



PLANNING COMMISSION REGULAR MEETING

**April 18, 2018 // 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 April 4, 2018

C. BOARD ACTION

1. Site Plan Presentation – Windsor Commons Subdivision 3rd Filing – Martin Homes – Andrew Martin, Martin Homes LLC, owner/applicant
 - Staff presentation: Millissa Berry, Senior Planner
2. Public Hearing - Concerning the Thornton Farm 24 Annexation to the Town of Windsor – City of Thornton, applicant/owner; Kevin Woods, City Manager and Mark Koleber, Water Project Director, applicant's representatives
 - Legislative Action
 - Staff presentation: Millissa Berry, Senior Planner

3. Recommendation to Town Board - Concerning the Thornton Farm 24 Annexation to the Town of Windsor – City of Thornton, applicant/owner; Kevin Woods, City Manager and Mark Koleber, Water Project Director, applicant's representatives
 - Legislative Action
 - Staff presentation: Millissa Berry, Senior Planner
4. Public Hearing - Resolution No. 2018-01 regarding Annual Land Use Map Update
 - Legislative Action
 - Staff presentation: Scott Ballstadt, Director of Planning
5. Resolution No. 2018-01 regarding Annual Land Use Map Update
 - Legislative Action
 - Staff presentation: Scott Ballstadt, Director of Planning
6. Public Hearing - Resolution No. 2018-02 regarding Annual Land Use Map Updates
 - Legislative Action
 - Staff presentation: Scott Ballstadt, Director of Planning
7. Resolution No. 2018-02 regarding Annual Land Use Map Updates
 - Legislative Action
 - Staff presentation: Scott Ballstadt, Director of Planning

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

<u>Wednesday, May 2, 2018</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, May 16, 2018</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, June 6, 2018</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, June 20, 2018</u>	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

April 4, 2018 // 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
Doug Dennison
Jerry Bushelman
Victor Tallon
Charles Schinner
Tim Annable
Dan Foreman - A
Travis Yingst - A

Town Board Liaison

Ken Bennett

Also Present:

Planning Director
Senior Planner
Deputy Town Clerk

Scott Ballstadt
Paul Hornbeck
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

Mr. Annable moved to approve the agenda as amended; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Dennison, Schinner, Bushelman, Tallon, Annable, Foreman

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 March 21, 2018

Mr. Tallon moved to approve the consent calendar as presented; Mr.

Bushelman seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Dennison, Schinner, Bushelman, Tallon, Foreman, Annable

Nays – None

Motion Carried

C. BOARD ACTION

1. Recommendation to Town Board – Final Site Plan – Eagle Crossing Subdivision 4th Filing, Lots 1 & 3 – Morgan Kidder, Fossil Ridge Holdings, LLC, applicant/ Brian Williamson, TST Consulting Engineers Inc., applicant's representative

- Quasi-judicial
- Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck introduced the application and presented the PowerPoint presentation included in the packet materials, with the following information: The applicant, Mr. Morgan Kidder of Fossil Ridge Holdings, LLC, represented by Mr. Brian Williamson of TST Consulting Engineers, has submitted a final site plan, known as Eagle Crossing Subdivision 4th Filing, Lots 1 & 3. The site plan encompasses approximately 21.6 acres. Town Board approved a rezoning of the subject property from Limited Industrial (IL) to High Density Multifamily (MF-2) on January 8, 2018 and Planning Commission approved the preliminary site plan on October 18, 2017.

Site plan characteristics include:

- a total of 407 dwelling units;
- four two-story multi-family residential buildings on the east side of the project with 14 to 16 units each;
- fifteen three-story multi-family residential buildings with 21 to 24 units each;
- 620 parking spaces, including 128 detached garage spaces, and 492 open-air parking spaces;
- 21% building coverage of the site;
- 46% of the site to be landscaped area; and
- playground, clubhouse and pool for residents.

Building characteristics include:

- horizontal fiber cement lap siding as the predominant façade material;
- stone treatment around the base of buildings and around external stairways;
- covered decks and porches; and
- 5:12 roof pitch with varying rooflines.

Off-site improvements being completed with the Eagle Crossing Subdivision 4th Filing will include:

- construction of Steeplechase Drive from Highland Meadows Parkway to Fairgrounds Avenue,
- including an adjacent 10' wide public trail
- extension of Ward Drive north to connect with Steeplechase Drive
- regional detention facility with soft surface trail amenity

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval, subject to the following conditions:

1. All outstanding staff comments on the site plan drawings shall be addressed.

2. Prior building permits being accepted for review the applicant shall:
 - a) enter into a development agreement with the Town, which shall not be recorded until after the Eagle Crossing Subdivision 4th Filing plat has been recorded.
 - b) Submit a minor subdivision application to place the portion of the regional detention facility depicted on Lot 1 in the Eagle Crossing Subdivision 4th Filing in a separate tract.
 - c) Present evidence to the Town that an easement granting temporary rights to the Developer to construct the off-site improvements depicted on the improvement drawings and permanent exclusive rights to the Town for the storm drainage facility.
 - d) Present a written undertaking, under which the Raindance Metropolitan District will permanently assure the ongoing maintenance of the drainage facilities, adjacent recreational trail, and surrounding landscaping on Tract A of Fossil Ridge Subdivision 2nd Filing and the yet-to-be created tract required in condition 2.b above.

Mr. Hornbeck stated that one area staff has identified as a potential impact to community character is parking. Staff is concerned the parking provided may be insufficient to accommodate the visitor and overflow parking demand of the development. If parking is insufficient, it's likely people will park in fire lanes or in bike lanes on Steeplechase Drive, a street that is not designed to accommodate on-street parking, creating potential health, safety, and welfare concerns.

Staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

Brian Williamson of TST Consulting Engineers, addressed the board stating that the parking reduction from the preliminary plan was driven mainly by the building spacing. In the preliminary site plan, 20 feet separated all the buildings which met building code. After an in depth analysis, the penetrations along the sides of the buildings, the number of windows and patios required 30 feet of spacing between the buildings which caused the buildings to disperse resulting in the removal of several parking spaces from the project. Mr. Williamson stated that it was not their intention to under park this project, instead they are trying to fit as many parking spaces as possible while continuing to meet the standard set forth in the land use code. Mr. Williamson further touched on the amenities that will be included with this project. These include; community club house, playground structures, regional trail connection.

Mr. Annable inquired as to how many parking spaces were lost after the re-design of the site plan.

Per Mr. Williamson; 25 spaces were removed.

Mr. Schinner inquired as to how pedestrians would cross from one side of Steeplechase Drive to the other.

Mr. Williamson responded that there will be a pedestrian refuge island located off Steeplechase Drive that would allow pedestrians to cross one lane of traffic and stop before crossing the other lane.

Mr. Tallon inquired if a traffic study had been completed for this project.

Mr. Hornbeck responded that a traffic study was completed along with the overall Brands Development proposal.

Mr. Williamson added that the traffic study indicated that the majority of the traffic will move toward the east or to the south due to the existing traffic light at Ward Ave. and Crossroads Blvd.

Mr. Bushelman expressed his concern regarding the lack of parking spaces in this development and inquired how the 1.5 spaces per unit have worked in previous developments.

Mr. Hornbeck responded that the parking has been sufficient with the caveat that adjacent on-street parking was available in most cases.

Mr. Ballstadt added that this is a unique situation as most multi-family projects in Windsor are located adjacent to public streets that include parking.

Mr. Schick inquired if a situation arises where there is not enough parking how might that situation be handled.

Mr. Morgan Kidder of Fossil Ridge Holdings, LLC stated he was unsure how that might be handled until that time comes. Mr. Kidder referenced a project of the same size, units and parking located in Firestone, CO that required 1.5 spaces per code and indicated there is currently no parking issues or on-street parking options.

Mr. Annable inquired if the Town of Windsor would have any recourse against the developer if an issue arises with parking being insufficient.

Mr. Ballstadt stated that staff recommended language be added into the development agreement associated with the site plan; however, it would be purview of the Town Board and Planning Commission to consider a condition of approval.

Mr. Annable agreed with staff stating that the current parking creates potential health, safety, and welfare concerns.

Mr. Schick expressed the same concern in regard to parking even though it meets the current land use code. Mr. Schick requested a condition of approval be added in the development agreement with the applicant stating; in the event that issues arise due to lack of sufficient parking stalls provided on site, the property owner shall take appropriate measures to address such issues.

Mr. Tallon moved to forward a recommendation of approval to Town Board for the Final Site Plan – Eagle Crossing Subdivision 4th Filing, Lots 1 & 3, including recommended conditions and an additional condition of approval that states in the event that issues arise due to lack of sufficient parking stalls provided on site, the property owner shall take appropriate measures to address such issues. Mr. Dennison seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Dennison, Tallon, Bushelman, Foreman

Nays – Schinner, Annable

Motion carried.

2. Public Hearing - Annexation Petition to Annex and Zone certain Property known as Weld County Road 76 Annexation to the Town of Windsor, Colorado – Jon Turner, North Windsor Holdings, LLC, owner/applicant; Kristin Turner, TB Group, applicant's representative

- Legislative Action
- Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck introduced the application and presented the PowerPoint presentation included in the packet materials, with the following information: The applicant Mr. Jon Turner, represented by Ms. Kristin Turner, has submitted a petition to annex approximately 6.47 acres to the Town of Windsor as General Commercial (GC) and Residential Mixed Use (RMU) zoned property. The proposed zoning is consistent with the zoning of adjacent property to the south.

The purpose of this annexation is to annex Weld County Road 76 right-of-way in anticipation of potential roadway improvements associated with the proposed Rocky Mountain Sports Park. Development of the Rocky Mountain Sports Park itself will require various additional approvals by Town Board.

The applicant held a neighborhood meeting on February 5, 2018.

At their February 26, 2018 regular meeting, the Town Board adopted Resolution No. 2018-022 that declared certain findings of fact concerning the Weld County Road 76 Annexation, determined substantial compliance with Colorado Municipal Annexation Act (1965), and established public hearing dates before the Planning Commission and the Town Board. The established hearing dates were April 4, 2018 for the Planning Commission and April 9, 2018 for the Town Board.

No Annexation Impact Report is required with this annexation because the total area is less than 10 acres. Additionally, since the annexation consists only of right-of-way and no developable property, no impact is anticipated to utilities or services to the property or to the school district.

Staff recommends that the Planning Commission forward to Town Board a recommendation of approval of the Weld County Road 76 Annexation and General Commercial and Residential Mixed Use zoning designation, as presented.

Mr. Schick asked if anyone from the audience wished to speak on this matter. Rosalyn Leautaud, 36933 County Road 15, Windsor, CO, addressed the Board and expressed her concern regarding the annexation of Weld County Road 76. Ms. Leautaud believes the risk and safety for the pedestrians who walk, bike, ride horses as well as the children who ride the school bus will be intensified if the annexation were to be approved. Mr. Leautaud further expressed traffic concerns due to the five 3-way intersections and 7 private driveways location along County Road 76.

**Mr. Tallon moved to close the public hearing; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:
Yeas – Schick, Dennison, Schinner, Tallon, Bushelman, Foreman, Annable
Nays – None**

Motion carried.

3. Recommendation to Town Board - Annexation Petition to Annex and Zone certain Property known as Weld County Road 76 Annexation to the Town of Windsor, Colorado – Jon Turner, North Windsor Holdings, LLC, owner/applicant; Kristin Turner, TB Group, applicant's representative
 - Legislative Action
 - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Schick asked if staff had anything further they wished to add.
There was none.

Mr. Dennison inquired if the section to be annexed covers the entire distance from SH 257 to Weld County Road 15.

Mr. Hornbeck stated there is a portion of the road that is already annexed to the Town of Windsor and with the annexation the entire mile portion of the road would be within the Town of Windsor.

Mr. Dennison inquired if County Road 76 west of County Road 15 has already been annexed.

Mr. Ballstadt stated that he believed that segment adjacent to unincorporated Roth Subdivision may not be annexed, but the segment adjacent to The Ridge at Harmony Road has been annexed.

Mr. Bushelman inquired if the 3-way intersections Ms. Rosalyn referred to already exist.

Per Mr. Hornbeck; Yes.

Mr. Tallon moved to forward a recommendation of approval to the Town Board for the Annexation Petition to Annex and Zone certain Property known as Weld County Road 76 Annexation to the Town of Windsor, Colorado; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Dennison, Tallon, Bushelman, Foreman, Annable

Nays – Schinner

Motion carried.

4. Site Plan Presentation – River Valley Crossing Subdivision 2nd Filing, Lot 1 – Gavin Kaszynski, Associates in Family Medicine, applicant/ Katy Thompson, Ripely Design, Inc., applicant's representative
 - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck introduced the application and presented the PowerPoint presentation included in the packet materials, with the following information: Mr. Gavin Kaszynski, represented by Ms. Katy Thompson, is proposing a new site development in the River Valley Crossing Subdivision 2nd Filing. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties.

Overall development characteristics include:

- total lot area of 1.137 acres
- a two story building with 7,678 s.f. of lot coverage
- approximately 28% landscaped area

- 72 parking stalls and 10 bicycle parking spaces
- Building characteristics include:
- primary building materials of brick and stucco with accent metal panels
 - predominant roof height of 31' with a roof feature up to 37' in height

Mr. Hornbeck indicated that there is no recommendation, as this item is for presentation purposes.

Mr. Schinner inquired as to what elevation would face SH 392.

Mr. Hornbeck stated that the west elevation would face Hwy 392 as you are coming into Windsor and the north elevation would be adjacent to Main Street.

5. Commercial Corridor Plan Waiver Request, Section III.B.2.a – River Valley Crossing Subdivision 2nd Filing, Lot 1 – Gavin Kaszynski, Associates in Family Medicine, applicant/ Katy Thompson, Ripely Design, Inc., applicant's representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck introduced the application and presented the PowerPoint presentation included in the packet materials, with the following information: Mr. Gavin Kaszynski, represented by Ms. Katy Thompson, is requesting a waiver from Section III.B.2.a of the Commercial Corridor Plan regarding building height. The site is located on the southeast corner of 17th and Main Street and is therefore subject to the Commercial Corridor Plan design criteria.

Section III.B.2.a of the Commercial Corridor Plan states:

"The predominant portion of any building shall not exceed thirty feet (30') in height."

The maximum building height proposed is 37'-2" to allow for a two story medical office building. The predominant roofline of the building is 31', with a taller roof feature sticking up an additional 7'2". This feature is setback from the predominant roofline, reducing its visibility.

Commercial Corridor Plan Section II.B.(2) states that 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 brought under this sub-section. In order to receive a waiver, the applicant shall have the burden of establishing justification for waiver approval under the following criteria:

1. *Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.*
According to the application materials, typical floor to floor height for a medical office building is 14' but that does not account for mechanical equipment and screening.

2. *The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and*
The predominant roofline, with a height of 31', is a nominal increase over the maximum of 30'. The roof feature reaching 37'-2" is setback such that visibility from surrounding properties and streets should be minimal. Any increase in shadows should also be minimal.
3. *Approval of the waiver request will not be detrimental to the public interest.*
The public interest, public safety, and public welfare will not be detrimentally impacted by the proposed building materials.

Staff recommends that the Planning Commission approve the waiver request with the following findings of fact:

1. Strict application of the applicable standard will result in a practical difficulty;
2. The proposed waiver will protect the public interest equally or better than the standard for which the waiver is requested; and
3. Approval of the waiver request will not be detrimental to the public interest.

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

Ms. Katy Thompson with Ripley Design, Inc. addressed the Board, stating that medical buildings such as the proposed require additional space between floors to allow for medical equipment connections, HVAC and other unique features which are not typical in non-medical buildings, therefore, the additional building height is necessary.

Mr. Schinner inquired as to where the datum is located to determine the height of the building.

Mr. Ballstadt stated that the building would be measured from the average finished grade around the building to the roof peak.

**Mr. Tallon moved to approve the Commercial Corridor Plan Waiver Request, Section III.B.2.a – River Valley Crossing Subdivision 2nd Filing, Lot 1; Mr. Annable seconded the motion. Roll call on the vote resulted as follows:
Yeas – Schick, Dennison, Schinner, Tallon, Bushelman, Foreman, Annable
Nays – None
Motion carried.**

6. Site Plan Presentation – Falcon Point Subdivision, Lot 4 – Craig Kraft, applicant/ Patricia Kroetch, North Star Design, Inc., applicant's representative
 - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck introduced the application and presented the PowerPoint presentation included in the packet materials, with the following information: The applicant Mr. Craig Kraft, represented by Ms. Patricia Kroetch, is proposing a

new site development in the Falcon Point Subdivision at 611 Gyrfalcon Court, south of SH 392/ Main Street. The site is zoned Limited Industrial (IL) and is located adjacent to other properties with IL zoning.

Overall development characteristics include:

- total lot area of 4.17 acres
- four office/ warehouse buildings of 10,240 square feet each
- approximately 6.2% landscaped area (additional common landscaping is provided with the subdivision)
- building coverage of 41,860 sf (23%)
- 68 parking stalls

Building characteristics include:

- Three to four tenant spaces per building
- metal buildings with brick wainscot
- peak roof height of approximately 31'

No recommendation, as this item is for presentation purposes.

Mr. Schick inquired as to the color scheme of the building.

Per Mr. Hornbeck; Tan and dark brown.

7. Community Development Report

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt gave an overview of the Community Development Report that was included in packet material.

D. COMMUNICATIONS

1. Communications from the Planning Commission
None
2. Communications from the Town Board liaison
Town Board Member Bennett spoke to the Board regarding the multi-family developments and how it is currently the Town Boards directive to have more diverse housing and affordability. Mr. Bennett also highlighted that the Town Board is working on the balance between residential and commercial, water needs, and roadway improvements, as well as working with the new Town Manager, Mr. Shane Hale, on structure of the administration.
3. Communications from the staff
Mr. Ballstadt informed the Planning Commission that a City of Greeley referral for expansion of the outdoor blade storage yard at Vestas had been received and staff had prepared a response including dedication of right-of-way for flattening of the curves on WCR 64¾, improvements to access points, mitigation of dust and other nuisance issues, and questions regarding source of landscape irrigation water. The Planning Commission concurred with the referral comments.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 8:21 p.m.

Deputy Town Clerk, Amanda Mehlenbacher



MEMORANDUM

Date: April 18, 2018
To: Planning Commission
From: Millissa Berry, AICP, Senior Planner
Re: Site Plan Presentation – Windsor Commons Subdivision 3rd Filing – Martin Homes – Andrew Martin, Martin Homes LLC, owner/applicant
Item #: C.1

Background / Discussion

The property owner, Mr. Andrew Martin, is proposing a building for his business in the Windsor Commons Subdivision 3rd Filing. The site of the proposed building is located on the northeast corner of the Automation Drive and Logistics Drive intersection. The site is zoned Limited Industrial (I-L) and is located adjacent to other I-L-zoned properties.

Overall development characteristics include:

- total lot area of 1 acre
- 6,060 square foot (sf) building
- 10 parking spaces (1 stall per 2 employees plus additional spaces)
- approximately 35% landscaped area (15% required)

Building characteristics include:

- building materials:
 - o fiber cement lap siding
 - o stucco
 - o brick veneer
 - o masonry veneer wainscot
 - o asphalt shingles
 - o metal roofing
 - o wood accent beams
- building height:
 - o one-story at 23'4" feet
- pitched roof

Additional site details can be seen in the enclosed staff PowerPoint.

The current presentation is intended for the Planning Commission's information. Should the Planning Commission have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project. The site plan will be reviewed and approved administratively by staff; however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Planning Commission for review.

Additionally, the applicant is hereby advised via this memorandum that another similar site plan presentation by the applicant is scheduled on April 23, for the Windsor Town Board.

Relationship to Comprehensive Plan

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

Chapter 5d - Commercial & Industrial Areas Framework Plan

Goal:

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

Objectives:

- 1. Prioritize new growth in areas currently served by town infrastructure and services.*
- 2. Incentivize infill development to complete neighborhoods and leverage existing resources.*
- 3. Create distinct sense of place for Town's commercial and industrial districts.*

Relationship to Strategic Plan

The application is consistent with the Strategic Plan, particularly Prosperous Local Economy and Safe, Well-Planned Community With Spirit And Pride.

Recommendation

No recommendation, as this item is for presentation purposes.

Attachments

Application Materials
PowerPoint presentation

cc: Andrew Martin, owner

February 20th, 2018

Narrative Description for 861 Automation Drive proposed office building

Martin Homes, LLC plans to build one office building with approx. 2500 sq feet of office space and 3500 sq. feet of indoor storage space. Martin Homes, LLC will be the builder and end user for this building located at 861 Automation Drive Windsor CO 80550.

Martin Homes, LLC is a local custom home builder/construction company. The primary office's function is to handle the day to day operations of the company and its 2 employees. A total of one owner and 2 project managers will occupy the building at this time. If the business grows in the future it will be possible for 5 full time office staff employees to use the building. An Accountant will use one office and works for the company one day per week for approx. 5 to 8 hours.

The building will also be used to meet with clients and go over projects and plans (conference room). Employees manage field operations and will be in the field the majority of the time. They will be stopping at the office in the morning and throughout the day as needed.

The proposed building has indoor storage/shop space to store tools, equipment, signs, materials, etc. The site plan also shows a fenced in backyard area for additional exterior storage of equipment, vehicles, trailers, large signs that the business uses. The yard surface material will be recycled asphalt.

The buildings exterior materials will include brick veneer, masonry veneer and stucco. Metal roofing will be provided on the entry roofs, while architectural grade asphalt shingles will be used on the shop roof. A flat roof system will be utilized over the office area and a portion of the shop area. Sunshades are proposed as depicted on the elevations.

No photometric plan is required for this project



Site Plan Presentation

Windsor Commons 3rd Filing –
Martin Homes

Millissa Berry, Senior Planner

Planning Commission – April 18, 2018



Qualified Commercial Site Plan

Article IX of Chapter 17 of the Municipal Code outlines the purpose and procedures of the Qualified Commercial and Industrial Site Plan process, including:

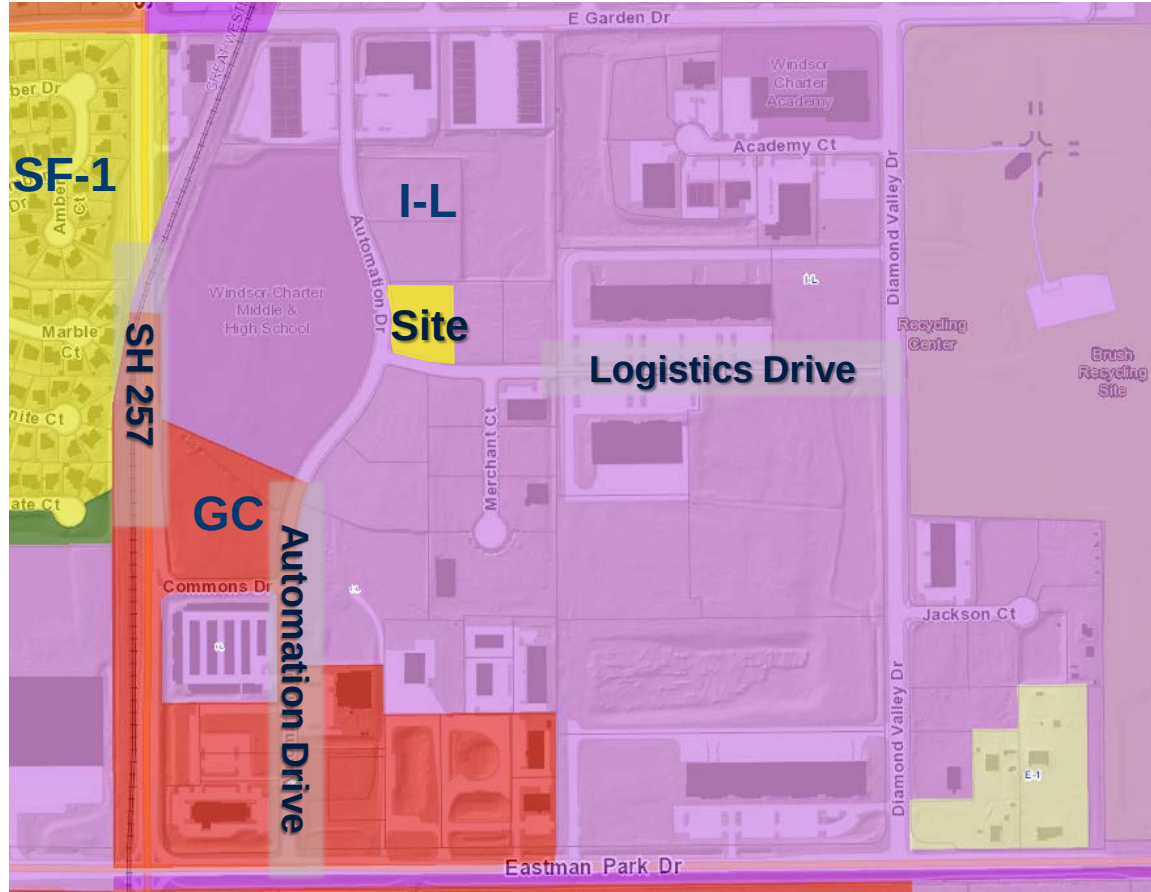
Sec. 17-9-10. Purpose.

Commercial and industrial site plans proposed to be developed on lots that have either previously been subdivided or are presently being subdivided as part of a minor subdivision shall qualify for administrative site plan review in accordance with the requirements of this Section. The provisions of this Section, as well as the administrative site plan review procedures set forth in Section 17-8-30, shall not apply to multifamily residential projects or site plans, which shall remain subject to the subdivision and site plan review procedures otherwise set forth in this Chapter.

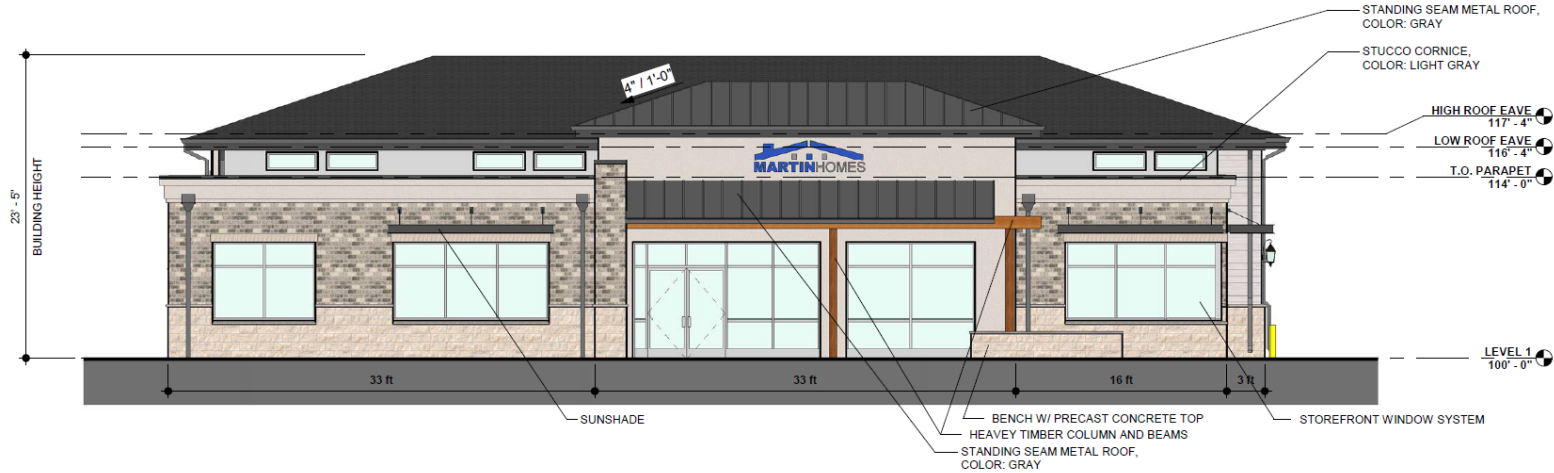
Site Vicinity Map



Site Zoning Map



Building Elevations



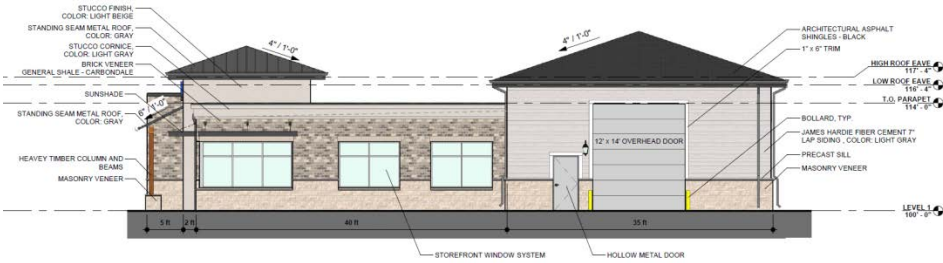
1 WEST ELEVATION
1/8" = 1'-0"

Building characteristics:

- building materials: fiber cement lap siding, stucco, stone and brick veneer, asphalt shingles, metal roofing, wood accent
- building height: 23'5" with pitched roof



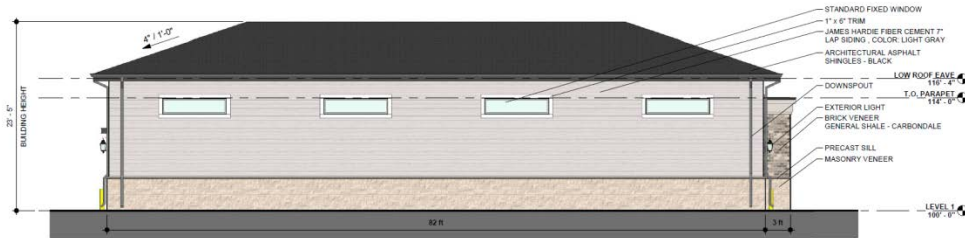
Building Elevations



3 SOUTH ELEVATION



2 NORTH ELEVATION



4 EAST ELEVATION



MEMORANDUM

Date: April 18, 2018
To: Planning Commission
From: Millissa Berry, AICP, Senior Planner
Re: Public Hearing and Recommendation to Town Board,
Concerning the Thornton Farm 24 Annexation to the Town of
Windsor – City of Thornton, applicant/ owner; Kevin Woods,
City Manager and Mark Koleber, Water Project Director,
applicant's representatives
Item #: C.2

Background / Discussion

The applicant, The City of Thornton, represented by Mr. Mark Koleber, has submitted a petition to annex approximately 288.4 acres to the Town of Windsor as Residential Mixed Use (RMU) zoned property. The subject property is located at 37162 Weld County Road 13 directly northeast of the intersection of Weld County Road 13 and Weld County Road 76.

The City of Thornton is annexing the property in accordance with the Intergovernmental Agreement (IGA) that was approved by the Windsor Town Board via Resolution 2018-07 on January 8, 2018. Because the property is within the Town's Growth Management Area, the Town requested that the property be annexed so that any future development of the property would go through the Town's land use process and comply with Town standards.

No development is currently proposed with this annexation petition. The City of Thornton has no plans to develop the property and intends to retain the property in its current use and state, as well as retain the associated water rights, into the foreseeable future. There is the potential that Xcel Energy may propose a substation on the property. However, as of the date of this report, a development proposal has not been received. If and when a development proposal is submitted for a substation, the proposal will be reviewed and processed in accordance with the Municipal Code. In addition, if any development plans on the City's property are submitted in the future, the plans will also be reviewed in accordance with the Municipal Code.

The Comprehensive Plan Growth Strategy includes the property within in the Town's Secondary Growth Area. Although in the Secondary Growth Area, the property is adjacent to Developed and Primary Growth Areas to the south and east and the Tertiary Growth Area to the north. Chapter 5b – Growth Framework of the Comprehensive Plan states that development within the secondary Growth Area will primarily consist of residential land use and, where possible, a mix of housing types and densities should be promoted. The Land Use Plan of the 2016 Comprehensive Plan designates this property as Agriculture which reflects the current use of the property. The RMU zoning that is proposed for the property reflects the intent of the Secondary Growth Area as

well as the future land use for the property. The zoning for abutting properties to the south, east and south/east within Town Limits is RMU. Abutting properties that surround the subject property and are outside town limits are also generally low density residential and agriculture land uses and the associated zoning:

- Properties in Weld County to the south and east of the subject property are zoned Agriculture (A) or Duplex Residential (R-2).
- Abutting properties to the north are within Severance and zoned Suburban Perimeter.
- Abutting properties to the west are in unincorporated Larimer County and zoned Farming (FA-1).

The Comprehensive Plan classifies Weld County Road (WCR) 76 as a Rural Collector; WCR 13 is classified as a Rural Minor Arterial. The Town is requiring the dedication of an additional 30 feet of right-of-way along WCR 76 to be dedicated to Windsor and that 35 feet of right-of-way along WCR 13 is dedicated to Town of Timnath; both dedications are to be at time of annexation. Both requirements are indicated on the annexation plat and will be included in an amendment to the IGA.

A neighborhood meeting was held on March 13, 2018; please refer to the attached neighborhood meeting summary. Concerns conveyed at the meeting included increased traffic to the area and the potential location of a substation on the property. Additional comments received by staff outside the neighborhood meeting echo these concerns.

An Annexation Report (see packet materials) was prepared and sent to potentially impacted taxing districts as required by Colorado Revised Statutes (CRS). The report outlines details on the provision of utilities and services to the property, maintenance of infrastructure, and a finding of no impact to the school district due to the lack of a development proposal at this time. Responses from the tax agencies included “no comment/conflict” or a request to review any development proposals when submitted. Referral agencies, including the Colorado Department of Transportation, were also notified of the annexation request. The referral agencies relayed no conflicts to staff. Referral and tax agency responses are included in the packet materials.

At its February 26, 2018 regular meeting, the Town Board, by resolution, initiated annexation proceedings for the property. After review of the annexation petition and the annexation plat, staff has determined that the requirements of applicable parts of CRS Section 31-12-104, 31-12-105, 31-12-107 have been met:

- The plat is consistent with the petition submitted;
- The property is eligible for annexation based on contiguity and community of interest between the proposed property and annexing municipality;
- No limitations for annexation exist in this case;
- An election is not required.

At its March 12, 2018 regular meeting, the Town Board adopted Resolution No. 2018-024 that declared certain findings of fact concerning the Thornton Annexation; determined substantial compliance with Colorado Municipal Annexation Act (1965); and established public hearing dates before the Planning Commission and the Town Board. The established hearing dates were April 18, 2018 for the Planning Commission and April 23, 2018 by the Town Board.

Financial Impact

Per the Town of Windsor Municipal Code, financing and installation of any infrastructure extensions shall be the sole responsibility of the developer. At this time no development is proposed for the property. The WCR 76 right-of-way included in the annexation proposal will be maintained by the Town.

Relationship to Comprehensive Plan

Because development is not proposed at this time, many Comprehensive Plan goals and objectives do not apply to this particular situation. The main reason for the annexation is due to the property's location within the Town's Growth Management Area. The following goal and objective of the 2016 Comprehensive Plan are relative to the subject annexation.

Chapter 5b – Growth Framework

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

Objective: Work cooperatively with adjacent municipalities to coordinate future land use and development within intergovernmental planning areas...

Relationship to Strategic Plan

Because no development is proposed with this annexation request, its relationship to the Strategic Plan cannot be assessed. At this time, the City of Thornton has no plans to develop the property. If and when any development proposals are submitted for review, the relationship to the Strategic Plan will be evaluated.

Notification

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

Public hearing notifications for Planning Commission and Town Board public hearings were as follows:

- March 8, 2018 – large annexation sign posted on property
- March 19, 2018 – staff submitted legal ad to the newspaper to run four consecutive weeks
 - o March 23, 2018 – first week legal ad
 - o March 30, 2018 – second week legal ad
 - o April 6, 2018 - third week legal ad
 - o April 13, 2018 – fourth week legal ad
- March 20, 2018 – staff mailed Certified Packets to relevant taxing districts
- March 22, 2018 - letters mailed to surrounding property owners
- March 23, 2018 – public hearing notice published to Town website

Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the Thornton Farm 24 Annexation and Residential Mixed Use (RMU) zoning designation to the Town Board, as presented.

Attachments

Application Materials
Annexation Plat
Neighborhood Meeting Notes
Annexation Impact Report
Referral agency responses
PowerPoint Presentation

Cc: Mark Koleber, applicant's representative
Kevin Woods, applicant's representative

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

(I, We) the landowner(s) of more than 50% of the territory, excluding public streets and alleys, described as a parcel of land being part of the Northwest Quarter (NW1/4) of Section Twenty-nine (29) and part of Section Thirty (30), both in Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado containing 288.397 acres more or less, allege the following to be true and correct:

The perimeter of the proposed annexation has a distance of 17,636.09 feet, of which 4,773.63 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

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

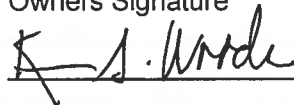
Therefore, the undersigned hereby request that the TOWN OF WINDSOR approve the annexation of the area described above and do herewith pay the required fees.

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

Date

1-26-18

Owners Signature



Mailing Address

9500 Civic Center Drive

Thornton, CO 80229

RESOLUTION

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR, COLORADO AND THE CITY OF THORNTON, COLORADO DECLARING CERTAIN PROPERTY OWNED BY THE CITY OF THORNTON AS SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSITION.

WHEREAS, the City of Thornton (Thornton) plans to install, construct, operate, and maintain a water pipeline, generally referred to as the Thornton Water Project (Project) to deliver water supplies to Thornton; and

WHEREAS, Weld County Road 13 (County Line Road or Larimer County Road 1) was identified through discussions with the Town of Windsor (Windsor) as the preferred Project corridor through Windsor's growth area; and

WHEREAS, Windsor will permit Thornton to construct the Project through Windsor's corporate limits and across a Windsor-owned property in exchange for Thornton annexing a Thornton-owned property (Thornton Property) adjacent to Weld County Road 13; and

WHEREAS, it is beneficial to Windsor to have the Thornton Property annexed and it is beneficial to Windsor and Thornton to coordinate on the installation, construction, operation, and maintenance of the pipeline through Windsor's corporate limits and across Windsor-owned property; and

WHEREAS, an Intergovernmental Agreement (Agreement) between Windsor and Thornton, a copy of which is attached hereto as Attachment A, to provide for annexation of the Thornton Property and dedication of road right-of-way, as described in the Agreement, to Windsor and to install, construct, operate, and maintain the Project through Windsor's corporate limits and across a Windsor-owned property was unanimously approved by Windsor's Town Board, at the January 8, 2018, Windsor Town Board meeting; and

WHEREAS, Thornton has determined that the property interests to be dedicated are not required for use by Thornton, and Thornton has determined, in order to further the Project, that it is in its best interest to dedicate these property interests; and

WHEREAS, Section 18(2)(a) of Article XIV of the Colorado Constitution and Sections 29-1-201, *et seq.*, and 29-20-105 of the Colorado Revised Statutes authorize and encourage governments to cooperate by contracting with one another for their mutual benefit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

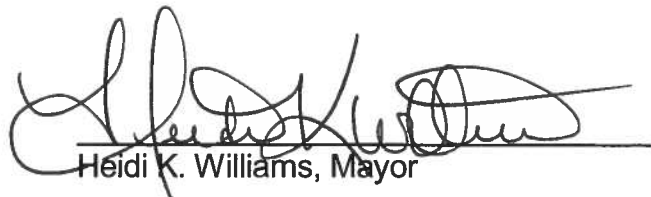
1. The City Council hereby approves the Agreement between Windsor and Thornton, a copy of which is attached hereto and incorporated herein by this reference, and hereby directs the City Manager, on behalf of the City, to execute and the City Clerk to attest said Agreement, or a modified

Agreement, as long as the modified Agreement contains substantially the same terms and conditions as contained in the attached Agreement.

2. That Thornton's property interests in the lands necessary for the right-of-way, including future right-of-way, for Weld County Road 76 and Weld County Road 13 on the Thornton Property are dedicated surplus property, which may be dedicated to Windsor and the Town of Timnath (Timnath), respectively.
3. That the City Manager is hereby authorized to execute on behalf of Thornton:
 - a) Windsor's annexation application and petition or other documents as needed to allow Windsor to process the application as long as the documents are consistent with the terms of the Agreement, or any other forms or documents necessary to fulfill the intent of the Agreement.
 - b) Any forms or documents necessary to dedicate the right-of-way, including future right-of-way, for Weld County Road 76 and Weld County Road 13 on the Thornton Property to Windsor and Timnath, respectively.
 - c) Any forms or documents necessary to acquire an easement across Windsor-owned property for the Project.
4. That the Agreement shall not be in full force and effect until fully executed by both Thornton and Windsor and that full execution of the Agreement is a condition precedent to dedication of Thornton's property interest in the right-of-way on the Thornton Property to Windsor or Timnath.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on January 23, 2018.

CITY OF THORNTON, COLORADO



Heidi K. Williams, Mayor

ATTEST:



Kristen N. Rosenbaum, City Clerk

ATTACHMENT A

INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR, COLORADO AND THE CITY OF THORNTON, COLORADO

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement"), is made and entered into effective the 23rd day of January, 2018, by and between Town of Windsor, a Colorado home rule municipal corporation ("Town") and the City of Thornton, a Colorado home rule municipality ("Thornton" or "Property Owner"), collectively (the "Parties") and is made concerning the real property described on **Exhibit A**, attached hereto and incorporated herein by reference ("the Property"), and the Thornton Water Project.

WITNESSETH:

WHEREAS, Section 18(2)(a) of Article XIV of the Colorado Constitution and Sections 29-1-201, *et seq.*, and 29-20-105 of the Colorado Revised Statutes authorize and encourage governments to cooperate by contracting with one another for their mutual benefit; and

WHEREAS, Thornton is the owner of the Property, which is located within Town's Growth Management Area ("GMA") as shown on **Exhibit B**; and

WHEREAS, the Property consists of approximately 288 acres, more or less, located north of Windsor and generally east of and adjacent to Weld County Road 13 as illustrated on **Exhibit C**; and

WHEREAS, the Property is north of and adjacent to approved residential development taking place under Town's land use authority; and

WHEREAS, Thornton intends to transfer a portion of the Property to Xcel Energy for use as an electric power transmission substation facility; and

WHEREAS, the Parties agree that the location of the Property in Town's GMA favors its annexation into Town's corporate limits; and

WHEREAS, the Parties agree that the intended use of a portion of Property as an electric power transmission substation facility favors its annexation into Town's corporate limits; and

WHEREAS, the Parties agree that Town's regulation of the proposed electric power transmission substation facility will primarily consist of administrative site plan approval in accordance with the applicable provisions of the *Windsor Municipal Code* ("Town Code"); and

WHEREAS, Thornton plans to install, construct, operate and maintain a water pipeline, generally referred to as the Thornton Water Project and appurtenances thereto ("the Pipeline") within Town's corporate limits or GMA; and

WHEREAS, the Parties agree that it is beneficial to the Town and Thornton for the Parties to coordinate and cooperate with each other to allow Thornton to install, construct, operate and maintain the Pipeline in Town's corporate limits or GMA; and

WHEREAS, it is the intent of the Parties that this Agreement contains all the rights and obligations of the Parties which shall be performed by the Parties with respect to annexation of the Property and installation, construction, operation and maintenance of the Pipeline within Town's corporate limits or GMA.

NOW, THEREFORE, in consideration of the foregoing and the terms, covenants, conditions and provisions hereinafter set forth and other good and valuable consideration, the receipt and adequacy of which are hereby confessed and acknowledged, the Parties hereto agree as follows:

AGREEMENT

1. Purpose. The purpose of this Agreement is to set forth the terms and conditions for annexation and future development of the Property within the Town, and to coordinate the installation, construction, operation and maintenance of the Pipeline within the Town's corporate limits or GMA. All conditions contained herein are in addition to applicable state statutes, and are not intended to supersede such requirements, except as specifically provided in this Agreement. All exhibits attached hereto are incorporated herein by this reference and are an integral part hereof.

2. Installation, construction, operation and maintenance of the Pipeline within Town's corporate limits. Town will permit Thornton to install, construct, operate and maintain the Pipeline within Town's corporate limits which exists as of the date of this Agreement or which may subsequently be annexed by Town, as specified below.

- a. Upon request by Thornton, Town will timely grant or process any necessary permits or other approvals for installation, construction, operation and maintenance of the Pipeline through an administrative process unless otherwise required. Thornton will pay customary fees or costs for necessary permits or approvals.
- b. Upon request by Thornton, Town will cooperate and convey to Thornton the easements for installation, construction, operation and maintenance of the Pipeline across the Kyger property (Larimer County APN 8613000907) as described in attached **Exhibit D**.

Installation, construction, operation and maintenance of the Pipeline within Town's GMA. Thornton will coordinate with Town regarding the location and construction of the Pipeline in Town's GMA. Town acknowledges that the Pipeline location and construction outside of Town's corporate limits will be subject to Weld or Larimer County regulations and permitting processes, which may supersede Town's requirements regarding the Pipeline location and construction outside Town's corporate limits.

3. Annexation of the Property. The Property shall be annexed to Town by ordinance, not by election, in accordance with the terms of this Agreement, including adjacent right-of-way, as shown on the annexation maps attached hereto as **Exhibit C**. The annexation of

the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965 (as amended, the "Act"), the Town Code and all applicable laws, and this Agreement. In addition:

- a. Property Owner agrees that it will not withdraw the annexation petition for the Property once it has been filed with Town.
- b. Property Owner will pay Town \$2,529, for the annexation and zoning of the Property, which is the fee typically associated with the application for annexation and zoning of similar property. Town will not charge Property Owner any other fees for the annexation and zoning of the Property.
- c. Property Owner will submit the aforementioned annexation petition, fee and annexation plat within ten (10) business days of the execution of this agreement.
- d. Town will prepare the required Annexation Impact Report without cost to Property Owner.
- e. Town will obtain, and will not require the Property Owner to obtain, letters of referral from special districts agreeing to service the Property, and a statement from the school district serving the area of the effect of the annexation upon the school district.
- f. Property Owner will not be required to submit any of the following in conjunction with the annexation and zoning of the Property:
 - i. Property Master Plan
 - ii. Soils description and limitation report
 - iii. Preliminary Utility Plan
 - iv. Preliminary Drainage Plan
 - v. Water rights historical use affidavit
 - vi. Statement of Community Need
- g. Upon filing, Town will undertake administrative and legislative action on the petition for annexation as provided by law.

4. Application of Town Laws - Town Services. Except as expressly provided herein, all Town ordinances, regulations, codes, policies and procedures in existence and as the same may change from time to time, shall be applicable to the use and development of the Property, upon annexation. Upon annexation, Town shall provide all customary municipal services to the Property, to the same extent and upon the same terms and conditions as such services are provided to other properties throughout Town. The Parties recognize that Town does not provide infrastructure to serve the Property and Property Owner will be responsible for extending all utilities and streets to serve the Property when developed. Failure of Property

Owner to obtain utilities or provide streets to the Property, except by action of Town to prevent installation of such infrastructure, shall not be grounds for disconnection. In addition:

- a. Treated water service to the Property will be provided by North Weld County Water District when developed.
- b. Sanitary sewer service to the Property will be provided by Boxelder Sanitation District when developed.
- c. The property owner at the time of development will be responsible for extending all utilities, storm drainage facilities, and streets to serve the Property when developed, at no cost to Town.
- d. The property owner at the time of development will be required to meet the requirements of the Town Code for irrigation of common areas, open spaces and parks when the Property is developed.
- e. The property owner at the time of development will coordinate with owners of properties within Town's corporate limits adjacent to the Property to provide pedestrian and vehicular access between the Property and the adjacent properties as may be necessary to implement Town's transportation masterplan when the Property is developed.
- f. The Town Code and Town's then-existing design and construction standards shall be applicable to all future construction of improvements located on the Property and intended for dedication to Town, including water lines (except the Pipeline described herein), sewer lines, roadway improvements, storm drainage improvements, park improvements, traffic safety and control devices, and the like common to similar developments in Town.

5. Zoning and Development of the Property. Upon annexation, the Property will be zoned RMU – Residential Mixed Use under Chapter 16, Article XXIV of the Town Code. The Parties acknowledge Property Owner currently has no plans to develop the Property and shall be permitted to continue all existing uses, including use for agricultural purposes, until such time as development is sought and approvals are issued by Town for the Property.

6. Water and Water Rights. Property Owner acknowledges that Property Owner shall be required to meet Town Code requirements for irrigation of common areas, open space areas, and parks when the Property is developed except as otherwise set forth herein. Town shall not require Property Owner to provide to Town or to any water provider or district any water or water rights, well or well rights, reservoir or storage rights, stock in mutual ditch and irrigation companies, or any other water or water rights for annexation of the Property, use or development of the Property, or installation, construction, operation or maintenance of the Pipeline. Water to serve the Property shall be provided per Paragraph 5.a. above.

7. Covenants Run With the Property. This Agreement shall be recorded in the real estate records of Weld County and constitute a covenant running with the Property.

8. Burdens and Benefits. The burdens and benefits of this Agreement shall bind and inure to the benefit of the Parties, all estates and interests in the Property and in the Pipeline, and all successors or assigns of the Parties, except as may be otherwise expressly provided in this Agreement.

9. Infrastructure Standards. The Parties acknowledge and agree that Town Code and Town's then-existing design and construction standards shall be applicable to all future construction of items on the Property historically considered to be public in nature, including generally, water lines (except the Pipeline as described herein), sewer lines, streets, drainage improvements, park improvements, traffic safety and control devices, etc. common to similar developments in Town.

10. Breach by Property Owner - Town's Remedies. In the event of a breach of any of the terms and conditions of this Agreement related to the Property by Property Owner, and until such breach is corrected, Town may take such actions as are permitted and/or authorized by the ordinances of Town, this Agreement, and/or other law, as Town reasonably deems necessary in order to protect the public health, safety and welfare; to protect lot buyers and builders; and to protect the residents of Town from undue hardship and undue risk. These remedies include, but are not limited to:

- a. The refusal to issue any building permit;
- b. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;
- c. Refusal to accept further land use applications for the Property;
- d. Disconnection of the Property from Town;
- e. Specific performance of this Agreement;
- f. Placement of a lien on the Property to be collected with the property taxes;
- g. Any other remedy available at law or in equity.

Unless necessary to protect the immediate health, safety and welfare of Town, Town shall provide Property Owner ninety (90) days prior written notice of its intent to take any action under this paragraph, specifying the claimed breach or default of such Property Owner. If during such ninety (90) day period Property Owner commences to cure the breach described in the notice and proceeds reasonably thereafter to cure the breach, any action taken by Town to enforce this Agreement shall be discontinued and no further action shall be taken by Town to the extent that Property Owner diligently pursues the cure to completion.

11. Breach by Town: Property Owner's Remedies. Property Owner shall have any and all remedies against Town for breach of this Agreement available at law or in equity for a material breach of this Agreement by Town, including but not limited to specific performance

and the right to seek statutory disconnection for a material breach which substantially impairs Property Owner's ability to develop the Property or install, construct, operate and maintain the Pipeline as provided for in this Agreement.

12. Acknowledgements. It is expressly understood that Property Owner and Town cannot be legally bound by the representations of any of its officers or agents or their designees except in accordance with Thornton City Charter and Thornton City Code, Town Charter and Town Code, and the laws of the State of Colorado. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances, or as a waiver or abrogation of each other's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of their respective city and town or its inhabitants; nor shall this Agreement prohibit the enactment by Thornton or Town within their respective jurisdictions of any fee, ordinance, resolution, rule or regulation which is of uniform and general application.

13. Notice. All notices required under this Agreement shall be in writing and shall be hand-delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the Parties herein set forth. All notices so given shall be considered effective on the date of delivery or seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which further notices shall be sent.

Notice to Town:

Town of Windsor
301 Walnut Street
Windsor, Colorado 80550
Telephone: (970) 674-2400

with copy to:

Town Attorney
301 Walnut Street
Windsor, Colorado 80550
Telephone: (970) 674-2400

Notice to Property Owner:

City of Thornton
9500 Civic Center Drive
Thornton, CO 80229
Telephone: 303-538-7200

with a copy to:

City Attorney
City of Thornton
9500 Civic Center Drive
Thornton, CO 80229
Telephone: 303-538-7210

14. Assignment. Property Owner shall have the right to assign or transfer all or any of its interests, rights, or obligations under this Agreement related to the Property or Pipeline to any person or entity, directly or indirectly, controlling, controlled by, or under common control

with Property Owner without the consent of Town. The terms “controlling,” “controlled by,” or “under common control with,” shall mean the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an entity whether through the ownership of voting securities or otherwise. Property Owner shall also have the right to assign or transfer all or any of its interests, rights, or obligations under this Agreement related to the Property or Pipeline to any other person or entity having the legal authority and financial ability to perform the obligations being assigned to such person or entity after at least thirty (30) days prior written notice to Town. Upon such notice and written assumption of the obligations of Property Owner by an assignee, the assignor shall be relieved of any further obligations or liability with respect to the performance of any of the duties or obligations of Property Owner which have been assigned or transferred arising after the date such duties and obligations are assumed by the Assignee.

15. Authority to Execute Documents. This Agreement must be mutually approved by Thornton’s City Council and Windsor’s Town Board. Thornton City Council’s approval of this Agreement will authorize the Thornton City Manager to execute Town’s annexation application and petition or other documents as needed to allow Town to process the application as long as the documents are consistent with the terms of this Agreement. Windsor’s Town Board’s approval of this Agreement will authorize the Windsor Town Manager or his designee to execute all documents necessary for annexation of the Property, and all documents necessary to allow the installation, construction, operation and maintenance of the Pipeline as provided for in this Agreement, including, but not limited to all easements, permits and licenses, as long as the documents are consistent with the terms of this Agreement.

16. Title and Authority. Property Owner warrants and represents to Town that it is the record owner of the Property, except for county roads shown on the annexation map. The persons signing this Agreement on behalf of Thornton or Town represent and warrant that he or she has full power and authority to enter into this Agreement on behalf of Thornton or Town. Thornton and Town understand that each is relying on such representations and warranties in entering into this Agreement.

17. Colorado Governmental Immunity Act. The Parties hereto understand and agree that they are relying on, and do not waive or intend to waive, by any provision of this Agreement, any rights, protections, or privileges provided by the Colorado Governmental Immunity Act, C.R.S. 24-10-101 *et seq.*, as it is from time to time amended, or otherwise available to the Parties, their officers, or employees.

18. This Agreement shall not be deemed a multiple fiscal year obligation in violation of Article X, Section 20 of the Colorado Constitution.

19. Entire Agreement - Amendments. This Agreement represents the entire agreement of the Parties with respect to the annexation of the Property to Town and development of the Property, and the installation, construction, operation and maintenance of the Pipeline within Town. There are no promises, terms, conditions, or obligations other than those contained herein, which shall supersede all previous communications, representations or agreements, either verbal or written, between the Parties hereto. This Agreement may be amended only by written

agreement between Thornton and Town. In the event that the Property is subdivided and lots are sold to different individuals in the future, this Agreement may be amended by agreement between Thornton and Town, without consent of such lot owners to the extent such amendment does not adversely affect such other lot owners in a material manner.

20. Severability. If any part, term, or provision of the annexation or zoning of the Property or any portion of this Agreement is held by a court of competent jurisdiction to be illegal, unenforceable, declared void or in conflict with any law of the State of Colorado by final court action, meaning that no appeal can be made or the time to appeal has expired, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid, and the Parties shall cooperate to cure any such defect. If such defect has affected the annexation or zoning of the Property, after cure, Town shall reinstitute and complete proceedings to annex and zone the Property according to the terms of this Agreement and to otherwise carry out the terms and provisions hereof. If necessary, Property Owner agrees to reapply for annexation after such cure. If such defect has affected the ability of Property Owner to install, construct or maintain the Pipeline, after cure, the Parties agree to take such steps as are necessary allow installation of the Pipeline in accordance with the intent and terms of this Agreement.

21. Effective Date-Termination. This Agreement shall be effective and binding upon both Parties as of the date set forth above but shall not affect the effective date of the ordinance annexing the Property to Town. The annexation and zoning provisions in this Agreement shall be terminated and considered null and void on the date of disconnection if the Property is subsequently disconnected from Town. The provisions of this Agreement providing for the installation, construction, operation and maintenance of the Pipeline shall not terminate if the Property is subsequently disconnected from the Town.

22. Further Assurances. The Parties agree to execute such additional documents and take such additional action as may be necessary to effectuate the intent of this Agreement.

23. No Duress. The Parties agree that this Agreement is freely and voluntarily executed by them after an opportunity for each party to obtain legal advice.

24. Execution and Counterparts. This Agreement may be executed and filed in any number of counterparts, all of which when taken together shall constitute the entire agreement of the Parties. Signature pages may be removed from any counterpart and attached to another counterpart to constitute a single document.

25. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Should any party institute legal suit or action for enforcement of any right or obligation contained herein, it is agreed that exclusive venue of such suit or action shall be in Weld County, Colorado.

26. Third Party Beneficiaries. This Agreement is made by and between the Parties and, to the extent permitted, successors or assigns and solely for their benefit. No third parties,

including but not limited to adjacent property owners and/or individual lot owners or buyers, shall be entitled to enforce the duties or enjoy the rights created herein.

27. Captions. The captions to this Agreement are inserted only for the purpose of convenient reference and in no way define, limit or prescribe the scope or intent of this Agreement or any part thereof.

28. Approvals. Whenever approval or acceptance of Town is necessary pursuant to any provisions of this Agreement, Town shall act reasonably and in a timely manner in responding to such request for approval or acceptance.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties, intending to be legally bound hereby as of the date set forth above.

[Signature pages follow]

TOWN:
Corporation

TOWN OF WINDSOR, COLORADO,
A Colorado Home Rule Municipal

ATTEST:

Patti Garcia
Patti Garcia, Town Clerk

Kristie Melendez
Kristie Melendez, Mayor

APPROVED AS TO FORM

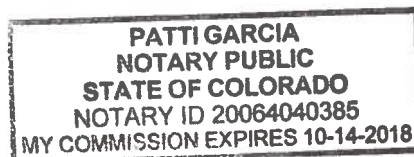
Ian D. McCargar
Ian D. McCargar, Town Attorney

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 8th day of January 2018, by Kristie Melendez, Mayor, Town of Windsor.

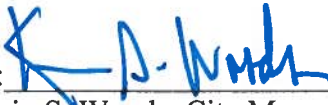
WITNESS my hand and official seal.

Patti Garcia
Notary Public
My Commission expires: 10/14/18



PROPERTY OWNER:

CITY OF THORNTON, COLORADO,
A Colorado home rule municipality

By: 
Kevin S. Woods, City Manager

ATTEST:


Kristen N. Rosenbaum, City Clerk

APPROVED AS TO FORM


Luis A. Corchado, City Attorney

THORNTON FARM 24 ANNEXATION
TO THE TOWN OF WINDSOR

Situate in the Northwest Quarter of Section 29 and in Section 30, Township 7 North, Range 67 West of the 6th P.M.,
County of Weld, State of Colorado

PROPERTY DESCRIPTION

A parcel of land being part of the Northwest Quarter (NW1/4) of Section Twenty-nine (29) and part of Section Thirty (30), both in Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the East Quarter (E1/4) corner of said Section 30 and assuming the East line of the Southeast Quarter (SE1/4) of said Section 30 as bearing South 00°04'17" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2642.20 feet, with all other bearings contained herein relative thereto;

The following Two (2) courses and distances are along the East line of the Southeast Quarter (SE1/4) of said Section 30:
THENCE South 00°04'17" West a distance of 2592.20 feet to a Northerly line of Windsor North Annexation to the Town of Windsor, recorded January 29, 1986 as Reception No. 02040927 of the records of the Weld County Clerk and Recorder;
The following Two (2) courses and distances are along the Northerly lines of said Windsor North Annexation:
THENCE South 00°04'17" West a distance of 19.92 feet;
THENCE South 86°00'57" West a distance of 2384.29 feet to the Northeast corner of Annexation Parcel 2, Harmony Ridge Annexation to the Town of Windsor, recorded July 1, 2015 as Reception No. 4120832 of the records of the Weld County Clerk and Recorder;
The following Two (2) courses and distances are along the Northerly lines of said Annexation Parcel 2, Harmony Ridge Annexation:
THENCE South 86°00'57" West a distance of 1.88 feet;
THENCE South 86°01'21" West a distance of 2367.54 feet to the East line of Boekel Annexation 1 to the Town of Timnath, recorded October 18, 2007 as Reception No. 3511995 of the records of the Weld County Clerk and Recorder;
THENCE North 00°09'55" West along the East line of said Boekel Annexation 1 and along the East line of Boekel Annexations 2, 3 and 4 to the Town of Timnath, all recorded October 18, 2007 as Reception Nos. 3511996, 3511997 and 3511998 of the records of the Weld County Clerk and Recorder, a distance of 1948.94 feet to that common boundary line depicted on Exhibit C in that Resolution recorded May 19, 2016 as Reception No. 4204939 of the records of the Weld County Clerk and Recorder;

The following Seventy-two (72) courses and distances are along said common boundary line:

THENCE South 60°16'46" East a distance of 600.07 feet;
THENCE North 26°09'22" East a distance of 43.98 feet;
THENCE North 88°08'48" East a distance of 28.89 feet;
THENCE South 76°06'33" East a distance of 35.04 feet;
THENCE South 70°19'11" East a distance of 139.00 feet;
THENCE South 78°04'55" East a distance of 45.90 feet;
THENCE North 88°28'30" East a distance of 63.70 feet;
THENCE North 77°35'16" East a distance of 71.03 feet;
THENCE North 67°53'35" East a distance of 566.88 feet;
THENCE North 48°47'58" East a distance of 36.49 feet;
THENCE North 39°49'47" East a distance of 51.39 feet;
THENCE North 28°49'11" East a distance of 65.39 feet;
THENCE North 18°59'24" East a distance of 51.50 feet;
THENCE North 09°24'45" East a distance of 120.55 feet;
THENCE North 16°39'35" East a distance of 88.82 feet;
THENCE North 22°21'32" East a distance of 56.28 feet;
THENCE North 29°09'14" East a distance of 42.39 feet;
THENCE North 42°13'45" East a distance of 35.66 feet;
THENCE North 58°47'38" East a distance of 62.76 feet;
THENCE North 62°16'56" East a distance of 83.53 feet;
THENCE North 78°06'37" East a distance of 101.45 feet;
THENCE North 66°23'34" East a distance of 49.92 feet;
THENCE North 46°47'49" East a distance of 35.95 feet;
THENCE North 17°45'42" East a distance of 33.46 feet;
THENCE North 04°02'43" East a distance of 48.08 feet;
THENCE North 06°20'38" West a distance of 27.23 feet;
THENCE North 19°02'31" West a distance of 52.37 feet;
THENCE North 25°24'28" West a distance of 52.91 feet;
THENCE North 32°31'09" West a distance of 46.93 feet;
THENCE North 45°13'39" East a distance of 96.91 feet;
THENCE North 44°09'30" East a distance of 102.70 feet;
THENCE North 62°41'18" East a distance of 71.30 feet;
THENCE North 57°34'17" East a distance of 36.77 feet;
THENCE North 48°26'17" East a distance of 41.78 feet;
THENCE North 43°04'12" East a distance of 71.97 feet;
THENCE North 46°38'09" East a distance of 57.84 feet;
THENCE North 53°45'47" East a distance of 57.62 feet;
THENCE North 46°09'32" East a distance of 54.33 feet;
THENCE North 29°59'04" East a distance of 48.90 feet;
THENCE North 24°44'44" East a distance of 53.01 feet;
THENCE North 29°37'00" East a distance of 37.71 feet;
THENCE North 42°12'45" East a distance of 35.04 feet;
THENCE North 51°08'12" East a distance of 108.10 feet;
THENCE North 38°03'05" East a distance of 206.94 feet;
THENCE North 31°30'13" East a distance of 123.54 feet;
THENCE North 34°16'39" East a distance of 56.49 feet;
THENCE North 43°44'52" East a distance of 30.57 feet;
THENCE North 53°26'27" East a distance of 185.50 feet;
THENCE North 57°30'44" East a distance of 62.54 feet;
THENCE North 76°53'09" East a distance of 38.73 feet;
THENCE North 84°37'42" East a distance of 113.98 feet;
THENCE North 79°50'31" East a distance of 128.10 feet;
THENCE South 80°51'32" East a distance of 85.54 feet;
THENCE South 37°38'36" West a distance of 208.03 feet;
THENCE South 23°06'26" West a distance of 442.41 feet;
THENCE North 83°10'07" East a distance of 376.54 feet;
THENCE North 37°41'04" East a distance of 134.21 feet;
THENCE North 82°39'31" East a distance of 129.82 feet;
THENCE North 60°37'09" East a distance of 128.94 feet;
THENCE North 42°07'17" East a distance of 160.47 feet;
THENCE North 61°26'49" East a distance of 124.54 feet;
THENCE North 58°00'25" East a distance of 134.58 feet;
THENCE North 51°51'47" East a distance of 160.80 feet;
THENCE North 67°51'50" East a distance of 43.73 feet;
THENCE South 74°22'09" East a distance of 86.04 feet;
THENCE South 29°21'11" East a distance of 150.02 feet;
THENCE South 43°16'04" West a distance of 161.50 feet;
THENCE South 11°58'40" West a distance of 100.68 feet;
THENCE South 26°55'49" East a distance of 100.12 feet;
THENCE South 79°25'26" East a distance of 247.74 feet;
THENCE South 77°16'50" East a distance of 103.95 feet;
THENCE North 87°30'54" East a distance of 115.58 feet to the East line of the Northeast Quarter (NE1/4) of said Section 30, said point being the Northwest corner of the first parcel of land described in that Warranty Deed recorded September 3, 1986 as Reception No. 02068011 of the records of the Weld County Clerk and Recorder;
The following Three (3) courses and distances are along the Northerly, Easterly and Southerly lines of said first parcel of land described in said Warranty Deed:
THENCE South 67°59'51" East a distance of 157.27 feet;
THENCE South 00°55'26" East a distance of 188.55 feet;
THENCE South 50°01'27" West a distance of 194.69 feet to the East line of the Northeast Quarter (NE1/4) of said Section 30, said point being the Southwest corner of said first parcel of land described in said Warranty Deed;
THENCE South 00°03'07" West along the East line of the Northeast Quarter (NE1/4) of said Section 30 a distance of 27.34 feet to the POINT OF BEGINNING.

Said described parcel of land contains 288.397 more or less (±), and may be subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described hereon, have caused such land to be annexed and master planned as indicated on this plat under the name of THORNTON FARM 24 ANNEXATION, in compliance with Town of Windsor regulations and by contractual agreement, the landowners shall bear all expenses involved in improvements.

In witness whereof, we have hereunto set our hands and seals this _____ day of _____, 20_____.

OWNER

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,

by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

ENGINEERING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Engineering

PLANNING COMMISSION APPROVAL

Approved this the _____ day of _____, 20_____.

Chairman,
Windsor Planning Commission

PLANNING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Planning

TOWN MANAGER'S APPROVAL

Approved this the _____ day of _____, 20_____.

Town Manager

PUBLIC WORKS DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Public Works

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the Southeast Quarter (SE1/4) of Section Thirty (30), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.) as bearing South 00°04'17" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2642.20 feet, with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number 13983UTG, Amendment No: 1, dated August 2, 2017 at 8:00 am, as prepared by Unified Title Company of Northern Colorado, LLC to delineate the aforesaid information.

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.

SURVEYOR'S STATEMENT

I, Michael Chad Dilka, a Colorado Licensed Professional Land Surveyor do hereby state that this map of land proposed to be Annexed to the Town of Windsor, County of Weld, State of Colorado was prepared under my direct supervision from existing documents of record, and that the same is true and correct to the best of my knowledge, information and belief.

I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Windsor, County of Weld, State of Colorado.

PRELIMINARY

Michael Chad Dilka - On Behalf Of King Surveyors
Colorado Licensed Professional Land Surveyor #38106

MAYOR'S CERTIFICATE

This is to certify that an annexation map of the property described herein was approved by Ordinance No. _____ of the Town of Windsor passed and adopted on the _____ day

of _____, 20____, A.D. and that the Mayor of the Town of Windsor, as authorized by said ordinance, on behalf of the Town of Windsor, hereby acknowledges and adopts the said annexation map upon which this certificate is endorsed for all purposes indicated thereon.

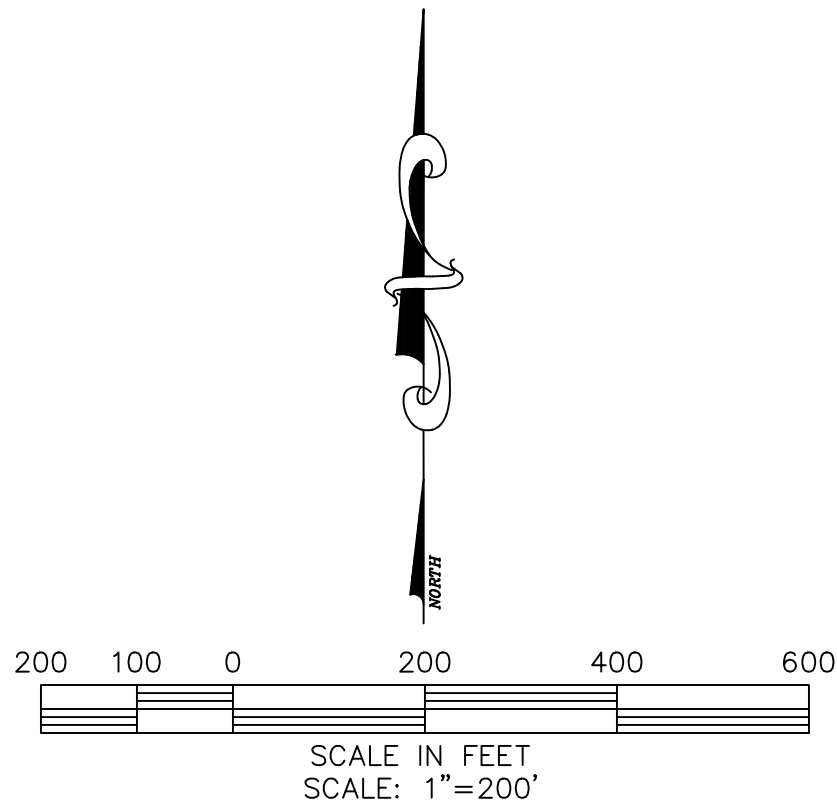
Mayor _____ ATTEST: _____ Town Clerk

DATE: 12/4/2017
FILE NAME: 20170561ANX
SCALE: 1"=200'
DRAWN BY: CSK
CHECKED BY: MCD
KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: info@KingSurveyors.com
THORNTON FARM 24 ANNEXATION FOR THE CITY OF THORNTON 9500 CIVIC CENTER DRIVE THORNTON, CO 80229
PROJECT #: 20170561
1
SHEET 1 OF 2

THORNTON FARM 24 ANNEXATION

TO THE TOWN OF WINDSOR

Situate in the Northwest Quarter of Section 29 and in Section 30,
Township 7 North, Range 67 West of the 6th P.M.,
County of Weld, State of Colorado



LEGEND

---	EASEMENT LINE
---	ALIQUOT LINE
---	RIGHT-OF-WAY LINE
---	BOUNDARY LINE
	DENOTES CONTIGUOUS BOUNDARY
■	FOUND ALIQUOT MONUMENT AS DESCRIBED
■	FOUND MONUMENT AS DESCRIBED
◆	FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP LS 19606
◇	FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP LS 30109
●	FOUND #4 REBAR WITH GREEN PLASTIC CAP LS 34995
○	CALCULATED POSITION

EASEMENT NOTES

1. 16.5' WIDE COMMUNICATIONS EASEMENT TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION GIVEN (BOOK 1075, PAGE 258, REC. NO. 866634)
2. 16.5' WIDE COMMUNICATIONS EASEMENT TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN NW¹/₄ AND PART OF SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION GIVEN (BOOK 1075, PAGE 258, REC. NO. 866635)

BOEKEL ANNEXATIONS 1-4 (TIMNATH)
REC. NO. 3511995-8
NO ZONING DESIGNATION FOR RIGHT OF WAY

30' SLOPE EASEMENT TO THE TOWN OF TIMNATH (REC. NO. 4329278)
20' UNDERGROUND ELECTRIC DISTRIBUTION LINE EASEMENT TO Poudre Valley Rural Electric Association, Inc. (REC. NO. 3962312)

PIPELINE EASEMENT TO SINCLAIR PIPELINE COMPANY IN SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION OR WIDTH GIVEN (BOOK 1652 PAGE 23, REC. NO. 1412159) BASED ON GAS MARKER LOCATIONS

CITY OF THORNTON WARRANTY DEED (REC. NO. 02068011) QUIT CLAIM DEED (REC. NO. 2826115) RESOLUTION (REC. NO. 4204939)

APPROXIMATELY 35' OF RIGHT-OF-WAY TO BE DEDICATED TO THE TOWN OF TIMNATH AT TIME OF ANNEXATION BY SEPARATE DOCUMENT. FINAL RIGHT-OF-WAY WIDTH TO BE DETERMINED BY TOWN OF TIMNATH

30' RIGHT-OF-WAY (REC. NO. 4329277)

30' RIGHT-OF-WAY (BOOK 83, PAGE 4)

ADDITIONAL 30' OF RIGHT-OF-WAY TO BE DEDICATED TO THE TOWN OF WINDSOR AT THE TIME OF ANNEXATION BY SEPARATE DOCUMENT

SOUTHEAST CORNER SECTION 30, T.7N., R.67W. FOUND 3 1/2" ALUMINUM CAP ON #6 REBAR, LS 22098, 2001

SOUTH QUARTER CORNER SECTION 30, T.7N., R.67W. FOUND 3 1/4" ALUMINUM CAP ON #6 REBAR, LS 22098, 2001

WINDSOR NORTH ANNEXATION (WINDSOR)
REC. NO. 02040927
ZONING = RMU (Residential Mixed Use)

NORTHWEST ESTATES FIRST FILING REC. NO. 1584214 ZONING = R-2 (Duplex Residential)

NORTHWEST ESTATES THIRD FILING REC. NO. 1628072 ZONING = R-2 (Duplex Residential)

10' TELECOMMUNICATIONS EASEMENT TO US WEST COMMUNICATIONS (REC. NO. 2505133)

CITY OF THORNTON WARRANTY DEED (REC. NO. 02068011) QUIT CLAIM DEED (REC. NO. 2826115) RESOLUTION (REC. NO. 4204939)

PARCEL NO. 070530000034 143.275 ACRES EXISTING ZONING = A (Agricultural) PROPOSED ZONING = RMU (Residential Mixed Use)

PARCEL NO. 070530000033 144.171 ACRES EXISTING ZONING = A (Agricultural) PROPOSED ZONING = RMU (Residential Mixed Use)

LINE	BEARING	LENGTH
L1	N26°09'22"E	43.98'
L2	N88°08'48"E	28.89'
L3	S76°06'33"E	35.04'
L4	S70°19'11"E	139.00'
L5	S78°04'55"E	45.90'
L6	N88°28'30"E	63.70'
L7	N77°35'16"E	71.03'
L8	N67°53'35"E	566.88'
L9	N48°47'58"E	36.49'
L10	N39°49'47"E	51.39'
L11	N28°49'11"E	65.39'
L12	N18°59'24"E	51.50'
L13	N09°24'45"E	120.55'
L14	N16°39'35"E	88.82'
L15	N22°21'32"E	56.28'
L16	N29°09'14"E	42.39'
L17	N42°13'45"E	35.66'
L18	N58°47'38"E	62.76'
L19	N62°16'56"E	83.53'
L20	N78°06'37"E	101.45'

LINE	BEARING	LENGTH
L21	N66°23'34"E	49.92'
L22	N46°47'49"E	35.95'
L23	N17°45'42"E	33.46'
L24	N04°02'43"E	48.08'
L25	N06°20'38"W	27.23'
L26	N19°02'31"W	52.37'
L27	N25°24'28"W	52.91'
L28	N32°31'09"W	46.93'
L29	N45°13'39"E	96.91'
L30	N44°09'32"E	102.70'
L31	N62°41'18"E	71.30'
L32	N57°34'17"E	36.77'
L33	N48°26'17"E	41.78'
L34	N43°04'12"E	71.97'
L35	N46°38'09"E	57.84'
L36	N53°45'47"E	57.62'
L37	N46°09'32"E	54.33'
L38	N29°59'04"E	48.90'
L39	N24°44'44"E	53.01'
L40	N29°37'00"E	37.71'

LINE	BEARING	LENGTH
L41	N42°12'45"E	35.04'
L42	N51°08'12"E	108.10'
L43	N38°03'05"E	206.94'
L44	N31°30'13"E	123.54'
L45	N34°18'39"E	56.49'
L46	N43°44'52"E	30.57'
L47	N53°26'27"E	185.50'
L48	N57°30'44"E	62.54'
L49	N76°53'09"E	38.73'
L50	N84°37'42"E	113.98'
L51	N79°50'31"E	128.10'
L52	S80°51'32"E	85.54'
L53	S37°38'36"W	208.03'
L54	S23°06'26"W	442.41'
L55	N83°10'07"E	376.84'
L56	N37°41'04"E	134.21'
L57	N82°39'31"E	129.82'
L58	N60°37'09"E	128.94'
L59	N42°07'17"E	160.47'
L60	N61°26'49"E	124.54'

LINE	BEARING	LENGTH
L61	N58°00'25"E	134.58'
L62	N51°51'47"E	160.80'
L63	N67°51'50"E	43.73'
L64	S74°22'09"E	86.04'
L65	S29°21'11"E	150.02'
L66	S43°16'04"W	161.50'
L67	S11°58'40"W	100.68'
L68	S26°55'49"E	100.12'
L69	S79°25'26"E	247.74'
L70	S77°16'50"E	103.95'
L71	N87°30'54"E	115.58'
L72	S67°59'51"E	157.27'
L73	S00°55'26"E	188.55'
L74	S50°01'27"W	194.69'
L75	S00°03'07"W	27.34'
L76	S00°04'17"W	19.92'
L77	S86°00'57"W	1.88'

CONTIGUOUS BOUNDARY = 4,773.63 L.F.
TOTAL BOUNDARY = 17,636.09 L.F.
RATIO = 1 : 3.694
AREA = 288.397 ACRES

PRELIMINARY

Michael Chad Dilka - On Behalf Of King Surveyors
Colorado Licensed Professional Land Surveyor #38106

DATE: 12/4/2017
FILE NAME: 20170561ANX
SCALE: 1"=200'
DRAWN BY: CSK
CHECKED BY: MCD

KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: info@KingSurveyors.com

DATE: 8-23-17
ADDRESS THORNTON REDLINES CSK
ADDRESS THORNTON REDLINES CSK
ADDRESS THORNTON REDLINES MM
ADDRESS THORNTON REDLINES MM

REVIEWS:

THORNTON FARM 24 ANNEXATION FOR CITY OF THORNTON 9500 CIVIC CENTER DRIVE THORNTON, CO 80229

PROJECT #: 20170561

2

SHEET 2 OF 2

Thornton Farm 24 Annexation

Neighborhood Meeting

Meeting Notes – 3/13/18

The following questions and comments were expressed at the neighborhood meeting for the Thornton Farm 24 Annexation.

Why annexing?

The property is within Town of Windsor Comprehensive Plan's Growth Management Area (GMA). With annexation, any development would be processed through Windsor standards.

Will the annexation affect the water table?

It should not since there is no development proposed at this time.

Is any development proposed?

No development is proposed at this time. Xcel is looking to build a substation on the site but no formal plans have been submitted.

Where would the access to the site be?

The access to the site would be from WCR 76 and it would align with the street system to the south.

Will the rest of the site be developed?

Thornton has no plans to develop the site.

What is the substation footprint?

The footprint is unknown since no formal plans have been submitted. The intent is to have it sited where it will have a low visual impact.

Is the Town advocating that the Xcel station go on this site?

No; Xcel would make the selection. When a formal submittal is received by the Town, the substation will be reviewed through a Conditional Use Grant process. The process would include public hearings with the Planning Commission and Town Board.

Can the substation be moved to west toward I-25?

Xcel would make that decision. Xcel conveyed to the Town that this is an ideal location for the substation in regard to distribution and proximity to growth areas.

Can you find out what the orange flags are on the property? Is it Xcel?

We will ask Xcel about the flags and follow up with you on this. (Yes- the flags were surveyors for Xcel.)

Can you discuss the pipeline alignment?

The pipeline will go south along WCR 13 right-of-way and into the portion of the road within Timnath's town limits; it will then follow the WCR 13 alignment through Windsor.

Did Thornton talk to Timnath about annexation?

No; Thornton was talking to Windsor about the pipeline alignment and the conversation moved toward annexation since the property was within the Windsor GMA. Severance, Timnath and Windsor have an agreement on what each of the municipalities' GMAs.

What are the public hearing dates?

The Planning Commission public hearing is scheduled for April 18, 2018 and the public hearing for the Town Board is scheduled for April 23, 2018.

Will the farmers still farm and irrigate the property?

Yes, farmers will continue to farm and irrigate the property except for the substation area.

What are the differences between the Weld County regulations and the Town of Windsor regulations?

The Town of Windsor would require that the distribution lines are buried. The Town also has a wider right-of-way standard for the road system. Site planning of the substation would also require screening of the station, fencing and landscaping.

What areas are within Windsor?

The areas were shown on the map at the meeting.

What are some of the road plans?

Timnath is planning on installing a traffic signal at the intersection of WCR 76 and WCR 13 in 2018. Harmony Road is planned as a 4-lane section through Windsor as development occurs between WCR 13 and WCR 15. It will likely be 4 lanes if development occurs east of WCR 15. It is planned for the time being as a 2-lane section through Timnath.

What are the chances for public input on the location of the substation?

It is likely Xcel has reasons for the choice and it is not known if there are valid reasons that would encourage Xcel to relocate it to another site.

What will the traffic impacts be for the substation?

After construction, traffic would be associated with maintenance of the station.

What is the size and height of the substation?

These aspects are unknown at this time since no formal plans have been submitted.

How long have people known about the substation?

Answer from participants: since 2014

Where would the buried transmission lines tie into the overhead lines?

Staff does not know.

What is the proposed zoning?

Residential Mixed Use (RMU)

Will there be a separate parcel for the substation?

Yes.

What is the density for the RMU district?

A mix of density ranges are allowed in the RMU District as well as up to 25% commercial use. Sewer capacity will limit the density allowed. The density may be similar to the density of the Ridge at Harmony Road Subdivision.

How far north will the transmission lines go?

This is unknown at this time since no formal plans have been submitted.

What is the annexation time period?

Maybe 3 months; it will likely be final in June 2018.

What is Thornton's involvement in the Xcel development?

When a development proposal is submitted, Thornton will coordinate with Windsor and Xcel during the development review process. Thornton will have to declare the site for the station as surplus land to transfer it to Xcel.

What about the WCR 76 road alignment?

Thornton will dedicate right-of-way to the Town with the annexation. The WCR 76 annexation that is underway with the Town is for existing right-of-way from Weld County and not acquisition of any additional right-of-way.

ANNEXATION IMPACT REPORT

THORNTON FARM 24 ANNEXATION

This Annexation Impact report includes information on the following topics:

- 1) Property location, existing infrastructure, existing and proposed land use pattern
- 2) Pre-annexation agreement
- 3) Services for the annexation area
- 4) Financing of municipal services for the annexation area
- 5) Existing districts to be annexed
- 6) Impact on school district governing the property.

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

- 1) Property location, existing infrastructure, and existing and proposed land use pattern
 - (a) Annexation Map. Please see the enclosed Annexation Plat and vicinity map for current and proposed municipal boundaries.
 - (b) Existing infrastructure. Please see item #3 below for information regarding provision of utility services.
 - (c) Land Use. Please see the enclosed Annexation Plat and Town of Windsor Land Use Plan map for the current and proposed land use patterns.

The existing land use is agriculture and the future land use applied to the property is agriculture. The proposed land use for the property is a mix of uses including residential. The zoning requested is Residential Mixed Use (RMU). The intent of the residential mixed use zoning district is to (1) provide for the development of mixed land uses in areas designated as such on the Land Use Plan Map of the Windsor Comprehensive Plan; (2) encourage the creation of a desirable mix of residential dwelling classifications which are compatible with, complimentary to and located on the same parcel as common recreational uses, open spaces and commercial and light industrial uses which are similar to those outlined in the municipal code; (3) provide for improved vehicular and pedestrian traffic circulation and access; and (4) facilitate land use arrangements which preserve desirable natural landscape features.

No development is proposed at this time and, therefore, no master plan is included with this annexation proposal. When a development proposal is submitted, it will be reviewed according to the Town of Windsor's adopted zoning district standards for the RMU District.

- 2) Pre-annexation agreement. A pre-annexation agreement is not associated with this proposal. The Town of Windsor does not typically require a pre-annexation agreement unless such an agreement is determined to be necessary during the initial review. The Town of Windsor and the applicant, the City of Thornton, have prepared an Intergovernmental Agreement framing the annexation and associated expectations.

- 3) Services for the annexation area. At this time, no development is proposed on the site. If and when any development is proposed and reviewed, the following municipal services will be provided as follows if the service is applicable:
- Water – The property is located within the North Weld County Water District. It is expected that North Weld County will serve any future development.
 - Sanitary Sewage Disposal – The property is within the Boxelder Sanitation District. Future development is expected to be served by the Boxelder Sanitation District.
 - Drainage Facilities – Drainage facilities required by future development will be developed by the developer per Town of Windsor requirements and maintained by developer after installation.
 - Fire Protection – The Windsor-Severance Fire Rescue will serve any future development.
 - Police Protection – Town of Windsor Police Department will provide police protection for any future development.
 - School – The property is within the Weld County School District RE-4. If residential development occurs in the future, the development will be served by the Weld County School District RE-4.
- 4) Financing of municipal services. No development is proposed at this time. At the time development is proposed and per Town of Windsor standards, installation and financing of all infrastructure (drainage, sanitation sewer, storm sewer, water, etc.) extensions is the sole responsibility of the developer.
- 5) Existing districts to be annexed. Please find the enclosed list identifying all existing districts within the area to be annexed.
- 6) Impact on school district governing the property. The Weld RE-4 School District provided the following comments in regard to the application materials:

"The above referenced project is located east of Weld County Road 13 and north of Weld County Road 76. Our understanding is that there is not development planned at this time and there will not be a student impact on the School District.

The School District respectfully requests the opportunity to respond with comments should the use of the property change. Your continuing cooperation is sincerely appreciated, as is the opportunity to comment upon issues of interest to the Town, the School District and our mutual constituents. Should you have questions or desire further information, please contact me at your convenience."

- Stephanie R. Watson, Assistant Superintendent of Business Services, Weld RE-4 School District

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


Millissa Berry, Senior Planner

Date 3/14, 2018

THORNTON FARM 24 ANNEXATION
TO THE TOWN OF WINDSOR

Situate in the Northwest Quarter of Section 29 and in Section 30, Township 7 North, Range 67 West of the 6th P.M.,
County of Weld, State of Colorado

PROPERTY DESCRIPTION

A parcel of land being part of the Northwest Quarter (NW1/4) of Section Twenty-nine (29) and part of Section Thirty (30), both in Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the East Quarter (E1/4) corner of said Section 30 and assuming the East line of the Southeast Quarter (SE1/4) of said Section 30 as bearing South 00°04'17" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2642.20 feet, with all other bearings contained herein relative thereto;

The following Two (2) courses and distances are along the East line of the Southeast Quarter (SE1/4) of said Section 30:
THENCE South 00°04'17" West a distance of 2592.20 feet to a Northerly line of Windsor North Annexation to the Town of Windsor, recorded January 29, 1986 as Reception No. 02040927 of the records of the Weld County Clerk and Recorder;
The following Two (2) courses and distances are along the Northerly lines of said Windsor North Annexation:
THENCE South 00°04'17" West a distance of 19.92 feet;
THENCE South 86°00'57" West a distance of 2384.29 feet to the Northeast corner of Annexation Parcel 2, Harmony Ridge Annexation to the Town of Windsor, recorded July 1, 2015 as Reception No. 4120832 of the records of the Weld County Clerk and Recorder;
The following Two (2) courses and distances are along the Northerly lines of said Annexation Parcel 2, Harmony Ridge Annexation:
THENCE South 86°00'57" West a distance of 1.88 feet;
THENCE South 86°01'21" West a distance of 2367.54 feet to the East line of Boekel Annexation 1 to the Town of Timnath, recorded October 18, 2007 as Reception No. 3511995 of the records of the Weld County Clerk and Recorder;
THENCE North 00°09'55" West along the East line of said Boekel Annexation 1 and along the East line of Boekel Annexations 2, 3 and 4 to the Town of Timnath, all recorded October 18, 2007 as Reception Nos. 3511996, 3511997 and 3511998 of the records of the Weld County Clerk and Recorder, a distance of 1948.94 feet to that common boundary line depicted on Exhibit C in that Resolution recorded May 19, 2016 as Reception No. 4204939 of the records of the Weld County Clerk and Recorder;

The following Seventy-two (72) courses and distances are along said common boundary line:

THENCE South 60°16'46" East a distance of 600.07 feet;
THENCE North 26°09'22" East a distance of 43.98 feet;
THENCE North 88°08'48" East a distance of 28.89 feet;
THENCE South 76°06'33" East a distance of 35.04 feet;
THENCE South 70°19'11" East a distance of 139.00 feet;
THENCE South 78°04'55" East a distance of 45.90 feet;
THENCE North 88°28'30" East a distance of 63.70 feet;
THENCE North 77°35'16" East a distance of 71.03 feet;
THENCE North 67°53'35" East a distance of 566.88 feet;
THENCE North 48°47'58" East a distance of 36.49 feet;
THENCE North 39°49'47" East a distance of 51.39 feet;
THENCE North 28°49'11" East a distance of 65.39 feet;
THENCE North 18°59'24" East a distance of 51.50 feet;
THENCE North 09°24'45" East a distance of 120.55 feet;
THENCE North 16°39'35" East a distance of 88.82 feet;
THENCE North 22°21'32" East a distance of 56.28 feet;
THENCE North 29°09'14" East a distance of 42.39 feet;
THENCE North 42°13'45" East a distance of 35.66 feet;
THENCE North 58°47'38" East a distance of 62.76 feet;
THENCE North 62°16'56" East a distance of 83.53 feet;
THENCE North 78°06'37" East a distance of 101.45 feet;
THENCE North 66°23'34" East a distance of 49.92 feet;
THENCE North 46°47'49" East a distance of 35.95 feet;
THENCE North 17°45'42" East a distance of 33.46 feet;
THENCE North 04°02'43" East a distance of 48.08 feet;
THENCE North 06°20'38" West a distance of 27.23 feet;
THENCE North 19°02'31" West a distance of 52.37 feet;
THENCE North 25°24'28" West a distance of 52.91 feet;
THENCE North 32°31'09" West a distance of 46.93 feet;
THENCE North 45°13'39" East a distance of 96.91 feet;
THENCE North 44°09'30" East a distance of 102.70 feet;
THENCE North 62°41'18" East a distance of 71.30 feet;
THENCE North 57°34'17" East a distance of 36.77 feet;
THENCE North 48°26'17" East a distance of 41.78 feet;
THENCE North 43°04'12" East a distance of 71.97 feet;
THENCE North 46°38'09" East a distance of 57.84 feet;
THENCE North 53°45'47" East a distance of 57.62 feet;
THENCE North 46°09'32" East a distance of 54.33 feet;
THENCE North 29°59'04" East a distance of 48.90 feet;
THENCE North 24°44'44" East a distance of 53.01 feet;
THENCE North 29°37'00" East a distance of 37.71 feet;
THENCE North 42°12'45" East a distance of 35.04 feet;
THENCE North 51°08'12" East a distance of 108.10 feet;
THENCE North 38°03'05" East a distance of 206.94 feet;
THENCE North 31°30'13" East a distance of 123.54 feet;
THENCE North 34°16'39" East a distance of 56.49 feet;
THENCE North 43°44'52" East a distance of 30.57 feet;
THENCE North 53°26'27" East a distance of 185.50 feet;
THENCE North 57°30'44" East a distance of 62.54 feet;
THENCE North 76°53'09" East a distance of 38.73 feet;
THENCE North 84°37'42" East a distance of 113.98 feet;
THENCE North 79°50'31" East a distance of 128.10 feet;
THENCE South 80°51'32" East a distance of 85.54 feet;
THENCE South 37°38'36" West a distance of 208.03 feet;
THENCE South 23°06'26" West a distance of 442.41 feet;
THENCE North 83°10'07" East a distance of 376.54 feet;
THENCE North 37°41'04" East a distance of 134.21 feet;
THENCE North 82°39'31" East a distance of 129.82 feet;
THENCE North 60°37'09" East a distance of 128.94 feet;
THENCE North 42°07'17" East a distance of 160.47 feet;
THENCE North 61°26'49" East a distance of 124.54 feet;
THENCE North 58°00'25" East a distance of 134.58 feet;
THENCE North 51°51'47" East a distance of 160.80 feet;
THENCE North 67°51'50" East a distance of 43.73 feet;
THENCE South 74°22'09" East a distance of 86.04 feet;
THENCE South 29°21'11" East a distance of 150.02 feet;
THENCE South 43°16'04" West a distance of 161.50 feet;
THENCE South 11°58'40" West a distance of 100.68 feet;
THENCE South 26°55'49" East a distance of 100.12 feet;
THENCE South 79°25'26" East a distance of 247.74 feet;
THENCE South 77°16'50" East a distance of 103.95 feet;
THENCE North 87°30'54" East a distance of 115.58 feet to the East line of the Northeast Quarter (NE1/4) of said Section 30, said point being the Northwest corner of the first parcel of land described in that Warranty Deed recorded September 3, 1986 as Reception No. 02068011 of the records of the Weld County Clerk and Recorder;
The following Three (3) courses and distances are along the Northerly, Easterly and Southerly lines of said first parcel of land described in said Warranty Deed:
THENCE South 67°59'51" East a distance of 157.27 feet;
THENCE South 00°55'26" East a distance of 188.55 feet;
THENCE South 50°01'27" West a distance of 194.69 feet to the East line of the Northeast Quarter (NE1/4) of said Section 30, said point being the Southwest corner of said first parcel of land described in said Warranty Deed;
THENCE South 00°03'07" West along the East line of the Northeast Quarter (NE1/4) of said Section 30 a distance of 27.34 feet to the POINT OF BEGINNING.

Said described parcel of land contains 288.397 more or less (±), and may be subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described hereon, have caused such land to be annexed and master planned as indicated on this plat under the name of THORNTON FARM 24 ANNEXATION, in compliance with Town of Windsor regulations and by contractual agreement, the landowners shall bear all expenses involved in improvements.

In witness whereof, we have hereunto set our hands and seals this _____ day of _____, 20_____.

OWNER

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,

by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

ENGINEERING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Engineering

PLANNING COMMISSION APPROVAL

Approved this the _____ day of _____, 20_____.

Chairman,
Windsor Planning Commission

PLANNING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Planning

TOWN MANAGER'S APPROVAL

Approved this the _____ day of _____, 20_____.

Town Manager

PUBLIC WORKS DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20_____.

Director of Public Works

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the Southeast Quarter (SE1/4) of Section Thirty (30), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.) as bearing South 00°04'17" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2642.20 feet, with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number 13983UTG, Amendment No: 1, dated August 2, 2017 at 8:00 am, as prepared by Unified Title Company of Northern Colorado, LLC to delineate the aforesaid information.

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.

SURVEYOR'S STATEMENT

I, Michael Chad Dilka, a Colorado Licensed Professional Land Surveyor do hereby state that this map of land proposed to be Annexed to the Town of Windsor, County of Weld, State of Colorado was prepared under my direct supervision from existing documents of record, and that the same is true and correct to the best of my knowledge, information and belief.

I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Windsor, County of Weld, State of Colorado.

PRELIMINARY

Michael Chad Dilka - On Behalf Of King Surveyors
Colorado Licensed Professional Land Surveyor #38106

MAYOR'S CERTIFICATE

This is to certify that an annexation map of the property described herein was approved by Ordinance No. _____ of the Town of Windsor passed and adopted on the _____ day

of _____, 20____, A.D. and that the Mayor of the Town of Windsor, as authorized by said ordinance, on behalf of the Town of Windsor, hereby acknowledges and adopts the said annexation map upon which this certificate is endorsed for all purposes indicated thereon.

Mayor _____ ATTEST: _____ Town Clerk

DATE: 12/4/2017
FILE NAME: 20170561ANX
SCALE: 1"=200'
DRAWN BY: CSK
CHECKED BY: MCD

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: info@KingSurveyors.com



Table with 2 columns: REVISIONS, DATE. Rows include ADDRESS THORNTON REDLINES, ADDRESS THORNTON REDLINES, ADDRESS THORNTON REDLINES, ADDRESS THORNTON REDLINES.

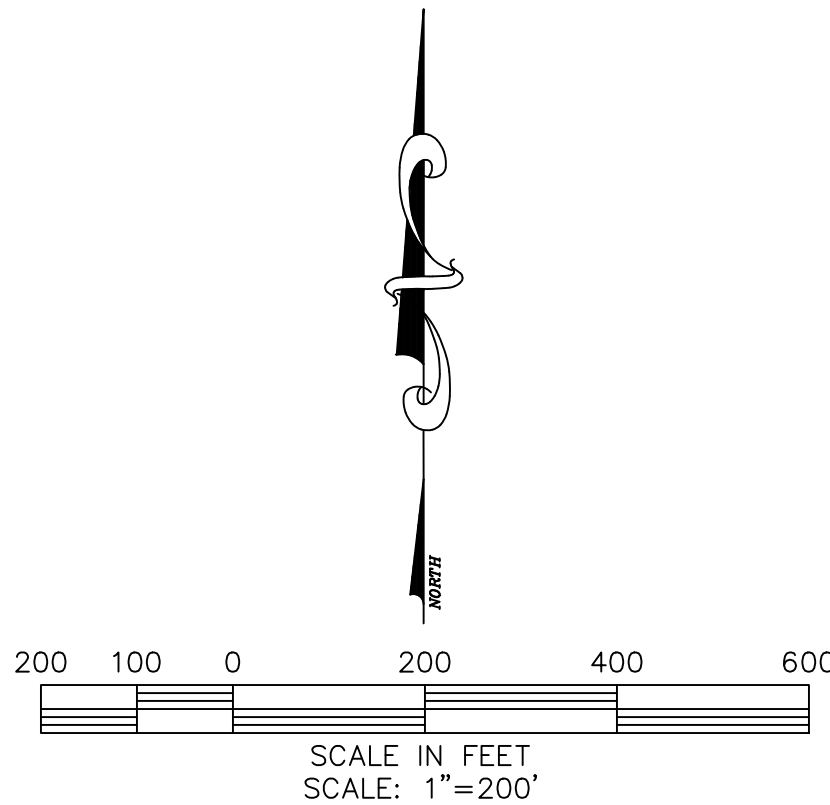
THORNTON FARM 24 ANNEXATION
FOR
CITY OF THORNTON
9500 CIVIC CENTER DRIVE
THORNTON, CO 80229

PROJECT #: 20170561

THORNTON FARM 24 ANNEXATION

TO THE TOWN OF WINDSOR

Situate in the Northwest Quarter of Section 29 and in Section 30,
Township 7 North, Range 67 West of the 6th P.M.,
County of Weld, State of Colorado



LEGEND

---	EASEMENT LINE
- - - -	ALIQUOT LINE
---	RIGHT-OF-WAY LINE
---	BOUNDARY LINE
	DENOTES CONTIGUOUS BOUNDARY
■	FOUND ALIQUOT MONUMENT AS DESCRIBED
■	FOUND MONUMENT AS DESCRIBED
◆	FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP LS 19606
◇	FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP LS 30109
●	FOUND #4 REBAR WITH GREEN PLASTIC CAP LS 34995
○	CALCULATED POSITION

EASEMENT NOTES

1. 16.5' WIDE COMMUNICATIONS EASEMENT TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION GIVEN (BOOK 1075, PAGE 258, REC. NO. 866634)
2. 16.5' WIDE COMMUNICATIONS EASEMENT TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN NW¹/₄ AND PART OF SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION GIVEN (BOOK 1075, PAGE 258, REC. NO. 866635)

BOEKEL ANNEXATIONS 1-4 (TIMNATH)
REC. NO. 3511995-8
NO ZONING DESIGNATION FOR RIGHT OF WAY

30' SLOPE EASEMENT TO THE TOWN OF TIMNATH (REC. NO. 4329278)
20' UNDERGROUND ELECTRIC DISTRIBUTION LINE EASEMENT TO Poudre Valley Rural Electric Association, Inc. (REC. NO. 3962312)

PIPELINE EASEMENT TO SINCLAIR PIPELINE COMPANY IN SW¹/₄ OF SECTION 30-NO SPECIFIC LOCATION OR WIDTH GIVEN (BOOK 1652 PAGE 23, REC. NO. 1412159) BASED ON GAS MARKER LOCATIONS

CITY OF THORNTON WARRANTY DEED (REC. NO. 02068011) QUIT CLAIM DEED (REC. NO. 2826115) RESOLUTION (REC. NO. 4204939)

APPROXIMATELY 35' OF RIGHT-OF-WAY TO BE DEDICATED TO THE TOWN OF TIMNATH AT TIME OF ANNEXATION BY SEPARATE DOCUMENT. FINAL RIGHT-OF-WAY WIDTH TO BE DETERMINED BY TOWN OF TIMNATH

30' RIGHT-OF-WAY (REC. NO. 4329277)

30' RIGHT-OF-WAY (BOOK 83, PAGE 4)

ADDITIONAL 30' OF RIGHT-OF-WAY TO BE DEDICATED TO THE TOWN OF WINDSOR AT THE TIME OF ANNEXATION BY SEPARATE DOCUMENT

CONTIGUOUS BOUNDARY = 4,773.63 L.F.
TOTAL BOUNDARY = 17,636.09 L.F.
RATIO = 1 : 3.694
AREA = 288.397 ACRES

PRELIMINARY

Michael Chad Dilka - On Behalf Of King Surveyors
Colorado Licensed Professional Land Surveyor #38106

THORNTON FARM 24 ANNEXATION 288.397 ACRES

PARCEL NO. 070530000034
143.275 ACRES
EXISTING ZONING = A (Agricultural)
PROPOSED ZONING = RMU (Residential Mixed Use)

CITY OF THORNTON WARRANTY DEED (REC. NO. 02068011) QUIT CLAIM DEED (REC. NO. 2826115) RESOLUTION (REC. NO. 4204939)

LINE	BEARING	LENGTH
L1	N26°09'22"E	43.98'
L2	N88°08'48"E	28.89'
L3	S76°06'33"E	35.04'
L4	S70°19'11"E	139.00'
L5	S78°04'55"E	45.90'
L6	N88°28'30"E	63.70'
L7	N77°35'16"E	71.03'
L8	N67°53'35"E	566.88'
L9	N48°47'58"E	36.49'
L10	N39°49'47"E	51.39'
L11	N28°49'11"E	65.39'
L12	N18°59'24"E	51.50'
L13	N09°24'45"E	120.55'
L14	N16°39'35"E	88.82'
L15	N22°21'32"E	56.28'
L16	N29°09'14"E	42.39'
L17	N42°13'45"E	35.66'
L18	N58°47'38"E	62.76'
L19	N62°16'56"E	83.53'
L20	N78°06'37"E	101.45'

LINE	BEARING	LENGTH
L21	N66°23'34"E	49.92'
L22	N46°47'49"E	35.95'
L23	N17°45'42"E	33.46'
L24	N04°02'43"E	48.08'
L25	N06°20'38"W	27.23'
L26	N19°02'31"W	52.37'
L27	N25°24'28"W	52.91'
L28	N32°31'09"W	46.93'
L29	N45°13'39"E	96.91'
L30	N44°09'32"E	102.70'
L31	N62°41'18"E	71.30'
L32	N57°34'17"E	36.77'
L33	N48°26'17"E	41.78'
L34	N43°04'12"E	71.97'
L35	N46°38'09"E	57.84'
L36	N53°45'47"E	57.62'
L37	N46°09'32"E	54.33'
L38	N29°59'04"E	48.90'
L39	N24°44'44"E	53.01'
L40	N29°37'00"E	37.71'

LINE	BEARING	LENGTH
L41	N42°12'45"E	35.04'
L42	N51°08'12"E	108.10'
L43	N38°03'05"E	206.94'
L44	N31°30'13"E	123.54'
L45	N34°18'39"E	56.49'
L46	N43°44'52"E	30.57'
L47	N53°26'27"E	185.50'
L48	N57°30'44"E	62.54'
L49	N76°53'09"E	38.73'
L50	N84°37'42"E	113.98'
L51	N79°50'31"E	128.10'
L52	S80°51'32"E	85.54'
L53	S37°38'36"W	208.03'
L54	S23°06'26"W	442.41'
L55	N83°10'07"E	376.84'
L56	N37°41'04"E	134.21'
L57	N82°39'31"E	129.82'
L58	N60°37'09"E	128.94'
L59	N42°07'17"E	160.47'
L60	N61°26'49"E	124.54'

LINE	BEARING	LENGTH
L61	N58°00'25"E	134.58'
L62	N51°51'47"E	160.80'
L63	N67°51'50"E	43.73'
L64	S74°22'09"E	86.04'
L65	S29°21'11"E	150.02'
L66	S43°16'04"W	161.50'
L67	S11°58'40"W	100.68'
L68	S26°55'49"E	100.12'
L69	S79°25'26"E	247.74'
L70	S77°16'50"E	103.95'
L71	N87°30'54"E	115.58'
L72	S67°59'51"E	157.27'
L73	S00°55'26"E	188.55'
L74	S50°01'27"W	194.69'
L75	S00°03'07"W	27.34'
L76	S00°04'17"W	19.92'
L77	S86°00'57"W	1.88'

10' TELECOMMUNICATION EASEMENT TO US WEST COMMUNICATIONS (REC. NO. 2505133)

NORTHWEST ESTATES FIRST FILING (REC. NO. 1584214) ZONING = R-2 (Duplex Residential)

NORTHWEST ESTATES THIRD FILING (REC. NO. 1628072) ZONING = R-2 (Duplex Residential)

DATE: 12/4/2017
FILE NAME: 20170561ANX
SCALE: 1"=200'
DRAWN BY: CSK
CHECKED BY: MCD

KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: info@KingSurveyors.com

DATE: 8-23-17
ADDRESS THORNTON REDLINES CSK
ADDRESS THORNTON REDLINES CSK
ADDRESS THORNTON REDLINES MM
ADDRESS THORNTON REDLINES MM

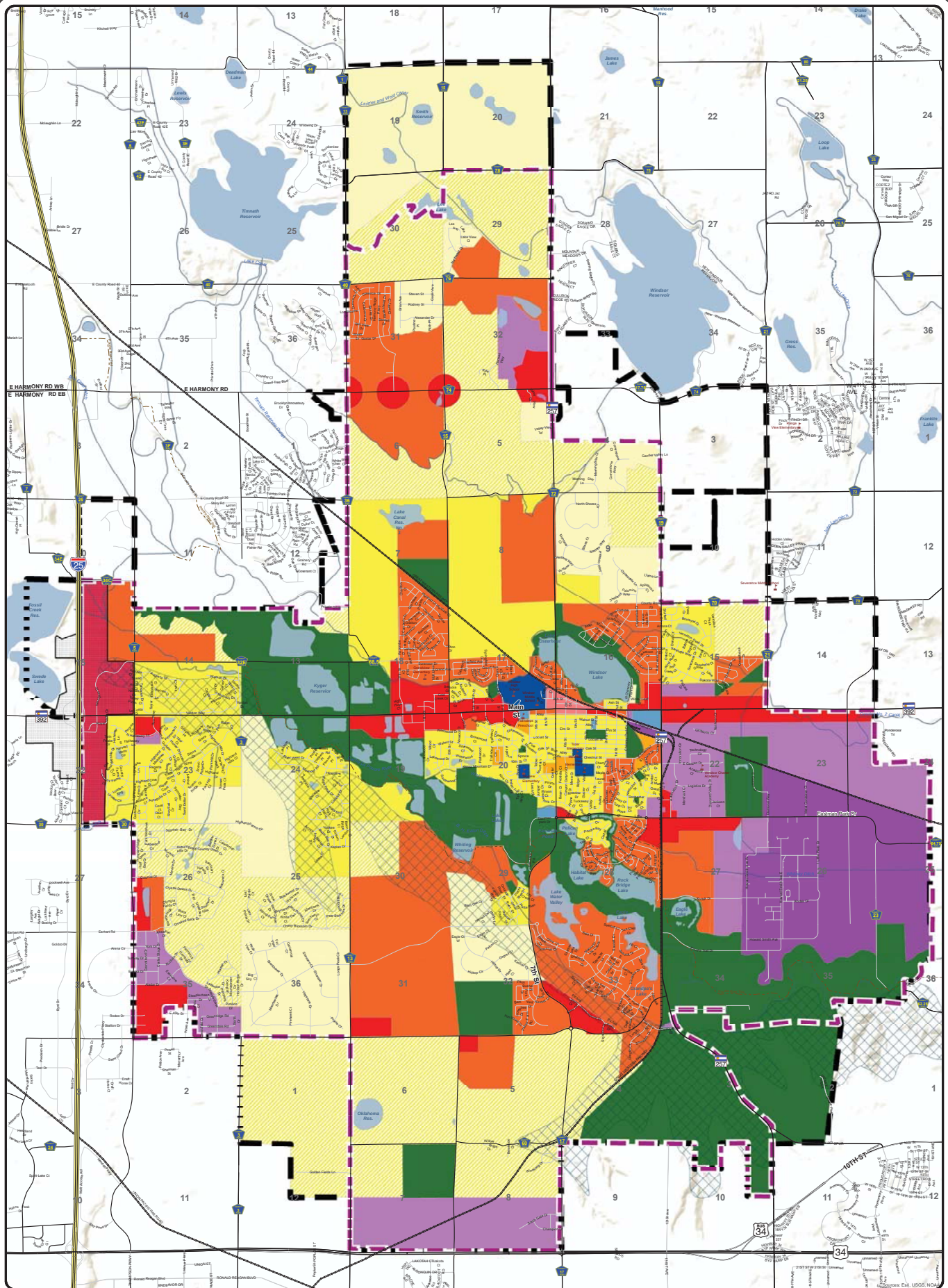
REVISIONS:

THORNTON FARM 24 ANNEXATION
FOR
CITY OF THORNTON
9500 CIVIC CENTER DRIVE
THORNTON, CO 80229

PROJECT #: 20170561

2

SHEET 2 OF 2



LAND USE



	CAC Boundary		Bluffs Area		Residential Mixed Use		Heavy Industrial
	GMA		Low Density Estate Single Family Residential		Neighborhood & General Commercial		Schools
	CIA		High Density Estate Single Family Residential		Regional Commercial		Other Public/Semi-Private
			Single Family Residential		Central Business District		Community Separator
			Multi-Family Residential		Light Industrial		Parks, Open Space, Mineral Extraction & Flood Plain



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

Updated: 9/7/2017
 Updated by: minomand
 Created: 10/26/2009
 Created by: stonemich
 File: LandUse(2436-P)

1:24,000

**Thornton Farm 24 ANNEXATION
AFFECTED TAXING DISTRICTS**

AIMS JUNIOR COLLEGE

CLEARVIEW LIBRARY

EAST LARIMER COUNTY WATER (ELW)

FORT COLLINS CONSERVATION

NORTH WELD COUNTY WATER (NWC)

NORTHERN COLORADO WATER (NCW)

SCHOOL DIST RE4-WINDSOR

WELD COUNTY

WINDSOR-SEVERANCE FIRE

BOXEDLER SANITATION DISTRICT



RECEIVED

MAR 16 2018

BOXELDER SANITATION
DISTRICT

ANNEXATION NOTICE TO AFFECTED TAXING DISTRICTS

TO: Affected District or Taxing Agency
FROM: Millissa Berry, Senior Planner
PROJECT: Thornton Farm 24 Annexation
DATE: March 19, 2018

Please review the enclosed materials pertaining to the aforementioned annexation proposal and return any comments to the Town of Windsor at the address shown below within twenty-five (25) days of the receipt of this memorandum. If the Town has not received comments from your agency within this 25-day period, the Town will consider the lack of a response to be a positive response to the proposal in its current form. **However, for the purposes of having a complete file on this proposal, the Town would appreciate a response from your office even if your only comment below is "no comment."** Thank you very much for your participation in this process and your input concerning this proposal.

Public Hearings: The Windsor Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, April 18, 2018 and the Windsor Town Board will hold a public hearing at 7:00 p.m. on Monday, April 23, 2018 to receive public comments on the enclosed annexation, and both of these public hearings will be held in the Board Room at Windsor Town Hall, 301 Walnut Street.

Comments:

No comments

By: Brenda G. Puri
Development Specialist

Please send your comments to:

Town of Windsor Planning Department at mberry@windsorgov.com or phone (970) 674-2409 or Fax (970) 674-2456 with any questions which you may have concerning this request.

301 Walnut Street
Windsor, CO 80550

Office: 970-674-2400
Fax: 970-674-2456

www.windsorgov.com

From: Hice-Idler - CDOT, Gloria
To: [Carrie Tremblatt](#)
Cc: [Bilobran, Timothy](#)
Subject: SP 18-002 - Thornton Farm 24
Date: Thursday, March 08, 2018 11:08:48 AM
Attachments: [image001.png](#)

CDOT has no comment regarding the annexation.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



From: Hice-Idler - CDOT, Gloria
To: [Carrie Tremblatt](#)
Cc: [Bilobran, Timothy](#)
Subject: Thornton Farm 24
Date: Saturday, March 10, 2018 5:23:57 PM
Attachments: [image001.png](#)

CDOT has no comment regarding this annexation.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



From: Hice-Idler - CDOT, Gloria
To: [Carrie Tremblatt](#)
Subject: Thornton Farm 24
Date: Wednesday, March 21, 2018 11:27:37 AM
Attachments: [image001.png](#)

CDOT has no comment regarding the annexation of the above property.

Please continue to include us as plans progress.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



From: Young, Kevin
To: [Carrie Tremblatt](#)
Subject: RE: SP18-002 Thornton Farm 24
Date: Friday, March 09, 2018 2:18:59 PM

Carrie,

Comcast should have no conflicts with the existing project area.

Thanks

From: Carrie Tremblatt [mailto:ctremblatt@windsorgov.com]
Sent: Monday, March 5, 2018 12:27 PM
To: 'stephanie.watson@weldre4.k12.co.us' <stephanie.watson@weldre4.k12.co.us>; 'morgan@pvrea.com' <morgan@pvrea.com>; 'MBlakely@timnathgov.com' <MBlakely@timnathgov.com>; 'pat.kreager@xcelenergy.com' <pat.kreager@xcelenergy.com>; 'al.ermer@xcelenergy.com' <al.ermer@xcelenergy.com>; 'Jon Brown' <jbrown@sinclairoil.com>; 'David Stice' <dstice@sinclairoil.com>; Young, Kevin <Kevin_Young@cable.comcast.com>; 'William.Johnson2@CenturyLink.com' <William.Johnson2@CenturyLink.com>; 'leannk@nwcwd.org' <leannk@nwcwd.org>; 'lwirrigation@aol.com' <lwirrigation@aol.com>; 'Streed, Suzan A - Windsor, CO' <suzan.a.streed@usps.gov>; 'Hood, Dana L' <Dana.L.Hood@usps.gov>
Cc: Carlin Malone <cmalone@windsorgov.com>; Millissa Berry <mberry@windsorgov.com>; Devin King <dking@windsorgov.com>
Subject: SP18-002 Thornton Farm 24

All,

The above project is being reviewed by the Town of Windsor Development Review Committee. Please find plans attached.

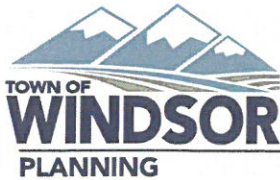
Any recommendations or comments that you consider pertinent to this project would be appreciated. Please reply to this email within 10 business days of receipt. **PLEASE NOTE: If no response is received, such lack of response shall be considered a “no comment” response.** All comments that are received will be forwarded to the applicant and/or the applicant’s representative. Your assistance with these reviews is appreciated.

Please feel free to email or call if you have any questions or if further information is needed.

Thank you,

Carrie Tremblatt
Planning Technician
Town of Windsor | Planning
301 Walnut Street | Windsor, CO 80550
Dir: 970-674-2415 | Off: 970-674-2400 | Fax: 970-674-2456
ctremblatt@windsorgov.com

www.windsorgov.com



ANNEXATION NOTICE TO AFFECTED TAXING DISTRICTS

TO: Affected District or Taxing Agency
FROM: Millissa Berry, Senior Planner
PROJECT: Thornton Farm 24 Annexation
DATE: March 19, 2018

Please review the enclosed materials pertaining to the aforementioned annexation proposal and return any comments to the Town of Windsor at the address shown below within twenty-five (25) days of the receipt of this memorandum. If the Town has not received comments from your agency within this 25-day period, the Town will consider the lack of a response to be a positive response to the proposal in its current form. **However, for the purposes of having a complete file on this proposal, the Town would appreciate a response from your office even if your only comment below is "no comment."** Thank you very much for your participation in this process and your input concerning this proposal.

Public Hearings: The Windsor Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, April 18, 2018 and the Windsor Town Board will hold a public hearing at 7:00 p.m. on Monday, April 23, 2018 to receive public comments on the enclosed annexation, and both of these public hearings will be held in the Board Room at Windsor Town Hall, 301 Walnut Street.

Comments:

No comment, already in our fire district

By: Sandra Friedrichsen

Please send your comments to:

Town of Windsor Planning Department at mberry@windsorgov.com or phone (970) 674-2409 or Fax (970) 674-2456 with any questions which you may have concerning this request.

301 Walnut Street
Windsor, CO 80550

Office: 970-674-2400
Fax: 970-674-2456

www.windsorgov.com



DAN SEEGMILLER, SUPERINTENDENT
STEPHANIE WATSON, ASST. SUPERINTENDENT

March 5, 2018

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

RE: City of Thornton Annexation

The above referenced project is located east of Weld County Road 13 and north of Weld County Road 76. Our understanding is that there is not development planned at this time and there will not be a student impact on the School District.

The School District respectfully requests the opportunity to respond with comments should the use of the property change. Your continuing cooperation is sincerely appreciated, as is the opportunity to comment upon issues of interest to the Town, the School District and our mutual constituents. Should you have questions or desire further information, please contact me at your convenience.

Sincerely,

Stephanie R. Watson

Stephanie R. Watson
Assistant Superintendent of Business Services



ANNEXATION NOTICE TO AFFECTED TAXING DISTRICTS

TO: Affected District or Taxing Agency
FROM: Millissa Berry, Senior Planner
PROJECT: Thornton Farm 24 Annexation
DATE: March 19, 2018

Please review the enclosed materials pertaining to the aforementioned annexation proposal and return any comments to the Town of Windsor at the address shown below within twenty-five (25) days of the receipt of this memorandum. If the Town has not received comments from your agency within this 25-day period, the Town will consider the lack of a response to be a positive response to the proposal in its current form. **However, for the purposes of having a complete file on this proposal, the Town would appreciate a response from your office even if your only comment below is "no comment."** Thank you very much for your participation in this process and your input concerning this proposal.

Public Hearings: The Windsor Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, April 18, 2018 and the Windsor Town Board will hold a public hearing at 7:00 p.m. on Monday, April 23, 2018 to receive public comments on the enclosed annexation, and both of these public hearings will be held in the Board Room at Windsor Town Hall, 301 Walnut Street.

Comments:

*Parcel is within the boundaries of Northern Colorado
Water Conservancy District.*

By: *Ken Thompson*

Please send your comments to:

Town of Windsor Planning Department at mberry@windsorgov.com or phone (970) 674-2409 or Fax (970) 674-2456 with any questions which you may have concerning this request.

301 Walnut Street
Windsor, CO 80550

Office: 970-674-2400
Fax: 970-674-2456

www.windsorgov.com



Thornton Farm 24 Annexation and Zoning

Millissa Berry, Senior Planner

Planning Commission April 18, 2018



Annexation

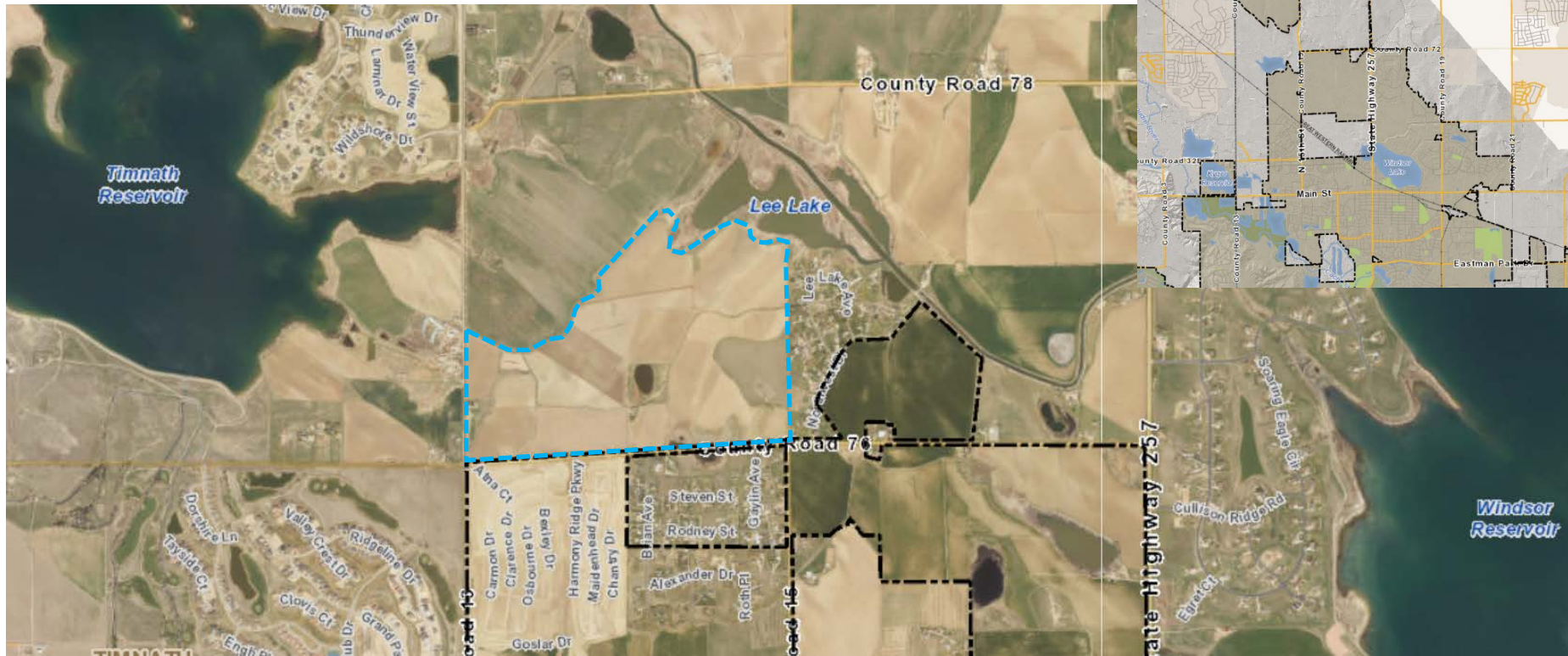
Article I of Chapter 15 of the Municipal Code outlines the purpose and procedures of the annexation process, including:

Sec. 15-1-10. Purpose.

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

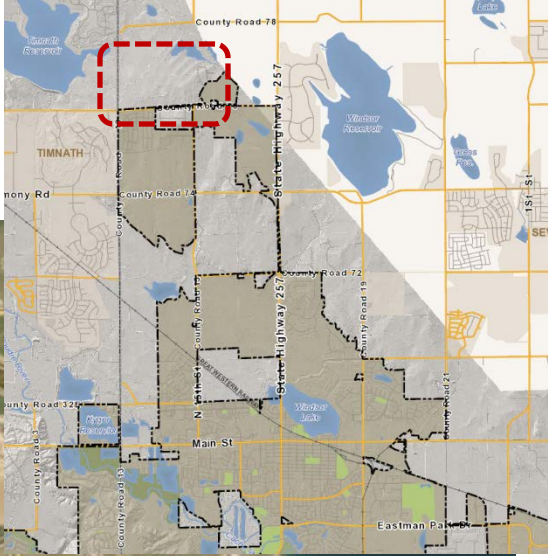
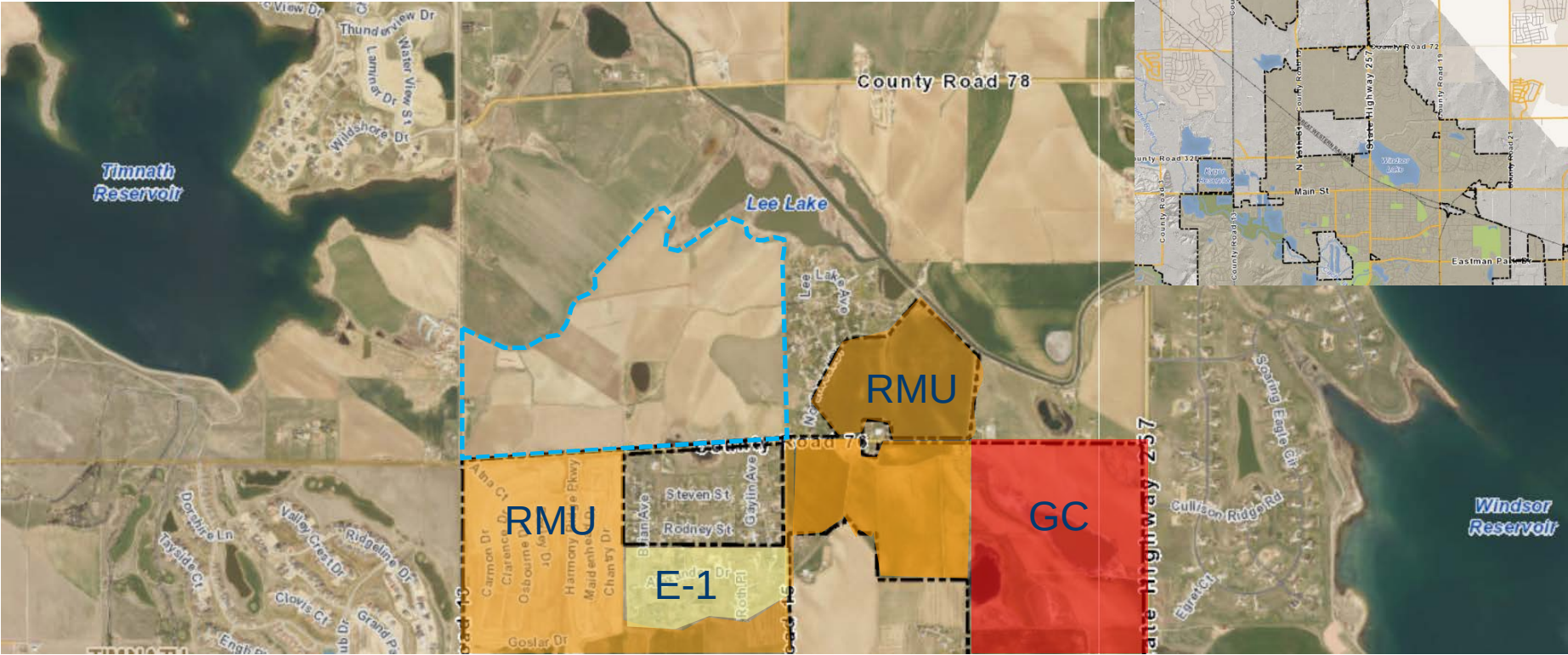


Site Vicinity Map





Area Zoning Map

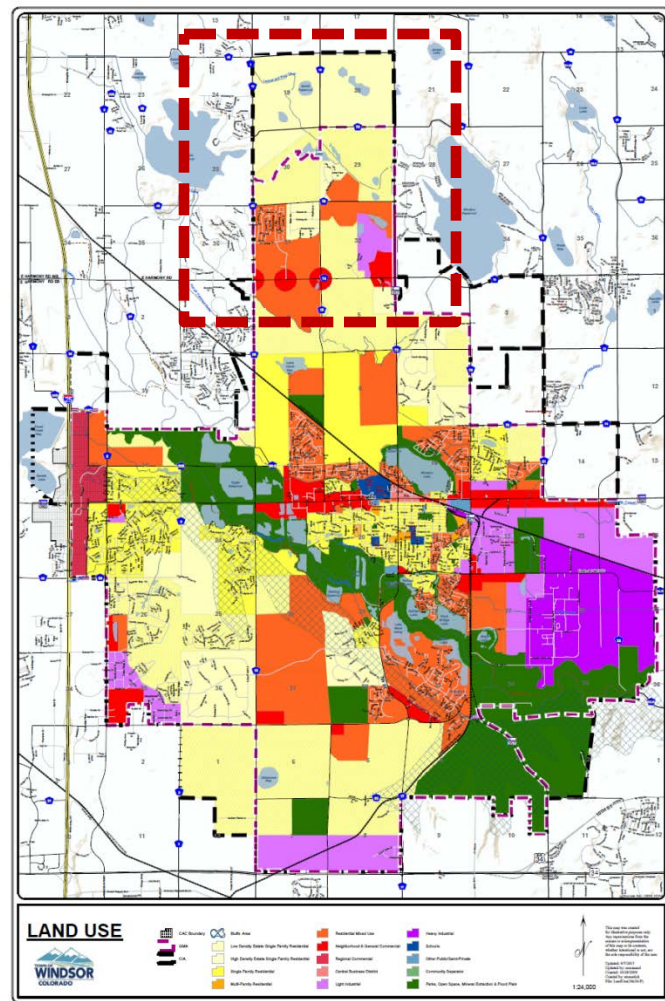
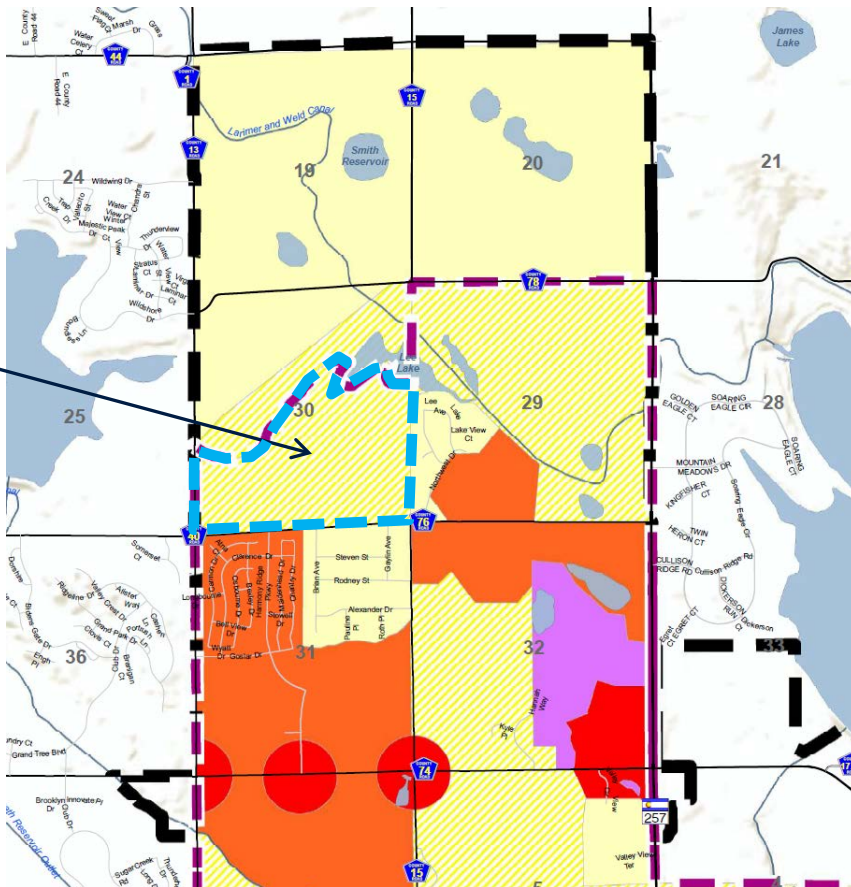




Land Use Plan

Subject
Property

Land Use =
High Density
Estate -
Single
Family
Residential





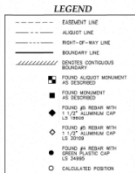
Situate in the Northwest Quarter of Section 29 and in Section 30, Township 7 North, Range 67 West of the 6th P.M.
County of Weld, State of Colorado

1

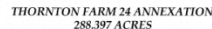
SHEET 1 OF 2



Situate in the Northwest Quarter of Section 29 and in Section 30,
Township 7 North, Range 67 West of the 6th P.M.,
County of Weld, State of Colorado



CONTIGUOUS BOUNDARY = 4,773.63 L.F.
TOTAL BOUNDARY = 17,636.09 L.F.
RATIO = 1 : 3.694
AREA = 288.397 ACRES



LINE TABLE		
LINE	BEARING	LENGTH
1.61	S45°05'22"E	124.96
1.62	N45°17'47"E	124.96
1.63	N61°13'18"E	43.73
1.64	S74°52'12"E	88.64
1.65	S28°51'17"E	150.67
1.66	S47°11'04"W	101.53
1.67	S17°38'47"W	135.68
1.68	S31°58'19"E	105.12
1.69	S74°52'12"E	247.74
1.70	S74°52'12"E	103.68
1.71	S47°11'04"W	115.58
1.72	S61°17'51"E	157.27
1.73	S55°10'17"E	186.93
1.74	S55°10'17"E	194.69
1.75	S55°10'17"E	27.24
1.76	S55°14'17"E	19.67
1.77	S88°15'17"E	1.68

DATE: 4/3/2018																
FILE # 20170951-ANX																
SCALE: 1"=50'																
DRAWN BY: CSK																
CHECKED BY: MCD																
PROJECT # 20170661																
SHEET 2 OF 2																
																
KING SURVEYORS 650 E. Garden Drive Windsor, Colorado 80550 phone: (970) 686-5011 email: info@KingSurveyors.com																
THORNTON FARM 24 ANNEXATION CITY OF THORNTON 9600 JACO COURT, SUITE THORNTON, CO 80279	REVISIONS <table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>12-12-17</td> <td>CSK</td> <td>ADDED TYPICAL NOTES</td> </tr> <tr> <td>10-10-17</td> <td>CSK</td> <td>ADDED TYPICAL NOTES</td> </tr> <tr> <td>10-10-17</td> <td>CSK</td> <td>ADDED TYPICAL NOTES</td> </tr> <tr> <td>10-10-17</td> <td>CSK</td> <td>ADDED TYPICAL NOTES</td> </tr> </table>	DATE	BY	DESCRIPTION	12-12-17	CSK	ADDED TYPICAL NOTES	10-10-17	CSK	ADDED TYPICAL NOTES	10-10-17	CSK	ADDED TYPICAL NOTES	10-10-17	CSK	ADDED TYPICAL NOTES
DATE	BY	DESCRIPTION														
12-12-17	CSK	ADDED TYPICAL NOTES														
10-10-17	CSK	ADDED TYPICAL NOTES														
10-10-17	CSK	ADDED TYPICAL NOTES														
10-10-17	CSK	ADDED TYPICAL NOTES														



Findings

Staff has determined that the requirements of applicable parts of CRS Section 31-12-104, 31-12-105, and 31-12-107 have been met:

1. Plat is consistent with the annexation petition
2. The property is eligible for annexation based on contiguity and community interest between property owner and the Town
3. No limitations for annexation exit
4. No election is required.

The Town Board has adopted Resolution 2018-024 that declared these certain findings of fact and set hearing dates:

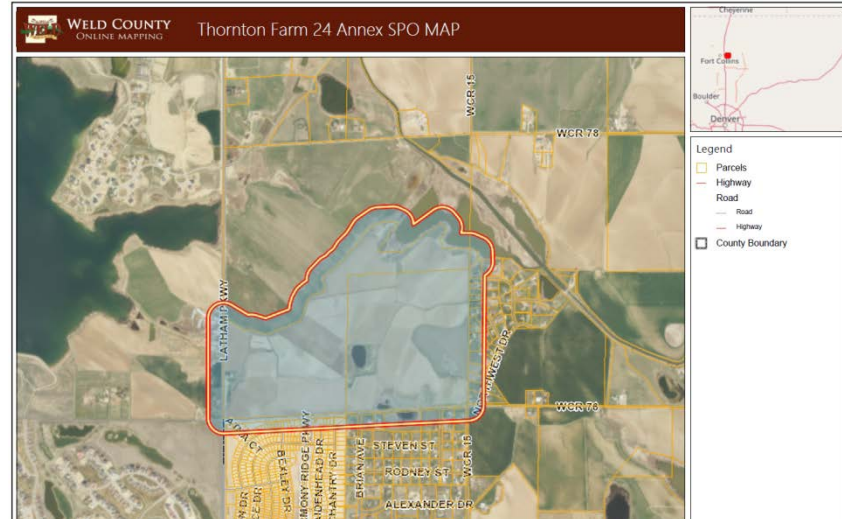
1. April 18, 2018 for Planning Commission
2. April 23, 2018 for Town Board.



Notification Area

Planning Commission and Town Board public hearing notifications:

- 3/8/18 – annexation sign posted on property
- 3/19/18 – staff submitted legal ad to the newspaper to run four consecutive weeks
 - 3/23/18 – 1st week legal ad
 - 3/30/18 – 2nd week legal ad
 - 4/6/18 – 3rd week legal ad
 - 4/13/18 – 4th week legal ad
- 3/20/18 – staff mailed certified packets to relevant taxing districts
- 3/22/18 - letters mailed to surrounding property owners
- 3/23/18 – public hearing notice on Town website





Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the Thornton Farm 24 Annexation and Residential Mixed Use (RMU) zoning designation to the Town Board, as presented.



Annexation Records

Staff requests that the following be entered into the record:

- Application, petition and supplemental materials
- Staff memorandum and supporting documents
- All testimony presented during the public hearing
- Recommendation



MEMORANDUM

Date: April 18, 2018
To: Planning Commission
From: Scott Ballstadt, AICP, Director of Planning
Re: Public Hearing – Resolution No. 2018-01 regarding Annual Land Use Map Update
Item #: C.4.C.5

Background / Discussion

The Planning Commission normally conducts an annual review of the Land Use Map (Map) to determine if the Map needs to be amended to either reflect any zoning changes that were approved during the year or any other land use depictions or amendments the Planning Commission deems necessary. Additionally, the Planning Commission may also at this time review proposed amendments to the text of the comprehensive plan as needed.

Since the adoption of the 2016 Comprehensive Plan, staff has discovered several changes to the Map that were apparently made during the Plan update without staff or Planning Commission discussion. In some cases the changes appear to be a result of the use of different software packages in preparing the Map, and others involve inadvertent changes in property specific land use depictions without the necessary notifications and discussion between Planning Commission, staff and property owners. The Planning Commission has not approved any changes to the Map since the adoption of the 2016 Comprehensive Plan; therefore, staff is recommending that the Planning Commission re-adopt the Map that existed immediately prior to adoption of the 2016 Comprehensive Plan with Resolution No. 2018-01 to “revert back” to the previous Map.

Once the aforementioned inadvertent changes have been cleaned up, the next item on the agenda, Resolution No. 2018-02, will then propose Map updates to reflect zoning changes that Planning Commission and Town Board have approved since 2016.

Recommendation

Staff recommends that Planning Commission approve Resolution No. 2018-01 regarding the Land Use Map to revert back to the Land Use Map in place prior to adoption of the 2016 Comprehensive Plan.

Attachments

Resolution No. 2018-01
Exhibit A Land Use Map in 2016 Comprehensive Plan
Exhibit B Land Use Map immediately prior to 2016 Comprehensive Plan

**TOWN OF WINDSOR
PLANNING COMMISSION**

RESOLUTION NO. 2018-01

**A RESOLUTION OF THE TOWN OF WINDSOR PLANNING COMMISSION
APPROVING AND ADOPTING AMENDMENTS TO THE *2016 TOWN OF WINDSOR
COMPREHENSIVE PLAN*.**

IT IS HEREBY RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Town of Windsor Planning Commission hereby approves and adopts the attached amendment to the Land Use Map of the ***2016 Town of Windsor Comprehensive Plan*** as shown on Exhibit A, attached hereto and incorporated herein by this reference, to revert back to the Land Use Map that was in place prior to adoption of the ***2016 Town of Windsor Comprehensive Plan*** as shown on Exhibit B, attached hereto and incorporated herein by this reference.
2. The Town of Windsor Planning Commission hereby authorizes the Chair of the Windsor Planning Commission to execute this Resolution and the Vice-Chair to attest thereto.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted by not less than five (5) sitting members of the Windsor Planning Commission this 18th day of April, 2018.

TOWN OF WINDSOR, COLORADO

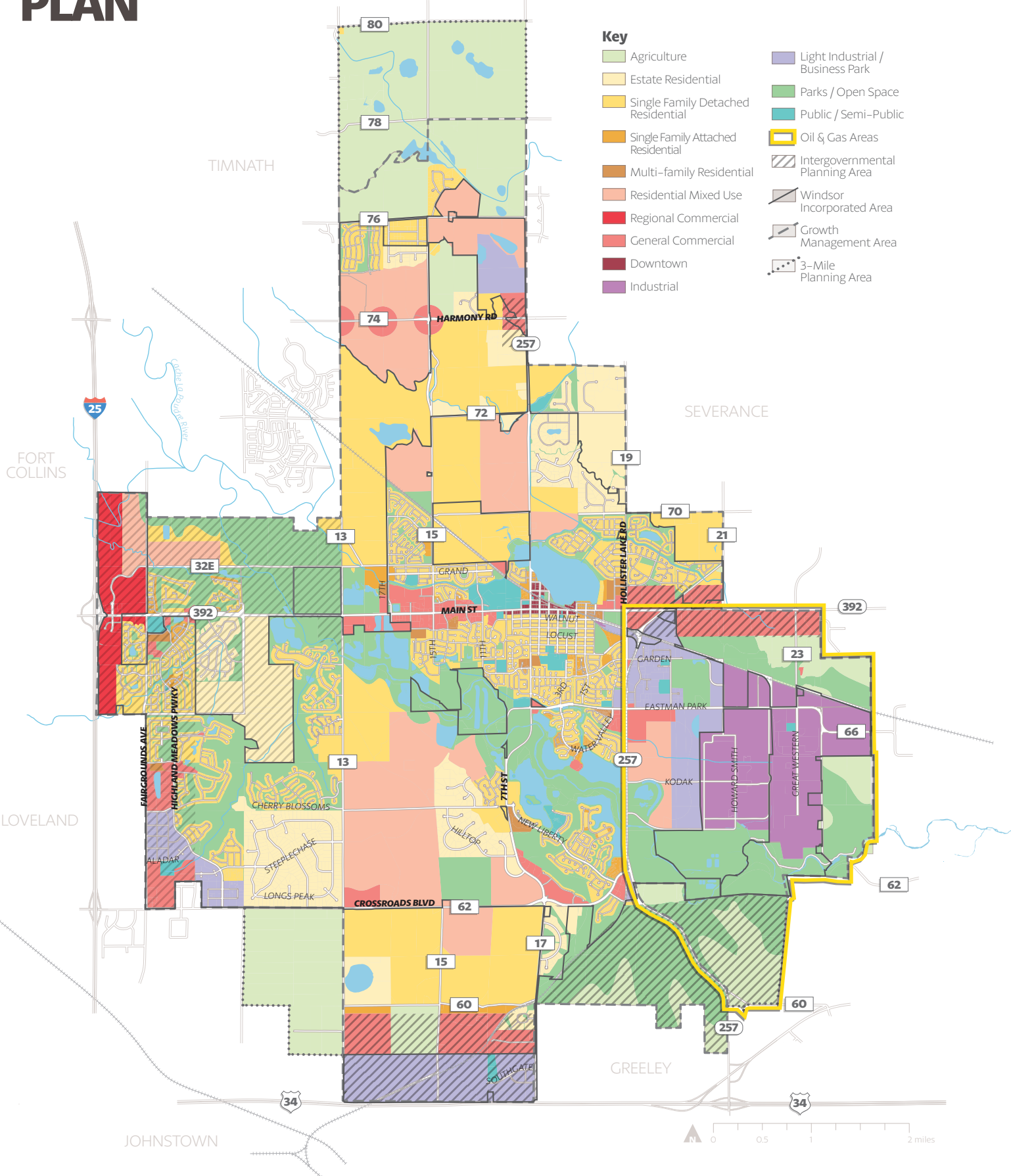
By: _____
Gale Schick, Chair

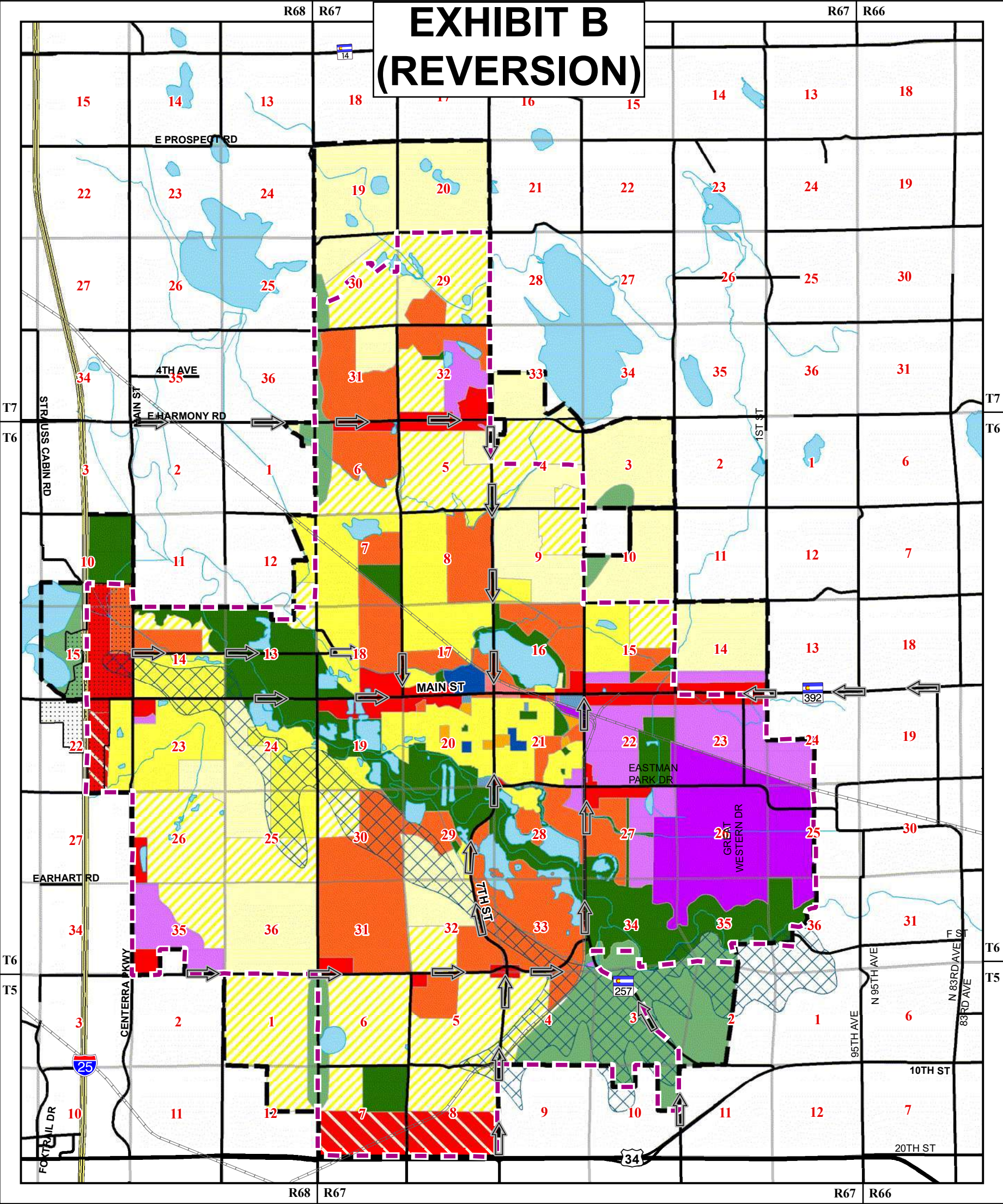
ATTEST:

Victor Tallon, Vice-Chair

LAND USE PLAN

EXHIBIT A (EXISTING)





LEGEND

Low Density Estate Single Family Residential (E-1)	Neighborhood & General Commercial	Other Public/Semi Private
High Density Estate Single Family Residential (E-2)	Central Business District	Community Separator
Single Family Residential	Employment Corridor	Parks, Open Space, Mineral Extraction & Floodplains
Multi-Family Residential	Light Industrial	Bluff Region
Residential Mixed Use	Heavy Industrial	Lakes, Rivers, Ditches
	Schools	Corridor Activity Center (CAC)
		Windsor, Greeley, Severance Referral Area
		Community Influence Area
		Growth Management Area
		Arterial Entryways



MEMORANDUM

Date: April 18, 2018
To: Planning Commission
From: Scott Ballstadt, AICP, Director of Planning
Re: Public Hearing – Resolution No. 2018-02 regarding Annual Land Use Map Updates
Item #: C.6.C.7

Background / Discussion

The Planning Commission normally conducts an annual review of the Land Use Map (Map) to determine if the Map needs to be amended to either reflect any zoning changes that were approved during the year or any other land use depictions or amendments the Planning Commission deems necessary. Additionally, the Planning Commission may also at this time review proposed amendments to the text of the comprehensive plan as needed.

While the aforementioned updates are normally considered toward the end of the year, the Planning Commission did not consider any updates in 2017, so staff has scheduled the current updates in order to bring the Map up to date immediately rather than delay any longer.

As such, staff is presenting adjustments from rezones over the past two years along with discrepancies in the 2016 Comprehensive Plan map for the Planning Commission's consideration.

2016 Comprehensive Plan Land Use Map Adjustment

The 2016 Comprehensive Plan Land Use map was adjusted incorrectly and does not accurately represent what was originally approved by Planning Commission and staff. Staff have since revisited and identified the locations that are shown incorrectly in the Comprehensive Plan map and have corrected the plan to refer to the correct Land Use Map. The Comprehensive Plan will be updated so that it refers to the corrected Land Use Map as shown in the attachments. No public hearing notices were sent since this is a correction of something that had already been approved by Planning Commission.

Rezoning Amendment to Land Use Map

The following areas have been rezoned since 2016 and have not been updated on the Land Use Map:

1. Great Western 2nd Annex from Residential Mixed Use and Light Industrial To General Commercial, Light Industrial and Heavy Industrial
2. Water Valley South 6th Filing, Lots 6 & 7, from Residential Mixed Use to Light Industrial
3. Trautman 2nd Filing from High Density Estate Residential to General Commercial

4. Eagle Crossing 2nd Filing, Tract B, Eagle Crossing 3rd Filing, Tracts A and B, and Fossil Ridge 2nd Filing, Lot 4, Block 11 from Light Industrial to Multi-family and General Commercial
5. Lutheran Church Annexation and portions of Ptarmigan Business Park PUD from General Commercial to Residential Mixed Use

Recommendation

Staff recommends that Planning Commission approve Resolution No. 2018-02 regarding the updated Land Use Map to make the aforementioned updates to correctly reflect approved rezoning applications since 2016.

Attachments

Resolution No. 2018-02

Exhibit A Land Use Map identifying approved rezones since 2016

**TOWN OF WINDSOR
PLANNING COMMISSION**

RESOLUTION NO. 2018-02

**A RESOLUTION OF THE TOWN OF WINDSOR PLANNING COMMISSION
APPROVING AND ADOPTING AMENDMENTS TO THE 2016 TOWN OF WINDSOR
COMPREHENSIVE PLAN.**

IT IS HEREBY RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Town of Windsor Planning Commission hereby approves and adopts the attached amendments to the Land Use Map of the **2016 Town of Windsor Comprehensive Plan** as described on Exhibit A, attached hereto and incorporated herein by this reference and as shown on Exhibit B, attached hereto and incorporated herein by this reference.
2. The Town of Windsor Planning Commission hereby authorizes the Chair of the Windsor Planning Commission to execute this Resolution and the Vice-Chair to attest thereto.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted by not less than five (5) sitting members of the Windsor Planning Commission this 18th day of April, 2018.

TOWN OF WINDSOR, COLORADO

By: _____
Gale Schick, Chair

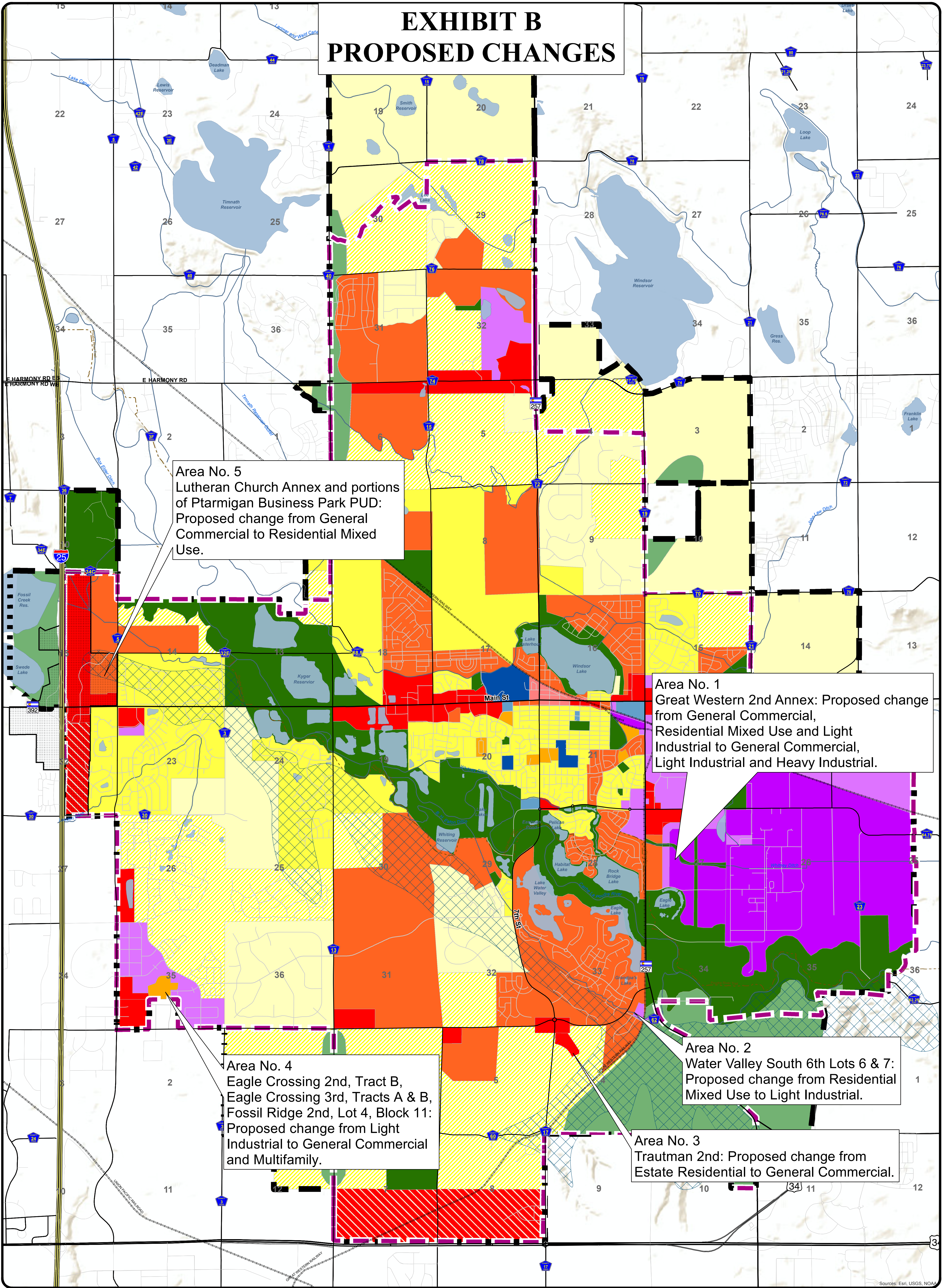
ATTEST:

Victor Tallon, Vice-Chair

Exhibit A

- Area No. 1. **Portion of Sections 27 and 34, T6N, R67W of the 6th P.M. in Weld County on the Southeast Corner of Eastman Park Dr and SH 257 Inside the Windsor Corporate Limits.**
Land use depiction amended from General Commercial, Residential Mixed Use and Light Industrial to General Commercial, Light Industrial, and Heavy Industrial.
- Area No. 2. **Portion of Section 33, T6N, R67W of the 6th P.M. in Weld County South and Adjacent to Crossroads Blvd, North and Adjacent to Rancho Dr Inside the Windsor Corporate Limits.**
Land use depiction amended from Residential Mixed Use to Light Industrial.
- Area No. 3. **Portion of Section 4, T5N, R67W of the 6th P.M. in Weld County on the Southeast Corner of 7th and Crossroads Blvd Inside the Windsor Corporate Limits.**
Land use depiction amended from Estate Residential to General Commercial.
- Area No. 4. **Portion of Section 35, T6N, R68W of the 6th P.M. in Weld County on the North of Crossroads Blvd, East of and Adjacent to Fairgrounds Ave, West of Highland Meadows Pkwy Inside the Windsor Corporate Limits.**
Land use depiction amended from Light Industrial to General Commercial and Multifamily.
- Area No. 5. **Portion of Section 14 and 15, T6N, R68W of the 6th P.M. in Weld County East of and Adjacent to LCR 5 and North of Hwy 392 Inside the Windsor Corporate Limits.**
Land use depiction amended from General Commercial to Residential Mixed Use.

EXHIBIT B PROPOSED CHANGES



Area No. 5
Lutheran Church Annex and portions
of Ptarmigan Business Park PUD:
Proposed change from General
Commercial to Residential Mixed
Use.

Area No. 1
Great Western 2nd Annex: Proposed change
from General Commercial,
Residential Mixed Use and Light
Industrial to General Commercial,
Light Industrial and Heavy Industrial.

Area No. 4
Eagle Crossing 2nd, Tract B,
Eagle Crossing 3rd, Tracts A & B,
Fossil Ridge 2nd, Lot 4, Block 11:
Proposed change from Light
Industrial to General Commercial
and Multifamily.

Area No. 2
Water Valley South 6th Lots 6 & 7:
Proposed change from Residential
Mixed Use to Light Industrial.

Area No. 3
Trautman 2nd: Proposed change from
Estate Residential to General Commercial.

LAND USE



Legend

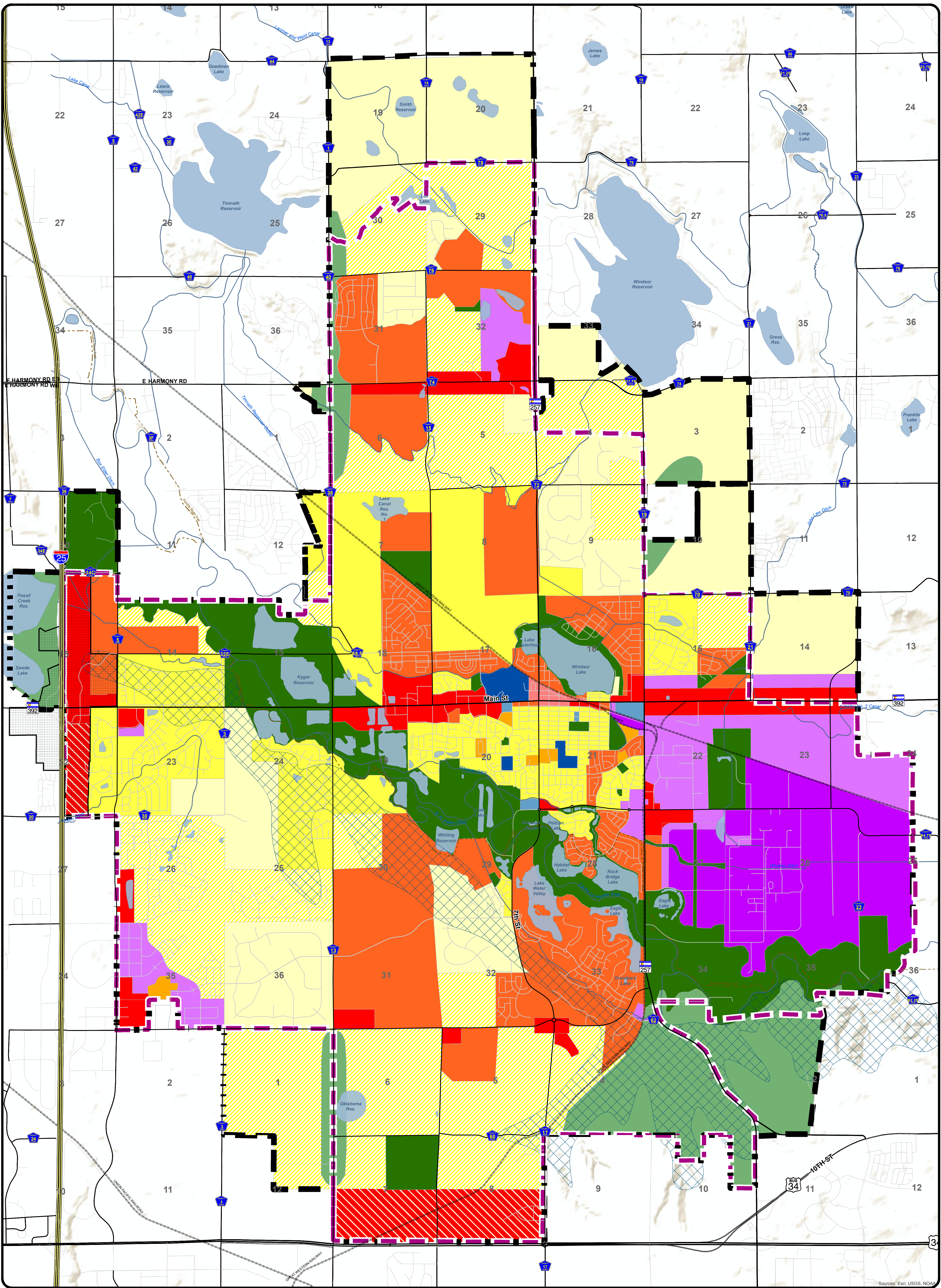
- | | | |
|---|---|---------------------------|
| Single Family Residential | Central Business District | Other Public/Semi-Private |
| Multi-Family Residential | Employment Corridor | Schools |
| Low Density Estate Single Family Residential | Neighborhood & General Commercial | Light Industrial |
| High Density Estate Single Family Residential | Community Separator | Heavy Industrial |
| Residential Mixed Use | Parks, Open Space, Mineral Extraction & Flood Plain | GMA |
- CIA
CAC Boundary



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

Updated: 3/30/2018
Updated by: dking
Created: 10/28/2009
Created by: stometich
File: LUMA2018_new

1:24,000



LAND USE



Legend

- | | | |
|---|---|---------------------------|
| Single Family Residential | Central Business District | Other Public/Semi-Private |
| Multi-Family Residential | Employment Corridor | Schools |
| Low Density Estate Single Family Residential | Neighborhood & General Commercial | Light Industrial |
| High Density Estate Single Family Residential | Community Separator | Heavy Industrial |
| Residential Mixed Use | Parks, Open Space, Mineral Extraction & Flood Plain | CIA |
| | | CAC Boundary |
| | | GMA |



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

Updated: 4/3/2018
Updated by: dking
Created: 10/28/2009
Created by: stometich
File: LUMA2018_new

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