



PLANNING COMMISSION REGULAR MEETING

August 5, 2020 // 6:00 p.m. // See virtual meeting information below

NOTE: This meeting will be held virtually

If you wish to provide public comments during the Public Invited to be Heard (Item A.3) or on public hearing items, please email written comments to: planning@windsorgov.com by 5:00 PM, August 5, 2020, or join virtually:

Register in advance for this meeting:

https://windsorgov.zoom.us/webinar/register/WN_gan4Sc4mQ6a2EmJd3p40AA

After registering, you will receive a confirmation email containing information about joining the webinar.

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
- B. CONSENT CALENDAR*
- C. BOARD ACTION
 - 1. Public Hearing – Final Major Subdivision – Fossil Creek Ranch Subdivision 1st Filing – Dallas Horton & Steve Pfister, 3T Investments, LLP, applicants/John Beggs, Russel + Mills Studios, applicants' representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
 - 2. Recommendation to Town Board - Final Major Subdivision – Fossil Creek Ranch Subdivision 1st Filing – Dallas Horton & Steve Pfister, 3T Investments, LLP, applicants/John Beggs, Russel + Mills Studios, applicants' representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
 - 3. Public Hearing – Final Major Subdivision – Fossil Creek Ranch Subdivision 2nd Filing – Dallas Horton & Steve Pfister, 3T Investments, LLP, applicants/John Beggs, Russel + Mills Studios, applicants' representative
 - Quasi-judicial

The Town of Windsor will make reasonable accommodations for access to town services, programs, and activities, and will make special communication arrangements for persons with disabilities. Please call 970-674-2400 by noon on the Thursday prior to the meeting to make arrangements.

- Staff presentation: Paul Hornbeck, Senior Planner
4. Recommendation to Town Board - Final Major Subdivision – Fossil Creek Ranch Subdivision 2nd Filing – Dallas Horton & Steve Pfister, 3T Investments, LLP, applicants/John Beggs, Russel + Mills Studios, applicants' representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner

D. COMMUNICATIONS

1. Communications from the Planning Commission
2. Communications from the Town Board liaison
3. Communications from the staff

E. ADJOURN

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

Upcoming Meeting Dates

<u>Wednesday, August 5, 2020</u>	6:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, August 19, 2020</u>	6:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, September 2, 2020</u>	6:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, September 16, 2020</u>	6:00 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.



MEMORANDUM

Date: August 5, 2020
To: Planning Commission
From: Paul Hornbeck, Senior Planner
Re: Public Hearing and Recommendation to Town Board - Final Major Subdivision – Fossil Creek Ranch Subdivision 1st & 2nd Filings – Dallas Horton & Steve Pfister, 3T Investments, LLP, applicants/John Beggs, Russel + Mills Studios, applicants' representative
Location: Northwest of the intersection of LCR 5 & LCR 32E
Items #: C.1 - C.4

Background / Discussion

The applicants, Mr. Dallas Horton and Mr. Steve Pfister of 3T Investments, LLP, represented by Mr. John Beggs of Russel + Mills Design Studios have submitted two final major subdivision plats, known as the Fossil Creek Ranch Subdivision 1st and 2nd Filings. The subdivision encompasses approximately 254 acres and is zoned Residential Mixed Use (RMU).

The preliminary plat was approved by Planning Commission in 2017 as a single filing with 290 single family lots. The final plat has been split into two separate filings with a total of 260 single family lots. Layout of the two final plats are generally consistent with the preliminary plat, although a number of lots were eliminated due to the Arthur Ditch, which was planned to be piped in the preliminary plat, being left in place and not piped (the ditch will be fenced with wrought iron style fencing). At the time of preliminary plat approval, a park site of four to five acres to be dedicated to the Town was envisioned. However, no park site acceptable to the Town was identified so the applicant has elected to pay the fee-in lieu of dedication, a solution which is acceptable to the Parks, Recreation and Culture Department. A small (2/3 acre) park is planned to be built by the developer and maintained by the Metro District. Adjacent to the park are approximately 14 acres of wetlands that will be preserved.

1st Filing Plat characteristics:

- 140 single-family residential lots;
- Average lot size of 6,982 square feet;
- 14 open space tracts (drainage, utility & access) = approximately 19 acres;
- 5 future development tracts = approximately 173 acres; and
- Approximately 11 acres of public right-of-way dedication.

2nd Filing Plat characteristics:

- 120 single-family residential lots;
- Average lot size of 6,950 square feet;
- 11 open space tracts (drainage, utility & access) = approximately 9 acres;
- 1 future development tract = approximately 35 acres; and
- Approximately 8 acres of public right-of-way dedication.

Three access points will be provided to the development, one from County Road 34C and two from County Road 5. Offsite improvements associated with the development include paving County Road 34C and the following upgrades to County Road 5: two southbound lanes with bike lane, curb, and gutter; left and right turn lanes as needed; and a detached 10' wide multiuse trail.

The applicants held a neighborhood meeting on October 22, 2015 in accordance with Chapter 16, Article XXXI of the Municipal Code. There was one neighbor in attendance. Please see the enclosed neighborhood meeting notes for discussion topics and responses.

Relationship to Comprehensive Plan

The application is consistent with the following goals of the Comprehensive Plan:

Chapter 5b – Growth Framework

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

Chapter 5c – Residential Areas Framework

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

Relationship to Strategic Plan

The application is consistent with the Strategic Plan, particularly promoting community and hometown pride through sustainable, excellent and equitable delivery of services in a fiscally responsible manner; and quality of life, vitality and small town feel.

Notifications

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

A neighborhood meeting was held on October 22, 2015 at 6:00 PM at Bethke Elementary School. Notifications for this meeting were as follows:

- October 9 & 12, 2015 – display ad published in the papers
- October 5, 2015 – affidavit of mailing to property owners within 300 feet

Regarding the Final Subdivision, notifications for this public hearing were as follows:

- July 22, 2020 - affidavit of mailing to property owners within 300 feet
- July 22, 2020 – public notice published on Town website
- June 18, 2020 – sign posted on site
- July 24, 2020 – display ad published in the newspaper

Recommendation

Staff recommends that Planning Commission forward to Town Board a recommendation of approval of final subdivision plat (for both the 1st and 2nd filings), subject the following conditions:

1. All remaining Planning Commission and staff comments shall be addressed; and
2. The applicant shall provide all required documents to the Town within 90 days of Town Board approval, including the approved plat bearing all required signatures, and development agreement bearing all required signatures. Failure to observe this condition of approval will

result in immediate revocation of Final Plat approval and shall require submittal and approval of a new application.

Attachments

Application Materials
PowerPoint presentation
Neighborhood Meeting Summary

copy: Dallas Horton, applicant
Steve Pfister, applicant
John Beggs, applicants' representative

FOSSIL CREEK RANCH SUBDIVISION SECOND FILING

BEING A REPLAT OF A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6th P.M., TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO

STEPHEN WEBER
PARCEL NO. 861500003
ZONING: FAY FARMING

COLORADO
YOUTH OUTDOORS
PARCEL NO. 861500001
ZONING: FAY FARMING

LARIMER COUNTY ROAD 34C

COUNTY ROAD 34C

GELBRAY PLACE

HOLSTEN DRIVE

AMERFAX DRIVE

BUELINGO DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

AMERFAX DRIVE

DON KEHN
CONSTRUCTION
PARCEL NO. 861500004
ZONING: FAY FARMING

NORTH POUDRE
IRRIGATION COMPANY
PARCEL NO. 861500006
ZONING: FAY FARMING

NORTH POUDRE
IRRIGATION COMPANY
PARCEL NO. 861500015
ZONING: FAY FARMING

FOSSIL POINT LLC
PARCEL NO. 861500010
ZONING: FAY FARMING

NORTH POUDRE
IRRIGATION COMPANY
PARCEL NO. 861500015
ZONING: FAY FARMING

YOUNG BURNETTE
PARCEL NO. 861500003
ZONING: GC GENERAL COMMERCIAL

JAMES and
KATHY MERRITT
PARCEL NO. 861400004
ZONING: FAY FARMING

JAMES and
KATHY MERRITT
PARCEL NO. 861400008
ZONING: FAY FARMING

ZONING DISTRICT:
GC-PUD GENERAL COMMERCIAL

ZONING DISTRICT:
RESIDENTIAL MIXED USE

Zoning Line as per the final plat
of Fossil Creek Meadows
Annexation recorded 4-5-2002 at
Reception No. 2002038421.

FOSSIL CREEK RANCH
SUBDIVISION

ZONING DISTRICT:
RESIDENTIAL MIXED USE

FOSSIL CREEK RANCH
SUBDIVISION SECOND FILING

Zoning Line as per the final plat
of Fossil Creek Meadows
Annexation recorded 4-5-2002 at
Reception No. 2002038421.

ZONING DISTRICT:
RESIDENTIAL MIXED USE

FOSSIL CREEK
RANCH
SUBDIVISION

WESTGATE DRIVE

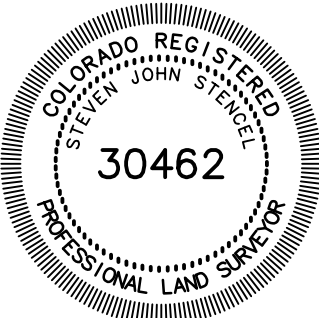
LARIMER COUNTY ROAD 5

GENERAL NOTES:

- The lineal unit of measurement for this plat is U.S. Survey Feet.
- A blanket utility easement is hereby granted to the public over certain parcels as shown on the plat. Utility easements are reserved for the reasonable installation, maintenance and replacement of facilities serving the public under the direction and approval of the Town. Private utilities are hereby restricted from use and enjoyment of this easement.
- A blanket access easement is hereby granted to the public over certain parcels as shown on the plat. Access easements are for the reasonable conveyance of public pedestrian and vehicular traffic through facilities commonly designed and constructed for such use. Access easements are also hereby granted as emergency access easements as defined in Note 4.
- Blanket emergency access easements are hereby granted for the pedestrian and vehicular access of emergency personnel over certain parcels as shown on the plat.
- Blanket drainage easements are hereby granted to the public over certain parcels as shown on the plat.
- Notwithstanding anything to the contrary, there shall be no permitted, authorized, or allowed public or private access or use of any type to or upon the Ditch, except emergency access easements.
- The property shown hereon is subject to covenants, conditions and restrictions which have been recorded in the real property records of Larimer County.
- All side yard easements are 2.50' feet (total of 5.00' feet) on either side of the property line and are intended for utility, drainage, and grading purposes.

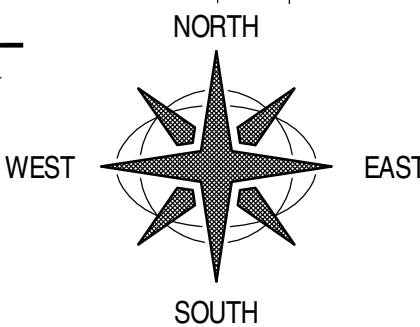
SURVEYOR'S CERTIFICATION:

I certify that this plat accurately represents the
results of a survey made by me or under my
direct supervision.



Steven John Stencil
Colorado Registered Professional
Land Surveyor No. 30462
For and on behalf of Intermill Land Surveying, Inc.

WINDSOR
INVESTMENTS, LTD.
PARCEL NO. 861400004
ZONING: GC GENERAL COMMERCIAL



HORIZONTAL SCALE: 1" = 50'

STATEMENT OF LINEAR UNITS USED:
Linear Units Used for this survey - U.S. Survey Feet

INTERMILL LAND SURVEYING, INC.

1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)-669-0516 / FAX (970)-635-9775

TITLE: FOSSIL CREEK RANCH SUBDIVISION SECOND FILING

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6th P.M., TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO

CLIENT:

HORTON FEEDLOTS, INC.

REVISIONS:

BY:

DATE:

PROJECT NO.:	P-17-8802
CHECKED BY:	JSC
APPROVED BY:	
DATE:	6-16-2020
SCALE:	1" = 50'
SHEET	3
OF	9

FOSSIL CREEK RANCH SUBDIVISION SECOND FILING



Final Major Subdivision

Fossil Creek Ranch

1st & 2nd Filings

Paul Hornbeck, Senior Planner

Planning Commission, August 5, 2020



Subdivision

Article IV of Chapter 17 of the Municipal Code outlines the purpose and procedures of the Major Subdivision process, including:

Sec. 17-4-10. Purpose.

The purposes of the major subdivision procedure are:

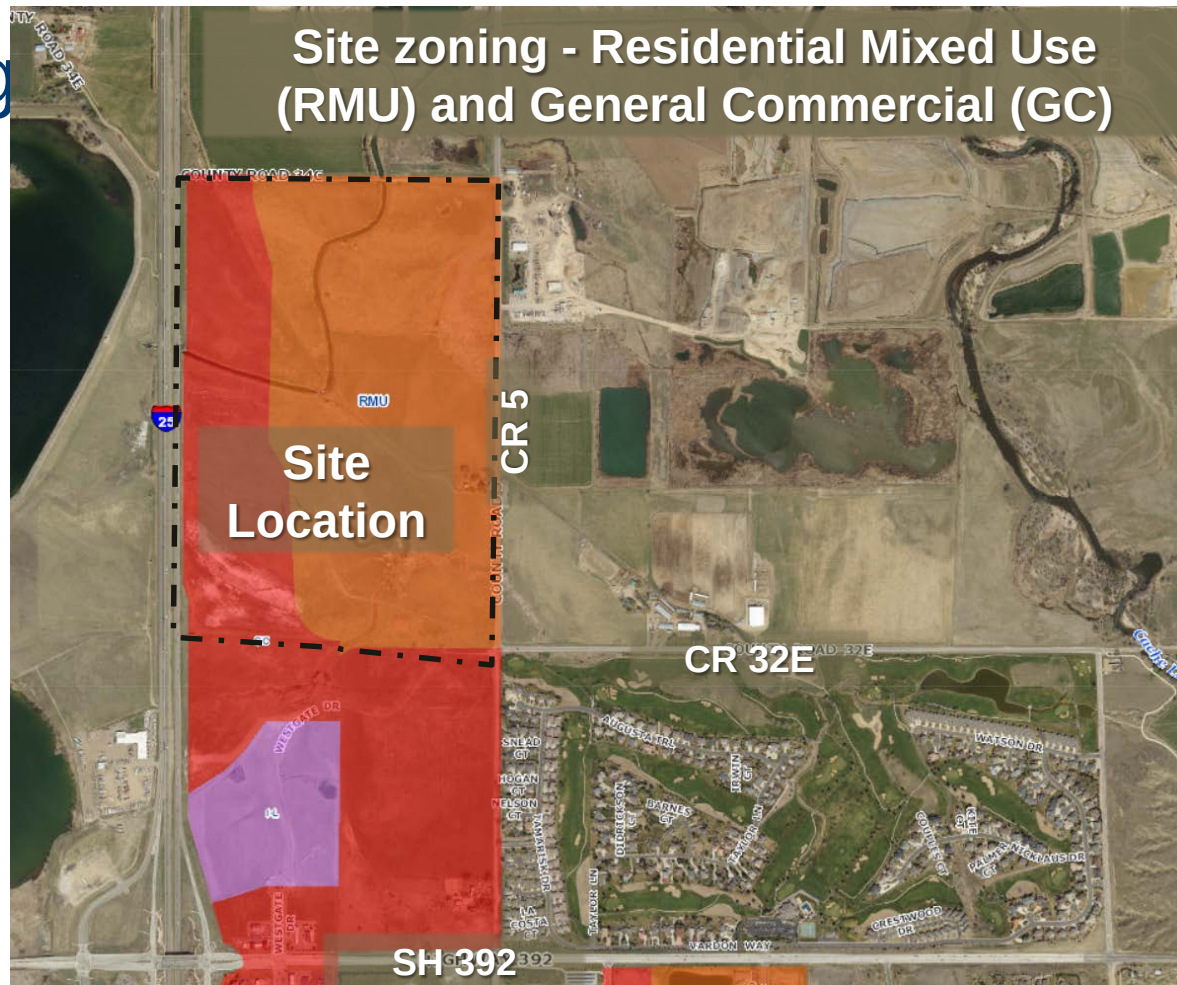
- 1) To divide or reconfigure a parcel or parcels of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.

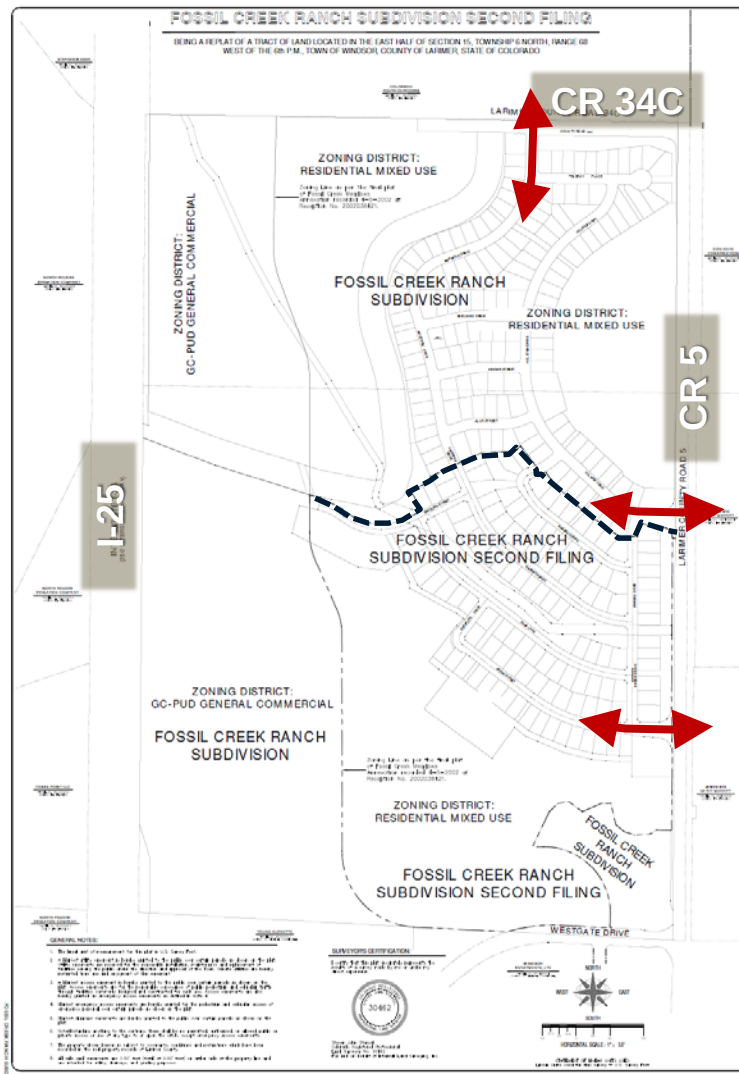




Zoning

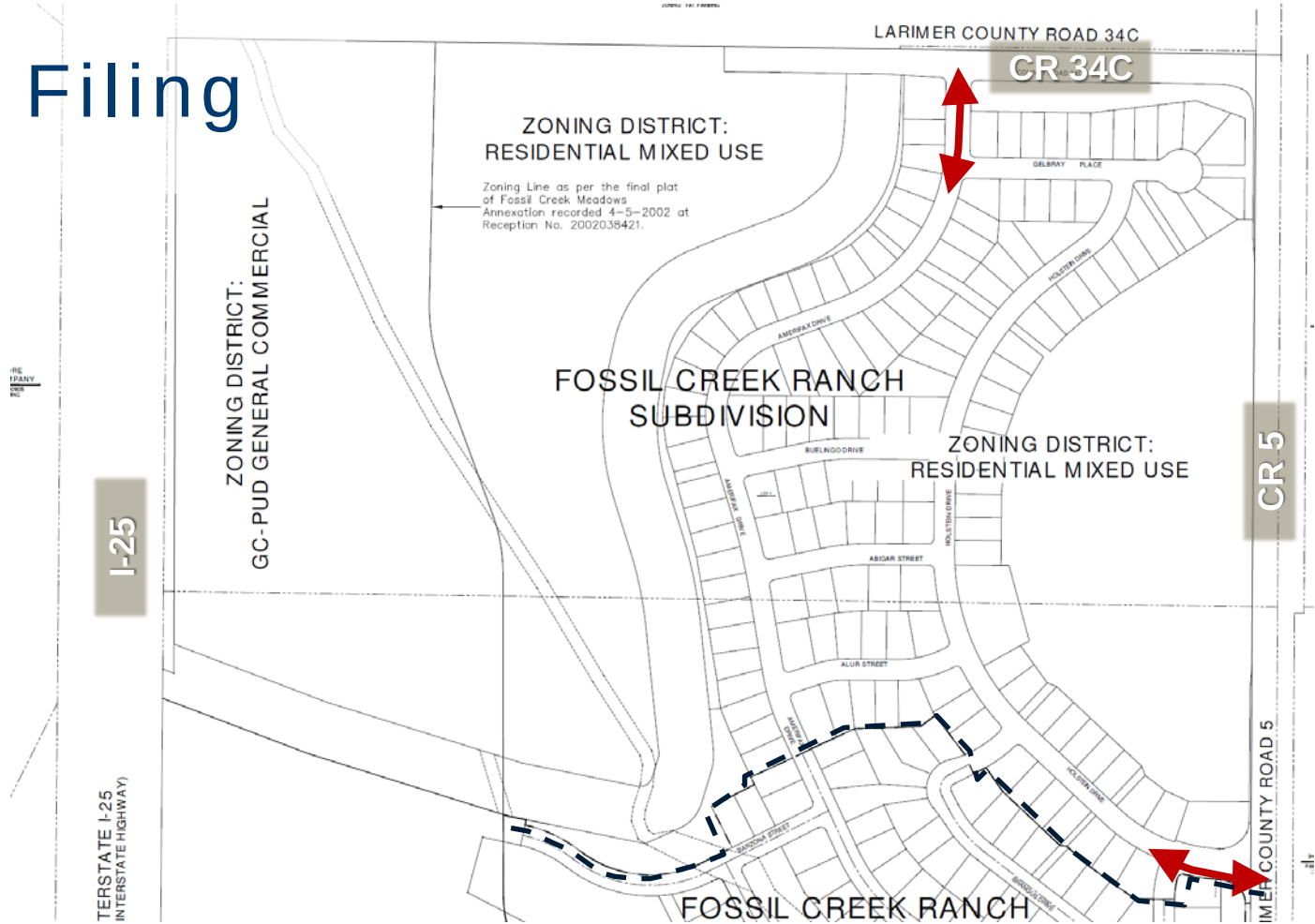
Site zoning - Residential Mixed Use (RMU) and General Commercial (GC)







1st Filing





INTERSTATE I-25
(250' INTERSTATE HIGHWAY)

I-25

ZONING DISTRICT:
GC-PUD GENERAL COMMERCIAL

FOSSIL CREEK RANCH SUBDIVISION

Zoning Line as per the final plat
of Fossil Creek Meadows
Annexation recorded 4-5-2002 at
Reception No. 2002038421.

ZONING DISTRICT:
RESIDENTIAL MIXED USE

FOSSIL CREEK RANCH
SUBDIVISION SECOND FILING

FOSSIL CREEK
RANCH
SUBDIVISION

LARIMER COUNTY ROAD 5

CR 5

WESTGATE DRIVE

RE
IPANY
—
OPI
No

PAL NOTES:

YOUNG BURNETTE
FABRIC, INC. 888-555-0003
20000 100 STREET, SUITE 100
DENVER, CO 80201



Comprehensive Plan Conformance

The application is consistent with the following goals of the Comprehensive Plan:

Chapter 5b – Growth Framework

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

Chapter 5c – Residential Areas Framework

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



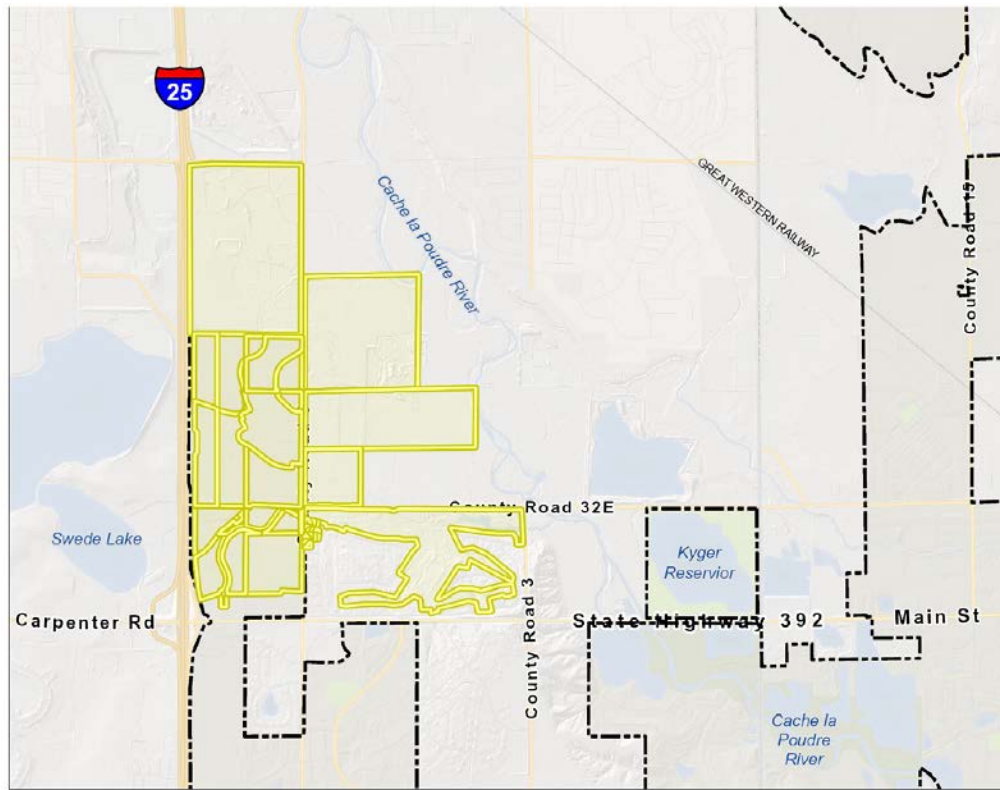
Public Notification

October 22, 2015 Neighborhood Meeting:

- October 9 & 12, 2015 – display ad published in the papers
- October 5, 2015 – affidavit of mailing to property owners within 300 feet

Notifications for this meeting were as follows:

- June 19, 2020 - affidavit of mailing to property owners within 300 feet
- June 19, 2020 – public notice published on Town website
- June 18, 2020 – site posted
- June 19, 2020 – display ad published in the newspaper





Recommendation

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

1. All remaining Planning Commission and staff comments shall be addressed; and
2. The applicant shall provide all required documents to the Town within 90 days of Town Board approval, including the approved plat bearing all required signatures, and development agreement bearing all required signatures. Failure to observe this condition of approval will result in immediate revocation of Final Plat approval and shall require submittal and approval of a new application.



Major Subdivision

Staff requests that the following be entered into the record:

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



Subdivision Considerations

Sec. 17 Articles X and XI. Design Standards and Required Improvements

- 1) General compliance with Comprehensive Plan: reservation of rights-of-way, utility easements, open spaces for school and recreation areas
- 2) No undue burden on public utility systems and community facilities
- 3) Potential dangers to health or safety due to soil, subsoil and flooding are avoided; i.e. has proper drainage, soils
- 4) Consideration given to the preservation of groves of trees, streams, unusually attractive topography and other desirable natural landscape features
- 5) Alignment of street rights-of-way and utility and drainage easements and open spaces are coordinated with adjoining subdivisions
- 6) Meets street design and construction standards: access, intersections, cul-de-sac length, paving
- 7) Meets zoning parameters: lot size, dimensions, adequate building sites
- 8) Meets landscaping standards
- 9) Meets utility system improvements: storm drainage, sanitary sewer, potable and nonpotable water, underground electric power/other dry utilities, street lighting.