PLANNING COMMISSION
REGULAR MEETING
September 18, 2019 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

AGENDA

A. CALL TO ORDER

1. Roll Call

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

3. Public Invited to be heard

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

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

B. CONSENT CALENDAR*

1. Approval of minutes of August 7, 2019

2. Approval of minutes of August 21, 2019

C. BOARD ACTION

1. Public Hearing – Final Major Subdivision – Water Valley South Subdivision 27th Filing – Brian Williamson, TST, applicant's representative
   - Quasi-judicial
   - Staff presentation: Scott Ballstadt

2. Recommendation to Town Board - Final Major Subdivision – Water Valley South Subdivision 27th Filing – Brian Williamson, TST, applicant's representative
   - Quasi-judicial
   - Staff presentation: Scott Ballstadt

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.

D. COMMUNICATIONS

1. Communications from the Planning Commission

2. Communications from the Town Board liaison

3. Communications from the staff

E. ADJOURN

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

Upcoming Meeting Dates

Wednesday, September 18, 2019	7:00 P.M.	Regular Planning Commission meeting**
Wednesday, October 2, 2019	7:00 P.M.	Regular Planning Commission meeting**
Wednesday, October 16, 2019	7:00 P.M.	Regular Planning Commission meeting**
Wednesday, November 6, 2019	7:00 P.M.	Regular Planning Commission meeting**

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

PLANNING COMMISSION
REGULAR MEETING

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

MINUTES

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

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

Gale Schick
Victor Tallon
Doug Dennison
Cindy Scheuerman
Jerry Bushelman
Daniel Foreman

	Town Board Liaison	David Sislowski
	Town Attorney	Ian McCargar
Also Present:	Director of Planning	Scott Ballstadt
	Chief Planner	Carlin Malone
	Deputy Town Clerk	Trisha Conway

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

3. Public Invited to be heard
Mr. Schick opened the meeting up for public comment; None

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.

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B. CONSENT CALENDAR*

1. Approval of minutes of June 5, 2019
Mr. Tallon moved to approve the consent calendar as presented; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

C. BOARD ACTION

1. Public Hearing – Conditional Use Grant Extension – Gomer Oil & Gas Pad – Extraction Oil & Gas, applicant: Jeff Annable, Project Manager, applicant's representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

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

Mr. Schick opened up the public hearing; None

Per Ms. Malone, we did receive some comments after the packet had gone out. Comments from the Windsor / Severance Fire District, and comments from a Dr. Wendell Bradley copies of both packets were distributed.

The applicant, Extraction Oil and Gas, is requesting a Conditional Use Grant (CUG) to allow oil and gas facilities on a parcel of land known as the Windsor North Annexation, in the Residential Mixed Use (RMU) zoning district, for what is known as the Gomer Pad. Oil and gas facilities are allowed as a conditional use in all zoning districts, per Section 16-7-60 of the Town's Municipal Code, Oil and Gas Facilities. The Town Board will consider the Planning Commission recommendation on the CUG application on August 12, 2019.

The parcel is located ½ mile south of Weld County Road 76, ½ mile west of State Highway 257, ½ mile east of WCR 15, and ¾ mile north of WCR 74/Harmony Road; addressed 23753 County Road 76. The subject parcel includes 94 acres of agricultural land with a single-family home and a shed. The oil and gas site area (pad) includes 18.2 acres and the proposal includes eighteen wells with associated equipment. The subject pad site is surrounded by agricultural and single-family estate residential.

Gas production will utilize a pipeline and oil will be stored on-site and transported off-site via tanker trucks. However, applicant will consult with third-parties to determine the feasibility of installing oil pipeline for the transfer of oil off-site. The hauling route is proposed from the site to the property's access point on WCR 76, east on WCR 76 to SH 257, south on SH 257 to WCR 74/Harmony Road, and west on Harmony Road to I-25. An alternative route is north on SH 257 to SH 14. Colorado Department of Transportation (CDOT) has reviewed the applicant's traffic impact study has found

the study acceptable. Truck traffic would primarily occur during daylight hours and the applicant has stated that truck hauling periods will avoid the peak times of school and commuter traffic. This statement has been included as a recommended condition of approval for the subject CUG.

Extraction will be utilizing electricity on this site for permanent production facilities, which reduces the amount of noise associated with a standard oil and gas production operation, as electric motors are used rather than diesel.

A neighborhood meeting was held by the applicant on January 10, 2019, 6:00-8:00 p.m., at the Windsor Severance Fire and Rescue Station No. 1 conference room, 100 7th Street. Notifications for this meeting were as follows:

- December 15, 2018 – affidavit of mailing to property owners within 500 feet
- December 28, 2018 – display ad published in the newspapers

There were approximately 35 neighbors in attendance. Most had general questions about the proposal and some were concerned about the initial truck route proposed, which showed the truck route heading west on WCR 76, and the existing condition of the roadway. Since this meeting, the truck route was modified to run east on WCR 76 to SH 257 and then north to SH 14. Additionally, Extraction Oil and Gas entered into a WCR 76 maintenance agreement with the Town to address the road's condition and the potential need for repair during and after hauling associated with this site has commenced.

Notifications for this public hearing were as follows:

- July 22, 2019 – affidavit of mailing to property owners within 500 feet
- July 22, 2019 – sign posted on property
- July 26, 2019 – published in the newspapers
- July 22, 2019 – posted to Town website

Section 16-7-60(c) of the Municipal Code lists the following standards and requirements for conditional use grants, with staff analysis below:

(c) Based upon specific site characteristics, which include but shall not be limited to: nature and proximity of adjacent development; prevailing weather patterns, including wind direction; vegetative cover on or adjacent to the site; and topography of the site, the Town Board may, as a condition of approval of any conditional use grant, require any or all of the following methods to mitigate adverse impacts on surrounding properties:

(1) Visual requirements. To the maximum extent practical, abatement of negative visual impacts of oil and gas facilities shall be addressed through one (1) or more of the following methods:

a. Use structures of minimal size to satisfy present and future functional requirements.
The proposed conditions of approval require that the applicant utilize equipment and tanks that are low profile.

b. The facilities shall be kept clean and otherwise properly maintained.

The proposed conditions of approval require that the facilities are kept clean and maintained. Maintenance of the facilities includes, but is not limited to, the tracking pads, associated oil and gas equipment, painting of tanks, fencing, landscaping and disposal of trash. The applicant shall keep public roadways free from mud and debris. In conjunction with this proposal, the applicant entered into an agreement with the Town regarding Extraction Oil and Gas' obligations to maintain WCR 76.

c. Construction of buildings or other enclosures may be required where facilities create visual impacts that cannot be mitigated because of proximity, density and/or intensity of adjacent residential land use.
The sites are located on an agricultural property of 94 acres with one single-family home and shed located on the northern boundary of the property. The proposed wells would be situated on the southern half of the property. The closest occupied buildings (single-family homes) are located a distance of 994' from the boundary of the drilling pad; and a distance of 810' south of the drilling pad.

The residential subdivisions of Roth and Alexander Estates are located further west of the proposed drilling site, with the closest homes in both Alexander Estates and Roth Subdivision located approximately 2,400 feet from the drilling area. A residence is located 1,209 feet northwest of the drilling pad boundary. In addition to sound walls during the drilling phase and completions, the applicant has proposed mitigating the visual impacts from the site with berms with native grasses on the east and north side of the pad. Landscape screening is proposed to occur when the 94-acre parcel is further developed; however, this time frame is unknown.

(2) Landscape requirements. Groundcover, shrubs and trees shall be established and maintained in order to adequately buffer the facility.
The applicant proposes berms with native grasses until the property is developed. The drilling will occur in one phase (2019), planned for drilling 18 wells, and screen/sound walls be provided to the north, west and southeast corner. The applicant hired a consultant to prepare a sound study and will follow those recommendations, one of which was the sound wall buffering outlined above.

Staff has included a condition of approval that berms with native grasses (seeding) are installed no later than 60 days after the drilling phase.

(3) Floodplain requirements. The oil and gas facilities shall comply with all applicable federal, state and local laws and regulations when located in a regulatory floodway or a special flood hazard area. All equipment at oil and gas facilities located within a special flood hazard area shall be anchored as necessary to prevent flotation, lateral movement or collapse. Any activity or equipment at any oil and gas facility within a special flood hazard area shall comply with the Code of Federal Regulations (C.F.R.) for the National Flood Insurance Program (NFIP), 44 C.F.R. Parts 59, 60, 65 and 70, and shall not endanger the eligibility of residents of the Town to obtain federal flood insurance.

The pad sites are located outside of the floodplain.

<u>Standard Conditions:</u>
The Town's standard conditions of CUG approval for oil and gas facilities are included in staff's recommendation. Not all of the Town's standard conditions represent the most current industry standards, rules and regulations, and/or best

management practices. As such, four (4) recommended deviations or additions of the standard conditions are as follows:

h. Oil and gas equipment.

(1) The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties.

Addition: The applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin. Such methods include, but are not limited to, sound walls, blankets, and other noise mitigation installed at the source of any equipment creating such noise.

Staff comment: Noise has historically been one of the largest generator of complaints from Windsor residents. In order to minimize such complaints and issues, the applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin.

e. Temporary screening. The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets. The temporary buffer shall include hay bales to enclose the drilling operations to provide noise mitigation.

Deviation: The temporary buffer/sound walls shall enclose the drilling operations to provide screening and noise mitigation barriers in the direction of nearby homes, as appropriate.

Staff comment: The use of hay bales is no longer a standard practice for sound or visual mitigation. Utilization of sound walls is the standard practice for temporary buffering during the initial drilling activities. The applicant proposes sound walls during drilling and completions.

I. Air quality.

(3) The applicant shall submit to the Town copies of the Colorado Regulation 7 XII annual report, as required by the COGCC and/or the CDPHE's Air Pollution Control Division.

j. Water quality.

(1) The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements.

Addition: Any hydrocarbon discharges shall be properly reported to COGCC, and remediated according to COGCC requirements in all cases. Reportable hydrocarbon discharges shall also be reported to the Windsor Local Government Designee (LGD).

Staff comment: No hydrocarbon discharges are allowed from any oil and gas site in Colorado. If any discharge occurs, the above condition describes the action that will be taken.

In addition to the Town's standard conditions, staff has included two site-specific conditions of approval. All conditions are included under staff's recommendation.

Relationship to Comprehensive Plan
The application conforms with Chapter 7, Community Facilities and Infrastructure.

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

1. All Planning Commission and staff comments are addressed.
2. The truck hauling route shall remain in accordance with Exhibit A attached hereto, unless otherwise approved by the Town.
3. Truck hauling periods for oversize loads shall avoid before and after school traffic (7:30 a.m. – 8:15 a.m. and 2:45 p.m. - 3:30 p.m.), and avoid peak times of commuter traffic (7:00 a.m. – 8:30 a.m. and 4:30 – 6:00 p.m.).
4. Staff has included a condition of approval that berms with native grasses (seeding) are installed no later than 90 days after the drilling phase is completed.

7. The Town's standard conditions of approval for oil and gas facilities, with amendments, as noted:

1. Prior to the commencement of drilling, the applicant shall submit comprehensive "Drilling and Site Improvement Plans" for review and approval by the Town. Such plans shall address initial drilling activities, initial installation of site improvements and details, and on-going perpetual maintenance of the subject site including, but not limited to, the following:

a. Site access plan. The Drilling and Site Improvement Plans and supplemental information shall address site access points and haul routes for review and approval.
b. Public street clean-up and tracking prevention. The Drilling and Site Improvement Plans and supplemental information shall include a tracking pad for review and approval.
c. Site grading. The Drilling and Site Improvement Plans and supplemental information shall address site grading, including any earth berms for emergency containment.
d. Site lighting. The Drilling and Site Improvement Plans and supplemental information shall include details regarding site lighting fixtures and locations. Security and other site lighting shall utilize full cutoff light fixtures to mitigate light pollution.
e. Temporary screening. The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets. The temporary buffer/sound walls shall enclose the drilling operations to provide screening and noise mitigation barriers in the direction of nearby homes, as appropriate.
f. Permanent screening. Given the close proximity to residential neighbors, the Drilling and Site Improvement Plans shall depict proposed long-term screening materials including landscaping, earth berms and any other screening methods to mitigate visual impacts.
g. Fencing. The Drilling and Site Improvement Plans shall depict fencing of the perimeter of the site. Fencing materials shall be reviewed for approval by the Town based upon the character of the surrounding neighborhood.
h. Oil and gas equipment.

(1) The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties. The applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin. Such methods include, but are not limited to, sound walls, blankets, and other noise mitigation installed at the source of any equipment creating such noise. Noise mitigation methods known as “Quite Fleet Technology,” utilized by Liberty Oilfield Services, shall be used as examples of BMPs to be replicated.

(2) The applicant shall ensure that the wells and tanks are of the minimum size required to satisfy present and future functional requirements to mitigate visual impacts.

(3) Low profile tanks shall be utilized and shall be installed in the least visible manner possible.

(4) All tanks and equipment shall be painted to blend-in with the surrounding landscape.

I. Air quality.

(1) The applicant shall participate in any required Environmental Protection Agency (EPA) air quality monitoring and/or testing by allowing EPA to install equipment on site for said monitoring and testing.

(2) The applicant shall install and operate an emissions control device (ECD) capable of reducing Volatile Organic Compound (VOC) emissions on the subject oil and gas equipment in accordance with Colorado Oil and Gas Conservation Commission (COGCC) and/or the Colorado Department of Public Health and Environment (CDPHE) rules and regulations.

(3) The applicant shall submit to the Town copies of the Colorado Regulation 7 XII annual report, as required by the COGCC and/or the CDPHE’s Air Pollution Control Division.

j. Water quality.

(1) The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements. Any hydrocarbon discharges shall be properly reported to COGCC, and remediated according to COGCC requirements in all cases. Reportable hydrocarbon discharges shall also be reported to the Windsor Local Government Designee (LGD).

(2) The applicant shall provide test results from Groundwater Baseline Sampling and Monitoring required by COGCC Rule 318A.e(4) to the Town.

k. Emergency containment. The secondary containment berm surrounding all storage vessels shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel located within the containment area or to State of Colorado standards, whichever requirements are more stringent.

l. Waste disposal. The applicant shall submit to the Town copies of all waste management reports, as required by the COGCC and/or the CDPHE rules and regulations.

m. The following certification blocks shall be included on the Drilling and Site Improvement Plans:

(1) A signed owner's acknowledgement certification block.
(2) A signed drilling operator's acknowledgement certification block.

n. The following notes shall be included on the Drilling and Site Improvement Plans:

a) The applicant shall comply with all rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC).
b) The applicant shall comply with all rules and regulations of the Colorado Department of Public Health and Environment (CDPHE).
c) The applicant shall maintain on-going compliance with all conditions of the Town and Windsor-Severance Fire Rescue.
d) The facilities shall be kept clean and otherwise properly maintained at all times.
e) If access to the site is proposed from a Town of Windsor street, such access point(s) shall require approval from the Town of Windsor Engineering Department and any required access improvements, street clean-up, tracking pads, etc., shall be addressed accordingly.

2. The applicant shall address and comply with the conditions of Windsor-Severance Fire Rescue.

Attachments
Exhibit A – hauling route
Application materials
Neighborhood meeting notes
PowerPoint presentation

Per Mr. Troy Owens; Development Engineer of Extraction. We've been working with Windsor since the company started back in 2015 with offices located in Denver and Greeley. We are currently building a new office in Windsor, which will be open in December 2019. Extraction strives to be the safest and most responsible operator in Colorado, while providing the energy we all need. Introduction of lifecycle of a well drilling; 2 – 4 days per Well, Hydraulic Fracturing; 3 – 8 days per Well, Production; 20+ years Land Reclaimed. Extraction has a typical drilling rig, and uses sound walls during the drilling phase. Colorado has the most comprehensive air quality protection rules in the United States. Vapor Recovery Units ("VRUs") capture vapors from storage tanks, Vapor Recovery Towers ("VRTs") eliminate vapors from oil storage tanks, Automated measurement and transfer of ("LACTs") eliminates emissions from measurement and loading, Leak Detection and Repair ("LDAR") inspections and continuous monitoring of facilities to detect and eliminate emissions otherwise invisible to naked eye.

Mr. Bushelman asked Mr. Owens if he had seen the public comment packet from Windsor / Severance Fire Department.

Mr. Owens stated; Yes

Per Mr. Jeff Annable 10433 Yosemite Street, Commerce City stated Expansion does a tactical response plan uniquely for every site.

Mr. Dennison asked Ms. Malone if the fire department commented on COA's for this approval.

Ms. Malone stated yes, they are the very last condition of approval in your packet.

Mr. Bushelman commented on the proposed traffic route off of Harmony Road. He expressed concern on the ongoing construction happening on Harmony Road, and discussed the option of using the alternative route.

Mr. Ballstadt asked Mr. Owens to leave a copy of the presentation for the record as it wasn't included in the packet.

Per Mr. Ballstadt, the presentation materials will need to be included in the Town Board packet before it is distributed.

Mr. Ballstadt asked that the following be entered into the public record: the application, supplemental materials, memo, and supporting documents, testimony from the public hearing, and staff recommendation.

Mr. Ballstadt asked Mr. Owens about the quiet fleet, and if it's being used on both the Gomer and Otis pads.

Mr. Owens stated; yes, that is correct.

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

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

2. Recommendation to Town Board – Conditional Use Grant Extension – Extraction Oil & Gas, applicant; Jeff Annable, Project Manager, applicants representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

Mr. Schick asked if there was any additional comments or questions from the commission.

Mr. Tallon moved to approve the conditional use grant extension with the following conditions recommended by staff; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

3. Public Hearing – Conditional Use Grant Extension – Gomer Oil & Gas Pad – Extraction Oil & Gas, applicant: Jeff Annable, Project Manager, applicant's representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

Mr. Sislowski stated, "Mr. Chair, for the record I would like to disclose that I am a sitting member of the Town Board, and that I am here in my capacity as non-voting

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

Mr. Schick opened up the public hearing

Per Ms. Malone, the following packets handed out with the Gomer pad also apply to this application. Comments from the Windsor / Severance Fire District, and comments from a Dr. Wendell Bradley.

The applicant, Extraction Oil and Gas, is requesting a Conditional Use Grant (CUG) to allow oil and gas facilities on a parcel of land known as the Windsor North Annexation, in the General Commercial (GC) zoning district, for what is known as the Otis Pad. Oil and gas facilities are allowed as a conditional use in all zoning districts, per Section 16-7-60 of the Town's Municipal Code, Oil and Gas Facilities. The Town Board will consider the Planning Commission recommendation on the CUG application on August 12, 2019.

The parcel is located ½ mile north of Weld County Road 74/Harmony Road and ½ mile west of State Highway 257. The subject parcel includes 79 acres of agricultural land and no existing structures. The oil and gas site area (pad) includes 14.7 acres and the proposal includes eighteen wells with associated equipment. The subject pad site is surrounded by agricultural and single-family estate residential.

Gas production will utilize a pipeline and oil will be stored on-site and transported off-site via tanker trucks. However, applicant will consult with third-parties to determine the feasibility of installing oil pipeline for the transfer of oil off-site. The hauling route is proposed from the site to the property's access point on SH 257, south on SH 257 to WCR 74/Harmony Road, west on Harmony Road to I-25. An alternative route is north on SH 257 to SH 14. Colorado Department of Transportation (CDOT) has reviewed the applicant's traffic impact study has found the study acceptable. Truck traffic would primarily occur during daylight hours and the applicant has stated that truck hauling periods will avoid the peak times of school and commuter traffic. This statement has been included as a recommended condition of approval for the subject CUG.

Per Ms. Malone she will address the concerns from Mr. Bushelman with the applicant about the traffic routes on Harmony Road, and utilizing alternative routes.

Extraction will be utilizing electricity on this site for permanent production facilities, which reduces the amount of noise associated with a standard oil and gas production operation, as electric motors are used rather than diesel.

A neighborhood meeting was held by the applicant on January 10, 2019, 6:00-8:00 p.m., at the Windsor Severance Fire and Rescue Station No. 1 conference room, 100 7th Street. Notifications for this meeting were as follows:

- December 15, 2018 – affidavit of mailing to property owners within 500 feet
- December 28, 2018 – display ad published in the newspapers

There were approximately 35 neighbors in attendance. Most had general questions about the proposal and some were concerned about the initial truck route proposed for the Gomer Pad.

Notifications for this public hearing were as follows:

- July 22, 2019 – affidavit of mailing to property owners within 500 feet
- July 22, 2019 – sign posted on property
- July 26, 2019 – published in the newspapers
- July 22, 2019 – posted to Town website

Section 16-7-60(c) of the Municipal Code lists the following standards and requirements for conditional use grants, with staff analysis below:

(c) Based upon specific site characteristics, which include but shall not be limited to: nature and proximity of adjacent development; prevailing weather patterns, including wind direction; vegetative cover on or adjacent to the site; and topography of the site, the Town Board may, as a condition of approval of any conditional use grant, require any or all of the following methods to mitigate adverse impacts on surrounding properties:
(1) Visual requirements. To the maximum extent practical, abatement of negative visual impacts of oil and gas facilities shall be addressed through one (1) or more of the following methods:

a. Use structures of minimal size to satisfy present and future functional requirements.
The proposed conditions of approval require that the applicant utilize equipment and tanks that are low profile.

b. The facilities shall be kept clean and otherwise properly maintained.
The proposed conditions of approval require that the facilities are kept clean and maintained. Maintenance of the facilities includes, but is not limited to, the tracking pads, associated oil and gas equipment, painting of tanks, fencing, landscaping and disposal of trash. The applicant shall keep public roadways free from mud and debris.

c. Construction of buildings or other enclosures may be required where facilities create visual impacts that cannot be mitigated because of proximity, density and/or intensity of adjacent residential land use.
The sites are located on an agricultural property of 79 acres with no existing structures. The proposed wells would be situated on the western portion of the property. The closest occupied buildings are located a distance of 582’ to the west and 728’ to the southwest of the boundary of the drilling pad.

In addition to sound walls during the drilling phase and completions, the applicant has proposed mitigating the visual impacts from the site with berms with native grasses on the west and south side of the pad. Landscape screening is proposed to occur when the 79- acre parcel is further developed; however, this time frame is unknown.

(2) Landscape requirements. Groundcover, shrubs and trees shall be established and maintained in order to adequately buffer the facility.
The applicant proposes berms with native grasses until the property is developed. The drilling will occur in one phase (2019), planned for drilling 18 wells, and screen/sound walls be provided to the north, west, and south. The applicant hired a

consultant to prepare a sound study and will follow those recommendations, one of which was the sound wall buffering the outlined above.

Staff has included a condition of approval that berms with native grasses (seeding) are installed no later than 60 days after the drilling phase is completed.

(3) Floodplain requirements. The oil and gas facilities shall comply with all applicable federal, state and local laws and regulations when located in a regulatory floodway or a special flood hazard area. All equipment at oil and gas facilities located within a special flood Page 3 of 7 hazard area shall be anchored as necessary to prevent flotation, lateral movement or collapse. Any activity or equipment at any oil and gas facility within a special flood hazard area shall comply with the Code of Federal Regulations (C.F.R.) for the National Flood Insurance Program (NFIP), 44 C.F.R. Parts 59, 60, 65 and 70, and shall not endanger the eligibility of residents of the Town to obtain federal flood insurance.

The pad sites are located outside of the floodplain.

<u>Standard Conditions:</u>
The Town's standard conditions of CUG approval for oil and gas facilities are included in staff's recommendation. Not all of the Town's standard conditions represent the most current industry standards, rules and regulations, and/or best management practices. As such, four (4) recommended deviations or additions to the standard conditions are as follows:

h. Oil and gas equipment.

(1) The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties.

Addition: The applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin. Such methods include, but are not limited to, sound walls, blankets, and other noise mitigation installed at the source of any equipment creating such noise.

Staff comment: Noise has historically been one of the largest generator of complaints from Windsor residents. In order to minimize such complaints and issues, the applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin.

e. Temporary screening. The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets.

Deviation: The temporary buffer/sound walls shall enclose the drilling operations to provide screening and noise mitigation barriers in the direction of nearby homes, as appropriate.

Staff comment: The use of hay bales is no longer a standard practice for sound or visual mitigation. Utilization of sound walls is the standard practice for temporary buffering during the initial drilling activities. The applicant proposes sound walls during drilling and completions.

I. Air quality.
(3) The applicant shall submit to the Town copies of all air emissions reporting the Colorado Regulation 7 XII annual report, as required by the COGCC and/or the CDPHE's Air Pollution Control Division.

j. Water quality.
(1) The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements.

Addition: Any hydrocarbon discharges shall be properly reported to COGCC, and remediated according to COGCC requirements in all cases. Reportable hydrocarbon discharges shall also be reported to the Windsor Local Government Designee (LGD).

Staff comment: No hydrocarbon discharges are allowed from any oil and gas site in Colorado. If any discharge occurs, the above condition describes the action that will be taken.

In addition to the Town's standard conditions, staff has included two site-specific conditions of approval. All conditions are included under staff's recommendation.

Relationship to Comprehensive Plan
The application conforms with Chapter 7, Community Facilities and Infrastructure.

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

1. All Planning Commission and staff comments are addressed.
2. The truck hauling route shall remain in accordance with Exhibit A attached hereto, unless otherwise approved by the Town.
3. Truck hauling periods for oversize loads shall avoid before and after school traffic (7:30 a.m. – 8:15 a.m. and 2:45 p.m. - 3:30 p.m.), and avoid peak times of commuter traffic (7:00 a.m. – 8:30 a.m. and 4:30 – 6:00 p.m.).
4. Berms with native grasses (seeding) are installed no later than 60 days after the initial drilling phase is completed.

7. The Town's standard conditions of approval for oil and gas facilities, with amendments, as noted:
1. Prior to the commencement of drilling, the applicant shall submit comprehensive "Drilling and Site Improvement Plans" for review and approval by the Town. Such plans shall address initial drilling activities, initial installation of site improvements and details, and on-going perpetual maintenance of the subject site including, but not limited to, the following:

a. Site access plan. The Drilling and Site Improvement Plans and supplemental information shall address site access points and haul routes for review and approval.
b. Public street clean-up and tracking prevention. The Drilling and Site Improvement Plans and supplemental information shall include a tracking pad for review and approval.
c. Site grading. The Drilling and Site Improvement Plans and supplemental information shall address site grading, including any earth berms for emergency containment.

d. Site lighting. The Drilling and Site Improvement Plans and supplemental information shall include details regarding site lighting fixtures and locations. Security and other site lighting shall utilize full cutoff light fixtures to mitigate light pollution.
e. Temporary screening. The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets. The temporary buffer/sound walls shall enclose the drilling operations to provide screening and noise mitigation barriers in the direction of nearby homes, as appropriate.
f. Permanent screening. Given the close proximity to residential neighbors, the Drilling and Site Improvement Plans shall depict proposed long-term screening materials including landscaping, earth berms and any other screening methods to mitigate visual impacts.
g. Fencing. The Drilling and Site Improvement Plans shall depict fencing of the perimeter of the site. Fencing materials shall be reviewed for approval by the Town based upon the character of the surrounding neighborhood.
h. Oil and gas equipment.

(1) The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties. The applicant shall utilize noise dampening methods consistent with the best management practices (BMPs) utilized in the basin. Such methods include, but are not limited to, sound walls, blankets, and other noise mitigation installed at the source of any equipment creating such noise. Noise mitigation methods known as “Quite Fleet Technology,” utilized by Liberty Oilfield Services, shall be used as examples of BMPs to be replicated.

(2) The applicant shall ensure that the wells and tanks are of the minimum size required to satisfy present and future functional requirements to mitigate visual impacts.

(3) Low profile tanks shall be utilized and shall be installed in the least visible manner possible.

(4) All tanks and equipment shall be painted to blend-in with the surrounding landscape.

I. Air quality.

(1) The applicant shall participate in any required Environmental Protection Agency (EPA) air quality monitoring and/or testing by allowing EPA to install equipment on site for said monitoring and testing.

(2) The applicant shall install and operate an emissions control device (ECD) capable of reducing Volatile Organic Compound (VOC) emissions on the subject oil and gas equipment in accordance with Colorado Oil and Gas Conservation Commission (COGCC) and/or the Colorado Department of Public Health and Environment (CDPHE) rules and regulations.

(3) The applicant shall submit to the Town copies of the Colorado Regulation 7 XII annual report, as required by the COGCC and/or the CDPHE’s Air Pollution Control Division.

j. Water quality.

(1) The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements. Any hydrocarbon discharges shall be properly reported to COGCC, and remediated according to COGCC requirements in all cases. Reportable hydrocarbon discharges shall also be reported to the Windsor Local Government Designee (LGD).

(2) The applicant shall provide test results from Groundwater Baseline Sampling and Monitoring required by COGCC Rule 318A.e(4) to the Town.

k. Emergency containment. The secondary containment berm surrounding all storage vessels shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel located within the containment area or to State of Colorado standards, whichever requirements are more stringent.

l. Waste disposal. The applicant shall submit to the Town copies of all waste management reports, as required by the COGCC and/or the CDPHE rules and regulations.

m. The following certification blocks shall be included on the Drilling and Site Improvement Plans:
(1) A signed owner's acknowledgement certification block.
(2) A signed drilling operator's acknowledgement certification block.

n. The following notes shall be included on the Drilling and Site Improvement Plans:

a) The applicant shall comply with all rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC).
b) The applicant shall comply with all rules and regulations of the Colorado Department of Public Health and Environment (CDPHE).
c) The applicant shall maintain on-going compliance with all conditions of the Town and Windsor-Severance Fire Rescue.
d) The facilities shall be kept clean and otherwise properly maintained at all times.
e) If access to the site is proposed from a Town of Windsor street, such access point(s) shall require approval from the Town of Windsor Engineering Department and any required access improvements, street clean-up, tracking pads, etc., shall be addressed accordingly.

2. The applicant shall address and comply with the conditions of Windsor-Severance Fire Rescue.

Attachments Exhibit A – hauling route
Application materials
Neighborhood meeting notes
PowerPoint presentation

Mr. Schick asked Mr. Owens if he had an additional presentation for the Otis Pad.
Mr. Owens stated; No.

Mr. Bushelman asked Ms. Malone if the Windsor / Severance Fire Department memo would be included as a requirement for the permit.

Ms. Malone stated; Yes, that's a requirement that there comments are addressed. It was noted that some of the standards for these facilities have changed.

Mr. McCargar informed the Chair that the comment from the applicant's representative may have not made it into the record and recommended that he step forward, and identify his request, and confirm that his presentation is identical to his prior presentation.
Mr. Schick asked Mr. Owens to step to the podium.
Mr. Owens confirmed that his presentation would be exactly the same outside of a different site name and location.

Mr. Schick asked if there were any additional comments or questions from the commission.

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

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

4. Recommendation to Town Board – Conditional Use Grant Extension – Otis Oil & Gas Pad – Extraction Oil & Gas, applicant; Jeff Annable, Project Manager, applicants representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

Mr. Schick asked if there were any additional comments or questions from the commission.

Mr. Tallon moved to approve the conditional use grant extension with the following conditions recommended by staff; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Tallon, Dennison, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

D. COMMUNICATIONS

1. Communications from the Planning Commission
    - None
2. Communications from the Town Board liaison
    - None
3. Communications from the staff

Ms. Malone stated since the last meeting, Senior Planner, Millissa Berry had resigned. The Town is currently recruiting her replacement.

Mr. Ballstadt stated he wanted to draw attention to the three site plan reviews in the packet under communications and, if there were any questions or comments from the Commission.
Ms. Scheuerman stated she isn't seeing an actual site plan for item 3A, only the memo.
Per Mr. Ballstadt he will send an additional email with that information.

Ms. Scheuerman asked Mr. Ballstadt about item B Mash Lab expansion about expansion scheduled to develop east between the existing building and Highland Meadows Parkway.

Mr. Ballstadt stated the expansion will be toward the north of the existing building on the vacant lot.

ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:39 p.m.

_____

Trisha Conway, Deputy Town Clerk

PLANNING COMMISSION
REGULAR MEETING
August 21, 2019 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER
Vice Chairman Tallon 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:

		Victor Tallon
		Kelly Hall
		Cindy Scheuerman
		Jerry Bushelman
		Daniel Foreman
	Town Board Liaison	David Sislowski
Also Present:	Director of Planning	Scott Ballstadt
	Senior Planner	Paul Hornbeck
	Deputy Town Clerk	Trisha Conway

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

3. Public Invited to be heard
Mr. Tallon opened the meeting up for public comment; None

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.

DRAFT

B. CONSENT CALENDAR*

Drafting of the minutes of the August 7, 2019 was not yet complete so there were no items on the Consent Calendar.

C. BOARD ACTION

1. Public Hearing – Final Major Subdivision – Highland Meadows Golf Course 15th Filing – Jon Turner, Colorado 80 Land Holdings, LLC, owner; Jason Sherrill, Landmark Homes, LLC, applicant; Mike Walker, TB Group, applicant's representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

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

Mr. Tallon opened up the public hearing; None

The applicant, Mr. Jason Sherrill. Landmark Homes, LLC, has submitted a final major subdivision plat, known as Highland Meadows Golf Course Fifteenth Filing. The proposal is a replat of Lot 1 Block 17 of Highland Meadows Golf Course Subdivision 11th Filing and Lot 8 of the Highland Meadows Golf Course Subdivision 8th Filing.

Per Mr. Hornbeck this application is in accordance with Chapter 16, Article XXXI of the Municipal Code. The site is located west of Highland Meadows Parkway between Colonial Drive and Crooked Stick Drive in the Highland Meadows Golf Course Subdivision. The site is zoned RMU (Residential Mixed Use).

The subject subdivision encompasses approximately 16 acres and is zoned Residential Mixed Use (RMU). The associated site plan of the project proposes 100 2-story townhomes with attached two-car garages, a clubhouse, and landscape areas. Access is provided from two full access intersections with Highland Meadows Parkway and cross access to the properties to the north and south.

Preliminary Plat characteristics (please see project presentation for plat):

- 100 townhome lots on 6.8 acres
    - 6.4 dwelling units / acre
- 8.9 acre Tract A containing clubhouse site, streets, utility corridors, and landscaping

Parking is provided at 4 spaces per unit. 200 spaces are provided in the attached 2-car garages and 200 in the driveways. Additional parking spaces for guests may be provided at convenient locations throughout the development.

Building materials consist of a combination of horizontal and straight-edge shingle siding, and stone veneer to provide variety and interest. Accents include manufactured stone jack arches over windows and front porches. The roof will be

composition shingles. The architecture will continue the high-quality architecture consistent with the other multifamily buildings in the subdivision.

Each unit is designed to have its own enclosed front yard with landscape and 4' black metal picket fencing.

The applicant held a neighborhood meeting on November 13, 2018, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were approximately 20 neighbors in attendance. Please see the enclosed neighborhood meeting notes for discussion topics.

The application is consistent with the following goals and objectives 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.

Objectives:

- Prioritize new growth in areas currently served by the Town infrastructure and services.
- Incentivize infill development to complete neighborhoods and leverage existing resources.

Chapter 5c – Residential Areas Framework
Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Objectives:

- Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

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
A neighborhood meeting was held on November 13, 2018. Notification for this meeting were as follows:

October 17, 2018 – affidavit of mailing to property owner within 300 feet
October 22, 2018 – display ad published in the newspapers

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

August 8, 2019 – property posted with a notification sign
August 9, 2019 – legal notice posted on the Town of Windsor website
August 9, 2019 – legal ad published in the Tribune
August 8, 2019 – affidavit of letters mailed to the adjacent property owners

Recommendation
Staff recommends that the Planning Commission forward to Town Board a recommendation of approval of the final major subdivision as presented subject to all remaining Planning Commission and staff comments shall be addressed.

Attachments
Application Materials
PowerPoint presentation
Neighborhood Meeting Summary

Mr. Tallon opened up the meeting for public comment.

Mr. Mike Schroder, 5919 Bromborough Drive, Windsor, addressed the Planning Commission stating his desire for further setback, earth mounding in the easements, tree landscaping, revised color pallets to match neighboring projects with exterior colors such as browns, neutrals, and incorporating more pleasant stone work. Main road traffic issues off of Highland Meadows Parkway, diverting that traffic onto Crooked Stick, and continuing the tree line north and south along the sidewalks giving a buffer to the single story homes.

Mr. Matt Thompson, 6332 Pumpkin Ridge Drive #3, Windsor, addressed the Planning Commission stating he would like to see consistency, parking is a concern, and trees surrounding the lake area.

Mr. Jon Turner 6379 Crooked Stick Drive, Windsor, addressed the Planning Commission stating this property is bounded on the west by a regional gas line, and to the east by a fiber optic line. Mr. Turner stated there is a buffer of landscaping 75 – 80 feet from the nearest property line. The landscaping proposed towards the west was delayed due to infrastructure costs. The proposed plat is much lower density than what was approved with the master plan, and the units are nicer with a higher price point compared to the proposed master plan.

Ms. Hall asked Mr. Turner about landscaping delays due to infrastructure costs. Mr. Turner stated his agreement with the Town requires that he build all of the roads, storm, drainage, and sidewalks. There was no development at that time, and he didn't have a way to maintain landscaping. When the east side was developed we landscaped that which has a significant landscaping buffer. The Town has a landscape plan which is included in the packet for the west side.

Mr. Sherrill Landmark Homes displayed the proposed landscape plan along Highland Meadows Parkway with tree placement. The elevations of the townhomes for every 4 units is a ranch style, 2 - 2-story units, and a 1.5 story unit. The product of the townhomes being built are a step-up in price, square footage, and the garages are bigger. There are 100 units with 400 parking spaces for these units, all with 2 car garage options. Mr. Sherrill displayed renderings of the front perspective of the townhomes showing the color pallet in neutral colors.

Mr. Mike Schroder, 5919 Bromborough Drive, Windsor addressed the Planning Commission stating the renderings address his color pallet concerns, but some of the homes buffer right to the sidewalk on the west side looking directly into the townhomes. Mr. Schroder requested clarification on why traffic cannot be diverted onto Crooked Stick vs. Highland Meadows Parkway which is being used for people riding bikes and walking dogs.

Mr. Sherrill presented the landscape plan showing a significant setback on the west side. Traffic on Highland Meadows Parkway has been master planned and it is a collector that is designed to handle this volume of traffic.

Mr. Matt Thompson, 6332 Pumpkin Ridge Drive #3, Windsor, addressed the Planning Commission requesting clarification on one of the proposed buildings.

Mr. Sherrill stated that's going to be a clubhouse for everyone in the Highland Meadows Metro District.

Mr. Bushelman moved to close the public hearing; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas – Tallon, Hall, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

2. Recommendation to Town Board – Final Major Subdivision – Highland Meadows Golf Course 15th Filing - Jon Turner, Colorado 80 Land Holdings, LLC, owner; Jason Sherrill, Landmark Homes, LLC, applicant; Mike Walker, TB Group, applicants representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

Mr. Tallon inquired if Mr. Hornbeck had anything additional to add.

Mr. Hornbeck; No, nothing further.

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

3. Recommendation to Town Board – Final Major Subdivision – Highland Meadows Golf Course 15th Filing - Jon Turner, Colorado 80 Land Holdings, LLC, owner; Jason Sherrill, Landmark Homes, LLC, applicant; Mike Walker, TB Group, applicants representative.
    - Quasi-judicial
    - Staff presentation: Carlin Malone, Chief Planner

Mr. Tallon opened up the public hearing

The applicant, Mr. Jason Sherrill. Landmark Homes, LLC, has submitted a final site plan for the Vernazza Townhome development planned for the Highland Meadows Golf Course Fifteenth Filing. The subject site plan encompasses approximately 16 acres and is zoned Residential Mixed Use (RMU). The site plan proposes 100 2-story townhomes with attached two-car garages, a clubhouse, and landscaped areas. Access is provided from two full access intersections with Highland Meadows Parkway and cross access to the properties to the north and south.

Per Mr. Hornbeck this application is in accordance with Chapter 17, Article VII of the Municipal Code. These lots were previously platted with the Highland Meadows Golf Course Subdivision Eighth and Eleventh Filings. The 15.67-acre project is located west of Highland Meadows Parkway between Colonial Dr. and Crooked Stick Dr. in the Highland Meadows Subdivision.

Overall site plan development characteristics (please see project presentation for site plan):

- 100 townhome lots on 6.8 acres
- 25 four-unit buildings
- 6,730 sf footprint for each building
- Small private front yard per unit

Building height: varied roof line; tallest point approximately 30'

- 8.9 acre Tract A
- Clubhouse (2,347 sf)
- Internal streets / access
- Utility corridors
- Landscaping
- 66.38 dwelling units / acre
- 4 parking spaces per unit (2 garage, 2 driveway) – 400 total
    - Plus 62 guest parking spaces throughout development including clubhouse parking lot (17 stalls)
- Building materials: stucco stone veneer, and board and batten siding
- 2,347 sf clubhouse with pool and dedicated parking spaces
- Building setbacks from Highland Meadows Parkway between 58 feet an 126 feet
- 15'+ landscape buffer along Highland Meadows Parkway per Highland Meadows Golf Course Development Agreements
- Trail connections through site, to clubhouse, and boardwalk

The Highland Meadows Golf Course Tract H Master Plan 3rd Amendment established the land use and densities for the area. The Master Plan shows a mix of 62 patio homes (Lot 17) and 110 multifamily units (Lot 8). The current proposal has 100 units overall for both lots. Access for the properties was also established with the Master Plan with the access from the western extension of Crystal Downs Drive and also along the south edge of Lot 8 onto Highland Meadows Parkway.

The application is consistent with the following goals and objectives 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.

Objectives:

- Prioritize new growth in areas currently served by the Town infrastructure and services.
- Incentivize infill development to complete neighborhoods and leverage existing resources.

Chapter 5c – Residential Areas Framework
Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Objectives:

- Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

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
Notifications are not required for preliminary site plan review.

Recommendation
Staff recommends that the Planning Commission forward a recommendation of approval of the final site plan to the Town Board as presented subject to all remaining Planning Commission and staff comments being addressed on the final site plan.

Attachments
Application Materials
PowerPoint presentation

Ms. Hall asked Mr. Hornbeck about the setbacks being disclosed at 60 – 120 feet off of Highland Meadows Parkway.
Per Mr. Hornbeck; Yes off of Highland Meadows Parkway.

Mr. Bushelman moved to approve the Final Major site plan following any additional recommendations by staff; Ms. Scheuerman seconded the motion. Roll call on the vote resulted as follows; Yeas – Tallon, Hall, Scheuerman, Bushelman, Foreman; Nays – None; Motion carried.

D. COMMUNICATIONS

1. Communications from the Planning Commission
   - Ms. Scheuerman stated she won't be present at the September 4th meeting.
   - Mr. Bushelman stated he will be out for several weeks following tonight's meeting due to surgery.
2. Communications from the Town Board liaison
   - None
3. Communications from the staff
   - Mr. Ballstadt introduced the new alternate Planning Commission member in attendance: Mr. Timothy Reddick
   - Mr. Sislowski discussed Monday, September 26th Work Session @ 6:00 1st Floor Conference Room, and the update on SH 392 / SH 257 Network Feasibility Study – CDOT.

ADJOURN
Upon a motion duly made, the meeting was adjourned at 7:30 p.m.

_____
Trisha Conway, Deputy Town Clerk

MEMORANDUM

Date: September 18, 2019
To: Planning Commission
From: Scott Ballstadt, Director of Planning
Re: Final Major Subdivision – Water Valley South 27th Filing – Gary Kerr, Trollco, Inc., owner/applicant; John Meyers, TST, INC. Consulting Engineers, applicant's representative
Location: NE corner of New Liberty Road and 7th Street
Items #: C.1

Background / Discussion

The applicant, Gary Kerr, Trollco, LLC, has submitted a preliminary major subdivision plat, known as Water Valley South 27th Filing. The proposal is the replat of Tract F of the Water Valley South Subdivision. The site is located directly northeast of the intersection of New Liberty Road and 7th Street.

The subject subdivision encompasses approximately 17.33 acres and is zoned Residential Mixed Use (RMU). The proposal is for 70 patio home lots, one clubhouse lot, and associated open space and access. The platting will allow for individual ownership of the patio home lots. The remaining property will be managed by a metro district.

Preliminary Plat characteristics (please see project presentation for plat):

- 17.33 acres
- Residential Mixed Use Zone (RMU)
- 70 patio home lots (covering 6.64 acres)
- 7.84 acres of open space/drainage/access and utility easement
- Clubhouse lot

The applicant held a neighborhood meeting on March 27, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were three neighbors in attendance, all with general questions about the development.

Relationship to Comprehensive Plan

The application is consistent with the following goals and objectives 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.

Objectives:

- Prioritize new growth in areas currently served by the Town infrastructure and services.
- Incentivize infill development to complete neighborhoods and leverage existing resources.

Chapter 5c – Residential Areas Framework

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

- Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

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

A neighborhood meeting was held on March 27, 2019. Notifications for this meeting were as follows:

- March 13, 2019 – display ad published in the newspapers
- March 14, 2019 – affidavit of mailing to property owners within 300 feet

Notice of public hearings scheduled before Planning Commission (9/18/19) and Town Board (9/23/19) were published in the newspaper, posted on the website and Town Hall bulletin board, and a sign was posted on the property in accordance with the Municipal Code. Notice of these public hearings was also mailed to property owners within 300 feet.

Recommendation

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision as presented subject to all remaining Planning Commission and staff comments being addressed and the development agreement being executed.

Attachments

Application Materials
PowerPoint presentation

cc: Gary Kerr, applicant
John Meyers. applicant's representative

APPLICATION PACKET
MAJOR SUBDIVISION

The following checklist is intended to provide an outline for applicants to ensure a complete submittal and to avoid processing delays due to inadequate information. Land use applications shall include all items listed in the following checklist. If an item is not checked as included in the submittal, a detailed narrative statement outlining reasons why the item has not been submitted shall be included. Lack of such statement or required item shall constitute an incomplete submittal and shall be rejected by the Town. Please review Chapter 17 Article IV of the *Town of Windsor Municipal Code* for complete application requirements.

1 APPLICATION SUBMITTAL REQUIREMENTS:

Planning Department Checklist	Applicant Checklist	
☐	☐	Completed checklist. Items not checked are explained in the narrative
☐	☐	Completed Land Use Application (attached)
☐	☐	Application fee consistent with the Town of Windsor *Fee Schedule*
☐	☐	A detailed narrative description of special considerations *(phasing, landscaping, infrastructure, and variations from Town requirements)*
☐	☐	A deed or legal instrument identifying the applicant's interest in the property
☐	☐	All required drawings and supportive information per the Municipal Code
☐	☐	All submittals shall follow the Town's *Submittal Requirements* and *File Naming Conventions* available from the Planning Department
☐	☐	List of proposed street names. All newly proposed streets in the Town must be uniquely named, regardless of suffix. Please see: www.larimer.org/streets
☐	☐	Applicant acknowledges and agrees to comply with § 24-65.5 of Colorado Revised Statute pertaining to public hearing notices and mineral owners notifications

2 PRELIMINARY MAJOR SUBDIVISION REQUIREMENTS:

Planning Department Checklist	Applicant Checklist	
☐	☐	Drawing dimensions shall be twenty-four by thirty-six (24x36) inches. All drawings shall be made with an engineer's scale, minimum scale to be one (1) inch represents fifty (50) feet; exception for subdivisions which propose a minimum lot size of one (1) acre or greater where the minimum scale shall be one (1) inch represents one hundred (100) feet
☐	☐	Date of preparation, the scale, a symbol designating true north and zoning
☐	☐	Vicinity map
☐	☐	Name of the subdivision on all drawing sheets *(contact Planning)*
☐	☐	Legal description *(township, range, section, lot, block, subdivision)*
☐	☐	Names, addresses and phone numbers of the applicant and firms or persons responsible for preparing the drawing
☐	☐	Applicant revisions block *(includes fields for date, initials, description)*
☐	☐	Appropriate *certification blocks* as provided by the Planning Department

2 PRELIMINARY MAJOR SUBDIVISION REQUIREMENTS cont.:

Planning Department Checklist	Applicant Checklist	
☐	☐	The location and dimensions of all existing and proposed utilities, streets, alleys, easements, rights-of-way and watercourses within and adjacent to the subdivision; and the names of all such features
☐	☐	Land Use Table including square footage, acreage, percentages, zoning and the use of all parcels, lots, tracts and outlots; and public and private rights-of-way;
☐	☐	The lot numbers, approximate dimensions and the total lots devoted to each zone district on the plat
☐	☐	Designation of any area subject to flooding and adequate easements for flood control
☐	☐	Traffic study and traffic control plan prepared by a licensed engineer
☐	☐	Preliminary utility drawings. Such plans shall include, but not limited to, existing and proposed facilities and utility lines, sizes and appurtenances, storm drainage facilities, etc. Appurtenances shall include valves, fire hydrants, manholes, etc.
☐	☐	Preliminary drainage plan and report
☐	☐	Soils report including soil types and limitations
☐	☐	Description and location of any hazardous areas (i.e. floodplain, geological, topographical, etc.) on the subject property and proposed remedial features
☐	☐	Topographical map with two-foot contour intervals
☐	☐	Landscape plan for public rights-of-way, per the Town's *Tree and Landscape Standards*
☐	☐	Preferred method of water rights dedication; total acreage, lot-by-lot or by phase

3 FINAL MAJOR SUBDIVISION ADDITIONAL REQUIREMENTS:

Planning Department Checklist	Applicant Checklist	
☐	✔	All drawings and requirements outlined within the Preliminary Major Subdivision Requirements in Section 2 above; plus:
☐	✔	Complete street plans and profiles; drainage plans and profiles; sanitary sewer plans and profiles; water main plans with grades and sizes indicated; overlot and final grading plans
☐	✔	Final drainage plan and report
☐	✔	Final utility plans
☐	✔	Design soil test results and corresponding location map
☐	✔	Final boundary closure calculations for the exterior subdivision boundary and for each individual lot prepared by a licensed civil engineer or land surveyor
☐	✔	A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred
☐	✔	All bearings, distances, chords, radii, central angles and tangent lengths for all lots, blocks, perimeters, easements and rights-of-way
☐	✔	The location and physical description of all monuments

Town of Windsor – Planning Department
301 Walnut Street | Windsor, Colorado | 80550 | phone 970-674-2415 | fax 970-674-2456 | www.windsorgov.com

TOWN OF WINDSOR COLORADO

APPLICATION PACKET
LAND USE APPLICATION

1

The Town of Windsor Planning Department reserves the right to reject incomplete submittals, per the application checklist and Municipal Code requirements for all applications. Please submit completed application and materials to planningtechs@windsorgov.com. Staff will review the submittal and advise you of its completeness for processing.

2

APPLICATION TYPE:

- [ ] Annexation
- [ ] Master Plan
- [ ] Rezoning
- [ ] Minor Subdivision
- [ ] Lot Line Adjustment
- [X] Major Subdivision
- [ ] Site Plan

SUBTYPE:

(for Major Subdivisions and Site Plans only)

- [ ] Preliminary
- [X] Final
- [ ] Qualified Commercial/Industrial
- [ ] Administrative

Project Name*: Water Valley South Subdivision, Twenty-fourth Filing

Legal Description*: Water Valley South Subdivision, Tract F

Address/Location*: 7th Street and New Liberty Way

Existing Zoning: RMU **Proposed Zoning:** RMU

3

OWNER:

Name(s)*: Gary Kerr

Company: Trollco, Inc.

Address*: 1625 Pelican Lakes Point, Suite 201, Windsor, CO 80550

Phone #*: (970) 686-5828 Email*: dbennett@watervalley.com

APPLICANT *(Owner or Owner's Representative)*:

Name*: Gary Kerr

Company: Trollco, Inc.

Address*: 1625 Pelican Lakes Point, Suite 201, Windsor, CO 80550

Phone #*: (970) 686-5828 Email*: dbennett@watervalley.com

AUTHORIZED REPRESENTATIVE:

Name: John Meyers

Company: TST, Inc., Consulting Engineers

Address: 748 Whalers Way, Fort Collins, CO 80525

Phone #: (970) 226-0557 Email: jmeyers@tstinc.com

4

All correspondence will only be sent to those listed above. It is the sole responsibility of those listed to distribute correspondence to other applicable parties.

I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

Signature: Gary Kerr **Date:** 4/29/19

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

Print Name: Gary Kerr, C.F.O., Trollco, Inc.

**Required fields*

TST, INC. CONSULTING ENGINEERS

April 30, 2019

Pelican Shores Neighborhood – Project Narrative
Project No. 1236.0001.00

The Pelican Shores Neighborhood is a water front community with open space areas on the water and improved pedestrian connections to Windsor and Water Valley. This project is concepted as a zero-maintenance neighborhood, a separate HOA will be responsible for all of the landscaping, snow removal, and maintenance of all common features. New residents will enjoy access to all of the Water Valley Amenities, in addition to care free living with spectacular views.

The Pelican Shores project is located on Track F of the Water Valley South Subdivision. It is located on the east side of 7th Street and on the north side of the New Liberty Drive round a bout.

The project intent is to construct 1 and 2-story, single-family, detached buildings on the 17.33-acre site. The site consists of 70 buildings envelopes, with the remainder dedicated as blanket access, utility, and drainage easements. There is a total of 70 units with an overall density of 4.01 DU/AC. Based on the current site plan, total parking required at 2.0/DU would be 140 spaces. Each unit provides 2 garage parking spaces, 2 driveway parking spaces and additional on-street parking is provided on all streets. The current zoning of the site is RMU.

Access to the site is provided via a new limited access point on 7thSt and the northern leg of the existing round a bout on New Liberty Drive. New ROW is dedicated throughout the site, utilizing the Town's new local cross section.

Items not include with the Major Subdivision Application are Street Names, Traffic Impact Study (TIS) and preferred water rights dedication. Street names will be forthcoming upon approval from owner. The Water Valley Master TIS called for a higher density in this area, so no update to the Master Report is required. Finally, the preferred water rights dedication is per the Water Valley Master Development Agreement.

If there are any questions, concerns, or if additional information is required please feel free to contact me.

Sincerely,

TST, INC. CONSULTING ENGINEERS

Brian Williamson

bwilliamson@tstinc.com

748 Whalers Way
Suite 200
Fort Collins, CO 80525
970.226.0557 main
970.226.0204 fax

ideas@tstinc.com
www.tstinc.com

WATER VALLEY SOUTH TWENTY-SEVENTH SUBDIVISION

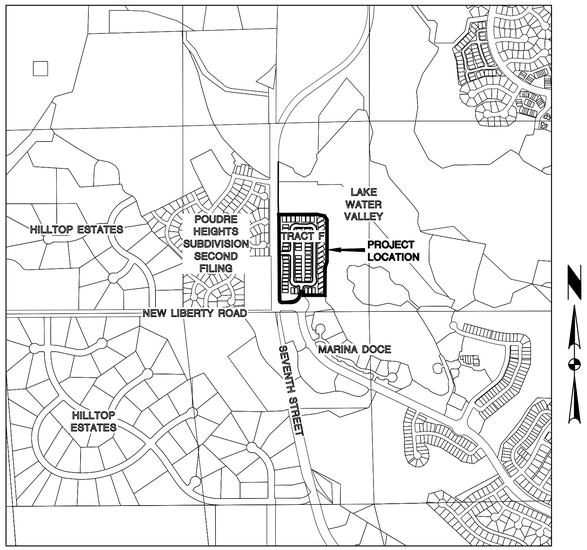
BEING A REPLAT OF TRACT F, WATER VALLEY SOUTH SUBDIVISION, SITUATE IN SECTION 29, TOWNSHIP 6 NORTH, RANGE 67 WEST, OF THE 6TH P.M; TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO

OWNER:

TROLLCO INC
MARTIN LIND
1625 PELICAN LAKES POINT, SUITE 201
WINDSOR, COLORADO 80550
(970) 686-5828

ENGINEERING & SURVEYING:

TST, INC. CONSULTING ENGINEERS
JOHN MEYERS JR
748 WHALERS WAY, SUITE #200
FORT COLLINS, CO 80525
(970) 226-0557



VICINITY MAP

1" = 1,000'

TOTAL LOTS	TOTAL TRACTS	ZONING
71	3	RMU

DESCRIPITION OF LAND USE				ZONING	SIZE (AC.)	PERCENTAGE (%) TOTAL	O & M RESPONSIBILITY
LOTS	1 - 70	BLOCK 1	SINGLE FAMILY RES.	RMU	6.58	37.94%	OWNER
LOT	71	BLOCK 1	CLUBHOUSE	RMU	0.08	0.45%	HOA
TRACTS A-C - OPEN SPACE & DRAINAGE, ACCESS, AND UTILITY EASMENT				RMU	7.92	45.68%	HOA
RIGHT-OF-WAY					2.76	15.93%	TOWN
TOTAL					**17.33**	**100.00%**	

BASIS OF BEARING STATEMENT

THE NORTH LINE OF TRACT F, WATER VALLEY SOUTH SUBDIVISION, AS SHOWN HEREON IS ASSUMED TO BEAR N89°33'53"E.

SURVEYOR CERTIFICATE

I CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

DATED THIS_____DAY OF_____, 20__.

COLORADO LICENSED
CHAD R. WASHBURN
37963
PROFESSIONAL LAND SURVEYOR

CHAD R. WASHBURN
PROFESSIONAL LAND SURVEYOR
COLORADO LICENSE NO. 37963
FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC

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 HEREIN, HAVE CAUSED SUCH LAND TO BE SURVEYED AND SUBDIVIDED INTO LOTS, TRACTS, AND STREETS AND TO THE EXTENT APPLICABLE DO HEREBY DEDICATE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, AND UTILITY EASEMENTS, IF ANY, AS INDICATED HEREON UNDER THE NAME OF WATER VALLEY SOUTH, TWENTY-SEVENTH SUBDIVISION, SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY NOW OF RECORD OR EXISTING OR INDICATED ON THIS PLAT. IN COMPLIANCE WITH THE TOWN OF WINDSOR SUBDIVISION REGULATIONS AND BY CONTRACTUAL AGREEMENT, THE LANDOWNERS SHALL BEAR ALL EXPENSES INVOLVED IN IMPROVEMENTS.

OWNER: TROLLCO INC.

MARTIN LIND, PRESIDENT

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE____DAY OF _____, 20

_____
NAME TITLE

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____,

THIS_____DAY OF_____, 20__.

MY COMMISSION EXPIRES_____ NOTARY PUBLIC_____

LIENHOLDER: ADVANTAGE BANK

BY

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE____DAY OF _____, 20

_____
NAME TITLE

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

BY _____,

THIS_____DAY OF_____, 20__.

MY COMMISSION EXPIRES_____

NOTARY PUBLIC_____

VACATION STATEMENT

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, BEING SOLE OWNER(S) OF THE LAND DESCRIBED HEREIN, AND AS SHOWN ON THE ATTACHED MAP DO HEREBY VACATE ALL PREVIOUS PLATTING OF THE ABOVE DESCRIBED PARCEL OF LAND.

OWNER: TROLLCO INC.

MARTIN LIND, PRESIDENT

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE____DAY OF _____, 20

_____
NAME TITLE

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____,

THIS_____DAY OF_____, 20__.

MY COMMISSION EXPIRES_____ NOTARY PUBLIC_____

LIENHOLDER: ADVANTAGE BANK

BY

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS

THE____DAY OF _____, 20

_____
NAME TITLE

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____)ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

BY _____,

THIS_____DAY OF_____, 20__.

MY COMMISSION EXPIRES_____

NOTARY PUBLIC_____

LEGAL DESCRIPTION

A REPLAT OF A TRACT OF LAND IN THE TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; SITUATE IN THE SOUTHEAST QUARTER SECTION 29 TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN; AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT F, WATER VALLEY SOUTH SUBDIVISION, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER ON MAY 7, 2004 UNDER RECEPTION NO. 3178243.

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT A MAJOR SUBDIVISION PLAT OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY RESOLUTION NO.

OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THIS THE_____DAY OF_____, 20__, A.D. AND THAT THE MAYOR OF THE

TOWN OF WINDSOR, AS AUTHORIZED BY SAID RESOLUTION ON BEHALF OF THE TOWN OF WINDSOR, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID

MAJOR SUBDIVISION PLAT UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

_____ ATTEST:_____
MAYOR TOWN CLERK

EASEMENT APPROVAL

UTILITY EASEMENTS ARE ADEQUATE AS SHOWN AND ARE HEREBY APPROVED.

_____ _____
TOWN OF WINDSOR PUBLIC WORKS DEPT. XCEL ENERGY

_____ _____
COMCAST CABLE POUDRE VALLEY REA

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

NOTES

1. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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 CERTIFICATION SHOWN HEREON
2. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED IN THE SURVEYOR'S CERTIFICATE IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EXPRESS OR IMPLIED.
3. ALL EXISTING PUBLIC EASEMENTS DEDICATED BY PREVIOUS PLATTING WITHIN THE SUBJECT PROPERTY BOUNDARY ARE HEREBY VACATED AND REDEDICATED AS SHOWN HEREON.
4. FOR ALL INFORMATION REGARDING TITLE, EASEMENTS, RIGHTS-OF-WAY OF RECORD, AND TERMS OR CONDITIONS AFFECTING THIS PROPERTY, TST, INC. CONSULTING ENGINEERS, AND THE SURVEYOR OF RECORD RELIED UPON TITLE COMMITMENT NO. FCC25139301-12 PREPARED BY LAND TITLE GUARANTEE COMPANY EFFECTIVE JUNE 10, 2016 AT 5:00 PM. THIS DOES NOT CONSTITUTE A TITLE SEARCH BY TST, INC. OR THE SURVEYOR OF RECORD.
5. PER C.R.S. 38-51-106, ALL LINEAL UNITS DEPICTED ON THIS SURVEY ARE U.S. SURVEY FEET. ONE METER EQUALS EXACTLY 39.37/12 U.S. SURVEY FEET ACCORDING TO THE NATIONAL INSTITUE OF STANDARDS AND TECHNOLOGY.
6. THE NORTH LINE OF THE PROPERTY AS SHOWN ON THE PLAT OF THE WATER VALLEY SOUTH SUBDIVISION ERRONEOUS. CORRECTION SHOWN HEREON.
7. TRACTS A-C ARE HEREBY DEDICATED AS BLANKET UTILITY, DRAINAGE AND ACCESS EASEMENTS. LANDSCAPING, DRIVEWAYS, & FENCING ARE ALLOWED WITHIN THE LIMITS OF EACH TRACT.

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.

REVISIONS		
BY	DATE	DESCRIPTION

DRAWN T.R.P.
CHECKED J.M.J.
DESIGNED T.R.P.
FILENAME 0001_Plat_Cover

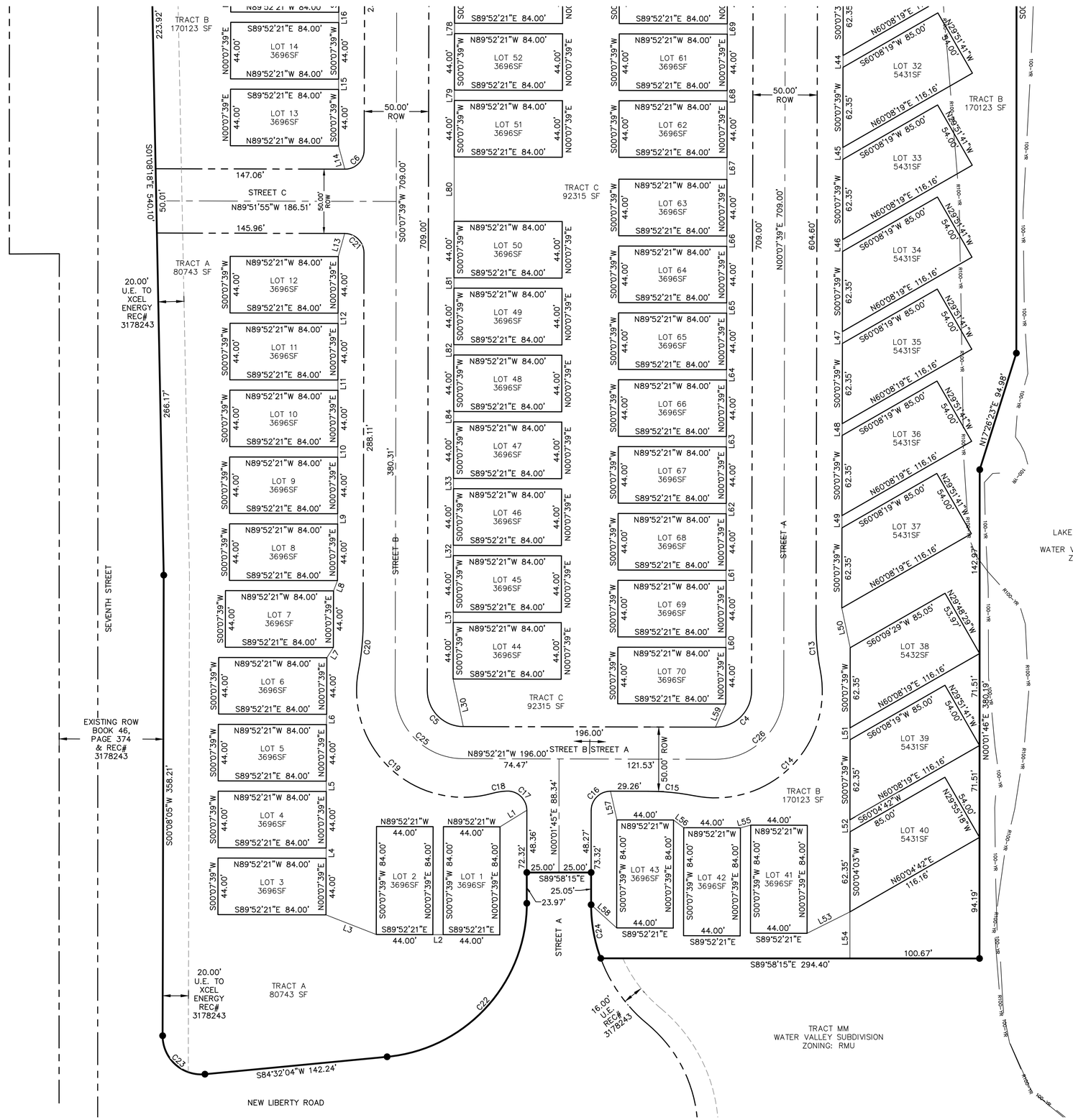
WATER VALLEY SOUTH, TWENTY-SEVENTH SUBDIVISION

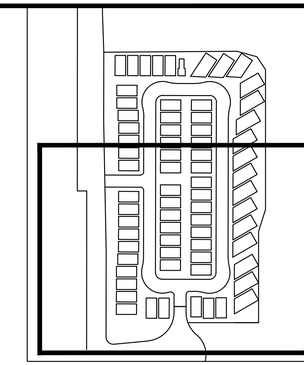
PLAT

Washburn LAND SURVEYING

TST
TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

JOB NO. 1236.0001.00
SCALE
DATE APRIL 30, 2019
SHEET 1 of 4





KEY MAP
N.T.S.

LEGEND

- FOUND ALIQUOT CORNER AS DESCRIBED
- SET #4 REBAR W/ ALUM CAP LS 37963
- PROPOSED LOT LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PLAT BOUNDARY
- PROPOSED ROAD CENTERLINE

scale 1"=40' feet

REVISIONS

BY	DATE	DESCRIPTION

DRAWN T.R.P.
CHECKED J.M.J.
DESIGNED T.R.P.
FILENAME 0001_Plat

COLORADO LICENSED P.E. NO. 44.... PENDING APPROVAL NOT FOR CONSTRUCTION PROFESSIONAL ENGINEER

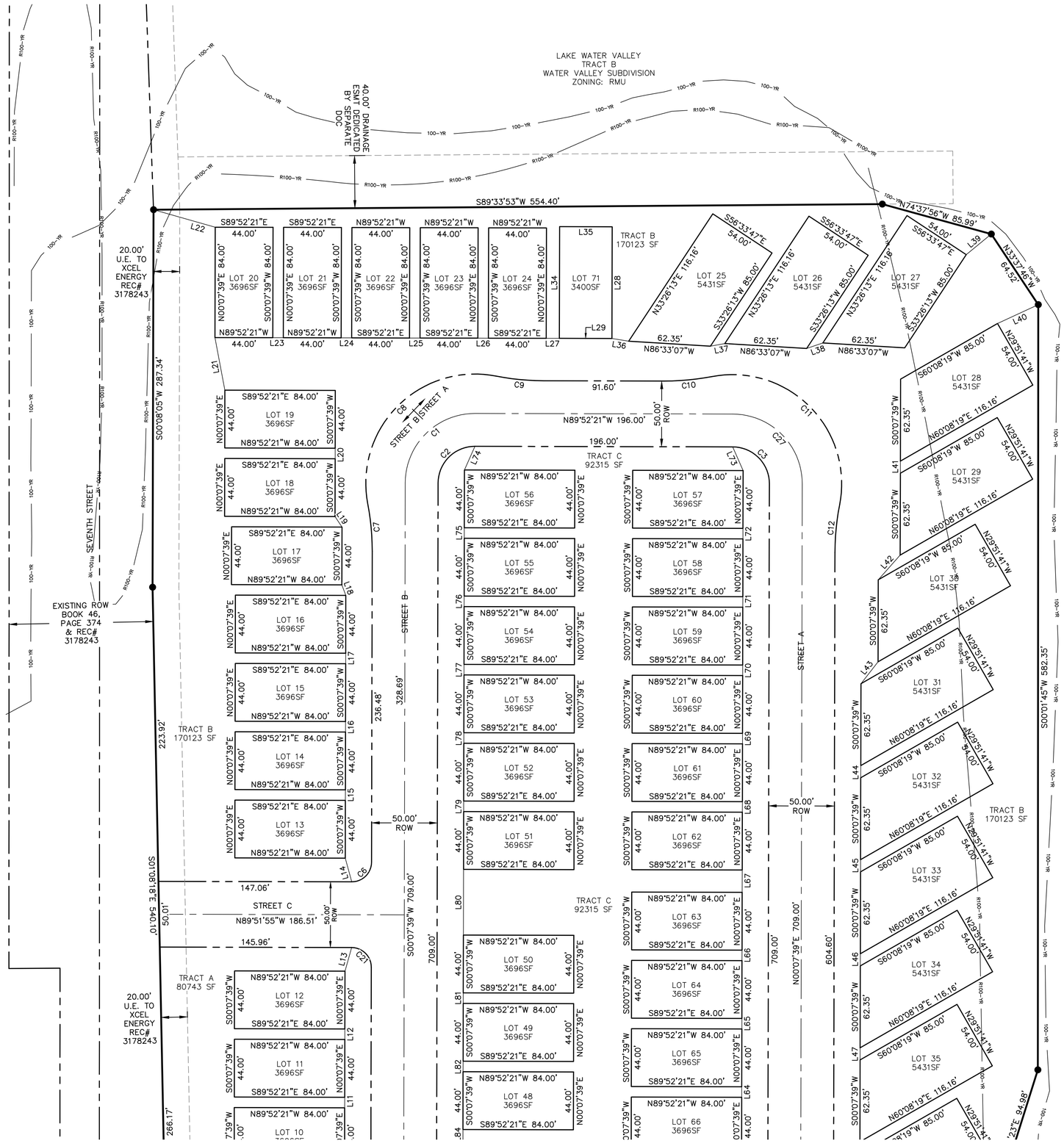
WATER VALLEY SOUTH, TWENTY-SEVENTH SUBDIVISION

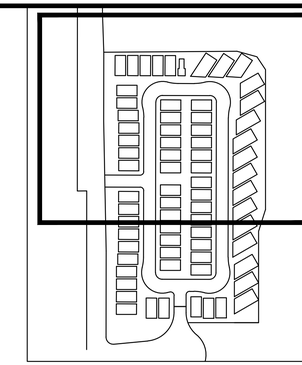
PLAT

Washburn LAND SURVEYING

TST
TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

JOB NO. 1236.0001.00
SCALE 1" = 40'
DATE APRIL 30, 2019
SHEET 2 of 4





KEY MAP
N.T.S.

REVISIONS		
DESCRIPTION	DATE	BY

DRAWN T.R.P.
CHECKED J.M.J.
DESIGNED T.R.P.
FILENAME 0001_Plat

COLORADO LICENSED P.E. APPROVAL PENDING APPROVAL NOT FOR CONSTRUCTION PROFESSIONAL ENGINEER

WATER VALLEY SOUTH, TWENTY-SEVENTH SUBDIVISION

PLAT

LEGEND

- FOUND ALIQUOT CORNER AS DESC
- SET #4 REBAR W/ ALUM CAP LS 37963
- PROPOSED LOT LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PLAT BOUNDARY
- PROPOSED ROAD CENTERLINE

40 0 40 80
scale 1"=40' feet

Washburn LAND SURVEYING

TST
TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

JOB NO. 1236.0001.00
SCALE 1" = 40'
DATE APRIL 30, 2019
SHEET 3 of 4

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	53.00'	83.25'	90°00'00"	S45°07'39"W	74.95'
C2	28.00'	43.98'	90°00'00"	S45°07'38"W	39.60'
C3	28.00'	43.98'	90°00'00"	N44°52'21"W	39.60'
C4	28.00'	43.98'	90°00'00"	N45°07'39"E	39.60'
C5	28.00'	43.98'	90°00'00"	S44°52'21"E	39.60'
C6	15.00'	23.56'	90°00'27"	N45°07'52"E	21.21'
C7	192.00'	36.67'	10°56'33"	N5°20'38"W	36.61'
C8	83.00'	162.08'	111°53'06"	S45°07'39"W	137.53'
C9	192.00'	36.67'	10°56'33"	S84°24'05"E	36.61'
C10	192.00'	36.67'	10°56'33"	N84°39'22"E	36.61'
C11	83.00'	162.08'	111°53'06"	N44°52'21"W	137.53'
C12	192.00'	36.67'	10°56'33"	S5°35'55"W	36.61'
C13	192.00'	36.67'	10°56'33"	S5°20'38"E	36.61'
C14	83.00'	162.08'	111°53'06"	N45°07'39"E	137.53'
C15	192.00'	36.67'	10°56'33"	N84°24'05"W	36.61'
C16	15.00'	23.59'	90°05'53"	S45°04'42"W	21.23'
C17	15.00'	24.29'	92°46'53"	N46°21'34"W	21.72'
C18	52.00'	11.59'	12°45'53"	S80°52'02"W	11.56'
C19	83.00'	168.89'	116°35'06"	S47°13'21"E	141.22'
C20	192.00'	36.67'	10°56'33"	N5°35'55"E	36.61'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C21	15.00'	23.56'	89°59'33"	N44°52'08"W	21.21'
C22	120.00'	176.99'	84°30'19"	N42°16'55"E	161.38'
C23	30.00'	50.06'	95°36'02"	S47°39'55"E	44.45'
C24	120.00'	42.55'	20°18'58"	S10°07'44"E	42.33'
C25	53.00'	83.25'	90°00'00"	S44°52'21"E	74.95'
C26	53.00'	83.25'	90°00'00"	N45°07'39"E	74.95'
C27	53.00'	83.25'	90°00'00"	N44°52'21"W	74.95'

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	24.47	N58°25'41"E
L2	8.00	N89°52'21"W
L3	41.95	N68°38'04"W
L4	8.00	N0°07'39"E
L5	8.00	N0°07'39"E
L6	8.00	N1°31'20"E
L7	9.48	N32°34'33"E
L8	8.58	N21°15'56"E
L9	8.00	N0°07'39"E
L10	8.00	N0°07'39"E
L11	8.00	N0°07'39"E
L12	8.00	N0°07'39"E
L13	18.68	N15°39'29"E
L14	18.68	N15°23'25"W
L15	8.00	S0°07'39"W
L16	8.00	N0°07'39"E
L17	8.00	N0°07'39"E
L18	8.55	N20°32'35"W
L19	9.61	N33°33'05"W
L20	8.00	N0°07'39"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L21	40.72	N10°40'51"W
L22	48.81	N74°09'03"W
L23	8.00	S89°52'21"E
L24	8.00	S89°52'21"E
L25	8.00	S89°52'21"E
L26	8.00	S89°52'21"E
L27	10.00	S89°52'21"E
L28	85.00	N0°07'39"E
L29	40.00	S89°52'21"E
L30	37.85	N12°04'23"W
L31	8.00	N0°07'39"E
L32	8.00	N0°07'39"E
L33	8.00	N0°07'39"E
L34	85.00	S0°07'39"W
L35	40.00	N89°52'21"W
L36	12.87	S80°33'31"E
L37	11.08	N79°38'08"E
L38	13.06	N71°12'12"E
L39	24.64	N50°33'41"E
L40	34.15	S65°09'13"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L41	9.24	S0°07'39"W
L42	25.14	S41°35'10"W
L43	21.19	S37°57'08"W
L44	9.24	S0°07'39"W
L45	9.24	S0°07'39"W
L46	9.24	S0°07'39"W
L47	9.24	S0°07'39"W
L48	9.24	S0°07'39"W
L49	9.51	S0°07'39"W
L50	31.53	S11°55'28"E
L51	9.17	S0°38'15"E
L52	9.27	S0°36'05"E
L53	37.28	S63°30'49"W
L54	36.20	S0°04'03"W
L55	8.28	N75°18'36"E
L56	9.99	S53°06'47"E
L57	22.86	N12°32'17"W
L58	26.80	N47°46'52"W
L59	19.70	S24°05'24"W
L60	8.00	S0°07'39"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L61	8.00	S0°07'39"W
L62	8.00	S0°07'39"W
L63	8.00	S0°07'39"W
L64	8.00	S0°07'39"W
L65	8.00	S0°07'39"W
L66	8.00	S0°07'39"W
L67	17.00	S0°07'39"W
L68	8.00	S0°07'39"W
L69	8.00	S0°07'39"W
L70	8.00	S0°07'39"W
L71	8.00	S0°07'39"W
L72	8.00	S0°07'39"W
L73	19.70	S23°50'06"E
L74	19.70	N24°05'24"E
L75	8.00	N0°07'39"E
L76	8.00	N0°07'39"E
L77	8.00	N0°07'39"E
L78	8.00	N0°07'39"E
L79	8.00	N0°07'39"E
L80	50.00	N0°07'39"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L81	8.00	N0°07'39"E
L82	8.00	N0°07'39"E
L84	8.00	N0°07'39"E

REVISIONS

BY	DATE	DESCRIPTION

DRAWN T.R.P.

CHECKED J.M.J.

DESIGNED T.R.P.

FILENAME 0001_Plat

COLORADO LICENSED
T. E. MCCAY
PENDING APPROVAL
NOT FOR CONSTRUCTION
PROFESSIONAL ENGINEER

WATER VALLEY SOUTH, TWENTY-SEVENTH SUBDIVISION

PLAT

Washburn
LAND SURVEYING

TST
TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

JOB NO. 1236.0001.00

SCALE

DATE APRIL 30, 2019

SHEET 4 of 4

Final Major Subdivision

Water Valley South Subdivision 27th Filing

Pelican Shores

Scott Ballstadt, Planning Director

Planning Commission September 18, 2019

Subdivision

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

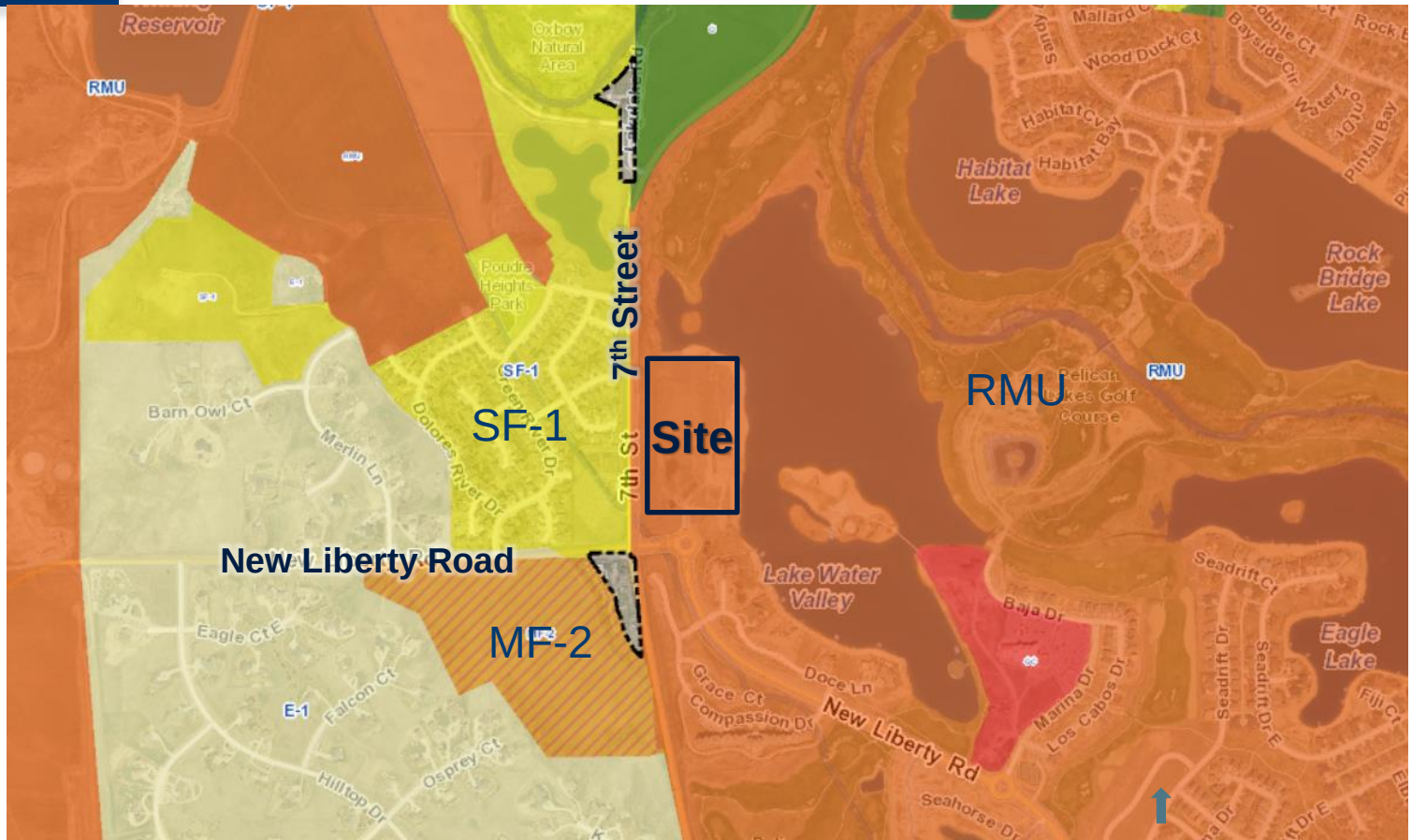
Sec. 17-4-10. Purpose.

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.

Site Vicinity Map

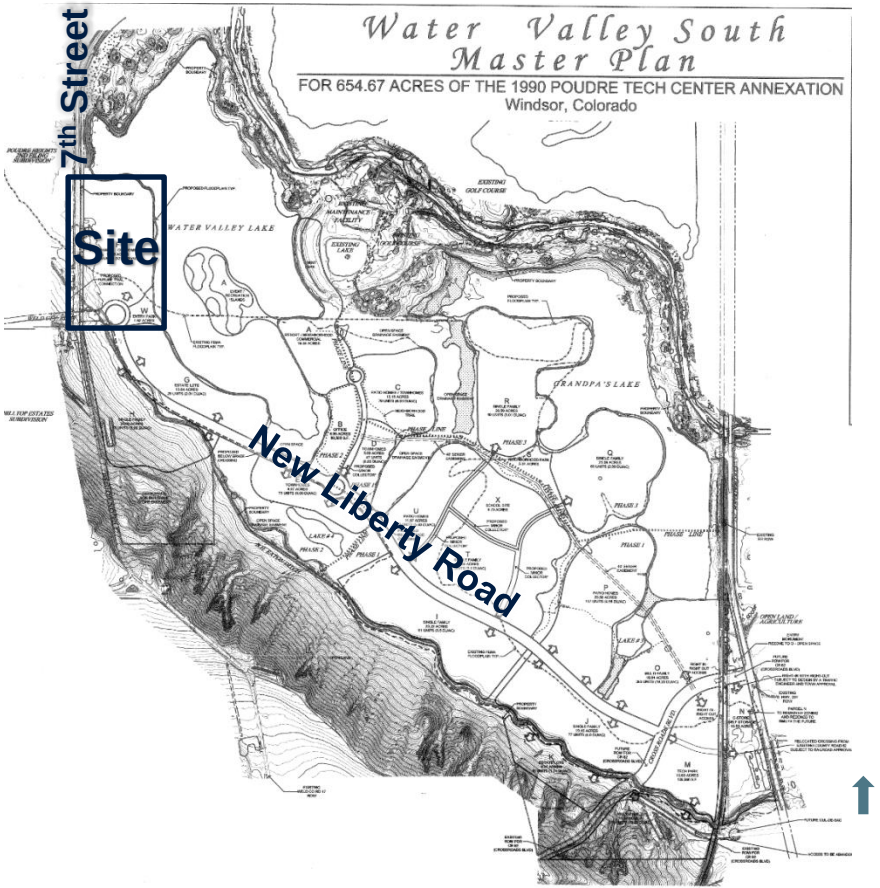
Zoning Map


RMU
Reservoir
Oxbow Natural Area
Poudre Heights Park
SF-1
7th Street
7th St
Site
SF-1
RMU
Habitat Lake
Rock Bridge Lake
Wood Duck Ct
Mallard Ct
Habitat Cv
Habitat Bay
Pintail Bay
Pelican Lakes Golf Course
Barn Owl Ct
Merlin Ln
Dolores River Dr
New Liberty Road
MF-2
Lake Water Valley
Baja Dr
Seadrift Ct
Eagle Lake
Eagle Ct E
Falcon Ct
E-1
Hilltop Dr
Osprey Ct
Grace Ct
Compassion Dr
Doce Ln
New Liberty Rd
Marina Dr
Los Cabos Dr
Seadrift Dr
Seadrift Dr E
Seahorse Dr
Fiji Ct

Master Plan

Water Valley South Master Plan:

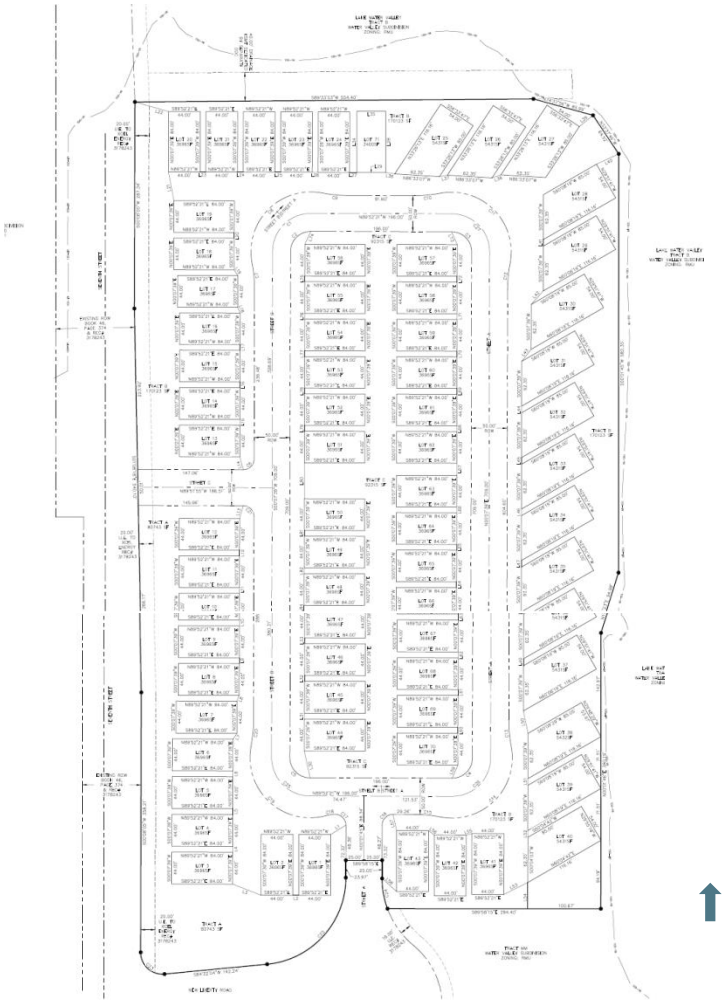
- Multi-family condominiums
- Up to 226 dwelling units on 19.68 acres



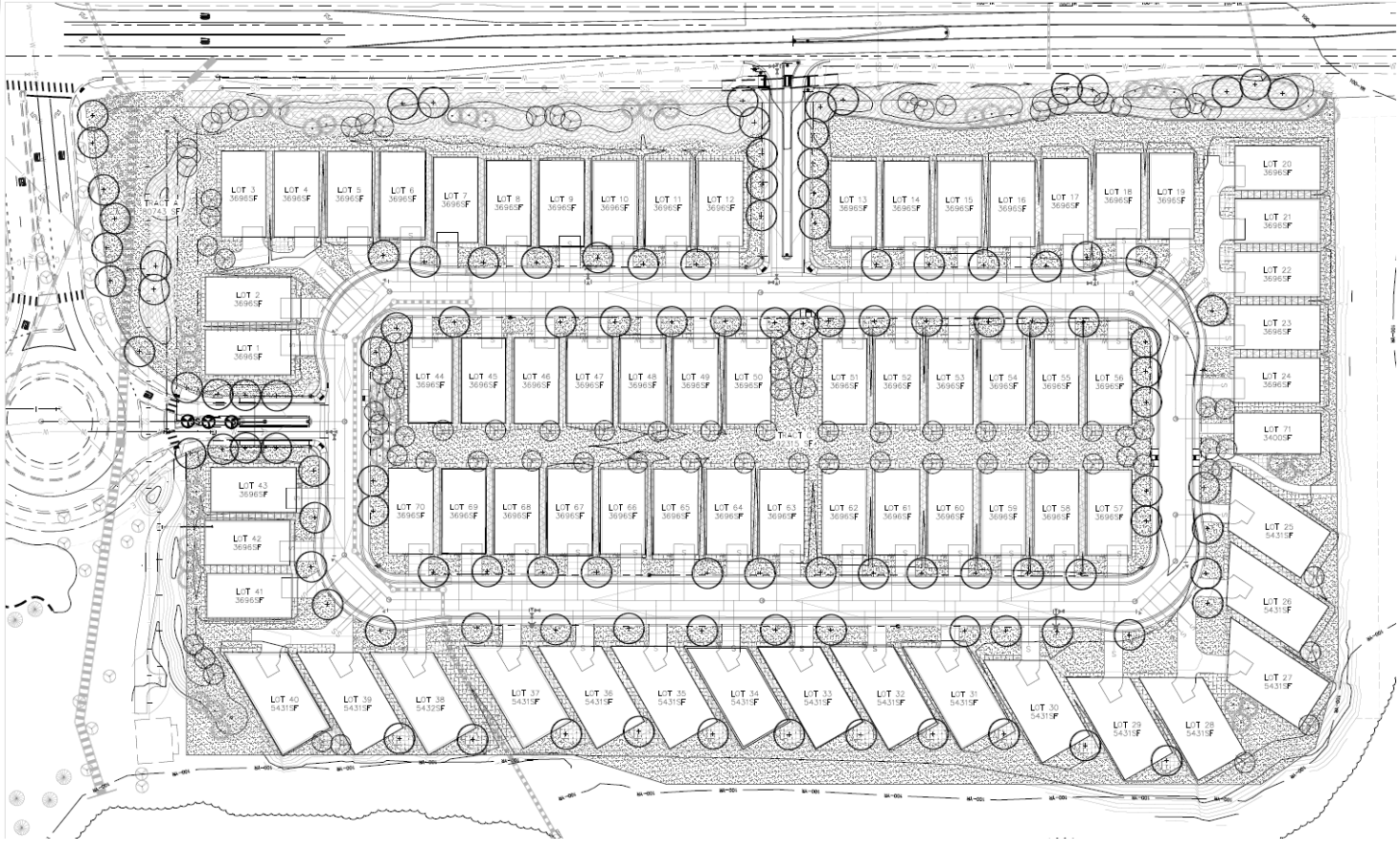
Plat

Plat characteristics:

- 17.33 acres total – 71 lots and open space
  - 6.64 acres for 70 patio home lots
  - Clubhouse lot
  - 7.84 acres common area tracts
    - Landscaping
    - Open space
    - Access drives
    - Utility corridors



Landscape Plan



Comprehensive Plan Conformance

The application is consistent with the following goals and objectives 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

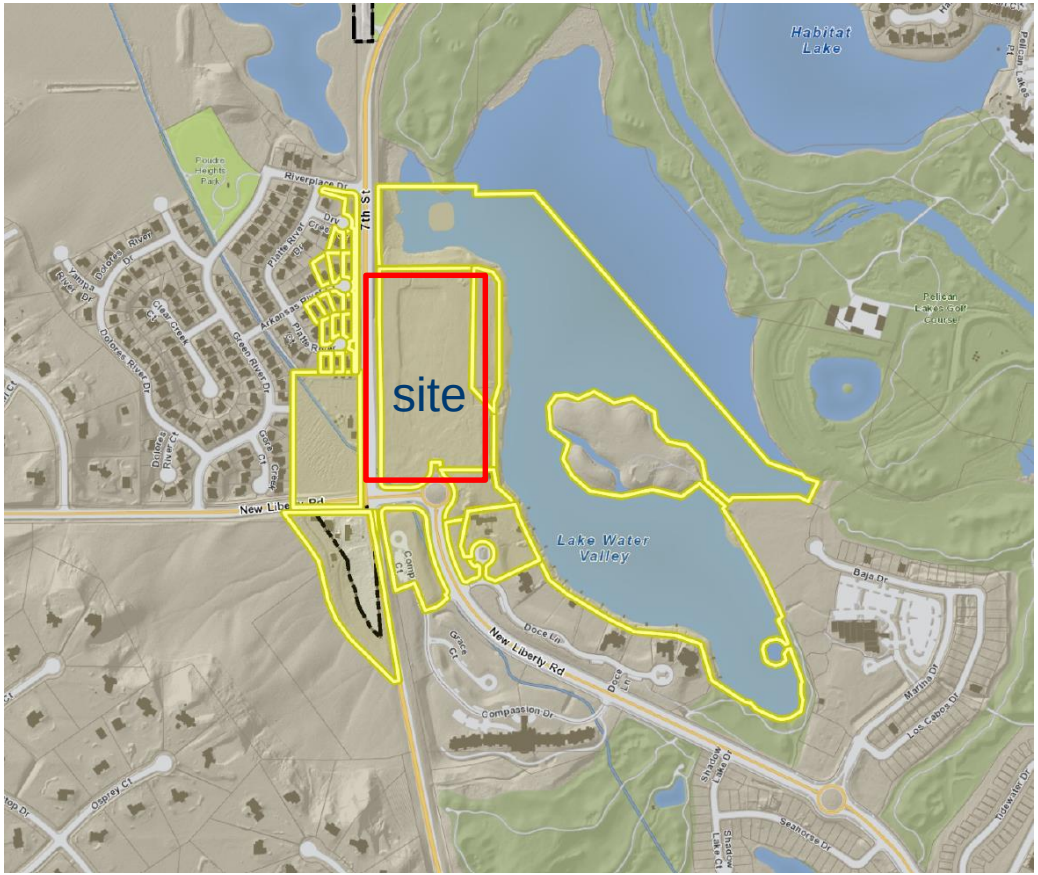
Goal:
Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Notification Area

A neighborhood meeting was held on March 27, 2019. Notifications for this meeting were as follows:

- March 13, 2018 – published ads in newspapers
- March 14, 2019 - affidavit of mailing to property owners within 300 feet

Notice of public hearings scheduled before Planning Commission (9/18/19) and Town Board (9/23/19) were published in the newspaper, posted on the website & bulletin board & a sign was posted on the property. Notice of these public hearings was also mailed to property owners within 300 feet.



Recommendation

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision as presented subject to all remaining Planning Commission and staff comments being addressed and the development agreement being executed.

Staff requests that the following be entered into the record:

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