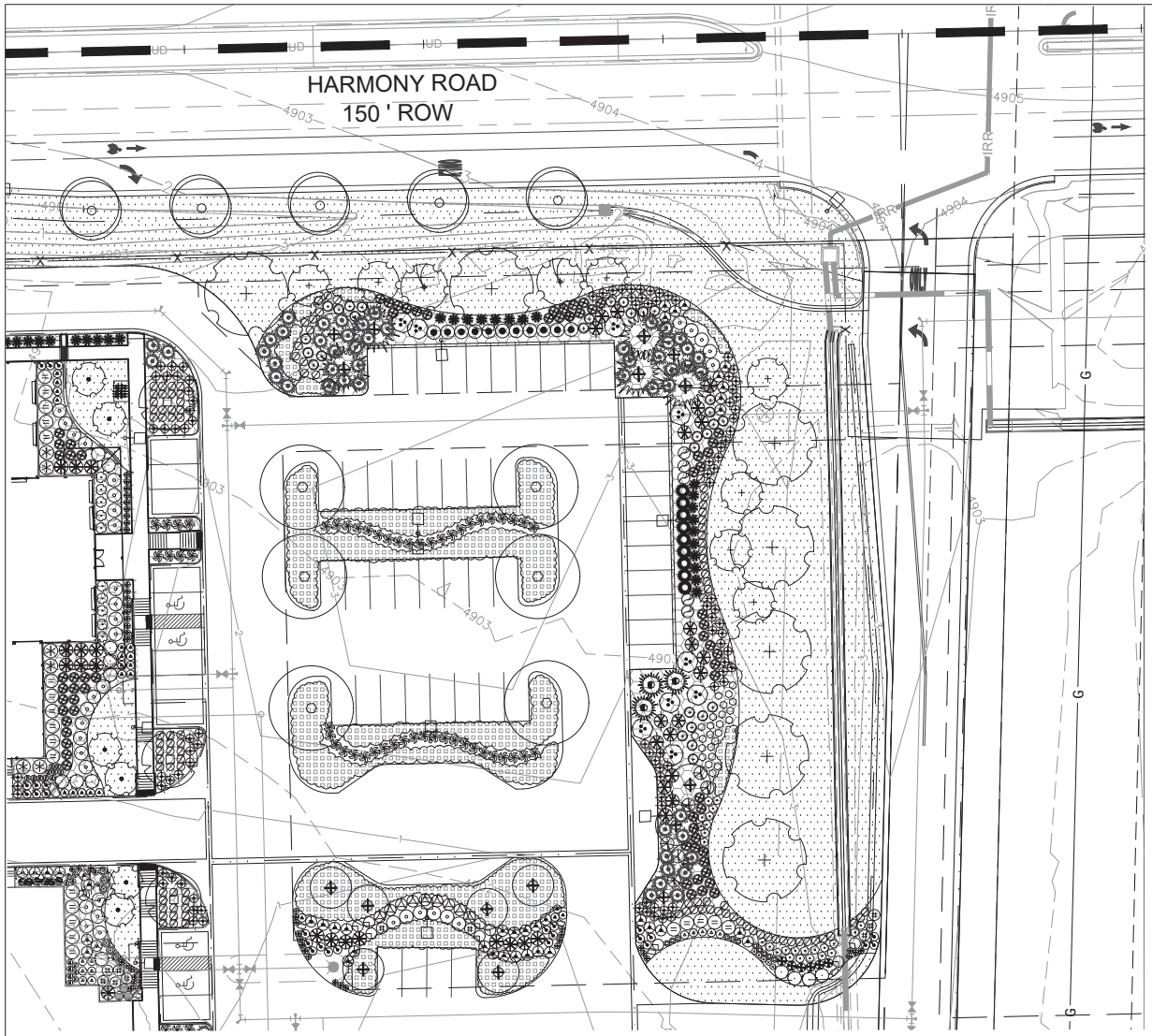

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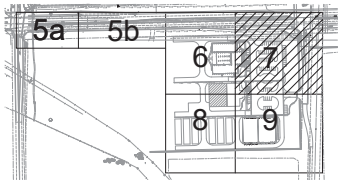

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SCALE 1" = 20'-0"

NORTH

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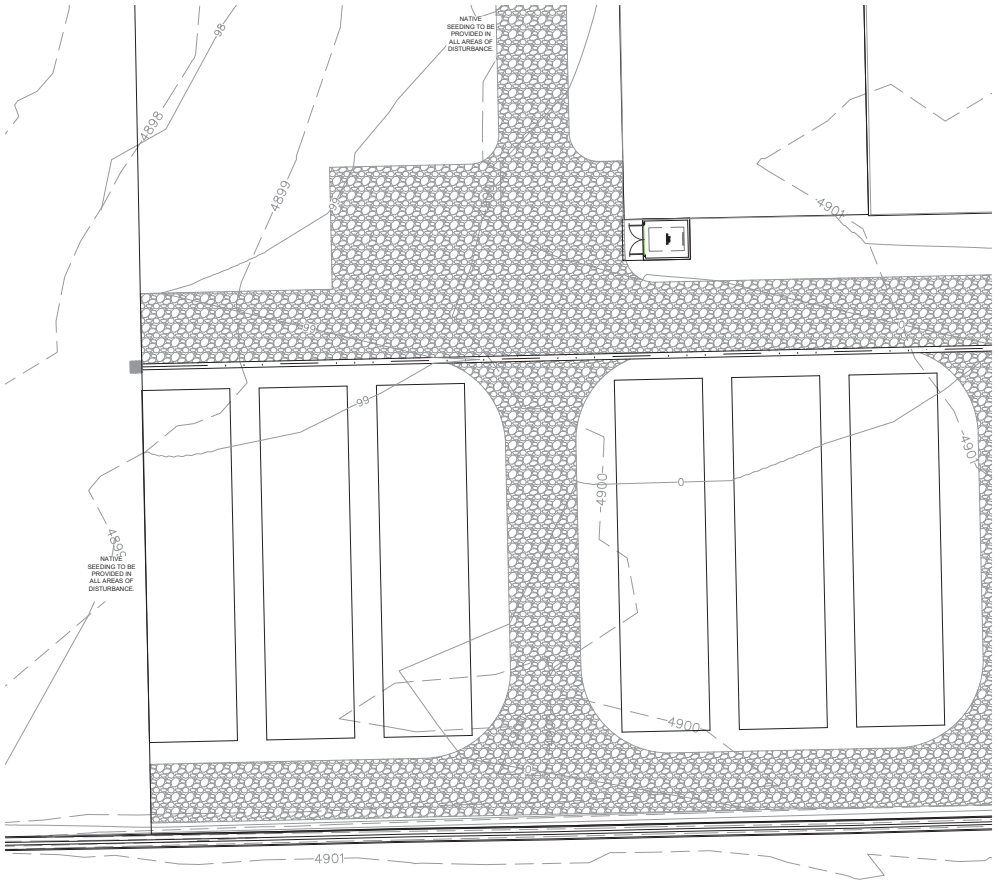

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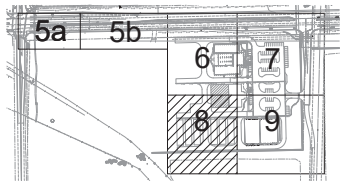

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CONSISTING OF LARGE DRIFTS OF VARIOUS TYPES OF PERENNIALS SUCH AS THE FOLLOWING BUT NOT LIMITED TO:
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SIBERIAN IRIS
BLACK EYED SUSAN
PENSTEMON VARIETIES
CONEFLOWER VARIETIES

Landscape Schedule

KEY	QTY.	BOTANICAL NAME / COMMON NAME
	64	DECIDUOUS TREES -
	12	Acer ginnala AMUR MAPLE
	8	Acer rubrum 'Frank Jr.' REDPOINTE MAPLE
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	8	Quercus buckleyi TEXAS RED OAK
	4	Quercus crimson spire CRIMSON SPIRE OAK
	2	Quercus macrocarpa BURR OAK
	7	Quercus shumardii SHUMARD OAK
	8	Tilia americana 'Redmond' REDMOND LINDEN
	7	Tilia cordata, 'Greenspire' GREENSPIRE LINDEN
	33	ORNAMENTAL TREES -
	7	Malus x 'Coralburst' CRABAPPLE, CORALBURST
	16	Malus x 'Prairie Fire' CRABAPPLE, PRAIRIE FIRE
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	6	Malus x 'Spring Snow' CRABAPPLE, SPRING SNOW
	112	EVERGREEN TREES -
	46	Juniperus scopulorum 'Gray Gleam' JUNIPER, GRAY GLEAM
	4	Picea pungens (Blue) SPRUCE, COLORADO
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	5	Picea pungens 'Fat Albert' SPRUCE, FAT ALBERT
	5	Pinus flexilis 'Vanderwolf's Pyramid' LIMBER PINE
	3	Pinus leucodermis, 'Emerald Arrow' EMERALD ARROW BOSNIAN PINE
	7	Pinus nigra AUSTRIAN PINE
	55	EVERGREEN SHRUBS -
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	391	DECIDUOUS SHRUBS -
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	9	Amelanchier alnifolia 'Regent' SERVICEBERRY, REGENT
	15	Arctostaphylos uva-ursi 'Massachusetts' KINNIKINNICK, MASSACHUSETTS
	66	Caryopteris x clandonensis 'Blue Mist' SPIREA, BLUE MIST
	12	Cercocarpus intricatus MAHOGANY, LITTLELEAF MOUNTAIN
	29	Cornus alba Red Gnome DOGWOOD, RED GNOME
	30	Cornus sericea 'Arctic Fire' DOGWOOD, ARCTIC FIRE
	20	Ericameria nauseosa ssp. nauseosa RABBITBRUSH, DWARF BLUE
	9	Euonymus alatus BURNING BUSH DWARF
	17	Krascheninnikovia lanata WINTERFAT
	20	Mahonia aquifolium HOLLY, CREEPING OREGON GRAPE
	25	Perovskia atriplicifolia, 'Little Spire' LITTLE SPIRE RUSSIAN SAGE
	17	Potentilla fruticosa Dakota Sunspot POTENTILLA, DAKOTA SUNSPOT
	26	Prunus besseyi CHERRY, WESTERN SAND
	6	Rhus trilobata THREE LEAF SUMAC
	18	Ribes cereum CURRANT, SQUAW
	41	Rosa Flower Carpet Coral ROSE, CORAL CARPET
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PERENNIAL PLANTING MATRIX SEE LIST ON THIS SHEET FOR PLANT VARIETIES TO BE USED IN THESE AREAS

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TB GROUP
landscape architecture | planning | urban design
444 Mountain Ave.
Berthoud, CO 80513
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SEAL

PROJECT TITLE

Harmony First Annexation Site Plan

Harmony Gardens

WINDSOR, CO

PREPARED FOR

TOWN OF WINDSOR
301 Walnut Street
Windsor, CO 80550
970.674.2400

REVISIONS	DATE
Staff Comments	2.5.18

DATE

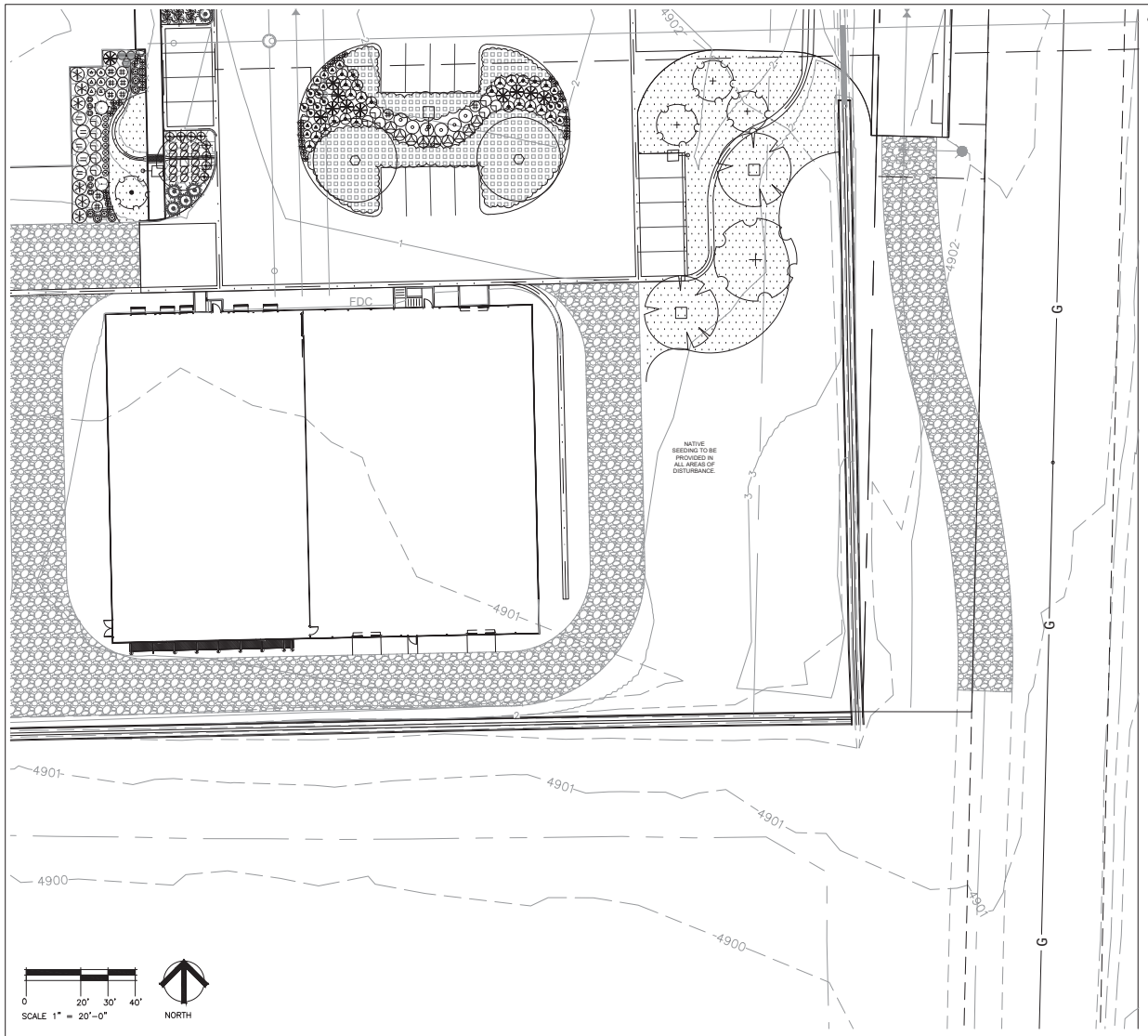
November 20,2018

SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 8



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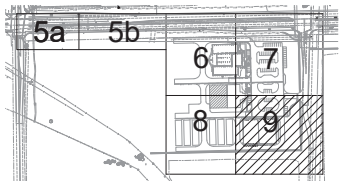

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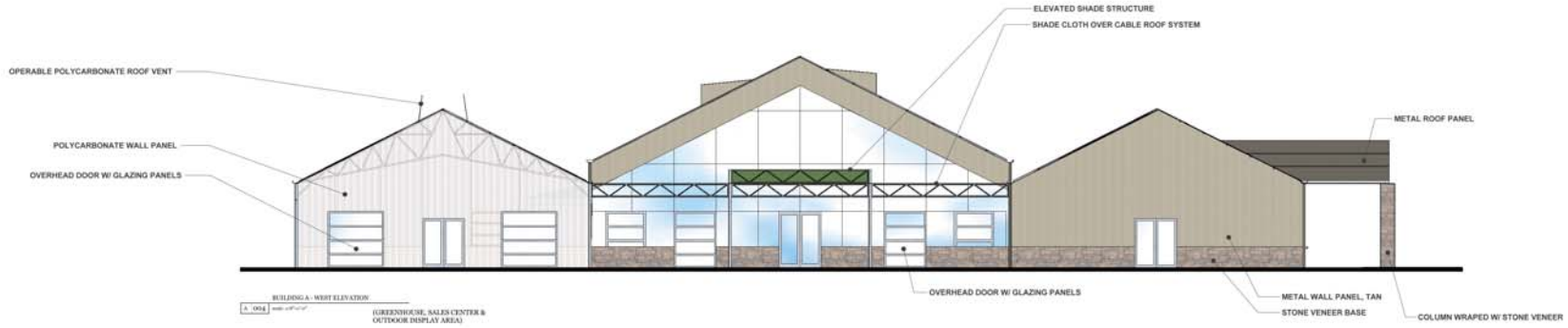
SHEET INFORMATION

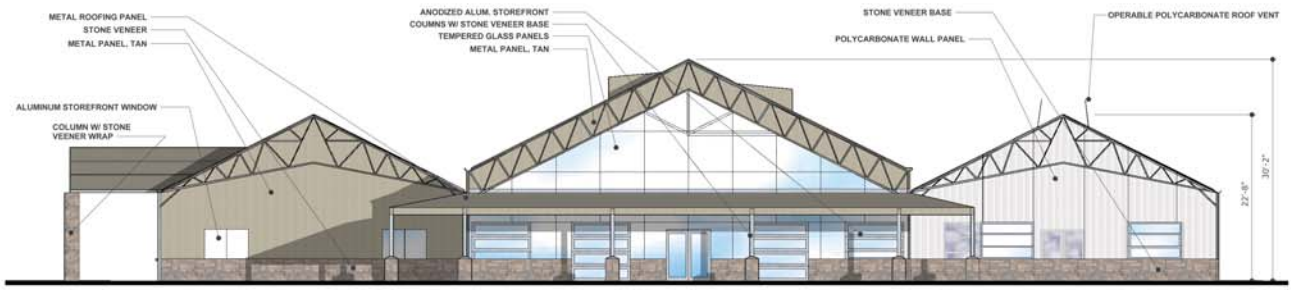
Sheet Number: 9



BUILDING A - WEST ELEVATION
A . 004 scale: 1/8"=1'-0"
(GREENHOUSE, SALES CENTER & OUTDOOR DISPLAY AREA)

BUILDING A - NORTH ELEVATION
A . 002 scale: 1/8"=1'-0"
(GREENHOUSE, SALES CENTER & OUTDOOR DISPLAY AREA)

BUILDING A - SOUTH ELEVATION
A . 003 scale: 1/8"=1'-0"
(GREENHOUSE, SALES CENTER & OUTDOOR DISPLAY AREA)



BUILDING A - EAST ELEVATION
A . 001 scale: 1/8"=1'-0"
(GREENHOUSE, SALES CENTER & OUTDOOR DISPLAY AREA)

HAUSER ARCHITECTS

HARMONY GARDENS

ARCHITECTURAL ELEVATIONS

REVISIONS

SDP SUBMITTAL #1	11.20.18
SDP SUBMITTAL #2	1.2.19

SHEET 10

BUILDING B - EAST ELEVATION
B .008 scale: 1/8"=1'-0" (SPRINKLER BUILDING AND ENCLOSED STORAGE)

BUILDING B - SOUTH ELEVATION
B .007 scale: 1/8"=1'-0" (SPRINKLER BUILDING AND ENCLOSED STORAGE)

BUILDING C - EAST ELEVATION
C .008 scale: 1/8"=1'-0" (PRODUCTION GREENHOUSE)

BUILDING B - NORTH ELEVATION
B .005 scale: 1/8"=1'-0" (SPRINKLER BUILDING AND ENCLOSED STORAGE)

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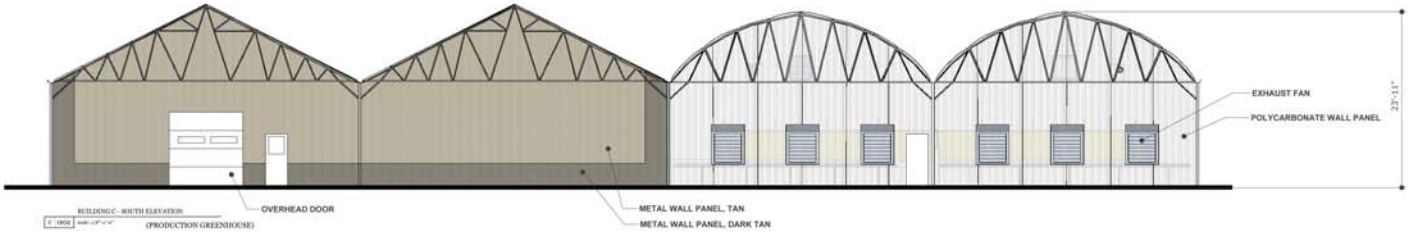

BUILDING C - SOUTH ELEVATION
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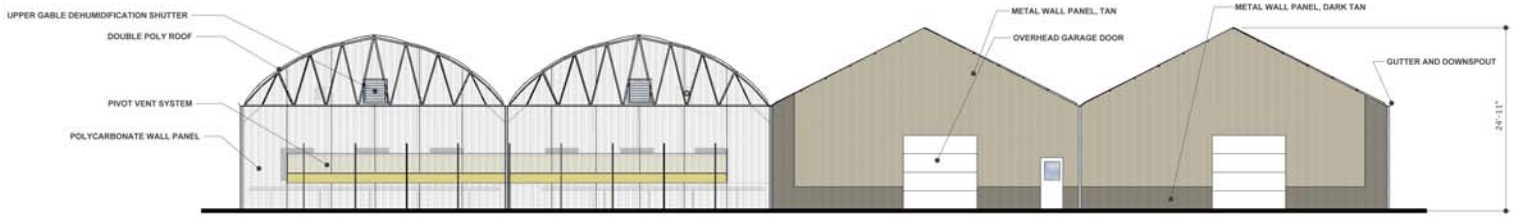


BUILDING C - NORTH ELEVATION
C .001 scale: 1/8"=1'-0" (PRODUCTION GREENHOUSE)

*COLD FRAME HOOP HOUSE TO BE SIMILAR TO ARCHED PORTION OF THE PRODUCTION GREENHOUSE STRUCTURE.

HAUSER ARCHITECTS

HARMONY GARDENS

ARCHITECTURAL ELEVATIONS

REVISIONS

SIGP SUBMITTAL #1	11.20.18

SHEET 11

Conditional Use Grant

Harmony First Annex

Garden Center with Agricultural Uses

Carlin Malone, Chief Planner

Planning Commission, March 6, 2019

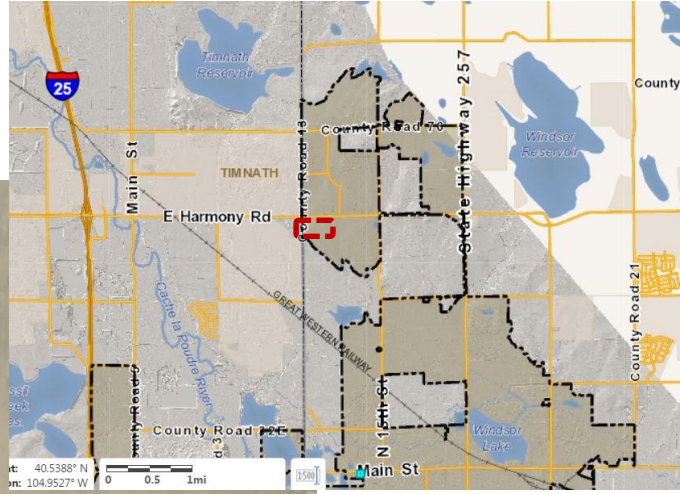
Conditional Use Grant

Article VIII of Chapter 16 of the Municipal Code outlines the intent of the Conditional Use Grant process, including:

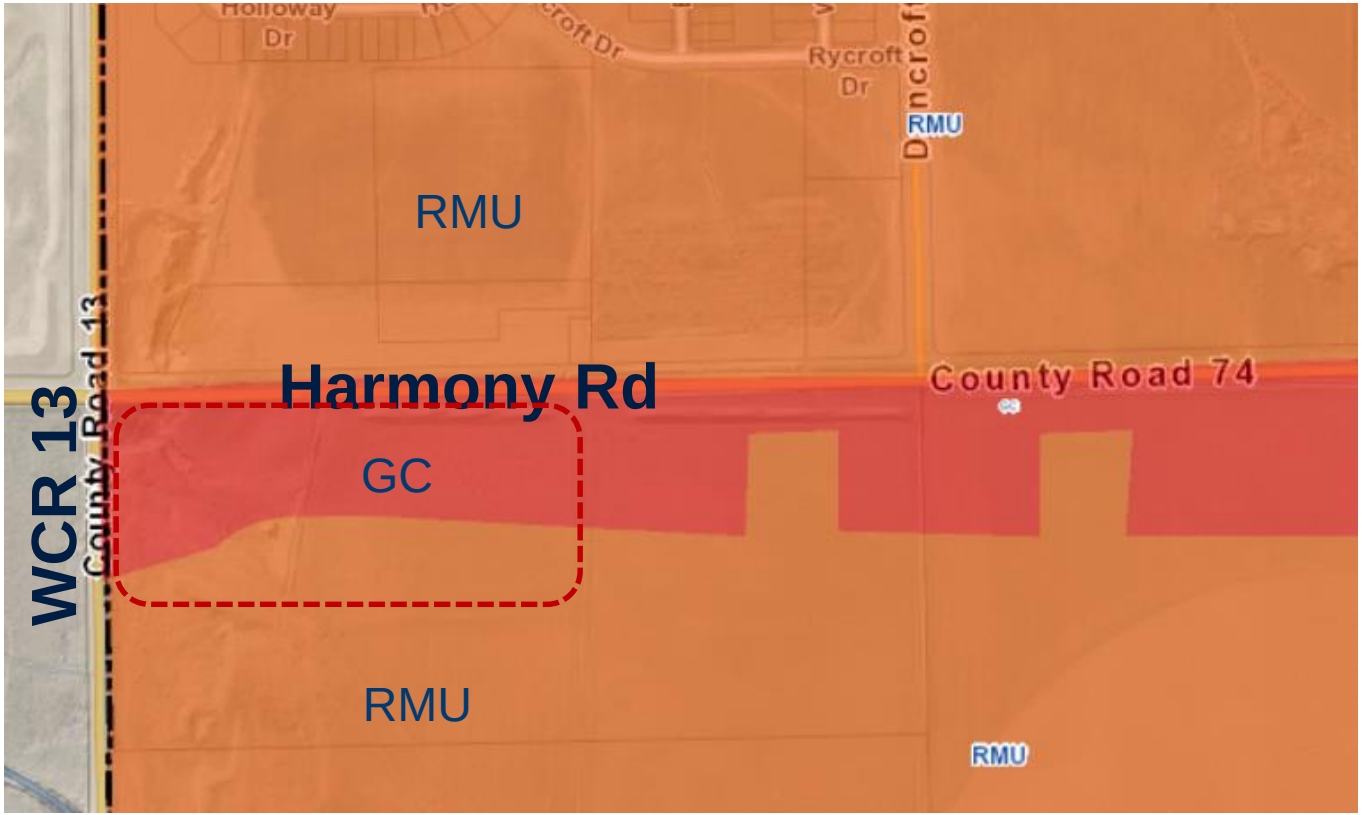
Sec. 16-7-10. Purpose.

The conditional use classification is intended to allow consideration of uses which are unique in nature or character and, except as otherwise specifically provided in this Chapter, not specifically included as uses by right in any specific zoning districts. It is the specific intent of this Article, except as otherwise specifically provided in this Chapter, to prohibit the granting of conditional uses in any zone when such use is allowed as a use by right in any other zone.

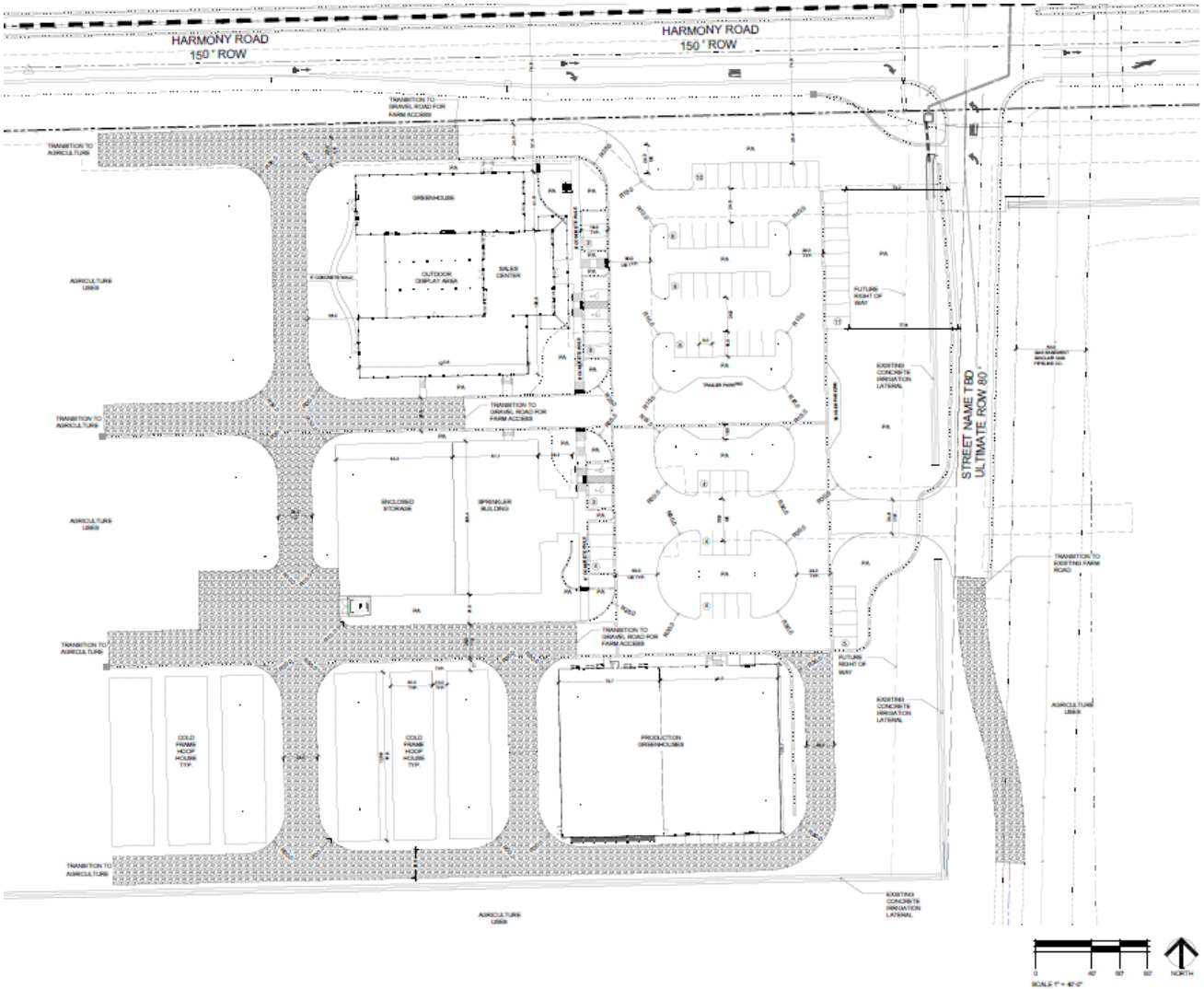
Site Vicinity Map



Area Zoning Map

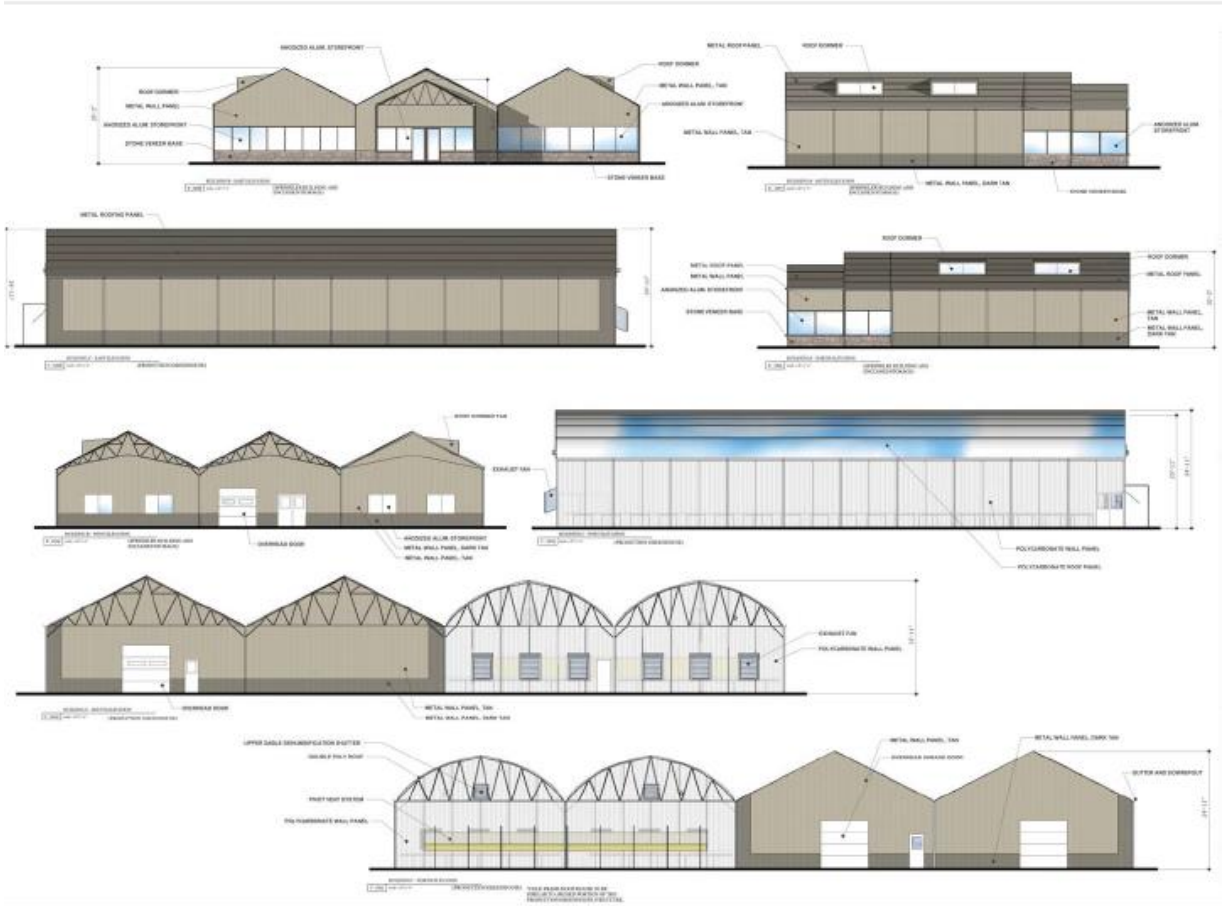


Site Plan

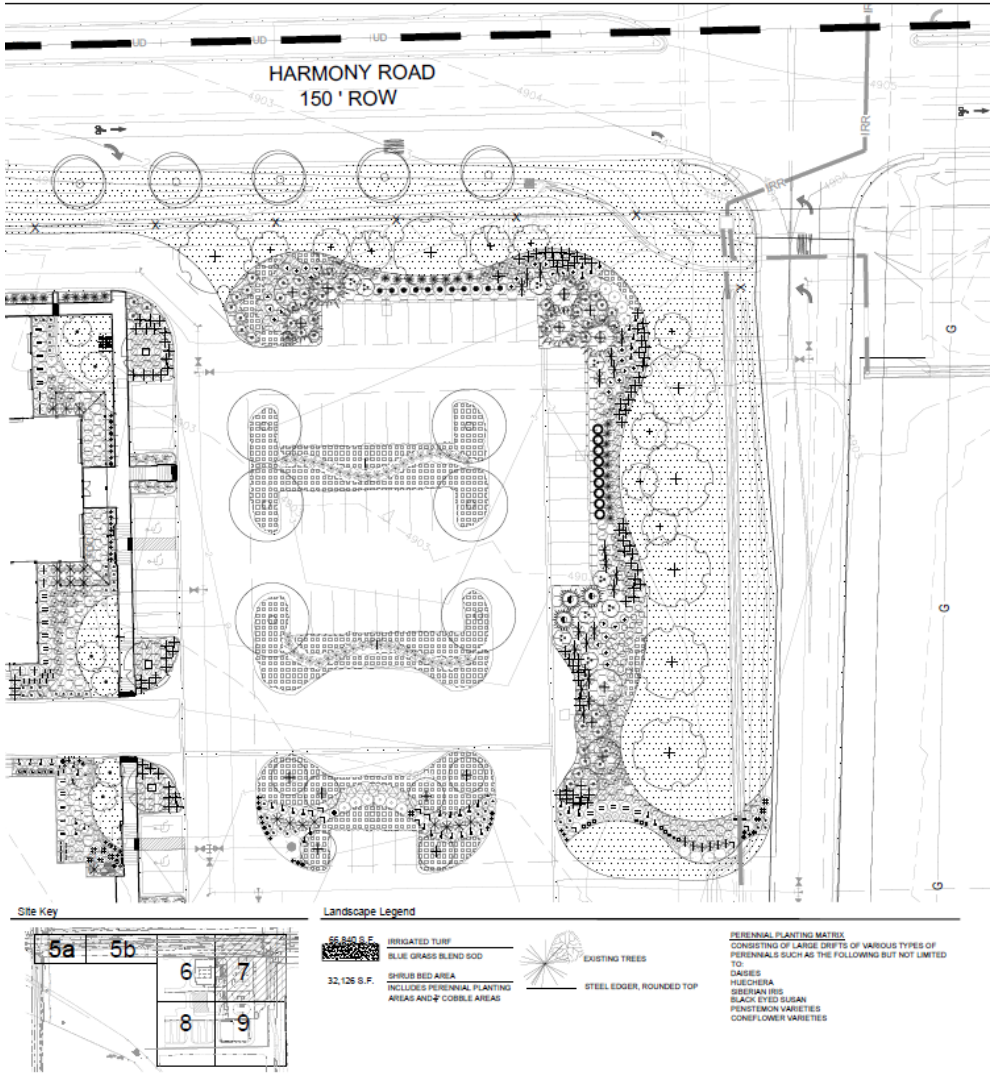

HARMONY ROAD
150' ROW
HARMONY ROAD
150' ROW
STREET NAME TBD
ULTIMATE ROW 80'
GREENHOUSES
OUTDOOR DISPLAY AREA
SALES CENTER
ENCLOSED STORAGE
SPRINKLER BUILDING
COLD FRAME HOOP HOUSE TYP.
COLD FRAME HOOP HOUSE TYP.
PRODUCTION GREENHOUSES
TRANSITION TO AGRICULTURE
TRANSITION TO GRAVEL ROAD FOR FARM ACCESS
AGRICULTURE USES
FUTURE RIGHT OF WAY
EXISTING CONCRETE IRRIGATION LATERAL
TRANSITION TO EXISTING FARM ROAD
NORTH

Elevations

Elevations



Landscape Plan



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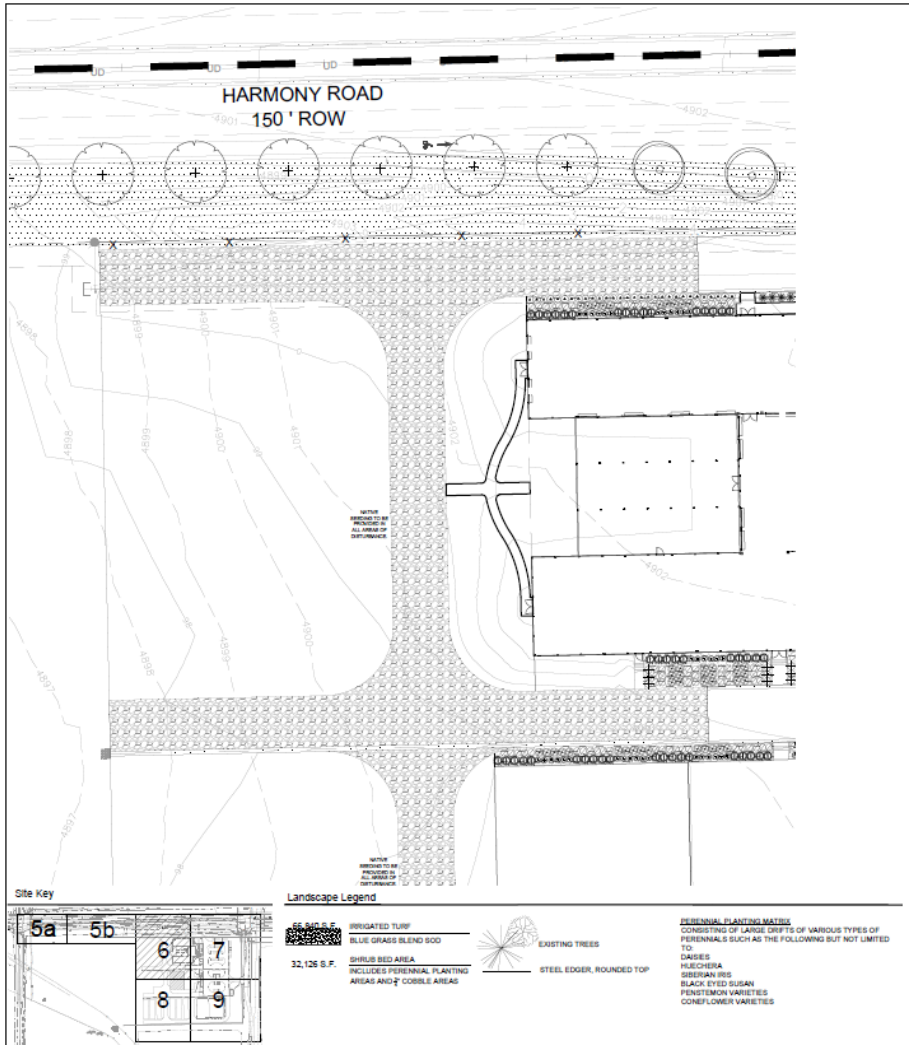


Conditional Use Standards & Requirements

1. The **character** and the **quality of the area** in which the use will be located.
2. The **physical appearance** of the use, including suitability of architecture, landscaping.
3. Appropriate **location of the building or buildings** on the lot.
4. Adequate **provision of parking, loading and circulation** facilities.
5. Potential effect of the use upon **off-site vehicular/pedestrian traffic circulation**; potential traffic congestion.
6. Potential effect of the use on **storm drainage** in the area.
7. Adequacy of **planting screens** where necessary.
8. Provision of **controls to avoid hazardous conditions** or eliminate air / water pollutants, other noxious influences.
9. The **general compatibility** of the proposed use with the area in which it is to be located.

Conditional Use Standards & Requirements

1. **The character and the quality of the area in which the use will be located.**
    - 121-acre agricultural site
    - Agriculture to west, south, east Low to medium density residential to south, east
    - Undeveloped tracts to north (The Ridge at Harmony Road Subdivision)
2. **The physical appearance of the use, including suitability of architecture, landscaping.**
    - Greenhouses with wainscot along base and architectural columns adjacent to Harmony Road
    - Existing landscaping, street trees and landscaping along Harmony Road, landscape buffer adjacent to parking lot
    - Compatible with surrounding agricultural uses and nearby residential
3. **Appropriate location of the building or buildings on the lot.**
    - Buildings adjacent to Harmony Road, screen view of parking from west

Conditional Use Standards & Requirements

4. **Adequate provision of parking, loading and circulation facilities.**
   - Parking meets commercial parking standards; loading on sides of buildings.
5. **Potential effect of the use upon off-site vehicular/pedestrian traffic circulation; potential traffic congestion.**
   - A right turn lane on Harmony Road will be added for east-bound traffic turning onto the access road leading to the site.
6. **Potential effect of the use on storm drainage in the area.**
   - Drainage plan has been reviewed by staff during site plan review.
7. **Adequacy of planting screens where necessary.**
   - Landscaping along Harmony Road, adjacent to parking, buildings and existing landscaping.
8. **Provision of controls to avoid hazardous conditions or eliminate air / water pollutants, other noxious influences.**
   - Hazardous materials are not proposed.
9. **The general compatibility of the proposed use with the area in which it is to be located.**
   - Garden center allowed; supporting agricultural uses with CUG; existing agricultural use.

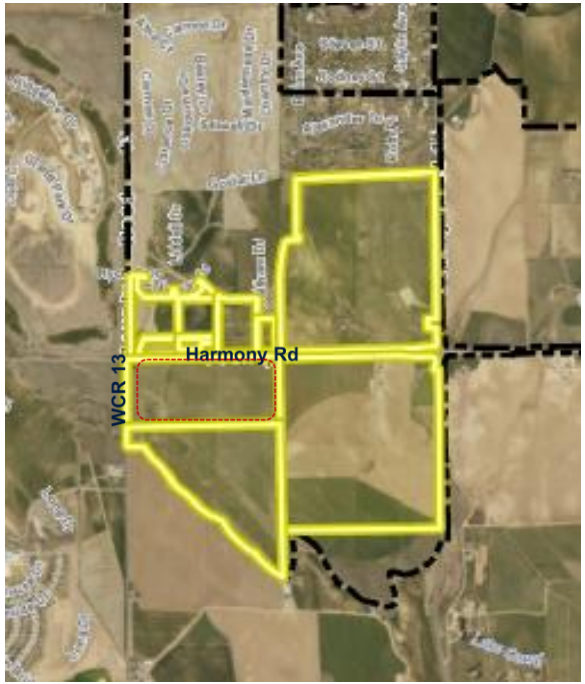
Notification

Notifications for this meeting were as follows:

- February 15, 2019 – affidavit of letter mailed to property owners within one hundred (100) feet of site
- February 20, 2019 – property posted with a notification sign
- February 22, 2019 – legal ad published in the newspaper

A neighborhood meeting is not required for this proposal.

No comments received.



Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the Conditional Use Grant application to the Town Board as presented with the following conditions:

1. Final site plan and development agreement approved by Town Staff prior to building permit.

Conditional Use Grant

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Testimony from public hearing
- Recommendation

MEMORANDUM

Date: March 6, 2019
To: Planning Commission
From: Carlin Malone, Chief Planner
Re: Determination of Off-street Parking Requirement in Accordance with Section 16-10-30(7) of the Municipal Code – Westgate Commercial Subdivision Lot 2 (4650 Royal Vista Circle) – Chief Cornerstone Properties, LLC, Ryan Behm, owner/applicant; Katy Thompson, Ripley Design Inc., applicant's representative
Items #: C.3

Background / Discussion

The applicant, Mr. Behm, has submitted a concept plan for a coffee shop to be located on Lot 2 of the Westgate Commercial Subdivision, within a proposed addition on an existing building (4650 Royal Vista Circle). The applicant has requested the review and determination of the off-street parking requirements for this site and proposed use prior to submitting a formal site plan application.

The site contains an existing commercial office building and a vacant drive-thru banking area. The applicant proposes adding a 1,600-square foot building addition adjacent to the drive-thru lane for a coffee shop with drive-up window. The addition will be attached by a breezeway to the existing occupied main office building of 13,035 s.f. The main building contains the following components:

- Four tenants with the following amount of office space –
  - 4,704 sf – credit union
  - 600 sf – financial advisor
  - 5,011 sf – medical with three practitioners
  - 2,720 sf – medical with one practitioner

Proposed 1,600 sf coffee house with maximum of four employees at any one time:

- Maximum of four employees at any one time
- Parking required per code: one space per 200 sf GLA + one per 2 employees = 10 spaces
- Proposed on-site parking stalls per concept plan = 3 spaces

The applicant is proposing a reduction to required amount of parking for the commercial lot from 48 spaces to 39 spaces. Factored into this reduction, the coffee shop use requires ten spaces per the Town's Code and the applicant is proposing three spaces for the use. The commercial lot includes shared parking for all tenants of the building.

The applicant is basing the proposed parking space reduction on the existing office uses and the proposed use of drive-thru coffee shop, which is not categorized as a specific use within the code; rather, the same category as a sit-down restaurant or bar. A drive-thru coffee shop is also not addressed in the parking requirements section of the code; therefore, the "eating and drinking establishments" use category was used to determine the required amount of parking for this use. The parking requirements in the code do not distinguish the difference between a sit-down restaurant and one with a drive-thru, nor factor in the number of spaces where vehicles will be cued in the drive-thru lane.

The property is zoned General Commercial (GC). Within the use categories listed in the municipal code, the most applicable use category for the GC property would be “restaurant and bars” (Sec. 16-19-10. – Use regulations). Within the off-street parking requirements by use, the most similar category is “Eating and drinking establishments” (Sec. 16-10-30), which requires “one space for every 200 sf of Gross Leasable Area (GLA), plus one space per every two employees, computed on maximum service capacity”. With this calculation, the required parking would be 10 spaces. Comparing the actual use of the site (medical and professional offices), the approved site plan, the existing parking, and parking requirements, there are some discrepancies with the amount of parking that was approved with the site plan in 2001. Based on the uses within the existing building, 38 parking spaces would have been required, although the site plan indicated 32 were required and 37 would be provided. Thirty-six spaces were shown on the approved site plan and there are 36 existing spaces on the site.

With the proposed addition of three spaces, there would be 39 on-site parking spaces provided and the code requires 48 spaces. The applicant has requested that the Planning Commission consider a request to reduce the overall required number of spaces in the commercial center by nine spaces, based on the premise that a drive-thru coffee shop use would not create the need for 10 spaces and the commercial and medical office parking requirements are greater than needed. Further explanation of the applicant’s justification for the reduction is contained within this memorandum and the applicant’s application materials.

Therefore, the applicant is requesting a Planning Commission determination for a more appropriate parking requirement for the uses. This request is done in accordance with Section 16-10-30(a)(7) of the Municipal Code, which states:

> *Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall determine the appropriate application of the parking requirements to the specific situation.*

The applicant proposes a parking reduction based on the specific drive-thru coffee use and the commercial and medical office uses with the following justification (also see narrative):

1) The drive-thru coffee shop use is not similar to a sit-down restaurant or bar use and using the same parking requirement amounts to an excessive number of required spaces for this type of use;
2) the majority of patrons for this type of use only utilize the drive-thru window and drive-thru lane rather than enter the interior of the store;
3) the peak hour of the drive-thru coffee shop is between 7:30 and 8:30 a.m., which is generally earlier than the peak times for the surrounding businesses, which have employees arriving near the end of the coffee shop’s peak hour or after this period (see applicant’s narrative);
4) surrounding jurisdictions with parking requirements for this type of use require less on-site parking (see following table);
5) surrounding jurisdictions generally require less on-site parking for commercial office and medical offices (see following table);
6) three parking spaces would be added to the existing parking lot, including the two required parking spaces for maximum number of employees on site at one time (one space per every two employees); and
7) shared parking spaces are available for the three uses within the subject parking lot.

To assess whether the proposed parking is sufficient to meet the parking demands of the use, staff evaluated the parking demand associated with the individual use proposed for the building, the parking provided for similar uses in the region, and parking requirements of nearby communities.

<u>Parking Per Individual Uses</u>
The individual existing plus proposed components of the facility:

- 7,731 sf medical office
- 5,304 sf office

- 1,600 sf drive-thru coffee shop

The following table shows approved, existing, proposed and code requirements:

Use	Use Area (sf)	Current Windsor Municipal Code Parking Space Requirement	Required per Approved Site Plan	Total Existing Spaces	**Total Spaces Proposed**
Medical	7,731 sf	5 per practitioner on the staff = 20			
Office	5,304 sf	1 per 300 sf GLA = 18			
		Total = 38	32*	36	**36**
Coffee Shop	1,600 sf	1 per 200 sf GLA + 1 per 2 employees = 10	-	-	**+ 3 proposed**
Total		48	32*	36	**39**

*Incorrect number shown on approved plan

Same Uses

The Dutch Bros Coffee shop property located at 901 Main Street is likely the most comparable built use in the area. The property includes 1,048 sf of GLA and accounting for the number of employees, five parking spaces were required, while 17 parking spaces were provided. Other than the employee parking at the rear of the site, the on-site parking is typically underutilized. Human Bean, located in both Loveland (Crossroads Boulevard, west of Fairgrounds Avenue) and Windsor (SH 392, East Pointe Subdivision), also include on-site customer parking adjacent to the drive-thru lane. Both of these sites also have underutilized parking lots. The proposed request appears to be consistent with the underutilization of parking lots for this type of use. If the code requirement of an additional nine spaces was met for this lot, it is a fair assessment that the spaces would be used by other businesses within the commercial center rather than the drive-thru coffee shop use.

Please see the presentation for photos of comparable examples.

Parking Requirements – Adjacent Communities

Using the parking requirements of the City of Fort Collins, the applicant prepared a comparison between those requirements and the Town of Windsor's requirements. Like Windsor, Fort Collins, Loveland, and most other communities in the area did not have a comparable use to a drive-thru coffee shop, but had options for uses not addressed specifically in the code, including an alternative compliance option.

The City of Greeley was one community that did have a use category of "cafes, coffee shops, pick-up/take-out restaurants." This use bases the number of off-site parking spaces on the number of seats (including outdoor seating), square footage of customer pickup/take-out area for restaurants without seating, plus two spaces per three employees. If this requirement were used as a basis, the requirement would be approximately three parking spaces. Also of note, both communities have provisions for reducing the number of parking spaces when shared parking areas are available.

Applying the compared standards with Fort Collins resulted in a parking requirement range of 9-21 less spaces than what is being proposed by the applicant.

Use	Use Area (sf)	Windsor Municipal Code	Fort Collins Municipal Code
Medical	7,731 sf	5 per practitioner on the staff = 20	2 per 1,000 sf = 16
Office	5,304 sf	1 per 300 sf GLA = 18	1 per 1,000 sf = 6

Total Office		38	22
Coffee Shop – drive-up window	1,600 sf	1 per 200 sf GLA + 1 per 2 employees = 10	5-7 per 1,000 sf* or 2 per 1,000 sf** or alt compliance*** = 2 - 8
Site Total		48	24 – 30
Site Total Proposal = 39			

*"fast-food" stand-alone
**shopping center
***can be reduced based on specific use or location

Based on this research of basing the parking on the individual uses in the building, the proposed use, the requirements of adjacent communities and what is found in developed properties with a similar us, the parking proposed by the applicant appears to be adequate to meet the parking demand anticipated.

Relationship to Comprehensive Plan

Not applicable

Relationship to Strategic Plan

Not applicable

Notifications

Notifications are no required for parking determination.

Recommendation

In accordance with Section 16-10-30(a)(7) of the Municipal Code and the aforementioned justification, staff recommends that the Planning Commission determine that the parking for the proposed drive-thru coffee shop at Westgate Commercial Subdivision is adequate as proposed.

Attachments

Application materials
Concept Plan
Presentation

cc: Ryan Belm, owner/applicant
Katy Thompson, applicant's representative

Cornerstone Coffee Parking Determination Narrative

Lot 2 Westgate Commercial Subdivision

Revised 3/1/19

Background

The existing commercial office building located at 4650 Royal Vista Cir. contains 13,035 square feet of Gross Leasable Area (GLA) and the existing parking lot has 36 spaces. This building is fully leased with 4 tenants including two financial related tenants and two medical offices (pediatric and behavioral therapy). The square footage/number of practitioners is as follows:

Tenant 1: Elevations Credit Union
- 4,704 SF

Tenant 2: Financial Advisor Office
- 600 SF

Tenant 3: Pediatric Therapy
- 3 Practitioners
- 5,011 SF

Tenant 4: Behavioral Therapy
- 1 Practitioner
- 2,720 SF

Total Required Parking for Existing Building: 38 stalls

Proposal

The Cornerstone Coffee application proposes the development of a 1,600 square foot coffee shop in place of the former bank drive-thru located at 4650 Royal Vista Circle. Per Section 16-10-30(a)(6) for "Eating and Drinking Establishments", 1 space is required for every 200 square feet of GLA, plus 1 space for every 2 employees, computed on the maximum service capacity. With a proposed building size of 1600 square feet and a maximum of 4 employees at any given time, this equates to a requirement of 10 parking stalls. The site plan as proposed offers 3 parking stalls which comes in 7 short of the code requirement. We believe the following items justify a reduced parking consideration.

419 Canyon Ave. Suite 200 ■ Fort Collins, CO 80521 ■ tel. 970.224.5828 ■ fax 970.224.1662
www.ripleydesigninc.com

Justifications

1. The current code language for parking requirements in Windsor does not specifically address the use that is being proposed.

We believe the following code section is applicable to our situation.

Per Section 16-10-30(a)(7) of the code:
In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall convene a public hearing to determine the appropriate application of the parking requirements to the specific situation.

The proposed use for the coffee shop is primarily intended as a drive-thru establishment. The code language does not distinguish between different types of eating and drinking establishments such as a sit down restaurant versus a drive-thru. In a smaller establishment such as this, the proportion of customer seating to kitchen area is much less than what you would have in a sit down restaurant. Additionally, it does not account for the fact that up to 10 vehicles that would have to park and go inside in a typical restaurant situation are able to sit in their vehicles and be served via the drive thru.

2. Due to the location and anticipated patrons of the coffee shop, the full requirements of the code are excessive in this situation.

The proposed coffee shop will be located within an existing commercial park where many of the people who would be utilizing the sit-down portion of the coffee shop are people who work in the nearby offices. These people already have parking accounted for in the existing parking lot and will not need additional parking to visit the coffee shop.

The remainder of customers who we anticipate will visit the coffee shop are commuters who are coming into Windsor from surrounding communities. These people are less likely to park and spend time in a commercial park that is adjacent to both an interstate highway and a major arterial highway, and more likely to simply use the drive-thru.

3. The parking lot for the existing commercial office building consistently has open parking spaces available to accommodate an additional use.

Even considering the higher intensity medical office uses which currently occupy the existing building, the parking lot consistently averages 16.7 available parking spaces at peak hours throughout the day (see Exhibit A included with this request).

When compared to code requirements for commercial and medical office parking in Fort Collins, for example, in which the jurisdiction begins immediately to the west of our project site, we find a substantial reduction in parking requirements.

In Windsor, code requires a minimum of 1 space per 300 SF of commercial office space, which equates to approximately 17 spaces in this situation. In Fort Collins, the required number of parking stalls for general office uses is 1 per 1,000 SF of GLA, which equates to just 5 required spaces.

Parking requirements for medical offices are also much greater in Windsor, in which 5 spaces are required per practitioner. This equates to 20 required parking spaces for the current use. In Fort Collins, the requirement is based off 2 spaces per 1,000 SF, which would equate to only 15 spaces. Overall, this site has a requirement for parking that is 17 spaces greater than what would be required if this project were located less than a quarter mile west.

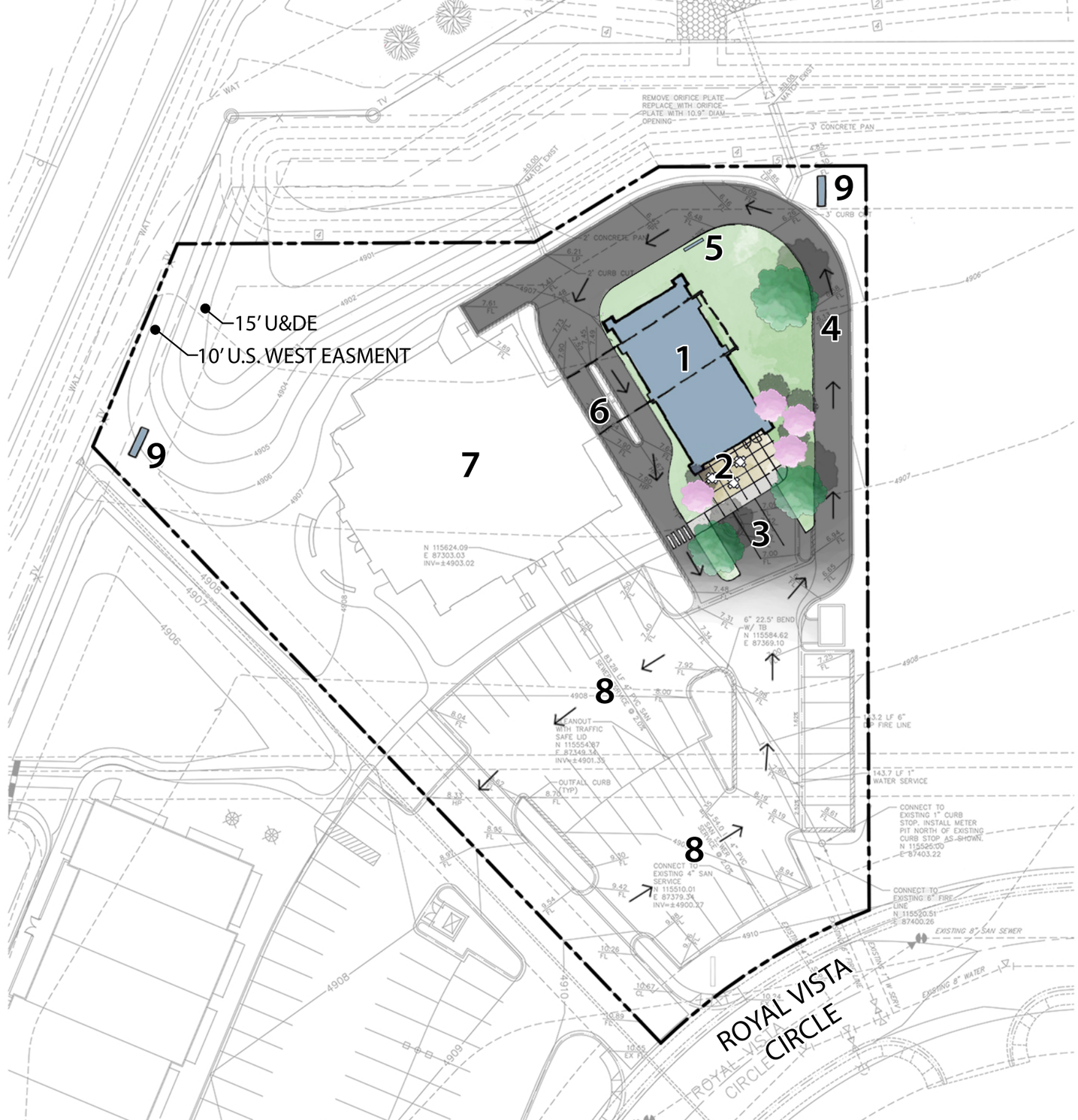
4. There is little overlap in the peak hours for a coffee shop use versus a commercial office building.

The peak hour for a coffee shop where it will experience the highest volume of traffic typically occurs between 7:30 and 8:30 am. Beyond this hour, sales drop off significantly. This timing coincides well with a commercial and medical office building in which the office workers tend to arrive to work near the end of or right after this peak hour for the coffee shop.

LAND USE DATA

ADDRESS: 4650 ROYAL VISTA CIR.
ZONE: GC (GENERAL COMMERCIAL)
TOTAL SITE AREA: 55,177 SF

VICINITY MAP



LEGEND

1 PROPOSED DRIVE-THRU COFFEE KIOSK (+/- 1600 SF)
2 SMALL PATIO AREA
3 (3) PROPOSED PARKING SPACES
4 EXISTING DRIVE-THRU LANE
5 ORDER WINDOW
6 ESCAPE LANE
7 EXISTING BUILDING
8 ONE-WAY CIRCULATION
9 (2) PROPOSED MONUMENT SIGNS

NORTH

0 20' 40' 80'

SCALE:1"=40'

RIPLEY DESIGN INC.
land planning
landscape architecture
urban design
entitlement

VFLA ARCHITECTURE + DESIGN

CORNERSTONE COFFEE CONCEPT PLAN

1/16/19

419 Canyon Ave., Suite 200
Fort Collins, Colorado 80521
970.224.5828
www.ripleydesigninc.com

Exhibit A

Parking Analysis Summary

Photo 1
-Date & time: Thursday, October 18, 9:04am
-Available parking stalls: 19

Photo 2
-Date & time: Thursday, October 25, 8:23am
-Available parking stalls: 25

Photo 3
-Date & time: Wednesday, October 24, 1:50pm
-Available parking stalls: 13

Photo 4
-Date & time: Tuesday, January 29, 1:29pm
-Available parking stalls: 12

Photo 5
-Date & time: Thursday, October 18, 3:41pm
-Available parking stalls: 16

Photo 6
-Date & time: Tuesday, January 29, 3:49pm
-Available parking stalls: 15

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www.**ripley**design**inc**.com

Photo 1
Thursday, October 18, 9:04 AM
19 Available Spaces

Photo 2
Thursday, October 25, 8:23 AM
25 Available Spaces

Photo 3
Wednesday, October 24, 1:59 PM
13 Available Spaces

Photo 4
Tuesday, January 29, 1:29 PM
12 Available Spaces

Photo 5
Thursday, October 18, 3:41 PM
16 Available Spaces

Photo 6
Tuesday, January 29, 3:49 PM
15 Available Spaces

Determination of Off-Street Parking Requirement

Westgate Commercial Subdivision Lot 2- Westgate Coffee Shop

Carlin Malone, Chief Planner

Planning Commission March 6, 2019

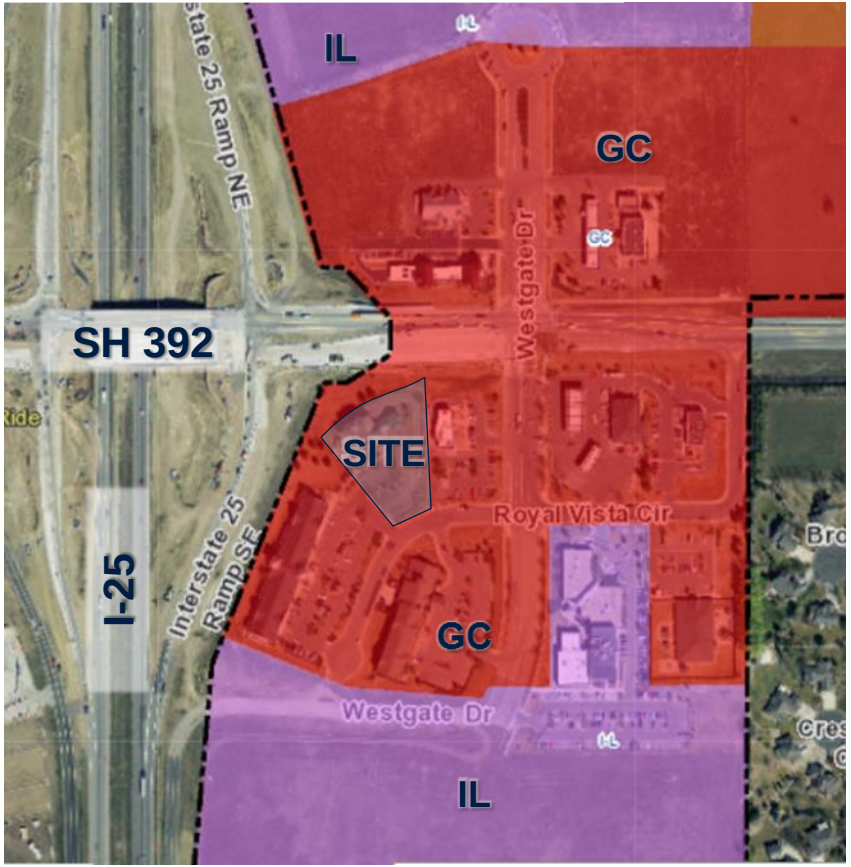
Parking Determination

Section 16-10-30(a)(7)

Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall determine the appropriate application of the parking requirements to the specific situation

Site Vicinity Map

Zoning Map


IL
GC
SH 392
SITE
I-25
GC
IL
Interstate 25 Ramp NE
Interstate 25 Ramp SE
Westgate Dr
Royal Vista Cir
Westgate Dr

Concept Plan

Site Characteristics:

13,035 square feet (sf) existing building area

- 7,731 sf medical
- 5,304 sf office
  - 4,704 sf credit union
  - 600 sf financial advisor

1,600 sf proposed building addition

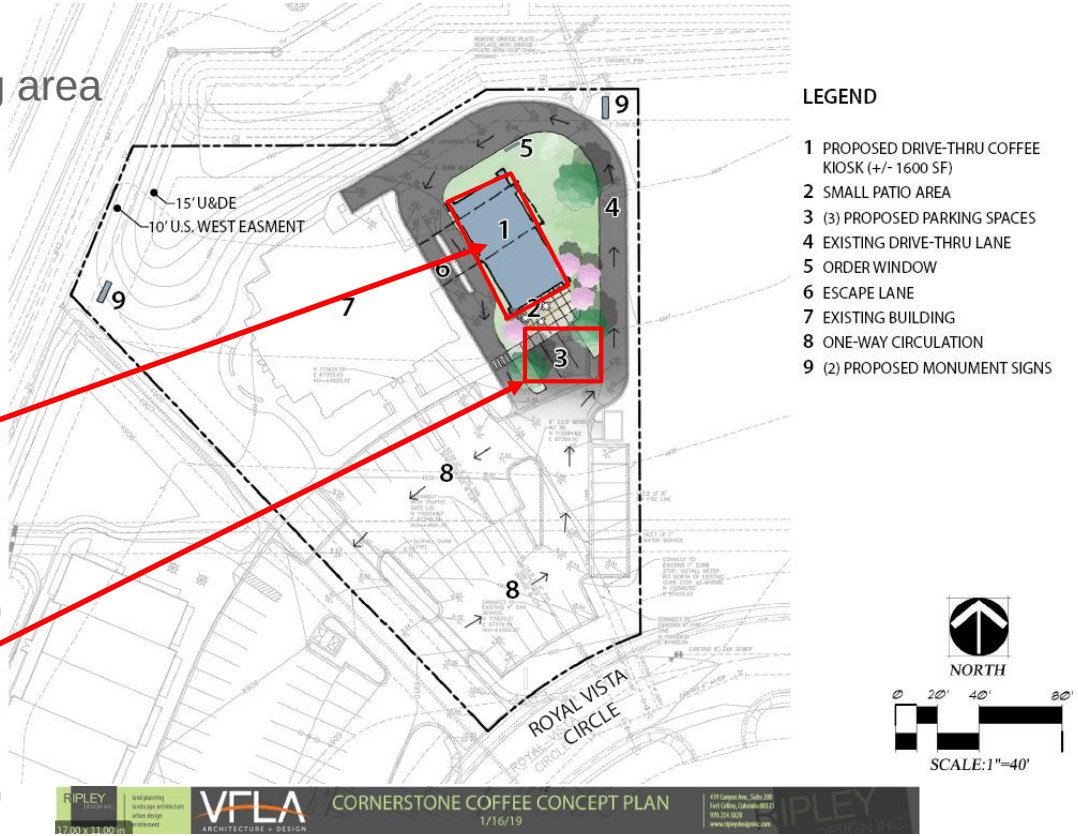
- 1,600 sf drive-thru coffee shop

Existing Parking:

36 standard spaces (2 ADA accessible)

Proposed Parking:

39 standard spaces (2 ADA accessible)



Site Plan

Municipal Code Category: General Commercial Zone District

Office – 1 space per 300 sf GLA

Medical – 5 space per practitioner

Eating and Drinking Establishments – 1 space per 200 sf GLA + one per 2 employees

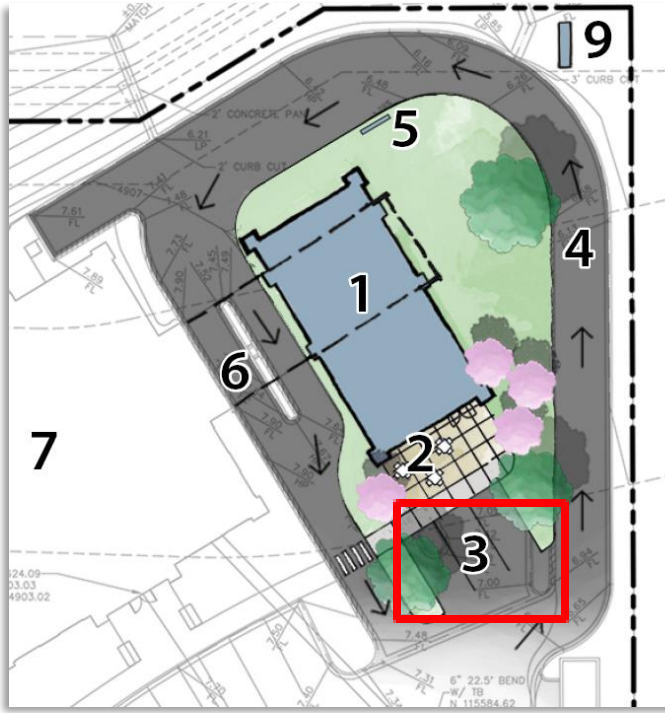
Approved Site Plan:

Required per plan - 32 spaces / required per code - 37 spaces / Provided - 36 spaces

By Use:

Requirement - 48 spaces / Proposed - 39 (reduction = 9 spaces)

- 4,704 sf office = 18 space
- 5 practitioners = 20 spaces
- 1,600 sf coffee shop + 4 employees = 10 spaces



Similar Sites

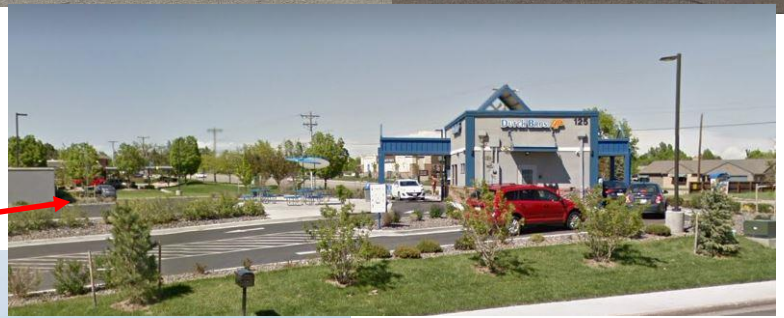
Comparable Built Uses:

Dutch Bros Coffee Shop, Windsor

- 1,308 sf – 5 spaces required
- 17 spaces provided, 3 employee vehicles parked in lot + one employee motorcycle

Dutch Bros Coffee Shop, Loveland

- One employee in parking lot



Human Bean, Windsor

- Two employees in parking lot

Parking Requirements

Other Communities:

Fort Collins, Loveland

- No specific parking requirements for “drive-thru coffee shop”
- Range for same or similar use – 2 to 8 spaces required
- Alternative compliance options
- Reduction for shared parking lots
- Reduction for location (pedestrian or transit-oriented development, reduction for shopping center)

Greeley

- Parking requirement less for restaurants with pick-up/take-out window without indoor seating
- May be reduced for shared parking lots
- No reduction for pedestrian-oriented development or shopping center
- Requires more parking for establishments with outdoor seating

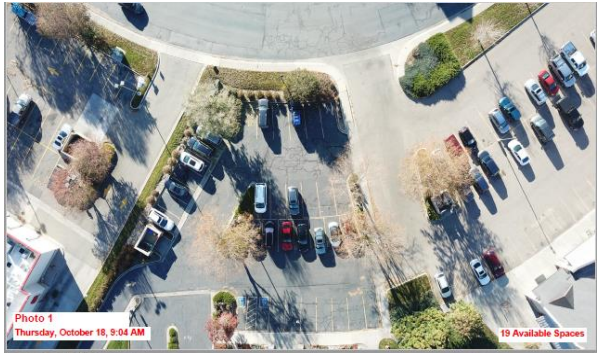
Parking Requirements

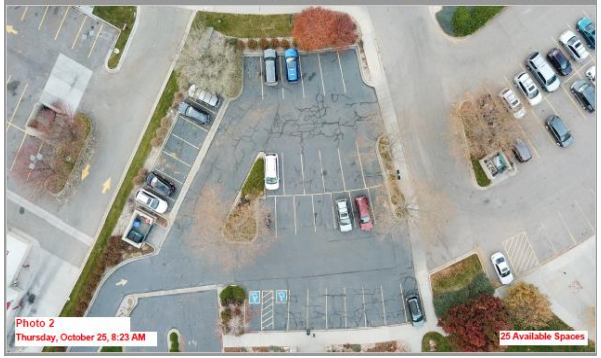
Comparison parking requirements by use

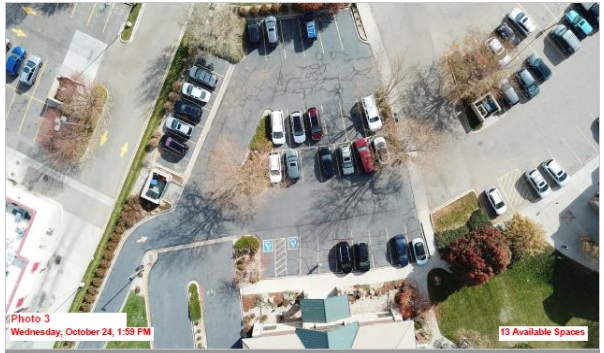
Use	Use Area (sf)	Windsor Municipal Code	Fort Collins Municipal Code
Medical	7,731 sf	5 per practitioner on the staff = 20	2 per 1,000 sf = 16
Office	5,304 sf	1 per 300 sf GLA = 18	1 per 1,000 sf = 6
Total Office		38	22
Coffee Shop – drive-up window	1,600 sf	1 per 200 sf GLA + 1 per 2 employees = 10	5-7 per 1,000 sf* or 2 per 1,000 sf** or alt compliance*** = 2 - 8
Site Total		48	24 – 30
Site Total Proposal = 39			

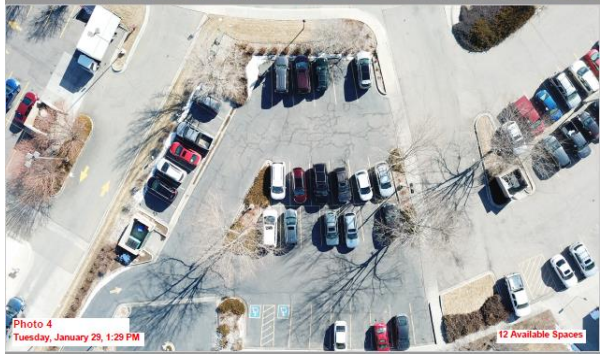
* “fast-food” stand-alone
** shopping center
*** may be reduced based on specific use or location

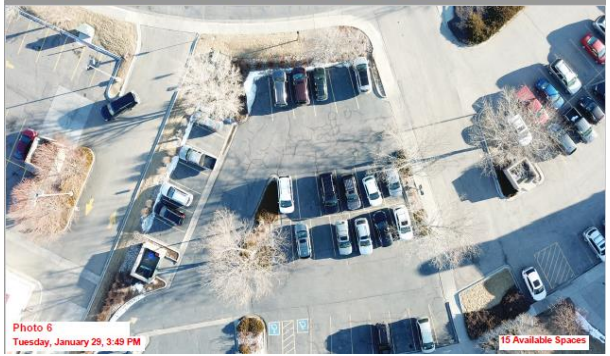
Existing Conditions











Recommendation

In accordance with Section 16-10-30(a)(7) of the Municipal Code and the aforementioned justification, staff recommends that the Planning Commission determine that the parking is adequate as proposed.